

CONFIDENTIAL
ROYAL MAIL SECURITY - PROCEDURES & STANDARDS

ROYAL MAIL PROSECUTION DECISION PROCEDURE	P&S Doc. V2 Jan 11
1. PURPOSE	
<p>The aim of this document is describe the process for making a decision on whether to prosecute Royal Mail and agency employees who have been subject to criminal investigation by Royal Mail Group Ltd Investigators.</p>	
2. CONTENTS	
<p>Section 3 Prosecution Policy Section 4 Standards Section 5 Procedures</p>	
3. PROSECUTION POLICY	
<p>3.1 Prosecution Policy. Royal Mail Group Ltd Criminal Investigation and Prosecution Policy states at paragraph 3.1.6: "Sanctions for criminal behaviour will be effective, proportionate and aimed to deter. This policy supports the Code of Business Standards in normally prosecuting those who commit theft or fraud and where appropriate offences against the Postal Services Act 2000 Sections 83 & 84". (Intentional delay and opening postal packets).</p> <p>3.2 Advice From the Criminal Law Team. Royal Mail Group Ltd Criminal Investigation and Prosecution Policy states at paragraph 3.2.9: "Suspect offenders will be prosecuted where there is sufficient evidence and it is in the wider public interest in accordance with the Code for Crown Prosecutors. Decisions to prosecute in non-Crown Prosecution Services cases will be taken by nominated representatives in the business with consideration to the advice provided by Royal Mail Criminal Lawyers".</p>	
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4. STANDARDS	
<p>4.1 The general standard is to prosecute those whose suspected offences significantly damage the public interest. Compliance with the Code for Crown Prosecutors will ensure that inappropriate prosecutions are not pursued. As such each case will be judged on its own merits.</p> <p>4.2 Criminal investigations will be conducted in accordance with the procedures and standards required by courts to prosecute people.</p> <p>4.3 The Royal Mail Criminal Law Team will be familiar with both the evidential and the public interest tests in the Code for Crown Prosecutors and advise accordingly.</p> <p>4.4 The Regional Human Resources Director, or in Post Office Ltd cases the Senior Security Manager, Security Operations and in Parcelforce Worldwide the Head of HR Operations, will act as the "Decision Maker" in authorising prosecutions or not. All Decision Makers will be familiar with the evidential and the public interest tests of the Code for Crown Prosecutors and make decisions accordingly.</p>	

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- 4.5 The **evidential test** is detailed on pages 7 to 9 of the code and the **public interest test** is detailed on pages 10 to 15. The Code for Crown Prosecutors is embedded in this document below;

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5. PROCEDURES

- 5.1 The Prosecution Support Office (in Post Office Ltd cases read the Casework Management Team) will forward the criminal investigation case papers to the Criminal Law Team. A Criminal Lawyer will advise whether the case papers meet the evidential test for prosecution and provide advice on the most appropriate action to be taken. The case papers will then be returned to the Prosecution Support Office, (PSO).
- 5.2 The PSO will forward the relevant case papers to the appropriate Decision Maker for a decision on whether it is in the public interest to initiate a prosecution, issue a Simple Caution or take no further action.
- 5.3 The Decision Maker will consult the Code for Crown Prosecutors to determine the public interest test in the light of the specific case circumstances and communicate the outcome in written form to the PSO.
- 5.4 If the PSO do not receive a written decision within 5 working days then they will again contact the Decision Maker by email. This email will inform the Decision Maker that if they do not receive a written decision within a further period of 5 working days then the PSO will proceed as advised by the Criminal Law Team.
- 5.5 The PSO will initiate any relevant legal proceedings or instruct Investigators to issue a Simple Caution or take no further action. The PSO will be responsible for managing the casework process.

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