

A white line drawing on a dark blue background depicts a person from the chest up. The person is wearing a beanie, sunglasses, and a sweater. They are holding a smartphone in their right hand, looking at the screen. The drawing is minimalist, using only outlines and some cross-hatching for shading.

Handbook for  
**LGBTQIA+** people who  
have encountered crime  
in the Czech Republic





# Handbook for LGBTQIA+ people who have encountered crime in the Czech Republic

Maybe you have encountered behaviour that you felt was wrong or that you thought might have been against the law. Maybe somebody harmed you, verbally assaulted you or deliberately destroyed your property. Just because of who you are. These situations might have seriously interfered with your rights, and you might have felt helpless and powerless. Or maybe you have been repeatedly subjected to uncomfortable situations. This information handbook has been put together to help you find out what your rights are in criminal proceedings and where you can get legal help. After all, our goal is to create a society in which the rights of all people are respected and upheld.

On the following pages you will learn what behaviour is against the law in the Czech Republic and how to defend yourself against such behaviour. There are many options – you can seek help or support, file a criminal complaint or share your concerns with organisations that work with crime victims.

You will find out what your rights are when dealing with the police or when appearing in court, whether you have the right to free legal aid, how to ensure your own safety or the safety of your loved ones, and whether you have the right to compensation from the person who caused you harm by committing a crime.



# 1. Bias violence and its forms

## Bias violence

Bias violence (you may have also heard the term hate crime) is violence motivated by the perpetrator's negative attitude (bias) towards the attacked person because of their real or perceived immutable personality characteristics, including sexual orientation and gender identity.

### Violence can take various forms



#### **physical violence**

(assault, assault with a weapon, arson attacks)



#### **psychological violence**

(ridicule, humiliation, long-term name-calling, forced coming out)



#### **sexual violence**

(rape, sexual assault, sexual coercion)



#### **verbal violence**

(insults, threats, homophobic jokes)



#### **attacks on property**

(attacking places proclaiming support for LGBTQIA+ people)



#### **harassment**

(expressing hatred, creating hateful websites)



#### **intimidation**

(threatening emails, text messages, personal threats, stalking)



#### **cyberbullying**

(spam, doxing, creating fake profiles)



## 2. When to contact the police

The police should be contacted in cases where someone has harmed you or is currently harming you. Some forms of bias violence (both verbal and physical) can be classified by the police and courts as a misdemeanour or a felony.

The difference between a misdemeanour and a felony lies in the seriousness of the perpetrator's actions and the severity of the consequences for the victim. While felonies are subsequently investigated by the police and the courts in criminal proceedings, misdemeanours are dealt with by misdemeanour commissions in administrative procedures.

In the next chapter, we will look at what your rights are in criminal proceedings and who can help you to exercise them.

### How to file a criminal complaint?

You can file a criminal complaint **verbally or in writing at any police station**. You can also write it at home and send it by email or mail. Or you can send the criminal complaint directly to the respective prosecutor's office (in the jurisdiction where you live or where the criminal offence took place). The police must accept your criminal complaint. **You can go to any police station, none of them can refuse you**. If it does happen, you can make a complaint. But before you go and file a criminal complaint with the police itself, consider whether you would feel more comfortable if you were accompanied by a legal representative or confidant (see below).

### What should a criminal complaint look like?

A criminal complaint has no prescribed form. **Write or say what happened to you, who the perpetrator was, who saw the crime (witnesses), and what damages you have incurred**. You can also give other evidence to the police that can prove that a crime has been committed.

## Can I withdraw a criminal complaint?

**No.** After a criminal complaint is filed, the police proceed on their own initiative. This means that once a criminal complaint has been filed you **cannot withdraw it** (with some exceptions), as the police have a legal obligation to address (investigate and prosecute) crimes they become aware of.

## What happens next?

The police will start **investigating** the facts stated in the criminal complaint. If there is no criminal offence involved, the case will be set aside or referred to administrative procedure (a procedure that deals with less serious offences). The police may **call you in for questioning**. Do not worry, the police will only question you to best investigate the case. If the police need any evidence that you have in your possession or can get hold of, they will ask you to provide it.

## How will the questioning / giving an explanation be conducted?

Questionings take place at police stations. One but more often two police officers will be present at the questioning. **Bring your identification** and any other documents you want to submit to the police. Do not forget that a legal representative or confidant of your choice can be present during the questioning (or during giving an explanation).

## What are my obligations during the questioning / giving an explanation?

You must tell the **truth and state everything you have seen and heard, and everything you know**. You have the right to **refuse to give testimony** if it might lead to the prosecution of yourself or a person close to you (family, partner...). You **must not** lie during the questioning. If you deliberately say something that is not true, you could be committing a criminal offence yourself.

## I'm afraid the police will ask me questions that will make me uncomfortable. What are my rights?

Questionings can be uncomfortable. However, the police must not ask you questions that are not related to the crime. They are also not permitted to ask you intimate questions. You can object to such police action and inform the police authority that the questions make you uncomfortable. **A very important right is the option to ask to be interviewed by a person of the same or opposite sex.**

The police must accommodate you. They can only refuse your request if they are unable to ensure the presence of a person of the gender you ask for.

## The police have summoned me during my work hours. Do I have to comply?

**Yes.** If the police have summoned you for questioning, show your employer the police summons, your employer is obliged to excuse you from work. Your employer will not pay you any wages for that period. However, you can ask the police for a **'witness fee'** – compensation for the time you spent in questioning. If you don't want your employer to know you are going in for questioning, you must take time off work or agree with the police on a different date or time for questioning. The police will usually agree to your request, but they may not be able to change the date or time.

## What are the legal consequences of failing to appear for questioning?

**You must show** for questioning. If you are unable to attend, for example because of an illness or an unscheduled doctor's visit, you **must excuse yourself in advance.** If you do not excuse yourself and fail to appear for questioning, the police may give you a **fine** of up to 50,000 CZK. The police may also have you brought in for questioning, which means that they will come to your home or work and take you for questioning themselves.

## I'm afraid of the perpetrator, do I have to meet them?

**You don't have to.** You can ask the police to prevent contact with the perpetrator and the police will usually comply.



## How can I ensure that the perpetrator doesn't know where I live and work?

You must proactively ask the police authority to **hide** your data. **Then the police must do so.** There are only a few exceptions where the police will not hide your data, for example if they need to prove that the perpetrator knows where you live. If you ask, the police will hide all your details except your name, date of birth, place of birth and ID number.

## How do I know what's going on in the proceedings?

As a victim, you have the **right to view the file** that the police and subsequently the court keep on your case. The file must contain all documents related to the case. You can make photocopies of the case file (even with a mobile phone or your own camera). You must always arrange to see the file in advance. At certain stages of the proceedings, the police may not let you see the file, which is normal, but the police must always give a reason for their decision.

## How do I find out what the outcome of the police investigation was?

Ask the police to **tell you how the matter is being handled.** The police will do so within 30 days of your request if you ask them, but you must ask proactively, otherwise the police will not inform you.





## 3. What will happen in court?

### Do I have to appear in court?

**Yes.** You must appear in court on a **summons** – a letter that the court usually mails to your home address. You must comply with the summons. If you fail to do so, you may be fined or brought in.

### What does it look like in a courtroom?

You will meet the judge in the courtroom. There will also be a public prosecutor there to prosecute the perpetrator on behalf of the state. The victim in criminal proceedings is referred to as the injured party. The perpetrator and their lawyer may also be present in the courtroom, as well as members of the public. In serious cases, the judge may order that the public will not be allowed in the courtroom.

### Do I have to meet the perpetrator?

**No.** You have the right to request to **not meet the perpetrator**, but you must submit your request to the court. The court will always grant a request for separate questioning in the case of so-called particularly vulnerable victims (see below), otherwise only if there are compelling reasons to do so. Your questioning will then consist of the judicial guard taking you to a separate waiting room where the perpetrator won't have access. You will either communicate with the judge via a transmission device, or the perpetrator will be escorted out of the courtroom, and you will testify without the perpetrator being present.

## I told the police everything, what will the court ask me?

Since criminal proceedings are open to the public, everything must be **restated in court**. The judge will ask you to retell everything in your own words and then you will be asked questions. The prosecutor and the perpetrator's lawyer may also ask you questions. If you are being represented by a legal representative, they may also ask you questions, for example if you neglect to mention something in your statement.

## It's been a long time. I'm afraid I won't remember everything.

That's **normal**. You can write down what you want to say ahead of time. The court has the right to ask to see your notes and will inform you of this. If you forget anything, don't be afraid to tell the court.

## The perpetrator isn't going to testify, I'm afraid the court will think I'm lying.

The perpetrator has the right to remain silent, no one can force them to testify. That is why it is **important to give a full account** of what happened to you.

## The perpetrator is lying about what happened. What do I do?

The perpetrator may claim things that are not true in their defence, it is necessary to be prepared for this in advance. As mentioned above, it is **essential** to tell the court what happened in as much detail as possible.

## Can I ask the perpetrator and witnesses questions?

**Yes.** If you are being represented by a legal representative, they may ask questions of the perpetrator and witnesses.

## I want to tell the court how much the criminal offense affected me. Will I have the opportunity to do so?

**Yes.** In addition to your testimony, you can also make an **'impact statement'** to the court (or even the police). In the impact statement, summarise how much the offence has affected your life, the difficulties it has caused and the consequences it has had. You may present the impact statement in court or prepare it in writing and have it filed in the case file.

## There are reporters outside the courtroom, what should I do?

Reporters may ask you about what happened to you, but you do not have to comment. **Consider whether the information you give to reporters could be misused.** Nowadays, most information can remain on the internet indefinitely, so even years from now your name and face may be discoverable in connection with the criminal offence.

## I dislike the way the court ruled. What can I do?

The injured party can **appeal** only the **court's decision on damages.** **If you disagree with the severity or type of sentence (for example, you want the perpetrator to go to prison), you cannot achieve this by appealing.** An appeal against the decision on damages must be submitted within 8 days of the date of the delivery of the judgment. If you want to appeal, we recommend that you seek the help of a victim support organisation or a lawyer.



## 4. My physical and mental health

Physical or verbal assault, as well as long-term bullying, constitute a serious interference in the life of any person. The consequences of such acts can be varied – health problems, psychological problems, employment loss, relationship problems, worsening academic performance or financial problems. **It is important that you take care of yourself and don't face your problems alone. Even if you feel that you can manage everything on your own, it is a good idea to seek help** from a support organisation and perhaps share what is bothering you or even ask for help with getting services.

### **I am unable to work as a result of a crime. I've received only half of my sickness benefit. Why is that?**

Some offices of the Czech Social Security Administration (CSSA) will only pay half of the sickness benefit until it is proven that the victim was not involved in the crime as an accomplice.

This practice is **incorrect** and you can **make a complaint**, the CSSA is not entitled to withhold your sickness benefit. However, if it is later found that you were complicit in your assault, you will have to repay the sickness benefit to the state.

### **I'm afraid to go out. Is it possible?**

**Yes.** People who have been victims of a crime can often experience fear, worry, insomnia, or nightmares. It's a common reaction. If you have been attacked outdoors, you may be afraid of being outside your home. If these problems do not go away on their own in a few weeks, it is advisable to seek professional help.

## I'm used to taking care of myself. Why should I tell anyone about what is bothering me?

You may be facing a difficult situation. No one doubts that you can act independently and can deal with your problems. However, after being targeted by a crime, the situation may be different. There are many organisations that can help you find your footing again, at no cost to you.

**Everything was fine after I was attacked. But after three months I started to feel sick, I can't sleep, I keep remembering the incident, sometimes I'm aggressive. What's wrong?**

It's possible that you've started to develop post-traumatic stress disorder. It often occurs in people who have survived a traumatic event. The symptoms include insomnia, lack of appetite, fear, frequent startling (e.g. by noise, sudden light or touch), impaired concentration or fits of anger. Post-traumatic stress disorder can be successfully managed with professional psychological, psychotherapeutic or psychiatric help.



## Why should I see a psychologist? I'm not crazy.

Crime and assault bring a lot of stress that you don't have to face alone. **Just because you choose to seek professional help does not mean you are suffering from a mental illness.** It is common for people in similar situations to seek help from a psychologist, psychotherapist or psychiatrist. You can see a professional for a one-off session or arrange to work with them for a longer time period. Your problems may go away more quickly if you see one as soon as possible.

## I want to see a psychologist; how do I choose the right one and how much will it cost?

Choosing the right psychologist can be a difficult task. Some might have the advantage of having experience in helping victims of crime, being knowledgeable about LGBTQIA+ issues, and of course not being prejudiced. Above all, however, you need to find a 'fit,' although it should be expected that the therapeutic or counselling process may not always be pleasant. If it doesn't work out with the first one, that's normal. Don't give up, try changing psychologists. It is a good idea to ask one of the helping organisations for recommendations.



## How much will it cost me to see a psychologist?

In some cases, the services of a psychologist may be covered by health insurance. One session (lasting 45-60 minutes) can cost from 500 to 1,500 CZK, depending on the location where the services are being provided. Some organisations offering services to victims of crime or to LGBTQIA+ people may arrange psychological services free of charge.



## 5. Compensation for damage

A criminal offence may cause you property damage, personal injury or non-pecuniary damage. **Property damage** is, for example, damage to your property, the costs of medical treatment or transport to the doctor and to court. **Personal injury** is damage to your physical health (a broken leg, a knocked-out tooth) or mental health (PTSD). It also includes long-term consequences. **Non-pecuniary damage** is, for example, damage to your honour, dignity or reputation. **You have the right to be compensated by the perpetrator for your damages.**

### Jakým způsobem mohu náhradu škody uplatnit?

You can seek compensation yourself. However, we recommend that you seek out an organisation to help you with this. A claim for compensation is usually made in writing. You indicate the perpetrator, the damage you have suffered and the fact that the damage was caused by the fault of the perpetrator. You must also state the specific amount you want the perpetrator to pay you.



**As a result of a crime, I cannot work for a long time. Can I claim damages from the perpetrator?**

**Yes.** You can claim the difference between your income before and after the assault from the perpetrator. For example, if you were earning 35,000 CZK before the offence and afterwards you only receive 21,000 CZK in sick pay (60% of your salary), you can claim the difference of 14,000 CZK from the perpetrator.

## I have suffered an injury. What should I do?

Go see a doctor. They will record the extent of your injuries in a medical report. You have the right to be given this report by your doctor. The medical report will be used as the basis for an expert report and a claim for compensation. Give a copy of all relevant medical reports to the police. If you suffer from long-term ill health, inform the police and later the court.

## How do I prove personal injury?

Keep all medical reports and receipts for cash payments. You will need an expert report to make a claim for compensation. This expert opinion can also be obtained by the police on the basis of the medical reports you provide.

## The police refuse to order an expert opinion. Do they have the right to do so?

If the police believe that an expert opinion won't be needed to solve the crime, they have the right **not to order** an expert opinion. You can obtain an expert report yourself from a forensic expert, but you must be aware that you will have to pay for the costs incurred in obtaining the expert opinion.

## I suffered damage to my health. I'd rather use my vacation days to avoid getting less money on sick leave. Is that a good thing?

**No.** If you have suffered an injury, you must provide evidence of the injury to the police. This requires medical reports as well as a statement by your doctor that the injury has taken **more than seven days** to heal. If not, the matter will probably be dealt with in administrative procedure. Therefore, we do not recommend using vacation time instead of sick leave, even though it may be more financially advantageous for you in the short term.



## How much time do I have to seek compensation?

### Careful, this is important!

You must file your claim for compensation no later than the first day of the main trial. The court will send you a summons with the court date on it. However, this date may not be the same as the start of the main trial. As a rule, victims are not questioned on the first day of the main trial and your hearing may not take place until the next day. But you must still make a claim for compensation no later than the first day of the trial.

## How do I do that if I'm not in court on the first day?

You have several options. You can make a claim for compensation in advance in a written police report at the police station. You can also send a reasoned proposal directly to the court. Or you can instruct your legal representative to attend the first day of court on your behalf and present the claim verbally.



## I didn't make a claim for compensation in time. What should I do?

If you did not make a claim for damages in criminal proceedings, you can file an **action** in **civil proceedings**. However, this can be costly, and the outcome is uncertain. It would also be more convenient for you to use the services of a helping organisation or a legal representative.

## What if the perpetrator doesn't voluntarily compensate me?

If the court decides that the perpetrator should compensate you, it can also set a deadline for the perpetrator to do so. If the perpetrator does not compensate you for the damages, you can contact the court or a court executor. They will then take steps to recover the money from the perpetrator.

## The perpetrator hasn't been caught or doesn't have the money to pay for the damages. Do I have any chance of receiving financial support?

Anyone who has been the victim of a crime and has suffered personal injury has the right to apply to the Ministry of Justice for financial assistance. The relatives of a victim who has died as a result of a crime can also apply for it. **The request must be submitted within 2 years of the date on which the victim becomes aware of the consequences of the crime, but no later than 5 years after the commission of the crime.** The request does not have a specific format. We recommend using the **form** available on the Ministry of Justice website.



## 6. Safety

A loss of a sense of security naturally occurs in all people who have experienced an assault or crime. The severity of the crime does not play a role. **Each person** experiences the loss of safety because of a crime **individually**. It is important to be mindful of your sense of security and to know your rights.

### I'm afraid of the perpetrator. How can I protect myself?

The perpetrator has the right to access the criminal file, which includes your criminal complaint. By law, you can ask the police to **conceal some of your personal information**. The police can conceal your home address, employment or business address, telephone number and other information unrelated to the proceedings. However, you must **specifically ask** the police to do this.

### How do I confirm that the police have hidden my personal information in the file?

**Easily**. Look at the police report of your questioning, your address must not be given on the title page, and the report will say **'Withheld under the provisions of Section 55/1(c) of the Code of Criminal Procedure.'** (*Skryto dle ustanovení § 55/1 c) tr. řádu.*) If you can still see your data on the report, the police have not hidden them, and you must make another request.

### I'm filing a criminal complaint in writing. How do I ensure my safety?

If you do not want your address or phone number on the criminal complaint, do not include them. It is sufficient to indicate any other address where you can receive mail.

## The perpetrator is threatening me, what are my options?

You may request that the **identity and appearance of the witness** be kept confidential. In this case, the police will assign you a completely new identity for the purposes of the criminal proceedings.

You will appear to the police and in court under a different name, and official documents will be delivered to an address different from your real one.

For the police (or the court) to take this step, **there must be evidence** that the perpetrator is threatening you or that you or a loved one are at risk of injury or other serious damage to your rights in connection with the criminal proceedings. You can prove this to the police, for example, by presenting threatening SMS, MMS, social media messages, emails or letters from the perpetrator, or the testimony of a witness who was present when the threats were made.

## I have heard that it is possible to apply for a permanent change of identity. Is that true?

The law allows for such a possibility, but only in **special cases**. A complete change of identity is only possible in very serious cases (organised crime) and the Czech state only rarely takes this approach.

### Can I refuse to testify?

Unfortunately, no. The option to refuse to testify would only come into play if your testimony could lead to the prosecution of yourself or a loved one.



## I'm afraid of the perpetrator. Can the police help me?

**Yes.** If you are in imminent danger, the police can provide you with **short-term protection**, but it can take different forms. Depending on the extent of the danger you are in, the police can provide you with an **escort by a police officer** (not everywhere you want to go, usually just to and from work), **protection by security devices** (cameras at your house, a tracking device on your mobile phone), **temporary change of residence** (in very serious cases, relocation to a police hostel).

You also have the right to know about the **release of the perpetrator** from custody or from prison. However, you must ask the prison service to inform you and you must do so in writing.

## What is a preliminary ruling?

The accused can also be prohibited from associating with you during the criminal proceedings, from entering your home (if the perpetrator is someone who lives with you) or from visiting a place (for example, your street). This is done by a **preliminary ruling**. If the perpetrator violates what they have been forbidden to do, they can be sent to prison (placed in custody) even before the criminal proceedings are over. This can also happen when there is a concern that the perpetrator will repeat the crime, influence witnesses, or attempt to flee or evade criminal proceedings before the criminal proceedings are completed.



## 7. Social media safety

### How do I secure my social media?

What gets posted on social media usually stays there in some form. Therefore, it is a good idea to be mindful of the people you have on your friends list, adjust your privacy settings so that your content is not visible to the general public, avoid sharing your personal information, and be careful about tagging people in photos (unintentional coming out). Great care must be taken **when sending intimate photos**, not only because they can be exploited, but also because if you send an intimate photo to a person under the age of 15, you would be committing a crime.

### What should I do if someone attacks me on social media?

Once an attack on social media occurs, evidence needs to be secured for further investigation. **Screenshots can be used as evidence, but they must be made in such a way that the police can use them. It is necessary to take not only a screenshot of the comment/post, but also of its full URL and the date on which the screenshot was taken.** The full URL must always be visible, which can usually be found by hovering and clicking on the date the comment/post was made. Of course, you can delete the comment/post, but the police will then not be able to investigate the statement in it. Therefore, it is better to hide the comment, make screenshot and then decide whether to file a criminal complaint or whether to first contact an organization that can assist you in preparing a criminal complaint.



## 8. What are some things the police are authorized to do?

### Can the police use force against me?

**In serious cases, yes.** Police officers must follow strict rules to ensure that they do not use excessive force and that they don't unreasonably harm anyone. Examples of permitted coercive means include handcuffs, punches and kicks, batons, tear gas or electric stun guns.

However, a police officer can only ever use such force that is necessary to overcome the resistance of a given person. For example, when a person is already lying on the ground with their hands cuffed and not resisting in any way, the police cannot hit them or use tear gas against them. **Officers must always be careful to use coercive means appropriately.** Therefore, if it is sufficient to use, for example, a hand strike to overcome resistance, the police officer should not use a baton.

**Unless the danger is immediate, the police officer must give you a legally required warning before using force.**

### Can the police lock me up without a trial?

The police can't imprison you without a trial, only a court can make that decision. In some cases, however, the police can **restrict your freedom for a short period of time.** For example, you may be taken to a police station because you need to be questioned or have your ID verified. In more serious cases, police officers may also put you in a cell. This is, however, a short-term measure and must not last longer than 48 hours. After that, the police must release you or transfer you to court.

## What checks can the police carry out on me and when? What can they take me to the police station for?

Police officers may check your documents to verify your identity, for example. But they should always have a **specific reason** for doing so. For instance, if you resemble a wanted or missing person or if you have witnessed an incident.

## How long can the police hold me for to verify my identity?

Police officers sometimes fail to identify you at the location of the ID check. They may then take you to the police station and verify your identity there (for example, by checking the database, taking your fingerprints). **However, they can only keep you at the station for as long as is strictly necessary and never longer than 24 hours.**

## How can I defend myself against the actions of the police?

You can **make a complaint** about police officers **to their supervisor**. It is best to write your complaint in advance and send it to the police. Describe what happened to you – how the officers treated you, what they did to hurt you. **If you don't know the badge numbers or names of specific officers, it doesn't matter. But you should always try to write down as many details as you can remember.** In your complaint, state that you want to be informed about how the complaint will be handled (the police have 60 days to do this). If the supervisor does not help you and dismisses your complaint, you can still appeal to a higher police authority (regional police headquarters or the police presidium).



## Who else can help me?

You can also get help from the Public Defender of Rights (ombudsman), who monitors the observance of human rights. They can investigate inappropriate or unprofessional behaviour by police officers. If the police have used force against you, the ombudsman can assess whether the police acted reasonably and whether they had sufficient grounds for doing so. You can write to the ombudsman at the address Údolní 39, 602 00 Brno, or email [podatelna@ochrance.cz](mailto:podatelna@ochrance.cz).

In serious cases where a police officer may have committed a criminal offence through their conduct (e.g. unlawfully used violence – beating or other bodily harm), it is **necessary to file a criminal complaint against that police officer**. Criminal offences committed by police officers are dealt with by a special institution – the **General Inspectorate of Security Forces**. The Inspectorate has offices in every region, and you can send a report to any of them (e.g. the General Inspectorate of Security Forces in Prague at Skokanská 2311/3, 169 00 Prague 6, or in Brno at Horní 731/21, 639 00 Brno).



## 9. Who can help me

When you are being questioned by the police and in court, you can be assisted by a **legal representative**, a **confidant** and an **interpreter**. Don't be afraid to seek **assistance from organisations that are there to help you**.

### Who is a legal representative?

A legal representative is a person who **represents the victim in criminal proceedings**. The representative makes sure your rights are **observed**. They can file motions, applications and legal remedies (such as appeals) on your behalf, accompany you to all criminal proceedings, attend investigations, etc. The representative will help you **quantify the damages** caused by the perpetrator and properly claim them in the criminal proceedings.

### Who can be a legal representative?

The representative is often a lawyer, but it is not necessary. They do not even have to be a lawyer, but it's certainly better if they have a **legal background**. You can get a representative either by choosing someone and giving them the power of attorney, or by having the **court appoint one for you** (see below). If you choose a lawyer to act as your legal representative, you will have to pay for their services. However, there are organisations that can provide these services free of charge.

## I'm not familiar with criminal proceedings and I don't have the money for a legal representative, who can help me?

You can get **free** advice from **organisations that help victims of crime**. They will explain how to file a criminal complaint, how criminal proceedings work, what you are entitled to and how you can ensure your safety. They can also help you find new accommodation, apply for benefits and usually help you find other services (e.g. psychotherapy, free legal representation). **Ask the police** for a list of organisations or check the list on the **Ministry of Justice website**, which is available in Czech (<https://otc.justice.cz/verejne/seznam.jsf>).



## Can I request a legal representative from the court?

**Yes**. You can **request the court** to appoint a legal representative for free or for a reduced fee. In this case, the representative will **always be a lawyer**. The state will only pay them in specific cases – **if you have suffered serious personal injury, for example**. Particularly vulnerable victims such as children, persons with disabilities, victims of sexual offences, victims of trafficking, victims of domestic violence and victims of bias violence are entitled to free assistance from a legal representative. You should apply for one as soon as possible, i.e. as soon as you know that you are required to give a statement.

## Are there other options?

You can obtain **free** representation by a lawyer through the **Pro Bono centre**. The conditions for obtaining a lawyer through Pro Bono are not as strict as getting a court-appointed lawyer. A non-profit organisation can help you get an attorney through the centre.

**You can find a list of them here**  
<http://www.probonocentrum.cz/english>.



**We couldn't get a legal representative; my partner has to visit the police station soon and they're scared. Could I go with them at least?**

**Yes.** You can accompany your partner, or even a friend, to the questioning as their **confidant**. A confidant provides psychological support to the victim. Anybody can be one (if they are not a witness or also a victim) without needing to have the power of attorney. However, they cannot interfere with the questioning in any way. They cannot make any complaints or other filings on behalf of the victim. Nevertheless, the **confidant can accompany and assist the victim** by having someone they're close with at the police station. Some organisations that help victims of crime can also provide a confidant to accompany them. Although it is beneficial to have a close person as a confidant, be aware that a confidant who is not, for example, a social worker, does not have to maintain confidentiality.

## **I need psychological or legal help.**

As a victim of a crime, you have the right to social, **psychological and legal assistance** from registered victim service providers. You can find a list of them on the Ministry of Justice website.

## **Who can help me?**

**Criminal proceedings are hard to navigate, so don't hesitate to contact non-profit organisations that help victims.** They can explain legal issues and also help you with other problems you may have after being affected by crime (for example, if a criminal offence has happened near the house you live and you no longer want to live there, they can help you find a new place to live), and also help you find other services you may need (for example, psychotherapy, a free lawyer). **The services of these organisations are free of charge.**

You should be given the contact details of the organisations that help victims by the police or the doctor who attends to you after the crime. You can also find a list of these organisations on the internet: <https://otc.justice.cz/verejne/seznam.jsf>.



## 10. In IUSTITIA

In IUSTITIA was founded in 2009 and is the first and so far **the only organization of its kind in the Czech Republic to focus on bias violence**. One part of the organization is a counselling centre for victims of crime, focusing specifically on victims of bias crimes – those who have been attacked because of their sexual orientation or gender identity or because they belong to another minority group. Counselling is also provided to persons close to the victim (family members, partners, friends, survivors, etc.) and to witnesses of crimes.

Our team of experienced social workers and lawyers provides free assistance to victims in the areas of social counselling, safety counselling, psychological counselling, legal counselling and in some cases, we can also provide victims with the services of a legal representative.

An overview of the services we provide can be found below:

### Expert social counselling

- Crisis intervention
- Securing state social support and material need benefits
- Arranging therapeutic care
- Communication with employers
- Finding new housing
- Finding a new school/employment
- Accompanying victims to the police station
- Arranging a pro bono lawyer
- Creating safety plans
- Creating media plans

## Legal information


- Rights of victims and their enforcement
- Claiming compensation for damages
- Obtaining financial assistance for victims
- Preparing submissions in court and government proceedings
- Confidant services
- Securing expert opinions
- Arranging the services of an interpreter


## Representation by a legal representative

- Active participation in questioning/giving explanations
- Participation in the questioning of witnesses/perpetrators
- Preventing contact with the perpetrator
- Quantifying and claiming compensation for damages
- Participation in the main trial
- Appeals/constitutional complaints
- Civil proceedings
- Assistance in the recovery of damages

We provide our services at our offices in Prague and Brno, or we can come to you anywhere throughout the Czech Republic.


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 Eliášova 28,  
160 00 Prague 6

 773 177 636

 poradna@in-ius.cz

### Brno office

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602 00 Brno

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### Entire Czech Republic

 800 922 922  
(free telephone line)



Ministerstvo spravedlnosti  
České republiky



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