



Complaint Guidance for Children

The Judicial Office for Scotland is a separate part of the Scottish Courts and Tribunals Service. We look at complaints made against judges by members of the public.

This guide will help you make a complaint if you are unhappy with how a judge has behaved. We will call these people the decision makers.

What can I complain about?

It is important that the decision maker behaves both inside and outside of the court or tribunal. We cannot list all possible behaviours. But here are examples of some things that you can and can't complain about:

We <u>can</u> consider	We <u>can't</u> consider:
• The use of rude, nasty or bad language • Falling asleep at a hearing • Using their position to benefit themselves personally • If the decision maker is connected to someone in the case	• What the decision maker decides • The way the decision maker handles the case • Who is allowed to be in the hearing room • Who is asked to talk

When should you tell us about your complaint?

- You should tell us as soon as possible.
- You do not need to wait until your case is finished to complain.
- A complaint must be made within 3 months of the behaviour you want to complain about. If you make a complaint after 3 months, you must tell us why. We will then have to decide whether we can accept it out of time.

Who do I send my complaint to?

You can send your complaint by:

Sending an Email: judicialofficeforscotland@scotcourts.gov.uk



Sending a Letter: Judicial Office for Scotland
Parliament House
Edinburgh
EH1 1RQ



Sending a Video: judicialofficeforscotland@scotcourts.gov.uk



What do you need to tell us?



- Your name
- An address we can use to contact you - this can be either a postal or email address
- The name of the decision maker you are complaining about. If you don't know their name – that is okay. We can help you.
- The date and the place of the behaviour you want to complain about.
- Details about what the decision maker did
- The case number (if you have it)

To help us understand what has happened. It is important that you tell us as much as you can. You will need to explain what was said or done by the decision maker that you felt was rude, providing examples of the words used or behaviour shown.

If we need some more information then we may contact you to ask for this. It is important that you are able to check your post or emails regularly.

What happens now that you have made a complaint?

Step 1

- Within 5 days we will reply to you and let you know that we have received your complaint.
- We may ask you for some more information if we need it.
- We will explain what the next steps are.



Step 2

- We will look at your complaint. If we can't accept what you have said as a complaint, we will tell you why.
- It may be that we have to pause your complaint because your case has to be sorted out first. We will let you know if this is the case and will explain why.
- If we can look at your complaint, we will pass your complaint to a judge who will look at it. The judge may decide the matter needs to be looked into more detail and may ask another judge to do this. Whatever decision they make, we will let you know. You might be contacted by a judge to answer some questions.
- The decision maker you told us about will also be told about the complaint. They will get a chance to tell the judge what they think about it.
- We will then send you a clear explanation of the result of your complaint.



Step 3

- If you are not happy with how your complaint has been treated you can contact a reviewer, called the Judicial Complaints Reviewer, to look into how your complaint was handled.

Need help with your complaint?

If you wish to complain, but aren't sure about how to, please don't be afraid to ask someone for help.

These people can help you:

- Friends or family - An adult can make a complaint for you if you agree to it

- Judicial Office Staff

Email - judicialofficeforscotland@scotcourts.gov.uk

Or call - 0131 240 6677

- The Children's Service - My Rights, My Say

Email - help@myrightsmysay.scot

Further information can be found at myrightsmysay.scot

Accessibility

If you can't make your complaint in one of the ways above or want the information in another language or format, such as large print, audio or Braille, please let us know by emailing judicialofficeforscotland@scotcourts.gov.uk or by calling us on 0131 240 6677.

Unhappy with how your complaint was handled?

If you believe that we did not follow the Rules correctly when looking at your complaint, then please visit www.judicialcomplaintsreviewer.org.uk to view the Judicial Complaints Reviewer website; or call 07814 919 837 to get in touch with James Mollison, the current Judicial Complaints Reviewer.

Useful websites

- Scottish Judiciary website:
www.scotland-judiciary.org.uk
- Scottish Courts and Tribunals Service:
www.scotcourtsribunals.gov.uk
- Judicial Conduct Investigations Office for England and Wales: www.judicialconduct.judiciary.gov.uk
- Scottish Legal Complaints Commission:
www.scottishlegalcomplaints.org.uk
- Law Society of Scotland: www.lawscot.org.uk
- Police Scotland: www.scotland.police.uk