

Real Rights: young people engaging with law enforcement



Nicosia, Cyprus



The Real Rights project has been developed by Baker McKenzie and the Global Initiative on Justice with Children to provide young people – especially young people of colour, minority and vulnerable populations – with specific guidance for interactions with law enforcement. Thanks to the Real Rights project and the pro bono work of over 1,500 volunteer professionals, we have created a clear and accessible data base of answers to child questions when they are in contact with the police – from initial contact, questioning, to stop and report.

If you are interested to support us in this project, click on the "Feedback" button provided in each city page or email realrights@bakermckenzie.com.

Rights:

What rights do I have when I encounter law enforcement?

Question Asked

- Stopped By The Police On The Street, Now What?
- When Can Police Search You and Your Surroundings?
- Reasons Police May Detain or Arrest You
- The Difference Between Police TELLING Me What To Do And Asking Me To Do Something
- Do Police Need A Warrant To Arrest You?
- How Do You Know If You Are Under Arrest?
- What To Do After Being Warned of Your Rights
- Police Questioning You
- How do I Contact A Lawyer and When?
- Do Police Always Have To Tell The Truth?
- How do I make a complaint if I have questions or feel my rights have been violated?
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- How can I respond to circumstances involving discrimination?
- What can you do if the police perform an improper search? Or I was improperly detained?

Stopped By The Police On The Street, Now What?

Proposed Information

It is important to follow this advice:

- Stay calm. It is not a good idea to run. Speak carefully and clearly. Anything you say can be used against you in a court of law.
- It is not a good idea to touch the officers. Keep your hands where the police can see them.
- It is not a good idea to resist, even if you're innocent or if you think the police are acting unfairly or unlawfully.

Can the police arrest you for refusing to answer questions?

If the police believe that you have information about a crime they are investigating, they may request that you follow them to the police station to give a statement or answer questions. If you refuse to go, they may provide you with a written notice to be brought to a police station. If you refuse to cooperate with the police you are committing a crime.

It would be better for you to cooperate with the police, but please keep in mind that you have the right to remain silent, which means you can choose to not say anything and not answer any questions.

Please make sure that the police officers know that you are a child, even if you think it is obvious. You can kindly ask them to contact your parents or guardians.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

What if the officers do not identify themselves?

Police officers usually wear a uniform.

If they are wearing every day (civilian) clothing in the course of their service, they should show you their police identification card to identify themselves as police officers.

If you are unsure about whether they are police officers, you can kindly ask them to confirm that they are police officers and to show you their police identification card.

Source: Cyprus Code of Police Ethics, Art. 39 - https://drive.google.com/file/d/17DSsm0_afXrN0PaG8CE-7f_7lu_EAUTB/view

What if an officer just begins speaking to me but does not order me to do anything?

It is important to listen to the police officer.

The police have an important job and may need your help to protect the public. A police officer may begin talking to you for your own or other people's safety.

Do not assume you are in trouble.

You may ask questions back to help understand why the police officer is talking to you if it isn't clear.

It is usually best to be polite, friendly and cooperative even if you are a bit frightened.

Please keep in mind that you have the right to remain silent and not answer any questions.

Source: https://drive.google.com/file/d/17DSsm0_afXrN0PaG8CE-7f_7lu_EAUTB/view

What if the officer is not in uniform or identified as an officer but I think it is one?

If police officers are wearing every day (civilian) clothing in the course of their service, they should show you their police identification card to identify themselves as police officers.

If you are unsure, you can kindly ask them to confirm that they are police officers and to show you their police identification card.

Source: Cyprus Code of Police Ethics, Art. 39 - https://drive.google.com/file/d/17DSsm0_afXrN0PaG8CE-7f_7lu_EAUTB/view

Can I tell police I do not want to speak without a lawyer?

During your interrogation by the police, you can tell them that you do not want to speak without a lawyer. A person under the age of 18 must be questioned with his lawyer present.

You have the right to speak with your lawyer as soon as you are arrested.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1; https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en; Article 3 (1) (a) of the Rights of Persons Arrested and Detained Act, N.163 (I) / 2005

If I am stopped in a group, and some kids run, can I run?

If you are stopped in a group, it would not be a good idea to run even if some kids run. Remember, the police can require anyone they believe may have information about a crime they are investigating to appear for questioning and to give a statement.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Can I tell others (siblings, for example) to run?

If you are stopped in a group, it would not be a good idea to run even if some kids run. Remember, the police can require anyone they believe may have information about a crime they are investigating to appear for questioning and to give a statement.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

If the officer's language is not my first language, can I tell them without waiving my rights?

The Police must provide an interpreter or translation services if needed during a police investigation. You can inform the Police Officer that you do not understand their language, so that they can provide you with a translator or interpreter that will help you understand what is being requested from you.

Source: Cyprus Code of Police Ethics, Art. 46 - https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument; https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

If I did not do anything, can they stop me?

Yes. If the police believe that you have information about a crime they are investigating, they may request that you follow them to the police station to give a statement or answer questions. If you refuse to go, they may provide you with a written notice to be brought to a police station. If you refuse to cooperate with the police you are committing a crime.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

When Can Police Search Your and Your Surroundings?

Proposed Information

It is important to follow this advice:

- You have the right to say no to searches of your person.
- You have the right to say no to searches of your car, house or other surroundings.
- You cannot be arrested for refusing to consent to a search without a warrant.
- A warrant is a court order so you have no choice but to consent.

What if a police officer wants to search my phone?

Generally, the police can only search you or your possessions if you have been arrested, or if you give your consent. This is the rule set forth in the Constitution of the Republic of Cyprus.

If you have been arrested, the police have the power to seize any object or document which they have reason to believe is essential evidence against you or another person being charged with a criminal offence.

Source: <http://www.cylaw.org/nomoi/arith/CAP155.pdf>

What tools can police use to search me? What technology? (Facial recognition, hidden cameras, finger print searches, etc.)

If you are under arrest, then the police have the right to search you, and you have the right to be searched by someone of the same gender.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Can they search my backpack or other item I am carrying?

The police may only search you if you are under arrest.

If you are under arrest, the police have the power to search and take any item in your possession (including your backpack or other items) as long as the police have sufficient reason to believe the item is substantial evidence in a potential criminal charge against you or someone else.

Source: <http://www.cylaw.org/nomoi/arith/CAP155.pdf>

Can they take my picture or record me?

Taking a picture or making a record constitute collection of personal data and can only be done under the law if they are really necessary and legitimate, and for specific purpose. There are even more restrictions to collect such personal data for children (as opposed to adults).

Source: Cyprus Code of Police Ethics, Art. 36 -
https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Can they ask me where I am going and why?

Even if you get arrested, you have the right to remain silent. The police may ask you these questions, but you do not have to answer.

You can respond to the police and tell them where you are going and why, but you do not have to.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Reasons Police May Detain or Arrest You

Proposed Information

It is important to follow this advice:

- The police may arrest you because they suspect you of committing (or having committed) a violation of the law, or if they suspect that you currently have evidence of a crime.
- Sometimes police have a warrant for an arrest. You should be clear on what kind of warrant is being presented to you if that is the case.
- It is a good idea to review any papers from police/warrant carefully, to make sure you understand what exactly is covered.
- If the police arrest you, they also have the right to search you. Anything found during this search may be used as evidence against you.

What if I did not do anything illegal, must I speak with the police and answer questions?

You may be stopped for questioning by the police or simply asked questions by the police while they perform their duties.

This does not mean you are in trouble.

A stop is not the same as an arrest.

A stop occurs when a police officer detains you to ask you questions, but does not move you to a different location.

The police must carry out their duties in a fair and impartial manner and without discriminating.

The police officer may simply want to ask you for information as a witness and not as a person suspected of doing anything wrong.

It is probably a good idea to listen carefully to the police officer before saying anything in response.

For example, if a police officer asks you if you have seen a man in a red jacket pass by, you might simply say yes and indicate the direction and then go on with your business.

If it is clear that the officer is asking questions about you and may suspect you of breaking the law, then you should be aware of your rights.

A police officer should not stop you for this kind of questioning unless he has a reasonable belief that you have broken the law.

The police should only interfere with your privacy when it is necessary and only to obtain information they really need to carry out their duty of preventing and investigating crime and to protect the public.

If you are not breaking the law, the police should not be able to stop you from being somewhere you are allowed to be if you are conducting legal activities just because they want to.

Even though you are not under arrest at this point, you do not have to answer any questions that the police officer asks you even if you have broken the law or are unsure if you may have done so. You should tell the police officer you are a child, even if you think it is obvious.

You are not required to make a statement. You may ask for the presence of a trusted adult person (your parents, relatives, or a trusted friend) and a lawyer before making any statement.

So, if you are not comfortable answering any questions or you feel like you might be in trouble, you can ask the police officer for an adult you trust and a lawyer before saying anything.

The police in carrying out their duties, must always take into consideration everyone's fundamental rights, such as freedom of thought, conscience, religion, expression, work, peaceful assembly, movement and the peaceful enjoyment of possessions.

Police personnel must show respect towards the public and act with integrity in a professional, objective, impartial, polite, fair, honest, conscientious, just and right manner.

The Police must provide for a fair interview during which the person being interviewed is made aware of the reasons for the interview as well as other relevant information. Systematic records are kept of police interviews.

Source: Cyprus Code of Police Ethics, Art. 37, 38, 39, 43, 44 -

https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Can I complaint about my treatment by the police?

A complaint against the police may be submitted here:

http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:

iaiacap@gov.cy

When and how can I be asked for information by the police?

If the police believe that you have useful information concerning a crime they may demand your presence at a police station in order to give a statement or produce any relevant document. If you refuse to attend, they may serve you with a written notice. Failure to comply without reasonable excuse is a criminal offence.

If you are a minor you must also be informed of your right to communicate with your parent or guardian.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

What if they tell me something they are investigating that is wrong? Must I correct them?

No. If you are questioned by the police or other authorities, you do not have to answer questions and you do not have a duty to provide evidence or documents or provide them with corrected information.

Source:

https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

What if an officer just begins speaking to me but does not order me to do anything?

It is important to listen to the police officer.

The police have an important job and may need your help to protect the public. The police may begin talking to you for your own or other people's safety.

Do not assume you are in trouble.

You may ask questions back to help understand why the police officer is talking to you if it isn't clear.

It is usually best to be polite, friendly and cooperative even if you are a bit frightened.

Please keep in mind that you have the right to remain silent and not answer any questions.

Source:

https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

What is the legal difference between talking to them if they do not tell me I am under arrest, versus after they inform me that I am under arrest?

The police will tell you if you are arrested, and the police must tell you the reasons for your arrest unless a violent reaction from you makes this impossible.

If you are suspected to be involved in a crime, the police must tell you that before questioning that you are not obliged to say anything unless you wish to do so but whatever you say will be taken down in writing and may be used as evidence against you.

If you are a child, you must also be told of your right to call your parent or guardian.

When you are placed under arrest, the police must inform you of your constitutional rights.

Source:

https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1;
<https://www.lawyersincyprus.com/news/articles/the-criminal-process-how-it-works>

The Difference Between Police TELLING Me What To Do And Asking Me To Do Something

What is the difference between the police deciding to search me or my belongings (phone, person, backpack) and me agreeing to the search?

A police officer has the right to stop and search your vehicle:

- If the officer reasonably believes that narcotic drugs may be found.
- To check whether any explosive substance or illegal weapon is in the vehicle.
- If the officer has valid reasons to believe that the vehicle is involved in any illegal action.

A search of your body must take place by a member of the police force of the same sex.

A police officer has the right to stop and search you if he has reasons to suspect that:

- You are in possession of narcotic drugs, and if drugs are found, the officer may arrest you.
- You are involved in the commission of a crime in violation of the law.

- You have on you something illegal or something that you are not allowed to have such as a weapon without permission, something that has been stolen etc.

You are not allowed to ignore a request from the police to search you or not to stop when a police officer asks you to stop. If you refuse to cooperate with the police officer, the police officer has the right to arrest you without a warrant. However, in order to avoid being arrested, you have the right to provide your name and address to the police officer and to agree to cooperate by going to the police station if needed or by doing anything else that may be requested by the officer and that will satisfy the search process (i.e. respond to a police officer's phone call, be available to answer possible further questions, etc.).

So, the difference between police deciding to search you and you agreeing to the search is that:

- You can ask that the above rules are followed (to have a search of your body be conducted by a person of your same sex and to be notified of the reasons for the search).
- If the police wants to search you and you do not cooperate, you can be arrested. However, if you agree to the search on the spot or by providing your contact details, you cannot be arrested.

Sources: Law of the Police N. 73/2004, Section IV article 28:

http://www.cylaw.org/nomoi/arith/2004_1_073.pdf;
https://www.police.gov.cy/police/police.nsf/dmlethics_en/dmlethics_en?opendocument;
https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1;
<http://www.cylaw.org/nomoi/arith/CAP155.pdf>

What if they tell me to give them information versus them asking and me providing answers voluntarily?

Even if you are arrested, you have the right to remain silent and you are not required to provide information or documents that will lead to self-incrimination (evidence that could be used against you). The police may ask you questions, but you do not have to answer.

However, you may choose to provide answers voluntarily if you would like.

So, the difference between the police telling you to give them information versus them asking you and you providing answers voluntarily is very small, as in both cases, you have the choice whether or not to respond.

Source: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1

Do Police Need A Warrant To Arrest You?

Proposed Information

It is important to follow this advice:

- No. Police officers can legally arrest you without a warrant under these circumstances:
 - When the crime is committed in front of the police officers.
 - When the officer has probable cause (reason to suspect) that the suspect committed a felony, whether or not the act was done in front of them.

If I did not do anything, can they stop me?

Yes, they can stop you without a warrant only if they suspect that you have violated the law.

If there is a warrant for your arrest (even if you believe you have not done anything wrong) you still need to go through with the process and not resist the arrest.

Sources: https://e-justice.europa.eu/content_rights_of_defendants_in_criminal_proceedings_-169-CY-maximizeMS-en.do?clang=en&idSubpage=2&member=1; Art. 11 Para. 1 and 3 of the Constitution of Cyprus
(https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en)

Can I ask for the reason they stopped me?

Yes, you make ask for the reason the police stopped you. The police officer arresting you should let you know (in your own native language or a language you understand and speak) why you are being arrested.

If the person arresting you does not speak your native language or a language you understand, an interpreter will be at the station to explain the reasons why you have been arrested.

Sources: Art. 11 Para. 4 of the Constitution of Cyprus;
https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en; https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

Can I advocate for another young person stopped by police if we are stopped together?

No specific information is mentioned in the law about advocating for others.

However, if you are stopped you have a right to call a lawyer and call one other person.

You have a right to call a lawyer immediately after you have been arrested, this call should be private with no one else present or listening in.

You also have a right to communicate with whomever you choose (one person), and since you are a minor, you will also have the right to communicate with your parents or guardians.

If the police suspects that your communication with others will destroy evidence, prevent the arrest of another person, or lead to their escape, your communication with others will be delayed for 12 hours.

Your call to the lawyer cannot be blocked or delayed for any reason.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1; Articles 1.3, 1.5, 11 Para. 4 of the Constitution of Cyprus: https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

If I think the stop is unjustified, what can I do?

If you believe you were arrested or detained without justification, you can object to the lawfulness of your detention and have a determination made speedily by a court. If the court finds your detention was unlawful, you will be released and you will also have the right to seek compensation.

Source: Art. 2.1; Art. 4.1; Art. 11 Paras. 5, 6, 7 and 8 of the Constitution of Cyprus:
https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

Can I get the officer's identifying information for a future complaint?

No information is specifically provided in the law, but if a police officer is wearing every day (civilian) clothing in the course of their service, they should show you their police ID to identify themselves as police officers.

Even if they are in uniform, you can kindly ask them to confirm that they are police officers and to show you their police identification card.

A complaint against the police may be submitted to here:

http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:
iaiacap@gov.cy

Source: Cyprus Code of Police Ethics, Art. 39 - [Γραφείο Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα \(police.gov.cy\)](#)

How Do You Know If You Are Under Arrest?

Proposed Information

It is important to follow this advice:

- You are under police custody if you do not feel free to leave an officer's presence, or if a reasonable person in your shoes would not feel free to leave.
- If the following happens, you are likely under arrest under the law:
 - an officer handcuffs you;
 - an officer forcibly holds you down;
 - an officer puts you into the back seat of a police car; or
 - an officer warns you about your rights.
- An officer only has to warn you of your rights before the police question you. This means an officer can arrest you before warning you of your rights.
- An arrest without rights warnings is still a valid arrest; it just may mean that evidence collected from it is not admissible in court later.

What if I do not know if I am under arrest?

If you do not know if you are under arrest, you can ask the police officer. At the time of your arrest, the police officer making the arrest must inform you of the reasons for your arrest in a language that you understand.

Source: https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

What is the difference between detention and arrest?

An arrest occurs when the police stop a person and bring them to a police station to question them in relation to a crime that the police suspect that person has committed.

When a person is arrested, they have the right to speak with their own lawyer and the police officer making the arrest must immediately inform the person of their right to speak privately to their lawyer.

If a suspect is under 18 years of age, the police must immediately notify the suspect's parent or guardian of the arrest in a language that they understand.

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Detention refers to the period of time that a person is held in a police station for questioning in relation to a crime. The police may not detain a person for longer than 24 hours. At the end of the 24 hour period of detention, the police must either take the suspect to the District Court and apply for the detention period to be extended by up to 8 days or release the suspect from detention.

A suspect under the age of 18 has the right to have their lawyer present when being questioned by police.

Sources: Art. 11 Paras. 4-7 of the Constitution of Cyprus:

https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en; https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1; Rights of Persons Arrested and Detained Act, N.163(I) / 2005

If my liberty is restricted, am I under arrest?

If your liberty is restricted, you are under arrest or being detained. The police can only deprive a person of their liberty if the person is under arrest or under detention.

Source: Art. 11 Paras. 1-2 of the Constitution of Cyprus;

https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

What To Do After Being Warned of Your Rights

Proposed Information

It is important to follow this advice:

- You can use your right to remain silent or any of your other rights (e.g., the right to an attorney) by saying that you want to use that right.
- You are also able to waive your rights (that is, not use them) by, for example, saying 'Yes, I understand my rights but I am ready to talk to you.' This is not a good idea without a lawyer present.
- Make sure you know what you're doing in giving up your rights

How do things change if I am read my rights by police?

As a suspect, you are entitled to contact a lawyer immediately after your arrest by the police.

Source: <https://sip.lex.pl/orzeczenia-i-pisma-urzedowe/orzeczenia-sadow/4268-04-panovits-v-cypr-rezolucja-komitetu-ministrow-521918442>; https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

You must also be informed of your right to communicate with your parents or guardians.

Source: [European e-Justice Portal - Defendants \(criminal proceedings\) \(europa.eu\)](https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1)

You may be arrested on the strength of a judicial warrant and in certain circumstances without a warrant of arrest.

Source: Art. 11 Para. 3 of the Constitution of Cyprus:

https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

Does it matter where I am when the police read me my rights? (street, station, police car, etc.)

No, it does not matter where you are, provided that you are informed immediately in a language that you understand.

Police Questioning You

Proposed Information

It is important to follow this advice:

- You are not required to make a statement, answer police questions or participate in a police investigation, and you never have to go anywhere with the police unless they have arrested you.
- If police have arrested you and if you are under the age of 18, police are required to immediately notify your parent or legal guardian.

Am I required to make a statement?

No, you are not required to make a statement.

Firstly keep in mind that in case of arrest, the police officer must:

- Inform you about your rights in a language you understand.
- Inform your parents or guardians about the arrest.

What your rights are?

- a. You have the right to contact your parents or guardian or ask for the presence of a trusted adult person (any of your parents, relatives, or guardian) and a lawyer before making any statement. You are not obliged to make any statement without the presence of your lawyer.
- b. You have the right to be informed about the reason you are detained or arrested and which law your actions may have violated. Also to be informed of the place where you are being held.
- c. You have the right to be given names and contact details of lawyers that can help you for free, if you or your family cannot pay for a lawyer.
- d. You have the right to be provided with a translator in case the police do not speak your language, you do not understand the language they are speaking, or if the police do not understand the language you are speaking.
- e. You have the right to remain silent and not say anything.
- f. You also have the right not to admit any guilt, not to provide any information or documents that can show you are guilty of the action you are being accused of, and not to accept any statement the police may make against you.

Therefore, if you are subject to police questioning, or requested to make any statement, our recommendation is to respond by kindly asking the police officer for the presence of a trusted adult person and a lawyer.

Sources:

If Greek speaking: Article 3(1): http://www.cylaw.org/nomoi/enop/ind/2005_1_163/section-sc247ed883-8149-97a0-65c3-e8e2266b9954.html

If English speaking:

- Right a.: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1
- Right b.: Art. 11 Para. 4 of the Constitution of Cyprus: https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en
- Right c.: Art. 1.9: http://www.kscp.com.cy/documents/SUSPECTS_RIGHTS_24092011.pdf
- Right d., e., f.,: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

Must police notify my guardian?

If you are a minor, a police officer should immediately notify your parents or guardian so that a lawyer can be appointed to assist you.

Police should inform your parents or guardian regarding the Police Station or Detention Centre you are currently being held at.

If not in the best interest of the minor, the police may inform another designated adult and not the parents or legal guardian.

Sources:

If Greek speaking: http://www.cylaw.org/nomoi/enop/ind/2005_1_163/section-sc89bcad80-45e7-75c1-ce70-7829757e73ad.html

If English speaking: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

Must I confess?

No, there is no must here. Before making any statement or confession, make sure to have the assistance of an adult you trust and a lawyer. Once they are present, it would be a good idea to discuss with them what you should do.

Please remember that the law gives you the right to remain silent and not respond to any questions the police ask you. Under the law, your refusal to respond cannot have a negative effect on you.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

What adults can I ask to be with me?

If you are stopped in the street and interrogated:

- You cannot request for a lawyer to be present, but you can inform the police officer that you are a minor, and request the presence of an adult you trust.

If you are arrested or detained:

- You can ask to have an adult you trust present. In addition, you can ask to have a lawyer present.

- You can ask for your parents or your legal guardians to be with you or, if it is not in your best interest for either of them to be present, you can ask for another adult you trust.
- You can ask for your lawyer to be present at all times and if do not have a lawyer or cannot pay for a lawyer, you have the right to get in contact with a lawyer that will help you for free. If this is the case, you can ask the police to provide you with a list of lawyers available.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

Who do police have to contact if I am a legal minor?

In case of arrest, a police officer must inform your parents or legal guardians in a language they understand. If the police officer cannot communicate in the language understandable by your parents or guardians, the police officer must to inform the Interrogation Officer, who in turn must use all available means (translator, etc.) to inform your parents and/or legal guardians. Communication usually takes place by phone call.

If it is not in your best interest for the police to contact your parents or legal guardian, then they should contact another designated adult.

Where it is considered necessary, the Office of Social Welfare may be notified as well.

The Criminal Investigation Department of Nicosia can be reached by phone at: +357 2280 2222, for any further information your parents or legal guardians may need.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

How do I Contact A Lawyer and When?

Proposed Information

It is important to follow this advice:

- **You should always contact a lawyer before making any statements to anyone in a criminal case or investigation.**
- This applies even if you are told that (i) police officers only want to question you and/or (ii) you are only a witness.
- While you do have to wait until you attend court to get a lawyer appointed if you cannot afford your own lawyer, you should still ask for a lawyer as soon as you are questioned or arrested by the police. If you are arrested, you have the right to remain silent and to not say anything until your lawyer is present.

What if I am just a witness?

You have no right to a lawyer during your interrogation by the police if you are not arrested or detained.

If you are a suspect under arrest or detention, you are entitled to lawyer from the time of the police's first interrogation of you.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1; <https://sip.lex.pl/orzeczenia-i-pisma->

Do Police Always Have To Tell The Truth?

Proposed Information

It is important to follow this advice:

It is possible that the police may lie to you during the course of an investigation, including lying about the strength of the case they have against you and particular evidence they have in their possession.

Can the police lie to me?

While under the law the police are not allowed to lie, it is a possibility that the police will lie to you.

Under the law, police personnel must show respect towards the public and act with integrity in a professional, objective, impartial, polite, fair, honest, conscientious, just and right manner.

Source: Cyprus Code of Police Ethics, Art. 38 - [Γραφείο Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα \(police.gov.cy\)](#)

Do I have to tell the police the truth?

If you choose to remain silent, the police cannot make assumptions about why you are not speaking.

Police questioning must not be oppressive or repetitive under the law.

Source: https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

How do I make a complaint if I have questions or feel my rights have been violated?

Proposed Information

It is important to follow this advice:

You can file a complaint against the police here:
http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:
iaiacap@gov.cy

What if I feel I was a victim of discrimination or racism?

Proposed Information

It is important to follow this advice:

You can file a complaint against the police here:
http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:
iaiacap@gov.cy

How can I respond to circumstances involving discrimination?

Proposed Information

It is important to follow this advice:

You can file a complaint against the police here:

http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:
iaiacap@gov.cy

What can you do if the police perform an improper search? Or I was improperly detained?

Proposed Information

It is important to follow this advice:

If you believe you were arrested or detained improperly or without justification, you can object to the lawfulness of your detention and have a determination made speedily by a court. If the court finds your detention was unlawful, you will be released and you will also have the right to seek compensation.

You can also file a complaint against the police by submitting the complaint here:

http://www.childcom.org.cy/ccr/ccr.nsf/ccrform_gr/ccrform_gr?openform&entypo-ypovolis-paraponou

There is also a dedicated email address for complaints about police treatment:
iaiacap@gov.cy

Source: Art. 11 Para. 7 of the Constitution of Cyprus:

https://www.constituteproject.org/constitution/Cyprus_2013.pdf?lang=en

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Law is generally described as of October 2021.

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