



**British Consulate
Perth**

**INFORMATION FOR BRITISH NATIONALS
ARRESTED, DETAINED OR IMPRISONED
IN
WESTERN AUSTRALIA**

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INTRODUCTION

As a British citizen being arrested, put on trial and subsequently imprisoned in a foreign country can be a bewildering and a somewhat frightening experience. You may not understand, or know, about the local criminal justice system, or even to whom you should turn to for advice and assistance.

This guide, in gives a brief explanation of the Australian legal and prison system for British nationals (and their next of kin) who are imprisoned in Western Australia. It includes advice on the best way to deal with your situation, and guidance on what support is available to you as a British national.

Whilst we have tried to ensure that the following information is accurate and up to date, the British Consulate in Perth cannot accept legal responsibility for any errors or omissions.

HELP FROM THE BRITISH GOVERNMENT

The Foreign & Commonwealth Office (FCO) is the government department responsible for helping British nationals in difficulty abroad. In Australia the FCO is represented by the British High Commission in Canberra, the British Consulate-General in Sydney and Melbourne and British Consulates in Brisbane and Perth. All of these offices employ consular staff who will provide advice to British nationals who are arrested, detained or imprisoned in Australia (except for dual nationals – see below). The British Consulate in Perth is responsible for assisting British nationals who get into difficulty whilst they are in Western Australia.

The exception to this rule is that if you are a dual British/Australian national who is arrested, detained or imprisoned in Australia we would not normally offer you support, or get involved in dealings between you and the Australian authorities. Nor would we visit you in detention.

What the British Consulate we can and cannot do. The enclosed FCO pamphlet entitled ‘In Prison Abroad’ sets out what support we can provide, and more importantly sets out what we can and cannot do for you. Please make sure that you read this pamphlet. However, it is important to know that:

- 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 Australian regulations, and that you are treated the same as other prisoners.
- We cannot get you better treatment than other prisoners.
- We can answer questions about your health and welfare, and the local prison system as set out elsewhere in this guide.
- We cannot answer questions on legal matters; you should ask your lawyer or the court those kinds of questions.
- We cannot get you out of prison, pay your fines, act as surety, stand bail, or secure you an earlier trial date. Nor can we investigate a crime.
- We can advise you of other organisations, both in Australia and the UK, who can offer you and your family further assistance, both during your detention and after your release (see page 13).

Who is my Consular representative in Western Australia?

Vice Consul
British Consulate Perth
Level 26, Allendale Square
77 St George's Terrace
PERTH, WA6000
Australia

Tel: (08) 9224 4700 – ask for the Vice Consul
Fax: (08) 9224 4720 – annotate your fax ‘Attention of Vice Consul’.

Website: www.ukinaustralia.fco.gov.uk

WHAT HAPPENS AFTER MY ARREST?

You will be arrested if there is a suspicion that a crime has been committed.

It is important that you remain calm, and co-operate with the police. Don't be abusive or violent, as it will make things worse and could result in additional charges.

The police will ask you to provide various personal details, including your name, address and nationality, and you are legally obliged to answer these questions. However, you are not obliged to answer any other questions, and you are entitled to immediate access to legal counsel, therefore you are advised not to say anything further until you have received legal advice.

The police can detain you for up to 6 hours without charge, and they can hold you for additional periods of 24 hours after applying to a magistrate's court. If you are detained on minor charges it is likely that you will be released once you have been processed on a form of bail similar to Police bail in UK.

The Australian authorities do not automatically inform us of the arrest of a British national, but they are legally obliged to inform all detained foreign nationals of their right to consular assistance. It is therefore your right to ask the arresting officer to inform the British Consulate in Perth of your situation as soon as possible.

We will aim to contact you within 24 hours of being notified of your arrest. If you request a Consular visit, we will aim to do this within 48 hours (excluding weekends and public holidays). If distance makes it difficult for us to visit as soon as you would like, we will explain this and confirm a time period within which we will visit.

What will my family be told? In Australia you do not have an automatic right to make a telephone call when you are arrested. But if you contact us we can, if you wish, ask the FCO in London to inform your next-of-kin in the UK of your arrest. If you are a British Permanent Resident in Australia we can contact your next of kin on your behalf. We can also pass on any messages from you.

Confidentiality. We will not tell anyone that you have been detained, or what the charges are, without your permission¹. However, you should be aware that your appearance in court could generate local and international media interest, which we are powerless to prevent, and your name could appear in UK newspapers or television.

AUSTRALIA'S LEGAL SYSTEM

Australia's legal system is similar to the UK's. The main difference is that Australian States and Territories have their own State/Territory laws and police forces. Additionally there is Australian Federal law, which applies nationally and is policed by the Australian Federal Police and other Federal agencies, such as Australian Customs. In the event of a conflict of Federal and State/Territory laws, Federal law takes precedence.

You can only be remanded in custody whilst the authorities conduct their investigation. You will be presented to court periodically, and the prosecutor has to satisfy the court that your continued detention is justified.

The total time that you are detained awaiting trial will depend on the seriousness and complexity of the offence. But it will usually take several months before a case comes to court for full hearing.

¹ The Foreign and Commonwealth office holds and uses data for purposes notified to the Information Commissioner under the Data Protection Act 1998 (which may be consulted at www.informationcommissioner.gov.uk). Such personal data may be disclosed to other UK Government Departments and public authorities.

Prisoners have a right of appeal against their continuing detention, and you must talk to your lawyer on this subject.

LEGAL REPRESENTATION

Duty Lawyers. If you have just been arrested, you can ask to speak to a Duty Solicitor at the police station or at the court. Duty Lawyers are provided to help people in Magistrates Courts (and children's Courts) who are facing criminal charges. Anyone charged with a criminal offence can see a Duty lawyer, and **their services are free.** The Duty Lawyer can provide basic advice, such as:

- Whether to plead 'guilty' or 'not guilty'.
- Any defence you may have.
- What penalties you could receive.
- What happens in Court.

The Duty Lawyer can represent clients in Magistrates Courts to:

- Apply for bail.
- Apply for more time in which to get legal advice.
- Explain to the court any factors in your favour in relation to sentencing when you plead guilty.

The Duty Lawyer may also be able to help you fill out an application for Legal Aid. **It is important to note that the Duty Lawyer cannot represent you at a hearing or on any contested matters, nor are they available to you in any of the higher courts.** Therefore you may wish to engage your own lawyer, but if you are not eligible for Legal Aid this will be at your own expense. A privately engaged lawyer will usually ask for an advance of his/her estimated legal fees before they will take on a case.

Consular staff cannot give legal advice, pay your legal expenses, or guarantee to a lawyer that you will pay them.

Legal Aid. If you do not engage your own lawyer, you may be eligible for a Legal Aid lawyer free of charge. Legal Aid is a Government legal service dealing mainly with family law and criminal legal matters. They provide free legal advice as well as court representation, and grants of legal aid funds to pay for a legal aid lawyer or a private solicitor.

Legal Aid in Western Australia is 'Means tested', and you must meet the Government's strict criteria in order to qualify for Legal Aid. Your income and financial means will be taken into account, as well the merits of your case, i.e. whether or not the case is likely to succeed. Your nationality is not a factor.

Every prison keeps a Legal Aid register book. Request a Prison Officer to add your name in this register and a Legal Aid lawyer will visit you, when next available.

For more information about Legal Aid, call 1300 650 579

Lawyer's List. We have included in this document a list of local lawyers, but we cannot recommend a particular lawyer. There are also further listings of lawyers in the local Yellow Pages.

Interpreters. An interpreter can be provided at no cost to any person involved in a court case. If you are required to attend court for a criminal matter and you have difficulty in communicating in English, or are hearing impaired, an interpreter can be provided for you. How it works is that you will need to go to the courthouse during normal working hours and before your court date, a qualified interpreter will be immediately contacted by phone. This person will interpret your request, relay the information and interpret the answer to your questions.

Bail. Bail is an agreement by the accused to return to the court at a set time and date. It usually involves an undertaking to surrender an amount of money if they do not re-appear in court as required by the Bail conditions. If the charge is a serious one, the accused may need a surety as a condition of bail. A surety is

an adult, aged 18 or over, whose duty it is to ensure the accused appears in court when required. The court must approve the surety, they must also have sufficient assets and must agree in writing to pay an amount to the State if the accused does not attend court as required.

Normally you will appear before a magistrate on the next working day after your arrest. They will determine (a) whether you have been legally detained, and, if they are satisfied on that point, (b) whether you should be released on bail, or held on remand, until your next court hearing.

It is rare for foreign nationals to be granted bail in any country, including the UK. This is due to the flight risk that many of these prisoners pose. Even where bail is offered, it is usual for the authorities to impound the passport of a foreign national before releasing them from detention in order to prevent them leaving the country. In assessing whether to permit bail, the judicial authorities are entitled to consider a person's links to the country and how likely it is that they will flee. This means that foreign nationals are less likely to receive bail. Similar factors are considered in the UK, so we do not regard this as a form of discrimination.

In the (unlikely) event that you are allowed to leave Australia on condition that you return for your court case, please note that failure to comply could lead to your being placed on an immigration blacklist and/or being extradited from the UK to stand trial.

If you are given bail, you will need to find sufficient funds to support yourself. Depending on your visa status, the local authorities may not be able to provide support. It is also your responsibility to arrange for any visa extension that you may need whilst you are on bail. We cannot provide funding or find you a job.

If the charges against you are dropped because of insufficient evidence, it is likely that you will be released and deported. In such circumstances, you may be able to claim compensation for detention without trial – but you should seek legal advice on this.

Male prisoners refused bail in metropolitan Perth are usually held on remand at the Hakea Prison. Female remand prisoners are usually held at Bandyup Women's Prison.

THE WESTERN AUSTRALIAN PRISON SYSTEM

All prisoners convicted in Western Australia serve their sentences in Western Australian prisons, under the same prison regulations, regardless of whether the conviction was for a Federal or State offence.

Prison conditions in Australia are generally on a par with - or in some respects better than - conditions in UK prisons. Needless to say, whilst in prison you should avoid breaking prison rules.

It is wise not to discuss your personal details or your case with other inmates, no matter how friendly they may seem. Keep such information to yourself at all times. You may give it out innocently and then find it used against you.

Once you have been sentenced, you will be reassessed and given a security rating and placed on a supervision level, this will dictate what you are allowed to have in possession and do whilst you are in prison. Your movement through the different supervision levels and security ratings will depend on your good behaviour and your willing involvement in the day-to-day prison activities. Should you lose your supervision level or security rating at any time, we cannot intervene on your behalf.

Some prisoners might be put into a segregated "protection" area of the prison. This could be because they are young and unsure of the main prison population, or because their alleged offence might otherwise put their safety at risk.

Case Management Officer. You may be assigned a Case Management Officer, depending on the length of your sentence, who will assist you with implementing an Individual Management Plan (IMP) whilst you are in prison. These officers and the Prison Officers at the prison can assist in passing on messages to us, or your family, and can explain to you how the prison system works.

Please bear in mind though that each Case Management and Prison Officer is usually responsible for a large number of prisoners, so they have many competing demands on their time.

If you feel you have a justified complaint about prison conditions, raise it with your Unit Manager/Senior Officer in the first instance. If they do not provide you with an appropriate response, ask to speak with a member of the prison administration. If this does not resolve the matter, contact us and we will take action as appropriate.

There is usually both a Catholic priest and a Protestant minister attached to each prison. In larger prisons they are on the permanent staff. They can often provide help or support where an overworked Prison or Case Management Officer cannot. You can ask for a pastoral visit at any time.

Prison activities. Western Australian prisons offer a wide range of services, including:

- Welfare assistance
- Education
- Chaplains
- Alcohol and other Drug counselling & treatment, when available
- Health services, including psychiatrists and psychologists
- Fitness activities
- Law and General Library
- Workshops
- Business units.

Make the most of what the prison has to offer, as education and learning new skills (especially computing/trades) will help the time pass, and also benefit you in the long run. Please address all enquiries to your Unit (Prison) officer or Case Management Officer.

Work in prison. It may be difficult for the prison to supply work to all prisoners because there are not enough jobs to go around. You may therefore have to wait a while before a suitable job is available. But if you are offered work while in prison, it is a good idea to accept this. It will give you something constructive to do with your time, and also enable you to earn a small wage, which allows you to purchase approved items from the prison canteen/store.

Food & diet. The prison food is a balanced diet giving the necessary daily nutritional requirements. A special diet can only be approved where the prison doctor gives his authority on medical grounds. Vegetarians may fall into this category.

If your religion requires you to have a special diet this is also usually catered for.

Telephone calls. You are allowed to make telephone calls to approved recipients. A telephone account in your name will be established on the prison's Prisoner Telephone System (PTS). In order to use the PTS you will need to ensure that you have the necessary funds available before you can make the telephone call. This information will be made available to you during your initial orientation of the prison.

You will be required to request telephone numbers to be placed on your PTS. Each prison has local procedures that you will be required to follow. This will generally require you to complete a form and provide the address at which the telephone is located, the name of the owner of the telephone number and the telephone number.

An officer shall verify that the telephone number belongs to the person identified on your request and that the person is willing to have their phone number included on your Prisoner Telephone System account. Recipients must agree not to forward or divert calls to other telephone numbers or establish conference calls between you and third parties.

You will also have to nominate the number of the British Consulate, Perth, in advance so that they can be programmed into the phone card. You might want to include the number (08) 9224 4700. Please note that under normal circumstances you will not be able to call a mobile telephone number except where authorised by the designated Superintendent of the prison.

You should also be aware that most telephone calls to and from prisoners may be monitored and recorded. The use of the Prisoner Telephone System is not a right, but a privilege. Any abuse of the system will result in the removal or reduction of your access.

Money. The prison will open an account for you, and family and friends can transfer money into this account on your behalf (see below). Money earned from working in the prison will also be deposited into this account.

You will find that there is a limit on how much money can be deposited in, or taken out, at any one time.

How can my family transfer money to me? If your family and friends overseas wish to transfer money to you for “approved items” (phone cards etc), they can do so, free of charge, through the FCO in London.

They should send a Postal Order made payable to “Foreign and Commonwealth Office”, under cover of a short letter containing your details, to:

Foreign & Commonwealth Office
Australia Desk Officer
Consular Directorate
Old Admiralty Building
London SW1A 2PA

Tel: (020) 7008 0168

Fax: (020) 7008 0161

The FCO will then send us authority to process the payment, and we will buy and send a local Money Order to the prison in your name. The prison will deposit this into your prison account. The prison authorities usually only allow small deposits, as you are not allowed to accumulate a large balance in your prison account. We suggest a maximum deposit of £50-£80 a time.

Mail. You can receive and send mail directly, but there are rules about what can and cannot be received. There is usually no limit to the number of letters you may send or receive. All letters are censored, but the prison authorities are obliged to deliver them with the minimum of delay. The local postal system is reliable, and transit time for AirMail letters sent to the UK is usually only a few days.

Tell your family and friends to always include your full name and prison number in the address. It is also a good idea to number all letters in sequence. If you do the same you can keep track of anything that goes missing.

We regret that we cannot accept mail for onward delivery. All mail we do receive in the Consulate for a British prisoner will be returned to the sender.

- **Parcels.** You may receive parcels but the rules and procedures may vary in each prison. It is important that you seek approval from the designated Superintendent prior to having any parcels or items sent to you.

Prisoners are not allowed to receive books or magazines by mail.

If you are not sure what other items are allowed, check with your Unit Manager or a Prison Officer, before asking for it to be sent. You will also have access to the prison rules and orders within the prison library. If not, you may find that you are not allowed to receive some or all of the contents of the parcel containing a prohibited item.

Medical & dental treatment. If you need medical or dental treatment you should make an appointment to see the prison doctor or dentist. In some large prisons it can be difficult to get an early appointment, but if the situation is urgent you may be able to see the medical/health officers, who may be able to help.

Prison doctors are the equivalent of GPs in the UK, so they can provide routine treatment.

If you have a long-standing medical problem and have received treatment for it in the UK, it may be useful if you have your medical records, or at least a report, sent from the UK for the information of the prison doctor or specialist here.

Drugs. Drug abuse is a problem in some prisons. If you are caught holding or taking drugs, punishment can be severe. If you inject drugs you also run the risk of contracting serious blood-borne infections, like AIDS and hepatitis.

Cell sharing. As in the UK, overcrowding is sometimes a problem in Australian prisons so you cannot expect a single cell as a matter of course. If you think that you have medical grounds for having a single cell you should approach the prison doctor. The prison is not obliged to grant a request to share the same cell as another prisoner.

Further Consular visits. If you are convicted, you are entitled to one further consular visit after sentencing. Please contact us direct to request this.

After that second visit we will not be able to visit you again, unless there are exceptional compassionate circumstances. If you have any health or welfare concerns, please discuss these with Prison staff in the first instance.

You can of course also contact us at any time, either by telephone, fax, or letter. If you telephone us and we are not available, please leave a voicemail message and we will contact your Case Management or Unit Officer.

Visits by family or friends. If your family or friends decide to visit you, we can assist them by providing guidance on visiting the prison, and what they can and cannot bring into a prison.

If your family are travelling the long distance from the UK, we can also request extra visits for them. You should advise any potential UK visitors to contact us via the FCO in London (see page 8), giving as much notice as possible.

Each prison has its own rules regarding visits. Visits by UK family may be granted for around an hour each day, depending on the designated Superintendent of the prison. But this cannot be guaranteed, or taken for granted. Prison authorities may refuse visits by non-relatives. The prison can also refuse visitors if you are being disciplined because of bad behaviour, or if a visit will prejudice your court case.

Visitors should arrive around 30 minutes prior to each visit, and they should bring their passport and travel documents and other suitable identification, as they will be required to identify themselves to prison staff, similar to opening a bank account. They will also be required to complete a Statutory Declaration, have their photo taken and, (in some prisons) provide biometric data in the form of a retina scan. The ID documentation will not be allowed into the prison with your visitors and they will be instructed to store these either in their vehicle or in lockers provided in the visitors centre

Visits are usually contact ones, with visitors and inmates allowed sitting at the same table in a designated visits area. These visits are limited to a maximum of 3 adults at a time

No valuables can be taken into prisons during visits, including mobile phones and jewellery (an exception may be granted for religious items, but check with the prison authorities first). No gifts are allowed.

It is advisable to give family and friends as much information as you can about what to expect when they reach the prison. They are likely to find the sight of you in a prison visiting area with prison officers all around a distressing experience.

Transfers between prisons. The prison authorities can impose transfers between prisons in Western Australia for disciplinary or other reasons. This is the policy of Corrective Services Department, and the British Consulate cannot intervene on your behalf.

Transfers to prisons in other States or Territories in Australia are only permitted in exceptional compassionate circumstances.

PRISON TRANSFER AGREEMENT

A Prisoner Transfer Agreement is in force between the UK and Australia. Please read the details in the enclosed FCO pamphlet 'Transfers Home for Prisoners Abroad'.

Once you have been sentenced, and if there are no appeals outstanding, you can apply to be transferred to the UK to serve the remainder of your sentence in a UK prison. The application process can take up to a year, on average.

If you wish to be considered you will need to complete an application form from the Australian Attorney General's Department and once completed submit it direct to them via your prison management. If you are applying for a prison transfer to the UK you should contact us, particularly if you are having difficulty in obtaining the application form. You should note that the British Consulate in Perth cannot influence the decision made by either the Australian or UK authorities in this matter. You also have the option of writing directly to the Attorney General's department requesting a transfer, the address is:

Attorney General's Department
Central Office
Robert Garran Offices
National Circuit
Barton
ACT 2600

Fax: (02) 6250 5900

All parties must agree to a transfer. It is important that you understand this. It means that **You**, the Australian Government **and** the UK Government must **all** be in agreement on the transfer. Both Australia and the UK authorities reserve the right of refusal, **and are not obliged to give reasons for refusal.**

RELEASE AND DEPORTATION

Any British Citizen serving a prison term may be liable for deportation to the UK at the end of that term. This includes those of Australian permanent resident status, regardless of how long they have held it, and they may find their visa revoked. In this event, you need to speak immediately to a lawyer.

However, Dual British/Australian nationals are not liable to deportation.

If you are to be deported at the end of your prison sentence it is normal for you to be released into the custody of the Department of Immigration & Citizenship (DIAC). They will either put you on a pre-arranged flight that same day or hold you in the Immigration Detention Centre whilst the travel arrangements are made for your deportation.

However, if your passport has expired, you will need to obtain a new passport before you can be deported. This could take several days as it depends on you having the appropriate documentation, and whether the replacement passport can be issued by the British Consulate in Perth or by the British High Commission in Canberra. To avoid deportation delays, we recommend that you check your passport status well in advance

of your release and deportation. If you need further information on this subject you should contact us as soon as possible.

If you are deported, it is highly probable that you will be excluded from returning to Australia for a given period, which can range from three years to life.

OTHER SOURCES OF HELP

Prisoners Abroad (PA). Prisoners Abroad (PA) is an independent UK-based, humanitarian charity that provides non-judgmental, practical support to British Citizens imprisoned abroad. They work with convicted and remanded prisoners, regardless of guilt or innocence, on the basis of need. Prisoners become eligible for PA support as soon as they are detained.

Included in this pack is a guide to how PA can help you, and a PA registration form. When we visit you in detention we will also strongly recommend that you register with PA as soon as possible. In order to receive PA's services **you must:**

- Be a British Citizen with the right of abode in the UK.
- Be in prison in another country.
- Register with PA before your return to the UK.

PA cannot help other categories of British national (e.g. a British National (Overseas), from Hong Kong). Nor do they assist dual British nationals who are detained in the country of their other nationality (e.g. if you are a dual British/Australian national detained in Australia). Once you register with PA they will send you an information pack containing a PA handbook and some additional useful information.

PA also provides ongoing advice and support to your families or friends in the UK, but only at your request.

PA does not assist prisoners released on bail or parole. And if you are transferred back to the UK to serve the remainder of your sentence, you will no longer be eligible for PA support.

PA's contact details are:

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

Tel: 0011 44 (0)20 7561 6820 (9.30am-5.30pm, Mondays to Fridays)

Families in the UK can call (freephone): 0808 172 0098

Fax: 0011 44 (0)20 7561 6821

Email: info@prisonersabroad.org.uk

Web: www.prisonersabroad.org.uk

Prison Fellowship International. Prison Fellowship (PF) is a Christian organisation that gives support and help to people of all religions and those with none. They have members in 112 countries.

They can visit or write to prisoners, run fellowship groups, and provide religious material on request. If you are transferred back to a UK prison, PF can help with transport so your family can visit. They also work with ex-prisoners and their families through their local group network.

Prison Fellowship Australia
PO Box 3599
Perth 6832
57 Murray Street
Perth WA 6000

Tel: (08) 9325 3235
Fax: (08) 9421 1995
Email: pfwa@iinet.net.au

Prison Fellowship England & Wales
PO Box 945
Maldon, Essex
CM9 4EW, UK

Tel: 0011 44 (0)1621 843 232
Fax: 0011 44 (0)1621 843 303
Email: enquiries@prisonfellowship.org.uk

Prison Fellowship, Scotland
110 St James Road
Glasgow
G4 0PS, UK

Tel/Fax: 0011 44 (0)141 552 1288
Email: prisonfellowship@lineone.net

Prison Fellowship, Northern Ireland
39 University Street
Belfast
BT7 1FY, UK

Tel/Fax: 0011 44 (0)2890 243 691
Email: info@pfni.org

Prisoners' Families and Friends Service. This charity is based in London, the PFFS is an independent voluntary agency that has been helping prisoners' families for nearly 40 years. They provide advice, information and support to relatives or friends of prisoners.

Tel: (freephone) 0808 808 3444 (Monday–Friday, 10am–5pm – or answerphone)

Postal address: Freepost Prisoners' Families
Email: info@prisonersfamiliesandfriends.org.uk
Web: <http://home.btconnect.com/pffs/>

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

The Salvation Army International HQ
101 Queen Victoria Street
London EC4P 4EP
UK

Tel: 0011 44 (0)20 7332 0101
Fax: 0011 44 (0)20 7329 6970

AFTER YOUR RELEASE

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

If you know your release date in advance, it is best to write and tell PA when you are likely to arrive and what help you think you might need. When you first arrive back in the UK, you can visit Prisoners Abroad (PA) - see address above - on weekdays between 9.30am and 5.30pm for advice, to take a shower, use the temporary luggage store, make essential phone calls or use a computer. If you have no belongings PA may be able to help with toiletries and finding suitable clothing.

If you have no money and nowhere to go, PA's Aftercare Service can help with:

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

Later on you may want advice on housing, looking for work, applying for training or getting counselling. PA can refer you to the right agency.

Other sources of practical help back in the UK are:

- The Salvation Army (see address above), tel: 0845 634 0101 (UK only) or 020 7367 4500, Monday-Friday, 8.15am-4.30pm, or contact your local branch.
- The Prison Fellowship (see addresses above).

LAWYERS LIST - WESTERN AUSTRALIA

This list is provided by Her Majesty's British Consulate in Perth, Western Australia. Neither Her Majesty's Government, nor any official of the British Consulate take any responsibility for the competence or probity of any firm/advocate on the list, or for the consequences of any legal action initiated or advice given. The above list is not intended to be exhaustive and is provided for the convenience of British nationals only.

NAME

AREA OF EXPERTISE

ANDREW MAUGHAN & ASSOCIATES
309 Newcastle Street, (cnr Palmerston St)
Northbridge, PERTH
Tel: (08) 9328 6188
After Hours: 0407617770

24 Hour Service
Criminal, traffic, Restraining Orders,
Property, Children issues, De Facto relationship
Financial Agreements

ELS LAWYERS
(Perth Office) Level 5, Suite 7
Mint House, 326 Hay Street
PERTH 6000
Tel: (08) 9325 2111
Fax: (08) 9325 4004
Email: bill@els-lawyers.com.au

24 Hour Emergency Hotline
Offices throughout metro area
Criminal Law, Migration,
Traffic & Personal Injury

JULIENNE PENNY & ASSOCIATES
19 Bannister Street
FREMANTLE 6160
Tel: 9430 5700
Fax: 9430 5259
Email: legal@juliennepenny.com.au

Personal Injury, Criminal Law,
Restraining Orders, Traffic Offences,
Family Law, General Litigation

**Thursday night Legal Advice between 5 and 6:30pm
(15-20 minutes - \$22)**

MINTER ELLISON
Level 49 Central Park
152/158 St George's Terrace
PERTH WA 6000
Tel: (08) 9429 7444
Fax: (08) 9429 7666

NOTARY PUBLIC, General Law,
Criminal Law, Motor Vehicle Accident
Compensation, Personal Injury
NO FAMILY

TALBOT & OLIVIER
Level 8 Westfarmers House
40 The Esplanade
PERTH WA 6000
Tel: (08) 9420 7100
Fax: (08) 9402 7101
Email: talbots@talbotolivier.com.au

NOTARY PUBLIC, Family Law, Criminal
Law, Personal Injury, Wills

KOTT GUNNING
Level 8 AMP Building
140 St George's Terrace
PERTH WA 6000
Tel: (08) 9321 3755
Fax: (08) 9321 3465
Email: partners@kottgunn.com.au

Family Law, Criminal Law, Wills, Personal Injury, Motor
Vehicle Accident Compensation, Commercial Property

ANDREE HARRIGAN
Barrister & Solicitor
Level 6
256 Adelaide Terrace
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Email: aharrigan@bigpond.com

Criminal Law Only

MICHELL SILLAR McPHEE
Level 3 Allendale Square
77 St George's Terrace
PERTH WA 6000
Tel: (08) 9225 6066
Fax: (08) 9225 6077
Webiste: www.msm.com.au
Email: mjm@msm.com.au

Commercial, Estates, Probates, Wills, Criminal, UK Law
associate in Britain.
(Mr McPhee member of London Court of Intervention
Arbitration)

MICHAEL PIU
1st Floor, 15 Adelaide Street
Fremantle
Tel: (08) 9432 0222
Email: mjplaw@tpg.com.au

NOTARY PUBLIC,
Also after hours service for Criminal Law solicitor.

MR HENRY CHRISTIE
Apart. 17 3rd Floor
12 Parliament Place
WEST PERTH WA 6005
Tel: (08) 9485 2157
Fax: (08) 9485 2158
Email: hc@arach.net.au

Immigration Law, Conditional Law

Crown Solicitors Office
Level 14, 141 St George's Terrace
Perth WA 6000
Tel: (08) 9264 1888
Fax: (08) 9264 1111
Email: crownsol@justice.wa.gov.au

Hague Convention cases referred to them by Police

M Rothstein & Co
Level 6
524 Hay Street
Perth WA 6000
Tel: 9220 2005
Fax: 9221 4882
Email: mail@rothsteinlawyers.com

Immigration/Refugees

For complaints about a lawyer/solicitor the disciplinary body for Western Australia Lawyers is:

Law Society of Western Australia
4th Floor
89, St George's Terrace
PERTH WA 6000

Tel: (08) 9322 7877
Fax: (08) 9322 7899
Email: info@lawsocietywa.asn.au
Web: www.lawsocietywa.asu.au

AUTHORISATION FORM

Prisoners Abroad 89 - 93 Fonthill Road Finsbury Park London N4 3JH.
Tel 0011 44 207561 6820, Fax 0011 44 20 7561 6821
Email: info@prisonersabroad.org.uk www.prisonersabroad.org.uk
Charity Number 1093710



Under the provisions of the 1998 Data Protection Act, Prisoners Abroad needs your permission to keep your details on our database and to share information about your situation with the Foreign and Commonwealth Office.

At Prisoners Abroad we have a strict confidentiality policy and will not share any information about you with anyone else unless we have your permission. If you do not sign the form, it will be difficult for us to work with you in the future and you will not be able to access our Resettlement service after your return to the UK.

Please note that we can only provide services to British Citizens detained overseas. We are unable to assist: non-British Nationals, British dual nationals who are detained in the country of their second nationality (e.g. a British/US dual national detained in the USA) and British Nationals Overseas who do not have the Right of Abode in the UK.

If you would like to be in contact with us and continue to receive services, **please fill out the form and make sure you sign** before sending it back to us. If you have any questions about our services, please contact us.

Name: **Prison Number:** **Date of Birth:**
Day/month/year

Name of Prison:

Prison Address:
.....
.....

Are you (please tick): **Male** **Female**

Alleged offence (what have you been accused of?):

To help you as much as possible, we sometimes need to contact prison authorities, social workers, lawyers and other agencies. Is this okay? **YES** **NO**

I (please print name) hereby agree that the Foreign and Commonwealth Office can disclose the details of my arrest, alleged offence and any subsequent trial and detention, and any other such pertinent information relating to my personal circumstances, to representatives of Prisoners Abroad. I further authorise Prisoners Abroad to disclose the above mentioned details to the Foreign and Commonwealth Office upon request.

Signed: **Date:**

Copies of this waiver will be held by both the Foreign and Commonwealth Office and Prisoners Abroad

IN PRISON ABROAD

A GUIDE TO HOW PRISONERS ABROAD CAN HELP YOU

Prisoners Abroad, 89 - 93 Fonthill Road, Finsbury Park, London, N4 3JH.
Tel 0011 44 207561 6820, Fax 0011 44 20 7561 6821
Email: info@prisonersabroad.org.uk www.prisonersabroad.org.uk
Charity Number 1093710



Being arrested and held in prison abroad can be a confusing, terrifying and lonely experience. You may not understand the people around you and may know little or nothing of the local criminal justice system.

Prisoners Abroad is a non-government organisation which provides a vital service to British nationals in prison abroad, to their families and to released prisoners returning to the UK. This leaflet explains the ways in which we can help you.

All our services are free and confidential, and we make no moral judgement about the people we work with; we help convicted and unconvicted, guilty or innocent, solely on the basis of need.

Our Casework team

Our casework team will be your main point of contact with Prisoners Abroad. We will provide a professional and confidential service and will try to respond to your questions and your needs. Where possible we can talk to the prison authorities, your lawyer, the British Embassy, or any other relevant authority or organisation on your behalf. Where it is not possible to talk to the prison authorities or your lawyer, all contact will be with the Embassy and the Foreign & Commonwealth Office. All caseworkers speak at least one European language.

Information

As part of the introductory Prisoners Abroad pack, you will receive two booklets containing information about issues that may affect you during your detention and (where available) you will also receive information on the prison and criminal justice system of the country in which you are held. If you have specific requests for information, our casework team will try to help. Where possible, they can also arrange for documents to be translated or provide information on how you can apply for transfer to the UK.

Financial Assistance

If you have no other source of income, we can help in the following ways:

- In developing countries, we can make regular payments to help you buy essentials such as food, vitamins and bedding.
- In some circumstances, we can help with the cost of essential medical treatment that is not provided by the prison, and,
- In developed countries, we may be able to send you a one-off annual grant for items such as toiletries and stationery.

Representations and Liaison

Prisoners Abroad addresses complaints about prison conditions and treatment, and, where necessary, will lobby the relevant agencies that can help. We cannot get better treatment for you than is provided for other prisoners in the same country, and some authorities are more open to representations than, others, but we will do whatever is possible. If you wish, we will keep in touch with the Embassy representative about your situation and can also refer you to other organisations.

Social Contact and Support

- We can send you:
- Regular copies of our newsletter
- International Freepost envelopes so that you can keep in touch with us and your family for free.
- Magazines and newspapers .
- Donated paperback books
- If you would like someone to write to you regularly, we can try to match you with a pen-pal who shares your interests

Help For Your Family

Prisoners Abroad will also offer your family or friends advice, information and support. We have a series of leaflets that offer guidance and information on some of the problems that families face when they have a relative in prison

abroad. Finally, if your family is on welfare benefits and would like to visit you, they can apply to us for a contribution towards travel costs.

After Release

When you are released from prison, we can *offer* you a range of services to help you settle in the UK. For example, if you are returning to the London area, we can advise you on finding emergency accommodation and claiming benefits. We also *offer* temporary storage for luggage as well as use of a computer and shower facility.

What Prisoners Abroad cannot do for you

Prisoners Abroad will try to help you where possible however there are limits to the assistance we can provide.

We cannot:

- Get you out of prison
- Give legal advice about your case
- Publicise your case in the press and media
- Pay your fines or your airfare back to the UK
- Provide living expenses if you are released on bail. Handle and/or speed up your transfer application.
- Visit you in prison abroad

If you have problems with any of the above issues, contact our casework team and explain your problem. In most cases, we will at least be able to provide some advice or tell you whom to contact for further help.

Contact Us

If you think that we can help you or your family, or if you are interested in finding out more about our services, please fill out the form below and return it to us.

By signing this form you are giving us your authorisation to discuss your case with the family members whose contact details you have given.

First Name: **Surname:** **Date of Birth:**/...../.....

Prisoner Number: **Are you (please tick)** **Male** **Female** Day/month/year

Name of Prison:

Prison Address:

.....

Country:

Signed: **Date:**

*Please also give names of any family and friends you would like us to contact. We will send them information about Prisoners Abroad that includes what services we can provide to families of prisoners.

Name.....

Name

Address.....

Address.....

.....

.....

Postcode

Postcode.....

Tel. No.:

Tel. No.:.....

Their Relationship To You

Their Relationship To You

By signing this form you are giving us your authorisation to discuss your case with the family members whose contact details you have given.

Please cut off this part of the form and return to Prisoners Abroad, 89-93 Fonthill Road, Finsbury Park, London N43 JH, UK