



MINISTÈRE DE LA JUSTICE

DECLARATION OF LEGAL RIGHTS

To be provided to a person remanded in custody in the course of an investigation

You have been remanded into custody by the liberties and detention judge. This document outlines the main rights to which you are entitled as well as the main information you should be provided with.

You may keep this document throughout the time you remain in custody

Awareness of the offence

You have the right to know the nature, date and location of the offence with which you are formally being investigated by an investigating judge, and the reasons justifying your remand into custody.

Legal assistance

During the time of the investigation, you may ask for the assistance of a lawyer of your choosing, or state appointed lawyer.

You have the right to freely consult with your lawyer through oral or written communication, and he/she may be present at all your hearing, of which he/she must be informed.

If you are a minor and your family has not chosen a lawyer, a lawyer will be state appointed to represent you.

Right to remain silent

During your hearings, you may choose either to make a statement, to answer the questions asked of you or to remain silent.

Assistance by an interpreter

If you do not speak or understand French, you have the right to be assisted by an interpreter free of charge during hearings and when communicating with your lawyer.

Right to request release from custody

You have the right to make a request to the investigating Judge for your release from custody at any time. This request will be reviewed by the Judge of liberty and detention.

Length of the Deprivation of Liberty

The length of your remand in custody will depend on whether you are an adult or a minor, whether they type of offence(s) you are accused of is a misdemeanour/either way offence or crime/indictable offence, and on whether you have previous convictions.

The length of your remand can be found on the order of the Judge who remanded you in custody.

In specific circumstances, your remand in custody can be extended. Extensions of time in custody can only be decided following a contested hearing where you and your lawyer will have the opportunity to be heard.

Informing a Third Party

You have the right to inform any third party you wish, including your family, of your remand into custody.

Equally, if you are a foreign citizen, you may ask for your country's consular authorities to be notified.

Medical Examination

You can ask to be examined by a doctor.

Access to your file

You have the right to obtain a copy of the record of the proceedings through your lawyer. The investigating judge may restrict your access to certain documents in the case file if there is a risk of intimidation to complainants, co-defendants, their lawyers, witnesses, investigators, experts or any other persons involved in the case.