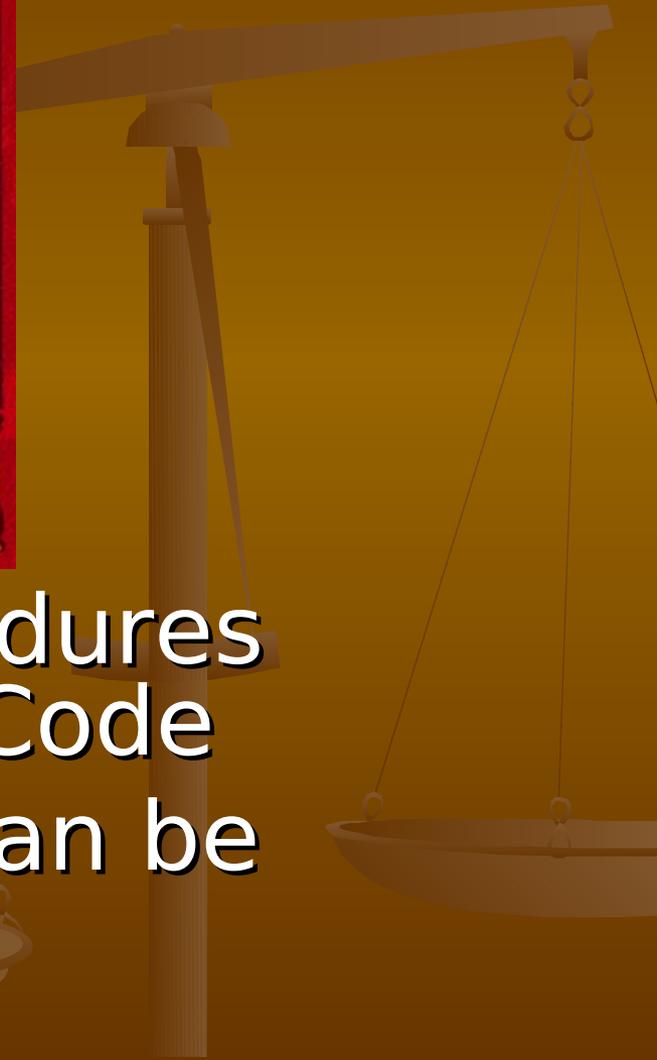
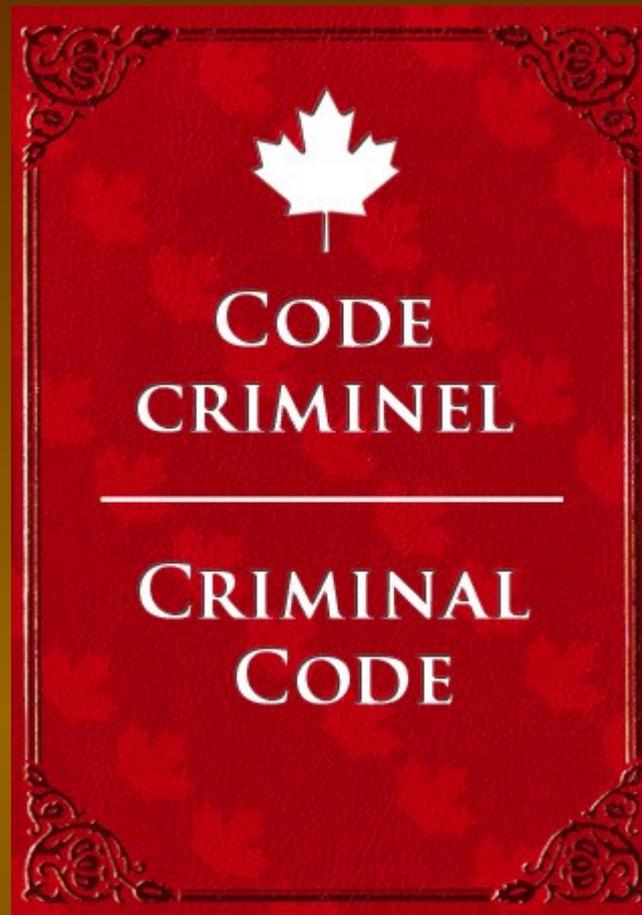


Arrest and Detention





- Police must follow procedures codified in the Criminal Code
- If they don't evidence can be deemed inadmissible

Questioning the Accused

- Police are required to ask suspects questions but cannot force them to answer
- Police must explain why the person is being arrested and that they have the right to counsel.
- Accused has the right to remain silent
- Youth are given special rights under the Youth Criminal Justice Act



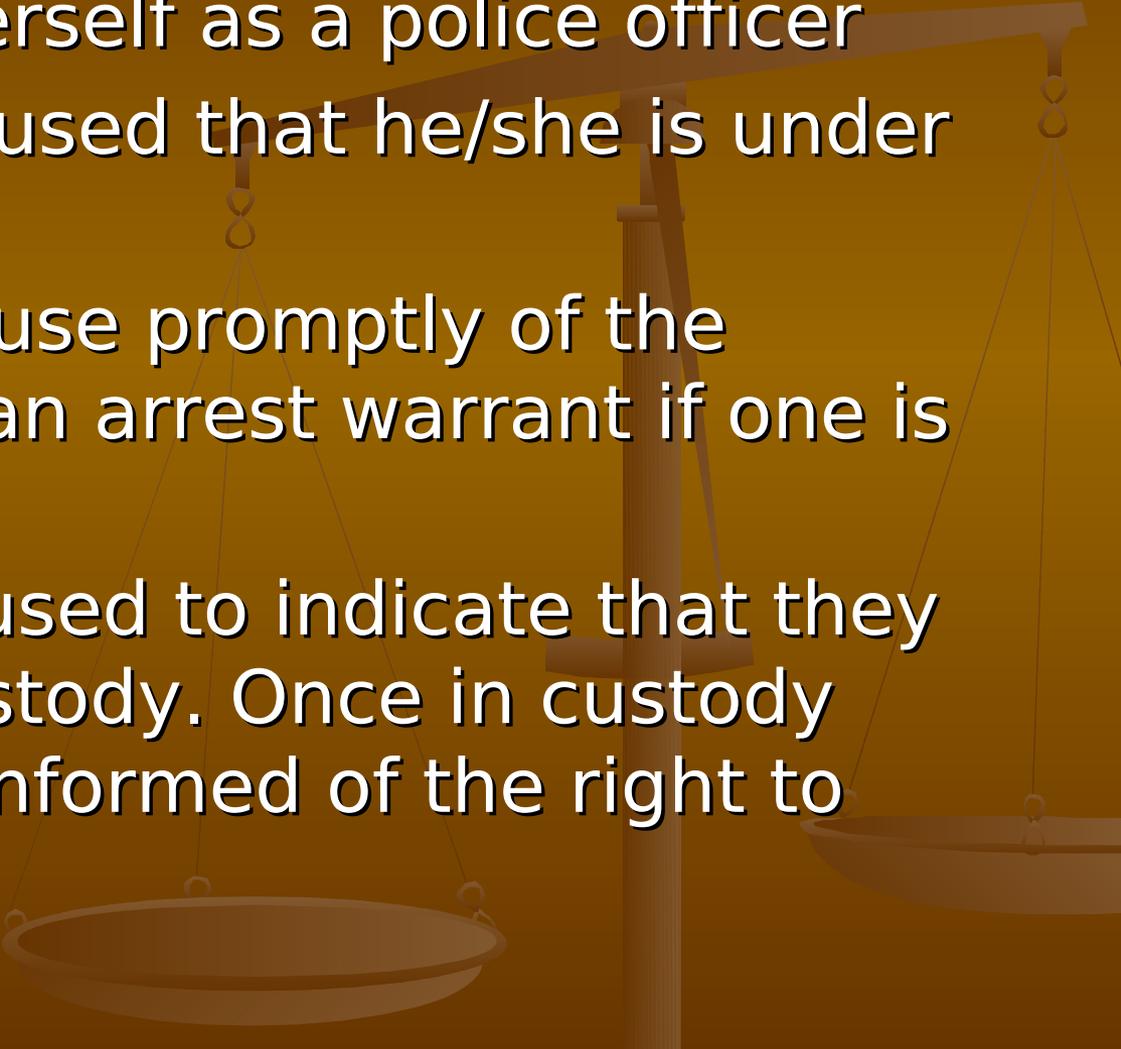
Interrogation Techniques

Four stage approach (beginning with open questions and ending in closed questions) asks the suspect to describe:

1. The entire incident
2. The period before the offence took place
3. The details of the actual offence
4. The period following the offence



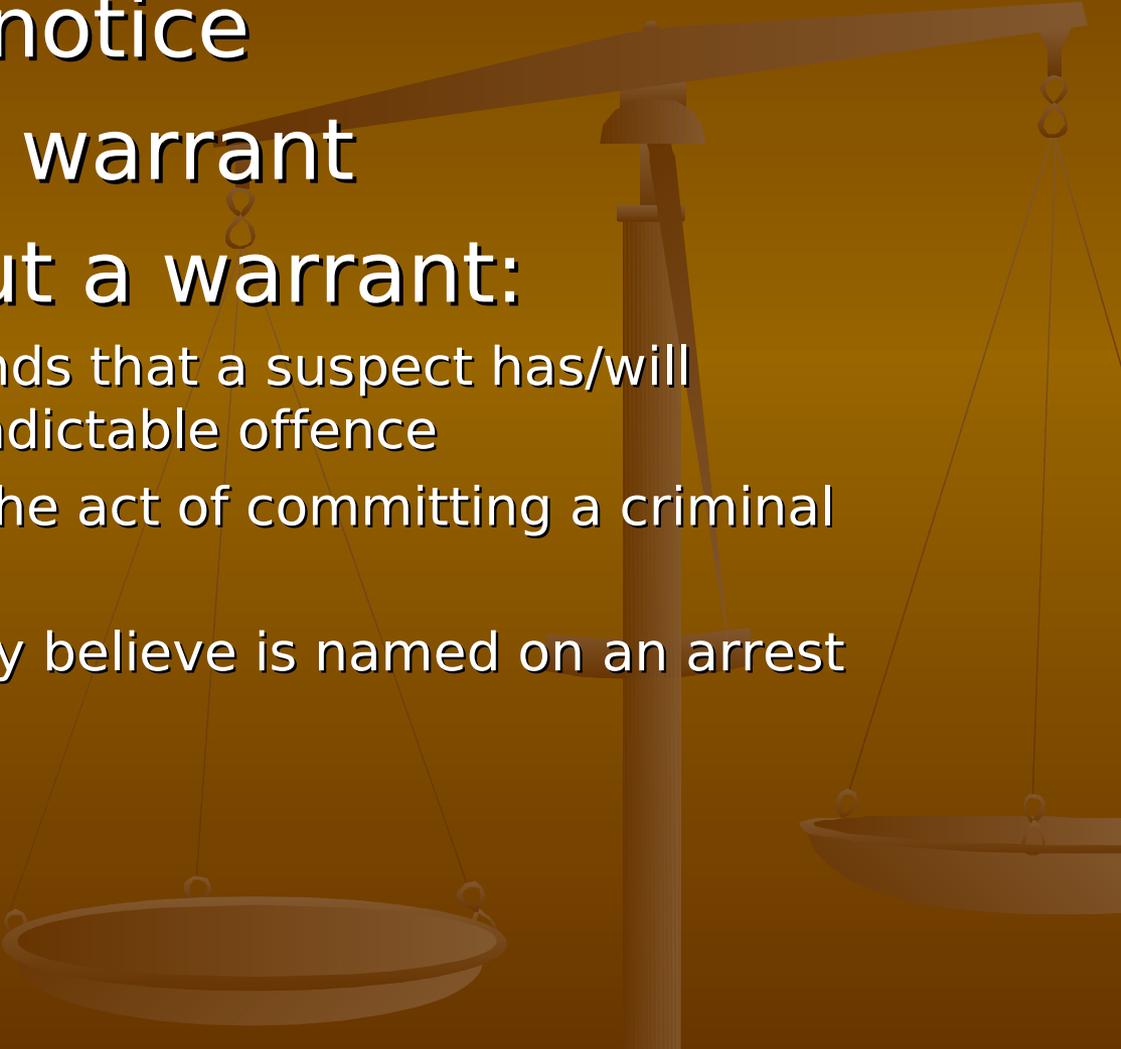
Police must follow four steps in order for their arrest of a suspect to be lawful:

1. Identify him/herself as a police officer
 2. Advise the accused that he/she is under arrest
 3. Inform the accuse promptly of the charge. Show an arrest warrant if one is obtained
 4. Touch the accused to indicate that they are in legal custody. Once in custody they must be informed of the right to counsel.
- 

- Police must have reasonable grounds to arrest or detain someone.
- Textbook example – Police find Wendy with a bag of money in her car close to a bank that has just been robbed = reasonable grounds to arrest her.



Police have three methods of apprehending an offender:

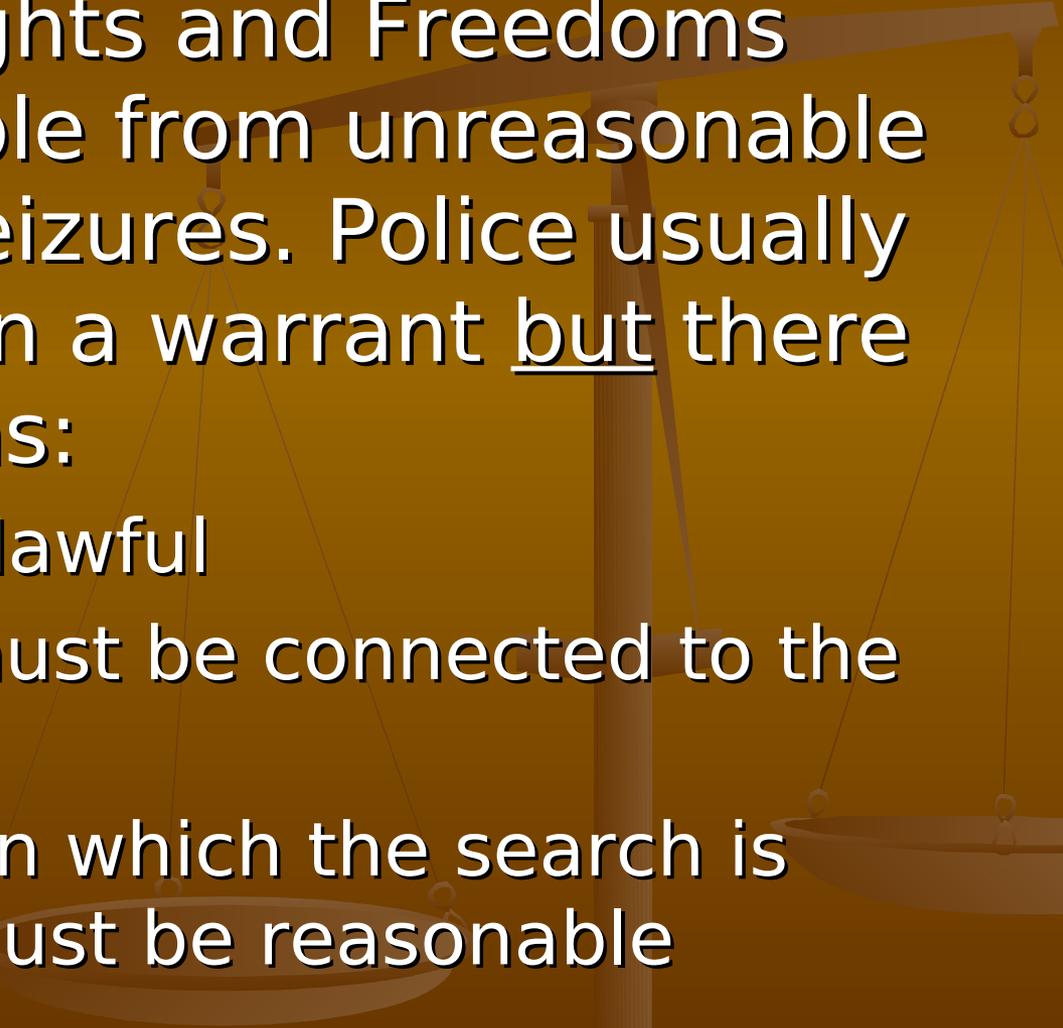
1. Appearance notice
 2. Arrest with a warrant
 3. Arrest without a warrant:
 1. Reasonable grounds that a suspect has/will commit(ted) an indictable offence
 2. Find a person in the act of committing a criminal offence
 3. Find a person they believe is named on an arrest warrant
- 

Citizen's arrest

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Searches

1. Charter of Rights and Freedoms protects people from unreasonable search and seizures. Police usually need to obtain a warrant but there are exceptions:
 1. The arrest is lawful
 2. The search must be connected to the lawful arrest
 3. The manner in which the search is carried out must be reasonable
- 

Searches con't

2. Searching a place requires the police to get a search warrant. The information on the warrant must specify the crime, what the police are looking for and reasonable grounds for looking in the specified location. The police must identify themselves and announce they have a warrant before entering said location.

The End

