

PE1458/PP

Response letter to Lord President's letter of 1 April 2015

The new rules and guidance for complainers presented by the Lord President nearly two years after the consultation ended do not appear to include any significant changes which are intended to increase transparency or accountability in the judiciary.

The power to publicise complaints as contained in rule 17 (5) is not a new rule, it was 16 (5) under the 2013 rules. This power has not been used by the Lord President and members have previously heard in evidence how difficult it is for complainants or the JCR to find out what took place with regard to a complaint about a judge.

Disciplinary statements relating to investigations of complaints about against judicial office holders in England & Wales are regularly published by the Judicial Investigations Office <http://judicialconduct.judiciary.gov.uk/975.htm>.

It is clear from previous annual reports of the Judicial Complaints Reviewer there is little transparency with regard to how complaints against the judiciary are handled by the Judicial Office.

Given the Lord President has failed to cooperate in the past with recommendations made by the JCR there appears little in the new rules to prevent him from doing the same again.

There is nothing in the Lord President's new rules which can be put forward as a substitute for a fully published register of judicial interests.

Given the Lord President submitted a copy of the former JCR's consultation response, I urge members to invite Moi Ali to attend an evidence session and take questions on her involvement in the consultation and view of the new rules as presented by Lord Gill.

I also urge members to invite current JCR Gillian Thompson to give evidence on the proposed rules changes and her written support for the petition as specified in the JCR's letter of 12 January 2015 to the Convener.

Peter Cherbi, Petitioner PE1458