



Foreign & Commonwealth Office

RAPE AND SEXUAL ASSAULT ABROAD: RETURNING TO THE UK.

Information for British nationals affected by rape or sexual assault abroad, including how to access medical treatment and legal advice in the UK.

The British Consulate provides assistance to British nationals in the autonomous Balearic Islands.

The following information is provided to help British nationals overseas make decisions about how to seek medical advice and attention; report to local police; and engage with foreign legal authorities following a rape or other form of sexual assault overseas. It is advisable to read the whole document to help you come to a decision on what to do next. For information on support available in the UK, see [Rape and Sexual Assault: Returning to the UK](#).

First steps

It is your choice about what you do next, but this information may help you in coming to a decision. The most important thing is to make sure that you are as safe as you can be. You can:

- contact the emergency number in Spain which is 112. If you contact the 112 number, you can receive around the clock immediate assistance from any of the emergency services in Spain and they have English-speaking staff
- contact your tour operator if you are travelling with one
- contact the [British Consulate in Mallorca](#) or the [British Consulate in Ibiza and Formentera](#). We will help you where we can, and can provide information on local police and medical procedures. Anything you tell us will be treated in the strictest confidence. If you want us to, we can contact your family or friends for you. We will help you where we can and can provide information on local police and medical procedures. Anything you tell us will be treated in the strictest confidence. If you want us to, we can contact your family or friends for you.

If you have a tour operator, they should be able to arrange for someone to support you. If you do not have a tour operator and you contact the British Consulate we will try to send a consular officer to support you.

If you choose to report the crime, try to do so as soon as possible, so forensic evidence is not destroyed. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence. If you change your clothes, think about taking those you were wearing to the police. You should try to preserve evidence by retaining items such as condoms, toothbrushes, or texts.

You can approach the police directly either by the emergency telephone number 112, or in person at a police station, you can also ask them to inform the British Consulate (+34 933 666 200), which will enable us to provide you with consular support.

In Spain there are two different law enforcement forces which work at a national level: the Spanish National Police (Cuerpo Nacional de Policía) and the Civil Guard (Guardia Civil). In addition, there are also regional police forces such as the Ertzainta in the Basque Country, the Mossos d'Esquadra in Catalonia (Barcelona consular district) and the Policía Foral in Navarre. Depending on where you are in Spain, you could be attended to by officers of anyone of these forces therefore in this information please take "police" to mean law enforcement officers or force in general unless otherwise stated.

There is also the "Policía Local" (local police) and the "Policia Municipal" (municipal police) but they are not able to take police reports or investigate crimes. Therefore, if you try to report an incident with either of these police forces, you are likely to be referred to the nearest Policía Nacional or Guardia Civil police station.

The Spanish National Police have 173 [UFAM Centres](#) throughout Spain specialised in assisting rape and sexual assault victims (Unidades de la Familia y la Mujer). The Civil Guard also have specialised units called EMUME (Equipo Mujer-Menor) which provides assistance to female victims and minors.

What happens next?

If you do decide to report the incident, the police will interview you and you can request to speak to a female officer. There is no guarantee that a female police officer will be available or that you will be given somewhere private to wait. Very few police officers speak English. The police will locate an interpreter for you if you do not speak Spanish, but you will usually have to wait a while for one to be available once they request one. The consulate does not offer interpreting or translation services but may be able to assist you in exceptional circumstances.

If a consular officer is available, we can accompany you to the police station and help you to understand what is going on and what to expect next. You do not have to surrender your passport whilst the investigation is carried out although you will be asked to provide up to date contact details in the UK.

Some British nationals have informed us that they have found the process of reporting the assault to be difficult at times due to the lack of special facilities at the police station such as a quiet and private room. Also due to cultural and language differences, Spanish police officers can be perceived as technical and lacking in empathy when taking statements.

The types of questions that will be asked include: the identity of the assailant; a description, where and when the incident happened; what happened; the circumstances and if there were any witnesses. Tell the police if you think you have been drugged. The police are also likely to ask if you have taken out any insurance from which you can claim compensation for the assault. The Association of Travel Insurance Intermediaries (ATII) have confirmed that they are not aware of any UK issued retail travel insurance that will include financial compensation for any travellers who have suffered as a victim of rape or a serious assault.

You will be asked to read your statement or the interpreter will read it to you to check the information is correct and then you will have to sign it. A copy of this police report (denuncia or atestado in Spanish) should be given to you so please insist you receive a copy. Normally the report will be in Spanish. Under the Victims of Crime Statute Law 4/2015 (Ley 4/2015 del Estatuto de la Víctima del delito) you will be provided with information on your rights as a victim of a violent and/or sexual crime. The information and forms should be available in English. A copy of your statement will be sent immediately to the corresponding court on duty where a judge and prosecutor will examine the information you have provided.

The police will usually keep any clothes you were wearing and hand them to a forensic examiner to be used as evidence in court. You will not usually receive these back. They may also take you to the scene of the crime or where you think the attacker may be located. You may also be asked to agree to have a mouth swab taken at the time you make your statement.

If you do not want to report the incident to the police

The British consulate will still be able to help you. This includes helping you make arrangements to contact your insurance company, your family, travel back to the UK and/or provide you with information on local support in the UK. We can provide you with lists of [English-speaking medical facilities](#), [private lawyers](#) and [translators](#).

If you are travelling with a tour operator, you can report the incident to your representative and ask them for assistance. Where possible and if you wish, the tour operator may accompany you to the local hospital/medical centre. Otherwise depending on your circumstances consular staff may be able to do so depending on availability.

If you want to report the incident to the police in the UK

You do not have to report an assault to the Spanish Police if you don't want to but it is very much recommend to report the crime whilst in Spain to enable the Spanish police to act and for legal action to be taken against an assailant. If you file a report in the UK, Spanish police inform us that it is far more difficult for them to investigate and take action. They are less likely to have any forensic evidence or to be able to carry out a detailed investigation as evidence such as CCTV is normally only kept for a few weeks. We are also aware that the transfer of a crime report from the UK to Spain can take a considerable length of time, which again can affect the Spanish police and the Spanish court's ability to take action. If you file a report in the UK, by the time the report reaches Spain, the evidence may have been lost.

If you do decide to report the crime to the police in the UK, it is for the Spanish police and the Spanish court to decide whether to investigate a crime in their jurisdiction or not. UK police forces cannot investigate crimes committed overseas. It cannot be guaranteed that the Spanish police or the Spanish court will decide to take up the case via the UK police, and if they do, this is a very lengthy process. It can therefore be very difficult to guarantee that any justice can be accessed without reporting the crime in Spain.

Please see [Rape and Sexual Assault: Returning to the UK after rape or sexual assault abroad](#) for more information.

The medical examination – what to expect

If a member of consular staff is available, they will be able to accompany you to the hospital if you so wish. Some hospital staff may speak English, but the majority will speak only Spanish. We are able to help you understand what is going on if we are able to accompany you.

In most areas of Spain, there is a specific designated public hospital with special facilities for victims of rape and sexual assault. Depending on where you are in Spain some public and private hospitals will not provide medical attention if they become aware that you are a victim of rape or sexual assault and they may ask you to go to the designated public hospital in the area instead. Also in some areas of Spain the designated public hospital or private/public hospitals will not attend to you without a police report.

If you have not already received medical assistance and forensic tests prior to making your police report, the police will usually take you to the designated public hospital in the area for rape and sexual assault victims for medical assistance and where forensic tests for use as evidence in court will be carried out. A forensic doctor will be called out to attend to you and this may involve a long wait at the hospital, especially if it is out of hours.

The sooner the examination takes place, the more chance of collecting any important evidence that may be required. The examination will be carried out by a forensic doctor or a nurse and a gynaecologist and may include swabs, blood and urine tests. A report will be made listing any injuries. The results and samples taken at your examination at the hospital plus the clothes you were wearing are taken by the police to the scientific police laboratory for forensic examination including establishing the DNA of the assailant if possible.

Treatment

Hospital/medical staff can provide a prescription for Post-exposure prophylaxis (PEP) (in Spanish La PEP: profilaxis posexposición) which is a treatment that can prevent HIV infection. HIV PEP medication needs to be taken within 72 hours of the incident for it to be effective. If you are going back to the UK the NHS may be able to commence or continue the 28-day treatment on your return.

If you intend to stay a while in Spain, the hospital will usually test you for HIV or sexually transmitted diseases. The results can take a while to come through and if you are staying in Spain, the hospital will arrange the appropriate follow up tests and treatment. If you are travelling straight back to the UK, you need to contact your GP straight away on your return. The results may be sent to an email address you provide.

Emergency contraception or “the morning after pill” (in Spanish la píldora postcoital) may be prescribed to you by the hospital. It can also be bought over the counter at a pharmacy without a prescription. In the latter case you will have to pay the full price for it. Emergency contraception needs to be taken within 72 hours of the incident for it to be effective. You may also be prescribed antibiotics.

If you are prescribed medication, you will not be able to collect this at the hospital as they do not have their own pharmacies. You will have to go to your nearest pharmacy (“farmacia” in Spanish) with your prescription (“receta” in Spanish). There are 24-hour pharmacies in Spain and there should always be an emergency pharmacy open during the night and weekends on a rota system. The address of the nearest emergency pharmacist should be displayed in the windows of the pharmacies in the area where you are. Please note it is not possible to buy painkillers such as paracetamol in supermarkets in Spain. You have to buy them from the pharmacy but you do not need a prescription. If you are a visitor to Spain your hospital treatment will be covered by your European Health Insurance Card (EHIC) until 31 December 2020. Contact the Business Service Authority on +44 (0)191 218 1999 if you don't have your EHIC card with you. If you live in Spain, healthcare cover will be dependent on your social security cover (see [Healthcare in Spain](#) for more information). If you attend hospital

accompanied by the police and undergo a forensic examination, you will not be charged for this, regardless of whether or not you have healthcare cover. If you have had medication administered overseas, you may wish to keep the label or make a note of the name of the medication and your medical reports, so that you can let your local health provider know when you return home.

Police investigation - what to expect

Once you have made a statement and undergone a medical examination, this information will be sent by the police to the investigating court on duty (Juzgado de Instrucción). You will then probably be asked to go to the court to reconfirm or ratify your statement before a Judge and Prosecutor. If you are leaving Spain in the next few days you may be asked to go to court immediately (or the next morning) after making your report to the police. Whilst at the court, you can enquire whether it is possible to make a recording of your statement (in Spanish, prueba preconstituida), which may be used in any future court hearings, in case you do not wish to return to Spain to appear in person at the court.

If you intend to stay in Spain, you may be asked to reconfirm your report at a later date. You will be provided with an interpreter and given information on your rights according to the Victims of Crime Statute Law 4/2015. You will not be expected to meet, coincide or speak to the suspected assailant at the court or at the police station.

During the investigation, you could be asked by the court to return to Spain to attend an ID parade or provide a further statement.

If the police make an arrest, the suspect has to be taken before the court within 72 hours of being arrested. At this stage the Judge and the Prosecutor will decide whether to commit the assailant to prison pending further investigation, release the assailant provisionally with or without bail pending further investigation, or release the assailant without charges. You may be asked to then ratify your statement and be provided with information on your rights and in particular the right to appoint a lawyer to represent you or to have a state-appointed lawyer appointed for you instead. (Please note the latter is means-tested and depends on your income). You will also be informed of the right to apply for free legal assistance and the right to apply for financial aid to help cover costs such as treatment for psychological and physical injuries.

Court procedures – what to expect

The investigation stage is led by the investigating court, the “Juzgado de Instrucción”. The police pass any information to the investigating court and therefore, all requests for updates have to be directed to the court.

If you wish a member of consular staff to accompany you to the court, we will do so although we would only be able to be present when you ratify your statement if the judge allows it. If you have requested a legal aid lawyer or have a private lawyer with you, this person would be allowed to accompany you at all times.

Under Law 4/2015 of 27 April, the Victims of Crime Statute Law (Estatuto de la víctima del delito), you are entitled to be kept informed by the court on the progress of your case. However, it can sometimes be difficult to obtain information and victims often inform us that they are not kept up to date with the progress of their case.

Most courts have a victim support office. If you make yourself known to them before you leave Spain, they should be able to obtain updates on your behalf. Sometimes the British Consulate is also able to obtain updates for you, although we do not have access to case files. If you apply for a legal aid lawyer or appoint a private lawyer, this person will be able to obtain updates for you and provide you with more detailed information about the case. The Spanish police and court will be able to provide you with information on how to apply for free legal aid from the State, which is means tested and depends on your income. The exception to this is minors (in Spain this is anyone under 18 years old) who are automatically entitled to legal aid. In all cases, the victim has to make their request for legal aid known to the police and the court as soon as possible

You are also entitled to be kept informed by the court on the progress of your case. When you attend court to reconfirm your statement, you will be asked whether you want to provide contact details in the UK or Spain including an email address. It is essential that you keep the court informed of your address in the UK if you decide to leave Spain. You can also authorise the British consulate to have access to information on your case so we can try to update you but please note it can be sometimes very difficult to obtain information. If you apply for a

state-appointed lawyer or appoint a private lawyer, this person will be able to obtain updates for you from the court.

If you decide to drop the charges, the prosecutor may decide to continue with the case if it is in the Public Interest to do so. For example, if the suspect is being prosecuted for a series of crimes against others, in addition to your case, it may be in the public interest for the person to be prosecuted.

The alleged assailant can press counter charges claiming false accusations.

Trial procedures

Spanish judicial procedures can be lengthy and drawn out especially if your assailant is not immediately identifiable and/or arrested soon after the assault. An investigating judge is principally in charge of leading the investigation into the assault. At the end of the investigation phase when all necessary reports and statements have been completed the judge in charge of the investigation and the state prosecutor will decide whether there is enough evidence for the case to go to trial. In which case, the case will be passed to a trial court and will be presided over by three judges and the state prosecutor. You will be notified by the Spanish authorities of the trial date and if you are in the UK, you will be notified via the UK authorities. The trial will be conducted in Spanish and you will be provided with an interpreter when you are asked questions about your statement. You should also be accompanied by your lawyer, private or state-appointed. Please note that there is usually no simultaneous interpreting of the whole of the court proceedings.

Cases can take years to come to trial, as the Spanish court system is very slow. If you haven't heard anything from the court for some time, this does not necessarily mean that the case has been filed. The length of the trial itself can also vary depending on the complexity of the circumstances.

The trial is normally held in front of a group of judges who have access to all the information beforehand. This may mean that you are not questioned on every aspect of your statement. The length of the trial depends on the complexity of the case but can be as little as a day or a few hours.

You will only have to be present when you give evidence. If you request it beforehand, most courts will be able to provide a screen for the assailant to sit behind whilst you give your evidence. The British Consulate can help you to make this request.

You will not receive notification of the verdict straight away; rather you will be notified in writing at a later date.

If convicted the assailant has right of appeal against the length of the sentence which can take months to be resolved.

The offender may be ordered to pay you compensation once he has been convicted and the sentence is irrevocable i.e. with no right of appeal. The amount will be published in the sentence. Compensation or an award for damages ordered by the Court is separate from your right to apply for state-funded financial aid to cover costs as mentioned above. However, state-funded financial aid and amounts awarded as compensation or damages are offset between the Spanish authorities involved.

If you attend a trial in person, you can ask for the forms to apply for your travel costs to be reimbursed. Feedback indicates that it can take many months for payment to come through and that not all costs are covered as there is a cap on certain costs such as accommodation.

Sentencing (*)

Sentences in Spain are ruled by the principle of rehabilitation. Prisoners are encouraged to join voluntary rehabilitation programmes in prison which entail certain prisoner privileges.

Sex offences are generally punishable with a prison sentence and its duration will depend on the classification of the offence (sexual abuse, rape...).

If the alleged perpetrator is found not guilty, there will be no criminal responsibility. However, during the investigation phase of the proceedings, and if the alleged perpetrator is not remanded to prison, certain provisional measures could be applied for such as a restraining order.

(*) Information provided by the Public Prosecutors' Office

Hiring a lawyer

A private lawyer will represent your interests before the court and is able to present a private prosecution in parallel to the state prosecution. A lawyer should be able to access the pre-trial information held by the court including the statements provided by the defendant. If you instruct an English-speaking private lawyer, you will be informed in English about the progress of the investigation and court proceedings. For a list of private English-speaking lawyers please visit [List of lawyers in Spain](#) and look for those specialised in criminal law.

Legal aid

The appointment of a lawyer by the state and access to legal aid is means-tested in Spain and depends on your income. The exception to this is minors (in Spain this is anyone under 18 years old) who are automatically entitled to legal aid. State-appointed lawyers are not obliged to speak the language of the person they are representing. Please visit [Free legal assistance - Personal formalities and procedures - Ministry of Justice](#) and [Legal aid in Spain - GOV.UK](#) for further information.

You can also apply for a state-appointed lawyer via the [Balearic Law Society](#) or by submitting a letter to the court and your application will be assessed by a commission. It is important to maintain your contact details up-to-date when applying for a state-appointed lawyer as they will periodically contact you for you to provide them with certain documents in support of your application.

Support organisations and useful contacts in the Balearic Islands Consular District

Womens Institute (Institut Balear de la Dona)

The [Womens Institute \(Institut Balear de la Dona\)](#) has a team of social workers, psychologists and lawyers who support women in different situations (victims of sexual assault, domestic abuse etc.). Their 24hr helpline is open 365 days. Contact them on **112, 016** or **+34 971 178 989** for 24/7 confidential support.

Monday to Friday: 8.30 a 15.00 h:

Mallorca	Centre d'Informació de la Dona. (CID)	C/dels Foners, n. 38, 07006 Palma. Tel. 971 59 82 05 cid@conselldemallorca.net	
Menorca	Centre Assessor de la Dona	Maó	Tel. 971 35 70 24 Fax. 971 35 22 51 C/ de Vasallo, 33. 07703, Maó dona@cime.es
		Ciutadella	Tel. 971 48 02 01 Fax.971 38 56 65 C/de la República d'Argentina, 96. 07760 Ciutadella dona@cime.es
Ibiza	Oficina de la Dona	Tel. 971 19 56 07 Fax 971 19 56 31 Cas Serres. C/ de Cosme Vidal Llàser, s/n 07800, Eivissa. dona@conselldeivissa.es	
Formentera	Punt d'Informació a la Dona	Venda des Brols, 53 Sant Francesc 07860 Formentera. Tel. 971 32 12 71 Fax 971 32 20 39 violenciagenera@conselldeformentera.cat	

Crime Victim Support Offices offices provide assistance to victims of crime. Generally available for residents, they have offices in larger cities and offer a wide range of support and advice on local procedures and general legal matters. They also offer emotional and psychological support.	Palma	Via Alemanya, 5, 07003 Palma. Tel. 971 67 86 11 víctimes.mallorca@justicia.es
	Maó	C/ d'Antoni Juan Alemany, 2 07701 Maó Tel. 971 36 85 01 victimas.mahon@justicia.es
	Ibiza	Av. d'Isidor Macabich, 4 07800 Eivissa Tel. 971 19 50 44 victimas.ibiza@justicia.es

When you return home to the UK

You may want to let your GP or a Sexual Assault Referral Centre know what has happened to you so that you can talk about the experience and seek further support and advice.

If you believe you may be at risk of having contracted a sexually-transmitted infection (STI), you should ask your local health provider to test you, even if you have been tested in the country that the assault took place in.

SARC (Sexual Assault Referral Centres) offer medical, practical and emotional support. They have specially trained doctors, nurses and support workers to care for you. Find your nearest [SARC online](#)

It is your choice to let people know. If you are ready to talk about it the following organisations may be able to help you.

Support organisations and useful contacts in the UK

[Glasgow & Clyde Rape Crisis Centre](#) Glasgow & Clyde Rape Crisis (GCRC)

Helpline & free phone: +44(0)8088 00 00 14

Glasgow & Clyde Rape Crisis Centre is a support service for women and girls aged 13 and over who have been raped, sexually assaulted or sexually abused at some point in their lifetime. Live Online Support is an online service that gives British survivors of sexual violence access to UK-based real time support from anywhere in the world, via Skype, FaceTime, Instant Messenger and email.

Skype

Skype offers free calls worldwide between Skype accounts. Survivors can call us on the Skype app by searching for Glasgow Clyde Rape Crisis during the above helpline opening times. Support via Skype can be by message, voice only call or video call. The survivor can decide which method of communication they feel most comfortable with. For a video call they can sign into their Skype account, search our Skype name then click the video icon and it will put them through to us. Skype requires an internet connection it's worthwhile checking with the internet provider when using a mobile phone as roaming charges may apply when travelling abroad.

Facetime

Facetime works between Apple devices. It is free to use but requires internet access so users may pay for data usage depending on how they are connected and may incur roaming charges. If someone wants to contact us they can open the Facetime app on their apple device and enter our email address which is itunes@glasgowclyderapecrisis.org. They can then click on the video icon to video call.

Instant messenger

You can make initial contact with us through the Instant Messaging facility which is on our website at www.rapecrisiscentre-glasgow.co.uk.

Email

You can email us at support@rapecrisiscentre-glasgow.co.uk to make your first contact and start an email conversation. All the above services can be accessed at the following times:

Every day: 11am to 2pm UK time. Mon – Thurs also: 5.30pm to 7.30pm UK time. A support session generally lasts one hour. If, at any time you feel that you would like to stop the session that's OK.

Skype can be downloaded at www.skype.com/en/what-is-skype/. Where possible, British consulates will make their facilities available to you to make contact. Try to contact them in a comfortable, safe, confidential space. You can use Skype for a voice call, video call or instant message support. You can also contact them on Facebook at [@GlasgowRapeCrisis](https://www.facebook.com/GlasgowRapeCrisis) and Twitter at [@RCCGlasgow](https://twitter.com/RCCGlasgow)

Rape Crisis England and Wales and Rape Crisis Scotland

Local rape crisis centres provide crisis and long-term specialised counselling, support and independent advocacy for all women and girls of all ages who have experienced any form of sexual violence; centres are community-based, and independent of government and the criminal justice system.

Rape Crisis England & Wales and Rape Crisis Scotland are the national umbrella organisations for rape crisis centres in Great Britain.

Rape Crisis England and Wales

Rape Crisis England and Wales Free phone: +44(0)808 802 9999 (daily midday to 2.30pm and 7pm to 9.30pm) Rape Crisis Scotland Free phone: +44(0)141331 4180 (daily 6pm to midnight)

Nexus Northern Ireland

Nexus NI offer counselling and support to survivors of sexual abuse, victims of sexual violence, including those who have experienced rape and sexual assault. Counselling is available for anyone aged 16+ in 25 centres across Northern Ireland.

Nexus Northern Ireland Belfast +44(0)28 9032 6803 Londonderry +44(0)28 7126 0566 Enniskillen +44(0)28 6632 0046

The Survivors Trust

The Survivors Trust is a UK-wide national umbrella agency for 130 specialist organisations for support for the impact of rape, sexual violence and childhood sexual abuse throughout the UK and Ireland. Tel: +44(0)808 801 0818. The Survivors Trust

Women's Aid

Women's Aid are available 24/7 on +44(0)808 2000 247.

Victim Support

Victim Support is an independent charity dedicated to supporting victims of crime and traumatic incidents in England and Wales. Their purpose is to provide specialist help to support people to cope and recover to the point where they feel they are back on track with their lives. Call them on +44(0)808 168 911.

Lifecentre

Lifecentre is a telephone counselling service for under-18s survivors of sexual abuse and those supporting survivors. Contact them on +44(0)1243 786349.

Mankind

Mankind provides one-to-one counselling, therapeutic groups and couple counselling to male victims of sexual assault (age 18+). Contact them on +44(0)1823 334244.

Survivors UK

Survivors UK have a national webchat service for men and their families, partners and friends. They open seven days a week and can be accessed through their website. Alternatively, you can Whatsapp them on +44(0)74 91816064 or contact their office on +44(0)203 5983898.

Disclaimer

This information is provided as a general guide and is based upon information provided to the British Embassy by the relevant local authorities and may be subject to change at any time with little or no notice. Accordingly, the FCO and the British Embassy will not be liable for any inaccuracies in this information. British nationals wishing to obtain any further information must contact the relevant local authority.