Information Pack for British Prisoners in the Netherlands

Author: British Consulate-General Amsterdam
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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 Consulate

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 Consulate 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, 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?

John Cameron-Webb, British Consul
Angela Wills, Pro-Consul
Imogen Barnes, Pro-Consul

Contact Information

British Consulate-General
Koningslaan 44
1075 AE Amsterdam
Tel: 0031 70 4270 427

www.gov.uk/world/netherlands

Open to the public:
Monday, Tuesday, Thursday and Friday between 09:00 am – 12:30 pm
Closed to the public on Wednesday
Telephone enquiries between 09:00 am – 4:30 pm
First Steps

Who will know I have been detained?
When a British citizen is arrested and detained in the Netherlands the Dutch authorities are not at liberty to divulge the arrest to a third party. They should make you aware of your right to contact the British Consulate and give you the opportunity to do so, or notify us on your behalf. However, we often learn of an arrest informally from family, friends, or the prison social worker.

What will my family be told?
For reasons of confidentiality family will not be advised of your detention by either the Dutch authorities or the British authorities unless prior consent is received from you.

What will the Consulate do?
We aim to make contact with you within 24 hours of learning of your arrest and visit you as soon as possible. During the consular visit, you will have the opportunity to discuss any health issues, security concerns, your treatment at the prison and any other matters that you wish to raise with the officer.

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?
Important: In order to receive visitors you must provide the prison with the names of those who you would like to be visited by. The prison requires the full name, date of birth, address and passport information of all possible visitors; normally you are permitted ten names on your list which you can supply to the guards within the first weeks of your arrival. If you fail to do this and the name of the visitor is not held by the prison authorities the visitor will be denied entry. Procedures to actually arrange a visit vary depending on the prison; some prefer to work with allocated time slots for each detainee, whilst others require you to make an appointment beforehand. We strongly advise that any family member wishing to visit you firstly contact the prison. If your visitor is travelling from another country e.g. the UK, you should always advise the prison authorities of this fact and submit a request for an extended visit. The prison authorities are not obliged to permit a longer visit however; some facilities take this into consideration and allow extra time.

How many visits am I allowed?
Under normal circumstances (when no restrictions are in place) every prisoner has the right to receive one visit per week, excluding official visits.

Consular visits
In the Netherlands detained British citizens are visited once during the detention period. If you feel you need further visits, please submit a request to the Consulate, either in writing or by contacting us via the telephone, outlining the reason why.
What can visitors bring?
Visitors are not allowed to hand anything over to you during the visit. There are set times and days when family or friends may drop off clothes and other pre-agreed items at the prison. Please ask your prison for further details.
Prison conditions/services

Arrival at police station
You have been arrested on suspicion of having committed a criminal offence and brought to a police station. The police can hold you up to 6 “working hours” before requesting an extension to investigate further. If the extension is granted you can be held for up to 72 hours without charge. You will be allowed a telephone call to a family member or friend advising of your whereabouts, providing that there are no legal restrictions in place. At this point you should also be given the opportunity to advise the Consulate of your detention.

Arrival at prison
On arrival you will receive a medical examination, any pre-existing health conditions and treatments can be discussed with the medical team and prescriptions arranged. If necessary a Dutch health professional can make contact with the UK health professionals. You will be given a tour of the section of the prison where you will be staying and procedures regarding visitors, making calls, arranging clothes etc. explained. Within two weeks you should receive an appointment with the social worker to discuss any help you might need. For example if you need extra clothes.

General prison conditions
Prisons and other Penitentiary establishments in the Netherlands are of a comparatively high standard. They are staffed to a high professional level and as you are protected by legislation, you should receive humane and fair treatment. The first few weeks are the most stressful, it takes time to become familiar with your new environment and understand the procedures involving visitation rights, prison comforts (transfer of money), making calls and arranging clothes or personal items. Once this has transpired both the detainee and the family are generally more at ease.

How can I receive money?
Family or friends can transfer money to the prison for you. This information is normally on the prison web-site (only in Dutch) however, you can request this information in writing or direct your family to call the administration office at the prison. Important: if the transfer is being made from abroad, please ensure that that the family are made aware that they will require the following information:

- IBAN bank account number
- BIC number of the prison bank account
- your prison number
- make note in transfer of your initials and surname
- make note of prison location

Can I work or study in prison?
Paid employment is often offered in Prison although it can take a few weeks before a job becomes available.

The opportunity to study is more of a challenge, this is normally reserved for Dutch residents and speakers as classes are given in Dutch. However, it is not unheard of that a non Dutch
speaker is allowed to participate in classes. Again this seems to differ depending on the prison.

**Can I receive medical and dental treatment?**
Yes, both medical and dental treatment is available. If you need medical or dental treatment you should make an appointment to see the prison doctor or dentist. There can be long waiting times for the dentist, emergency cases take priority.

**Food and Diet**
A balanced diet is offered, supplying the necessary daily nutritional requirements. A special diet can only be provided on medical or religious grounds. You can supplement your diet by buying food from the prison shop.

**Mail/Parcels**
Our Consular staff will reply to your written correspondence within our target of 20 working days (excluding postage time). There is usually no limit to the number of letters you may send or receive. Parcels of clothing or other personal items must be pre-agreed with the prison.

**Can I make telephone calls?**
Yes, if there are no restrictions you can make calls. You shall be given a telephone card with a weekly allowance, unfortunately this is barely enough to cover international calls. Once settled and working you can use your earnings to buy call time or ask family to transfer money for prison comforts.

**Leisure and entertainment**
Gym, exercise and other activities such as access to television varies with each prison.

**Drugs**
A drug rehabilitation programme is available in the majority of prisons. If you have a drug related habit and would like assistance you can confide with the authorities.

**How can I make a complaint about mistreatment?**
With your permission, we can take up any justified complaint about mistreatment with the police or prison authorities. Alternatively, you can send a letter of complaint to the complaints commission or place a call to them:
Address your letter of complaint to:
Klachtenloket DJI
Postbus 90829
2509 LV Den Haag
Or call: Tel: 08807 54322 (Monday – Friday between 08:00 am – 5:00 pm)
The Netherlands Judicial System

Is the system the same as the UK?
No. The Netherlands has a civil law system which is based on set statutes decided by parliament and are applied to every case. This is in contrast to the UK, whereby a common law system is used drawing on past judicial cases and decisions.

What should happen when I am arrested?
The Police may wish to question you further at the Police station. They can hold you for up to “six working hours” – the hours between midnight and 09:00 am do not count towards this period (See annex 13 for more information)

For how long can I be remanded in custody?
The Police may wish to investigate further and therefore shall lodge a request with the assistant prosecutor to extend the custody period. You shall be interviewed by the prosecutor (who is normally a senior police officer) and if the warrant is granted you can be held without charge for a further 72 hours.

What happens when I am charged?
Within three days and fifteen hours from the time of your arrest you must be brought before an examining judge (officer of justice) who shall determine whether you will be placed in remand or released.

What provision is there for bail?
Applications for bail are unlikely to be accepted in the case of a person who faces serious charges or who is not a normal resident of the Netherlands, although it is not unheard of.

What kind of legal assistance is available
If you have been remanded in custody awaiting trial, you will be automatically assigned a court appointed lawyer. However, you are entitled to hire another lawyer if you wish. Even if you have admitted to the offence or intend to plead guilty at court, it is still worthwhile seeking professional advice since a lawyer will know exactly how everything works and what options are available to you.

What happens at the trial?
A trial is normally always open to the public, unless there are minors involved. The Judge will start by checking your name and address. The public prosecutor shall start proceedings by explaining the punishable offence of which you are accused. The Judge will then question you. The prosecutor and your lawyer (if present) may also ask questions. Witnesses and experts can be called to give evidence. Personal circumstances will also be examined by the Judge. The prosecutor and the lawyer will give their version of the events and what they believe to be the best outcome. If there is a victim involved the Judge may also give the victim the opportunity to speak. After all accounts have been heard, including the summary from both sides, that is when you will have the opportunity to make your comments to the Judge.
A court translator will be present in the courtroom.
Sentences
Normally in a less serious case the sentencing shall be immediate. Otherwise the court will re-convene in (usually) two weeks.

How can appeals be made?
If you disagree with the court’s ruling, you may be permitted to lodge an appeal. If so, you must do this within fourteen days of the verdict being returned. You can request your lawyer to lodge the appeal on your behalf. Here is a brief description of the appeal system in the Netherlands.
The Netherlands is divided into 11 districts, each with its own court. Each district court is made up of a maximum of five sectors, which always includes the administrative law, civil law, criminal law and sub-district law sector. Appeals against judgements passed by the district court of criminal law cases can be lodged at the competent Court of Appeal (there are four Courts of Appeal in total); appeals against administrative law judgements for criminal law cases are lodged at the Supreme Court of the Netherlands.
Courts of Appeal:
The Court of Appeal re-examines the facts of the case and reaches its own conclusions. In most cases it is possible to contest the Court of Appeals decision by appealing in cassation to the Supreme Court of the Netherlands.

What provision is there for reduction of sentence (remission) e.g. for good behaviour?
If your sentence is longer than one year you may be considered for early release after serving two thirds of your sentence.

What provision is there for early release e.g. on parole?
If you receive a sentence of one year or less, you must serve the full sentence. If you received an unconditional sentence for more than one year then you may be eligible for parole. Please make enquiries with your lawyer.

What provision is there for clemency or pardon?
This is a rare occurrence and would need to be explored with legal assistance.

What about any financial penalties?
These can occur and must be paid on time otherwise you run the risk of being detained. If you do not live in the Netherlands and wish to appeal the fine, you can contact, in writing the arrondissement (court where case was held).

Is transfer to another prison within the Netherlands possible?
Yes, you can submit a transfer request to the prison authorities for their consideration outlining the reason why.

Is transfer to the UK a possibility?
Yes you can submit a transfer request (for more information see annex 4)

What are the procedures for release and deportation?
Expulsion from the Netherlands can be ordered by the court. If this is the case and you are deemed as an unwanted alien, your release details will be forwarded to the Dutch Repatriation and Immigration services. Roundabout your release date, (normally within a
couple of weeks of your official release date) you will be taken from the prison under police escort and deported back to the UK.

If there is no expulsion order you are free to make your own forward journey or if previously residing in the Netherlands return home.
Additional Information

Volunteer Workers
Gevangenenzorg Nederland – Chartered in 1993 Prison Fellowship the Netherlands grew to a professional lead volunteer organisation, with around 530 volunteers. For more information concerning possible support please call free phone number from prison: **0800 331 0568**

A volunteer will be happy to assess your request for help and if possible depending on your circumstances can arrange a meeting.
Please note your stay in prison must be a minimum of 6 weeks before you are deemed eligible for assistance.
Please see annex 12

In most prisons Christian Chaplains, Islam Imams and Humanist Spiritual advisors are available and can attend prison providing spiritual assistance where this is asked.
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
United Kingdom

Telephone: 0044 (0)20 7561 6820 or, for your relatives in the UK, Freephone 0808 172 0098
(Mondays to Fridays 9.30 am to 4.30 pm, UK time)
Email: info@prisonersabroad.org.uk
Website: www.prisonersabroad.org.uk
## Glossary of Terms

### Useful legal terms

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<thead>
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<th>Term</th>
<th>Translation</th>
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<tbody>
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<td>Advocaat</td>
<td>Lawyer</td>
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<tr>
<td>Belschuldig</td>
<td>Accused</td>
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<tr>
<td>Dagvaarding</td>
<td>Summons</td>
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<td>Getuigen</td>
<td>Witness</td>
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<td>Gevangenis</td>
<td>Prison</td>
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<tr>
<td>Hechtenis</td>
<td>Custody</td>
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<tr>
<td>Hoge Raad der Nederlanden</td>
<td>The Supreme Court of the Netherlands</td>
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<tr>
<td>Hoofdstraffen</td>
<td>Main punishment</td>
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<td>Huiszoeking</td>
<td>Search Warrant</td>
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<tr>
<td>Inbewaringstelling</td>
<td>Arrest</td>
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<tr>
<td>Inverzekeringstelling</td>
<td>Taking into Custody</td>
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<tr>
<td>Kantongerecht</td>
<td>Magistrates Court</td>
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<td>Kantonrecht</td>
<td>Magistrate</td>
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<td>Kapitale delicten</td>
<td>Capital Offence</td>
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<tr>
<td>Koninklijke Landelijke Politie Dienst (KLPD)</td>
<td>Royal National Police Service</td>
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<tr>
<td>Ongerechtvaardig</td>
<td>Unjustified</td>
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<tr>
<td>Piketadvocaat</td>
<td>Duty Legal Aid Lawyer</td>
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<td>Pleidooi/laastwoord</td>
<td>Plea</td>
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<tr>
<td>Politie</td>
<td>Police</td>
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<td>Recht</td>
<td>Justice</td>
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<td>Rechtbank</td>
<td>Criminal Court</td>
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<td>Rechter commissaris</td>
<td>Official</td>
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<tr>
<td>Schuldig</td>
<td>Guilty</td>
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<tr>
<td>Niet Schuldig</td>
<td>Not Guilty</td>
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<td>Straf</td>
<td>Punish</td>
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<tr>
<td>Strafrecht</td>
<td>Criminal Law</td>
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<td>Strafrechter</td>
<td>Criminal Judge</td>
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<td>Police Record</td>
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<td>Strafregister</td>
<td>Criminal Record</td>
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<tr>
<td>Straftijd</td>
<td>Term of imprisonment (Sentence)</td>
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<td>Uitleveren</td>
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<td>Uitlevering</td>
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<td>Verdachte</td>
<td>Suspect</td>
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<td>Vonnissen</td>
<td>Pass Sentence – Judgement – Convict</td>
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<tr>
<td>Voorlopige hechtenis</td>
<td>Temporary Custody</td>
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<td>Wettig</td>
<td>Legal</td>
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</tbody>
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Key phrases – Dutch to English

How to Pronounce the Dutch Alphabet

It’s best to begin with the basics, so here’s the Dutch alphabet which shares the same format as English, but pronounces the letters slightly differently. Take a look at the phonetic tips next to each for how to say each one.

<table>
<thead>
<tr>
<th>Letter</th>
<th>Dutch Pronunciation</th>
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<tr>
<td>A</td>
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Useful Dutch Expressions

Here are some useful everyday Dutch phrases you’ll find yourself using all the time. Take a look at the following expressions and how to pronounce them.

- **Hallo!** Hallo! *(hah-low)*
- **Hi!** Hoi! *(hoy)* / Hi! *(hay)*
- **Good morning!** Goedemorgen! *(khoo-der-mor-khem)*
- **Good afternoon!** Goedemiddag! *(khoo-der-mi-dakh)*
- **Good evening!** Goedenavond! *(khoo-der-aa-font)*
- **See you later! Bye!** Tot ziens! *(toat-seens)* / Dag! *(dakh)* Hoi! *(hoai)*
- **Here you are!** Alstublieft *(als-stuw-bleeft)*
- **Please?** Alsjeblieft? *(als-yer-bleeft)*
- **Thanks!** Bedankt! *(ber-dahnt)*
- **I am sorry!** Neem me niet kwalijk *(naym mer neet kwon-lerk)* / sorry! *(sor-ree)*
Useful Questions in Dutch

Here are some useful Dutch questions to ask when out and about day to day, complete with their pronunciations. However, make sure that you don’t get too comfortable with the first one though!

- **Do you speak English?** Spreekt u Engels? (spraykt uw eng-erls)
- **Would you help me please?** Kunt u mij helpen? (kuhnt uw may hel-pern)
- **Where are the toilets?** Waar is het toilet? (vaar is het tvaa-let)
- **How much is that?** Hoeveel kost dat? (hoo feyl kost dat)
- **Where can I find . . .** Waar kan ik de . . . vinden (vaar kan ik der . . . fn-dern)
- **At what time do you open?** Hoe laat gaat u open? (hoo laat khaat uw o-pern)
- **What time do you close?** Hoe laat gaat u dicht? (hoo laat khaat uw dikht)
- **Could you talk a bit slower?** Kunt u wat langzamer praten? (kuhnt uw vat lankh-sa-mern praatem)
- **Could you repeat that please?** Kunt u dat herhalen? (Kuhnt uw dat her-haa-lern)

Dutch Phrases for Emergencies

If an emergency ever arises you’ll want to be able to express yourself. Therefore it’s important to learn these Dutch phrases as you’ll never know when you might need them.

- **Help!** Help! (help)
- **Hurry up!** Schiet op! (skeet op)
- **Please call 112!** Bel 112! (bel ayn ayn tway)
- **Police!** Politie! (po-lee-tsee)
- **Fire brigade** Brandweer (brant-wayr)
- **Get a doctor!** Haal een dokter! (haal ern dok-ter)
- **I am ill!** Ik ben ziek! (ik ben seek)
- **Somebody has stolen my . . .** Iemand heeft mijn ... gestolen (ee-mant hayftmayn ... khe-stoh-lem)
- **Where is the hospital?** Waar is het ziekenhuis? (wahr is het see-kern-hoais?)

The Dutch Calendar

Knowing months and days is a major point on your Dutch list to learn. Here’s every day of the week and every month of the year listed with pronunciation.

**Days (de dagen) (der dah-kern)**

- **Monday** maandag (maan-dakh)
- **Tuesday** dinsdag (dins-dakh)
- **Wednesday** woensdag (voons-dakh)
- **Thursday** donderdag (don-der-dakh)
- **Friday** vrijdag (fray-dakh)
• Saturday zaterdag (zaa-ter-dakh)
• Sunday zondag (zoo-dakh)

Months (de maanden) (der maan-dern)
• January januari (yan-nuw-aa-ree)
• February februari (fay-bruw-aa-ree)
• March maart (maart)
• April april (a-pril)
• May mei (may)
• June juni (yuw-nee)
• July juli (yuw-lee)
• August augustus (ow-khuhs-tuhs)
• September september (sep-tem-ber)
• October oktober (ok-toa-ber)
• November november (noa-tem-ber)
• December december (day-sem-ber)

How to Count in Dutch

Learning to count in Dutch is just as important as learning the alphabet. Here are some vital numbers from 0 to 1000. You’ll soon be counting from één to tien in no time.

0  nul (nuhl)
1  één (ayn)
2  twee (tvay)
3  drie (dree)
4  vier (feer)
5  vijf (fayf)
6  zes (zes)
7  zeven (zay-fern)
8  acht (akht)
9  negen (nay-khern)
10  tien (teen)
11  elf (elf)
12  twaalf (twaalf)
13  dertien (dehr-teen)
14  veertien (fayr-teen)
| 15 | vijftien (fayf-teen)        |
| 16 | zestien (zes-teen)         |
| 17 | zeventien (say-fern-teen)  |
| 18 | achttien (akh-teen)        |
| 19 | negentien (nay-khern-teen) |
| 20 | twintig (tvin-tikh)        |
| 21 | eenentwintig (ayn-ern-tvin-tikh) |
| 22 | tweeëntwintig (tvay-ern-tvin-tikh) |
| 23 | drieëntwintig (dree-ern-tvin-tikh) |
| 24 | vierentwintig (feer-ern-tvin-tikh) |
| 25 | vijfentwintig (fayf-ern-tvin-tikh) |
| 30 | dertig (dehr-tikh)        |
| 40 | veertig (fayr-tikh)       |
| 50 | vijftig (fayf-tikh)       |
| 60 | zestig (zes-tikh)         |
| 70 | zeventig (zay-fern-tih)   |
| 80 | tachtig (takh-tikh)       |
| 90 | negentig (nay-khern-tikh) |
| 100| honderd (hon-dert)        |
| 200| tweeehonderd (tway-hon-dert) |
| 300| driehonderd (dree-hon-dert) |
| 400| vierhonderd (feer-hon-dert) |
| 500| vijfhonderd (fayf-hon-dert) |
| 1000| duizend (doai-zernt)     |
Annexes (to be sent separate/ as attachments)

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 [not applicable]
Annex 10: If you are suspected of a Criminal Offence
Annex 11: On trial
Annex 12: Volunteers
Annex 13: Dutch Ministry of Justice Information for detained persons
Disclaimer

This booklet was compiled by the Consular Section, British Consulate-General Amsterdam. It is revised on a regular basis.

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

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

Thank you.

01 April 2019