

## Uz sākumlapu&gt;Jūsu tiesības&gt;Atbildētāji (kriminālprocesā)

## Defendants (criminal proceedings)

Slovēnija

These factsheets explain what happens when a person is suspected or accused of a crime which is dealt with by a trial in court. For information on road traffic offences, which are usually dealt with by a fixed penalty like a fine, go to Factsheet 5. If you are the victim of a crime, you can find full information about your rights here.

**Summary of the criminal process****Preliminary procedure****Pre-trial criminal procedure**

In a pre-trial criminal procedure, on their own motion or following instructions of the state prosecutor, the police detect offenders, collect and protect traces and evidence, and collect information on a crime. The police will act if there are reasons to suspect that a crime has been committed.

**Ordinary criminal procedure**

An ordinary criminal procedure is conducted by the court. It can only start on the request of an eligible prosecutor (an eligible prosecutor is a state prosecutor, a private prosecutor, or an injured party acting as a prosecutor). There must be reasonable suspicion that a specific person has committed a crime. A reasonable suspicion is present if the probability of a person committing a crime is higher than the probability of this person not committing it.

**Investigation**

The purpose of an investigation is to collect evidence. On the request of a prosecutor, an investigating judge questions the defendant and then issues a ruling based on which the investigation starts. You can appeal against this ruling. An investigation is compulsory for offences punishable by a prison sentence of over eight years.

**Charges**

In a charge, the prosecutor defines what the court will deal with at the trial. The charge sets out the defendant and the offence. You can lodge an objection against a charge.

**Main procedure****Preparation for the trial**

When the charge becomes final, the president of the panel fixes the time and venue where the trial will take place. He/she also ensures the presence of persons and items of evidence.

**The trial and judgement**

At the trial, the court decides whether the defendant is guilty of a crime. The prosecutor and the defendant are present. The trial ends with the proclamation of a judgement.

**Regular legal remedies**

The prosecutor and the defendant have the right to appeal against the judgement. An appeal must be announced within eight days of the proclamation of the judgement, except where a sentence of imprisonment has been imposed.

**Enforcement of a judgement**

When a judgement becomes final, it is **enforced**.

Details about all of these stages in the process and about your rights can be found in the factsheets. This information is not a substitute for legal advice and is intended to be for guidance only.

**Role of the European Commission**

Please note that the European Commission has no role in criminal proceedings in Member States and cannot assist you if you have a complaint. Information is provided in these factsheets about how to complain and to whom.

**Click on the links below to find the information that you need****1 – Getting legal advice****2 – My rights during the investigation of a crime**

Police investigation

Police custody and bringing before an investigating judge for questioning

Detention or release

Initiating an investigation and investigative acts

Charges

Preparations for the trial

**3 – My rights during the trial****4 – My rights after the trial****5 – Road traffic offences****Related links**[Criminal Procedure Act](#)[Criminal Code-1](#)[Enforcement of Penal Sentences Act](#)

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