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DEFENCE FORCES VICTIM INFORMATION BOOKLET

INTRODUCTION

Please report your crime immediately to the Military Police.

If you feel in anyway concerned about reporting a crime to the Military Police you may wish to report to An Garda Siochána.

The legal rights which you have as a victim are primarily set out in the Criminal Justice (Victims of Crime) Act, 2017.

What is a crime?

Offences against Military Law outlined in the Defence Act 1954 as amended describe Non-Scheduled Offences as those crimes that are criminal in nature. Criminal offences include, but are not limited to, an assault or an offence against the person, theft or an offence against property, fraud, drug offences, breaches of security, and breaches of social media. Once an offence is reported to the Military Police, and following a formal statement being made, an independent investigation WILL be initiated.

COMMITMENT TO CONFIDENTIALITY

It is an important first step that you report the crime to someone, however, once reported to the Military Police you have our commitment that we will treat you with sensitivity, and that everything you tell us will remain confidential until formal military justice proceedings are commenced.



CONTACT INFORMATION

MILITARY CONTACTS

PSS SERVICES AVAILABLE (2022)

DFHQ	Sgt Nicola Nolan	01 804 2755	087 377 9107
1 BDE	Comdt Des Connolly	021 451 4193	087 433 7670
2 BDE	Comdt Barry Carey	01 804 6334	086 838 4648
DFTC	Cpl Rickie McCausland	045 44 5054	087 908 3325
NS	CPO John O' Donoghue	021 486 4922	087 237 3322
AC	Flt Sgt Alan Connolly	01 403 7531	086 032 0231

CHAPLAINCY SERVICES AVAILABLE (2022)

DFHQ	Rev Paschal Hanrahan	2637
1 BDE	Rev Ted Sheehan	4177
2 BDE	Rev Damien Farnon	6268
DFTC	Rev P.J. Somers	4923
NS	Rev Desmond Campion	4923
AC	Rev Bernard McCay Morrissey	7536

OTHER CONTACTS

Crime Victims' Helpline is a confidential national helpline run by a team of trained volunteers and staff who are there to listen. They support everyone who is affected by crime; no matter when the crime took place, who committed the crime, or whether or not the crime was reported to the Military Police or Gardai. They understand the issues and difficulties that victims of crime have to deal with, and try to help you so that you do not feel alone.

**You can contact the helpline at:
Freephone: 116 006**

Website: www.crimevictimshelpline.ie

Email: info@crimevictimshelpline.ie

Text: 085-133 7711

REPORTING A CRIME WITHIN THE DF

What are you entitled to as a victim of crime?

- Protection
- Support
- Information

These services are provided by Personnel Support Services (PSS), Chaplaincy, Military Police (MP), Military Police Victim Liaison Officer/NCO (VLO), and Unit Support.

Who is a victim of crime?

Victims of crime have suffered harm as a result of that crime, and this harm can be:

- Physical; and/or
- Sexual; and/or
- Mental; and/or
- Emotional; and/or
- Economic.

How do I report a crime within the DF?

Contact your local MP unit/MP detachment in the first instance and they can inform all relevant personnel on your behalf; or

- Call the Barrack Orderly Sergeant; or
- Call the Orderly Officer; or
- Contact anyone in authority.

What will the MP ask me when I report a crime?

Whenever you report a crime to the MP, whether you are a victim or a witness, we will ask you to:

- Provide us with as much information as you can about the offence;
- Provide your contact details so we can update you;
- Make a formal statement;
- Update us with any new information that emerges or comes to mind following the initial reporting;
- Let us know if your contact details change.

What can I expect following my report?

- You will be asked to make a formal written statement.
- You will be advised that victims should inform and seek support from PSS, friends, a Chaplain, a Medical Officer if appropriate, and your Unit.
- We will investigate your complaint following your formal statement.
- We will give you the name, desk number and station of the investigating MP.

If requested by you, or deemed appropriate by the Formation APM, a suitable MP Victim Liaison Officer (MP VLO) will be appointed to your case to communicate with you for the duration of the MP investigation.

If appointed, the MP VLO will write to you and your Commanding Officer with an initial letter to acknowledge the formal complaint that you made. This will be treated as CONFIDENTIAL correspondence.

Can I bring someone with me when I report a crime?

Yes. As a victim, you can ask to be accompanied by one person of your choice, but that person must not be involved in the complaint as either a witness or suspect.

A member of the MP may stop someone accompanying you if it:

- Is assessed as contrary to your best interests; or
- Might prejudice any investigation or criminal proceedings.

This does not prevent you from choosing another person to accompany you, provided the investigating MP is satisfied that they are suitable.

Will I have to give evidence?

As a victim of crime you have a very important role in the military justice system. You may have to give evidence in a Summary of Investigations and/or a Court Martial.

PROTECTION OF VICTIMS

Specific Needs

If you have any specific needs, we will take these into account. Please let us know how we can support you.

Sexual Offences

We will show special sensitivity in relation to sexual offences. If you request, we can provide MP assistance from someone of the same gender, where possible. When facilitated, we will arrange for you to be treated or examined by a doctor of the same gender. However, there may be times when this is not possible. There may also be occasions where An Garda Síochána have jurisdiction in these alleged offences, and if so, or if following preliminary enquiries, you may be advised to report immediately to your local An Garda Síochána and your case will be handed over to them in its entirety. While the MP will no longer be involved with your investigation, the DF support structures will remain at your disposal.



Bereaved Families

If you are the family of a murder victim or victim of other unlawful killing, the MP VLO can be appointed to you if you so wish. However, An Garda Síochána may have full jurisdiction in relation to the alleged crime and may also provide the necessary Garda support.

Racist Incidents

If you are a victim of a racist incident, we will support you, investigate where possible and direct you to the PSS and/or the DF Equality and Diversity Officer.

Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual (LGBTQIA+)

If you identify as LGBTQIA+ and are a victim of a homophobic incident, we will support you, investigate where possible and direct you to the PSS and/or the DF Equality and Diversity Officer.

Overseas

If you are a victim of crime whilst serving overseas, the MP will be the primary investigating organisation. The United Nations Military Police and/or local Civilian Police may be involved. An Garda Síochána have NO jurisdiction outside of Ireland.

YOUR CASE

How do I keep up to date about my case?

During the investigation of your complaint, you may ask the MP VLO, if one has been appointed by request, to inform you of developments in the investigation. You may ask for these details at any time during the investigation or by FOI. You may also change or amend any request for information at any time.

Subject to FOI and GDPR legislation, the following is the type of information we can provide to you:

Information about YOU:

We can send you a copy of your statement and certain extracts from the MP Investigation Report once completed. You are also entitled to a redacted version of the full MP Investigation Report once completed and if requested under FOI.

Information about YOUR CASE:

- The arrest and charging of a person;
- The type of offence with which they were investigated;
- The release from MP custody of the offender.

Who decides whether or not to prosecute?

The MP can only provide facts as they are presented to them, or as they are found. It is your Commanding Officer, or the Commanding Officer of the alleged suspect, who can dispose of your case by summary trial. If referred, it is the Director of Military Prosecutions who examines your case to then, if deemed appropriate, recommend trial by court martial.



If the case is not going to proceed?

This decision will rest with your Commanding Officer/Commanding Officer of the alleged suspect, or the Military Judiciary.

What information is NOT available to me about my case?

The DF will always aim to give you the information you ask for, but sometimes, under Military Law, they may NOT be free to give you certain information if:

- it breaches GDPR; and/or
- it interferes with a criminal investigation; and/or
- it might damage a criminal case before the courts, now or in the future; and/or
- it might endanger someone's personal safety; and/or
- it might endanger the security of the State.

Any decision NOT to give you information for any of these reasons must be made by a person authorised to make these decisions.

You will be informed of any reasons why information requested by you can NOT be provided.



SUMMARY INVESTIGATION (ORDERS) / TRIAL (COURT MARTIAL)

If a person is charged, the MP VLO can, if you wish, inquire on your behalf regarding the date of the Summary Investigation /Court Martial, and where it will be held. If a person is convicted, the MP VLO can if you wish, make enquiries on your behalf regarding any outcome.

DEFENCE FORCES HELPING ONE ANOTHER

Your action in reporting criminal offences will assist us achieve the Military Police Corps' endstate which is to:

- Increase crime prevention capacity within the Military Police Corps;
- Enhance awareness of crime across the DF;
- Reduce crime within the DF;
- Reduce the risk of becoming a victim of crime;
- Enhance personal safety and security.

If you are unhappy with the service you have received please inform your Formation Assistant Provost Marshal (APM).

We can help you if you have any difficulties that might affect your ability to tell your story or to understand what we tell you. This could be due to:

- Your personal circumstances; and/or
- A learning disability; and/or
- Shock.

HOW DO WE MEET YOUR NEEDS?

The Military Police Corps aims to treat the people who make complaints to us in a sensitive and understanding manner, while trying to resolve the issue as fairly as possible.

Our key values are:

- Putting your interest first;
- Respecting the human rights of everyone with whom we deal;
- Making decisions based on a thorough and fair analysis of evidence;
- Being open and transparent by communicating and explaining our actions;
- Being committed to providing a high standard of military policing.

Your MP hopes to meet your needs by:

- Listening to you;
- Giving you the opportunity to make a complaint and treating you fairly and with respect;
- Processing complaints efficiently;
- Ensuring that you have confidence in our decisions;
- Being professional and courteous;
- Being open and honest at all times;
- Being accessible and answering your questions as fully as we can;
- Protecting your privacy; and
- Keeping accurate records of your dealings with us and keeping those records safe.

RATIONALE

The mission of the Military Police Corps is to provide professional and operationally effective military policing. The unique skillset of the Military Police Corps exists to support victims and to enable commanders at every level in dealing with criminal offences.

It is important to emphasise that once a crime is reported to the MP, in accordance with DFR A.18, Part 3, paragraph 14, “the Provost Marshal and all Military Police elements shall be independent with regard to all investigations”, and are there to support you. Admin Instr A7 highlights that crimes MUST be reported to the MP in a timely manner. This is foremost for the benefit of the victim concerned, but also to demonstrate a Defence Forces (DF) lack of tolerance of crime. It is recommended that if you are a victim of crime, or if you are aware of a crime, that you report immediately to the nearest MP Station.

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