

Bernd-Christian Funk
Institute for Public and Administrative Law
Katharina Rueprecht
Elisabeth Kammerlander
Victims' Mission Charity Society
Ludwig Boltzmann Institute for Human Rights

INVITATION

to the Symposium

Forensic Commitment

Reasonableness * Responsibility * Human Rights

on Wednesday,

20 November 2013

at

9:00

Juridicum, top floor

Universität Wien

Rechtswissenschaftliche Fakultät

1010 Wien, Schottenbastei 10-16

Austria/Europe

Conference Language is German

Program

9:00 – 9:10:

welcome address

Univ.-Prof. Dr. Manfred NOWAK

Univ.-Prof. Dr. Bernd-Christian FUNK

Model and Reality

9:10 – 9:30:

Life-long Confinement for a Personality Disorder?

Committing Mentally Abnormal Offenders as a Factual Preventative Detention

Univ.-Prof. Dr. Alois BIRKLBAUER, Head of the Dept. of Practice of Penology and Medical Criminal Law
of the Johannes Kepler Universität Linz

9:30 – 9:40:

Discussion

9:40–10:00:

Conditional Institutionalisation – a Forgotten Option?

Dr. Astrid WAGNER, attorney

10:00 – 10:10:

Discussion

10:10 – 10:30:

Probation as a Procedure – as It Ought To Be and as It Is

Dr. Katharina RUEPRECHT, emeritus attorney

10:30 – 10:40:

Discussion

Coffee break

11:00 – 11:20:

Probation Procedure under the Aspect of Fundamental Rights

emeritus Univ.-Prof. Dr. Bernd-Christian FUNK, Universität Wien, Universität Linz

11:20 – 11:30:

Discussion

Reasonableness and Ideas

11:30 – 11:50:

Forensic Commitment under the Aspect of Human Rights

Univ. - Prof. Dr. Manfred NOWAK, Professor for International Law and Human Rights at Universität Wien, Co-Director of the Ludwig Boltzmann Institute for Human Rights, head of a Besuchskommission of the People's Attorney, former UN special rapporteur on torture

11:50 – 12:00:

Discussion

12:00 – 12:20:

On the Archaeology of Forensic Commitment, § 21 Abs. 2 StGB – The Healing Power of State Authority
DSA Albert HOLZBAUER, Social worker, Lecturer at the Fachhochschule Linz, Dept. of Health and Social Affairs

12:20 – 12:30:

Discussion

Lunch

1:30 – 1:50:

Sense and Senselessness of Punishment and Forensic Commitment

DDDr. Franz LANGMAYR, emeritus attorney

1:50 – 2:00:

Discussion

Country Comparison

2:00 – 2:20:

A Glance Outward: What Can Forensic Commitment Learn from a Look over Country Borders?

Prof. Dr. med. Norbert NEDOPIIL, Forensic Psychiatry,
Psychiatr. Clinic & Polyclinic of the Ludwig-Maximilians-Universität München

2:20 – 2:30:

Discussion

Certification

2:30 – 2:50:

The Regulation and Work of Expert Witnesses

Prof. Dr. Nikolaus LEHNER, emeritus attorney

2:50 – 3:00:

Discussion

3:00 – 3:20:

Transparency and the Justification of Psychiatric Certification in Austria – from an Attorney's Perspective

Dr. Helmut SCHOTT, attorney

3:20 – 3:30:

Discussion

Coffee break

4:00 – 4:20:

The Sound of Science: Sources of Diagnostic Error in Forensic Psychological Certification in Austria -

Mag. Dr. rer. nat. Klaus BURTSCHER,

Clinical neuropsychologist, court appointed expert witness, forensic psychologist

4:20 – 4:30:

Discussion

Forced Therapy

4:30 – 4:50:

Forced Therapy in Forensic Commitment: What Is It, Why Does It Exist, How Is It Managed and Who Is at the Receiving End? And What if It Did Not Exist?

Dr. Patrick FROTTIER, Medical Specialist for Psychiatry and Psychotherapeutic Medicine, Child - and Juvenile Psychiatrist, head of the Conciliar Liaison Service for Children and Youth in Danger of Crisis at Vienna Psychosocial Services

4:50 –5:00:

Discussion

5:00 – 6:00:

Closing discussion

Moderation: Elisabeth KAMMERLANDER and Katharina RUEPRECHT

Organisation:

Victims' Mission Charity Society

independent * non-denominational * non-party

ZVR – no.: 731091641

www.victimsmmission.com

registration

at:

elisabeth.kammerlander@gmx.at

Forensic commitment is one of the most mysterious, constitutionally most unclear, and politically most often ignored topics of the Republic. (People's attorney Terezija Stoisits)

The public usually only hears that someone is committed to an "institution for mentally abnormal offenders". What the public does not find out, however, is that these special institutions are overfilled and that these persons are consequently put into normal poenal institutions, where hardly any psychological help at all is offered, but often (forced) "sedation". The period of forensic commitment is not limited.

Furthermore, the number of forensic commitments increases constantly. The end of a forensic commitment is left to court discretion. The criminal proceedings are explicitly legally bound to poenal law, but in practice they are quite different.

"They beat me severely, pinned me to the floor and then gave me the shots. Dapotum Depot 200 mg. Every fourteen days."

"And then they beat you again and pinned you to the floor?"

"No. Not after that. Then they only threatened to. Then I no longer resisted."

From the book: Staatsgewalt. Die Schattenseiten des Rechtsstaates
by Katharina Rueprecht and Bernd-Christian Funk

Location

