



Malta

Rights of victims of crime in criminal proceedings - Malta

You will be considered a **victim of crime** if you have suffered damage, e.g. you have been injured or your property has been damaged or stolen, etc., 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 Malta start with investigation of the crime. Depending on the crime, the investigation is carried out by the police or by an investigating magistrate.

Less serious crimes (crimes punished by a fine or imprisonment of less than six months) are investigated by a police officer. If there is sufficient evidence against the offender the police officer brings the case to the Court of Magistrates for trial and acts as a prosecutor before the court. During the trial a judge examines the evidence and convicts or acquits the alleged offender. If the offender is convicted the same judge specifies the penalty to be imposed.

All other crimes are investigated by investigating magistrates. If there is sufficient evidence against the offender the investigating magistrate brings the case before the Court of Magistrates. The Court of Magistrates examines the evidence and if there is sufficient evidence it sends the case to the Attorney General. The Attorney General then brings the case to the Criminal Court for trial. During the trial a public prosecutor prosecutes the offender before a judge and a jury. The jury decides whether the offender is guilty or not. If the offender is found guilty the judge specifies the penalty to be imposed.

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