

99089036034005

# Filing a criminal complaint in the case of domestic violence offences

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<https://fimportal.de/xzufi-services/6000258-99089036034005/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99089036034005
Leistungsbezeichnung I	Filing a criminal complaint in the case of domestic violence offences
Leistungsbezeichnung II	Filing a criminal complaint in the case of domestic violence offences
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § 158 Strafprozessordnung (StPO) - Strafanzeige; Strafantrag</li> </ul>
Teaser	Attention!
Volltext	<p>Attention! If you want to report a crime in connection with domestic violence (e.g. assault, coercion, deprivation of liberty), dial the police number 110 in an emergency, which is manned around the clock. If someone has been injured, an ambulance will be sent to the scene.</p> <p>If there is no acute danger, you can go to any police station, describe the case there and file a complaint.</p> <p>By filing a complaint, you initiate a police investigation. In principle, it is not possible to withdraw the complaint. If you pretend to have committed a crime or accuse someone unjustifiably, you may be liable to prosecution yourself. In addition, you make the investigation of other offences more difficult, because the police must also investigate your "faked offence".</p>
Erforderliche Unterlagen	<p>It is recommended to bring an identity document with you when filing a complaint. In individual cases, further documents support the police investigation. These include, for example, medical certificates or examination reports from the institutes of forensic medicine.</p>
Voraussetzungen	<ul style="list-style-type: none"> <li>• You are a victim or witness of a crime in the context of domestic violence.</li> </ul> <p>Domestic violence includes all forms of physical, sexual or psychological violence and encompasses both family and partner violence. Domestic violence occurs when violence takes place between persons who live together in a family or partnership relationship. It is also present if it happens independently of a shared</p>

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	household within the family or in current or former partnerships.
Kosten	none
Verfahrensablauf	<p>In an emergency, dial the police emergency number 110!</p> <ul style="list-style-type: none"> <li>• If you have called the police to the scene of the crime, the officers will take your report on the spot. Depending on the severity of your injuries and your personal wishes, an ambulance or the emergency medical service will be called.</li> <li>• Otherwise, you can go to any police station to file a report. This is also possible online.</li> <li>• The police will usually forward the case to the police station in whose jurisdiction the crime scene is located for processing.</li> <li>• The police will first take your personal details and then your information on the course of events or your observations and record them. You confirm the information with your signature.</li> <li>• You will be asked to decide whether to file a criminal complaint. Many offences in connection with domestic violence can only be prosecuted on the basis of such a complaint. If you are not sure at the time you file a complaint, you will be given a period of time to make a decision.</li> </ul> <p>If you, as the victim, so wish, the competent coordination and counselling centre for domestic violence will be informed. The staff of the coordination and counselling centres, as well as staff of women's and children's shelters and other social counselling centres, provide victims of domestic violence with expert and individual counselling and show them ways out of their situation. If necessary, they will also accompany you to court and help you apply for court protection orders.</p> <p>If children are affected (also indirectly), the police will check whether the youth welfare office needs to be involved.</p> <p>If the perpetrator poses a present danger to other</p>

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	<p>persons living in the flat, the police can expel him or her from the shared flat with immediate effect for a maximum of 14 days.</p> <p>It is also possible to apply to the local court for an order under the Protection against Violence Act, for example a prohibition of contact and approach and/or the transfer of the shared flat.</p>
Bearbeitungsdauer	
Frist	none
weiterführende Informationen	
Hinweise	<p>If you have been injured, you should first seek medical advice or dial the emergency number 112. This way, your injuries can be treated immediately. At the same time, the attending physician or a forensic pathologist will document your injuries and thus secure important evidence. This is important because prompt documentation has a considerable influence on further evidence.</p> <p>Injured victims usually ask the police to release the person providing treatment from their duty of confidentiality. Only if you declare your consent and sign the corresponding form are doctors allowed to provide the police with information about the injuries.</p>
Rechtsbehelf	not applicable
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	