

Attorney sent to psychiatry for protesting? Is it that time in Germany again? Urgent public clarification

(Letter from lawyer W. Schmitz to the Federal Chamber of Lawyers on April 14, 2020):

Dear colleagues,

Yesterday evening I found out that the colleague Beate Bahner from Heidelberg, who recently became known nationwide through an - ultimately unsuccessful - application for an interim order to the BVerfG (federal constitutional court) against restrictions on numerous fundamental freedoms through the "Corona" legal ordinances (see appendices) , apparently was violently taken to psychiatry in Heidelberg on Easter Sunday.

A voice message from colleague Bahner has been published on the "Rubikon - das Magazin" (among others) telegram channel and has been withdrawn from psychiatry. In this news she reports, among other things, on massive ill-treatment in connection with her transfer to psychiatry.

The regional press has already reported on the case, see among others:

https://www.rnz.de/nachrichten/heidelberg_artikel,-nach-aufruf-zu-corona-demo-heidelberger-anwaeltin-in-psihiatrischer-einrichtung-update- arid,508747.html

I am not aware of the circumstances surrounding the placement of Mrs Bahner. I do not know her personally and have not been mandated by her. But colleague Bahner sees this transfer to psychiatry as an illegal response to her - with clear criticism - urgent application to the BVerfG, which is intended to intimidate her and other critics of this lockdown. This is reason enough to deal with this process and to tell you about it.

In any case, I am not aware that the (alleged) perception of a police officer (?) That a lawyer made a confused impression could justify interning her under the PsychKG (mental health law). In any case, even without knowing more about the circumstances, I dare to doubt that an alleged confusion of a lawyer who, according to her own public information, was in need of a vacation, could represent a risk to her or others, which would allow for such an interning.

And we certainly do not have to say a word about the fact that the serious physical abuse that Mrs Bahner claims to have suffered in this context, without any justifiable reason, evokes very nasty associations with the darkest chapters in German history. The very fact that Ms Bahner alleged that she had been badly mistreated prompted me to send you this message.

Was a colleague physically and emotionally abused here because she criticized the nationwide lockdown - which, in my personal opinion, is absurd? This should definitely be clarified whether there is any evidence or proof that could argue for this claim.

With such a criticism of the nationwide lockdown, the colleague Bahner would not be alone, but currently in the company of more than 50 well-known experts. I would be happy to provide you with the list.

I therefore urge the Federal Chamber of Lawyers, as the representative of all lawyers in Germany, to deal with this Mrs Bahner matter.

Because if it were so that lawyers who are clearly criticizing government measures could now be intimidated because of this criticism by means of "the constitutional state" or psychiatry and professionally and socially destroyed, it would be high time in this country, and the Federal Chamber of Lawyers should urgently take a public position in the interest of all lawyers in this country, so that a highly threatening development can possibly be counteracted.

In any case, the circumstances surrounding the transfer of colleague Bahner to psychiatry must be fully clarified.

With this in mind, I hope that you will take immediate action

Yours faithfully,

Wilfried Schmitz Lawyer

Report by RA Beate Bahmer: see [Youtube](#)

If this YouTube video should be deleted, then the voice message from the lawyer Beate Bahner can also be called up (among other things) on the Telegram channel from "Rubikon - Das Magazin".

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addendum

14.04.2020

13:12:

Anyone who wants to inquire about the state of lawyer Bester Bahner himself turn to:

University Hospital Heidelberg Psychiatry: 06221-56-0

<https://www.klinikum.uni-heidelberg.de/einrichtung/klinik-fuer-allgemeine-psychiatrie-105>

If you want to contact Ms. Bahner, you should note the PsychKHG from BW, see:

<http://www.landesrecht-bw.de/jportal/?>

[quelle=jlink&query=PsychKG+BW&psml=bsbawueprod.psml&max=true&aiz=true](http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=PsychKG+BW&psml=bsbawueprod.psml&max=true&aiz=true)

So you can write for Ms. Bahner, for example, the patient advocate or the ombudsman, see *ibid.* §§ 9 and 10. For visits etc., see *ibid.* §§ 21 and 22. But I doubt that everyone would be admitted to Ms. Bahner, who asks for a visit.

At the moment, the psychiatric facility will only grant access to a relative or Ms. Bahner's lawyer.

It is quite possible that the hauntings of this detention will soon be over, because the public pressure on BW's state politics is becoming too great.