

# STEPS TO TAKE WHEN A LOVED ONE HAS BEEN ARRESTED

They are allowed **one** call to notify a loved one that they have been arrested. This call may be made by an officer at the station so do not expect a call from the person arrested.

Here are the steps you should take to ensure that the person's rights are protected and that they receive the necessary support

## IMMEDIATE STEPS

### 1 - STAY CALM

It's important to remain calm and composed. Panicking can make the situation more difficult for everyone involved. This is far easier said than done.



### 2 - UNDERSTAND THE REASON FOR ARREST

The individual must be informed by the police of the reason for their arrest. Verify that the accusations or charges being made make sense to you. It is essential that you familiarise yourself with the accusations and possible outcomes. By using the firsthand accounts of others to help you comprehend the circumstances around the arrest, the proceedings, and the possible jail sentence they may receive, try to minimize any shocks or surprises that may arise in the future.

[POLICE AND CRIMINAL EVIDENCE ACT 1984 \(PACE\) CODES OF PRACTICE - GOV.UK \(WWW.GOV.UK\)](https://www.gov.uk/government/consultations/police-and-criminal-evidence-act-1984-pace-codes-of-practice)

### 3 - THE RIGHT TO REMAIN SILENT

The arrested person has the right to remain silent. They should be cautious about making any statements until they have received legal advice. This advice extends to any telephone conversations that they may be allowed to have. If they do call you remind them that the call is being listened to and what you discuss can potentially be used against them as evidence.



### 4 - USE APPROPRIATE LANGUAGE & CONDUCT

Shouting, bad language and becoming a nuisance will never assist these situations. Think before you speak and record every call. You are NOT breaking the law if you use any recording for your own use and do not ever broadcast the conversation for public scrutiny.

This must only ever be used for your own personal benefit and to clarify any miscommunications or confusion.

# CONTACTING LEGAL REPRESENTATION

## REQUEST LEGAL ADVICE

The arrested person has the right to **free legal advice**. They should request to speak to a solicitor as soon as possible. This can be done at the police station. **Legal representation at the police station is free**. If you choose to instruct a legal firm and cannot claim legal aid this can become very costly. There are legal artificial intelligence sites that you can access which can be used to ask basic questions and familiarize yourself with legal terms, discussion and process.

## CONTACT A SOLICITOR

If you know a solicitor, **contact them immediately**. If not, the police can provide a list of duty solicitors who can offer free legal advice. Police station representatives are not solicitors, as such, but they have been trained to represent the person under arrest throughout their police interview. If you are considering getting your own solicitor research those in your locality and read reviews about the individual or firm. There is absolutely no obligation to use the solicitor who represented them at the police station should the case proceed to trial.

[Caira \(unwilderred.co.uk\)](https://unwilderred.co.uk)

## AT THE POLICE STATION

### 1 - CUSTODY OFFICER

Upon arrival at the police station, the arrested person will be presented to a custody officer who will explain their rights and the procedures that will follow.

### 2 - RIGHTS IN CUSTODY

The arrested person has several rights, including:

- The right to **have someone informed** of their arrest. There is no legal right for the arrested individual to make this call. The police must have expressed consent from the detainee to contact a person and make them aware of the arrest.
- The right to **consult the Codes of Practice**, which outline police procedures.
- The right to **medical help** if feeling unwell. If you are made aware that a loved one has been arrested and you have any concerns for their health, contact the station and report this to the custody officer.

### 3 - THE INTERVIEW PROCESS

The police may conduct an interview to gather information about the alleged offence. **The arrested person should have a solicitor present** during the interview to ensure their rights are protected. In some cases, individuals can be contacted and invited to attend the police station for a voluntary interview at a mutually convenient time. They will be interviewed under caution and should ensure that they have legal representation.

## GATHERING INFORMATION

### COLLECT EVIDENCE & KEEP RECORDS

Start gathering any evidence that may support the arrested person's case. This could include **witness statements, documents, or any other relevant information**. **DO NOT** post on social media trawling for anything to support a person defense. **DO NOT** contact any victims or name them on social media.

Keep detailed records of all interactions with the police, including dates, times, and the names of officers involved.



## BAIL & CUSTODY

### BAIL APPLICATION

While awaiting a court date or more investigation, the arrested individual may be released on bail. The custody officer will explain the terms of the bail. Please make sure that the terms of the bail are **adhered to**. You will be apprehended if you violate any restrictions imposed on your loved one's ability to live away from the home address.

### REMAND IN CUSTODY

If bail is not granted, the arrested person may be remanded in custody. In this case, it is important to prepare for the next court appearance. They will be taken from the police station in a van to a court and once remanded by the judge they will be transported to prison, usually in the locality. The police have no legal responsibility to tell you where that is. Once they arrive at the prison they should be given a short reception call, **use this time to gather information about where they are, their prison number and to offer reassurance about the situation**. They will be issued with a pin number to make phone calls and £1 in emergency credit. They will be given an induction pack which has basic clothing and footwear, toiletries and vapes (if they smoke).

## PREPARING FOR COURT

If you are made aware that there is any possibility of the person being remanded into custody prior to them appearing in court, **prepare a "nasty bag"**. This should contain **clothing, medication, contact details for loved ones and basic toiletries**. This can be handed discretely to a court usher who will ensure that it is taken with them to the prison. For a more detailed list of what to pack, **please either contact us directly**, refer to the information on our website or in the book Unseen Victims

<https://unseenvictims.org.uk/> & <https://www.amazon.co.uk/Unseen-Victims-themselves-anothers-offending/dp/B0C1JBHZPL>

### UNDERSTAND THE CHARGES

Make sure you fully understand the charges and the potential consequences. This will help in preparing a defence.

### LEGAL REPRESENTATION

Ensure that the arrested person has legal representation for any court appearances. A solicitor can provide guidance on the legal process and help build a defence. To keep down the costs of calls you can request a letter from your loved one giving consent for you to speak with their legal counsel on their behalf. Solicitors are incredibly busy so please try not to bombard them with calls and emails. In most cases they are very responsive and will contact you with any updates, as they happen.

# SUPPORT & COMMUNICATION

## STAY IN CONTACT

Maintain regular contact with the arrested person and their solicitor. This will help you stay informed about the progress of the case. The inmate must give contact details for everyone one who will support them whilst in prison. They will be vetted and connected by phone to confirm that they are happy to be added to the inmate's pin for them to call or email. This process is not immediate and can takes days or even weeks.



## EMOTIONAL SUPPORT

Being arrested can be a traumatic experience. Provide emotional support to the arrested person and encourage them to stay positive. Remaining positive may seem like an impossible task in the early days but please be assured that things do get easier over time and a semblance of normality about the situation come into play. Setting boundaries about financial support and how regular you can visit early on a prison journey can assist with distress and upset a later date. It is perfectly normal to wish to see your loved one as much as possible, but the cost associated with this contact soon mounts up. Remember to always ensure that you and your family's needs are met before spending money on visits and contact.

When a person is arrested, it is crucial to ensure their rights are protected and that they receive the necessary legal support. By staying calm, understanding the process, and seeking legal advice, you can help navigate this challenging situation. If you have any further questions or need more specific guidance, please feel free to ask.

**IF HOWEVER, THEY ARE REMANDED INTO IMMEDIATE CUSTODY**

**HERE ARE SOME STEPS YOU CAN TAKE TO PROVIDE SUPPORT:**

## UNDERSTANDING **REMAND** -

Being **remanded** means the person is **held in custody while awaiting trial or sentencing**. This can happen if the court believes there is a risk of the person absconding, committing further offences, or interfering with witnesses.

Remand duration's can differ in length. If circumstances change, the court will examine their status on a regular basis and they may be released on bail. A person will go through a categorization process and may be transferred to another jail after being found guilty at trial or entering a guilty plea to the indictments and receiving a prison sentence. Because every institution is different and your routine will change, you might not be familiar with the procedures and rules, which can make this a stressful period. Utilize peer-to-peer support systems and the internet to get prison-related information. Their money and phone numbers won't be processed right away, so there can be a lag in communication.

# SUPPORT

## PRACTICAL SUPPORT

### FOR COMMUNICATION

**Letters** - Writing letters can provide emotional support and help the person feel connected to the outside world. Inmates are given a stamp, writing paper and an envelope, every week.

**Phone Calls** - Most prisons allow inmates to make phone calls. Ensure the person has access to funds for phone credits. Calls from prison are charged at 10p per minute to a landline and as much as 65p per minute to a mobile. Unseen Victims strongly recommend that you use a telephone app which drastically reduces the cost of these calls.

[FoneSavvy UK](#)

**Emails** - Once you have been giving your loved ones prison number you will be able to send and receive emails. This is not an instant service and the content of these messages is monitored. A single email will cost 42p, if you request a reply the cost will be 65p.

[Email a Prisoner - the hassle free way to keep in touch](#)

**Visits** - Arrange to visit the person in prison.

### FOR FINANCIAL

**Money for Essentials** - You can send money to the person in prison to help them buy essentials from the prison canteen. PLEASE consider this financial burden and make sure that you and your family's needs are met before sending money into a prisoner. They will not starve, and items bought from a canteen sheet are expensive. Most inmates are paid for any work they undertake or if they are in education. The amount varies massively from prison to prison the amount is between £10-£20 per week.

[Send money to someone in prison - GOV.UK \(www.gov.uk\)](#)

**Legal Costs** - If possible, assist with any legal costs they may incur. Legal aid is a means tested application to receive free legal advice and representation... Seek appropriate advice from your legal team who will be able to calculate any financial support that you may be entitled to, to assist with your defence.

[Work out who qualifies for criminal legal aid - GOV.UK \(www.gov.uk\)](#)

### FOR EMOTIONAL

**Stay Positive** - Offer words of encouragement and stay positive. Remind them that they are not alone and that you are there to support them. Be prepared for horror stories as prisons are not pleasant places and bad things happen with alarming regularity. Many inmates are locked up for 23 hrs a day but encouraging them to get a job or engage with education will enable them to spend time outside of their cells. Most cells have a television and they are charged £1, per week to rent this. That cost is usually split if the cell is multiple occupancy. Books can be sent into prison and encouraging the educational opportunity they have access to during their incarceration has the potential to assist with finding work once they are released. Life for those of us supporting a person in prison continues and with that comes happy and sad times.

**Mental Health** - Encourage them to access mental health services available in the prison if they are struggling emotionally or psychologically.

**3 Peer to Peer support** - It is important that a person supporting a person in prison looks after their own mental health and wellbeing. Peer to Peer support and exploring others lived experience can assist with the stress, anxieties and fear that you will experience on these journeys. Join a social media group such as Unseen Victims where you will be welcomed, supported and can speak freely without judgement. This is a closed, private group and there is opportunity to post anonymously should you wish to do so.

## WHAT TO DO IN AN EMERGENCY

If you are concerned about the health or wellbeing of a loved one **every prison has a telephone number that can be called to alert safer custody about your concerns.** It is hit and miss that the call will be answered but there is an **opportunity to leave a voicemail**, and you will receive a call back. Every prison has a chaplaincy service and for many loved ones who are worried speaking with the chaplain can assist them. You can contact them and ask that they visit your loved one and let them know that you are doing okay and tell them that you are thinking about them, they will call you back. During the early days of incarceration this has comforted countless thousands and appeased anxiety and distress.

## LEGAL SUPPORT

### **Legal Advice -**

Ensure they have access to legal advice. They have the right to speak to a solicitor, and it's important they understand their legal rights and options.

### **Gathering Evidence -**

Help gather any evidence or information that may be useful for their defence. This could include witness statements, documents, or other relevant information. DO NOT post on social media trawling for anything to support a person defence. DO NOT contact any victims or name them on social media.

## STEPS FOR VISITS

### BOOKING

Contact the prison to book a visit. The booking system varies from prison to prison, at some you will make a booking online or by calling the prison whilst at other the inmate makes the booking on an ATM within the prison. You will need to provide your details and the prisoner's details. Your first visit to a prison will be a daunting experience. It is normal to feel anxious and have concerns. There should be a support group who run the visitors centre at the establishment that you are visiting. Their contact details will be available on the prison website. The staff at the prison will assist you with any concerns that you may have and should treat you with dignity and respect if this is not the case, please contact **Unseen Victims** who will be able to assist you with addressing these problems. Follow the prison's guidelines on what you can bring and wear during the visit.

## IDENTIFICATION

Bring **valid** identification with you when visiting the prison. This is usually a **passport or driving licence**. A photo will be taken of you and your fingerprint will be scanned to use on future visits. Where there is a baby or small child visiting and they have no identification prisons will accept the **red book** that is used to record their development and health or a **birth certificate**.

## RULES

Familiarise yourself with the prison's visiting rules, including what you can and cannot bring into the prison. The rules at prisons vary massively so finding out beforehand can save the distress of being turned away and the visit being cancelled. You can place your personal items in a secure locker. The process of security checks is not dissimilar to those at the airport, you will be patted down, asked to open your mouth and your hair may be checked. Some prisons ask you to remove footwear and the soles of your feet will be checked. There could be trained dogs who will carry out checks for drugs, sometimes they circle a few individuals, but it is not uncommon to be asked to sit on a chair and the dog will circle you individually.

Supporting a person in prison, especially when they are remanded, involves practical, emotional, and legal assistance. By staying in touch, providing financial and emotional support, and ensuring they have access to legal advice, you can help them navigate this challenging time. If you have any further questions or need more specific guidance, please **feel free to ask**.

**If the person that you are supporting is denying any wrongdoing - do not simply accept their word.**

**Question everything.**

**Insist on attending meetings with their legal team.**

**If you find yourself offering excuses or alibi's – Stop it.**

**Do Not ignore red flags**

**Protect yourself and your family.**

**If the relationship is new, request that the police provide you with The Domestic Violence Disclosure Scheme (DVDS), also known as "Clare's Law".**

**[Domestic Violence Disclosure Scheme factsheet - GOV.UK \(www.gov.uk\)](http://www.gov.uk)**

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# REFERENCES & IMPORTANT LINKS

<https://www.gov.uk/guidance/police-and-criminal-evidence-act-1984-pace-codes-of-practice>

<https://caira.unwilderred.co.uk/auth/login>

<https://www.fonesavvy.co.uk/>

<https://www.emailprisoner.com/>

<https://www.gov.uk/send-prisoner-money>

<https://www.gov.uk/guidance/work-out-who-qualifies-for-criminal-legal-aid>

<https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-violence-disclosure-scheme-factsheet>