

# #Metoo in the medical sector



Investigating sexual harassment committed by doctors

Illustrations : Cristina Zhu

# How it started

- Investigation that Juliane Löffler did for BuzzFeed Germany
- One case found in court documents on a mafia-related story and one case found talking to a source



**Juliane Löffler** ✓ @laloeffelstiel · 19 janv.

Since 2019 we have been fighting for our [#MeToo](#) 🇩🇪 -investigation. Now [@CaitLChandler](#) published an update for [@CJR](#):

The Doctor vs. [#MeToo](#) 🇩🇪 – How an HIV specialist in Germany is using media law to erase reporting of sexual abuse allegations against him.



**The Doctor vs. #MeToo**

How an HIV specialist in Germany is using media law to erase reporting of sexual abuse allegations against him

[cj.r.org](#)



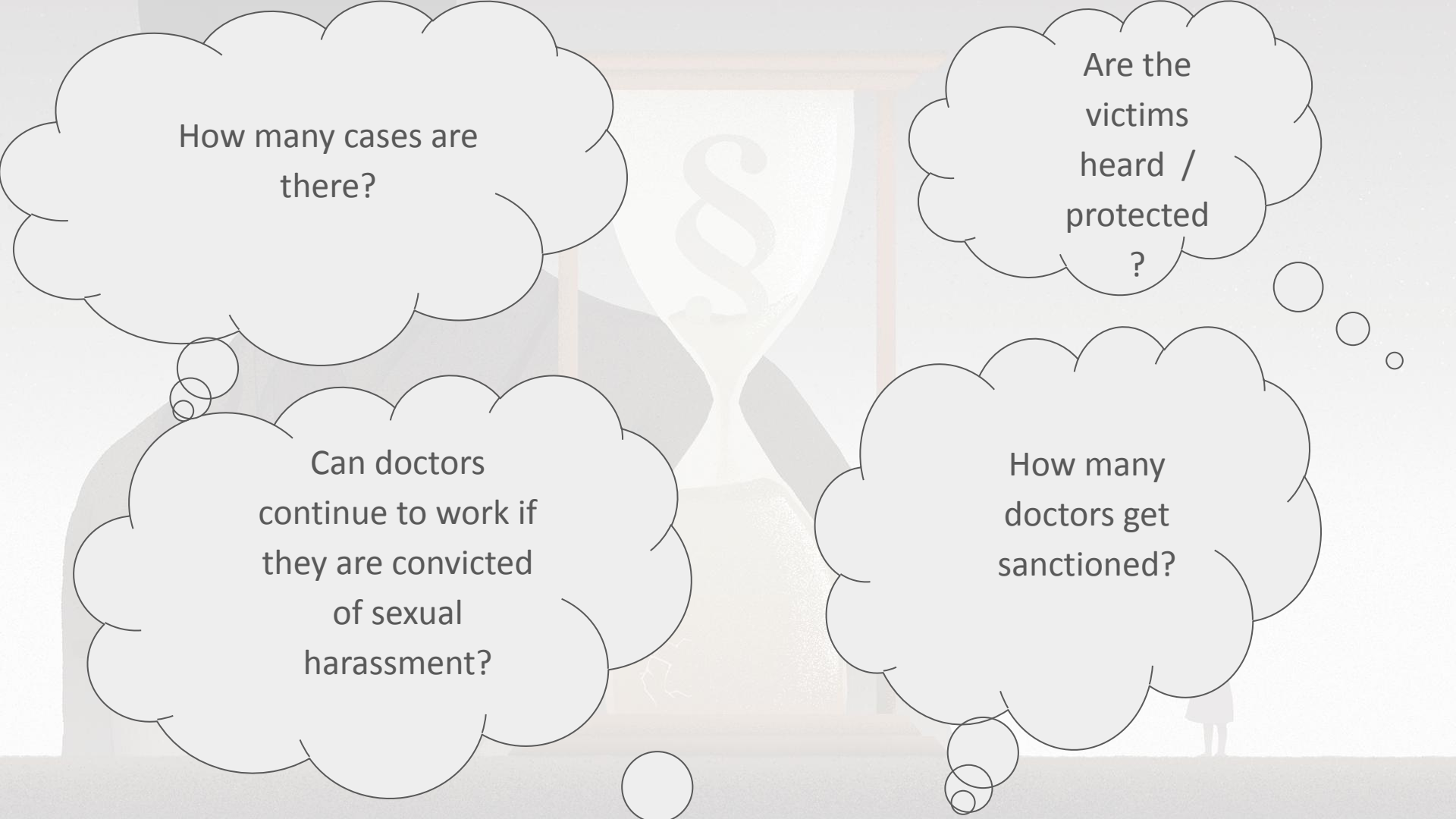


# The Doctor vs. #MeToo

How an HIV specialist in Germany is using media law to erase reporting of sexual abuse allegations against him

Article by Caitlin Chandler for the Columbia Journalism Review

More on : [https://www.cjr.org/special\\_report/heiko-jessen-germany-me-too.php](https://www.cjr.org/special_report/heiko-jessen-germany-me-too.php)



How many cases are there?

Are the victims heard / protected ?

Can doctors continue to work if they are convicted of sexual harassment?

How many doctors get sanctioned?

## Methods we went for...

- Getting the data from the authorities (courts, Ministry of Health, Medical chambers, associations fighting for patients' rights, NGOs working in this field etc...);
- Analysing media archives and published reports to get a better understanding of the scale of the problem;
- Interviewing experts, medical professionals;
- Looking for survivors' stories (through personal contacts, social media and a public survey);
- Checking the EU regulations and legislation;



The image is a conceptual illustration. On the left, there is a large, dark silhouette of a person wearing a white lab coat and a stethoscope, representing a doctor. In the center, there is a large, light-colored hourglass. The top bulb of the hourglass contains a large, stylized dollar sign (§). The bottom bulb of the hourglass is cracked and appears to be broken, with some liquid or sand spilling out. On the right side, there is a small silhouette of a child standing on a flat surface. The background is a light, neutral color with a subtle gradient.

...that did not always work...

## 4 EU countries, dozens of different research methods

	<b>CRO</b>	<b>FR</b>	<b>GER</b>	<b>IT</b>
Getting the data from courts	+/-	+/-	+/-	-
Getting the data from Medical Chambers	+/-	+	+/-	-
Getting the data from the Ministry of Health	-	+/-		-
Getting the data/info from associations	-	+	+	-
Analysing the media archives	-	+	+	+
Getting survivors' stories through survey	+/-	-	+	-
Getting useful info through itw researchers, medical professionals etc	-	+	+	+



# Zoom into...Germany

## Krank geheilt

Erstellt: 26.03.2021 Aktualisiert: 02.04.2021, 18:51 Uhr  
Von: [Juliane Löffler](#)



Trotz #MeToo existiert ein System, dass bei Übergriffen durch nicht gut genug hinschaut © Illustration: Christina S. Zhu

*Janine Fiedler wurde von ihrem Arzt sexuell missbraucht. Trotzdem darf er jahrelang weiter arbeiten. Die Behörden stoppen ihn nicht, das Problem hat System.*

*Von Juliane Löffler und Margherita Bettoni, Mitarbeit: Alina Ryazanova*

- “Krank geheilt”, published on BuzzFeed News Germany in March 2021
- We wanted to understand if the system is able to protect victims and to sanction the perpetrators
- Janine Fiedler’s story shows that authorities often fails in protecting the victims



## Zoom into...Germany

- Press requests in all 16 states showed that cases of sexual abuse towards patients are rarely reported → only 48 cases of doctors and psychotherapists who got their medical licenses revoked within more than a decade
- 230 persons have been sentenced because of “sexual abuse taking advantage of a counseling, treatment or supervisory relationship” in the last decade
- Challenge of collecting reliable data → experts speak of an enormous dark figure
- The importance of interviews and of a survey → 140 persons, mainly women (survivors and medical staffers), shared cases of abuse and sexual misconduct in the medical sector
- Failure of the system in supporting victims

# Zoom into...France

2014

Fertility doctor Dr. Hazout convicted for rape

Process against the Medical Chamber which didn't react to the patient's claims

The screenshot shows the top of a Le Monde article. The header includes the Le Monde logo, a 'Consulter le journal' button, and a navigation bar with categories like ACTUALITÉS, ÉCONOMIE, VIDÉOS, OPINIONS, CULTURE, M LE MAG, and SER. The article title is 'Au procès du Dr Hazout, la pudeur meurtrie d'une ex-épouse' by Pascale Robert-Diard, published on February 5, 2014. The first paragraph of the article is visible, discussing the court proceedings.

JUSTICE Favoris ★ Partage f

## Au procès du Dr Hazout, la pudeur meurtrie d'une ex-épouse

Par Pascale Robert-Diard (Blog Chroniques judiciaires)

Publié le 05 février 2014 à 10h30 · Lecture 3 min.

A la cour d'assises, on appelle cela l'interrogatoire de personnalité. Une entrée en matière rituelle, un peu formelle, comme un tour de chauffe avant de plonger dans le dur et le crû des faits qui sont reprochés à l'accusé.

Mardi 4 février, les juges et les jurés qui composent la cour d'assises de Paris commençaient tout juste à faire connaissance avec l'homme qu'ils vont devoir juger, l'ancien gynécologue André Hazout, qui comparait devant eux sous

2020

Ex-surgeon jailed to 15 years for rape on 4 minors

Another ongoing process for sexual abuse cases on more than 300 minors

The screenshot shows a Franceinfo video player. The header includes the Franceinfo logo and navigation options like vidéos, radio, jt, magazines, and DIRECT TV. The video title is 'Justice : l'ex-chirurgien Joël le Scouarnec mis en examen pour 312 viols et agressions sexuelles', published on October 16, 2020. The video player shows a still image of a man in a courtroom setting.

franceinfo: vidéos radio jt magazines 🔍 DIRECT TV DIRECT RADIO

🏠 politique faits-divers société éco/conso monde culture sport santé sciences tech/web environnement météo vrai ou fake **LE LIVE**

## Justice : l'ex-chirurgien Joël le Scouarnec mis en examen pour 312 viols et agressions sexuelles

Publié le 16/10/2020 17:13 ⌚ Durée de la vidéo : 2 min.

The video player shows a still image of a man in a courtroom setting, likely Joël le Scouarnec, with a play button overlay.

# Zoom into...France

**Were these two cases single cases ?**

**Were Medical Chambers able to protect victims ?**

- Almost 200 requests sent to courts = +/- 20 answers
- Medical Chamber : database with appealed decisions = 76 for “sexual connotation”
- 75 different cases collected through newspapers articles
- +/- 15 different associations
- Long and hard work to find cases where the victim hadn't been listened to by the local/provincial Medical Chamber

Of course impossible to double check every single case but gives a precise overview of an inefficient system



## Zoom into...Croatia

- Initial idea: go for the data, as I anticipated women would be reluctant to talk
- FOI requests sent to **all the public hospitals, clinics and other health institutions in the country** ; 104 institutions mailed, 8 answers not received. Most of the institutions - not much;
- FOI requests sent to all the courts in the country - partial success
- Multiple FOI requests sent to the National medical chambre & the Ministry of Health (extremely unresponsive);
- Small country = people, be it the survivors or colleagues of the perpetrators, less willing to share their story publically
- Survey - cca 60 responses, 32 responses from women being mistreated
- Stories: zoom into the system (published) + zoom into a particular story (to be published)

## Similarities between Croatia and Italy

Similarities: hard to get people to talk; hard to get anything from the authorities

**It feels like this is a non-issue:** The impact of the #Metoo Movement in both countries has been minimal compared to Germany or France.

The biggest difference between both countries : we have collected roughly 60 articles about different cases in Italy (probably due to the different size of the country).

= First step.

In Croatia, we opted to go for the mixed method - explaining the flaws of the system backed up by all the different data we got from different places.

# Taking the story to the EU level

- National or cross-border phenomenon ?
- How similar are the situations in different EU countries ?
- Does it have any consequences at the European level ?

Our questions : if doctors, who have been convicted for sexual abuse, can still work in our respective countries, are they allowed to work in another European countries as well?

- IMI mechanism
- European institutions
- European Medical Chambers





# What we've learnt?

- If there are no official figures, create your own database...
- ...but remember, sometimes it's almost impossible to be exhaustive;
- So, trust your work. 200 cases will probably tell you the same story as 50 cases;
- Ask yourself why you need the data in the first place;
- In some cases (countries), it might be better to start with the personal stories first and collect the data later;
- Interviews with victims are likely to be distressing for journalists as well: share your experiences with the team;
- Translating everything is extremely time consuming. Talk openly about what your colleagues need from your part of the story;
- Having a designated coordinator is probably a good thing no matter the size of the team

# Follow-ups

All upcoming stories will be published here:

<https://www.torial.com/metoo.in-the-medical-sector>

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