



YOUR RIGHTS IF YOU ARE ARRESTED

If you are arrested, you must be extended your rights under the **Constitution of Papua New Guinea**. You must be:

Told the reason for the arrest and the nature of the offence with which you are charged and in a language you understand;

- Allowed to communicate with a family member whenever practicable;
- Allowed reasonable time for the preparation of your defense; and,
- Given opportunity for legal representation and time to give instructions to your lawyer.

The **Arrest Act Chapter 339** gives effect to these provisions by requiring the officer-in-charge at the police station:

- To release you if you did not commit the offence, if you should not be proceeded against or if you can be easily summonsed before the Court;
- To detain you, enter your name in the arrests register, and promptly inform you of:
 - The reason for your arrest;
 - Details of the charges against you; and,
 - Your right to communicate immediately and in private with a member of your own family or a personal friend and given instructions to a lawyer of your choice (including The Public Solicitor if you are entitled to legal aid); or
- If you are detained, to grant or refuse bail, and if not, bring you before a Court without delay

The police cannot use necessity or desirability of interrogating you as a good ground for not bringing you without delay before a Court.