



COMPLAINTS ABOUT THE JUDICIARY (SCOTLAND) RULES 2017 AND 2024

Report No 15

Basis of Report

This report covers the period of 1 September 2025 to 31 August 2026. For the purposes of this report we will only be considering valid complaints which were concluded within this period.

During the period of this report, 91 complaints were concluded under the Rules.

The table below provides a breakdown of the stage each complaint reached under the Rules.

Complaints concluded under the Rules 2024 (1 September 2025 – 25 August 2026)

Rule	Outcome	Senator/ Temp Judge	Sheriff Principal / Temp SP	Scottish Land Court Chairman/ Members	Sheriff /Summary Sheriff/PT Sheriff	JP	Total
7	Out of Time and not allowed to proceed	1	0	0	8	0	9
8	Dismissed by Judicial Office	9	5	0	55	0	69
10	Dismissed by Disciplinary Judge	0	0	0	2	0	2
11	Dismissed by Disciplinary Judge	0	0	0	3	0	3
13	Referred to Nominated Judge and resolved	0	0	0	2	0	2
16	Referred to Nominated Judge and not substantiated	0	0	0	5	0	5
16	Complaint Substantiated and report submitted to the Lord President	0	0	0	0	1	1
18	Withdrawn	0	0	0	2	0	2
20	JOH ceases to hold office	0	0	0	0	0	0
Total		10	5	0	74	1	93



Dismissed by Judicial Office

Rule 7: The JOS concluded 9 complaints under this rule.

Rule 8: The JOS concluded 69 complaints under this rule.

- 2 complaints were dismissed under rule 8(3)(a) – *it does not contain sufficient information to enable it to be understood and is about a judicial decision*⁹
- 62 complaints were dismissed under rule 8(3)(b) – *it is about a judicial decision*
- 5 complaints were dismissed under both, rules 8(3)(a) and 8(3)(b).

Dismissed by Disciplinary Judge

Rule 10: The JOS concluded 2 complaints under this rule.

- 2 complainers failed to inform the JOS within 28 days of their case concluding and did not respond to correspondence and were notified that their complaint was dismissed by the disciplinary judge.

Rule 11: The JOS concluded 3 complaints under this rule.

- 1 complaint was dismissed under rule 11(2)(a) – *it should not have passed the sift under rule 8(2)*
- 1 complaint was dismissed under rule 11(2)(c) – *it is without substance*
- 1 complaint was dismissed under rule 11(2)(d) – *even if substantiated, would not require any disciplinary action to be taken*

Referred to Nominated Judge

In this reporting period, 8 complaints were referred to a nominated judge for investigation.

- 2 complaints were resolved to the satisfaction of the person complaining and the judicial office holder concerned without further investigation.
- 5 complaints were investigated and subsequently reported to be unsubstantiated. The reports of the nominated judges in all complaints were reviewed by the Lord President who concurred with the findings they each contained.
- 1 complaint was investigated and subsequently reported to be substantiated. The report of the nominated judge was reviewed by the Lord President who concurred



with the findings and exercised a power in terms of section 29(1)(b) of the Judiciary and Courts (Scotland) Act 2008.

Withdrawn by Complainer

Rule 18: 2 complaints were withdrawn, or deemed to be withdrawn, by the complainer during this reporting period.

- 2 complainers asked that their complaint be withdrawn, and the file was closed.

Outstanding Complaints

As of 31 August 2026, 11 complaints were still active: 3 complaints are currently being investigated by a nominated judge and 8 complaints are currently under consideration.

A copy of the Rules and associated guidance can be found on our website:

www.judiciary.scot/home/publications/judicial-complaints

**Judicial Office for Scotland
September 2026**