

irregular offences

regular offences

PROBABLE CRIMINAL OFFENCES AND APPLICABLE REGULATIONS AGAINST REBECCA MERTENS [1976, GER]

1976 – 1977 [AGE 0 – 2]

POTENTIAL SEXUAL ABUSE BY THE FATHER

STGB SECTION 170D. VIOLATION OF THE DUTY OF CARE AND CUSTODY 2) If the act has caused grievous bodily harm (SECTION 224), the sentence shall be imprisonment for no less than five years (2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of amended by (24 November 1973 / 28 November 1973 – 1 January 1977) (1) Whosoever grossly neglects his duty to provide care or education for a person under the age of sixteen and thereby creates and, if the act has caused death, imprisonment for life or imprisonment for no less than ten years.

potentially STGB SECTION 229 POISONING

(1 January 1975 – 1 December 1994)

(1 January 1975 – 1 April 1998)

term not exceeding five years or a fine.

1976 - 1977 [AGF 0 - 2]

(1 January 1975 – 1 April 1998)

a danger that the person's physical or mental development could be seriously damaged, that the person will engage in crime TGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION or in prostitution, shall be liable to imprisonment not exceeding three years or a fine.

mprisonment for a term not exceeding five years or a fine.

2. seriously physically abuses the child

by acting as an intermediary: or

1 January 1975 – 1 December 1994)

imprisonment not exceeding five years or a fine;

amended by (24 November 1973 / 28 November 1973 – 1 January 1977) (1) Whosoever performs an act of sexual intercourse with a consanguine descendant shall be liable to imprisonment not

relationship of employment, shall be liable to imprisonment from three months to five years ?) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases) Whosoever performs an act of sexual intercourse with a consanguine relative in an ascending line shall be liable to imprisonment for up to three years or a fine. imprisonment not exceeding two years or a fine; this shall also apply if the relationship as a relative has ceased to exist. Consanguine siblings who perform an act of sexual intercourse with each other shall incur the same penalty. 3) Descendants and siblings shall not be liable pursuant to this provision if they were not yet eighteen years of age at the time

STGB SECTION 239 UNLAWFUL IMPRISONMENT

STGB SECTION 174 SEXUAL ABUSE OF PERSONS IN ONE'S CHARGE

amended by (24 November 1973 / 28 November 1973 – 1 January 1977) 1) Whosoever engages in sexual activity

ncurs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of

influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

(1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding

(2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, shall be liable to

prisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to . with a person under sixteen years of age who is entrusted to them for upbringing, education or care; 2. with a person under eighteen years of age who is entrusted to them for upbringing, education or care or who is his [1] If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death, subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing, the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a educational, care, employment or work relationship; or term of between three months and five years.

3. with their biological or adopted child not yet eighteen years of age, or allows them to engage in sexual activities with himself, shall be liable to imprisonment from three months to five years. (2) Whosoever, under the conditions of subsection (1) Nos 1 to 3 above

1. engages in sexual activity in the presence of the person; or

in order to obtain sexual gratification for themselves or the person shall be liable to imprisonment not exceeding three years or POTENTIAL SEXUAL ABUSE BY A NEIGHBOUR STGB SECTION 176 SEXUAL ABUSE OF CHILDREN (3) The attempt shall be nunishable

3) Whosoever induces a person under eighteen years of age who is entrusted to him for upbringing, education or care or who term of between three months and five years.

4) In cases under subsection (1) No 1 above, or subsection (2) above in conjunction with subsection (1) No 1, the court may (24 November / 28 November 1973 – 1 April 1998)

order a discharge under this provision if taking into consideration the conduct of the person the harm of the offence is of a (1) Whoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on them, incurs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of

oprisonment for a term not exceeding five years or a fine. 2) Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them. potentially STGB SECTION 223 BODILY HARM especially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially (1 January 1975 – 1 December 1994)

1. has sexual intercourse with the child seriously physically abuses the child

2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a imprisonment for a term not exceeding five years or a fine. (Grievous bodily harm did not yet include the offence of "administration of poison or other substances harmful to health".) renalty of imprisonment for a term not exceeding three years or a fine incurs for whoever

performs sexual acts in the presence of a child, causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or 4) If, by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a

3. influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

(6) The attempt is punishable; this does not apply to offences under subsection (5) nos. 3

STGR SECTION 223 BODILY HARM

(1 January 1975 – 1 April 1998)

1977 – 1987 [AGE 1 – 11]

POTENTIAL PHYSICAL ABUSE (BEATINGS) BY THE MOTHER

(24 November 1973 / 28 November 1973 – April 1998)

potentially STGB SECTION 170d BREACH OF DUTY OF CARE OR UPBRINGING

will engage in crime or prostitution, incurs a penalty of imprisonment for a term not exceeding three years or a fine

(1 January 1975 – 1 December 1994) (1) Whoever physically assaults or damages the health of another person incurs a penalty of imprisonment for a term not

(2) Whoever harms a blood relative in the ascending line incurs a penalty of imprisonment for a term of up to five years or a will engage in crime or prostitution, incurs a penalty of imprisonment for a term not exceeding three years or a fine.

STGB SECTION 173 SEXUAL INTERCOURSE BETWEEN RELATIVES (1) Whosoever encourages a person under sixteen years of age to engage in sexual activity with or in the presence of a third STGB SECTION 239 UNLAWFUL IMPRISONMENT (this amendment is in effect since 1 January 1977)

(1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a

(1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a belongs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him

[1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived (2) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases

ngs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him penalty of imprisonment for a term not exceeding five years or a fine.

nis liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of imprisonment for up to three years or a fine.

(1) Whoever has sexual intercourse with a descendant by blood incurs a penalty of imprisonment for a term not exceeding (1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a three years or a fine. ?) [1] Whoever has sexual intercourse with a blood relative in the ascending line incurs a penalty of imprisonment for a ter

1985 – 1990 [AGE 9 – 14]

STGB SECTION 223 BODILY HARM

(1 January 1975 – 1 December 1994)

(2) The attempt is punishable.

1977 – 1987 [AGE 1 – 14]

(1 January 1975 – 1 December 1994)

POTENTIAL VERBAL ABUSE BY THE MOTHER

imprisonment for a term not exceeding five years or a fine.

f the bodily harm was caused with the use of an implement)

STGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION

within a relationship of employment, shall be liable to imprisonment from three months to five years.

STGB SECTION 185 INSULT (this amendment is in effect since1 January 1975)

a meeting, or by means of an assault, imprisonment for a term not exceeding two years or a fine.

1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a

(1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding

(1) Whoever grossly neglects their duty of care or upbringing towards a person under 16 years of age, thereby creating a

danger that the physical or mental development of the person placed in their charge could be seriously damaged or that they

erson under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or

hall be liable to imprisonment not exceeding three years or a fine. The 1st sentence No 2 above shall not apply if the offender (2) 4 [1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived not exceeding two years or a fine; this also applies if the familial relationship has ceased to exist. [2] ENatural siblings who is the person responsible for the care of the minor unless the offender, if responsible for the care of the minor, grossly violates of his liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of have sexual intercourse with each other incur the same penalt imprisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

(3) Descendants and siblings do not incur a penalty under this provision if they were under 18 years of age at the time of the

the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a STGB SECTION 174 SEXUAL ABUSE OF PERSONS IN ONE'S CHARGE amended by (24 November 1973 / 28 November 1973 – 1 January 1977)

POTENTIAL SEXUAL ABUSE BY THE FATHER

(24 November 1973 / 28 November 1973 – April 1998)

(1) Whosoever engages in sexual activity with a person under sixteen years of age who is entrusted to them for upbringing, education or care; with a person under eighteen years of age who is entrusted to them for upbringing, education or care or who is his

STGB SECTION 170d BREACH OF DUTY OF CARE OR UPBRINGING

subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing, educational, care, employment or work relationship; or 3. with their biological or adopted child not yet eighteen years of age,

r allows them to engage in sexual activities with himself, shall be liable to imprisonment from three months to five years. (2) Whosoever, under the conditions of subsection (1) Nos 1 to 3 above ngages in sexual activity in the presence of the person: (1) Whoever grossly neglects their duty of care or upbringing towards a person under 16 years of age, thereby creating a

danger that the physical or mental development of the person placed in their charge could be seriously damaged or that they in order to obtain sexual gratification for themselves or the person shall be liable to imprisonment not exceeding three years or

The attempt shall be punishable. (4) In cases under subsection (1) No 1 above, or subsection (2) above in conjunction with subsection (1) No 1, the court may order a discharge under this provision if taking into consideration the conduct of the person the harm of the offence is of a

STGB SECTION 176 SEXUAL ABUSE OF CHILDREN

(24 November / 28 November 1973 – 1 April 1998) (1) Whoever causes bodily harm by administering poison or other substances which are harmful to health, incurs a penalty of (1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding (1) Whoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on the penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of

Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them.

In especially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially serious case typically occurs if the offender sexual intercourse with the child

ously physically abuses the ch person under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or treacherous assault, or acting jointly with another party to the offence orusing methods which pose a danger to life, incurs a by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a of at least 5 years.

5) A penalty of imprisonment for a term not exceeding three years or a fine incurs for whoever performs sexual acts in the presence of a child.

causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or nces a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

performs sexual acts in the presence of a child, causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or The attempt is punishable; this does not apply to offences under subsection (5) nos. 3

GB SECTION 180 CAUSING MINORS TO ENGAGE IN SEXUAL ACTIVITY charge or a third person.

(this amendment is in effect since dem 24 November 1973 / 28 November 1973) 1) Whosoever encourages a person under sixteen years of age to engage in sexual activity with or in the presence of a third

erson or whosoever encourages sexual acts of a third person on a person under sixteen years of age by acting as an intermediary; or

shall be liable to imprisonment not exceeding three years or a fine. The 1st sentence No 2 above shall not apply if the offender is the person responsible for the care of the minor unless the offender, if responsible for the care of the minor, grossly violates (2) Whoever harms a blood relative in the ascending line incurs a penalty of imprisonment for a term of up to five years or a

2) Whosoever induces a person under eighteen years of age to engage in sexual activity with or in the presence of a third or to suffer sexual acts by a third person for a financial reward, or whosoever encourages such acts by acting as an STGB SECTION 239 UNLAWFUL IMPRISONMENT (1) The penalty for insult is imprisonment for a term not exceeding one year or a fine and, if the insult is committed publicly, in intermediary, shall be liable to imprisonment not exceeding five years or a fine. (3) Whosoever induces a person under eighteen years of age who is entrusted to him for upbringing, education or care or who nis subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing,

educational, care, employment or work relationship to engage in sexual activity with or in the presence of a third person or to suffer sexual acts by a third person shall be liable to imprisonment not exceeding

(4) In case of 2 and 3 the attempt is punishab

STGB SECTION 223 BODILY HARM

1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding three years or a fine

(2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of imprisonment for a term not exceeding five years or a fine. Since 1992 [FROM AGE 16] POTENTIAL DRUG PROSTITUTION

2) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases imprisonment for up to three years or a fine.

STGB SECTION 239 UNLAWFUL IMPRISONMENT 3)In the case of an offender who was under twenty-one years of age at the time of the offence, the court may waive Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a punishment under this regulation.

1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived STGB SECTION 182 SEXUAL ABUSE OF JUVENILES (11 June 1994 – 4 November 2008)

f his liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of (1) A person over the age of eighteen who abuses a person under the age of sixteen by

1) If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death, 2. using a situation of coercion to perform sexual acts on a third person or to have a third person perform sexual acts on him e penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a term of between three months and five years.

POTENTIAL SEXUAL ABUSE BY A NEIGHBOUR

has sexual intercourse with the child

1985 – 1990 [AGE 9 – 14]

ovember / 28 November 1973 – 1 April 1998) hoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on them, (24 November / 28 November 1973 – 1 April 1998) curs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of (1) Whoever performs sexual acts on

sonment for a term not exceeding five years or a fine. 2) Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them. 2. a person detained by official order, specially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially who is entrusted to them for upbringing, education, supervision or care, or has the prisoner or person detained perform sexual contents.

seriously physically abuses the child (4) If, by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a whoever has that person perform sexual acts on them.

(5) A penalty of imprisonment for a term not exceeding three years or a fine incurs for whoever

3. influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

(6) The attempt is punishable; this does not apply to offences under subsection (5) nos. 3

STGR SECTION 223 BODILY HARM 1 January 1975 – 1 December 1994)

(1) Whoever physically assaults or damages the health of another person incurs a penalty of imprisonment for a term not The attempt is punishable.

1 January 1975 – 1 April 1998) If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived

is liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of risonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

Lanuary 1975 – 1 April 1998)

ot exceeding five years or a fine.

1 January 1975 – 1 December 1994)

by creating an opportunity,

term of between three months and five years.

STGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION (1 January 1975 – 1 December 1994)

1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a

The previous version (SECTION 182 STGB SEDUCTION) assumed, that the juveniles are under the age of 16. The following person under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or are the outdated versions covering the offences now known as SEXUAL ABUSE OF JUVENILES: belongs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him hin a relationship of employment, shall be liable to imprisonment from three months to five years GB SECTION 182 SEDLICTION (24 November 1973 / 28 November 1973 – 11 June 1994)

(1) Whoever seduces a girl under the age of sixteen to perform sexual intercourse with them is liable to a custodial sentence

coerces a pregnant woman to terminate the pregnancy or 3. abuses his or her powers or position as a public official.

(3) 6 [1] If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death,

the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a

SECTION 182 STGB (SEXUAL ABUSE OF JUVENILES), as we know it today, has only been instated on June 11, 1994.

imprisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

1. performing or having sexual acts performed on him or her, taking advantage of a situation of coercion or for remuneration

person over the age of twenty-one who abuses a person under the age of sixteen by

performing or having sexual acts performed on him or her, or 2. orders them to perform sexual acts on a third person or to have a third person perform sexual acts on them and in doing so, exploits the victim's lack of capacity for sexual self-determination, is liable to a imprisonment not exceeding three years o

In the cases specified in subsections 1 and 2, the court may refrain from punishment under these laws if the wrongfulness f the offence is minor in conjunction with the conduct of the person against whom the offence is directed.

(3)In the cases specified in subsection 2, the offence shall only be prosecuted on request, unless the prosecution deems it

POTENTIAL DRUG PROSTITUTION IN PRISON

1994 – 2000 [AGE 18 – 24]

STGB SECTION 174a. SEXUAL ABUSE OF PRISONERS, PERSONS DETAINED BY OFFICIAL ORDER, OR PROSTITUTION ACT 1980 AND 2001 SICK OR VULNERABLE INSTITUTIONALISED PERSONS PROSTITUTION PROTECTION ACT SINCE 2016

could not constitute the right to freedom of movement under Community law. On 1 December 2000, the Administrative Court of Berlin ruled that voluntary prostitution, irrespective of a moral assessment,

for supervision or care and performs sexual acts on that person, thereby exploiting said person's illness or vulnerability, or

3 regulations on fines if one does not register and does not comply with conditions. The possibility for the authorities to e conditions was nothing new, simply a long-standing practice of administrative law.

Whoever abuses their position to perform sexual acts on a prisoner or a person detained by official order, a person who is trusted to them for upbringing, education, supervision or care, or has the prisoner or person detained perform sexual acts Prostitution is not subject to the Trade Regulation Act, so a trade licence is not required. However, income must be taxed, em, is liable to imprisonment not exceeding five years or a fine otherwise it constitutes tax evasion, as stated in Section 370 of the German Fiscal Code (AO). Whoever abuses a person who has been admitted to an institution for sick or vulnerable persons and is entrusted to then

potentially STGB SECTION 240 COERCION (1 January 1975 – 1 October 1995) only applies, if there is a threat of not being able to get any drugs without prostitution. The forced abstinence from drugs

(1) Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an act incurs or financial predicament or helplessness on account of being in a foreign country, or that person is under 21 years of age, (1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a penalty of imprisonment for a penalty of imprisonment for a term not exceeding three years or a fine, in serious cases with imprisonment of at least six incurs a penalty of imprisonment for a term of between six months and five years if

> (2) The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective.) engaging in prostitution or performing sexual acts on or in the presence of the offender or a third person, or having sexual (3) The attempt is punishable. acts performed on them by the offender or a third person.

potentially STGB SECTION 240 COERCION (1 October 1995 – 1 April 1998)

[1] Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an a rs a penalty of imprisonment for a term not exceeding three years or a fine, in serious cases with imprisonment of at st six months and up to five years. [2] An especially serious case is the coercion of a pregnant woman to terminate the

ecruits, transports, transfers, harbours or receives that person by force, by threat of serious harm or by deception or 2) The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective. 2. abducts that person or gains physical control over him or her or encourages a third person to gain physical control over

incurs a penalty of imprisonment for a term of between six months and 10 years.

llow sexual acts to be performed on them by the offender or a third person incurs a penalty of imprisonment for a term of 2) The attempt is punishable.

STGR SECTION 232a

(1) Mit Freiheitsstrafe von sechs Monaten bis zu zehn Jahren wird bestraft, wer eine andere Person unter Ausnutzung ihrer persönlichen oder wirtschaftlichen Zwangslage oder ihrer Hilflosigkeit, die mit dem Aufenthalt in einem fremden Land verbunden ist, oder wer eine andere Person unter einundzwanzig Jahren veranlasst, die Prostitution aufzunehmen oder fortzusetzen oder 2. sexuelle Handlungen, durch die sie ausgebeutet wird, an oder vor dem Täter oder einer dritten Person vorzunehmen oder

von dem Täter oder einer dritten Person an sich vornehmen zu lassen. (2) Der Versuch ist strafbar.

DISCLAIMER: The majority of the laws referred to in this document are of historical nature and have to date either been amended or changed altogether. The translation keeps as close to the official english translation of the German criminal code,

https://adsdatabase.ohchr.org/IssueLibrary/GERMANY Criminal%20Code.pdf https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html

On 15 July 1980, the Federal Administrative Court ruled that prostitution as an act is immoral and in various respects not in

Since 1994 [FROM AGE 18]

POTENTIAL DRUG PROSTITUTION

them, is liable to imprisonment not exceeding five years or a fir Whoever abuses a person who has been admitted to an institution for sick or vulnerable persons and is entrusted to them could no longer be considered immoral by the social-ethical values recognised today. Sexual service was soberly assessed as

While the Prostitution Act deals with the civil law aspects in only three paragraphs, i.e. the enforceability of money, the (3) The attempt is punishable. rostitution Protection Act is more comprehensive and contains in Section 3 the obligation of prostitutes to register, in Section STGB SECTION 174a. SEXUAL ABUSE OF PRISONERS, PERSONS DETAINED BY OFFICIAL ORDER, OR

SICK OR VULNERABLE INSTITUTIONALISED PERSONS he non-observance of restricted zones is sanctioned by fines in Section 120 Administrative Offences (OWig), but no longer

supervision or care and performs sexual acts on that person, thereby exploiting said person's illness or vulnerability, or whoever has that person perform sexual acts on them. With Section 232 of the German Criminal Code, the Prostitution Protection Act 2016 introduces for the first time a "johns"

tentially STGB SECTION 240 COERCION (1 April 1998 – 19 February 2005)

ally serious case typically occurs where the offend

incurs a penalty of imprisonment for a term not exceeding three years or a fine, 5 [2] (omitted)

(1) [1]Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an act

The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective

In especially serious cases, the penalty is imprisonment for a term of between six months and five years. [2] An

StGB Section 232 Human trafficking (1) Whoever recruits, transports, transfers, harbours or receives another person by taking advantage of that person's personal ould then be considered a "serious harm"

. that person is to be held in slavery, bonded labour, debt bondage or under corresponding or similar conditions or

2) Whoever, with respect to another person who is to be exploited in the manner referred to in subsection (1) sentence 1 nos.

criminal liability, in order to counteract so-called FORCED PROSTITUTION.

ection 232a Forced prostitution

1) Whoever, by taking advantage of another person's personal or financial predicament or helplessness on account of being in a foreign country, causes that person or causes another person under 21 years of age engage in or continue to engage in prostitution or to perform sexual acts, by way of which they are exploited, on or in the presence of the offender or a third person. or to

accordance with social employment rules, therefor not part of economic life within the meaning of the ECC Treaty and thus

a social reality by the Administrative Court of Berlin even before the Prostitution Act came into force in 2002.

STGB German criminal code

while including sentences and phrases that have since been omitted.

sources of STGB translated into English:

STGR SECTION 176 SEXUAL ABUSE OF CHILDREN

SIMPLE THEFT MOTHER ••••• **GRAND THEFT** FATHER [OR UNKNOWN] NEIGHBOUR [OR UNKNOWN] ROBBERY PREDATORY EXTORTION REPORT 12 12 13 14 1990 ARREST WARRANT 15 1991 16 \ 1992 17 \\1993 REMAND IN CUSTODY CRIMES AGAINST LIFE SEX OFFENCE CONVICTION DRUG OFFENCE FRAUD 28 2004 ADMISSION guidance CRIMES AGAINST PERSONAL STATIONARY supervision FREEDOM IMPRISONMENT detention open prison PROSTITUTION

OFFENCE

37 2013

38 2014

irregular offences regular offences

PROBABLE CRIMINAL OFFENCES AND APPLICABLE REGULATIONS AGAINST REBECCA MERTENS [1976-2021, GER]

1976 – 1977 [AGE 0 – 2] POTENTIAL SEXUAL ABUSE BY THE FATHER

MEASURE

STGB SECTION 170D. VIOLATION OF THE DUTY OF CARE AND CUSTODY 2) If the act has caused grievous bodily harm (SECTION 224), the sentence shall be imprisonment for no less than five years (2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of amended by (24 November 1973 / 28 November 1973 – 1 January 1977)

potentially STGB SECTION 229 POISONING

(1 January 1975 – 1 December 1994)

(1 January 1975 – 1 April 1998)

1976 - 1977 [AGF 0 - 2]

oprisonment for a term not exceeding five years or a fine.

(1 January 1975 – 1 April 1998)

(1) Whosoever grossly neglects his duty to provide care or education for a person under the age of sixteen and thereby creates and, if the act has caused death, imprisonment for life or imprisonment for no less than ten years. a danger that the person's physical or mental development could be seriously damaged, that the person will engage in crime TGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION or in prostitution, shall be liable to imprisonment not exceeding three years or a fine.

amended by (24 November 1973 / 28 November 1973 – 1 January 1977)

(1) Whosoever performs an act of sexual intercourse with a consanguine descendant shall be liable to imprisonment not relationship of employment, shall be liable to imprisonment from three months to five years ?) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases) Whosoever performs an act of sexual intercourse with a consanguine relative in an ascending line shall be liable to imprisonment for up to three years or a fine. imprisonment not exceeding two years or a fine; this shall also apply if the relationship as a relative has ceased to exist. Consanguine siblings who perform an act of sexual intercourse with each other shall incur the same penalty.

term not exceeding five years or a fine. STGB SECTION 174 SEXUAL ABUSE OF PERSONS IN ONE'S CHARGE

3) Descendants and siblings shall not be liable pursuant to this provision if they were not yet eighteen years of age at the time

STGB SECTION 239 UNLAWFUL IMPRISONMENT

amended by (24 November 1973 / 28 November 1973 – 1 January 1977) 1) Whosoever engages in sexual activity

prisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to . with a person under sixteen years of age who is entrusted to them for upbringing, education or care; 2. with a person under eighteen years of age who is entrusted to them for upbringing, education or care or who is his [1] If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death, subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing, the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a educational, care, employment or work relationship; or

term of between three months and five years. 3. with their biological or adopted child not yet eighteen years of age, or allows them to engage in sexual activities with himself, shall be liable to imprisonment from three months to five years. (2) Whosoever, under the conditions of subsection (1) Nos 1 to 3 above

1. engages in sexual activity in the presence of the person; or

in order to obtain sexual gratification for themselves or the person shall be liable to imprisonment not exceeding three years or POTENTIAL SEXUAL ABUSE BY A NEIGHBOUR STGB SECTION 176 SEXUAL ABUSE OF CHILDREN (3) The attempt shall be nunishable

4) In cases under subsection (1) No 1 above, or subsection (2) above in conjunction with subsection (1) No 1, the court may (24 November / 28 November 1973 – 1 April 1998) order a discharge under this provision if taking into consideration the conduct of the person the harm of the offence is of a (1) Whoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on them,

STGB SECTION 176 SEXUELLER MISSBRAUCH VON KINDERN (24 November 1973 / 28 November 1973 – 1 April 1998)

(1) Whoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on them, 1. has sexual intercourse with the child ncurs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of seriously physically abuses the child mprisonment for a term not exceeding five years or a fine.

by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a (2) Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them (3) In especially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially renalty of imprisonment for a term not exceeding three years or a fine incurs for whoever serious case typically occurs if the offender performs sexual acts in the presence of a child, 1 has sexual intercourse with the child causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or

2. seriously physically abuses the child 4) If, by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a

3. influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

term of at least 5 years. (6) The attempt is punishable; this does not apply to offences under subsection (5) nos. 3 (5) A penalty of imprisonment for a term not exceeding three years or a fine incurs for whoever 1 performs sexual acts in the presence of a child. STGR SECTION 223 BODILY HARM

2. causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or (1 January 1975 – 1 December 1994) influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their (6) The attempt is punishable; this does not apply to offences under subsection (5) nos. 3

STGB SECTION 180 CAUSING MINORS TO ENGAGE IN SEXUAL ACTIVITY (this amendment is in effect since dem 24 November 1973 / 28 November 1973)

(1) Whosoever encourages a person under sixteen years of age to engage in sexual activity with or in the presence of a third

STGB SECTION 239 UNLAWFUL IMPRISONMENT person or whosoever encourages sexual acts of a third person on a person under sixteen years of age (1 January 1975 – 1 April 1998) by acting as an intermediary: or

hall be liable to imprisonment not exceeding three years or a fine. The 1st sentence No 2 above shall not apply if the offender (2) 4 [1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived not exceeding two years or a fine; this also applies if the familial relationship has ceased to exist. [2] ENatural siblings who is the person responsible for the care of the minor unless the offender, if responsible for the care of the minor, grossly violates of his liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of

person or to suffer sexual acts by a third person for a financial reward, or whosoever encourages such acts by acting as an (3) 6 [1] If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death, intermediary, shall be liable to imprisonment not exceeding five years or a fine. 3) Whosoever induces a person under eighteen years of age who is entrusted to him for upbringing, education or care or who term of between three months and five years. is his subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing, educational, care, employment or work relationship to engage in sexual activity with or in the presence of a third person or to

STGB SECTION 223 BODILY HARM 1 January 1975 – 1 December 1994)

imprisonment not exceeding five years or a fine;

suffer sexual acts by a third person shall be liable to imprisonment not exceeding

potentially STGB SECTION 170d BREACH OF DUTY OF CARE OR UPBRINGING (1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding (24 November 1973 / 28 November 1973 – April 1998) (2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, shall be liable to

(2) Whosoever induces a person under eighteen years of age to engage in sexual activity with or in the presence of a third five years or a fine.

(1) Whoever grossly neglects their duty of care or upbringing towards a person under 16 years of age, thereby creating a danger that the physical or mental development of the person placed in their charge could be seriously damaged or that they will engage in crime or prostitution, incurs a penalty of imprisonment for a term not exceeding three years or a fine

POTENTIAL PHYSICAL ABUSE (BEATINGS) BY THE MOTHER

1977 – 1987 [AGE 1 – 11]

STGB SECTION 223 BODILY HARM

nis liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of imprisonment for up to three years or a fine.

(1 January 1975 – 1 December 1994) (1) Whoever causes bodily harm by administering poison or other substances which are harmful to health, incurs a penalty of (1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding

imprisonment for a term not exceeding five years or a fine.

f the bodily harm was caused with the use of an implement)

(1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a person under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or treacherous assault, or acting jointly with another party to the offence orusing methods which pose a danger to life, incurs a ngs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him penalty of imprisonment for a term not exceeding five years or a fine. (2) The attempt is punishable.

STGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION (1 January 1975 – 1 December 1994)

1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a erson under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or (1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a belongs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him within a relationship of employment, shall be liable to imprisonment from three months to five years. [1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived (2) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases

1977 – 1987 [AGE 1 – 14] POTENTIAL VERBAL ABUSE BY THE MOTHER

STGB SECTION 185 INSULT (this amendment is in effect since1 January 1975) (1) The penalty for insult is imprisonment for a term not exceeding one year or a fine and, if the insult is committed publicly, in intermediary, shall be liable to imprisonment not exceeding five years or a fine. a meeting, or by means of an assault, imprisonment for a term not exceeding two years or a fine.

incurs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of

2) Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them. potentially STGB SECTION 223 BODILY HARM especially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially (1 January 1975 – 1 December 1994)

POTENTIAL SEXUAL ABUSE BY THE FATHER

1985 – 1990 [AGE 9 – 14]

(1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding three years or a fine 2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of imprisonment for a term not exceeding five years or a fine.

imprisonment for a term not exceeding five years or a fine. (Grievous bodily harm did not yet include the offence of "administration of poison or other substances harmful to health".)

imprisonment for up to three years or a fine. STGB SECTION 170d BREACH OF DUTY OF CARE OR UPBRINGING (24 November 1973 / 28 November 1973 – April 1998)

(1) Whoever grossly neglects their duty of care or upbringing towards a person under 16 years of age, thereby creating a (1) Whoever physically assaults or damages the health of another person incurs a penalty of imprisonment for a term not danger that the physical or mental development of the person placed in their charge could be seriously damaged or that they (2) Whoever harms a blood relative in the ascending line incurs a penalty of imprisonment for a term of up to five years or a will engage in crime or prostitution, incurs a penalty of imprisonment for a term not exceeding three years or a fine.

STGB SECTION 173 SEXUAL INTERCOURSE BETWEEN RELATIVES

(this amendment is in effect since 1 January 1977) (1) Whoever has sexual intercourse with a descendant by blood incurs a penalty of imprisonment for a term not exceeding (1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a three years or a fine. ?) [1] Whoever has sexual intercourse with a blood relative in the ascending line incurs a penalty of imprisonment for a ter

1) If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death, e penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a term of between three months and five years. have sexual intercourse with each other incur the same penalt imprisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

(3) Descendants and siblings do not incur a penalty under this provision if they were under 18 years of age at the time of the

the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a STGB SECTION 174 SEXUAL ABUSE OF PERSONS IN ONE'S CHARGE amended by (24 November 1973 / 28 November 1973 – 1 January 1977)

(1) Whosoever engages in sexual activity

with a person under sixteen years of age who is entrusted to them for upbringing, education or care; with a person under eighteen years of age who is entrusted to them for upbringing, education or care or who is his subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing,

educational, care, employment or work relationship; or 3. with their biological or adopted child not yet eighteen years of age, r allows them to engage in sexual activities with himself, shall be liable to imprisonment from three months to five years. (2) Whosoever, under the conditions of subsection (1) Nos 1 to 3 above

ngages in sexual activity in the presence of the person: in order to obtain sexual gratification for themselves or the person shall be liable to imprisonment not exceeding three years or

The attempt shall be punishable. (4) In cases under subsection (1) No 1 above, or subsection (2) above in conjunction with subsection (1) No 1, the court may

order a discharge under this provision if taking into consideration the conduct of the person the harm of the offence is of a

STGB SECTION 176 SEXUAL ABUSE OF CHILDREN (24 November / 28 November 1973 – 1 April 1998)

(1) Whoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on the penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of

Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them. In especially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially serious case typically occurs if the offender sexual intercourse with the child

ously physically abuses the chilby committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a

of at least 5 years. 5) A penalty of imprisonment for a term not exceeding three years or a fine incurs for whoever

seriously physically abuses the child performs sexual acts in the presence of a child. (4) If, by committing sexual abuse, the offender causes a child's death at least recklessly, the penalty is imprisonment for a whoever has that person perform sexual acts on them. causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or nces a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

(5) A penalty of imprisonment for a term not exceeding three years or a fine incurs for whoever performs sexual acts in the presence of a child, causes the child to perform sexual acts in the presence of the offender or in the presence of a third person, or The attempt is punishable; this does not apply to offences under subsection (5) nos. 3 3. influences a child by means of pornographic content or speech, for their own sexual arousal or that of the person in their

1985 – 1990 [AGE 9 – 14]

has sexual intercourse with the child

POTENTIAL SEXUAL ABUSE BY A NEIGHBOUR

STGR SECTION 176 SEXUAL ABUSE OF CHILDREN

ovember / 28 November 1973 – 1 April 1998)

sonment for a term not exceeding five years or a fine.

GB SECTION 180 CAUSING MINORS TO ENGAGE IN SEXUAL ACTIVITY charge or a third person. (this amendment is in effect since dem 24 November 1973 / 28 November 1973)

(6) The attempt is punishable; this does not apply to offences under subsection (5) nos. 3 1) Whosoever encourages a person under sixteen years of age to engage in sexual activity with or in the presence of a third STGR SECTION 223 BODILY HARM erson or whosoever encourages sexual acts of a third person on a person under sixteen years of age by acting as an intermediary; or 1 January 1975 – 1 December 1994)

by creating an opportunity, (1) Whoever physically assaults or damages the health of another person incurs a penalty of imprisonment for a term not shall be liable to imprisonment not exceeding three years or a fine. The 1st sentence No 2 above shall not apply if the offender is the person responsible for the care of the minor unless the offender, if responsible for the care of the minor, grossly violates (2) Whoever harms a blood relative in the ascending line incurs a penalty of imprisonment for a term of up to five years or a

2) Whosoever induces a person under eighteen years of age to engage in sexual activity with or in the presence of a third or to suffer sexual acts by a third person for a financial reward, or whosoever encourages such acts by acting as an STGB SECTION 239 UNLAWFUL IMPRISONMENT 1 January 1975 – 1 April 1998) (3) Whosoever induces a person under eighteen years of age who is entrusted to him for upbringing, education or care or who nis subordinate within an employment or a work relationship, by abusing the dependence associated with the upbringing,

educational, care, employment or work relationship to engage in sexual activity with or in the presence of a third person or to If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived suffer sexual acts by a third person shall be liable to imprisonment not exceeding is liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of risonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

(4) In case of 2 and 3 the attempt is punishab

STGB SECTION 223 BODILY HARM 1 January 1975 – 1 December 1994)

Lanuary 1975 – 1 April 1998)

ot exceeding five years or a fine.

term of between three months and five years. 1) Whosoever physically assaults or damages the health of another person, shall be liable to imprisonment not exceeding (2) Whosoever physically assaults or damages the health of a consanguine relative in an ascending line, incurs a penalty of Since 1992 [FROM AGE 16]

STGB SECTION 223b ABUSE OF THOSE IN A DEPENDENT POSITION

(1 January 1975 – 1 December 1994)

1) Whosoever tortures or seriously abuses or by maliciously neglecting his duty of care for a person damages the health of a

The previous version (SECTION 182 STGB SEDUCTION) assumed, that the juveniles are under the age of 16. The following person under eighteen years of age or a person who is defenceless due to frailty or illness and who is in his care or custody or are the outdated versions covering the offences now known as SEXUAL ABUSE OF JUVENILES: belongs to his household or has been placed under his control by the person obliged to provide care or is subordinated to him hin a relationship of employment, shall be liable to imprisonment from three months to five years GB SECTION 182 SEDLICTION (24 November 1973 / 28 November 1973 – 11 June 1994) 2) In exceptionally serious cases the punishment is imprisonment from one year up to five years, in less serious cases (1) Whoever seduces a girl under the age of sixteen to perform sexual intercourse with them is liable to a custodial sentence

3. abuses his or her powers or position as a public official. STGB SECTION 239 UNLAWFUL IMPRISONMENT

3)In the case of an offender who was under twenty-one years of age at the time of the offence, the court may waive Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a punishment under this regulation.

POTENTIAL DRUG PROSTITUTION

1] If the imprisonment lasted longer then one week or if grievous bodily harm (SECTION 224) to the person deprived STGB SECTION 182 SEXUAL ABUSE OF JUVENILES (11 June 1994 – 4 November 2008) f his liberty was caused by the deprivation of his liberty or the treatment he received during it, the penalty is a term of (1) A person over the age of eighteen who abuses a person under the age of sixteen by

imprisonment of between one and up to ten years. 5 [2] In less serious cases, the penalty is imprisonment for a term of up to

1. performing or having sexual acts performed on him or her, taking advantage of a situation of coercion or for remuneration 2. using a situation of coercion to perform sexual acts on a third person or to have a third person perform sexual acts on him

person over the age of twenty-one who abuses a person under the age of sixteen by

performing or having sexual acts performed on him or her, or

2. orders them to perform sexual acts on a third person or to have a third person perform sexual acts on them and in doing so, exploits the victim's lack of capacity for sexual self-determination, is liable to a imprisonment not exceeding three years o (3)In the cases specified in subsection 2, the offence shall only be prosecuted on request, unless the prosecution deems it

(3) 6 [1] If, by committing the offence or an act during the commission or an offence, the offender causes the victim's death,

the penalty is imprisonment for a term of at least three years. 7 [2] In less serious cases, the penalty is imprisonment for a

SECTION 182 STGB (SEXUAL ABUSE OF JUVENILES), as we know it today, has only been instated on June 11, 1994.

In the cases specified in subsections 1 and 2, the court may refrain from punishment under these laws if the wrongfulness f the offence is minor in conjunction with the conduct of the person against whom the offence is directed.

1994 – 2000 [AGE 18 – 24] POTENTIAL DRUG PROSTITUTION IN PRISON

(3) The attempt is punishable.

The attempt is punishable.

STGB SECTION 174a. SEXUAL ABUSE OF PRISONERS, PERSONS DETAINED BY OFFICIAL ORDER, OR PROSTITUTION ACT 1980 AND 2001 SICK OR VULNERABLE INSTITUTIONALISED PERSONS hoever performs sexual acts on a person under 14 years of age (child) or has the child perform sexual acts on them, (24 November / 28 November 1973 – 1 April 1998) curs a penalty of imprisonment for a term of between six months and 10 years, in less serious cases incurs a penalty of (1) Whoever performs sexual acts on

2) Whoever causes a child to perform sexual acts on a third person or to have a third person perform sexual acts on them. 2. a person detained by official order,

specially serious cases, the penalty of imprisonment for a term of between 1 years and up to 10 years. An especially who is entrusted to them for upbringing, education, supervision or care, or has the prisoner or person detained perform sexual contents. them, is liable to imprisonment not exceeding five years or a fir Whoever abuses a person who has been admitted to an institution for sick or vulnerable persons and is entrusted to them could no longer be considered immoral by the social-ethical values recognised today. Sexual service was soberly assessed as for supervision or care and performs sexual acts on that person, thereby exploiting said person's illness or vulnerability, or

> rostitution Protection Act is more comprehensive and contains in Section 3 the obligation of prostitutes to register, in Section STGB SECTION 174a. SEXUAL ABUSE OF PRISONERS, PERSONS DETAINED BY OFFICIAL ORDER, OR SICK OR VULNERABLE INSTITUTIONALISED PERSONS

Whoever abuses their position to perform sexual acts on a prisoner or a person detained by official order, a person who is trusted to them for upbringing, education, supervision or care, or has the prisoner or person detained perform sexual acts

em, is liable to imprisonment not exceeding five years or a fine Whoever abuses a person who has been admitted to an institution for sick or vulnerable persons and is entrusted to then supervision or care and performs sexual acts on that person, thereby exploiting said person's illness or vulnerability, or

whoever has that person perform sexual acts on them.

potentially STGB SECTION 240 COERCION (1 January 1975 – 1 October 1995)

ould then be considered a "serious harm" (1) Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an act incurs or financial predicament or helplessness on account of being in a foreign country, or that person is under 21 years of age, (1) Whoever imprisons a person or otherwise subjects a person to deprivation of liberty incurs a penalty of imprisonment for a penalty of imprisonment for a penalty of imprisonment for a term not exceeding three years or a fine, in serious cases with imprisonment of at least six

(2) The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective.) engaging in prostitution or performing sexual acts on or in the presence of the offender or a third person, or having sexual (3) The attempt is punishable.

potentially STGB SECTION 240 COERCION (1 October 1995 – 1 April 1998)

[1] Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an a rs a penalty of imprisonment for a term not exceeding three years or a fine, in serious cases with imprisonment of at st six months and up to five years. [2] An especially serious case is the coercion of a pregnant woman to terminate the

2) The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective.

tentially STGB SECTION 240 COERCION (1 April 1998 – 19 February 2005) (1) [1]Whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an act

incurs a penalty of imprisonment for a term not exceeding three years or a fine, 5 [2] (omitted) The act is unlawful if the use of force or the threat of harm is deemed reprehensible in respect of the desired objective

In especially serious cases, the penalty is imprisonment for a term of between six months and five years. [2] An ally serious case typically occurs where the offend

coerces a pregnant woman to terminate the pregnancy or

STGR SECTION 232a

(1) Mit Freiheitsstrafe von sechs Monaten bis zu zehn Jahren wird bestraft, wer eine andere Person unter Ausnutzung ihrer persönlichen oder wirtschaftlichen Zwangslage oder ihrer Hilflosigkeit, die mit dem Aufenthalt in einem fremden Land verbunden ist, oder wer eine andere Person unter einundzwanzig Jahren veranlasst, die Prostitution aufzunehmen oder fortzusetzen oder

von dem Täter oder einer dritten Person an sich vornehmen zu lassen. (2) Der Versuch ist strafbar.

DISCLAIMER: The majority of the laws referred to in this document are of historical nature and have to date either been

amended or changed altogether. The translation keeps as close to the official english translation of the German criminal code, while including sentences and phrases that have since been omitted.

https://adsdatabase.ohchr.org/IssueLibrary/GERMANY Criminal%20Code.pdf

POTENTIAL DRUG PROSTITUTION

Since 1994 [FROM AGE 18]

PROSTITUTION PROTECTION ACT SINCE 2016 On 15 July 1980, the Federal Administrative Court ruled that prostitution as an act is immoral and in various respects not in

could not constitute the right to freedom of movement under Community law. On 1 December 2000, the Administrative Court of Berlin ruled that voluntary prostitution, irrespective of a moral assessment,

a social reality by the Administrative Court of Berlin even before the Prostitution Act came into force in 2002. While the Prostitution Act deals with the civil law aspects in only three paragraphs, i.e. the enforceability of money, the

With Section 232 of the German Criminal Code, the Prostitution Protection Act 2016 introduces for the first time a "johns"

accordance with social employment rules, therefor not part of economic life within the meaning of the ECC Treaty and thus

3 regulations on fines if one does not register and does not comply with conditions. The possibility for the authorities to e conditions was nothing new, simply a long-standing practice of administrative law. he non-observance of restricted zones is sanctioned by fines in Section 120 Administrative Offences (OWig), but no longer

Prostitution is not subject to the Trade Regulation Act, so a trade licence is not required. However, income must be taxed, otherwise it constitutes tax evasion, as stated in Section 370 of the German Fiscal Code (AO).

StGB Section 232 Human trafficking only applies, if there is a threat of not being able to get any drugs without prostitution. The forced abstinence from drugs (1) Whoever recruits, transports, transfers, harbours or receives another person by taking advantage of that person's personal

incurs a penalty of imprisonment for a term of between six months and five years if

acts performed on them by the offender or a third person. . that person is to be held in slavery, bonded labour, debt bondage or under corresponding or similar conditions or

2) Whoever, with respect to another person who is to be exploited in the manner referred to in subsection (1) sentence 1 nos. ecruits, transports, transfers, harbours or receives that person by force, by threat of serious harm or by deception or

2. abducts that person or gains physical control over him or her or encourages a third person to gain physical control over

incurs a penalty of imprisonment for a term of between six months and 10 years.

criminal liability, in order to counteract so-called FORCED PROSTITUTION.

ection 232a Forced prostitution

1) Whoever, by taking advantage of another person's personal or financial predicament or helplessness on account of being in a foreign country, causes that person or causes another person under 21 years of age engage in or continue to engage in prostitution or to perform sexual acts, by way of which they are exploited, on or in the presence of the offender or a third person. or to

llow sexual acts to be performed on them by the offender or a third person incurs a penalty of imprisonment for a term of 2) The attempt is punishable.

2. sexuelle Handlungen, durch die sie ausgebeutet wird, an oder vor dem Täter oder einer dritten Person vorzunehmen oder

STGB German criminal code

sources of STGB translated into English:

https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html