



# Youth and police questioning

A Canadian Bar Association series supporting legal wellness

2017

Youth aged 12 to 17 have rights when stopped by police or arrested. This Legal Health Check offers information about those rights.

Do you have to cooperate with police? You may decide to cooperate, but can ask politely if you can leave, or if you have a choice in what they ask you to do. Never get into a fight with the police.

You do not have to:

- Open your bag
- Empty your pockets
- Surrender your cell phone, or give the password

But, the police can search you or pat you down for weapons if you are under arrest. If you think you are being arrested, ask the officer. If you are being arrested, the officer must say, in words you understand:

- The reasons for your arrest, including what crime(s) they are investigating
- That you do not have to say anything and what you say can be used against you later
- That you can get legal advice, and how to get free legal advice
- That you can speak privately to a parent or other adult you trust
- That if you make a statement, you can have a parent or other adult you trust, and a lawyer, with you

## Other Tips:

- You can give up these rights, but talk to a lawyer first about the consequences.
- You can be photographed and fingerprinted if arrested for most crimes.
- Usually, you will be released after arrest until your trial, sometimes with conditions you must follow. You may not be released if a judge decides that it will prevent you from committing other crimes, or that you are unlikely to show up for trial if released.
- You have the right to a lawyer if arrested. You can usually get one free through legal aid, or the judge can appoint one.

Check your local legal aid plan office, public legal information association or a community legal aid clinic for more information.

For links and resources, visit [cba.org/healthcheck](http://cba.org/healthcheck)



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Contact or referral info here.