

Support options

Ideally, psychosocial counselling can start before the filing of charges and continue until the final judgement. The intensity of the counselling entirely depends on the individual needs of the person concerned. Counselling is also advisable in addition to legal representation, as the nature of the support it provides is psychosocial rather than legal. It can be used at all stages of proceedings.

Specifically, the opportunity for support can mean:

Before the main hearing,

the counsellor discusses the course of criminal proceedings and the tasks of the parties involved with the person concerned in an age-appropriate way. There is an opportunity to look around the court and the courtroom beforehand.

During the main hearing,

the counsellor accompanies the person concerned on-site and is present with them in the courtroom during cross-examination. During waiting times, counselling is provided in a safe space.

After the main hearing

and the end of proceedings, debriefing is possible. The verdict is explained in simple terms on request. Also on request, the counsellor provides information on and facilitates further options for help in dealing with exposure to violence.

Psychosocial counselling does not entail any legal or legal representation elements. It does not replace any advice or therapy.

Costs

In the event of assignment by the court, the costs for psychosocial counselling come from public funds. If no psychosocial counsellor is assigned, you can engage one at your own cost.

Further information

Further information on psychosocial counselling in particular and victim protection in general can be found online at: opferhilfe.sachsen-anhalt.de (German only).

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Psychosocial counselling

A programme of the Judicial System's Social Services Division



SACHSEN-ANHALT

Ministerium für
Justiz und Verbraucherschutz

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General

People who have experienced severe sexual and physical violence often suffer for the rest of their lives. Their need for protection is particularly acute.

Having to testify in court as a harmed witness in criminal proceedings often involves describing the experience in front of strangers. Many people find this hard. That is why help must be readily available. Psychosocial counselling is an especially important source of support in cases of violent and sexual offences.

Cross-examination in criminal proceedings can be particularly distressing for children and young people. Psychosocial counselling is a legal entitlement designed to help highly vulnerable witnesses as a form of non-legal support in criminal proceedings.

Its key features are neutrality in relation to the criminal proceedings and to the separation of advice and support.

This flyer is intended to inform all victims of crimes and their relatives about psychosocial counselling and encourage those affected to take it up.

Availability and entitlement

The offering of psychosocial counselling is geared towards highly vulnerable witnesses, such as the following:

- Children and young people who have become victims of violent and sexual offences
- People with a disability or mental illness
- Adult victims of violent or sexual crimes
- Children, parents, siblings, spouses or partners who have lost relatives as a result of a criminal offence

The aims are to reduce the stress levels of those affected, avert the risk of further traumas and empower them to express themselves in the main hearing.

Requirements involved

Psychosocial counselling is provided by experts who have high-level professional, personal and interdisciplinary qualifications.

They hold a specific additional qualification in professional support and assistance of harmed witnesses.

Assignment of psychosocial counselling

If the essential requirements for assignment are in place, you can apply to the competent court for assignment of a psychosocial counsellor.

The competent court depends on the stage of the criminal proceedings:

In the investigation proceedings, i.e. before a public prosecution is brought, the district court in the location of the competent public prosecutor's office makes the decision. In most cases, the scene of the crime is the determining factor regarding competence.

In the main proceedings, the court dealing with the case makes the decision.

The court selects the person to be assigned. However, you also have the opportunity to propose a psychosocial counsellor of your choice.

Visit <https://lsaur.de/psychpbg> to access the "Psychosocial Counselling" page (German only). The list of counsellors recognised under Section 10 of the Implementing Act on the Psychosocial Counselling Act of the State of Saxony-Anhalt (AGPsychPbG LSA) can be downloaded there as a PDF file (German only).