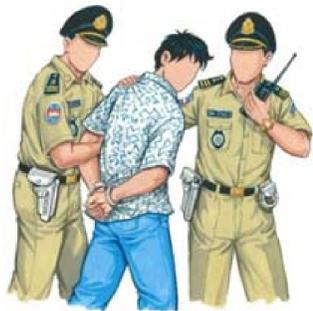




# The 7 steps from your arrest to your appeal

## 1- Arrest:



You can be arrested where reasonable grounds exist that you have committed an offence or are about to. The police will take you to the police station. If you resist arrest, the police may use reasonable force. If the offense is not serious, the police can promptly release you from the police station.



## 2- Interview and police custody:

At the police station, the police will interview you. They must tell you immediately why you were arrested and detained. You will be given an opportunity to answer the police version of events in a formal record that will be placed before the court. Otherwise, you have the right to remain silent and not to say anything until you have access to a lawyer. It is illegal for the police to torture you in order to make you confess. After the interview, the police may decide to release you or detain you up to 48 hours (2 days). The police can extend this period by another 24 hours, unless you are under 18 years old. You have the right to see your lawyers and relatives after 24 hours. You also have the right to receive medical assistance from a doctor at any time during police custody.



## 3- Court - Prosecutor:



From the police station, the police will take you to the court as soon as they can, but no later than 48 (+24) hours. At the court, the prosecutor will interrogate you. Afterwards, the prosecutor will either charge you with an offense or stop the case and release you. If the case involves a serious offence (felony case), the prosecutor will send the case to the investigating judge to continue the investigation and he will likely request the judge to send you to prison.

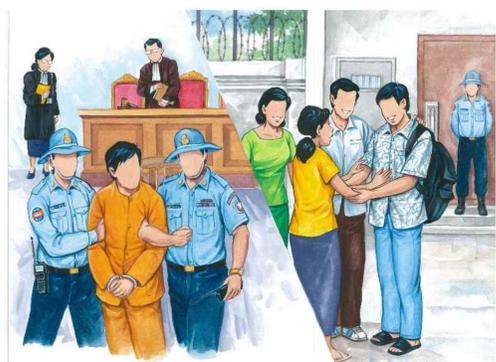


## 4- Court - Investigating Judge:

The investigating judge will carry out a judicial investigation. If you are charged with a felony or if you are a minor, the case cannot proceed without a lawyer. At your first appearance in court before the investigating judge, the judge will decide whether to release you, or place you under judicial supervision, or detain you temporarily in prison during the time of the investigation. The judge must give you the reason(s) for judicial supervision or pre-trial detention and ask for your observations. The maximum periods of pre-trial detention vary depending on your age and the nature of the crime you have been charged with. You or your lawyer may submit a request for release to the investigating judge at any time. If your request is denied, you may re-submit one month after the decision was made. At the end of the investigation, the judge can decide to send you to trial or drop the charge against you. If the judge drops the charge, you will be released. If not, you might stay in prison until the trial or you may be allowed to be released temporarily until the trial. You can continue to request for your release until the trial. You should be released if the trial has not started four months after the end of the investigation.



## 5- Trial:



At the trial stage, if you are charged with a felony or if you are under 18 years old, the assistance of a lawyer is compulsory. During the trial, you can be questioned by the trial judge(s), the prosecutor and the lawyer(s). You are considered innocent until the court has made its final decision. You can say whether you agree or disagree with the accusation. If you cannot afford a lawyer, the court must give you a lawyer free of charge. You are given the final word. At the end of the trial, the court will either find you not guilty of the offense(s) and you will be acquitted, or you will be found guilty and sentenced.



## 6- Sentence:

If you are found guilty after the trial, the sentence of the court should be proportionate to the offense you committed. It should also take into account the circumstances in which you committed the offence and your own personal circumstances at the time. The judgment shall be announced in a public hearing and be read out by the presiding judge on the trial day or later.



## 7- Appeal:



If you disagree with the decision of the court, you have the right to appeal against the conviction, against the sentence or both. You have to appeal within 1 month after the judgment was announced. You have the right to appeal by yourself (through the prison chief) or through your lawyer. If you appeal, you may be acquitted on appeal or your sentence may be decreased. The prosecutor can also appeal within 1 month. In this case, you may have to stay in prison until the Court of Appeal has decided though you can submit requests for your release until the appeal hearing. In case of appeal by the prosecutor, your sentence might be increased on appeal. If you or the prosecutors are not satisfied with the decision of the Court of Appeal, either party can appeal to the Supreme Court.