

What rights must you be told about before the interview starts?

1. Brief information about the facts

- You have the right to be told briefly about the facts concerning which you will be interviewed.

2. Right to remain silent

- At no point will you be obliged to incriminate yourself.
- After stating your identity, you may choose to make a statement, answer the questions asked or remain silent.

3. Right to a confidential consultation with a lawyer

A. When?

- You have the right to a confidential consultation with a lawyer before the first interview.
- When the facts you are to be questioned about are punishable by imprisonment of 1 year or more.

Exception

You will not have this right in the case of traffic offences.

B. Which lawyer?

- You may consult a lawyer of your choice.
- You may, under certain legal conditions, call upon a lawyer by means of the legal aid system, which is completely or partially free. You may ask for the form that summarises these conditions. You will then ask the Bar Association's legal aid office (*bureau d'aide juridique du Barreau*) for a lawyer to be appointed.

C. How will the confidential consultation take place?

- You may, on one occasion only, ask for the interview to be postponed to a later date or time so that you can consult your lawyer.
- You may choose to talk to your lawyer by telephone, after which the interview may begin.
- You may await your lawyer's arrival at the police station.

D. Can I waive this right?

You are not obliged to have a confidential consultation with a lawyer.

You may waive this right voluntarily and after serious thought if:

- You are of the age of majority;
- You have signed and dated a document to this effect.

4. Attending a police station for interview

You may also receive a written notice to attend the first interview.

If you have received a written notice listing the rights mentioned in points 1, 2 and 3 and indicating that you are presumed to have consulted a lawyer before appearing for interview:

- You may no longer seek postponement, given that you have already had the opportunity to consult a lawyer.

What are your rights during the interview?

1. At the start of the interview

Before the interview you must be provided with some information. In addition to the brief information about the facts and the right to remain silent, you will be told that:

- You may request that all the questions asked and the answers you give to them are recorded as given;
- You may request that a written statement or hearing be conducted;
- Your statements may be used as legal evidence.

2. Use of documents during the interview

During the interview, you may make use of any documents in your possession, as long as the interview is not postponed in order for you to do this.

You may ask, during or after the interview, for these documents to be attached to the written record or filed with the court clerk.

3. At the end of the interview

At the end of the interview, you will be given the text of the interview to read. You may also ask to have it read to you.

You will be asked whether you would like to have any changes or clarifications made to your statements.

4. Interpreter assistance

- If you need to speak a language other than that of the proceedings, the police will call on a sworn interpreter to help you during the interview. This help is free.
- If the person questioning you speaks your language, he or she may record your statements in your language.
- You may also be invited to make your own record of your statements in your own language.