



Supplementary Panel 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 members of the Supplementary Panel when acting in that capacity. The [Guide to Conduct for members of the Supplementary Panel](#) sets the standards of conduct to be expected of members. You can make a complaint if you consider that a member of the Supplementary Panel's behaviour has fallen below the standards of conduct set out in the Guide. We cannot accept complaints which seek to reverse or otherwise change a judicial decision or are about the way a member of the Supplementary Panel has managed a case.
3. If your complaint is about:
 - a. the misconduct of serving Justices, please use the [Judicial Complaints policy](#);
 - b. 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;
 - c. a judicial decision taken by a Registrar, you can file a formal application to review the Registrar's decision (either via 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](#).

What may I complain about?

- We will only deal with complaints about the conduct of a member of the Supplementary Panel (“a member”) whilst acting in that capacity. This means that we cannot accept complaints which seek to reverse or otherwise change a judicial decision or the way a member has managed a case. We cannot accept complaints about a member if the action complained of occurred after they cease to be a member of the Supplementary Panel. Complaints which fall outside our remit cannot be investigated.
- 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

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. 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 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 member, setting out your concerns 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 member, 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 member 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 member whilst acting in that capacity. If the complaint falls into one or more of the following categories:

- it seeks to reverse or otherwise change a judicial decision
- it concerns judicial case management
- it is based on alleged facts that are obviously untrue
- it raises a matter which has already been dealt with, whether under this policy or otherwise, and does not present any significant new evidence
- the conduct that is described in the complaint would not amount to misconduct by the member

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 more than informal 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 the 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 member; or
 - (iii) provide informal advice to the member, for example about the way they should conduct themselves in court.

Formal action

21. The appropriate person may decide to:
 - (i) provide formal advice to the member;
 - (ii) give a formal warning; or

- (iii) ask the member to resign from the Supplementary Panel in accordance with undertakings given by that member before being appointed to the Supplementary Panel.
22. If the member does not resign, the President may choose not to invite the panel member to act as a judge of the Court.
23. 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.

Review of the decision

24. 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.
25. 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.
26. If the member against whom a complaint has been made decides to resign from the Supplementary Panel, action under this policy may still continue.

Confidentiality and publicity

27. 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.
28. Where the complaint results in a member being asked to resign or the President choosing not to invite the member to act as a judge of the Court, a notice to that effect will be placed on the Supreme Court and the JCPC websites. In cases where the complaint leads to other action, the appropriate person who has decided the outcome of the complaint may direct that a notice is placed on the website.