Victims' rights - by country

Lituania

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

Criminal proceedings in Lithuania consists of investigation and trial. During the investigation the public prosecutor and the police will investigate the incident to find the offender and collect evidence about his/her guilt. At the end of the investigation the public prosecutor will review the collected evidence and will make a decision on how to proceed with the case. If the public prosecutor believes the collected evidence is sufficient he/she will bring the case to court for trial. Otherwise the case will be closed.

During the trial the court will examine the collected evidence and will hold a hearing. During the hearing the participants will be invited to make their statements. At the end of the trial the court will announce its final decision. Depending on the collected evidence the offender will be convicted and punished or declared not guilty and released.

The following factsheets will take you through the different steps of the procedure, describing your rights during the investigation of the crime, during the trial or after the first trial. Also, read more about the help and support you can get.

Last update: 26/04/2019

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1 - My rights during the investigation of a crime

How and where can I report a crime?
How can I follow up on what the authorities do after I report a crime?
How can I be involved in the investigation of the crime?
What are my rights as a witness?
I am a minor. Do I have additional rights?
What information can I obtain from police or victim support organisations during the investigation of the crime?
Can I receive legal aid?
How can I get protection, if I am in danger?
What services and assistance can I be given during the investigation of the crime?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
How will my case continue after the end of the investigation?
Can I appeal if my case is closed without reaching the court?
I am a foreigner. How are my rights and interests protected?
More information

How and where can I report a crime?

If you have suffered from a crime in Lithuania you can **report** it to the police or the public prosecution service:

by going to the nearest police station or public prosecutor's office;

by sending a letter; or

by calling the emergency phone number 112.

You can report a crime in any language. The authorities will provide interpretation free of charge.

Anybody who is aware of the crime you have suffered from can report it for you. There are two important exceptions to this rule:

For some crimes listed in the law (e.g. sexual offences, libel, etc.) investigation can start only if you or your representative reports the crime. The police and the public prosecutor will not start the investigation without your complaint.

Some less serious crimes are prosecuted directly by the victim and not by the public prosecutor. For these crimes you have to submit a written complaint directly to the court and there will be no investigation.

There is no obligatory form you have to follow. Based on your report the police will draft a document called 'application-protocol' and will ask you to verify its content and sign it. The application-protocol includes:

information about you: name, surname, place of residence, nationality, marital status, ID document (number, date and place of issuance), workplace, position, profession, phone numbers; and

information about the crime: description of the incident, damages, etc.

When you submit a complaint directly to the court you must include the following information:

name of the court you are submitting the complaint to;

place, time, consequences and other essential information about the offence;

evidence supporting the complaint; and

names and place of residence of the victim, the alleged offender and the witnesses (if any).

There is no deadline for reporting a crime. However, if a certain period of time has passed after the incident the police will accept your report but will not start an investigation. This period is specified in the law and ranges between two and 20 years depending on the type of the crime.

How can I follow up on what the authorities do after I report a crime?

Once the police start an investigation they will assign a reference number to your case. You can ask the police about the number of your case and you can use this number to follow the progress of the investigation.

How can I be involved in the investigation of the crime?

When the police or the public prosecutor decides to open an investigation you as a victim will receive a notification. Notifications are usually sent by post.

To participate in the investigation of the crime as a victim you have to receive a **formal authorisation** from the public prosecutor or the police officer in charge of your case. By this authorisation the public prosecutor or the police officer officially recognises you as a victim of the investigated crime.

If you have reported the crime the authorisation will be given automatically and you will receive a copy of the decision. If you have not reported the crime but nevertheless an investigation has been launched you have to make a request to the public prosecutor or the police officer to formally recognise you as victim.

Once you have received the formal authorisation to participate in the investigation as a victim you can:

receive notifications when a suspect has been arrested or when an arrested person has been released;

present evidence;

make requests, including requests for collection of evidence;

get acquainted with the materials collected on the case; and

appeal against the actions of the police officer or the public prosecutor which you believe affect your rights or interests.

If you wish to claim compensation from the offender for the damages caused by the crime you can submit a civil claim. By submitting the civil claim you will become a civil claimant.

You can use the assistance of a lawyer irrespective of your role during the investigation. You have to pay for the lawyer's services or apply for legal aid free of charge.

You can request reimbursement of the expenses you have made during the investigation. You can receive reimbursement for the travel and accommodation expenditures as well as compensation for lost remuneration. Requests for reimbursement are submitted to the public prosecutor or the police officer in charge of the case.

What are my rights as a witness?

During the investigation the public prosecutor or the police will probably call you for an interview as a witness. In this case you have to go to the police station or the public prosecutor's office and answer the questions posed to you.

You will be asked to make an oath that you will speak the truth and not hide information. You can refuse to be interviewed only if your testimony may lead to criminal prosecution against you or your relatives. In all other cases, if you refuse to testify you risk being fined.

I am a minor. Do I have additional rights?

If you are a child under 18 years of age you usually will be interviewed only once. The interview will be conducted by a judge and may be recorded. During the interview the judge can invite a psychologist or a person from the local children's rights protection agency to assist you. Your parents may also be present during the interview.

What information can I obtain from police or victim support organisations during the investigation of the crime?

The police officer, the public prosecutor and the judge in charge of your case are obliged to explain to you what rights you have during the proceedings and how you can exercise them.

If you have been formally recognised as a victim of the crime you will receive a copy of the decision for granting such recognition. In the decision you will find a brief explanation of your rights during the proceedings.

If you are a victim of violent crime you will also receive information about how you can receive compensation from the State.

At any time during the investigation you can ask for permission to check the documentation of the case or request copies or excerpts of documents. Your request has to be addressed to the public prosecutor. The public prosecutor will allow you to examine the entire case file. Access to the case file or to individual documents can be restricted only if it may hamper the investigation. You can appeal against such a restriction before the judge. The appeal has to be submitted within seven days. The judge will issue a final decision on your appeal within three days.

Additional information can also be obtained by contacting the non-governmental organisations working with victims of crime such as the Lithuanian Association of Victims of Crime Support.

Can I receive legal aid?

You can receive legal aid free of charge only if you have been formally recognised as a victim or you have filed a civil claim for damages. If you are participating in the investigation as a victim you have to present evidence that your income does not allow you to pay for legal services. If you are claiming damages from the offender as a civil claimant legal aid free of charge is available irrespective of your income.

To receive legal aid free of charge you have to fill in a special application form and send it to one of the State-Guaranteed Legal Aid Services.

If you qualify for legal aid you will be provided with a lawyer free of charge. The lawyer will assist you during the investigation (including the drafting of the necessary documents) and will represent you before the authorities.

How can I get protection, if I am in danger?

If you are in danger your **identity can be kept secret**. This protection measure is available if:

you have been called for an interview as a witness and your testimony is important to the investigation; and

the crime you have suffered from was a serious one; and

there is a real threat to you or your family members' or close relatives' life, health, liberty or property.

If you want your identity to remain secret you have to make a request to the public prosecutor or the police officer in charge of your case. Your personal data will not be included in any of the documents in the case file and will be replaced by a special identification number. Only the public prosecutor and the police officer in charge of your case (and the judge if the case goes to court) will have access to your personal data.

Additional protection measures are available if you have suffered from a serious crime and there exists a real threat to your life, health, or property. To benefit from these measures you have to actively cooperate with the justice and law enforcement officials, help them to conduct the investigation or provide them with important information on the case. The additional protection measures can also cover your spouse, partner, parents (including adoptive parents), children (including adopted children), brothers, sisters, grandparents, and grandchildren.

The additional protection measures may include:

physical protection for you, your relatives or your property;

temporary transfer to a safe place;

restricted access to your data kept by other institutions or available through publicly accessible databases;

change of place of residence, work or study location;

change of identity and biographical data;

change of personal appearance (including through plastic surgery);

provision of a weapon or other devices; and

financial support.

What services and assistance can I be given during the investigation of the crime?

There are non-governmental organisations offering different types of services such as: support, accompaniment, provision of information, search for available opportunities, psychological counselling, post-traumatic help, etc. For more information you can contact the Lithuanian Association of Victims of Crime Support.

You can receive medical assistance but you may be asked to pay for it unless you have a valid health insurance. Citizens of the 27 EU Member States, Iceland, Liechtenstein, Norway and Switzerland can benefit from the European Health Insurance Card.

Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?

You can reconcile with the offender at any time during the investigation of the crime. The process of reconciliation is not regulated. Nevertheless there are conditions specified that should be followed for conciliation to happen. Conciliation is not possible in cases of very serious or serious crimes. Upon conciliation the offender should pay or promise to pay compensation for the damages you have suffered as a result of the crime. In case you reconcile with the offender during the investigation stage the case will not go to court.

How will my case continue after the end of the investigation?

At the end of the investigation you will be provided with the opportunity to check all the materials collected so far. After that, the police officer will send the case file to the public prosecutor who will decide how to proceed further. If the public prosecutor believes that there is sufficient evidence supporting the charges he/she will bring the case to court for trial. Otherwise the public prosecutor will close the case at this stage.

Can I appeal if my case is closed without reaching the court?

If in the course of the investigation the police officer decides to close the case you can appeal against his/her decision before the public prosecutor. If you are not satisfied with the public prosecutor's decision you can appeal against it before the superior prosecutor. If the superior prosecutor confirms the decision of his/her subordinate prosecutor you can file an appeal before the judge.

The deadline for all appeals is 14 days after you receive the decision. If there are serious reasons preventing you from appealing on time you can ask for an extension of the deadline. The maximum possible extension is six months following the issuance of the decision.

I am a foreigner. How are my rights and interests protected?

If you are a foreigner you have all the rights listed above. You can also benefit from additional rights aimed at facilitating your participation in the proceedings. Criminal proceedings in Lithuania are conducted in Lithuanian. If you do not speak Lithuanian you can use your mother tongue or any other language you understand. You will be provided with an **interpreter free of charge** to assist you when you attend investigative actions. All documents you receive from the authorities during the investigation must also be translated in a language you understand.

More information:

Code of Criminal Procedure (Baudžiamojo proceso kodeksas) – in Lithuanian

Criminal Code (Baudžiamasis kodekso) – in English and Lithuanian

Law on Fundamentals of Protection of the Rights of the Child (Lietuvos Respublikos vaiko teisių apsaugos pagrindų įstatymas) – in English and Lithuanian

Law on Protection of Participants of Criminal Procedure and Intelligence Operations (Lietuvos Respublikos baudžiamojo proceso bei operatyvinės veiklos dalyvių, teisingumo ir teisėsaugos institucijų pareigūnų apsaugos nuo nusikalstamo poveikio priemonių įstatymas) – in Lithuanian

Law on State-Guaranteed Legal Aid (Valstybės garantuojamos teisinės pagalbos įstatymas) – in Lithuanian

Decree of the Government of the Republic of Lithuania No 524/25.04.2003 on the order of establishing the sums and their payment to the witnesses, victims, experts, specialists, and interpreters (Nutarimas dėl liudytojams, nukentėjusiesiems, eskpertams specialistams ir vertėjams išmokėtinų sumų dydžio nustatymo ir apmokėjimo baudžiamajame procese ir administracinių teisės pažeidimų teisenoje tvarkos patvirtinimo) – in Lithuanian

Last update: 26/04/2019

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2 - My rights during the trial

How can I be involved in the trial?
What are my rights as a witness?
I am a minor. Do I have additional rights?
Can I receive legal aid?
How can I get protection, if I am in danger?
How can I claim damages from the offender or receive compensation from the state?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
I am a foreigner. How are my rights and interests protected?
More information

How can I be involved in the trial?

If you are formally recognised as a victim, you will receive a notification for the time and place of the court hearing. If you have not requested to be formally recognised as a victim so far you can do it during the court hearing.

As a formally recognised victim, during the trial you can:

present evidence;

make requests, including requests for the collection of evidence and requests for the replacement of the judge or the public prosecutor if you doubt their impartiality;

appeal against the decisions of the public prosecutor or the judge if you believe they affect your rights or interests;

get acquainted with all the materials collected on the case;

make a final speech; and

appeal against the final decision of the court.

You can request reimbursement of the expenses you have made during the trial. You can receive reimbursement for travel and accommodation expenses as well as compensation for lost remuneration. Requests for reimbursement are submitted to the court.

What are my rights as a witness?

During the trial the judge will most probably call you for an interview as a witness. In this case you have to go to court and take part in the court hearing. You will be asked to make an oath that you will speak the truth and not hide information. You can refuse to be interviewed only if your testimony may lead to criminal prosecution against you or your relatives. In all other case if you refuse to testify you risk being fined.

I am a minor. Do I have additional rights?

If you are a child under 18 years of age you will not be asked to attend the court hearing and you will not be interviewed during the trial. Instead, the record of your interview during the investigation will be used. Only in exceptional cases you may be asked to appear before the court and be interviewed for a second time.

Can I receive legal aid?

You can receive legal aid free of charge only if you are participating in the trial as a formally recognised victim and/or a civil claimant. If you are participating in the trial as a victim you have to present evidence that your income does not allow you to pay for legal services. If you are claiming damages from the offender as a civil claimant legal aid free of charge is available irrespective of your income.

To receive legal aid you have to fill in an application form and send it to one of the State-Guaranteed Legal Aid Services.

If you qualify for legal aid you will be provided with a lawyer free of charge who will assist you during the trial and represent you before the court.

How can I get protection, if I am in danger?

If you are in danger you can benefit from the same protection measures as during the investigation.

Your **identity can be kept secret** if:

you have been called for an interview as a witness and your testimony is important for the case;

the crime you have suffered from was a serious one; and

there is a real threat to your own, your family members', or your close relatives' life, health, liberty or property.

If you want your identity to remain secret you have to make a request to the judge. When your identity is kept secret your personal data will not be omitted from the documents in the case file and will be replaced by a special identification number. Only the judge, the public prosecutor and the police officer in charge of your case will have access to your personal data. You will be interviewed in the absence of the offender and his/her lawyer or via telephone or videoconference.

If you have suffered from a serious crime and there exists a real threat to you life, health, or property you can ask for **additional protection measures** for you and/or your spouse, partner, parents (including adoptive parents), children (including adopted children), brothers, sisters, grandparents, and grandchildren.

The additional protection measures may include:

physical protection for you, your relatives or your property;

temporary transfer to a safe place;

restricted access to your data kept by other institutions or available through publicly accessible databases;

change of place of residence, work or study location;

change of identity and biographical data;

change of personal appearance (including through plastic surgery);

provision of a weapon or other devices; and

financial support.

How can I claim damages from the offender or receive compensation from the State?

You can claim damages from the offender by filing a **civil claim during the criminal proceedings** at any time during the investigation of the crime. You can file your claim to the public prosecutor in charge of your case or to the court. When you file a civil claim you will become a civil claimant.

If you do not want to claim damages from the offender during the criminal proceedings you can file a separate claim before a civil court. You cannot file claims both in the criminal proceedings and before a civil court.

If you are victim of a violent crime you are also entitled to **compensation provided by the State**. Please consult the factsheet on compensation to crime victims in Lithuania (available in Lithuanian, English and other languages) of the European Judicial Network.

Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?

Opportunities to reach conciliation with the offender exist during all stages of the investigation of the crime, including in court.

I am a foreigner. How are my rights and interests protected?

If you are a foreigner you have all the rights listed above. You can also benefit from additional rights aimed at facilitating your participation in the proceedings. The trial will be conducted in Lithuanian. If you do not speak Lithuanian you can use your mother tongue or any other language you understand. The court will provide you with an **interpreter free of charge** to assist you when you attend court hearings. All documents you receive from the court during the trial must also be translated in a language you understand.

More information:

Code of Criminal Procedure (Baudžiamojo proceso kodeksas) – in Lithuanian

Criminal Code (Baudžiamasis kodekso) – in English and Lithuanian

Law on Fundamentals of Protection of the Rights of the Child (Lietuvos Respublikos vaiko teisių apsaugos pagrindų įstatymas) – in English and Lithuanian

Law on Protection of Participants of Criminal Procedure and Intelligence Operations (Lietuvos Respublikos baudžiamojo proceso bei operatyvinės veiklos dalyvių, teisingumo ir teisėsaugos institucijų pareigūnų apsaugos nuo nusikalstamo poveikio priemonių įstatymas) – in Lithuanian

Law on State-Guaranteed Legal Aid (Valstybės garantuojamos teisinės pagalbos įstatymas) – in Lithuanian

Law on Compensation of Damage Caused by Violent Crimes (Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas) – in Lithuanian

Decree of the Government of the Republic of Lithuania No 524/25.04.2003 on the order of establishing the sums and their payment to the witnesses, victims, experts, specialists, and interpreters (Nutarimas dėl liudytojams, nukentėjusiesiems, eskpertams specialistams ir vertėjams išmokėtinų sumų dydžio nustatymo ir apmokėjimo baudžiamajame procese ir administracinių teisės pažeidimų teisenoje tvarkos patvirtinimo) – in Lithuanian

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3 - My rights after the (first) trial

Can I appeal against a sentence or if the defendant is declared not guilty?
Is further appeal possible?
What rights do I have after the court sentence enters into force?
More information

Can I appeal against a sentence or if the defendant is declared not guilty?

The trial will conclude with the court convicting the defendant or declaring him/her not guilty. If the defendant is convicted the court will impose a penalty. The court will announce its decision publicly during the final court hearing. If you have participated in the trial as a formally recognised victim or as a civil claimant but you have not been present during the final hearing you will receive a notification about the court's decision.
If you are not satisfied with the court's decision you can appeal against it. You can appeal against the decision on the offender's guilt and against the sentence only if you have participated in the trial as a formally recognised victim. If you have participated in the trial as a civil claimant you can appeal only if you are not satisfied with the court's decision on your claim.
You have to submit your appeal in writing and you have to sign it. The deadline is 20 days after the publication of the decision.

Is further appeal possible?

If you are not satisfied with the decision on your appeal you can appeal against it before the Supreme Court. The appeal has to be in writing and you have to sign it. The deadline is three months after the announcement of the decision you are appealing against.

What rights do I have after the court sentence enters into force?

The sentence will enter in force after the opportunities for appeal have been exhausted.
If the court convicts the defendant and sentences him/her to imprisonment the judge will ask you whether you wish to be informed about the defendant's release from prison. If you state that you wish to receive such information you will be notified before the offender is released from prison.
You will also receive a notification when there is a court hearing to discuss an early release of the offender from prison. You can attend the hearing and appeal against the decision if you are not satisfied with it.

More information:

Code of Criminal Procedure (Baudžiamojo proceso kodeksas) – in Lithuanian
Criminal Code (Baudžiamasis kodekso) – in English and Lithuanian
Code of Execution of Penalties (Bausmių vykdymo kodeksas) – in Lithuanian

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4 - Help and support for victims of crime

Ministry of Justice
Police Department of the Ministry of the Interior
Ministry of Foreign Affairs
Caritas Lithuania
Missing Person's Families Support Centre
Klaipeda Social and Psychological Support Centre
Child House
International Organisation for Migration – Vilnius Office

Ministry of Justice

The Ministry of Justice of the Republic of Lithuania administers the Fund for Victims of Crimes and provides state-guaranteed legal aid.
The Ministry of Justice of the Republic of Lithuania
accepts and processes requests to compensate damage caused by violent crimes that were committed after 01.07.2005
provides primary legal aid, which includes legal information and legal advice provided under the procedure set forth by the law and the drafting of documents to be submitted to state and municipal institutions, except for procedural documents
provides secondary legal aid, which represents drafting of documents, defence and representation in proceedings before the court
CONTACTS:
Website: http://www.tm.lt/

Police Department of the Ministry of the Interior

The Police Department of the Ministry of the Interior has functions related to implementation of different means of protection of victims and witnesses, who cooperate in intelligence operations and criminal proceedings.
The Police Department of the Ministry of the Interior
has a Witness and Victim Protection Service, which is responsible for protection of victims' interests
provides physical protection of victims and their belongings and arranges restricted access to their personal data
helps victims of crime to change their workplace and identity
gives victims the right to receive a gun or other special means of protection
CONTACTS:
Website: https://policija.lrv.lt/en/

Ministry of Foreign Affairs

The Ministry of Foreign Affairs is the official mechanism for cooperation on prevention of human trafficking. It provides return, shelter, assistance, referral for victims of human trafficking.
The Ministry of Foreign Affairs
has a Consular Department responsible for protection of victims' interests, which consists of a central department and consular institutions abroad
is the official mechanism for cooperation on prevention of human trafficking
provides return, shelter, assistance, referral for victims of human trafficking
CONTACTS:
Website: http://www.urm.lt/

Caritas Lithuania

Caritas Lithuania is a non-governmental organization, which provides aid to women who were trafficked inside or outside Lithuania and to women who agreed to be involved into prostitution in any country but are victimised.
Caritas Lithuania
offers different services in the field of victim support: safe shelter, material help, consultations with social workers, psychotherapists and/or lawyers
provides immediate and free of charge help in crisis situations
cooperates with various services in the community with the aim of integrating women who were trafficked or involved into prostitution working

observes the principles of confidentiality, flexibility and offers a team approach in organising services which provide shelter in the community
CONTACTS:
Website: http://www.anti-trafficking.lt/

Missing Person's Families Support Centre

The Missing Person's Families Support Centre is a non-governmental association established in 1996 by relatives and parents of missing people, which provides aid to missing persons' families and women who were trafficked inside or outside Lithuania.

The Missing Person's Families Support Centre (MPFSC)
works in spheres of anti-trafficking and assistance to relatives of missing people
aims to decrease the number of missing and trafficked people, especially children, in Lithuania, by awareness-raising, prevention and assistance to the victims and their families
offers different services in the field of victim support: safe shelter, material help, consultations with social workers, psychotherapists and/or lawyers
provides immediate and free of charge help in crisis situations
CONTACTS:
Website: http://www.missing.lt/

Klaipeda Social and Psychological Support Centre

The Klaipeda Social and Psychological Support Centre is a non-governmental organisation, which provides aid to victims of domestic violence and women who were trafficked to brothels inside or outside Lithuania.
The Klaipeda Social and Psychological Support Centre
provides social and psychological support for women and mothers with children who have suffered any form of domestic violence
has rehabilitation and reintegration programmes for sexually exploited or trafficked women
tries to prevent suicides and provides psychological, legal and medical crisis assistance
has the goal to empower trafficked women to become able to take control of their circumstances and achieve their own goals, thereby being able to work towards helping themselves and others to maximise the quality of their lives now and in the future
ensures an anonymous toll free (8 800 66 366) consultation line
CONTACTS:
Website: https://www.ksppc.lt

Child House

Child House is a non-governmental organisation, which provides help for children victims of sexual and other types of abuse.
Child House
is a non-governmental organisation aiming for children to be raised without violence and abuse, and be able to help themselves and their friends
provides psychological, social and legal assistance and services to children who suffered sexual abuse and commercial exploitation, and their close relatives
provides services such as psychological counselling, crisis intervention, social skills training, assistance by professionals in conducting judicial interviews with children
accompanies children to other institutions that provide necessary services
assists in organising and solving cases in an interdisciplinary team
CONTACTS:
Website: http://www.children.lt/

International Organisation for Migration – Vilnius Office

The International Organisation for Migration – Vilnius Office provides aid to migrants in difficult situations, including victimisation, with a special focus on human trafficking.
The International Organisation for Migration – Vilnius Office
has as main objective to build the NGO capacity in dealing with trafficking in order to provide a better service to people in need of information related to safe migration and trafficking
aims to raise public awareness about legal and safe possibilities to travel abroad and risks related to human trafficking and smuggling
provides help in crisis situations; psychological help (material help, consultations of a social worker), helpline operation, live consultations
assists migrants willing to return to their home country
CONTACTS:
Website https://lithuania.iom.int

Last update: 26/04/2019

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1 - My rights as a victim of crime

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

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3 - My rights after trial

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4 - Compensation

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5 - My rights to support and assistance

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