



## 2. Garde à Vue - Custody

**You have the right to say “I have nothing to declare” in French police interviews. This is the equivalent of “No Comment”.**

You can normally be held for a maximum of 24 hours (extended to 48 hours by a prosecutor, or 96 on terrorism charges).

You have a right to a solicitor for all interviews, and to a translator if you do not understand French.

You have the right to remain silent or say “je n’ai rien à déclarer” (I have nothing to declare). We strongly encourage you to exercise this right unless advised otherwise by a good solicitor. You can (and should) also refuse to sign police documents during custody.

Your fingerprints, DNA, and photographs will be taken, and it is an offense to refuse this.

You can also be interviewed as a ‘free suspect’ without being held in custody. In this case, you theoretically have the right to leave, but they may threaten to hold you in custody if you do so.

On release, 4 things may happen:

1. You are released without charge.
2. You are offered mediation, pre-trial sanctions such as fines or community service, or a reduced sentence in exchange for a pre-trial guilty plea.
3. You are released and given a date to appear in court.
4. You are held in court jail (depot) for up to 20 hours whilst a prosecutor decides on your case. You may then be released, given a court date (potentially with bail conditions), taken to trial immediately, or – in the most serious cases – detained until trial.