

#	Date	Court	Reference & Publication	Description
1	8 January 1959	Federal Constitutional Court (BVerfG), 1 st Senate	1 BvR 396/55 BVerfGE 9, 89	Right to be heard in criminal proceedings; defendant's subsequent hearing following an order for pre-trial custody ("Untersuchungshaft") constitutional
2	10 February 1960	Federal Constitutional Court (BVerfG), 1 st Senate	1 BvR 526/53 BVerfGE 10, 302	Right to judicial review (hospitalisation of full aged ward)
3	14 May 1963	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 516/62 BVerfGE 16, 119	Judicial duty to immediately inform a relative respectively a trustee of the detainee
4	7 November 1967	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvL 14/67 BVerfGE 22, 311	Right to judicial review in case of disciplinary detention of soldiers ("Arreststrafe")
5	2 July 1974	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 648/73 BVerfGE 38, 32	Right to immediate information of third persons
6	7 October 1981	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 1194/80 BVerfGE 58, 208	Judicial duty to a hearing in order for the judge to obtain an unbiased impression of the appearance/ personality of the detainee and to challenge medical reports on these grounds if necessary
7	8 February 1984	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 677/80 BVerfGE 66, 191	Conditions for the proportionality test for the detention of patients suffering from mental disorder, legal requirement of compelling public interests in favour of the detention ("zwingende Gründe des Gemeinwohls"), physicians under strict duty of care in their assessment of mental dysfunctions that are close to disease patterns; right to an immediate judicial hearing of the patient concerned

8	8 October 1985	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 1150/80 BVerfGE 70, 297	Balancing of public security interests and personal liberty in case of patients suffering from mental diseases, increasing standards of judicial scrutiny in accordance with the duration of the detention in a psychiatric hospital
9	30 October 1990	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 562/88 BVerfGE 83, 24	Right to judicial review in case of administrative police custody for security reasons (mass demonstration); balancing of public interests to expedite judicial proceedings and individual rights to due process, assignment to local magistrate judges ("Amtsrichter") and exclusion of additional legal remedy constitutional (no right to appeal); judges must not rely solely on the plausibility of police records and are obliged to a full review of each case
10	10 May 1998	Federal Constitutional Court (BVerfG), 3 rd Chamber	2 BvR 978/97 NJW 1998, 2432	Formerly detained persons have a persisting legal interest and right to a retrospective judicial review of the lawfulness of detention even after release
11	5 December 2001	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 527/99 BVerfGE 104, 220	The suffered deprivation of liberty (here: detention pending deportation) indicates a persisting legal interest for retrospective judicial review as a means of rehabilitation even after the detention pending deportation ended (here: by deportation)
12	15 May 2002	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 2292/00 BVerfGE 105, 239	Obligation to ensure accessibility of competent judges and their efficient exercise of judicial power; detainees must be released by the end of the next day in the absence of an affirmative judicial decision
13	5 February 2004	Federal Constitutional Court (BVerfG), 2 nd Senate	2 BvR 2029/01 BVerfGE 109, 133	Abolishment of statutory 10-year-limit for preventive detention ("Sicherungsverwahrung") of criminal offenders constitutional in cases of persisting risk of relapse, no violation of protected legitimate expectations of current inmates (kein

				Verstoß gegen Vertrauensschutz); paramount duty to respect and secure the inmate's personal dignity and to encourage self-reliance and preparation for a responsible life in liberty, no duty to define a maximum period of preventive detention in advance; increasing standards of judicial scrutiny in accordance with the length of preventive detention already served, the criminal law principle of "no retroactive effects" ("Rückwirkungsverbot") inapplicable to preventive detention
14	13 December 2005	Federal Constitutional Court (BVerfG), 2 nd Chamber	2 BvR 447/05 NVwZ 2006, 579	Obligation to immediately obtain subsequent judicial review of an order for police detention ("Ingewahrsamnahme"), obligation to expedite the procedures for judicial review, duty to provide judges with adequate information about the reasons for the detainment order, duty to arrange for an on-duty judicial review (24/7) in cases of expected mass demonstration
15	19 January 2007	Federal Constitutional Court (BVerfG), 2 nd Chamber	2 BvR 1206/04 NVwZ 2007, 1044	Failure to immediately obtain subsequent judicial review in case of detention pending deportation
16	14 June 2007	Federal Constitutional Court (BVerfG), 1 st Chamber	1 BvR 338/07 NJW 2007, 3560	Procedural requirements for judicial review of a minor's hospitalisation in a paediatric psychiatry; right to be heard coincides with the judicial obligation to obtain an unbiased impression of the appearance/ personality of the minor concerned
17	10 December 2007	Federal Constitutional Court (BVerfG), 2 nd Chamber	2 BvR 1033/06 NVwZ 2008, 304	Procedural requirements for retrospective judicial review after the release of the detained person (here: asylum applicant)
18	4 October 2010	Federal Constitutional Court (BVerfG), 1st Chamber	2 BvR 1825/08 NVwZ 2011, 161	Order of detention pending deportation in the absence of a hearing of the subject's spouse unconstitutional