



Information for victims

About the CPS

The Crown Prosecution Service (CPS) is responsible for prosecuting criminal cases investigated by the police and other investigators in England and Wales.

How the CPS makes decisions

We decide whether or not to prosecute by applying the [Code for Crown Prosecutors](#) and any relevant policies to the facts of the particular case. The Code sets out the **two stage test** that has to be applied to ensure that our decisions are both fair and consistent.

Stage one: Is there enough evidence to charge?

We must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each defendant. If there is not, the case must not go ahead, no matter how serious or sensitive it may be.

If there is a realistic prospect of conviction, we will ask the next question.

Stage two: Is it in the public interest for us to bring the case to court?

A prosecution will usually take place unless we are satisfied that the public interest factors against prosecution outweigh those in favour. When considering the public interest, we take into account views expressed by victims about the impact the offence has had.

The remit of CPS decisions

The CPS' function is not to decide whether a person is guilty of a criminal offence, but to make fair, independent and objective assessments about whether it is appropriate to present charges for the criminal court to consider. The CPS assessment of any case is not in any sense a finding of, or implication of, any guilt or criminal conduct. It is not a finding of fact, which can only be made by a court, but rather an assessment of what it might be possible to prove to a court, in accordance with the Code for Crown Prosecutors.

This assessment is based on the evidence available arising out of the police investigation and not on the evidence that is likely to be gathered by the defence, and likely to be used to test the prosecution evidence. The CPS charging decision is therefore necessarily an assessment on the basis of the evidence that is available to the CPS at the time the decision is made.

CPS prosecutors must also keep every case under review, so that they take account of any change in circumstances that occurs as the case develops, including what becomes known of the defence case. If appropriate, the CPS may change the charges or stop a case.

Further information about the CPS can be found on the CPS website.

What can victims expect from the CPS?

The [Code of Practice for Victims of Crime](#) (Victims' Code) sets out minimum standards of service that victims can expect from the CPS and other criminal justice agencies. It aims to

ensure that victims are provided with timely, accurate information about their case at all stages of the criminal justice process. Further information about the Victims' Code can be found at: <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

How do we keep victims informed about our decisions?

Victim Liaison Units (VLUs) are responsible for informing victims of decisions to stop a case or significantly change charges. They are a dedicated point of contact for victims who want further information about our decisions. The VLU can also advise victims on how they can seek a review, make a complaint or provide feedback.

How do we keep victims informed about their right to review our decisions?

The [Victims' Right to Review \(VRR\)](#) scheme gives victims the right to request a review of a CPS decision either not to bring or to stop criminal proceedings.

Victims can contact their local Victim Liaison Unit (VLU) where one of our professionals will be pleased to provide information about VRR or advice about requesting a review. In addition, there is a VRR leaflet which contains more detailed information and can be found on the CPS website at www.cps.gov.uk.

How can victims provide feedback or complain?

Victims can provide feedback or make a complaint about any aspect of our service. Further information on how to do so is available on the CPS website at www.cps.gov.uk.

If you are dissatisfied with our response, you can refer a complaint to the Parliamentary and Health Service Ombudsman (PHSO). Further information on how to do this is available on the PHSO website at www.ombudsman.org.uk.

USEFUL CONTACT INFORMATION

For information about the CPS and to view or download an electronic copy of this document, please visit the CPS website at www.cps.gov.uk.

Useful Contacts:

- 1) Local CPS Office

- 2) Local Support Agencies