



British Embassy  
Dakar

## **Information Pack for British Prisoners in Guinea Bissau**

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## Contents

Introduction.....	3
Who can help? .....	3
About the Embassy .....	3
Who are the Consular Representatives? .....	3
Contact Information.....	3
First Steps .....	3
Who will know I have been detained? .....	4
What will my family be told? .....	4
What will the Consulate do? .....	4
Would I have a criminal record in the UK?.....	4
Visits.....	5
How do my family and friends arrange a visit? .....	5
How many visits am I allowed? .....	5
Consular visits.....	5
What can visitors bring? .....	5
Prison conditions/services .....	6
Arrival at police station .....	6
General prison conditions.....	6
How can I receive money? .....	6
Can I receive medical and dental treatment? .....	6
Food and Diet .....	6
Can I make telephone calls? .....	6
Drugs .....	6
How can I make a complaint about mistreatment? .....	7
The Guinea Bissau Judicial System.....	8
Is the system the same as the UK? .....	8
What should happen when I am arrested? .....	8
What provision is there for bail? .....	8
What kind of legal assistance is available.....	8
What happens at the trial? .....	8
Is transfer to the UK a possibility? .....	8
What are the procedures for release and deportation?.....	8
Additional Information .....	9
Instructions on how to get funds transferred to you .....	10
Glossary of Terms .....	13
Useful legal terms .....	13
Key phrases – English into Portuguese.....	13
Annexes .....	16
Disclaimer.....	17

## Introduction

### Who can help?

The Foreign and Commonwealth Office (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. 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?

There is no British Embassy in Guinea Bissau. Consular assistance is provided by the British Embassy in Dakar, Senegal, with assistance from our Honorary Consul in Guinea Bissau. You can also seek assistance from any EU Embassy in Guinea Bissau.

*Harriet King*

*Consul*

[Harriet.King@fco.gov.uk](mailto:Harriet.King@fco.gov.uk)

*Claudinette Davies*

*Consular Officer*

[Claudinette.Davies@fco.gov.uk](mailto:Claudinette.Davies@fco.gov.uk)

### Contact Information

*British Embassy*

*20 Rue Docteur Guillet*

*Dakar, Senegal*

*Tel: +221 33 823 73 92/ +221 33 823 99 71*

*Fax: +221 33 823 27 66*

## First Steps

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

When a British National is arrested and detained in Guinea Bissau, the local authorities through the Ministry of Foreign Affairs should inform the British Embassy as soon as possible. But this is not always the case. It is your right that the British Embassy is informed as soon as possible.

**What will my family be told?**

We will not tell anyone that you have been detained, or what the charges are, without your permission. However, should you wish to inform your family, we can make contact with them through our colleagues in the FCO in London. We can give your family or next of kin advice on prison procedure, regulations, and how you are doing. We can also pass on any messages on your behalf.

If you are thinking about not telling your family, please consider the distress it may cause them if they are not told where you are. It can also be a disadvantage to you if you need money for anything in prison or fall ill. Once we have told your family and friends, we will keep them updated on your well-being.

**What will the Consulate do?**

We aim to make initial contact with you within 24 hours of being notified of your arrest. This may be by telephone or through our Honorary Consul or another EU Embassy. We aim to make sure that you are treated properly and fairly in accordance with local regulations, and that you are treated the same as other prisoners. We cannot however get you better treatment than other prisoners. Should you need a list of lawyers, we will be able to provide this

We can answer questions about your health and welfare and the local prison system but we cannot answer questions about legal matters. You should ask your lawyer or the court those kinds of questions.

We cannot get you out of prison, pay fines or stand bail, or secure you an earlier trial date. Nor can we investigate a crime.

We can advise you of other organisations, both in Guinea Bissau and the UK, who can offer you and your family further assistance both during your detention and after your release (see page 15).

With your permission, we can take up any justified complaint about ill treatment, personal safety, or discrimination with the police or prison authorities. Again, with your permission, we can make sure that any medical or dental problems you are having are brought to the attention of any police or prison doctor.

Within certain limits, we can assist your family sending you money via the FCO in London. In some cases, there may be a charge for this service.

If you are a dual national (Guinea Bissau/ British) and you are imprisoned in Guinea Bissau, the British Embassy is limited on the assistance it can offer you, as Guinea Bissau does not accept/recognise dual nationals. .

**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?**

There are no strict formal procedures for visiting. Our colleagues at the Foreign and Commonwealth Office in London act as the point of contact for family members of British Nationals detained overseas. It would be best for your family to contact the relevant Desk Officer in Consular Directorate before embarking on any visit, so that we can advise them before they make any arrangements, and liaise with the prison on their behalf as necessary.

### **How many visits am I allowed?**

We understand that family visits to prisoners in Guinea Bissau are allowed at least twice a week. As there are no formal procedures, your family are advised to make contact with us before travelling to Guinea Bissau.

### **Consular visits**

We aim to visit you every quarter while you are under trial. The Honorary Consul may be able to visit more often in an emergency. If you are convicted we may visit less often but will make an assessment of your vulnerability before deciding this.

### **What can visitors bring?**

Visitors can bring along "prison comforts". All bags and parcels are searched before entry and the authorities have the right to withhold items they deem to be unacceptable. Visitors are advised to make contact with the Foreign Office before their visit so that we can liaise with the prison authorities on what visitors may or may not be permitted to bring you as this may vary between prisons and depending whether you are on remand or have been convicted.

## **Prison conditions/services**

### **Arrival at police station**

The law of Guinea Bissau requires that arrests are carried out under an arrest warrant, though warrantless arrests often occur. The law requires that if you are arrested you are brought before a magistrate within 48 hours of your arrest and are released if no timely charges are brought, however these procedures may not always be followed by the authorities. You should be informed promptly of the charges against you. The law provides the right to legal counsel. You should appoint a lawyer, preferably one who can translate for you if needed. You may be allowed to contact friends, family or the Embassy by telephone. You should ask the police officer to contact the British Embassy for you. From the police station you may be released, bailed, remanded in custody or remanded to your home due to space constraints in detention facilities.

### **General prison conditions**

Prison conditions vary widely. They are considerably poorer than conditions in UK prisons. Two new prisons which opened in 2010 have electricity and water however other detention facilities may not have even these basic amenities. At Masoa and Bafata prisons there are separate cells for women.

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

There are two ways in which you can receive financial assistance while in prison.

- **Private Funds:** Deposited to you by your family or friends. See pages x, y and z for instructions on how to send funds.
- **Prisoners Abroad:** If your family can't support you financially Prisoners Abroad may be able to send you a small grant every quarter for essentials.

Money received from the UK will be converted into local currency and held on your behalf by the Embassy. Our Consular staff will then transfer your funds to you.

Please note that the Embassy does not provide financial support to British Nationals in prison abroad.

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

Medical care in prison is very basic. If you require a doctor you should raise this with the prison guards, your lawyer and with consular staff.

### **Food and Diet**

In Mansoa and Bafata prisons food is provided to prisoners but this is unlikely to meet your nutritional needs and you may need to buy additional food to supplement this. Food is not provided to prisoner held in some pretrial detention centres although it may be received from friends or family.

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

You may be able to make telephone calls with the permission of the prison authorities.

Telecommunications in Guinea Bissau are unreliable, and costs of international calls are high.

### **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.

**How can I make a complaint about mistreatment?**

If you feel you have a justified complaint about prison conditions, raise it with a senior prison officer in the first instance and with your lawyer. If this does not resolve the matter, contact us and we will take action as appropriate.

# **The Guinea Bissau Judicial System**

## **Is the system the same as the UK?**

The legal system in Guinea Bissau is based on French civil law. The Judicial system is composed of a High Court, a Supreme Court and Regional courts in all eight regions and the autonomous region of Bissau. There are also Special courts, which includes the Commerce Court, the Office of General Accounting, and a Military Court. Local tradition and customary laws are also widely Accepted the official language of Guinea Bissau is Portuguese.

## **What should happen when I am arrested?**

The law requires that arrests are carried out under an arrest warrant, though warrantless arrests often occur. The law requires that if you are arrested you are brought before a magistrate within 48 hours of your arrest and be released if no timely charges are brought, however these procedures may not always be followed by the authorities. You should be informed promptly of the charges against you. The law provides the right to legal counsel.

## **What provision is there for bail?**

There is provision for bail. The conditions of bail will be decided on a case by case basis.

## **What kind of legal assistance is available**

The law provides for the right to legal counsel at state expense however in practice this is rarely available.

## **What happens at the trial?**

The law provides for the right to presumption of innocence, to be informed promptly of the charges, to a fair trial and to communicate with legal counsel of your choice. It also provides for the right of access evidence held by the government, to confront witnesses and to present witnesses and evidence, not to be compelled to testify against yourself, and the right to appeal. There is no trial by jury and trials in civilian courts are open to the public. However, in Guinea Bissau, most cases never come to trial.

## **Is transfer to the UK a possibility?**

There is no prisoner transfer agreement between the UK and Guinea Bissau.

## **What are the procedures for release and deportation?**

You may be deported from Guinea Bissau. The British Embassy in Dakar can assist with travel documents if required.



## Additional Information

### 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](mailto:info@prisonersabroad.org.uk)

**Website:** [www.prisonersabroad.org.uk](http://www.prisonersabroad.org.uk)

## Instructions on how to get funds transferred to you

### Options to transfer funds to British Nationals Overseas via the Foreign and Commonwealth Office

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

1) **ELECTRONIC BANK TRANSFERS:** Contact your bank to arrange.

A “BACS” transfer usually takes 3-5 working days to clear in our account. Some banks do not charge for this service. If you have internet or telephone banking you may be able to arrange without visiting your bank.

A “CHAPS” transfer is usually received in our account within 12-24 hours. You will normally need to visit your bank to arrange and banks normally charge for this service.

For both the above bank transfers you will need to include the following details:

Bank:	Citibank
Acct Name:	GBS Re FCO Multivote Account
Sort Code:	08-33-00
Account Number:	12537125
Reference:	Name of the person you are sending the funds for, plus country name e.g. JOE SMITH – SENEGAL

You may also need our bank address which is: Canary Wharf, London E14 5LB.

2) **BY POST**

Payments by Postal Order, Bankers Draft or Building Society cheque should be crossed and make 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 Recorded or Special Delivery.

Please ensure that you include a note briefly explaining who the money is for and why.  
(Alternatively you may use the payment slip on next page.)

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

- 3) Please note that personal cheques can take up to 15 working days to process and clear before we can advance funds. We do not accept Card payments, or cash sent in the post. If you wish to pay by cash, you can take the money to our offices at Northgate House, Milton Keynes but will need to telephone first to make an appointment.

To: Foreign and Commonwealth Office

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:



## **Glossary of Terms**

**Useful legal terms**

**Key phrases – English into Portuguese**

## **GLOSSARY OF TERMS**

### **Translation of Useful Legal Terms from English to Portuguese**

Access to file (by Lawyer)	Acesso ao processo (pelo advogado)
Acquitted	Absolvido
Adjudication	Julgar, decidir
Administration of justice	Administração da justiça
Appeal	Recurso
Appeal or complaint	Recurso / Reclamação
Application	Requerimento / Pedido
Application forms (prison)	Formulários da prisão (admissão)
Bar Association	Ordem dos Advogados
Blood test	Análise ao sangue
Charge	Acusação
Police Officer	Polícia
Code of criminal procedure	Código de Processo Penal
Complaints system	Procedimento de reclamações
Conjugal Visit	Visita íntima
Court file reference	Número de Processo
Criminal code	Código Penal
Criminal Court	Vara Criminal
Custody hearing	Audiência
Custody order	Mandado de Condução à Prisão
Danger of interfering with the course of justice	Perigo em interferir com o curso da justiça (ou da investigação).
Deportation order	Ordem de Expulsão
Duty of obedience	Dever de Obediência / Respeito
Evaluation of evidence	Avaliação de Provas
Expert Witness	Perito
Extradition	Extradição
File	Processo/Arquivo
Final public trial	Julgamento
Guilty	Culpado
High Court	Tribunal da Relação
Lower Court	Tribunal de Primeira Instância
Supreme Court	Supremo Tribunal de Justiça
Interpreter	Intérprete
Investigating Judge	Juiz de Instrução
Judge	Juiz/Juiza
Judgement	Acórdão
Jurisdiction	Jurisdição
Lawyer	Advogado
Legal Aid Lawyer	Advogado Oficioso
Trainee Lawyer	Advogado Estagiário
Prison rules	Regulamento Geral
Offence	Delito
Minister of Justice	Ministro da Justiça
Minor offence	Contravenção
Notary	Notário
Officer of the Court	Técnico de Justiça
Criminal proceeding	Procedimento Penal
Permit, entitlement	Autorização
Physical examination	Exame físico
Plaintiff	Autor
Police Chief Inspector	Inspector Chefe
Police Commissariat	Comissário de Polícia
Police station	Esquadra de Polícia
Police Inspector	Inspector de Polícia
Power of Attorney	Procuração
Preliminary detention / remanded in custody	Prisao Preventiva

Prison	Prisão
Prison Director	Director do Estabelecimento Prisional
Prison house rules	Regras internas da prisão
Prison newspaper	Jornal da prisão
Prison rule book	Livro ou manual de regras prisionais
Prison rules regarding supervised visit	Regras prisionais relativas a visitas supervisionadas
Prison Warder	Guarda Prisional
Prisoners	Reclusos
Private prosecution	Acção Penal Privada
Procedural complaint against official	Representação contra autoridade
Proof of evidence	Prova
Proportionality	Proporcionalidade
Punishment cell	Solitária
Rehabilitation	Reabilitação
Release	Colocar em liberdade
Release order	Ordem de liberdade
Remand rules	Regras para prisão preventiva
Riot squad	Polícia de choque
Security	Segurança
Suspended sentence	Pena suspensa
Temporary detention	Detenção temporária
The accused	O acusado
To buy	Comprar
To change money	Trocar dinheiro
To deport	Deportar
To file an application	Submeter um requerimento
Transfer to another prison	Transferir para outro Estabelecimento Prisional
Treason	Traição
Valid or legal	Válido ou legal
Visit	Visita
Visiting permit	Autorização de Visita
Warder	Guarda Prisional

## Annexes

Annex 1: List of English-Speaking Lawyers

Annex 2: List of Private Translators/Interpreters

Annex 3: FCO leaflet: *In prison abroad*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/35521/in-prison-abroad.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35521/in-prison-abroad.pdf)

Annex 4: FCO leaflet: *Transfers home for prisoners abroad* [if applicable]

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/292519/FCO\\_Transfers\\_Home\\_0314web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292519/FCO_Transfers_Home_0314web.pdf)

Annex 5: Prisoners Abroad authorisation form

<http://www.prisonersabroad.org.uk/uploads/news/id48/Authorisation%20form%20v3.1%20August%202013.pdf>

Annex 6: Prisoners Abroad family contact form

[http://www.prisonersabroad.org.uk/uploads/news/id44/Contact\\_with\\_Family\\_Friends.pdf](http://www.prisonersabroad.org.uk/uploads/news/id44/Contact_with_Family_Friends.pdf)

Annex 7: Prisoners Abroad CFF form [delete if not applicable]

[http://www.prisonersabroad.org.uk/uploads/news/id49/Form\\_cff.pdf](http://www.prisonersabroad.org.uk/uploads/news/id49/Form_cff.pdf)

Annex 8: Fair Trials International questionnaire and leaflets

<http://www.fairtrials.org/wp-content/uploads/Arrested-in-another-country-UK.pdf>

<http://www.fairtrials.org>

Annex 9: Reprieve information [where applicable]

[https://en.wikipedia.org/wiki/Reprieve\\_\(organisation\)](https://en.wikipedia.org/wiki/Reprieve_(organisation))



## **Disclaimer**

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

Thank you.

10 August 2015