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OJC  
Office for  
Judicial  
Complaints

# The judicial complaints procedure

**Tribunal members always seek to act in accordance with the highest standards of personal and professional conduct. The Lord Chancellor and the Lord Chief Justice take seriously any complaint that a Tribunal member has in some way fallen short of these standards.**

**This leaflet explains how you can complain and how we will do all we can to ensure that your complaint is dealt with fairly and as quickly as possible.**

A Tribunal member's role is to make decisions on matters before the Tribunal such as what evidence to consider or whether to award costs. If you are unhappy with such a decision you are advised to seek legal advice from a solicitor, local law centre, Citizens Advice Bureau or the Community Legal Service to discuss whether you have a right of appeal.

If your complaint is not about such a decision but about a Tribunal member's personal conduct you have the right to complain. Examples of potential personal misconduct would be the use of insulting, racist or sexist language.

## **Who do I complain to?**

Your complaint should be made to the Regional Chairman and if there is no Regional Chairman to the Tribunal President. If there is no Tribunal President or equivalent in your Tribunal then you should address your complaint to the Office for Judicial Complaints (OJC).

## **How to complain**

If you decide to make a complaint you should do so in writing. If for any reason you are unable to do this please contact your Tribunal Office who will do all that they can to help you.

Your letter should state clearly:

- your name, address, and a contact telephone number;
- the name of the tribunal member (if known), the hearing centre where the incident occurred, the number of the case and the date of the hearing;
- specific details about the grounds of your complaint.

Your complaint must be made as soon as possible and in any event no later than 12 months after the incident that you wish to complain about.

Remember the Regional Chairman, Tribunal President and the OJC cannot consider any complaint about a Tribunal member's decision on your case.

## **What happens next?**

Once your complaint is received the investigating judicial office holder will aim to acknowledge your complaint within 5 working days. A complaint made to a Regional Chairman or President will normally be investigated by them or by another member of the Tribunal who will inform you of the

result of the investigation. If the Regional Chair or President cannot deal with your complaint they will refer it to the OJC.

The Lord Chancellor and the Lord Chief will then decide what action, if any should be taken.

The Lord Chancellor and Lord Chief Justice have the power under the Constitutional Reform Act 2005 to take disciplinary action against a Tribunal member. However, they cannot overturn a Tribunal's decision.

### **What can I do if I am unhappy about the way my complaint has been handled?**

If you are unhappy with the way your complaint has been dealt with or is being dealt with, you have the right to raise your concerns with the independent Judicial Appointments and Conduct Ombudsman, whose contact details are as follows:

Judicial Appointments and Conduct  
Ombudsman  
8<sup>th</sup> Floor, Millbank Tower  
Millbank  
London  
SW1P 4QP

Tel: 020 7217 4505

Fax: 020 7217 4262

Website: [www.judicialombudsman.gov.uk](http://www.judicialombudsman.gov.uk)

The Ombudsman may decide to review how your complaint has been handled and whether the proper procedures were followed. He is not able to investigate whether the decision reached on a complaint is right or not.

Your complaint should normally be made no later than 28 days after you are told of the outcome of your original complaint.

## **The judicial complaints and discipline system**

The Lord Chancellor and the Lord Chief Justice seek to ensure that all matters of judicial conduct are handled fairly and efficiently.

They are supported by the Office for Judicial Complaints. If you have any queries or would like further information, contact your Tribunal office or the Office for Judicial Complaints (details over the page).

Rules for handling complaints about Tribunals can be found on the OJC website.

## **Office for Judicial Complaints**

Office for Judicial Complaints  
4<sup>th</sup> Floor Clive House  
70 Petty France  
London  
SW1H 9HD

Tel: 020 7189 2937

Fax: 020 7189 2936

Minicom: 020 7189 2941

Website: [www.judicialcomplaints.gov.uk](http://www.judicialcomplaints.gov.uk)

Email: [customer@ojc.gsi.gov.uk](mailto:customer@ojc.gsi.gov.uk)

**Braille, large print and Welsh formats of this leaflet are available from the OJC on request – please see contact details above.**