



British Embassy  
Tokyo

## **Information Pack for British Prisoners in Japan**

*After being sentenced*

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**A rehabilitation program**

Prison sentences in Japan are based on a rehabilitation programme, however there are differences between the UK and Japanese systems. This information leaflet aims to provide an explanation of the system in Japan.

**Community spirit vs individual rights**

Living in harmony is more important than fulfilling one's own needs. Detention and prison rules are based on this principle. In order to live harmoniously as a group, rules must be obeyed and not challenged.

**Life in prison**

Officers rarely speak English. It is not a requirement by law to communicate the rules in a language a detainee can understand

Languages

Cigarettes

Cigarettes are prohibited

Rules and regulations

- You are expected to follow all prison rules.
- You will need to fill a “gansen”, a request form for anything from buying socks to needing a medical appointment. You will likely sign these using your fingerprints.
- A reward and ranking system is applied; earning or losing privileges. A severe breach of a rule can result in punishment.

**Temperatures**

can be very cold in winter and very hot in summer.

**Food**

You will be served Japanese style food  
 Most diets will be rice based but you may be able to request bread based diets.  
 Portions are calculated on a calorie based system.  
 Most religious dietary restrictions are catered for in detention facilities.

**Sleeping time**

Most prisons will offer foreigners a choice between a shared cell where you will sleep on a futon, and a single cell with a western-style bed.  
 It is not unusual for the lights to be kept on all night. You may also not be allowed to cover your face. This rule applies to everyone.

**Daily life**

**Exercise**

Exercise time varies between facilities and you may not be able to do so as much as you would like.

**Work**

Workhouse duty is compulsory while serving your sentence in Japan. Refusing to do so will result in punishment.

**Hygiene**

Bathing facilities are communal. You can only take a shower/bath two or three times a week. You may not be able to change clothes as often as you would like.

**Contact**

with other detainees will be limited

**Disclaimer**

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## I) Life in Prison

	Detained (Police station and detention centre)		Sentenced
	Police station	Detention centre	Prison
Contacts/visits	Visits by family and friends may be possible. Restricted communication ban can be applied (especially in drug related offences) - correspondence with Embassy/lawyer cannot be restricted		Can only write a limited number of letters a month to designated people / correspondence with Embassy unlimited
Telephone calls	Not allowed		
Food	Meals + food sold at the police station/detention centre shop (food from visitor is <u>not</u> allowed)		Food given during meal times only
Workhouse duty	None		Compulsory for duration of sentence
Uniform/ normal clothes	Normal clothes + possibility to receive clothes depending on centre's rules		Uniform only. Other clothing must be bought at the prison shop
Medical	Access to doctor upon arrest and on average <u>every two weeks</u> . Ad hoc examination can be requested via "gansen" (application form)		Access to doctor upon arrival and average access to doctor <u>about twice a week</u> . Ad hoc examination can be requested via "gansen" (application form)
Drugs / alcohol / cigarettes	Not allowed		
Study	No		Allowed but restricted
Money	Cash in Japanese yen to facility from family/friends or via Foreign and Commonwealth Office		
Parcels	Parcels can be sent to the prison directly - parcels for detainees on restricted communication have to be sent via the British Embassy Tokyo (items allowed restricted)		

### 1. Arrival at prison

If you are convicted and given a custodial sentence you will be transferred to prison. In eastern Japan almost all male prisoners are sent to Fuchu Prison and almost all female prisoners to Tochigi Prison. In western Japan almost all male prisoners are sent to Osaka Prison and almost all female prisoners to Wakayama Prison.

Exact procedures vary between prisons but on arrival prisoners normally undergo a 2-3 week orientation period. You will be taught the many rules of the institution and have your skills assessed. During this period you may be asked whether you want to apply for a transfer to another country (see below). At some prisons, you may be offered a choice of diet. You may be given a guidance booklet outlining the rules of the prison, which you may keep for the duration of your time in prison. At the end of your orientation period most prisoners are assigned to a prison factory.

## **2. General prison conditions**

Most prisoners spend the majority of their time in the prison factories (see below) or in their rooms. Fuchu and Osaka prisons have separate accommodation blocks for foreign prisoners where the cells have beds rather than futons, and many prisoners are in rooms by themselves. In other prisons you may be placed in either a shared room or a single room. The system for allocation of rooms varies from prison to prison.

Communication with other prisoners is limited, as talking is only permitted at certain times, such as exercise periods and breaks. Talking is not permitted during work.

Prisons operate systems of punishment and reward. Good behaviour, success at work, and length of time served may all lead to an increase in rank. Privileges depend on rank with more senior prisoners often being allowed more visitors or to send more letters.

## **3. How can I receive money?**

You can receive cash in Japanese Yen in prison. If your family or friends are in Japan, they can go to the prison directly to deposit the money.

If your family or friends are in the UK, the Foreign and Commonwealth Office can help them transfer money to you. We can receive up to £100 once a month and send you the cash in Japanese Yen without charging a fee, but for higher amounts or more frequent payments we charge fees on a sliding scale. They should call the Foreign and Commonwealth Office on +44 (0)20 7008 1500 asking for the consular desk officer for Japan for further details.

If your family live in a country other than Japan or the UK, they should contact the nearest British Embassy for advice on how to send money. We cannot accept and forward any money sent directly to the Embassy.

## **4. Can I work in prison?**

Almost all custodial sentences in Japan specify detention with work, so you will probably have to work. After your skills have been assessed you will be assigned to a factory, where you could be making anything from leather goods to toys to electrical components. Generally, inmates work eight hours per day Monday to Friday with three breaks, including one for lunch. Prisoners receive money for work done but the pay is very low. There are periodic study days when prisoners do not work in the factories.

## **5. Can I receive medical and dental treatment?**

If you need urgent medical attention while detained you should inform the nearest prison officer.

Medically trained prison officers visit prison factories periodically and you should tell them if you have any health problems. Japanese prisons also have resident doctors and there are medical prisons for prisoners with serious illnesses. Most treatment that is deemed necessary by the prison authorities will be provided free of charge. However many prisoners find it difficult to access medical care with which they are satisfied. Waiting times for dental treatment can be particularly long. If you have difficulty obtaining suitable treatment for a serious or urgent medical problem, please inform us by letter and we may raise your treatment with the detention facility. If you have difficulty obtaining suitable treatment for a less serious problem please tell your consular officer when they visit.

## **6. Food and Diet**

At both Fuchu and Osaka prisons prisoners are offered a rice-based or bread-based diet. The latter may not be offered in all facilities. You will be asked to choose which diet you want on arrival and it may be difficult to change later. If you have religious reasons or allergies, meals without pork or vegetarian diets are available, you will need to submit a request for an allergy test or religious change. Japanese prison menus are strictly calorie-controlled, with the nutritional level based on factors such as sex, body size and type of work. Many British prisoners lose weight in prison; if this affects your health please follow the guidance above. You cannot buy additional food or receive food/drink from visitors or through the post.

## **7. Mail and Parcels**

If you are convicted and receive a custodial sentence, on arrival at the prison you must hand in a list of relatives' names that you wish to correspond with. Letters will be censored if they contain news of people not on the approved list. This list is very difficult to change once it has been submitted, so please include all the people you would like to be in contact with. Your family may write as often as they wish, but you may only write a strictly limited number of letters in line with your rank in the prison. There are no restrictions on the number of letters you can send to the Embassy.

Our consular staff will reply to your written correspondence within our target of 20 working days (excluding postage time).

## **8. Can I make telephone calls?**

Making/receiving phone calls is not allowed for detainees. Consular officers are also not able to speak to you on the phone.

## **9. Leisure and entertainment/Study**

Fuchu, Tochigi and Osaka Prisons have well stocked libraries containing many foreign books (Fuchu has over 10,000 titles). They also hold Japanese language classes, although the infrequency of lessons and the sizes of the classes make it difficult to study the language seriously. You may also be put on a waiting list for the lessons, as they are usually very popular. Prisoners are allowed 15 minutes each day to read a newspaper and can watch a small amount of television, almost always in Japanese. They can also attend organised religious events.

## **10. Drugs**

We are not aware of any British prisoner ever having access to or being exposed to illegal drugs while in detention in Japan. Cigarettes are not allowed in Japanese detention facilities.

## **11. Workhouse duty**

Workhouse duty is compulsory while serving your sentence in Japan. Refusing to do so will result in punishment.

## **12. Fines**

Fines will generally be calculated according to the street value of the object or to an estimation of the damage caused. During the workhouse duty period (maximum 2 years), the sentence is temporarily suspended. After the completion of the workhouse duty, the sentence is re-started and the new termination date of the sentence will be fixed.

## II) Procedures regarding mistreatment, transfers and release

### 1. How can I make a complaint about mistreatment?

Japanese law provides several ways for convicted prisoners to raise concerns about the way they have been treated:

- A procedure called 'claim for review' (審査の申請 – *shinsa no shinsei*), by which you can complain to the superintendent of the regional correction headquarters about implementation of prison rules (for example being punished or being refused medical treatment) within 30 days of any incident.
- A procedure called 'report of cases' (事実を申告 – *jijitsu o shinkoku*) by which you can complain to the superintendent of the regional correction headquarters if you are assaulted or unreasonably restrained within 30 days of any incident.

If you are dissatisfied with the outcome of either of these procedures you can appeal to the Minister of Justice.

You can also:

- Make a complaint (苦情の申出 – *kujo no moushido*) to either the warden of the institution, to an inspector conducting an on-the-spot inspection, or to the Minister of Justice.

You should ask a prison officer for the relevant form if you wish to raise concerns in one of these ways. It is prohibited by law for a prison officer to treat you adversely because you have complained.

If you have any difficulty using these procedures you can inform your consular officer.

### 2. Is transfer to another prison within Japan possible?

It is extremely unlikely that you would be able to transfer to another prison.

### 3. Is transfer to the UK a possibility?

Japan is a contracting state to the Council of Europe Convention on the Transfer of Sentenced Persons. Prisoners are therefore able to apply for transfer to the UK to serve out their sentence. This application can be made on arrival to prison after conviction. To be transferred to the UK all legal processes in Japan must be complete and you must have paid off any fine given to you by the court. Between 2008-2014, it took an average of 640 days for transfers to be approved; however there is a wide variance between individual cases.

You will need to serve at least a third of your sentence in Japan before you can become eligible for a transfer back to the UK. However, after approval is given by the Japanese Ministry of Justice, it can take several months for the actual transfer to be arranged.

Time spent on remand, appealing or reimbursing a fine through workhouse duty is not deducted from the initial sentence.

### 4. What are the procedures for release and deportation?

Japanese law states that people receiving custodial sentences of over one year can be deported. Application of the rules regarding deportation vary between cases and may be affected by length of

sentence, strength of ties to Japan, current visa status, and the existence of a Japanese national willing to act as a sponsor. We cannot offer detailed advice about whether you will be deported and suggest you seek advice either from a lawyer specialising in immigration matters or from the Japanese immigration authorities.

If you are to be deported you will usually be transferred directly from prison to immigration detention. The Japanese immigration authorities will ask you (or your friends or family) to pay for your own flight upon deportation. Japanese government may pay for your flight, but not until it is completely clear that you cannot pay yourself. This can take several months and you will be detained throughout this period.

#### **5. Will 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 crimes, our staff must tell other relevant UK authorities. It is therefore possible that information about this offence may appear if a Criminal Records Bureau check were carried out by a prospective employer.

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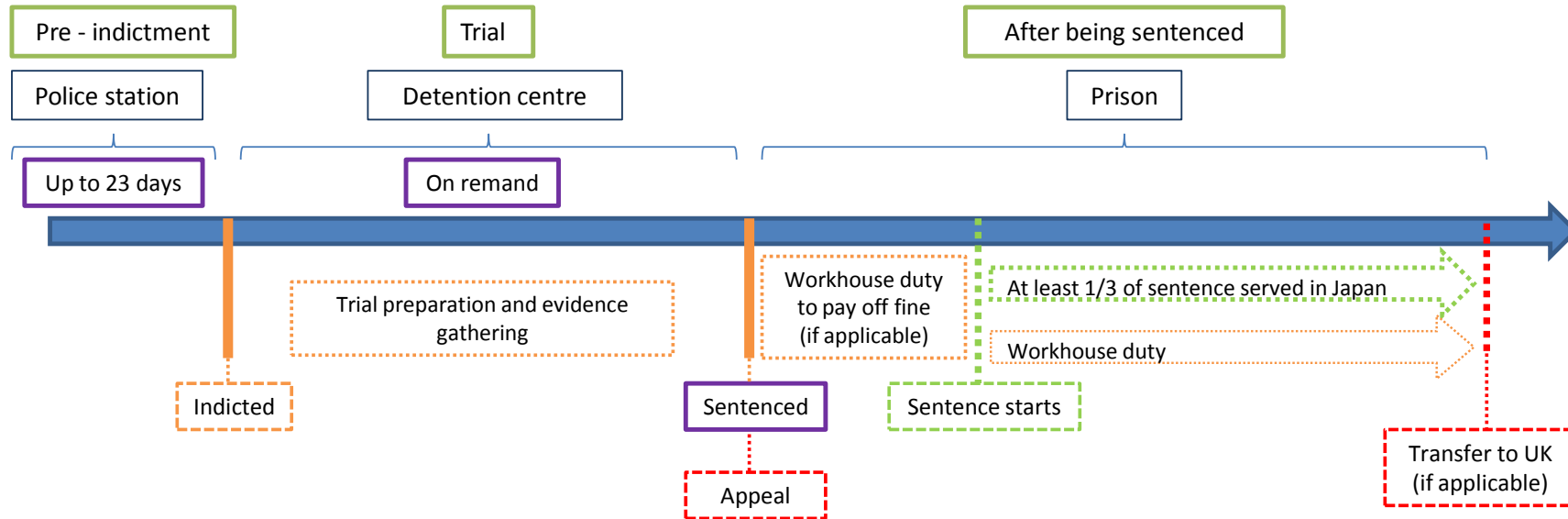
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Thank you.

October 2017



# Detention in Japan timeline



Information packs have been compiled for each phase. Please refer to them for more details.

Be aware that time served paying off a fine is not deducted from your sentence. Workhouse duty is compulsory throughout your sentence.

Please refer to [page 5](#) of our "Post - sentence" pack for more information

Please refer to [page 6](#) of our "Trial" pack for more information

### **III) Consular assistance**

#### **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 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. A list of lawyers is provided by the British Embassy for your convenience, but neither Her Majesty's Government, nor any official of the Embassy, 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. We cannot secure you an earlier trial date and 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?**

There is one consular office in Japan, based at the British Embassy Tokyo.

#### **Contact information**

British Embassy Tokyo

1 Ichiban-cho

Chiyoda-ku

Tokyo 102-8381

Tel: +81 (0)3 5211 1100

Fax: +81 (0)3 5211 0346

Email: [consular.japan@fco.gov.uk](mailto:consular.japan@fco.gov.uk)

#### **Who will know I have been detained?**

The Japanese police inform the Embassy automatically whenever they arrest a British national. We are informed of most arrests within 24 hours.

#### **What will my family be told?**

We will not tell your family about your detention without your permission. If you say you would like us to inform your family or friends of your arrest we can do so. If you are unable to communicate with your family directly we can pass on basic messages, but we cannot tell your family anything that is untrue. In some circumstances the police may try to contact your family directly as part of their investigation.

## What will the Consulate do?

We will:

- aim to contact you as soon as possible after being told about your detention – in practice in Japan this means that we will contact the facility in which you are being detained to check on your welfare and ask if you want a consular visit. This is because the police do not allow the Embassy to speak to detainees on the telephone;
- aim to visit you, if you want us to, as soon as possible;
- provide general information about prison conditions and the local legal system, including whether local legal aid is available;
- provide a list of local English speaking lawyers and interpreters;
- make sure any medical or dental problems are brought to the attention of the police or detention facility medical staff;
- take up any justified complaints about ill treatment, personal safety or discrimination;
- contact your friends and family, if you want us to. We can also forward short messages if you are unable to do so;
- forward money to you sent from families or friends;
- consider approaching the local authorities if we feel that you are not being treated in line with internationally accepted standards regarding fair trials and prisoners' rights.

In the longer term, we will:

- aim to visit you every three months (for those in pre-trial detention) or every four months (for those in post-trial detention);
- send you money from your family;
- provide information on how to apply for transfer to a UK prison and explain the eligibility criteria.

We cannot:

- get you out of prison or detention, or get you special treatment because you are British;
- post bail for you;
- accept custody of you or guarantee your appearance in court;
- investigate your case or pay legal fees;
- offer legal advice, start legal proceedings or investigate a crime;
- pay for any costs incurred as a result of being arrested;
- forward prisoners parcels sent by family and friends;
- prevent the local authorities from deporting you upon your release.

## Glossary of Terms

### Key phrases – English into Japanese

Simple expressions	
English	Japanese (Pronunciation)
Yes	はい (HAI)
No	いいえ (IIE)
Excuse me:	すみません (SUMIMASEN)
Thank you	ありがとう (ARIGATOU)
I understand	わかりました (WAKARIMASHITA)
I don't understand	わかりません (WAKARIMASEN)
Is it OK?	いいですか? (IIDESUKA?)
It is OK	いいです (IIDESU)

SICKNESS	
English	Japanese (Pronunciation)
I don't feel well	きぶんがわるい (KIBUN GA WARUI)
I have a fever	ねつがある (NETSU GA ARU)
I have a headache	あたまがいたい(ATAMA GA ITAI)
I have a stomach ache	おなかがいたい(ONAKA GA ITAI)
I have a backache	こしがいたい(KOSHI GA ITAI)

I have toothache	はがいたい( <b>HA GA ITAI</b> )
I am constipated	べんぴしています( <b>BENPI SHITEIMASU</b> )
I have a diarrhoea	げりしています( <b>GERI SHITEIMASU</b> )

MONTHS	
English	Japanese (Pronunciation)
January	いちがつ ( <b>ICHI GATSU</b> )
February	にがつ ( <b>NI GATSU</b> )
March	さんがつ ( <b>SAN GATSU</b> )
April	しがつ ( <b>SHI GATSU</b> )
May	ごがつ ( <b>GO GATSU</b> )
June	ろくがつ ( <b>ROKU GATSU</b> )
July	しちがつ ( <b>SHICHI GATSU</b> )
August	はちがつ ( <b>HACHIGATSU</b> )
September	くがつ ( <b>KU GATSU</b> )
October	じゅうがつ ( <b>JU GATSU</b> )
November	じゅういちがつ ( <b>JUICHI GATSU</b> )
December	じゅうにがつ ( <b>JUNI GATSU</b> )

WEEK	
English	Japanese (Pronunciation)
Monday	げつようび ( <b>GETSUYOUBI</b> )
Tuesday	かようび ( <b>KAYOUBI</b> )
Wednesday	すいようび ( <b>SUIYOUBI</b> )
Thursday	もくようび ( <b>MOKUYOUBI</b> )
Friday	きんようび ( <b>KINYOUBI</b> )
Saturday	どようび ( <b>DOYOUBI</b> )
Sunday	にちようび ( <b>NICHIYOUBI</b> )

DAY	
English	Japanese (Pronunciation)
Morning	あさ( <b>ASA</b> )
Noon	ひる ( <b>HIRU</b> )
Afternoon	ごご ( <b>GOGO</b> )
Evening	ゆうがた ( <b>YUGATA</b> )
Night	よる ( <b>YORU</b> )

Basic Numerals			
Numerals	Japanese Pronunciation	Numerals	Japanese Pronunciation
0	Zero/rei	10	Ju
1	ichi	11	ju ichi
2	ni	12	ju ni
3	san	13	ju san
4	Yon/shi	14	ju yon/ju shi*
5	go	15	ju go
6	roku	16	ju roku
7	Nana/shichi*	17	ju nana/ju shichi*
8	hachi	18	ju hachi
9	Kyu/ku*	19	ju kyu/ju ku*

\*Can be pronounced two different ways