

Annual Report 2024-25

Judicial Appointments & Conduct Ombudsman
Annual Report 2024-25

**Presented to Parliament pursuant to Paragraph 15(4) of Schedule 13
of the Constitutional Reform Act 2005**



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Any enquiries regarding this publication should be sent to us at Judicial Appointments and Conduct Ombudsman's Office, 1st Floor (1-55), The Tower, 102, Petty France, London SW1H 9AJ.

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The Judicial Appointments and Conduct Ombudsman

The Ombudsman

Mr Douglas Marshall is the Judicial Appointments and Conduct Ombudsman (JACO). He was selected through an open competition and appointed in March 2021, by Her Majesty The Queen Elizabeth II, on the Lord Chancellor's recommendation.

The Ombudsman's Role

The JACO is independent of Government, the Ministry of Justice (MoJ), the Judicial Appointments Commission (JAC) and the Judiciary. The Constitutional Reform Act 2005 outlines the JACO's role and powers. This allows him to consider the following types of complaints.

Complaints about the Judicial Conduct Investigations Process

The JACO can:

- Review complaints about how Investigating Bodies (the Judicial Conduct Investigations Office, a Magistrates' Advisory Committee, or a Tribunal President)¹ handled complaints about Judicial Office Holders' personal conduct. These concerns can be raised by complainants or Judicial Office Holders involved in the investigation. Typically, the JACO requires complainants to have finished their dealings with the Investigating Body before considering a complaint.

¹ The Lord Chancellor and the Lady Chief Justice (or a Designated Judge, acting on her behalf) may be involved later in the process as only they can impose a sanction on a Judicial Office Holder.

- Determine if the Investigating Body failed to follow the processes outlined in the Judicial Discipline (Prescribed Procedures) Regulations 2023², or if there is other maladministration.
- Recommend various forms of redress, including:
 - Setting aside an Investigating Body's decision and directing a new investigation or review if maladministration made the decision unreliable.
 - Suggesting improvements for the Investigating Body's complaint handling.
 - Recommending compensation for loss due to maladministration by the Investigating Body.

Complaints about the Judicial Appointments Process

The JACO can:

- Look at complaints from candidates for judicial office who believe they were negatively impacted by maladministration in the way their application for appointment, and/or subsequent complaint, was handled.
- Make recommendations for redress.

² The Judicial Discipline Regulations and supporting Rules came into effect from 13 October 2023. The JACO continues to consider complaints under the Judicial Discipline Regulations 2014 and supporting Rules, which includes complaints dealt with by Tribunal Presidents, or a delegated Tribunal Member.

Foreword

This is the fifth Annual Report of my tenure. Last year, I reported on several staff changes within a previously quite static small team. I am pleased that the office in this section is now up to full strength and new investigators are getting to grips with the detailed analysis required in the investigation of complaints. I am grateful for the patience of complainants where a full investigation has been required, and they have taken longer than I would have envisaged to complete. All complainants are regularly kept up to date with the progress of their complaint.

I have always pointed out that statistics do not tell the full story due to the varying nature of every complaint my office in this section receives, some have little correspondence while others have vast correspondence to review.

Some statistics that do stand out in this annual report include preliminary investigations. Every complaint is triaged and one of the conditions that must be met for me to refer the complaint for a full investigation is that I consider it to be necessary. My remit specifically precludes me from reviewing decisions taken by those considering conduct complaints. I can look only at the process by which those complaints were handled. This is set out in the Constitutional Reform Act 2005.

If I do not consider it necessary to complete a Full Investigation, that complaint is concluded by the completion of a Preliminary Investigation Report. In the period 2024 to 2025, I have concluded 424 complaints by a Preliminary Investigation Report in comparison to 256 completed by the same route in the previous 12 months. The 66% increase is unprecedented.

Our experiences suggest that the reason for this significant increase is due to the implementation of the Judicial Conduct Rules and the Judicial Conduct (Magistrates) Rules 2023 on 13 October 2023. A part of these rules included responsibility for dealing with complaints about tribunal judges and non-legal members from the relevant Tribunal President passing to the JCIO. These

changes, which included stricter submission requirements, resulted in a considerable increase in JCIO related complaints to me. This increase was more than expected.

I will continue to provide feedback to Investigating Bodies on themes I see to prevent complainants being frustrated and seeing the need to escalate their complaints to me. In instances where these result in a Preliminary Investigation Report, I can often sense the frustration in post complaint correspondence I receive. Additionally, I have contributed to the JCIO's review on the impact of the 2023 Rules.

Most of my work relates to judicial conduct complaints. Although I have "Judicial Appointments" in my title the reality is that I have consistently throughout my tenure received few appointment complaints. This continues the trend of my predecessors. Given the number of appointments processes carried out in a year, it is commendable that the number of complaints to me remains low.

Each year my office focuses on trying to improve the complaints process for complainants. We understand it can be a highly emotional time for some complainants, and we try to explain the remit of the Ombudsman, what I can review and just as importantly what is beyond my remit. Where we see the opportunity to refer complainants to the correct place to make their complaint, we do, for example, when the complaint is about a person who does not hold judicial office. Sadly, on occasions in carrying out these duties staff are met with abusive conduct which is never justified.

We have already set out to keep improving over the next year. One of our main aims now we are fully staffed is to reduce the time taken to investigate our oldest cases so we can continue to provide a high level of service. We remain fully committed to meet those challenges and ensure every complainant receives the best service we can give.

Douglas Marshall

Performance

This chapter provides information about: the enquiries and complaints received in the JACO Office³; how they are dealt with; and performance against the business objectives.⁴

Summary

In 2024/25, in comparison to 2023/24, the Office:

- Received 35% more correspondence (5494 compared to 4066).
- Considered 53% more cases to determine whether a full investigation was necessary (447 compared to 292).
- Concluded 66% more Preliminary Investigation Reports (424 compared to 256).
- Progressed 36% less cases to full investigation (23 compared to 36).
- Concluded 41% less full investigations (23 compared to 39).
- Upheld or partially upheld 10% more complaints (11 compared to 10).

In relation to its targets, the Office:

- Achieved all the targets set out in the 2024/25 Business Plan.
- Exceeded its 90% target in relation to Preliminary Investigation reports. It provided an initial decision within 6 weeks of receiving enough information to consider a complaint in 100% of cases.
- Achieved its 98% target in relation to keeping complainants updated.
- Achieved its target of acknowledging receipt of 98% of new complaints and correspondence within 5 working days.
- Exceeded its target of handling 90% of correspondence within 15 working days. The achieved response rate was 99.5%.

³ Hereafter, the Office.

⁴ Percentages used in this section have mostly been rounded to the nearest whole percentile point.

In addition, the Office has:

- Onboarded and trained two new staff members (in May 2024 and March 2025).
- Filled the Senior Investigating Officer post.
- Assessed the impact on JACO of the Judicial Conduct Rules 2023 and Judicial Conduct (Magistrates) Rules 2023 and provided feedback to the JCIO.
- Streamlined and improved the systems for correspondence and associated statistics as part of a review of internal processes.
- Analysed the use of the online complaints form.
- Introduced an online complaints form for appointment complaints.
- Reviewed the online conduct complaints form and introduced a form for judicial office holders in conduct related complaints.

The Office remains committed to providing a high level of customer service in 2025/26. Our aims for next year include:

- Reducing the number of cases over 12 months old.
- Reviewing the Privacy Notice.
- Reviewing the leaflet for conduct and appointment complaints.
- Continuing to review JACO internal processes to increase efficiency.
- Reviewing the format and presentation of the Annual Report.
- Updating our website to include links to the complaint forms.

Case work process

The Office handles enquiries and complaints through a three-step process outlined below.

Initial Check

The Office receives enquiries by telephone, email, and post, aiming to acknowledge them within 5 working days. Initial checks determine if the complaint can be handled, including verifying if it has been

considered and concluded by an Investigating Body. If not, further information is provided to assist the enquirer. Relevant complaints are passed for Preliminary Investigation.

Preliminary Investigations

Valid complaints are evaluated to determine if they warrant a Full Investigation. The Office obtains the complaint papers from the Investigating Body and prepares advice for the JACO. The case is passed for Full Investigation if:

- The JACO considers it necessary. This involves the JACO deciding if the issues raised by the complainant could lead to a finding of maladministration.
- The complaint is made within 28 days of the Investigating Body's decision.
- The complaint is in a form approved by the JACO.

If any of the criteria are not met, a letter or Preliminary Investigation Report explains the decision. If the criterion is met, the case is passed to the investigating team for a Full Investigation.

This process aims to provide timely decisions and ensure efficient workload management.

The Office aims to provide a decision within six weeks of receiving the Investigating Body's papers in 90% of cases.

Full Investigations

Full Investigations involve a detailed analysis of often complex documentation. The JACO considers the complainants' correspondence, evidence from the Investigating Body and the relevant conduct complaints process rules to decide whether there was maladministration in the process followed.

The JACO asks Investigating Bodies for their comments on the process they followed and on his findings.

The JACO is required to refer a draft of his report to the Lord Chancellor and the Lady Chief Justice (for judicial conduct related complaints) or the JAC Chairman (for appointment related complaints) and consider their comments before finalising the complaint.

The Office aims to conclude investigations within 6 to 9 months. More complex investigations can take longer. The Office provides monthly progress updates to complainants, unless advised otherwise or updates are declined.

Correspondence received

In 2024/25, the Office received 5494 individual pieces of correspondence, the majority received via email. It included correspondence that raised issues which, although strongly felt, did not relate to the JACO's remit or the remit of Investigating Bodies.

The figures show an increase from 2023/24, when the Office received 4066 pieces of correspondence. The total amount of correspondence received in 2024/25 has risen by 35% from the previous year.

The Office met the targets to:

- Acknowledge receipt of complaints and correspondence within 5 working days in 98% of cases. As in previous years, this target was largely achieved through the automatic acknowledgement of correspondence received by email.
- Deal with 90% of all correspondence received within 15 working days of receipt. The achieved target was 99.5%.

Initial checks

The Office carries out initial checks to establish whether the correspondence received falls within the JACO remit.

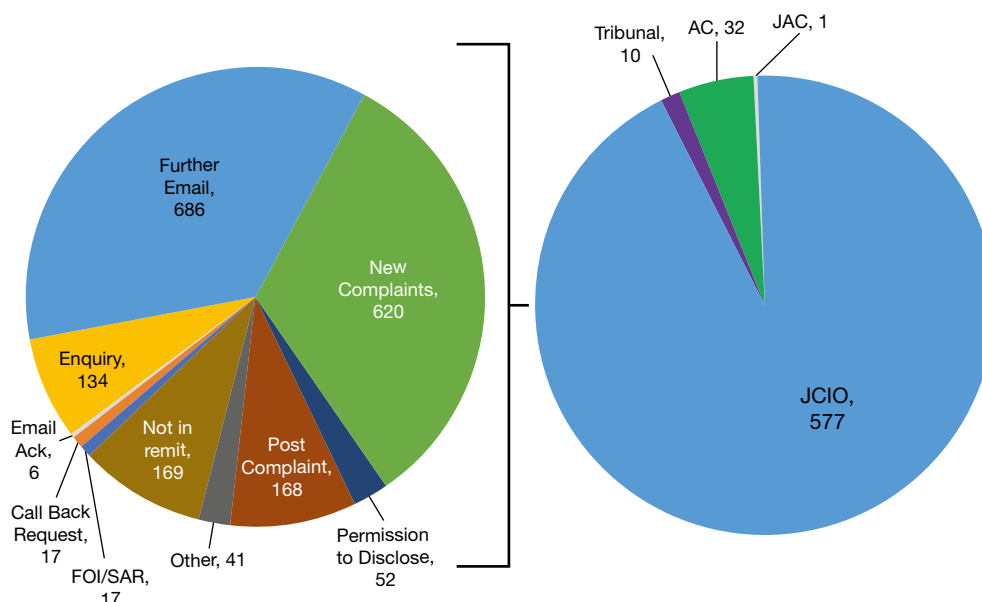
Of the total correspondence received, 3584 were not taken forward or responded to following these initial checks.

Unanswered emails may include generic civil service updates, marketing communications, or messages from complainants who the Office is no longer engaging with for various reasons. The Office does not generally respond to emails addressed to multiple recipients.

The remaining 1910 items of correspondence received were actionable in some way. This figure encompasses the total number of complaints and enquiries received, including new complaints and complaint related correspondence, general enquiries, post complaint correspondence and other matters, such as requests under the Freedom of Information Act 2000 or Subject Access Request and litigation related correspondence.

When correspondence relates to complaints that cannot be taken forward, the Office will explain the JACO remit and determine if the potential complainant wishes to pursue the complaint further, providing guidance on what is needed. However, some correspondence cannot be progressed because: the Investigating Body has not yet concluded its work, the complaint concerns the Investigating Body's decision, or the complainant fails to provide the required information or the necessary 'permission to disclose' when requested.

The charts below present the categorisation of 1910 inquiries and complaints, as well as the breakdown of the 620 new complaints by Investigating Body.



Preliminary Investigations

This is the first full reporting year following the implementation of the Judicial Conduct Rules 2023 and the Judicial Conduct (Magistrates) Rules 2023⁵ on 13 October 2023. These Rules passed the responsibility for dealing with complaints about tribunal judges and non-legal members from the relevant Tribunal President to the JCIO.

In 2023/24 the JACO considered 292 cases relating to his Judicial Conduct Investigations remit. In 2024/25, the JACO considered 447 representing a 53% increase.

Of that figure:

- 424 were concluded by a Preliminary Investigation Report.
- 23 were progressed to a Full Investigation.

In 2023/24, the JACO concluded 256 cases by a Preliminary Investigation Report marking a 25% increase on the previous year. In 2024/25, the JACO concluded 424 cases, which represents a 66% increase on 2023/24, and is the highest figure received on record.

⁵ The 2023 Rules.

It is apparent that the increase is attributable to the changes in the Rules. It is also the case that the JCIO received a higher volume of complaints and is adjusting to the changes. In turn, this has led to an increased number of complaints to the JACO.

The biggest increase in complaints to the JACO came from complaints rejected by the JCIO for not meeting the requirements of Rule 8. In 2024/25, 326 cases related to complaints rejected by the JCIO under Rule 8 compared with 99 cases in 2023/24.

Whilst this Rule has always required the JCIO to reject a complaint that does not contain an allegation of misconduct, it also now stipulates that a complaint must be rejected if it is not “supported by relevant details as specified in guidance published by the JCIO from time to time”⁶.

The table below shows the monthly comparison of cases concluded by Preliminary Investigation Report in 2023/24 and 2024/25, categorised by Investigating Body⁷.

⁶ <https://www.complaints.judicialconduct.gov.uk/>

⁷ The number of Tribunal related cases are those dealt with under the Judicial Conduct (Tribunals) Rules 2014. Tribunal related cases dealt with under the Judicial Conduct Rules 2023 are included in the JCIO figures.

		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
23 - 24	JCIO	5	8	18	5	10	19	14	9	25	17	17	27	174
	AC	0	0	3	1	1	1	0	0	1	2	0	0	9
	Tribunals	6	8	9	7	6	9	9	13	2	2	1	1	73
	Total	11	16	30	13	17	29	23	22	28	21	18	28	256
24 - 25	JCIO	19	32	21	25	19	45	47	55	25	37	35	43	403
	AC	3	3	0	2	0	0	1	1	3	0	1	3	17
	Tribunals	1	0	1	0	1	1	0	0	0	0	0	0	4
	Total	23	35	22	27	20	46	48	56	28	37	36	46	424

Despite this increase, the Office exceeded its target to conclude 90% of Preliminary Investigation evaluations and provide a full reply within 6 weeks of receiving the Investigating Body's complaint papers or enough information to determine the complaint. Only one complaint fell outside that timeframe.

Full Investigations

Cases progressed to Full Investigation

In 2024/25, the JACO directed 23 cases required a more detailed investigation to determine whether there was evidence of maladministration by an Investigating Body. This is a 36% decrease on the number of cases progressed to Full Investigation in 2023/24.

The following table shows the breakdown of the 23 cases by Investigating Body.

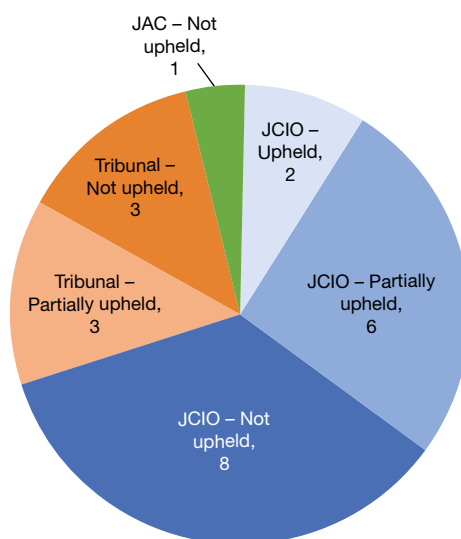
Investigating Body	Number of Complaints
JCIO	19 ⁸
Tribunals	2 ⁹
Advisory Committee & JCIO	1
Judicial Appointments Commission	1
Total	23

Cases concluded

In 2024/25, the number of cases concluded by the JACO following a Full Investigation decreased by 41% with 23 cases concluded compared to 39 cases in 2023/24. The chart below shows the breakdown of cases by Investigating Body.

⁸ This figure includes Tribunal related complaints dealt with under the Judicial Conduct Rules 2023.

⁹ This figure relates to complaints dealt with under the Judicial Conduct (Tribunals) Rules 2014.



Despite the overall decrease in the number of concluded cases, the number of cases that were upheld or partially upheld increased by 10% (11 cases in 2024/25 compared to 10 cases in 2023/24).

Redress

The JACO considered the appropriate redress in the cases that were upheld or partially upheld as follows:

- In 6 cases, the JACO found an apology was the appropriate redress. However, he did not recommend it because the Investigating Body had already recognised that one was warranted: in 1 case, the Investigating Body had previously apologised, and in a further 5 cases, the Investigating Body had already agreed to do so.
- In 3 cases, the JACO set the decision aside using his powers under Section 111(5) of the Constitutional Reform Act 2005. This allows the JACO to set aside a determination, or part of a determination, in respect of a Judicial Conduct Investigation matter if he identifies maladministration which renders the Investigating Body's decision unreliable. In a further 5 cases, the JACO would have set the decision aside, but the Investigating Body agreed to reconsider the issues that might have amounted to maladministration before the JACO concluded his report.

- In 1 case, the JACO made recommendations for systemic changes to prevent a reoccurrence, i.e. to take steps to ensure that complainants are made aware if the cause of a complaint about a delay in issuing an order is administrative so that they can re-direct their complaint promptly if they wish.

The JACO found an apology was warranted in 1 case where he did not find maladministration. However, he did not recommend any redress because the Investigating Body had previously apologised.

The JACO made no recommendations for compensation.

Time taken to conclude complaints

In previous years, most full investigations were completed within 6 to 9 months with more complex investigations taking longer.

Last year's annual report stated an aim to reduce the overall time taken to conclude full investigations in 2024/25. Due to challenges, such as the time taken to fill staff vacancies, this aim has been impacted. This year, similar challenges persisted and were further influenced by an increase in complaints and the need for staff to build experience on complex cases. Consequently, the Office has not been able to conclude as many cases or reduce investigation timescales in 2024/25.

All 23 complaints concluded in 2024/25 took longer than 6 months. 1 case took between 6 – 9 months to conclude, and 1 case took between 9 – 12 months to conclude. The remaining 21 cases took in excess of 12 months. There were 2 cases where the complaint to the JACO was put on hold whilst the Investigating Body considered it again.

At the end of March 2025, there were:

- 42 cases where draft reports have not yet been referred to the Lord Chancellor and the Lady Chief Justice or the JAC Chairman. Of those cases:
 - 3 are on hold due to ongoing litigation.

- 22 outstanding cases in which investigations had been ongoing for more than 12 months, of which 3 were on hold for between 3 and 7 months, whilst the Investigating Body reconsidered matters following enquiries from the Office.
- 1 was on hold for a period of 3 months whilst the Investigating Body reconsidered the complaint.
- 3 cases where the JACO was awaiting a response from the Lord Chancellor and the Lady Chief Justice.

The Office aims to keep complainants informed about the progress of their complaint. This is generally done monthly unless a complainant is advised otherwise. For instance, after draft reports have been referred to the Lord Chancellor and either the Lady Chief Justice or the JAC Chairman, complainants are typically informed that there will not be an update the following month as it is unlikely that a response would have been received by then.

The Office met its target to keep complainants fully informed on a monthly basis in 98% of cases.

As of March 2025, the Office is fully staffed. Therefore, as the experience of the team increases, we aim to progress our oldest cases and reduce the time taken to complete full investigations.

Time taken to receive responses to referred draft reports

The JACO refers his draft report to the Lord Chancellor and the Lady Chief Justice (in conduct investigation complaints) or the JAC Chairman (in appointment complaints).

The Ombudsman previously asked for a response in 8 weeks. However, as indicated in the 2023/24 annual report, the Office undertook a review of this timescale with the aim of reducing the response time. As a result, the Ombudsman asks for a response within 4 weeks.

- In 15 cases, a response was received in 4 weeks or less.
- In 2 cases, the response was delayed between 10 and 13 weeks. This was due to the dissolution of Parliament on 30 May 2024, prior to the general election in July 2024 and the appointment of the current Lord Chancellor.
- In a further 7 cases, the response was delayed between 4 days and 3 weeks.

Maladministration themes

When viewed in the context of the overall number of complaints received, the incidences of maladministration remain low. However, there has been an increase in the number of cases upheld in full or in part compared to the previous reporting period. In 2023/24, the JACO found maladministration in 26% of cases concluded, whereas in 2024/25, this increased to 48%.

Issues where the JACO found maladministration included:

- Delays in concluding complaints.
- An Investigating Body assessing a complaint about themselves.
- Failing to provide a detailed explanation of the decision that is meaningful to the complainant.
- Rejecting a complaint that was otherwise sufficiently particularised.
- Rejecting a complaint as not containing an identified or identifiable judicial office holder when one could be identified.
- Failing to make an independent assessment of the evidence.
- Missed opportunities to rectify process issues.
- Failing to consider points of complaint that could indicate misconduct by a judicial office holder.
- Concerns about case management and poor communication.

Unsuccessful complaints and themes emerging from investigations

The JACO expressed concerns in other cases which fell short of maladministration. These included concerns about:

- Delay or poor case management.
- An oversight or error which would have potentially warranted a finding of maladministration if the Investigating Body had not proactively taken steps to address the matter.
- An initial failure to respond to requests to telephone the complainant and provide assistance.
- Insufficient explanation of the Investigating Body's decision which might have helped a complainant to understand why their complaint was dismissed.

Complaints that the JACO considered but found no evidence of maladministration included:

- Whether it was reasonable for the Investigating Body to reject a complaint as inadequately particularised when the complainant had not responded to the request for further information.
- Concerns about delay that were not attributable to the Investigating Body.
- Whether it was reasonable to rely on the evidence available to determine a complaint.
- Whether an Investigating Body had shown a careless disregard for the guidance meant to ensure equitable treatment for service users.
- Whether the Investigating Body had provided an accurate and proportionate summary of the complaint.
- Whether the Investigating Body had carried out a reasonable and proportionate investigation.

Post investigation correspondence and challenges to JACO decisions

The JACO considers a limited amount of correspondence from people who are dissatisfied with the outcome of their complaints (following a Preliminary or Full Investigation). Complainants can ask the JACO to review his decision following the conclusion of a full investigation if they believe: the JACO overlooked a point of complaint that would impact his findings; the JACO relied on information that the complainant can demonstrate is inaccurate; or they have new information about the Investigating Body's handling of the complaint which may affect the JACO's decision.

During 2024/25, the JACO responded to:

- 77 pieces of correspondence sent following a Preliminary Investigation.
- 5 requests for a review of the decision following conclusion of a Full Investigation.

The JACO changed his decision as a result of post complaint correspondence in 2 complaints. He did not change his decision as a result of a request for a review.

The JACO responded to 3 pre-action letters that did not progress to an application for permission to apply for judicial review by the end of March 2025.

There were 2 cases where a complainant sought to judicially review the JACO's decision and permission to do so was refused. In 1 case, the decision was challenged through the appellate courts and remained outstanding at the end of March 2025.

There was 1 case where the complainant brought a claim in the Employment Tribunal in the 2023/24 reporting year that was concluded in 2024/25 when the claim was struck out.

Judicial Appointments Process

The Constitutional Reform Act 2005 enables the JACO to consider complaints about the Judicial Appointments process from candidates for judicial office who claim to have been adversely affected by maladministration in the way in which their application for appointment, and/or subsequent complaint was handled.

There were 4 cases outstanding at the end of 2024/25, of which 3 have been ongoing for more than 12 months. All of these concerned the actions of the JAC or a committee of the JAC. The JACO did not consider any complaints that related to the role of the Lord Chancellor, the Lady Chief Justice or the Senior President of Tribunals in the Judicial Appointments process.

The JACO determined 1 complaint about the Judicial Appointments process in 2024/25.

The JACO did not uphold or partially uphold this case or make any recommendation for an apology or systemic change.

The JACO refers his draft reports to the JAC Chairman and the Lord Chancellor and asks for a response within 4 weeks. In this instance, as set out earlier in this report, their responses to the draft report were received in less than 2 weeks.

Complainants and stakeholders

Relationship with stakeholders

The JACO and the Office have maintained strong professional relationships with stakeholders, including the bodies within the JACO remit. This has been achieved while ensuring that all parties remain independent. The JACO retains the right to conduct reviews and reach conclusions based solely on his observations of whether there was maladministration within his remit.

Additionally, the JACO ensures that bodies being complained against have a fair opportunity to provide input during investigations. He will not issue critical reports without giving them the chance to comment.

Reasonable Adjustments

In line with the JACO's Reasonable Adjustments policy, published in March 2022, the Office is dedicated to ensuring that people with disabilities and long-term conditions can access its services without any disadvantage. The Office aims to inform people about this policy and offer assistance as soon as they make contact.

As a result, in 2024/25, the Office made several reasonable adjustments for complainants, including:

- Allowing complainants to provide details of their complaint orally over the telephone, via voice note or through a video call.
- Providing telephone updates and notifying complainants in advance before sending written communication.
- Adjusting the formatting and content of written responses and reports to ensure accessibility.

Service complaints received

The Office has addressed 5 complaints about the service provided, none of which were upheld. These included concerns about:

- Delays in processing Full Investigations.
- Unfounded allegations against members of staff and the JACO.

In 2023/24, the Office developed and implemented an Unreasonable Behaviour Policy to address actions considered unreasonable.

These actions include abusive or offensive behaviour, unreasonable demands, excessive unhelpful communication, refusal to cooperate, misuse of the complaints process, or any other unreasonable behaviour.

As a result, the Office may limit or withdraw its services and, in exceptional circumstances, contact the police. In 2024/25, there was one instance where the JACO limited the Office's contact with a complainant due to excessive communication.

Compliments received

During 2024/25, the JACO and the Office received several compliments from complainants and others, for:

- Providing updates, professional responses, and maintaining communication throughout the investigation.
- Offering information and guidance that helped them understand how to proceed with a complaint to the JACO.
- Dedicating time to their complaint and clearly explaining the process.
- Enquiries to the Investigating Body, which led to the complaint being re-opened.

Corporate Governance

Status of the JACO Office

The JACO Office is an independent Arm's Length Body that is sponsored by the MoJ. In accordance with the requirements of Schedule 13 of the Constitutional Reform Act 2005, the JACO Office is sponsored and funded from monies voted to the MoJ. The MoJ also provides a range of support services, including accommodation, IT, telephony and some legal support services.

During the year, the JACO's Officials met regularly with the MoJ's Sponsorship and Finance Teams to discuss the Office's performance and financial position. There was a review of the Memorandum of Understanding (MoU) which sets out how the JACO's fulfilment of its remit will be monitored and supported by the Lord Chancellor. Following the review, quarterly review meetings were implemented to bring the JACO's governance processes in line with the assurance processes of other ALBs within MoJ. This had benefits in terms of being a less time consuming process which enables focus on enhancing response times and customer experience.

As part of the review of the MoU it was also recommended the Lord Chancellor and Lady Chief Justice meet with the JACO at the start and end of the JACO's five-year term, as opposed to annually. It has been agreed that in 2025/26 the JACO Office and Sponsorship Team will collaborate on a full review of the MoU so that it can be updated to reflect the changes and any other amendments necessary.

Officials also participated in other Arm's Length Body groups discussing matters such as Risk Management, Business Continuity, Training, Security and Health and Safety. These are useful and constructive discussions.

Financial resources

The JACO Office remains committed to managing its resources effectively. It has thorough and appropriate financial and governance arrangements in place, including reporting to the MoJ's Finance and

Sponsorship Teams on how actual expenditure compares with the budget forecast. These controls assisted key business targets to be met within the limitation of the budget agreed with the MoJ.

The JACO Office continues to manage within its allocated budget. The budget for 2024/25 was £547k; the outturn expenditure was approximately £500k, an underspend of £47k. More than 95% of outturn expenditure was in respect of staff costs, including the JACO's contracted remuneration. Staff vacancies for a large proportion of the reporting period contributed largely to the underspend.

The JACO Office is hosted by the MoJ and it is not recharged for office and related costs.

The outturn expenditure figure included approximately £19k in respect of legal fees, compared to the £13k budgeted. In addition, the JACO Office was aware that there were some invoices for legal assistance provided by the Government Legal Department during 2024/25, which had not been processed by the end of March 2025.

The JACO Office made no ex-gratia payments during 2024/25.

The JACO Office budget for 2025/26 is £576k. As in previous years, the unpredictable nature of the need for legal support services to respond to legal challenges made to the JACO's decisions is the single biggest financial risk.

Staff resources

The JACO is a Public Appointee. There were no instances in the reporting period of this report in which the Lord Chancellor appointed a Temporary Ombudsman to consider a specific case.

The JACO Office has sought assistance from the Government Legal Department where necessary, but has not engaged any other consultants or agency workers during 2024/25.

JACO Office staff are Civil Servants, employed and appraised under MoJ terms and conditions, including the MoJ's "Reward and Recognition" scheme. All awards under that scheme are "benchmarked" with the Sponsorship Team to ensure consistency.

At the start of 2024/25, the JACO Office comprised two Band B Joint Heads of Office; one being the Business Manager and the other the Senior Investigating Officer (SIO) covered by a Band C on temporary promotion; 5 Band C Investigating Officers (IO) and a Band E Administrative Officer. Following successful recruitment campaigns, the SIO vacancy was substantively filled by the IO on temporary promotion; two new IOs were also appointed in May 2024 and March 2025. JACO is now at its full staff compliment of 9 full time equivalent.

The JACO Office lost less than 3 days per member of staff to sickness during 2024/25.

The JACO Office made no compensation or exit payments during 2024/25.

Working arrangements

The JACO office is based in the MoJ headquarters at 102 Petty France; there are also two members of staff who are based at 5 Wellington Place in Leeds. It encourages flexible and remote working for all staff where this can be done without compromise to the security of information held and the need to provide a “customer facing” service. JACO staff have structured hybrid working arrangements combining remote and office-based working in accordance with MoJ guidance.

MoJ Corporate plans and longer-term expenditure trends

The JACO Office provides input into the development of MoJ corporate plans and policies to the extent that they relate to issues within the JACO remit and to a degree that is consistent with the JACO’s status as an independent Public Appointee and of the JACO Office as an independent Arm’s Length Body.

The JACO Office has provided input to MoJ discussions about long term expenditure trends and the Places for Growth strategy and will continue to do so.

Training and development

Staff in the JACO Office are trained to carry out their responsibilities and have a high level of complaints investigation experience.

A number of JACO Office staff hold a BTEC Advanced Professional Award in Complaints Handling and Investigations; those who do not hold this qualification will commence the required training to obtain it in 2025/26. All JACO staff are fully compliant with mandatory Civil Service training.

Information Assurance

The JACO Office holds a range of personal information, some of which would be classed as sensitive personal information. This information is obtained and processed solely for the purpose of enabling the JACO to carry out his statutory functions under the Constitutional Reform Act 2005 and associated responsibilities, such as responding to requests for information under the Access Legislation.

The JACO Office is grateful for the Data Protection Officer support provided by Officials in the MoJ's Data Privacy Team.

The JACO Office is its own data controller and is separately registered as such with the Information Commissioner's Office.

As a data controller the JACO Office is responsible for responding to requests for information made to it under the Data Protection Act 2018, the Freedom of Information Act 2000 and associated legislation and guidance. This included correspondence which is not explicitly a request for information but which the JACO Office interpreted as one. The JACO Office considered 12 such requests during 2024/25. It is committed to disclosing whatever can be done appropriately under the relevant legislation and guidance.

The JACO Office responded to 10 of the requests within the specified statutory time limits. Responding to such requests can be a difficult, complex and time-consuming process, involving the scrutiny of a large volume of information and legislation and guidance that is not part of the JACO statutory remit.

Statistical data 2024/25

Statistical Data	2024/25 Financial Year
Cases determined after Full Investigation	23
Conduct (JCIO, Tribunal, Advisory Committee)	11 upheld/partially upheld 11 not upheld
Appointment	1 not upheld
JACO's Time (days per week)	2
Staffing	10 with effect from 17/03/25 (9 full time equivalent)
Budget Forecast ¹⁰	547,000
Actual spend	500,000

¹⁰ Budget figures rounded to the nearest £1,000.

Office Structure (as at March 2025)

