



Foreign &
Commonwealth
Office

Information Pack for British Prisoners in Mexico - 2018

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Introduction

Who can help?

The Foreign and Commonwealth Office (FCO):

The FCO is represented overseas by its Embassies and Consulates (High Commission 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. The attached list of lawyers is provided by the British Embassy for your convenience, but neither Her Majesty's Government, nor any official of the Consulate, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequence of any legal action initiated or advice given.

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

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

Who are the Consular Representatives?

Mexico (excluding Quintana Roo and Yucatan states)

- **Vice Consul | Head of Consular Section** – *Rita Felten*
- **Pro Consul** – *J. Armando Soto Lara*

Contact information

British Embassy

Río Lerma, No. 71

Col. Cuauhtémoc

06500 Ciudad de México

Tel: +52 (55) 1670 3200

E-mail: mexico.consulate@fco.gov.uk

Website: <https://www.gov.uk/world/organisations/british-embassy-mexico-city>

Office hours:

Public opening hours:

Monday – Thursday: 09:00 a.m. to 11:30 a.m.

Quintana Roo and Yucatan states

- **Vice Consul - *Graciela Peña***

Contact information

British Consulate

Torre Europea, Office 202

Blvd. Kukulcan KM 12.5

Cancun, Hotel Zone

77500, Cancun, Mexico

Tel: 0052- 551670 3200

E-mail: mexico.consulate@fco.gov.uk

Website: <https://www.gov.uk/world/organisations/british-consulate-general-cancun/office/british-consulate-general-cancun>

Office hours

Monday – Thursday: 08:00 a.m. to 13:00 p.m.

First Steps for Migration-Related Detention

You may be detained if your migratory status is irregular, for example, if you have entered Mexico as a tourist and have stayed in the country for more than 180 days or you are not able to provide your passport and migration form (FMM) while travelling between states. Authorities can ask for your documentation and detain you, if that is the case you can be held at a migration facility for up to 90 days.

If you are detained, migration authorities should let you know, in writing, the following:

- Your rights
- The reason for your detention
- The complaints procedure

If you are detained by a migration authority you have the right to seek legal assistance and to ask for an interpreter. If you have special needs, you can get all the information through whatever means you prefer (writing, sign language, etc.). You have the right to receive consular assistance and, once detained, the migration authorities are obligated to notify your nearest Embassy or Consulate.

Who will know that I have been detained?

Whenever a foreigner is detained in Mexico by the migration authorities, their Embassy or Consulate is notified. You can also ask to contact the Embassy or Consulate directly.

What will my family be told?

If you are over the age of 16, for reasons of confidentiality, we cannot tell anyone that you have been detained without your permission. However, if you are under 16, we have an obligation to inform your next of kin.

What will the consulate do?

We will contact the migration facility within 24 hours of receiving the notification. We will ask you if you want us to contact anyone on your behalf and offer to send you a list of local lawyers. We will also make sure you are being treated fairly, kept informed, and given the required medication if you were to have any health-related issue.

Would I have a criminal record in the UK?

It depends whether the detention is only migration-related or it is linked to other offenses.

Visits

Foreigners detained at migration facilities can receive visits from family members, legal representatives, and the consular officers of their countries. Visitation conditions and hours will vary from facility to facility.

How do my family and friends arrange a visit?

You are able to make and receive calls from friends, family, consular offices, and legal representatives at the migration facilities. The meetings are arranged via telephone with the migration authorities.

Consular visits

Consular officers are required to contact you within the next 24 hours after they were notified of your detention. We will assess your situation and, if appropriate, a consular officer may visit you at the migration facility.

First Steps for All Other Detentions

Who will know that I have been detained?

If you are arrested and detained in Mexico, the Mexican authorities should ask you if you want to inform the British Consulate. This is usually done in writing and takes a few days to reach us. Friends or relations are sometimes quicker to inform us.

What will my family be told?

If you are over the age of 16, for reasons of confidentiality we cannot tell anyone that you have been detained or what the charges are without your permission. However, if you are under 16, we have an obligation to inform your next-of-kin.

What will the Consulate do?

As soon as we receive notification (whether by family, friends or officially) we will contact you within 24 hours and aim to visit you within 48 hours. Please be aware that if you are detained outside Mexico City or outside the districts of our Honorary Consuls it may take us longer to visit you.

We will contact the prison and ask if you want anyone to be informed. We will send you information on the Mexican judicial system, a list of local lawyers and ask your next-of-kin if they would like to receive it too.

We can also give your next-of-kin the address of the prison and tell them how to transfer money to you, for a small forwarding fee, through the Foreign & Commonwealth Office in London. This method of transfer can take about 1 week to process.

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?

You should proactively seek to arrange your visits. Mexican law states that prisoners have the last say in whether they receive visitors or not, and the burden will be on you to schedule your visits and to make sure everything is in order for your visitors to be granted final access. Each prison has its own visiting days, times, conditions and strict dress codes for visitors (for example, federal prisons do not allow access to visitors wearing brown). Please contact the prison authorities or the British Consulate to ask about a particular prison. If your family or friends want to visit you they should contact the Consulate before travelling. Visiting conditions also vary depending on the prison where you are held. In some prisons you are able to have physical contact with your visitors, while in others you are not.

What types of visits are allowed?

Mexican law recognises and allows five types of visits to prisoners:

1) Visits by family and friends

Prisoners are allowed visits by family and friends free of cost. The prison director decides what hours and days of the week their prison is open to visitors. As of the time this guide was written, Mexican federal law allows prisoners in federal prisons one visit per week by up to twelve family members and/or friends (with a maximum of three people in direct contact with the prisoner at any point in time; the rest must wait their turn). In contrast with your right to meet with your attorney, prison authorities *are allowed* to restrict or suspend your family visitation rights as a disciplinary measure. You should inform your attorney of any threats or disciplinary actions from prison authorities which may lead to your visitation rights being suspended.

Visitors to a prison are only allowed to visit one prisoner per visit, unless they are visiting direct family members (parents, spouses or siblings). Other prisoners are not allowed to join another prisoner's visits.

Physical contact between visitors and prisoners may be restricted depending on the prison's own specific circumstances and guidelines (for example, prisoners and visitors may only be allowed to hug when arriving and when leaving).

2) Conjugal visits

Mexican federal law allows both male and female prisoners to have intimate visits with their spouse or legal partner in specially designated rooms in the prison. Conjugal visits are taken on the same day as family visits, and are permitted on a weekly basis. Both the prisoner and the visitor must go through health examinations prior to obtaining final authorisation for a conjugal visit.

You will have to investigate with the prison authorities what the specific procedures are at your facility, and what medical examinations are currently necessary. The cost for your partners exams will need to be paid for out of pocket and may be conducted at a private clinic, but the cost of your own medical exams will be paid for by the state and will be conducted at the prison's own medical clinic.

You will only be authorised intimate visits with your spouse or your legally-recognised partner. Currently, Mexican federal law does not foresee conjugal visits for same-sex couples. You may wish to consult your attorney if you wish to arrange conjugal visits with your same sex-partner in prison.

Security screenings at some high and maximum-level penitentiaries may involve strip searches and body cavity searches for conjugal visitors. If this is the case at your facility, your partner may have their skin and body cavities searched for contraband. The search should be conducted by a medical practitioner at the prison who is ideally (but not necessarily) the same sex as the visitor. If any witnesses are required during the searches, the witness should also be a medical practitioner at the prison's (or the prison network's) clinic. Security guards and prison administrative personnel are not allowed to witness or otherwise participate in strip searches or body cavity searches of visitors.

Prison guards and authorities are obligated to follow the law and to respect the privacy and dignity of both prisoners and visitors. You should bring any inappropriate conduct on behalf of any prison authorities to the immediate attention of your attorney and the British Consulate.

3) Visits by the Mexican authorities

You may be visited in prison by an officer of the justice system or police authority. You have the right to refuse to meet with anyone, but prison authorities may insist and possibly attempt to coerce you into meeting with Mexican authorities. You should consider exercising your right to politely insist that your attorney be present at all meetings with Mexican authorities, and you should politely but firmly decline to answer any questions unless your attorney is present.

4) Visits by the prisoner's public defender or legal representative

Visits by your attorney or state-supplied public defender will sometimes be restricted to three or four days of the week (for example, from Wednesday to Saturday) with several visits during one week allowed. The law grants you the right to communicate with your attorney, and prison authorities should not punish other misconduct by preventing you from communicating with your attorney. However, the law grants that prison security measures may mean that you will not always be able to speak with your attorney at any time you choose to, but only on certain days of the week. If you have an urgent need to speak with your attorney, you should raise the issue with the prison authorities.

Meetings with your attorney should be confidential, and as such the prison authorities should provide a place where you can have a private conversation. It is possible that you and your attorney will be visible to one another while being physically separated by a grate or pane of glass.

5) Religious ministers

Mexico is a predominantly Roman Catholic country and many prisons already have Roman Catholic priests serving mass once a week. Other religious denominations, such as Judaism or Islamism, are uncommon in most prisons in Mexico.

If you wish, you may seek authorisation from the prison authorities for a minister of your faith to visit you in prison. The visit may be a sporadic occurrence, or you may seek to have your minister granted access on a regular basis (for example, every Saturday or every other Friday).

Religious ministers who visit prisoners will be assigned a protection detail by the prison authorities, and your physical access to them may be highly restricted.

How many visits am I allowed?

As explained above, visitation policies may vary by prison. Federal prisons allow friends, family and spouses/partners to visit once a week, while your lawyer may be able to visit you several more times a week.

Consular visits

After the initial visit, we aim to visit you twice a year depending on the prison location. We will offer to contact your family or next-of-kin to tell them about your situation. We can give them advice on prison procedure, regulations, your morale and how you are doing. We can

also pass on any messages from you. After sentencing, we will aim to visit you at least once a year, depending on the prison location.

What can visitors bring?

Rules about what you can bring into each prison may vary due to location and security level. For example, some prisons may allow visitors to bring warm clothing (in certain colorations) but others may not. Please contact the British Consulate for more information on a particular prison.

Visitors should find out prior to the visit what they are allowed to bring in. It may help to send a notification to the director's office stating what they intend to bring.

The following is an indicative list to give you an idea of what **cannot** be brought to a prison (based on a list provided by the Women's Correctional Institute at Santa Martha Acatitla).

Powdered Milk	Sports Clothes	Thermos Flasks	Extra ID
Sugar Cane	Balaclavas	Weapons	Metal objects
Flour	Hats	Tetrapack	Glass objects
Powdered Drinks	Miniskirts	Cell phones	Push chairs**
Teabags	Camouflage Trousers	Alcohol	Photographs
Raw Meat	Platform Shoes	Drugs	Bananas (with skin)
Seafood	Ankle Boots	Sweets*	Hooded tops
Herbs	Dark Glasses	Photos	Aerosols

One bag per prisoner *

With prior warning **

Prison Conditions/Services

Arrival at police station

You will be taken to a Ministerio Publico where you will be asked to make an initial statement. You should be provided with an official interpreter/translator and you should also be given the opportunity to contact the Consulate, a family member or a friend. Your immediate legal situation will be decided then and if charged, you will be transferred to a prison. This can be a local or a federal prison depending on the crime.

Arrival at prison

You will first be taken to the prison's legal department so you can make a statement. Again, you should be provided with an official interpreter/translator. You will then be issued with the prison's uniform and be told the prison's rules. You will then be taken to the cell assigned to you.

General prison conditions

Prison conditions vary widely. In general, federal prisons are of a higher standard than local (state run) prisons. The type of prison you go to depends on the type of crime committed. Federal prisons are for those who committed federal offences such as drug trafficking. You should expect to be given food, be assigned a set of daily chores around the prison and be given the opportunity to develop further skills to prepare you for life after prison.

How can I receive money?

Each prison has different limits on the maximum amount of money you can bring into prison. There are two ways to receive money from friends or family:

- 1) Via the Foreign Office in the UK, where a deposit is made and will be passed onto you via a Consular Officer or visitor in Mexico.**

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 name if possible,
e.g. 11-THB-123456 SMITH JOE - THAILAND or
CON-1234 SMITH JOE – THAILAND
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:

- 2) **Via a money transfer (e.g. Western Union)**, where your family makes a transfer for a sum of money to be collected from a major Mexican bank by a named person. In practice, this would only work if you have a trustworthy lawyer, social worker or friend who can pass the money onto you.

If you receive frequent financial deposits from friends or family via the Foreign Office, you may nominate someone to pick up the money from the Consulate with a signed letter of authorisation from you. This means that you receive your money as quickly as possible without having to wait for the next Consular visit.

Can I work or study in prison?

Potentially, yes. You may be given the opportunity to join a wide variety of courses so you can pick up a new skill or learn a new subject. You may even be able to study for a university degree. Work may also be available but that will depend on the prison and the local circumstances. Rarely, work will be compensated with money; sometimes, work is compensated with a reduction in the period of incarceration. You should ask your lawyer and/or the prison authorities if the kind of work you would like to do qualifies for some form of compensation.

Some prisons allow prisoners who are knowledgeable in a particular craft or skill to conduct workshops (for example, giving elementary English lessons or carpentry lessons) for other prisoners in exchange for a reduced sentence. If you have a skill or set of marketable skills that you believe could benefit the community, you should mention the possibility of giving lessons in exchange for a reduced sentence to your lawyer or the prison authorities, especially if those skills could be expected to help other prisoners make an honest living after concluding their sentence or help the prison authorities do their job better (for example, teaching to read or do maths; teaching to cook or do construction work; teaching the use of computers and the Internet).

Most prisons will not have very well-stocked libraries, if they have one at all. The likelihood of finding reading material in English is very small. There are a number of British-Mexican benevolent organisations working in Mexico that may be able to provide you with English language books or magazines. Contact the British Consulate for more information.

Can I receive medical and dental treatment?

Yes. You can receive adequate medical and dental treatment.

Procedures may vary from prison to prison, but most medium and large-sized penitentiaries will have their own clinic and medical staff on site. You should raise any issues relating to your health with the prison authorities, with your lawyer and with the British Consulate. If medical personnel at the prison are unable to treat your condition, you may be transferred to another, better-equipped prison or to a public hospital. Expect to be closely-guarded and possibly handcuffed if you are treated outside of a penitentiary.

Known allergies: if you have any known allergies you should make this known to the prison authorities, your lawyer and the British Consulate as soon as possible. It is very important that medical staff are aware of any known adverse reactions you may have to medication, as they may have to obtain special stores of additional medication to treat just yourself, if

needed (for example, special pain killers for dental work). Obtaining medication different to what the clinic already has in stock may take some time, which may delay any urgent medical treatment.

Food and Diet

You will receive a balanced diet prepared by the prison's nutritionists. If you suffer from a long term illness you will receive appropriate food to care for your condition. Prison standards in Mexico are usually not as high as prisons in the UK. While food may be nutritious and hygienically prepared, it may not be offered in the quantities British nationals may be accustomed to. Drinkable water should be provided, but you should avoid drinking water from the showers or sink faucets. If you become aware that the drinking water is not of a potable standard, please inform your lawyer and the British Consulate.

Some prisons may allow for small shops to sell crisps and soft drinks within the prison common area, but this is not standard. Federal prisons (which are better funded than local or state prisons) should provide for religious diets; the alternatives they present, however, may be very limited (for example, if you do not eat pork they may offer you extra rations of bread but may not procure other food for you).

Mail/Parcels

Mail can be sent to Mexican prisons. However, post can take up to 6 weeks to arrive from the UK and the Mexican postal service is not efficient. Prisoners can send mail out but will need to make their own arrangements for buying stamps and stationery. Some prisons will allow their administrative personnel to provide these items, while others will only allow visitors (family, lawyer, etc.) to provide them. Any mail or parcels that you send out and receive in prison will be subject to checks for contraband.

A Consular Officer can receive mail, but not packages, in your name, care of the Embassy. Some prisons will not allow us to deliver unopened letters to you.

Can I make telephone calls?

You can make a reverse charge call by dialling 020 (national) 090 (international) and ask for a call to be connected "por cobrar". Most prison shops should sell phone cards called "Tarjetas Ladatel". Mobile telephones are forbidden in almost all penitentiary facilities. Being found in possession of a mobile phone may be grounds for disciplinary action.

Leisure and entertainment

There is likely to be little or no English language reading material available in prison. Most prisons run a leisure and entertainment programme which you will be able to join. Whilst in prison, it might be possible to receive formal Spanish language tuition and to learn to speak Spanish.

Many low-security prisons allow inmates access to a yard or open air gym. Some prisons have rudimentary basketball courts or football pitches.

Most prisons do not formally allow prisoners to privately possess televisions, radios or other electronic devices. Televisions may be available for watching in the common and/or dining areas.

If available, access to a computer and to the internet will be very restricted.

Drugs

You should be aware that it is an offence to deal with drugs inside the prison. Mexican prison authorities will prosecute offenders as they work to tackle this issue.

How can I make a complaint about mistreatment?

You should tell us when we visit you or ask to speak with your lawyer and our consular officers so that we are aware as soon as possible. The Embassy cannot make a complaint on your behalf, but we can provide you with the contact details of government watchdog organisations who would receive and investigate your complaint.

The Mexican Judicial System

Is the system the same as the UK?

No, the system is somewhat different. The Mexican system is similar to the British system in that a professional judge or group of three judges (a “tribunal”) will hear a case presented to them by a professional public prosecutor. Whereas judges in a common-law system like in the UK may use their better judgement when deciding cases (for example, in handing down a lighter sentence in a case where they are convinced the offender did commit the offense but this was not their honest intention), judges civil-law systems like in Mexico have very strict regulations as to what they can do.

Public prosecutors in Mexico are licensed attorneys working for the justice department in what is called the “*Ministerio Publico*” or “*MP*”. The public prosecutors themselves are referred to as “*ministerio publico*”, and it is their job to receive criminal complaints, investigate crimes, interview witnesses, prepare evidence, and present cases in court.

What should happen when I am arrested?

The Consulate should be notified as soon as possible so we can offer you appropriate consular assistance. You should be given the opportunity to contact a member of your family or a friend. You should also be provided with an interpreter.

For how long can I be remanded in custody?

For up to 72 hours for non-serious crimes. For serious crimes such as homicide, drug trafficking or organised crime, you may be held for up to 144 hours before being charged with a crime.

What happens when I am charged?

The public prosecutor will file charges once their investigation shows a high likelihood that a particular person is responsible. You will be transferred to a prison and assigned a public defender (free of charge) if you do not already have a lawyer. If you are not fluent in Spanish and your lawyer does not speak English, you should request the assistance of a translator. You should ask your lawyer for the opportunity to post bail at this stage. You will be presented to a judge within 72 hours of being detained and charged.

What provision is there for bail?

Bail may be available, but it will depend on the seriousness of the offence. Bail is usually not available for very serious offences such as kidnapping, homicide, drug-related offenses, and organised crime. You should ask your lawyer to petition the authorities or the appropriate court for bail.

What kind of legal assistance is available?

The Mexican Constitution states that all persons charged with a crime are entitled to defence by a qualified attorney. The Government will provide a “*defensor de oficio*” – a lawyer employed by the court to provide free legal advice – if you are unable to provide for your own privately contracted defence. It is not legally possible to represent yourself in criminal proceedings.

The British Embassy keeps a list of English-speaking lawyers in Mexico linked at the bottom of this document. Please note that neither the Embassy nor the FCO endorse any of the service providers listed, and we cannot be held responsible for the quality of their services.

What happens at the trial?

In June 2016, a new criminal trial system was implemented in Mexico. The process begins when a complaint is filed at the police (Ministerio Público). If there is enough evidence to make a case, the police formally accuses a person of a concrete offense. Then, the judge fixes a period for the police to carry out the investigation, the police cannot take less than a day or more than six months to finish the process. If, after the investigation, the police has gathered enough evidence against the accused, then the judge will call for an intermediate hearing where the defendant and the plaintiff will discuss the evidence publically. Afterwards, if the judge is satisfied with the evidence, she or he will formally open the oral trial and will indicate in which Oral Criminal Court the trial will take place.

During the trial, a court composed of three judges will acknowledge the presence of all the stakeholders. Then, both the plaintiff and the defendant make their opening statements. The accused may choose to testify at the beginning of the trial or during the defendant's interrogation. Each party presents its evidence which the judges evaluate. Then, the plaintiff and the defendant make their closing statements, the accused may also testify at the end of the trial if needed. The court is required to make a decision on whether or not the accused is guilty in no more than 24 hours. In Mexico, there is no jury, so the final decision is made by the three judges of the court.

Sentences

A judge will announce the sentence at the end of the trial. This will normally be done in writing.

Criminal cases are presented before a judge, and never a jury (this may change in the near future), who will decide on guilt/innocence and on the appropriate sentence or reparations to be made.

You will have one open trial to provide whatever evidence and justifications you may have. If you are found guilty you are entitled to an appeal but the appellate court will only review the case based on the facts presented to the previous court.

If you are found guilty on appeal, you may still be entitled to an extraordinary recourse known as "amparo". In your amparo trial, either a single federal judge or a tribunal of federal magistrates will review whether the authorities violated your constitutional rights, and whether those violations were grave enough to merit a retrial or a verdict of innocence.

How can appeals be made?

The case is transferred to a higher court once you have made an appeal to that court. If you are found guilty, you may wish to have your lawyer appeal on your behalf. A more senior appellate court will only review your case based on the facts presented to the previous court, and decide if the more junior court's decisions are logical and legal.

Each criminal case has a possible right to one appeal, and another possible right to an extraordinary “*amparo*” appeal if a federal judge suspects (based on evidence provided by the defence) that the prosecutor’s case was tainted by violations to the defendant’s constitutional rights. There is no other recourse beyond the *amparo* appeal.

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

Federal law allows for a reduction of up to one fifth of the total sentence for good behaviour.

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

Further benefits for good behaviour may include early parole or home-arrest for the remainder of the sentence after three quarters of the sentence have been fulfilled.

What provision is there for clemency or pardon?

Only the President may grant a pardon for criminal offenses. There is no written provision for how this process should be done. You should discuss this option with your attorney but know that Presidential pardons are extremely rare.

What about any financial penalties?

There are some fines attached to sentences which will depend on the type of crime committed. If you injure another person you will be expected to pay reparations. If you are unable to pay, your debt will be carried over to after you’ve been released from prison.

Is transfer to another prison within Mexico possible?

Yes but transfers are decided on a case by case basis. Your lawyer should be able to help you initiate an application for transfer. The primary considerations for authorising a transfer are 1) free space in other prisons, 2) whether the other prison has sufficient budget to hold you, and 3) proximity to your family connections.

Is transfer to the UK a possibility?

Yes. Once you’ve been found guilty, your lawyer can petition the court and federal prison authority to have you sent to the UK to serve the remainder of your sentence there. Your lawyer should be able to advise you further on the specific procedure.

What are the procedures for release and deportation?

Foreign nationals are not necessarily deported after having been released. The criteria for deportation is left up to the discretion of the prison authorities at the time of sentencing.

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: <https://www.prisonersabroad.org.uk/>

Glossary of Terms

Useful legal terms

Key phrases – English into Spanish

Spanish	English
Abogado	Lawyer
Agente del Ministerio Público	Investigation police officer
Amparo	A legal process
Apelar	Appeal
Audiencia	Hearing (e.g. with prison director)
Audiencia de Sentencia	Trial Hearing, final hearing
Auto de formal prisión	Judges imprisonment order
Averiguación Previa	Initial investigation drawn up by Ministerio Publico
Código Penal	Penal code
Compañero de celda	Cellmate
Condena	Sentence
Crimen organizado	Organised crime
Defensor Público	Public Defendant
Delito grave	Serious crime, felony
Deportar	To deport
Dictamen	Decision
Dinero	Money
Expediente	Case File
Horarios de visitas	Visiting hours
Intérprete	Interpreter
Juez	Judge
Juzgado Civil	Civil courtrooms
Juzgado Penal	Criminal courtrooms (often attached to prison building)
Llamada telefónica	Telephone call
Médico	Doctor
Ministerio Público	Public prosecutor
Notario Público	Notary Public
PGR	Federal Prosecutor's Office (Procuraduría General de la República)
Queja	Complaint
Reclusorio	Prison
Regatear	To bargain
Reos/Prisioneros	Prisoners
Secretario	Secretary, often works with a judge
Secuestro	Kidnapping
Sentencia	Judge's ruling
Soborno	Bribe
Testigo	Witness
Testimonio	Witness statement
Tribunal Superior	High Court

English	Spanish
I want to speak with a lawyer.	Quiero hablar con un abogado.
I do not wish to make any declarations (to the police or authorities)	No deseo declarar. Key Phrases
I would like my lawyer present before I answer any questions.	Quiero que mi abogado esté presente antes de contestar preguntas.
Please contact the British Embassy in Mexico City.	Por favor contacte a la Embajada Británica en la Ciudad de Mexico.
Hello, how are you?	Hola, ¿cómo estás?
My name is...	Mi nombre es...
How old are you? I'm...	¿Cuántos años tienes? Yo tengo...
I'm British/English/Scottish/Welsh/Northern Irish.	Male: Soy británico/inglés/escocés/gales/norirlandés Female: Soy británica/ inglesa/ escocesa/ galesa/ norirlandesa
I don't speak Spanish.	No hablo español.
Does anyone speak English?	¿Alguien habla inglés?
Where is the lavatory?	¿Dónde está el baño?
Where are the showers?	¿Dónde están las regaderas?
Can I help you?	¿Puedo ayudarle?
Can you help me, please?	Me puede ayudar, ¿por favor?
Yes please.	Sí por favor.
No thank you.	No gracias.
I'm allergic to... milk/nuts/peanuts	Soy alérgico a...la leche/ las nueces/ los cacahuates
Good morning	Buenos días
Good afternoon	Buenas tardes
Good night	Buenas noches
Yesterday	Ayer
Today	Hoy
Tonight	Esta noche
Tomorrow	Mañana
I'm hungry	Tengo hambre
I feel ill.	Me siento mal.
I need to use the lavatory.	Necesito ir al baño.
A blanket and a pillow, please	Una cobija y una almohada, por favor
Thanks for your help	Gracias por su ayuda
I'm thirsty, is there water? May I have some water, please?	Tengo sed, ¿hay agua? ¿Puedo tener agua, por favor?
It's hot (environment). It's hot (object, such as water).	Hace calor. Está caliente.
My head hurts. My stomach hurts.	Me duele la cabeza. Me duele el estómago.
I am sick to my stomach.	Estoy enfermo del estómago.
Help! Fire! We need a doctor!	Auxilio! ¡Fuego! Necesitamos un doctor!

It's cold (environment) It's cold (object, such as water) I'm (very) cold.	Hace frio Esta frio/fria (depends on object). Tengo (mucho) frio.
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Food and Drink		
English	Spanish	Sounds Like
Water	Agua	Ah-goo-ah
Milk	Leche	LEH-cheh
Coffee	Café	Cah-FEH
Tea	Té	TEH
Soda	Refresco	Reh-FRESS-COH
Apple	Manzana	Man-SAH-nah
Banana	Plátano	PLAH-ta-noh
Beans	Frijoles	Free-HOLE
Tortilla	Tortillas	Tor-TEE-ya
Fruit	Fruta	FROO-tah
Vegetables	Verduras	Vehr-DOO-rahS
Rice	Arroz	Ah-ROSS
Sugar	Azúcar	Ah-SOO-car
Bread	Pan	PAHN
Chips	Papas	PA-pas
Fish	Pescado	Pehs-CA-doh
Meat	Carne	CAR-neh
Chicken	Pollo	PO-yo
Fork	Tenedor	The-neh-DOR
Knife	Cuchillo	Coo-CHEE-yo
Spoon	Cuchara	Coo-CHA-ra
Plate	Plato	PLAH-to
Cup	Vaso	VAH-so

Numbers		Sounds Like
0	Cero	SAY-roh
1	Uno	OO-noh
2	Dos	DOSE
3	Tres	TRACE
4	Cuatro	KWAT-roh
5	Cinco	SINK-oh
6	Seis	SAY-z
7	Siete	See-ET-eh
8	Ocho	OH-choh
9	Nueve	Knew-EH-veh
10	Diez	dee-ACE
11	Once	OWN-seh
12	Doce	DOS-seh
13	Trece	TREY-seh
14	Catorce	Cah-TOR-seh
15	Quince	KEEN-seh
16	Dieciséis	Dee-ace-ee-SAY-z

17	Diecisiete	Dee-ace-ee-see-ET-eh
18	Dieciocho	Dee-ace-ee-OH-choh
19	Diecinueve	Dee-ace-ee-knew-EH-veh
20	Veinte	VEH-een-teh
100	Cien	See-EN
1000	Mil	MEAL

Annexes

- Annex 1: [List of English-Speaking Lawyers](#)
- Annex 2: [List of Private Translators/Interpreters](#)
- Annex 3: [FCO leaflet: *In prison abroad*](#)
- Annex 4: [FCO leaflet: *Transfers home for prisoners abroad*](#)
- Annex 5: [*Prisoners Abroad authorisation form*](#)
- Annex 6: [Prisoners Abroad family contact form](#)
- Annex 7: [Prisoners Abroad CFF form](#)
- Annex 8: [Fair Trials International questionnaire and leaflets](#)
- Annex 9: [Reprieve information](#)

Disclaimer

This booklet was compiled by the Consular Section at the British Embassy in Mexico. 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 Embassy in Mexico is not accountable for the information provided in this booklet. Local proceedings are subject to change at any time.

Thank you.

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