

If there is something that makes the possession offence more serious, you may need to see a Youth Offending Service worker, who will help the police to decide the best course of action. This could include a Caution, which goes on your criminal record, or you may be charged, which means you'll need to go to court.

If you don't admit the offence, you may be charged immediately. If the court finds you guilty, this means you are convicted of a drug offence. Convictions will go on your criminal record.

Once convicted, it's likely that you will get a court order that involves regular appointments with a Youth Offending Service worker and an ru-ok? worker. If you don't attend these appointments you would be returned to court and may be treated more severely.

If your offence involves drugs supply, you could end up with a long court order and there's a chance you could go into custody.

Who can find out?

Employers can check the criminal record of someone applying for a job. This is known as getting a Disclosure and Barring Service (DBS) check.

There are three kinds of DBS check: basic; standard and enhanced. A basic DBS covers most jobs and shows details of unspent convictions and cautions.

A standard DBS shows some spent and unspent convictions and cautions. Some offences, including drugs possession, no longer show up on this kind of check after 2 years for cautions and 5.5 years for convictions.

An enhanced DBS shows your complete criminal history. It contains information the police think is relevant to what you've applied for. These checks are always carried out for work with children and vulnerable adults. They're also used for jobs where a greater level of trust is needed, like health, education and social work.

If you have concerns about your own substance use or that of another young person in Brighton & Hove, please ring ru-ok? – the city's under 18s substance use service – on 01273 293966.

A big thank you to Unlock and Just for Kids Law for their help with this leaflet

Young People, Drugs and the Law: A Guide

This leaflet explains what can happen if you come into contact with the police for drugs offences.

This can impact badly on your education, employment and travel for the rest of your life. So it's important to know how you could be affected.

ru-ok?

Young people's substance
use and sexual health service

Searches

If the police have reasonable grounds to suspect you're in possession of drugs, they can search you. If they're going to do so and you're carrying drugs, tell them you have drugs on you and where they are.

Stop and search is the most common search. The police must tell you their name, the police station they're from, why they're searching you, the legal basis for the search and how you can get a record. If they're plain clothed they must show their warrant card too. They can ask you to remove outer clothing like jackets, hats and gloves.

A strip search can be done if the police have reasonable grounds to suspect you're hiding drugs. This involves removal of all clothes and exposure of private parts. It's usually done at the police station, by an officer of the same gender and with an appropriate adult present.

An intimate search involves the examination of anywhere on or in your body you could hide drugs. The police need reasonable grounds to suspect you're in possession of class A drugs that you plan to supply. Approval must be given by a police officer of inspector rank or above.

The police may ask you to consent to an intimate search. If you're 16 or under they also need the consent of your parent or carer. But if the police believe you or someone else is at risk of harm from something you've hidden, they can do an intimate search without it.

Getting caught with drugs

The police can take action for any amount of drugs. There is no minimum.

Sometimes the police take you home and speak to your parents or carers, rather than taking you to the police station.

You know you're being arrested because the police say: 'You do not have to say anything, but it may harm your defence if you do

not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.'

You can be detained in custody. If you're under 18, the police tell your parents or carers. They ask them to attend to make sure you're treated fairly.

If you're going to be interviewed you have the right to a solicitor. You should always wait for a solicitor before answering questions, even if this takes time.

The police always remove and destroy your drugs.

The police can take things like your phone, tablet or clothes to examine them for further evidence.

If the police find out you planned to share, give away or sell drugs, they may treat this as the more serious offence of possession with intent to supply.

On your record

Drugs possession is recorded by the police and can be seen by them if you're stopped again.

Information about arrests for drugs can be seen by international border control agencies.

Just having been arrested for drugs can mean a visa is denied. But always be honest, because lying on a visa application is a very serious offence.

What happens next?

If you're found in possession of drugs, have no offending history, admit the offence and agree to see a worker from the ru-ok? young people's substance use service, you may receive an Alternative Outcome.

This means the police take no further action. It won't go on your criminal record, but it may be disclosed in future at police discretion.