

[Home](#) > 2 - My rights during trial

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### Where will the trial take place?

The trial will take place before the competent court, which is generally determined by the severity of the offence and the place where it was committed. The trial is conducted before a judge other than the judge who presided over the investigation stage, giving legal effect to the right to a fair trial.

### Can the charges be modified? If so, what is my right to information in this regard?

Yes, following the taking of evidence, the prosecuting authorities may modify the criminal classification of the acts alleged against you, provided that the circumstances remain the same and no new facts are introduced, such that all the elements of the new offence are contained within the first. In such cases, the defence may request a postponement of the hearing in order to produce new evidence to ensure an adequate defence.

### What are my rights during the court appearances?

You have the right to be informed of the charges, to a defence and to the assistance of a lawyer, not to make a statement against yourself, not to incriminate yourself, not to answer any of the questions asked, and to the presumption of innocence. You also have the right to the last word once the trial is concluded.

### Am I required to be present in the court? What are the conditions for me to be absent during the court case?

Under Spanish law, the presence of the accused is necessary for the trial to be held. This derives from the right to effective judicial protection (thereby preventing a lack of inadequate defence) and from the right to a trial with due process (including the right to be heard).

You must attend the trial in order to defend your innocence, but it is possible for the trial to be held in your absence if, despite having been lawfully summoned, you do not appear without good reason and the sentence sought does not exceed 2 years of imprisonment or 6 years in the case of a different form of punishment. A sudden illness would constitute a good reason for not attending, in which case the hearing would be postponed.

### What are my right to an interpreter and translated documents?

You Have the right to translation and interpreting free of charge. Will be entitled to an interpreter if you do not speak Spanish or the official language of the place in which the trial is taking place. Will also have the right to a written translation of the documents that are essential to ensure the exercise of your right to a defence.

### Do I have the right to a lawyer?

Yes, you have the right to the assistance of a lawyer, who you are free to appoint yourself, or, failing that, an officially appointed lawyer, and will be able to communicate and meet with them in private. Only in the case of minor offences is legal assistance not necessary.

### Which other procedural rights should I be aware of? (e.g. bringing of suspects before the court)

You should be aware that you have the right to use any evidence you consider necessary for your defence

(witnesses, experts, producing documents, recordings, etc.), provided that they are admitted by the judge or court. You are entitled to a public hearing, unless the judge or court decides otherwise in accordance with the law for reasons of security or public order, in order to ensure adequate protection of the fundamental rights of the parties involved and, in particular, the right to privacy of victims and their family members. At the beginning of the trial, you also have the right to admit to all or some of the charges and may reach an agreement with the prosecution leading to a reduction of the sentence.

## Possible sentences

At the end of the trial, the judge or court will issue a judgment settling all the matters that were the subject of the trial, by either convicting or acquitting the accused of all offences heard in the case. The judgment may also be given orally at the trial stage and must then be set out in writing at a later stage. If, after the judgment has been published, the parties express their intention not to appeal, the court will then declare this judgment to be final.

If you are convicted of an offence, the judge or court may, in the judgment, impose the penalty corresponding to that particular offence, without exceeding the most severe penalty sought by the prosecution.

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