## Flowchart for the Handling of Pursuable Complaints

Receive Complaints
vide Secretariat for Complaints against Judicial Conduct<sup>1</sup>

Preliminary assessment by the relevant Court Leaders on whether the case is a Pursuable Complaint warranting investigation<sup>2</sup>

Yes

### Investigation

- Investigation conducted by Action Judge(s)
- Comments of judges being complained of will be sought if the allegation is preliminarily found to be substantiated/partially substantiated

### **Review by Advisory Committee**

For serious or complex pursuable complaints or those which have drawn wide public attention, or pursuable complaints against specific judges<sup>3</sup>: The Advisory Committee to review investigation reports and recommendations submitted

# Follow-up action

After considering the advice of the Advisory Committee, the Chief Justice makes a final decision on the complaint. The SCJC will then

- reply to the complainant on the outcome of investigation and/or post the same on the Judiciary website
- take follow-up action as necessary

### **Summary Report to Advisory Committee**

For other pursuable complaints: Other pursuable complaints are investigated by the relevant Court Leaders and reviewed by one or more judges of the High Court level before disposal, and the results will be reported to the Advisory Committee in a summary manner.

## Follow-up action

Where justified, the Chief Justice may direct to re-open or review the investigation of any case on the advice of the Advisory Committee. For such cases, the complainant will be informed accordingly.

#### Note:

- 1. The SCJC provides administrative support and assists in coordinating the handling of complaints against judges and the compilation of complaint statistics, etc. Where the allegations in a complaint are associated with on-going court proceedings, the investigation will normally be deferred until the conclusion of all relevant court proceedings and the complainant will be informed in writing that follow-up actions on his/her complaint will be taken upon the conclusion of all relevant court proceedings.
- 2. The disposal of non-pursuable complaints will be regularly and summarily reported to the Advisory Committee. Where justified, the Chief Justice may on the advice of the Advisory Committee direct that a complaint be re-opened or reviewed.
- 3. See paragraph 5.7 on the ambit of pursuable complaints against specific judges.
- 4. Repeated complaints (that have already been dealt with before) will <u>not</u> be considered unless there are new substantive grounds or evidence submitted.