

# Victims' Right to Review - Policy and Guidance 2020

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## 1. Introduction

1. The [Code for Crown Prosecutors](#) gives guidance to prosecutors on the general principles to be applied when making decisions about prosecutions. Prosecutors must only start or continue a prosecution when a case has passed both stages of the Full Code Test: (i) the evidential stage; followed by (ii) the public interest stage. The Code makes clear it is not the function of the Crown Prosecution Service (CPS) to decide whether a person is guilty of a criminal offence, but to make assessments about whether it is appropriate to present charges for the criminal court to consider. The CPS assessment of a case is not in any sense a finding of, or implication of, guilt or criminal conduct. A finding of guilt can only be made by a court. Similarly, a decision not to bring criminal charges does not necessarily mean that an individual has not been a victim of crime. It is not the role of the CPS to make such determinations.
2. It is instead the duty of prosecutors to make sure that the right person is prosecuted for the right offence and to bring offenders to justice wherever possible. Casework decisions taken fairly, impartially and with integrity help to secure justice for victims, witnesses, suspects, defendants and the public. Prosecutors must ensure that the law is properly applied, that relevant evidence is put before the court and that obligations of disclosure are complied with.
3. The Code for Crown Prosecutors sets out some broad definitions which are used in CPS casework and decision making. In summary:
  - 'Victim' is used to describe a person against whom an offence has been committed, or the complainant in a case being considered or prosecuted by the CPS;

- 'Suspect' is used to describe a person who is under consideration as the subject of formal criminal proceedings;
  - 'Defendant' is used to describe a person who has been charged or summonsed; and
  - 'Offender' is used to describe a person who has admitted guilt as to the commission of an offence, or who has been found guilty in a court of law.
4. Victims of crime and the public have a legitimate expectation that those who commit offences will be brought to justice. This expectation and the rights of victims cannot be overridden by a suspect's belief that they will not be prosecuted, including where the suspect has been told that there will not be a prosecution or where a prosecution has been stopped. It is also important that victims have a right to seek a review of a decision not to prosecute, without having to seek recourse to judicial review proceedings in the first instance.
  5. The Victims' Right to Review (VRR) scheme enables victims to seek a review of certain CPS decisions not to start a prosecution or to stop a prosecution. It is an important safeguard in England and Wales in relation to the rule of law. The scheme was launched in 2013 and gives effect to the principles set out in the case of *Killick (R v Christopher Killick [2011]*. It is also an entitlement included in the [Code of Practice for Victims of Crime](#).
  6. A request for review through the VRR scheme will usually be considered and completed by the appropriate local CPS office, or by CPS Direct (CPSD), where the original decision was made. A further review, independent to the local area, may be available through the CPS Appeals and Review Unit (ARU) within the Special Crime and Counter Terrorism Division (SCCTD), where applicable. The ARU is a national CPS unit staffed with experienced prosecutors who conduct an independent review of the cases referred to them.
  7. This guidance sets out how the VRR scheme works, who can request a review, what decisions can be reviewed, how to request a review and the stages of review. A diagram setting out the review process can be found at Annex A, VRR timeframes at Annex B and a glossary of terms is included at Annex C to help clarify any legal terminology.

## 2. Victims' Right to Review - Overview

8. The VRR scheme provides a victim with a specifically designed process to

exercise the right to review certain CPS decisions not to start a prosecution or to stop a prosecution. If a new decision is required, it may be appropriate to institute or reinstitute criminal proceedings.

9. The right to request a review of a decision not to prosecute under the VRR scheme applies to decisions that have the effect of being final made by every Crown Prosecutor, regardless of their grade or position in the organisation. It is important to note that the “right” referred to in the context of the VRR scheme is the right to request a review of a final decision. It is not a guarantee that proceedings will be instituted or reinstated.
10. Occasionally there are cases where the CPS will overturn a decision not to prosecute or to deal with the case by way of an out-of-court disposal or when it will restart the prosecution. These cases include:
  - cases where a further review of the original decision shows that it was wrong and, in order to maintain confidence in the criminal justice system, a prosecution should be brought despite the earlier decision;
  - cases which are stopped so that further anticipated evidence, which is likely to become available in the fairly near future, can be collected and prepared. In these cases, the prosecutor will tell the defendant that the prosecution may well start again;
  - cases which are not prosecuted or are stopped because of a lack of evidence but where more significant evidence is discovered later; and
  - cases involving a death in which a review following the findings of an inquest concludes that a prosecution should be brought, notwithstanding any earlier decision not to prosecute.

Further, non-exhaustive, examples of cases that are reinstated, and what might constitute a ‘wrong decision’ can be found in in the Reconsidering a Prosecution Decision policy, available [here](#).

11. Prosecutors must comply with any guidelines issued by the Attorney General and with the policies and guidance of the CPS issued on behalf of the Director of Public Prosecutions, unless it is determined that there are good reasons or exceptional circumstances to depart from a policy statement in an individual case (*footnote 1*).

*Footnote 1: As Lord Judge C.J. explained in A v R [2012] EWCA Crim 434 at paragraph 84 there may be instances in which “it remains open to the prosecution in an individual case, for good reason, to disapply its own policy or guidance”. It follows that there may be very exceptional circumstances in which cases that fall within the exceptions of paragraph 19 below may nevertheless be considered for inclusion in the VRR scheme on the advice of the ARU manager or other senior manager*

## Potential review outcomes

12. Following a review under the scheme, qualifying decisions not to charge, to discontinue, and to withdraw can be instituted or reinstated, subject to any statutory time limits. There are two possible review outcomes:
  - **A New Decision:** when the earlier decision is overturned – see paragraph 10 above for some examples of circumstances where the CPS will overturn a decision not to prosecute or when it will reinstate the prosecution.
  - **Uphold Previous Decision** – the original decision not to prosecute is upheld, and the victim notified and provided with an explanation.
13. Where the CPS qualifying decision has asked the Crown Court to allow all charges in a case to ‘lie on the file (*footnote 2*) and the court has so ordered, these cases cannot be reinstated without the leave of the Crown Court or the Court of Appeal. In the context of a VRR review, while these qualifying decisions will still be reviewed under the scheme, unless a significant change in circumstances has taken place since the order was made it is highly unlikely that a court will grant leave to reinstate. Redress is therefore likely to be limited to an explanation and apology where the original decision is found to have been wrong.
14. Some qualifying decisions cannot be instituted or reinstated, such as ‘offer no evidence’ decisions and cases which become statute barred (*footnote 3*). This is because such decisions are final, and proceedings cannot be reinstated; again, redress in these circumstances is limited to an explanation and apology.
15. It is important to note that although such cases cannot be instituted or reinstated, the quality and thoroughness of the review undertaken will be no less than a review undertaken for any other category of case. The important issue being addressed in these cases is whether the original qualifying decision was wrong.

## 3. Eligibility

### Victims

*Footnote 2: This is the term used in circumstances where the CPS makes a decision not to proceed and requests that the charges be allowed “to lie on the file” marked ‘not to be proceeded without the leave of this Court or the Court of Appeal’.*

*Footnote 3: This means an offence where the statutory time limit for bringing criminal proceedings has expired and it is no longer possible for a person to be prosecuted for that offence. Offences which carry a statutory time limit are usually triable only in a magistrates court in which criminal proceedings must be commenced within 6 months of the date of the offence*

16. 'Criminal conduct' is behaviour constituting a criminal offence under the National Crime Recording Standard. A victim for the purposes of the VRR scheme is defined as follows:

*'a person who has made an allegation that they have suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by criminal conduct'.*

The scope of those affected, and defined as a victim, can include:

- close relatives of a person whose death was directly caused by criminal conduct;
- parents or guardians where the main victim is a child or youth under 18 (*footnote 4*);
- police officers who are victims of crime;
- family spokespersons of victims with a disability or who are so badly injured they cannot communicate; and
- businesses, providing they give a named point of contact.

17. There are no age restrictions in respect of those entitled to seek a review under the VRR scheme. However, if someone wishes to submit a request for review on behalf of a victim and they do not fall within one of the definitions listed above, written confirmation that they have the authority of the victim to act on their behalf must be provided.

## Decisions

18. The right to request a review under the VRR scheme arises where the CPS:

- makes a final decision not to bring proceedings (i.e. at the pre-charge stage);
- discontinues or withdraws all charges (*footnote 5*) involving the victim, thereby entirely ending all proceedings relating to them;
- has offered no evidence in all proceedings relating to the victim; or
- asks the court to leave all charges in the proceedings to 'lie on the file'.

These are known as '**qualifying decisions**' and are decisions that have the effect of being final.

*Footnote 4: In addition to a referral by a parent or guardian, referrals may also be taken from other suitable and appropriate persons connected with the child or youth at the discretion of the CPS.*

*Footnote 5: Where other allegations have not been charged, only the discontinued charge can be subject to review under the VRR scheme.*

19. Decisions that are not eligible for VRR include:

- (i) where the qualifying decision was made prior to 5 June 2013;
- (ii) where the CPS has not made a decision that has the effect of being final at the pre-charge stage;
- (iii) where the police or other investigator exercises their independent discretion not to investigate or not to investigate a case further (whether in consultation with the CPS or not) and the CPS have not been requested / have been unable to make a final decision to charge. Requests for review of such decisions should instead be addressed to the relevant policeforce/other investigator;
- (iv) where charges are brought in respect of some (but not all) allegations made or against some (but not all) possible suspects;
- (v) where a single charge or charges are terminated (*footnote 6*) but another charge or charges relating to that victim continue;
- (vi) where proceedings against one (or more) defendants are terminated but proceedings (relating to that victim) against other defendants continue;
- (vii) where a single charge or charges are substantially altered but proceedings involving that victim continue;
- (viii) cases where some (but not all) charges are left to lie on the file;
- (ix) cases which are concluded by way of out of court disposal (*footnote 7*);
- (x) cases where the victim requests that proceedings be stopped or withdraws support for the prosecution and a decision is therefore taken not to charge/to terminate proceedings. If a victim does not attend court to give evidence when required and without providing reasonable notice, and a prosecution can no longer proceed, this can be inferred as withdrawing support for the prosecution unless there are exceptional circumstances; and
- (xi) cases which are brought to an end in circumstances where the prosecution may have a right of appeal (*footnote 8*) or where a decision is made not to oppose an application to dismiss charges pursuant to Rule 9.16 of the Criminal Procedure Rules 2015.

VRR is also not available in cases where the Director of Public Prosecutions personal decision is required by law.

*Footnote 6: Further information about the termination of proceedings can be found on the CPS website here.*

*Footnote 7: An "out of court disposal" is a term used to describe alternatives to prosecution such as cautions, conditional cautions and penalty notices for disorder, intended for dealing with low- level, often first- time offending, where prosecution would not be in the public interest. It also includes restraining orders put in place following an acquittal or an offer no evidence decision.*

*Footnote 8: This includes applications for judicial review or to state a case.*

20. Cases which are not charged or are stopped and have the effect of being final decisions due to outstanding inquiries or information or material that has been requested from the investigator by the prosecutor but not received, can be subject to review under the VRR scheme but is limited to the local resolution stage (please see paragraph 40 below for more information on local resolution). Such cases may be reinstated, in accordance with the 'Reconsidering a Prosecution Decision' policy, should the material become available during the local resolution stage review and if the Full Code test is then met. If the material becomes available during this review, but the Area still upholds the original decision for further evidential or public interest reasons, only then will the decision become eligible for independent review by the ARU.

#### Date of decision

21. The VRR scheme is not retrospective in its application and will only be applied to cases in which the qualifying decision was made on or after the 5 June 2013 (the date the VRR scheme was launched).
22. Separate arrangements are in place for decisions made before 5 June 2013 in relation to allegations of child sexual abuse. In such cases, the Child Sexual Abuse Review Panel looks again at cases where a person has made previous allegations of being a victim of a sexual offence when they were under the age of 18, and the police or CPS decided that no action should be taken at the time. If the decision in relation to allegations of child sexual abuse was taken on or after 5 June 2013, a review can be requested under the VRR scheme. Further information is available at the [Child Sexual Abuse Review Panel](#) page, on the CPS website.

#### Complaints

23. If it is considered that the request for review does not fall within the scope of the VRR scheme, it may be more appropriate to handle the request as a complaint, and in line with the CPS [Feedback and Complaints](#) policy. There is a six-month time limit for bringing a complaint under the policy in all but the most exceptional circumstances. Complaints should always be managed at the local CPS office or CPSD, and not referred to ARU, unless the complaint relates to the ARU handling of the case.
24. If some elements of the victim's request constitute a complaint, while other elements fall within scope of the VRR scheme, it will not always be necessary to await the outcome of the review under the VRR scheme for the complaint to be considered and a response provided. However, if there is an overlap, and it is assessed that the VRR must be completed first, the victim will be informed that

the matter being dealt with as a complaint will be addressed at the end of the VRR process.

#### Private Prosecutions

25. Where the CPS deems that a VRR is available in respect of a qualifying decision made in accordance with the CPS Private Prosecutions policy (e.g. where a prosecution has been taken over by the CPS and discontinued or stopped), the independent review will be based on the material that was provided to the prosecutor who made the original qualifying decision. However, the reviewing prosecutor retains the right to request more material, as considered necessary.

## 4. Requesting a Review

#### How and when to request a review

26. Victims will be notified of the prosecution decision not to bring proceedings/bring proceedings to an end. Where an investigator is responsible for notifying a victim of a decision not to bring proceedings, the investigator will advise the victim of their right to review on behalf of the CPS. This notification will include the following information:
  - (a) the nature of the decision – i.e. not to charge or to discontinue proceedings; and
  - (b) whether the decision was made on evidential or public interest or other grounds.
27. If the decision is a ‘qualifying decision’ (defined above at paragraph 18), the notification will confirm that the victim is eligible to seek a review under the VRR scheme and will provide sufficient information to enable the victim to decide whether or not they wish a review to take place, and if so, what steps they need to take. Any person wishing to request a review of a decision, but who is unsure of how to do so, should contact their local CPS office for further information.
28. There is no requirement for a victim to seek legal advice or representation or to provide reasons for requesting a review. The only action a victim need take is to notify the CPS of their request for review, within the agreed time frame. Any representations which are made will be considered but should be submitted within 14 days of the request for review. Victims will be provided with contact details of the relevant CPS office in order that they can make contact by their preferred means.

29. Suspects are not routinely informed that a request has been made for review under the VRR scheme. This is to preserve confidentiality for a victim as the suspect will have been released from any bail conditions or obligations. However, suspects should have been informed by the police that a prosecution may still be brought if further evidence or information comes to light, or if the decision is reconsidered by a Crown Prosecutor who determines that a new decision is required.

#### Timeframes

30. A request for a review should ordinarily be made within 10 working days of the date of the decision letter. Requests may be submitted after 10 working days, although a delay may impact negatively on the outcome of the decision-making process. Furthermore, requests made more than three months after the qualifying decision was communicated are unlikely to be accepted unless there are exceptional circumstances. While not an exhaustive list, exceptional circumstances may include when a victim has not been notified of their right to review, or has been given incorrect information about the timeframes.
31. The CPS will, wherever possible, complete the review and communicate the decision to the victim within an overall review timeframe of 30 working days. In cases where it is not possible to provide a VRR decision within the usual timeframes, for example in more complex cases, the CPS will notify the victim accordingly. Regular updates will be provided as to the progress of the review, although these will not be more frequent than every 20 working days thereafter, until a final decision is made. A summary of these timeframes can be found at Annex B.
32. Where a case is due to become statute-barred before the VRR period expires, the CPS will aim to expedite the VRR process and provide a decision within the statutory time period, if possible. The date when the case will become statute barred will be identified and communicated to the victim when the qualifying decision is communicated so that the deadline is clear. It should be noted that where a case is referred for review on a date close to the expiry of the statutory time limit, it may not always be possible for a review to be completed within the time limit for bringing a prosecution.

#### Meeting with Victims

33. In some circumstances, victims are entitled to request a meeting with their local CPS office or CPSD to discuss a qualifying decision, before requesting a review under the VRR scheme. This can include cases involving sexual offences, cases where deaths have occurred and cases involving hate crimes. A meeting can sometimes help a victim to better understand the decision

making process and the reasons for a decision, and will negate the requirement for a review under the VRR scheme. However, there are circumstances where a meeting may not be appropriate or helpful. If the Prosecutor is of the view that a meeting is not appropriate at that stage, for example, where a review under the VRR scheme has already been requested or is anticipated, the reasons should be explained to victim and if possible any meeting deferred until after the VRR has been completed, if still required.

34. This is because there are limitations around what can be discussed at a meeting with victims before a review under the VRR scheme has been completed. For example, discussing evidence in a case could be prejudicial, should the decision subsequently be overturned following a review under the VRR scheme. These limitations can prevent any further meaningful information being provided. A meeting after a review under the VRR scheme has been completed is likely to be more beneficial to a victim, when restrictions around what can be openly discussed have fallen away.
35. If a victim requests a meeting before requesting a VRR, they should be advised that if they are considering a request for review under the VRR scheme, any meeting should be deferred until after the VRR has been completed. Once a review under the VRR scheme has been completed any meeting should be conducted by the local CPS office or CPSD that made the original decision.

## 5. The Review Process

36. The VRR scheme can include two stages of review:
- firstly, a local resolution stage where reviews are conducted by a new prosecutor at the appropriate local CPS office or CPSD where the original decision was made (*footnote 9*);
  - secondly, (if the original decision not to prosecute is upheld), if eligible, a review independent from the local CPS office where the original decision was made, conducted by the ARU.

If the original decision was made by a prosecutor in a Central Casework Division (CCD) a review will be conducted by another prosecutor in the CCD with no previous involvement in the case, or another suitably qualified prosecutor who has the necessary specialist knowledge.

A process diagram can be found at Annex A.

*Footnote 9: Local resolution is not available for CCD cases due to size and complexity.*

37. The type of qualifying decision being reviewed and the original decision maker will determine the correct review pathway. The table below provides a summary and sets out the corresponding review.

<b>Qualifying decision</b>	<b>Decision maker</b>	<b>Review</b>
<ul style="list-style-type: none"> <li>• Not to charge;</li> <li>• Discontinue;</li> <li>• Withdraw; or</li> <li>• Lie on the file.</li> </ul>	Chief Crown Prosecutors ( <i>footnote 10</i> ).	Straight to Independent Review by ARU.
	Central Casework Divisions.	Most reviews will be handled within the Central Casework Division, with no onward ARU review. The Head of Division may appoint a prosecutor (usually) from their own Division who has not been involved in the original decision. No local resolution stage.
	Area CPS Prosecutors.	Local Resolution, then Independent Review by ARU (unless conditions at paragraph 20 apply and Independent Review is not available).
<ul style="list-style-type: none"> <li>• To offer no evidence; or</li> <li>• If the statutory time limit has expired.</li> </ul>	Chief Crown Prosecutors.	Allocated to another senior prosecutor within CPS who was not involved in original decision, with no onward ARU review.
	Central Casework Divisions.	Most reviews will be handled within the Central Casework Division, with no onward ARU review. The Head of Division may appoint a prosecutor (usually) from their own Division who has not been involved in the original decision.

	Area CPS Prosecutors.	Chief Crown Prosecutor Deputy Chief Crown Prosecutor.
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38. In accordance with established CPS policies, if a case is of a nature whereby, decisions are to be taken by specialists in a particular legal field (e.g. rape and serious sexual offences) the review will also be conducted by a relevant specialist.
39. Any qualifying decision taken by a CPS Director of Legal Services (DLS) will usually be referred directly to another DLS who has not been involved in the original decision, for review. In addition, there may exceptionally be particularly sensitive or complex VRR cases where the DLS or Director of Public Prosecutions (DPP) are consulted by the Head of SCCTD or where they ask to be consulted or to undertake the independent review, at their discretion and in accordance with our established decision making arrangements. To ensure the independence of review, this can only happen if the DLS and/or DPP has had no involvement in the initial decision. There is no right for a victim to request a review by the DLS or the Director of Public Prosecutions.

#### Local Resolution

40. At the local resolution stage, for qualifying decisions not to charge, discontinue, withdraw or lie on the file, the local CPS office or CPSD should assign a new prosecutor, not previously involved in the original qualifying decision, to conduct the local resolution review.
41. If the review outcome at this stage is that proceedings should be instituted or reinstated, appropriate procedures will be followed and the victim updated.
42. If the review outcome is to uphold the original decision not to prosecute, the victim will be provided with additional information or a further explanation, and advised that if they remain dissatisfied with the decision they should contact the ARU to request an independent review (*footnote 11*). Contact details will be provided together with guidance as to how to proceed, should they wish to. Victims should make this request within 10 working days from receipt of the local resolution review decision. Once the independent review has been finalised, the victim will be given a full explanation of the decision.

*Footnote 10: A Chief Crown Prosecutor (CCP) decision can include those taken personally by a CCP or approved by a CCP.*

*Footnote 11: With the exception of case reviews described at paragraph 20, where independent review is not available.*

43. For qualifying decisions to offer no evidence, the review should be conducted by a CCP or a Deputy Chief Crown Prosecutor (DCCP) within the local CPS office. If the 'offer no evidence' qualifying decision was originally made by a CCP, the review should be allocated to another senior prosecutor within CPS who was not involved in original decision. The same approach should be taken with cases which become statute barred after a qualifying decision has been made but before a review is requested or completed. In these circumstances, there is no further review by the ARU.

#### Review of CCD cases

44. Where a decision has been taken within a CCD, a review will be conducted by another CCD prosecutor who has not been involved in the original decision or another suitably qualified prosecutor who has the necessary specialist knowledge.
45. This different arrangement is necessary because the nature of the prosecutions undertaken in the CCDs may mean that in most cases a prosecutor with experience of the particular specialism in question would be best placed to conduct the review. Following a review within the CCD, there is no further review by the ARU.

#### Change in circumstances

46. When a new decision is taken following review under the VRR scheme, and a prosecution has been instituted or reinstated, the prosecution may only be subsequently stopped exceptionally if there is a change of circumstances in the case, for example where new evidence or a loss of evidence means that the Full Code Test is no longer met. If such circumstances arise, the case will be referred back to the ARU (unless impracticable, e.g. during a trial) to consider whether to stop the prosecution. If the ARU decide to stop the prosecution, there is no recourse to a further review under the VRR scheme.

#### Judicial review

47. Following the conclusion of the VRR process, there is no scope for any further review by the CPS. If the victim remains dissatisfied with the decision, and/or wishes to challenge it further, then the victim should consider the merits of applying to the High Court for a judicial review of the decision. There is likely to be an expectation that a review under the VRR scheme will have been exercised before any judicial review of a qualifying decision is commenced.

## 6. Contacts

48. If anyone would like to ask a question about the VRR scheme, in the first

instance they should contact the CPS Area office where the original qualifying decision was made. The contact details will have been provided when the CPS informed you that the decision had been made. If you do not have these details, please visit the CPS website's [Contacts section](#).

49. The CPS public enquiry helpdesk can provide general information about the CPS and advice on who to contact if you have a specific query. The team cannot give legal advice, but may be able to provide practical information. Please do not contact the public enquiry helpdesk about specific cases. You can contact the public enquiry helpdesk on:

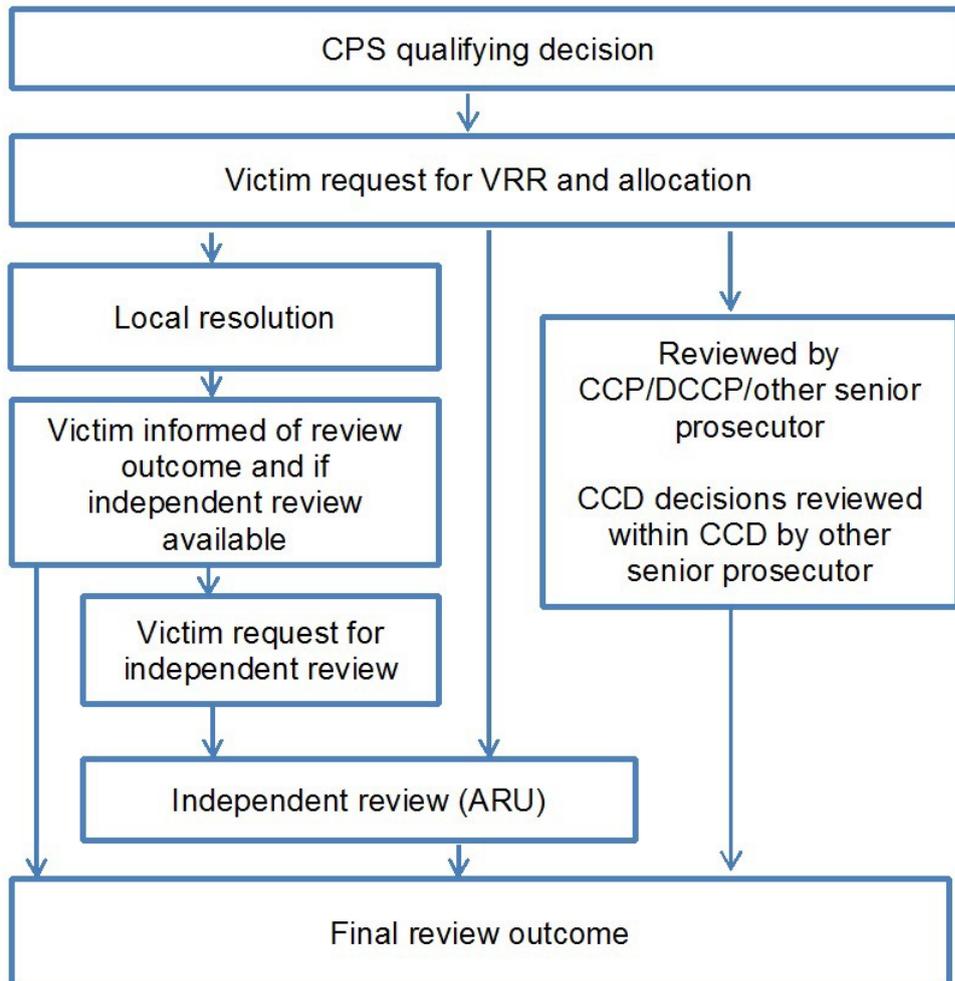
Telephone: 020 3357 0899

Email: [enquiries@cps.gov.uk](mailto:enquiries@cps.gov.uk)

CPS Public Enquiries  
102 Petty France  
London  
SW1H 9EA.

## Annex A – Review Process

The type of qualifying decision being reviewed and the original decision maker will determine the correct review pathway.



## Annex B – Timeframes

A broad summary of related VRR timeframes can be found below. Please refer to paragraphs 30-32 for more information.

<b>Stage</b>	<b>Timescale</b>
<b>Victim request for review</b>	Submitted within 10 working days of the date of the decision letter.
<b>Local resolution</b>	Completed within 10 working days of receiving a request for review.
<b>Victim request for independent review (where available)</b>	Within 10 working days from receipt of the local resolution review decision.
<b>Independent review</b>	Completed within 20 working days of receiving a request for review.
<b>Communicate final review outcome</b>	The CPS will, wherever possible, complete the review and communicate the decision to the victim within an overall review timeframe of 30 working days.

For cases which are reviewed by a CCP, DCCP or other senior prosecutor or where CCD decisions are reviewed within a CCD by another senior prosecutor, a review will be completed within 30 working days.

In all cases where it is not possible to provide a VRR decision within the usual timeframes, for example in more complex cases, the CPS will notify the victim accordingly. Regular updates will be provided as to the progress of the review, although these will not be more frequent than every 20 working days thereafter, until a final decision is made.

## Annex C - Glossary of Terms

<b>ARU</b>	Appeals and Review Unit.
<b>CCD</b>	Central Casework Division.
<b>CCP</b>	Chief Crown Prosecutor.
<b>CPS</b>	Crown Prosecution Service.
<b>DCCP</b>	Deputy Chief Crown Prosecutor.
<b>Decision not to charge</b>	When a prosecutor has decided that a person should not be charged with a criminal offence, in accordance with the Code for Crown Prosecutors.
<b>Decision to discontinue</b>	Sections 23 and 23A of the Prosecution of Offences Act 1985 give prosecutors the power to discontinue or stop proceedings.
<b>Decision to lie on file</b>	In the Crown Court the judge has the power to order that entire indictments or some counts on an indictment to 'lie on the file'. There is no verdict, so the proceedings are not formally terminated. There can be no further proceedings against the defendant on those matters, without the leave of the Crown Court or the Court of Appeal.
<b>Decision to withdraw</b>	To withdraw a charge at a Magistrates court. Offences can be withdrawn by the prosecutor in the Magistrates' court (only) at any time before adjudication by the court.
<b>Independent Review</b>	A review, independent to the local CPS area office, conducted by CPS Appeals and Review Unit (ARU).
<b>Institute</b>	To begin a prosecution if a prosecution has not previously commenced.
<b>Local Resolution</b>	Local review stage, considered and completed by the appropriate local CPS office, or CPS Direct (CPSD) where the original decision was made.
<b>Offer no evidence</b>	A prosecutor may offer no evidence in either Magistrates' Court or Crown Court proceedings and the result will be the acquittal of the defendant.
<b>Qualifying Decisions</b>	Decisions eligible for review under VRR.
<b>Reinstitute</b>	To re-start a prosecution if a prosecution had previously commenced.
<b>Statute Barred</b>	An offence where the statutory time limit for bringing criminal proceedings has expired and it is no longer possible for a person to be prosecuted for that offence. Offences which carry a statutory time limit are usually less serious offences in which

	criminal proceedings must be commenced within 6 months of the date of the offence.
<b>VRR</b>	Victims' Right to Review.