



**PUBLIC PROSECUTION SERVICE  
FOR NORTHERN IRELAND**

**Making a Complaint about the  
Public Prosecution Service  
for Northern Ireland**

**Draft for Consultation**

**This document is available in a range of alternative formats, for  
example Large Print and Braille (contact details overleaf).**

## **FURTHER INFORMATION**

If you require any further information about the PPS, or a copy of this document in an alternative format, please contact:

**Central Management Unit  
Room 314  
Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR**

**Tel: (028) 90 897100**

**Text Phone: (028) 90 897011**

**Fax: (028) 90 897030**

**Email: [info@ppsni.gsi.gov.uk](mailto:info@ppsni.gsi.gov.uk)**

**Website: [www.ppsni.gov.uk](http://www.ppsni.gov.uk)**

# **Making a Complaint about the Public Prosecution Service**

<b>Purpose of this booklet</b>	<b>2</b>
<b>About the Public Prosecution Service</b>	<b>2</b>
<b>What is a complaint?</b>	<b>3</b>
<b>Who can make a complaint?</b>	<b>4</b>
<b>How can a complaint be made?</b>	<b>4</b>
<b>What information will I need to provide?</b>	<b>6</b>
<b>How quickly will my complaint be dealt with?</b>	<b>7</b>
<b>How long do I have to make my complaint?</b>	<b>7</b>
<b>What can I do if I am dissatisfied with the way my complaint has been dealt with?</b>	<b>7</b>
<b>Is there any appeal against the way the PPS has decided to deal with my complaint?</b>	<b>8</b>
<b>Policy on unacceptable actions or behaviour by complainants</b>	<b>9</b>
<b>Complaints about partner organisations</b>	<b>11</b>
<b>Can I ask about prosecutorial decisions?</b>	<b>11</b>
<b>Can I ask about reasons for a decision not to prosecute?</b>	<b>12</b>
<b>Complaint handling: Monitoring arrangements</b>	<b>12</b>
<b>General principles to be followed by the PPS</b>	<b>14</b>

## PURPOSE OF THIS BOOKLET

This booklet is about how to make a complaint if you are not satisfied with the service provided by the Public Prosecution Service for Northern Ireland (PPS).

The PPS is committed to providing a high standard of service at all times. Your comments are important as the information you provide helps us to put things right if they have gone wrong and to improve the overall standard of our service over time.

***It should be noted that separate arrangements apply if you wish to ask the PPS for reasons for prosecution decisions or if you wish to have a prosecution decision reviewed (see pages 12 and 13 for further details).***

## ABOUT THE PUBLIC PROSECUTION SERVICE

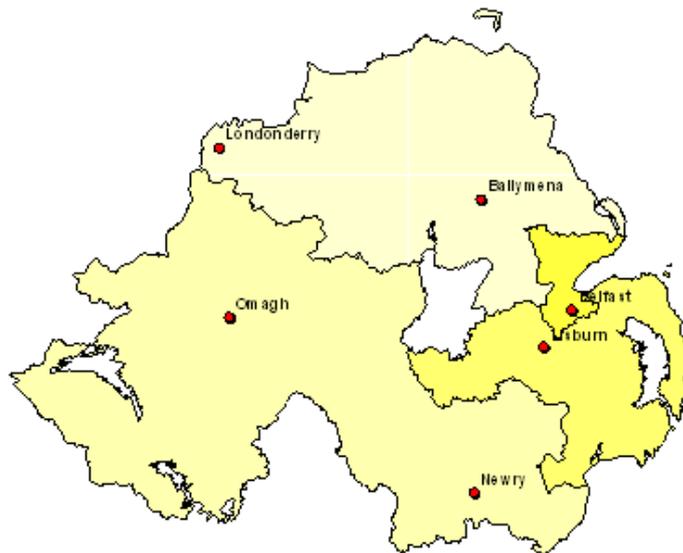
The Public Prosecution Service, which is headed by the Director of Public Prosecutions, is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in cases investigated by the police, it also considers cases investigated by other statutory authorities, such as HM Revenue and Customs.

While the PPS works closely with the police and other agencies, it is wholly independent; its decisions are impartial, based on an independent and professional assessment of the available evidence and the public interest. The PPS vision is to be recognised as providing a first class prosecution service for the people of Northern Ireland.

The PPS is a regionally based organisation (see map, below). There are four regions and each is headed by a Regional Prosecutor (Assistant Director). The Regional Prosecutor has overall responsibility for decisions as to prosecution and for the content of all prosecutions in that region, with the exception of those cases which are considered by prosecutors at

Headquarters in Belfast.

### PPS Regional Office Locations



### WHAT IS A COMPLAINT?

A 'complaint' is defined as:

*“Any communication which expresses dissatisfaction with, or criticism of, the service provided to the community by the PPS.”*

Such complaints may relate to:

- The effectiveness and efficiency of the work of the prosecution service; for example, the time taken to process a prosecution case or the promptness of payment of witness expenses.
- The manner in which a person was treated by a member of staff of the PPS or by someone acting on behalf of the PPS.
- Any failure to adhere to the PPS Code for Prosecutors or Code of Ethics, *that is, which does not relate to a prosecutorial decision*. The PPS Code for Prosecutors, which includes the Code of Ethics, is

## WHO CAN MAKE A COMPLAINT?

Any person who has had contact with the PPS in whatever capacity can make a complaint. A complaint can be made directly by an individual or through their nominated representative, for example, a family member, solicitor, support group or public representative.

## HOW CAN A COMPLAINT BE MADE?

There are a number of ways in which to make a complaint:

### **By letter – please write to your local Regional Prosecutor:**

#### Regional Prosecutor - Belfast Region

Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR

#### Regional Prosecutor - Eastern Region

Public Prosecution Service  
Lisburn Chambers  
Linen Hill House  
23 Linenhall Street  
Lisburn BT28 1FJ

#### Regional Prosecutor - Northern Region

*(For Ballymena Office)*  
Public Prosecution Service

Ballymena Chambers  
4 Parkway  
Ballymena BT43 5ET

*(For Foyle Office)*  
Public Prosecution Service  
Foyle Chambers  
35 Limavady Road  
Londonderry BT47 6LP

Regional Prosecutor - Western and Southern Region

*(For Omagh Office)*  
Public Prosecution Service  
Omagh Chambers  
Main Street  
Omagh BT78 1BL

*(For Newry Office)*  
Public Prosecution Service  
Newry Chambers  
1 Downshire Close  
Newry BT34 1FD

**By email:**

Please send the details of the complaint to: [complaints@ppsni.gsi.gov.uk](mailto:complaints@ppsni.gsi.gov.uk)

**By Telephone:**

Please contact a member of your local PPS Community Liaison Team. The telephone numbers are as follows:

Belfast Region - (028) 90 897070 / (028) 90 897071

Eastern Region (Lisburn) - (028) 92 625509

Northern Region (Ballymena) - (028) 25 666562

Northern Region (Foyle) - (028) 71 340645

Western and Southern Region (Omagh) - (028) 82 248733 / (028) 82 248736

Western and Southern Region (Newry) - (028) 30 832568

Community Liaison staff will normally be available for telephone calls during office hours (Monday to Friday, 9am to 5pm). There will be an answering machine in operation outside of these hours.

If you wish to discuss your complaint in person with a PPS representative, you should make an appointment to visit one of our regional offices. Please call the Community Liaison Team in your area who will also record an initial outline of your complaint. We will then contact you to arrange an appointment with an appropriate member of staff. Normally this should happen within 2 to 3 working days.

### **Text Phone**

A Text Phone service is available on (028) 90 897011.

### **At Court:**

A complaint may be made by speaking to any member of staff of the PPS. Where it is possible to resolve an issue informally at the time of reporting, the matter may not need to go further.

## **WHAT INFORMATION WILL I NEED TO PROVIDE?**

To help us in dealing with your complaint, the following information would be appreciated:

- Your name, address and contact details; this may include details of any representative whom you may want to have with you or speaking for you.
- Full details of the complaint, providing as much information as possible,

- If applicable, the PPS reference number quoted in any previous correspondence you may have received.

It would also be helpful if a preferred means of contact was included, as well as an indication of the most suitable time for our staff to contact you.

In order to help you to provide all necessary information, a complaint form is available on the PPS website. Community Liaison will also forward a copy of the form by post on request.

Please note that depending on the nature and/or complexity of the complaint, it may be necessary to ask you for further information at a later stage.

### **HOW QUICKLY WILL MY COMPLAINT BE DEALT WITH?**

The PPS will acknowledge receipt of your complaint within 5 working days and will normally seek to make a full response within 20 working days.

If it is not possible to make a full response within 20 days, you will be informed why the response has been delayed and given a revised target date for a full response.

### **HOW LONG DO I HAVE TO MAKE MY COMPLAINT?**

A complaint will normally only be dealt with if it is made within 12 months from the date of the incident in question.

### **WHAT CAN I DO IF I AM DISSATISFIED WITH THE WAY MY COMPLAINT HAS BEEN DEALT WITH?**

Most complainants are satisfied at the initial investigation stage. However

where this is not possible, you may refer your complaint to senior management at PPS Headquarters. In such circumstances your concerns should be set out in writing to:

Central Management Unit  
Room 314  
Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR

Normally your complaint will be dealt with by a PPS Senior Assistant Director.

It should be noted that any complaint may be brought directly to PPS Headquarters from the outset.

### **IS THERE ANY APPEAL AGAINST THE WAY THE PPS HAS DECIDED TO DEAL WITH MY COMPLAINT?**

There is an external independent assessor who will review a complaint where the complainant is not satisfied with the way in which the PPS has decided to deal with the matter.

The Independent Assessor can investigate your complaint only:

- after the matter has been investigated by the PPS, and that having been concluded, you are still not satisfied ; and
- if it is not primarily prosecutorial in nature.

You may contact the Independent Assessor by the following methods:

#### **By Letter:**

Alasdair MacLaughlin  
Independent Assessor of Complaints

for the Public Prosecution Service  
Room 21  
Rathgael House  
43 Balloo Road  
Bangor BT19 7NA

**By email:** [a.maclaughlin@btinternet.com](mailto:a.maclaughlin@btinternet.com)

**By fax:** 028 90897030

The Independent Assessor operates a confidential and secure service. On receipt of your complaint he will deal with you directly and will make available to you a copy of a leaflet which explains his role and remit in more detail.

The PPS will permit the Independent Assessor access to the correspondence relating to your complaint and will seek to meet his requests in full as he investigates your concerns.

## **POLICY ON UNACCEPTABLE ACTIONS OR BEHAVIOUR BY COMPLAINANTS**

The PPS understands that individuals may act out of character in times of difficulty or distress. Indeed a complainant may have encountered upsetting or distressing circumstances prior to bringing a complaint to the PPS. Therefore the PPS does not view actions or behaviour as unacceptable simply because a complainant is assertive or determined. However, the actions or behaviour of complainants who are angry, demanding or persistent can result in unreasonable demands on the PPS or unacceptable behaviour towards PPS staff. These can be grouped under three broad headings:

- **Aggressive or abusive behaviour:** Examples include threats, physical violence and personal verbal abuse. It is never acceptable when anger escalates into aggression directed towards a member of staff.

- Unreasonable demands: Complainants may make what the PPS considers to be unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make.
- Unreasonable persistence: It is recognised that some complainants will not accept that the organisation is unable to assist them further or provide a level of service other than that already provided. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.

There are relatively few complainants whose actions or behaviour the PPS will consider to be unacceptable. The Service's management of these actions or behaviour will depend on their nature and extent. If, for example, the actions or behaviour present a threat to the safety of PPS staff or adversely affect the Service's ability to do its work and provide a service to others, the PPS may need to restrict complainant contact. The PPS aims to do this in a way, wherever possible, that allows a complaint to progress to completion through the normal complaints handling process, including referral to the Independent Assessor where appropriate. The PPS may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these.

The PPS will normally try to maintain at least one form of contact. The PPS may inform the complainant in writing that their name is on a 'no personal contact' list, meaning that they must restrict contact with the PPS to either written communication or through a third party. In very extreme situations the PPS may inform the complainant that no further correspondence or contact of any kind will be accepted.

Any complainant subject to such restrictions can appeal the decision. A copy of the policy document is available on request.

## **COMPLAINTS ABOUT PARTNER ORGANISATIONS**

The PPS works in partnership with a number of organisations to provide a range of services, for example to victims and witnesses. Complaints about the delivery of services by partner organisations should be directed in the first instance to these bodies. The PPS website includes a range of useful contact points in this regard.

## **CAN I ASK ABOUT PROSECUTORIAL DECISIONS?**

People should be able to rely on decisions taken by the PPS. Normally if the PPS tells a suspect or a defendant that there will not be a prosecution, or that the prosecution has stopped, that is the end of the matter and the case will not start again. However, there may be reasons why the PPS will review a prosecutorial decision, for example where new evidence or information becomes available or a specific request is made by a person, typically a victim, involved in the case.

Any person who is affected by a prosecutorial decision, including a decision not to prosecute, may request that a review be carried out. A request may be made directly by an individual or through a nominated representative (for example, a family member, solicitor, support group or public representative).

When requesting a review, a person may be able to provide further evidence or information which has not previously been taken into account. In such a case the public prosecutor who made the original prosecutorial decision will carry out the review taking into account the additional evidence or information. However if no new evidence or information is provided the review will be conducted by a different public prosecutor to the person who made the original decision.

The public prosecutor conducting the review will decide whether the original decision should stand or whether a fresh decision is required. In either event the person requesting the review will be informed.

If you wish to request a review of a PPS prosecutorial decision, please write to your local Regional Prosecutor. Addresses are provided at pages 5 and 6.

Alternatively an email facility is available for enquiries of this kind: [info@ppsni.gsi.gov.uk](mailto:info@ppsni.gsi.gov.uk)

### **CAN I ASK ABOUT REASONS FOR A DECISION NOT TO PROSECUTE?**

In all cases where it does not prosecute the PPS provides reasons for its decisions, albeit in the most general terms. In a range of more serious cases the PPS goes further and gives more detailed reasons. In any case it is open to a member of the public or interested person to ask for further details of why a decision was made not to prosecute.

If you wish to make an enquiry regarding the reasons for a decision not to prosecute, please contact your Regional Prosecutor.

The Independent Assessor of Complaints does not have any role in the review of prosecution decisions or in the giving of reasons for decisions.

### **COMPLAINT HANDLING: MONITORING ARRANGEMENTS**

The PPS is committed to ensuring that these complaint handling arrangements are effective. Therefore on completion of each complaint case, we will send you a short follow-up questionnaire asking you to provide feedback on the way your complaint was handled.

Monitoring will of course be undertaken in a confidential way. All information provided will be held securely and questionnaires can be submitted anonymously (that is, we will not require your name). However we will ask you to provide some information about yourself (for example, your age and gender). As set out in the PPS Equality Scheme, drawn up in accordance with section 75 of the Northern Ireland Act 1998, the PPS is committed to

monitoring any adverse impact as a result of any its policies to which section 75 applies. Monitoring of complaints is essential in this regard and can assist the PPS to deliver a better service.

## **GENERAL PRINCIPLES TO BE FOLLOWED BY THE PPS**

- Complaints will be investigated and dealt with by individuals other than those about whom the complaint was made.
- Complaints will be considered fairly and impartially.
- Members of the public making a complaint will be dealt with professionally and with sensitivity and courtesy at all times.
- Complaints will be fully considered in line with the policy and procedures set out in the PPS Complaint Handling Policy.
- The Independent Assessor will audit a proportion of all complaints received. The purpose of this is to identify any patterns and to obtain a clearer picture of the types of complaints being raised.
- The Independent Assessor will report annually to the Director of Public Prosecutions, where he may also make recommendations. The Director is obliged to respond to these recommendations.

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