

**INFORMATION FOR BRITISH NATIONALS
IMPRISONED IN SINGAPORE**



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INTRODUCTION

This guide aims to explain the Singapore legal and prison system to British Nationals who are arrested and imprisoned in Singapore.

Who can help?

The FCO is represented overseas by its Embassies (High Commissions in Commonwealth countries). Both employ consular officers, and one of their jobs is to provide help and advice to any Briton who gets into difficulty in a foreign country.

About the High Commission

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 Singapore regulations, and that you are treated no less favourably than other prisoners.

We can answer questions about your welfare and about prison regulations but you must ask your lawyer or the court about legal matters. A list of lawyers is provided by the British High Commission for your convenience, but neither Her Majesty's Government, nor any official of the High Commission, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequences of any legal action initiated or advice given.

We cannot get you out of prison, pay fines or stand bail or interfere in 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 High Commission cannot accept legal responsibility for any errors or omissions in the information. If in doubt, contact a lawyer.

Contact Information:

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Working Hours:

Monday to Friday: 08h30 – 13h00 / 14h00 – 17h00

PRISONERS ABROAD

For more than 20 years the charity Prisoners Abroad has offered practical support and advice to Britons imprisoned overseas. It is the only UK charity providing this service and it is available to all, whether guilty or innocent, convicted or not.

FIRST STEPS

Who will know that I have been detained?

As soon as a British citizen is arrested and detained in Singapore, the Singapore authorities must let the detainee contact the British High Commission in Singapore. But we are not always informed within 24 hours.

In Singapore you do not have the right to make a telephone call until after the police have completed their initial investigations and have obtained a statement. A telephone call will usually be permitted once this has been done, especially if the police are prepared to allow bail.

What will my family be told?

For reasons of confidentiality we are not permitted to 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 locally or 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 from you.

What will the Consular Section do?

We aim to make contact with you within 24 hours of being notified of your arrest. We can provide a list of lawyers and as your case progresses will remain in contact with the police and your lawyer, if you appoint one, to check that you are being dealt with properly.

If you have dual nationality and are imprisoned in the country of your other nationality the British Vice Consul cannot assist you formally, under international law. However, Consular staff will provide whatever informal assistance the local authorities will allow. Your relatives and friends can contact the above address for advice from the FCO in London.

THE SINGAPORE JUDICIAL SYSTEM

Is the system the same as in the UK?

No.

There is no jury system; judges hear cases and reach determinations alone.

What happens when I am arrested?

If the police believe you may have committed an offence they will arrest you and hold you in the police “lock up” pending completion of their initial inquiries. If they believe there is a case to be answered and they think they have sufficient facts to support this, they will refer the matter to the Attorney-General’s Chambers for directions on whether to proceed to trial.

For less straightforward cases the police may agree to bail after they have taken an initial statement, but insist you return to the police station at a later date. If, on completion of their investigations, the police decide to proceed you will be taken back into custody and charged.

How long can I be remanded in custody?

When you are arrested, you can be detained for a maximum of 48 hours from the time of your arrest. If the police wish to detain you beyond 48 hours for further investigation, they must obtain an order from a Magistrate permitting further detention. If no such permission is sought or granted, the police may release you on bail (see below) or unconditionally.

What are the provisions for bail?

Once they have taken an initial statement, the police may agree “station bail” which is if they need to make further inquiries or await laboratory test results. This is usually set at S\$5,000 (but can vary, depending on the seriousness of the alleged offence). If you are charged in Court and opt to plead either “Not Guilty” or enter “No Plea” pending consultation with a lawyer, the Court may grant bail pending the date of the next hearing. Only Singapore nationals may act as guarantors. The police or the Court will also ask you to surrender your passport. If you need to leave the country before your case is completed, you will have to apply to the police/Court for permission to do so. If the application is accepted, the Court will usually increase the amount of bail. Please note that the High Commission cannot act as guarantor.

What happens if I cannot stand bail?

If you cannot find anyone to stand bail, you will be detained at the Remand Prison. If you are eventually convicted, time spent in custody while on remand will be set against your sentence.

The remand prison is:

Queenstown Remand Prison
50 Jalan Penjara
Singapore 149373
Fax: 65-6474 4101 (General Office)
65-6476 0147 (Records and Reception)

Can I have visitors while I am held on remand?

Yes. You will be allowed visits by close family on a daily basis (Monday – Friday only). Visitors may also purchase certain food items for you. These must be obtained from the Visit Counter though:

Biscuits (plain cracker type – Fridays only)

One tin of meat

One fruit

Three Paperback books/magazines can also be handed in (these will be vetted and censored first though)

Consular Visits

A member of the Consular Centre will visit you within two working days if you are held in custody. We will offer to contact your family or next of kin to tell them the situation. We can give them advice on prison procedures, regulations, your morale and how you are doing. We can also pass on any other message you may have.

We will visit you every three months. If there are special circumstances, we will visit more frequently.

Visits by family or friends

The rules for visitors vary depending on whether you are on remand or have been convicted. In all cases, visits are usually limited to close family members, though exceptions may be made if you have no family members in Singapore. The prison authorities set visit times.

Legal Representation

You may retain the services of a lawyer at any stage. A list of lawyers is attached with this guide. You are, of course, free to approach other lawyers. The Consular Section cannot pay legal fees or guarantee to a lawyer that you will pay them.

I cannot afford a lawyer

If you cannot afford a lawyer, you may apply for legal aid. You should make your request when you are taken to court. Entitlement to legal aid is means tested and is only available to those persons charged with non-capital offences.

The Singapore Criminal Legal Aid Scheme (CLAS) only covers offences under the following Singapore statutes:

1. Arms & Explosives Act
2. Arms Offences Act
3. Corrosive & Explosive Substances & Offensive Weapons Act
4. Dangerous Fireworks Act
5. Enlistment Act
6. Explosive Substances Act

7. Films Act
8. Miscellaneous Offences (Public Order and Nuisance) Act
9. Misuse of Drugs Act
10. Penal Code
11. Prevention of Corruption Act
12. Undesirable Publications Act
13. Vandalism Act

However, when you are charged with an offence, which carries the death penalty and cannot afford to pay for the services of a private lawyer, the Registrar of the Supreme Court will assign two lawyers to act for you.

How do I apply for Criminal Legal Aid?

You must be charged in Court for an offence. If you do not admit to the charge and you cannot afford to pay a lawyer to defend you; you may apply for criminal legal aid. You can tell the Court of your intention to do so. The CLAS office is at:

Subordinate Courts Complex
Level 5 (Beside Subordinate Court No.6)
1 Havelock Square
Singapore 059724

Tel: 532 3105 / 534 1564

You may walk in to apply for criminal legal aid under the Scheme from 9.00am to 12.30pm and 2.00pm to 5.00pm on weekdays, and Saturdays from 9.00am to 12.30pm.

How do I qualify for aid?

When you apply for aid, CLAS staff will ask you questions about your income, savings and property owned by you. This is called the Means Test.

You need not be a Singapore citizen or permanent resident to qualify for aid. All information that you give to CLAS must be true otherwise CLAS will withdraw its assistance even if you qualify for aid.

What happens after my application is accepted?

CLAS will assign you a volunteer lawyer who will then handle your case. You will then be his/her own client. A volunteer lawyer is a lawyer in private practice that has volunteered his/her services to CLAS.

What happens when I am charged?

If you are charged in court, a charge setting out the offence alleged to be committed by you will be read to you. The charge should contain sufficient details of the date, time, place, names of the victims and/or property involved in the alleged offence. After the charge is read and explained to you, you will be asked how you wish to plead to the charge.

What happens if I am undecided how to plea?

If you are undecided how to plea you can ask for a short adjournment to consult or be represented by a lawyer. A list of lawyers is provided by the British High Commission for your convenience, but neither Her Majesty's Government, nor any official of the Consular Section, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequences of any legal action initiated or advice given.

What happens if I plead guilty?

You must understand the nature and the consequences of your plea and be aware of the minimum and maximum punishment. If you decide to plead guilty, the Prosecutor will ask for the Statement of Facts to be read to you. The Court will ask whether you agree with the Statement of Facts. If you do not disagree with the Statement of Facts, the Prosecutor will inform the Court of any previous conviction you have. You will be asked whether you admit to those convictions and those convictions may be considered when sentencing you. You will be asked to present any mitigating circumstances and the Prosecution may apply to read to the Court a Victim Impact Statement.

If you disagree with the Statement of Facts, the Court will not accept your plea of guilt and will direct you to claim trial to the charge (contest the charge).

If you decide to claim trial to the charge, the Court will set aside a date for your trial. Before doing so your case may be sent to a Pre-Trial Conference (PTC). At the PTC the Court, Prosecution and Defence will assess your case, the number of witnesses required and the length of time needed to try the case. A date will be fixed for your trial.

At your trial you may be required to state your defence after the Prosecution has completed its case against you. If you are able to raise a reasonable doubt in the Prosecution's case, then you may be acquitted and released immediately. If you are unable to do so, you may be found guilty and convicted.

How can appeals be made?

You will have the right of appeal to the High Court. You will be given 10 days from the date of conviction or sentence to file the appeal. There have been incidences where British Nationals have appealed against their sentence, which has resulted in the Sentence being extended.

Can I be transferred to the UK to serve my sentence?

No, Singapore is not a signatory to any prisoner exchange schemes.

Remission

For sentences longer than one month, one third of the sentence is usually deemed to be on remission. To benefit from this, your conduct in prison has to remain good. The prison officials may adjust your release date as punishment for any misdemeanours committed while detained.

What happens when I am released?

Non-residents will normally be deported from Singapore on completion of their sentence. On the day of release, you will be collected by the Singapore immigration officials and taken to the Immigration and Checkpoints Authority Building, where you will remain in custody until you can be taken to the airport to board your flight. It is important that you have an air-ticket and valid passport available in advance. The British High Commission cannot pay for your air-ticket but can liaise with your next of kin or friends to have a flight booking arranged.

PRISON CONDITIONS/SERVICES

In this section you will find information about the conditions in a Singapore prison.

General prison conditions

Singapore has a warm tropical climate with an average daily temperature of 26 to 30 degrees centigrade in the afternoons. Humidity on a dry afternoon ranges between 60 and 70 percent. There is, of course, no air conditioning or fans in the prison cells unlike some police lockups, which are air-conditioned. It can therefore get uncomfortable for those inmates who are in cells accommodating 3-4 prisoners, during the hot months. The larger cells (dormitories) have a better flow of air. Usually working inmates are housed in dormitories.

The Singapore Prison Service operates 14 prisons and drug rehabilitation centres throughout Singapore, the main prison being Changi Prison Complex. All remand prisoners are held at Queenstown Remand Prison. There is currently only one women's prison in Singapore.

The cells in the men's prisons usually hold four people; cells in the women's prison tend to be larger and hold up to eighteen. Prisoners are issued with a straw mat and two blankets for sleeping. Prison dress for men is a T-shirt, shorts and 'flip-flop' rubber sandals. For women, it is a cotton pull on top and trousers. Prisoners spend most of the day in their cell, with one hour of exercise each day.

Visits by Consular Staff after Sentencing

If you are sentenced, consular staff from the British High Commission will visit once every 3 months, unless there is a special request from you, in which case a visit will be arranged as soon as possible.

Visits by family and friends after Sentencing

Visits are limited to close family members though exceptions may be made if you have no family members in Singapore.

The family member will be issued with a Visit Card. Each inmate is entitled to one Visit Card. If other family members wish to visit you, they will have to be accompanied by the Visit Cardholder. Upon receipt of the Visit Card, the cardholder has to call the Visit Office to arrange the date and time of the first visit. The Visit Office will schedule subsequent visits. Visitors must bring along the Visit Card, identity card or passport. Birth certificates or marriage certificates are only required on the first visit for relationship verification. Convicted prisoners are allowed fortnightly visits.

Prison Comforts

Convicted prisoners are not allowed to receive "comforts". Visitors may only bring in books or magazines. Both will be screened before they are passed to you. Books should be paperback and no more than one inch thick. The subject matter should not have a violent or sexual theme. Prisoners are only allowed to hold three books at any one time.

Transfer of Money

Whatever funds/money you have at the time your arrest will be transferred to the prison for safekeeping, after you have been sentenced. You will witness the money and valuables being placed in a bag which will then be sealed in front of you. You will be asked to sign for it. Whenever you need to take some money out of the bag, the seal on the bag is broken. The bag is sealed again and you resign it. All this takes place in the presence of a senior officer.

In case your family wish to transfer any money to you, we can tell your next-of-kin how to transfer money through the FCO in London. This money can be used to purchase spectacles or any non-standard medication approved by the Prison authorities.

Medical Treatment

If you need to take regular medication, you should bring this to the attention of the authorities as soon as possible. If you become ill while in prison, you should ask to see the medical officer. If treatment cannot be given within the prison, you may be referred to a hospital.

Food and Diet

You will receive three meals each day. The prison authorities state that the food they provide is a balanced diet. It will be more familiar to local prisoners though, based on local recipes rather than western food.

Can I work in prison?

Prisoners are not normally entitled to work during the first 6 months of their sentence. You can apply for work, but there are not usually enough opportunities for everyone who wishes to work. If you work, you will be paid a small amount each week. This can be used to purchase items of food or sundry items within the prison.

Mail

There is no limit to the quantity of inward mail, but as stated above, it is all vetted and subject to censorship before it is passed on. This can lead to some delays. You will be allowed to send two letters each month. It is up to you to request a letter form from your hall officer.

Phone Calls

Prisoners have no direct access to a telephone. You can request the prison officer to contact us, if you need to pass on a message to your family.

Can I ask to be transferred to another prison?

There is only one prison for remand prisoners but convicted prisoners may ask to be transferred to another prison.

PRISON ADDRESSES IN SINGAPORE

CHANGI PRISON COMPLEX
982 Upper Changi Road North
Singapore 507709

QUEENSTOWN REMAND PRISON
50 Jalan Penjara
Singapore 149373

TANAH MERAH PRISON
10 Tanah Merah Besar Road
Singapore 498834

CHANGI WOMEN'S PRISON
10 Tanah Merah Besar Road
Singapore 498834

QUEENSTOWN REMAND PRISON
No. 50 Jalan Penjara
Singapore 149373.

ADMIRALTY WEST PRISON
21 Admiralty Road West
Singapore 757698.

KHALSA CRESCENT DRC/PRISON
1 Khalsa Crescent
Singapore 758843.

SEMBAWANG DRC/PRISON
90 Admiralty Road West
Singapore 759957

LAWYERS LIST

[All are English speaking and handle all aspects of the law, including criminal law, except for those marked with an asterisk (*)].

Neither Her Majesty's Government in the United Kingdom nor the Consular Officer abroad can act as guarantor of the competence or probity of any particular firm on this list nor take any responsibility whatsoever in regard to the consequences of accepting legal advice or initiating legal action.

DREW & NAPIER (Honorary Legal Advisers to the British High Commissioner)	20 Raffles Place, #17-00 Ocean Towers, Singapore 048620 www.drewnapier.com	(65) 6535 - 0 7 3 3 (65) 6533 - 0 6 9 3 [fax]
<i>(No Notary Public)</i>		
A C FERGUSSON <i>(No Notary Public)</i>	20 Havelock Road, # 03-15 Central Square Singapore 059765 www.acfergusson.com.sg	(65) 6435 - 9 1 8 1 (65) 6435 - 9 1 8 0 [fax]
ABRAHAM, LOW LLC	No. 24 Raffles Place, # 07-02 Clifford Centre Singapore 048621 www.abrahamlow.com.sg	(65) 6535 - 6 6 8 8 (65) 6534 - 3 6 0 6 [fax]
ALLEN & GLEDHILL LLP	1 Marina Boulevard, # 28-00 Singapore 018989 www.allenandgledhill.com	(65) 6 8 9 0 - 7 1 8 8 (65) 6 3 2 7 - 3 8 0 0[fax]
DAVID LIM & PARTNERS	No. 50 Raffles Place, # 17-01 Singapore Land Tower Singapore 048623 www.dlplaw.com.sg	(65) 6 5 3 2 - 2 1 2 2 6 5 3 2 - 0 1 2 2 [fax]
DONALDSON & BURKINSHAW *	24 Raffles Place, # 15-00 Clifford Centre Singapore 048621 www.donburk.com.sg	(65) 6533 - 9 4 2 2 (65) 6533 - 7 8 0 6 [fax]
EDMOND PEREIRA & PARTNERS	111 North Bridge Road, # 10-01 Peninsula Plaza Singapore 179098 www.epplaw.com.sg	(65) 6336 - 2 1 2 2 (65) 6336 - 3 4 3 3 [fax]
HARRY ELIAS PARTNERSHIP	9 Raffles Place, # 12-01 Republic Plaza, Tower 1 Singapore 048619 www.harryelias.com.sg	(65) 6535 - 0 5 5 0 (65) 6438 - 0 5 5 0 [fax] (65) 6438 - 0 7 7 0 [fax]

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SHOOK LIN & BOK *	1 Robinson Road, # 18-00 AIA Tower Singapore 048542 www.shooklin.com	(65) 6535 - 1 9 4 4 (65) 6535 - 8 5 7 7 [fax]

**This booklet was compiled by the Consular Section, British High Commission Singapore
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**If any of the information contained in this booklet is incorrect, please draw inaccuracies to
our attention so that we can make amendments.**

Thank you.