



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Unacceptable Actions Policy

Unacceptable actions

COPFS may refuse to deal with complaints received from the relatively few correspondents whose actions or behaviour is considered unacceptable. We aim to provide a service that is accessible to all those affected by our work who wish to make a complaint. However, we retain the right, where we consider actions to be unacceptable, to restrict or change access to our service.

We do not view behaviour as unacceptable just because a complainer might be forceful or determined. However, we do consider that the actions of those who are angry, demanding or unduly persistent may result in unreasonable demands on us or unreasonable behaviour towards our staff.

We will not tolerate aggressive or abusive behaviour towards our staff including:

- threats
- physical violence
- verbal abuse
- swearing
- derogatory remarks
- rudeness.

We also consider that inflammatory statements, unsubstantiated allegations and inappropriate use of social media can be abusive behaviour. We may say that we consider a person to be making unreasonable demands or as being unreasonably persistent because of the amount of information sought, the nature and scale of service expected or the number of approaches made for example:

- demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular member of staff
- continual phone calls or letters
- repeatedly changing the substance of the complaint or raising unrelated concerns.

We will not consider these unacceptable and unreasonable demands because they impact substantially on our work and diminish service to all. We will not consider persistent complaints to be acceptable when they take up a disproportionate amount of time and resources for example:

- persistent refusal to accept a decision made in relation to a complaint
- persistent refusal to accept explanations relating to what this office can or cannot do
- continue to contact us without presenting any new information.

Vexatious correspondence or contact

We consider vexatious correspondence or contact to be contact which would impose a significant burden on COPFS and which:

- does not have a serious purpose or value
- is designed to cause disruption or annoyance
- has the effect of harassment

- would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

Managing unacceptable actions

There are very few individuals whose actions we consider unacceptable.

However, where we consider actions unacceptable we may:

- terminate a telephone call should the person act in a threatening, abusive, or unreasonable manner
- ask the person to leave our office should they act in a threatening, abusive or unreasonable manner
- inform that no further action will be taken in response to a complaint which has exhausted our complaints procedure
- advise that only new or substantive issues will receive a further response
- restrict the format of the contact that we have
- advise that a complaint we consider to be persistent or vexatious will not receive a substantive reply.

Procedures for managing unacceptable actions

In the limited number of cases where contact is being restricted we will write to the individual concerned advising the reasons why the contact is being limited and advising that if they disagree with the decision they can appeal this within 7 days by writing to our Response and Information Unit. All such appeals will be dealt with by the Head of Policy and Engagement within 20 working days.