



**The
Independent
Assessor**

**The Independent Assessor
of Complaints for the
Public Prosecution Service**

Annual Report 2020/21

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About the Independent Assessor

Sarah Havlin was appointed to the role of Independent Assessor of Complaints for the Public Prosecution Service in June 2019.

Wholly independent from the PPS, Sarah is a solicitor by profession, but she has never been employed by the PPS. As the Independent Assessor she is not under the employment of the PPS and provides an independent service through a procured services contract.

Sarah's role is to investigate and report on complaints once they have been responded to fully under the internal stages of the PPS Complaints Process.

In this report, The Independent Assessor has summarised her activities during the reporting period and set out summaries of all complaints investigated and their outcomes. She has also conducted an evaluation of the Complaint Process and a performance audit of PPS complaint handling.

The formal terms of the role and the remit of the Independent Assessor can be accessed [here](#).



Sarah Havlin
Independent Assessor

Chapter 1:

Brave Leadership and Courageous Cultures

Observations of the Independent Assessor

In my second year as Independent Assessor and following on from my review of the complaint process last year (using a matrix based on the Ombudsman Association's Guide to Good Complaint Handling) I have carried out my assessment this year from a different perspective; using the strategic theme of **leadership**.

In this year's report on complaint management and complaint handling by the PPS, I have evaluated the performance of the Public Prosecution Service **as a leader**. This has been carried out not only in the context of how the PPS manages complaints, but in how it uses the intelligence gained from the feedback and insights within its complaints to drive its service and standards improvement agenda for the whole organisation.

I have therefore measured behaviours of staff and the organisational processes of PPS in complaint management and handling against the standards within the recently published matrix of '*Daring Leadership*' as developed by **Dr Brene Brown**. At the outset I should say that whilst people may take issue with the merits or perceived quality of professional and legal decisions taken by the PPS, these are not matters for comment or assessment on my part. My observations are limited to the standards of service provided by the PPS to those who engage with it as demonstrated through its complaint process. I do not question the professional decision-making of the PPS, but I do hold the PPS to account for its quality of service delivery and standards.

It is my assessment that the Public Prosecution Service has demonstrated **an honest and brave institutional attitude to learning and the organisation promotes a courageous culture in its approach to feedback coming from stakeholders through its complaints system**.

I would like to recognise this and commend the staff of the PPS for their openness to learning and improvement. Whilst my job is to evaluate the complaint system within the PPS, I believe that it is an important part of my overall complaint analysis to recognise and commend brave leadership. **Brave leadership is when an organisation commits to and lives its values, where the emphasis is on being a learner who strives continually to get things right, instead of believing that one must always be a knower and must always be right**.

The Public Prosecution Service of Northern Ireland is a leader in our society and we, quite rightly, have very high expectations of the PPS. These high expectations are

held not just by those in government and the wider justice system, but by ordinary citizens, particularly victims and their families. It is genuinely important to people that the PPS acts as a strong societal leader with steadfast ethics and principles, particularly **integrity, honesty and accountability**.

Ordinary people look up to PPS officials for guidance and expertise at times when they are feeling extremely vulnerable and frightened. This is quite a responsibility for the individual member of the PPS team.

Many who come into contact with the PPS will be going through the worst experience of their lives. Very often the complaints received by the PPS are rooted in the inevitable distress caused by the harrowing experience of going through the Criminal Justice System, particularly in the context of outcomes in convictions and sentencing which are perceived as unfair. It can be difficult to satisfy people who feel personally wronged by the system, no matter how much information and explanation is given. This type of complainant is often going to remain critical of the system and of the PPS even in the face of all of the evidence which may not support that perception.

However, many complaints received by the PPS are brought by people who are motivated to better understand the complex technicalities of an intimidating system and who want to use their own negative experience in order to improve user experience for others, with a goal of striving for a rethink or reform of practice. This type of complainant is curious rather than purely critical because this person often wants to know more and hopes the service and standards of the PPS can become better because of learning.

It is the brave organisation who can face up to both the critical person and the curious person and not only value, but actively seek to find, all the learning opportunities that may be found in every type of complaint.

In all cases assessed by me this year, I have found that the PPS **actively listens to complaints equally, provides a complaint system that is well structured and enables the voice of the complainant to be heard**.

In this reporting period I have seen many instances where complaints have directly resulted in a change to PPS policy and it is my assessment that complaints are taken very seriously at the top of the organisation. Most importantly, this is not done in a 'blame or shame' manner, but in a constructive, reflective and sympathetic way, and in a way which respects the perspectives of both service users and PPS staff.

The Director of Public Prosecutions has demonstrated an openness to direct engagement in cases where complaints have been upheld and the Senior Assistant

Director with responsibility for Corporate Services has implemented several changes to policy and process as a direct result of learning from complaints.

For example, in this reporting year I held a workshop on learning from complaints at which the Director of Public Prosecutions, The Deputy Director, The Senior Assistant Directors and all Assistant Directors were present to discuss all of the complaints which had been evaluated by me in the previous year. This workshop was focused on learning and improving practice and standards.

Senior PPS leaders engaged enthusiastically in peer learning and peer evaluation exercises which analysed situations that had been handled well and those which, on reflection, could have been handled differently. The workshop was facilitated by the Information Management Team within the Policy and Information Unit and sample case studies were analysed, common themes were discussed, and best practice was highlighted and disseminated.

I have found that this attitude at the top of the organisation to be highly compatible with the organisation's stated values:

- Independence and Integrity.
- Openness and Honesty.
- Respect.
- Excellence.
- Partnership.

Once again this year, whilst investigating PPS complaints, I have encountered managers, individual prosecutors and the most senior leaders in the PPS who have conceded points quickly, where it was appropriate. I admire the professionalism of staff who can readily admit when something could have been done better, where an opportunity was missed or a communication was flippant or poorly executed.

It is often the sign of a dysfunctional organisational culture when staff are afraid to admit mistakes. In the course of my investigations, I have never found any staff at PPS who have been reluctant to admit mistakes or to offer an apology when one is due. Considering the combative and adversarial nature of the Criminal Justice System in which they are working, this candour is even more admirable.

In my view, complaints are an extremely valuable tool in the overall analysis of quality assurance and they can help the PPS gain insight into how successful it has been in terms of 'living its values'. The attitude of the organisation's leadership to the intelligence and learning which can be gained from the organisation's complaint system can be the litmus test of the quality of that leadership and the culture of the organisation.

It is important to recognise that it is not just the senior leadership team of the PPS who are 'the leaders'. Every public facing member of the PPS staff is viewed as being a leader in our community and every person in the PPS must act as a good leader to meet the expectations of the public in the service provided by the PPS.

Instead of limiting the use of complaints as an isolated 'audit tick box' or as a method of rebuke about how things have gone wrong, it is my view that PPS staff understand that complaints contain rich intelligence which enable the organisation to 'stress test' the strength of its culture and values, to improve critical thinking as professionals and to gain insight into how willing its people are to embrace a culture of candour and accountability.

It is very encouraging for the public to see that the PPS has developed comprehensive **Prosecution Quality Standards** in which it is stated that **complaints enable the PPS to continually strive in providing high standards of service**. The Director states within the Quality Standards:

'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'

When I am assessing complaints made about the PPS, I ensure that I hold the PPS to account against its stated ambitions contained within its own framework documents relating to quality and standards, such as the PPS Quality Standards, The Code for Prosecutors and its Victim and Witness Policy.

I have compared the user experience to these stated corporate ambitions in order to demonstrate how well the PPS measures up to these stated standards in the context of listening to complaints, finding ways to offer redress at the earliest possible stage and using the learning that comes from all complaints as an enabler of improvement and a lever for change.

It has never been the case that any complaint this year has been caused by intentional disrespect, under-performance or lack of professionalism on the part of PPS staff.

In terms of areas for improvement, 'communication' is the central theme for most of the learning that emerged in the complaints investigated this year. The issues raised by complainants highlighted areas where standards of PPS practice and interaction with service users can be improved and all complaints were received positively and with an openness to learning and improvement.

Complaints may begin with a negative experience but in most cases within the PPS, they have been positive drivers for awareness raising of the part of PPS staff,

particularly in terms of recognising the importance of kindness, empathy and fully embracing the dignity of all people with whom they are engaging and corresponding.

I want to pay tribute to the staff in the PPS who have been subject to complaint investigations as all of them have demonstrated bravery and honesty in accepting findings which, at times, have suggested where there is need for improvement in both practice and processes. The attitude of all staff has demonstrated that they are brave and courageous leaders of a critical and high stakes public service because they are open to feedback and learning in the quest for continuous improvement in their service to others.

It can often be a painful and stressful process for those who are subject to a complaint, but it is the leader who is willing to admit mistakes and acknowledge his or her own vulnerability who is the strongest leader.

Accordingly, I would like to acknowledge the courage of all of the PPS staff who have been involved in the reflection and learning process within the PPS complaint process. Whilst addressing the concerns of stakeholders is paramount, I think staff should receive credit for the challenging role they perform as they are often working under a huge amount of pressure and public scrutiny. Despite this, I have found that overall there is evidence of PPS staff embracing the sometimes painful process of learning and continuous improvement through feedback from critical stakeholders.

My evaluation of the PPS Complaint Process contained in the following chapters of this report is based on Dr Brene Brown's principles of 'brave leaders'. I have tested PPS responses to complaints against standards of what Dr Brown calls 'courageous cultures' under the following themes:

- Being a Learner and Striving to Get it Right.
- Honest Conversations.
- Learning from others from a place of empathy, accountability and learning.
- Practicing Values.
- Accepting and embracing challenge.
- Owning failures, setbacks and disappointments.

My overall view is that the greatest learning for the PPS through its complaint system has been the need for continuous improvement of standards of communication, provision of full information that is easy to understand and to focus on the importance of clear and honest communication which is grounded in values of kindness and understanding.

Whilst interaction with stakeholders must be professionally capable, the service provided by the PPS (particularly when working with victims and families) must also

be shaped and managed by an understanding of the human condition, by emotional intelligence, by the values of empathy and solidarity and an understanding of full humanity.

I do not underestimate that this is a challenging balance to strike. The embracing of the rich organisational learning from complaints on the part of PPS leadership and which is disseminated throughout the organisation, demonstrates that the value of complaints cannot be underestimated as part of an overall quality assurance audit of an organisation's leadership and culture. I therefore wish to thank and acknowledge all the complainants who came forward this year to enable honest reflection on the part of the PPS.

I wish to particularly thank Dr Richard Scullion (Head of Policy and Information) and the Information Management Team within the PPS Policy and Information Unit. Whilst I am independent of the PPS, the support of this team is invaluable to the completion of my investigations and written reports.

Sarah Havlin
Independent Assessor of Complaints

February 2022

Chapter 2: Differences in Complaint Categories and Common Misunderstandings

It is important to recognise the work done by the PPS to improve victim experience, particularly against its commitment to the Victim Charter – a wider policy of the Department of Justice - and the PPS internal policies on victim and witness care.

Many victims of crime sometimes look to the PPS as being their personal advocate or having the role of the victim's own legal team. This is not the case, because the PPS is a strictly impartial organisation acting on behalf of society, not just the individual victim. In bare legal terms, the victim is a witness for the prosecution.

Thus, a prosecutor is always balancing a range of factors and different interests, which does of course include victim care, but also includes the need to provide a value for money service to the taxpayer, a service which is absolutely impartial, upholds the operation of the rule of law and which respects the rights of accused persons to defend the charges against them.

These are often very difficult interests to balance at the same time and these complexities in the role of the prosecutor will not be obvious to those coming into the justice system for the first time. The PPS is not a victim's champion, but this can be a common misperception across society, which often leads to a situation where victims feel 'let down' by the prosecution, and this is not always a view that is justified.

I have found that this misperception is a very common theme of complaint against the PPS and often the expectation that some people hold as to what the role of a Public Prosecution Service should be, does not always correspond with its actual legal role within the system. Many of the victims I have engaged with this year have struggled to understand the difference between prosecution and victim representation.

It is also in this area of victim grievance where I find that people struggle the most with understanding the two distinct pathways of the PPS complaint system. Thus, I want to set out as clearly as possible the different types of complaint and to explain my remit as the Independent Assessor.

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.

Broadly speaking, complaints can relate to PPS service delivery or to legal matters:

- Service delivery - these are complaints about the way in which PPS officials have conducted themselves, for instance, they may relate to the manner in which a person was treated by a member of staff of the PPS or the effectiveness and efficiency of the service being delivered.
- Legal matters – these are complaints about the prosecutorial decision-making of a prosecutor during the course of a case, for example with regard to the specific charges prosecuted, whether to compel a witness to attend a trial or to change the member of Independent Counsel acting on behalf of the prosecution.

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

A complaint is ultimately escalated to me as the Independent Assessor of Complaints if it cannot be resolved at the earlier stages of the PPS complaint process. However, it is important to note that I am limited in my role as the Independent Assessor to the consideration of service delivery matters; the Independent Assessor is **never** able to investigate complaints about the professional decisions and judgements of prosecutors on legal issues as these are purely prosecutorial matters. My role is not to critique the judgement of the professionals involved, but to look at conduct and behaviours of the Prosecution team through the lens of quality of service. Accordingly, I will be interested in matters such as communication, provision of information and evaluating the interaction of PPS staff with the public and other stakeholders against PPS standards.

In a blended case the matter will be responded to in its entirety by the PPS via its internal stages but **only the quality of service complaint can be escalated to the Independent Assessor for Complaints if it remains unresolved**. The prosecutorial challenge has no further stages of escalation within PPS structures and citizens must take their own legal advice if they wish to bring an external challenge to prosecutorial decision-making.

If a blended case like this comes to me as Independent Assessor of Complaints, I must separate out the prosecutorial matters from the service-related complaints and I will only investigate the service-related matters which are within my remit.

This is something that I have found that complainants and also their legal representatives do not understand fully and so I always ensure that this is outlined and explained to complainants prior to the commencement of my investigation.

So, whilst there are some limits on my remit, what I **can** look at on behalf of complainants are important matters of service experience including those impacting on personal feelings and issues of human dignity which can include:

- how victims and witnesses have been communicated with.
- how they have been treated by the PPS.
- how they have been kept informed of the progress of a case.
- how promptly requests have been dealt with.
- how well decisions have been explained, especially to lay people not familiar with the justice system and those who are vulnerable.
- Whether staff have acted in accordance with PPS stated policy and corporate values including the Code for Prosecutors and the Victim and Witness Care policy.

Common Themes

The most common themes for unresolved distress felt by people such as victims, witnesses and defendants are mainly rooted in difficulties with:

- Delays/Case Handling.
- Communication/Information/Misunderstanding.
- Conduct of the prosecution team.

Excluded Matters

It is important for complainants to understand that I am not a professional regulator and I cannot assess the quality of case outcomes such as conviction and sentencing, or (as outlined above) the validity of professional decision-making during the conduct of a prosecution.

I cannot deal with complaints which are not matters for the PPS in terms of being outside the working responsibility and duties of the PPS. There are many separate organisations involved in the processing of crimes through the justice system, from investigation to sentencing. In many complaints I can only signpost complainants to the other organisations which may be able to respond to concerns which are outside the control and remit of the PPS.¹

¹ See Annex 2 for useful links.

Chapter 3:

Evaluation of the Complaint Process at PPS

The PPS has a 3 tier complaints process which is detailed within the complaints policy. PPS staff endeavour to resolve complaints at the earliest possible stage. Complaints are escalated to the Independent Assessor of Complaints, who can review a complaint at the request of a complainant and report their findings to Senior Management.²

By the time it comes to my attention, a complaint will have been investigated by two different PPS senior managers at Stage 1 and at Stage 2. The role of the Independent Assessor is to try and resolve cases that get beyond this stage, where, after the PPS has given a properly considered view, differences remain between PPS and the complainant.

Sometimes there are new heads of complaints at this point which are rooted in alleged shortcomings in how the complaint itself was handled. Sometimes the complainant may have an unrealistic expectation or an incomplete understanding of his or her rights and responsibilities and wishes to persist against all the evidence.

Whatever the individual circumstances in each complaint, it is vital that complainants have confidence that issues will be considered impartially and on their merits and that independent judgement will be brought to bear. In this regard the creation of the role of the Independent Assessor by the PPS as a final stage in their complaint process is to be commended. It is by no means a common feature in public sector bodies.

Method of Assessment

Last year I used the '*Guide to Principles of Good Complaint Handling*' by the British and Irish Ombudsman Association to measure and assess the PPS Complaint Process. This Guide advises that the best complaint schemes are '***firm on principles, flexible on process***' and it is a key measuring matrix when assessing the effective operation of a scheme of complaint handling.

The needs of people and resolving differences should be the core focus of building a good scheme, rather than building a scheme which is overly formulaic and a slave to processes. The PPS scheme measured up very well against standards of the Guide.

² The PPS Complaint Policy can be accessed [here](#).

Areas of process identified for improvement have been taken forward by the Information Management Team, including communication improvements and developing resources to help people better understand the difference between the different types of complaint.

Rather than repeat the same assessment and use the same evaluation matrix after such a short period, I have shifted focus to how the underpinning leadership and organisational culture of the PPS supports the practice of complaint investigation as a method of assurance and continuous improvement.

This has involved testing whether the values and principles of the organisation enable the staff who are managing complaints within the scheme **to evaluate and solve problems honestly and openly within a culture of empathy, accountability and learning.**

I have used a matrix based on the recent published research by Dr Brene Brown in at the University of Houston (*'Daring Leadership' 2020*).

I have used Dr Brown's measures to evaluate staff behaviours and PPS practice which I have observed during both my own complaint investigations and my audit of the lower tier complaints received and resolved without my involvement.

The elements of daring leadership where I have concentrated my assessment are:

- Being a Learner and Striving to Get it Right.
- Honest Conversations.
- Learning from others from a place of empathy, accountability and learning.
- Practicing Values.
- Accepting and embracing challenge.
- Owning failures, setbacks and disappointments.

Being a Learner and Striving to Get it Right

Leaders should operate from the belief that they do not always have all of the answers, but they often ask the right questions to solve problems and embrace learning.

Does complaint resolution in the PPS lead to learning and positive change in the organisation?

Is there evidence of complaints driving improvement and quality outcomes for stakeholders?

Findings:

- It is my assessment that the senior leadership of PPS views and treats complaints as an extension of the organisation's quality assurance processes.
- Feedback from complaints is responded to at the highest level of the organisation which demonstrates real recognition of the learning and development opportunity within complaints.
- During this year a learning and development workshop focused on complaints was held and attended by all of the senior leadership of the PPS.
- Complainants' expectations are managed, including when it is necessary to end abusive and difficult exchanges.
- Several improvements in processes have been implemented directly as a result of complaint outcomes.
- New communication plans for the Complaint Scheme have been devised as a result of the Independent Assessor's observations in the 2019/20 Annual Report.
- There is a visible and effective mechanism for passing back lessons from complaints at Management Board level.
- Lessons are learned by staff from the complaints they handle with a view to improving future complaint handling.
- It is recognised that it is not easy to measure all outcomes of the PPS complaint scheme quantifiably, but thought could be given to stakeholder outreach if customer satisfaction surveys are not working as a measure.

Suggestions for improvement:

- Gathering of feedback from all complainants has proved difficult but frequent users or stakeholders of the prosecution service could be used as focus group on understanding more about the frequent themes of complaints e.g., Women's Aid, Victim Support, Court staff, police liaison officers, Defence solicitors, Judiciary, Youth Justice workers, court translators and so on.
- Consideration should be given to the wider public benefit which comes from such good quality complaint handling by the PPS to highlight the added value that PPS can contribute to the system through its strong scheme and its reflective practice approach. This can include role modelling for other bodies with problematic or less effective complaints systems, developing complaint related training programmes, engagement with training bodies for legal professionals, police and other justice workers on the value of complaints and the benefit of an attitude of candour and openness to learning from your own mistakes and the different perspectives of others.

Honest Conversations

Brave Leadership requires the public official to embrace a duty of candour and honest conversations are an important practice in responding to complaints. These honest conversations should take place both internally and externally.

I would note that in my assessment of the complaints handled by the PPS last year, I found that the early intervention provisions of the Complaint Scheme were not often utilised and that most if not all complaints were handled using the formal method of investigation. I also found that there was limited direct verbal engagement with complainants and that staff instead engaged in lengthy written communications.

I do not underestimate the seriousness of some of the complaints raised and I take account of the legal complexity of the cases in PPS, often involving the most serious criminal offences. I accept that in many cases informal dialogue and direct conversations may not be appropriate and keeping matters on a formal footing may be a justified approach in many cases.

However, it is encouraging to see that this year there has been an effort on the part of the PPS to use early engagement to resolve grievances. In one particular complaint, I noted strong attempts by PPS leaders to resolve and address complaints through face to face dialogue. This is even more commendable it was in the context of a complaint from a victim in an extremely complex, sensitive and traumatic case.

The complainant did not engage in the dialogue, but the PPS is to be strongly commended for striving to achieve honest conversations early within a contested space. This is not easy, but it can be extremely effective in giving assurance, demonstrating grounded confidence and reducing the likelihood of escalation.

This is a positive development and I commend the Senior Assistant Director and Assistant Director involved for a positive and brave attitude to direct engagement in the face of robust challenge. Whilst not successful in resolving the complaint, the attempts at dialogue were offered in the spirit of being transparent, accountable and victim centred.

Findings:

- There is a flexible range of methods of initial contact from a phone call to contact by the complainant's legal representative or MLA/MP.
- It is very straightforward for unrepresented lay people to express their complaint and there is no prescribed format.

- Dedicated staff in the Information Management Team ensure that complainants are supported with information and guidance on first contact.
- Informal dialogue and early resolution methods are provided for under the PPS scheme and this year I can see that there is a recent move towards embracing this opportunity.
- There is a range of options for resolution: apology, explanation, a change of PPS policy, recognition of distress and assurance given for future practice.
- The PPS has offered face to face meetings in complaints.
- PPS complaint assessors are open to making different findings than those found by their peers.
- The scheme allows for complainant driven requests which are accommodated if appropriate.
- There is evidence of changes to practice, or the introduction of new protocols based on learning from complaints.
- Response from senior management to recommendations is always positive and with 100% acceptance rate.

Learning from others from a place of empathy, accountability and learning

Does the PPS approach complaints from a place of self-protection where people are expected to look, work and deliver perfectly to self-protect against criticism judgement and blame, or do people hold themselves accountable in a respectful way and where learning from mistakes is encouraged and valued?

One particular commendation to the PPS in this context is the consistent culture on the part of complaint assessors of actively looking for points to concede in complaints. In almost every complaint, there is evidence of a concerted effort to find space within the complaint to make an early concession and an apology where possible, even if that can only be found on subsidiary points.

This is often done in cases where the substantive complaint is not upheld but where there may have been a gap identified or a correction required, for example if mistaken information had been given or a communication had not been answered in good time or at all. This is clear evidence of a healthy attitude of learning and empathy with service users and gives the message 'we **want** to learn whatever we can from your experience'.

Findings:

- Subject to the requirements of confidentiality and legal issues, there is a presumption in favour of making information freely available to members of the public on request.

- The PPS leadership team receives regular reports on complaints and responds positively and not punitively.
- The organisational culture around the sharing of learning from complaints is one of learning & development and reflective practice and not of 'blame and shame'.
- Internal governance of the complaint scheme is visible and well understood including with up to date policies and procedures which are continually monitored and reviewed from a standards perspective.
- The PPS has an Information Management Team who are responsible for collating details of complaints from each region and preparing quarterly reports for the Management Board.
- The Independent Assessor has a clear independent role, there is a published statement of its role and remit together with a clear purpose of the role showing an openness to external scrutiny.
- The staged internal investigation system by senior staff with escalation to an independent person is a model of good practice in terms of the complaint handling principles of the Ombudsman Association and also promotes honest and candid peer to peer assessment in a positive and constructive way.
- The Independent Assessor's findings are valued and acted upon in the spirit of welcoming continuous improvement.
- Staff attend high quality and relevant professional development courses in the area of Complaints Handling. Two members of the Information Management Team and an Assistant Director of PPS attended the Westminster Insights Conference on Complaints Handling in the Public Sector.
- The Head of Policy and Information has developed significant improvement initiatives in communications with the public to explain the complexities of the PPS complaint process including a one-page information diagram and an easy read guide to the difference between complaints and prosecutorial matters.

Suggestion for further improvement:

- Consideration should be given, in order to secure wider public and stakeholder understanding of the quality of the PPS complaint scheme, to increasing relationships with consumer/victim representative bodies and other statutory and voluntary sector organisations involved in criminal justice. The Department is currently bringing forward legislation focused on improving the criminal justice system for victims and the PPS has significant evidence of how it has used its complaint system to listen to the voice of victims and make its own systemic improvements. This is a very positive story which is important to share.

Practicing Values

Often when measuring performance we tend to avoid using qualitative indicators which are values based. We are more inclined to think 'you can't measure honesty or respect'. This is incorrect. It is a case of finding the right methodology of measuring behaviours against values. Often, organisations concentrate on quantitative measures focused on performance and if performance is solid then there are no consequences for behaviours which are outside of values. What is the practice within PPS complaints handling?

The stated values of the PPS are:

- Independence and Integrity.
- Openness and Honesty.
- Respect.
- Excellence.
- Partnership.

My critical analysis in this context was based on looking for behaviours and evidence which distinguishes the mere profession of values and the actual practice of those values.

I have analysed PPS communications with complainants in this reporting year on the basis of assessing behaviours against professed values.

Findings:

- *Independence and Integrity*

Both first tier and second tier responses always give a forensic dissection of the complaint, the issues for examination and the findings with clear reasons given. Not only are responses of an outstanding quality but they are objectively written with an open attitude to considering all perspectives. This was evidenced in all cases examined by me.

- *Openness and Honesty*

I was struck by the candour of PPS officials in many complaint responses. In cases which were upheld there has been direct and honest ownership of shortcomings:

'I do nonetheless acknowledge and appreciate the frustrations which you have highlighted and the difficulties you explained in contacting PPS. I would like to offer you an apology for this and uphold this aspect of your complaint. I can also confirm

that I have asked that an investigation is undertaken to check the numbers you contacted to ensure these are covered by staff.'

- *Respect*

I found consistent application of the value of respect across all dealings with complainants.

In particular, I noted a serious case in which the complaint was not upheld but where the response was caring and empathetic with a strong sense of victim's perspective:

In no way is (name of victim) an afterthought to PPS and I am truly sorry that she feels that she is. I am very aware of the courage it takes for someone to come forward to tell the police what has happened to them, particularly where this has happened in the home'

- *Excellence*

The quality of communications in all complaint responses is of the highest standards in terms of the comprehensive nature of responses and the level of drafting. Clearly PPS assessors are highly qualified and experienced lawyers and this comes through in the complaint responses across all the complaints audited by me.

A specific example of a commitment to excellence in this reporting year was when I held a workshop on learning from complaints at which the Director of Public Prosecutions, The Deputy Director, the Senior Assistant Directors and all Assistant Directors were present to discuss the complaints which had been evaluated by me in the previous year. This workshop was focused on learning and improving practice and standards.

Senior PPS leaders engaged enthusiastically in peer learning and peer evaluation exercises which analysed situations that had been handled well as well as thinking of ways to further improve in future. Those complaints which, on reflection, could have been handled differently were honestly debated.

The workshop was facilitated by the Information Management Team and sample case studies were analysed, common themes were discussed and best practice was highlighted and disseminated.

The workshop was followed up with tangible working policy and process changes, particularly in the area of communication and information.

- *Partnership*

In many complaints there was an aspect involving the Victim and Witness Care Unit (VWCU) of the PPS. VWCU which is responsible for interaction with the many victims and witnesses involved in prosecutions.

In many complaint responses I can see a significant volume of evidence which demonstrates that all staff, including the VWCU, maintain careful records of all contact and engagements with the many stakeholders of PPS, including victims and witnesses and also their representatives such as Victim Support and private firms of solicitors representing the interests of victims and witnesses.

Policy documents also guide staff as to the important milestones in a case when parties should be contacted and explanations given for complex stages of a case, adjournments, delays etc.

The PPS website also gives out extremely helpful information in plain English and with explanation of legal terms and stages of a criminal trial to enable all stakeholders to better understand the process of a prosecution. This is also very helpful for me as IAC as it enables me to signpost complainants to more information about something that they did not understand or were confused by.

All of this is strong evidence of a positive attitude to partnering across all those involved or with interest in the prosecution service. Moreover, evidence can be seen in complaint responses of the high expectations against which the PPS measures itself in terms of communicating and partnering with important people involved in their work, particularly victims and witnesses:

‘By way of explanation the staff within the VWCU are working remotely on a rota basis due to the current COVID 19 Pandemic and unfortunately do not have access to voicemails whilst working remotely. I consider however that the voicemails should have been picked up when the case worker returned to the office. The inaction in not doing so has fallen below the standards that the VWCU seeks to maintain and I would like to take this opportunity to apologise’

Findings:

- Organisational values are **clearly articulated and operationalized** as behaviours and practice within the management of complaint handling.

Suggestions for Improvement:

If I were to offer some constructive feedback it would be to say that at times the tone of the courtroom has crept into some communications which may create an overly

combative tone for a complaint process which may not always achieve the practice of the stated values of the PPS.

For example, phrases in a complaint response such as '*(Name of staff member) would entirely refute this allegation*' may be standard practice in terms of the language and practice of the court, but can come across as aggressive when a large organisation is communicating with an individual in a complaint process. This phrase also creates an unnecessarily personalised, defensive and combative tone.

It is important to reject unsubstantiated accusations, but it would be better practice in a complaint to use alternative language for example: '*this point is not accepted and is not supported by any evidence*'.

Accepting and embracing challenge

'Blustering' has historically been perceived as a valued trait in the legal arena and people have the perception that lawyers are combative, argumentative and arrogant. This is a view that is often expressed to me by complainants. Is this a fair criticism? My assessment of the PPS complaint responses this year is that PPS leaders actively engage with stakeholders in order to challenge these commonly held perceptions. I have found extensive evidence in the complaint records which demonstrates that empathy is taught, modelled and expected at the most senior grades in the organisation.

Findings:

- The complaint scheme's principal aim is to secure a fair and proportionate result which brings closure for the complainant and the organisation.
- The complaint scheme is also utilised for the promotion of learning and best practice standards.
- Staff are open to challenge, to early admission of errors and have a courageous attitude to reflective practice and peer evaluation.
- Complaint learning is actively disseminated across the leadership team.
- Policy changes have flowed from learning achieved from complaints.
- Challenge is accepted gracefully and with genuine curiosity to find learning opportunities.
- Significant time and effort is spent at very senior levels of leadership when investigating and responding to all complaints. For example, a complaint arising from a relatively minor prosecution in the Magistrates' Court is normally investigated by an Assistant Director.
- Two examples of evidence of positive change and action at an official level in PPS as a direct result of learning from complaints is set out below:

Extract from a letter to the Independent Assessor from the Senior Assistant Director of PPS:

'I note that you have not upheld the complaint though you have concluded there is learning in terms of communication management for the benefit of PPS staff as well as service users. You state that in your opinion, a call screen should be in place to protect both parties to any official call, particularly when it is in a legal context.

I accept the related recommendation and have asked the Head of Property Management, to make contact with NI Direct to establish what can be ascertained regarding the transfer of calls to PPS including the frequency and whether or not such information is recorded. He will also see if he can establish the actual methodology and protocols pertaining to call transfers and whether PPS can request any amendments to the central process.'

Extract from a letter issued directly from the Head of Policy and Information to a complainant after his complaint was upheld by Independent Assessor

'...in terms of the wider issue of viewing CCTV and other digital evidence, I would ask you to note that the PPS Policy and Information Unit has recently taken steps to clarify the position for prosecutors. This has taken the form of a new Staff Instruction which provides clear advice and guidance for prosecutors as to when video footage shared by police must be viewed before taking a prosecution decision'

Owning failures, setbacks and disappointments

Owning our failures through open discussion, learning from them and embedding that learning in our work and our teams means that we can lead from a place of grounded confidence instead of self-protection. How does the PPS measure up to this in the context of complaint handling?

The PPS has a robust system in place that normalises the potential for error. For example, both its complaint system and the Code for Prosecutors actively informs stakeholders how to hold the PPS and its staff to account. There are active open processes to analyse and learn from error.

It is very easy for organisations operating in contentious and high stakes environments to project feelings of shame, guilt, humiliation and embarrassment on staff when they make mistakes. This in turn leads to dysfunction, cover ups and toxic organizational cultures.

When reading through the complaint responses across the PPS there is strong evidence of a **willingness to be fully accountable, that diverse perspectives are valued and admissions are made in the spirit of striving for improvement.** This

is commendable considering the level of pressure and public scrutiny under which the PPS is operating.

Findings:

- Reasonable failures and setbacks are seen as a part of innovation and growth.
- Leadership is expected and cultivated at all staff levels.
- Being vulnerable and practising authenticity is safe, modelled and seen as courageous.
- Excellence and accuracy are embedded organizational expectations but not at the cost of candour; giving an immediate admission when something could have been done better is common practice in complaint responses.

Chapter 4:

Complaints Investigated by the Independent Assessor

During the reporting period there were a total of 3 complaints not resolved at Stage One and Stage Two and which were investigated by the Independent Assessor:

- Upheld/Partially = 1
- Not Upheld = 2

Case 1 - Not Upheld

A complaint from a self-represented defendant regarding the service provided by the Public Prosecution Service during a telephone conversation which took place between the complainant and a Prosecutor.

Some of the complaints raised involved very serious allegations of misconduct and cover up which were found to be entirely unsubstantiated. Whilst I did not uphold this complaint, I observed there was learning in terms of communication management on phone calls for the benefit of PPS staff as well as service users. This was accepted positively by the PPS leadership.

Case 2 - Partially Upheld

A complaint by a victim of crime that in the prosecution of several offences, the prosecutor did not prosecute a charge of possession of an offensive weapon and did not request vital evidence which would support that charge. The complainant was further dissatisfied with the conduct of the prosecutor in that she told the victim that she did not consider the CCTV evidence herself before taking the prosecutorial decision of not to prosecute this particular offence.

In partially upholding the complaint, I believed that the complainant was owed an apology for the unintended distress caused by information relayed to him by the PPS in this case. I should say that I also found that the PPS had already conceded most of what the complainant had submitted about the omission on the part of the prosecutor, but no apology had been offered. It was my view that the PPS needed to go a little further in its concession.

I was careful to make the distinction between the professional decision taken not to prosecute the offence in question and the way in which the information was relayed to the victim.

It was my view that giving an apology would not undermine the merits of the prosecutorial decision taken as it was clear that an Assistant Director had undertaken his own review of the decision to prosecute and was satisfied, on the basis of his personal assessment of all of the available evidence, that the right charges were prosecuted in order to secure the most appropriate outcome. It should be noted that the defendant was ultimately convicted and sentenced.

I also note that the Assistant Director went further in terms of victim care when he stated that he would ensure that all relevant information about the behaviour of the accused was brought to the attention of the court on sentencing and as a result would seek a restraining order.

The viewing of the CCTV footage by the prosecutor at the stage of deciding on prosecuting the charges may not have changed the prosecutorial decision-making in this particular case, nor may it have had any impact on the ultimate outcome of the case. However, in my view, it was important to be open and honest and to recognise that the victim had an expectation that the footage might have changed the approach to the case and he would likely view such an omission as being a lack of diligence and/or insensitive to the perspective of the victim.

This was accepted in full by PPS leadership and an apology was offered for the unintentional distress caused.

Case 3 – Not upheld

A complaint by a victim of crime for the inordinate delay in managing a complaint and mismanagement of a conflict of interest during a complaint process. This complaint was part of a very difficult and complex case.

Shortcomings in terms of delay had already been entirely conceded at the most senior level of PPS leadership and sincere apology had been given. I did not uphold the complaint about mismanaging a conflict of interest.

I reiterated and underlined the importance of the ownership, recognition and the unequivocal apology that had been quickly offered by the PPS in this case. I also observed some excellent practice in attempts by the PPS to engage in face to face dialogue, early resolution and conciliation of this complaint in a sensitive and traumatic case.

The victim did not engage in face to face dialogue for very good reasons, after such a prolonged period of ongoing trauma throughout a distressing and difficult case. The victim was thanked for sharing her very difficult experiences which is always valuable in terms of awareness raising from the perspective of victims. This was not

easy for her and it is important for people in the system to hear and understand this perspective.

Chapter 5:

Performance Audit of Complaint Process

A statistical analysis of the complaints received during 2020/21 is presented in detail at **Annex 1**.

Complaint Numbers and Outcomes

- The very clear positive statistic for PPS complaints is that during the reporting period 45,628 files were processed by the PPS and a total of **43** complaints were received.
- Of those 43 complaints received, 40% (17 complaints) were either upheld or partially upheld. It is extremely encouraging to see almost half of all complaints being conceded and recognised as valid in some way. **This supports the view that the PPS have actively looked for grounds on which to concede where possible.** This is the same percentage of conceded complaints as the previous year of 2019/20, a year which had a significant change from earlier years where the rate of conceded complaints had been as low as 15%.
- 2 complaints were resolved by means of early resolution or informal methods, compared to 3 in the previous year. There are clearly ongoing barriers to increasing engagement and early resolution, but I have noted positive improvements to direct engagement in individual cases.
- 33 complaints resolved/withdrawn at Stage 1.
- 10 proceeded to Stage 2.
- Of the 10 which were dealt with at Stage 2 a total of 3 complaints were escalated to the IAC. This is half the number which were escalated to the IAC in the previous year which is commendable.
- Only 1 complaint was partially upheld by the IAC.

This analysis gives some positive headlines for the PPS:

- just over 0.1% of the total files processed by PPS gave rise to a complaint.
- The majority of complaints received were satisfactorily dealt with at Stage 1.
- 40% of complaints at Early Resolution/Stage 1 were upheld/partially upheld by the PPS – in my view this does not show weakness or a bias to error but instead shows strength of values of courage, honesty and partnership and a bias to action.
- Out of 26 complaints ‘not upheld’ at Stage 1, only 10 proceeded to Stage 2 showing most people are satisfied with the PPS assessment/explanation of the issues at Stage 1 even when the complaint was not upheld.

- Of the 10 complaints which were not satisfied at Stage 2, only 3 complainants pursued the matter to the IAC, again showing that most people were satisfied with the PPS assessment/explanation of the issues at Stage 2, even when the complaint was not upheld.
- Out of those 3 continuing complaints, a significant majority were not upheld by the IAC and only 1 complaint was partially upheld by the IAC.

In respect of this evidence it is reasonable to conclude that:

- PPS has an extremely low level of complaints in the context of the volume of business conducted.
- 40% of complaints were conceded at the earliest possible stage.
- The internal process is very effective at resolving the majority of complaints.
- Only one complaint which reached the Independent Assessor resulted in a different finding from Stage 2, demonstrating a significant improvement in terms of how the outcomes of cases dealt with at Stage 2 in PPS have been fortified by the investigation of the Independent Assessor in all but one case.

My observation of this evidence is that the PPS carries out its extensive work with an extremely low level of complaints received, and, when it does receive complaints, they are dealt with openly and honestly with concessions made as early as possible. A small number remain unresolved by the end of Stage 2 and only a very small number result in a different finding on investigation and assessment by the Independent Assessor.

Benefits of Early Concessions and/or Dialogue

I would observe that the most positive statistic in terms of complaint outcomes is contained within the year on year comparison figures over 5 years.

This reporting period shows the lowest number of total complaints received over the 5 year period, and it also shows that, proportionately, this year had the highest number of complaints which were upheld/partially upheld.

This is an encouraging statistic because **the amount of people who feel the need to complain has gone down but the attitude of candour on the part of PPS in early recognition of where things could have been done better or done differently has improved in the last two years as reported.** This suggests a reassuring level of ability to concede and compromise with complainants on the part of the PPS in recent years.

If I were to have one constructive criticism for the PPS to improve upon it would be that, as in previous years, an extremely small number of complaints were resolved by early or informal resolution prior to the formality of a Stage 1 investigation.

This may be something that is outside the control of the PPS, because not all complainants wish to participate in informal dialogue, and many prefer to go straight to a formal mechanism. Indeed, the adversarial nature of the work of the prosecution service may mean that very serious allegations must be treated with the full rigour of a formal process.

I was very reassured to see in one case, which was brought by a victim of crime and was investigated by me as IAC, that there had been extensive efforts on the part of the most senior level of leadership in the PPS to engage in face to face dialogue with the complainant. This was the case both at the point when she raised grievances during the prosecution and afterwards when she brought her formal complaint. Even when the dialogue was rejected by the complainant, there was clear evidence on the part of the PPS staff to demonstrate empathy and kindness and to offer every opportunity for direct dialogue. This is highly commendable.

Complaint Themes

In descending order, the most common themes of the complaints received were:

1. Communication/Information.
2. Case Handling/Delay.
3. Primarily Prosecutorial.
4. Conduct.
5. Court Performance.
6. Other.

These themes are broadly consistent with the most common themes in the previous year but with a marked decrease in case handling complaints and similarly marked increase in communication-based complaints.

In my view, even case handling complaints involve an issue of miscommunication with many people not understanding valid reasons for case delays and that some delays are outside the control of the PPS.

This may suggest the need for more information and education of stakeholders in PPS communications. Consideration could be given to an animation video on the PPS website and disseminated on social media and stakeholder platforms to help people understand the role of the PPS and the many parts of a criminal trial. Other public bodies have used professionally produced animations to educate and inform the public on complex processes with significant success.

Complaints By Business Area

As per last year, Belfast and Eastern Region is where the highest number of complaints originate. Given the amount of business conducted in the Region this is not surprising. Corporate Services had the same number of complaints as the Belfast and Eastern Region. However, it should be noted that the Corporate Services figure includes the Victim and Witness Care Unit, which (as outlined above) engages directly with a very large number of victims and witnesses on an annual basis.

Otherwise, complaints appear to be originating evenly and proportionately across business areas.

Timeliness

The target for **Acknowledgement** of Complaints is 5 working days. Achievement of this target is strong to very strong across all business areas.

The target of **Complaint Response** is 20 working days. Last year, the analysis of this target highlighted an area of concern in both the Private Office, Central and the Serious Crime Unit.

Last year Belfast and Eastern and Western and Southern Regions managed 100% achievement of this target. Corporate Services achieved 86%. Serious Crime Unit achieved 57% and the Private Office Central achieved only 50%.

This year only Southern managed 100% achievement against this target, but it must be noted this region only received 1 complaint in the year. All other business areas have struggled to meet this, but it must be borne in mind that the impact of the lockdown and restrictions will have severely impacted on staff time and business priorities. Bearing this in mind, the achievement against this target is commendable, with most business areas achieving at least 80%.

Complaint investigation can be significantly time-consuming. The complexity of the issues raised, the accessibility of records and the availability of staff and other witnesses who may need to be interviewed can be unpredictable variables which will impact on always achieving against this ambitious target.

With this in mind, consideration may need to be given to extending or staggering the target, for example 20 days being preferred and 30 days being the upper limit.

Who Is Complaining?

- The most common category of complainant were victims of crime, their relatives and their legal representatives, which accounts for 67% of complaints.
- This is followed by defendants in prosecutions, their relatives and legal representatives at 18% of complaints.
- 7% of complaints were brought by witnesses other than victims.

Of the remaining 8%:

- a single complaint was brought by another government department.
- 2 complaints were classed as 'other'.

This would seem to be a proportionate representation of service users of the PPS. The higher numbers of victims as complainants are not surprising given the traumatic circumstances of criminal proceedings for victims of crime.

What Is their Remedy?

As stated in my opening observations, there is reassurance for service users of the PPS in terms of its standards, evidenced by the PPS policy around Victim and Witness Care, its adherence to the Victim Charter, as well as its comprehensive policy documents – the Prosecution Quality Standards policy and the Code for Prosecutors.

It is also reassuring to find that a significant number of complaints brought by victims have been upheld or partially upheld and action has been taken to offer an apology, confirm that staff training will be improved or policy and procedures will be changed and developed.

Complainants therefore can achieve:

- Closure from having a complaint recognised and upheld.
- Restoration through an unequivocal apology being offered.
- Satisfaction that the complaint has changed attitudes, raised awareness improved practice and/or changed PPS policy.

Chapter 6:

Conclusion

Leadership is never easy, but there is no stronger response to the critic than to show a willingness to accept error and demonstrate a commitment to 'learning to rise'; learning to rise is to rise from our falls, overcome our mistakes and face criticism in a way that brings wisdom. This is the essence of brave leadership and it is evidence of striving to embed courageous professional cultures in public service. Turning towards truth enables us to embrace compassion and courage. When we deny or disengage from the tough conversations and emotions, they own and define us.

There have been times when the PPS could have done things better and this has been a learning from several complaints this year. The criticisms within these complaints have added value to the service by driving PPS staff towards addressing any errors or shortcomings through targeted improvements.

I commend the efficacy of the PPS complaint system and the culture of accountability promoted by its organisational leadership, because this demonstrates that the PPS sees its job is not to deny the stories coming through the complaint process, but to recognise opportunity for learning and better engagement with those who would be critical of the service it provides.

I am grateful to those who bravely shared their experiences by bringing their complaints, many of which were extremely painful and personal. I am also reassured by those in the PPS who fronted up and who owned and addressed the criticisms.

In that spirit I will close with the words of Theodore Roosevelt:

It is not the critic who counts, not the man or woman who points out how the strong man or woman stumbles or where the doer of deeds could have done better. The credit belongs to the man or woman who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly...who at best knows in the end the triumph of achievement, and who at the worst, if s/he fails, at least fails while daring greatly'.

I wish all staff at the PPS well in their continued and evolving journey of continuous improvement of service and standards – the valiant striving towards doing things even better tomorrow than they were done yesterday.

I hope that the PPS can continue to use their complaint system to embrace the building of staff courage and cultivating a culture in which brave work, tough conversations and compassion for both self and others are embedded values.

Sarah Havlin
Independent Assessor of Complaints

Annex 1: Complaints Handling in the PPS 2020/21

Total Complaints

Numbers of complaints

Year	Complaints Logged
2016/17	66
2017/18	90
2018/19	59
2019/20	53
2020/21	43

Outcome of complaints

Year	Upheld	Partially Upheld	Not Upheld	Resolved Informally	No further action required	Outstanding	Total
2016/17	3	14	33	4	11	1	66
2017/28	7	11	60	7	3	1	89
2018/19	2	7	44	3	2	1	59
2019/20	7	14	28	3	0	1	53
2020/21	5	12	24	2	0	0	43

Complaints Substantiated (Partially or wholly upheld)

Year	Number of Complaints	% Substantiated
2016/17	66	26
2017/18	90	20
2018/19	58	15
2019/20	53	40
2020/21	43	40

Reasons for complaints

	2019/20	2020/21
Case Handling/Delay	24	12
Primarily prosecutorial	13	8
Communication / Information	15	27
Conduct of staff / Counsel	11	7
Court Performance	5	5
Other	11	5
Total	79	64

Note: Multiple reasons may be recorded against an individual complaint.

Complaints by Regional Area

Total number of complaints received

	Belfast	Western	Southern	SCU	Corporate Services	Total
2020/21	14/43 (32.5%)	5/43 (12%)	1/43 (2%)	9/43 (21%)	14/43 (32.5%)	43/43

Complaints Substantiated (Partially or wholly upheld)

	Belfast	Western	Southern	SCU	Corporate Services	Total
2020/21	5/14 (36%)	2/5 (40%)	1/1 (100%)	3/9 (33%)	6/14 (43%)	17/43 (39%)

Numbers of complaints acknowledged within 5 days

	Belfast	Western	Southern	SCU	Corporate Services	Total
2020/21	14/14 (100%)	5/5 (100%)	1 / 1 (100%)	3/9 (33%)	6/14 (43%)	43/43 (100%)

Numbers of complaints dealt within 20 days

	Belfast	Western	Southern	SCU	Corporate Services	Total
2020/21	12/14 (86%)	3/5 (60%)	1/1 (100%)	8/9 (89%)	12/14 (86%)	36/43 (84%)

Types of Complainant

Complainants	Number
Victims	20
Victim's Relatives	4
Victim's Legal Rep	5
Defendants	7
Defendant's Legal Rep	1
Witnesses	3
Departmental	1
Other	2

Complainants

Complainants	Belfast	Western	Southern	SCU	Corporate Services	Total
Victims	6	2	1	2	9	20
Victim's Relatives	1			2	1	4
Victim's Legal Rep	3	2				5
Defendants	4			2	1	7
Defendant's Relatives						
Defendant's Legal Rep						1
Witnesses	1				2	3
PSNI						
Departmental					1	1
Other				2		2

Basis of Complaint by Region

Complaint	Belfast & Eastern	Western	Southern	SCU	Corporate Services	Total
Communication/Information	10	4	1	3	9	27
Staff/Counsel	3	1		1	2	7
Court Performance	1			4		5
Delay/ Handling	3	3		4	2	12
Prosecutorial	3	1		3	1	8
Other	1				4	5

Basis of Complaint by Complainant

Complainants	Victims	Victim's relatives/ reps	Witnesses	Defendants	Defendant's relatives/ reps	Departmental	Other	Number
Communication/Information	15	5	2	3	1		1	27
Staff/Counsel	2	2		1		1	1	7
Court Performance	2	1		1			1	5
Delay/ Handling	4	4	1	1	1		1	12
Prosecutorial	5			2			1	8
Other	1	1	1	2				5

Outcomes by Complainant

Complainants	Victims	Victim's relatives/ reps	Witnesses	Defendants	Defendant's relatives/ reps	Departmental	Other	Number
Upheld	1	3	1					5
Partially Upheld	5	2	1	2	1		1	12
Not Upheld	13	3	1	5		1	1	24
Resolved Informally	1	1						2
No Further Action								
Outstanding								

Means of Complaint

	Belfast	Western	Southern	SCU	Corporate Services	Total
Email	11	4		7	13	35
Portal	1				1	2
Letter	2	1	1	2		6

Second Tier Complaints

There were 10 files that escalated to second tier. All of the findings at second tier concurred with the findings of the initial complaints.

Six of these were Victims/Victims' families, 3 were from Defendants' Representatives and 1 Departmental
The complainants were from the following areas:

SCU - 5

Belfast - 3

Corporate Services - 1

Southern - 1

Annex 2:

Useful Links

- Guidance on the PPS Complaint Policy can be found [here](#)
- The Role and Remit of the Independent Assessor and Biography of Sarah Havlin can be found [here](#)
- The Code for Prosecutors can be found [here](#)
- PPS Prosecution Quality Standards can be found [here](#)
- PPS Victim and Witness Policy is [here](#)
- Complaints about the Police Service of Northern Ireland can be made to the Police Ombudsman and can be found [here](#)
- Complaints about the professional conduct of barristers acting for the PPS can be made to the professional regulatory body, the Bar Council of Northern Ireland, and can be found [here](#)
- Complaints guidance about the Northern Ireland Courts and Tribunal Service can be found [here](#)
- Complaints about Judges can be made to the Office of the Lady Chief Justice [here](#)
- Complaints about the Prison Service Northern Ireland can be made [here](#)
- Complaints about the Probation Service of Northern Ireland can be made [here](#)

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