

## COMPLAIN FOR CHANGE

# How to complain about your experience as a victim of crime



[www.cvocni.org](http://www.cvocni.org)

COMMISSIONER  
FOR VICTIMS  
OF CRIME

## Introduction

Every year thousands of individuals become victims of crime bringing them into contact with the Northern Ireland Criminal Justice System. The Criminal Justice System is made up of several independent agencies including the PSNI, the Public Prosecution Service, and the NI Courts and Tribunal Service.

As a victim, you should be treated with dignity and respect by all criminal justice agencies and you should receive a minimum set of entitlements. These entitlements are outlined in the Northern Ireland Victim Charter.

If you do not receive these entitlements or are unhappy with how you have been treated, you can make a complaint.

It is important to remember that your feedback can help agencies improve the quality of their service and ensure that you, and other victims of crime, receive the best standard of care.

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## How we can help

The Commissioner cannot complain on your behalf, however, if you are unsure of who you need to complain to, or how to make a complaint, the Commissioner's office can advise you how to do this and what information to include in your complaint.

The Commissioner is keen to capture the common themes that arise in victims' complaints so would encourage you to copy the Commissioner's office in your complaint and ask for the agency to copy the Commissioner into any reply sent to you.

If you would like to discuss, contact us on

028 9052 6607

HAVEYOURSAY@CVOONI.ORG

## How to complain: Getting started

Complaining about how you have been treated can be a confusing process. We have listed our top tips to help you get started.

### 1 Contact the agency you want to complain about

The first step is to complain directly to the agency or governing body in question. If you are unsure which agency your experience relates to, please contact the Commissioner's office for advice.

### 2 Check the organisation's complaints procedure

All agencies have an official complaints procedure, with different stages of escalation. Details of the process can normally be found on their website or you can find out information by calling the agency directly. Follow the instructions and be sure to escalate your complaint through the agencies official process if you are not happy with their initial response.

Each agency usually has a timeframe within which they will respond to your complaint. If the agency has not responded to you within their stated timeframe you can follow up with them and ask them to respond.

### 3 Make your complaint clear

Work out what you want to say, including:

- A brief overview of your case.
- Any case reference number or defendant's name.
- An outline of what you were unhappy with.
- How were you treated and how did that differ from what you expected?
- Any entitlement included in the Victim Charter which you did not receive.
- How it has affected you or someone else.
- Keep your complaint clear and short, so your main points stand out.



Follow the instructions and be sure to escalate your complaint through the agencies official process if you are not happy with their initial response.

#### 4 Decide what you hope to achieve

Be prepared to tell the agency what you would like it to do to put things right. This could be to apologise or to take action to prevent the same mistake happening again.

#### 5 Complain as soon as you can

It's best to complain as soon as possible if you can while events are still fresh in your mind.

#### 6 Include your contact details

Tell the organisation how you would like it to contact you and include a reference number if you have one.

Under the Victim Charter, you are entitled to raise a complaint if you are not happy with the service provided.

#### 7 Keep a note of anyone involved in your complaint

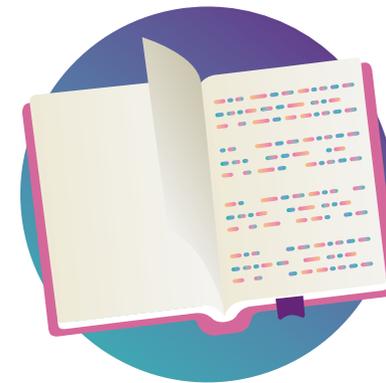
Write down the names and positions of the people involved in, and dealing with your complaint. Also keep copies of any letters or emails you get as well as any documents you send them. You may need to refer to them in the future.

#### 8 Contact us

You are entitled to have your complaint dealt with seriously and in a prompt, open and fair way.

If you are not satisfied with the response to your concerns you are entitled to raise the issue with an independent organisation who can investigate the matter on your behalf.

If you have reached the end of the complaints process and you are not happy with the outcome we are happy to talk about what you can do next and if the Commissioner can help you.



## Complaints about criminal justice agencies or the legal profession?

You can make a complaint about how you were treated by any service provider. A brief summary of the complaints process for some of the key agencies you will encounter as a victim are outlined here. More information can be found on their individual website.



## How do I make a complaint about the Police Service of Northern Ireland?

The Police Ombudsman's Office (PONI) provides an independent and impartial service for dealing with complaints against the police.

### Stage 1: The initial complaint

There are a number of ways you can submit your initial complaint to the PONI:

- Online complaints form: [www.policeombudsman.org/Complaints/English](http://www.policeombudsman.org/Complaints/English)
- Telephone: **0300 123 2989**
- Email: [complaints@policeombudsman.org](mailto:complaints@policeombudsman.org)
- In writing at the following address:  
**Initial Complaints Office, Police Ombudsman of Northern Ireland  
New Cathedral Buildings, Writers' Square, 11 Church Street, Belfast, BT1 1PG.**

You must make a complaint within one year of the incident you are concerned about. The Police Ombudsman can investigate cases older than this if they believe the matter to be grave or exceptional.

Further information can be found on their website:  
[www.policeombudsman.org](http://www.policeombudsman.org)



I HAVE THE RIGHT TO BE  
UPDATED ON PROGRESS

## How do I make a complaint to the Public Prosecution Service (PPS)?

The PPS are responsible for taking decisions on whether or not to prosecute in all cases investigated by the police. The PPS has a Victim and Witness Care Unit which acts as a single point of contact or victims whilst a case is proceeding through court. The lawyer who puts forward the case against the accused at court is either employed or instructed by the PPS.

Full information on the PPS complaints process can be found [www.ppsni.gov.uk/complaints](http://www.ppsni.gov.uk/complaints) Separate arrangements are in place if you want to make a complaint about the decision not to prosecute (see following section).

### Stage 1: The initial complaint

There are a number of ways you can submit your initial complaint to the PPS:

- Letter: **Information Management Team, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, Belfast BT1 3JR.**
- Online complaint form: [www.ppsni.gov.uk/complaints](http://www.ppsni.gov.uk/complaints)
- Email: [complaints@ppsni.gov.uk](mailto:complaints@ppsni.gov.uk)
- Telephone: to the PPS Victim and Witness Care Unit (VWCU):  
Belfast **028 9026 4690** – Belfast and Eastern Region or Headquarters functions.  
Foyle **028 7134 0632** - Western and Southern Region.

The PPS will seek to respond to you within 30 working days.

### Stage 2: Progressing your complaint further

If you are not happy with the PPS response to your initial complaint you can write to the Head of Policy and Information and request a review at: **Head of Policy and Information, Public Prosecution Service Belfast Chambers, 93 Chichester Street, Belfast BT1 3JR.**

### Stage 3: Independent Assessor of Complaints

The Independent Assessor of Complaints (IAC) can review a complaint if you are not satisfied with the way the PPS has responded. They can only investigate if the PPS have concluded their response to your initial complaint and where the issues do not relate to a decision whether or not to bring a prosecution and the complaint has already been through the first two tiers.

You can contact the IAC by:

- Letter: **IAC for the PPS, PO Box 928, Belfast BT1 9AN.**
- Email: [independent.assessor@ppsni.gov.uk](mailto:independent.assessor@ppsni.gov.uk)

## What if I want to complain about a decision not to prosecute?

Any victim of crime or a victim's representative can apply for a review of a decision by the PPS not to prosecute. This request will normally only be considered if it is made in writing within three months of the victim having been informed of the decision not to prosecute. If the case could only be heard in the Magistrates Court this timeframe may be more restricted as a prosecution cannot be commenced more than 6 months after the original incident date.

The PPS will aim to tell you the outcome within 8 weeks of your application.

The PPS have a form on their website which you can download or else you can email [reviews@ppsni.gov.uk](mailto:reviews@ppsni.gov.uk)



The sentence must not just be lenient, but must be unduly lenient.



## What if I want to complain about the sentence in case?

While sentencing is a matter for the judiciary, in certain cases the Director of Public Prosecutions can ask the Court of Appeal to review a sentence on the grounds that it is unduly lenient.

An unduly lenient sentence is one that falls outside the range of sentences that a judge, taking into consideration all relevant factors and having regard to sentencing guidance, could reasonably consider appropriate. The sentence must not just be lenient, but must be unduly lenient.

The sentence must relate to certain types of cases prosecuted in the Crown Court and must be brought within 28 days from the day the sentence was imposed. Victims, their families or members of the public who are concerned about a sentence can contact the PPS directly or through a public or legal representative about a sentence outlining their concerns.

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

Further information about unduly lenient sentences can be found on PPS website.

## How do I complain about a member of the legal profession?

In the majority of cases in the Magistrate's Court, legal services are provided by a solicitor. In the Crown Court, this service is provided by barristers.

In any trial, the role of the defence's legal representative, whether solicitor or barrister, is to represent the interests of the defendant. As such, their role is to examine your evidence through cross examination. This can feel like a difficult process but is an important part of ensuring a right to a fair and public hearing.

All legal service providers have to adhere to a code of conduct set out by their individual governing body. In the case of solicitors, this is the **Law Society of Northern Ireland** and in the case of barristers, it is the **Bar of Northern Ireland**.

If you feel that the treatment you received by a solicitor or barrister fell short of the standard set out by their individual codes of conduct, you can submit a complaint.

All legal service providers have to adhere to a code of conduct set out by their individual governing body.



I HAVE THE RIGHT TO  
**ADDITIONAL SUPPORT**

## Making a complaint to the Law Society of Northern Ireland

All professional conduct complaints about solicitors should be made to the Law Society by completing and submitting a conduct complaint form:

1. You can request a hard copy of the form by sending an email to **regulation@lawsoc-ni.org** which you can complete and return via email or by post to The Law Society of Northern Ireland, 96 Victoria Street, Belfast, County Antrim, BT1 3GN.
2. You can also fill in the form online through an online submission on the Law Society's Website - **www.lawsoc-ni.org/professional-conduct-complaint**

The Law Society cannot deal with complaints unless they receive a completed conduct complaint form, so it is important that you do this first.

If you cannot complete the form or feel you need some extra support to make the complaint, the Law Society will try to accommodate this. You can email the Law Society by email: **regulation@lawsoc-ni.org** to explain any support needs you may have and they will try to help you.

If your complaint is registered for an investigation, it will be assigned to a caseworker and you will get a letter confirming that a complaint has been commenced. The caseworker will, where possible, keep you updated on the progress of the complaint. The Law Society aims to conclude the complaint investigations within 26 weeks.

More details about the Professional Conduct Complaints process can be found on the Law Society's website: **www.lawsoc-ni.org/professional-conduct-complaint**

## Making a complaint to the Bar of Northern Ireland

Barristers must abide by the Code of Conduct for the Bar of Northern Ireland which details the standards of professional conduct and practice required by barristers.

All complaints will be considered and investigated by the Professional Conduct Committee of the Bar Council of Northern Ireland.

If you are concerned that a barrister has fallen below the professional standards expected, you may complain by submitting a Complaints Form which can be accessed via [www.barofni.com](http://www.barofni.com)

Should you wish to contact the Professional Conduct Committee via telephone, you can do so on **028 9056 2204**.

Some complaints may take longer to process, but you will be kept informed of this.



## How do I make a complaint about a Judge?

If you are unhappy with how you have been treated by a member of the Judiciary, you can complain to the Lady Chief Justice's Office.

You can submit your complaint by downloading and completing a PDF version of the complaint form. Complaints should be made promptly and, other than in exceptional circumstances, within three months of the conduct complained of.

You can then post the completed form to:

**The Complaints Officer, Lady Chief Justice's Office,  
Royal Courts of Justice, Chichester Street, Belfast BT1 3JF.**

Or by e-mail to: [JudicialComplaints@judiciaryni.uk](mailto:JudicialComplaints@judiciaryni.uk)

If you require further information or assistance, you can contact the office by email at [JudicialComplaints@judiciaryni.uk](mailto:JudicialComplaints@judiciaryni.uk) or by telephoning **028 9072 4616**.

If you are not satisfied with the response you receive, you have 10 working days from the receipt of the notification to apply for a review.



## Having your voice heard

The Commissioner wants to ensure that victims' voices are heard and that they feel empowered to demand their rights. It is your right to complain if the service you receive falls below standard.

If for whatever reason, you do not wish to make a formal complaint to an agency but would wish to share your experience with us to help inform our work, please contact us by email: [haveyoursay@cvocni.org](mailto:haveyoursay@cvocni.org) or by phone on **028 9052 6607**.

It is your right to complain if the service you receive falls below standard.





COMMISSIONER  
**FOR VICTIMS  
OF CRIME**

## Commissioner for Victims of Crime

Knockview Buildings, Stormont Estate, Belfast, BT4 3SJ.

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