

Information to process prisoner transfers within Europe



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FD909

What are Prisoner Transfers and what is FD909?

This leaflet refers specifically to prisoner transfers under FD909.

FD909 is short for Framework Decision 909 which is the official term for the mutual recognition of sentence transfers between EU Member States.

What are EU Member States?

These are the countries that make up the European Union. These include:

Austria	France	Netherlands
Belgium	Germany	Poland
Bulgaria	Greece	Portugal
Croatia	Hungary	Romania
Cyprus	Ireland	Slovakia
Czech Republic	Italy	Slovenia
Denmark	Latvia	Spain
Estonia	Lithuania	Sweden
Finland	Luxembourg	United Kingdom
	Malta	

Can I apply?

You can apply to be transferred via FD909 to your country of nationality or country of permanent residence only.

You cannot apply if your country of nationality or permanent residence is the country in which you are currently imprisoned.

If you are subject to deportation you will be transferred back to your country of nationality at the end of your sentence, but you may apply to transfer before this to help establish links with family and job centres for when you are released.

Compulsory vs. Voluntary transfer

Compulsory transfer may be done without your consent if you are subject to deportation at the end of your sentence. This can be automatic depending on the country you are in.

Voluntary transfer is where you consent to be transferred when you might not otherwise be transferred. It is not automatic.

How long does it take to transfer?

The time it takes to apply is different for each country.

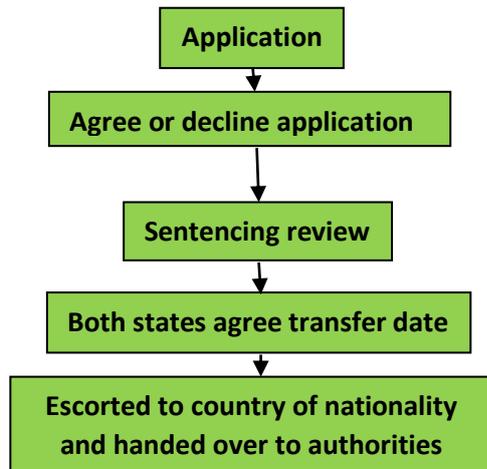
Once the other country has the application, they should reply within 90 days. However, this can sometimes take a bit longer.

Some reasons for the delay might be:

- Translation into another language
- Asking more questions
- Working out the sentence length



The Process



Will my sentence change if I transfer?

Each country has different laws and sentencing lengths for offences and so your sentence length might be changed to be similar to other prisoners serving time for the same offence.

Countries will also have different rules for early or conditional release.

Will the prison conditions be the same?

In general prison conditions can vary from country to country and from region to region within a country so it is best to find the general conditions out from the country factsheet. If you have internet access you can find this out via the EuroPris website www.europris.org

More information:

This leaflet only contains the basic information about FD909 and therefore it is recommended that you:

- Find out if you are subject to deportation or not
- Read the more detailed information handbook available either in your library or via a member of prison staff.
- Speak to a member of staff about starting the process
- Use the Question and Answer formulation inside this leaflet to see if you should consider voluntary transfer
- To access this information or the handbook in a different language please visit www.europris.org where different versions are available for download.

