



Feedback & Complaints

How to give feedback or make a complaint
to the Crown Prosecution Service

FEEDBACK AND COMPLAINTS GUIDANCE

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1. FEEDBACK AND COMPLAINTS POLICY

1.1 Introduction

The Crown Prosecution Service (CPS) aims to provide the highest standards of service and to get things right. However, there will be occasions when we fall short of these standards. The purpose of the Feedback and Complaints Guidance is to outline how to provide feedback or make a complaint on any aspect of our service. Our aim is to listen to the public, acknowledge concerns and put things right when it is possible and appropriate to do so.

1.2 Our commitment

The role and purpose of the CPS is to bring offenders to justice, help reduce both crime and the fear of crime; promote public confidence and provide effective support to victims and witnesses.

We are committed to developing a culture of excellence by setting clear standards about the service that the public can expect from us and providing the opportunity to tell us whether or not we have met those standards. The way in which we handle complaints is underpinned by the values of the CPS which are:

- We will be independent and fair
- We will be honest and open
- We will treat everyone with respect
- We will behave professionally and strive for excellence.

The [CPS Complaints Handling Standard](#), the [Code of Practice for Victims of Crime](#), and the [Parliamentary and Health Ombudsman \(PHSO\) Principles of Good Complaints Handling](#) outline the quality of service that the public are entitled to expect from the CPS. We are held to account by the delivery of these standards and have a commitment to deal promptly and openly with complaints about our decisions and the service we provide. The Independent Assessor of Complaints (IAC) provides

external scrutiny of the complaints process in order to help us to achieve the highest standards of service.

All complaints will be handled by our specially trained Victim Liaison Officers and will be treated in the strictest confidence. We will respond to complaints effectively and deal with them sensitively, fairly and thoroughly. We will not treat any member of the public less favourably on the basis of their gender, sexual orientation, race or ethnicity, disability or religion or belief.

1.3 What does the policy cover?

The policy applies to feedback and complaints regarding the service provided by the CPS.

FEEDBACK

We encourage members of the public to provide us with feedback on our policies, procedures, services and performance, both positive and negative. We welcome your views on your experience of dealing with us or your opinion on any aspect of our service.

Examples of feedback

Mr Cram is dissatisfied with the outcome of a case prosecuted by the CPS that he read about in his local evening paper. He writes to the CPS expressing his dissatisfaction.

Ms Potts works with victims of crime; she emails the CPS to commend them on the launch of a new policy.

Any member of the public can provide feedback to the CPS, there is no time limit for doing so. All feedback will be acknowledged, recorded and analysed in order to help

us to continue to deliver a high standard of service to the public. Where it is possible and appropriate to do so, a response to the feedback will be provided.

COMPLAINTS

We consider a complaint to be *an expression of dissatisfaction about any aspect of our service by a member of the public or their representative who has been directly involved in the service complained of.*

Complaints can be:

- (a) **Legal** These are complaints relating to legal decisions made by the CPS.
- (b) **Service** These are complaints relating to the way in which we have conducted ourselves.
- (c) **Mixed** These are complaints containing both legal and service complaints.

Example of a legal complaint

Mr Smith was assaulted on his way home from work. He writes to the CPS because he is unhappy about the CPS decision to charge his assailant with common assault.

Example of a service complaint

Mrs Jones was a victim of harassment and was not given the opportunity to read her Victim Personal Statement aloud in court.

Example of a mixed complaint

Mr King is unhappy about the decision of the CPS to change the charge against his assailant from robbery to theft, he is also concerned that he did not receive a letter informing him of the decision.

Any member of the public who has had **direct contact** with the CPS can make a complaint.

A complaint can be made directly by the individual concerned or on their behalf by a nominated representative such as a family member or friend, support group, solicitor or other professional.

If you nominate a representative to complain on your behalf, you will need to give permission in writing for the representative to act for you. We will liaise with the representative and treat them as if they are the complainant.

1.4 What is not covered by the policy?

VICTIMS' RIGHT TO REVIEW CASES

Victims who are unhappy about a CPS decision not to bring **any** charges, or to end **all** proceedings, have a right to request a review of the decision under the [Victims' Right to Review Scheme \(VRR\)](#).

The CPS VRR was developed in response to the Court of Appeal judgment in the case of *Killick*¹ in which the court determined that victims of crime have a right to seek a review of CPS decisions not to prosecute or to end proceedings. The Court also decided that such requests should not be seen as complaints.

VRR requests are not complaints so they do not fall within the remit of the complaints policy. Victims who are dissatisfied with the outcome of their VRR request cannot lodge a legal complaint under the complaints policy.

DEFENCE APPLICATIONS OR APPEALS

The CPS' complaints procedure is not an avenue for defendants in ongoing cases to seek to have the cases against them dropped or for convicted individuals seek to

¹R v Christopher Killick [2011] EWCA Crim 1608.

have their conviction overturned. Correspondence of this nature will be logged as feedback and will not be considered as part of the complaints procedure. Defendants/convicted individuals in these situations should seek their own independent legal advice.

COMPLAINTS ABOUT ONGOING LEGAL PROCEEDINGS

Where a complaint relates to ongoing legal proceedings, we may only be able to provide limited information. In some situations it may be necessary to defer the consideration of a complaint if doing so might prejudice the proceedings.

ABUSIVE OR PERSISTENT COMPLAINTS

We may decline to deal with complaints that are abusive; persistent correspondence; or complaints where our formal complaints procedure has been exhausted.

COMPLAINTS ABOUT OTHER ORGANISATIONS

This policy does not apply to complaints or feedback about other partner organisations such as the police, the courts or the judiciary. Complaints and feedback about services provided by other organisations should be directed to them. Contact details for other criminal justice organisations are provided at the end of this guidance.

COMPLAINTS ABOUT CPS RECRUITMENT OR EMPLOYMENT PRACTICES

Complaints from members of the public about the outcome of recruitment campaigns or CPS employment practices fall outside the remit of this policy. Complaints of this nature will be handled in accordance with the CPS recruitment policy and relevant employment legislation.

2. FEEDBACK PROCEDURE

2.1 How do I provide feedback?

Any member of the public can provide feedback to the CPS and there is no time limit for doing so.

If you would like to provide feedback to us, you can do so in the following ways:

Website You can provide feedback through our website via the online [Feedback and Complaints form](#).

Email The [Feedback and Complaints form](#) can be downloaded from our website and sent via email or post to the relevant CPS Area. Email addresses for all CPS Areas are available on our [website](#).

Post Feedback can be provided in writing or by completion of the [Feedback and Complaints form](#) which can be downloaded from our website. Postal addresses for all CPS Areas are available on our [website](#).

Telephone Feedback can be provided by telephone. Telephone numbers of all CPS Areas are available on our [website](#).

2.2 How will my feedback be used?

All feedback received from members of the public will be acknowledged, formally recorded and analysed in order to identify improvements which can be made to develop our services so that they continue to meet the needs of the public.

The CPS is committed to delivering excellent service standards and will use public feedback to identify and develop good practice. Where it is possible and appropriate to do so, a response to the feedback will be provided.

3. COMPLAINTS PROCEDURE

3.1 Who can make a complaint?

Any member of the public who has had **direct contact** with the CPS can make a complaint.

A complaint can be made directly by the individual concerned or on their behalf by a nominated representative such as a family member or friend, support group, solicitor or other professional. If you nominate a representative to complain on your behalf, you will need to give permission in writing for the representative to act for you. We will liaise with the representative and treat them as if they are the complainant.

The complaints procedure is made up of three stages. Stage One and Two apply to Legal and Service Complaints. Stage Three applies to Service or the service element of Mixed Complaints.

3.2 What are the stages in the complaints procedure?

EARLY RESOLUTION

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

If we are unable to resolve your concerns satisfactorily then you may wish to pursue a formal complaint following the outlined procedure.

STAGE ONE

Complaints at Stage One of the procedure will be formally recorded and managed by the local CPS office where the complaint originated. The complaint will be directed to the relevant manager responsible for the subject matter of the complaint. They will look into your complaint and reply to you within 20 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

If you remain dissatisfied with the response received at Stage One you may refer your complaint to the relevant Deputy/Chief Crown Prosecutor, Deputy/Casework Division Head. You should provide details of why you remain dissatisfied and the Deputy/Chief Crown Prosecutor or Deputy/Casework Division Head will review your complaint and provide a response within 20 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 decisions.

STAGE THREE – INDEPENDENT ASSESSOR OF COMPLAINTS

If your complaint refers to the way in which we have conducted ourselves (a service complaint) and you remain dissatisfied following Stages One and Two of the complaints procedure, you can refer your complaint to the Independent Assessor of Complaints (IAC) for review. The IAC operates independently from the CPS and is responsible for handling and investigating complaints from members of the public in relation to the quality of the service provided by the CPS and its adherence to its published complaints procedure. Further information about the role of the IAC is available from the [CPS website](#).

The IAC will acknowledge receipt of your complaint and will provide a full response within 40 working days of **accepting the complaint**². 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 he hopes to provide a response. If the IAC does not accept a complaint e.g. because it does not relate to a service complaint 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.

IAC CONTACT DETAILS

Stephen Shaw CBE
Independent Assessor of Complaints for the CPS
c/o Rose Court
2 Southwark Bridge
London SE1 9HS

Email address: IAComplaints@cps.gsi.gov.uk
Telephone – Assistant to the IAC: 020 3357 0893 (10am-4pm Monday to Friday)
Fax: 020 3357 0567

REFERRING COMPLAINTS TO THE PARLIAMENTARY AND HEALTH SERVICE OMBUDSMAN

Victims have the opportunity to refer their complaint to the Parliamentary and Health Service Ombudsman (PHSO), via an MP, following the IAC's review where they remain of the view that the CPS has failed to meet its obligations under the Code of Practice for Victims of Crime.

The PHSO's contact details are available in the contacts section below.

² The date of acceptance may be different to the date of receipt as it may be necessary to conduct enquiries to determine whether the case falls within the remit of the IAC.

3.3 How will my complaint be handled and what will the outcome be?

We will deal with all complaints sensitively, fairly and confidentially and will inform you whether your complaint has been upheld, either wholly or in part, or not upheld.

If your complaint is justified, we will apologise, try wherever possible to put the matter right and take steps to ensure that it does not happen again. In exceptional cases, where there has been an error on our part and there is clear evidence of uninsured material loss or severe distress caused by maladministration or poor service, a modest consolatory payment may be offered.

3.4 How can I make a complaint?

Complaints can be made in the following ways:

Website

You may make a complaint through our website via the online [Feedback and Complaints form](#).

Email

Complaints can be sent via email to the relevant CPS office. Email addresses for all CPS offices are available on our [website](#).

Post

You may make a complaint in writing or by completion of the [Feedback and Complaints form](#) which can be downloaded from our website. Postal addresses for all regional CPS offices are available on our [website](#).

Telephone

Please contact the local CPS office where your complaint originates. Telephone numbers of all CPS offices are available on our [website](#). Whilst we will try to resolve your complaint by telephone, we may ask you to put your complaint in writing (for example if we are unable to clarify the nature of your complaint over the telephone or if your complaint is complex). If you are unable to put your complaint in writing we will send you a copy of our note of the conversation for you to agree.

All complaints referred to the Independent Assessor at Stage Three of the complaints procedure will normally be provided in writing either by [email or post](#).

Accessibility

We aim to ensure that all members of the public find 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.

3.5 What information will I need to provide?

To ensure that your complaint can be dealt with quickly and efficiently, you should provide the following information:

- full name;
- postal address;
- email address;
- contact details (including the details of your nominated representative, where applicable);
- full details of the complaint and whether you are a victim, witness or other complainant; and
- preferred method of contact (letter, email, telephone).

If your complaint relates to a case, you should also include:

- the name(s) of the defendant(s)³;
- the nature and date(s) of any offence(s);
- the place where the offence(s) occurred;
- the police force that investigated the offence(s); and
- the court(s) that dealt with the case (if the case reached court).

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

3.6 How long do I have to make a complaint?

Complaints should be made **within six months** of the matter complained of. Complaints received outside of this period will only be considered in exceptional circumstances e.g. where you became aware of the matter complained about more than six months after it occurred.

If you remain dissatisfied following a reply to your complaint you may wish to escalate your complaint to the next stage. This should be done within **20 working days** of the date of receipt. If you are unable to meet this timescale, you should contact your local CPS office as soon as possible to explain the reason(s) for the delay.

Complaints received outside of this timescale will only be considered in exceptional circumstances.

³Please note that we require the name(s) of the defendant(s) in order to identify a case.

3.7 When will I receive a response to my complaint?

- We will acknowledge your complaint at each stage of the complaints process within three working days of receipt.
- We will reply to complaints at Stage One and Two within 20 working days of receipt.
- The IAC will respond to complaints within 40 working days of accepting referral of the complaint.

If it is not possible to provide a response within these timescales, we will contact you to explain why there is a delay and inform you of the date by which we hope to provide a response.

4. CONTACT DETAILS

4.1 CPS contacts

The contact details for all CPS Area offices and Casework Divisions can be found on our website at www.cps.gov.uk/contact/index.html or for regional CPS offices via the area map at www.cps.gov.uk/contact/local.html.

CPS Parliamentary and Complaints Unit

CPS Public Enquiries Helpdesk

Tel: 020 3357 0899 (10am-4pm, Monday to Friday)

Email: enquiries@cps.gsi.gov.uk

4.2 Other contacts

Parliamentary and Health Ombudsman

Tel: 0345 015 4033

Website: www.ombudsman.org.uk/home

The Attorney General's Office

Tel: 020 7271 2492

Email: correspondence@attorneygeneral.gsi.gov.uk

Website: www.gov.uk/government/organisations/attorney-generals-office

The Home Office

Tel: 020 7035 4848

Email: public.enquiries@homeoffice.gsi.gov.uk

Website: www.gov.uk/government/organisations/home-office

Independent Police Complaints Commission

Tel: 0300 020 0096

Email: enquiries@ipcc.gov.uk

Website: www.ipcc.gov.uk

The Ministry of Justice

Tel: 020 3334 3555

Email: general.queries@justice.gsi.gov.uk

Website: www.gov.uk/government/organisations/ministry-of-justice

Victim Information Service

Tel: 0808 168 9293

Website: www.victimsinformationservice.org.uk

Citizens Advice Bureau

Find your local CAB: www.citizensadvice.org.uk/index/getadvice

Website: www.citizensadvice.org.uk

