

少年儿童权利手册

如果有人说你犯了罪，你应该了解

A HANDBOOK OF KID'S RIGHTS

WHAT YOU SHOULD KNOW IF SOMEONE SAYS YOU COMMITTED A CRIME



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被指控犯罪是一件非常严重和可怕的事情。你可能以前从来没有遇到过这种情况，你不知道还会遇见什么情况，还会发生什么事情。你应该找谁帮你呢？你拥有哪些权利呢？当你遇到法律方面的难题，或者需要法律方面的帮助时，这本手册可以回答你的许多问题。



这本手册主要提供给未成年人，未成年人的父母、祖父母、监护人以及其他家庭成员和朋友使用。

手册主要为年龄在14周岁到18周岁之间、遇到法律方面难题、或者将来可能会遇到法律方面难题的未成年人提供帮助。你和你的家人对于法律和司法程序了解得越多，就越能获得更多的机会避免不必要的问题发生，就越容易运用法律保护自己。只要了解一些基本信息，你会发现很容易让法律为你服务。这本手册包含了未成年人司法制度的一些基本的信息——不过并不包括所有你应当知道的信息，同时，这本手册也无法代替律师的建议和帮助。律师是受过专业训练的，因而是最能回答你所有问题的人。律师是最能帮助你或你的家人解决具体法律问题的人。



A HANDBOOK OF KID'S RIGHTS

WHAT YOU SHOULD KNOW

IF SOMEONE SAYS YOU COMMITTED A CRIME



Being accused of a crime is very serious and scary. You may never have been in this situation before and you don't know what is going to happen to you. Who can you turn to for help? What are your legal rights? This handbook will answer many important questions that you may have if you ever find yourself in trouble with the law and need help.



This handbook is for the use of young people and their parents, grandparents, guardians, and other family members and friends. It is specifically meant to help young people from the ages of 14 to 18 who may be, or may in the future be in trouble with the law. The more you and your family know about the law and the legal process, the better your chance will be to avoid problems. Knowing just a few basic things will make it easier to make the law work for you. This handbook contains basic information about the juvenile justice system – it does not include everything you could or even should know. And it is NOT a substitute for the advice of a lawyer. Lawyers are trained professionals and, as such, are in a unique position to answer all of your important questions. Lawyers are best able to and help you or your loved ones with their specific legal problems.





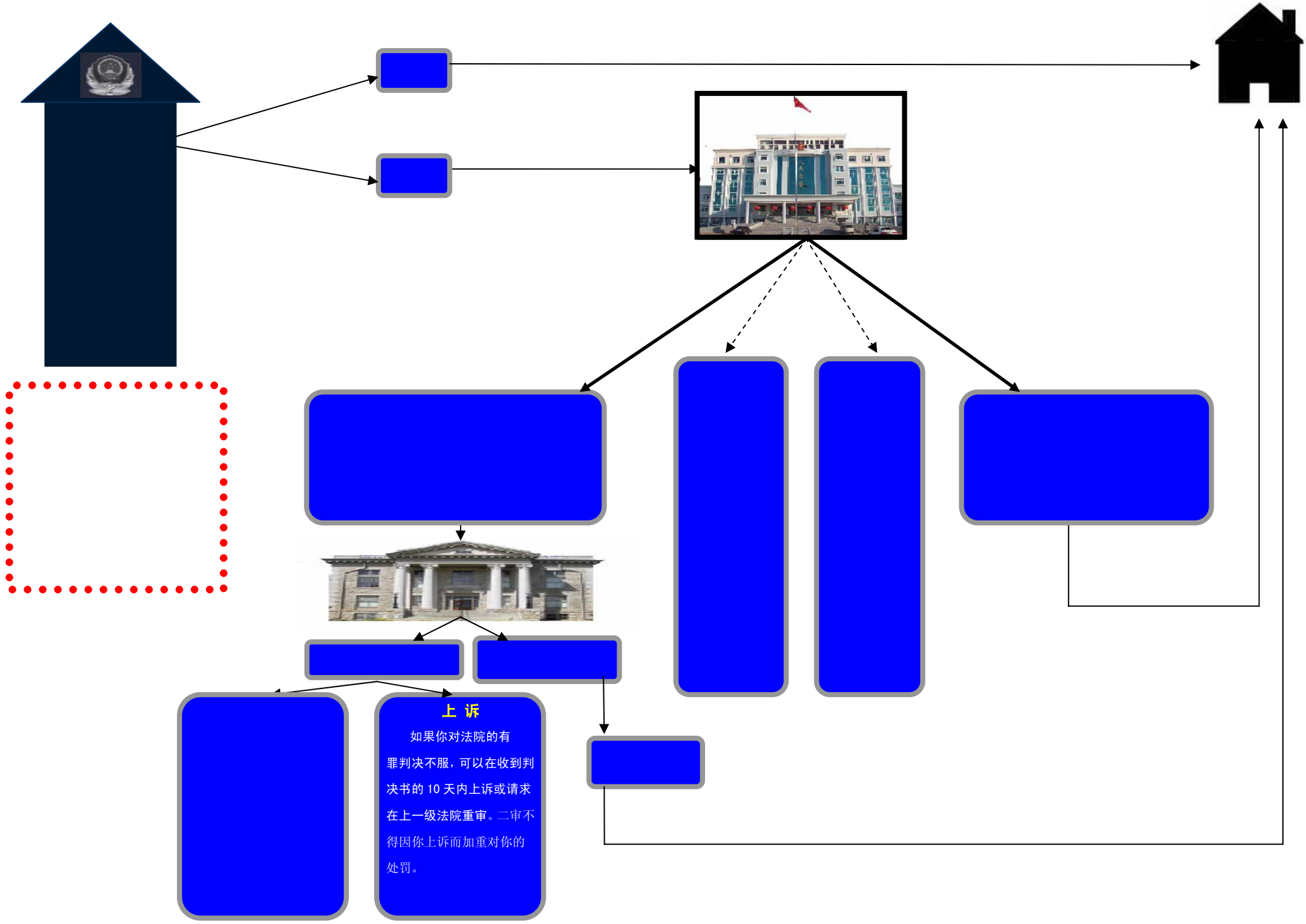
你会遇到哪些问题.....

如果我被指控犯罪会发生什么? 1
 什么是犯罪? 1
 律师是做什么的? 4
 什么是法律援助律师? 5
 我应当如何申请法律援助? 5
 我不满 18 周岁。我的某些行为会受到处罚吗? 7
 公安局为什么要问我问题? 8
 如果公安人员问我问题, 我该怎么办? 我有什么权利? 8
 在法庭审判之前我是不是一直要被关押? 10
 公安局依据什么决定是不是要释放我? 10
 公安局会关押我多长时间? 11
 检察院是做什么的? 12
 我会被逮捕吗? 12
 我会被羁押在什么地方? 12
 看守所是什么地方? 13
 如果我被公安局拘留了, 我该做些什么? 我有什么权利? 13
 检察院会做什么? 15
 我怎样为自己辩护? 15
 我该告诉我的律师什么? 16
 什么是审判? 17
 审判过程中会发生什么? 17
 我在法庭上会见到什么人? 17
 法官依据什么决定我有罪或无罪? 19
 在法庭上我有什么权利? 19
 如果我被判有罪, 我会受到怎样的处罚? 20
 如果我对法官的判决不服, 我该怎么办? 20




FIND YOUR QUESTION BELOW...

What will happen to me if am accused of a crime?.....21
 What is a crime?.....21
 What is a lawyer?.....24
 What is a legal aid lawyer?.....25
 How should I apply for legal aid?.....25
 I am under 18 years old. Can I be punished for my actions?.....27
 Why will the police want to question me?.....28
 What should I do if the police question me? What are my rights? 29
 Will I have to stay in detention until my trial?.....30
 How do the police decide whether to release me?.....30
 If I am not being released, how long can the police detain me?31
 What is a prosecutor?.....32
 Will I be put under arrest?.....32
 Where will I be detained?.....33
 What is a detention centre?.....33
 What do I do if I am detained? What are my rights?.....33
 What will the prosecutor do with my case?.....35
 How can I help defend myself?.....36
 What should I tell my lawyer?.....37
 What is trial?.....37
 What is going to happen at my trial?.....38
 Who will I meet when I go to court?.....38
 How will the judges decide if I am guilty or innocent?.....40
 What are my rights at trial?.....40
 If I am found guilty, how will I be punished?.....41
 What if I am not happy with the judge's decision?.....41



上诉

如果你对法院的有罪判决不服，可以在收到判决书的 10 天内上诉或请求在上一级法院重审。二审不得因你上诉而加重对你的处罚。



Public Security Bureau Investigation

Generally, when you are accused of a crime, you will be detained at the police station. If you are held, the police should tell your parents.

If you are too young to be prosecuted, the police cannot punish you.

Case not filed

If the police find proof that you have committed a crime, they can file a case and investigate the crime

Case filed



Procuratorate decides you are a threat to the community.

Procuratorate decides you are not a threat

Charged with Crime
 If after investigating the case, the prosecutor finds that your actions are crimes, you will have to go to trial. If you are already 16 years old you will have to take legal responsibilities, but unless you are 18 years or above, you should only be charged with mitigated penalties.

Arrest
 If you are arrested, your detention (in jail) should not be over 2 months. If the police or prosecutor need more than 2 months to investigate – they can hold you for one month more, at the most. During this time, a lawyer can meet with you and help you.

No Arrest
 If the prosecutor finds that your circumstances do not require an arrest, or they do not find a need to arrest you, they will not authorize an arrest, and you will not be held custody.

Not Charged with a Crime
 If your crime is not found serious, or there is not enough evidence to prove that you have committed a crime, the prosecutor will decide not to charge you with a crime. If the prosecutor decides not to charge you, you will be released.



Found Guilty

Found Not Guilty

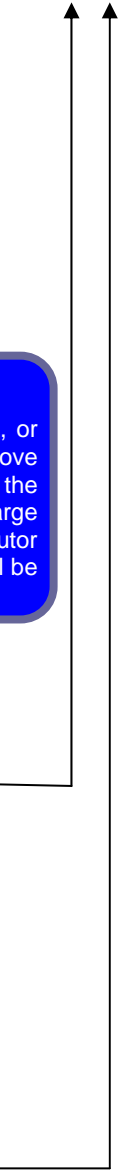
Sentence
 The Court should tell you whether you are guilty or innocent, and if guilty, what your sentence will be – within half a month of receiving the case.

Appeal
 If you do not accept the court's decision (that you are guilty), you may appeal (or request a second trial in a higher court) within 10 days of the decision.

Release

The court shall pronounce you guilty or innocent and sentence you within one month after accepting the case for decision. Juvenile cases should not be heard in public. If you don't agree with the court's decision, you have right to appeal to the court at the next higher level. You cannot be given a harsher sentence just because you appeal.

Once you have been questioned by the police, or from the day that you have been detained, you have the right to get help from a lawyer. If you cannot afford a lawyer, you can apply for a free lawyer to help you. The police, prosecutor, and the Court all have to help you get in contact with a lawyer.



如果我被指控犯罪，会发生什么？

如果公安局认为你犯了罪，他们可能会拘留你，或者要求你待在公安局。这意味着你不能获得自由回家。公安局的工作是调查犯罪事实。公安局不能决定你有罪或无罪，他们只能调查到底发生了什么。（只有法官才能决定你有罪还是无罪。）公安局会问你一些问题，它们还会询问证人和其他信息。例如，公安局可能去犯罪现场拍照片，也可能去寻找刀子或凶器。所有这些都是公安局调查案件的工作。



什么是犯罪？

中国已经制定了一套规范人们行为的法律规范。法律是由国家（或人民代表大会）制定的，用来告诉人们什么是对错。“法治”是我们社会的基础。这意味着我们必须尊敬和遵守国家的司法制度和法律。反过来，司法制度也会保护我们的基本人权，维护社会秩序和稳定。

当一个人违反了**刑法**，他的行为就是**犯罪**。刑法一般用来规定和处理那些威胁、伤害他人人身利益或者财产利益，或者危害社会、政府、国家安全，因而被认为是错误的行为。刑法的目的是通过刑罚[包括限制人身自由（坐牢）、罚金、或其他形式的处罚]来惩罚那些犯罪的人。

我国的刑法被称为《*中华人民共和国刑法*》。

下面有一些常见犯罪的例子：

- 1) 盗窃(你未经他人同意用秘密的手法拿了别人的财产)；例如，
当你在餐馆吃午餐时，看见一个妇女和她的朋友一起走进来。她拿出手机放在桌上。你没有手机，所以你就想拿走她的手机。当这个妇女与她的朋友谈话时，你从她的桌子旁边走过，顺手拿走了她的手机，放进了自己的口袋，然后走出了餐馆。这就是盗窃。你在没有经过那个妇女同意的情况下，拿走了她的手机。



- 2) 抢劫(你威胁或者使用暴力强迫他人把他的财产给你)；在上面的例子中，当你走到那个妇女的桌子旁边拿她的手机时，妇女对你叫喊并且努力想从你的手中拿回手机。你把她推倒在地，拿走了她的手机，走出了餐馆。这就是抢劫。你使用暴力从那个妇女的手上强行把手机拿走。如果你威胁她如果不把手机给你就推她，即使你事实上没有推她，也是抢劫。因为你威胁那个妇女把手机给你，所以是抢劫。



3) 故意伤害（你故意做某些事情来伤害他人）；例如，有一天在学校，你班上的一个男孩取笑你。他说你的爸爸是农民，你太笨了读不好书。他和他的朋友开始一起嘲笑你。听他这么说，你非常生气。你走到那个男孩身边打他。结果你把他的鼻子打断了。这就是故意伤害。当你打他的时候，你是想击中他并且伤害他。



这只是法律规定的犯罪中的几个。上面例子中的犯罪情形比较清楚。很多时候情况并不清楚。很多时候当人们说有犯罪发生时，事实非常复杂，或者会有很多误解。所以公安局要彻底调查案件。而律师、检察官和法官也在我国的司法制度中起着确保公正审判的重要作用。

同常，在公安局拘留你之后的 24 小时内，他们必须通知你的父母你在哪里、为什么被拘留。公安局第一次讯问你、问你关于案件的情况时，他们必须告诉你“你有权得到一名律师”。法律还规定：如果你没有钱请律师，他们必须告诉你“你可以请一位法律援助律师免费帮助你”。



律师是做什么的？

律师是受过专业法律培训、有专业法律知识的人。他们可以告诉你发生在你身上的事情与法律的关系，他们受到委托或指定后会帮助你。如果你(1)被指控犯罪，(2)被公安局讯问，或(3)被拘留，你要做的最重要的一件事就是要求获得一名律师或者让你的家人或监护人为你联系一名律师。

律师了解法律，而且知道应该如何帮你。律师将保护你的权利。他可以设法帮你获得取保候审，即满足一定条件在开庭审理之前可以在家里等待。律师还可以解答你的问题，告诉你你的行为会产生的法律后果。最重要的是，律师将在法庭上为你辩护。

不要不敢向律师问问题。帮助你了解法律是律师的工作。律师还可以告诉你下一步会发生什么。不管你自己觉得有罪还是无罪，你都需要律师。不管你有什么问题，律师比其他任何人更能帮你——甚至比你的父母更能帮助你，因为他们拥有专业法律知识。被控犯罪是一件很严重的事情。如果你被判有罪，你可能坐牢，有时会很久。你的律师根据法律和你的行为会为你进行无罪辩护，证明你的清白。即使你有罪，你的律师也可能设法不让你坐牢。就是说你可以住在家里、继续上学或工作，在此期间接受改造。





什么是法律援助律师?

法律援助律师的任务是保证没有钱请律师的人同样能够获得他所需要的帮助。如果你不满 18 周岁，即使你父母或监护人没钱请律师，你也有权获得律师帮助。对此你不需支付任何费用。法律援助律师的工作就是免费为你进行辩护。如果你被指控犯罪、被拘留、被公安局讯问，你和你父母或监护人就应该立刻请求获得法律援助律师。

我应当如何申请法律援助?

要是你们县没有，那离你家最近的地区或城市会有)。你可以让你父母或监护人想办法与最近的法律援助中心取得联系。要是你自己不能申请法律援助律师，一定要请你父母或监护人替你申请。你也可以请公安局、检察院或法院帮你申请。

在申请法律援助时，你的父母或者监护人应当向法律援助中心提供以下材料：（1）居民身份证、户籍证明或暂住证明；（2）有关部门出具的申请人及其家庭成员经济状况证明或其他能证明其无能力支付律师费用的证明；（3）有关援助事项的事实及证据；（4）法律援助机构认为需要提供的其他材料。

你父母或者监护人向法律援助中心提供的材料应当包括原件以及与原件相对应的复印件。经审核人员审核后，法律援助中心将保留复印件，退还原件，但将保留经济困难状况证明的原件。

经济困难状况证明，除写明家庭经济生活的困难状况外，还应当写明家庭人均收入的具体数字，如，XXX 的家庭人均月收入为人民币 XXX 元。

你父母或监护人在申请法律援助时，应填写《法律援助申请表》。填写申请法律援助的案情和理由，应尽可能叙述详细、清楚。如果你父母或监护人无法填写申请表，也可以口头提出申请，由法律援助机构工作人员作书面记录。

由于你父母或监护人代理你提出法律援助申请，所以他们还应当填写申请法律援助委托书，并出示具有法定代理资格的证明。

如果你的年龄在 10 至 18 周岁之间，你也应该在法律援助申请表等文书上签字。

法律援助中心在收到申请后，会对材料进行审查并决定是否为你提供法律援助。

如果法律援助中心做出不予提供援助的决定，而你对这个决定不服，你可以向负责该法律援助机构的司法局提出异议。司法局应当在收到异议之日起五个工作日内进行审查。如果他们认为自己符合法律援助条件，就会要求法律援助机构及时为你提供法律援助

有关更多的法律援助信息，请查询：<http://www.falvyuanzhu.cn/>

我不满 18 周岁。我的某些行为会受到处罚吗？

如果你不满 14 周岁，你不需承担刑事责任，不会被指控犯罪。就是说你做了刑法规定的犯罪行为，但不会受到处罚。如果你已满 14 周岁、不满 16 周岁，你只有做了下面几种犯罪行为才会被指控：

- 1) 故意杀人
- 2) 故意伤害致人重伤或者死亡
- 3) 强奸
- 4) 抢劫
- 5) 贩卖毒品
- 6) 放火
- 7) 爆炸
- 8) 投毒

即使你不需要承担刑事责任，也不表明你能自由回家。公安局仍能决定对你采取措施。例如：将你收容教养，即让你离家进入专门的少年中心（少管所）进行一至三年的劳动改造。这种专门中心的目的不是要惩罚你，而是要教育你。如果被送到这样的中心，你要努力好好表现。如果你在中心表现很好并表示出后悔，你可能可以提前回家。

如果已满 14 周岁但不满 18 周岁，你就被看作是未成年人。虽然法律对于未成年人的规定和已满 18 周岁的成年人不同，但你仍然要对自己的行为负责。

公安局为什么要问我问题？

如果公安局认为你涉嫌犯罪，他们会问你一些问题。公安局通常会让你单独在一个房间里接受讯问，房间里只有你和问问题的公安人员。至少要有两名公安人员同时在房间里。公安局问问题的目的是要发现更多与犯罪相关的事实和信息。公安局首先会问你是否实施了犯罪行为。接着他们会问你很多问题，了解究竟发生了什么。



如果公安人员问我问题，我该怎么做？我有什么权利？

当公安人员问你问题时，你可能觉得紧张，但你应该努力尽可能完整地回答他们问的所有问题。回答问题或供述是让公安局

听取你的情况和理由的好方式。如果你是无辜的，你应该告诉公安局。你还应该告诉公安局任何其他可能帮到你的人的名字、电话号码和地址。这些人也许能告诉公安局犯罪发生时你正在别的地方，或者其他能证明你无辜的情况。在有些情况下，这些人也许能告诉公安局你所做的事不是很严重，或者其他人应对这个罪行负更大的责任。非常重要的一点是：要知道公安局虽然能够指控你犯了罪，却不能决定你有罪。只有法官通过审理才能决定你是无罪还是有罪。而在庭审中，你有为自己辩护的权利。

公安局可能会问你各种各样的问题。也许有些问题你知道怎么回答，而有些问题你不知道。如果你不知道怎么回答，你不用害怕告诉公安局你不知道。不要试图编造答案或者说些你认为公安局想听的话。不要仅仅因为想让公安人员不再问你问题、或者仅仅因为害怕、感觉很累、或者很想回家而承认自己犯了罪。只有在确实实施了犯罪的情况下才能承认。

任何人都没有权利打你、威胁你或强迫你承认犯了罪。如果你的供述是通过威胁、诱惑、欺骗或者刑讯逼供得到的，它就不能作为指控你的证据出现在法庭上。如果你受到威胁、诱惑、欺骗或者刑讯逼供而被迫承认犯了罪，你有权向有关部门或法庭提出正式控告。

公安局问你问题时，你应该要求你父母或你的律师在场。你的律师可以保护你的权利、解释法律问题。如果你的律师无法在场，你应当要求你的家长在场。如果公安人员记录了你说出的话，你有权阅读看它是否正确。公安局会要求你在记录上签字。你必须确定记录上的内容是完整的、真实的，否则就不要签字。如果

有任何错误，拟有权改正。你还有权写出发生在你身上的事。这样，律师会了解到你很多优点。否则，他们所知道的所有事情就是你被告有罪。

在法庭审判之前我是不是一直要被关押？

如果公安局拘留你，你有权申请被释放或者取保候审。是否要申请取保候审，你要和你的律师商量。你的律师将会为你的释放提供最有效的理由。律师也需要了解关于你的重要信息，这样他可以利用这些信息让公安局信服并同意释放你、或者不必关押到开庭的时候。这些信息主要包括你在学校的表现、你的家庭情况以及你的健康状况。一个真正负责的律师会了解你所有的特别之处，例如你曾经受过的奖励。如果律师向你询问一些信息，他这么做一定是有重要原因的，而不是侵犯你的隐私。

公安局依据什么决定是不是要释放我？

如果公安局认为你被释放后不会对社会或者他人造成危险，而且信任你会随时接受公安局的传唤、按时出席庭审、不会逃跑，那么他们会允许你取保候审。取保候审分两种情况：

- (1) 公安局可以要求你父母缴纳保证金。如果你遵守所有规定，包括未经执行机关批准不得离开所居住的市、县；在传讯的时候及时到案；不得以任何形式干扰证人作证；不得毁灭、伪造证据或者串供，公安局将保管保证金直到结案。如果你不遵守这些规定，保证金将被没收，你会被再次羁押直到开庭。

- (2) 如果你或你的家人没有能力交纳保证金，公安局可以要求你父母作你的保证人。就是说你父母将保证在开庭前履行监督你的职责。如果你不遵守上面提到的规定，你会被再次挤轧。而且，你的父母也要承担责任。所以，如果公安局同意让你回家，你必须小心地做所有公安局要你注意的事。

公安局也有权决定释放你、批准监视居住。就是说你可以回家，但一直到开庭前，你都不能在没公安局许可的情况下离开家。公安局还会提出以上一些条件，如果你不遵守，你就会被再次羁押。

公安局会关押我多长时间？

一般情况下，公安局不能拘留你超过 14 天；但如果你被怀疑在许多不同地方犯罪（流窜作案）、多次作案、以前曾经犯过罪或者结伙作案，你最多会被拘留 37 天。在此之后，公安局必须向检察院递交书面请求申请逮捕你，否则他们必须允许你获得取保候审、监视居住或立刻释放你。如果公安局要继续关押你，他们必须获得检察院的正式批准逮捕书。

在公安局完成案件调查后，他们将决定是否要立案控告你。如果他们决定立案，这意味着他们有足够的证据证明你涉嫌犯罪。他们将把你的案件移送给检察院决定是否起诉你。



检察院是做什么的？

检察院在刑事诉讼中决定是否起诉你犯罪。起诉你犯罪意味着正式指控你犯了某个罪。在检察院起诉前，他们会仔细审查公安机关调查到的所有信息。之后，他们会确定起诉你的事实和证据是否充分。如果检察院决定起诉你，那么他们将向法官证明你确实有罪。

我会被逮捕吗？

批准逮捕，检察院需要审查：

- 有证据证明你的犯罪事实；
- 你有可能被判处有期徒刑以上的刑罚；
- 对你采取取保候审、监视居住等仍不足以防止社会危险的发生。

如果检察院批准逮捕你，你将继续被羁押。如果你被逮捕，关押时间不能超过两个月。如果公安局或检察院需要更多时间完成侦查，最多只能延长一个月。即使你被逮捕了，你、你的律师或者你的家人仍然可以为你申请取保候审。

我会被羁押在什么地方？

公安局在调查你的案件并对你刑事拘留后，你会被关押在公安局的看守所。如果你被关押在看守所，看守所必须把你与成年犯分别关押。看守所必须有专门的区域关押未成年人。



看守所是什么地方？

看守所是暂时关押被控犯了罪的人的地方。被关押在看守所里的人都在等待开庭审判。

如果我被公安局拘留了，我该做些什么？我有什么权利？

- 被公安局拘留对于任何人来说都是一件非常严重的事情。你将不能自由离开公安局或者与家人见面、通电话。公安局可能会控告你犯了某个罪，他们会问你许多问题，问你发生了什么。如果你了解你的权利，你就会知道公安局是否侵犯了你的权利，就可以避免不应该发生的事情，而且确定你的待遇是否公正。



- 如果你被拘留了，你有权得到一名律师。你应该告诉公安局你需要律师。如果你或你的家庭没有能力请律师，你应该告诉公安局你需要一位免费的法律援助律师。公安局和羁押部门有义务帮你联系一位法律援助律师。你父母也可以帮你获得律师。

- 除非有紧急情况，你一般有权利收到公安局的拘留证，上面应该清楚地写明拘留你的原因。你的律师可以为你提供法律咨询帮助你理解法律。如果你不了解法律或不明白对你的指控，你可以问律师。你的律师还能告诉你如果被判有罪将有什么样的法律后果。
- 你有权请求被释放或者取保候审。在你被拘留的24小时内，公安局必须告诉你的家人你被拘留了。你的家人可以帮你申请取保候审或者监视居住。如果你要求律师帮助你，这是最佳的方式。你的律师知道出具什么样的意见最有可能说服公安局释放你或批准取保候审。
- 当你被拘留时，公安局将问你问题。你应该要求你的律师在场。律师可以保护你的权利。律师能够保证你不会被威胁或伤害。如果律师无法在场，你应该要求你的家长在场。
- 当你被拘留时，你有权定期与律师见面。每当你有关于案件的重要问题或者对某事不清楚时，你就应该要求见律师。如果公安局问你新问题或者你有健康问题，求助律师也是一个好办法。律师可以帮你应付许多不同情况。
- 如果你的任何权利被侵犯了，你有权申诉、控告。例如：如果你在公安局讯问时，被威胁或者伤害了，你有权投诉。你的律师可以帮助你了解你的权利是否受到了侵犯，并且帮你进行投诉。

检察院会做什么？

检察院接受公安机关移送的案件后，他们会审查公安局调查到的证据是否能够指控你犯罪。指控意味着正式对你的犯罪行为提起诉讼。为指控你，检察院要确信有足够的信息证明你涉嫌犯罪。通常，检察院会问你与案件有关的问题以便了解更多案件信息。这些能帮助检察院确定起诉的罪名。检察院一旦确信你犯了罪就会控告你。一旦你被正式起诉，等待你的就是审判。

检察院接到你的案件后，你的律师可以与检察院沟通，让他们相信你是无罪的、或在犯罪中只起了次要作用。如果检察院认为事实无法证明你涉嫌犯罪、或者只是轻微犯罪，可以决定不起诉。如果检察院决定不起诉，你就可以获得自由回家了。如果检察院决定起诉你，这意味着你将在法官面前接受审判。法官是根据法律做出决定的非常重要的人。他们会在法庭上听取检察院和你的辩护律师关于你有罪或无罪的辩论以及如何量刑的意见。



我怎样为自己辩护？

如果你被指控犯罪，你有权为自己辩护。就是说你或你的律师可以说明你无罪，或者即使有罪你也只应受到轻微处罚。

为你自己辩护的最有效办法就是诚实地告诉你的律师全部事实。如果你尊重你的律师并且有个认真的态度，你将更多地得到最

终能够帮助你的建议。你提供给你的律师的信息在辩护中起着重要作用。要永远说实话，不要因为你失去了希望或你觉得你可以更好地帮自己而承认你没有做过的事。你的态度和你怎么表达自己也非常重要。如果你认真、有礼貌，你就会处在一个对自己有利的位置。此外，与司法系统的所有人员合作很重要，如法官、检察官、公安、看守所工作人员。可以理解，你可能很气愤、沮丧或悲伤，但如果你表现很差，这对你毫无帮助。在任何时候，如果你礼貌对待所有人对你总是更有利的。

我该告诉我的律师什么？

你的律师为你工作，而且只为你。他不为公安局、检察院或法院工作。他的工作是帮助你、维护你的合法权利，你应该相信他。当你和律师谈话时，你应该尽可能诚实地回答他提出的问题。你的律师需要了解发生的所有事情，以便帮助你并给你最好的建议。关于学校或家庭的信息都可能帮助你的律师更好地为你辩护。所以，如果你酗酒、吸毒或者有其他精神或身体上的疾病，都要告诉律师。如果你有什么事情不理解，问问题就很重要了。你还应该听取律师的意见。你的律师将根据他的经验和法律知识为你提供帮助。

不要害怕问任何你不懂的问题，没有什么问题是“愚蠢的”问题。问你不了解的事情是很聪明的做法。





什么是审判?

你有参加审判的权利。审判是法官决定一个人是否犯罪的过程。检察院的责任是向法官证明你有罪。

审判过程中会发生什么?

审判开始, 你会被带进法庭。法庭是审判进行的地方。在本书最后一页有一张法庭的示意图。这幅图是一个典型的法庭。你所在的法庭也许不完全和图上一样。但是下面介绍的所有出席审判的人都应该是一样的。

我在法庭上会见到什么人?

- A. 法官是负责审判的重要人物。他们将决定你有罪或无罪。法庭上有一至三名法官。



- B. 你将站或坐在法官面前。(在一些法庭上, 允许你坐着。你应当问你的律师在法庭上应该怎么做。)
- C. 你的律师坐在法庭的一侧。
- D. 检察官坐在法庭的另一侧。
- E. 因为你是未成年人, 所以你的案件一般不公开审理。就是说你的亲属、朋友、被害人的近亲属或媒体都不能旁听庭审, 只有法官、检察官、你的律师可以在场。在审判过程中, 你的父母也可以坐在法庭内。

在法庭上, 检察院的职责是向法官证明你有罪。检察院会在法庭上出示很多证明你有罪的证据。这些证据可能是证人证言、犯罪现场照片、你向公安局的供述或者其他类型的证据, 如指纹、衣物、公安局发现的药品或者凶器等。

在法庭上, 你的律师将为你辩护。他将向法官说明为什么你无罪, 或者你涉嫌的罪行非常轻微。你的律师还会向法庭陈述一些对你有利的事实。这些事实被称作减轻或者从轻情节。如果你被判有罪, 这些减轻或者从轻情节将保护你不受严厉处罚。之后, 你有权陈述和证明自己的清白。你会被问一些与案件有关的问题。检察院将首先向你提问。检察院问完问题后, 法官也可能会询问你更多的问题。你的律师也会问你问题。

最后, 法官将考虑检察院提出的起诉意见和证据是否能够证明你犯罪。法官根据事实和法律来做出判决。

法官依据什么决定我有罪或无罪？

法官将考虑你和你的律师以及检察院在法庭上说的所有内容。他们还将审查所有在法庭上出示的证据。

法官将决定你有罪还是无罪。通常在一个月内你能得到案件的判决。你应当和你的律师一同回到法庭听取宣判结果。如果你被判无罪，你就可以回家了，你的案子就结束了。如果你被判有罪，你将受到处罚。对于某一类特殊犯罪，法官有多种刑罚可以选择。如果你被判有罪，你所面临的处罚也许与跟你实施了相同犯罪的人不完全一样。

如果你被判有罪，法官将告诉你和你的律师你有权提出上诉。

在法庭上我有什么权利？

- 在法院做出有罪判决之前你是无罪的。只有法官能够决定你有罪还是无罪。在法庭上，你有权为自己辩护。无论是公安局还是检察院都不能决定你有罪。
- 你有权获得律师的帮助。法官应当保证你有律师为你辩护。如果你还没有律师，你应当告诉法官你需要律师。法官应该为你指派一名免费法律援助律师。你父母有权在法庭上代替律师为你辩护。但对你来说最好还是有律师帮助。你父母不会象律师一样了解法律，也没有受过辩护方面的培训。

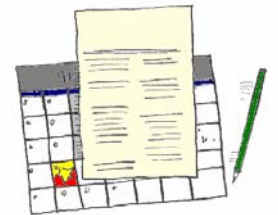
- 你有权获得辩护。你的律师有权向法庭出示对你有利的证据，有权向证人提问、对控方的证据提出质证、申请证人到庭等以证明你无罪或你的罪行是轻微的。
- 你有权在法庭上做最后陈述。在法庭上做最后陈述是非常重要的。这是你让法官相信你无罪的一次很好机会。如果你的确犯罪了，你可以在最后陈述中表示抱歉和悔意。

如果我被判有罪，我会受到怎样的处罚？

在判你有罪后，法官在决定如何处罚你时有很多选择。刑罚是在法官决定你有罪后让你接受的惩罚。法官可以决定判处你监禁、或者在某些案件中让你回家。如果你不满18周岁，法官对你的处罚会比成年人轻。法官将依据多方面的因素来决定对你的处罚，包括犯罪行为的严重性、你在犯罪过程中起到的作用、你的家庭状况以及你在学校的表现。你对自己所犯罪行的悔改态度也非常重要，同样影响法官对你的处罚决定。

如果我对法官的判决不服，我该怎么做？

如果你对法官的判决不服，或者你认为你的权利被忽视了，你有权提出上诉。提出上诉就是要求上级法院法官再次审查判决，看判决是否正确。如果你想上诉，你和你的律师或你的监护人可以向法官提出。可以口头上诉，也可以递交上诉状。从接到判决书的第二天起算，你只有十天时间提出上诉。判决是法官对于你有罪还是无罪的决定。你的律师可以帮助你上诉。



What will happen to me if I am accused of a crime?

If the police believe that you did something that is a crime, they may detain you, or keep you at the police station. This means that you will not be free to go home. The job of the police is to investigate crimes. The police cannot decide if you are innocent or guilty of a crime, they will only investigate what happened. (Only a judge can decide your guilt or innocence.) The police will question you about the crime that you are accused of doing, question witnesses, or people who say they know something about the crime, and look for other information. For example, the police may take pictures of the place they think a crime happened. The police may also look for knives or other weapons, if they think that they were used in a crime. Sometimes, they may look for other people that they think were also involved in the crime. All of this is part of a police officers duty to investigate crime and protect the community.



What is a crime?

In China, we have a set of rules called **laws**. Laws are created by the government to tell us what is right or wrong. Our society is based on "**Rule by Law**". That means that we must respect and obey the Chinese legal system and its laws. In turn, our legal system should protect our human rights and promote order and stability.

A **crime** happens when someone breaks a **criminal law**. Criminal laws deal with things that are considered wrong because they threaten, harm or cause damage to society, to the government, to a person, or to property. The purpose of criminal laws is to punish us for doing these things, through a jail sentence, fine, or some other form or punishment. Our criminal laws are written down for you to read in the *Criminal Law of the People's Republic of China*.

Here are some examples of common crimes:

- 1) **Theft** (you take someone else's property without their permission); for example, while you are eating lunch at a restaurant, you see a woman walk in with her friends. She takes out her mobile phone and puts it on a table. You do not have a phone, so you decide to take it. While the woman is talking with her friends, you walk by her table, grab the phone, put it in your pocket, and walk out of the restaurant. That is theft. You took the woman's mobile phone without her telling you that you could take it.



- 2) **Robbery** (you threaten or force someone to give you their property); in the example above you reach down to grab the mobile phone off the table, the woman yells at you and tries to take the phone back from you. You push her onto the floor, take the mobile phone and walk out of the restaurant. That is robbery. You took the woman's mobile phone by force. It would still be a robbery if you threatened to push her unless she gave you her phone, even if you never actually push her. This would also be considered the crime of robbery since you threatened the woman into giving you her phone.



3) Intentional Injury (you intentionally do something to hurt someone); for example, while leaving school one day, a boy from your class starts making fun of you. He tells you that your father is a farmer and that you are too stupid to go to school. He and his friends start laughing at you. You get very angry by what the boy said. You then walk over to the boy and start punching him. You break the boy's nose. That is intentional injury. You wanted to hit the boy and hurt him when you punched him.



These are just some of the many crimes that an individual can be charged with under Chinese law. While the above examples demonstrate situations where someone's guilt is clear, many other situations are not so clear. Many times where a crime is alleged to occur, the facts are very complicated or misunderstood. This is why the police investigate cases very thoroughly and why a lawyer, prosecutor and judge all play an important role in ensuring a fair trial in China's justice system.



Usually, within 24 hours after the police detain you, they must tell your parents where you are and why you have been detained. The first time that the police question you, they must also tell you that you have the right to a lawyer. The law requires that they tell you that if you cannot afford to hire a lawyer, you can ask for a legal aid lawyer.



What is a lawyer?

Lawyers have special training and knowledge about the law. The most important thing you can do if you have been (1) accused of a crime, (2) questioned by the police or prosecutor, or (3) detained, is to ask for a lawyer or have your family or guardian contact a lawyer for you.

A lawyer knows the law and understands how to help you. A lawyer will protect your rights. He or she can try to get you released from detention, so that you can be home until your trial. A lawyer will also explain the law and tell you what may happen to you. Most importantly, a lawyer will defend you at trial.

Do not be afraid to ask your lawyer lots of questions. It is your lawyer's job to help you to understand the law. Your lawyer can also tell you what should happen next. Whether or not you believe you are innocent or guilty of the crime, you still need a lawyer. No matter what your problem, a lawyer will help you more than anyone else can—even your parents. Being accused of a crime is very serious. If you are found guilty, you may be sent to jail, sometimes for many years. Your lawyer can argue that you are innocent of the crime. Even if you are guilty, your lawyer can try to keep you out of jail. This would mean that you could live at home, attend school, and get a job.





What is a legal aid lawyer?

The purpose of legal aid lawyers is to make sure that people who don't have money to pay for a lawyer still receive the help that they need. If you are under 18 years old, you have the right to a lawyer even if your parents or guardian can not afford one. You do not have to pay a legal aid lawyer. A legal aid lawyer is a lawyer whose job it is to defend you for free. If you are accused of a crime, detained, or questioned by the police, you and your parents or guardian should ask for a legal aid lawyer right away.

How should I apply for legal aid?

There should be a Legal Aid Center in the country, district or city where you live (if there is not one in your county, there will be in the closest district or city). Please ask your parents or guardian to contact the closest Legal Aid Center. If you cannot apply for a legal aid lawyer yourself, please ask your parents or guardian to apply for legal aid on your behalf. You can also ask the police, prosecutor or the court to help you to apply for a legal aid lawyer.

You, your parents or your guardian will need to provide the following documents to the Legal Aid Center:

- (1) Your identification card and your certificate of registered permanent residence or temporary residence;
- (2) Certification issued or signed by an appropriate authority stating your financial status or some other document that certifies that you and your family cannot afford to hire a lawyer;
- (3) Any facts and evidence about your case;

- (4) Any other materials that Legal Aid Centers may ask for.

The documents your parents or guardian provide to the Legal Aid Center should include both the originals and duplicate copies. Legal Aid Centers will keep the duplicate copies and return the originals, except the certification of financial status,.

In addition to the financial situation of the family, a certification of financial difficulty should also include the exact per capita family income, such as the per capita XXX family income is RMBXXX yuan.

You, your parents or guardian should fill in an application form for legal aid. You should fill out the form as detailed and clearly as possible. You, your parents or guardian can also make the application verbally if they cannot fill in the application form. The Legal Aid Centers will write down all the statements that you, your parents or guardian tells them down into written forms.

Since your parent or guardian represents you in the application, he/she should also fill in a trust deed and present documents to show that he/she is qualified for legal representation.

If you are between 10 to 18 years old, you need to sign the application form and other documents where necessary.

After filling in all the necessary forms and submitting the relevant documents, the Legal Aid Center will review the documents that you have given them and decide whether to give you legal aid.

If the Legal Aid Center rejects your application and you disagree with their decision, you may appeal the decision to the Justice Bureau or Department in charge of the Legal Aid Center. The Justice Bureau or Department should begin investigation of the reasons for the Legal Aid Center's decision within five days upon

receiving your appeal. If the Justice Bureau or Department decides that you should receive a legal aid lawyer, it will order the Legal Aid Center to provide a legal aid lawyer to you right away.

For more information, please visit <http://www.falvyuanzhu.cn/>.

I am under 18 years old. Can I be punished for my actions?

If you are under 14 years old, you cannot be criminally prosecuted. This means that you cannot be punished for doing things which are crimes under the law. If you are between the ages of 14 to 16, you can only be prosecuted for the following crimes:

- 1) Murder,
- 2) Intentional Injury Causing Serious Injury or Death,
- 3) Rape,
- 4) Robbery,
- 5) Drug Trafficking,
- 6) Arson,
- 7) Causing an Explosion, and
- 8) Poisoning

Even if you cannot be prosecuted, you may still not be free to go home. The police can still decide to take you away from your

family and put you into a special juvenile offender center (*shaoguan suo*) for up to three years. The purpose of the special juvenile offender center is not to punish you, but to educate you. If you are sent to this center, it is in your interest to do as well as possible. If you behave well, do well in school and show remorse, it is possible that you will be able to go home sooner.

If you are under between the ages of 14 to 18 years old, you are considered a juvenile. Although the law sometimes treats juveniles differently than it treats people 18 years of age and over, you are still responsible for your own behavior and actions.



Why will the police want to question me?

If the police believe that you were involved in a crime, they will ask you questions. Often, the police will put you in a separate room for questioning, where there will be only you, and the police officers who are questioning you. At least two police officers must be in the room. The purpose of the police officer's questions is to find out more information about the crime that they think happened. The police will first ask you whether or not you did the crime. They will ask you to explain your guilt or innocence. They will then ask you lots of questions about what happened.



What should I do if the police question me? What are my rights?

You may be nervous when the police are asking you questions, but you should try to answer all of their questions as completely as possible. Answering questions or making a statement is a good way to let the police hear your side of the story. If you are innocent, you should tell the police. You should also give the police the names, phone numbers, and addresses of any other person who may be able to help you. These people may be able to tell the police that you were somewhere else at the time the crime happened, or they may be able to tell the police something else that shows that you were innocent. In some cases, these people may be able to tell the police that what you did was not very serious, or that other people are more responsible. It is very important to know that the police may *accuse* you of being guilty of a crime, but they *cannot decide* that you are guilty. Only a judge can decide whether you are innocent or guilty at a trial, during which you will have the right to defend yourself.

The police may ask you many different types of questions. There may be some questions that you know the answer to and other questions that you do not. If you do not know the answer to something, you should not be afraid to tell the police that you do not know. Do not try to make up the answer or say something that you think the police want to hear. You should also not say that you are guilty in order to stop the police from questioning you, because you are scared or tired, or because you want to go home. You should only admit your guilt if you are, in fact, guilty of the crime.

No one is allowed to beat you, threaten you or force you into admitting your guilt. If the police get a statement in this way, it cannot be used as evidence against you at trial. You can also file a formal complaint with the court if you have been forced to confess.

You should ask the police for your lawyer to be present anytime the police are questioning you. Your lawyer can help to protect your rights and explain things. If your lawyer can't be present, you should ask for your parents to be there. If the police write down what you say, you have the right to review it to see if it is right. The police will ask you to sign what they write down. You should not sign it until you have read it completely and made sure that it is true. If anything is wrong, you have the right to correct it. You also have the right to write out what happened yourself.

Will I have to stay in detention until my trial?

If the police detain you, you have the right to apply for release from detention, or bail. The police will decide whether to let you go home or keep you in detention until trial. Whether to ask for bail is something that you should discuss with your lawyer. Your lawyer will be in the best position to make an effective argument for your release. The lawyer will want to learn important facts about you so that he can convince the police that you should be released. This information may relate to how well you did in school, information about your family, or any illnesses that you have. A truly interested lawyer will want to know about all the things that make you so unique and special, such as any awards you have received. If a lawyer asks you about any of this information, he/she is doing so for important reasons, not to invade your privacy. In this way, a lawyer will be able to know the many good things about you as a person. Otherwise, all they will know is that you are accused of a crime.

How do the police decide whether to release me?

If the police believe that you will not harm any person or the community if you are released, that they can trust you to show up for your trial and you will not run away then they can give you bail. Here are the two ways that you can get bail:

- 1) The police can ask you or your parents to pay money to them. The police will hold this money until your case is over. If you follow all of the conditions of your release, including not traveling without the permission of the police, showing up for court when you are told, and not threatening any witness or destroying any evidence of a crime, then you will get this money back. If you do not follow these conditions, then you or your family may not get your money back and you could be put back in detention until your trial.
- 2) If you or your family cannot afford to pay money, the police can ask for your parents to be your guarantor. This means that your parents will promise to take responsibility for you until your trial. If you do not follow any of the conditions of your release mentioned above, you can be sent back to detention. Also, your parents can get into trouble. So, if the police agree to let you go home, you must be careful to do everything that the police tell you to do.

The police can also decide to release you, but place you under home detention. This means that you would be free to go home, but you cannot leave your house, without the permission of the police, until your trial. The police will also set other conditions, like those above. If you do not follow them, you could be put back in detention.

If I am not released, how long can the police detain me?

In most cases, the police can not detain you any longer than 14 days; however, if you are suspected of committing crimes in more than one area of the country, or if you have committed a crime before, or you are in a gang, you can be detained for up to 37 days. At the end of this time, the police must ask the prosecutor for permission to arrest you, or they must give you bail, place you under house arrest, or immediately release you. If the police then want to keep holding you past the 37 day period they are allowed,

they have to get permission from the prosecutor to formally arrest you.

After the police are finished investigating the case, they will decide whether to open a case against you. If they open a case, this means that they think there is enough information to believe that you were involved in a crime. They will then send your case to the prosecutor for a decision on whether you should be charged with a crime.



What is a prosecutor?

The prosecutor works for the government. It is the prosecutor's job to decide whether to charge you with a crime. To charge you with a crime means to formally accuse you of a crime. Before a prosecutor charges you with a crime, he/she will do a careful job of reviewing all the information that the police investigated. Only then, will the prosecutor make a decision about whether there is enough information to charge you. If the prosecutor decides to charge you with a crime, then his/her job will be to prove to the judge or judges that will decide your case that you are guilty of that crime.

Will I be put under arrest?

To approve a formal arrest, the prosecutor must decide that:

- There is evidence that you committed a crime; and
- There is a possibility you could receive jail time or a more serious sentence; and

- You may cause harm to the community if you are released on bail or home detention.

If the prosecutor approves your arrest, you will continue to be detained. If you are arrested, you should not be detained for more than two months. If the police or prosecutor needs more than two months to complete their investigation of your case, you can be detained for a maximum of one month more. Even if you are arrested, you, your lawyer or your family may still apply for you to be released on bail.

Where will I be detained?

While the police are investigating your case, you will be held in the police station. Later, when they give the case to the prosecutor, you will be detained in a jail. If you are sent to a jail, you must be kept separate from any adults. Jails must have special areas where juveniles are kept.



What is a jail?

A jail is a place for temporarily keeping people who have been accused of crimes. People who are held in jails are waiting for trial.

What do I do if I am detained? What are my rights?

- It can be very scary to be detained. You will not be free to leave the police station or jail. The police and prosecutor may accuse you of a crime and they will ask you lots of questions about what happened. If you know your rights, you can avoid any problems and make sure that you are treated fairly.

- If you are detained, you have the right to a lawyer. You should tell the police and later the prosecutor, or jail that you want a lawyer. If you or your family cannot afford to hire a lawyer, you should tell the police, prosecutor and/ or jail that you want a free legal aid lawyer. They must help you to contact a legal aid lawyer. Your parents can also help you to get a lawyer.
- If you are detained or arrested, you have the right to ask the police to give you a warrant, or official order, and to tell you the reason for your detention or arrest. Your lawyer can help you by explaining the law to you. If you don't understand either the law or the accusations against you, ask your lawyer. Your lawyer can also tell you about what might happen to you if you are found guilty of the crime.
- You have the right to ask for release from detention, or bail. Within 24 hours of your detention or arrest, the police must tell your family where you are. Your family or lawyer can then help you to apply for bail or home detention. It is best to ask a lawyer to help you with this. Your lawyer will know what arguments to make and what information may convince the police that you should be released.
- While you are detained, the police and later the prosecutor will ask you questions. You should ask for your lawyer to be present. Your lawyer can protect your rights. You should also ask for your parents to be there while you are questioned.



- While you are in detention, you have the right to meet regularly with your lawyer. You should ask to see your lawyer whenever you have important questions about your case, or are confused about something. It is also a good idea to ask for your lawyer if whenever you are questioned, if you feel sick, or you have some other medical problem. Lawyers can help you deal with many different things.
- You have the right to make a complaint against the police or prosecutor if any of your rights have been violated. Your lawyer can help you to know if your rights have been violated, and can help you to make a complaint in the right way.

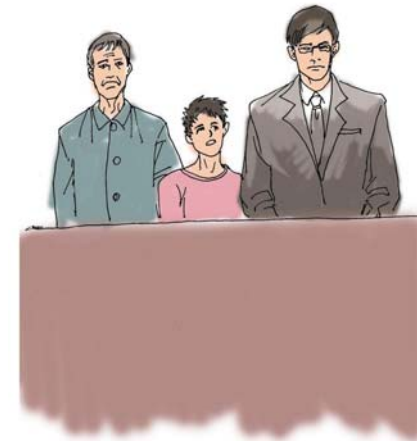
What will the prosecutor do with my case?

Once the prosecutor receives your case from the police, he will review the information that the police investigated to decide whether to charge you with a crime. To charge means to formally accuse you of a crime. In order to charge you, the prosecutor has to believe that there is enough information to show that you were involved in a crime. Often, the prosecutor will want to question you, to learn more about the case. This will help the prosecutor to make a decision about what crime, if any, to charge you with. If the prosecutor believes that you were involved in a crime, he can then charge you. Once you are formally accused, you will have to go to trial.

While the prosecutor is reviewing your case, your lawyer may be able to talk to the prosecutor to convince him/her that you are innocent, or that your part in the crime was not very serious. The prosecutor could decide to dismiss the case, because he thinks that there is not enough evidence to prove that you were involved in a crime. The prosecutor could also decide to dismiss the case because the crime is not very serious. If the prosecutor dismisses the case, you will be free to go home. If the prosecutor

charges you with a crime, this means that you will have to go to trial.

How can I help defend myself?



If you are accused of a crime, you have the right to defend yourself. This means that you, or your attorney, can explain that you are innocent of the crime, guilty of a less serious crime, or if you are guilty, you should not be punished very much. The most important way that you can defend yourself is by speaking fully and truthfully with your lawyer. Your lawyer is in the best position to

defend you at trial. Information that you provide your lawyer can play an important part in your defense. Always tell the truth. Don't ever admit to something you didn't do just because you have lost all hope, or because you think that you can help yourself best.

Your attitude and how you present yourself is also important. If you are respectful and serious, you will be in a better position to help yourself. It is always important for you to cooperate with all the officials of the court system, i.e., judges, prosecutors, detention officials and police. It may be understandable that you are angry, frustrated or sad, but it will not help you if you act badly. At all times, it is better if you are polite and respectful.

What should I tell my lawyer?

Your lawyer works for you and only you. They do not work for the police, the prosecutor the court or the judge - only you. Their job is to help you and to protect your rights under the law. You should trust your lawyer. When you speak with your lawyer you should answer his or her questions and be as honest as possible with him or her about your life, and about the crime you are accused of doing. Your lawyer needs to know everything that happened in order to help you and give you the best advice. Information about problems at home or at school can help your lawyer defend you. Also, talk to your lawyer if you use drugs or alcohol, or have any medical or mental health problems. Always tell your lawyer if you do not understand what he/she is telling you, or if you do not understand what is happening in your case.



Don't be afraid to ask questions if there is anything you don't understand. No questions are "stupid." It is smart to ask questions when you don't know something.



What is a trial?

You have the right to a trial. A trial is a process where judges decide whether or not a person did a crime. It is the prosecutor's job to prove to a judge that you are guilty.

What is going to happen at my trial?

At the beginning of your trial, you will be taken into a courtroom. A courtroom is the place where your trial will be held. In the back of this handbook there is a picture of a courtroom. The picture is one of a typical courtroom. Your courtroom may not look exactly like this. But all of the same people, described below, will be in the courtroom.



Who will I meet when I go to court?

- A. Judges are important men or women who are in charge of the trial. They decide whether you are guilty or innocent. There may be one or three judges.
- B. You will stand in front of the judges. (In some courtrooms you will be allowed to sit. You should ask your lawyer what you should do when you go in to court).



- C. Your lawyer sits on one side of the courtroom.
- D. The prosecutor sits on the other side of the courtroom.
- E. Because you are a juvenile, your trial will be held in private. No one, including family members, friends or newspaper reporters can watch the trial. Only those people involved in the trial; the judge, prosecutor, and your lawyer can be present. Your parents also can be in the courtroom during your trial.

At trial, the prosecutor has to prove to the judge or judges who will decide your case that you are guilty of a crime. This means the prosecutor has to give the judges some information, or evidence that proves your guilt. The prosecutor will give the judges statements from witnesses who say you did the crime, as well as other information. This information might be your statement to the police, a picture of the place where the crime happened, clothing, drugs or weapons found by the police, etc.

Your lawyer will defend you. He or she will make arguments to the judges about why you are innocent, or that your involvement in the crime was minor. Also, your attorney will tell the court things about you that make the court think better of you. This is called mitigation. If you are found guilty, this mitigation argument may save you from going to jail. You have the right to speak in court and tell your side of the story. You will be questioned about what happened. The prosecutor will ask you questions first. When the prosecutor is finished with his or her questions, the judges may ask you more questions. Your lawyer will also ask you questions.

In the end, the Judges will decide if the facts argued by the prosecutor show that you are guilty of a crime. Judges make their decisions by applying law to fact.

How will the judges decide if I am guilty or innocent?

The judge or judges will consider everything that you, your lawyer, and the prosecutor said. They will also look at all of the evidence that was given to them.

The judges will decide if you are innocent or guilty and you should get a written decision within half a month. If you are found innocent, you will be able to go home and your case will be over. If you are found guilty, you will be punished. There are many different punishments that judges can give for any crime. If you are found guilty, your punishment might not be the same as that that someone else received for doing the same crime.

If you are found guilty, the judges will tell you and your lawyer that you have a right to appeal.

What are my rights at trial?

- You are innocent until proven guilty after a trial. Only a judge can decide whether you are innocent or guilty, after a trial in which you have the right to defend yourself. Neither the police, nor the prosecutor can decide whether you are guilty.
- You have the right to a defender. The judge must appoint someone to defend you. If you do not already have a lawyer, you should tell the judge that you want one. The judge should give you a free legal aid lawyer. Your parents are allowed to defend you in court, instead of a lawyer. However, it is best for you to get a lawyer. Your parents will not know the law as well as a lawyer and are not trained in how to defend you against the crime with which you are charged.

- You have the right to a defense. You or your lawyer have the right to present favorable evidence to the court, you have the right to tell your side of the story to the court, your lawyer can question witnesses, and to present pictures or other evidence that will prove you are not guilty, or your role in the crime was minor.
- You have the right to make a closing statement to the court. The closing statement is very important. It is a good time for you to convince the judge that you are innocent, or if you are guilty, that you are very sorry for what you did.

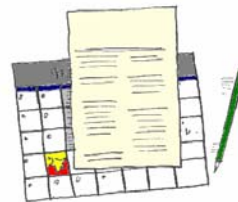
If I am found guilty, how will I be punished?

Judges have a number of choices about how and where to sentence you once you have been found guilty. A sentence is a punishment that the judges give you if they decide you are guilty of the crime. Judges could decide to sentence you to jail, or, in some cases, let you go home. If you are under 18 years old, the judges should give you a less serious punishment than they would give an adult. The judge will make the decision about what punishment to give you based on a number of things, including, the seriousness of the crime, your role in the crime, your family situation and how you are doing in school. Whether or not you are sorry for what you did is also very important and will be something that the judge considers in punishing you.



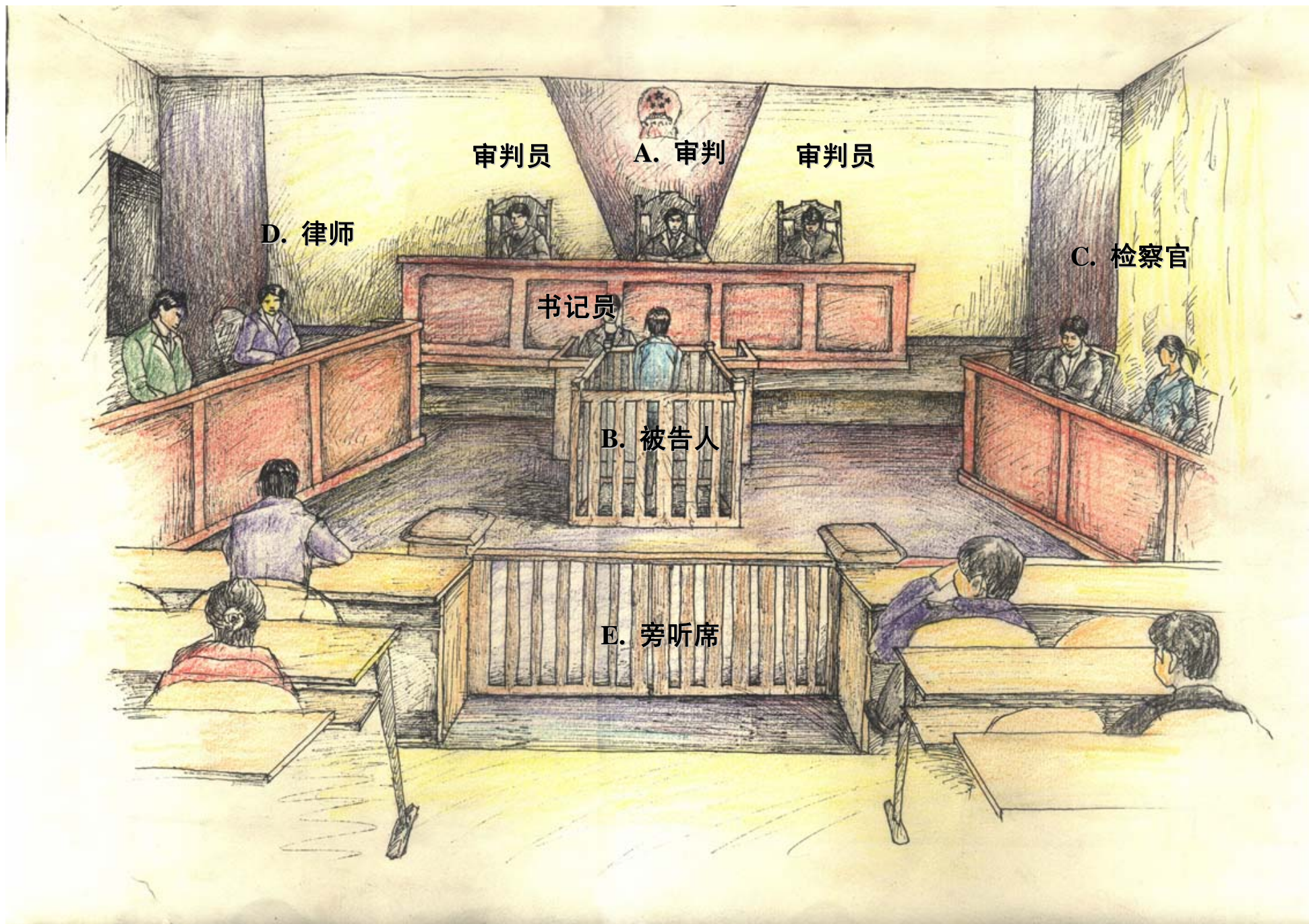
What if I am not happy with the judge's decision?

If you are not happy with the judge's decision in your case, or if you think that your rights were violated, you have the right to appeal. When you appeal you are asking



someone else to review the decision to see if it is the right one. You only have 10 days to appeal after the day on which you receive the court's written decision about whether you are innocent or guilty. Your lawyer can help you appeal.





审判员

A. 审判

审判员

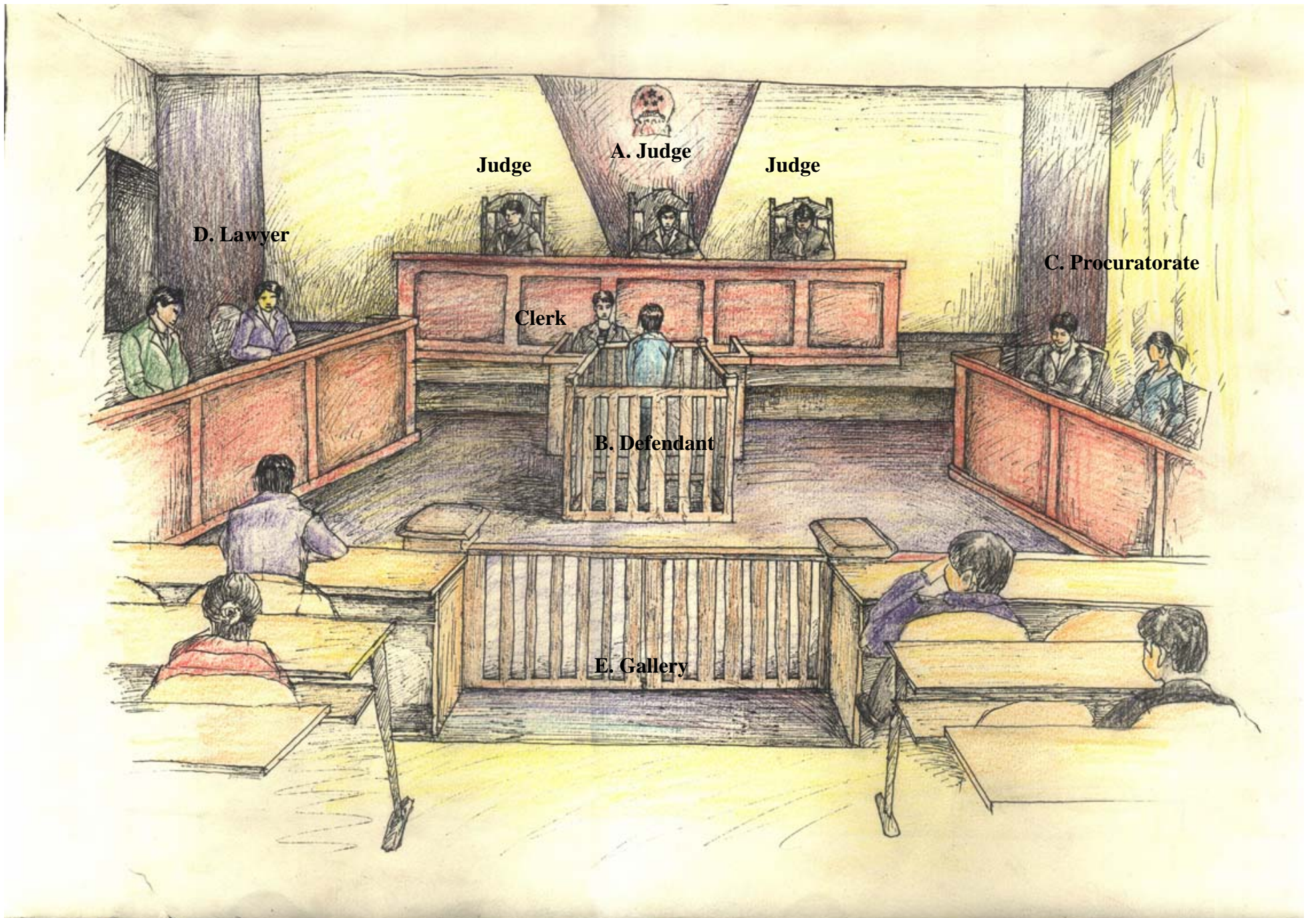
D. 律师

C. 检察官

书记员

B. 被告人

E. 旁听席



Judge

A. Judge

Judge

D. Lawyer

C. Procuratorate

Clerk

B. Defendant

E. Gallery