

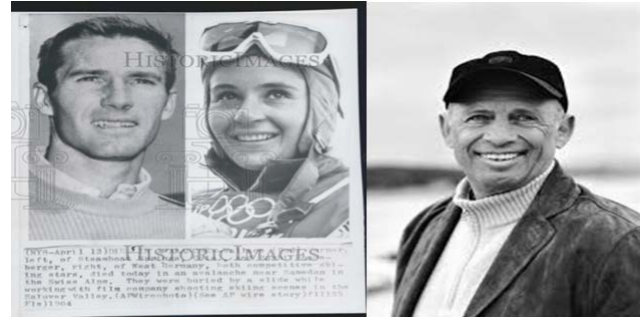


Swiss Substantive Criminal Law

Case sample

Val Selin – Deadly Movie

Willy, a filmmaker, led Barbara and Bud into a mountain valley to make the promotional movie Ski-Fascination. Various prohibition and warning signs emphasizes that the valley was closed due to avalanche danger. The Swiss Federal Institute for Snow and Avalanche Research also warned of an increased risk

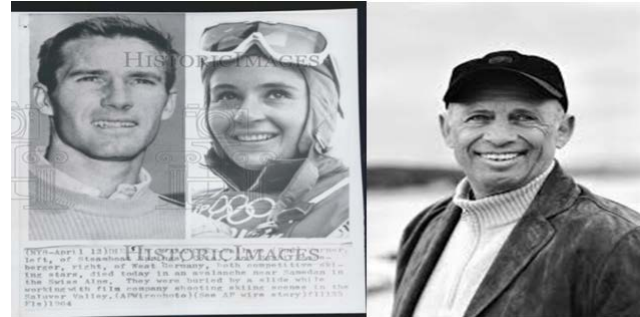


Bud Werner Barbara Henneberger

Willy Bogner

Val Selin – Deadly Movie

of avalanches in the area.
Furthermore a special warning
was issued via loudspeakers at the
starting point of the ski lift and a
piste warden personally drew
Willy's attention to the closure of
the area chosen for the film.
Willy disregarded all warnings and
prohibition signs.

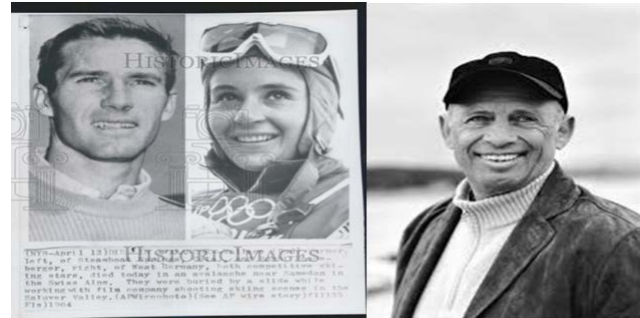


Bud Werner Barbara Henneberger

Willy Bogner

Val Selin – Deadly Movie

When Barbara and Buddy descended the valley a snow slab loosened under their feet and at almost the same time another snow slab loosened on the opposite hill. The falling masses of snow covered Barbara and Bud, who died.



Bud Werner Barbara Henneberger

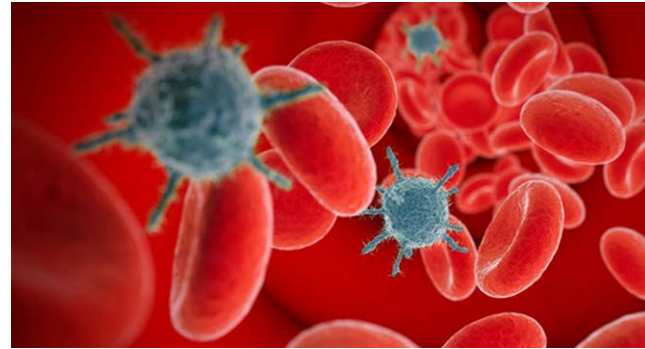
Willy Bogner

Which offence(s) did Willy possibly commit? Did Willy act with negligence or with dolus eventualis?



HIV

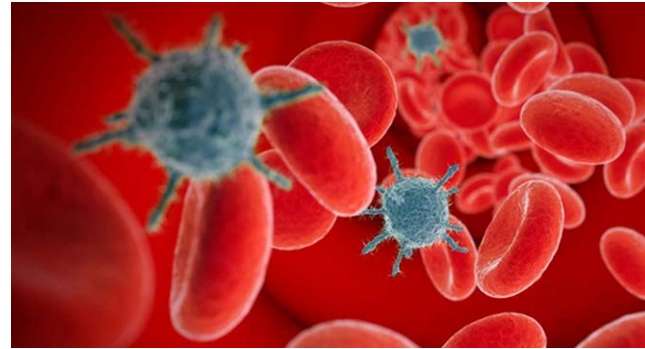
Bob had a complicated intimate relationship with Dana. Phases of living together often alternated with longer phases of separation. When a resumption of the intimate relationship was discussed at one point after a prolonged separation, Dana made it dependent on the result of an HIV test, with which Bob agreed.





HIV

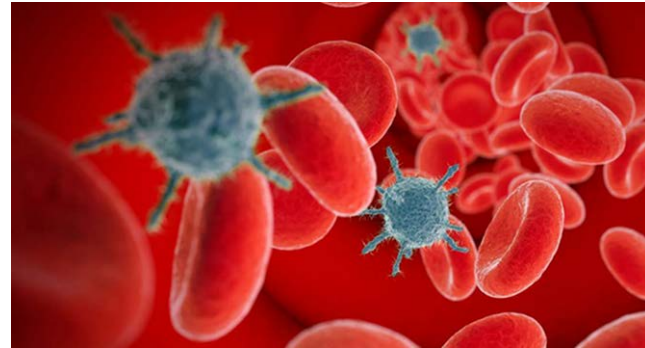
Dana therefore registered herself and Bob for an HIV test. The test concerning Dana was negative. In response to her question about the test result concerning Bob, Bob falsely stated that his result was also negative. However, Bob had not undergone an HIV test because he already knew from an older test that he, in fact, was HIV positive.





HIV

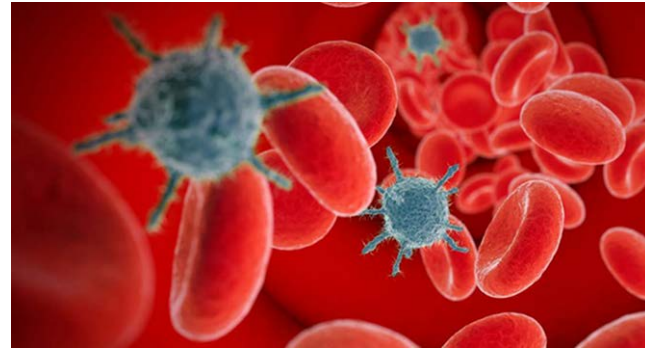
Trusting in the accuracy of Bob's statements, Dana resumed her intimate relationship with Bob. Due to unprotected sexual intercourse Dana was infected by Bob with the HI-virus.





HIV

The probability of infection through unprotected sexual intercourse is statistically low: intercourse leads to infection only in one of three hundred times.



Which offence(s) did Bob possibly commit? Did Bob act with negligence or with *dolus eventualis*?