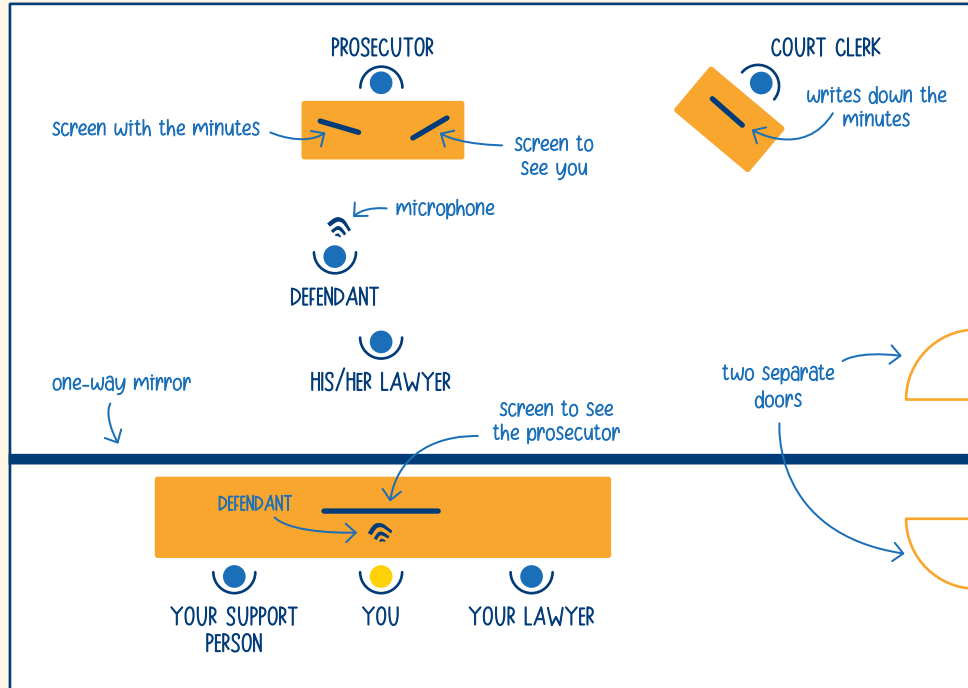


CRIMINAL PROCEEDINGS

MY MINI LOGBOOK

There are two LAVI rooms at the Geneva Public Prosecutor's Office.

The configuration is usually as follows:



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, etc. 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.

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. 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.

The lawyer accompanies you right from the outset of the procedure. 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.

[Click here to find out more about filing a complaint in Geneva.](#)



USEFUL ADDRESSES

LAVI Centre Geneva

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

Minors' Brigade

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

Public Prosecutor's Office

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

Vice Squad

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

Human Trafficking and Illegal Prostitution Squad (BTPI)

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

Palais de justice

Place du Bourg- de-Four 1
1204 Genève

 [More information here](#)

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LAVI

CENTRE GENEVOIS
DE CONSULTATION
POUR VICTIMES
D'INFRACTIONS

WITH THE SUPPORT OF
 REPUBLIQUE
ET CANTON
DE GENEVE
POST. TENEVAS LUX

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. **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.**

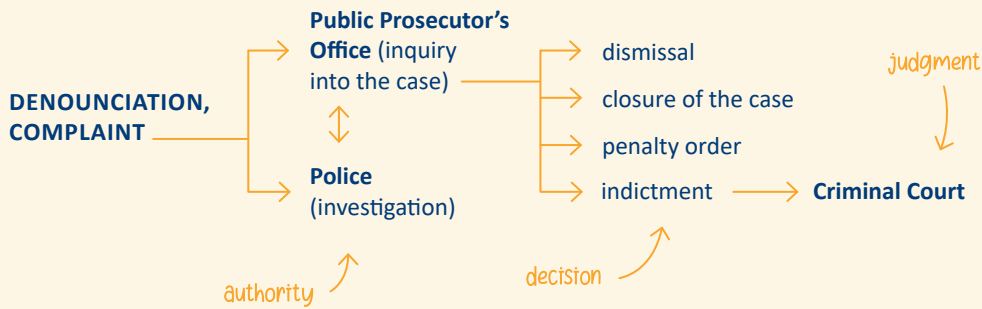
INVESTIGATION PROCEDURE

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. 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:

- Be accompanied by a support person you trust.
- 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. The lawyers can also put questions. After this first hearing, the parties may receive a copy of the criminal case file. Further confrontation hearings may be convened later on.

Procedural steps and possible decisions :



Virtual tour of the Public Prosecutor's Office



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.

NOTES & QUESTIONS

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Virtual tour of the Criminal Court



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. It is then 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. 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).

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.