

Criminal Law involves cases about crimes, acts against the law for which the state is entitled to prosecute the offenders. Crimes are separated in minor offences, misdemeanors and felonies, the latter being the most serious. Crimes are typically tried in a public trial, the purpose of which is the verification of truth in any legal way and the accused is presumed innocent until an irrevocable decision against him is issued.

The police is the competent authority for the detection of crimes and arrest of perpetrators and acts either *ex officio* or after someone's complaint, if one is the victim of the crime himself. The District Attorney checks the merits of the complaint and implements the proper law, in order to achieve the indictment of the persons referred in the complaint.

When the perpetrator is arrested before the expiration of the next entire day after the crime, then the criminal is considered «caught in the act» and is tried under a special process. Regardless if the crime is a misdemeanor or a felony, the perpetrator remains in most cases under arrest in a police station, whereas, especially for misdemeanors, he is introduced in trial immediately, in order for the court to decide about the following proceedings. In contrary, in case of felonies the accused is presented to the District Attorney and the Investigator and the usual procedure of the Main Interrogation is followed. In either case, the accused has the right to be consulted by a lawyer.

If the case is not tried under the above mentioned special, "summary procedure", the pre-trial begins. During the pre-trial, whether a trial should take place or not is evaluated, so that

innocent people are not stigmatized by a false indictment. In minor offences and light misdemeanors the pre-trial is not obligatory and the indictment is direct, whereas in serious misdemeanors and felonies more evidence needs to be gathered and usually for this cause a preliminary examination is ordered. If it is determined that there is enough evidence for a prosecution of a misdemeanor and the accused is probably guilty, he is directly indicted, but when the case is about a felony a Main Interrogation is ordered and is completed only after the apology of the accused. After the Main Interrogation's end the Interrogator and the District Attorney decide together if the accused will be remanded or set free or imposed guard until the trial.

The cases are tried according to the crime's legal characterism, which was given during the pre-trial by the Prosecutor. The accused is entitled to an attorney of his choice and in cases of felonies the State is obliged to appoint an attorney free of expense, if the defendant cannot afford one. The victim of the crime can also participate in trial not only as a crucial witness for the prosecution but as a civil plaintiff for monetary compensation as well. In Greece, the accused has the right not to attend the trial in person but to be represented by a lawyer, whereas the same right is given to the victim as a civil plaintiff too, but the latter is obliged to appear in front of the Court to testify for the persecution.

After the trial in the first degree the convicted has under premises the right to appeal against the Court's decision, if he regards that there is some kind of error. The Prosecutor has also the same right, while the civil plaintiff has no independent right to appeal but he can file a specified request to any Prosecutor to appeal for his benefit. The main legal means against a penal Ruling is the Appeal to the Appellate Court and to the Supreme Court. The first one ("General Appeal") refers to any error of the Ruling or the procedure of the trial at the first degree but the last one must invoke only legal arguments about legal errors of the trial after the second degree, if there has been one. Every case is heard by the Supreme Court and no discrimination is under any premise ever made. The Supreme Court of Greece ("Arios Pagos") stands in Athens.

A Ruling becomes irrevocable, when legal means haven't been exercised or when the last of those has been rejected, causing a sentence to be executed, although one may have begun to be served in many ways before this final stage; most commonly the sentence is served entirely only after this final judicial crisis. "Serving" the penalty in Greece does not necessarily mean the enclosure of the convicted in prison, which is mainly associated with felonies but -more often and especially in misdemeanors– the obligation to pay an amount of money, including the (low) cost of the trial, as an alternative way to avoid being sent to prison.

Although even at this late stage there are procedural ways of improving the legal standing of the sentenced, especially when he is subjected to more convictions. Moreover, it is very common that some defendants have been convicted in absentia, without having been presented in Court, often due to false deliveries of the impeachments; then legal means can be exercised and the consequences of these Rulings can be retroactively overthrown after a new trial.

All convictions relating to misdemeanors and felonies are registered in a person's Criminal Record. These registrations can be deleted under strict conditions after a non-public process which can be done by a lawyer with a power of attorney. The importance of a clean Criminal Record is great in Greece, because it is related not only to the right to claim for a Suspension of a sentence for a crime but is also a legal prerequisite for employment for a series of jobs like being hired as a member of private security staff or as a civil servant. Access to the Criminal Record is granted only to the individual that it refers to mainly via the District Attorney's Office.

Finally, in trials with International character, say when more states are involved during the committing of a crime or when the accused is a foreigner, there are specific procedures for Extradition of the foreigners to the countries that ask for them to judge them for crimes committed in their territory or to impose a sentence. Furthermore, for the State - Members of the European Union there is also the European Arrest Warrant that regulates these proceedings under new, quicker and safer for the accused provisions. Against all such Requests for international

transnational cooperation the involved person has the right to challenge them but a consulting attorney is almost always needed as these legal matters are extremely complicated and more than often are tried (in second degree) in front of the Supreme Court of Greece.

"SKG Lawyers" provide specialized legal services in all of these areas in both advisory and litigation level.