

## **Ministry of Justice's Public Complaint Petition Relief Group Procedure Key Points**

(Amended on October 16, 2013)

1. The Ministry of Justice has established these key points in order to enhance public service and adequately provide service and relief for public complaints made by civilians or groups to the Ministry.
2. In order to adequately provide service and relief for public complaints made by civilians or groups to the Ministry, the Ministry of Justice may establish the Ministry of Justice Public Complaint Petition Relief Group (the "Relief Group") and the Ministry of Justice Public Complaint Petition Processing Group (the "Processing Group").
3. The Relief Group shall consist of representatives from the Department of Legal Affairs, Department of Prosecution, Probation Department, Secretariat, and Personnel Office. The chief secretary shall be the chairperson and the deputy director-general of the Department of Prosecution shall be the deputy chairperson. The designated member of the Civil Ethics group shall be the acting secretary.
4. The Processing Group shall consist of appropriate members from the Department of Comprehensive Planning, Legal Department, Department of Legal Affairs, Department of Prosecution, Secretariat, Personnel Office and Accounting Office, with specific numbers and composition to be in accordance with the schedule approved by the Department of Comprehensive Planning on a monthly basis. The group shall process and filter public complaint petitions by the public, whether civilians or organizations. If group members require days off, group members are responsible to find an agent to take over the assigned shift and must notify superiors of such change prior.

Appropriate members as referred to in the preceding paragraph shall have the following qualifications:

- (1) Have significant understanding of the workings of each unit of the Ministry.
  - (2) Have compassion and patience in dealing with public complaint petitions and are able to adequately give an explanation.
5. The principles of lawfulness, reasonableness, speediness, reliability, and

convenience to the public shall be taken into account when providing relief and service to public complaint petitions.

6. Upon encountering either civilians or groups petitioning a public complaint, security or service counter members must greet and direct the complainant to a guest room with a kind and inviting manner, and promptly notify the Processing Group members who are on shift at the time. If there are numerous complainants, the complainants should select representatives amongst themselves, with a maximum number of no more than 10. The remaining complainants should stay at an adequate place outside of the Ministry and the Civil Ethics Office should be notified of such and be prepared to assist as necessary.
7. If there are less than three complainants, the Processing Group members on shift at the time must sufficiently understand the nature of the complaint and handle accordingly; if necessary, they must notify the responsible staff members of the relevant units for further handling. If there are numerous complainants, the complaint is of a serious nature, or there are special circumstances, the member of the Relief Group specially designated by the chairperson or deputy chairperson must be promptly notified to handle the matter.

If the public complaint does not involve matters within the jurisdiction of the various officers or departments consisting of the Relief Group, the chairperson or deputy chairperson may invite the host agency to send members to handle the matter. If the chairperson or deputy chairperson is unavailable, the Processing Group member on shift at the time must promptly understand the nature of the case, and then proceed to notify all related units to send members to handle the matter.

8. In the event of a major public complaint petition or if there are special circumstances, the chairperson or deputy chairperson must promptly notify either the deputy minister or minister for instructions.
9. When civilians or organizations make a public complaint petition at the Ministry, it must be made in writing or orally. If made orally, a transcription must be made and read to the complainant, or the complainant made to read the transcription and then sign or seal. If the complainant has objections to the transcription, revisions must be made accordingly. Audio or video recordings may be made as necessary.

10. Security guards, service counter staff, and Processing Group members must observe whether the complainant has in his or her possession dangerous weapons or whether there are individuals intending to cause trouble. If so observed or if there are reasonable suspicions, the chairperson or deputy chairperson must be notified promptly to take appropriate actions.
11. If the Processing Group members encounter numerous complainants or if the situation may devolve into violent confrontation, they must promptly notify the Civil Ethics office, and they must then notify the security group to contact policy agencies or Taipei Prosecution Office for the necessary assistance for prevention purposes.
12. Public complaints must be explained and responded to in a kind and sincere manner. Language used when discussing matters relating to the specific facts of the complaint must be carefully chosen to avoid controversy or run the risk of exceeding one's jurisdiction. If the complaint needs to be urgently dealt with, the chairperson or deputy chairperson must be promptly notified, and then reported to the deputy minister or the minister.
13. If the public complaint is not within the jurisdiction of the Ministry of Justice and its subordinate agencies, the complainant must be gently referred to the appropriate agency.
14. If the public complaint involves matters to be kept confidential by public servants, or must otherwise be kept confidential, no explanation or answer may be given to the complainant. However, the reason for such should be provided to the complainant in the hopes of obtaining the complainant's understanding of the matter.
15. After receiving a public complaint petition, the Processing Group member on shift at the time may record the complainant's name, address, contact number, time of complaint, summary of complaint and how the complaint was handled in the Ministry of Justice Public Complaint Petition Registry (as attached).

The registry referred to in the preceding paragraph shall be placed at the service counter and once the entire registry is filled, it should be placed with the Department of Comprehensive Planning for safekeeping.

16. If public complaints are made outside of normal business hours, the security guard should gently ask the complainant to return and make the complaint during normal business hours or make the complaint in writing instead. If there are exigent circumstances or the matter is urgent, the chairperson or deputy chairperson should be notified and the matter should be handled in accordance with their instructions.
  
17. Excellent performance in handling public complaint petitions may be rewarded as follows:
  - (1) One commendation if on shift as Processing Group member for at least five days in one year, or cases handled exceed 15 cases, and service provided is excellent.
  - (2) Two commendation if on shift as Processing Group member for at least 10 days in one year, or cases handled exceed 30 cases, and service provided is excellent.
  - (3) One merit citation if on shift as Processing Group member for at least 15 days in one year, or cases handled exceed 50 cases, and service provided is excellent.
  - (4) Applications for rewards may be made for other special and significant contributions

The rewards above shall be delivered by the Department of Comprehensive Planning for review and approval by the Relief Group.