

## Procedure in case of harassment – formal complaint

If a person would like to go ahead with a legal procedure against the "harasser", here is a summary of what she/he should do:

- The complaint should be made **within 3 months of the offense**. There are 2 ways to deposit a formal and legal complaint.
  - **In person** at the Police (Brigade des moeurs), preferably by appointment, here (17-19 Boulevard Carl-Vogt, tél. 022 427 96 71) or
  - **by registered mail** the person may send a letter to this address: Ministère public, Route de Chancy 6bis, Case postale 3565, 1211 Genève 3.
- All details should be communicated and if there are any witnesses, their names and/or statements should be included.

It is important to understand that violation of sexual integrity includes such acts as exhibitionism or sexual fondling and molestation. Obscene language is also considered as a transgression and can be cause for legal proceedings against the harasser (art. 198 CP).

- The complaint (both oral or written) should be simple, yet as precise and detailed as possible. It should include the person's name and address as well as the aggressor's and any witnesses' if applicable.
- If there are any documents that could be used as proof, it is strongly recommended to include them (ex: in case of rape, a medical examination, any subsequent blood tests, letters, exchange of emails etc...). Facts should be stated plainly, establishing how the offense took place (what happened? When? At what time? Where? How).

If help is needed in writing down the facts, the person may contact either LAVI (<http://www.centrelavi-ge.ch/>) or Viol Secours ([http://www.viol-secours.ch/site/?page\\_id=43](http://www.viol-secours.ch/site/?page_id=43)). Alternatively, a lawyer or a legal consultant may also help (but this is likely to involve fees).

Once a complaint is officially filed, the victim becomes the plaintiff on both penal (with the objective to condemn the aggressor) and civil grounds (with the objective to receive compensation for moral and/or physical harm). The plaintiff can decide if the prosecution should be on both grounds or not and will be informed on the progression of the procedure.

### What happens once a complaint is made?

The police will listen to the plaintiff and then will convene a meeting with the aggressor to hear his version of the facts. After conducting some researches, the police will then write up a report to the Prosecutor (Ministère public) who will then examine it and decide what will be the follow up (penal order to condemn the aggressor, indictment in court, or closure of the case).



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Before filing an official complaint, it is important to consider that this may be a lengthy and heavy procedure. It might be a distressing experience for which the person must be prepared. Please don't hesitate to contact either LAVI or Viol Secours as they could help the person to make this decision and offer considerable support.

If the person chooses to reveal herself/himself to the Antenne H, we will also do our best to accompany her/him.