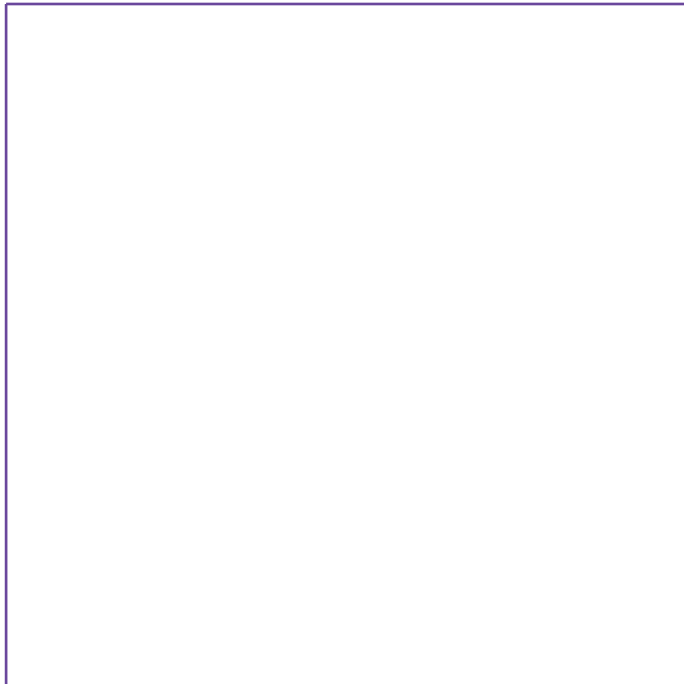




ANNUAL REPORT 2007-2008

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FOREWORD

Dale Simon, Head of the OJC

I am pleased to present the Annual Report of the Office for Judicial Complaints (OJC) for 2007-2008.

The OJC was established on 3 April 2006 to support the Lord Chancellor and Lord Chief Justice in their joint responsibility for the system for handling judicial complaints and discipline. In this, our second report, we outline our achievements over the past year and the work we have undertaken to build on the foundations laid in our first year of operation.

Over the past year we have placed a great deal of emphasis on refining our business processes and developing our staff to ensure that we have both the structure and skills in place to deliver an efficient, effective and high quality service to our customers. We have conducted a wide-ranging review of our organisational structure and staffing requirements and have begun the process of implementing the changes identified during the review, further details of which are provided on page 7 of this report. We will continue to take this work forward throughout the coming year.

We continue to explore new ways of engaging with our customers and increasing accessibility to our services. We have identified a number of improvements to our website and have already begun the process of rolling these out, with a recent upgrade to the format and graphical presentation of our site.

Further changes will be implemented over the coming months including a significant enhancement enabling customers to submit complaints or enquiries online for the first time.

I would like to end by thanking the team that support me for the excellent service they provide to complainants and the considerable efforts they make to help the people we deal with, often in very difficult circumstances.



A handwritten signature in black ink, appearing to read 'Dale Simon', followed by a long horizontal line.

What do we do?

The OJC supports the Lord Chancellor and Lord Chief Justice in their joint responsibility for judicial conduct and discipline. We seek to ensure that all judicial disciplinary issues are handled consistently, fairly and efficiently.

The OJC is an associated office of the Ministry of Justice (MoJ). Its status, governance and operational objectives are set out in a Memorandum of Understanding between the MoJ, the Directorate of Judicial Offices for England and Wales and the OJC.

During our first year of operation we were sponsored by the Department for Constitutional Affairs (DCA). The DCA has now been replaced by the MoJ which now sponsors the OJC.

How are we organised?

We are an independent body; however our staff, funding and much of our corporate support is drawn from the MoJ. The OJC has a complement of 17 members of staff who are divided into three teams. Two teams deal with complaints about judicial office holders while the third handles budget management and customer service initiatives as well as providing support for Review Bodies.

What do I do if I want to complain about the OJC and how you have handled my complaint?

We aim to provide all of our customers with an efficient and professional service; however should you have a complaint or query about our handling of your complaint, you should address your complaint to this office in the first instance.

If we are unable to resolve your complaint successfully, you may then wish to contact the Judicial Appointments and Conduct Ombudsman (JACO), who can investigate complaints about the handling of matters involving judicial discipline or conduct.

Further information about the role and authority of the Ombudsman is available from the website below or by writing to:

**Office of the Judicial Appointments and
Conduct Ombudsman**
13.51, 13th Floor
The Tower
102 Petty France
London
SW1H 9AJ

www.judicialombudsman.gov.uk

THE OJC'S REMIT

Our remit

The OJC is required to consider all complaints and disciplinary conduct matters against judicial office holders in the mainstream courts and Coroners in accordance with the Judicial Discipline (Prescribed Procedures) Regulations 2006, made under the Constitutional Reform Act 2005 and referred to as “the Regulations” for the remainder of this report. This includes consideration of the merits of a complaint and recommendations on appropriate actions.

Complaints about tribunal office holders and magistrates are handled locally in the first instance by Tribunal Presidents and Advisory Committees respectively. The provisions for handling these complaints are set out in separate rules.

We are jointly responsible to the Lord Chancellor and Lord Chief Justice.

We aim to provide a professional and independent service that is able to support the Lord Chancellor and Lord Chief Justice in the effective and fair handling of complaints against Judicial Office Holders, delivered by well motivated and skilled staff.



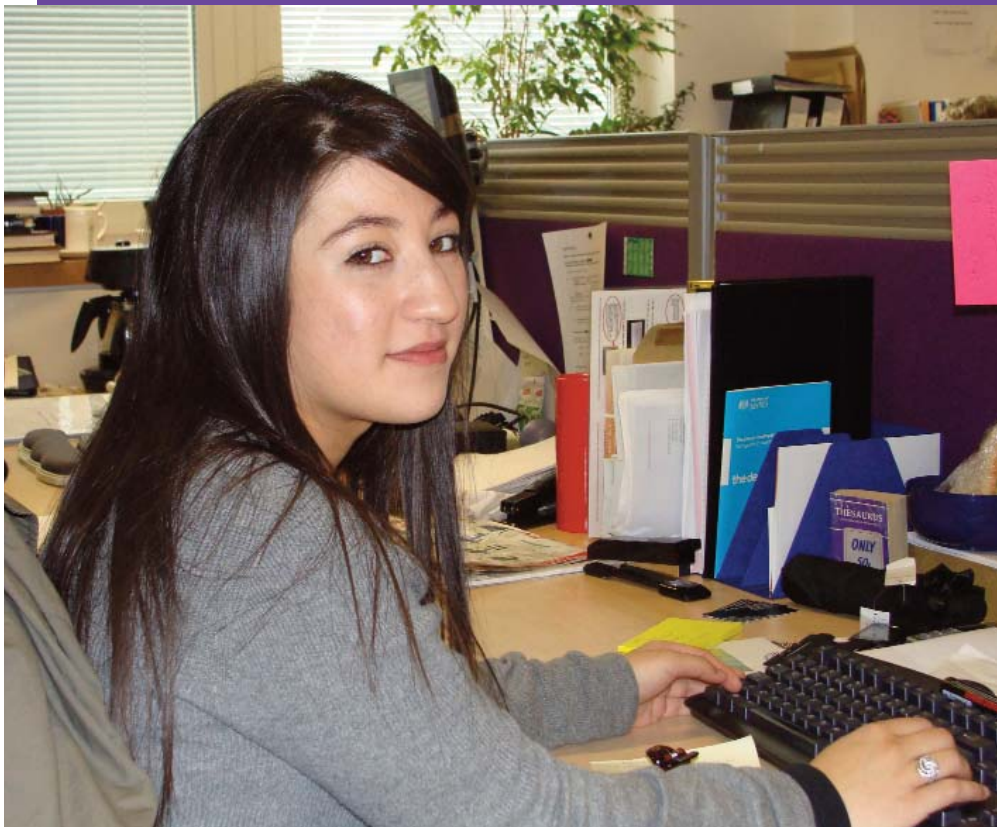
Providing a better service

In the last year we have radically overhauled the way we work, designing new processes and a new structure in which to work.

When the OJC was established, in 2006, it was made up of staff transferred from the Judicial Correspondence Unit (JCU) of the then Department of Constitutional Affairs and was structured on broadly similar lines. However, while the JCU also dealt with complaints about judicial office holders, the context in which it operated was significantly different. As a consequence of changes brought about by the Constitutional Reform Act 2005, the OJC is required to operate in new and different ways.

In reviewing the complaints received by the OJC, after two years of operation, it was clear that an organisational structure based on that of the JCU did not meet the business or customer needs of the OJC.

The Senior Management Team considered all statistical information available as well as that obtained from our customer survey and designed new processes and a structure for the organisation that would support these. Our new structure which will be implemented in the coming year is set out in more detail on page 36 of this report.



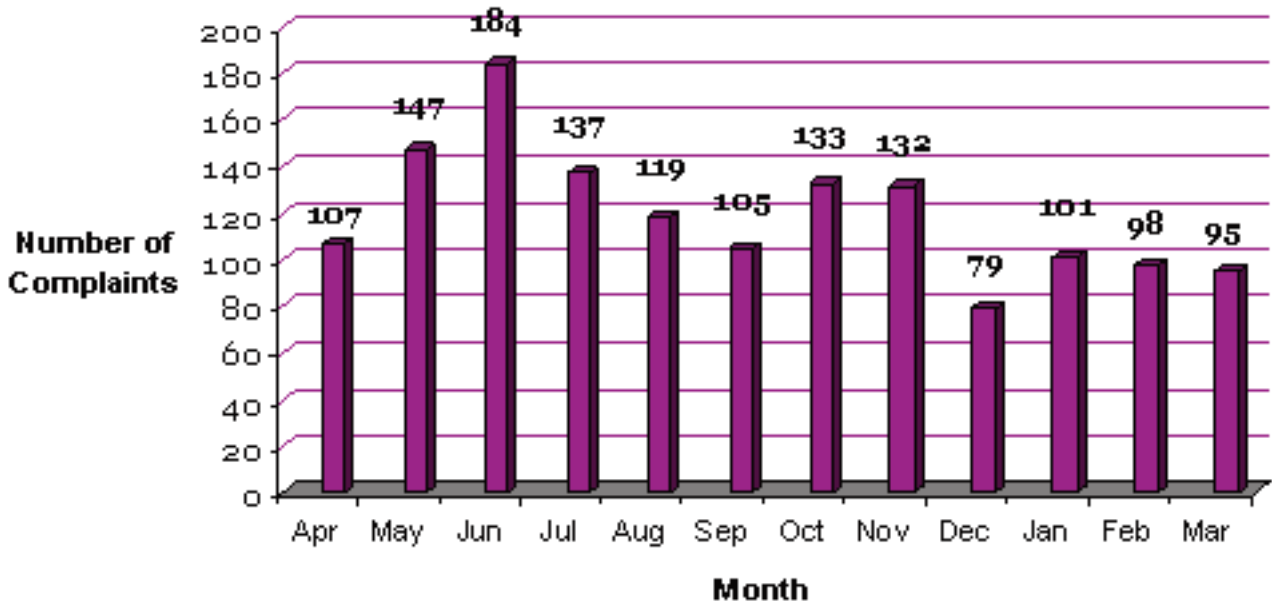
Complaints received by the OJC

During the past year the OJC received a total of 1,437 complaints, a slight reduction on the 1,674 that we received during the previous year. It is important to note however that last year's figures included what we now classify as 'enquiries', which we can now identify separately due to improvements in our IT system. If these enquiries were added to the number of complaints received we would see a total of 1,713 pieces of work; slightly more than the comparable figure for last year.

The table below shows the distribution of these complaints over the course of the year.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
107	147	184	137	119	105	133	132	79	101	98	95		1,437

Distribution of Total Complaints Received



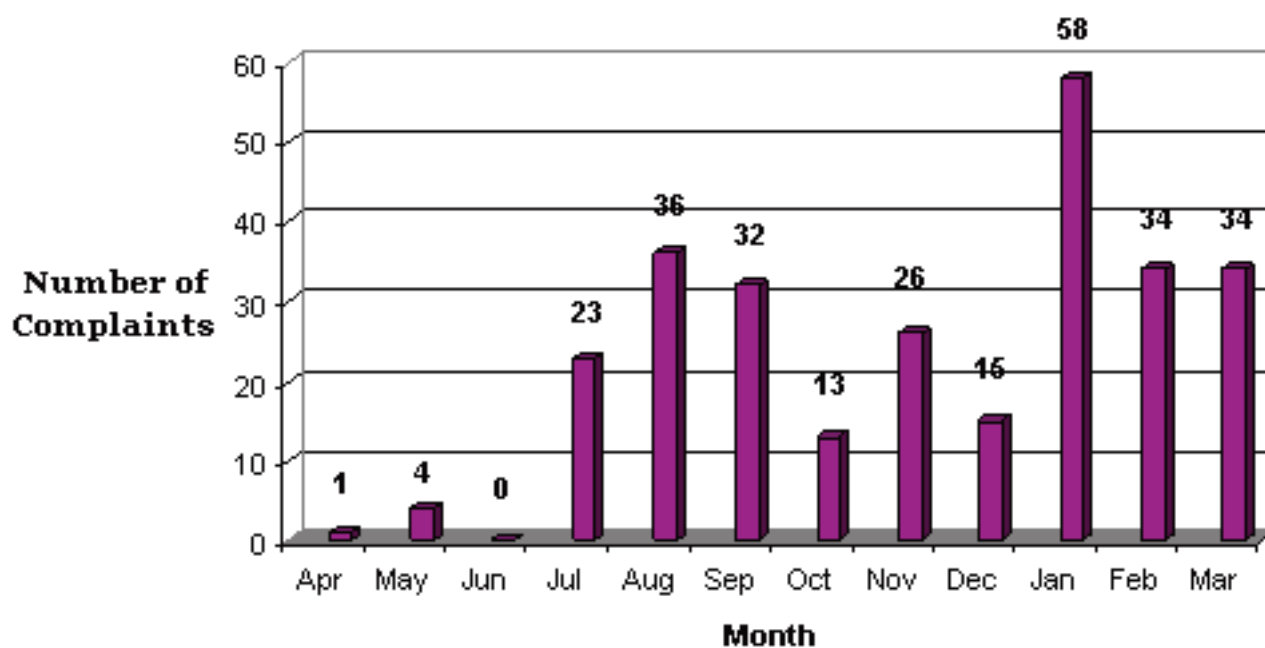
Enquiries directed to the OJC

During the past year the OJC received 276 enquiries. An enquiry is defined as any contact with a stakeholder which does not relate specifically to a complaint but which does require a response from the OJC. This is the first time we have been able to provide this information.

The table below shows the distribution of these enquiries throughout the year.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
1	4	0	23	36	32	13	26	15	58	34	34		276

Distribution of Enquiries Received



Who is being complained about?

The OJC deals with complaints relating to members of the Mainstream Judiciary; Coroners; Tribunal Office Holders; and Magistrates.

Where a complaint is made against either a Tribunal Office Holder or a Magistrate; it is dealt with locally in the first instance by the relevant Tribunal President or Magistrates Advisory Committee.

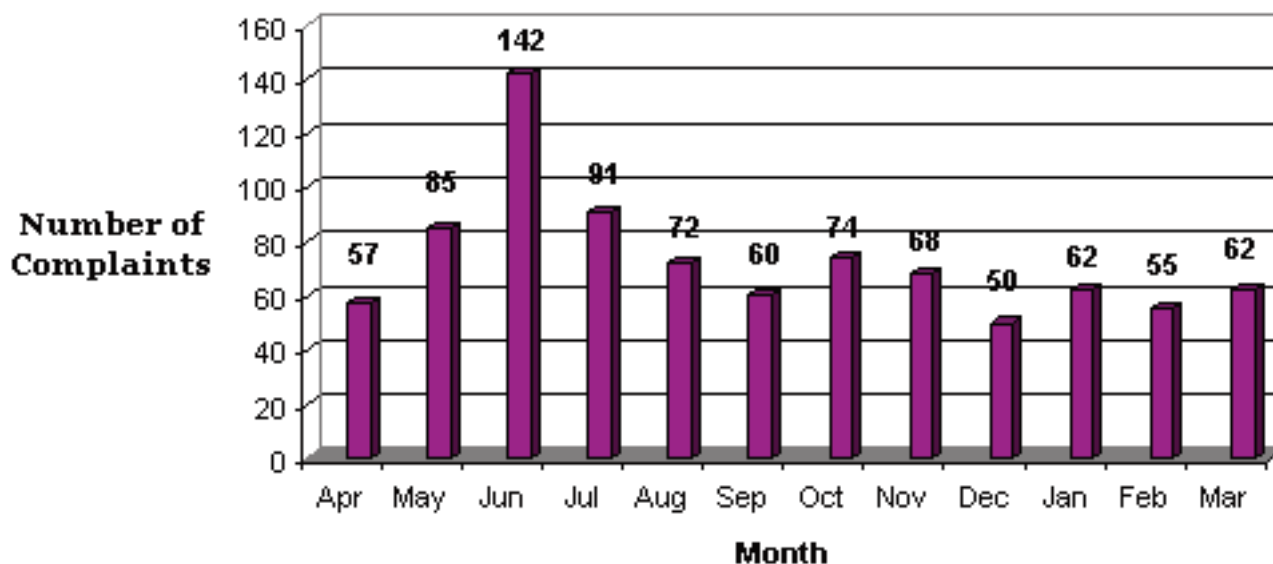
The following pages provide details of the number of complaints we have received over the past year for each group of judicial office holder.

Complaints about members of the mainstream judiciary

The total number of complaints in this category shows a small reduction from the 948 recorded last year.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
57	85	142	91	72	60	74	68	50	62	55	62		878

Distribution of Complaints About the Mainstream Judiciary



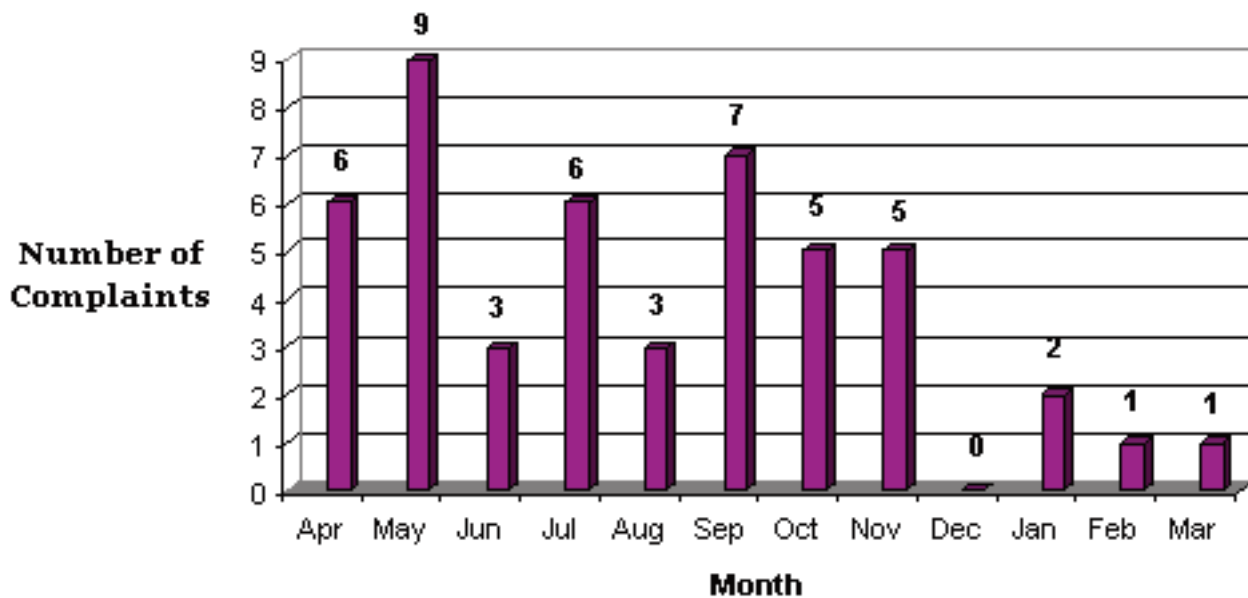
WORKLOAD

Complaints about tribunal office holders

This compares with a total of 87 complaints received last year.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
6	9	3	6	3	7	5	5	0	2	1	1		48

Distribution of Complaints About Tribunal Office Holders

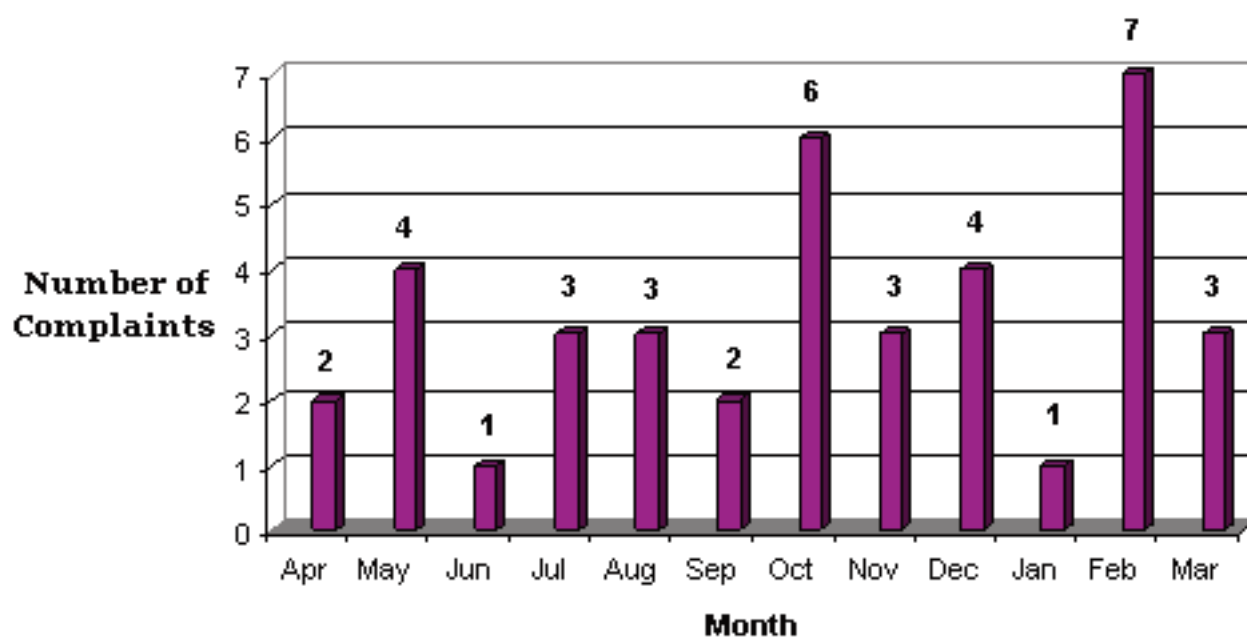


Complaints about coroners

The number of complaints has remained constant, 38 being received last year.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
2	4	1	3	3	2	6	3	4	1	7	3		39

Distribution of Complaints About Coroners



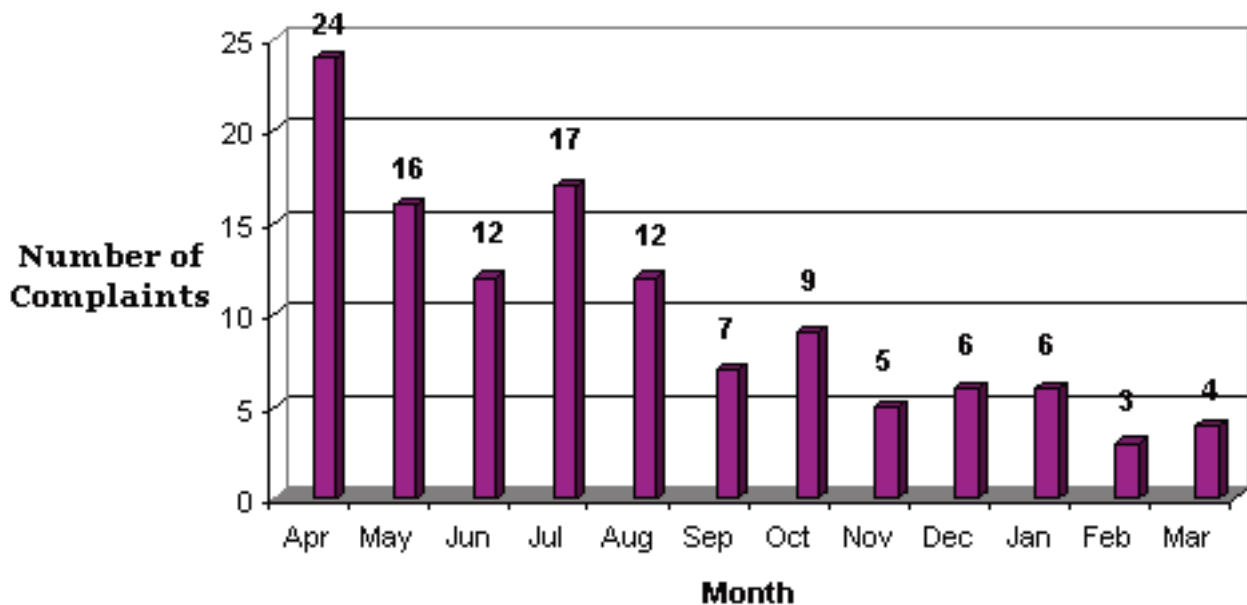
WORKLOAD

Complaints about magistrates

This year's figures show a significant decrease in the number of complaints received about Magistrates from the 263 received last year. This is due to a large percentage now being classified as enquiries as opposed to complaints, which are now reported separately.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
24	16	12	17	12	7	9	5	6	6	3	4		121

Distribution of Complaints About Magistrates



Complaints received where the judicial office held by the subject of the complaint is not known

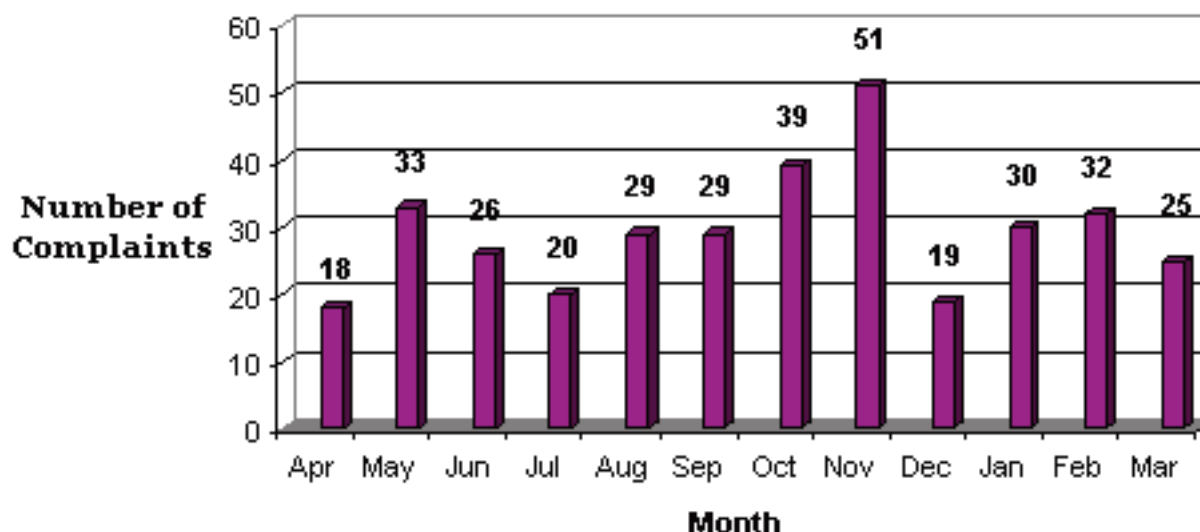
A significant percentage of the complaints which we receive do not identify the office held by the judicial office holder who is the subject of the complaint as the complainant either does not know the judicial office holder or is only making an enquiry of the OJC. If a complaint of this nature does not raise issues that fall within the remit of the OJC we do not investigate the identity of the judicial office holder further.

NB - Should such a complaint raise issues which do fall within the scope of our remit, all possible measures are taken to identify the judicial office holder concerned.

We received 351 complaints which fell into this category this year, a slight increase on the 338 complaints we received during 2006-2007.

Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		Total
18	33	26	20	29	29	39	51	19	30	32	25		351

Distribution of Complaints Where Judicial Office Held is Not known



WORKLOAD

Type of complaints received by the OJC

We have reduced the categories of complaint for easy reference, but the spread of complaints has remained broadly similar to last year.

Nature of Complaint	Number of Complaints
Conflict of Interest	116
Discrimination	23
Inappropriate Behaviour or Comments	178
Miscellaneous	16
Misuse of Judicial Status	11
Motoring Offences	19
Not Fulfilling Judicial Duty	29
Not Related to Judicial Office Holder	5
Not Specified	127
Criminal Proceedings or Convictions	14
Professional Conduct	17
Tribunal Handling of a Complaint	7
Total	562

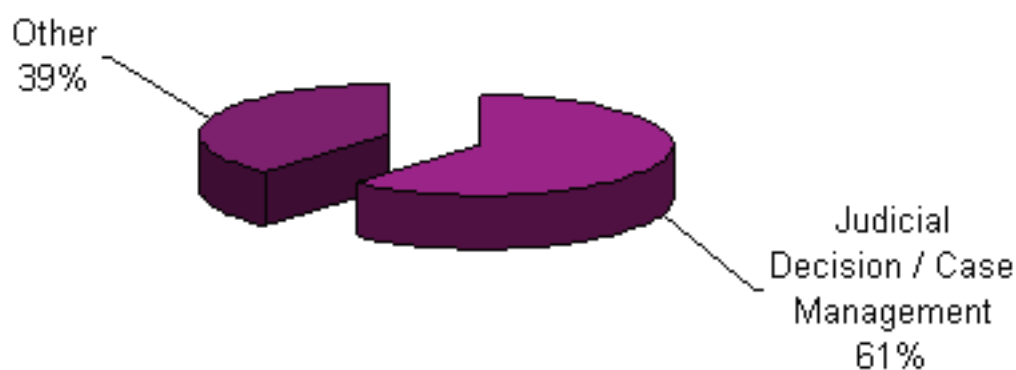
The nature of the complaints received

We are contacted by a large number of people who wish to make a complaint about decisions made by a judicial office holder. Whilst we cannot consider such issues, we do try to assist customers by referring them to people or organisations that may be able to assist them to appeal a decision.

We continue to try to increase public awareness of our role by providing comprehensive information on our website about what we can and cannot consider, by making available leaflets that provide specific information relevant to courts and tribunals and by becoming involved in local training events and other similar activities. We have also issued a leaflet covering complaints about Coroners which is an area of responsibility that we assumed in April 2006.

The table below shows the percentage of complaints we receive which relate to judicial decisions and which fall outside our remit.

% of Complaints Received Relating to Judicial Decisions



DISCIPLINARY ACTION

Disciplinary action

The table below shows the total number of cases where the Lord Chancellor and Lord Chief Justice have taken disciplinary action since 1 April 2007. The totals are broken down into broad types of Judicial Office Holder, covering full time, permanent, part time and fee-paid office holders in each type.

Case studies which provide examples of some types of behaviour which have led to disciplinary action being taken against a judicial office holder can be found at pages 36-7.

	Mainstream	Coroners	Tribunals	Magistrates	Total
Guidance Issued	0	0	1	6	7
Formal Warning	0	0	0	2	2
Reprimand	1	0	1	17	19
Removed from Office	0	0	2	19	21

The table below sets out the broad categories of actions which led to the Lord Chancellor and Lord Chief Justice taking disciplinary action and judicial office holders during the reporting period.

Inappropriate Behaviour or Comments	3 Guidance Issued, 1 Formal Warning, 7 Reprimands, 1 Removal
Not Fulfilling Judicial Duty	2 Guidance Issued, 1 Formal Warning, 3 Reprimands, 15 Removals
Misuse of Judicial Status	1 Guidance Issued, 1 Reprimand, 1 Removal
Motoring Offences	1 Guidance Issued, 5 Reprimands, 1 Removal
Discrimination	3 Reprimands
Criminal Convictions	3 Removals

DISCIPLINARY ACTION

The table below shows the number of judicial office holders who have been subject to disciplinary action since 1 April 2007 as a percentage of the total number of judicial office holders for each group.

Judicial Office Held	Number of Complaints Received	Judicial Office Holders Subject to Disciplinary Action	% of Total Judicial Office Group Subject to Disciplinary Action
Mainstream	878	1	0.025%
Coroner	39	0	0%
Tribunal	48	4	0.6%
Magistrates	121	44	0.14%

Key Performance Indicators

Our 2007-2008 Business Plan identified a number of key aims for the OJC.

- **To provide a timely, consistent, transparent and informative service to all users.**
- **To continually improve our service by ensuring all of our staff have the required knowledge and skills.**
- **To ensure that all complaints and conduct matters are dealt with in accordance with the timescales and procedures laid down in the regulations.**
- **To provide a quality support service to all Judges involved in the consideration of complaints and conduct.**
- **To facilitate Review Bodies, providing support to all Review Body members and the people that they are dealing with.**
- **To review our internal processes and resources throughout 2007-2008, to ensure the most efficient and effective service delivery.**
- **To seek feedback from our users at appropriate times in order to develop and improve our service.**

With these aims in mind we established a series of Key Performance Indicators (KPI's) to measure our performance throughout the year. The following pages detail how we have performed against these indicators over the course of the last financial year.

KPI 1: To continue to increase the awareness and understanding of the role of the OJC by 31 March 2008.

KPI	Target	OJC Performance
1.1	To review & redesign our leaflets to ensure that they are user friendly for our customers, with particular emphasis on blind and visually impaired clients.	We have reviewed our leaflets with the assistance of our critical friends group and decided to redesign them in the coming financial year.
1.2	To issue a new leaflet that explains what the OJC can do in respect of complaints involving Coroners by 1 August 2007.	This was completed on time and the leaflets distributed.
1.3	To undertake a further programme of visits to stakeholder groups to promulgate awareness and understanding of the role of the OJC.	The Head of the OJC has conducted 12 visits to stakeholder groups during the past year.

KEY PERFORMANCE INDICATORS

KPI 2: To provide a timely, consistent, transparent and informative service to all of our users.

KPI	Target	OJC Performance
2.1	<p>Provide a prompt service to users, meeting targets as set down in the Regulations.</p> <ul style="list-style-type: none"> ● Acknowledge letters and emails within 2 working days of receipt. ● Decide whether a complaint falls within the remit of the OJC, and inform the complainant of how their complaint will be dealt with, or why we cannot deal with it, within 15 working days of receipt. ● Keep all parties involved in a complaint informed of progress on a monthly basis, or as appropriate in the individual circumstances of a long-standing complaint. 	<ul style="list-style-type: none"> ● 79% of all letters and emails received by the OJC were acknowledged within 2 working days of receipt. Our performance deteriorated in the second half of the year; this was due to a number of staff leaving the office due to a restructuring of the office and delays in new staff taking up posts. ● The OJC met this target in 79% of cases throughout the reporting period, which is a slight improvement on last year's performance. This is particularly pleasing in view of the major structural changes that took place towards the end of the financial year. ● The OJC met this target on 66% of occasions during the reporting period. This is the first occasion on which we have been able to report on our performance in this area and we aim to improve our performance incoming year following the introduction of new processes.
2.2	<p>Provide a quality service.</p>	<p>We have prepared individual training plans for each new member of staff and are putting in place training plans for the coming year.</p>
2.3	<p>Staff equipped with necessary skills to do the job.</p>	<p>During the year training took place on letter writing skills and dealing with clients on the phone. Training is being reviewed by the Senior Management Team in December 2008.</p>

KEY PERFORMANCE INDICATORS

KPI 3: Ensuring that all complaints and conduct matters are dealt with in accordance with the timescales and procedures laid down in the regulations.

KPI	Target	OJC Performance
3.1	Establish a comprehensive casework manual.	The manual was completed and made available to all staff electronically.

KEY PERFORMANCE INDICATORS

KPI 4: To continue to improve our processes following the review undertaken in 2006-2007.

KPI	Target	OJC Performance
4.1	To ensure that all staff are aware of and able to operate the new computer processes.	All staff have received training on, and use, our new IT system. A training exercise has been conducted for new staff members.
4.2	Provide better services through our website.	Our website has been redesigned and improvements have been implemented. The implementation of online forms, which we hoped would be concluded during the period of this report, will now be completed in time for our next report.
4.3	Enhance our IT systems to make them more user friendly and improve accuracy.	Our IT system has been updated regularly to ensure we retain the capacity to report accurate statistical information.
4.4	Introduce a Health & Safety Plan for our business and monitor Health & Safety objectives.	Health & Safety Plan drawn up and signed off by Head of OJC. Objectives are monitored regularly at Senior Management Team meetings.
4.5	Introduce operational standards for the business.	The Senior Management Team decided to delay the implementation of this until our new operating procedures were in place.
4.6	Introduce clear levels at which work can be conducted.	The Senior Management Team decided to delay the implementation of this until our new operating procedures were in place.
4.7	Conduct a staff satisfaction survey and implement changes to address any concerns.	The Senior Management Team decided against conducting this survey because over half of our staff have changed due to the alterations made to our structure.

KEY PERFORMANCE INDICATORS

KPI 5: To obtain more information concerning the diversity of our clients and use that information to improve the service that we provide.

KPI	Target	OJC Performance
5.1	To evaluate the information that is received in response to our questionnaire.	An analysis of responses was completed in March 2008 and the results were used to inform the new processes developed during our restructuring exercise.
5.2	Introduce changes recommended by our equality group.	The Senior Management Team considered the recommendations and took each of these forward as part of our risk analysis.

KPI 6: To improve the service that we provide to complainants.

KPI	Target	OJC Performance
6.1	All clients to receive regular updates on the progress of their complaint.	We have altered our IT system so that we can now accurately record and monitor our performance against this target.

KEY PERFORMANCE INDICATORS

KPI 7: To measure the cost effectiveness of our performance.

KPI	Target	OJC Performance
7.1	Establish a system of unit costs based on the work undertaken in the first year of the OJC.	The Senior Management team decided to delay the introduction of a system of unit costs until our reorganisation has been completed and this now forms a target for us in the coming year.

KPI 8: To measure our performance in the way that we handle Review Bodies.

KPI	Target	OJC Performance
8.1	To supply Review Body members with all of the case papers allowing sufficient time for proper consideration of the papers.	Completed within target for all Review Bodies this year with one exception where we were unable to obtain formal approval of a panel member until late in the day.
8.2	Improve communication with Review Body Lay Members by way of a news letter and creation of a discussion point on our website.	A bi-annual news letter is now sent to all Lay Members. Feedback suggests that this is a welcome customer service development.
8.3	Introduce a discussion point on our website for use by Lay Members.	Due to technical difficulties we have been unable to implement this change. We hope that these difficulties will soon be overcome and expect to implement this change in the coming year.

KPI 9: To review the Judicial Discipline (Prescribed Procedures) Regulations 2006.

KPI	Target	OJC Performance
9.1	Determine the scope of the regulatory review.	Completed on time.
9.2	Submit the revised Regulations and Rules to the Lord Chancellor and Lord Chief Justice.	Completed on time.
9.3	Lay the statutory instrument before Parliament.	This will be laid before Parliament early in the next financial year (2008-2009).
9.4	Implement the changes set out in the revised Regulations and Rules.	The changes will be implemented as soon as possible in the next financial year (2008-2009).

Unaudited Expenditure Statement

As an associated office of the MoJ, the OJC is not required to produce its own accounts; however, our expenditure is an integral part of the MoJ's Resource Accounts, which are subject to audit.

We are committed to managing our resources efficiently and have in place sound financial governance systems.

An analysis of our budget for the year ending 31 March 2008 is set out below.

Paybill	£842,000
Other Running Costs	£338,000
Total	£1,180,000

For our second year of operation we were allocated a budget of £1,140,000 a reduction of 5% on our first year of operation. We believe that we can improve performance and provide better customer service whilst operating within our budgetary constraints due to the new processes and structure we are putting in place.

The MoJ target for sick absence is 7.5 days per person per year.

Sick Absence

Our performance is 9.2 days per person per year, however on average we have a very good sick record but our performance has been affected by one member of staff being on long term sick leave.

Review Bodies

What They Do

Review Bodies were established under the Regulations to provide Judicial Office Holders with recourse to an impartial review of any decision to take disciplinary action, as well as providing the Lord Chancellor and Lord Chief Justice with a way of obtaining further support in the decisions they make.

The Lord Chancellor and Lord Chief Justice convene a Review Body to look at a case where:

- They decide to refer the findings of a judicial investigation to a Review Body;
- The Ombudsman recommends that an investigation or determination should be reviewed by a Review Body, and the Lord Chancellor and Lord Chief Justice accept the recommendation;
- The Ombudsman sets aside a determination made in a case and directs that the case is to be referred to a Review Body.

In addition, the subject of the disciplinary proceedings may request the Lord Chancellor and Lord Chief Justice refer the case to a Review Body where they notify him/her that they propose:

- To take disciplinary action against him/her, or
- To record the case in a form which may be referred to in later disciplinary proceedings.

A Review Body Consists of:

- A Judicial Office Holder of a higher judicial rank than the subject of the disciplinary proceedings;
- A Judicial Office Holder of the same judicial rank as the subject of the disciplinary Proceedings;
- Two lay members, neither of whom has been a Judicial Office Holder or a practising lawyer. All lay members were recruited by way of a fair and open competition.

Ten Review Bodies have sat this year, all of which were at the request of the Judicial Office Holder.

By the end of the reporting period 2 Review Bodies had been completed and 8 remained ongoing.

The chart on the next page sets out details of the type of judicial office holder who has requested a Review Body over the past year.

REVIEW BODIES

Review Bodies often take several days to complete, especially where interviews are required. The majority of Review Bodies have involved magistrates and in some cases the Review Body has made recommendations concerning the way a local bench is operating; in one case raising concerns over disputes between different factions within the bench. In this case an investigating judge was appointed to look into the operation of the bench and produce a report to the Lord Chief Justice with recommendations for improvements if necessary.

Mainstream	3
Magistrate	6
Tribunal	1
Coroner	0

The Judicial Appointments and Conduct Ombudsman

Sir John Brigstocke KCB was appointed as the Judicial Appointments and Conduct Ombudsman with effect from 3 April 2006. His post was created under section 62 of the Constitutional Reform Act 2005 to cover, in part, consideration of the way in which the OJC carries out its functions under the Judicial Discipline (Prescribed Procedure) Regulations 2006 and supporting rules, to ensure that there is no evidence of maladministration within the OJC.

This year the Ombudsman received 293 conduct related cases against the OJC. Of the 73 cases that were determined and finalised 63 were not upheld and only 10 were either upheld or partially upheld

We are pleased that very few complaints are fully upheld and that none have resulted in the final determination made by the OJC being found to be incorrect.

Full details of the Judicial Appointments and Conduct Ombudsman's performance can be found on his website, where you can also find his annual report.

www.judicialombudsman.gov.uk

Staff Learning and Development

During the year seven experienced staff members left the OJC as a result of our restructuring programme. A recruitment campaign has taken place to recruit replacements and we will have new staff members in place by the end of July 2008.

Training

Significant training has taken place relating to Health & Safety issues. We now have one member of staff who is equipped with the skills to undertake Health & Safety assessments within the office to help ensure the safety and wellbeing of both staff and visitors.

During the year we have also conducted two planning events which were attended by members of the Senior Management Team. The events afforded opportunities to discuss feedback from the Judicial Appointments and Conduct Ombudsman and to take stock of performance and plan effectively for the challenges faced by the OJC as we move forward.

One to one desk training and mentoring continues to form a key part of our training strategy and staff are also trained in the skills needed to perform tasks outside of their core duties. This cross training ensures that skills are readily transferred among caseworkers and enables greater flexibility for individual caseworkers to deal with the wide variety of complaints we receive from different judicial jurisdictions.

Learning From Other Countries

Over the last year we have established links with a number of organisations in other countries who perform a similar function to ourselves. We have hosted visitors from a number of different countries including the United States, Canada, Nigeria and Nepal.

We will use these links to learn more about the systems and processes that they use and hope to be able to incorporate the lessons learned from these organisations into our own practices.

In the coming year, Dale Simon, Head of the OJC, will represent the OJC at a conference in the United States which will focus on matters of judicial discipline and the disciplinary process currently used in the U.S. Officials from the OJC will also be visiting Stuttgart in Germany to explore how local government authorities and service providers engage and involve the public in sensitive decision making processes. Again, we will use the lessons learned from these visits to improve our processes, service delivery and customer engagement.

Diversity Matters

As an organisation we actively participate in the MoJ's Diversity Programme. We have trained staff in, and prepared, Equality Impact Assessments, which enable managers to assess whether changes made within the workplace have a specific impact upon any particular group. This has been particularly important in view of the operational changes that we have made.

The OJC has continued to engage schools and organisations. Dale Simon, Head of the OJC, has met school children to speak to them about her career and to explain and educate about the role of the judiciary in society. During the past year we have arranged another successful work placement.

We have ensured that we give particular emphasis to diversity matters when developing our policies to ensure that they take into account all sections of society. We pride ourselves on developing all of our employees to their maximum potential, making the best use of their varied talents.

Customer Feedback and Critical Friends

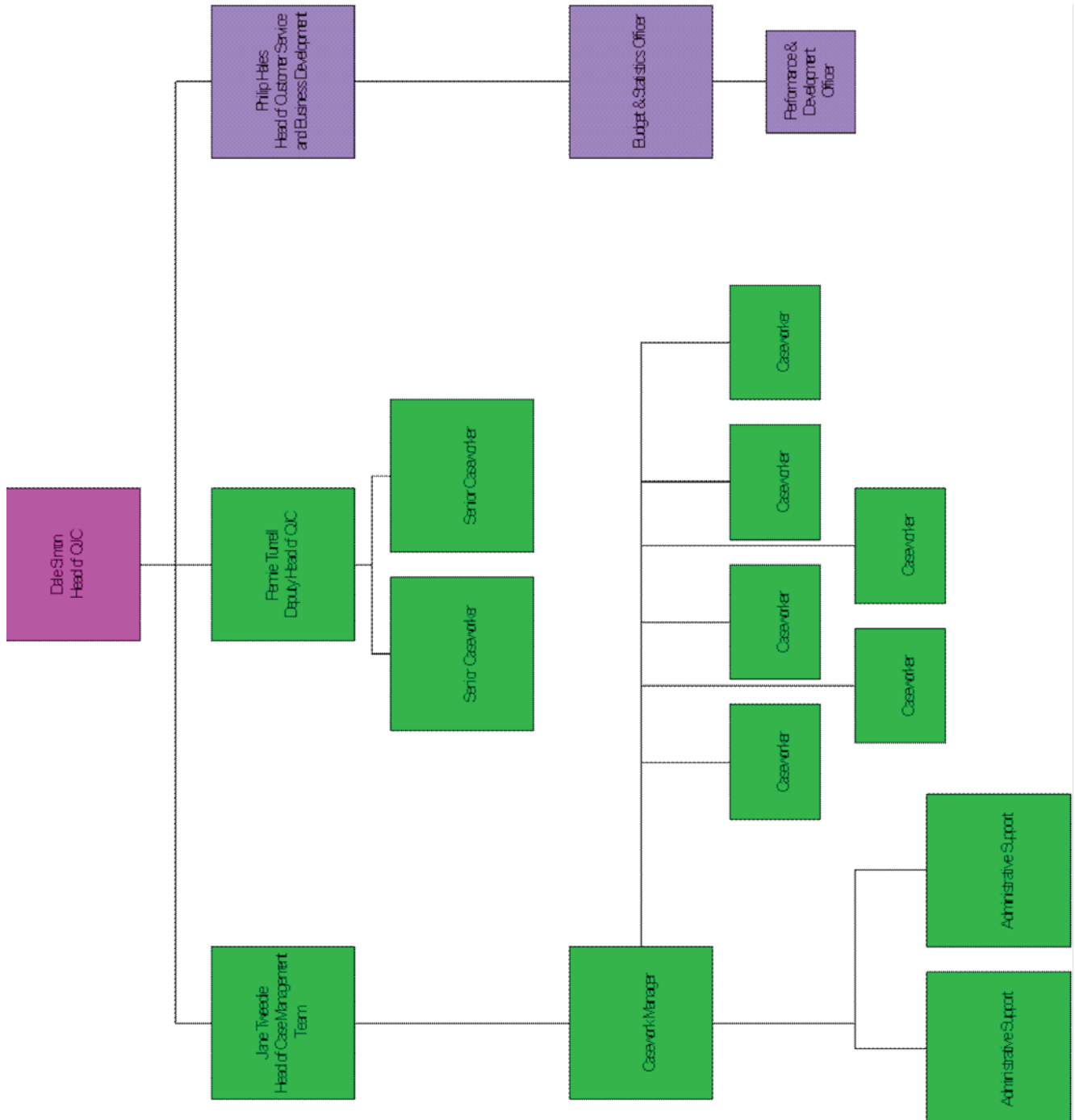
We have established a group of critical friends to review and comment on a number of aspects of the service we provide. At present, membership of the group consists of members drawn from all areas of the judiciary as well as a representative who is able to advise on issues relating to visual impairment.

During the coming year we hope to expand the membership of this group to include fuller representation of all of our stakeholders.

We will be asking the group to assist us with the design and content of our information leaflets and website and review some of the processes and targets which currently underpin the service we provide. We will make available the findings of this group through both our website and future publications.



Organisational Structure



Case study A

A local Magistrates Advisory Committee held a conduct investigation following the receipt of a complaint about the way in which a magistrate had addressed members of the public in court. A colleague raised the complaint, having felt that the magistrate in question had been sharp and abrupt in his handling of some defendants appearing before the court, leading to the creation of an unnecessarily confrontational atmosphere in court.

The Advisory Committee convened a Conduct Investigation Panel to look into the issues raised. The Panel heard from a number of those present in the court and concluded that whilst the magistrate in question had not been deliberately offensive or confrontational, the language and tone he used when dealing with some defendants could have reasonably led to this perception.

The Panel recommended that the magistrate in question should be formally advised as to his future behaviour in court. The Lord Chancellor and the Lord Chief Justice's Delegated Judge agreed with this recommendation and the Delegated Judge wrote to the magistrate to this effect.

Case study B

A local Magistrates Advisory Committee convened a conduct investigation to look into the circumstances surrounding the accrual of nine penalty points on the driving license of a serving magistrate. The points were awarded for three separate speeding offences over a period of approximately two years.

Having interviewed the magistrate in question, the investigation panel were satisfied that each of the offences was at the lower end of the scale of severity, that the magistrate accepted full responsibility for his actions and had taken steps to improve his driving and reduce the risk of re-offending by fitting a cruise control device to his car.

The Panel recommended that the magistrate be issued with a reprimand for his conduct in accruing nine penalty points. The Lord Chancellor and Lord Chief Justice's Delegated Judge agreed with this recommendation and the Delegated Judge wrote to the Magistrate to this effect.

Case study C

A Magistrate was involved in a police investigation involving someone who had applied for a passport using stolen documents and fake identity. The Magistrate had countersigned the application. Whilst the police did not pursue any charges against the Magistrate they did refer the matter to the Chairman of the local bench, who in turn referred the matter to the local advisory committee, who undertook an investigation.

A report was prepared recommending removal from office. The OJC considered the report and provided advice to the Lord Chancellor and Lord Chief Justice that they should agree with the recommendations. The report was approved and the Magistrate was informed that the LC was minded to remove him from the Magistracy.

The magistrate asked for a Review Body to look again at the matter. The Review Body which

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comprised a circuit judge, Magistrate and two lay people, agreed with the original proposal to remove the Magistrate from office. The Lord Chancellor and Lord Chief Justice accepted the Review Body's findings and removed the Magistrate from office.

Case study D

An Advisory Committee conducted an investigation into a Magistrate's association with a sex offender. A report was prepared and sent to the OJC recommending removal of the Magistrate from office.

The OJC considered the report and provided advice to the Lord Chief Justice and the Lord Chancellor supporting the recommendation for removal. The recommendation was agreed and the Magistrate was informed that the Lord Chancellor and Lord Chief Justice were minded to remove them from Office. The Magistrate asked for the matter to be looked at by a Review Body

A Review Body consisting of a Circuit Judge, a Magistrate and two lay people considered the evidence available and the representations made by the Magistrate and concluded that that the Magistrate had lacked sound judgement in failing to give proper consideration to the seriousness of the sex offender's criminal conduct, that the magistrates integrity was to be questioned as the magistrate continued to associate with the sex offender after being made aware of the impact this would have on the position held of magistrate.

In addition the Magistrate had failed to inform the local bench of the situation even after being interviewed by the police. The Review Body prepared a report recommending removal from office. The Lord Chief Justice and the Lord Chancellor were in total agreement with the Review Body's report.

