



Dortmunder „Runder Tisch gegen häusliche Gewalt“

Rape / Sexual Harassment
References and information
for affected women

■ Table of Contents

What is sexual violence?	4
Possible effects	6
Medical treatment	8
Anonymous preservation of evidence	8
Legal options	10
<i>Criminal charges</i>	
<i>Right to accessory prosecution</i>	
<i>Psycho-social processing support</i>	
Self-care	15
Offered support from the Women's Counseling Center	17

Dear reader,

With this brochure we want to inform you about what you can do if you are affected by sexual violence and what options you have after being a victim of rape / sexual harassment. We want to support you in the protection and enforcement of your rights and want to provide you with information that is meant to help and advise.

There are hardly any studies that provide numbers about the actual scale or different forms of sexual violence against women. A 2014 EU-wide survey showed that every third woman over 15 has experienced physical and/or sexual violence.

On 10 November 2016 the new law governing sexual offenses, passed unanimously by the German Federal Parliament in a historic polling in July 2016, came into effect. The reform is a significant improvement for the protection of sexual autonomy through a the fixation of the “no means no” policy. With this new law sexual assault is liable to prosecution as soon as it is carried out without a person’s discernible consent. It no longer matters if the person affected resisted or why resistance was unsuccessful.

■ What is sexual violence?

Even though sexual violence is a topic which has been more frequently and publicly discussed in the past few years, a truly open and realistic approach to it has still not been yet achieved. It is believed that the number of unreported offenses is high as many sexual assaults happen in close social circles where women feel the safest: within the family, in relationships, and within circles of friends. Affected persons often know the offender and hesitate to report those who are close to them, which causes a low rate of reporting.

Sexual violence starts where girls and women are restricted in their personal freedom. This is already the case when certain places, routes, or situations have to be avoided in order to not be insulted, harassed, or threatened. Sexual violence is not exclusively about the sexual satisfaction of the offender, but sexuality is used as a tool of power to humiliate and debase the other person.

Affected women often feel like they are partly to blame for what happened to them or feel ashamed about it. Completely unrelated to your behavior, clothing, or appearance – only the offender is to blame!

Nobody has the right to violate your physical, mental, or sexual boundaries.

You may encounter sexual violence in many ways. It differentiates between various forms:

- *rape and sexual assault (including usage of “roofies”)*
- *sexual violence in a relationship / marriage*
- *sexual harassment (everyday life, at the workplace)*
- *sexual violence during childhood*
- *virtual violence (e.g. social media)*
- *sexual abuse by professionals (e.g. doctors, teachers, therapists)*

■ Possible effects after sexual assault

Each woman develops her own coping and survival strategies after being the victim of sexual assault. Reactions are individual and vary greatly. Moreover, they are also dependent on many factors.

Complaints can have impacts on social life, professional life, and other spheres of life. Rape and sexual harassment can also have physical and/or psychological effects.

Many women fall into a state of shock immediately after the experience.

- They can appear completely calm and unfazed from the outside or break down and cry. Others appear as if frozen, empty, confused, or feel dead inside. Others show strong emotional reactions: they are angry, aggressive, or afraid.
- Many women feel humiliation, indignity, fear, shame, powerlessness, or hate and anger. One's self-image after being the victim of rape / sexual assault is often shaped by guilt. The result is often withdrawal from social surroundings.

The effects of violent incidents change over time and their consequences can manifest in symptoms of anxiety and panic, self-esteem issues, or addictive behavior.

This list is meant to give examples. There is no universal or predictable way of behaving after sexual assault, nor are there any right or wrong reactions.

You are not sick or crazy if you experience the described or other symptoms.

All these experiences can be burdening but they serve to process what happened. They are normal reactions of your body/person to an abnormal event.

Rape / sexual harassment or attempted sexual assault is one of the most painful experiences a woman can have in her life.

If you want to seek help immediately after an incident of violence you can share your experience with a good friend, your doctor, or another person that is close to you. You can also find support at Dortmund's Women's Counseling Center (Frauenberatungsstelle Dortmund).

For medical treatment of your injuries and possible shock you can consult a doctor. You alone decide what you want to do when.

■ Medical treatment

It is advisable to have a medical (gynecological) examination carried out right after a rape / sexual assault has happened. A doctor in any hospital that has a walk-in gynecology clinic can do this. Every doctor is bound to medical confidentiality.

The medical examination and treatment are not related to pressing charges. Even if you do not suffer from acute physical injuries, getting a medical examination is sensible. Please keep in mind that the danger of injuries of your genital area, sexually transmitted diseases, and the possibility of an unwanted pregnancy are present with every rape / sexual assault. In this case it is possible to take emergency contraception.

Furthermore, bruises and abrasions can occur that can be treated and documented. It is also possible to test for infections like HIV (detectable six weeks after the incident), hepatitis, syphilis, gonorrhea, and chlamydia and, if necessary, induce treatment .

■ Anonymous preservation of evidence

After medical treatment, prompt documentation (injuries and other possible signs of violence) is very important for pressing charges and civil law claims.

The anonymous preservation of evidence, respectively independent of pressing charges, makes legal medical documentation of your injuries and further forensics possible without the necessity of immediately pressing charges. You have the option to consider if you want to press charges or not. Depending on the clinic, the evidence will be saved for up to 20 years for possible court proceedings.

Anonymous preservation of evidence means that the evidence will be saved under a anonymous number in a forensic medical institute after your examination. The police will not be notified if no charges are pressed. These traces can be used as important evidence for up to 10 years. For the preservation and state of evidence it is important to not wash yourself or clean your clothes before the medical examination despite your understandable disgust.

In our region, anonymous preservation of evidence can be carried out at the following locations: <http://www.frauenhaus-dortmund.de/Frauenberatungsstelle-Dortmund/Sexualisierte-Gewalt/Anonymisierte-Spuren-sicherung/140351,1031,139952,-1.aspx>



■ Legal options

After being raped / sexually assaulted, many women face the question of whether they should press charges against the offender. A police report is an option to make it public that a crime has happened and to hold the offender accountable. **You decide if you want to file a report or not!** You are not legally obligated. We have summarized the most important information for you below.

Criminal charge

If it makes sense to press charges should be thought through carefully. Take all the time you need – you don't have to make that decision by yourself. You can get professional help and advice from a lawyer or a employee of a women's counseling center.

Once sex crime charges are filed they cannot be taken back. After criminal charges are filed the criminal prosecution agency initiates investigation procedures.

The sentences for sex crimes vary and have different statutes of limitation. During your appointment with a lawyer it can be clarified how the abuse may be prosecuted. Questions about investigation proceedings or statutes of limitation can be reviewed as well. A lawyer is bound to confidentiality with their clients.

To obtain legal advice for free there is an option to receive a counseling qualification certificate (Beratungshilfeberechtigungsschein) at the district court (Amtsgericht) of Dortmund or a counseling check (Beratungsscheck) from the organization Weißer Ring.

Reasons **for** filing charges e.g.

- It will be made public that a crime has been committed.
- If there is a sentence for the offender, the committed crime will be punished – this also sends a social signal.
- In this way you react against the experienced violence, which can be an important step in processing.

Reasons **against** filing charges e.g.

- Filing charges and court proceedings are often paired with heavy psychological burdens. You are inherently obligated to provide detailed information to the police about the course of events. During further criminal proceedings, especially during the main trial, statements have to be repeated, multiple times if necessary.
- A possible acquittal of the offender can cause an additional psychological burden.
- Filing charges is not always meaningful or necessary for processing the incident.

If you need time for deciding whether you want to file charges or not, please write down what you remember immediately after the crime (memory minutes).

This can be useful for filing charges at a later point. For this reason you should try to write the incident down as detailed and thoroughly as possible in your own words.

Where can I file charges?

Principally you can file charges at any time and in any police office. Nevertheless, you have the option to make an appointment with the relevant specialized commissioner's office. In Dortmund, this is the

Kriminalkommissariat 12 (**KK 12, Telefon: 0231 132 - 0**).

Specially trained detectives work in this department. If you wish, reporting the incident can be done to a female police detective.

You can bring an accompanying person to your incident report / interview. If you need a break during the questioning, you can ask for one or continue another day.

Right to accessory prosecution

As soon as charges have been filed, you have the option to request to be provided with a free victim's attorney. The lawyer will have access to records and the right of questioning.

As soon as the attorney presses charges and the lawsuit has been turned in to the responsible court, you have the option to join the criminal proceedings as an "accessory prosecutor". Again you have the option to be assigned a victim's attorney.

During the main court hearing the victim's attorney has, like the defending lawyer and public prosecutor, the right to plead for refusal, questioning, and evidence. After the evidence hearing, the victim's attorney can make a summation and, in this way, contribute to an appropriate conviction.

If you want to join the process as an accessory prosecutor, you will be able to take an active role during the trial, whereas you otherwise could not have any control over the process in the more passive role as a witness.

Further information about the option of accessory prosecution can be obtained in your law office.

Psycho-social processing support

You have the option to make use of a witness support, the so called psycho-social processing support, at any point of the investigation and criminal process. Psycho-social processing support attendants are people who offer professional support and can provide information. This can be helpful if you are inexperienced with police investigations or judicial authority.

The processing support will be carried out by a social worker and is voluntary.

The psycho-social processing support attendant will be your contact during the entire investigation and criminal proceedings with the goal of reducing stresses and strains and to stabilize you. He or she can, for example, escort you to interviews, be present during the main trial, or guide you through waiting times at court. The psycho-social processing support attendant gives no legal or therapeutic advice, nor will they have a talk with you about the circumstances of the crime.

The costs for psycho-social process support have to be paid on one's own. In special cases a right to assignment does apply, the costs are then covered by government coffers.

■ Self-care

In addition to medical treatment and knowledge about your legal options, the aspect of self-care is very important for processing.

Recognize and embracing things that help and strengthen you are the most important. Depending on what comes to mind, try to arrange it and indulge yourself. If, for example, your ankle were sprained, you would also be attentive and gentle to yourself.

To take your mind off of things, it can be helpful to

- spend time with other people
- read
- do hobbies
- do sport or physical activity

It can be helpful if you try to maintain your daily routines

- enough sleep
- career/work
- time to rest
- healthy meals

It can be helpful to confide in other people. If you feel like this is the right way for you, then

- decide consciously who you entrust
- pick a good time and place
- decide in advance what you want to talk about
- tell your counterpart as concretely as possible what you need or what could help you

Every woman has her own needs. Find out what is good for you personally.

■ Offered support from the Women's Counseling Center

With its partial orientation the Women's Counseling Center is directed at all women over 18. In a comforting atmosphere and a safe environment you can talk about your experience with violence and its effects.

The Women's Counseling Center offers counseling in cases of

- rape / sexual assault or attempted assault
- the suspicion that you have experienced sexual violence
- experience with violence in the past
- sexual harassment in everyday life, the workplace or place of training
- consideration of filing criminal charges
- looking for options to protect yourself
- support of female dependents of those affected
- looking for support and advice for an upcoming trial
- looking for therapeutic offers

As an officially recognized women's rights organization and expert service center for sexual violence, the Women's Counseling Center offers one-to-one counseling, works resource-based and stabilizes. During consultation you can receive information about filing procedures, the trial, and possibilities of victim compensation. Furthermore, the Women's Counseling Center offers stabilizing advice which follows trauma therapy concepts.

The consulting service is free and, moreover, the employees of the Women's Counseling Center are bound to confidentiality. Consultation can take place anonymously if wished.

You can contact the Women's Counseling Center from Monday to Thursday between 9:00 and 12:00 via the

telephone number 0231 / 521008

to make a consultation appointment.

Editor:



Dortmunder „Runder Tisch gegen häusliche Gewalt“

“Dortmund's round table against domestic violence” has been working on good implementation of the violence protection law in Dortmund since 2002. Over the last 15 years a well-working general framework for the protection and support of victims of domestic violence, especially women and children, has been created.

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Important Addresses in Dortmund:

Frauenberatungsstelle Dortmund

Märkische Str. 212-218
44141 Dortmund
Tel.: 0231 / 52 10 08

Frauenhaus Dortmund

Tel.: 0231 / 80 00 81

Traumaambulanz

LWL-Klinik Dortmund

für akute Traumatisierungen
(bis 6 Monate nach der Gewalttat)
Marsbruchstraße 179
44287 Dortmund
Tel.: 0231 / 45 03 80 00

Kinderschutzzentrum Dortmund

Gutenbergstraße 24
44139 Dortmund
Tel.: 0231 / 20 64 58 0

Polizeipräsidium Dortmund

Opferschutz
Markgrafenstraße 102
44139 Dortmund
Tel.: 0231 / 132-74 64 und 0231 / 132-74 65

Bundesweites Opfer-Telefon des WEISSEN RINGS

Tel.: 116 006 (7-22 Uhr, kostenfrei)

Hilfetelefon Gewalt gegen Frauen

Tel.: 08000 116 016 (24 Stunden, kostenfrei)