



COMPLAINTS AGAINST MEMBERS OF THE SCOTTISH TRIBUNALS RULES 2018

Report No 2

Basis of Report

The Lord President has the responsibility for making and maintaining appropriate arrangements for the investigation and determination of any matter concerning the conduct of ordinary and legal members of the Scottish Tribunals and the review of any such determination.

This report covers the period of 1 September 2018 to 31 August 2019. For the purposes of this report we will only be considering valid complaints which were concluded within this period.

Since 1 September 2018 to 31 August 2019, the following number of complaints have been received and concluded:

<u>Complaints concluded under the Rules</u>		
<u>Rule</u>	<u>Outcome</u>	<u>Total</u>
8	Dismissed by Judicial Office	0
11	Dismissed by President of Scottish Tribunals	0
13	Referred to an investigating Judicial Office Holder	0
18	Withdrawn by complainer	1
	Total	<u>1</u>



Dismissed by Judicial Office

Rule 8: The JOS concluded no complaints under Rule 8 in this reporting period.

Dismissed by President of Scottish Tribunals

Rule 11: The JOS concluded no complaints under Rule 11 in this reporting period.

Referred to an Investigating Judicial Office Holder

In this reporting period, no complaints were referred to an Investigating Judicial Office Holder for investigation and concluded.

Withdrawn by Complainer

Rule 18: 1 complaint was treated as withdrawn by the complainer during this reporting period. The complainer withdrew their complaint after reviewing our complaints guidance.

Outstanding Complaints

As of 1 September 2019, there is currently 1 complaint under consideration. This complaint is currently being investigated by an investigating Judicial Office Holder.

A copy of the Rules and associated guidance can be found on our website: <http://www.scotland-judiciary.org.uk/75/0/Complaints-About-Members-of-the-Scottish-Tribunals>

Mental Health Tribunal for Scotland

Whilst the Rules are in place only for those tribunal members that have transferred into the new structure, the Mental Health Tribunal for Scotland has developed an interim procedure whereby they are following a similar style of complaint rules.

The President of MHTS has appointed the Judicial Office to manage the administration of complaints against their members until the formal transfer into the new structure.



Since 1 September 2018 to 31 August 2019, the following number of complaints against members of the MHTS have been received and concluded:

Complaints concluded under the Interim Procedure		
Rule	Outcome	Total
5 (3)	Dismissed by Judicial Office	0
5(5)	Complaint submitted to President of MHTS for consideration.	2
	Total	<u>2</u>

Judicial Office for Scotland
October 2019