



British
Consulate-General
Hong Kong

Information Pack for British Prisoners in Hong Kong

Author
Date

British Consulate General – Hong Kong
5 July 2018

Contents

Introduction	4
Who can help?	4
About the British Consulate-General	4
Who are the Consular Representatives?	4
Contact Information	4
First Steps.....	5
Who will know I have been detained?.....	5
What will my family be told?	5
What will the Consulate do?	5
Would I have a criminal record in the UK?.....	6
Visits	7
How do my family and friends arrange a visit?.....	7
How many visits am I allowed?.....	7
Consular visits	7
What can visitors bring?	7
Prison Conditions and Services.....	8
Arrival at police station	8
Complaint against police	8
Arrival at prison	8
General prison conditions.....	9
How can I receive money?	9
Instructions on how to get funds transferred to you	9-10
Can I work or study in Prison?.....	11
Can I receive medical and dental treatment?.....	11
Food and Diet.....	11
Mail/Parcels.....	11
Can I make telephone calls?	11
Leisure and entertainment.....	12
Religious service and Visiting Justices	12
Drugs	12
How can I make a complaint about mistreatment?	12
The Hong Kong Judicial System	13
Is the system the same as the UK?	13
What should happen when I am arrested?	13
For how long can I be remanded in custody?	13
What happens when I am charged?	13
What provision is there for bail?.....	13
What kind of legal assistance is available.....	13
What happens at the trial?.....	14
Sentences	14
How can appeals be made?	14
What provision is there for reduction of sentence (remission) e.g. for good behaviour? ...	15
What provision is there for early release e.g. on parole?	15
What provision is there for clemency or pardon?	15
What about any financial penalties?	15
Is transfer to another prison within Hong Kong possible?	16

Is transfer to the UK a possibility?	16
What are the procedures for release and deportation?	16
Immigration Charges	17
Prisoners Abroad	18
Annexes.....	19
Disclaimer	20

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 British Consulate-General

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 are treated no less favourably than other prisoners.

We can answer questions about your welfare and about prison regulations but you must ask your lawyer or the court about legal matters. We can give you a list of Hong Kong Lawyers, the list is provided by the Law Society of Hong Kong and used by the British Consulate-General Hong Kong for the convenience of enquiries, 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 Consulate General cannot accept legal responsibility for any errors or omissions in the information. If in doubt contact a lawyer.

Who are the Consular Representatives?

Hong Kong:

Consular Manager – Lawrence Chui

Macao:

Honorary Consul – Glenn McCartney

Contact Information

Consular Section, British Consulate-General, 1 Supreme Court Road, Hong Kong

Tel: (852) 2901 3000

Fax: (852) 2901 3204

Email: hongkong.consular@fco.gov.uk

Website: www.gov.uk/world/hong-kong

First Steps

Who will know I have been detained?

When a British national is arrested and detained in Hong Kong, the detaining authority will inform the Consular Section either by telephone, fax or post. We will contact the detaining authority within 24 hours of being told about your arrest or detention to check with you whether you wish to see us or not. If you want us to, we will then aim to visit you as soon as possible. If you do not wish to see us, prison officers at the detention centre will invite you to sign a form confirming this and will share this form with us.

What will my family be told?

We comply with Consular confidentiality, we will only notify your family or friends of your detention **with your permission** and only divulge those details that you have requested us to relay.

What will the Consulate do?

- We aim to contact you within 24 hours of being told of your arrest or detention and aim to visit you, if you want us to, as soon as possible.
- We will give you a Prisoner's Information Pack which includes a list of Hong Kong lawyers, FCO leaflets on '[In Prison Abroad](#)', '[Transfers Home for Prisoners Abroad](#)' and a brief note on the Hong Kong Judicial system.
- We will answer any questions you may have.
- We can help you obtain money through friends or family.
- We can advise you about the procedures for receiving mail and parcels. These may differ according to where you are detained. We regret that we cannot forward parcels to you on behalf of your friends or family.
- If you are detained for a significant length of time we will visit you every 3 - 4 months. We can also advise you about visiting hours and regulations for your friends and family. After a visit by a consular representative we can, if you wish us to do so, inform your friends and family of your welfare and any issues you may have. If there is any information that you would prefer not to disclose to a Next of Kin you should let us know during the visit.
- We can advise you on any other welfare related subjects such as medical services and educational programmes, although this information is readily available in English to prisoners in the detention centres / prisons in Hong Kong.
- We will take up any complaints you have about your treatment with the local authorities. Please bear in mind we cannot get you better treatment than other prisoners.
- We regret that we cannot look after your personal belongings or valuables. These will be stored by the police or prison authorities.
- Consular Officers will do everything in their power to ensure you are treated fairly. However, we cannot give or pay for legal advice, instigate court proceedings on your

behalf, or interfere in local judicial procedures to get you out of prison or secure for you an earlier trial.

- We can put you in touch with prisoners' welfare charity called Prisoners Abroad.
- If appropriate, we will consider approaching the local authorities if you are not treated in line with internationally-accepted standards.

Would I have a criminal record in the UK?

You should be aware that if you have been convicted for certain serious offences, such as sexual assault or drugs trafficking, we are obliged to inform the UK police. It is therefore possible that information about this offence may appear if a Criminal Records Bureau check were carried out by a prospective employer.

Visits

How do my family and friends arrange a visit?

All institutions have specified visiting hours, mostly from 9:00 a.m. to 5:00 p.m.. Visitors must be registered 30 minutes prior to the end of the visiting hours. Information on visiting arrangements for individual institutions in Hong Kong can be found at the webpage of the Hong Kong Correctional Services Department
http://www.csd.gov.hk/english/facility/facility_ind/ins_ind.html

On admission, prisoners are required to declare the identities of any visitors they will be receiving during their imprisonment. Subsequent amendments of this list can be made upon approval by the institutional management.

All visitors must provide evidence of their identity and reveal their connection with the prisoner.

How many visits am I allowed?

Persons on remand can be visited by family and friends once daily. Each visit is about 15 minutes and two visitors including children are allowed at one time.

Convicted persons can be visited by family and friends twice a month. Each visit is about 30 minutes and three visitors including children are allowed at one time.

The Superintendent may, in special circumstances extend a visit or allow a prisoner to receive additional visitors regarding his property or for another special reason.

Consular visits

We will visit you every 3-4 months; during our visit, when we can discuss any issues you may have. With your permission we will raise with the prison authorities any concerns you may have regarding your health, welfare and treatment. We can also relay any messages you have to your family.

What can visitors bring?

Visitors are allowed to bring certain items to the detainees upon visit. The lists of approved articles for remand and convicted persons are different. The list of approved items can be found at: -

http://www.csd.gov.hk/english/socialvisit/socialvisit_articles/ins_vis_guide_handin_articles.html.

For certain items, for example, dental floss, the concerned person in custody must first obtain prior approval from the institutional management on each occasion.

Prison conditions/services

Arrival at police station

After arrest you will be taken to the nearest Police Station and you may be charged. If you are, they will inform you of the charges and you will be either released on police bail or detained. In the case of the former, you should be released within 48 hours of arrest and would be given a date to report bail at a specified police station.

If you do not have enough funds to pay for bail, we can contact friends in Hong Kong on your behalf or ask the Foreign and Commonwealth Office in London to contact relatives or friends in the United Kingdom (or elsewhere overseas). It can take several days to arrange to transfer funds via the Foreign and Commonwealth Office, or a British Embassy or Consulate in a third country. Please note to transfer funds via the British Consulate-General, Hong Kong carries a fee.

If the charges are serious, e.g. drug trafficking, bail may be refused and you will be detained and brought before a Magistrate as soon as practicable, usually within 48 hours and the prosecution may request for your custody and you may be further detained at one of the Remand Centres in Hong Kong while waiting for your case to go for trial.

At the Police Station, you have the right to make one phone call, free of charge (except overseas). In addition, you have the right to contact us.

You will not automatically be assigned a duty lawyer but you do have the right to contact your own lawyer.

You can receive visitors (friends or family) at any time during your police detention, providing the officer in charge of your case does not consider that the visit would jeopardise the investigation. Anyone wishing to visit you should approach the Duty Officer of the Police Station concerned.

Complaints against the Police

If you have any grievances about the action of the police, you have the right to make a complaint to the [Complaints Against Police Office \(CAPO\)](#). The address is Ground Floor, Annex Block, Caine House, No 3 Arsenal Street, Wanchai, Hong Kong. Tel: 852 2866 7700.

Arrival at prison

If you plead guilty or are found guilty by the court and sentenced to a period of imprisonment, you will be sent to one of the several prisons operated by the Hong Kong Correctional Services Department, www.csd.gov.hk. The location will depend on the length of your sentence, the nature of the offence and other factors such as a previous criminal record.

On admission, all prisoners will be interviewed by a senior officer, medical staff, reception officers and rehabilitation officers. It is important that you raise any issues require immediate attention to the interviewing officers.

You will be examined by the Medical Officer and the state of your health recorded. An Induction Programme will be given to help you to adapt the life in the institution.

A booklet entitled 'Information for Person in Custody' in English will be issued.

All prison Superintendents can speak English and wherever possible, English speaking staff are assigned to supervise Non-Chinese prisoners.

Hong Kong prisons do not employ social workers but do have specially trained Welfare Officers to deal with any welfare problems or queries that prisoners may have.

Your belongings that are not part of the evidence will be kept at prison.

To encourage good conduct in prison, you are entitled to be granted remission (usually this is one-third off of your sentence). Any period of remission can also be forfeited from a prisoner for any misconduct in prison.

General prison conditions

The remand centre at Lai Chi Kok is usually overcrowded, but the other prisons are reasonably maintained. Apart from the medical units in the prisons, all beds are plastic without mattresses. Single cells are rare and prisoners have to share a dormitory. General necessities, such as clothes, bedding, towel, toothpaste, toothbrush and soap are provided by the prison. For security and safety reasons, toilets and showers are semi-open.

How can I receive money?

Money is not allowed to be sent to prisons in Hong Kong. However, if you need money to purchase necessary items while you are in remand, your family or friends can deposit money via us by following the instruction below:

Instructions on how to get funds transferred to you

OPTIONS TO TRANSFER FUNDS TO BRITISH NATIONALS OVERSEAS VIA THE FOREIGN AND COMMONWEALTH OFFICE

Please note that we can only advance funds to the person overseas once your payment has cleared in our account.

1. Electronic Bank transfers

Payment by electronic/internet bank transfer can be made either using online or telephone banking, or at your local bank or building society.

For all bank transfers, you will need to include the following details:

Bank:	National Westminster Bank
Account Name:	FCO Multi Vote
Sort Code:	60-70-80
Account Number:	10012362
Reference:	FCO case reference number, surname and first name of the person you are sending the funds for, plus country/city name if possible, e.g. 11-HKN-123456 SMITH JOE – Hong Kong <i>or</i> CON-1234 SMITH JOE – Hong Kong
IBAN	GB56NWBK60708010012362
SWIFT/BIC	NWBKGB2L

You may also need our bank address which is:
National Westminster Bank, Government Banking, CST PO Box 2027, Parkland, De
Havilland Way, Howich, Bolton, BL6 4YU

2. By Post

Payments by **Postal Order, Bankers Draft, Building Society Cheque or personal cheque** should be crossed and made payable to "The Foreign and Commonwealth Office". They should be sent to:

Accounts Receivable
Foreign and Commonwealth Office
Corporate Service Centre
PO Box 6108
Milton Keynes
MK10 1PX

We recommend that you use Special Delivery.

Please ensure that you include a note briefly explaining who the money is for, why you are sending these funds and quoting the FCO case reference number. You may wish to use the payment slip on the next page.

If you would like a receipt, please include a stamped addressed envelope.

Please note that it can take approximately 15 days for personal cheques to clear and for payment to be received. Please write the cheque guarantee number and expiry date, and the FCO case reference number, on the back of the cheque.

We are unable to receive payment by credit or debit card, or by cash.

To: Foreign and Commonwealth Office

FCO case reference number:

Date:

Please find enclosed funds for:

Full Name:

Country/place the above is in:

Amount enclosed:

Fee to be deducted:

Payment method:

My name is:

My address is:

Can I work or study in prison?

The laws of Hong Kong state that every prisoner must engage in useful work unless excused on medical grounds. Prisoners are assigned to work in various types of industrial work in workshops operated by the Correctional Service Industries. A small wage will be paid for the work.

Every prison has a library and prisoners are allowed to have and exchange library books. All libraries contain books written in English. Study opportunities are available, but most of the courses are conducted in Cantonese. Correspondence courses and external degree courses can be applied for but families have to pay for the funding of the courses.

Can I receive medical and dental treatment?

Primary medical services are provided in all institutions. All persons on admission undergo a physical examination by a medical officer. Prisoners can obtain medical treatment in prison or in the custodial wards at the government hospitals. If prisoners need to see a specialist, they will be taken to one of the government hospitals. Dental care is also provided but the waiting list for treatment is very long.

Persons in custody on remand are entitled to their existing prescriptions. Someone has to bring these existing prescription drugs to the detainee in the Remand Centre (please note that this must be a friend, acquaintance or relative. FCO staff cannot do this for you). The Medical Officer at the Remand Centre will decide if these medicines can be held by the guards and passed on to the prisoners as required.

Food and Diet

Prisoners are provided with 3 meals and an evening snack every day. The Hong Kong Correctional Services has assured us that the food they provide is a balanced diet giving the necessary daily nutritional requirements. Western and Asian diets are assigned depending on the prisoners' ethnical background. A special diet can only be approved on medical grounds. Extra food and necessities such as biscuits, sweets, cigarettes, and toiletries can be purchased at the tuck shop by using the wage earned from working in the prison.

Mail/Parcels

All prisoners are allowed to send and receive letters from relatives and close friends, although these will be censored. They may also receive books or periodicals from outside the prison.

Please note that any letter from a consulate will henceforth be opened in the presence of the prisoner with a Principal Officer present. The letter will not be read by prison officers; they will simply open the envelope to check for anything enclosed aside from the letter and then hand the letter over to the prisoner.

Can I make telephone calls?

One 10 minutes phone call is allowed every month to your family if you do not have visit from them. Prisoners have to purchase a phone card via the Welfare Officer using the wage they earned from working in prison.

Leisure and entertainment

Depending on the weather, prisoners can exercise outdoors at least one hour per day. Activities such as jogging, basketball, football and table tennis are available. Indoor games will be provided during rainy days. Newspapers and television are available, and prisoners can buy a personal radio.

Religious services and visiting Justices

A full-time Chaplain co-ordinates the planning and provision of religious services for the prisoners. Many voluntary organisations also provide a wide range of spiritual and social services in institutions.

Each institution is visited by two Justices of Peace once every fortnight or monthly to carry out certain statutory duties such as investigating complaints made to them by prisoners, inspecting diets and examining buildings and accommodation.

Drugs

Drugs trafficking in prisons is rare in Hong Kong. If you are caught with any kind of illegal drugs, you will be charged and an additional sentence will be imposed.

How can I make a complaint about mistreatment?

Complaints can be made to any on-duty staff or to the senior officer during his daily inspection or to the visiting Justice of Peace. Detainees may also request to meet the senior officer of the institution. Detainees may make requests directly to 'The Complaints Investigation Unit'(CIU) at Correctional Services Department Headquarters, 4/F., Oi Kwan Court, 28 Oi Kwan Road, Wanchai, Hong Kong. Email address ciu@csd.gov.hk.

If you are not comfortable reporting a complaint through the authorities yourself, you can write to or call FCO consular staff with your concerns. Do note, however, that phone calls can be monitored and outgoing mail may be opened.

For check and balance, the Correctional Services Department Complaints Committee (CSDCC) is vested with the authority to examine all investigation findings handled by CIU.

CIU will endeavour to complete its investigation of a complaint within 18 weeks. After endorsement of the outcome of the investigation by CSDCC, the complainant will be informed of the outcome in writing accordingly.

A complainant who is dissatisfied with the outcome of the CIU investigation may apply in writing for appeal to Correctional Services Department Complaints Appeal Board.

You can also contact members of the Legislative Council, the Ombudsman or the Equal Opportunities Commissions via the Welfare Officers to lodge any grievance.

The Hong Kong Judicial System

Hong Kong has a high degree of autonomy and enjoys executive, legislative and independent judicial power, including that of final adjudication. The Judiciary is responsible for the administration of justice in Hong Kong. It hears all prosecutions and civil disputes. It is completely independent of the executive and legislative branches of the Government.

Is the system the same as the UK?

The system is similar to that in the UK, as Hong Kong was a former UK colony . The courts of justice in Hong Kong comprise of the Court of Final Appeal, the High Court, the District Court and the Magistrates' court.

What should happen when I am arrested?

The police has the right to detain you for up to 48 hours before any formal charge is made. If the charge is serious bail will be refused and you will be brought before a Magistrate and then further detained at one of the Remand Centres in Hong Kong whilst awaiting investigation and trial.

For how long can I be remanded in custody?

Depending on the charge and the complexity of the case, it can take 10-15 weeks for a trial in a Magistrates Court to be held. If you plead not guilty delays of up to 9 months are common at the District Courts and Courts of First Instance of the High Court. Delays are often due to the court procedures and backlog as well as the need for further investigation.

What happens when I am charged?

Once you have been charged the police will inform you of the name and address of the court in which you are to appear. Arrangements will be made for you to appear at court for mention, pre trial and trial.

What provision is there for bail?

For serious crimes such as drug trafficking and money laundering bail will usually be refused. For minor offences such as damaging public assets, theft or disturbance of public order bail might be decided by the police officer in charge of the case or at the Magistrates Court.

What kind of legal assistance is available

Free [Legal Advice Scheme](#) run by the [Duty Lawyer Service](#) provides free preliminary legal advice to members of the general public as to their legal position in genuine cases. The Scheme will not offer any follow up services nor representation of clients. There is no means test and the service is absolutely free of charge. The Scheme operates nine advice centres which are located at Shatin, Central and Western, Wanchai, Tsuen Wan, Kwun Tong, Yau Tsim Mong, Island, Eastern and Wong Tai Sin. Each advice centre opens once a week from 6.25 pm to 7.45 pm. Anyone wishing to obtain free legal advice has to attend a referral agency to book an appointment. All District Offices, the Social Welfare Department and various volunteer services institutions e.g. Caritas, Home Affairs Enquiry Centres and the International Social Service Hong Kong Branch act as referral agencies. An appointment to see a Lawyer can usually be made within two weeks.

They also operate a free enquiry hotline for basic type legal information in English and Chinese. There are more than 80 topics available. The [Tel-Law](#) hotline is 852 2521 3333 or 852 2522 8018

Legal representation at Magistrates Court level is uncommon and the defendant often represents himself. It may be advisable to seek legal advice on your plea. If you do not have a private lawyer, you can ask to see the Duty Lawyer on the day you appear in court. There is a Court Liaison Office in every Magistrates Court in Hong Kong and you will be provided with legal representation for your first court appearance without any means testing. However, if you wish to have legal representation for subsequent appearance, you must contact the Court Liaison Office to do the means test. There is a one off fixed handling charge of HK\$570 for the service. The Administration Office of the [Duty Lawyer Service](#) is at Suites 808-9 Harcourt House, 39 Gloucester Road, Wanchai, Hong Kong. Telephone: 852 2526 5969. Legal Aid is not available for those appearing at a Magistrates Court.

Any person, whether or not resident in Hong Kong, who is involved in Court Proceedings above the Magistrates' Courts may apply for legal aid. In order to receive free legal assistance you will be required to undergo a means test. The procedure can take up to 6 weeks but may be expedited upon request. There can be no assurance that you will qualify for legal aid. To apply you should approach the Superintendent where you are detained. In most cases an officer of the Legal Aid Department will visit the applicant in prison to discuss the case with them. The Headquarters of the [Legal Aid Department](#) is at 24/F - 27/F, Queensway Government Offices, 66 Queensway, Hong Kong. Tel: - 852 2867 3171 or email: - ladinfo@lad.gov.hk

What happens at the trial?

Trials for minor cases are heard in the Magistrates Court.

In more serious cases the trial will normally take place at a District Court and the most serious cases at the Court of First Instance of the High Court. If this is the case and you cannot afford legal assistance you can apply for Legal Aid, which will be provided by the Hong Kong Government.

Sentences

Sentences will depend on the seriousness of the crime. You should seek advice from your lawyer.

How can appeals be made?

Review of conviction and / or sentence

If you are found guilty you have **14 days** in which to request a review of the conviction and/or the sentence imposed. In order to make such a request, you should approach the Superintendent where you are detained and the prison will provide you with the necessary forms. The case will be reviewed as soon as possible after the request is submitted by the same Magistrate that imposed the sentence.

During the review you will be given the opportunity to state any factors that you feel were overlooked or were not known at the time of your conviction. The Magistrate will announce

his/her decision in court and may set aside a conviction, reduce or suspend your sentence. In any event, you will not receive an increased sentence.

Appeal against conviction and / or sentence

This avenue can be pursued if:

- a) The reviewing Magistrate does not set aside your conviction, reduce or suspend your sentence.
- b) You decide not to seek a review.

The appeal is made to the Court of First Instance of the High Court and the procedure for requesting an appeal is the same as outlined above. As with a review, you have **14 days** in which to lodge the appeal.

If your original trial was heard at a Magistrates Court, the appeal will be heard by a Judge of the Court of First Instance of the High Court and you will have the opportunity to state the reasons why you feel that the conviction should be set aside or the sentence reduced or suspended. The court's decision will normally be given immediately.

If your trial took place at a District Court or the Court of First Instance of the High Court, the appeal will be heard by three judges of the Court of Appeal of the High Court (two judges if you appeal against the sentence only). Again it is up to you to state the reasons for your appeal.

It must be noted that an appeal can lead to an increased sentence.

What provision is there for reduction of sentence (remission) e.g. for good behaviour?

A guilty plea may carry a lesser sentence and remission of one-third of the sentence may be granted for good behaviour in custody.

What provision is there for early release e.g. on parole?

Reduction of one-third of sentence may be granted to all prisoners for good behaviour in custody. Prisoners who have Hong Kong permanent residence status may be eligible to apply for early release under supervision.

What provision is there for clemency or pardon?

The Chief Executive can exercise his power to grant pardon / early release for a prisoner with serious illness if it is considered that his life may be endangered if he remains in prison.

What about any financial penalties?

It depends on individual cases. Financial compensation to victims or confiscation of proceedings from illegal means may be ordered by the court.

Is transfer to another prison within Hong Kong possible?

Requests for transfer are only considered when there are exceptional and compassionate reasons. However, the Hong Kong Correctional Services Department can transfer prisoners to other prisons in Hong Kong on administrative grounds

Is transfer to the UK a possibility?

There is a Prisoner Transfer Agreement between the UK and Hong Kong.

Prisoner Transfer Agreements (PTAs) allow prisoners to transfer to serve the remainder of their sentence in their own country. This enables them to be closer to family and friends in an English-speaking environment and permits them to benefit from pre-release courses available in British prisons.

Prisoners should inform their Prison Superintendents of their interest in applying for prisoner transfer. The prison will then submit the application to Hong Kong Security Bureau to prepare the necessary documentation. Please note the transfer process takes at least 18 to 24 months.

A prisoner does not have the automatic right to transfer. Each request is considered on its individual merits and the UK and the country in which the British prisoner is held have the right to refuse a request.

The basic criteria for eligibility to apply for transfer are:

- Criminal proceedings in the foreign country must be complete. The prisoner cannot be transferred if they are awaiting trial or the outcome of an appeal;
- The offence for which you were convicted must also be a criminal offence in the UK;

What are the procedures for release and deportation?

A Deportation Order will be issued against a person who has been found guilty of an offence punishable with imprisonment for not less than 2 years or, if the Hong Kong Chief Executive deems it to be conducive to the public good.

Hong Kong Immigration Officers will visit those prisoners to whom deportation orders are going to be issued to establish and assess their immigration status in Hong Kong. Appeal against deportation will only be considered on compassionate and humanitarian grounds (e.g. close link with Hong Kong). Upon release from prison, prisoners awaiting deportation will be transferred to the Immigration Detention Centre and arrangements will be made for a flight back to the UK. If a request is made to be deported / removed to a country other than the UK, prisoners need to prove their right of abode in that country and the Hong Kong Immigration Department will need to seek agreement from that country.

In general, Hong Kong Government will pay for air-tickets and will usually arrange the quickest flight available when possible.

Immigration Charges

Should you be found guilty of an immigration offence, such as working whilst holding a visitor's/tourist visa, you will probably be fined and/or detained by the Immigration Authorities. After you have served your sentence, you will be 'voluntarily repatriated'; i.e. you will be required to purchase your own ticket and to leave Hong Kong as soon as possible. The Immigration Authorities may extend your detention or grant 'self-recognizance' until your departure date.

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

Annexes

Annex 1: List of Hong Kong Lawyers: - www.hklawsoc.org.hk/pub_e/lawfirmdirectory/

Annex 2: Phrases/Vocabulary for Prison (English to Chinese)

Annex 3: Information on Hong Kong Legal Aid Department: -
<https://www.lad.gov.hk/eng/las/overview.html>

Annex 4: Complaints Against Police Office (Hong Kong)
http://www.police.gov.hk/ppp_en/11_useful_info/cap.html

Annex 5: Guidance to an Arrested Person (Hong Kong Police)
<http://www.police.gov.hk/info/doc/pol/en/Pol-1128.pdf>

Annex 6: Information on Duty Lawyer Service in Hong Kong
<http://www.dutylawyer.org.hk/en/duty/duty.asp>

Annex 7: FCO leaflet: *In prison abroad*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/35521/in-prison-abroad.pdf

Annex 8: FCO leaflet: *Transfers home for prisoners abroad*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/292519/FCO_Transfers_Home_0314web.pdf

Annex 9: Prisoners Abroad authorisation form
<https://www.prisonersabroad.org.uk/Handlers/Download.ashx?IDMF=4cd7012d-f55d-4e26-8e77-d4c83b90a847>

Annex 10: Prisoners Abroad family contact form
<https://www.prisonersabroad.org.uk/Handlers/Download.ashx?IDMF=d5d65efe-779a-4aae-812b-45a365c01221>

Hard copies of the above annexes are attached to the information pack.

Disclaimer

This booklet was compiled by the Consular Section, British Consulate-General, Hong Kong.
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 is not accountable for the information provided in this booklet.
Local proceedings are subject to change at any time.

Thank you.

5 July 2018