



## Information for Parents

# Our daughter / our son has committed an offence

### **What happens after charges have been filed?**

To begin with it must be established what exactly happened. To this end, the police investigate the facts of the case, interview victims and informants. Thereafter, the person suspected of the offence is questioned in relation to the allegations.

If there remains a reasonable suspicion that the young person was involved in an offence, the police pass the offence report to the Youth State Prosecutor's Office, which is undertaking a criminal investigation with the aim to clarify the exact sequence of events, to identify the perpetration and the motive for the offence. For this purpose, the Youth State Prosecutor's Office undertakes interrogations of the suspected young person and possibly hearings of witnesses and confrontations.

At the same time, the Youth State Prosecutor's Office has to clarify the personal situation of the young suspect. Thereto the young person's parents are invited alongside for talks. Should it turn out that there is a need for a particular educational care or therapeutic treatment for the young person, a protective measure is issued. The Youth State Prosecutor's Office decides as well on an appropriate punishment.

### **How long does it take for a decision to be rendered?**

The police investigation and the investigation of the Youth State Prosecutor's Office take different amounts of time, depending on the circumstances. For a decision to be rendered – in the adult criminal law generally known as judgment –, this can take from a few weeks to several months.

### **What options do we have if we do not agree with the decision?**

The decision will be recorded in writing in an Order of Punishment, which includes information about the rights of appeal. Generally, objections may be raised within a period of 10 days.

### **Does the offence of our daughter / our son qualify for an entry in the criminal records?**

To view detailed information, see the fact sheet "criminal records".



### **What costs will our daughter / our son have to cover?**

Has the young person caused a tort damage by the offence, he or she is liable to make good that damage (payment for repair, replacement, acquisition, etc.). To this the compensation for pain and suffering is appended if the victim suffers of a mental injury in consequence of a serious crime, or e.g. a lot of pain.

Moreover, the young person has to bear the procedural costs. In general, a flat fee of CHF 140.— (CHF 90.— for under 15 year olds) will be charged. Further investigation costs (expert opinion, etc.) may be added.

### **What are parents liable for?**

#### *Damage*

Basically, the rule is that parents themselves are liable if they have neglected their parental oversight responsibilities towards their child.

#### *Legal costs*

Liable for legal costs is the child, as it has prompted the youth criminal procedure, not the parents. In special circumstances, parents can be declared jointly and severally liable for the costs.

### **What is a protective measure and what does it mean?**

In the case, a young person needs a particular educational care or therapeutic treatment, in addition to the punishment a so-called warrant of protective measure is issued. There are four different types of protective measures, which in turn are different in their design:

- ◆ Supervision
- ◆ Personal care  
(As part of a personal care measure, a socio-pedagogical family intervention or an assignment to a day centre may be arranged, for example.)
- ◆ Outpatient treatment  
(e.g. a psychotherapy)
- ◆ Placement (stationary measure)

Some measures can be quite costly, to which the parents have to participate. The Youth State Prosecutor's Office determines a monthly contribution drawing on the income and wealth situation of the parents.