



MINISTÈRE DE LA JUSTICE

# **DECLARATION OF LEGAL RIGHTS**

To be provided to a person remanded in custody following a decision to send the case to trial

You have been remanded into custody by the judge of liberties and detention, further to a decision that your case will be sent to trial at correctional tribunal or the court of assises. This document outlines the main rights to which you are entitled and the main information you should be provided with.

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

## **Knowledge of the offence and date of hearing**

You have the right to know the nature, date and location of the offence you are accused of having committed. You must be informed of the date of your appearance in court if it has already been set.

### **Legal assistance**

You may ask for the assistance of a lawyer of your choosing or a state appointed lawyer.

You have the right to freely consult through oral or written communication with your lawyer, who may be present at all of your appearances in court, of which he or she must be informed. Your lawyer is permitted access to your case file.

### **Right to remain silent**

During your appearances in court, you may choose either to make a statement, to answer questions 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 request your release from custody at any time. This request will be reviewed either by the correctional tribunal if you are accused of a misdemeanour/either way offence or by the Chamber of Examining Judges if you are accused of a crime/indictable offence.

### **Length of the deprivation of liberty**

As of the day of your remand into custody, your appearance before the trial court must take place within two months if you have been committed to the correctional tribunal, and within a year of being committed to the assises court.

### **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 Record**

You have the right to obtain a copy of the record of the proceedings, in digitized format where appropriate.