

INFORMATION FOR ARRESTEES AT XR ACTIONS

This leaflet contains some helpful information for people who have recently been arrested at an XR action or event, from XR Legal Support).

You will have been released from the police station under one of a number of different circumstances:

- Charged with an offence, with a date to appear at court for an initial hearing
- Released on police bail, to appear at a police station at some future date
- Released under investigation
- Released with no further action
- Released with a caution

These are further explained briefly below.

You might like to talk to someone to: learn more about the legal process; discuss your options and likely outcomes; be in touch with other people arrested at the actions; make sure you have a good solicitor; or simply to share your experience.

XR Arrestee and Legal Support are committed to supporting defendants arrested on actions and demonstrations throughout the arrest and court process. You can find information and support at:

XR Legal Support

Email XR Legal: xr-legal@riseup.net

Legal Info Website: informeddissent.info

XR Back Office: 07749 335574 | Report your arrest at: arrestwatch.info/pss

We know it's a worrying time and information can be difficult to come by. We know from experience that it can be isolating and intimidating. The best way to deal with this is to meet others in the same position as yourself and stick together. Meeting and talking with other people facing the same pressures, and working together, can make everyone stronger.

You may have given your contact details to people meeting you when you were released from the police station - these will be passed to XR Legal so that they can contact you to offer further support. All personal details are held confidentially.

XR ALS organise Defendants' Meetings after protests, and the Arrest Welfare team can put you in touch with a Post Arrest Liaison (PAL). These are opportunities to: get further information; get an overview of all arrests; to start to build connections with people in the same situation. Email xr-legal@riseup.net if you want information about arranging a Defendants' Meeting.

If you have not already contacted a solicitor, we recommend you contact one of the following:

Irvine Thanvi Natas (ITN): 0203 909 8100 EFBW: 020 7790 4032

Hodge Jones and Allen (HJA): 0808 223 0980 Birnberg Peirce: 020 7911 0166

Birds: 020 8874 7433

If you used a duty solicitor whilst in custody, we recommend that you change to one of the above as duty solicitors are not always knowledgeable about protest law.

We have worked with these solicitors for some years, and they have successfully defended activists in many previous cases

If you have been:

Charged with an offence, to appear at court for an initial hearing:

- You should have a charge sheet with: details of the offence (which can differ from that for which you were arrested); the date of the hearing; and the court that it will be at.
- The initial hearing is largely administrative, often called a plea hearing: it will be your first opportunity to plead.
- It is not a trial. The place and date of your trial, if you plead not guilty, may be set at this hearing – make sure you have a list of dates to avoid with you.
- You will meet your solicitor or barrister at the hearing, who will talk through your case and give you further advice

Released on police bail, to appear at a police station at a future date:

- You have not been charged but the police may want to interview you or look for more evidence.
- Before you go to the police station, phone one of our recommended solicitors to make sure they will come with you.
- You may have restrictive conditions placed on you whilst you are on bail: find more information at greenandblackcross.org

Released under investigation:

- This is being used more frequently now. If you were arrested for a ‘summary’ offence, which is common at protests, then the investigation can only last for **6 months**. This means that the police and CPS have 6 months to gather any additional evidence against you and either bring a prosecution or drop the case. For more information, email xr-legal@riseup.net
- You will be: charged and summoned to appear in court; released with no further action; or invited to attend a police station.
- Voluntary interviews are not compulsory, and are an opportunity for the police to gather evidence that can be used against you. We strongly recommend not attending voluntary interviews - at any rate, don’t do anything without a trusted solicitor with you.

Released with no further action:

- What it says on the tin. You should have been given all your possessions back and are free to go.

Released with a caution:

- If you have accepted a caution then there is no further action, but the caution means that you have accepted responsibility for the offence, and the caution will stay on your record. Email XR Legal urgently and contact one of the above solicitors

Note: You will only go to court or have a trial if you have been **charged**.

Referred to your local Youth Offending Team (YOT):

- If you are **under 18**, you may have been referred to your local YOT, on top of one of the above. YOTs are part of the local council and work across agencies such as police, education, and children’s services.
- You will be invited to attend a meeting with the YOT. YOTs operate differently in different areas - email XR Legal for more information.

It is advisable to write down everything you can remember about your arrest as soon as you can, and keep the notes safely somewhere. Please keep us up to date with any changes in your legal situation by emailing XR Legal.