



# Know Your Rights

## CITIZEN RIGHTS DURING ARREST AND INTERACTIONS WITH POLICE

“ The Constitution of Sri Lanka and the Code of Criminal Procedure guarantee every citizen fundamental human rights and legal protections during interactions with police and while under arrest. Many people face difficulties simply because they are not aware of their legal rights. ”



KNOW YOUR RIGHTS.  
PROTECT YOUR DIGNITY.  
STAND FOR JUSTICE.



THE LAW IS  
YOUR SHIELD.



REMAIN CALM.  
ASSERT YOUR RIGHTS.



AWARE CITIZENS.  
A JUST SOCIETY.



### REMEMBER:

- ✓ You have the right to be informed.
- ✓ You have the right to remain silent.
- ✓ You have the right to legal representation.
- ✓ You have the right to be treated with dignity.



YOUR RIGHTS ARE NOT A FAVOUR.  
THEY ARE YOURS BY LAW.



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The Constitution of Sri Lanka and the Code of Criminal Procedure guarantee every citizen fundamental human rights and legal protections during interactions with police and while under arrest. Many people face difficulties simply because they are not aware of their legal rights.



## 1. WHEN CAN YOU BE ARRESTED WITHOUT A WARRANT?

Under normal law, a person must be arrested under a warrant issued by a court. However, under Section 32 of the Code of Criminal Procedure Act of Sri Lanka, a police officer may arrest a person without a warrant only in the following specific situations:



### 1 COGNIZABLE OFFENCE

When a cognizable offence such as murder, robbery, rape, theft, etc. has been committed, attempted, or there is reasonable suspicion or credible information that the person is involved in such an offence.



### 2 POSSESSION OF ILLEGAL WEAPONS

When a person is found in possession of instruments used for committing theft or deadly weapons, without a valid license or authority.



### 3 BEING A PROCLAIMED OFFENDER

When a person is a proclaimed offender declared by the Government or a Court.



### 4 OBSTRUCTING A POLICE OFFICER

When a person obstructs a police officer in the lawful discharge of duties or attempts to escape from police custody.



### 5 DESERTING THE ARMED FORCES

When there is reasonable suspicion that a person has deserted from the Sri Lanka Armed Forces (Army, Navy or Air Force).

### REMEMBER: YOU HAVE RIGHTS!



You have the right to be informed.



You have the right to remain silent.



You have the right to legal representation.



You have the right to be treated with dignity and respect.



Legal awareness is the first step towards protecting your freedom and dignity.



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### 2. YOUR RIGHTS AT THE TIME OF ARREST

When police come to arrest you, stay calm. You have the following rights, which you can exercise peacefully:



#### 1. Right to be informed of the reason for arrest

Under Article 13(1) of the Constitution, every person has the right to be informed, at the time of arrest, of the reasons for such arrest. An arrest without stating the reason is unlawful.



#### 2. Right to verify the identity of the officer

If the officer arresting you is not in uniform, you have the right to ask for and verify his or her official Police Identity Card (Police ID).



#### 3. Right to inform a family member or friend

You have the right to inform a family member or a friend about your arrest and the police station to which you are being taken. The police must allow you to make this communication.



#### REMEMBER!

- You have rights.
- Stay calm and be respectful.
- Ask for your rights.



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## 3. Right to Legal Aid and to Seek Legal Advice

A person who is arrested has the fundamental right to obtain legal assistance for their protection, which is fully guaranteed by law.



### 1. Right to Contact a Lawyer of Your Choice

You have the full right to contact a lawyer of your choice (Attorney-at-Law) immediately upon arrest or as soon as you are taken to the police station.



### 2. Right to Seek Advice Before Giving a Statement

When the police are about to record a statement from you, you have the legal right to state:

*"I cannot make a statement until my lawyer arrives or until I have received his/her advice."*

You are legally entitled to do so.



### 3. Right of the Lawyer to Visit the Police Station

Under the Code of Criminal Procedure (Amendment) Act, No. 2 of 2012, a lawyer representing a person in police custody has the legal right to visit the police station, meet the suspect in private, and provide confidential legal advice. The police have no right to deny or obstruct such access.



## RIGHT TO LEGAL ASSISTANCE



### Remember! You Have Rights

- ✔ You have the right to legal aid and advice.
- ✔ You have the right to contact and meet your lawyer.
- ✔ You have the right to remain silent until your lawyer advises you.
- ✔ You have the right to be treated with dignity and respect.



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## 4. Right to Freedom from Torture

Under Sri Lankan law, torture is recognized as a serious criminal offence that can never be justified under any circumstances.



- **Article 11 of the Constitution of Sri Lanka**

No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. This is the highest and most fundamental right in the country (Absolute Right).



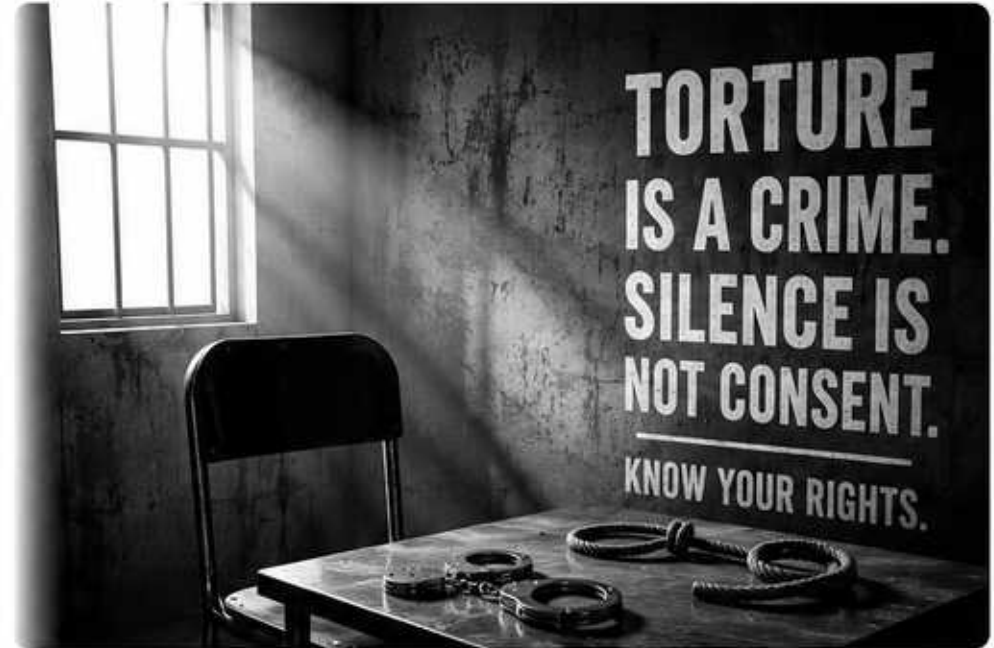
- **The Prevention of Torture Act, No. 22 of 1994**

Inflicting physical or mental torture on a person in police custody is a criminal offence punishable with rigorous imprisonment for a term up to 7 years and fines.



- **Confessions Obtained by Force**

Confessions or statements obtained through torture, threats or intimidation are inadmissible in court as evidence against you under the law.



**Remember! You Have the Right to:**

- ✓ Be free from torture and any form of cruel, inhuman or degrading treatment.
- ✓ Be treated with dignity and respect at all times.
- ✓ Report any act of torture or ill-treatment.
- ✓ Seek legal assistance immediately.



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## 5. Important Things to Remember When You Are Arrested



### 1 Cooperate peacefully: First step.

Avoid unnecessary arguments, resistance, or trying to escape. This can lead to further charges against you. Cooperate peacefully and assert your rights calmly.



### 2 Record the time and place: Second step.

Clearly remember (or ask a relative to note down) the exact time, date, place of your arrest, and the police station to which you are taken.



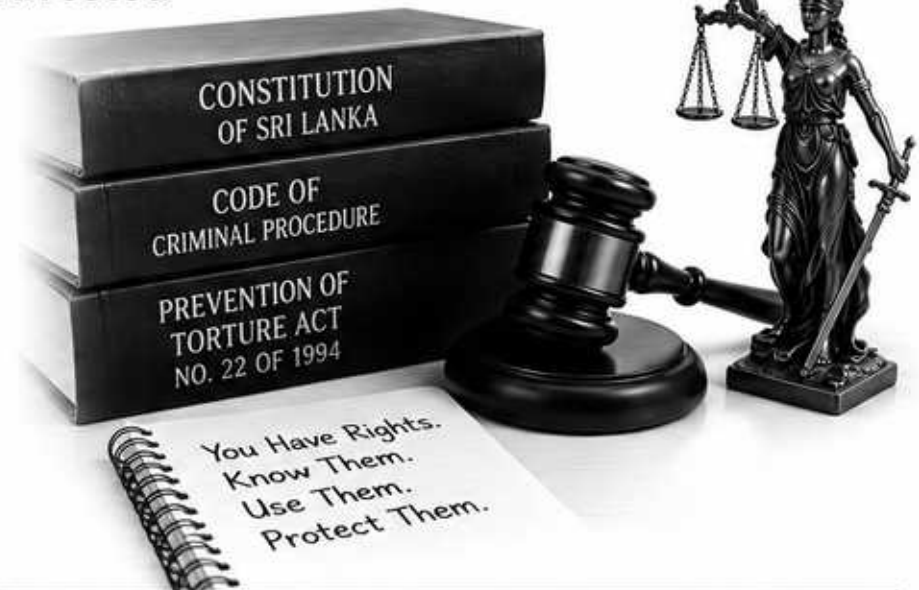
### 3 Remember the 24-hour rule: Third step.

By law, any person arrested by the police must be produced before the nearest Magistrate within 24 hours. If not, your detention is illegal.



### 4 Read before you sign: Fourth step.

After your statement is recorded, insist on reading or hearing it clearly. Sign only if it is accurate and reflects what you said. Never sign on a blank or incomplete document.



### Remember:

In the eyes of the law, every person is considered **innocent until proven guilty**.

The police only have the power to investigate. The power to decide guilt and impose punishment rests solely with the courts.



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