



Judicial Conduct  
Investigations Office

JCIO Annual Report

**2021-2022**





# Contents

Foreword.....	2
1. The judicial disciplinary system.....	4
2. Our performance.....	10
3. Complaints to the JCIO.....	11
4. Complaint outcomes.....	13
5. Disciplinary action.....	15
6. Judicial Appointments and Conduct Ombudsman.....	18
7. Review of the disciplinary system.....	19
Annex 1: Judicial Statistics.....	20

# Foreword

I am pleased to introduce the 2021-22 annual report of the Judicial Conduct Investigations Office (JCIO). We are the statutory body that supports the Lord Chief Justice and Lord Chancellor in their joint responsibility for judicial discipline. We are part of the Judicial Office, an arms-length body of the Ministry of Justice, and we are operationally independent. This is my third report as head of the JCIO.

This is a more detailed annual report than in previous years. This reflects a joint decision by the Lord Chief Justice and Lord Chancellor, following a suggestion by the JCIO, to make more information about the judicial disciplinary system available to the public.

The JCIO deals with complaints of misconduct against salaried and fee-paid courts judges and coroners. It also has an advisory role in the process for considering complaints about tribunals judges and non-legal members, and magistrates. Section one of this report gives an overview of how the disciplinary system works and the JCIO's role in it.

The JCIO has three published performance targets for dealing with complaints. I am pleased to say that, thanks to the team's dedication and hard work, we exceeded all three of those targets in 2021-22. Section two contains more information about the JCIO's performance.

There was a significant increase in complaints to the JCIO in 2021-22. We received 1,817 complaints compared to 1,236 in 2020-21. We have not identified any particular reasons for the increase, but we will continue to monitor for trends. Section three contains more information about complaints received.

As in previous years, a substantial proportion of complaints (57%) could not be accepted because they were about issues outside the JCIO's remit such as judicial decisions, which can only be challenged on appeal to a higher court. A further, 28% of complaints were dismissed for a range of reasons, including, for example, that they were found to be misconceived. Section four contains more information about the outcome of complaints.

While the number of complaints rose, there was a significant fall in the number of upheld complaints. The Lord Chancellor and Lord Chief Justice (or his senior judicial delegate) issued 33 disciplinary sanctions, compared to 53 in 2020-21. With around 22,000 judicial office-holders in post, misconduct remains rare. Section five contains more information about cases which resulted in a disciplinary sanction.

In 2021-22, we were able to return to the office. Everyone welcomed the opportunity to see colleagues in person again and enjoy the benefits of face-to-face interaction. We were also keen to retain the benefits of flexible working and the JCIO now operates a hybrid working model.

Last year, I mentioned that, following an independent judge-led review, the Lord Chief Justice and Lord Chancellor launched a joint public consultation on a range of proposed improvements to the disciplinary system. The consultation closed in February this year. The joint response of the Lord Chief Justice and Lord Chancellor, setting out the changes that will be made to the system, was published on 8 August. Supporting the review has been an important part of the JCIO's work in recent years. We are now in the implementation phase, which the JCIO will oversee. There will be some significant changes to the disciplinary system in the coming months and years. I am pleased that the JCIO will be at the forefront of this work. Section six contains more information about the changes resulting from the review.

Looking ahead, my priorities for the JCIO are to continue to deal with complaints efficiently while providing a high-quality service to complainants and the subjects of complaints; to continue to promote transparency and raise awareness of our work; and to progress implementation of the improvements to the disciplinary system.

As ever, I would like to thank my team at the JCIO for their hard work and professionalism. I would also like to acknowledge the important contribution made by nominated judges, investigating judges, chamber presidents, regional conduct advisory committees and the judicial and lay members of disciplinary panels. All continue to play an important part in ensuring that complaints are dealt with fairly, thoroughly, and effectively.

**Amy Shaw**

Head of the Judicial Conduct Investigations Office



# 1. The judicial disciplinary system

## Background

Prior to the Constitutional Reform Act 2005 (“CRA”), the Lord Chancellor was, as head of the judiciary, responsible for judicial discipline. Civil servants in the Lord Chancellor’s Department, which later became the Department for Constitutional Affairs, and which is now the Ministry of Justice, were responsible for handling complaints about the judiciary and for supporting the Lord Chancellor in his disciplinary role. The process for handling complaints was not based in statute.

One of the significant constitutional changes brought about by the CRA was to pass the role of head of the judiciary to the Lord Chief Justice. Thereafter, responsibility for judicial discipline has rested jointly and equally with the Lord Chancellor and Lord Chief Justice.

In 2006, the Office for Judicial Complaints (“OJC”) was established. The OJC was responsible to both the Lord Chancellor and Lord Chief Justice.

Another significant change arising from the CRA was to put the process for handling complaints on a statutory footing. The first set of disciplinary regulations, also known as “prescribed procedures”, derived from the CRA was introduced in 2006.

In 2011, following a review of arms-length bodies by the Ministry of Justice, the OJC became part of the Judicial Office, which had been set up in 2006 to support the Lord Chief Justice with his new responsibilities as head of the judiciary. The OJC operated independently and continued to support both the Lord Chancellor and Lord Chief Justice in their joint responsibility for judicial discipline.

## Standards of conduct

The standards of conduct judicial office-holders are expected to maintain are set down principally in the *Guide to Judicial Conduct*.<sup>1</sup> The Guide was first published in 2003, a result of extensive work by a Judges Council working group.

There are three basic principles guiding judicial conduct: judicial independence, impartiality, and integrity, which are a distillation of the six fundamental values set out in the *Bangalore Principles of Judicial Conduct*.

The Guide has undergone regular revisions since 2003 to reflect changes that have occurred in wider aspects of judicial and public life.

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<sup>1</sup> <https://www.judiciary.uk/publications/guide-to-judicial-conduct/>

## The judicial disciplinary system today

In 2013, following a comprehensive review of the process for dealing with complaints about the judiciary, led by the late Lord (then Lord Justice) Toulson, new disciplinary regulations were introduced: *The Judicial Discipline (Prescribed Procedures) Regulations 2014*, along with three sets of supporting rules:<sup>2</sup>

*The Judicial Conduct (judicial and other office-holders) Rules 2014* govern the consideration of complaints about salaried and fee-paid courts judiciary and coroners. Complaints are made to the Judicial Conduct Investigations Office (“JCIO”).

*The Judicial Conduct (Tribunals) Rules 2014* govern the consideration of complaints about tribunals members. Complaints are made to the relevant chamber president.

*The Judicial Conduct (Magistrates) Rules 2014* govern the consideration of complaints about magistrates. Complaints are made to one of seven regional conduct advisory committees.

In addition to making various changes to the process for handling complaints, the new disciplinary regulations saw the OJC replaced by the JCIO. Like its predecessor, the JCIO is based in the Judicial Office but operates independently of the rest of the Judicial Office and the Ministry of Justice in supporting the Lord Chancellor and Lord Chief Justice on disciplinary matters.

## Judicial independence

The principle of judicial independence is a fundamental feature of our democratic society. It means that judicial office-holders must exercise their powers impartially and must be free to do so without interference from external sources, including the government and civil servants.

It is for this reason that the judicial disciplinary system is for complaints about the personal conduct of the judiciary. The system cannot be used to seek to interfere in the exercise of independent judicial discretion or overturn judicial decisions. Such matters can only be challenged through the courts.

## Misconduct

Misconduct is a term which refers to improper personal conduct by a judicial office-holder that is serious enough to call for formal disciplinary action. Examples of misconduct may 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
- Delay in issuing a judgment or order (usually considered to be a delay, without a reasonable excuse, of more than three months)
- Falling asleep in court

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<sup>2</sup> The rules and regulations were originally dated <sup>2013</sup> but were reissued with a correction in <sup>2014</sup>.

## The power to take disciplinary action

Another important feature of the system, which again reflects judicial independence, is that disciplinary powers are vested jointly in the Lord Chancellor and Lord Chief Justice.

Sanctions below removal from office are issued by the Lord Chief Justice with the agreement of the Lord Chancellor. They are set out in the CRA and are, in order of severity, *formal advice*, *formal warning*, and *reprimand*. Suspension is also available as a sanction in limited circumstances. The power of removal from office, which resides in various pieces of legislation, rests with the Lord Chancellor and requires the agreement of the Lord Chief Justice. The only exception to this are High Court Judges who can only be removed by the Monarch upon an address to both Houses of Parliament.

In relation to tribunals members, the Senior President of Tribunals holds delegated authority from the Lord Chief Justice to consider cases and issue sanctions up to and including a reprimand. In relation to magistrates, the Lord Chief Justice has delegated to Mr Justice Keehan his powers to consider cases and issue sanctions up to and including a reprimand.

In cases involving judges assigned to the small number of tribunals with a UK-wide jurisdiction, the Lord Chief Justice's role in the disciplinary process is performed by the Lord President or the Lady Chief Justice of Northern Ireland if the office-holder sits mostly or solely in one of those jurisdictions.

In all cases, disciplinary action may only be taken after the relevant rules and regulations have been complied with.

## Judicial Conduct Investigations Office ("JCIO")

The status and role of the JCIO is set out in the 2014 disciplinary regulations. The process the JCIO follows in considering complaints is set out in *The Judicial Conduct (judicial and other office-holders) Rules 2014* ("the rules").

While the JCIO can reject or dismiss a complaint and can give advice to the Lord Chancellor and Lord Chief Justice on issues such as the level of disciplinary sanction recommended to them in a case, it has no powers to make findings of misconduct or to discipline an office-holder.

In recent years the JCIO has received between 1,200 and 1,800 complaints a year. However, it is typically obliged to reject around 60% of them because they are about issues which fall outside its remit such as judicial decisions. A further 25% are dismissed, either straightaway or after making provisional enquiries, because they are, for example, insufficiently particularised or because the action was found to constitute judicial case management. As such, the JCIO has an important role in assessing complaints to identify those which raise a question of misconduct and, therefore, require further investigation.

The process by which the JCIO establishes whether a complaint raises a question of misconduct is set down in the rules. For complaints that it is not obliged to reject or dismiss straightaway, the steps taken may include listening to the recording of a hearing, obtaining comments from third parties such as court staff or legal professionals, and obtaining comments from the office-holder against whom the complaint has been made.



## Judicial and lay involvement in the disciplinary process

Independent judicial and lay involvement in the form of nominated judges, investigating judges, disciplinary panels, chamber presidents and advisory committees is a key part of the system. It is these authorities which make findings of misconduct and recommend disciplinary sanctions.

A complaint which the JCIO has not rejected or dismissed must be dealt with under the *Summary Process* (see below) or referred to a nominated judge.

The Lord Chief Justice selects nominated judges following an expression of interest exercise. The number of nominated judges at any given time is based on having the ability to deal with complaints promptly while giving each nominated judge regular experience of the work. At present, there are seven nominated judges, four from the Court of Appeal and three High Court judges. Nominated judges consider complaints to decide whether misconduct has occurred and, if so, recommend a sanction. Approximately 20–30 cases per year are referred to a nominated judge.

The current nominated judges are Lord Justice Bean, Lady Justice Carr DBE, Mr Justice Cobb, Mr Justice Keehan, Lady Justice King DBE, Mr Justice Lavender and Lady Justice Elisabeth Laing DBE.

Cases which are especially serious, or complex may also be referred to an investigating judge. They are appointed on a case-by-case basis to consider complaints which need more in-depth enquiry to decide whether misconduct has occurred and, if so, recommend an appropriate sanction to the Lord Chief Justice and Lord Chancellor. There are typically fewer than five such cases a year.

In this reporting year, there was one judicial investigation, which was carried out by Lady Justice Simler DBE.

Additionally, disciplinary panels, composed of two judicial and two lay members consider cases in which an office-holder has been recommended for suspension or removal from office, before deciding whether misconduct has occurred and, if so, recommending a sanction.

## Summary process

The *Summary Process* is an expedited process designed to deal with cases in which removal from office is recommended without a requirement for further investigation. Examples include conviction for a serious criminal offence and persistent failure, without a reasonable excuse, to meet sitting requirements.

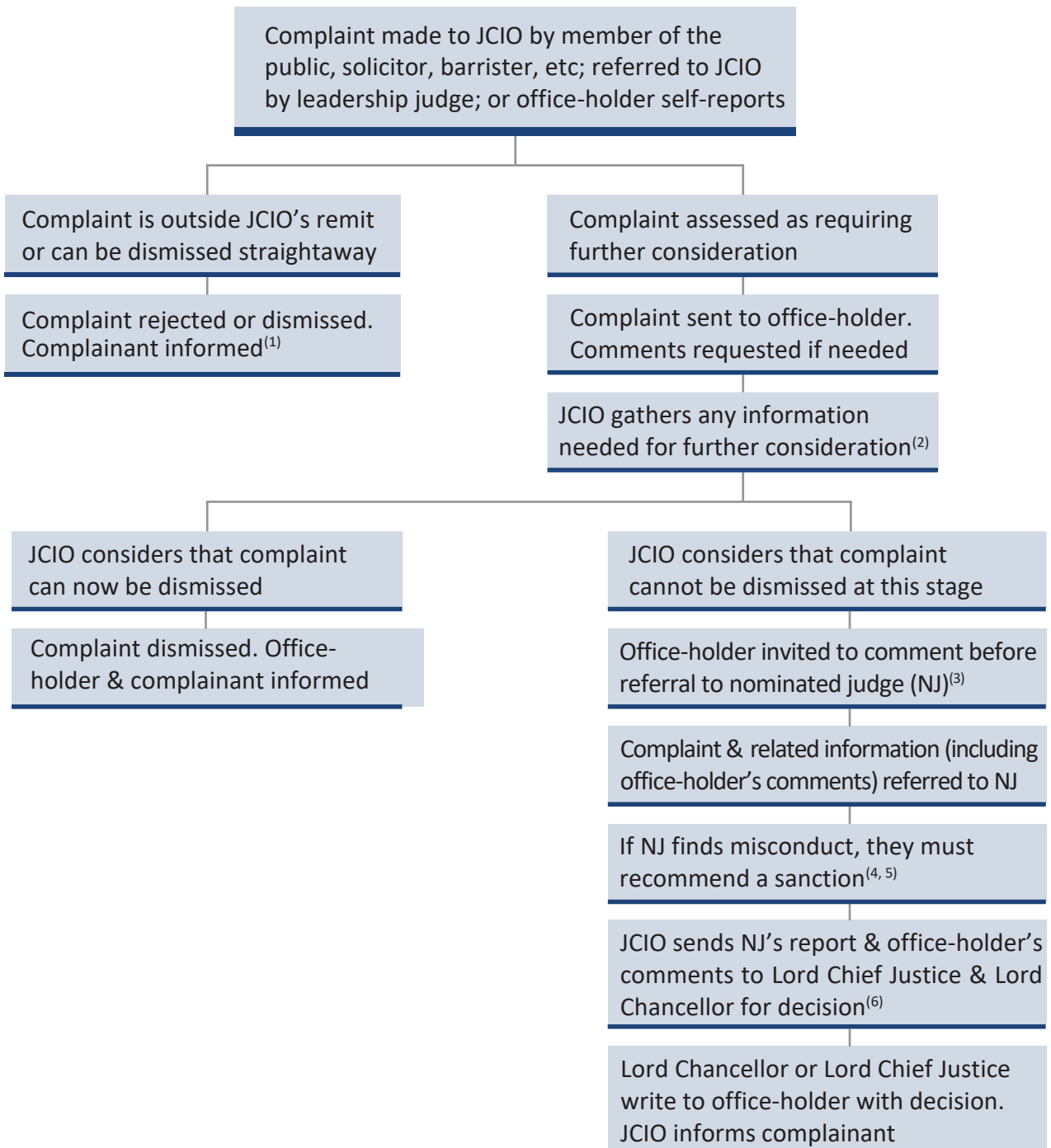
## Final decision

Following consideration of a case by a nominated judge, investigating judge or disciplinary panel, the JCIO refers the case to the Lord Chief Justice (or his senior judicial delegate) and the Lord Chancellor for a final decision. By convention, the Lord Chief Justice considers the case first followed by the Lord Chancellor.

Once a decision has been made, the parties are informed in writing. To promote transparency, in cases which result in a disciplinary sanction the JCIO publishes a statement about the decision on its website.

**Fig. 1 Judicial disciplinary process flowchart**

The flowchart below gives an overview of the process JCIO follows in considering complaints.



**Notes**

1. As well as asking for an office-holder's comments, the JCIO can gather information from other sources, e.g. listening to a hearing recording & obtaining comments from third parties such as court officials, solicitors and barristers.
2. Nominated judges are senior courts judges appointed by the Lord Chief Justice to consider complaints.
3. Nominated judges can dismiss a complaint (or recommend dismissal) where they find no misconduct, refer a complaint to an investigating judge, deal with a complaint informally, or find misconduct and recommend disciplinary action.
4. In the rare cases where removal from office is recommended, office-holders can elect to have the complaint considered by a disciplinary panel composed of judiciary and lay persons appointed by the Lord Chancellor.
5. The Lord Chief Justice and the Lord Chancellor can agree to dismiss a complaint where they find no misconduct. They can also refer a complaint to a disciplinary panel or investigating judge, deal with it informally, or, where they find misconduct, issue a sanction (options are formal advice, formal warning, reprimand or removal).
6. In cases where the Lord Chief Justice and the Lord Chancellor sanction an office-holder, they agree a short statement which is published on the JCIO website. Statements about the sanctions short of removal are deleted after one year. Statements about removal are deleted after five years.

## 2. Our performance

We use key performance indicators (“KPIs”) to monitor our performance and ensure that we provide a high-quality service.

The table below shows our performance against our three KPIs during the 2021-22 reporting year:

The table above shows our performance against our three KPIs during the 2021-22 reporting year. <b>Action</b>	<b>Target</b>	<b>Performance 20-21</b>	<b>Performance 21-22</b>
1. Notify complainants within two weeks of receipt if a complaint falls outside our remit	<b>90%</b>	<b>91%</b>	<b>97%</b>
2. Conclude complaints accepted for further consideration, including those which proceed to full investigation, within 20 weeks of receipt	<b>85%</b>	<b>90%</b>	<b>93%</b>
3. Provide monthly updates to parties in ongoing investigations	<b>95%</b>	<b>95%</b>	<b>98%</b>

### Staffing

The JCIO has a staffing complement of 15. During this reporting year we operated with an average of three vacant posts. (Although we do not struggle to attract applicants for vacancies, it can take some time for the recruitment process and related security checks to be completed.)

### Finance

The JCIO’s budget requirements are relatively small. It is not required to produce its own accounts because its expenditure forms part of the Judicial Office’s resource accounts, which are subject to audit. The JCIO manages its public funding responsibly and adheres to the same financial governance requirements as the Judicial Office.

## 3. Complaints to the JCIO

The table below contains a breakdown of the complaints we received in the reporting year:

Category	Receipts	% of receipts
Judicial decision/case management	1,229	68
Inappropriate behaviour/comments	433	24
Judicial delay	36	2
Not specified	21	1
Conflict of Interest	0	-
Failure to meet sitting requirements	14	1
Criminal convictions	0	-
Motoring Offences	2	-
Misuse of Judicial Status	5	-
Civil proceedings	2	-
Financial fraud	0	-
Other	75	4
	<b>1,817</b>	

As in previous years, the majority of the complaints we received were not about misconduct but were about judges' decisions or how judges managed cases. We are obliged by the rules which govern how we operate to reject or dismiss such complaints.

Examples of complaints about judicial decisions or case management include allegations that a judge:

- Was biased in their decision-making
- Managed a hearing unfairly, for example by allowing one party to speak for longer than another
- Refused to allow a witness to give evidence or refused to admit certain documents
- Commented that they did not believe a person's evidence, questioned a person's credibility, or criticised a person's actions (all of which judges are entitled to do as part of their independent judicial discretion)



When responding to such complaints, we explain why we cannot deal with them and, where possible, suggest the proper route for the complainant to follow. If, for example, a complaint is about a judge's decision, we explain that such decisions can only be challenged through the courts and that the complainant may wish to consider seeking independent advice from a solicitor, law centre or Citizens Advice.

The second most common type of complaints we received were about inappropriate behaviour of some form. Examples of this type of complaint might include that a judge:

- Used racist, sexist, or otherwise improper language
- Was rude
- Misused social media
- Fell asleep in court

Where a complaint is not rejected for being outside of our remit, we accept it for further consideration.

### **Planned changes to complaint categories**

In the spirit of transparency, we intend to develop more informative complaint categories for use in future annual reports. In particular, given the variety of complaints that fall into the 'inappropriate behaviour' category, we will provide more information about the nature of these complaints. As we will need a full year of data to report on, we intend to include the first set of more detailed criteria in our 2023-24 annual report. The new categories will include information about complaints related to protected characteristics such as race.

## 4. Complaint outcomes

The table below shows the breakdown of complaint outcomes in 2021-22:

<b>Not accepted for investigation</b>	
Rule 8 (Does not meet the criteria for a complaint to JCIO)	957
Rule 12 (Complaint is out of time)	57
Complaint was withdrawn	15
<b>Total</b>	<b>1,029</b>
<b>Dismissed</b>	
Rule 21(a): Inadequately particularised	114
Rule 21(b): about a judicial decision or judicial case management, and raises no question of misconduct	211
Rule 21(c): action complained of was not done or caused to be done by a person holding an office	13
Rule 21(d): vexatious	0
Rule 21(e): without substance	2
Rule 21(f): even if true, it would not require disciplinary action	65
Rule 21(g): untrue, mistaken or misconceived	80
Rule 21(h): raises a matter which has already been dealt with	1
Rule 21(i): about a person who no longer holds an office	8
Rule 21(j): about the private life of a person holding an office and could not reasonably be considered to affect their suitability to hold office	1
Rule 21(k): about professional conduct in a non-judicial capacity of a person holding an office and could not reasonably be considered to affect suitability to hold office	1
Rule 21(l): for any other reason it does not relate to misconduct	0
Rule 41(b): dismissed by a nominated judge	3
Judicial office-holder ceased to hold office before complaint was decided	9
Dismissed by Lord Chancellor and Lord Chief Justice (or his senior judicial delegate)	3
<b>Total</b>	<b>511</b>
<b>Upheld</b>	<b>33</b>
<b>Total</b>	<b>1,573</b>

Complaints rejected under rule 8 are those falling outside the JCIO's remit such as complaints about the outcome of a case.

Under rule 12, the JCIO must reject complaints which are not made within three months of the latest event or matter complained of. Before a complainant can be dismissed as out of time, the complainant must be given the opportunity to provide reasons for the delay. If these reasons are considered exceptional, the JCIO can accept the complaint.

Rule 21 determines the circumstances in which the JCIO must dismiss a complaint.

Complaints are dismissed under rule 21(a) if they are not detailed enough to be considered properly, for example, where a complainant alleges that a judge was rude without providing any details of what the judge said or did. Before a complaint can be dismissed under this rule, the complainants must be given the opportunity to provide the necessary details.

Most complaints which are dismissed come under Rule 21(b). These are complaints about judicial decisions or case management and which do not raise a question of misconduct.

Complaints are dismissed under Rule 21(f) if the conduct complained about would not be serious enough for a disciplinary sanction, for example, a complaint that a judge frowned when the complainant was speaking.

Complaints are dismissed under Rule 21(g) if they are untrue, mistaken, or misconceived. A complaint will be dismissed under this rule if, for example, the recording of a hearing in which it is alleged that a judge shouted at the complainant, for example, confirms that the judge was not shouting, but was using a firm tone of voice to keep a hearing on track, which judges are entitled to do.

### **More straightforward dismissal criteria**

As a result of the review of the disciplinary system (see section seven), there will in future be more straightforward dismissal criteria in the rules. This should aid complainants and the subjects of complaints in understanding why the JCIO is obliged to dismiss a complaint or part of a complaint.

## 5. Disciplinary action

This section gives an overview of the types of cases which have resulted in the Lord Chancellor and Lord Chief Justice (or his senior judicial delegate) issuing a disciplinary sanction during the reporting year.

A key principle of the judicial disciplinary system is that where a judicial office-holder is found to have committed misconduct, a disciplinary sanction must be issued. The power to issue sanctions rests solely with the Lord Chancellor and Lord Chief Justice (or, in some cases, a senior judge acting on his behalf). In each case of misconduct, they must jointly agree the sanction.

As noted in section one, the sanctions for misconduct are set out in the Constitutional Reform Act 2005. They are, in order of severity: formal advice, formal warning, reprimand, and removal from office.

The sanction given in a case will depend on several factors, the main one being the seriousness of the conduct itself. Factors which are likely to be considered in deciding the sanction include:

- Whether the office-holder has accepted responsibility for his/her actions.
- Whether the conduct has affected other people or risked damage to the reputation of the judiciary as a whole.
- Whether factors such as ill-health or other personal issues were found to have affected the office-holder's behaviour.
- Decisions made in any other cases of a similar nature.
- Any previous disciplinary findings against the office-holder.

The imposition of a disciplinary sanction, even at the lower end of the scale of severity, is a serious matter for a judicial office-holder. Sanctions are published on the JCIO website, and they are kept on an office-holder's record indefinitely.

In 2021-22, there were 33 cases of misconduct by judicial office-holders. The table below shows a breakdown of these cases by sanction and type of office:

Office	Formal advice	Warning	Reprimand	Removed	Total
Magistrates	5	10	3	6	24
Salaried and fee paid courts judges	5	0	0	0	5
Tribunal members	2	0	0	1	3
Coroners	0	0	1	0	1
<b>Total</b>	<b>12</b>	<b>10</b>	<b>4</b>	<b>7</b>	<b>33</b>

With reference to the number of cases of misconduct by magistrates, it should be noted that magistrates make up approximately 60% of judicial-holders in England and Wales, whereas High Court judges for example make up under 1% of the judiciary. See Annex A for more information about the numbers of office-holders in different judicial ranks.

For comparative purposes, the table below contains a breakdown of complaints which were assessed as raising a question of misconduct and which, following further consideration, were either dismissed or upheld. The total received figures include complaints rejected and complaints not concluded in this reporting year.

Category	Total Received	Dismissed	Upheld
Inappropriate behaviour/comments	433	236	11
Judicial delay	36	15	2
Failure to meet sitting requirements	14	2	16
Motoring offences	2	0	2
Misuse of judicial status	5	4	0
<b>Total</b>	<b>490</b>	<b>257</b>	<b>31</b>

### Formal advice

Examples of cases which resulted in a sanction of formal advice included:

- A judge who lost her temper and was sarcastic during a hearing.
- A judge who committed an accidental data breach.
- A magistrate who was rude to a legal advisor during a conversation outside court.
- A magistrate who accidentally breached covid regulations in her private life.

### Formal warning

Examples of cases which resulted in a sanction of formal warning included:

- A magistrate who, in his private life, was rude to a police officer over the telephone.
- A magistrate who failed to comply with the requirement to inform his bench chair of his personal involvement in legal proceedings and who attempted to use his position to obtain information about the case.
- A magistrate who made a remark on social media which was found to have risked undermining her credibility and standing as judicial office-holder.
- A magistrate who accrued nine penalty points on her driving licence for three speeding offences.



## Reprimand

Examples of cases which resulted in a sanction of reprimand included:

- A magistrate who received a fourth conviction for speeding, resulting in a 30-day driving ban.
- A coroner who was found to be responsible for a severe delay in holding an inquest.

## Removal from office

All of the removals from office during the reporting year involved magistrates (and one non-legal member of a tribunal) who were found to have failed without a reasonable excuse to meet the mandatory minimum sitting requirements of their role.<sup>3</sup>

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<sup>3</sup> The rules which govern the handling of disciplinary cases provide that an office-holder may be recommended for removal from office without further investigation if he/she has failed, without a reasonable excuse, to meet minimum sittings requirements.

## 6. Judicial Appointments and Conduct Ombudsman

The independent Judicial Appointments and Conduct Ombudsman is responsible for reviewing how complaints of misconduct have been handled by the JCIO. If the Ombudsman decides that the JCIO has mishandled a complaint, he may refer the matter back to us for re-investigation and/or recommend changes to procedures.

In 2021-22, the Ombudsman determined 47 complaints about the JCIO's handling of complaints. He upheld, or partially upheld, 11 of those complaints. This equates to fewer than 1% of the complaints we received during the reporting year.

There were also 121 complaints made about the JCIO which were dismissed after a preliminary investigation by the Ombudsman.

### Examples of JACO upholds

Examples of JACO reviews which resulted in the JCIO reopening an investigation include:

- A complaint which was rejected under rule 8. The Ombudsman determined that by rejecting it the JCIO had failed to follow correct procedure. The complaint was reopened and later dismissed.
- A complaint that was dismissed after requesting further information. After considering the matter the Ombudsman determined that enough information was available for the JCIO to request an audio of the hearing. The complaint was reopened and dismissed after listening to the audio recording.
- A complaint that was dismissed after listening to an audio recording. The Ombudsman determined that the matter should have been referred to a nominated judge for a decision.

Further information about the Judicial Appointments and Conduct Ombudsman can be found here: <https://www.gov.uk/government/organisations/judicial-appointments-and-conduct-ombudsman>

## 7. Review of the disciplinary system

In late 2019, the JCIO suggested to the Lord Chief Justice and Lord Chancellor that the time was right to review the operation of the disciplinary system. They agreed. Throughout 2020, an independent judge-led working group conducted a comprehensive review of the system. The working group's remit was:

'To review the judicial disciplinary system in England and Wales, and to make recommendations to ensure that the consideration of complaints about misconduct is proportionate, efficient, fair and strikes the right balance between confidentiality and transparency.'

In late 2021, a public consultation was launched on a range of proposals for improvements to the system. On 8 August, the Lord Chief Justice and Lord Chancellor published their [response to the consultation](#), which sets out 40 proposals which they agreed to adopt for implementation.

The JCIO is responsible for overseeing the work to implement the changes. They include:

- Developing new statutory rules and regulations, which will improve complaint-handling processes.
- Transferring responsibility for dealing with complaints about tribunal judges and non-legal members from chamber presidents to the JCIO. This will reduce the burden of work on chamber presidents, eliminate the risk of conflicts arising between their pastoral and disciplinary roles, and promote a more consistent approach to dealing with complaints.
- Implementing changes to make the process for dealing with complaints about magistrates more proportionate and efficient.
- Introducing a new sanction for misconduct: a period of suspension (without pay for salaried judiciary). This will give the Lord Chief Justice and Lord Chancellor a wider range of options for dealing with the most serious cases of misconduct. Changes will also make clearer the link between misconduct and disciplinary sanctions, including classifying misconduct by levels of seriousness.
- Providing the public and the judiciary with more information about the disciplinary system, including publishing more information about disciplinary decisions and a more detailed JCIO annual report.
- Measures to promote diversity amongst the judicial office-holders and lay people who carry out roles in the system including expanding the pool of nominated judges to include (in addition to High Court and Court of Appeal judges), district judges, circuit judges, salaried tribunal judges and coroners, introducing mandatory diversity training for the judicial office-holders and lay people who carry out roles in the system, developing a diversity strategy to encourage more judicial office-holders and lay people from underrepresented groups to apply for roles in the system.

As some of the changes will not be implemented until parliament has approved new statutory regulations, we estimate that it will be approximately a year before all the changes have been implemented. Where we can implement changes in the meantime, we will do so as soon as practicable. We have, for example, issued a new publication policy to give effect to the decisions of the Lord Chief Justice and Lord Chancellor that disciplinary statements should be more detailed, should remain on the JCIO website for longer periods proportionate to the seriousness of the misconduct, and to make copies of deleted statements available from the JCIO on request.

We will work closely with the key interests whose work will be affected by the changes to ensure that they are implemented in a structured and carefully managed way.

# Annex 1: Judicial statistics

With the exception of coroners, figures on the number of judicial office-holders in post have been acquired from 2022 judicial diversity statistics:

<https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2022-statistics>

<b>Appointment name</b>	<b>JCIO reporting bench</b>	<b>Total</b>
Heads of Division	Court of Appeal	5
Lord/Lady Justice of Appeal	Court of Appeal	37
High Court Judges	High Court & Others	108
Deputy High Court Judges	High Court & Others	96
Judge Advocates, Deputy Judge Advocates	High Court & Others	7
Masters, Registrars, Costs Judges	High Court & Others	27
Deputy Masters, Deputy Registrars, Deputy Costs Judges	High Court & Others	44
Circuit Judges	Circuit Bench	673
Recorders	Circuit Bench	1,047
District Judges (County Courts)	District Bench	413
Deputy District Judges (County Courts)	District Bench	776
District Judges (Magistrates' Courts)	District Bench	133
Deputy District Judges (Magistrates' Courts)	District Bench	104
All Tribunal judges and non-legal members	Tribunal Judges	5,036
Magistrates*	Magistrates	12,506
Coroners**	Coroners	397

Source: Diversity of the judiciary 2022 statistics, table 3.1

\*Source: Diversity of the judiciary 2022 statistics, table 3.5

\*\* Source: Office of the Chief Coroner







The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial statements. This includes not only sales and purchases but also expenses, income, and transfers between accounts.

The second part of the document provides a detailed breakdown of the accounting cycle. It outlines the ten steps involved in the process, from identifying the accounting entity to preparing financial statements. Each step is explained in detail, with examples provided to illustrate the concepts.

The third part of the document discusses the various types of accounts used in accounting. It distinguishes between assets, liabilities, equity, revenue, and expense accounts, and explains how they are classified and balanced. It also covers the concept of debits and credits, and how they are used to record transactions.

The fourth part of the document discusses the importance of internal controls in accounting. It explains how internal controls help to prevent errors and fraud, and how they can be designed to ensure the accuracy and reliability of financial information.

The fifth part of the document discusses the role of the accountant in the business. It explains how accountants provide valuable information to management and other stakeholders, and how they can help to improve the financial performance of the organization.

The sixth part of the document discusses the various methods used to record transactions. It compares the double-entry system with the single-entry system, and explains the advantages and disadvantages of each. It also discusses the use of journals and ledgers to record and summarize transactions.

The seventh part of the document discusses the various types of financial statements. It explains the purpose and content of the balance sheet, income statement, statement of retained earnings, and statement of cash flows. It also discusses the importance of these statements in providing a comprehensive view of the financial performance of the organization.

The eighth part of the document discusses the various methods used to analyze financial statements. It explains how ratios and trends can be used to evaluate the financial health of the organization, and how these methods can be used to identify areas for improvement.

The ninth part of the document discusses the various methods used to collect and analyze data. It explains how surveys, interviews, and focus groups can be used to gather information about the needs and preferences of customers and other stakeholders. It also discusses the importance of data analysis in making informed decisions.

The tenth part of the document discusses the various methods used to improve the quality of service. It explains how process improvement techniques, such as Six Sigma and Lean, can be used to reduce waste and improve efficiency. It also discusses the importance of customer feedback in identifying areas for improvement.