

## Reporting a Crime – the Process

You can present your complaint or report (crime report) to any of these authorities:

Public Prosecution Service (*Ministério Público, MP*); Judiciary Police (*Polícia Judiciária, PJ*); Public Security Police (*Polícia de Segurança Pública, PSP*) and National Republican Guard (*Guarda Nacional Republicana, GNR*)

Any of these authorities has the duty to receive all complaints and reports presented to them, even if the crime hasn't been committed in their area or, in the case of the police forces, the investigation is not under their responsibility.

In some cases or crimes, complaints and reports can be presented to the Foreign Nationals and Borders Service (*Serviço de Estrangeiros e Fronteiras*), in the delegations of the National Institute of Legal Medicine and Forensic Sciences (*Instituto Nacional de Medicina Legal e Ciências Forenses*), medico-legal offices and hospitals with medico-legal experts or in the Electronic Complaints Portal of the Home Affairs Ministry (*Ministério da Administração Interna*).

You can present a complaint or report even if you don't know who committed the crime. It is for the authorities to investigate and determine the perpetrator's identity.

In public crimes such as homicide, theft or domestic violence, the victim does not have to be the one reporting them. Anyone who knows of the crime can report it and this is enough for the Public Prosecutor to start criminal proceedings, even against the wishes of the victim. If you intend to report a crime but are afraid of retaliation, for example, and do not wish to reveal your identity, then you can report it anonymously. However, it is usually preferable that you identify yourself so that later on you can be requested to collaborate in the investigation.

In the other types of crimes, either semi-public crimes such as petty theft, non-serious offences against one's physical integrity or private crimes such as insults, it has to be the victim presenting the complaint within 6 months of the crime taking place. Otherwise, the Public Prosecutor will not be able to start criminal proceedings. If the victim cannot do it, because he/she is aged under 16, has died or is unwell, or any other reason, then a close relative such as the husband or wife, father or son, can present the complaint.

The complaint can be withdrawn by the victim (but not the reporting of a crime). That is, if for any reason the victim wishes to stop the proceedings, he/she can withdraw the complaint, as long as the defendant is not against it. The request to withdraw needs to be submitted to the authority responsible for the proceedings at that time: the Public Prosecutor during the investigation phase and pre-trial phase or the judge during the trial.

Reporting a crime or making a complaint is free of charge, does not require formalities and can be done

verbally or in writing. You should include as many details as possible to help the investigation: day, time, place and circumstances of the crime, identification of the suspect(s) and victims and any other evidence.

When the victim reports a crime, he/she has the right to a certificate showing that the complaint was registered, that is, a document confirming that the complaint was made, the type of crime with date, place and what was the harm caused.

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