



Criminal Justice (Scotland) Act 2016

2016 asp 1

PART 1

ARREST AND CUSTODY

CHAPTER 1

ARREST BY POLICE

Procedure following arrest

5 Information to be given at police station

- (1) Subsections (2) and (3) apply when—
 - (a) a person is in police custody having been arrested at a police station, or
 - (b) a person is in police custody and has been taken to a police station in accordance with section 4.
- (2) The person must be informed as soon as reasonably practicable—
 - (a) that the person is under no obligation to say anything, other than to give the information specified in section 34(4),
 - (b) of any right the person has to have intimation sent and to have access to certain persons under—
 - (i) section 38,
 - (ii) section 40,
 - (iii) section 43,
 - (iv) section 44.
- (3) The person must be provided as soon as reasonably practicable with such information (verbally or in writing) as is necessary to satisfy the requirements of Articles 3 and 4 of Directive 2012/13/EU of the European Parliament and of the Council on the right to information in criminal proceedings.