

Complaints Procedure

Prisoners Requests and Complaints are dealt with in PSI 02/2012 which was introduced in 2012 replacing PSO 2510. Paragraph 1.4 sets out the aim of the system as resolution at the lowest level in the most expeditious manner. Prisoners do not have to use the formal complaints system to raise their concerns, although there must be no obstacle or deterrent to them doing so.

So how do I make a Request?

Requests are dealt with using the applications system. Anything which proceeds beyond that stage will be treated as a complaint.

And how do I make a complaint?

Complaint forms (COMP1) should be freely available to all prisoners on the wing or residential area – much the same as any other type of application form. You do not have to ask specifically for a COMP1 form.

What do I do once I have filled in my complaint form?

Completed forms should be posted into locked boxes specifically for the purpose on the wings.

Who will reply to my complaint?

Complaints are considered and responded to in three stages entirely within establishments.

Stage 1: The complaint is submitted using form COMP1 which is white. You should receive a response, normally from a wing officer within about five working days. The response will be

made on the same form as you made your complaint.

Stage 2: Appeal to someone at management level against the stage 1 response using form COMP1A (also white.) This must be made within a week of receiving the first response. You should state why you are not happy with the first response in the space provided.

You should normally receive a response from someone at management level within seven working days. If it is going to take longer you should receive an interim reply explaining the reason for the delay.

What if I am still not happy with the response?

The next step is to contact the Prisons and Probation Ombudsman within three months of receiving a governor's response. A complaint may also be taken to the Ombudsman if no final reply is received within six weeks. The Ombudsman's address is:

*Prisons & Probation
Ombudsman
Ashley House
2 Monck St
London
SW1P 2BQ*

Reserved Subjects

The following are known as Reserved Subjects and complaints about them cannot be considered internally in the prison. You should still use a COMP1 form but it will be sent to Prison Service Headquarters, or in the case of parole, the Parole Board. You should expect a reply within about six weeks.

- Allegations against the governor
- Requests for artificial insemination
- Category A prisoners categorisation, approved visitors, change of name, marriage, transfer and allocation
- Early release on compassionate grounds
- Litigation against the Prison Service
- Mother and Baby unit placement appeals
- Parole
- Repatriation
- Section 90/91 juvenile allocations
- Special remission
- Transfer to other parts of the UK

How do I appeal an adjudication?

To appeal against adjudication by a prison governor, director or controller you need to fill in an ADJ1 form (which is blue). This form should be freely available on the wing. Once filled in, the form should be posted in the complaints box. It will then be passed to the Briefing and Casework Unit, who investigate and make a recommendation to the Area Manager, who makes the final decision. You should receive the reply within six weeks.

Since April 2005 appeals against decisions by independent adjudicators can no longer be made through the Complaints Procedure, but must be made in writing via the governor to a senior

district judge at Bow Street Magistrates Court. There is currently no mechanism, other than judicial review, for appealing the finding of guilt in these cases and the appeals can only address the level of punishment.

How do I make a confidential access complaint?

Using form COMP2 (a pink form). These forms should be available as freely as the other forms. Read the notes on the form carefully. If you think your complaint is suitable then fill in your details accordingly. Place the complaint in the envelope and seal it. Then address it to the person who you want to read it. This must be: the Governor; the Area Manager; or the Chairman of the Independent Monitoring Board. Then post the envelope in the complaints box. The envelope will only be opened by the person to whom it is addressed. You should receive a response within about six weeks. Written submissions may be sealed in an envelope, marked *Confidential Access* and posted in the complaints box.

It should be noted that filling in a pink COMP 2 confidential access form is not the next stage in the complaints procedure after using the COMP1 and COMP1A forms, and does not replace the Area Manager stage in the old system. If confidential access is used for complaints that are not suitable, your complaint may be returned unanswered.

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