Specialist recommendation

of the working group

Focus on fairness

DEUTSCHER FEUERWEHR VERBAND

Technical recommendation no. DFV-FE-82-2024 dated 08 April 2024

Intervention guidelines for sexualised discrimination, harassment and violence (sDBG)

Introduction

Sexualised discrimination, harassment and violence (sDBG) refers to any psychological, physical or verbal behaviour with a sexual connotation that is perceived by the person concerned as transgressive, i.e. unwanted, degrading or hurtful, or is intended to have this effect.

Sexualised discrimination, harassment and violence can in principle be directed against all genders, but in reality it is predominantly women who are affected. Sexist attacks can take very different forms. The spectrum ranges from humiliating remarks, the display of sexist images, sexual innuendo and unwanted advances to physical assaults. Assaults on women take place in physical, verbal and digital form. The consequences, especially for young women, can be considerable: panic attacks, relationship problems in private life, feelings of inferiority, depression and even incapacity to work can be the result. Many women remain silent out of shame, even though their psychological stress is making them ill. Women often blame themselves.

The boundary between consensual forms of communication between the sexes on the one hand and insinuating or offensive and discriminatory remarks on the other is subject to considerable subjective differences. The same applies to sexual physical contact. Sexualised harassment can be perceived in very different ways. What constitutes transgressive, discriminatory behaviour in an individual case and what does not depends solely on the individual boundaries of the person concerned and cannot be defined in general terms.

In principle, all areas of life are affected, including fire services. Therefore, managers in particular must know and recognise the potential dangers in their area of responsibility and actively deal with prevention and intervention in the event of an incident.
The following information provides guidelines for fire service managers and persons of trust for dealing with incidents of sexualised discrimination, harassment and violence in the fire service and enables a structured and differentiated approach to incidents of all degrees of severity. These guidelines apply exclusively to adult members of the fire service.
Recommendations on behaviour for underage firefighters can be found in the recommendations of the German Youth Fire Service on dealing with minors:
https://jugendfeuerwehr.de/schwerpunkte/kindeswohl-schuetzen

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General procedure

The starting point for an individual incident report is always a single incident, regardless of its nature and severity. Incidents can be reported either by those affected themselves or by third parties who have observed incidents of sDBG. Due to their importance, especially in the co-operation of closed groups such as the fire brigade, information and perceptions of sDBG cannot be ignored, but require the measures described below.

Information for those affected:
Contact persons, contact persons or contact points can be: confidential counsellors, managers, equal opportunities offices, staff councils, complaints offices, representatives for the General Equal Treatment Act and women's representatives.

Every incident must lead to the initiation of the procedures described, whereby two fundamentally different situations must be distinguished:

- Disregard for respectful interaction with one another
- Suspicion of a criminal offence

Sufficient knowledge of current sexual offences law is required to ensure the assessment of a specific incident. If managers are unable to do this, a lawyer or other legal expert should be consulted. This is the only way to avoid managers obstructing criminal prosecution out of ignorance and possibly making themselves liable to prosecution for obstruction of justice or reporting non-criminal offences. In any case, incidents in this context must always be dealt with without prejudice, impartially, with an open mind and, if possible, in compliance with the dual control principle and with the involvement of a person of trust as soon as they come to light. All findings must be documented; this applies in particular to the usually differing statements of the parties involved.
You will find a structured process plan in the download area to help you with this. This serves to secure the situation and provide orientation as to which necessary steps must be taken into account.

Catalogue of measures

The catalogue of measures shows confidential counsellors and managers the framework conditions for the best possible handling of incidents of all degrees of severity. Important assistance for conducting discussions, time management, building trust and dealing with those affected is explained.

For structured processing you will find in the download area

- a schedule
- corresponding checklists

which supports structured and solution-orientated processing.

For general, event-independent information, the document

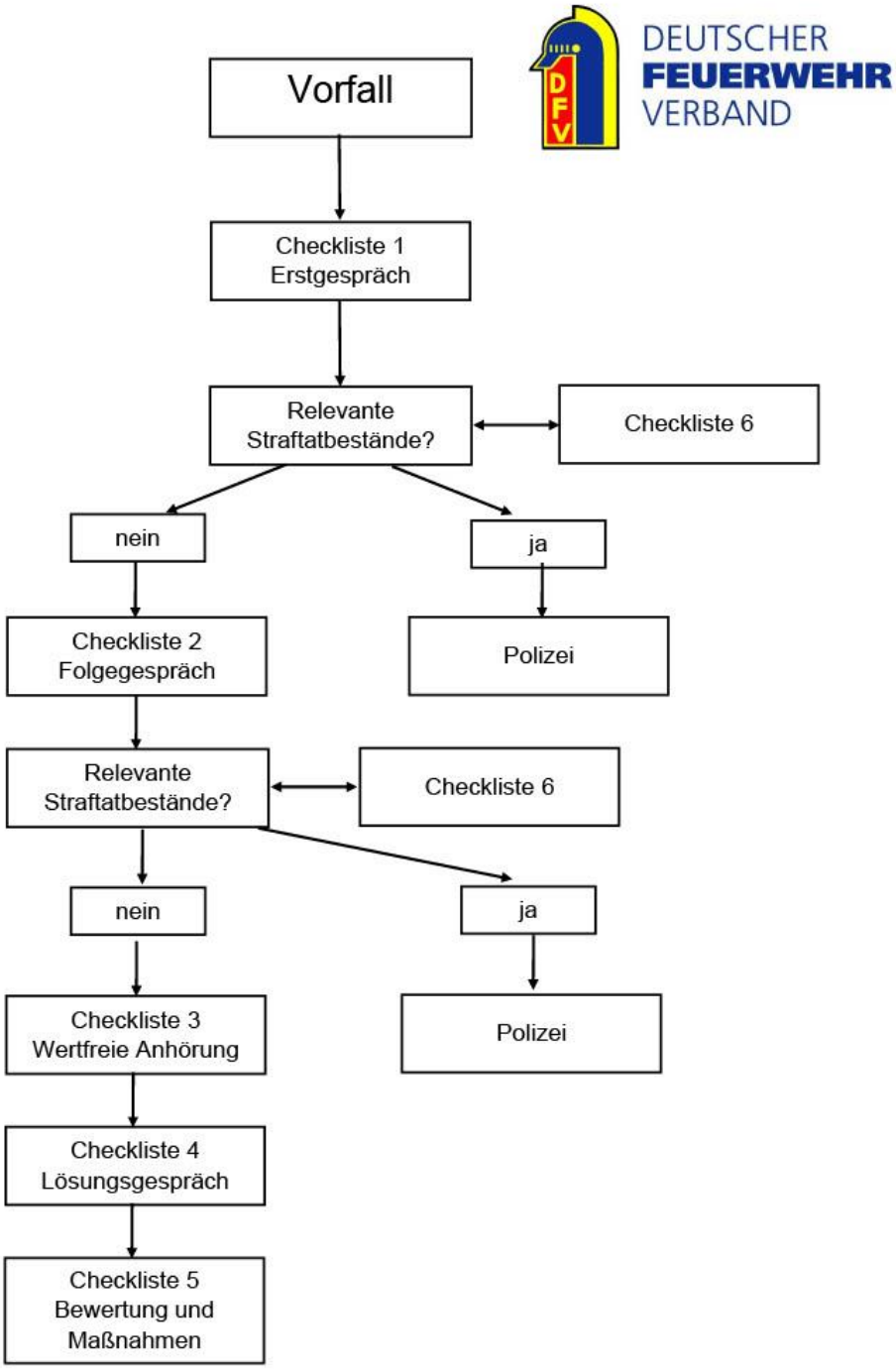
- external emergency numbers.

Basic rules for discussions between confidential counsellors and managers and those affected

- Always hold conversations in a protected space to convey calm and understanding.
- The discussions should be transparent and give the person concerned a great deal of security.
- Take the person concerned seriously, listen to him/her and build trust.
- If possible, do not interrupt at the beginning and ask only a few questions.
- Do not hold discussions under time pressure. Always allow enough time!
- The problem should neither be trivialised nor dramatised, the perception of a situation can be very different.
- In the case of incidents that are not criminally relevant, the persons concerned decide for themselves whether and how further discussions are to be conducted. The confidentiality of the conversation must be guaranteed and adhered to.
- Once a basis of trust has been established, the facts (who, when, what) must be clarified. This should also be documented.
- Depending on the nature of the incident, the next steps must be determined jointly.
- The joint decision must also be documented.

1. schedule

The flowchart schematically illustrates the procedure using the individual checklists in the event of an incident and serves as a guide for managers and persons of trust. (Graphic source: DFV)



1. External emergency numbers

On this page you will find external emergency numbers for those affected. These numbers can be called if necessary. Depending on the time of day, not all numbers may be available. However, you can find round-the-clock help at the "Violence against women" and "Violence against men" helplines. These are staffed on a voluntary basis.

2. Checklists

Checklist 1 "Initial meeting"

In Checklist 1 "Initial discussion", you as the person of trust will find a structured plan for the procedure in the event of incidents. The person affected is heard in a confidential one-to-one conversation between the person affected and the person of trust. The aim is to build trust, reduce anxiety, assess the severity, identify initial offers of help and agree on how to proceed. The people involved, the course of the conversation and other necessary measures are listed in detail in Checklist 1 "Initial consultation". Documentation is strongly recommended.

Checklist 2 "Follow-up discussion"

Once checklist 1 has been carried out with the "initial interview" between the trusted person and the person concerned, the severity has been assessed and a relevant criminal offence has been ruled out at this point, checklist 2, the "follow-up interview", is carried out. As in the initial interview, the aim is to maintain the trust that has already been built up. The person concerned reports on the incidents once again in a confidential discussion with the person of trust and a manager. Participants, the course of the discussion and other necessary measures are listed in detail in Checklist 2 "Follow-up discussion". Documentation is strongly recommended.

Checklist 3 "Value-free hearing causing person"

After checklist 1 "Initial interview" and checklist 2 "Follow-up interview" have been carried out with the person concerned, the severity has been reassessed, a criminal offence has been ruled out at this point and the person concerned has again been informed of offers of help, checklist 3 "Value-free hearing" provides important information on how to proceed. In order to rule out prejudgement, important tips and further measures are suggested here for the person of trust, the manager and a possible discussion moderator in order to ensure a neutral discussion.

achieve. The parties involved, the dialogue process and other necessary measures are listed in detail in Checklist 3 "Value-free consultation". Documentation is strongly recommended.

Checklist 4 "Solution dialogue"

After dealing with a non-criminal incident with the help of checklists 1 to 3, all parties involved in the incident should come together for a resolution meeting. In checklist 4 "Resolution discussion", the person of trust, the manager and the discussion moderator, if called in, will find a way to resolve the conflict in order to find and facilitate further respectful interaction between the person concerned and the guilty party in the future. Participants, tips and other necessary measures are listed in detail in Checklist 4 "Resolution dialogue". Documentation is strongly recommended.

Checklist 5 "Evaluation and measures"

According to Checklist 4 "Resolution dialogue", all steps that have led to a result should be evaluated in retrospect. The aim of all evaluations and measures should always be to promote coexistence without fear, discrimination, sexism and sexualised violence and to promote these as goals of conflict-free coexistence in the long term.

Checklist 6 "Relevant offences"

In this checklist 6 "Relevant criminal offences" you will find an excerpt of the main criminal offences. If you are unsure, contact one of the advice centres or seek legal advice.

Emergency numbers

If the person concerned requires immediate external assistance, the following options are available:

Hilfetelefon 116 016 Gewalt gegen Frauen www.hilfetelefon.de

0800 1239900 HILFETELEFON GEWALT AN MÄNNERN

WEISSER RING Wir helfen Kriminalitätsopfern.

SCAN ME

https://weisser-ring.de/
Victim hotline 116 006 (daily from 7:00 a.m. to 10:00 p.m.), online counselling and on-site help

Federal Anti-Discrimination Agency

https://www.antidiskriminierungsstelle.de/DE/startseite/startseite-node.html

- Immediate help by signpost

Telephone counselling in case of discrimination: (0800) 546 546 5,
Monday to Thursday 9:00 to 15:00

DFV contact point for sDBG

e-mail: Anlaufstelle-sDBG@dfv.org
Telephone: (030) 2888488-36

Checklist 1 "Initial meeting"

This checklist serves as a guide for the initial consultation with the person concerned. The severity and urgency of the initial assessment must be taken into account.

Participants:
Person of trust with the person concerned

Conversation process:

- Can you please tell me what happened?
- Were there several incidents/events?
- Are there any witnesses? Have you written down the incidents in full?
- Do you know other comrades who have experienced something similar?
- Have you already confided in someone?
- How can I support you?
- What paths can there be?
- Which ones should we do together?

Note for the person concerned:

Perceptions, information, events and incidents must be documented as precisely as possible.

Notes for the person conducting the interview:

What kind of sexual discrimination, harassment or violence is involved?

In the case of discrimination, harassment or violence in full-time and professional fire brigades, refer to AGG officers, AGG complaints offices, staff representatives, representatives for the severely disabled or specially established complaints offices.

https://www.antidiskriminierungsstelle.de/SharedDocs/downloads/DE/publikationen/Leitfaeden/leitfaden_was_tun_bei_sexueller_belaestigung.pdf?__blob=publicationFile&v=12

Adapt the counselling according to the regional characteristics.

Further measures required?

- How should the severity of the sDBG be assessed? Is it a criminal offence?
- Do specialists need to be involved?
- Is there an immediate need for action?
- Is there a possible risk of repetition for other persons?
- Is evidence available and does it need to be secured?
- In what context did the action take place (e.g. course, training, etc.)?
- Does the person concerned need further support from internal or external sources?
- The person concerned should make a memory record if this has not already been done.
- Discuss further steps with the person concerned!
- Only guarantee measures that can be adhered to!
- Arrange another appointment as soon as possible.
- Always ensure transparent communication.
- Signal that the incident is being taken seriously.

The consent of the person concerned is required for further internal steps!
If there is suspicion of relevant criminal offences (see checklist 6), further steps must be coordinated with the police (no obstruction of justice).

Checklist 2 "Follow-up discussion"

This checklist serves as a guideline after the person of trust has spoken to the person concerned. The degree of severity was determined after the initial assessment, a relevant criminal offence was ruled out at this point and a further internal discussion with the manager was scheduled.

Participants:
Manager, person of trust and affected person

Conversation process:

- Can you please tell me what happened?
- Were there several incidents/events?
- Are there any witnesses? Have you written down the incidents in full?
- Do you know other comrades who have had similar experiences?
- Have you already confided in someone?
- How can I support you?
- What paths can there be?
- Which ones should we do together?

Further measures required?

1. It is advisable to summarise the conversation and go through it again with the person concerned in order to avoid misunderstandings.
2. Here too, the next steps must be discussed with the person concerned!
3. Without the consent of the person concerned, no next step for internal processing is possible!
4. If there is suspicion of relevant criminal offences according to checklist 6, it is imperative that further steps are agreed with the police (no obstruction of justice)!
5. If the person making the allegations is to be confronted, the person concerned must be informed of the timing.
6. If further action is required, the next appointment should be arranged promptly.
7. Does the person concerned need further help?

Checklist 3 "Value-free consultation"

After working through Checklist 1 and Checklist 2, Checklist 3 provides important information on the further structured procedure, which should be taken into account as a matter of urgency in order to face the accused without pre-judgement.

Participants:
Manager, persons of trust, possible interview moderator and accused/defendant

Notes to be observed:

- The accused/person responsible is invited to an interview.
- An appointment will be made as soon as possible.
- Topic must be named: There is a conflict!
- The person causing the accident must be given the opportunity to bring a trusted person with them.
- The conversation must be adapted to the situation and carefully considered beforehand.
- A discussion leader must be appointed. In order to achieve a neutral discussion from the outset, it is advisable to call in a discussion moderator.
- Do not enter the conversation with accusations or prejudgement.
- The accused is confronted with the conflict without naming the specific accusations.
- The defendant should present things from his/her point of view.
- Structured approach:
  Key question: What happens next? Discuss with the accused!
- A protocol should also be kept here.
- The summary of the interview should be discussed with the accused in order to avoid misunderstandings.

Further measures may include

- Witnesses must be questioned.
- Chat histories/screenshots must be saved.
- Evidence must be secured.

Checklist 4 "Solution dialogue"

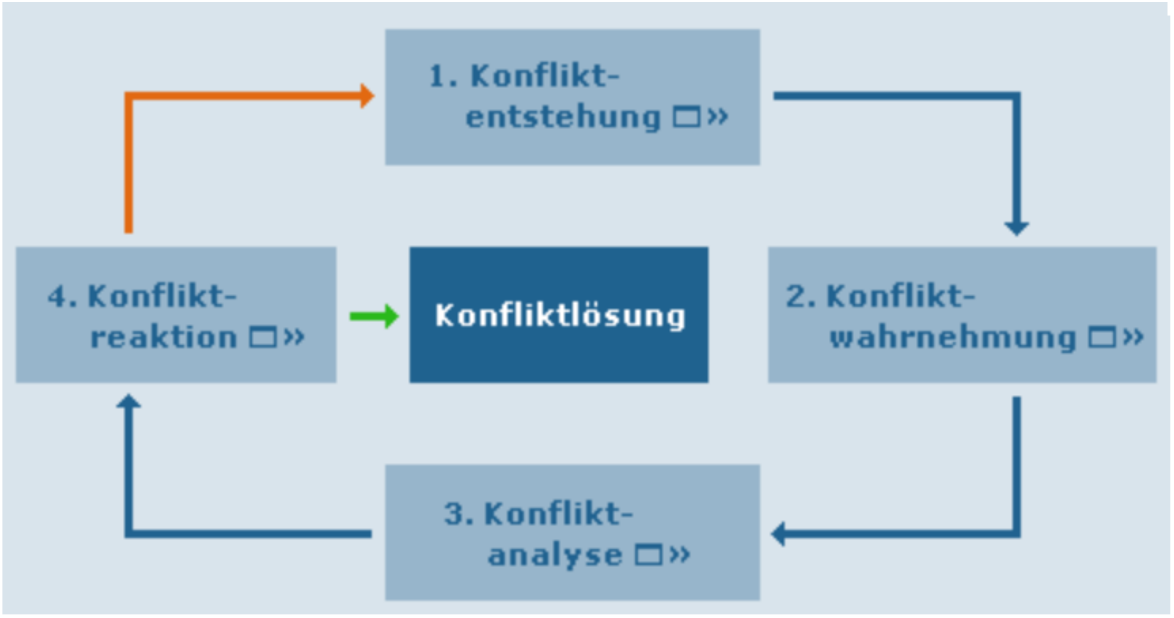
In checklist 4 "Resolution dialogue", the person of trust, the manager and the discussion moderator, if called in, find a way to resolve the conflict in order to find and facilitate further respectful interaction between the person concerned and the guilty party in the future. Documentation is also strongly recommended here.

Participants:
Manager, affected person and accused, trusted persons if applicable

Notes to be observed:

- The aim of the resolution meeting is to mediate and reach an understanding between the parties.
- Both the person concerned and the accused must consent to the interview.
- A neutral moderator should be brought in to ensure neutrality.
- After the meeting, a conclusion should be drawn and the next steps considered.
- Conflicts should be worked through and respectful interaction with one another further encouraged.
- After six weeks at the latest, the manager reviews the success of the conflict resolution.

Conflict cycle



http://www.tatfunk.de/index.php?id=155

Checklist 5 "Evaluation and measures"

In checklist 5 "Evaluation and measures", all steps that have led to a result (checklists 1 to 4) should be evaluated in retrospect. The aim of all assessments and measures should always be to ensure that it is possible to work together without fear, discrimination, sexism and sexualised violence.

Further measures required?

- How serious are the allegations considered to be?
- If the allegations are admitted and do not fall within the scope of criminal law, it will be clarified with the harassed person whether an amicable solution is possible.
- If the allegations are criminally relevant, legal action should be taken.

Further measures may include

- Witnesses must be questioned.
- Chat histories/screenshots must be saved.
- Evidence must be secured.
- External experts must be consulted.

Reappraisal and consequences for the future:

- Are there consequences for individuals, groups and managers?
- Which preventive measures (e.g. team building) and which further training measures for everyone must/can be activated?
- Do new protection concepts need to be developed?
- Are workplaces and work areas organised in such a way that the risk of sDBG can be minimised/excluded? Is there a risk analysis?
- Is external technical support required?
- Are there one or more contact points (internal and external) for such conflicts?

Checklist 6 "Relevant offences"

Offences against sexual self-determination (§§ 174 ff. StGB)

Not only physical assaults such as rape, sexual coercion or sexual abuse count as this form of violence. It also includes sexual harassment and any form of unwanted sexual communication such as obscene words and gestures, intrusive and unpleasant looks, showing or sending sexual content and/or pornography.

Insult, defamation, slander (§§ 185 ff. StGB)

The offence, which the law describes as an insult, consists of a manifestation of disregard or disrespect for another person. Proclamation, in turn, means that the expression of disregard/disrespect can in turn be perceived by another person.

Insulting behaviour under criminal law can be verbal, written, pictorial or by means of gestures. This includes, for example, showing the middle finger. An insult can also be expressed through conclusive (implied) behaviour or committed in a physical form. This is the case, for example, if someone spits at, pushes or slaps another person.

In the case of digital violence, perpetrators attack online, for example via chat, email or social networks. Women and girls are particularly frequently affected. In the case of digital violence, most perpetrators want to frighten or silence the person targeted. They want to belittle them, damage their reputation, isolate them socially, force them to behave in a certain way or blackmail them.

Violation of the highly personal sphere of life and personal rights through image recordings (§ 201a StGB)

An offence in this area is often associated with secret photography or filming, but also includes the passing on or distribution of private images or even nude images via the Internet or mobile phones.

Stalking (§ 238 StGB)

The English term "to stalk" comes from hunting and means to sneak up on or stalk. Stalking refers to the intensive and persistent stalking, harassment and threatening of the chosen person. Stalkers force contact on those affected. They are not interested in a relationship. Their actual goals are power and control.
Stalking can take many forms. This includes constant unwanted communication via letters, emails, telephone, messenger or observing and investigating daily routines and habits. It also includes indirect contact via third parties, verbal abuse and intrusion into living spaces or areas of life such as the workplace, club or gym. Unwanted gifts or orders in the name of the person concerned, the destruction of property and threats of violence through to actual physical or sexual assaults can also be classed as stalking.

Coercion (§ 240 StGB)

The classic criminal offence of coercion involves putting a person under pressure by force or threat in such a way that they become afraid for life and limb and are thus forced to behave in a certain way.

Sources:

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