



PROMOTING HEALTH AND DIGNITY  
Fighting for social justice and inclusion

## Indoor Sex Workers in Scotland

# THE POLICE AND YOUR RIGHTS

We want all indoor sex workers to understand their rights if the police arrive without warning at their door.

This document provides information on your rights when dealing with the police in Scotland. If you tour to other parts of the UK then be aware that this information does not apply when working in England, Wales or Northern Ireland.

This advice applies to everyone regardless of your nationality or immigration status.

## NO WARRANT no entry

- If the police arrive on your doorstep unannounced and they do not have a warrant you **do not have to let them in**. The police can only enter premises without a warrant if there is urgency, for example, a life is in danger or if valuable evidence will be destroyed.
- If the police try and argue that they do have a right to enter without a warrant **ask them on what basis** and make a note of this.
- If the police do not have a warrant then you have **the right to close the door on them**.
- The police **are not entitled to repeatedly attend at your address** when you have made it clear that you do not want to speak to them. If this happens to you make a complaint to Police Scotland or contact SCOT-PEP for support.



## YOU DO NOT HAVE TO answer their questions

- Unless the police suspect you have committed or witnessed a crime, **you do not have to answer any questions**. Politely refuse.
- If the police suspect you have committed or witnessed a crime, **ask them what crime they suspect you of committing** before answering any of their questions.
- The **only** questions you have to answer if suspected of having committed or witnessed a crime are: your name, address, date and place of birth and nationality. You **do not have to answer any other questions** put to you by the police. If you are a migrant you **do not have to answer any questions about your immigration status** beyond your nationality.



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## **NO RIGHT to film you, photograph you or take fingerprints**

- If the police have not formally detained you then they have **no right to film or photograph you**. If they try and do this **politely refuse**.
- If the police have not formally detained you then they have **no right to take fingerprints from you**. If they try and do this **politely refuse**.



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## **PROTECT your property**

- The police **cannot take any items of your property** without a warrant.
- The police **do not have the right to look through your phone** without a warrant. Do not give them your phone.

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## **HOLD THE POLICE to account**

- Always **ask the police officers for their names and badge numbers**, they should provide these if asked.
- **You are entitled to film police officers** if they come into your house but you should inform them that you are recording them.
- If you believe that the police hold information about you, for example, your mobile number or address, you can **request details of this information** by doing a subject access request under the Data Protection Act.

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## **RIGHTS on detention**

- If the police suspect you of committing a crime then they can detain you. They **must tell you why they are detaining you** and explain your rights. If you are detained you **do not have to answer any questions** except your name, address, date/place of birth and nationality.
- If detained you have the **right to access a solicitor** as soon as you are detained.
- You also have the right to **inform one other person** of your detention.
- You can be detained for a **maximum of 24 hours**. If the police want to detain you any longer then they need permission from a judge.



To find out more about us and what we do, check out our website.

If you'd like some support, or would like to get involved with the work that we do, please contact us.

The office is staffed infrequently, so we prefer to receive emails and phonecalls. Email is checked daily, and voicemail is checked regularly.

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