

HOW TO MAKE A REPORT

SIMPLE COMPLAINT

- **Near the security forces**

The simple complaint is made **at the police station or at the gendarmerie**, according to the place the victim lives or the infringement occurred.

The victim must bring as many information as possible in order to allow the authorities to identify the author and to qualify the facts.

The complaint can be made over there or on line.

It is possible to fill in a pre-complaint on line. All element of the complaint will be submitted to the efficient law enforcement and the victim will have to show up at the station to sign it.

<https://www.pre-plainte-en-ligne.gouv.fr/>

- **Near the Public Prosecutor**

The complaint near the public prosecutor must be made **by letter**, near the tribunal of great authority at the place the author lives or the place the infringement occurred:

**Cayenne High Court
Mr Public Prosecutor
15 Avenue du Général de Gaulle
97300 Cayenne.**

**Tribunal de Grande Instance
Monsieur le Procureur de la République
15 Avenue du Général de Gaulle
97300 Cayenne**

The letter must contain :

- Civil status of the plaintiff,
- Detail account of the facts,
- Name of the presumed author, if he's known by the plaintiff (failing this, it's advisable to report against X, or John Doe),
- Names and address of the possible witnesses of the infringement,
- Description and provisional or final estimate of the damage,
- Proofs: medical certificates noting the wounds, sick leave, miscellaneous bills, reports in the event of property damages.

Model of letter:

<https://www.service-public.fr/particuliers/vosdroits/R11469>

COMPLAINT WITH CONSTITUTION OF CIVIL PART

The complaint with constitution of civil part is made by **mail, dated and signed**, in which are mentioned:

- A statement clearly indicating the will of the victim to constitute civil part,
- A request for damages(assembling repairs requested)
- The person's address complaining

The mail is addressed to the examining magistrate of the tribunal of great authority the place the infringement occurred or the author's address:

**Cayenne High Court
Mr Public Prosecutor
15 Avenue du Général de Gaulle
97300 Cayenne.**

**Tribunal de Grande Instance
Monsieur le Procureur de la République
15 Avenue du Général de Gaulle
97300 Cayenne**

Caution: in the frame of the constitution of civil part, the examining judge can request the plaintiff to pay an amount of money, called **consignment**, whose one fixes the amount according to the incomes of this last one.

This amount of money must be given so that the constitution of civil part is retained. It avoids abusive complaints.

It is given back if the complaint proves justified at the end of the investigation.

Caution: This proceeding is **not accessible to the minor alone**. It will have to be represented by his parents or an administrator ad hoc appointed by justice.

DIRECT QUOTATION

The victim must **write its quotation in order to convene the author of the infringement at the tribunal.**

The victim must obtain **the prosecutors' agreement on the audience date** to convene the author.

The procedure being highly technical, it's advised to be assisted with a lawyer but do not have to be.

The quotation must comprise:

- The complete civil status of the victim (first name and title, date and place of birth) and its address.
- Detailed account of the facts,
- The legal text repressing these facts,
- The continued personal identity and, if a legal person, his seat,
- The kind of undergone damage (moral and/or material and/or body)
- The documents proving the damage: bills, medical certificates...
- The witnesses civil status
- The right of the person attacked to the assistance by a lawyer.
- The place, the time and date of trial.

Caution: this writing will be transmitted to the facts' author, also the victim would rather dissimulate its address by using a loan address such as its lawyer one or any other address in the spring of the tribunal.

The entire quotation is submitted to the author of the infringement through an usher and invites it to arise to the tribunal.

This quotation must be given to the author **at least 10 days before court day**, except certain case.

Caution: in the frame of the direct quotation, the victim will have to pay an amount of money, called **consignment** (see above).