

A Guide for People Affected by Crime



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Throughout this brochure you will come across two icons, which have the following meanings:



If you have any questions on this topic, please get in touch!
We are happy to advise you: ☎ 030 3952867



On page 30 you will find out where to access the relevant sample application.



You will also find several QR codes that lead to websites with further information. To use them, you need a smartphone or a laptop with a camera and QR-code scanning software.

Dear reader,

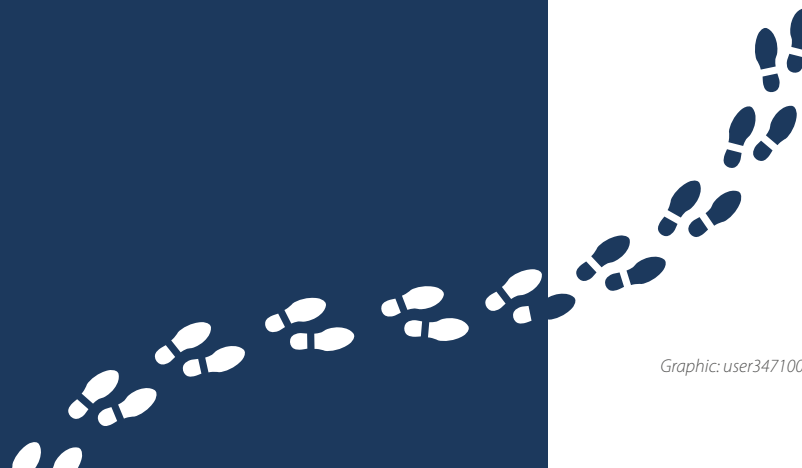
Through our counselling work, we know how complex the situation can be for people who have become victims of a crime or are otherwise affected by one, whether it be because they witnessed an offence, or because someone close to them has become a victim. Processing the situation emotionally requires a lot of strength, and at the same time, many practical questions may arise, which need answers.

We want to support you so that you get through challenging time as well as possible. To provide initial guidance, we have pooled our knowledge and created this guide for victims of crime. We very much hope that it gives you an overview and makes coping with what you have experienced a little easier. We also offer individual counselling and will help you find answers to your personal questions.

The Opferhilfe Berlin team (Victim Support Berlin)

First Steps After a Crime

- ✗ Get yourself to safety.
- ✗ Seek support from someone you trust or a specialist counselling service.
- ✗ Preserve evidence. Document any injuries.
- ✗ Visit the Charité Forensic Outpatient Clinic (Gewaltschutzambulanz) or a hospital.
- ✗ Write down a detailed account of what happened.
- ✗ Have you filed a police report (Anzeige) or submitted a formal criminal complaint for prosecution (Strafantrag)?
- ✗ Reduce additional stress. Plan some pleasant or calming activities. Take the time you need.
- ✗ Going for walks or exercising can do you good.
- ✗ Make sure to eat well, drink enough, and get enough sleep.
- ✗ If necessary, seek medical or therapeutic support.



Graphic: user34710080, Freepik

Dealing with the aftermath of a crime

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How you respond after experiencing a crime can influence the impact it has on you. We have compiled some helpful steps you can take. This overview cannot replace individual counselling, however. Therefore, please feel free to get in contact with us.

Noting What Happened

Write down the exact sequence of events in as much detail as possible: the date and time, who did what in which order, who wore what, who stood where, were there any witnesses, etc.

The key witness testimony in court often takes place months, or even years, later and memories can fade! You can give a copy of your account of the incident to the police (this helps prevent inaccuracies). You cannot review your statement to the police again later unless you instruct a lawyer to obtain access to the case file.

Preserving Evidence

Evidence is important for any future court proceedings. Make sure to preserve it, e.g. note down witnesses' names, keep physical evidence safe, and do not delete emails, text messages or WhatsApp messages. If you have injuries, go to the Charité's forensic outpatient clinic (Gewaltschutzambulanz); injuries should be photographed if needed (note: bruises often do not appear until days later).

In Brief

- ✗ Note the date and time; write a detailed account of the incident
- ✗ Keep one copy for yourself, give one copy to the police. Note down any witnesses' names and addresses
- ✗ Preserve any evidence, if injured, see a doctor or go to a hospital
- ✗ For legally valid documentation of injuries, visit the Charité's forensic outpatient clinic (Gewaltschutzambulanz):
- ✗ ☎ 030 450570-270, <https://gewaltschutzambulanz.charite.de>

Even though it may be difficult, after a sexual assault you should not wash. Go to a hospital first so that evidence can be preserved. Keep soiled clothing in a paper bag. If you suspect the use of date rape drugs, freeze a urine sample for evidence or go to a clinic immediately, as these substances are only detectable for a few hours.

Criminal Complaint / Formal Request for Prosecution / Online Report

By filing a criminal complaint (Strafanzeige) you inform the law enforcement authorities (police or public prosecutor's office) that a criminal offence has occurred. After doing so, you are not automatically updated on the progress of the investigation or the outcome of the case. However, you can request to be informed about the result of the proceedings. Criminal complaints cannot be withdrawn.

Only as a victim of an offence that is not prosecuted by the authorities can you file a formal request for prosecution (Strafantrag) within the first three months after the offence. Doing so gives you the right to be informed about the outcome of the proceedings and, where applicable, appeal a dismissal. An appeal may be useful if you can provide new information, such as additional witnesses or more information about the perpetrator's identity, etc.

In Brief

- ✗ Photograph injuries and save emails, text messages and WhatsApp messages after a sexual assault do
- ✗ not wash; go straight to a hospital place soiled clothing in a paper bag; if you suspect date rape drugs to have been used, freeze a urine sample or go to a hospital immediately
- ✗ Emergency Number ☎ 112

Criminal Complaint

- ✗ Notification to the police or public prosecutor's office without any further rights to information
- ✗ Information about the outcome of the proceedings on request



Formal Request for prosecution

- ✗ Notification to the law enforcement authorities that you want the offence to be prosecuted
- ✗ must be filed within three months
- ✗ Please note: If you withdraw a formal request for prosecution, you may incur costs!

You can also file a criminal complaint (Strafanzeige) or a formal request for prosecution (Strafantrag) online throughout Germany (see righthand column).

The diagram on page 13 shows what happens after a report is filed and how criminal prosecution proceeds.

Required Information

When taking a report or statement, the police always record your name and usually your residential address; these then become part of the investigation file or court file.

Alternatively, you can provide a different address where you can be reached (an address for service), e.g. your lawyer's address.

If you can demonstrate a risk to your safety, your address can be kept in a separate file that remains with the court. The defendant does not have access to this file.

Trusted Person

As a victim, you have the right to be accompanied by a trusted person during criminal proceedings when giving evidence. This person may also sit next to you while you testify in court.

The interviewing officer or judge may refuse the presence of the trusted person if it could jeopardise the purpose of the interview. Inform the police officer or judge in advance by phone if you would like to be accompanied.

In Brief

Online Report

- ✗ www.internetwache.polizei-berlin.de



- ✗ The police will record your address or, alternatively, an address for service

If you are at risk

- ✗ Apply to have your personal data kept in a separate file at the court

- ✗ As a victim, you have the right to have a trusted person present when giving evidence in court and to the police.

Duty to Testify

Giving a statement to the police is voluntary for victims and witnesses.

However, if you have been summoned to court as a witness, you are obliged to appear and to testify. Failure to appear without a valid excuse, may result in fines and police involvement. You may also have to bear any costs caused by your absence.

If you are ill, you must cancel by phone and provide a medical certificate confirming that you are unable to attend the hearing (Attest für Verhandlungsunfähigkeit). A standard sick note (AU) is not sufficient!

A planned holiday does not automatically justify absence; you may have to provide proof of your booking. This must be clarified with the judge responsible for the case.

The right to refuse to testify applies only to relatives of the defendant, fiancés, spouses or registered partners. In addition, as the victim you have the right to refuse to answer certain questions if doing so would incriminate you.

Police Interview

In interviews, the police must examine all aspects that could support or refute the allegation.

When filing the report and during the police interview, you can submit a short application for compensation for victims of violent crime under the Fourteenth Book of the Social Code (SGB XIV) (see "Victim compensation law", p. 25).

In Brief

Police Summons

- ✗ Giving a statement is voluntary

Court Summons

- ✗ Giving a statement is mandatory! Otherwise, you must provide a medical certificate confirming that you are unable to attend the hearing. A regular sick note is not sufficient!
- ✗ If you have a holiday booked, discuss arrangements with the judge.

Right to Refuse to Testify

- ✗ Fiancés, spouses and relatives up to the third degree of kinship
- ✗ You do not need to answer particular questions if doing so could lead to your own prosecution

Interpretation

- ✗ If you speak little or no German, an interpreter will be provided free of charge. Sign language interpreters are also available.

- ✗ The police will question you in detail.
- ✗ If applicable, you can request compensation for victims of violent crime under SGB XIV during the police interview.

Court Testimony

Witnesses who do not want to encounter the defendant before the hearing can, after prior telephone registration, wait in a protected area with the court's witness support service.

At the start of their testimony, witnesses are first informed by the judge about their duty to tell the truth and the penalties for giving false testimony.

After giving their free account of the incident, witnesses may be questioned in court by the judge, the prosecutor, the victim's counsel, the defence counsel, and also by the defendant.

The judge must presume that the defendant is innocent.

Excluding the public or the defendant from the court, or conducting a video testimony, are only possible upon request. There must be legitimate reasons for protection, and the court must recognise them.

You can claim reimbursement of expenses (e.g. loss of earnings, travel costs, etc.) from the court treasury, either immediately after the hearing or in writing within three months. You will need the appropriate receipts to apply. The witness support service can assist you with this.

In Brief

- ✗ Witnesses can wait in a protected area with the court's witness support service – register by phone in advance at: ☎ 030 90143498
- ✗ Before they testify, witnesses are informed by the judge on their duty to tell the truth.
- ✗ In court, witnesses can be questioned by all parties to the proceedings.
- ✗ Exclusion of the public, exclusion of the defendant and/or conducting a video testimony is only possible on request and in special cases.
- ✗ Reimbursement is available for lost income, travel expenses and other costs incurred.

Information About the Outcome of Proceedings

If the preliminary investigation is discontinued, you will only be informed automatically if you previously filed a formal request for prosecution (Strafantrag). You then also have the right to appeal the dismissal.

As the victim, you can request information about the outcome or dismissal of the court proceedings.

Criminal Prosecution: an Example

On the next page, you will find an illustrative timeline of a criminal prosecution. This gives you an initial overview of the different stages of a criminal prosecution and how they follow one another.

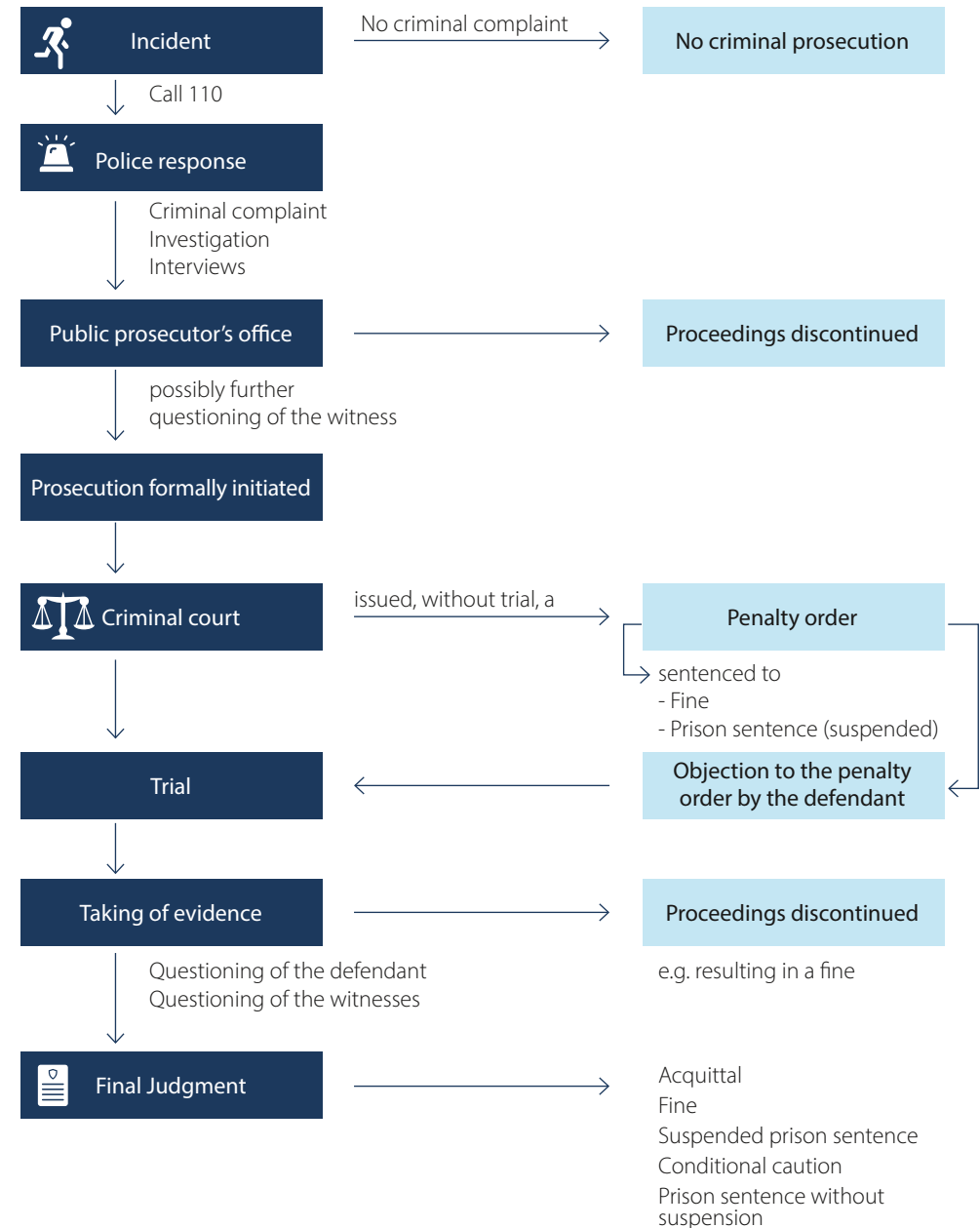
In Brief

Investigation phase

- ✗ Information is provided if a formal request for prosecution has been filed

Court proceedings

- ✗ Information is provided if you apply for "information about the outcome of the proceedings"



The illustration is based on the graphic by BIG e.V., Ihr Recht bei Häuslicher Gewalt, p. 17, 2021.

General Guidance for Distressing Events

Distressing or traumatic events can be deeply unsettling. After such experiences, people affected often feel uncertain and scared. The foundation of feeling safe may feel shattered.

Follow-up reactions may include being easily startled, having nightmares, intrusive images and memories, sleep problems, avoiding similar situations or places, rumination, social withdrawal, low mood, and heightened irritability or anger.

There are parallels between physical and psychological injuries: bandages and ointments support the healing of physical wounds, but they do not undo the injury. Similarly, there are things that support healing from psychological injuries like talking with trusted people, deliberately creating situations in which you feel safe and cared for, relaxation exercises, as well as movement and sport.

Just like physical injuries, emotional injuries need time to heal. A scar may remain, but over time it will bother you less and less. Accepting the limitations caused by the crime can help you cope better than constantly fighting against them.

In Brief

- ✗ Your reactions are a normal response to a distressing or traumatic event.
- ✗ Stay in contact with people you trust.
- ✗ Take your own needs seriously.
- ✗ Going for walks or exercising can do you good.
- ✗ Avoid sleeping pills, alcohol and other drugs.
- ✗ Try to gradually return to your normal routine.
- ✗ Don't force anything. Give yourself the time you need.
- ✗ For further guidance on coping and for practical exercises, please see p. 33.
- ✗ If you are experiencing significant distress, psychological support is available through trauma outpatient clinics (see p. 39)



Try to resume your daily routine as soon as possible, but without overwhelming yourself. If it feels helpful, have a trusted person accompany you on routes or in situations that make you anxious. Avoid alcohol, sleeping pills and stimulants. If needed, seek help from your doctor, a therapist or a counselling centre. This is especially important if you do not notice any improvement at all after six to eight weeks.

Be patient and gentle with yourself!

If the incident is causing you significant distress, you can receive psychological support from a trauma outpatient clinic (more information on p. 39). This is free of charge for you and is funded by the Versorgungsamt (Welfare office) upon application. The trauma clinics can support you with the application process. A doctor's referral is not required. If you have questions, you are also very welcome to contact our counselling centre.

In Brief

- ✗ You can apply via the Versorgungsamt / Landesamt für Gesundheit und Soziales (Berlin Office for Health and Social Affairs):

www.bmas.de/EN/Social-Affairs/Socialcompensation-law/Socialcompensation-law.html



What rights do you have in criminal proceedings?

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It is important to us that you are informed. Only if you are sufficiently informed can you effectively assert your interests. The following chapter is intended to support you and provide guidance on specific topics.

Legal Advice and Representation

As a rule, you can always instruct a lawyer. To do this, you will have to pay the lawyer's fees.

If your income is low, you can apply for legal aid for court costs (Prozesskostenhilfe) at the competent local court (see "(Prozesskostenhilfe)", p. 21). If the investigation has already been completed, submit the application to the court handling the case.

If you have legal expenses insurance, check whether it will cover the costs.

For very serious offences, you can apply to have a lawyer appointed by the court (see "Court Appointed Lawyer", p. 18).

Legal Aid Certificate

If, as the victim of a crime, you need legal advice from a lawyer, you can apply for a legal aid certificate (Beratungshilfeschin) at the legal application office of the local court responsible for your place of residence.

In Brief

- ✗ If your income is low, you may be able to have a lawyer funded through legal aid for court costs (Prozesskostenhilfe).
- ✗ Check whether your legal expenses insurance covers the costs.
- ✗ In serious offences, the appointment of a lawyer by the Local Court (Amtsgericht) is possible.
- ✗ If no appointment is made and the defendant is acquitted, you may have to pay the lawyer's fees yourself.

To qualify, you must have a low income and no other disposable assets.

With the legal aid certificate, you can then consult a lawyer of your choice. The lawyer will settle their fees with the court for the initial consultation or for out-of-court matters using the legal aid certificate.

The lawyer may charge you a maximum of €15 for their advisory services. The Legal Aid Certificate is different from legal aid for court costs (Prozesskostenhilfe), which covers the lawyer's costs for the court proceedings and the court's costs (see "Legal Aid for Court Costs (Prozesskostenhilfe)", p. 21).

You are not entitled to a legal aid certificate if you have legal expenses insurance with a victim-protection clause, because in that case the insurer covers the initial consultation.

Court Appointed Lawyer

Any lawyer can represent you. However, it is recommended to consult a specialist lawyer for criminal law.

As a private accessory prosecutor (Nebenkläger/ in), the court will, upon application, appoint a lawyer as your counsel free of charge in particularly serious offences (see "Private Accessory Prosecution", p. 19). Appointment is also possible during the investigation stage.

This court-appointed lawyer known as the victim's counsel (Opferanwalt) can advise you at every stage of the proceedings and will support you in your private accessory prosecution. In this case, you will not have to pay any costs, regardless of your income.

In Brief

Responsibility

- ✗ lies with the local court at your place of residence

Opening Hours of the Legal Application Office

- ✗ Mon to Fri 9 a.m - 1 p.m. and Thu additionally 3 p.m. – 6 p.m.

Requirements

- ✗ No realisable assets or income at or below the subsistence minimum

Scope

- ✗ Initial legal consultation as well as out-of-court resolution of disputes

Costs

- ✗ maximum personal contribution of €15

- ✗ You can choose any lawyer you trust.

- ✗ You must file an application if you wish to pursue the private accessory prosecution with legal counsel.

This lawyer can, for example, inspect the investigation files for you and has the right to be present when you are interviewed by the police, the public prosecutor's office or the court; they also act as your counsel for the private accessory prosecution (Nebenklage). The lawyer can also keep you informed about the hearing without you always having to be present in person.

Private Accessory Prosecution (Nebenklage)

By filing a private accessory prosecution (Nebenklage), you, as the victim of the crime, can, upon request, join the proceedings against the accused and participate alongside the public prosecutor. However, a private accessory prosecution (Nebenklage) is only permitted for certain offences (e.g. offences against sexual self-determination, homicide, serious bodily injury, unlawful deprivation of liberty).

The private accessory prosecutor has various rights to safeguard their interests at trial and to counter unfounded accusations by the defendant, regardless of the public prosecutor's approach (see right-hand column).

You have the right to make a closing statement, may in some cases submit motions to take evidence, and have the right to be present at the hearing.

You may file a private accessory prosecution without appointing a lawyer. However, a lawyer is recommended, as they can represent and keep you informed without you having to attend the hearing.

You can join proceedings as a private accessory prosecutor at any time during the ongoing case, even after the judgment has been pronounced, so that you can, if necessary, lodge a legal remedy.

In Brief

- ✗ Victim's counsel at the state's expense: The offence must be eligible for a private accessory prosecution.

Responsibility

- ✗ lies with the criminal court handling the case

Requirements

- ✗ An application must be filed and the offence must be eligible for private accessory prosecution.

Rights of Private Accessory Prosecutors (Nebenkläger)

- ✗ Presence at the hearing from the start, including non-public sessions
- ✗ Assistance of or representation by a lawyer
- ✗ Access to the case files and the right to be heard by the court

However, before doing so, check whether you can apply to have a lawyer appointed at the state's expense. This is particularly the case with particularly serious offences.

If your income is low but you would like legal representation, you can apply for a legal aid certificate and legal aid for court costs (Prozesskostenhilfe) (see "Legal Aid Certificate", p. 17; "Legal Aid for Court Costs (Prozesskostenhilfe)", p. 21).

Legal Counsel for Witnesses (Zeugenbeistand)

As a victim of a crime, you will be questioned by the court as a witness.

If you are not appearing as a private accessory prosecutor (Nebenkläger), you may be assigned legal counsel to support you for the duration of your testimony if, in the court's view, you require special protection. The costs of this witness counsel are covered by the state.

If no such protective interests exist, you may hire a lawyer as witness counsel at your own expense.

The witness counsel can, for example, object to certain questions directed at the witness or request to have the public excluded from court. However, the reading of the indictment and the verdict are always public.

In Brief

- ✗ Rights to ask questions, to information and to make statements; the right to submit evidence requests; certain rights to lodge complaints; right to a closing statement
- ✗ Special protective rules for minors and young adults; see the brochure "Ich habe Rechte" (I have rights) by the Federal Ministry of Justice (BMJ): www.bmjbv.de/SharedDocs/Publikationen/DE/Broschueren/Ich_habe_Rechte.html



Responsibility

- ✗ The trial court decides on the appointment of legal assistance.

Requirements

- ✗ You are a witness and do not yet have legal counsel.
- ✗ You are unable to exercise your rights during the hearing yourself, and your legitimate protective interests cannot otherwise be safeguarded, for example by the presence of a trusted person.

Costs of the Court Proceedings

The criminal proceedings themselves, with the exception of the adhesion claim, are of course free of charge for victims with limited means. However, legal representation costs money.

As a rule, if you hire a lawyer, you must pay them. There are numerous exceptions to this:

the appointment of a lawyer in a private accessory prosecution (Nebenklage) for particularly serious offences and for cases where the injured person is a child are free of charge.

If you have legal expenses insurance, it's best to check whether the costs can be covered.

Legal Aid for Court Costs (Prozesskostenhilfe)

In principle, everyone in Germany can apply for legal aid for court costs (Prozesskostenhilfe). This applies in particular to civil proceedings. As a victim of a crime, you may also be granted legal aid for court costs in criminal proceedings under certain conditions (see "Private Accessory Prosecution (Nebenklage)", p. 19).

You are eligible for assistance if you are unable to bear the costs of the proceedings yourself (i.e. court and lawyer's fees) due to your financial situation. This depends on your income and assets. Furthermore, the legal action you intend to take should have a sufficient prospect of success and not appear frivolous; this is reviewed at the legal application office. The scope of the legal aid depends on your income and covers either all or part of your own share of the court costs and your own lawyer's fees.

In Brief

Costs

- ✗ are covered by the state
- ✗ You can also hire a lawyer at your own expense.

- ✗ Please note: Fees may still arise in criminal proceedings.

Responsibility

- ✗ The court responsible for the proceedings decides
- ✗ in protection against violence proceedings, the Family Court at the place where the offence occurred
- ✗ in criminal and civil proceedings, the local court or the regional court

If you are granted legal aid for court costs in the form of a loan, your personal and financial circumstances may be reviewed again later (at the latest after four years), and the repayments required from you recalculated! Certain documents are required in order to receive legal aid for court costs (see right-hand column).

This is different from cases (Nebenklage) in which, regardless of your means, a victim's counsel can already be appointed for you free of charge by the authorities.

In Brief

Requirements

- ✗ Application
- ✗ Financial need
- ✗ Prospects of success
- ✗ Not a frivolous claim

Scope

- ✗ Loan or full coverage of costs

Repayment Amount

- ✗ may be adjusted within four years due to changes in financial circumstances

Required documents:

- ✗ Identity card
- ✗ Bank statements
- ✗ Proof of rent costs
- ✗ Proof of income for the last three months
- ✗ Proof of assets
- ✗ Application form

You can find the relevant forms here:

- ✗ www.berlin.de/gerichte/was-moechten-sie-erledigen/artikel.418028.php



Damages and Compensation for Pain and Suffering

As a victim of a crime, you have two ways to obtain compensation.

You can either assert your claims for damages or for compensation for pain and suffering before a civil court (Local Court (Amtsgericht), or, starting from a damages amount of €5,000, in the Regional Court (Landgericht), or you can assert material and non-material claims in the adhesion procedure (Adhäsionsverfahren) during the criminal trial. Advantages of the adhesion procedure (Adhäsionsverfahren) include that a decision on the claim is made early on and, as the victim, you can use the results of the evidence collected in trial. You do not have to obtain the evidence for the offence or the witnesses yourself; you can simply name them in the adhesion application.

Since some particularities must be considered with an adhesion application and there may be a potential cost risk, we recommend seeking legal advice.

Please note that, here too, the costs of legal support may, in some cases, be covered under legal aid for court costs (appointment of counsel) or by your legal expenses insurance.

Be sure to learn more about the realistic amounts of compensation for pain and suffering. Media reports sometimes mention very high amounts. However, these usually refer to cases from other countries, and under German legal standards, awards for pain and suffering are often lower.

In Brief

In civil proceedings Responsibility

- ✗ lies with the civil court

Requirements

- ✗ A claim for damages or compensation for pain and suffering

Scope

- ✗ depends on the proven damage

Notes

- ✗ You bear the risk of court costs and must observe the limitation period.
- ✗ The burden of proof lies with you.

In the Adhesion Procedure Responsibility

- ✗ lies with the court responsible for the criminal proceedings

Requirements

- ✗ Application and a claim for damages or compensation for pain and suffering, which has not yet been asserted in any other court proceedings

Scope

- ✗ depends on the proven damage and/or the court's discretion

If you file an application without a lawyer, it is advisable to leave the amount in dispute to the court's discretion, since any fees are calculated on that basis.

Please note: An adhesion judgement is not, by itself, enforceable. You will receive an official copy of the enforceable judgment upon request once the proceedings have been concluded.

Offender-victim Mediation

As a victim of a crime, you have the option of a reparations agreement with the offender. You can seek non-binding advice on this.

Victims, like the accused, can initiate this and, with the professional guidance of trained mediators, reach a legally binding agreement with the accused in a mediation meeting. This requires both sides to declare their willingness.

In Brief

Risk

- ✗ If the defendant is acquitted, the court and lawyer's fees are at your expense
- ✗ You can find further information in the brochure "Das Adhäsionsverfahren" (Adhesion Procedure), which can be downloaded free of charge here:
<https://broschueren.justiz.nrw>

Responsibility for young people:

- ✗ EJF gAG,
Project "Integrationshilfe"
(Integration Support)
☎ 030 4295841

for adults:

- ✗ Judicial Social Services,
Project "Dialog" (Dialogue)
☎ 030 90156-250

Requirements

- ✗ Both the victim and the offender declare their willingness to take part in a reconciliation procedure.

Victim Compensation Law

You can assert a claim to benefits. The prerequisite is that the act involved an unlawful, intentional physical assault and that you can prove a health impairment because of it.

Family members and first responders may, in certain circumstances, claim for what is known as shock damage.

Please note: For children, an act may be deemed a "physical assault" that would not meet that legal definition for adults. Please seek advice from a victim support organisation regarding this.

The competent benefits office at your place of residence will decide on the application. Submitting an application is advisable even if the perpetrator cannot be identified.

You are able to submit a short application for compensation for victims of violent crime under the Fourteenth Book of the Social Code (SGB XIV) as early as during the police interview.

As of 1 January 2024, the Victim Compensation Act was replaced by the provisions of SGB XIV. For people who became victims of a crime on or after 1 January 2024, this means expanded protection. For example, under certain conditions, people who are or were exposed to psychological violence can now also be compensated. There have also been extensive changes to statutory benefits, which can have significant effects for individuals. We would be happy to advise you on this.

In Brief

Responsibility

- ✗ The benefits office (Versorgungsamt) at your place of residence is responsible for processing the application. In Berlin this is the Berlin Office for Health and Social Affairs (Landesamt für Gesundheit und Soziales – LAGeSo).

Requirements

- ✗ Health impairment resulting from an intentional, unlawful physical assault or as a result of lawful self-defense
- ✗ You were attacked yourself, or you are a witness or a relative of a person who was attacked.

Scope

- ✗ Support in the form of medical treatment, compensation for loss of earnings and a basic pension
- ✗ Information and an explanatory video on applying for victim compensation: <https://www.bmas.de/EN/Social-Affairs/Socialcompensation-law/Social-compensation-law.html>
- ✗ Application available from the Versorgungsamt or online at: www.bmas.de/SharedDocs/Downloads/DE/Soziales/antrag-leistungen-fuer-gewalt-topfer-2024.pdf



Info



Application

Statutory Accident Insurance Institution (Berufsgenossenschaft)

If the crime was a workplace accident, you may have claims against the statutory accident insurance institution (Berufsgenossenschaft).

If you were injured as a first aider or while providing assistance, you may also have claims against the statutory accident insurance fund (Unfallkasse) of the respective federal state, e.g. Berlin.

If you are no longer able to work, you may also be able to apply to your statutory pension insurance for rehabilitation measures and, if applicable, a disability pension.

Funds and Foundations

For certain offences, there may also be compensation or benefits from funds or foundations for victims of violence.

Seek advice on this from a specialist counselling service.

In Brief

- ✗ Workplace accident
- ✗ You must see a designated accident insurance physician (Durchgangsarzt).
- ✗ First aiders may have claims against the statutory accident insurance fund (Unfallkasse).
- ✗ If you are unable to work, check any entitlements with your pension insurance.

You may be able to receive support from funds or foundations, such as:

- ✗ Supplementary Assistance System (EHS): Fund for victims of sexual abuse (Fonds sexueller Missbrauch) run by the Federal Ministry for Education, Family Affairs, Senior Citizens, Women and Youth
- ✗ Fund for victims of extremist and terrorist acts of violence run by the Federal Ministry of Justice



Protective Measures under the Protection Against Violence Act (GewSchG)

If you are a victim of domestic violence or stalking, you can apply to the competent family court for protection orders, such as a restraining or no-contact order under the Protection Against Violence Act (GewSchG). You can also request that the shared residence be assigned solely to you.

In cases of domestic violence, the police can order the offender to leave the home and impose a two-week ban on entering. During this time, you can file applications with the family court.

There are specific support services for domestic violence: For women, the BIG Hotline (Berliner Initiative gegen Gewalt an Frauen e.V. – anti-violence hotline for women in Berlin) is available daily (see righthand column).

People of any gender seeking advice can contact the counselling centre of Opferhilfe Berlin e.V. (victim support organisation in Berlin) (see righthand column).

In Brief

- ✗ In cases of domestic violence or stalking, you can apply for a protective order (interim injunction) at the competent family court.
- ✗ You can also apply to have the home assigned to you at the family court.
- ✗ Jurisdiction lies with the court in the district where the offence was committed, where the shared home is located, or where the respondent lives.
- ✗ The police can issue an eviction order and a ban on entering the shared house.
- ✗ for women*: BIG Hotline ☎ 030 6110300
- ✗ for everyone: Beratungsstelle der Opferhilfe Berlin e.V. (victim support organisation in Berlin) ☎ 030 3952867



Psychosocial Support During Criminal Proceedings

Psychosocial support provides professional assistance throughout the entire criminal proceedings. Victims of serious violent and sexual offences and/ or with a particular need for protection (e.g. victims of human trafficking, people with a disability or mental illness), as well as minors, can be granted free psychosocial support by the court. Even if the requirements for a free appointment are not met, psychosocial support can be obtained at your own expense.

A psychosocial support person will, for example, inform you about the course of the criminal proceedings, visit the courtroom with you before the hearing, and accompany you to interviews with the police, the public prosecutor's office and the court. Your individual needs are the priority. The aim is to reduce uncertainty and strain during the criminal proceedings.

Psychosocial support is not legal advice. However, if the court has granted you free psychosocial support, you are generally also entitled to free legal counsel (see "Court Appointed Lawyer", p. 18).

In Brief

- Responsibility**
 - ✗ lies with the public prosecutor's office handling the case
- Requirements**
 - ✗ serious violent or sexual offence, special need for protection, being a minor
 - ✗ informal application made when filing the police report or thereafter with the competent public prosecutor's office

Minors and Young Adult Witnesses

If the injured parties or witnesses are minors or young adults the law provides special protective measures. For example, hearings can take place excluding the public or the defendant.

For minors, you can insist that questions are asked only by the presiding judge. The judge may allow the other parties to ask questions only in exceptional circumstances. Minors may also give their testimony from a separate room during the main hearing, with the statement transmitted to the courtroom via a live video link.

It is at the judge's discretion to decide whether to dispense with the in-person witness testimony altogether and instead record the interview during the investigation phase. This approach is common practice. It avoids the need for a detailed second interview at trial, and only any additional questions that have arisen afterwards will be asked.

If children or young adults have been victims of violent or sexual offences, they are also entitled to professional support: psychosocial trial support (Psychosoziale Prozessbegleitung) (see "Psychosocial Support During Criminal Proceedings", p. 28). We are happy to advise you on the expanded rights and protective measures for minors and young adults.

In Brief

- ✗ Special protective provisions apply to minors and young adults.
- ✗ Further information can be found in the Federal Ministry of Justice's brochure "Ich habe Rechte," available at: www.bmjbv.de/SharedDocs/Publikationen/DE/Broschueren/Ich_habe_Rechte.html



Sample applications

You can download the guide "Opferfibel – Informationen für Betroffene von Straftaten rund um das Strafverfahren" (A Guide for People Affected by Crime and Criminal Proceedings) published by the Federal Ministry of Justice free of charge using the link or QR code below. This brochure includes, among other things, numerous sample applications that you can use as templates.

www.bmjbv.de/SharedDocs/Publikationen/DE/Broschueren/Opferfibel.html



Here is an overview of the sample applications included in the Victim's Guide

- ✖ Criminal complaint (Strafanzeige) _____ p. 63
- ✖ Complaint against dismissal of proceedings _____ p. 64
- ✖ Request for information _____ p. 65
- ✖ Information about the outcome of the proceedings _____ p. 66
- ✖ Adhesion application (Adhäsionsantrag) _____ p. 67
- ✖ Applications for further information concerning
the convicted person _____ p. 68-70

(The page numbers refer to the February 2022 edition of the Opferfibel.)

Your Notes

Here you can note down information that is important to you,
or any questions you would like to take to a counselling session.

[illegible]

Graphic: yurlick, Freepik

How can you ease your burden and ground yourself in the present?

Distressing experiences and coping	p. 33
Some suggestions for finding calm and regaining strength	p. 34
Grounding in the here and now	p. 35
The importance of breathing	p. 37
Simple physical exercises that work quickly	p. 38
Further support and points of contact	p. 39

Experiencing a crime can lead to lasting feelings of insecurity and fear. Previously held assumptions, such as the belief that we can move safely through life, may be shaken. Our relationships with others, including our loved ones, can be affected.

Distressing experiences and coping

Reactions to a distressing event can vary widely. Follow-up reactions may include being easily startled, having nightmares, intrusive images and memories, sleep problems, avoiding similar situations or places, rumination, social and emotional withdrawal, low mood, and heightened irritability or anger. Such reactions in feelings, thoughts and actions are a normal response to a distressing or traumatic event.

Just like physical injuries, emotional injuries need time to heal. Scars may remain, but over time they will hurt less and less. Just as we are all different, the ways we cope and process experiences are also different. Everyone needs their own time to come to terms with the impacts.

Bandages and ointments support the healing of physical wounds, but they do not undo the injury. Similarly, there are things that support the healing process for emotional wounds. We have put together some suggestions and exercises for you, some of which may be helpful in everyday life. You can find further exercises in our guide to stabilisation and on our website at:

www.opferhilfe-berlin.de/downloads

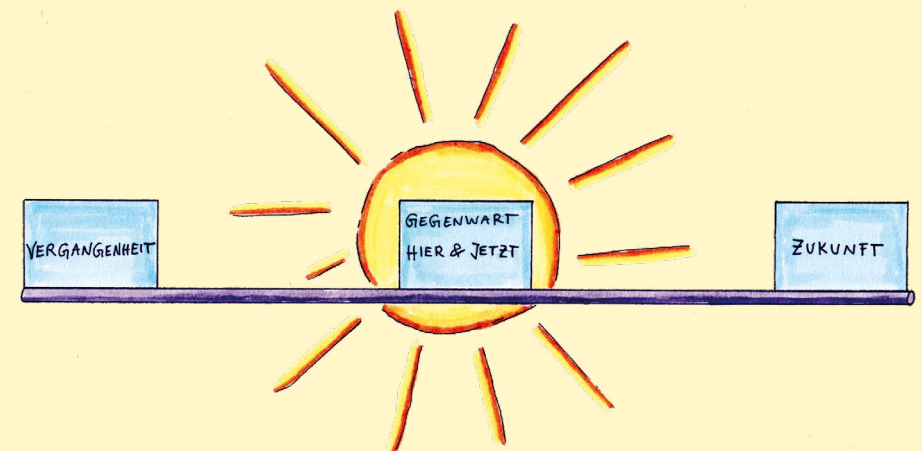


Some Suggestions for Finding Calm and Regaining Strength

- ✗ Take time to recover. Allow yourself to rest!
- ✗ Don't pressure yourself if you're not as resilient as usual right now.
- ✗ Pay extra attention to your needs.
- ✗ Give your feelings room.
- ✗ It is completely understandable to fight against the emotional and psychological effects of the crime. But trying to accept them can help you cope better.
- ✗ Seek contact with people you trust, or talk to counsellors at a support centre.
- ✗ It can help to deliberately create situations in which you feel safe and cared for.
- ✗ Physical activity such as walks can be very beneficial when trying to manage strong tension.
- ✗ Spend time doing things that usually bring you joy and help you relax.
- ✗ Use exercises that help you stay in the here and now or that promote relaxation.
- ✗ Avoid sleeping pills, alcohol and other drugs.
- ✗ It can be helpful to return to familiar routines and daily rhythms, but without pushing yourself too far.
- ✗ You may feel more comfortable if a trusted person accompanies you on routes and tasks that cause anxiety.
- ✗ If needed, seek help from your doctor, a therapist or a counselling centre. This is especially important if you notice no improvement at all after six to eight weeks (see "General Guidance for Distressing Events", p. 14).
- ✗ There is no right or wrong way to process what you experienced. We are happy to help you find what approach feels right for you.

Grounding in the Here and Now

After distressing experiences, our thoughts and feelings can keep slipping back into the past. Sometimes it feels, emotionally and physically, as if we were still in the distressing situation. But we are not. We may also worry about what the future will be like. That, too, can feel as if we were already in the future and the moment were real. But it is not. It can be helpful to consciously focus on the present and to distinguish whether we are emotionally in the past, in the future, or in the here and now. The exercise on the next page can help with this.



Exercise: The 5-4-3-2-1 exercise (by Yvonne Dolan)

The aim of this exercise is to find a way out of the thought spiral or rising panic, to return to the here and now, and to calm down—for example to help you fall asleep, but also when you are on the go. How it works:

- ✗ Let your eyes look in one direction. Pick a point that is slightly above eye level so that you look a little upward. Let your eyes rest on that point. Notice your breathing and let it set the rhythm.
- ✗ Name (quietly to yourself) 5 things you can see right now. Notice how wide your field of vision is, even while your eyes are relaxed and looking ahead. Take your time, for example: „I see a leaf moving... I see the hands of a clock... I see my nose...”
- ✗ Then name 5 things you can hear right now, for example: „I hear the hum of the heater... I hear a car in the background... I hear my heartbeat...”
- ✗ Now name 5 things you can feel on or inside your body, for example: „I feel the chair underneath me... I feel my right foot on the floor... I feel a tingling on my nose...”
- ✗ Now repeat 4 things you see, hear, feel,
- ✗ then 3 things,
- ✗ then 2 things,
- ✗ then 1 thing.

The Importance of Breathing

Depending on what we experience, what we think about, and how we feel, our breathing changes. When our tension decreases, it becomes shallow. When tension rises, it comes in bursts and gets faster. In fright, we may even hold our breath.

Our breath can bring us back to the here and now when our attention has strayed elsewhere. It helps to breathe deeply and calmly. Start by focusing on the exhale; the inhale will follow naturally. And if you like, you can occasionally place a hand on your belly or on your chest and feel what happens. Calm breathing can help you be fully present.

Source: be-here-now, an initiative by institut berlin

Illustration by Kai Pannen from 'Kopf hoch. Das kleine Überlebensbuch.

Soforthilfe bei Stress, Ärger und anderen Durchhängern' by Dr. Claudia Croos-Müller, MD (Kösel Verlag, 2011).



Exercise: 1:2 Breathing

The following breathing exercise is easy to do and, in stressful situations, has a calming effect on the whole body after just a few cycles. By breathing in in a controlled way and breathing out long and slowly, you activate the body's rest and digest response, which is the counterpart to the fight-or-flight response.

The exercise simply consists of exhaling for twice as long as you inhale. That is why this breathing pattern is called 1:2 breathing. For example, breathe in while counting to four. Then slowly exhale and count to eight. You can also count to three or five when inhaling and to six or ten when exhaling. The only important thing is that the exhale is twice as long as the inhale and that you find a rhythm that feels good to you. Feel free to try it several times a day. In stressful situations, this breathing pattern is very effective for regaining control of your body and mind.

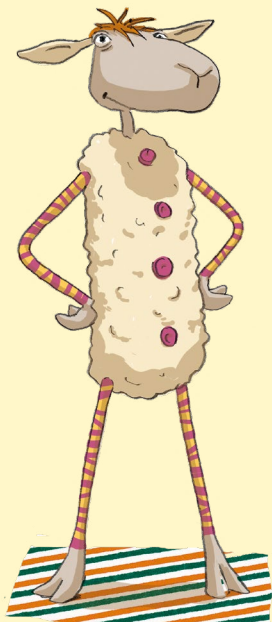
Source: "Eine traumapädagogische Übungskartei für die Soziale Arbeit" by Sarah Frohmader and Julia Kamm. (A set of trauma-informed practice cards for social work) (Books on Demand, 2021.)

A simple physical exercise that works quickly

Each of us has a wonderful immediate aid for feelings of fear and tension: our own body. And using it does not require particular athletic abilities or a lot of time. How does it work? Our brain and body are intricately connected by an astonishing 5.8 million kilometres of nerve pathways. They are in constant mutual exchange via chemical messengers. This means that mood affects the body (e.g. posture, facial expression), and conversely the body also influences our emotional state.

Exercise: stand steady and confident

Stand up with your feet roughly shoulder-width apart so you could draw a straight line from your shoulders down to your feet. If you like, imagine your feet are firmly rooted to the ground. With this wide stance, the nerve endings in the soles of your feet send signals of stability and safety through the spinal cord to the brain.



The nerve pathways inform your brain about the changed posture of your muscles. In seconds, it responds by releasing mood-lifting and relaxing neurotransmitters, and we feel more confident and calmer.

You can find more exercises to try in the app "Body-2Brain," available free of charge in the App Store.

Source: Kopf hoch. Das kleine Überlebensbuch. Soforthilfe bei Stress, Ärger und anderen Durchhängern' by Dr. med. Claudia Croos-Müller, MD (Kösel Verlag, 2011). Illustration by Kai Pannen

Further Support and Points of Contact

For some people, the information and exercises in this chapter provide immediate help; others may need different or additional forms of support. You are warmly welcome at the victim support counselling centre of Opferhilfe Berlin e.V.! Together, we will find out what might help you feel better right now.

☎ 030 3952867



On our website you will find further information and exercises available for download:

www.opferhilfe-berlin.de/downloads



Further Points of Contact

Acute Psychological Support for Adults

Trauma outpatient clinic at Alexianer St. Hedwig Hospital in Mitte

☎ 030 2311-1880

Trauma Outpatient Clinic at the Friedrich von Bodelschwingh Clinic in Charlottenburg-Wilmersdorf

☎ 030 54727887

Acute Psychological Support for Children and Young Adults

Department of Child and Young Adult Psychiatry, Psychosomatics and Psychotherapy at Charité in Mitte

☎ 030 450516-100

Crisis Service

In many places there are crisis services that provide rapid support in mental health crises. Berlin Crisis Service:

☎ 030 3906310 (available 24/7)

www.berliner-krisendienst.de



TelefonSeelsorge

TelefonSeelsorge is free of charge and available around the clock.

☎ 0800 1110111

You can also receive support via chat:

<https://online.telefonseelsorge.de>



Our counselling and support services

Opferhilfe Berlin e.V. advises and supports victims and witnesses of crime in Berlin and their relatives. The non-profit association was founded in 1986 and is funded through grants from the Berlin Senate Department for Justice and Consumer Protection, through allocations of fines, and through donations.

Counselling Centre in Berlin-Moabit

In our counselling centre, we support people seeking help either through one-off or longer-term counselling — in person, by phone or by email. If you prefer, you can also receive support anonymously and free of charge.

✕ Support

We help people who have experienced a crime to find calm after the incident. At our counselling centre, people affected find a welcoming atmosphere and enough space to talk about the issues and feelings connected to the crime they experienced. On this basis, we explain options, work out the next steps with you, and support you in putting them into practice. Our focus is trauma-focused specialist counselling.

✕ Advice and Information

When needed, we talk with people affected about the police and court process, as well as any financial entitlements they may be able to claim (damages, compensation for pain and suffering, etc.). We also provide information about the effects of distressing or traumatic experiences and outline different ways of coping.

✕ Referrals

If needed, we can refer you to further and specialised services, such as our witness support service at the Berlin Criminal Court (Kriminalgericht Berlin), offender-victim mediation, and therapists, doctors or lawyers.

Address

Oldenburger Straße 38
10551 Berlin-Moabit

Contact

☎ 030 3952867

📠 030 39879959

✉ info@opferhilfe-berlin.de

🌐 www.opferhilfe-berlin.de/beratungsstelle

Telephone Availability

Mon to Fri 10 a.m. – 1 p.m.

Tue and Thu 3 p.m. – 6 p.m.

For an in-person counselling appointment we kindly ask you to arrange an appointment in advance by phone.



The Witness Support Service at the Berlin Criminal Court

When people are summoned to a court hearing, it is often very upsetting, regardless of whether they are themselves affected by a crime or were a witness to one. Since 2001, the witness support service has supported, informed and accompanied people affected in person, by phone and by email.

Support

From the point at which charges are brought until the criminal proceedings are concluded, we support people who have to give evidence as witnesses or victims, as well as their relatives. At the Berlin Criminal Court, we provide a safe and protected space where you can wait between appointments or before your hearing.

Information

In a calm and supportive environment, we provide clear information about how the court process works and explain the rights and responsibilities of victims and witnesses.

Accompaniment

We are also happy to provide personal support by accompanying you to court hearings.




Address

Berlin Criminal Court
(Kriminalgericht Moabit)
Entrance Wilsnacker Straße 4
10559 Berlin

Öffnungszeiten

Mon to Fri 8:30 a.m. - 2 p.m.
and by prior telephone appointment

Contact

 030 90143498
 030 90145934
 zeugenbetreuung@opferhilfe-berlin.de
 www.opferhilfe-berlin.de/zeugenbetreuung



To ensure we can support you properly and take the time you need, we kindly ask you to arrange an appointment with us by phone in advance. Thank you!

The proaktiv – Service Centre

In March 2020, Opferhilfe Berlin e.V. launched the “proaktiv – Service Centre for People Affected by Crime”, the first project of its kind in Germany. People affected by crime now receive an active offer of counselling from a victim support service after reporting a crime. This means they no longer have to search for help on their own.

After filing a report with the Berlin police, those affected are asked whether they would like counselling and support from a specialist counselling service. If they consent, the proaktiv – Service Centre refers them to a specialist counselling service within the proaktiv network. The referral is tailored to the specific type and background of the offence and to the individual needs of the affected person.

The counselling service then makes proactive contact and offers individual support - including psychosocial and financial guidance, as well as information on police and court procedures.

This approach was tested in an eighteen-month pilot project and is now being gradually rolled out across Berlin. The proaktiv – Service Centre works with the Berlin police and a network of Berlin counselling centres in victim support.

More information:

 www.proaktiv-berlin.org



Hilfe-in-Berlin.de — The Portal for People Affected by Crime

Hilfe-in-Berlin.de is a website where people affected by crime, witnesses, relatives and professionals can find extensive information and support services.

Advice and Support

A practical search function makes it easy to find counselling services, outpatient clinics, crisis services, as well as online services and telephone hotlines.

Information

All key information for people affected by crime is summarised here in a concise form and provides an initial overview.

In addition to legal information, you will find guidance on compensation options and on medical and psychological support.

You will also find answers to many other questions such as: "Where can I have injuries documented after physical violence?", "What can I do in cases of discrimination and politically motivated violence?", "What help is available after a terrorist attack?"

More information:

🌐 www.hilfe-in-berlin.de



Donations

We want to continue supporting people affected by crime, standing by their side and working towards improving their situation within society. As a non-profit organisation, we can only do this with your support. We would be very grateful for donations to the following account:

Sozialbank

IBAN: DE98 3702 0500 0003 1369 00

BIC: BFSWDE33XXX

Your donation is tax-deductible. We will be happy to send you a donation receipt. If you would like this, simply include your address in the payment reference.

You can also support us by becoming a supporting member. Further information is available here: www.opferhilfe-berlin.de/foerdermitgliedschaft

Thank you very much!



Graphic: Pixabay

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Disclaimer

Opferhilfe Berlin e.V. has made every effort to ensure that all information and data contained in this guide are accurate and up to date. However, no guarantee or liability is assumed for the accuracy, up-to-dateness and completeness of the information and data provided.

Last revised: April 2025

