



## Pre Interview Review of Rights Aide Memoire

To be read to suspect(s) immediately before interview(s) at a police station and prior to administering the common law caution.

**“Before beginning this interview, under Section 31 of the Criminal Justice (Scotland) Act 2016 I must remind you of certain information. Please listen carefully:”**

	(Read out on <b>all</b> occasions).
<b>1.</b>	<b>“You have been arrested / attended voluntarily on suspicion of (general nature of offence).”</b>
<b>2.</b>	<b>You are under no obligation to say anything other than to provide your name, date of birth, place of birth, nationality and address.”</b>
“Do you understand?”	Yes / No

**FOI Disclosure  
- 22-0143**

### Intimation to Reasonably Named Person

	(Read out only if right <b>not</b> already exercised).
<b>3.</b>	<b>“You have the right to have intimation of your arrest / voluntary attendance and the place where you are in custody sent to a person reasonably named by you.”</b>
“Do you understand?”	Yes / No

### Right to Access to Parent / Adult

	(Read out <b>only</b> if aged 16 or 17 and not subject to supervision).
<b>4.</b>	<b>“You have the right to access to a parent or adult reasonably named by you while you are in police custody.”</b>
“Do you understand?”	Yes / No

### Intimation to a Solicitor

	(Read out only if right <b>not</b> already exercised).
<b>5.</b>	<b>“You have the right to have intimation sent to a solicitor of (a) your arrest / voluntary attendance; (b) the place where you are in custody / have attended and (c) that the solicitor’s professional assistance is required by you.”</b>
“Do you understand?”	Yes / No

**OFFICIAL**

**Private Consultation with a Solicitor**

	(Read out on <b>all</b> occasions).
<b>6.</b>	<b>“While you are in police custody you have the right to a private consultation with a solicitor at any time.”</b>
<b>“Do you understand?”</b>	Yes / No

**Solicitor Present During Interview**

	(Read out on <b>all</b> occasions).
<b>7.</b>	<b>“You have the right to have a solicitor present while being interviewed by police.”</b>
<b>“Do you understand?”</b>	Yes / No

**Review of Rights**

	(Read out on <b>all</b> occasions).
<b>8.</b>	<b>“Do you wish us to take any further action for you in respect of these rights before we commence Interview?”</b>
	Yes / No

Note any actions taken.

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**Prior to Interview**

<b>Caution at Common Law</b>	
<b>“I am now going to ask you questions about (crime / offence).”</b>	
<b>“You are not obliged to answer any questions, but anything you do say may be noted, may be audio and visually recorded, and may be used as evidence.”</b>	
<b>“Do you understand that?”</b>	Yes / No