

Law and Personal Safety

About the Police

Emergencies:

If you need to call one of the emergency services quickly, you should dial **999**. If you call from a public telephone box, the call is free of charge. You can also dial 999 on a mobile phone even if you have no credit. This number is to call the Police, Fire Service, Ambulance, Coastguard or Mountain Rescue. It is strictly for emergencies only.

What the Police do:

- Prevent and investigate crime
- Protect life and property
- Work closely with communities to ensure everyone's safety
- Treat victims of any crime with sympathy and understanding

Northern Constabulary

The police in the Highlands and Islands of Scotland are part of Northern Constabulary. The Northern Constabulary is part of the national police network and it works with other police services throughout the United Kingdom.

Most Police Officers wear a black and white uniform. They have a black and white chequered (squared) band around their uniform cap. They always have a number on their shoulder lapel and will always have an identity card with them.

Traffic Wardens wear a black and white uniform. They have a yellow and black chequered (squared) band around their uniform cap.

Traffic Wardens are responsible for maintaining a free flow of traffic in the city and towns across the Highlands. They ensure that parking laws and regulations are observed and when required, will issue fixed penalties (a fine) to vehicles illegally parked.

The Highlands and Islands of Scotland has one of the lowest crime rates in the United Kingdom and is still one of the safest places to live and work.

Reporting a crime

If you've been the victim of a crime, you should report it to the police. However, you have the choice whether or not to report it. If you do report it, it means that the person who committed the crime is more likely to be caught and be prevented from doing the same thing to someone else.

If you choose not to report the crime there are still organisations that can offer you help and advice. Whatever you decide it's good to talk to someone about what's happened and how you feel about it. People generally find it helps.

If you've been affected by crime or you know someone who has, the Victims of Crime in Scotland website will give you information about:

- Help and advice
- What happens when you report a crime
- What happens after you report a crime
- How the system works

All this information is downloadable in Arabic, Bengali, Chinese, Dutch, French, German, Hindi, Italian, Punjabi, Spanish and Urdu

How to report a crime:

- Contact the Police immediately by phone or by going to the nearest police office. You can find the number of your local Police office in the telephone book or by dialling BT Directory Enquiries on 118500. You can telephone the Police and ask to be put through to your local Police Station by dialling 08456 03 33 88.
- **If it's an emergency**, phone 999 and ask for the Police.
- Tell the Police if you are worried about your own or your family's safety and let them know about any injuries or loss. Tell them if you need an Interpreter.
- **Crimestoppers**, (Telephone 0800 555 111) is a registered charity that works in partnership with the Police. It takes anonymous calls from the public in relation to all types of crimes and criminal activity. You will never be asked your name, calls are not recorded and your call cannot be traced. The call will not appear on your itemised phone bill. Crimestoppers will take your call any time of day or night - 24 hours a day, 7 days a week.

What happens next:

The Police will investigate the crime and collect any evidence. To do this, they will speak to you about what has happened. They may also speak to your family, friends and neighbours. The Police are mindful of cultural issues and needs in these circumstances.

When all the evidence has been gathered, the Police will send a report to the Procurator Fiscal (PF), who decides whether or not the person(s) accused of the crime should be taken to court. The Police cannot decide this, and the victim cannot ask for the case to be dropped.

Police powers and your rights

There are many laws covering the powers of the Police and your rights. Under certain circumstances, the Police can stop and question or search you if, for example, you are suspected of committing or being involved in a crime, of carrying drugs, of driving without a licence or after drinking alcohol (in which case they can test your breath). If not in uniform, a police officer must provide identification if stopping, searching or detaining you. They must also explain to you what is happening. If you feel you have been unfairly stopped, searched or detained, you can get free, confidential advice on your rights from your local advice centre.

What should happen if you are detained

The police have the power to detain you for questioning if they suspect you have committed an offence for which you could be sent to prison. If you are detained, the detention must end no later than 6 hours after it started, or earlier if there are no longer any grounds for suspicion or if you are arrested.

Being arrested is the first step in the proceedings for being brought to trial for an offence. It may mean being held in Police custody. You can be arrested if you are:

- in the act of committing a crime; or
- accused by an apparently credible witness of being seen committing a crime; or
- seen running away from the scene of a crime pursued by others; or
- threatening danger to the public; or
- causing an offence to public decency.

Once you have been charged with an offence, you are not obliged to say anything to the police and have the right to remain silent if you wish. If you do make any kind of statement this will be noted and may be used in evidence. If you have been arrested and held in a police station, you have the right to have a solicitor and one other person informed of your arrest, without delay.

Complaints against the Police

If you think a police officer has behaved wrongly on duty or has committed an offence you can:

- write to the Chief Constable
or
- give details at any police station (or police officer)
or
- ask a solicitor, Member of Scottish Parliament (MSP), or local councillor to take up the matter on your behalf
or

- contact the Procurator Fiscal if it appears the police officer has broken the law

Your local Citizens Advice Bureau can provide names and addresses for the people and places mentioned for your local area.

Victim Support

Victim Support Highland provides practical advice, emotional support and assistance to victims of crime. Victim Support Highland can also put you in touch with others who can help.

Telephone 0845 226 5014 or Email contact@victimsupporthighland.com

Racist Abuse/Harassment

Racist abuse/harassment means that someone is bothering you, threatening you or treating you unfairly because of your race, colour or ethnicity. It may also be connected to where you were born, where you lived before moving to Scotland, your religious belief, your ethnic background or even your language.

It is against the law for anyone to harass you, insult you or threaten you unfairly for any of these reasons. Harassment can be to yourself, your family, your children, your friends and your community. It can happen in the village/town/city you live in, in your home, at school or at work. It is unacceptable in any of these situations.

If it happens, what can you do?

Racist abuse/harassment should be reported to the Police like any other crime. They will investigate your complaint(s) as a racist incident/crime or a religious aggravated incident/crime. You can also contact Victim Support Scotland for free and confidential help, to report a crime or just to talk to someone about it.

If your child is being harassed at school, encourage him or her to tell the teacher immediately. If your child tells you, call or visit the school and speak with the teacher and head teacher. If you believe it is more serious, tell the police.

If someone is harassing you at work, tell your employer. Seek help from your trade union, contact Victim Support Highland, or tell the police.

Domestic Abuse

Domestic abuse is a crime that affects individuals, families, communities and society. The crime is any form of physical, non-physical, or sexual abuse which takes place within the context of a close relationship (including same sex partnerships) committed in the home or any other place. In most cases this relationship will be between partners, married, co-habiting or otherwise, or ex-partners.

If you suffer, or know someone who may suffer, from domestic abuse, you can contact the police or Women's Aid who can put you in touch with a local source of support and information. You can telephone the national helpline free on **0800 0271234**.

You can also contact any of the organisations below in strict confidence.

Highland Rape and Abuse Line

Provides confidential support, information and advice to people affected by rape and abuse.

Address: PO Box 10, Dingwall, Ross-shire, IV15 9HA

Helpline: 0808 800 0123

email: ral@pobox10.wanadoo.co.uk

Amina

Amina provides a confidential helpline service to women. The service is primarily aimed at Muslim women - however, women of any faith/culture may contact the helpline for information and advice. A full language interpretation service is provided.

Free Helpline: **0808 8010301**

Address:

Muslim Women's Resource Centre
Network House
311 Calder Street
Glasgow
G46 7NQ

Legal Advice and information

The Scottish legal system

The legal system in Scotland has two distinct sections for:

- **civil cases** which involve disputes between individuals or organisations, for example divorce, breach of contract, or eviction from your home. Civil cases are heard in **civil courts**;

- **criminal cases** which involve charges being brought against individuals or organisations, for example theft, assault, or driving offences. Criminal cases are heard in **criminal courts**.

Each section has its own courts and systems for dealing with cases and appeals.

If you need help with a civil or criminal case – if you are accused of a crime or need help in a civil dispute - you may need a solicitor to represent you.

Help with legal costs

People on a low income can get free help from solicitors (Legal Aid) in certain circumstances. Legal aid allows people who would not otherwise be able to afford it to get help with their legal problems.

If you are in custody at a police station, or have been charged, you can obtain free legal advice under the duty solicitors' scheme. If you are at court, the arrangements for providing the solicitor will vary.

For more information, see the **Help and Advice section** of this website.

Some Important Laws in Scotland

Children: It is a crime to neglect your child in a manner likely to cause unnecessary suffering. This can include: leaving children alone, assaulting a child, failing to provide for basic needs (food, clothing, shelter etc).

Weapons: It is a crime to carry a knife or other weapon in a public place or to own a gun unless you have obtained a licence from the Police.

Alcohol: It is an offence for a shop or bar to sell alcohol to someone who is under 18. It is also an offence to buy alcohol for a person who is under 18 years of age. It is illegal to drink alcohol in most public open areas where they are covered by local bylaws. Pubs and clubs and their staff have the right to refuse entry or service to any person. If you are asked to leave a licensed premises by staff you must do so, refusing to leave is an offence.

Drugs: The possession and supply of many types of drugs is illegal. Drugs that are prescribed by a doctor and which cannot be bought over the counter at chemists or pharmacists are likely to fall into this category, for example, amphetamine. Other illegal drugs include cannabis, ecstasy, heroin, cocaine, to name but a few.

For information and advice about drugs and the law contact Know the Score. If you have a problem with drugs or alcohol, contact the Highland Drug and Alcohol Information Line on 0844 848 3778 (at local rate).

Cigarettes: You must be 16 years and over to purchase cigarettes and tobacco products.

Smoking: It is an offence within Scotland to smoke in all enclosed public places and buildings, all workplaces, in business vehicles and on all public transport. You must obey 'no smoking signs' (usually a red circle with a line through a cigarette), otherwise you may be asked to leave or have to pay a fine.

Violence/Abuse – It is illegal to carry out acts of violence or abuse against other people, including your family. It is an offence to perform or attempt to perform a sexual act on any person, including your spouse/partner, without their consent.

Age of Consent: In Scotland it is an offence for any person over 16 to perform or attempt to perform a sexual act on anyone under 16, even if they consent to this. If both persons are under 16 and consent to the act, an offence may still be committed.

As you need to be a certain age before you can do a number of things, organisations/shops and businesses may ask you to show proof of your age.

Driving in the UK

[Directgov](#) provides full details and continually updated information on driving in the UK, including information on driving on foreign licenses and exchanging your foreign license for a UK license.

To drive a motor vehicle in the UK, you must be at least 17 years old. It is an offence to drive a motor vehicle without a valid licence.

Car Insurance

It is an offence to drive a motor vehicle in the UK without being covered by a valid insurance policy. Every person who drives a vehicle on the road in the UK is required by law to be covered by insurance for "third party risks". Insurance protects you financially if you are involved in a road traffic accident. The insurance company will deal with any claims made against you. It is an offence to fail to produce your insurance certificate when required to do so by a police officer. If it is not possible to do so immediately, you must produce it as soon as possible or within seven days at a police office.

Your car's test certificate – the MOT

In the UK, it is an offence to drive a vehicle which has not been examined and issued with a valid test certificate. Every vehicle three or more years old must be examined by an authorised vehicle examiner and issued with a test

certificate which is valid for 12 months. The certificate must be renewed every 12 months and can only be issued by authorised garages.

You must produce your test certificate to a police officer when asked to do so. If it is not possible to do so immediately, you must produce it as soon as possible or within seven days at a police office.

The Directgov website gives you further up-to-date information about MOT.

Your vehicle tax

If you own a car, you must register it with the Driver and Vehicle Licensing Authority (DVLA). You must buy a tax disc for your car for either 6 or 12 months, and this must be displayed on the front windscreen of your vehicle. Most people buy a tax disc at the post office. It is an offence to drive a car without a tax disc or with a tax disc that has expired.

For more information visit also the Directgov website.

Road Safety

More detailed information with regards to safe driving as well as speeding fines, motorcycle and moped licence requirements can be found in the [Highway Code](#)

The THINK! Road safety website also contains further updated information on road safety issues.

Always wear your seatbelt

If seatbelts are fitted in the car, then, by law, the driver and all passengers must wear them.

Additional laws apply to children. Children under three years old, travelling in the front seat, must be carried in the correct child restraint appropriate for their weight. If a child restraint is fitted in the front of the car, but not the back, then children under three must use that restraint. The driver is responsible for ensuring that all children under 14 wear seatbelts.

In addition, the regulations also state that rear-facing baby seats **MUST NOT** be used in a seat protected by a frontal air-bag unless the air-bag has been deactivated.

‘Child Restraint’ is the collective term in seat belt wearing legislation for baby seats, child seats, booster seats and booster cushions.

The following table serves as a useful guide:

	Front Seat	Rear Seat	Who is Responsible
Driver	Seat Belt MUST be worn		Driver
Child up to 3 years*	Correct child restraint MUST be used*.	Correct child restraint MUST be used*. If one is not available in a taxi, then the child may travel unrestrained.	Driver
Child from 3 rd birthday up to 135cms in height (approx. 4 feet 5 inches) or 12th birthday whichever they reach first **	Correct child restraint MUST be used ***	Where seat belts are fitted, correct child restraint MUST be used. You must use an adult belt if the correct child restraint is not available: -in a licensed taxi/private hire vehicle; or -for a short distance for reason of unexpected necessity; or -where two occupied child restraints prevent fitment of a third. A child 3 years and over may travel unrestrained in a rear seat of a vehicle if seat belts are not available.	Driver
Child over 1.35 metres (approx. 4 feet 5 inches) or 12 or 13 years	Seat belt MUST be worn if available.	Seat belt MUST be worn if available.	Driver
Adult Passengers (i.e. 14 years and over)	Seat belt MUST be worn if available.	Seat belt MUST be worn if available.	Passenger

*Children under 3 years **MUST** use the child restraint appropriate for their weight in all cars, vans, or goods vehicles, with the single exception for the rear of taxis. They cannot travel otherwise.

**Example. A seven-year-old who is 140 cms tall is over the height for a child restraint and may use an adult seat belt. A twelve-year-old who is 130 cms tall is over the age threshold and therefore may use an adult belt.

*** If no seat belts are fitted in the front, then children under 135cms in height (who are also under 12 years of age) cannot travel in the front.

For further and updated information see the relevant section of the Highway Code.

Another good source of continually updated information is the relevant page on the Directgov website.

What to do in case of an accident

If you are involved in an accident, you must stop. If there is damage or anyone is injured, you must provide:

- Your name and address
- The name and address of the owner (if not the driver)
- The car registration number

How to avoid road accidents

The biggest cause of road accidents is driving too fast. Nearly two-thirds of all accidents in which people are killed or injured happen on roads where the speed limit is 30 mph (48kph) or less. Keep within the speed limit at all times.

Don't drive under the influence of drink or drugs

It is an offence to drive a motor vehicle when the level of alcohol in your breath, blood or urine exceeds the legal limit. There is no safe guide to how much you can drink and stay under the legal limit. The best advice is: Do not drink and drive.

Medicines and driving

Remember that some medicines can affect your driving. Read the instruction leaflets carefully and, if in doubt, check with your doctor or local pharmacist. It is the same offence to drive under the influence of alcohol, illegal drugs or legal medicines.

Parking Fines

Examples where vehicles would be illegally parked are loading bays, on double yellow lines, disabled bays and bus stops/lanes. Cars are also liable to parking fines if parked in on-street parking bays requiring pay and display without a visible valid ticket displayed on the dashboard of the vehicle.

If you return to your vehicle to find a yellow bag marked 'Northern Constabulary Parking Notice' affixed to your vehicle you are liable for a parking fine of £30. You have three options:

1. Pay the fine within 21 days.
2. Appeal in writing to the address on the back of the ticket within 21 days. This will be reviewed and a letter will be sent to you informing you of the decision taken.
3. Tear off the bottom slip and fill in section B 'Request for Court Hearing'. On receipt of the request, a letter will be sent out requesting your date of birth and place of birth. The courts will then be in touch with regards to a date and time for your hearing.

Should you ignore the fine and do nothing, criminal proceedings will be taken against you.

If in doubt, please ask a traffic warden for assistance, their role is not to penalise motorists but to help them.

Useful URLs

Victims of Crime in Scotland www.scottishvictimsofcrime.co.uk

Crimestoppers www.crimestoppersscotland.com

Citizens Advice Bureau <http://www.citizensadvice.org.uk>

Victim Support Highland www.victimsupporthighland.com

Know the Score www.knowthescore.info.

Directgov <http://www.direct.gov.uk>

Driver and Vehicle Licensing Authority (DVLA) <http://www.dvla.gov.uk/>

Highway Code <http://www.highwaycode.gov.uk/>

THINK! Road safety <http://www.thinkroadsafety.gov.uk>