Establishing rights for victims through clinical-forensic networks
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Background
Victims of physical and or sexualized violence are often traumatised, vulnerable and in urgent need of help. Additionally, they may be coming into contact with criminal proceedings for the very first time. They need to speak with police representatives, legal advocates and judges. However, there are currently large differences in how the rights of victims are recognised and maintained in the individual member states of the European Union.

Material and method
The European Union aims to ensure that non-discriminating access to a minimum standard of rights for victims of crime is guaranteed everywhere in the Member states of the Union. Therefore, in October 2012 the European Parliament and the Council of the European Union adopted the Directive 2012/29/EU – based on Article 82 Section 2 TFEU –, which establishes a minimum standard on the rights, support and protection of victims of crime. It states that irrelevant of whether or not a victim chooses to lay criminal charges (as a result a low-threshold access is indispensable), they should have access to support services.

The Directive mentions inter alia that a clinical forensic examination services should be made available for the preservation of evidence in cases of rape or sexual assault (Preamble 38).

Results
In 2013/14 a pilot study was conducted at the LBI CFI: For the first time, a comprehensive, regional clinical forensic network was introduced in Austria. The project was called "Clinical Forensic Network Styria (CFN Styria)". Within the project, the Clinical-Forensic Outpatient Centre of the Medical University Graz as a part of the LBI CFI cooperated with three Styrian hospitals. Physicians in this three hospitals were trained in performing clinical forensic examinations including the detailed documentation on injury findings with a digital camera. And thus, regional outpatient centres were set up.

In order to gain insight into the procedure of physicians in cases of physical or sexualized violence, the project was scientifically evaluated from a medical, legal and social science perspective. The evaluations demonstrated the urgent need of such low-threshold clinical forensic outpatient centres.

Discussion and conclusion
Following up on this project, the LBI CFI submitted a proposal under the "Joint Justice & Daphne call - Actions grants to support national or transnational projects to enhance the rights of victims of crime/victims of violence- JUST/2015/SPOB/AG/VICT", which the European Commission granted in the end of 2016. The main objectives of the project "JUSTeU! - juridical standards for clinical forensic examinations of victims of violence in Europe" (project duration 2017-2019) are (i) to disseminate the importance of clinical forensic services in general to the public, (ii) to analyse the legal requirements for clinical forensic examinations with respect to their functionality regarding victim protection, (iii) to collect information about existing clinical forensic services regarding their practicality for victim protection in twelve member states and (iv) to formulate a European standard for clinical forensic examinations. Further, (v) the need for low-threshold access to clinical forensic examinations on victims’ rights to protection shall be highlighted and a permanent European Clinical- Forensic Network (CFN Europe) shall be launched.

The LBI CFI acts as the project leader of an international consortium consisting of five partners: The Institute of Forensic and Traffic Medicine at the University Hospital Heidelberg, Germany; the Institute for Forensic Medicine at the Hannover Medical School, Germany; the Faculty of Law at Palacky University Olomouc, the Czech Republic; the Department of Forensic Medicine at the Faculty of Medicine in Hradec Králové, the Czech Republic; and the Department of Medical and Surgical Specialties, Radiological Sciences, and Public Health at the Università degli Studi di Brescia, Italy. For more information about the discussions, results and upcoming workshops, follow us on https://www.justeuro.org/.

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