



## Basics of the German Criminal Law

### **No penalty without law.**

A person that violates basic values of the state or the rights of individual citizens will be punished. Criminal actions and their legal consequences (penalties) are solely ruled by national law.

### **Only the state is authorized to prosecute criminal offences.**

Any punishment through self-administered justice ("street law") or through non-state institutions or the head of a family are strictly forbidden.



### **Police, Public Attorneys (*Staatsanwaltschaft*) and Criminal Courts.**

All victims and witnesses of a criminal act must contact the police (emergency call: 110). The police and the Public Attorney (*Staatsanwalt*) will investigate if there is suspicion that a criminal act has happened. Only the criminal courts are authorized to convict a criminal offender. The police and members of the justice system are incorruptible and always act according to the law.

### **Every citizen may become a witness and must tell the truth.**

Every citizen may be heard as a witness during investigations into a crime. Only the husband or wife and close relatives of a suspect have the right to refuse to give evidence. A witness must always tell the truth. False testimony is a criminal offence itself and will be punished.

### **Some of the most common elements of crime:**

- In Germany, it is **strictly forbidden to use physical violence**. This also applies for family members who must never be physically punished. A person that kills or wilfully harms somebody will be punished severely.
- **Property and estate** are protected by law. A person that steals something or deceives somebody will be punished.
- **Sexual self-determination** is an important object of legal protection. A person that forces somebody to perform sexual acts using violence or threats will be imprisoned for years. This also applies for spouses within a marriage. Sexual acts with children under the age of 14 are forbidden and will be punished.
- **Drugs** are forbidden in Germany. A person that possesses, sells, imports or otherwise handles drugs will be punished.



< links to the film "Theft, fraud, bodily harm. How does the German Criminal Law work?" on our website [www.justiz.bayern.de](http://www.justiz.bayern.de). In the film, it is explained in three minutes and by means of illustrative examples what significance the criminal law has for the living together and the security of the people in Germany.