

**INFORMATION FOR BRITISH NATIONALS**  
**IMPRISONED IN**  
**BADEN-WÜRTTEMBERG**  
**AND**  
**BAVARIA**

***BRITISH CONSULATE-GENERAL***  
***Möhlstr. 5***  
***81675 München***

# INFORMATION FOR IMPRISONED BRITISH NATIONALS

## *The British Consulate-General, Munich*

<b>CONTENTS</b>	<b>PAGE</b>
Introduction	3
About the Consulate	3
Contacting people	3
What will my family be told?	3
What will the Consulate do?	4
The German Judicial System including arrest and detention	4
Investigation and indictment	5
Visits – Consular and family/friends	7
Help in prison	8
Medical and dental treatment	8
Food and diet	8
Working in prison	8
Money	9
Letters	9
Parcels	10
Reading material	10
Cell sharing	11
Prison transfer in Germany	11
Council of Europe Convention on the Transfer of Sentenced Persons including parole and early release	11-12
Detention and Charge in German Criminal Procedure	13 -14
German Courts and their jurisdiction (diagramme)	15
Glossary of Terms	16 - 19

## **Introduction**

This guide aims to explain the German legal and prison system to British Nationals who are imprisoned in the Baden-Württemberg and Bavaria, and to their next-of-kin.

## **About the Consulate**

We are impartial, we are not there to judge you. We aim to make sure that you are treated properly and fairly in accordance with German regulations, and that you are treated no less favourably than other prisoners. We cannot get you better treatment than other prisoners.

We can answer questions about your welfare and about prison regulations but not questions about legal matters. You should ask your lawyer or the court these kinds of questions. We can give you a list of English-speaking lawyers.

We cannot get you out of prison, pay fines or stand bail, or interfere in local judicial procedures to get you out of prison or secure you an earlier trial date; we cannot investigate a crime.

We have tried to make sure that this information is accurate and up to date, but the Consulate-General cannot accept legal responsibility for any errors or omissions in the information.

## **Who is my Consular Representative?**

British Consulate-General  
Möhlstr. 5  
81675 München  
Tel.: 089 - 211090  
Fax : 069 - 21109144

## **Who will know that I have been detained?**

When a British citizen is arrested and detained in Germany the German authorities must inform the British Consulate. This is usually done in writing and can take up to a week to reach us. We may be informed much more quickly by friends or relations, or, exceptionally, by the prison social worker.

## **How can I contact my family or friends?**

In Germany you do not have the right to make a telephone call when you are arrested. However you can ask the social worker (,Sozialarbeiter') to inform your next-of-kin. He can do this directly or he can call the Consulate and ask us to pass on a message.

## **What will my family be told?**

For reasons of confidentiality we are not permitted to tell anyone that you have been detained or what the charges are without your permission. Social workers may be more open about this but the Consulate must have your permission to discuss your case, or to confirm your detention, with anyone.

### **What will the Consulate do?**

As soon as we have been notified (whether by family, friends or officially) we will make initial contact in writing and a Consular official will visit, as soon as possible thereafter, at your request. Requests for subsequent visits are considered only if the problem cannot be solved in writing or by telephone and are at the discretion of Post.

We will contact the social worker at the prison and ask if you want anyone to be informed. We will send you information on the German judicial system and ask your next-of-kin if they would like to receive it too.

We can also give your next-of-kin the address of the prison and the prison bank account number in case they wish to transfer any money to you, or tell them how to transfer money to you, without bank charges, through the Foreign & Commonwealth Office in London.

## **The German Judicial System**

### **Is the system the same as in England?**

In short, no. The way your case is dealt with depends on how serious it is. There are two types of offences; major offences (Verbrechen) and minor offences (Vergehen). Minor offences are dealt with in the Local State Court (Amtsgericht) and more serious ones in the Regional State Court (Landgericht).

The German justice system is 'Inquisitorial' rather than jury-based. This means that the Judges are responsible for carrying out a wide-ranging enquiry in order to make a file of information about the case. This file is what the final decision of the Judge is based on. The trial is a final act of investigation and the Judge is very much in control and will ask most of the questions. There will be no jury; the process is, however, fair.

The rules of evidence are also different and the court can consider all evidence, including hearsay.

## **What happens when I am arrested?**

### **The arrest procedure**

You are arrested when a custody order requests your detention. If there is no custody order, the Public Prosecutor or the Police can order temporary detention (Vorläufige Festnahme). This is done when there is a reason for issuing a custody order but there is a delay in obtaining one.

There is a general right of arrest when one of the following applies:

- i) a person is caught or pursued in the act of committing an offence
- ii) where it is suspected he is going to flee ('Fluchtgefahr')
- iii) his identity cannot be established.

If you are taken into temporary detention you must be brought before a court by the end of the following day. The judge must either order your release or issue a custody order.

## **The Custody Order (Haftbefehl or Unterbringungsbehl)**

A custody order must set out:-

- i) the details of the accused (Beschuldigte ( r )
- ii) the offence you are suspected of committing
- iii) when and where the alleged offence took place
- iv) the statutory constituents of the criminal offence
- v) the criminal law provisions applicable

It must also state:-

- i) the reason for detention
- ii) the facts which led the authorities to believe an offence had been committed and for which you are being detained.

## **Appeal against detention ('Berufung')**

In the first instance, you may appeal to the Regional Court ('Landesgericht'). If this appeal is unsuccessful you may appeal to the Higher Regional Court ('Oberlandesgericht'). You may apply at any time for a review of your detention, although there is an automatic review every three months.

## **For how long can I be remanded in Custody?**

You can only be remanded in custody for more than six months when:

- i) you are suspected of having committed a serious crime
- ii) if extensive investigations are required
- iii) for some other important reason.

If any of these apply, your case must be placed before the Higher Regional Court.

If the Higher Regional Court orders further detention it must be satisfied that:-

- i) there is a strong suspicion that an offence has been committed and that if released, you would flee.
- ii) your conduct suggests the suspicion that if you were released you might tamper with the evidence or influence witnesses or prejudice the proceedings in some other way and make the investigation more difficult.
- iii) if you are charged with sexual offences or offences against the person and if there is reason to believe that you will continue to commit these offences if you are not remanded in custody.

In practice, this often means that an accused person who is not resident in Germany and registered with the local authorities will have little chance of obtaining bail because the authorities will be concerned that he/she may try to flee the country.

## **Investigation and indictment**

Whilst you are on remand, the Public Prosecutor's Office (PPO) (Staatsanwaltschaft) investigates the alleged offence. The PPO may interview you and any witnesses and collect any evidence with the help of the police.

When there is enough evidence to open a prosecution, the investigation stage is formally closed and the trial stage is opened. The PPO must then produce an indictment which sets out the details of the accused, the crime of which he is accused, when and where it took place, the legal definition of the crime and the criminal laws applicable to the case.

When the judge receives the indictment, date(s) for the trial will be set.

### **Legal representation**

You can employ a lawyer for yourself at any time after your arrest; a list of English-speaking lawyers comes with this information sheet. Normally, if you employ a privately-engaged lawyer he will ask for a large advance on his estimated legal fees (which may be very high) before he will take on your case.

The Consulate-General cannot pay legal fees or guarantee to a lawyer that you will pay them.

If you do not have a lawyer when you come to trial, the court will appoint a legal-aid lawyer free of charge. If you cannot afford a privately-engaged lawyer you can apply at any time for a legal-aid lawyer (Pflichtverteidiger) through the prison social worker.

However, the Court must appoint a lawyer if any of the following circumstances apply:-

- i) if the main trial is initially to be held at the Regional Court (Landesgericht) or the Higher Regional Court (Oberlandesgericht);
- ii) if you are charged with a felony (Verbrechen);
- iii) if the proceedings might result in you being prohibited from practising your profession;
- iv) if you have been imprisoned for at least 3 months and have not been released at least 2 weeks prior to the date of the main trial;
- v) if an expert opinion is required on your mental condition which might lead to your detention in a mental institution;
- vi) if the court has to decide whether you should be detained in a mental institution in the interests of public safety;
- vii) if a previously-appointed lawyer has been dismissed from the proceedings by a decision of the court;
- viii) if a deaf or mute person requests a lawyer.

The court may also appoint a lawyer at the request of the accused. The court will automatically appoint a legal-aid lawyer if the offence is so serious or the case is so complicated that you will need legal assistance to help defend yourself. The same applies if it is obvious that you are not capable of handling your own defence.

The court may cancel a lawyer's appointment if you are released at least 2 weeks prior to the date of the main trial.

## **Consular visits**

Consulate staff will visit you as soon as possible after notification of arrest, if you ask us to do so. If you would like a visit please write to us at:

British Consulate-General  
Möhlstr.5  
81675 München

Or ask your social worker to call us on Tel.: 089 - 211090

Subsequent visits are at the discretion of Post.

We will offer to contact your family or next-of-kin to tell them the situation. We can give them advice on prison procedure, regulations, your morale and how you are doing. We can also pass on any messages from you.

You can write to us at any time on matters of concern.

## **Visits by family, next-of-kin or friends**

You are allowed one hour of visits per month, usually two visits of 30 minutes each.

You may be allowed extra or slightly longer visits if there are special or compassionate reasons (for example, distance). Some prisons only allow visits on certain days of the week.

## **Remand**

The investigating judge or the public prosecutor issues visiting permits. They can refuse a visit if they think that your case might be prejudiced by it.

If your family or friends want to visit you they should contact your lawyer (or the Consulate if you have no lawyer) **before travelling**. We will give them the address and telephone number of the judge or prosecutor so that they can apply for a visiting permit. They should check whether the permit will be posted or whether it has to be collected in person before the visit. It is important to check as procedure varies from court to court. Visits to remand prisoners at weekends are usually not permitted.

A prison guard may "sit in" on the visit to make sure that what is said between you and your visitor will not adversely effect the case. If the conversation is in English then the prison official is unlikely to understand it so the judge may insist that your visitors employ an interpreter. This would be at their own cost. At present, interpreters cost around Euros 45 -50 (31-34 pounds) per hour **plus** travelling expenses.

Please write to us if you would like a list of interpreters. Most interpreters will require at least 2-3 days notice and should be booked as early as possible to avoid problems when the visit is made.

Visitors must identify themselves when they arrive at the prison by showing an identification document containing a photograph (eg passport). This is held by the prison and returned at the end of the visit.

## **Sentenced**

Although one hour of visits a month is usually allowed, it is sometimes possible to obtain longer visits because of the distance visitors from the UK have to travel. This decision, however, is dependent on the availability of visiting rooms at the prison concerned.

It is possible for prisoners to apply personally to the prison authorities for a permit for their visitor(s). When the permit is issued it must be sent to them. Visitors must identify themselves when they arrive at the prison. The visit is not normally closely supervised by a prison guard so you will not need an interpreter. This means that some prisons do offer weekend visits to sentenced prisoners.

### **What can a visitor bring?**

Visitors can normally buy up sweets, fruit and cigarettes from a vending machine in the prison waiting room on behalf of the person they are visiting. They should bring change (usually silver coins), the amount allowed varies from prison to prison, as prisons will not usually change money.

### **Who can I ask for help in prison?**

There are social workers in every prison who are there to assist you. They can pass on messages to us or your family and explain to you how the prison system works. If you would like to apply for a telephone call, to see the doctor, to use the library, to use any sports facilities, to receive a parcel or for a legal-aid lawyer you should ask to see the social worker. There is usually one who speaks English. You have to make an application (Antrag stellen) in writing.

Please note that social workers are responsible for a very large number of people and so their time is stretched. It will help you if you remember to stay polite, however trying the situation!

There is usually both a Catholic priest (katholischer Pastoralreferent or Pfarrer) and a Protestant Minister (evangelischer Pfarrer) attached to each prison. In larger prisons they are on the permanent staff. They often speak English and sometimes run Bible classes. They can often provide help or support where an over-worked social worker cannot. You can ask for a pastoral visit at any time.

### **Can I receive medical and dental treatment?**

If you need medical or dental treatment you should make an appointment to see the prison doctor or dentist. In some large prisons it can be difficult to get an early appointment but if the situation is urgent you should contact the prison social worker (see above) who may be able to get you an earlier appointment.

Prison doctors are often the equivalent of GPs in the UK, so unusual or complex problems may be referred to a specialist outside the prison.

If you have a long-standing medical problem and have received treatment for it in the UK, it may be useful if you have your medical records, or at least a report, sent from the UK for the information of the prison doctor/specialist.

### **Food and diet**

The prison authorities have assured us that the food they provide is a balanced diet giving the necessary daily nutritional requirements. A special diet can only be approved where the prison doctor gives his authority on medical grounds. Vegetarians may fall into this category. If your religion requires you to have a special diet this is also usually allowed. You can supplement your diet by buying fruit etc from the prison shop.

### **Can I work in prison?**

It is difficult for the prison to supply work to all prisoners because there is often not enough jobs to go round. Sometimes this means that only about half of the prisoners in a prison will be able to work so you may have to wait a while before a suitable job is found. For some jobs you will need to speak German. For health and safety reasons, you are insured against accidents at work under the German social security scheme.

### **Remand**

You do not have to work but may do so if a job can be found for you.

### **Sentenced**

You must work if you are offered a job which you are physically and mentally capable of doing.

## What about money

There are four ways in which you may receive/earn money whilst in prison:-

### 1. **Taschengeld (pocket money)**

You may apply for pocket money from German public fund only when you have no private resources, are physically unable to work, or cannot be given work for reasons over which you have no control. The amount of money is small (€28.10) and only covers the minimum of prison comforts.

### 2. **Hausgeld**

Hausgeld is the money you earn from a job in prison.

## Remand

All money earned is deposited in your Hausgeld account.

## Sentenced

Four sevenths of your earnings will be deposited in your "Überbrückungsgeld" account (see below). You can spend the remaining three sevenths on prison comforts, including fruit, milk products, sweets, toilet articles, stationery, newspapers, or whatever else may be available in the prison shop.

### 3. **Überbrückungsgeld (savings for release)**

All sentenced prisoners must save money for their release. At present this sum is €1,587.

The aim is that you will be able to use this money to cover the 4 weeks immediately after your release. If you have been unable to work and have therefore been unable to save, it is possible to go along to the German Social Services (Sozialamt) with your release certificate (Entlassungsschein) to ask for assistance to return to the UK, etc.

### 4. **Eigengeld (private fund)**

This is the money you have had with you when you were arrested, or the money deposited for you by family and friends. Any money you have earned in prison but have not spent can be transferred to this account as long as the full amount of your "Überbrückungsgeld" has been saved.

If you have any creditors' claims against you then your money may be confiscated or transferred to your "Überbrückungsgeld" account.

If your family or friends transfer money to you it is **essential** that they write on the money transfer form what the money is to be used for eg prison comforts, lawyer's fees, etc.

## Mail

There is usually no limit to the number of letters you may send or receive. The prison authorities are obliged to deliver letters with the minimum of delay, Correspondence with your lawyer does not go through the court and cannot be read. Mark envelopes to your lawyer with the words 'VERTEIDIGERPOST'.

## Remand

The judge has the right to limit your correspondence or stop the forwarding of letters, if he thinks they might prejudice the legal proceedings. If he withholds a letter as evidence you will be informed in writing that this has happened. Your incoming and outgoing letters must go through the court and be translated (and censored if needed) before they reach you. This includes correspondence to and from the Consulate. We are not permitted to forward any mail on your behalf. Please do not enclose other mail in your letters to us. In practice, this means that delays of up to 4-6 weeks occur, particularly around Christmas and Easter. You should not discuss your case in private letters.

## Sentenced

Your mail is not subject to the same censorship so delays are minimal.

### Can I receive parcels?

Unless you are being held for a drug offence you are permitted to receive parcels containing food and items such as cigarettes and sweets three times a year. The occasions are determined by the prison in question, but you may find that you may receive a parcel at Christmas, Easter and one other occasion, for example your birthday. Christmas parcels are limited to 5 Kilograms and the other two to 3 Kilograms each. You may only receive a parcel if it is addressed to you with the official prison parcel label (Paketmarke). You may apply for a "Paketmarke" and send it to your family or friends to stick on the parcel. A list of prohibited articles is printed on the reverse side of the label and a maximum weight is indicated. It is not possible to provide a full list of prohibited items but the following **must not be sent**:-

- Alcohol or other drinks
- Perishable items
- Toiletries (deodorants etc)
- Spray cans
- All forms of spices and vegetables
- Tea bags
- Letters and/or written notes
- Newspapers and magazines
- Tins, bottle or tubes of preserves
- All forms of medication, including vitamins and sweeteners
- Inflammable substances

You may not receive medication of any kind. If you have a medical problem and need medication please ask to see the prison doctor or medical officer. Should you be held on a drugs charge you may receive funds instead of a parcel.

If you are not permitted to receive a parcel or if your relatives or friends prefer to send money rather than a parcel they may transfer funds directly to your account. In replacement of the birthday or Easter parcel (Jahrespaket and Osterpaket) you may receive is € 74,06 and to replace the Christmas parcel you may receive € 95,22.

If you want to have a radio or cassette player check that the prison authorities will accept it before anyone sends one. Most prisons have approved suppliers from whom radios, TVs and cassette players can be ordered. Check with the social worker for approved suppliers or on the procedure for getting approval for your request. Please note that you may have to pay for electrical equipment to be sealed so that it cannot pick up police broadcasts.

If you are not sure whether an item is allowed, check with the social worker before asking for it to be sent. If not, you may find that you are not allowed to receive all or some of the contents of the parcel containing a prohibited item.

The parcels are inspected in your presence when they arrive at the prison. Certain items may be examined to make sure that no prohibited items are being hidden. The prison authorities reserve the right to refuse a parcel which does not conform to the prison guidelines.

### What is there to read?

Most prisons have some English books and other reading materials in their library. We also try to send you books, magazines or newspapers after our visit. We ask you to leave any books from the Consulate in the prison library for the benefit of other prisoners. Please note that the books we send are donated to us for this purpose.

If the prison gives you permission, you can order books direct from publishers, through book clubs and also from the British Bookshop at Börsenstrasse 17, 60313 Frankfurt am Main (telephone number 069 28 04 92) – they speak English). Again with permission, you can receive English newspapers and magazines on subscription – check with the prison whether there is an approved supplier.

Always confirm in advance with the prison that there is no objection to you ordering a particular book or magazine. Reading materials sent without prior permission will not be accepted by the prison.

### **Can I have my own cell?**

You have the right to a single cell however, as in the UK, overcrowding is usually a problem in German prisons so you cannot expect a single cell as a matter of course. If you think that you have medical grounds for having a single cell you should approach the prison doctor. Please note that the prison is not obliged to grant your request to share the same cell as another prisoner.

### **Can I be transferred to another prison in Germany?**

If you have been tried and convicted you will be sent to a prison where you can expect to serve your sentence. Transfers to prisons in other states in Germany are only permitted when there are exceptional and compassionate reasons for doing so.

### **Can I be transferred to the UK to serve my sentence there?**

Yes, if all parties agree. This is possible under the “Council of Europe Convention on the Transfer of Sentenced Prisoners”.

Basically this applies to Nationals of the United Kingdom of Great Britain and Northern Ireland only.

Under certain conditions, the convention allows people who have been given a custodial sentence in a country other than their own to be transferred to their home country and to serve their sentence there.

A brief explanation of these conditions is given below. This is not an exhaustive description of the Convention.

If you are interested in being transferred to the United Kingdom to serve your sentence please read the enclosed leaflet. It would like to apply for a transfer please write to the Home Office in London or to the British Consulate-General at Munich for further information.

### **Who has to agree to the transfer?**

A transfer requires:

1. the consent of the person concerned (you) or that of your legal representative, where applicable;
2. the consent of the State where you were sentenced;
3. the consent of the country to which you wish to be transferred.

### **Who is eligible for a transfer to the United Kingdom?**

You may be eligible if you meet the following conditions:

- a) you are a British citizen, or you have close ties with the United Kingdom (for example, if you or your family have settled in the UK);
- b) the judgement by which your sentence was imposed is final (rechtskräftig), that is, you are not waiting for the result of any appeal against your conviction;
- c) you have at least six months of your sentence left to serve (in exceptional circumstances this period may be less);

- d) the offence for which you were tried is also a criminal offence in the part of the UK to which you hope to be transferred, and (in certain countries) you have no fines or other non-custodial penalties outstanding.

If you are given a lengthy sentence and wish to be transferred, this Consulate-General will be able to give you further information and assistance.

### **What sentence would I serve after being transferred to the UK?**

The maximum sentence you would serve is the amount of your original sentence which remains after deducting any remission earned in Germany up to the date of your transfer.

If the sentence imposed in Germany is longer than or of a different nature to the sentence you would receive for the same offence in the relevant part of the UK, it would be adapted to the nearest equivalent sentence available under the law of that part of the UK - without being longer or more severe than your original sentence in Germany.

### **Prosecution for other offences**

Please note that if you are transferred the UK authorities are entitled to prosecute, sentence or detain you for any offence other than that for which your current sentence was imposed.

### **Pardon, Amnesty and Commutation**

Your transfer would not prevent you from benefiting from any pardon, amnesty or commutation of sentence which might be granted by either Germany or the UK.

### **Review of original judgement**

If, after your transfer, new information comes to light which you consider grounds for a review of the original judgement passed in Germany, it is for Germany alone to decide on any application for review.

### **Termination of enforcement**

If for any reason whatsoever the sentence which was imposed in Germany ceases to be enforceable in Germany, the UK authorities would release you from the sentence being served as soon as they were informed of this. Similarly, if the sentence being served in the UK ceased to be enforceable in the UK, you would not have to serve the original sentence imposed in Germany if you should ever return there.

### **Some information on the procedure**

You can write to the authorities of either Germany or the UK. If the German authorities are prepared to consider your transfer, they will send the United Kingdom authorities information about you, about the facts relating to your conviction and about the nature and length of your sentence.

If the UK authorities are prepared to consider your transfer, they will respond by sending information about the length and type of sentence you would serve after transfer. They would also send information about the arrangements for remission, conditional release, etc in the relevant part of the UK.

If both countries are content to agree to your transfer, you will receive the information provided by the UK for your consideration. You will then be asked whether you consent to being transferred under the Convention.

Both Germany and the UK have ratified the Convention, which came into effect on 1 February 1992.

In the UK you should write to:

National Offender Management Service  
Offender Policy and Rights Unit  
Cleland House  
Page Street  
London SW1P 4LN

### **Parole and early release**

In Germany, the law makes a provision for the early release of prisoners serving a sentence. The public prosecutor is obliged to consider automatically whether you should be released:-

- i) when you have served a half of the sentence, if the sentence was for two years or less and you have not been sentenced and imprisoned before.
- ii) when you have served two-thirds of your sentence if paragraph i) is not applicable.

The authorities have advised us that although you may apply for early release at any time, you have to serve at least two-thirds of your sentence if the sentence is for more than two years. There must also be extenuating or mitigating circumstances for an application to be successful.

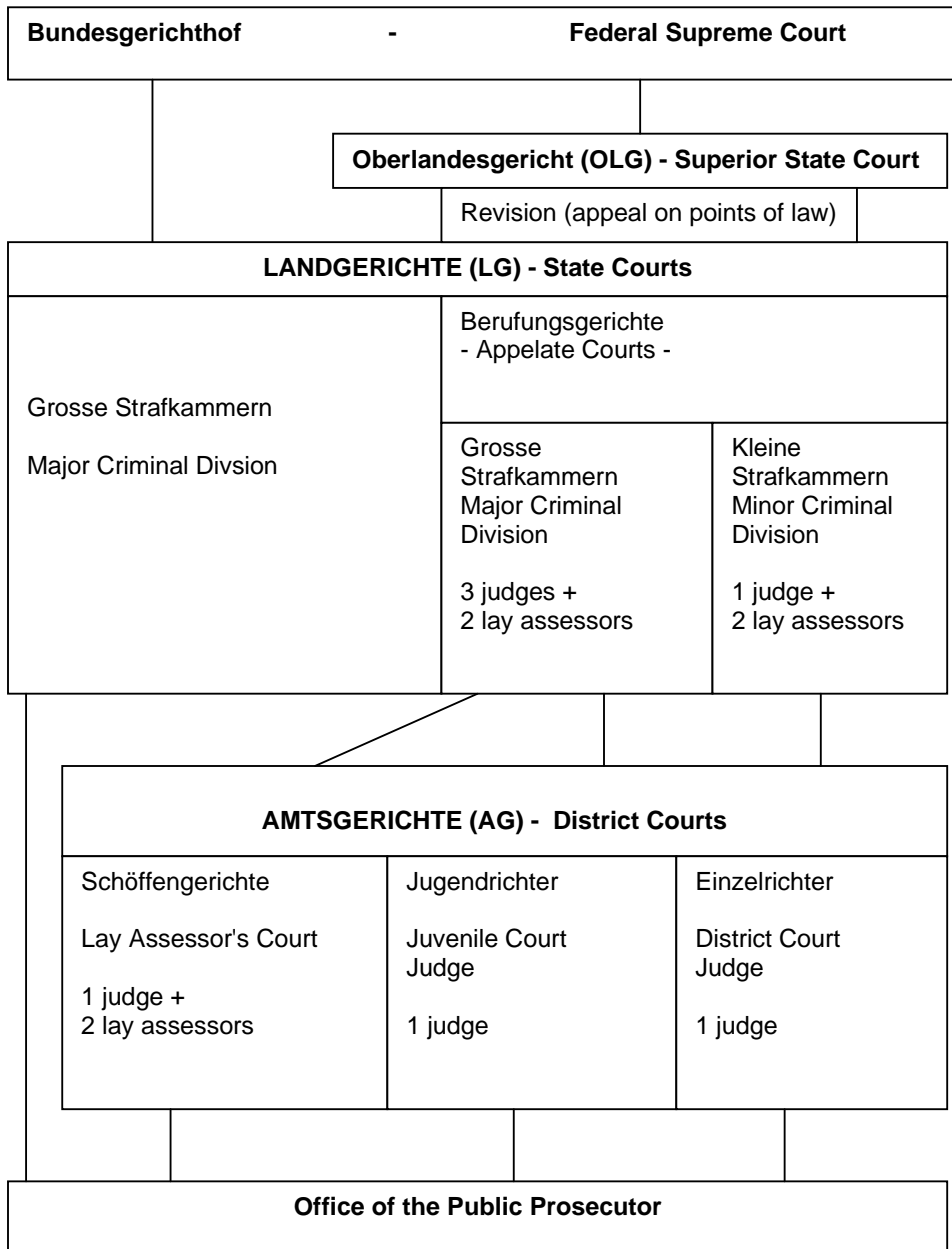
For your benefit under this provision it is important that your conduct whilst in prison is good.

### **Correspondence and confusion between British and German terminology**

1. The "charge" on which a person is remanded in custody in England corresponds to the German "Beschuldigung". In the Federal Republic of Germany a person may not be kept in custody without being charged by a judge later than the end of the day following his arrest. This corresponds to the position in England, where a person may not be kept in custody without charge for long, although the period is less explicitly regulated. In Germany as in England the remand in custody is under the control of the courts.
2. The formal indictment which immediately precedes trial in England corresponds to the German Anklageschrift. In both cases these documents have to be precise in their terms and can only be drafted at the end of the investigation process.
3. Confusion frequently arises through the ambiguities of the English term "charge" and its mistranslation into German. The German authorities are asked whether a person in custody has yet been "charged". "Charge" is translated as "Anklage" and the answer is "No". This naturally causes concern. If however the same question is put and "charge" is translated as "Beschuldigung", the answer is "of course, that must be done by the end of the day following the arrest".

May 2007  
Consular Section  
British Consulate-General, Munich

**GERMAN COURTS AND THEIR JURISDICTION**



## GLOSSARY OF TERMS

### A

abgemeldet: de-or un-registered (in State)  
abschieben: to deport  
Adhäsionverfahren: criminal prosecution by victim  
Akte: file  
Akteneinsicht: access to file (by Lawyer)  
Aktenzeichen: court file reference  
Amtsgericht: Local State Court  
angemeldet: registered (in State)  
Anklage: charge  
Anklagemonopol: monopoly of prosecution  
  
Anklageschrift: indictment  
Anliegenformulare: application forms (prison)  
Anstaltsleiter: Prison Director  
Antrag: application  
Antrag stellen: to file an application  
Assessorexamen: law exam  
Ausführungsvorschriften: prison rules regarding supervised visit  
Auslieferung: extradition  
Aussenstelle: police field office  
Ausweisungsverfahren: deportation order

### B

Beamtenbeleidigung: insubordination to officer  
Beamte(r): state officials including prison Warders  
Beiräte: Board of Prison Governors  
Beisitzender Richter: additional professional Judges  
Berufung: appeal  
Bereitschaftspolizei: riot squad  
Berichterstatter: Rapporteur (Judge)  
Beschuldigter: the accused  
Beschwerde : appeal or complaint  
  
Beschwerde Vorgänge: complaints system  
Besuch: visit  
Besuchserlaubnis: visiting permit  
Betäubungsmittelgesetz BtmG: law relating to drug offenders  
Bewährung: suspended sentence  
Beweis: proof of evidence  
Blutprobe: blood test  
Bundesamt für Verfassungsschutz: Federal Office for the Protection of the Constitution  
Bundesanwaltschaft: Federal Prosecutions Office  
Bundesgrenzschutz: Federal Border Police  
Bundeskriminalamt: Central Criminal Office  
Bundesnachrichtendienst: Secret Service  
Bundeswehr: army  
Bundespolizei: Federal Police  
Bunker: punishment cell

### D

Dienstaufsichtsbeschwerde: procedural complaint against official

## E

Eigengeld: personal money in prison  
einkaufen: to buy  
Einweisungsabteilung: Prison Assessment Unit  
Einzelrichter: Single Judge Court  
Entlassung: release  
Entlassungsschein: release order  
erweitertes Schöffengericht: Special Lay Judges Court

## G

Gefangene: prisoners  
Gefängnis: prison  
Gefahr in Verzug: danger in delay  
Geld wechseln: to change money  
Gemeindevertretung: representative of the  
Local Authority  
Genehmigung: permit, entitlement  
Generalstaatsanwalt: Chief Public Prosecutor  
Gerichtsverfassungsgesetz (GVG): Statute of  
Judicial Organisation  
gering: minimal (culpability)  
grosse Strafkammer: greater Criminal Court

## I

In dubio pro reo: presumption of innocence

## K

Kläger(in): plaintiff  
kleine Strafkammer: lesser Criminal Court  
körperliche Untersuchung: physical examination  
Kriminalkommissariat: Police Commissariat

## F

Fluchtgefahr: danger of absconding  
freie Beweiswürdigung: evaluation of evidence

## H

Haftbefehl: custody order  
Haftprüfung: custody hearing  
Haftrichter: Investigating Judge  
Hauptkommissar: Police Chief Inspector  
Hauptverhandlung: final public trial  
Hausgeld: money earned in prison  
Hausordnung: prison house rules  
Hauszeitung: prison newspaper  
Herr des Ermittlungsverfahrens: master of  
the pre-trial  
Hilfsbeamte der Staatsanwaltschaft: Police assisting  
Prosecutor  
hinreichender Verdacht: sufficient suspicion  
Hochverrat: treason  
Hofgang: exercise (walk in courtyard)

## J

Justizminister: Minister of Justice  
Jugendgerichtsgesetz: juvenile prison rules

## L

Landgericht: Regional State Court  
Länder: German States  
Legalitätsprinzip: compulsory prosecution

Kriminalpolizei: plain clothes C.I.D.

## N

Notar: Notary

Nebenkläger: civil party in criminal trial

## O

Oberkommissar: Police Inspector

Oberlandesgericht: Higher Regional Court

Oberstaatsanwalt: Chief Prosecutor

Opportunitätsprinzip: restriction on prosecution  
of minor offences

Ordnungswidrigkeit: petty infraction

Organ der Rechtspflege: Officer of the Court

## P

Parlamentssprengung: disruption of Parliament

Pflichtverteidiger: Legal Aid Lawyer

Polizeipräsident: Chief Constable

Polizeirevier: small police station

Privatklage: private prosecution

## R

Rechtsanwalt: Lawyer

Rechtsanwaltskammer: Local Bar Association

rechtskräftig: valid or legal

Rechtsmittel: legal remedy

Rechtspflege: administration of justice

Rechtsspruch: adjudication

Referendar: Legal Clerk or candidate for  
law examination

Referendarexamen: State Lawyer's Examination

Revision: appeal for error

Richter: Judge

## S

sachliche Zuständigkeit: jurisdiction

Sachverständige Zeugen: Expert Witness

Sicherheit: security

Sicherheitsverwahrung: preventive detention

schuldig: guilty

Schlussbericht: completed file

Schöffen: Lay Judges

Schöffengericht: Lay Judges Court

Schwurgerichtskammer: highest Chamber of  
greater Criminal Court

Sozialarbeiter(in): Social Worker

Staatsanwalt: Prosecutor

## U

Überbrückungsgeld: gate money (prison)

Übersetzer(in): Interpreter

Untersuchungshaft: preliminary detention

U-haftvollzugsordnung (V-VollzO): remand rules

Urteil: judgement

Staatsanwaltschaft: Public Prosecutor's Office

Strafbefehl: penal order

Strafgesetzbuch: criminal code

Strafprozessordnung (StPo): code of criminal procedure

Strafhaft; imprisonment after conviction

Strafrichter: single Judge

Strafsenat: High Court

Strafvollzugsgesetz (StVollG): prison rule book

Strafvollzugsbeamter: Prison Warder

## V

Verbrechen: major offence

Verdunkelungsgefahr: danger of interfering  
with the course of justice

Vergehen: minor offence

Verhältnismäßigkeit: proportionality

Verlegung: transfer to another prison

Vernehmung: (cross-) examination

Verwaltungsvorschriften: local prison rules

Verwaltungskammer: prison court

Vollmacht: Power of Attorney

Vollstreckungsverfahren: penal proceeding

Vollzugsgeschäftsstelle: prison administration

Vollzugplan: personal prison plan

vorläufige Festnahme: temporary detention

Vorsitzender: Presiding Judge

## W

Wachtl: Prison Warder (slang)

Wärter: Warder

Widerstand: opposition

Wiedereingliederung: rehabilitation

Wiederholungsgefahr: danger of  
repeated criminal offences

weisungsgebunden: duty of obedience

## Z

Zwischenverfahren: courts pre-trial review of  
prosecution case