



**Public
Prosecution
Service**

Independent
Fair
Effective

How to Give Feedback or Make a Complaint to the Public Prosecution Service

March 2022

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PURPOSE OF THIS BOOKLET

This booklet is about how to provide feedback to the PPS or how to make a complaint if you are not satisfied with the service provided to you.

The PPS is committed to providing a high standard of service at all times. However there will be occasions when we fall short of these standards. When this happens, your feedback and comments are important to us 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 page 13 for further details).

OUR COMMITMENT TO COMPLAINANTS

Our aim is to deal with all complaints sensitively, fairly and in confidence. We will inform you whether your complaint has been upheld (wholly or in part) or not upheld. If your complaint is upheld, we will apologise, put the matter right if we can and try to ensure that it does not happen to other service users.

The way in which we handle complaints is underpinned by our values, which are:

- Independence and integrity;
- Openness and honesty;
- Respect;
- Excellence;
- Partnership.

Unfortunately we are unable to offer financial compensation of any kind.

ABOUT THE PUBLIC PROSECUTION SERVICE

The Public Prosecution Service (PPS), 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. There are two regions, both headed by an Assistant Director. The Assistant Director 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.

There are also a number of other sections within the Service, which deal with specialised areas of work. These include Central Casework, the Serious Crime Unit, High Court and International and Fraud and Departmental. Each of the four sections is headed by an Assistant Director.

Corporate Services provides the PPS with a variety of professional, technical and other support services. A PPS organisation chart, as well as a map of our office locations, is provided at **Annex A**.

HOW CAN I PROVIDE FEEDBACK?

We encourage feedback on our policies, procedures and performance, both positive and negative, and welcome your opinion on any aspect of our service.

Examples of feedback:

- *Mr A is a Youth Worker and emails the PPS to commend the Service on the launch of a new youth-related policy.*
- *Ms B is unhappy with the outcome of a court case prosecuted by the PPS that she heard about in a local television news bulletin. She writes to the PPS expressing her dissatisfaction.*

Anyone can provide feedback to the PPS, and there is no time limit for doing so. General feedback of this kind will not be dealt with under our complaints procedure. However it will normally be acknowledged, recorded and analysed in order to help us to continue to deliver a high standard of service to the public.

Feedback can be provided in writing to the Information Management Team (see address details at page 7) or by email to: info@ppsni.gov.uk.

WHAT IS A COMPLAINT?

A 'complaint' is defined as:

Any communication from a service user which expresses dissatisfaction with, or criticism of, the service provided to them by the PPS.

Complaints can relate to our service delivery or to legal matters:

- **Service delivery:** These are complaints relating to the way in which we have conducted ourselves, *for instance:*
 - The manner in which a person was treated by a member of staff of the PPS;

or

- The effectiveness and efficiency of our work.
- **Legal matters:** These are complaints about any failure to adhere to the PPS Code for Prosecutors or Code of Ethics, *that is, which do not relate directly to a decision to prosecute, not to prosecute or to divert from the formal prosecution process.* The PPS Code for Prosecutors, which includes the Code of Ethics, is available via the PPS website at www.ppsni.gov.uk.

In many circumstances, a complaint may be a **blend of the two**, containing both legal and service delivery issues.

Example of a service delivery complaint

Mrs C is the victim of a burglary. She is unhappy about the length of time taken by the PPS to take a prosecutorial decision in respect of the case.

Example of a legal complaint

Mr D was assaulted on his way home from work. He writes after the defendant is acquitted, stating that the prosecution failed to call key witnesses in the case.

Example of a mixed complaint

Ms E is a victim in a case involving criminal damage. She alleges that the prosecutor had not taken CCTV footage into consideration prior to taking a decision. She is also concerned that she did not receive a letter informing her of the decision.

Where a complaint relates to ongoing criminal cases, we may only be able to provide limited information. We also reserve the right not to deal with a complaint in relation to an ongoing case if it might prejudice the proceedings.

WHO CAN MAKE A COMPLAINT?

A complaint can be made directly by any service user or through their nominated representative, for example, a family member, solicitor, support group or public representative. Where a representative is nominated, you will need to give permission for the representative to act for you. We will then liaise with the representative and treat them as if they are the complainant.

It should be noted that the PPS complaints procedure is not the appropriate mechanism for defendants to seek to have the cases against them withdrawn or to overturn their convictions. If you are a defendant in this situation your complaint will not be considered as part of our complaints procedure. You should instead seek independent legal advice.

The complaints procedure is also not intended to deal with Dignity at Work or Grievance related issues arising between staff members of the Northern Ireland Civil Service. In such circumstances, the complainant will be referred to the relevant NICS Policy.

HOW CAN A COMPLAINT BE MADE?

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

By letter to:

Information Management Team
Public Prosecution Service
Belfast Chambers
93 Chichester Street
Belfast BT1 3JR

By Email:

Please send the details of your complaint to complaints@ppsni.gov.uk.

Deaf/Hard of hearing (SMS)

A SMS service is available on 07795 675528.

By Telephone:

Contact the PPS Victim and Witness Care Unit (VWCU), which is located in the PPS's Belfast and Foyle offices. The telephone numbers are as follows:

Belfast - (028) 90 264690

For complaints concerning Belfast & Eastern Region or any of the PPS Headquarters functions.

Foyle - (028) 71 340632

For complaints concerning Western and Southern Region.

VWCU staff will normally be available for telephone calls during office hours (Monday to Friday, 9am to 5pm).

Using the PPS Website

Details of your complaint can be submitted using the complaints 'web form' which can be accessed via the PPS website at www.ppsni.gov.uk/complaints. All information submitted using this form will be transferred securely to PPS Information Management Team

We aim to ensure that everyone finds it easy to make a complaint or provide feedback on our service. If you are unable to use any of the outlined options we will be happy to receive it in an alternative format.

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, including dates, the sequence of events which gave rise to concern, documentary evidence, details of any witnesses and, if known, the names of persons involved.
- If applicable, the PPS reference number quoted in any previous correspondence you may have received.

In order to help you to provide all necessary information, a complaint form is available to download from the PPS website. The Information Management Team will also forward a hard copy of the form by post or e-mail on request.

It would also be helpful if a preferred means of contact was included, as well as an indication of the most suitable time to contact you. Depending on the nature and/or complexity of the complaint, it may be necessary to ask you for further information at a later stage. However where full details have been provided at the outset, further contact may not be considered necessary and we will inform you in writing when the complaint investigation has been completed.

If you have already tried to resolve your concerns informally with the PPS, please also provide details of the member of staff who assisted you.

WHAT ARE THE STAGES IN THE COMPLAINTS PROCEDURE?

Informal resolution

Many individuals who are dissatisfied with the service that we have provided want someone to review their concerns as quickly as possible. The initial step is to contact your local PPS office in order that the complaint might be resolved informally. It may be possible for the cause of dissatisfaction to be resolved promptly and we will aim to do so by providing an explanation, apology or other appropriate outcome.

If we cannot resolve your concerns satisfactorily you may wish to pursue a formal complaint. There are three stages within this process, as follows:

Stage One

Complaints at Stage One will be formally recorded and managed by the Information Management Team at PPS Headquarters. The complaint will be directed to the relevant Assistant Director or Head of Branch responsible for the subject matter of the complaint. They will ensure your complaint is investigated and that a reply is sent within 30 working days. Where it is not possible to complete the investigation, and provide a response within that timeframe, we will write to you providing the date by which we hope to reply.

Stage Two

Most complainants are satisfied at the initial investigation stage. However, if you are not satisfied with this response, you must tell us within one month of receiving our explanation. Any complaints received outside of this timescale will not be considered.

In such circumstances your concerns should be set out in writing to:

Head of Policy and Information
Public Prosecution Service
Belfast Chambers
93 Chichester Street
Belfast BT1 3JR

Please provide details of why you remain dissatisfied.

Normally your complaint will be referred to a senior manager from a different part of the organisation. For example, where your complaint is in relation to a regional office, the review may be conducted by an Assistant Director from PPS Headquarters. They will look into your complaint and reply within 30 working days. Where it is not possible to complete the investigation, and provide a response within that timeframe, we will write to you providing the date by which we hope to reply.

This will be the end of the process for complaints relating to legal matters.

Stage Three - Independent Assessor of Complaints

If your complaint refers to a service delivery issue, and you remain dissatisfied following Stages One and Two, you can refer your complaint to the Independent Assessor of Complaints (IAC) for review within one month of the Stage Two reply.

The IAC operates with full independence from the PPS and is responsible for reviewing complaints in relation to the quality of the service provided by the PPS and our adherence to our published complaints procedure.

The Independent Assessor can be contacted by the following methods:

By Letter:

Sarah Havlin
Independent Assessor of Complaints

for the Public Prosecution Service

P.O. Box 928

Belfast BT1 9AN

By email: independent.assessor@ppsni.gov.uk

The IAC will acknowledge receipt of your complaint and provide a full response within 40 working days of accepting the complaint. If it is not possible to complete the investigation and reply within that time, the IAC will contact you to explain why there is a delay and provide a date by which she hopes to provide a response.

The Independent Assessor operates a confidential and secure service. On receipt of your complaint she will deal with you directly and will make available to you a copy of a leaflet which explains her role and remit in more detail. The PPS will permit the Independent Assessor access to the files relating to your complaint and will seek to meet her requests in full as she investigates your concerns.

If the IAC does not accept a complaint, for example because it does not relate to a service delivery issue or it has not been through Stages One and Two of the complaints process, you will be notified of the reason for rejection within five working days of the decision.

HOW LONG DO I HAVE TO MAKE MY COMPLAINT?

Unless there are exceptional circumstances a complaint will only be dealt with if it is made within 6 months from the date of the incident in question.

OUR 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. Whilst there are relatively few complainants whose actions or behaviour the PPS will consider to be unacceptable, the Service reserves the right to restrict complainant contact, particularly where the actions or behaviour present a threat to the safety or well-being of PPS staff.

MAKING A COMPLAINT ABOUT THE TOP MANAGEMENT TEAM IN THE PPS

If you are a member of the public or an external stakeholder and your complaint is about a staff member in the top management team in the department, there is a different procedure for making a complaint.

'Top Management' in the NI Civil Service and its agencies means the Head of the Civil Service, Permanent Secretaries and anyone in a Grade 3/Deputy Secretary Position (or equivalent level). In the PPS, Senior Assistant Director is equivalent to Grade 3. Please note this does not include the Director or Deputy Director of Public Prosecutions, neither of whom are NICS Civil Servants.

Further information as to how to make a complaint about our top management can be accessed via the Department of Finance website using the link below:

[*Making a complaint about top management in the Northern Ireland Civil Service*](#)

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 OR REQUEST REASONS FOR A DECISION NOT TO PROSECUTE?

Requesting a review of a decision

People should be able to rely on decisions taken by the PPS. Normally if the PPS informs a victim that the suspect will not be prosecuted, that is the end of the matter and the case will not start again. However, there may be reasons why the PPS will review this decision, for example where new evidence or information becomes available or a specific request is made by a victim in the case. Requests 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 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.

Further guidance is available via the PPS website:

[Victims of Crime: Requesting a Review of a Decision Not to Prosecute](#)

Requesting reasons for a decision not to prosecute

In all cases where it does not prosecute the PPS provides victims with the reasons for its decision, 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 request a review of a PPS prosecutorial decision or to make an enquiry regarding the reasons for a decision not to prosecute, please write to the Information Management Team (address as above) or send an email to:

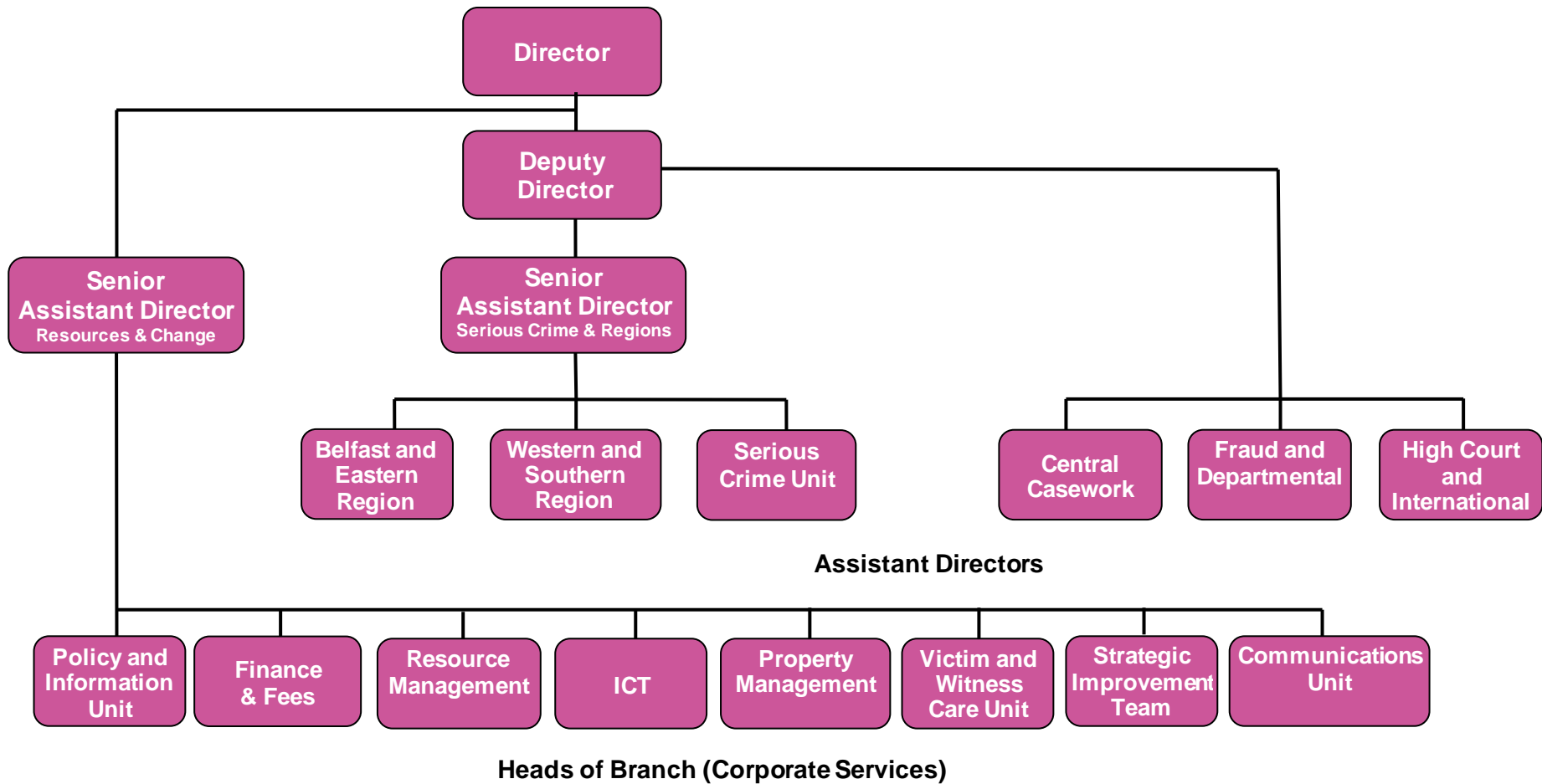
reviews@ppsni.gov.uk

The Independent Assessor of Complaints has no role in the review of prosecution decisions or in the giving of reasons for decisions.

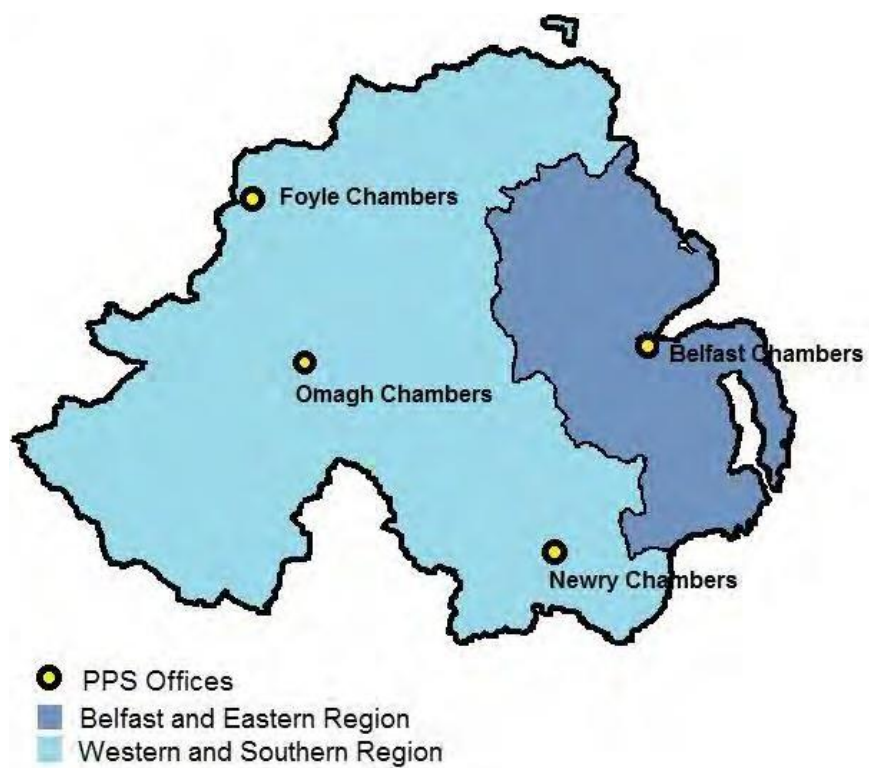
GENERAL PRINCIPLES TO BE FOLLOWED BY THE PPS

- The complaint handling process will be open and accessible.
- Complaints will be dealt with in a timely, effective and consistent manner.
- 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 in line with the policy and procedures set out in the PPS Complaint Handling Policy.
- Members of the public making a complaint will be dealt with professionally and with sensitivity and courtesy at all times.
- The complaint handling process will deliver continuous improvement.
- The Independent Assessor will consider all complaints properly referred to her and also report annually to the Director of Public Prosecutions. She may make recommendations and the Director is obliged to respond to these recommendations.
- 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.

Annex A: PPS Organisation Chart



PPS Regional Office Locations





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Contact Us

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

Policy and Information Unit

Public Prosecution Service

Belfast Chambers

93 Chichester Street

Belfast BT1 3JR

Tel: (028) 90 897100

Deaf/Hard of hearing (SMS): 07795 675528

Fax: (028) 90 897030

Email: info@ppsni.gov.uk

Website: www.ppsni.gov.uk

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