

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

STATISTICAL RETURN FOR 2018

Statutory responsibility for complaints against members of the judiciary as well as Presidents and members of the tribunals rests with the Lord Chief Justice who in 2006 published a Code of Practice setting out arrangements for investigating complaints identified in the Code.

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, the Code provides for comprehensive procedures to address any serious or substantive complaints received and to do so within timescales set out in the Code.

It is important to emphasise that 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 2018 reporting period together with 3 previous years for comparative purposes.

Table A

Judicial Tier	2018	2017	2016	2015
High Court	11	7	5	9
County Court	10	9	7	5
District Judge (Civil)	7	4	0	0
District Judge (Magistrates' Court)	16	22	10	11
Statutory officers and Coroners	1	2	10	16
Others	12	10	16	6
Total	57	54	48	47

2. Table B below summarises the final outcome of the 62 judicial complaints considered in 2018 (five brought forward from 2017). Fourteen were investigated and seven were not upheld, while one was upheld. Four complaints were withdrawn, six are ongoing and were carried forward into 2019, one of those was determined in January 2019. The remaining 44, (71%%), 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	44	71%
Withdrawn	4	6.4%
Not upheld	7	11.3%
Upheld in part	0	0%
Upheld	1	1.6%
CF to 2019	6	9.7%

3. Table C below provides comparable information regarding complaints received during 2018 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	41	26	-	4	-	3	-	8
Criminal Injuries Compensation Tribunal	1	-	-	-	1	-	-	-
Industrial Tribunal & Fair Employment Tribunal	8	2	-	1	-	-	2	3

OFFICE OF THE LORD CHIEF JUSTICE

March 2019