

PERSONAL DATA 個人資料



NOTICE TO PERSONS IN POLICE CUSTODY OR INVOLVED IN POLICE ENQUIRIES

Please read the following information and keep it for reference.

You are entitled to the following rights.

1. Seeking legal assistance

- To make private telephone calls to, or communicate in writing or in person with a lawyer.
- To have a lawyer present during any interview with the Police.
- To communicate privately or refuse to communicate with a lawyer claiming to have been instructed by a third person on your behalf.
- To be provided with a list of solicitors published by the Law Society of Hong Kong.

2. Telling someone that you are at a police station

- To require the Police to try to inform a relative or friend that you are at a police station, and to be informed of the result.

3. Communicating with a relative or friend

- To be given reasonable opportunities to communicate with a relative or friend by telephone.
- To receive visits from a relative or friend. If for an arrested person and detained person, the permission of the Duty Officer for such visits is required.
- To be supplied with writing materials and to have your letter posted as soon as practicable at your own expense.

4. Receiving copies of written record under caution

- To be supplied with a copy of your written record under caution as soon as practicable after the interview.
- To refuse to answer subsequent questions until a copy of the written record under caution has been provided to you.

5. Communication with consulate if you are a foreign national

- To receive visits from or to communicate in private with (i) representatives from the consulate or the relevant authority of your home country or (ii) a lawyer whom such representatives arrange for you.

6. Notification to consulate if you are a foreign national

- To require the Police to notify the consulate of your home country in Hong Kong of your arrest or detention.
- To require the Police to notify the relevant authority of your home country of your arrest or detention, if there is no consular representation in Hong Kong.

7. Provision of food and drink

- To be provided with drinking water upon request while in police custody.
- To be offered three meals a day with drinks.
- Due to a special reason, e.g. religious need or outside the canteen operating hours, etc. food from an outlet or delivered by your relative or friend may be arranged on your behalf subject to the permission of the Duty Officer or an inspector and the inspection of such food.

8. Seeking medical attention

- To be given medical attention if you feel unwell.

9. Requesting for release or admittance to bail (applies to persons detained in police custody only)

- To request to be released or to be admitted to bail. (If you are remanded by order of a magistrate, the decision of release or granting bail will be made by the magistrate.)

Notes:

- Original of this Notice is to be retained by the OC Case as case property.
- For **Rights 1 to 5**, if under arrest or detained on the order of a magistrate, you are entitled to the rights provided that no unreasonable delay or hindrance is reasonably likely to be caused *to the process of investigation or administration of justice*.
- If you have been cautioned but not under arrest, you are entitled to full rights of a citizen including, but not limited to, the rights set out in this notice, except Right 9 'Requesting for release or admittance to bail' which is not applicable to you.

Formation (Ref. No.) : _____
Issuing Officer : _____
Interpreter (if any) : _____
Appropriate Adult (if any) : _____
Language / Dialect : _____
Date & Time of Issue : _____
Name of Recipient : _____
Identification Document : _____
and No. of Recipient : _____
Remark (if any) : _____

I (*have read / have had read over to me) the above paragraphs and acknowledge receipt of a copy of this Notice at _____ (hours) on _____ (Date).

(Recipient) (Interpreter/
Appropriate Adult,
if any)* (Issuing Officer)

* Delete as appropriate