



Germany

Rights of victims of crime in criminal proceedings - Germany

You will be considered a **victim of crime** if you have suffered damage, for example you have been injured or your property has been damaged or stolen as a result of an incident which constitutes a crime according to national law. As a victim of crime, the law grants you certain individual rights before, during and after court proceedings (trial).

Criminal proceedings in Germany start with investigations that are conducted by the police and the public prosecution office. If there is insufficient evidence against the suspect to press charges, the public prosecution office terminates the proceedings. If, on the other hand, sufficient evidence is available, the public prosecution office will prefer public charges against the suspect before a court. It may, however, also terminate proceedings by way of exception, for example if the suspect has made reparations for material damage caused to you or has fulfilled certain conditions and instructions.

If the court opens the main proceedings following the indictment, it will examine the evidence against the accused at a hearing in court. If it finds the accused guilty, it will convict him and set a penalty. The court may, however, also terminate the proceedings against the accused, for example if the accused shows remorse and has participated in victim-offender mediation. If the evidence against the accused is insufficient, the court must acquit him. If a judgment is handed down, the criminal proceedings may be continued in a higher court following an appeal.

You as a victim can take part in criminal proceedings as a **witness** or have a more active role by formally becoming a **private prosecutor** or **private accessory prosecutor** and thus benefit from a variety of rights available to you. As a private prosecutor you will take the place of the public prosecutor; as a private accessory prosecutor you will take part in the proceedings alongside the public prosecutor.

The following fact sheets will take you through the different stages in the proceedings, describing your rights [during the investigation of the crime](#), [during the court proceedings](#) and [after the first court proceedings](#). You can also find out more about the [help and support you can get](#).

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