



MY LOGBOOK

TO STAY ON TRACK DURING CRIMINAL PROCEEDINGS



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Since 1993, the Swiss Law on Assistance to Victims of Crime (LAVI) provides help and support to people who have suffered violence affecting their physical, mental or sexual integrity, as well as to their family members.

In all cantons of Switzerland, the Centres of Care and Consultation for LAVI Victims provide them with useful information on their rights and offer them a **real support**, including financial, **in order to help them overcome what they endured**.

If you are a victim or someone close to a victim, you need to understand **what your rights are and how the judiciary operates**.

This logbook is designed for you: it provides a simple and practical overview of the functioning of penal proceedings. It will help you make your decisions. You will also find messages and suggestions supporting you throughout this difficult stage.

An online film completes this publication, with an insight into the premises of the Public Prosecutor's Office, the Courthouse (Palais de Justice) and the Juvenile Court of the Canton of Geneva. Getting to know the premises beforehand is a good way of preparing for the upcoming hearings.

You are not alone. Feel free to ask questions and seek support from your LAVI counselor and/or your lawyer!

Muriel Golay, LAVI Director, and Céline Vock, LAVI psychologist and counselor

This logbook was published in 2024 by the Geneva LAVI Centre, with the collaboration of:

- **Me Camille Maulini**, lawyer, Collectif de défense
- **Me Clara Schneuwly**, lawyer, Collectif de défense
- **victimepasseule.ch**, information and resources for victims and their families

Warm thanks to them!

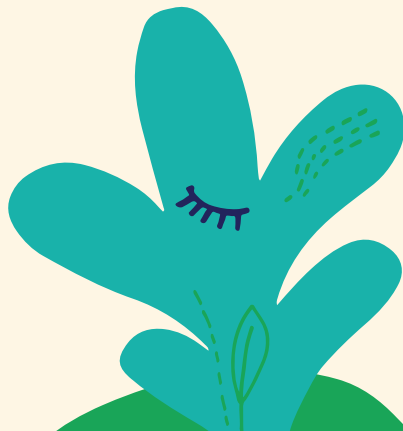


TABLE OF CONTENTS

I HAVE BEEN A VICTIM: WHAT SHOULD I DO?	4
Urgent first steps	4
THE FEDERAL LAW ON ASSISTANCE TO VICTIMS OF CRIME (LAVI)	6
To be a victim under the LAVI law	6
LAVI Victim's family members	6
Services provided by LAVI Centres	7
The LAVI Compensation Board	9
The rights of the victim	10
CRIMINAL PROCEEDINGS	14
Filing a criminal complaint	17
Investigation procedure	18
Judgment hearing	20
Appeal hearing	21
Special features for minors	22
I have been summoned to a criminal hearing	24
TOOLS	32
USEFUL ADDRESSES	36

MY NEXT MEETINGS

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I HAVE BEEN A VICTIM: WHAT SHOULD I DO?

Have you suffered violence affecting your physical, mental or sexual integrity? Your priority is to **be in a place where you are safe** and to **take care of yourself**, both physically and psychologically.

URGENT FIRST STEPS

- Call the **police** (117) and/or **emergency services** (144).
- Get to a **safe place** while waiting for help.
- Do not wash yourself, go to the Geneva Cantonal Hospital (www.hug.ch) to have a **medical** and/or **sexual assault report** drawn up.
- Keep the **evidence** (for instance put the clothes worn during the assault in a paper bag).
- **Take care**, talk to your friends and family and don't stay alone.

AFTERWARDS...

- If you have not done so yet, have a medical and/or sexual assault **report** drawn up (even several days after the event).
- **Report** the matter.
- Reinforce **security** measures if it seems useful (take a friend along when you go out, change the locks of your doors, and so on).
- Take **shelter** (at a friend's or a neighbor's house, in an emergency shelter, or elsewhere).
- Do not stay alone, and **talk**.
- Contact the **LAVI Centre**.



4

I have been a victim, I have symptoms...
It is quite normal.

Are you experiencing unprecedented reactions or behaviors that can be intense and painful?

Did they occur immediately, or several days or even weeks after the event? Are you unable to carry on as always with your day-to-day activities and interactions, or do you hardly know yourself?

This is normal: your body has endured a great stress, and this is how it reacts. Talk to people you trust!



Domestic violence

You have the right to leave the marital home in order to be safe.

- In Switzerland, the spouses have the right to **refuse to remain in the same home** as their aggressor if their own or their family's personality and/or material safety are seriously threatened.
- The police can issue a **restraining order** against the violence perpetrator, prohibiting him or her from entering certain places and/or from approaching one or more persons.

You can consult the LAVI Centre for a confidential, free-of-charge initial assessment of your situation. Filing a criminal complaint is not needed.

GENEVA LAVI CENTRE: 022 320 01 02

My LAVI Counselor

His or her e-mail address

5



THE FEDERAL LAW ON ASSISTANCE TO VICTIMS OF CRIME (LAVI)



SERVICES PROVIDED BY LAVI CENTRES

The LAVI Centre offers **free, confidential consultations** to victims and/or to their family members. To benefit from the LAVI Centre's support, you do not need to have reported the event or filed a complaint, or to intend to do so.

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How do I get in touch with the LAVI Centre?

Initial contact is made by telephone or e-mail. If your situation meets the LAVI criteria, we will make an appointment, urgently if needed.

GENEVA LAVI CENTRE: 022 320 01 02

"LAVI" stands for **Loi fédérale sur l'Aide aux Victimes d'Infraction pénale**. The purpose of LAVI is to **offer support and compensation** to people who have been victims of a criminal offence affecting their physical, mental and/or sexual integrity, as well as to their family members, and to **strengthen their rights** in criminal proceedings.

VICTIM UNDER THE LAVI

You are considered a victim under the LAVI law **if you have suffered a criminal offence** that has seriously affected your physical, psychological or sexual integrity. It does not matter whether the perpetrator was discovered or not, or whether he or she acted intentionally. Victim status under the LAVI is determined by the LAVI Centre **after assessing your situation**.

LAVI VICTIM'S FAMILY MEMBERS

The LAVI Centre can also help **people who are close to you** under the LAVI terms: spouse, partner, father or mother, child, brother, sister or any other person who has a similar relationship with you.

I am afraid that people will not believe me!

*Do your fear that people will not believe you, that they will tell you it was your fault, or even accuse you of lying? **This fear is common and normal after an assault**, especially if you know the perpetrator and he or she has led you to believe that nobody would believe you, that you deserved it or that you are worthless. Perhaps are you also afraid, if you speak out, of what may happen to your loved ones, or even to the perpetrator? This helplessness can lead to feelings of despair. **Do not stay alone. It is never too late. Break this silence and suffocating isolation! Trust your family and friends, and ask for help to as many people as necessary.***



Find a LAVI Centre in another canton



LAVI Centre operations

When you come to a LAVI Centre, you (and/or your family members) receive psychological, legal and social support.

The LAVI counselor will provide you with information on your rights, explain how the court proceedings take place, and help you think about your various possible solutions, according to your situation and needs. He or she can also help you with any other step you may need to face as a result of the violence you have suffered. Depending on your situation, you may be referred to other specialized services and professionals.

If you decide to file a complaint, you can receive **support according to your needs all along the criminal proceedings**, particularly in the form of accompaniment to the hearings before the criminal authorities, where your LAVI counselor can be present as a support person.

We can also help you deal with the LAVI Compensation Board. And according to your situation and needs, we may cover certain costs directly related to the offence.

The financial assistance offered by the LAVI Centre is in two parts:

Immediate assistance

It is designed to **respond to the most urgent needs** arising from the violence you suffered. It might bear the costs of an emergency accommodation or consist in a small financial help in case you have to leave your home. The LAVI Centre can also pay offence-related medical bills that are not covered by accident or health insurance (for example below the deductible part or co-payment), or give you a voucher for an initial consultation with a lawyer.

This assistance is free of charge, whatever your financial situation.

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Longer-term assistance

After some time, if your difficulties still require support from the LAVI Centre, you can apply for longer-term assistance. This assistance depends on your financial situation. Therefore, you will have to provide the LAVI Centre with the necessary documents to assess your income and assets, as well as those of any person forming part of the same household. The extent of longer-term assistance is determined by the legal criteria in force. Depending on your income and the course of the criminal proceedings, it may cover all the costs arising from the proceedings.

SERVICES PROVIDED BY THE LAVI COMPENSATION BOARD

The LAVI Compensation Board is independent from the LAVI Centre. Its role is to award compensation for the damage caused by the offence. In some cases, your family members may also be entitled to these benefits. To contact the Board, please refer to the contact details at the end of this brochure.

If the perpetrator is unknown (or is on the run), or if he or she has been found guilty by the courts but does not have sufficient financial means to pay off his or her debts, you (or your family members) can file a compensation claim with the Compensation Board of the Canton where the offence took place. This compensation can be claimed:

- As an **indemnity**, to cover offence-related costs that have not been covered by other insurance policies or by the LAVI Centre. This compensation takes into account your financial situation and that of the people who form part of your household.
- As a **compensation** for pain and suffering. For moral damages to be recognized, the harm done must be of a certain severity (attested by medical or psychotherapeutic certificates). This moral compensation is independent of your financial situation.

Please note that there is a strict five-year deadline to file your claim, starting from the date of the offence. For more information, contact your local LAVI Compensation Board or LAVI Centre. **The LAVI compensation procedure is free of charge and independent of criminal proceedings.** If you don't have a lawyer to help you write your claim, please contact the LAVI Centre.

I dare not speak out, because I fear the reactions of my family and friends

*You may not be able to talk about what you are going through – or have gone through – with the people close to you, perhaps because they do not quite understand what happened or are not able to listen to you. And if you dare speak out, the reactions of your loved ones might be disappointing. Your friends and family may react with awkward, negative or judgmental words. Remember that your story may deeply upset them. But do not let this stop you from talking, because breaking the silence is an important step towards acknowledging your experience and reducing your pain. **Identify your own needs and limits, feel they are legitimate and communicate them to your entourage.** If need be, talk to your doctor or another trusted professional.*

Contact the Geneva LAVI Centre: 022 320 01 02

THE RIGHTS OF THE VICTIM

As a victim under the LAVI law, you have certain rights that protect you in criminal proceedings. These rights are as follows:

I must be informed of my rights

Right from the first hearing, the police or the Public Prosecutor's Office (through the public prosecutor) must provide you (or your family members) with detailed information on your rights and obligations in criminal proceedings. You should also be informed of the existence of the LAVI Centre, its role and services, and of the five-year deadline to fill out a claim with the LAVI Compensation Board.

I have the right to receive a transcript of the criminal complaint that I verbally filed at the police station

I have the right to protect my personality and to certain special measures of protection

The authorities must protect your privacy at each and every stage of the criminal proceedings. Your name and contact details must not be divulged to third parties, unless an exception is justified. If you do not wish to give your private address, you can have your residence registered at your lawyer's office. It is important to make this request as soon as you lodge your complaint. The publicity of your hearing may be restricted, as may be the disclosure of your identity to the public. Under certain conditions, your anonymity may be guaranteed if you qualify as a person in need of protection.

I can be accompanied by a support person in police, prosecutor or court hearings

Your support person cannot speak during the hearings. He or she is only there to support you. This person can be a member of your entourage (relative, friend, colleague and so forth) or a professional, such as a LAVI counselor.

You must consider that the person who accompanies you as a support person will not be authorized to testify on your behalf. Please take this aspect into consideration when you choose your support person.

I have the right not to be confronted with the defendant

Except in special circumstances, you can refuse to be in the direct presence of the defendant (the person being prosecuted). In this case, the authorities must use other means, such as a room separated into two parts (called the "LAVI room") by a one-way mirror. You must request this prior to the hearing.

I have the right to be informed of decisions and facts relating to the defendant's detention, the execution of a sentence or any measure concerning him or her, and his or her release or escape

During the proceedings, you have the right to be informed of the defendant's detention (provisional or on security grounds), release or escape, unless you have expressly objected. At the end of criminal proceedings, you can ask the Penalty Enforcement Department (Service d'application des peines – SAPEM) to keep you informed of decisions and facts relating to the execution of a sentence or measure by the convicted person, his or her conditional or final release, and/or his or her escape.

Specific rights of victims of an offence against sexual integrity

You can demand to be heard by a person of the same sex as you, at all stages of the proceedings. You do not need to answer any intimate personal questions, such as your relationship with the people close to you, or your sex life. In principle, you can demand that the court include at least one judge of the same sex as you.

Specific rights of minor victims

In principle, as a minor you will never have to face the defendant directly. Under certain conditions, the defendant may even be completely excluded from your hearing. You should not normally be interviewed more than twice during the entire procedure. Hearings are recorded (on audiovisual support). A specialized inspector conducts the hearing. A qualified psychologist is also present at the hearing to ensure that all is well for you.

Legal assistance

If you do not have the necessary means to pay for lawyer's fees or legal expenses, it is possible, under certain conditions, to turn to legal assistance to finance these costs, fully or partially. **Legal assistance may be granted only if criminal proceedings are initiated by the Public Prosecutor's Office, but also if your financial situation justifies it and the proceedings are likely to be successful.** Even if you do not qualify for legal assistance, you can apply for longer-term financial aid from LAVI to cover your lawyer's fees and legal expenses. The LAVI Centre can provide you with vouchers to cover the costs of your initial contacts with a lawyer.

Mediation

Mediation is a conflict resolution process in which a neutral, impartial and independent mediator facilitates communication between all those involved, helping them to find an equitable and lasting solution to their conflicts.

In Geneva, there is a mediation office attached to the Judiciary and located in the Palais de Justice. It is staffed by sworn mediators, who can be consulted by any interested party, with or without appointment, and whether or not legal proceedings are in progress. The aim of the mediation office is to inform interested parties, encourage them to agree to a mediation process, and help them find a sworn mediator. It may grant financial assistance to cover its costs. For contact details please refer to the list of useful addresses at the end of this brochure.

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I feel unsettled!

*You may be troubled by what you have experienced, wondering if it really was an attack, doubting your own feelings, or having blank spots in your mind at certain moments, before, during or after the assault. **This is quite normal. It is a natural response to shock.** The reactions and symptoms associated with a traumatic event, as well as their duration, differ from one person to another. Here are a few examples:*

Physically

Sleep disorders, nightmares, night-time awakenings or, on the contrary, increased need for sleep, exhaustion; loss of appetite (or, on the contrary, insatiable appetite); headaches or gastrointestinal disorders, etc.

Mentally

Anxiety; stress; hypervigilance; intrusive images or thoughts; irritability; trouble concentrating; decreased motivation; a loss of meaning; guilt and shame; anger or sadness; emotional confusion, contradictory emotions; feelings of being disconnected from oneself and from the others; loss of confidence; helplessness; feelings of being dirty or different; addiction problems (alcohol, narcotics, medication...).

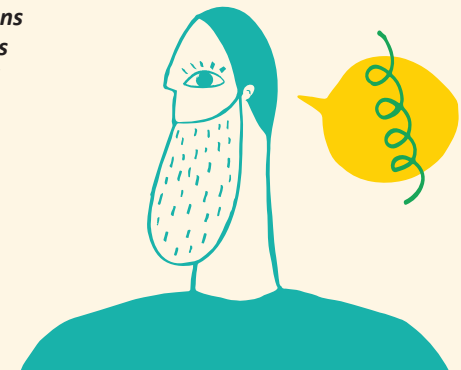
Sexually

Difficulty or inability to have sexual intercourse; avoidance of emotional closeness or relations; altered desire, arousal and/or orgasm or, on the contrary, increased sexualized behavior (compulsive masturbation, multiple partners, prostitution...); difficulty maintaining an erection; pain during sexual intercourse; intrusive images or thoughts during sexual intercourse; loss of libido.

If you experience such reactions or symptoms, it is important to consult your doctor or a psychotherapist, especially if the problem persists more than a month, for the symptoms may then become chronic and even increase. To suffer an aggression is like a wound that leaves scars. You can heal once you treat the wound. Only a drained abscess can heal!

Always remember that you are neither responsible for the violence you have suffered, nor for the reactions it provokes in you. Responsibility for these acts lies solely with the perpetrator, never with the victim!

GENEVA LAVI CENTRE: 022 320 01 02



CRIMINAL PROCEEDINGS



The following information is of a practical and general nature and concerns all victims under the LAVI law. It is not exhaustive. It covers criminal proceedings before all judicial bodies involved. Our idea is to provide you with the information you need to get truly ready for forthcoming proceedings.

Criminal proceedings are complex. We recommend that you consult a lawyer as well as the LAVI Centre before filing a criminal complaint. If you do not speak French, a translator/interpreter can be made available at all stages of the proceedings.

The duration of criminal proceedings is an important issue, as they may last for months or years. Long periods may pass without news between different stages of the proceedings.

Not everyone wants to file a complaint or press charges. To reach this decision, it may be useful to **identify your expectations with regard to the criminal proceedings.** What do you intend to achieve through criminal procedure? To free yourself from a sense of injustice, to rebuild your life, to get the perpetrator convicted, to protect other potential victims? Such a decision is worth thinking about carefully, as it depends on the type of violence you have suffered, the identity of the perpetrator, your state of health, and so forth. The reality of the judiciary and the impact of the procedure on your life may differ from what you expect. It is important to talk about these issues, in particular with your LAVI counselor, your lawyer and/or your therapist.

MY LAWYER

14

PROFESSIONAL ACTORS INVOLVED

The LAVI Centre counselor

He or she will guide, advise and support you, in application of the Federal Act on Assistance to Victims of Crime (LAVI). Some Cantons have several LAVI centres. In Geneva, there is one generalist centre for all victims. The LAVI Centre counselor can accompany you as a support person to the hearings required by the criminal prosecution authorities.

The police

You can report the facts to a police station in your neighborhood.

Some specialized brigades can also receive you by appointment when immediate intervention is not required:

Vice Squad (Brigade des mœurs) – The Vice Squad deals with all offences against sexual integrity committed by adults (over 18).

Minors' Brigade (Brigade des mineurs) – The Minors' Brigade deals with all offences committed by minors.

Human Trafficking and Illegal Prostitution Squad (Brigade de lutte contre la traite d'êtres humains et la prostitution illicite – BTPI)

Find your nearest police station
by scanning this QR code!



The lawyer

You can be accompanied by a lawyer right from the outset of the procedure, and particularly when you file a complaint. The LAVI Centre can cover from two to four hours of legal advice as part of its immediate assistance. To cover the remainder of the lawyer's costs, you can request legal assistance, or longer-term help from the LAVI Centre.

POLICE EMERGENCIES: 117

15

The Public Prosecutor's Office (Ministère public)

The Public Prosecutor's Office in Geneva is headed and organized by a General Public Prosecutor. In 2024, it is made up of 43 prosecutors, including five first-level prosecutors. During preliminary proceedings, the Public Prosecutor's Office leads police work and criminal investigations. If it is decided to refer the accused to a court for trial ("indictment"), the Public Prosecutor's Office will support the accusation before the trial authorities.

The Public Prosecutor (procureur)

In criminal cases, this magistrate conducts the preliminary investigation. He or she may (or may not) take part in the trial hearing to support the charges filed against the defendant in the indictment submitted to the Court. The Public Prosecutor proposes a sentence that he or she deems appropriate for the defendant, in conformity with his or her actions.

The clerk

The court clerk assists judges and public prosecutors in their duties. He or she prepares hearings, takes the minutes by transcribing the parties' statements, and monitors the proceedings. In collaboration with the magistrates, the clerk ensures the observance of judicial procedures and deadlines.

The Judge or Judges of the Criminal Court

One or more judges sit on the Court. They decide whether the defendant is found guilty of the charges laid in the indictment. If so, the judges also impose the sentence. They hear parties, witnesses and experts, as well as the lawyers defending their clients, and carry out all procedural acts they deem necessary to render their judgment.

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FILING A CRIMINAL COMPLAINT

Criminal proceedings usually start with the filing of a criminal complaint by the victim. It can be filed orally with the police, or in writing (in French) with the Public Prosecutor's Office. Proceedings can also be initiated by the denunciation of acts prosecuted ex officio, if they have been brought to the attention of an administrative or judicial authority.

You must file a criminal complaint officially in order to be a party to the proceedings, which gives you rights you would not have if you decided not to file a complaint. As provided for by the Swiss Penal Code, different offences may be prosecuted on the basis of a complaint, or a prosecution ex officio.

For offences prosecuted ex officio, proceedings are initiated as soon as the criminal authorities become aware of the facts reported. Reporting may come from the victim, from other people (relatives, neighbors, witnesses, etc.) or from institutions, such as government officials who have a duty to report all ex officio offences.

When an offence is prosecuted solely on the basis of a complaint, the deadline for filing it is three months after the event. In other cases, criminal regulations are prescribed from 7 to 30 years from the date on which the offence was committed, depending on the offence.

If the complaint has been filed with the police, police officers will conduct a preliminary investigation. In particular, the police hear the person against whom the complaint is made and possibly certain witnesses. If the complaint has been filed in writing with the Public Prosecutor's Office, the latter generally starts by delegating certain acts of investigation to the police, including hearing you as a victim, thereupon the perpetrator, and finally the witnesses. In both cases, after completing this preliminary investigation, the police submit an information report to the Public Prosecutor's Office.

The Public Prosecutor's Office brings this first stage to a close, either by deciding to proceed with the investigation of the case, or by deciding not to proceed with the criminal complaint, particularly if the complaint or police report shows that no offence has been committed, or the time limit has expired. In the first instance, the Public Prosecutor opens an investigation (see page 18). In the second instance, the Public Prosecutor's Office issues a decision of non-consideration. You can challenge this decision within 10 days.



Click here to find out more about filing a complaint in Geneva!



I feel guilty and ashamed!

*This is the case for most victims of violence, not least because of how society looks at them. You may feel humiliated by the violence you have endured. You may even feel prevented from talking about it because you feel dirty, because you think you consented, or that you could or should have reacted differently, or that you are partly or even totally responsible for the aggression. **Breaking the silence can bring you relief and enable you to overcome the various feelings that overwhelm you, so that gradually you can rebuild your life.***

INVESTIGATION PROCEDURE

As a general rule, the first act of the Public Prosecutor's Office is to schedule a confrontation hearing. You will be heard first, followed by the defendant. At the start of the hearing, the Public Prosecutor's Office reminds all parties to the proceedings of their rights and obligations.

As plaintiff, you must tell the truth and answer the questions, except when it comes to protecting your privacy. You are also entitled to the protection afforded by your LAVI status, namely the presence by your side of a support person you trust. You also have the right not to be confronted directly with the defendant, either by adding a screen in the room between you and the defendant, or by using a room specially designed for this purpose and separated into two parts by a one-way glass (LAVI room).

At this hearing, the parties are again heard on the facts. Following the prosecutor's questions, the lawyers can put questions both to the victim and the defendant. Further confrontation hearings may be convened following this initial hearing. **After this first hearing, the parties may receive a copy of the criminal case file, i.e. the file compiled by the police and the Public Prosecutor's Office.**

Criminal proceedings then continue with other investigation acts decided by the Public Prosecutor's Office. In proceedings concerning acts of physical and/or sexual violence, the most frequent investigation acts are the hearing of possible witnesses (in particular people close to the victim and the defendant), the analysis of the telephones of one and/or the other party, the production of various documents (such as medical certificates, psychological follow-up attestation), as well as the hearing of therapists, the production of images, or even the psychiatric expertise of the defendant.

MY QUESTIONS

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At the end of the proceedings, the Public Prosecutor's Office sends the parties a "notice of impending expiry", which sets a deadline for requesting further investigation acts. In that same document, the Public Prosecutor's Office also announces what it intends to do next. If the Public Prosecutor's Office considers that no suspicion exists or that no offence has been committed, it closes the proceedings. In this case, it issues a closure order (ordonnance de classement). **The victim may appeal against this order within 10 days.**

If the Public Prosecutor's Office deems it has sufficient evidence against the defendant, it can decide to sentence him or her by means of a criminal order. This possibility only exists when the penalty imposed by the Public Prosecutor's Office is a pecuniary penalty or a custodial sentence not exceeding six months. If the defendant lodges an objection to the criminal order, the case is generally referred back to the Court for a new decision.

Finally, if the Public Prosecutor's Office considers that it has sufficient evidence against the defendant, but intends to request a higher sentence, or that the offence is of a serious nature that can only be tried by a court, it will draw up an indictment and refer the case to the Criminal Court, which will schedule a judgment hearing.

As part of the investigative process, you and the defendant may decide to use criminal mediation. According to current guidelines, mediation only applies to small and medium-scale offences, and therefore usually not to offences against sexual integrity. The guidelines also specify that in cases of domestic violence, mediation is possible only if there has been no physical violence. Mediation is an independent process conducted by a sworn mediator from outside the judiciary. Criminal proceedings are suspended during the mediation process. During mediation, the perpetrator and the victim attempt to reach an amicable agreement repairing the damage suffered by the victim. Mediation can take place without the parties having to meet each other. **If the mediation procedure allows both parties to reach an agreement, the criminal proceedings are closed. Mediation is never mandatory. The victim may withdraw at any time, in which case the investigation procedure will begin or resume.**

JUDGMENT HEARING

Depending on the sentence requested, the hearing takes place before the Police Court (1 judge), the Correctional Court (3 judges) or the Criminal Court (7 judges).

At the beginning of the hearing, the defendant is questioned by the judges, one of whom chairs the hearing. The defendant is first questioned about his or her financial and personal situation, and thereupon about the charges laid by the Public Prosecutor's Office against him or her. At the end of the hearing, the defendant must still answer any questions raised by the Public Prosecutor's Office or the lawyers.

Afterwards, it is your turn to be interviewed. You will first answer the judges' questions, then those of the Public Prosecutor's Office and finally the lawyers' questions. During the hearing, you must recount the events you have experienced.

The hearing ends with the pleadings of the Public Prosecutor, then those of your lawyer and, finally, the defendant's lawyer. At the end of the pleadings, the judges retire to reach a decision (the verdict).

The verdict is communicated orally to the parties, often on the same day or the following day, in the same courtroom. The judges begin by communicating orally to the parties how they reached their decision. Then, they announce whether the defendant has been convicted or acquitted of the charges laid against him or her. In the event of a conviction, the judges will indicate the sentence imposed and whether the convicted person must pay the victim a sum of money to compensate for moral harm. If the judgment is grounded, then the decision is sent in writing to the parties.

Penalties vary according to the offence and the offender's circumstances. Penalties for felonies or misdemeanors are custodial sentences, community service and/or fines (day-fines). They may be suspended (i.e. the sentence is suspended during a probation period). Other measures may be imposed (such as therapeutic treatment).

NOTES & QUESTIONS

APPEAL HEARING

All parties can challenge the judges' decision, by appealing to the Court of Justice. If so, the case will be re-examined by other judges at a new hearing, at which the victim must generally be present.

Each party is heard in the same order as at the judgment hearing before the Criminal Court, and the course of the hearing is the same. At the end of the hearing, the judges retire to reach their decision, which is communicated in writing to the parties within a few months after the hearing. **Each party may file an appeal against the decision to the Federal Supreme Court.** However, the grounds for appeal to the Federal Supreme Court are limited. It is a purely written procedure: there are no hearings, and no depositions of the parties.

During the procedure, some symptoms are coming back...

It is quite natural. During criminal proceedings, psychological symptoms caused by the assault often return or worsen. These symptoms can take many forms: anxiety, intrusive flashbacks, insomnia, nightmares, fear reflexes (jolts, twitches...), nausea of varying degrees. You may also be overwhelmed by strong, disturbing feelings of sadness, anger or helplessness.

Professionals are there to help you. Talk to your LAVI counselor or your therapist.

SPECIAL FEATURES FOR MINORS

When the offence is committed by a minor (aged between 10 and 18), the procedure is regulated by a specific criminal law. Criminal proceedings are not possible against children under 10, but educational measures can be proposed.

MAIN PROFESSIONAL ACTORS INVOLVED

Specialized inspectors from the Minors' Brigade or Vice Squad

Judge(s) of the Criminal Court

Public Prosecutor

Juvenile Court judges

Lawyers

Curator

LAVI Centre counselor

Expert psychologist present at the police hearing

The victim was a minor at the time of the offence

As a minor victim, you will be interviewed by a specialized police unit when you file your criminal complaint; depending on the offence, either by the Minors' Brigade or by the Vice Squad. These inspectors are specially trained in interviewing children according to a standard protocol (known as "EVIG interview"). Your interview is filmed and takes place in the presence of a psychologist, who seats behind tinted glass. At the end of the interview, the psychologist will meet with you to discuss the situation. Under certain conditions, the perpetrator may be completely excluded from your interview. The LAVI counselor cannot attend your hearing.

If the defendant is a family member or someone close to your family, or if there is a conflict of interest of any kind between you and your parents, a curator will be appointed to assist and represent you in the proceedings.

Serious offences committed against minors are subject to special prescription times. An assault on a child under 12 is imprescriptible. Assaults on children aged 12 and over are not subject to any special prescription until they reach the age of 25.

For victims who were minors at the time of the aggression, a distinction must be made between two different situations:

The perpetrator was a minor at the time of the offence

JUVENILE COURT PROCEDURE

The case will be handled by the Juvenile Court judge. You will be heard in a hearing room separated by a one-way glass. You may be accompanied by a support person and/or your legal representative.

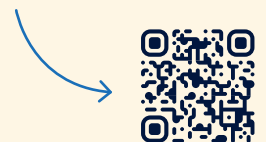
Unlike procedures involving adult defendants, the plaintiff is only partially involved in the investigation, i.e. only for hearings on the facts and not on the defendant's personal life. These are measures taken to protect minor defendants. For the same reasons, you will not have access to the entire file, nor to the entire procedure.

When the case is referred to the Juvenile Court, the proceedings are normally held behind closed doors, in order to protect the minor. Your hearing may be repeated during the trial, which will then take place before the same judge, with the additional presence of assessor judges and the public prosecutor. However, this is not always the case: you will probably not appear at this hearing. Finally, you will receive in writing the grounds for the judgment, but only on the points that concern you directly, i.e. the sentence and your civil claims. You will not, however, be informed of the sentence imposed on the offender. The Juvenile Court favors out-of-court settlements, and will offer you the option of criminal mediation, without any obligation on your part.

The perpetrator was an adult at the time of the offence

The usual criminal procedure explained in the previous points applies. However, except in exceptional circumstances, you will no longer be heard. The procedure will be based solely on your filmed hearing, which will be analyzed by experts. You will not take part in the judgment hearing.

This short film, available online, takes you on a tour of the Public Prosecutor's office, so you can better prepare for your next hearing.



I HAVE BEEN SUMMONED TO A CRIMINAL HEARING

If you have filed a complaint, you will certainly be summoned to testify about the facts at a confrontation hearing. The hearing is scheduled by the public prosecutor, who will send you a summons to appear in the Public Prosecutor's Office at a certain day and time.

THE CONFRONTATION HEARING IN THE PUBLIC PROSECUTOR'S OFFICE

The entrance to the Public Prosecutor's Office is the same for everyone. Plan to arrive well in advance to pass through security and avoid coming across the defendant if he or she is not in custody. The premises are equipped with a safety gate, just like an airport. You will show your identity card and the summons. Liquids and blunt objects will be confiscated until you leave the building. A coin-operated machine with snacks, water and coffee is available inside. Normally, you can take some snacks with you.

Once you have passed through security, you must register with the ushers' office. There are separate waiting rooms: No. 1 is reserved for defendants (if they are not in custody), No. 2 for witnesses and No. 3 for plaintiffs.

Waiting times can vary. There are toilets on the second floor; you have to take the elevator to get there. Please note that the toilets are unisex and can be used by anyone present. It is therefore possible to come across the defendant if he or she is not in custody. You can ask your support person or your lawyer to accompany you.

An usher will pick you up in the waiting room, telling the name of the prosecutor handling your case.

This wait can lead to a perfectly understandable stress. To relieve tension, we suggest two simple exercises. Practice them before the hearing, and check with your LAVI counselor!

EXERCISE #1: BELLY BREATHING

This quite effective exercise can be done any time and nobody will notice. Start by anchoring both feet on the ground. Press them firmly on the ground. Then rest your hands on your belly, below your navel. As you inhale and exhale, alternately you fill your belly and then let the air out. Concentrate on your breathing and on the movement of your belly.

EXERCISE #2: TAKING REFUGE IN A SAFE PLACE

Close your eyes and project yourself into a place, real or imaginary, where you feel safe. Try to describe it with as much detail as possible, using all your senses: imagine its temperature, its smell, the landscape, the beings (animals or people you love) who are there with you, even the sounds if any. You are the one to determine what makes up this place of refuge, a place filled with kindness, calm and security.



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CRIMINAL COURT HEARINGS

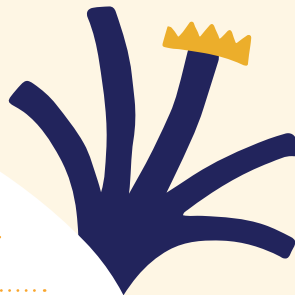
The Criminal Court is located in the Palais de Justice. You enter the Palais de Justice via the main entrance on Place du Bourg-de-Four. The entrance is the same for everyone. People with reduced mobility get in via the Porte de Saint-Antoine, but they need to announce themselves beforehand at the intercom on the Place du Bourg-de-Four.

Plan to arrive well in advance to pass through security and avoid coming across the defendant if he or she is not in custody. The premises are equipped with a safety gate, just like an airport. You will show your identity card. You will then go to the assigned courtroom and announce yourself to the usher who will come towards you.

Liquids and blunt objects will be confiscated until you leave the building. You are, however, allowed to bring snacks with you. A coin-operated water and coffee machine is available inside.

There are gendered toilets at various locations in the Palais de Justice. Don't hesitate to ask the ushers or security guards where you can find one. It is important to know that some toilets have a common first entrance for men and women, and that the toilets can be used by anyone on the premises. This means that if the defendant is not in custody, you might come across him or her there.

NOTES & QUESTIONS



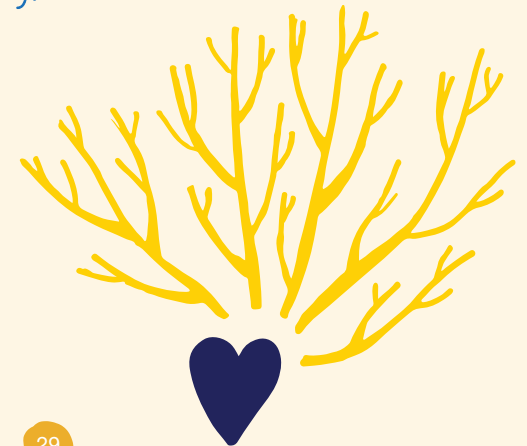
There is no specific waiting room. Therefore, if the defendant is not in custody, you will be waiting in the same area. Feel free to ask the usher to be kept away from the defendant.

Criminal Court courtrooms

There are several courtrooms and all are organized in the same way. The judges sit on a central platform at the back of the courtroom. The prosecutor is always to the right of the judges, also with a raised desk. The defendant is seated facing the judges. His or her lawyer is seated behind him/her. Behind the defendant are seated the victim and any accompanying persons (lawyer and/or support person). Further back is the audience, who may attend the hearing, unless it is behind partially closed doors (in which case only the press and the parties to the trial are allowed to be present) or totally closed doors (in which case only the parties are allowed to be present). If the hearing is public or behind partially closed doors, the press may attend. Journalists are seated at the sides of the courtroom. Pictures (photographs, videos) and sound recordings (audio) are prohibited. The identity of the parties will always remain confidential, and journalists will report only the facts, without giving names.

The usher will indicate you where to seat in the courtroom. **A screen can be installed to avoid direct confrontation with the defendant. You must request it as soon as you receive the summons to the hearing.** Your lawyer can make the request for you. Once everyone is seated, the usher says "Le Tribunal" and the judges enter the courtroom (except at the Police Court, where the judge is already in the courtroom). At this point, everybody stands up until the president of the court invites everyone to be seated and opens the hearing.

This short film, available online, takes you on a tour of the Public Prosecutor's office, so you can better prepare for your next hearing.



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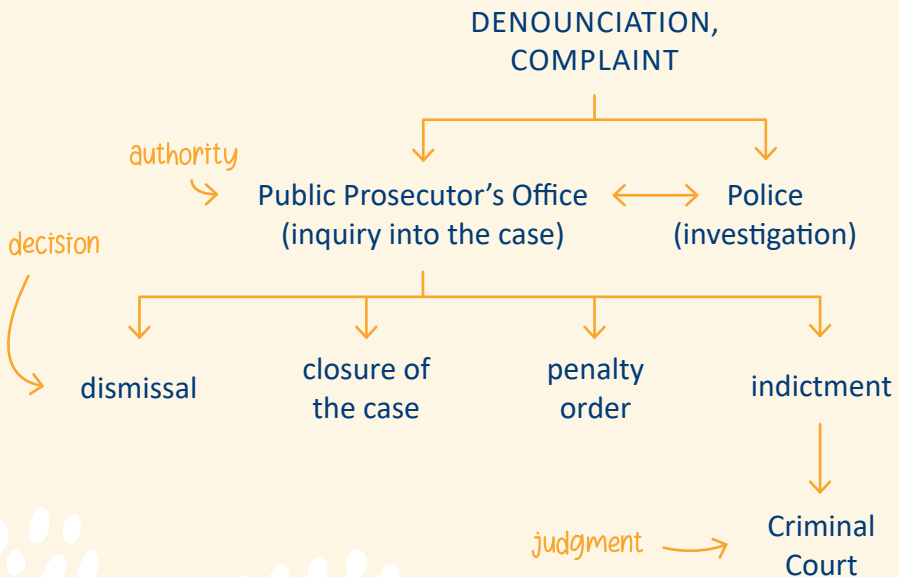
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CRIMINAL PROCEDURE IN BRIEF



I ask myself lots of questions,
I hardly know myself...

Since the event, you may be thinking: "I should have done this...", "I shouldn't have done that..." or "I should have known better". You may be asking yourself: "Why did I react like that?" These thoughts are common among people who have suffered a traumatic event: once out of danger, they tend to replay the events, putting the blame on themselves. It is also an attempt by our brain to find some meaning in the event, when often there is none.

You may also feel that you no longer recognize your normal way of functioning and reacting. You may even be afraid of «going crazy». **These feelings are common and normal, though the event was not. It's not your fault! Be kind with yourself. Time heals.**

When the body suffers a violent event, it naturally activates survival reflexes. These reflexes are designed to protect you. They explain the way your body reacted at the time, as well as some of the symptoms you may have been experiencing ever since.

Memory can also be affected. It explains why memories of an aggression are often fragmented. Amnesia can be total or partial. You may have difficulty situating events in time and space (date, time, place). You may also have elusive but very intense memories (flashbacks), in the form of images, thoughts or sensations (noise, smell, sound, taste...), that pervade you and are reactivated without your control.

Furthermore, you may suffer from anxiety and you may feel you are constantly in danger, which generates restlessness and irritability. These feelings are often associated with sleep disorders, nightmares, difficulty concentrating, lack of appetite and so on. Sometimes these symptoms are so unpleasant that, to avoid arousing them, you try to avoid all places, people and other things that might remind you of the events.



TOOLS

I ACTIVATE MY PERSONAL RESOURCES

After a traumatic event, the victim often feels that he or she has lost everything, even his or her skills.

Your personal resources are still there. You only lost sight of them!

Your personal resources and skills play an important role in the healing process. Even if you feel that you are stuck in a very awkward situation since the traumatic event, they will help you regain hope and momentum.

Personal resources enable us to “hold on” when things go wrong. They develop and evolve over time. You have certainly activated your personal strengths throughout your life. These positive strengths can be internal (specific to you) or external (related to those around you or to the things or activities that make you feel good).

We are not always aware of **our internal resources and skills**. Sometimes it is also good to discover new ones.

HERE'S A LITTLE EXERCISE TO ACTIVATE YOUR INNER POSITIVE RESOURCES:

I am often described as someone who is

I have often been praised for being

What positive thing would say about me?

insert a positive adjective

think of someone you love, who is close to you, a friend or family member

NOW MAKE A LIST OF SOME OF YOUR INTERNAL RESOURCES:

my personality, how people describe me

External resources, as the name implies, are all around us. They can be people close to us, these persons we love and who will help us (friends, family, colleagues...), but they can also be professionals (doctor, psychologist, etc.). External resources are also those things you enjoy: your job, your passions, your hobbies, such as reading, walking in nature, or sports, DIY, cooking, gardening, tidying up the house, going to the movies, spending time with your friends, and so on, all the activities that make you feel good. If you are having trouble identifying them, try to remember hard times in the past and what activities made you feel better at the time. You can also imagine what you would say to a friend in pain: what would you advise him or her to do?

YOU MAY LIST HERE SOME OF YOUR EXTERNAL RESOURCES:

people

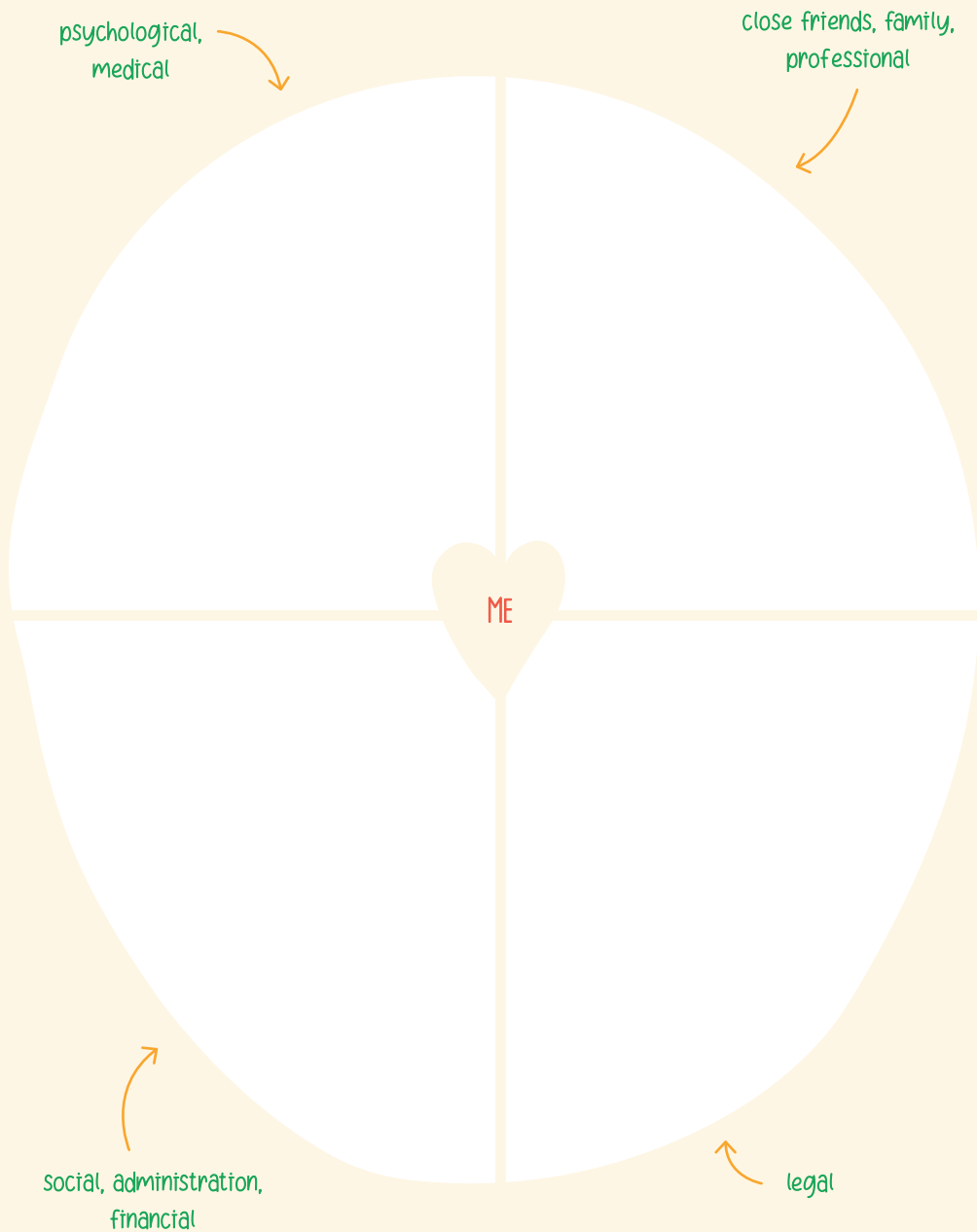
activities, hobbies, passions

Identifying and mobilizing family caregivers or other people might sometimes be difficult because your pain is too deep. If this is the case, do ask for help from a professional, such as a psychotherapist. With his or her help, you can gradually learn to:

- change your vision of yourself and love yourself again
- listen to yourself and reclaim your body, emotions and sensations
- tame your thoughts
- get to know yourself better and recognize your internal alarms
- stop distrusting people in general, while remaining vigilant

It is never too late to change! Be bold and ask for help, even from several people if need be. You are worth it!

MY NETWORK



MY CRISIS PLAN AND MY PRIORITIES

#1

#2

#3

#4

#5

#6

#7

#8

#9

#10

#11

#12

USEFUL ADDRESSES

LAVI Centre Geneva

Boulevard St-Georges 72
1205 Genève
Tel. 022 320 01 02
www.centrelavi-ge.ch
info@centrelavi-ge.ch

LAVI Compensation Board (Instance d'indemnisation)

Rue de Lyon 89-91
1203 Genève
Tel. 022 546 51 13

Specialised Police Units

Vice squad (Brigade des mœurs)

Boulevard Carl-Vogt 17-19
1205 Genève
Tel. 022 427 71 50

The Vice Squad deals with all offences against sexual integrity committed by adults (over 18). In cases that are not especially urgent, it is better to contact them rather than 117, in order to schedule an appointment during opening hours (Monday to Friday, 8-12am and 2-6pm).

Minor's brigade (Brigade des mineurs)

Boulevard Carl-Vogt 17-19
1205 Genève
Tel. 022 427 73 30

The Minors' Brigade deals with all offences committed by minors.

Human Trafficking and Illegal Prostitution Squad (Brigade de lutte contre la traite et la prostitution illicite – BTPI)

Boulevard Carl-Vogt 17-19
1205 Genève
Tel. 022 427 71 40

Public Prosecutor's Office (Ministère public)

Case postale 3565
Route de Chancy 6B
1211 Genève 3
Tel. 022 327 64 63/64

You can take the tramway, line 14 (Quidort).

Criminal Court (Palais de justice)

Place du Bourg- de-Four 1
1204 Genève

You can also take the bus, line 92 (Bourg-de-Four), line 3 and line 5 (Palais Eynard) or the tramway, line 12, 17 or 18 (Rive).

Juvenile Court (Tribunal des mineurs)

Rue des Chaudronniers 7
1204 Genève

You can get there by bus, line 92 (Saint-Antoine), line 3 and line 7 (Musée d'art et d'histoire), or by tramway, line 12, 17 or 18 (Rive).

Legal support

Office of the Bar Association

Rue Verdaine 13
1204 Genève
Tel. 022 310 24 11
www.odageneve.ch

Legal advice (fee-based consultation, moderate charge).

Mediation

Public Office of mediation

Case postale 3966
1211 Genève 3
Tel. 022 327 71 61
www.justice.ge.ch/fr/contenu/bureau-de-la-mediation
mediation@justice.ge.ch

Main entrance to the Palais de Justice, 9am-12.30pm, with or without an appointment.

Geneva mediation house

Rue de la Synagogue 41
Entrance Rue de l'Arquebuse 15
1204 Genève
Tel. 022 320 59 94
www.mgem.ch
info@mediation-mgem.ch

Family, social, penal, civil, health and work mediation

Emergency services

Vital emergency number

Tel. 144

Ambulance/serious emergencies.

Interdisciplinary Unit for Medicine and Prevention of Violence (UIMPV) – Geneva University Hospitals (HUG)

Rue Gabrielle-Perret-Gentil 2
1211 Genève 14
Tel. 022 372 96 41
uimpv.violences@hcuge.ch

For adults and young people over 16. Help and care for people facing current or past violence, as victims, perpetrators, relatives or witnesses.

Adult emergency service – HUG Physical cares

Rue Gabrielle-Perret-Gentil 2
1211 Genève 14
Tel. 022 372 81 20

24h/24. Emergency care and medical findings and reports.

Emergency service – HUG Gynaecology emergencies

Boulevard de la Cluse 30
1205 Genève
Tel. 022 372 42 36

24h/24. Care and reports in cases of sexual assault.

Emergency service – HUG Mental health emergencies

Rue Gabrielle-Perret-Gentil 2
1205 Genève
Tel. 022 372 38 62

24h/24. For people with psychological unease whose caring cannot wait.

Children hospital

Avenue de la Roseraie 47
1205 Genève

24h/24. For children under 16.

INFOMED App

InfoMed is a decision-support application that lets you assess your own symptoms and determine whether you need to go to a hospital emergency room (adult, pediatric, gynaeco-obstetrical or ophthalmic) or call 144. InfoMed provides medical advice, information on when to consult a doctor or a hospital emergency room, and gives updates on emergency room overcrowding.

Social services

Anonymous and confidential numbers 24/7

Tel. 143

La main tendue.

Tel. 147

www.147.ch

For children and young people.



Cantonal public social assistance

Cours de Rive 12
1204 Genève
Tel. 022 420 52 00
www.hospicegeneral.ch
contact@hospicegeneral.ch

Caritas Genève

Rue de Carouge 53
1205 Genève
Tel. 022 708 04 44
info@caritas-ge.ch

Private social assistance service for people in difficulty, regardless of origin or religion. Free of charge.

Centre Social Protestant (CSP) Genève

Rue du Village-Suisse 14
Case postale 171
1211 Genève 8
Tel. 022 807 07 00
www.csp.ch/geneve
info@csp-ge.ch

Private social assistance service for people in difficulty, regardless of origin or religion. Free of charge.

NOTES



<< Even from stones placed
in one's path, one can build
something beautiful >>

J. W. VON GOETHE



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