

## Portugal: information for victims of rape and sexual assault

### First steps

It's your choice what you do next, but this information may help you in coming to a decision. The most important thing is to make sure that you are as safe as you can be. You can:

- contact the emergency services on 112
- contact your tour operator if you are travelling with one
- contact the [British Embassy in Portugal](#). Embassy staff will be polite, patient, sensitive and non-judgmental, and can provide information on local police and medical procedures. Anything you tell them will be treated in confidence. They can contact your family or friends for you if you wish.

### Reporting the crime in Portugal

Rape and sexual assault are semi-public crimes in Portugal. This means they have to be reported to the police in order for them to be investigated. You have to do this in-country within 6 months of the incident.

If you have a tour operator, they may be able to arrange for someone to support you. If you do not have a tour operator and you would like assistance from the British Embassy, we will try to send a consular officer to support you.

The [Portuguese Association for Victim Support - APAV](#) may also be able to offer assistance. APAV provides qualified, free of charge and confidential support to victims of all types of crime and violence and will support you regardless of whether or not you decide to file a report.

If you choose to report the crime, try to do so as soon as possible, so forensic evidence can be retained. In most cases, a forensic examination is performed within 72 hours of the assault. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence.

If you change your clothes, think about taking those you were wearing to the police. You may also wish to preserve other evidence, such as condoms and toothbrushes. Keep them in paper bags, not plastic.

You can report the crime to the following authorities in Portugal up to 6 months from the date of the incident, though it's better if you report the crime as soon as possible:

- the police (any of the three police forces: [Polícia de Segurança Pública](#), [Guarda Nacional Republicana](#), or [Polícia Judiciária](#)),
- the [Court/Public Prosecutor](#),

- the [National Institute of Legal Medicine and Forensic Sciences](#),
- a [local hospital](#).

Depending on where the incident took place, the first statements may be taken by a non-specialised officer. If the incident took place in a smaller town or a more remote area, you may be referred or escorted to a different police station.

Female officers and officers who speak English may not always be available; this will depend on the resources of the police station.

There are Tourism Police stations in Lisbon, Cascais, Porto and Praia da Rocha, where they have police officers with language skills.

There is a free telephone translation service (*Serviço de Tradução Telefónica-STT*) that can be contacted on 808 257 257 (from a Portuguese landline) and on +351 218 106 191 (from a mobile phone).

A consular officer may be allowed to attend at the discretion of the police officer, but not in the capacity of a translator/interpreter.

The types of questions that you will be asked include: the identity of the assailant; where and when the incident happened; what happened; the circumstances, whether there were any witnesses and if you have pictures of any injuries. Tell the police if you think you've been drugged.

You will be asked to read your statement to check the information is correct and then you will have to sign it. Ask for a copy of the police report (*Declaração de Denúncia*), together with a translation into English, if it's available. This document confirms that the report was made, the details of the crime and the date and place it occurred.

The police or the Public Prosecutor may arrange for you to make a statement that can later be used as evidence at the trial, thus avoiding having to return to Portugal. This statement is called a statement for future recall (*Declarações para Memória Futura*), which takes place during the inquiry/investigation phase (see "Court Procedures" on page 4).

A copy of your statement will be sent to the court with responsibility for the area where the incident has taken place. A prosecutor will examine the information you've provided.

After the initial reporting, you may be referred to or escorted to the nearest local hospital or the [National Institute of Legal Medicine and Forensic Sciences](#). Where possible and if you want to, consular staff or local support organisation APAV staff can accompany you.

### **If you don't want to report the crime in Portugal**

It's your choice on whether to report the crime. If you don't report it, your case will not be investigated.

Regardless of whether or not you report the crime, you will still be able to get medical treatment. You should go to the nearest hospital, a local doctor, gynaecologist or health centre. You can ask for forensic evidence to be taken even if you do not wish to report the crime immediately. It's important that this is done within 72 hours.

Hospitals which have a police station on their premises may automatically inform the police of the incident. The police may then approach you to encourage you to file a report. However, criminal proceedings will only ensue if you decide to report the incident.

The British Embassy will still be able to assist you. This includes accompanying you for medical treatment where possible, helping you make arrangements to contact your insurance company and your family, travel back to the UK and providing you with information on support organisations in the UK. They can also provide you with lists of English-speaking [medical facilities](#), [lawyers](#) and [translators](#).

It's possible to report the crime to police in the UK but it's for the Portuguese police to decide whether to investigate. UK police forces cannot investigate crimes committed overseas. The Portuguese police can request assistance from the UK police, but this can be a very lengthy process and there's no guarantee of a positive outcome to enquiries.

## **The medical examination**

All hospitals and health centres treat victims of rape and sexual assault. If a qualified forensic examiner is not available, you may need to wait until one is called, be referred to or escorted to a different hospital, or examined by an A&E doctor.

A forensic examination (*exame médico forense*) is carried out by a doctor. With your prior consent, the examiner will ask some questions, take details of the assault and may take photographic evidence. Samples or swabs will be collected from your clothes, mouth and hair. There will also be an internal examination. Consular staff can accompany you to the hospital should you so wish and where possible.

## **Treatment**

Local hospital medical staff can give you advice on "Post-Exposure Prophylaxis (PEP)" medication, a treatment that may prevent a HIV infection. This can be prescribed at any hospital. More information on risks is available on the [NHS website](#).

- HIV PEP medication needs to be taken within 72 hours of the incident for it to be effective. The NHS may be able to commence or continue the 28 day treatment on return to the UK
- Emergency contraception can be bought from local chemists without a prescription or given to you at the hospital as part of the emergency treatment. It needs to be taken within 72 hours of the incident for it to be effective
- Hospital treatment and tests are normally covered by your [European Health Insurance Card](#) (EHIC)
- If you have taken medication whilst overseas, keep the label or make a note of the name of the medication and let your GP know on return.

**When you return home to the UK**, you may want to let your GP or a [Sexual Assault Referral Centre](#) know what has happened so you can talk about the experience and seek further support and advice. If you believe you may be at risk of having contracted a sexually-transmitted infection (STI), you should ask your GP to test you, even if you have been tested in Portugal. Read our [advice on returning to the UK after rape and sexual assault abroad](#)

## Court procedures

There are four stages of the [court proceedings in Portugal](#):

### 1. Inquiry/Investigation (*inquérito*)

Once you report a crime and confirm you want to press charges, a police inquiry is launched. This is the first stage of the criminal investigation carried out by the Judiciary Police in collaboration with the Public Prosecutor's Office.

The police investigation may last from a few weeks to several months, depending on the complexity of the case.

At the end of this phase, the Public Prosecutor will either file the case (*arquivamento*) if there is insufficient evidence or the perpetrator cannot be identified; or formally charge the suspect (*acusação*).

### 2. Examination (*instrução*) – this stage is optional and only takes place at the request of the victim or the suspect if they do not agree with the decision of the Public Prosecutor at the end of the inquiry stage.

### 3. The trial (*juízo*)– the hearing is public and takes place in a courtroom before a panel of 3 judges (there is normally no jury in Portugal). The aim is to decide if there's enough evidence to convict the defendant. If you receive a notification to attend the trial and give evidence, plan your trip in advance. Contact consular staff or the local support organisation APAV, who can advise

you and accompany you where possible. If you don't attend the trial, criminal proceedings may be delayed. If you can't attend, you must inform the court as soon as possible justifying why you are unable to attend. Depending on the circumstances and available resources, the court may consider taking your statement via videoconference, arranging for the defendant to leave the courtroom while you give your statement or closing the hearing to members of the public. If you have applied for the minimum compensation, the court may also rule on your entitlement to this.

- 4. Appeals** (*recurso*) – if you don't agree with the court decision, you can appeal through a lawyer. The defendant can also appeal.

As the victim, you don't need to appoint a lawyer to start criminal proceedings. The public prosecutor will do this for you. However, if you wish to suggest lines of enquiry during the investigation or you'd like to be represented in court, you can become an "assistant" to the process for which you will need a lawyer. You will also need to have a lawyer if your claim for criminal compensation amounts to over €5,000 – see our [list of English speaking lawyers in Portugal](#).

You will only be entitled to legal aid if you can prove you cannot afford court and/or lawyer's fees - see [information on legal aid in Portugal](#).

### **Compensation under the Criminal Injuries Compensation Scheme**

In addition to any compensation awarded to you by the court (which the perpetrator will be required to pay), you may be entitled to compensation under the Criminal Injuries Compensation Scheme. You will need to provide evidence of the crime and the impact it has had on you, such as police and medical reports, any expenses you have incurred as a result of your injuries, loss of earnings, etc. For further information on making a claim, see [Right to compensation in Portugal](#) and [Criminal injuries compensation scheme in Portugal](#).

In Portugal, the authority which considers applications for compensation is the [Commission for the Protection of Victims of Crime](#).

If you are a UK resident, you can also submit your application through the [EU Compensation Assistance Team](#) – E-mail: [eucat@cica.gsi.gov.uk](mailto:eucat@cica.gsi.gov.uk) - telephone 0300 003 3601.

### **Communication**

If you decide to appoint a private lawyer, your lawyer will keep you updated and will be in direct contact with the court. If you do not have a lawyer, you can contact the court direct to ask for updates. You do not need a Portuguese address. Any correspondence will be sent to the address you provide to the court and your lawyer.

## Support organisations in Portugal

It's your choice to let people know. If you are ready to talk about what has happened to you, the following organisations may be able to help.

### **Associação Portuguesa de Apoio à Vítima (APAV) – Victim Support**

APAV has a network of victim support offices in Portugal and English-speaking staff who can support victims (male and female, tourists and residents) and guide them through some aspects of the judicial process. They also provide emotional and psychological support, and can help with claims for compensation.

Online information for victims of crime (in English):

[http://www.infovictimas.pt/pt\\_en/001\\_home/001\\_infovictims.html](http://www.infovictimas.pt/pt_en/001_home/001_infovictims.html)

National Free Helpline in Portugal: 116 006 (week days, between 09:00–19:00) or +351 21 358 79 00 E-mail: [apav.sede@apav.pt](mailto:apav.sede@apav.pt)

### **Associação de Mulheres Contra a Violência (AMCV) – Association of Women Against Violence**

AMCV gives support to women and children victims of violence, providing information and liaising with the local authorities and accompanying the victims as required guaranteeing their rights. They have a Rape Crisis Centre in Lisbon.

Website: <http://www.amcv.org.pt/>

Telephone: +351 213 802 165

E-mail: [ca@amcv.org.pt](mailto:ca@amcv.org.pt)

### **União de Mulheres Alternativa e Resposta (UMAR) – Union of Women Alternative and Response**

UMAR is an NGO that gives support to women who have been victims of psychological and/or physical abuse; it provides them with psychological stability, skills and tools to prepare them to live their lives with dignity, assurance, independence and self-sufficiency.

Website: <http://www.umarfeminismos.org/>

Telephone: +351 218 873 005

National Free Helpline in Portugal: 800 202 148

E-mail: [umar.sede@sapo.pt](mailto:umar.sede@sapo.pt)

### **“Quebrar o Silêncio” – Break the Silence**

Supports male survivors of rape and sexual violence.

Website: [www.quebrarosilencio.pt](http://www.quebrarosilencio.pt)

Helpline: +351 910 846 589

E-mail: [apoio@quebrarosilencio.pt](mailto:apoio@quebrarosilencio.pt)

## **Support organisations in the UK**

### **Rape Crisis England and Wales**

+44 808 802 9999 to (the helpline operates 1200-1430 and 1900-2130 UK time, 365 days a year. Email: [info@rapecrisis.org.uk](mailto:info@rapecrisis.org.uk) Website: [www.rapecrisis.org.uk](http://www.rapecrisis.org.uk)

### **Rape Crisis Scotland**

National Helpline: +44 141 331 2715 (1800-0000 UK time)

Email: [support@rapecrisisscotland.org.uk](mailto:support@rapecrisisscotland.org.uk)

Website: [www.rapecrisisscotland.org.uk](http://www.rapecrisisscotland.org.uk)

Rape Crisis England & Wales and Rape Crisis Scotland are the national umbrella organisations for rape crisis centres in Great Britain.

**Glasgow and Clyde Rape Crisis's (GCRC)** Live Online Support service is designed to help British victims overseas.

Freephone 0808 800 0014; +44 141 552 3201 (0900-1800 UK time)

National rape and sexual assault helpline: 08088 01 03 02

E-mail: [info@rapecrisiscentre-glasgow.co.uk](mailto:info@rapecrisiscentre-glasgow.co.uk)

Website: <https://www.glasgowclyderapecrisis.org.uk>

### **Nexus Northern Ireland**

Helpline: +44 028 9032 6803 (Monday 0900-1930, Tuesday 0900-2030, Wednesday 0900-2030, Thursday 0900-1600, Friday 0900-1500 UK time). Email:

[info@nexusni.org](mailto:info@nexusni.org) Website: [www.nexusni.org](http://www.nexusni.org)

### **Survivors UK**

Survivors UK supports and provides resources for men who have experienced any form of sexual violence. Their national webchat service for men and their families, partners and friends is open seven days a week and can be accessed through their website.

Whatsapp: 07491 816064; Tel: +44 203 5983898

Email: [info@survivorsuk.org](mailto:info@survivorsuk.org) Website: [www.survivorsuk.org](http://www.survivorsuk.org)

### **Samaritans**

Samaritans offer a safe place for you to talk any time you like, in your own way, about whatever's getting to you. They listen to you and help you talk through your concerns, worries and troubles; helping you think more clearly about what your options are. Tel: 116 123 Email: [jo@samaritans.org](mailto:jo@samaritans.org) Website: [www.samaritans.org](http://www.samaritans.org)