

Royal Mail Group Policy

Prosecution (S3)

Royal Mail Group



Royal Mail Group Policies

Code:	Policy Title:
S3	Prosecution

Brief Description:	
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1. Purpose

- 1.1. The Royal Mail Group Prosecution Policy:
 - 1.1.1. Supports Royal Mail Group's Code of Business Standards and Crime and Investigation Policy in prosecuting, in all circumstances in which prosecution is appropriate, those who have been investigated and are believed to have committed a criminal act against Royal Mail Group, including its employees and property
 - 1.1.2. Recognises the importance of the integrity of the mail and accordingly will consider prosecuting offenders who are believed to have stolen postal packets or otherwise interfered with postal packets (s83 of the Postal Services Act 2000).
 - 1.1.3. Applies equally to employees at every level, whether front-line, management or executive, and to non-employees equally, whether contractors, customers or having no formal relationship with Royal Mail Group.

2. Scope of Policy

- 2.1. This policy applies to criminal conduct only.
- 2.2. This policy applies to anyone who is suspected of committing a crime as outlined in paragraph 1 above.

3. Criminal Investigation

- 3.1. Prosecution will normally follow a criminal investigation, conducted by members of Royal Mail Security and other law enforcement bodies such as the Police, with a view to ascertaining whether a person:
 - 3.1.1. Should be charged with a criminal offence; or
 - 3.1.2. If charged with an offence is guilty of it.
- 3.2. For further details see the Royal Mail Group Crime and Investigation Policy

4. Prosecutorial Decisions

- 4.1. The decision to prosecute Royal Mail Group investigation cases in England and Wales will be reached in agreement between the Human Resources Director for the affected business unit or his or her nominated representative, the nominated representative from the investigation team and the lawyer advising.
- 4.2. In England and Wales Royal Mail Group cases reported by the Police will be sent to the Crown Prosecution Service (CPS). The CPS will make the prosecution decision.

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- 4.3. In Scotland the Procurator Fiscal's office will make all prosecution decisions on Royal Mail Group investigations.
- 4.4. In Northern Ireland the office of the Director of the Public Prosecution Service will make all prosecution decisions on Royal Mail Group investigation cases.
- 4.5. It is a requirement of the Royal Mail Group Conduct Code, fully outlined in paragraph 8.4 of the Royal Mail Group Crime and Investigation Policy that in reaching decisions on conduct code actions the Human Resources Director or his or her representative must liaise with those handling any criminal investigation or prosecution. In the event of any disagreement with prosecution advice in England and Wales, or inconsistency between prosecution and conduct decisions anywhere in the United Kingdom, the Head of the Criminal Law Team and the Head of the Investigation Team will consider the case and provide guidance and advice to ensure that Royal Mail Group maintains a consistent prosecution policy

5. Test for Prosecution and Public Interest

- 5.1. The decision to prosecute will be reached by applying the general principles and guidance offered by 'The Code for Crown Prosecutors', in particular 'The Full Code Test'.
- 5.2. 'The Full Code Test' will be applied and adhered to before commencing a criminal prosecution. The 'Test' has two stages. If the evidence passes the evidential stage, the Prosecutor must proceed to the second stage and decide if a prosecution is needed in the public interest. A prosecution will be required if it is in the public interest to do so.
- 5.3. Where a criminal investigation identifies an employee's behaviour that falls short of requiring a criminal prosecution the employee will normally be subject to the conduct code process.

6. Links to Other Reference Material

[G03 Code of Business Standards](#)
[\(S2\) Crime and Investigation Policy](#)

7. Document Details

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