Information Pack for British Prisoners in Spain

Author

British Consulate-General, Madrid
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Introduction

Who can help?
The Foreign and Commonwealth Office (FCO):
The FCO is represented overseas by its Embassies and Consulates (High Commissions in Commonwealth Countries). Both employ consular officers, and one of their duties is to provide help and advice to any British National who gets into difficulty in a foreign country.

About the Embassy
We are impartial; we are not here to judge you. We aim to make sure that you are treated properly and fairly in accordance with local regulations, and that you receive the same standard of treatment as other inmates.

We can answer questions about your welfare and about prison regulations but you must ask your lawyer or the court about legal matters. The attached list of lawyers is provided by the British Embassy for your convenience, but neither Her Majesty’s Government, nor any official of the Consulate, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequence of any legal action initiated or advice given.

We cannot get you out of prison, pay fines or stand bail or interfere with local judicial procedures to get you out of prison nor secure you an earlier trial date; we cannot investigate a crime.

We have tried to make sure that the information in this booklet is accurate and up-to-date, but the British Embassy cannot accept legal responsibility for any errors or omissions in the information. If in doubt contact a lawyer.

Who are the Consular Representatives?
Spain is divided into 8 consular districts. Please follow the links below for full details:
[link to Alicante, Barcelona, Ibiza, Las Palmas, Madrid, Malaga, Palma de Mallorca, and Tenerife]

Consulates are open to visitors Monday to Friday from 8:30 am to 1.30pm, excluding public holidays. Consular phone lines are open from 9am to 5pm. (Spanish Time)

Contact Information

British Consulate Alicante (Covering Valencia and Murcia and the province of Albacete)

Edificio Espacio, Rambla Méndez Núñez 28-32, 6ª planta
03002 Alicante (Spain)

Tel: +34 965 21 60 22 - Fax +34 965 14 05 28

British Consulate General Barcelona (Covering Catalonia, Aragon and Andorra)

Avda Diagonal 477 – 13
08036 Barcelona (Spain)

Tel: +34 93 366 62 00 - Fax: +34 93 366 62 21
British Consulate Ibiza (Covering Ibiza and Formentera)
Avenida Isidoro Macabich 45, 1º1ª (corner with Calle Canarias)
07800 Ibiza (Spain)
Postal address:
Apartado de correos 307
07800 Ibiza (Spain)
Tel: +34 933 66 62 00 - Fax: +34 971 30 19 72

British Consulate Las Palmas de Gran Canaria (Covering Gran Canaria, Lanzarote and Fuerteventura)
Calle Luis Morote 6-3ª
35007 Las Palmas de Gran Canaria (Spain)
Tel: +34 928 26 25 08 - Fax: +34 928 26 77 74

British Consulate General Madrid (Covering Madrid, Asturias, Cantabria, Extremadura, Galicia, Navarra, País Vasco, Castilla-Leon and Castilla-La Mancha, except for the province of Albacete)
Torre Espacio
Paseo de la Castellana 259D
28046 Madrid (Spain)
Tel: +34 917 14 63 00 - Fax: +34 917 14 64 03

British Consulate Malaga (Covering Andalucía, Ceuta and Melilla)
Calle Mauricio Moro Pareto, 2
Edificio Eurocom
29006 Malaga (Spain)
Tel: +34 952 35 23 00 – Fax: +34 952 35 92 11

British Consulate Palma de Mallorca (Covering Mallorca and Menorca)
Carrer Convent dels Caputxins, 4
Edificio Orisba B 4ºD
07002 Palma de Mallorca (Spain)
Tel: +34 933 66 62 00 - Fax: +34 971 71 75 20

British Consulate Santa Cruz de Tenerife (Covering Tenerife, La Palma, La Gomera and El Hierro)
Plaza Weyler, 8, 1ª
38003 Santa Cruz de Tenerife (Spain)
Tel: +34 928 26 25 08 - Fax: +34 922 28 99 03
First Steps

Who will know I have been detained?
The Spanish authorities require the written consent of a foreign detainee/prisoner to inform the British Embassy/Consulate of your arrest and continued detention. On committal you will have been asked to indicate (either by ticking a box on a form or verbally) whether you wish to receive consular assistance. If you have requested consular assistance, information in this pack is relevant to you.

What will my family be told?
We can only inform family and friends if you authorise us to do so (there are exceptions if you are a minor). Providing you have given consent to the British Consulate, it would be up to you to decide how much information relating to your case is passed on to your family/friends. However, family and friends could learn about your case via Internet.

What will the Consulate do?
Our staff are there to support you and to care for your wellbeing. Our staff can liaise with the prison authorities on certain issues and concerns; as pointed out before, legal matters should be addressed with your lawyer. We will arrange a visit to see you as soon as possible.

Would I have a criminal record in the UK?
If you are arrested for certain serious offences, such as sexual assault or drug-related crimes, our staff must inform the relevant UK authorities. The information about the criminal offence will be sent to the ACPO Criminal Records office in the UK. It is therefore possible that you may have a criminal record in the UK.

Visits

How do my family and friends arrange a visit?
Providing documentary proof of relationship is shown at the prison, family members are entitled to visits in booths (“glass visits”) where there is a glass panel between the prisoner and the visitors. Open visits without a glass panel are available – see below on open visits. In most prisons family members may turn up on the assigned visiting day for that wing (modo) with documentary proof of their relationship with the prisoner and wait until a booth becomes available. Visitors are fingerprinted and photographed by the prison authorities.

For subsequent visits, family members and friends can call a 24-hour telephone number (+ 34) 91 335 6099) Monday – Wednesday to arrange a time and date or phone the relevant prison directly. Subsequent glass visits can also be arranged online at https://www.ipp.es:8443/citaprevia/bienvenida.htm (or at Instituciones Penitenciarias website, under Relaciones con el Exterior, by clicking on “Cita Previa” on the right-hand side of the screen). At the moment this service is only available in Spanish and visitors are expected to enter their passport or ID number and the prisoner’s prison ID number.

Visitors should contact the prison directly by telephone if they have never attended a glass visit before or need further advice. The nearest British Consulate or the prisoner’s lawyer will also be able to provide you with the correct telephone number for the prison visits department (Departamento de Comunicaciones).

Glass visits by close friends (not family) require prior authorisation from the Prison Authorities. Therefore the prisoner will have to submit a request in writing (instancia) including the friend’s details and passport/ID number. The forms (instancias) are available in the wing.
“Open visits” (for family only): These take place in a private room without direct supervision by warders.

You must initiate all requests for open visits and you must submit an application form “Instancia” to the prison officer in your wing. You must provide a choice of three possible dates on the form along with the details and passport numbers of your family members.

On the first open visit, all family members must provide proof of relationship with you, in addition to their passport, on arrival at the prison. Failure to do so may result in access to the visit being denied. Once personal details of the visitor (including fingerprints and photograph) and their relationship with you have been recorded on the prison’s system, family members are not usually expected to provide proof of relationship on subsequent visits at the same prison. If you are transferred to another prison, the whole prison visitor registration process may have to be completed again.

For those who do not possess the Spanish Libro de Familia (Family Book given to couples who marry in Spain by the Spanish Civil Registry), proof of relationship consists of original copies of relevant birth and marriage certificates bearing your names. Prisons do not expect these certificates to be translated into Spanish but original copies must be shown. The British Consulates in Spain are able to assist by issuing a Letter of Introduction in Spanish shown by the visitor on the day of the visit explaining the visitor’s relationship to the prisoner and the time of the visit. Family members in Spain/UK could contact the nearest Consulate to obtain a Letter of Introduction. Please note that a Letter of Introduction does not guarantee a visit and cannot be issued until the open visit has been authorised by the prison and you have informed your family as such with a date and time. Please note that Consular Officers cannot arrange or get involved in changing open visits.

Due to the number of prisoners in custody, the larger prisons (mostly in the main cities) are very strict in observing visiting regulations. If you are in a common-law relationship, your visit request may be refused. There are slight differences in visiting arrangements between Spanish prisons. For further information, please contact the nearest British Consulate for specific information- 90 210 9356 if dialling from Spain or + 34 91 334 2194 if dialling from out of Spain.

UK lawyers will need to obtain prior permission from the local (provincial) Law Society (Colegio de Abogados). UK Lawyers should make arrangements via the prisoner’s Spanish Lawyer.

How many visits am I allowed?
“Glass visits” (for family and close friends with a maximum of four people including children and babies): Prison regulations normally allow one 30-45 minute visit per week. These are usually on Friday afternoons or weekends and take place in a booth (locutorio) with a glass partition. The actual days and times for visiting are decided by the particular prison. Each wing (módulo) of a prison has its own set days and times for glass visits.

“Open visits” (for family only): A monthly conjugal visit, a monthly family visit (called “vis-à-vis” for a maximum of four people including children and babies) and a quarterly extended family visit for immediate family and children under ten years old, can also be authorised by the Director.

What can visitors bring?
For security reasons, prisons will not accept any items sent by mail or by courier service to prisoners and packages will be returned without explanation. Provided the sender can deliver them in person, you may receive up to two packages a month of up to
around 5 kilos, containing clothes or reading materials. Please note that navy blue or black clothes that are similar to the prison staff’s attire and hard back books are not allowed. In addition, foodstuffs, medicine, toiletries, blankets, sheets, bedspreads and quilts, ski type padded and quilted clothing and trainers with air cushion soles are not permitted in parcels. **A list of such items is displayed on the notice boards in the prisons.**

You must open the packages in the presence of a prison officer. Any prohibited items are retained by the prison staff for collection in person by your friend/family/legal representative. Items which are not collected within a stipulated amount of time are usually destroyed. Unfortunately, Consulates cannot deliver items on behalf of family or friends who cannot visit but the Red Cross may be able to offer assistance in some cases. Family and friends in the UK may also wish to seek help from Prisoners Abroad (see below).

The contents of each package must be placed in a plastic bag, which is provided, along with a sticky label to write the name, surname, address and assigned wing (módulo) of the prisoner.

**Prison/ Detention conditions and services**

**Arrival at police station**
Upon arrest you are entitled to be informed in English, and if necessary via an interpreter, on why you have been detained. In Spain, you could be detained under the national, regional and local police forces (Guardia Civil, Policía Nacional, Policía Local/Municipal), Ertzaintza (Basque Country) and Mossos d’Esquadra (Catalonia).

You can be held in a police cell for up to 72 hours (if under 18 yrs old, 24 hrs) after which you must either be brought before a judge or released. The only exception to this time limit is for terrorism where a person can be held for up to five days.

A lawyer must be present when you make **any statement** to the police. However, a Legal Aid Lawyer is not automatically provided at the police station if the arrest is a result of a pre-existing criminal proceeding. You can appoint a private lawyer or be assigned a Legal Aid lawyer at your court appearance. Should you wish, you can apply for Spanish Legal Aid via the Court or the Provincial Law Society. If you do not speak sufficient Spanish, you have the right to be assisted by an interpreter.

Your rights as a detained person are guaranteed under Article 17 of the Spanish Constitution. Your lawyer can advise you of these rights. Forms in various languages are available at police stations informing detainees of rights and arrest procedure. Whilst in police custody, you have the right to request to be examined by a doctor and also for your family, friends and the Consulate to be notified of your detention. The police will keep your personal items, which they will note down on a detailed receipt given to you. The items will accompany you to Court and, if you are then released by the Judge, they will be given back to you unless they are retained as part of the Court’s investigations.

**Arrival at prison**
On arrival at a prison, you have the right to immediately communicate your situation to your family and lawyer via a telephone call or other means. Currently the free telephone call on arrival can only be made within Spain. Therefore if you do not know anyone in
Spain or cannot remember the telephone number and wish to communicate your situation, you can request to use your free telephone call to contact the nearest British Consulate for assistance. With your permission, we will pass on information to the person of your choice. On arrival whether on remand or after sentence, a prisoner will be searched and routinely documented. All money, jewellery and/or other valuables, medicine and toiletries should be declared and handed in to the authorities. They will be kept in the "valores" department and a receipt given to you until your release or transfer elsewhere. Belongings in valores are transferred separately by messenger service to the prison where the prisoner is being transferred to. This can take around two months to happen especially if the prisoner does not have funds to pay for the messenger service and the prison authorities have to pay the costs instead. These belongings can also be collected in person by someone nominated by you, usually someone on your visiting list or your lawyer.

Also on arrival, you will be interviewed by the doctor and a social worker. Any medication must be declared and the prison doctor will decide which you can keep or be kept in the infirmary. The doctor should be told of any on-going medical condition. You may keep and use your own clothing, after being washed on arrival and if it is considered suitable by the authorities. But if it is deemed unhygienic or contaminated the clothing can be confiscated and you will be provided with officially issued garments. Basic toiletries are also provided by the prison authorities.

**General prison conditions**

Prisons in Spain are generally comparable with, and some better than, equivalent prisons in the UK. Within them, there are three types of imprisonment - régimen cerrado (closed regime), régimen ordinario (ordinary regime) and régimen abierto (open regime). The first (régimen cerrado) means close supervision, long confinement in cells and minimal privileges whilst the latter (regimen abierto) is a half-way house to full freedom. The majority of prisoners will serve their sentence under the ordinary regime (albeit in a high security prison if charged with serious offences). Those whose behaviour has been particularly bad or violent will be kept in the closed regime. Only persons who have served two thirds of their sentence and whose behaviour has been exemplary would be eligible for the open regime.

All prisoners are classified into one of three grades. These determine the extent of privileges (temporary leave, work facilities, etc) that can be obtained within the prison system. Grade 1 carries the least privileges. After conviction, and usually within two months of the prison authorities having received official notification of an irrevocable sentence, the Prison Board will classify prisoners and most will then be placed in Grade 2. Bad behaviour can result in being placed in Grade 1 or temporary withholding of a classification. Grade 3 is granted to those who have displayed exemplary behaviour and are approaching the end of their sentence.

Prisons are administered by a Governor (Director in Spanish) and managed by the Spanish Ministry of the Interior (Generalitat's Department of Justice in the case of Catalonia region). Insulting or aggressive behaviour towards prison staff is perhaps considered a more serious offence than in the United Kingdom and would result in reclassification and loss of other privileges.

A Prison Board is responsible for the internal affairs of the institution. The Prison Treatment Board (Junta de Tratamiento) regularly reviews individual cases to determine the classification and eligibility for parole of prisoners. Legal matters within the prison are the responsibility of a Visiting Judge (Juez de Vigilancia) who will normally pay regular visits to prisons within his or her district. Under Spanish law, this Judge is charged with ensuring that all prisoners serve the correct sentence, that their rights are observed and that the institution's internal procedures accord with the law.
How can I receive money?
The British Government does not provide financial assistance to prisoners.

Money can be transferred directly from a UK bank account to a prison bank account which usually takes less time than via the Foreign and Commonwealth Office but incurs bank charges - please check with your bank for details.

Please Note:
For prisoners to be able to receive money transfers, the sender must be their lawyer or a family member whose kinship and identity has been verified by the prison, i.e. by providing proof of the relationship and copy of passport/identification. Transfers from anyone else will only be accepted if authorised by the prison director.

The sender must include, in the bank transfer, the full name of the prisoner and their prisoner number, known as NIS, as registered on the prison’s system. If not, payment may be rejected.

Most prisons will only accept a maximum of two bank transfers per month.

If the sender, of a bank transfer directly to the prison, has never visited the person in prison nor is included on the prisoner’s approved list of visitors, the appropriate British Consulate can assist to confirm their details (full name, passport number and relationship with the prisoner) with the prison authorities before the bank transfer is sent. In order to do this, they should send their full name, passport number and a copy of documentary proof of relationship to the prisoner, to the relevant British Consulate in Spain. This process will have to be repeated if the prisoner is transferred to a different prison.

If the person wishing to send a bank transfer does not have the prison bank details please contact your British Consulate in Spain.

When filling out bank transfer details the following information must be included:

BANCO SANTANDER CENTRAL-HISPANO
Name and surname of prisoner (obligatory)
Account number:    XXXX-XXXX-XX-XXXXXXXXXX
CENTRO PENITENCIARIO (add name of prison) Peculio

For bank transfers made from the UK, you will also need the IBAN number of the account.

Another option is through the Foreign and Commonwealth Office (FCO), which operates a “Prison Comfort” system for money transfers to prisoners in Spain. Family or friends can send up to £100 per month free of charge by sending a Postal Order, Building Society Cheque or Bankers Draft (pounds sterling only) payable to "The Foreign and Commonwealth Office". Any amount above £100 or a second payment within the calendar month will be subject to a charge as per the table below. All Prison comfort funds should be addressed to:
Accounts Receivable
Foreign & Commonwealth Office
Corporate Services Centre
PO Box 6108
Milton Keynes
MK10 1PX
It is important to include a short note to confirm the amount enclosed, who the money is for (full name, surname and prisoner number, known as NIS, as registered in the prison’s system) and address of the prison. This will help ensure that the prisoner receives the money on time. Please enclose a stamped and addressed envelope if you would like a receipt.

The FCO processes prison comforts weekly and the money can take from **15 to 20 days** to clear into a prisoner's "peculio" account, which is an account opened in the prisoner’s name. A prisoner is able to hold any amount of money in his/her account but he/she will only have access to a fixed amount of 80 euros/week maximum. Cash and banknotes etc are not permitted in prison and the money is topped up onto a personalized plastic card for use in the prison shop. Top-ups take place once a week usually on Tuesdays, Wednesdays or Thursdays. Please note that this means that if money is received at the prison the day after the top-up day, the prisoner will have to wait a full week for the money to appear on his card.

Please note that the Foreign and Commonwealth Office will process one free transfer per month of up to 100 pounds sterling. Any subsequent transfers in the same month, even under the 100 pounds threshold will incur a charge as set out in the sliding scale below.

### Sliding scale of charges for prison comfort transfers

<table>
<thead>
<tr>
<th>Amount</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>One monthly payment up to £100.00:</td>
<td>Free</td>
</tr>
<tr>
<td>Any further payments in the same month of £0.01-£99.99:</td>
<td>£10.00</td>
</tr>
<tr>
<td>Any further payments in the same month of £100.00-£499.99</td>
<td>£30.00</td>
</tr>
<tr>
<td>Any payments of £500 and above after deducting £100</td>
<td>£80.00</td>
</tr>
</tbody>
</table>

If a prisoner is moved to another prison, the balance is forwarded by banking channels between the two prisons unless the transfer arrives after the prisoner has already left, in which case the money is usually returned to the sender by the prison. The money may not arrive at the new prison up until ten days later after the prisoner’s arrival. For this reason prisoners are usually handed one week’s peculio money in cash to take with them which they have to pay into the prison account on arrival. Cash can also be deposited with the prison for a prisoner at the time of a visit and visitors should ask for a receipt (recibo) from the prison. **Cash of any kind should never be sent through the mail directly to the prison as this may cause the prisoner to be sanctioned and the money confiscated.**

Please note very important:

Prisoners who are moved from prison to prison in Spain, extradited or transferred to another country should ensure that they put in a written request (Instancia) to the prison authorities providing their bank account details where any outstanding monies can be reimbursed.

**Can I work or study in prison?**

Although you can work whilst in prison, please note that the prison authorities are not obliged to offer you a job and that sentenced prisoners will normally have preference over prisoners on remand.

Prisons have educational facilities. If these are insufficient, or do not meet the prisoner’s needs, the authorities will normally accept arrangements for postal studies (at the moment only through the UNED- Universidad Nacional de Educación a Distancia) i.e. Spanish
Open University. British Consulates will normally try to mail second hand reading material in English if requested to do so.

Can I receive medical and dental treatment?
You are entitled to the full facilities provided by the Spanish Health Service. But there are important differences between what is available in Spain and what is available in the UK - particularly regarding dental treatment; the only free facilities are for emergency treatment and extractions. Any fillings, caps, false teeth etc must be paid for privately. As long as you have the funds, you can receive such treatment, although it may sometimes be necessary to transfer temporarily to another establishment which has the appropriate facilities. You may request a private dentist of your choice to visit to the prison, providing that the treatment is not available from the usual prison dentist. Visits by a private Doctor may also be authorized. In both cases you must cover the costs/fees and an “Instancia” request should be submitted to the Prison Director, quoting the name, address and Professional Association of Dentists/Doctors number (número de Colegiado) of the Dentist/Doctor concerned. Routine access to a prison doctor can be obtained by adding your name to a list displayed in each wing. Most prisons have their own infirmary facilities but, as in the UK, there are provisions for accommodating serious cases in special wards of State hospitals. If you do not wish to attend a medical/hospital appointment outside the prison, you should refuse to do so well in advance and in writing. Sanctions can be imposed by the prisoner authorities on those who refuse to attend appointments without giving prior notification. If the hospital appointment coincides with a family visit, you should request for the time of the visit to be changed.

Food and Diet
Prison regulations establish that an inmate is entitled to 3 meals a day with a total of 3000 calories for healthy people and 3,500 for those under 21 or over 60. Special diets are available when prescribed by the prison doctor. Any prisoner with special dietary requirements because of religious or other valid reasons may ask the doctor to prescribe these. Alcohol is strictly forbidden.

Mail/Parcels
The privacy of a prisoner's mail is guaranteed by the Spanish Constitution. But a prison officer can require that a particular letter be opened in his/her presence to prevent contraband. Prisoners may receive and send as many letters as they wish. There is an exceptional provision for censorship against a specific court order which could limit the amount of correspondence a prisoner may receive. This may also result in a delay in the sending or receiving of mail as censored correspondence may be sent to the Central Prison Board for translation into Spanish before being passed onto the prisoner. This is, however, exceptional and up to the Judge to decide through a Court Order. Prisons do not usually accept letters sent by registered post or recorded delivery. The sender's address should be clearly visible on the back of the envelope. Any envelope containing more than just the actual letter e.g. photographs, paper clips, etc. may not pass the security checks and may be sent directly back to the sender by the prison authorities.

Information on parcels does not differ from the information provided above under "What can visitors bring?" section.

Can I make telephone calls?
You can apply to make telephone calls and are allowed to submit a list of up to ten numbers and names. Prison authorities might request a copy of the telephone invoice you wish to call (especially for mobiles). Please note that pay-as-you-go mobile telephone numbers will be refused. Landlines and contract mobiles are usually accepted. Relatives should send original telephone bills directly to the prisoner. A minimum of two calls per week are allowed and in some prisons the maximum amount will vary, but usually up to
eight. Extra telephone calls can sometimes be earned taking on unpaid work in the prison.

Leisure and entertainment
Spanish prisons offer a range of cultural and social activities. Taking part in these will be positively seen by the prison authorities and reflected accordingly in your prison record.

Prisons have a prison shop called Economato. Authorised food items, cakes, chocolates, refreshments, coffee, milk, cigarettes, toiletries, phone cards, etc, can be purchased there. A list of the items on sale with prices is published regularly and available in the prison wings. Most prisons also operate a messenger service whereby other authorised items such as TVs or clothing not on sale within the prison can be bought from outside shops as long as the prisoner has enough money in his peculio account to cover the cost.

Drugs
These substances are prohibited items in all Spanish prisons. Severe sanctions will be faced by those caught consuming or in possession of drugs.

How can I make a complaint about mistreatment?
If you have been mistreated by the Police, you should make a complaint at the nearest Duty Court (Juzgado de Guardia) accompanied by a lawyer if possible. The report should include any medical examination reports and photographs of injuries following the incident or you should ask for a medical examination by the Official Court Doctor (Médico Forense) who could take photographs of your injuries.

Letters of complaint about the National Police or Guardia Civil
Letters of complaint should be addressed to the ‘Comisario Jefe’ of the Provincial Police Headquarters or ‘Comandante Jefe’ at the Guardia Civil Barracks under whose jurisdiction the Police Station (Guardia Civil or National Police) falls. The addresses of the different Provincial Police Headquarters/Provincial Guardia Civil Comandancias can be found on http://www.policia.es/org_periferica/jsp_madrid/dependencias.html.

Complaints can also be submitted by email directly on the Guardia Civil website http://www.guardiacivil.es/es/servicios/atencionciudadano_1/index.html or by post. Click on the ‘Atención al Ciudadano’ section and follow the instructions under ‘Quejas y Sugerencias’.

Letters of Complaint about the Municipal Police
Municipal Police: The M.P. fall under the jurisdiction of the Town Hall. Letters should be addressed to the Mayor or the Councillor responsible for Citizens’ Security (Concejal de Seguridad Ciudadana) see relevant Municipal website. In Madrid complaints can also be submitted by email: relexternaspm@munimadrid.es. See relevant page in English of http://www.munimadrid.es/ or by post to: Calle Albarracín, 31, 28037 Madrid.

Letters of Complaint about Autonomous Police (Basque Country and Catalonia): Letters should be addressed to the Consejería de Presidencia e Interior of the corresponding Comunidad (Autonomous Community).

Comunidad de Madrid
(National Police) Jefatura Superior de Policía
Calle Federico Rubio y Gali, 55 - 28040 Madrid
Tel: +34 91 322 34 00
Fax: +34 91 311 51 42
Prisons
Prisoners wishing to complain about mistreatment by prison staff should put their complaint in writing in a sealed envelope addressed to the Juez de Vigilancia (Prison Judge) and leave it in the mailbox for outgoing post in the wing. Each prison has a Juez de Vigilancia who investigates complaints made by prisoners. Sealed envelopes addressed to the Judge should not be opened by prison staff without valid reason.

Both prisoners and detainees may also like to instruct a lawyer to take up their allegations with the relevant Spanish authorities. As mentioned before, British Consulates in Spain are able to provide a list of English-speaking lawyers.

If appropriate, the Consulate will consider approaching the local authorities if you are not treated in line with internationally-accepted standards.

The Spanish Judicial System
The Spanish legal process in criminal cases is different from that of the United Kingdom although, as in Britain, the Judiciary is independent of the Government and all foreigners, like Spaniards, have rights guaranteed under article 17 (Personal Liberty) of the Spanish Constitution.

What should happen when I am arrested?
Upon arrest, a person should be informed of the reason for his/her arrest and of his/her rights. If you have insufficient knowledge of Spanish an interpreter should be insisted upon. Under the terms of the UK-Spain Bilateral Convention, the Police should inform the nearest British Consulate of the arrest of a British Citizen if you give them permission to do so. A consular officer will then offer consular assistance to you as soon as possible.

For how long can I be remanded in custody?
There is a maximum period during which an accused person can be held in prison without trial - up to 12 months for alleged offences punishable by a term of three years imprisonment or less, and up to 24 months for offences punishable by a term of three years and one day or more. But if the investigating Judge is satisfied that there are valid reasons for the police not being able to complete their case against the accused within the time, or there is reason to believe that the accused will escape the Court's jurisdiction if released, the Judge may extend the pre-trial detention period by an additional 6 and 24 months respectively. This means in effect that a person can be held on remand for up to 4 years. If you appeal your sentence, you can be held awaiting appeal for up to half the sentence imposed. If the appeal has not been heard by this time the accused must be released pending the result of the appeal.

What happens when I am charged?
Please see below under ‘What happens at the trial?’ section.

What provision is there for bail?
Provisional release may be granted with bail (Libertad provisional bajo fianza) or without bail. Libertad provisional is the temporary release from police custody or from prison of the
accused awaiting trial. You maybe be required to pay security money (*fianza*) as a condition for your release. If you wish to apply for bail, please consult your lawyer as they will need to submit an application on your behalf to the court.

**What kind of legal assistance is available?**
Legal Aid is provided in all legal cases to persons who can show insufficient income and wealth. This is evaluated by Provincial Commissions and, if a case is won with substantial economic compensation, a claimant may be required to reimburse Legal Aid costs already provided.

**What is legal aid?**
In Spain, legal aid (“*asistencia jurídica gratuita*”) is a right for members of the public who cannot afford the costs of a trial. Legal Aid may cover the following costs:
- Pre-trial legal advice
- Legal assistance and lawyer’s fees
- Court Fees
- Costs of publishing announcements in official journals
- Deposits required for lodging certain appeals
- Experts’ fees
- Affidavits
- An 80% reduction in the fees for notarial deeds and certificates from the land registry

The law and regulations governing Legal Aid in Spain are set out respectively in: *Ley 16/2005 de 18 de Julio* and *Reglamento de asistencia gratuita aprobado por Real Decreto 996/2003 de 25 de Julio, modified by the royal decree, Real Decreto 1455/2005.*

**What are the costs of a trial and who should normally pay them?**
Going to court entails certain costs. These mainly include:
- Legal assistance and lawyer’s fees
- Court Fees, which depend on the size and type of case
- Translation and interpretation costs
- Costs of publishing announcements in official journals
- Deposits required for lodging certain appeals
- Experts’ fees

These costs normally have to be paid in advance by the party concerned. At the end of the trial the court has to decide which party is ultimately to bear the costs; in Spain this is known as the “*condena en costas*” (order to pay costs) and is governed by the “loser pays” principle. In civil courts however, the claimant or defendant has to be 100% successful in its claim in order to be awarded costs in its favour, otherwise no costs order is made. The amount of costs awarded is subject to an assessment procedure called taxation (“*tasación*”), which usually amounts to a figure significantly less than the actual legal costs and expenses paid out.

**Who can benefit from legal aid?**
All European Community citizens who pass a means test
In Employment matters, any employed person regardless of nationality and means
Public-interest associations and foundations

To qualify as having insufficient means, the total monthly income of you and your family must not be more than twice the National Minimum Wage ("Salario Mínimo Interprofesional") set annually by the Spanish government.

Your annual income must be lower than the Public Indicator of Multiple Effects' Income ("Indicador Público de Renta de Efectos Múltiples") as set by the Spanish government.

Can legal aid be obtained for all disputes?
Criminal matters:
Legal aid is available for all cases and it covers all proceedings, except minor offences, for which the services of a procurator and lawyer are not compulsory. It includes appeals and enforcement of judgments.

Civil matters:
Legal aid is available for cases involving sums of over €901.52 and includes appeals and enforcement of judgments.

In cases involving smaller sums, for which the services of a procurator and lawyer are not compulsory, legal aid may be granted where the other party has legal representation or where explicitly called for by the judge or court to ensure that the two parties are on an equal footing. The same rule is applicable to admonitory proceedings (civil claims demanding the payment of documented debts lower than €250,000).

Is there a specific procedure for emergencies?
On consideration of the circumstances of the case or its urgency, the judge or court may order a procurator and lawyer to be temporarily appointed with immediate effect. However, regardless of this appointment, legal aid may be refused if the person concerned fails to demonstrate that they have insufficient means in accordance with the ordinary procedure.

Where can I obtain an application form for legal aid?
The form is available from Legal Guidance Departments (Servicio de orientación jurídica) of the local Bar Associations (Colegios de Abogados), Offices of Senior Judges (Decanatos) at courts and provincial Legal Aid Commissions (Comisiones provinciales de Asistencia Jurídica Gratuita).

Which documents should I attach to my request for legal aid?
Any documentation supporting your application. For example, documents showing your own financial situation and that of your immediate family members, i.e. your spouse, as well as other circumstances that you might find relevant.

Where should I file my request for legal aid?
The application for legal aid must be filed with the Bar Association (Colegio de Abogados) in the place where the court responsible for trying the main issue is located or with the Senior Court ("Juzgado decano") of your place of residence.
You must file your application with the defence pleadings. However, you may apply for legal aid at a later stage, provided you can demonstrate that your financial circumstances have
changed. An application filed by a defendant does not suspend the action; nonetheless, the court may, of its own motion or at the defendant’s request, suspend the proceedings pending the decision awarding or refusing the free legal aid.

How will I be informed of whether or not I am eligible for legal aid?
The Bar Association’s response to the application is formalistic and may adopt any of the following provisional decisions:
To notify you that there are defects in the application that must be rectified within 10 days, failing which the application will be closed;
To declare the application inadmissible or unfounded and notify the Legal Aid Commission accordingly;
To declare that the application fulfils the statutory requirements, in which case a procurator will be appointed within 15 days and the Lawyers’ Association will be notified so that it can appoint a lawyer within 3 days; the Bar Association will also submit an application to the Legal Aid Commission for final approval.

If the Bar Association fails to reply within 15 days, you may apply directly to the Legal Aid Commission, who will then decide whether to provisionally appoint a lawyer and a procurator pending verification of the information and documents. However, you may choose your own procurator, provided that he or she agrees to provide the service free of charge.

The final decision on whether or not to grant legal aid must be adopted by the Legal Aid Commission within 30 days following receipt of the complete application. If, a decision has still not been taken after 30 days, the provisional decisions adopted by the Bar Association and the Lawyers’ Association will be upheld.
The applicant is notified of the decision within three days, as are the Procurator’s Association, the Lawyers’ Association and the judge or court hearing the case, or the senior member of the court if the proceedings have not yet commenced.

If I qualify for legal aid, will this cover all the costs of my trial?
Legal aid covers the following costs:
pre-trial legal advice
legal assistance and lawyer’s fees
costs of publishing announcements in official journals
deposits required for lodging certain appeals
experts’ fees
affidavits
an 80% reduction in the fees for notarial deeds and certificates from the Property Register and the Mercantile Register.

If I qualify for partial legal aid, who will pay the other costs?
If your monthly income is more than twice, but less than four times the National Minimum Wage, the Legal Aid Commission may exceptionally grant you legal aid in view of your personal and family circumstances. In such cases, the Commission itself decides exactly which costs are to be covered. The costs not covered will have to be met by you, pending the court’s ruling on who to award the costs to. If the ruling goes against the other party, it is
from him or her that you should claim any costs you have had to meet out of your own pocket.

**If I qualify for legal aid, will it cover any appeal I might make following the trial?**

Free legal aid covers all stages of legal proceedings, including the lodging of appeals and enforcement. However, in the case of enforcement action instituted more than two years after the final judgment, a new free legal aid application must be submitted. Legal aid may not be used for proceedings other than those for which it was granted.

**If I qualify for legal aid, can it be withdrawn?**

The decision granting legal aid may be revoked if it was obtained through an incorrect statement, falsehood or omission on the part of the applicant. Legal aid may stop being paid if the financial situation of the person to whom it was granted improves within three years.

**If I am turned down for legal aid, can I appeal against this decision?**

You can appeal against a legal aid decision by writing to the Legal Aid Commission within five days of the date on which you were notified of the decision. Your appeal will be considered by the court.

**What happens at the trial?**

Please bear in mind before you attend trial the following proceedings will take place whilst you are remanded in custody in prison:

**Investigation phase**

The Examining Magistrate is in charge of investigating the crime, its circumstances, perpetrators and any other matters relating to the offence. He is assisted in this by the judicial police (members of the national police force assigned to his office). The State Prosecutor, defence lawyer (and, if appointed, private prosecuting counsel) may ask the Judge to follow specific leads in the investigation. The prosecutor is at the same time charged with the legal duty of ensuring the defendant's rights are respected and the victim’s rights protected. Once the investigation is completed, and if there is sufficient evidence that a crime has been committed, it is the prosecutor (Fiscal) who files the formal accusation based on the evidence and he will eventually present the case for the prosecution in court.

During the investigation stage all evidence, including police documents and witnesses' statements, are restricted documents and copies will not normally be released to interested parties or their representatives. However, defence lawyers and, if appointed, private prosecuting lawyers do have the right of access and examination to these files. A judge can, nevertheless, severely restrict the access to papers, stating that the investigation shall be declared secret (Secreto de Sumario) in exceptional cases, e.g. those involving state security.

**Intermediate phase**

Once the investigation activities have been carried out, the Examining Magistrate will end the investigation phase and an intermediate phase before the eventual trial will start. For this purpose the Examining Magistrate will issue one of the following orders:

i) declare that the offence has not been committed or that the identification of the culprits was impossible and order the closure of the file;
ii) declare that there is enough circumstantial evidence of the commission of the crime and the identification of the culprits to proceed. This order may be appealed, although the appeal does not suspend proceedings. In the latter case, the Examining Magistrate will grant a five-day term to the Public Prosecutor, the private accusation and the defence, in which they can submit one of the following Briefs: i) that they wish to continue with the proceedings (accusation writ): formal charges are drawn up and presented during the main hearing); ii) that they do not wish to continue with the proceedings (a dismissal brief) or iii) that they think it is necessary to carry out additional investigations before taking this decision.

In certain cases where the alleged crime is punishable by less than 6 years’ imprisonment, it is possible for a defendant to admit guilt by signing a formal brief stating that he/she is in agreement with the Prosecutor’s allegations.

Fast trials
Fast Trials (Juicios Rápidos) are applicable in cases where the accused has been caught in the act of committing an offence or in cases of domestic violence, robbery, thefts and traffic offences or even in relation to other offences if the investigation phase is likely to be straightforward. The offences to be judged must not be punishable by a term of imprisonment of more than five years and the existence of a police report (atestado policial) is also necessary. The investigation steps are carried out by the Police Court (Juzgado de Guardia), which is also in charge of the intermediate phase of these proceedings and it will then send the file to the local Trial Court, which will be in charge of the trial phase.

Minors
Offences committed by minors between 14 and under 18 years old, are investigated and judged by Minor Courts (Juzgado de Menores). The Public Prosecutor (Fiscal) has an important presence throughout the whole proceedings and especially during the investigation phase. The measures that can be imposed in the Sentence, if the minor is found guilty of the offence, are above all aimed to re-educate the minor to prevent future offences, although they may involve imprisonment) in Minors Detention Centres for serious cases.

Trial phase
In cases where the maximum penalty prescribed by law is five years imprisonment or less, the trial will be held at the local Criminal Court (Juzgado de lo Penal), heard by a single professional Judge and legal representation for the accused is mandatory. In cases where the maximum penalty is over five years, it will be held in the appropriate Provincial Court (Audiencia Provincial) and heard by a panel of three professional Judges and legal representation for the accused is again mandatory.

Serious cases which are deemed to be crimes against the State (e.g. major drug trafficking and certain monetary offences), or crimes in which there is an universal jurisdiction principle (genocide, crimes against Humanity, extradition hearings etc) are dealt with by the Central Courts at the National Court (Audiencia Nacional) in Madrid. The attached Annex B details the various Courts in Spain.

Juries are appointed for trials dealing mainly with crimes against persons, breach of trust/confidence by civil servants, defamation, personal freedom and the environment. Such trials are held only at provincial courts and the jury is composed of nine members and one presiding Judge. The jury will simply declare guilt or innocence, and the judge then passes sentence. Seven out of the nine votes are needed to "prove" a verdict by majority. 5 votes are needed for "not guilty" verdicts.
The trial itself will normally be significantly shorter than its equivalent in the UK because much of the evidence and the examination of witnesses will already have been covered by the investigating judge. It will usually take place in open Court and judgement (Fallo) is normally announced within a month through official notification to counsel and defendant. The accused must personally appear at the trial. If he/she fails to do so, the case will be kept active and a search and arrest warrant (busca y captura) issued.

Sentences
This is the phase during which the enforcement of the punishment takes place. Depending on the severity of the crime found to have been committed, the following penalties may apply:
   i.) Fine and/or victim compensation
   ii.) Exclusion orders, or orders not to approach a person (orden de alejamiento)
   iii.) Disqualification (such as driving or public office etc) (Inhabilitación)
   iv.) Prison (sentences of less than 2 years’ imprisonment may be suspended).

How can appeals be made?
A judgment issued by the Local Criminal Court can be appealed (recurso de apelación) before the Provincial Court (Audiencia Provincial) by either the defence or the prosecution. If the trial has taken place at the Provincial Court (i.e. if the penalty could be over five years’ imprisonment), the judgement can be appealed at the Supreme Court (Tribunal Supremo) know as a “cassation” appeal (recurso de casación). Any such appeal must be filed within five days from the notification of the judgement to the Procurator. Decisions of the Supreme Court are final. Only if it is asserted that a Constitutional right has been violated can an appeal be lodged with the Constitutional Court. Should new evidence come to light after a person has been found guilty, there is a provision for the original judgement to be reviewed. A petition for Revision can, in these circumstances, be lodged with the Ministry of Justice who, if it accepts that there is a case, would instruct the Public Prosecutor to pursue the Petition before the Supreme Court.

What provision is there for reduction of sentence (remission) e.g. for good behaviour?
It is sometimes possible in cases of good behaviour or community work. However, your lawyer is best placed to advise you on whether you may be able to appeal against your sentence.

What provision is there for early release e.g. on parole?
Subject to good behaviour, undertaking such routine tasks as may be required by the authorities (e.g. on cleaning rosters) and participation in any specified education or welfare programmes, all prisoners will become eligible for parole (conditional release) on completion of three quarters of their sentence (or two-thirds if exceptionally well behaved). This concession is submitted by the Prison Board to the Madrid Central Prison Board for approval. Failure to observe these, which could include regular reporting to the Court, would usually result in re-arrest to complete the sentence and possibly result in further charges.

What provision is there for clemency or pardon?
Prisoners can apply for a pardon from the King. Letters need to be addressed to the Minister of Justice. Pardons are discretionary and in practice very rare. Pardons can either be complete or partial (a reduction in the sentence). It is not necessary to have a lawyer to apply for a pardon but prisoners may wish to seek legal advice before doing so.
What about any financial penalties?
Depending on the severity of your crime you may be subject to a fine and/or victim compensations. If you do not pay any financial penalties ordered by the courts you may be subject to “subsidiary personal liability” (i.e. you will be required to serve time in prison in lieu of the fine – prison substitutoria. Please also consult your lawyer about any financial penalties you may be subject to.

Is transfer to another prison within Spain possible?
The Central Prison Board (Instituciones Penitenciarias), except for Catalonia, is in charge of transfers between prisons. You could request to be transferred to another prison on the basis of having family ties. This is usually not the case for British Nationals, as family normally resides in the UK.

Please note that the Central Prison Board can likewise transfer without prior notice to any prison in Spain for logistical reasons. Unfortunately the British Consulate cannot intervene.

Is transfer to the UK a possibility?
COUNCIL FRAMEWORK DECISION 2008/909/JHA (The EU Prison Transfer Agreement)

With effect from 2 December 2014, Spain brought into force the EU Prisoner Transfer Agreement (EU PTA). The EU PTA facilitates the compulsory transfer of sentenced prisoners between the EU member states to continue serving a sentence of imprisonment.

The EU PTA will apply to all sentenced prisoners - Sentencia Firme (sentence made final, no appeal in process). The Spanish authorities have decided to not apply it retrospectively.

The Ministry of Justice (National Offender Management Service) will be the UK Central authorities receiving the certificates (applications) from the Spanish authorities. Enquiries about transfer to the UK should therefore be referred to:
Cross Border Transfer Section
National Offender Management Service
Post Point 4.16
4th Floor, Clive House
70 Petty France
London
SW1H 9EX

What are the procedures for release and deportation?
Release on full completion of sentence will usually be unconditional, unless specified otherwise at the time of the trial, and the prisoner will be free to remain in Spain or return to the U.K. as long as you are not subject to an expulsion order. (See note below on expulsion). Consular Officers would be grateful if you or your family could let the British Consulate or Foreign & Commonwealth Office know when you are released or expelled to help keep our records up to date.

Prisoners who remain in Spain either after provisional release on bail or on completion of their full sentence of at least six months imprisonment in either case may be entitled to unemployment benefit if they have previously worked in Spain or the UK in the previous six years. Those not eligible for unemployment benefit may be entitled to other benefits if their income is less than a certain amount. Released prisoners should make enquiries immediately on release at the local Instituto Nacional de Empleo INEM (Jobcentre) and
register as unemployed. An application for benefits has to be made within 15 days of release (excluding Sundays or Public Holidays). Requested documents include a certificate issued by the Director of the Prison confirming time spent in prison, proof of income, bank details, passport and a NIE (Certificate issued by the Spanish police with an identity number for foreigners residing in Spain).

Foreign prisoners may be encouraged to apply for expulsion instead of serving short sentences in Spain. The possibility is only open to those sentenced to less than six years imprisonment or whose charges could not result in a longer sentence. It is important to note that this is not an entitlement and is only granted at the discretion of the courts. Prisoners should seek advice from their lawyer. There is also the possibility of applying for expulsion to the UK at the time of being granted libertad condicional (release before completion of full sentence). In both cases you will be prohibited from returning to Spain for a set period of time of up to ten years. If you arrive at a Spanish airport before the prohibition time has expired or been annulled, you may be sent back to the UK, or if you come to the Spanish authorities’ notice on Spanish territory, sent back to prison to complete the Spanish sentence. Prisoners should discuss with their lawyer the implications of a prohibition order and the process for future cancellation of the order at the time of application. It should be noted that failure to pay off fines may also result in arrest on arrival at a Spanish airport or within Spain.
Additional Information

Religion
Most prisons will have a resident Spanish speaking Roman Catholic priest. Any British prisoner who would like to be visited by an English-speaking priest or any other religious representative/ minister of religion of any denomination should make their wishes known to the nearest Consulate who will try to arrange this on their behalf.

Leave
Prisoners who have been classified at Grade 2 and have a resident in Spain who will stand as their guarantor may apply for permission to take short breaks away from the prison. This is a privilege rather than an entitlement and granted solely at the discretion of the visiting “Juez de Vigilancia”. These breaks will not normally be longer than 3 or 4 days and never more frequent than once a quarter. The prisoner must then always stay at the address specified on the relevant permission.

Welfare
Each prison has a number of social workers (Trabajadores Sociales) charged with caring for the individual welfare of prisoners. They will liaise with prisoners’ families or Consulates, advise on prison procedures and if necessary provide interpreting assistance within the prison's resources.

The Samaritans in Spain
The Samaritans provide emotional support in English to all English-speaking prisoners in writing. Their address is as follows:

PAT at Samaritans in Spain,
The Mail Room, Box 185
Calle Alhelies 1
Local 2-4
Playa Flamenca
03189 Orihuela Costa
Spain
PRISONERS ABROAD

Since 1978 the charity Prisoners Abroad has offered practical support and advice to British citizens imprisoned overseas. It is the only UK charity providing this service and it is available to all, whether guilty or innocent, convicted or on remand. Prisoners Abroad is concerned with your health and welfare, both during your imprisonment and also on your return to the UK, through their resettlement service (if you have registered whilst in prison). They can also provide support and advice to your family during your imprisonment. In order to access any services, prisoners must first register with Prisoners Abroad by signing and returning their authorisation form.

Once you seek help from Prisoners Abroad, the Prisoner & Family Support Service will be your point of contact for advice and information. The type of assistance they can offer will vary from country to country, but generally they can provide you with information, in English, on:

- your rights as a prisoner and issues that may affect you such as health or transfer to the UK
- obtaining magazines, newspapers, books and the regular Prisoners Abroad newsletter
- writing to a pen pal
- learning the language of your country of imprisonment
- translation of documents
- grants for food if you are in a developing country and don’t have funds from other sources
- grants for essential medicines and toiletries if you don’t have funds from other sources
- preparing for release
- help for your loved ones, including information, family support groups and assistance with the cost of visiting

Prisoners Abroad
89 – 93 Fonthill Road
London N4 3JH
UK

Telephone: 00 44 (0)20 7561 6820 or, for your relatives in the UK, Freephone 0808 172 0098

(Mondays to Fridays 9.30 am to 4.30 pm, UK time)

Email: info@prisonersabroad.org.uk
Website: www.prisonersabroad.org.uk
## Glossary of Terms

### Useful legal terms
- **Court**: Juzgado
- **Trial**: Juicio
- **Judge**: Juez
- **Prosecutor**: Fiscal
- **Lawyer**: Abogado
- **Interpreter**: Intérprete
- **Procurator**: Procurador
- **Litigation Power of Attorney**: Poder para Pleitos
- **Notary Public**: Notario
- **Legal Aid**: Asistencia Jurídica Gratuita
- **On remand**: Preventivo
- **Sentenced**: Condenado
- **Sentence**: Sentencia
- **Appeal**: Apelación
- **Prison Legal Advisor**: Jurista
- **Prison Councillor**: Educador
- **Prison Social Worker**: Trabajador Social
- **Prison Guard**: Funcionario
- **Written request (in prison)**: Instancia
- **Prison Doctor**: Subdirector Médico
- **Prison Judge**: Juez de Vigilancia
- **Parole**: Libertad Condicional
- **Prison Governor**: Director
- **Bail**: Fianza
- **Local Bar Association**: Colegio de Abogados

### Useful phrases/vocabulary
- **The telephone is out of order**: El teléfono no funciona
- **I do not have any means to buy…**: No me puedo permitir comprar…
- **I would like to order…**: Me gustaría pedir…
- **This is urgent**: Esto es urgente
- **May I make an appointment to see…**: ¿Podría fijar una cita con…?
- **I need to see my lawyer**: Necesito ver a mi abogado
- **Can I have a list of local English-speaking lawyers?**: ¿Me das una lista de abogados que hablen inglés?
- **Who is dealing with my case?**: ¿Quién está a cargo de mi caso?
- **Does the prison have a list of translators?**: ¿Hay una lista de traductores en la prisión?
- **Can I get bail?**: ¿Puedo pedir la libertad bajo fianza?

### Questions
- **Can you tell me how long I will be held in police custody before I get transferred to a prison?**
  - ¿Me podrías decir cuánto tiempo estaré detenido antes de ser transferido a una prisión?

- **What must I do to get transferred to another prison?**
  - ¿Qué debo hacer para ser transferido a otra prisión?

- **Can you tell me how long my sentence is?**
  - ¿Me podrías decir cuánto tiempo durará mi sentencia?
Can you tell me the date my sentence finishes?
¿Me podrías decir la fecha en que mi sentencia terminará?

Can I move to Mr…..’s cell as he speaks English?
¿Me puedo cambiar a la celda del Sr….., ya que habla inglés?

Can Mr….. move into this cell?
¿Puede el Sr… cambiarse a esta celda?

I am very cold, can I have an extra blanket please?
¿Tengo mucho frío, me das otra manta por favor?

When is the shop open?
¿Cuándo abre la tienda?

How much money do I have in my account?
¿Cuánto dinero tengo en mi cuenta?

What day does the doctor come? What time?
¿Qué día viene el médico? ¿A qué hora?

Is there any work that I can do?
¿Hay algún trabajo que puedo hacer?

I would like to work in the…
Me gustaría trabajar en el/la….

Can you show me what I must do?
¿Me puedes enseñar lo que debo hacer?

Could I buy a Spanish/English dictionary?
¿Podría comprar un diccionario de inglés/español?

Can you contact the Consul for me?
¿Puedes contactar el cónsul para mí?

I want to make a complaint
Quiero poner una queja

Can I have permission for my family to send me….?
Me gustaría pedir permiso para que mi familia me envíe…

As I am not allowed visits, could I have a parcel of clothes sent to the prison?
Como no tengo permitido ninguna visita, ¿se me podría enviar un paquete de ropa a la prisión?

Are there any items which they are not permitted to send me?
¿Hay algo que no pueden enviarme?

I want to send this letter to…
Quiero enviar esta carta a….

Why are my letters taking so long to get to my family?
¿Por qué mis cartas tardan tanto en llegar a mi familia?
I have not heard from my family and I am worried about them
No sé nada de mi familia y estoy preocupado/a por ellos.

How do I arrange a visit for my family?
¿Qué tengo que hacer para solicitar una visita de mi familia?

Can you confirm that my family has booked a visit for (a specific date)?
¿Podrías confirmar qué día ha reservado mi familia para visitarme?

May I have an extended visit as I do not get many and my family has to travel a long way?
¿Podría pedir una visita más larga ya que no recibo muchas visitas y mi familia tiene que viajar de lejos?

Could I go to the prison school to learn Spanish?
¿Podría ir a las clases de la prisión para aprender español?

Could you give this letter to Mr... cell no.... so he can translate it for me?
¿Podrías darle esta carta al Sr.... celda número ... para que la traduzca para mí?
Additional documentation

- List of English-Speaking Lawyers
- FCO leaflet: In prison abroad
- FCO leaflet: Transfers home for prisoners abroad
- Prisoners Abroad authorisation form
- Prisoners Abroad family contact form
- Initial Arrest Factsheet - After Arrest Things to Consider
- Fair Trials International information Criminal proceeding and defence rights In Spain, Need Help Fair Trials International
- European Arrest Warrant Legislation (if applicable)
- Specific prison information (upon request)
- Spanish glossary (upon request)
- List of Private Translators/Interpreters (upon request)
Disclaimer
This booklet was compiled by the Consular Section, British Consulate-General, Madrid. It is revised on a regular basis.

If any of the information contained in this booklet is incorrect, please draw inaccuracies to our attention so that we can make amendments.

The British Consulate-General, Madrid is not accountable for the information provided in this booklet. Local proceedings are subject to change at any time.

Thank you.

[Jan 2016]