



British Embassy Vienna

Consular Section
Jauresgasse 10
A-1030 Vienna
Tel: +43 (0) 1716 13 0
Fax: +43 (0) 1716 13 5900
www.ukinaustria.fco.gov.uk

HOW THE CONSUL CAN HELP YOU

The British Consul's role is to offer appropriate assistance to British nationals who have been detained or arrested overseas.

THE CONSUL CANNOT GET YOU OUT OF JAIL

IF YOU ARE DETAINED:

- Remain calm
- Insist that the British Consulate be notified - THIS IS YOUR RIGHT.
- You could also ask relatives to contact the British Embassy – Consular Section in Austria

British Embassy
Consular Section
Jauresgasse 10
A-1030 Vienna

or the Foreign and Commonwealth
Office (FCO) in London
Tel: 0207 008 1500

Tel: (+43-1) 716 13 / 5333 or 5332 or 5342

Consular staff are there to support you and to take an interest in your welfare. We aim to be sensitive and non-judgemental. We also aim to treat all prisoners the same regardless of what crime you are detained for, whether you are held on remand or have been sentenced.

After being notified of your arrest we can:

- Contact you in prison and visit you if that is what you want:
- Give you information about the local legal system, including whether a legal aid scheme is available and about prosecution, remand, bail and appeal procedures. It is important to consider carefully whether you want legal representation and to discuss all costs beforehand. We can provide lists* of local lawyers and interpreters (upon request) although we cannot pay for either.

** Please note that neither the Government nor the British Embassy / Consulate can make any guarantees in relation to the professional ability or character of any person or company on the list, nor can they be held responsible in any way for you relying on any advice you are given.*

- Explain the local prison or remand system, including visiting arrangements, mail and censorship, privileges, work possibilities and social and welfare services;

- Put you in touch with a prisoner's welfare charity called Prisoners Abroad;
- Tell your family and friends, if you want us to, that you have been arrested. Your family can also find out about what is happening to you by contacting Consular Directorate at the FCO in London (tel 0207 008 1500 and ask for the Country Operations Desk Officer for the country where you are being held);

If you are thinking about not telling your family, please consider the distress it may cause them if they do not know your whereabouts. It can also be a disadvantage to you if you need money for anything in prison or fall ill. Once we have told your family we can pass messages between you in places where phone or postal services are not available.

In the long term we can:

- Visit you in prison and keep in touch with you by telephone or letter. In some countries, especially those where conditions are difficult, the Consul will aim to make regular visits. In other countries, where prison conditions generally meet international standards, regular visits may not be considered necessary. In such countries, the Consul will aim to keep in touch with you by letter or telephone;
- Consider approaching the local authorities if you are not treated in line with internationally accepted standards. This may include where your trial is not conducted according to due process or is unreasonably delayed compared to local cases;
- With your permission, take up any justified complaint about ill treatment, personal safety, or discrimination with the police or prison authorities, and ensure that any medical or dental problems you might have, and of which we are made aware, are brought to the attention of any police or prison doctor;
- Send you money from your family. In some countries, depending on the rules of the prison where you are being held, we can help to buy prison "comforts" with the money sent by your family, friends or others;
- Explain to you how to apply to transfer to a prison in the UK if you are in a country from which prison transfers are possible;
- We may also be able to give you information about any local procedures for a prisoner's early release in exceptional circumstances. These procedures are generally known as pardon or clemency. We will only consider supporting pardon or clemency pleas:
 - In compelling compassionate circumstances, such as where a prisoner or close family member is chronically ill or dying;
 - In the case of minors imprisoned overseas; or
 - As a last resort, in cases where we have evidence that seems to point to a miscarriage of justice.

WHAT THE CONSUL CANNOT DO FOR YOU

The Consul's role is primarily to look after your welfare while you are detained.

The Consul cannot:

- Get you out of prison or pay your fines;
- Get you special treatment because you are British;
- Give or pay for legal advice, start legal proceedings on your behalf or interfere in local judicial procedures;
- Investigate a crime;
- Forward parcels to you on behalf of other people;
- Prevent the local authorities from deporting you at the end of your sentence, even if you were previously resident in the country.
- Provide funding
- Get you a job when you are on bail/after release

WHAT YOU CAN DO FOR YOURSELF

Prison life can be difficult, but there are things that you can do to make it easier:

Learn the language. Prison guards may be more helpful if you make an effort to learn the language. If you can't get the books you need from the prison, contact the Consul. Prisoners Abroad may also be able to help.

Find work within the prison. Most people find that work helps to pass the time more quickly. You may not be able to work while on remand.

Keep in touch with friends and family. Prisoners Abroad may be able to help find you a pen pal. Make sure you know how many letters you are allowed to send. It is important to get your affairs in order before a trial. In some countries, restrictions on sending mail are imposed after sentencing.

Try to keep healthy in prison. The Consul can give you information on how to do this. If you are ill, or have ongoing medical problems, contact the prison doctor in the first instance. If you think you are not getting adequate treatment, contact the Consul or ask someone to contact the Consul for you. Prisoners Abroad may also be able to help with some medical bills.

After your release:

Sometimes people find that a new set of problems arise once they have left prison. You may find yourself ready for life on the outside but perhaps not prepared for living in the UK. Possibly you have never lived in Britain and have no ties there, or perhaps you have lost touch with friends and family. You may simply want to talk to another person who understands what you have been through, to help work out what to do next.

When you first arrive back in Britain you can visit Prisoners Abroad (see address at the end of the handout) on weekdays for advice, to take a shower, use the temporary luggage store, make essential phone calls or use a computer. If you have no belongings Prisoners Abroad may be able to help with basic toiletries and finding suitable clothing. If you know your release date in advance it is best to write and tell your caseworker when you are likely to arrive and what help you think you might need. If you have no money and nowhere to go, PA's Aftercare Service can help with

- Advice on finding emergency accommodation in the London area
- Claiming welfare benefits, including emergency benefit payments if you are destitute
- Making appointments with doctors and dentists
- Putting you in touch with local agencies if you are not returning to the London area

Later on you may want advice on housing, looking for work, applying for training or getting counselling. Prisoners Abroad can refer you to the right agency. Other sources of practical help back in the UK are the Salvation Army (see address at the end of the handout), UK Helpline 020 7367 4888 or contact your local branch of The Prison Fellowship (see address at the end of the handout).

INFORMATION FOR RELATIVES

Having a loved one in prison overseas is traumatic. We will do what we can to help you.

We can provide general information about the country involved, prison conditions and the local legal system.

Visiting arrangements vary from country to country. Relatives should make an appointment to visit before setting off on a long journey. The Consul will be able to tell you how the visiting system works and whether special arrangements apply for parcels. Relatives can also contact Consular Directorate for advice before travelling.

Most Austrian prisons will accept money transfers from relatives and friends on behalf of your loved one. The Consul will be able to advise you about the bank details if needed.

If the prison where your friend or relative is being detained agrees, we can alternatively pass on any money you want to send to the prisoner to buy prison “comforts”, use the phone and so on. Relatives in the United Kingdom can send postal orders, bankers drafts and building society cheques (made payable to the Foreign & Commonwealth Office) or cash in a registered envelope to: Consular Directorate, Foreign & Commonwealth Office, Old Admiralty Building, London, SW1A 2PA. You must include the full name of the prisoner, their personal number, the address of where they are being held and the name of the sender. The money will be sent as quickly as possible to the nearest British Embassy, High Commission or Consulate, who will ensure it is passed on to the prisoner in local currency. It will normally take 2-3 weeks to reach the prisoner.

Please note: Prison comforts are currently transferred to prisoners, via the Foreign and Commonwealth Office in London, free of charge up to £200 per month. However, from 1 January 2010 only the first deposit of £100 per month will be free, any subsequent transfers in the same month, even under the £100 threshold, will incur a charge as set out in the sliding scale below:

Sliding scale of charges for prison comfort transfers

Amount	Charge
One monthly payment up to £100	Free
Any further payments:	
(i) £0.01 - £99.99	£10
(ii) £100 - £499.99	£30
(iii) > £500	£80

You should be aware that in many countries, mail sent or received by the prisoner will be opened and read by the authorities and phone conversations may be monitored.

USEFUL INFORMATION FOR RELATIVES TO HAVE:

- The full postal address of the prison.
- Details of the prisoner's legal representative.
- Information about the authorities responsible for the court proceedings.
- The address, phone and fax numbers, of the nearest British Consul to the prison.
- A copy of any information given to the prisoner by the Consul.

CONFIDENTIALITY AND UK LAW ENFORCEMENT

The Consul will not normally pass on information about your case to any third party without your consent. However, you should be aware that if you are arrested for certain serious offences, such as child sex abuse or drugs crimes, our staff are obliged to tell other relevant UK authorities.

USEFUL ADDRESSES & CONTACTS

PRISONERS ABROAD

Prisoners Abroad is a UK charity partly funded by the FCO, which provides information, advice and support for prisoners and their families. They can provide information, limited financial assistance in certain situations, vitamins, a regular newsletter and support for families. Prisoners Abroad work collaboratively with the FCO to deliver assistance to British nationals held in prisons overseas. They can keep in touch with you and your family throughout your time in prison and help you on release. We recommend that you contact them and authorise us to share information about your case with them.

Prisoners Abroad
89-93 Fonthill Road
London N4 3JH
Tel: 020 7561 6820
Fax: 020 7564 6821
www.prisonersabroad.org.uk
Email: info@prisonersabroad.org.uk

PRISON FELLOWSHIP INTERNATIONAL

Prison Fellowship International is a Christian organisation that gives support and help to people of all religions and those with none. It has members in 88 countries; they can visit or write to prisoners. If you obtain a transfer back to a UK prison, PF can help with transport so your family can visit. They also work with ex-prisoners and their families through their local group network.

Prison Fellowship, England and Wales
PO Box 945
Maldon
Essex CM9 4EW
Tel: 0044 (0) 1 703 481 0000
Tel: 0044 (0) 1621 843 232
Fax: 0044 (0) 1621 843 303
www.pfi.org
Email: prisonfellowship@dial.pipex.com

Prison Fellowship, Scotland
110 St. James Road
Glasgow G4 0PS
Tel: 0044 (0)141 552 1288
Email: pfscotland@cqm.co.uk

Prison Fellowship, Northern Ireland
39 University Street
Belfast BT7 1FY
Tel:0044 (0)2890 243 691
Email: info@pfni.org

THE SALVATION ARMY

They can arrange to visit prisoners overseas through their international service.

The Salvation Army International HQ
2nd Floor
33-35 Kings Exchange
Tileryard Road
London
N7 9AH
Tel: +44 (0)20 7619 6100
Fax: +44 (0)20 7619 6111
www.salvationarmy.org
Email: londoncentral@salvationarmy.org.uk