

The Moral Compass of the Armed Forces:

How Ombuds Institutions Can Break Down Barriers to Achieve Change



Co-hosted by:



DCAF

a centre for security,
development and
the rule of law

Programme Overview

SUNDAY, 8 OCTOBER 2017

ALL DAY	ARRIVAL OF PARTICIPANTS
18:00	MEET AT TOWER HOTEL LOBBY
18:30 – 21:00	APERITIF AND WELCOME DINNER AT HMS PRESIDENT, ST. KATHERINE DOCKS

MONDAY, 9 OCTOBER 2017

TOWER OF LONDON	CONFERENCE OPENING
09:00 – 09:40	AMBASSADOR THOMAS GUERBER , DIRECTOR, DCAF NICOLA WILLIAMS , UNITED KINGDOM SERVICE COMPLAINTS OMBUDSMAN FOR THE ARMED FORCES
09:40 – 10:00	GROUP PHOTO
10:00 – 10:10	COFFEE BREAK AND MEDIA OPPORTUNITIES
10:10 – 10:30	KEYNOTE: GENERAL SIR GORDON MESSENGER KCB, DSO* OBE ADC, VICE CHIEF OF THE DEFENCE STAFF
10:30 – 12:00	SESSION 1: MAXIMISING THE ROLE OF OMBUDS INSTITUTIONS WITHIN ETHICAL AND LEGAL BOUNDARIES
12:00 – 13:00	LUNCH
13:00 – 14:30	SESSION 2: ETHICAL PRACTICE IN OMBUDS INSTITUTIONS AND ARMED FORCES ENVIRONMENTS
14:30 – 14:45	COFFEE BREAK
14:45 – 16:30	SESSION 3: DUTY OF CARE: MENTAL HEALTH
16:30 – 18:15	RETURN TO HOTEL / FREE TIME
18:15 – 22:00	TOUR OF TOWER OF LONDON DRINKS RECEPTION AND DINNER, TOWER OF LONDON

TUESDAY, 10 OCTOBER 2017

TOWER OF LONDON	SESSION 4: BUILDING AN INCLUSIVE ARMED FORCES: ADDRESSING THE NEEDS OF DIVERSE GROUPS IN THE ARMED FORCES
09:00 – 10:45	
10:45 – 11:15	COFFEE BREAK
11:15 – 12:30	SESSION 5: DUTY OF CARE: INTERNATIONAL MISSIONS
12:30 – 13:30	LUNCH
13:30 – 13:50	KEYNOTE: LT GEN RICHARD NUGEE CVO, CBE CHIEF OF DEFENCE PEOPLE (CDP)
13:50 – 15:30	SESSION 6: (WHY) ARE ARMED FORCES PERSONNEL RELUCTANT TO COMPLAIN?
15:30 – 15:45	COFFEE BREAK
15:45 – 16:15	ADOPTION OF THE CONFERENCE STATEMENT
16:15 – 16:30	ANNOUNCEMENT OF THE 10TH ICOAF IN SOUTH AFRICA, OCTOBER 2018
16:30 – 16:45	CLOSING REMARKS

The Moral Compass of the Armed Forces: How Ombuds Institutions Can Break Down Barriers to Achieve Change

Introduction

Ombuds institutions can act as a moral compass of the armed forces, and can effect positive changes. By investigating complaints, ombuds institutions can offer recommendations to reform deficiencies and make the armed forces more efficient and effective. However, to accomplish this, armed forces personnel trust the system to resolve their problems. In the armed forces, it can be particularly difficult to establish this trust, as armed forces personnel may be sceptical of outsiders. Overcoming many of these deep-seated attitudes is, however, not impossible. This conference will explore a number of topics on how ombuds institutions can act as a moral compass, by changing out-dated attitudes, increasing confidence in the complaints process and achieving institutional reforms.

Objectives and Methodology

This conference hopes to draw upon lessons learned from previous ICOAFs and continue fostering a dynamic and participatory environment conducive to generating insight into these topics. The structure of the sessions will range from panels, Interactive group work and breakout groups. Participants possess vast experiences in handling and responding to complaints, and participants are expected and encouraged to share their experiences – both positive practices and gaps in capacity – to draw out good practices and areas of need that may prove to be informative to their peers.

The conference will operate under Chatham House Rules unless otherwise noted.

Sponsors and Supporters

This conference counted with the support of, the Organization Internationale de la Francophonie (OIF), the Swiss Federal Department of Defence, and the Swiss Federal Department of Foreign Affairs (FDFA) through the Swiss Embassy in Manila.



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Département fédéral de la défense,
de la protection de la population et des sports

ORGANISATION
INTERNATIONALE DE

la francophonie



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA

Monday, 9 October

09:00-09:40

Conference Opening

Speaker 1: Thomas Guerber, Director, DCAF

Speaker 2: Nicola Williams, United Kingdom Service Complaints Ombudsman for the Armed Forces

Speakers to be introduced by Nicola Williams, United Kingdom Service Complaints Ombudsman for the Armed Forces

Monday, 9 October

10:10-10:30

Keynote Address

Keynote: General Sir Gordon Messenger KCB, DSO* OBE ADC, Vice Chief of the Defence Staff

Session 1: Maximising the Role of Ombuds Institutions within Ethical and Legal Boundaries*Panel discussion*

This session will explore how ombuds institutions can act as the moral compass for the armed forces. Ombuds institutions are often faced with difficult situations that fall outside their jurisdiction or find that their powers do not reach far enough to properly remedy a situation. How do Ombuds institutions properly navigate these ethical dilemmas, making best use of their “soft” powers without stepping outside of legal and ethical boundaries. This session will explore some of the emerging challenges facing ombuds institutions, and will highlight good practices by ombuds institutions in addressing some of these tricky issues.

Chair: Susan Atkins, former UK Service Complaints Commissioner

Speaker 1: Paul Pfitzner, Senior Assistant Ombudsman, Defence Branch, Australian Commonwealth Ombudsman

Speaker 2: Allyson Macvean, Professor of Policing and Criminology, Bath Spa University

Speaker 3: Lt. Gen (Ret.) T. T. Matanzima, South African Military Ombud

Speaker 4: Jerald Joseph, Human Rights Commissioner of Malaysia (SUHAKAM)

Questions for discussion:

- Are there codes of ethics or morals for all armed forces personnel?
- What are some common moral or ethical issues that your institution deals with regularly in complaints? Has your office ever been confronted with examples where military culture/values have clashed with military morals/ethics?
- How has your institution handled complaints that raise ethical questions? Has your institutions developed any innovative ways to better address ethical issues?
- Has your office been confronted with handling complaints into new territories/realms where there is insufficient guidance/legislation? How does your institution proceed in these situations?
- One of the greatest powers of ombuds institutions is the power of persuasion. How does your office engage with and persuade military leadership and personnel to implement changes?

Session 2: Ethical Practice in Ombuds Institutions and Armed Forces Environments

Small Groups

This session will explore some practical examples of moral and ethical dilemmas faced within the armed forces. In many of these instances there is an ethical 'grey area', for example, when does banter and jokes become bullying and harassment? When does positive discrimination (or affirmative action, employment equity) violate another's procedural fairness? How does one respect the cultural norms and values of one person that may contradict another's norms and values? Participants will be presented with several case studies/scenarios and will be expected to explain how they would resolve the situation. These case studies/scenarios will illustrate some of these ethical 'grey areas' and assist participants in thinking in innovative ways to act ethically, when there is not necessarily one correct response.

Session Leader: Dr David Whetham

Monday, 9 October
14:45-16:30

Session 3: Duty of Care: Mental Health

Panel discussion

The armed forces have a duty of care to armed forces personnel, as well as to personnel that have retired from service, including, but not limited to, mental health support. In many countries, the discussion of mental health in the armed forces has only recently become a topic for discussion. For many years, soldiers with mental health problems were perceived to be 'weak', and were expected to ignore or hide the problem. Unfortunately, this attitude often still persists. This session will look at why it is important for Ombuds institutions to understand mental health within the context of the armed forces and how they can better support complainants with mental health needs.

Chair: TBD

Speaker 1: Guy Parent, Canadian Veterans Ombudsman

Speaker 2: Simon Wilson, Fixed Threat Assessment Centre

Speaker 3: Andrea Macfarlane and Padre Michael Hall, Royal Air Force, and Fionnuala Bonnar, Mental Health First Aid UK

Speaker 4: Graziella Pavone, ODIHR

Questions for discussion:

- How do ombuds institutions identify the issues/needs of armed forces personnel with regards to mental health?
- How do Ombuds institutions work with the AF to ensure these needs are being addressed properly?
- How can ombuds institutions encourage those with mental health issues to come to ombuds institutions?
- In addition to ensuring that personnel receive the mental health support they need, how can ombuds institutions ensure that they have the appropriate tools/training/expertise to respond to complainants suffering from mental health problems?

Session 4: Building an Inclusive Armed Forces: Addressing the Needs of Diverse Groups

Breakout Groups

In building an inclusive armed forces, it is important that armed forces leadership and ombuds institutions understand the needs and experiences of diverse groups within the military environment. This session will look at specific challenges faced by different groups in society and within the armed forces. Participants will share good practices within their country in creating an inclusive armed forces, and lessons learned in how ombuds institutions can be more attuned to obstacles faced by these groups

Chair: Joyce Sylvester, National Ombudsman of the Netherlands

Questions for Discussion

- What are some common problems or obstacles faced with regards to [breakout group topic]?
- How can your office encourage full participation of individuals from diverse groups, such as [breakout group topic]?
- How can your office increase acceptance diverse groups, specifically on the topic of [breakout group topic] by others in the armed forces?
- What are practical ways that your office can reach out to personnel to encourage them to come forward with problems relating to [breakout group topic]?
- How does [breakout group topic] relate to and overlap with other diverse groups within the armed forces?

Breakout Group Assignments:

Breakout group 1: Gender

Breakout group 2: Religion

Breakout group 3: Sexual orientation

Breakout group 4: Race and/or ethnicity

Breakout group 5: Young people (including conscripts)

Session 5: Duty of Care: International Missions

Panel Discussion

When armed forces personnel are deployed abroad as part of peacekeeping operations or other international missions, it is the obligation of the armed forces to ensure that proper provisions and care is provided to them. When these needs are not met, it is the right of personnel to raise their concerns in the form of a complaint with their ombuds institution. Because personnel are stationed abroad, often in dangerous and foreign environments, they are particularly susceptible to being faced with problems. Therefore, it is of great importance that ombuds institutions for the armed forces ensure that their services are available to these personnel and are able to react in a swift and effective manner. However, for many of the same reasons, (distance, dangerous environment, etc.) ombuds institutions face challenges in ensuring this. In addition, these international missions are increasingly conducted through international organisations, such as the UN, NATO, EU, OSCE, which itself presents challenges with coordination and responsibility between multi-national command structures. This session will build upon discussions from 8ICOAF, and continue highlighting the importance of ombuds institutions' roles in international missions, and the need for closer cooperation between ombuds institutions and with these international organisations.

Chair: TBD

Speaker 1: Reinier van Zutphen, National Ombudsman of the Netherlands

Speaker 2: Hans-Peter Bartels, German Parliamentary Commissioner for the Armed Forces

Speaker 3: William McDermott, DCAF

Questions for discussion:

- Does your office coordinate with ombuds institutions of other countries engaged in international missions with personnel from your country?
- Has your office developed protocols for handling complaints within multinational command structures (such as forwarding complaints to national counterparts or establishing joint complaints initiatives)?
- Does your office cooperate with international organisations, such as the UN or NATO, when engaging with forces deployed within such international frameworks?

Keynote Address

Keynote: Lt Gen Richard Nugee CVO, CBE Chief of Defence People (CDP)

Session 6: (Why) are Armed Forces personnel reluctant to complain?

Breakout Groups (organizer by institutional type)

Are armed forces personnel less likely to file a complaint than a civilian? The answer to this question can shed a lot of light on whether Ombuds institutions for the armed forces are doing their job effectively. However, just answering this question accurately can in itself be difficult. How can Ombuds institutions measure whether they are working efficiently and effectively, as well as measure the perception of their work within the armed forces? There can often be a gap in perception and reality, and perception often matters more than reality, especially when managing the expectations of those that seek out your services. Studies have shown that many soldiers are very reluctant to file complaints, even when they feel they have been wronged. This session will seek to answer some of these questions and explore ways to overcome these challenges.

Breakout groups will be formed on the basis of type of ombuds institution (General Ombuds Institution, Military Ombuds Institution, and Inspector General)

Topics and Questions for Discussion

1. Barriers that Discourage Complaints

- Why are armed forces personnel reluctant to complain even when they acknowledge they have a problem? Is it due to a lack of familiarity with the institution? Lack of trust with the institution? A fear of retaliation? Questions of loyalty and not wanting to be perceived as a traitor or 'snitch'?
- Other reasons?

2. Outreach and Communication: Managing Expectations

- How do ombuds institutions overcome these barriers?
- How can ombuds institutions build trust and manage expectations of complainants?
- What is the difference between a complaint and whistle-blowing?
- What are examples of good practice on WBPs, and how can ombuds institutions protect individuals from this?

3. Data Collection and Analysis

- What are ways in which ombuds institutions can determine if their efforts to break down barriers are working?
- Does your office conduct attitude surveys or questionnaires with individuals who have sought their services? What about within the armed forces as a whole?
- How can an institution know that an increase in complaints is a good/bad thing?

Conference Conclusion

Before closing the conference, Lt. Gen (Ret.) T. T. Matanzima, Military Ombud of South Africa will announce the Tenth International Conference of Ombuds Institutions for the Armed Forces (10ICOAF) which will be hosted in South Africa, October 2018. After, the conference statement will be briefly discussed and adopted by the participants. Finally, the conference will be officially concluded with closing remarks by the hosts.

Chair: Nicola Williams, Service Complaints Ombudsman of the United Kingdom

Adoption of the Conference Statement

Moderator: William McDermott, DCAF

Announcement of the 10th ICOAF

Speaker: Lt. Gen (Ret.) T. T. Matanzima, Military Ombuds, South Africa

Closing Remarks