



Protocol for legal professionals wishing to raise concerns informally about judicial behaviour

**Issued by the Lady Chief Justice of England and Wales and the
Senior President of Tribunals**

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Introduction

1. There are both formal and informal routes through which legal professionals¹ can raise concerns about the behaviour of a judicial office holder².
2. This protocol sets out the process for legal professionals who wish to raise a concern **informally**. It commits to writing a process which has long been in existence. An informal approach can be the preferred route for those who are looking for a quick resolution or whose concern relates to a less serious issue, for instance isolated incidences of brief loss of temper, or an apparently isolated ill-judged remark.
3. You should consider referring more serious concerns such as repeated bullying or a pattern of harassment or sexual harassment to the [Judicial Conduct Investigations Office](#) (JCIO) which is responsible for formal complaints against judicial office holders.³

Procedure for raising concerns informally

Direct approach:

4. Judicial office holders all have a responsibility to help foster a positive working environment, where diversity is recognised and valued, and everyone is treated with dignity and respect. Therefore, they should all be open to feedback if their actions may have caused discomfort or offence. If you are a legal professional and an issue has arisen, you may choose to speak directly with the judicial office holder concerned about their behaviour and its impact on you. To initiate this discussion, you should ask to see that judicial office holder in private and you should give them some indication in advance of what you wish to discuss; they may invite another person to be present at that meeting, and you may wish to take someone with you to that meeting. This meeting should normally take place after the hearing or trial has concluded.

Indirect approach:

5. If you feel unable to raise the issue directly, you may wish to make an indirect approach to the judicial office holder's leadership judge. The details of who you should contact are set out in the attached appendix. You can make that approach yourself or you can ask a senior member of your profession to do so on your behalf. This could be someone from your Chambers or law firm, your Circuit Leader, the Bar Council's Commissioner for Conduct or any other senior member of your profession. You will need to provide them with a clear account of the incident, together with any supporting information or evidence that may assist - such as the names of witnesses and a description of the impact of the behaviour on you.

¹ Legal professionals include barristers, solicitors and legal executives. This protocol does not apply to members of the public who are not legal professionals.

² This protocol does not, however, apply to Magistrates or Coroners who have different processes for raising concerns.

³ Formal complaints against Employment Tribunal Judges in Scotland should be referred to Glasgow.President@justice.gov.uk

6. Whether you raise the concern yourself or ask someone to do that for you, the matter should be brought to the attention of the relevant leadership judge. This will usually be the senior judicial office holder at the court or tribunal at which the incident occurred. If your concern relates to that senior judicial office holder, you should approach the next most senior leadership judge. The details are set out in the attached appendix.

Alternative Route:

7. If for some reason you are unable or unwilling to approach the relevant leadership judge, you should raise the issue with the office of the Senior Presiding Judge at SPJOffice@judiciary.uk for courts or the Senior President of Tribunals at SeniorPresidentTribunalsOffice@judiciary.uk for tribunals, who may refer the matter to another leadership judge who is appropriately placed to deal with it. This route should not be used for concerns that have already been raised with the relevant leadership judge.

Action

8. Leadership judges are responsible for providing an environment where individuals feel able to raise concerns, ensuring that concerns raised with them are dealt with in a timely and effective manner and ensuring that no-one suffers detriment as a result of raising a concern in good faith, whether informally or formally. At all stages, confidentiality will be respected to the extent possible.
9. The relevant leadership judge will speak to the judicial office holder concerned. They will avoid identifying you as the person who has raised the issue if you have indicated that you do not wish to be identified. But it may not be possible for you to remain anonymous if you want action to be taken. Your identity will not be disclosed without your permission.
10. The relevant leadership judge will then decide what to do and what action to take, if any. Once this has happened, they will confirm the outcome of their discussions, in general terms, with you or the person who has raised the concern for you.

Appendix: Routes for Raising a Concern Informally About Judicial Behaviour

Leadership Judges (Courts and Tribunals)

Listed below are the relevant leadership judges with whom informal concerns may be raised, depending on the judicial office holder involved.

Details of relevant leadership judges can also be found here [Leadership Judges - Courts and Tribunals Judiciary](#). Details of senior leadership judges, Heads of Division and Master of the Rolls, can be found here [Senior Judiciary - Courts and Tribunals Judiciary](#)

If, once you have looked at this information, you are unsure who the relevant leadership judge or equivalent is, or if you do not know how to contact the relevant leadership judge, you can contact the **HR Advice Line (HRSupport@judiciary.uk)**, who will be able to provide you with the correct leadership judge for the court or tribunal concerned. Your confidentiality will be respected.

HR Support will not be able to disclose judicial email addresses but will forward your email to the relevant leadership judge and will confirm this action with you.

Court	Relevant Leadership Judge
Administrative Court	Judge in Charge of the Administrative Court, or Administrative Court Liaison Judge for the Region concerned or Head of Division (President of the King’s Bench Division)
Business and Property Courts	Supervising Judge for the Circuit or Head of Division (Chancellor of the High Court or President of the King’s Bench Division)
Crown Court	Resident Judge or Presiding Judge for the Circuit
Court of Appeal	Vice President of the Court of Appeal, Criminal Division for crime, or Master of the Rolls for Civil.

Family Court	Designated Family Judge or Family Presiding Judge for the Circuit
County Court (Civil)	Designated Civil Judge or Civil Presiding Judge for the Circuit
Court of Protection	Senior Judge of the Court of Protection or Vice President of the Court of Protection
Magistrates' Courts (where the Judge is a DJ(MC) or DDJ(MC))	Senior District Judge (Chief Magistrate) Deputy Senior District Judge (Chief Magistrate)
High Court	Head of Division, namely President of the King's Bench Division, President of the Family Division, Chancellor of the High Court; or Chief Chancery Master/Senior Master of the King's Bench Division if appropriate
Insolvency and Companies Court	Chief Insolvency and Companies Court Judge or Head of Division (Chancellor of the High Court)
Senior Courts Costs Office	Senior Costs Judge

If the concern is about a Head of Division, you should raise the issue with the office of the Lady Chief Justice at LCJOfficePublic@judiciary.uk

Tribunal / Chamber	Relevant Leadership Judge
Administrative Appeal Chamber (Upper Tribunal)	President
Employment Appeal Tribunal	President
Immigration and Asylum Chamber (Upper Tribunal)	President
Lands Chamber (Upper Tribunal)	President
Tax and Chancery Chamber (Upper Tribunal)	President
General Regulatory Chamber (FTT)	President
Health, Education, Social Care Chamber (FTT)	President Regional Judge Chief Medical Member
Immigration and Asylum Chamber (FTT)	President, Resident Judge
Property Chamber (FTT)	President, Regional Judge

	Regional Surveyor
Social Entitlement Chamber (FTT)	President Regional Judge (SSCS) Principal Judge (AST or CICT)
Tax Chamber (FTT)	President
War Pensions and Armed Forces Compensation Chamber (FTT)	President
Employment Tribunals (England and Wales)	President Regional Employment Judge
Employment Tribunals (Scotland)	President

Depending on who the concern relates to, you should normally contact the relevant Regional Judge listed in the first instance. If the concern is about one of the leadership judges listed as a contact for a Tribunal or Chamber, you should raise the issue with the office of the Senior President of Tribunals at SeniorPresidentTribunalsOffice@judiciary.uk for tribunals.

