



UKSC and JCPC Judicial Complaints Policy

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Introduction

1. We take complaints seriously and deal with them according to the procedures set out in this policy. We aim to deal with complaints promptly and sensitively and to be courteous and helpful at all times. If you make a complaint, we will investigate it thoroughly and impartially.
2. This policy relates to complaints about the misconduct of serving Justices whether sitting on the Supreme Court or the Judicial Committee of the Privy Council (“the JCPC”). The [Guide to Judicial Conduct](#) sets the standards of conduct to be expected of Justices of the Supreme Court and the [Guide to Judicial Conduct for the JCPC](#) sets the standards of conduct for the JCPC. You may make a complaint if you consider that a Justice’s behaviour has fallen below the standards of conduct set out in the Guides. We cannot accept complaints which seek to reverse or otherwise change a judicial decision or are about the way a Justice has managed a case.
3. If your complaint is about:
 - i. the Court administration, staff or facilities, including the Chief Executive and the administrative actions of the Registrar please use this policy: https://supremecourt.uk/uploads/administrative_complaint_policy_uksc_9b84d52892.pdf;
 - ii. a judicial decision taken by a Registrar, you can file a formal application to review the Registrar’s decision (either by the portal or a pdf application form) and by paying the relevant fee. See also Rule 11(5) of [the Supreme Court Rules 2024](#), and [Court forms - UK Supreme Court](#);
 - iii. A visiting judge to the Supreme Court or JCPC, please contact the jurisdiction in which they are a permanent judge.

What can I complain about?

4. We will only deal with complaints about the conduct of a serving Justice. This means that we cannot accept complaints which seek to reverse or otherwise change a judicial decision or the way a Justice has managed a case. We cannot accept complaints about a retired Justice if the action complained of occurred after their retirement. Complaints which fall outside our remit cannot be investigated.
5. We can investigate any action that may amount to misconduct. Some examples include:
 - Bullying or harassment, for example of staff, colleagues, litigants, or legal representatives
 - Using racist, sexist, or otherwise offensive language
 - Loss of temper/rudeness/aggression, for example shouting
 - Misusing judicial status, for example to try to influence another person or organisation for personal gain
 - Misusing social media, for example posting offensive content, or content which could damage public confidence in judicial impartiality such as remarks about government policy
 - Failure to report personal involvement in civil, criminal, or professional disciplinary proceedings, HMRC tax enquiries or HMRC fines

Making a complaint

6. This policy sets out the procedure that will apply in most cases. However, it may be necessary to modify the procedure in particular circumstances depending, for example, on the nature of the complaint or the seniority of the Justice who is the subject of the complaint. You will be notified of any change to the procedure applied to your case.
7. You must send your complaint to the Court via the online Portal (<https://www.supremecourt.uk/contact-us/complaints>). Your complaint will be passed to the Chief Executive to determine the next steps.
8. It will help us to deal quickly and fully with your complaint if you can state that you are making a complaint about the misconduct of a Justice, setting out your concern in writing as clearly as possible.

9. If you wish to remain anonymous, it will not be possible to investigate the complaint in accordance with this policy. However, the President of the Supreme Court (or an appropriate person) may initiate some form of investigation of any matters brought to their attention from whatever source, whether or not a complaint has been made.
10. If you are a Court employee and wish to make a complaint about the conduct of a Justice, you should include your name as part of the complaint. Where applicable, you may indicate that you wish the complaint to be dealt with under the Supreme Court's whistle-blowing policy. In this instance, your name and complaint will not be disclosed to the Justice that is subject to the complaint without your express written consent. This may, however, limit the scope of the investigation.

Time limits

11. A complaint must be made within 3 months of the conduct complained of. We will acknowledge receipt of your complaint within 5 working days of receiving it.
12. The Chief Executive or the President of the Supreme Court may extend the time limit for making a complaint if they consider that there are good reasons to do so. If you inform us that you did not complain in time for medical reasons, we may ask you for proof of your medical condition.
13. We aim to resolve complaints as promptly as we can, and so far as possible within 20 working days. If a complaint gives rise to serious issues, we may need to take extra time in order to investigate it fully and properly. If this is the case, we will keep you informed of progress and let you know the new deadline.

What happens once I have made a complaint?

14. The Chief Executive will decide whether your complaint relates to the misconduct of a serving Justice or relates to a time whilst they were a serving Justice. If the complaint falls into one or more of the following categories:
 - i. it seeks to reverse or otherwise change a judicial decision;
 - ii. it concerns judicial case management;
 - iii. it is based on alleged facts that are obviously untrue;
 - iv. it raises a matter which has already been dealt with, whether under this policy or otherwise, and does not present any significant new evidence;

- v. the conduct that is described in the complaint would not amount to misconduct by the Justice;

there is no ground for complaint, and the Chief Executive will inform you that no further action will be taken.

15. If there is a valid ground for the complaint, the Chief Executive will inform you and refer the complaint to the appropriate person who will in most cases be the President or the Deputy President of the Supreme Court.
16. The appropriate person will make such inquiries as they consider reasonable and proportionate to establish the facts of the case. This may include delegating responsibility for investigating a complaint to a Justice or to a suitable person (such as another senior member of the judiciary, a retired Justice or a Non-Executive Director on the Court's board) to establish the facts. We may need to contact you to ask for more information or clarity as part of this process.
17. Having considered all the available evidence and taking into account the nature of the complaint and any other relevant factors, including the findings of an investigation, the appropriate person will decide whether there has been misconduct and if so, whether formal or informal action would be the best way to respond to it.
18. Where the appropriate person considers there has been misconduct that may require formal action, they must consult a senior Justice before a decision is made to proceed with such action.
19. The appropriate person will provide you with reasons for their decision on the complaint, and on any action to be taken if the complaint is upheld, whether fully or in part.

Informal action

20. The appropriate person may decide to:
 - i. take no further action;
 - ii. resolve the matter informally with the complainant and the Justice; or
 - iii. provide informal advice to the Justice, for example about the way they should conduct themselves in court.

Formal action

22. If you are not satisfied with the process regarding your complaint, you can apply for a review within 10 working days from notification of the decision.
23. An application for a review of the process should be made in writing to the Chief Executive setting out in full the reasons for the application. The review may be undertaken by a Justice or a Non-Executive Director (to be appointed by the most senior member of the Court not involved in the process) who will determine whether the complaints process was followed appropriately. If it was not, the relevant part of the process will be carried out again in a proper manner. You will be notified of the outcome of the review as soon as possible.

Establishing a Tribunal

24. The appropriate person can consider establishing a tribunal, whether or not any complaint is made, where:
 - i. a Justice is convicted of any offence which might reasonably be thought to throw serious doubt on that Justice's character, integrity or continuing fitness to hold office; or
 - ii. a Justice's conduct otherwise appears to be such as to throw serious doubt on that Justice's continuing fitness to hold office, including any findings of dishonesty; or
 - iii. there has been misconduct so serious that a Justice's continuation in office might undermine the reputation and standing of the Supreme Court and the wider judiciary in the eyes of the public.
25. Before establishing a tribunal, the appropriate person must inform the Justice whose conduct is in question that this will be done and of the matters alleged against them.
26. The following steps will be taken:
 - i. a tribunal will be established comprising the Lady Chief Justice of England and Wales, the Lord President of the Court of Session and the Lady Chief Justice of Northern Ireland (or, if any of them is disqualified, the next most senior Judge in that jurisdiction) and two independent persons of high standing nominated by the appropriate person, to be chaired by whichever of the three first-named office-holders has longest held their Office;

- ii. the tribunal will investigate the accusation or complaint adopting such procedure as shall be as expeditious as is possible and is consistent with the obligation to be fair;
 - iii. the tribunal will make a report summarising the facts as found by the tribunal so far as relevant and recommending the action, if any, to be taken;
 - iv. the tribunal will provide this report to the President of the Supreme Court (or the appropriate person, if different) and will provide a copy to the Justice whose conduct is in question, and to the complainant.
27. The President of the Supreme Court or the appropriate person may send the report to the Lord Chancellor to consider whether to commence the procedure for removing the Justice from office under section 33 of the Constitutional Reform Act 2005.
28. The President of the Supreme Court or the appropriate person will ordinarily publish the tribunal's report.
29. If the Justice against whom a complaint has been made decides to vacate their office voluntarily, action under this policy may still continue.

Confidentiality and publicity

30. Subject to the requirements of an investigation and the terms of this policy above, the complaint will be treated in confidence, with details of the complaint normally only disclosed to those involved in, or dealing with and investigating the complaint.
31. Where the complaint results in formal action being taken against a Justice by way of formal advice or a formal warning or where a tribunal is established, a notice to that effect will be placed on the Supreme Court's website. In cases where the complaint leads to informal action, the appropriate person who has decided the outcome of the complaint may direct that a notice is placed on the website.

Summary of the Complaints process

Stage 1: Making a complaint

- Submit your complaint via the online Portal, within 3 months of the conduct complained of.
- The UKSC will acknowledge your complaint within 5 working days.

Stage 2: Investigating your complaint

- The CEO will consider whether your complaint relates to the misconduct of a serving Justice.
- If it does, the CEO will refer your complaint to the appropriate person to investigate the complaint.
- If your complaint is dismissed, we will write to you explaining the reasons for dismissal.

Stage 3: Investigation

- The appropriate person will investigate your complaint. We will aim to resolve complaints within 20 working days where possible.

Stage 4: Decision and outcome

- We will inform you about the decision, the reasons for the decision, and on any action to be taken.
- If you are not satisfied with the process, you can apply for a review within 10 days of notification of the decision.