

Information Leaflet

# Interview Under Caution

If you have been asked to attend  
an Interview Under Caution,  
it is important that you read this leaflet.

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# Interview Under Caution

If you have a severe visual or hearing impediment, or if English is not your first language, please contact the council so we can make arrangements to assist you.

## What is this leaflet about?

### Why have I been asked to attend an Interview Under Caution?

The council has asked you to attend an Interview Under Caution because it believes that there are grounds to suspect that you have committed a criminal offence.

This does not mean that council believes you are guilty and will prosecute you. It means the evidence the council has obtained so far suggests you may have committed an offence.

The interview will be held in order to give you an opportunity to provide an explanation of events that appear to have occurred.

## **Do I have to attend the interview?**

No you do not have to attend an interview, but failure to do so, means you lose the opportunity to provide an explanation to the council.

## **Who can come to the interview with me?**

Anyone who is not connected to the incident can attend the interview with you. You may seek legal advice prior to attending the interview and can have a solicitor/legal advisor present with you. You can appoint a solicitor/legal advisor yourself or your local Citizens Advice Bureau may be able to help you.

If the person you bring to the interview is not a solicitor/legal advisor, then they will be there for moral support only. They will have no right to speak, advise you or ask questions during the interview.

The council does not have child care facilities and will not interview you if you have a dependent child with you at the time of the interview. Unless it is prearranged with the relevant officer prior to the interview because exceptional circumstances prevent you from complying with the above condition.

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If you have a severe visual or hearing impediment, or English is not your first language, please contact the council prior to the interview to enable us to make appropriate arrangements for someone to be present who can assist you.

## **Who will interview me?**

You will be interviewed by one or two officers from the council. These officers are trained to conduct Interviews Under Caution.

Sometimes the council conducts joint investigations with other agencies. If there has been a joint investigation in your case, you may be interviewed by an officer of the council and an officer from another agency. If this is the case, it will be made clear to you at the times of the interview.

## **What happens at the interview?**

Prior to the commencement of the interview, two cassette tapes will be unsealed from their packaging in front of you and will be placed in the tape recorder. The tape recorder will then be switched on and will start to record the interview.

Before you are asked any questions, the council's officers will explain a number of things to you including:

- *The interview is being recorded.*
- *The interview is being conducted in accordance with the Police and Criminal Evidence Act 1984 and that a copy of the Codes of Practice for the Act is available to you to consult.*
- *You will be cautioned and advised of your rights (that you are not under arrest, that you are free to leave at any time and that you may seek legal advice at any time).*
- *You will be advised as to why you have been asked to attend the interview.*
- *You will then be asked questions about the allegations. The council's officers are not bound to accept the first answer you give but are duty bound to try to establish the truth as to what happened.*
- *At the end of the interview, you will be asked to sign a label which will be used to seal one of the tapes. You will then be given a form explaining how you can have access to a copy of the recording of the interview. You will also be given a form showing what will happen next.*

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# Legal Rights

- This interview is being conducted in accordance with the Police and Criminal Evidence Act 1984.
- The interview is to enable you to offer an explanation of the facts, though should evidence of an offence emerge, you may be prosecuted.
- You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you may later rely on in court. Anything you do say may be given in evidence.
- You are not under arrest or detained here. You may leave at any time during the interview.
- You may have a friend with you if you wish.
- You may have a solicitor and/or an interpreter with you. If you choose not to have a solicitor present but decide during the interview that you want legal representation, then we can suspend the interview to give you time to arrange this.
- You may seek legal advice either in person or by telephone.
- A copy of the Police and Criminal Evidence Act Code of Practice is available if you wish to refer to it.