

# ODPP

# Feedback and

# Complaints Policy



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## Purpose of this Policy

The ODPP aims to be accessible and responsive to victims of crime, witnesses, and our other stakeholders in the prosecution process. As an organisation we strive to deliver a quality service and continuously improve by constructively using the feedback we receive.

We expect to receive feedback, compliments, and complaints about our work. We want to know what we have done wrong, what we could do better and where we have exceeded expectations.

The purpose of this policy is to explain and support the right of our stakeholders, particularly victims and witnesses of crime, to give the Office positive and negative feedback. This policy provides a framework for taking a consistent and professional approach to complaint handling.

This policy applies to all ODPP staff and Crown Prosecutors.

## ODPP Code of Conduct

The ODPP Code of conduct incorporates principles of professionalism, independence, fairness, and the maintenance of public confidence in the justice system. In all our dealings we aim to be polite, behave ethically and consistently and free from improper influences.

## What Can You Complain About

### We will receive complaints about:

- Any allegation of impropriety or misconduct by a staff member
- Any clearly articulated grievance about the handling of a case, our policies, procedures, or service.

### A complaint is not:

- A disagreement about an assessment of facts
- A disagreement about the evaluation of evidence
- A request for a review of a decision (see Review of Decisions Policy)

**A complaint must include something more than a disagreement.**

### Examples of possible complaints are:

- Delay
- Rudeness
- Conflict of interest or bias
- Failing to follow up or to do something that was promised

## How You Can Complain

Complaints may be made in a number of ways:

- 1) By a telephone call or email to the officer responsible for the case
- 2) By letter to the responsible officer or their Manager or senior Manager or the Director of Public Prosecutions
- 3) By filling out a Complaint and Feedback Form available on the DPP website and sending it to [complaints@odpp.nsw.gov.au](mailto:complaints@odpp.nsw.gov.au) or completing the online form.

If the complaint cannot be resolved on the spot, we will acknowledge receipt of the complaint, advise you who will be handling the complaint and provide an estimate of how long it will take to respond further.

## Who Can Complain

Complaints may be made under this policy by stakeholders with an identified interest in the proceedings, such as victims, witnesses, police, and legal representatives of accused persons.

The ODPP may not respond under this policy to complaints by:

- Unrepresented accused persons about the prosecution of their case, a complaint of this nature should be raised through the relevant court where the matter is being heard.
- Members of the public who are not connected to the proceedings

## How We Will Handle Your Complaint

### Investigation and Internal Review

More serious complaints, particularly complaints about the conduct of an officer or the way a case is being handled will require investigation and internal review by one or more ODPP managers.

The officer who is the subject of the complaint will be told about the complaint and will be given an opportunity to provide their version of events.

## Professional Misconduct, Corrupt Conduct, or Criminal Offences

If our initial assessment of the complaint reveals allegations that amount to a criminal offence or corrupt conduct (within the meaning of the *Independent Commission Against Corruption Act 1988*) or professional misconduct (*Legal Profession Uniform Law Application Act 2014*) the complaint will be referred to an external agency such as the Police, the ICAC or Legal Services Commissioner for investigation and any further action.

## **How We Will Respond to Your Complaint**

The ODPP will respond in writing to a complaint received under this policy. A further response will not be provided in respect of further complaints about the same issues that were raised in the initial complaint.

## **Timeframes for Dealing with Complaints**

The ODPP will endeavour to deal with complaints as quickly as possible.

The ODPP aims to respond to a complaint within 2 weeks from the complaint being received.

If requested the ODPP will respond to the complaint in writing.



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