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## 2 - Reporting a crime and my rights during the investigation or trial

### How do I report a crime?

You can report a crime or file a complaint with any of the following authorities:

- [Public Prosecution Service \(Ministério Público - MP\)](#)
- [Criminal Police \(Polícia Judiciária - PJ\)](#)
- [Public Security Police \(Polícia de Segurança Pública - PSP\)](#)
- [National Republican Guard \(Guarda Nacional Republicana - GNR\)](#)

You can also use the following:

- [Electronic Complaints Portal of the Ministry of Internal Administration](#)
- [Anonymous report](#)

NOTE: All these authorities have a duty to receive all complaints and reports submitted to them, even if the crime was not committed in their area of jurisdiction or, in the case of the police, the investigation does not fall within their jurisdiction.

You may file a complaint or report a crime even if you do not know who committed the crime. The authorities will then investigate to try to identify the offender.

### How do I find out what's happening with the case?

You are entitled, upon request, to be informed of the follow-up given to the report, including the decision to charge the accused person or to close or temporarily suspend the case. You are also entitled to be informed of the day, time and place of the trial, and of the judgment.

### Am I entitled to legal aid (during the investigation or trial)? Under what conditions?

Yes. Should you wish to be accompanied by a lawyer and do not have the financial resources to bear the respective costs, you are entitled to legal aid, which may consist of:

- total or partial waiver of court fees;
- the appointment of a lawyer and payment of legal fees; or
- the phased payment of court or legal fees.

The decision to grant legal aid is taken by Social Security using a calculation formula that takes into account the applicant's assets, income and expenses. The application for legal aid must be submitted using the forms provided free of charge by Social Security services and may be submitted in person, by fax, by post or online, in the latter case by completing the respective [online form](#).

The application must be accompanied by documentary evidence to confirm the applicant's financial difficulties. A decision will be taken within no more than 30 days. Submission of the application is free of charge.

## Can I claim expenses (for taking part in the investigation/trial)? Under what conditions?

Yes. As a victim who is a witness in proceedings, you are entitled to compensation for your time, as well as to be reimbursed for the expenses incurred as a result thereof.

Compensation must be claimed in writing, using the appropriate form provided by the court.

## Can I appeal if my case is closed before going to court?

Yes. If you do not agree with the closing of the investigation, you can file an application with the immediate superior of the Public Prosecution Service magistrate who decided to close your case, asking them to charge the accused person or to continue the investigation indicating, in the latter case, new evidence to be taken into consideration.

## Can I be involved in the trial?

Yes.

## What is my official role in the justice system? For example, am I or can I choose to be a: victim, witness, civil party or private prosecutor?

You may participate in the proceedings as an assistant, civil party or witness.

## What are my rights and obligations in this role?

- As a victim: you give evidence, just like a witness. This is vital for proof of the crime, as you have first-hand knowledge of what happened.
- As an assistant: you play an active role in the trial by collaborating with the Public Prosecution Service in the production of evidence as to the facts described in the charges brought. Your lawyer may, for example, present evidence, ask the defendant, witnesses and experts questions, and, at the end of the trial, make closing statements, that is, give their opinion on the evidence presented and on whether the defendant should be convicted.
- As a civil party: you will be defending your right to compensation at trial, you may ask the defendant, witnesses and experts questions about aspects of the claim for compensation submitted, including damages you suffered.

## Can I make a statement during the trial or give evidence? Under what conditions?

Yes. Under the conditions indicated above.

## What information will I receive during the trial?

You will be informed of rulings that may influence the course of proceedings, the day, time and place of the trial, and of the judgment.

## Will I be able to access court files?

Yes. As the victim, you are entitled to view the case file, except when, during the investigation stage, the files are kept confidential and the Public Prosecutor Services objects to such viewing on the grounds that it may hinder the investigation and/or affect the rights of the persons involved in the proceedings.

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