

[Home](#) > ... > [Your Rights](#) > [Victims of Crime](#) > [Victims' Rights - By Country](#) > 1 - My rights as a victim of crime

## 1 - My rights as a victim of crime

### What information will I get from the authority after the crime occurred (e.g. police, public prosecutor) but before I even report the crime?

If you have been a victim of crime, you have the right to receive information, which should be provided by the person with whom you come into contact first. Usually, this is the first police officer, prosecutor, physician or an entity providing assistance to victims of crime.

During the first contact, the police/prosecutor are required to provide you in particular with information on:

- the procedures relating to the filing of a criminal complaint, and the rights and obligations of the victim/the civil party in criminal proceedings (such as the right to be accompanied by a trusted person, the appointment of an authorised representative, and the possibilities for the service of documents and access to the file);
- the entities providing assistance to victims of crime (contact details, information on the form of assistance they provide);
- the possibilities regarding the provision of the necessary medical care;
- access to legal aid;
- the conditions for the provision of protection if there is a threat of danger to life or health, or a threat of danger of significant damage to property (e.g. the possibility of banishing the offender from the household, the right to seek that a claim for damages be secured up to the probable amount of the damages against the accused person's property);
- the right to interpreting and translation services;
- the measures to protect your interests that you can request if you reside in another EU Member State;
- the procedures for seeking redress should your rights be violated by the police and/or the prosecutor's office;
- the contact details for communication about the case in which you are a victim;
- the procedures relating to claiming compensation for damage;
- the procedures for mediation in criminal proceedings;
- the possibility and conditions for concluding amicable settlement;
- the possibility and conditions for reimbursement of the costs of criminal proceedings.

Upon request, the police or the prosecutor's office will help you contact an entity providing assistance to victims of crime that will further address your needs.

If you seek medical assistance first, the staff of the healthcare institution are required to give you the contact details of the entities providing assistance to victims.

Entities providing assistance to victims of crime will provide you with information on:

- the form and scope of expert assistance and the extent to which it is provided free of charge;
- the contact details of other entities that can help you in case the above entities are unable to provide the expert assistance you need;
- the victim's rights, including the right to compensation;
- the rights you have if you are in the position of the civil party or a witness in criminal proceedings;
- financial and practical matters.

## I don't live in the EU country where the crime took place (EU and non-EU citizens). How are my rights protected?

If you have been a victim of crime in another EU Member State and, in the case of a serious offence, you could not or did not want to lodge a criminal complaint in the Member State where the crime was committed, you can report it to the police/prosecutor in Slovakia. The reason why you could not or did not want to make a criminal complaint in another country – whether for reasons of time, distance, lack of fluency in the local language, fear for your family, or other – is not relevant. If the public prosecutor/police find that they lack the competence to deal with the case, they will forward the complaint without delay to the competent authority of the EU Member State in whose territory the crime was committed.

The competent authorities will take the necessary measures to minimise the difficulties you face as a victim of crime, especially as regards the organisation of the proceedings. This means, for example, that you can be heard as a witness by video call or by phone.

If you have been a victim of a violent crime, you can claim compensation both in the Member State where the crime was committed and in Slovakia; in the latter case, this is done by submitting an application to the Ministry of Justice of the Slovak Republic.

## If I report a crime, what information will I receive?

*In particular, the police will inform you about the outcome of your criminal complaint. As a rule, the police will decide in one of the following ways within 30 days:*

- *they will reject the complaint and discontinue the criminal proceedings*  
The police will decide in this way if the act committed cannot be classified as a criminal offence or an administrative offence.
- *they will refer the complaint to the competent authority*  
If the act does not constitute a criminal offence and the police suspect that it might constitute an administrative offence or another administrative infraction, the police will forward the complaint to the competent authority. The relevant authority will then re-examine the complaint and, if there are sufficient grounds, initiate administrative proceedings.
- *they will set the criminal complaint aside*  
This mainly concerns cases where the offender has died, is not criminally liable due to being underage (i.e. was not at least 14 years old at the time the act was committed) or the victim's consent to the criminal proceedings has not been granted.
- *they will initiate criminal prosecution*  
If there are no grounds to reject or refer the complaint or set it aside, the police will initiate criminal prosecution.

*The police are required to notify you of their decision. This decision is designated as an order (uznesenie) and will be served at the address you indicated in your criminal complaint. If criminal prosecution is initiated on the basis of your complaint, you as the person who reported the crime will be kept informed of its individual stages (i.e. bringing criminal charges against a specific person, extension of the charges, referral of the case to another body, discontinuation, conditional discontinuation or suspension of criminal prosecution).*

## Am I entitled to free interpreting or translation services (when I contact the police or other authorities, or during the investigation and trial)?

You have the right to ask for an interpreter; the interpreter will then be provided by the police. You do not have to pay the interpreter's fee; it is covered by the state. You also have the right to have the essential decisions translated or interpreted into a language you understand.

## How does the authority ensure that I understand and that I am understood

## (if I am a child; if I have a disability)

In their communication with you, the police/prosecutor take into account your specific circumstances (such as your age, gender, disability or mental maturity). The purpose is to ensure that you, as a victim, receive sufficient information in a form you can understand to enable you to fully access your rights and to ensure that you feel treated in a respectful manner.

Particularly vulnerable persons, including children and disabled persons, are to be questioned in a considerate manner ensuring that the questioning need not be repeated later in the proceedings. For this reason, their statements are recorded on camera. Before taking the witness statement, the police will consult a psychologist or an expert attending the questioning as to how the questioning is going to be conducted in order to ensure that it is conducted correctly.

## Victim support services

### Who provides victim support?

Victim support is ensured by entities registered in the register of entities providing assistance to victims of crime, which is available on the website of the Ministry of Justice of the Slovak Republic, or, where appropriate, by intervention centres for victims of domestic violence. They will provide you both with psychological assistance and with legal advice. You will be attended by professionally trained staff who will help you with legal issues or provide you with psychological support. If needed, they will help you find emergency accommodation, contact your family or obtain money.

### Will the police automatically refer me to victim support?

*During the first contact, the police will inform you about the entities providing assistance to victims of crime, tell you how to contact them and explain which form of assistance they provide. If you so request, the police will assist you in contacting them.*

### How is my privacy protected?

Law enforcement authorities make sure that they do not disclose protected personal data or facts of a private nature, in particular regarding your family life, home address and correspondence not directly related to the crime. They pay particular attention to the interests of children, minors and the civil parties, whose personal data are not disclosed.

If you file a criminal complaint, you can ask the police officer not to indicate your personal information in the complaint.

### Do I have to report a crime before I can access victim support?

You have the right to receive support regardless of whether or not you file a criminal complaint.

## Personal protection if I'm in danger

### What types of protection are available?

The competent authorities have various measures at their disposal to protect the victim. These measures also differ with regard to the stage of the proceedings. Your participation in such measures should be voluntary and you should be sufficiently informed about the risks and benefits to be able to make an informed decision.

If you live with the offender in a common household, the police may banish the offender from the household for a period of two weeks immediately after you call the police and/or file a criminal complaint. In such a case, the offender is prohibited from entering your common flat or house. The police will then inform you of the possibility to seek a court injunction (*neodkladné opatrenie*) prohibiting access to the common household also for a longer period of time. An application for a court injunction may also be directed against an offender who does not live with you in the same household. The court may prohibit the offender from approaching your home, workplace or places

where you habitually stay, or from contacting you in any way.

You also have the right to decide whether you want to be informed in case the offender is released or absconds from a detention facility. Information about these facts serves, in particular, to protect you should the offender try to contact you (e.g. the offender is a close person or a family member). You can change this decision at any time and it will be taken into account by the police, the prosecutor and the court. However, if you are at risk, or your life or health is in danger, you will be informed by the police/prosecutor/court of the release or absconding even if you have not requested such information.

### Who can offer me protection?

Protection will be provided by the police; during court hearings, it will be ensured by the court.

### Will someone assess my case to see if I am at risk of further harm by the offender?

The police, the prosecutor, the court, but also an entity providing assistance to victims of crime will assess your case on an individual basis to determine whether you are a particularly vulnerable victim. They will examine whether the offender continues to pose a threat to you and whether you are at risk of repeat victimisation. If they find that the offender intends to intimidate you, threaten you, take revenge or in any way affect your psychological or physical integrity, the competent authorities will take the necessary measures.

### Will someone assess my case to see if I am at risk of further harm by the criminal justice system (during investigation and trial)?

As a victim, you have the right to protection from secondary victimisation. This means any harm you would suffer not as a direct consequence of the crime itself, but as a result of the conduct of the individuals or the institutions you have been in contact with after the crime. This may include, for example, insensitive conduct on the part of the public authorities, their inaction in ensuring your protection, or insensitive publicity of your case. There are mechanisms in criminal proceedings to avoid such conduct. The police, the prosecutor, the court and the entities providing assistance to victims are required to act in such a way that their activities do not lead to secondary victimisation. Therefore, your questioning may be recorded on camera so that you do not have to give statements repeatedly. In the interests of your protection, medical examination can also be ordered only to the extent necessary and only if required for the purposes of the criminal proceedings.

### What protection is available for very vulnerable victims?

If you are a particularly vulnerable victim, you have the right to ask the entity providing assistance to victims of crime for free specialised expert assistance. It will be provided for 90 days and this period may be extended in justified cases at your request. It includes psychological assistance as well as legal advice. You will be attended by professionally trained staff who will help you with legal issues or provide you with psychological support. If needed, they will help you find emergency accommodation, contact your family or obtain money. They will also help you assess whether your life or health is at risk, and take measures to protect you.

### I am a minor – do I have special rights?

In addition to all the rights you have as a particularly vulnerable victim because as a minor you are automatically considered to be such a victim, the police, the prosecutor's office, the courts and the entities providing assistance to victims of crime are required to act in your best interest.

If you are questioned as a witness regarding events that have caused you discomfort, a psychologist or an expert will attend the questioning and supervise its conduct. If appropriate, your parent or teacher may also attend the questioning. The questioning will be conducted in such a way that you do not have to provide the witness statement repeatedly later in the proceedings; you may only be required to give it again if absolutely necessary.

It is widely recognised that a child has special needs in criminal proceedings and the institutions you come into contact with will take your age and needs into account.

## My family member died because of the crime – what are my rights?

If your family member died as a result of a crime and you have suffered damage as a result of their death, you are also considered a victim. You have the right to information, especially on how to file a criminal complaint, on the progress of the criminal proceedings and how to contact organisations that can help you. Upon your request, the police or the prosecutor's office will help you contact an entity providing assistance to victims of crime that will further address your needs. In addition, you have the right to expert assistance, the right to be heard and the right to be treated with respect, consideration and sensitivity.

## My family member was a victim of crime – what are my rights?

If a person died as a result of a violent crime, the surviving spouse and surviving children are also considered victims of a violent crime. If there are no such persons, the surviving parent and the person who lived with the deceased in the same household for at least one year before their death and who maintained the household together with the deceased, or a person who was dependent on the deceased person's support, will be considered a victim of crime.

You have all the rights granted to victims, but as a victim of a violent crime, you are also entitled to compensation, which you can claim at the Ministry of Justice of the Slovak Republic.

## Can I access mediation services? What are the conditions? Will I be safe during mediation?

Information on mediation procedures will be provided to you by the police during the first contact. Mediation is carried out by probation and mediation officers on the basis of the voluntary consent given both by you and the offender. The purpose is to eliminate, with the active participation of both parties, the negative consequences resulting from the crime committed. You can withdraw your consent at any time. Information obtained in the course of mediation is considered confidential; without the parties' consent, it may not be used for any purpose other than dispute settlement in the context of mediation.

## Where can I find the law stating my rights?

[The Victims of Crime Act](#)

[The Code of Criminal Procedure](#)

■ Last update: 04/07/2025

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