

Complaints about the Conduct of Judicial Office Holders - Code of Practice issued by the Lord Chief Justice of Northern Ireland.

STATISTICAL RETURN FOR 2019

Court users and the public generally are entitled to expect holders of judicial office to maintain high standards of personal conduct. While the Lord Chief Justice is confident that courts and tribunal judiciary have demonstrated such standards in the past and will continue to do so, he has produced a Code of Practice setting out arrangements for investigating complaints about the conduct of judicial office holders.

The Lord Chief Justice commissioned a review of the Code in 2018. This resulted in a report making a number of recommendations. A targeted consultation on the key recommendations was carried out in 2020. The responses are being analysed with amendments to the Code likely to be made later this year.

The Code applies to members of the judiciary as well as Presidents and members of the tribunals and provides for comprehensive procedures to address any serious or substantive complaints received. Key targets for the investigation of complaints are set out in the Code.

The Code applies only to judicial conduct and not to judicial decisions, the process of reasoning underpinning such decisions and the exercise of judicial functions generally. Such matters may only be challenged through the legal processes available.

1. Table A below provides information by judicial tier of judicial complaints received by the Lord Chief Justice for the 2019 reporting period together with 3 previous years for comparative purposes.

Table A

Judicial Tier	2019	2018	2017	2016
High Court	19	11	7	5
County Court	5	10	9	7
District Judge (Civil)	3	7	4	0
District Judge Magistrates' Courts	19	16	22	10
Statutory Officers and Coroners	10	1	2	10

Others	3	12	10	16
Total	59	57	54	48

2. Table B below summarises the final outcome of the 65 judicial complaints considered in 2019 (6 brought forward from 2018). Eight were investigated and six were not upheld. No complaints were withdrawn, two were ongoing and were carried forward into 2020, one of those was determined in February 2020. The remaining 57, (87.7%), were beyond the remit of the complaints Code of Practice issued by the Lord Chief Justice as these concerned judicial decisions.

Table B

Outcome	Total	(%)
Beyond remit	57	87.7%
Withdrawn	0	0%
Not upheld	6	9.2%
Upheld in part	0	0%
Upheld	0	0%
CF to 2020	2	3.1%

3. Table C below provides comparable information regarding complaints received during 2019 about the conduct of members of Tribunals and determined by Tribunal Presidents on behalf of the Lord Chief Justice.

Complaints about Tribunal Judiciary

Table C

Tribunal	Number received	Number beyond remit	Number informally resolved	Number not upheld	Number upheld in part	Number upheld in full	Withdrawn	C/F
Appeals Tribunal	42	30	6	-	-	-	-	6
Industrial Tribunal & Fair Employment Tribunal	9	2	-	3	-	-	-	4
Special Educational Needs & Disability Tribunal	1	1	-	-	-	-	-	-
Traffic Penalty Tribunal	1	1	-	-	-	-	-	-

OFFICE OF THE LORD CHIEF JUSTICE

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