



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.

LAVI Centre Geneva

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

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

LAVI Compensation Board

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

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

"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.

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.** 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.

SERVICES PROVIDED BY LAVI CENTRES

The LAVI Center 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.

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.



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GENEVA LAVI CENTRE: 022 320 01 02

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.**

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. 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.

THE RIGHTS OF THE VICTIM

You have certain rights that protect you in criminal proceedings.

As a victim under the LAVI law, I have the right to:

- be informed of my rights
- receive a transcript of the criminal complaint that I verbally filed at the police station
- request protection of my personality and certain special measures of protection
- be accompanied by a support person in police, prosecutor or court hearings
- not be confronted with the defendant
- be informed of decisions and facts relating to the defendant's detention, execution of a sentence or other measures, and release or 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.

Find a LAVI Centre
in another Canton



NOTES & QUESTIONS

