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STATUTORY INSTRUMENTS

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**2023 No. 1005**

**The Judicial Discipline (Prescribed  
Procedures) Regulations 2023**

**Part 2**

**Complaints and investigation of cases**

**Disciplinary panel**

**11.**—(1) A disciplinary panel where the office holder concerned is not a justice of the peace is a panel consisting of—

- (a) either an office holder or former office holder who is of a higher rank than the office holder concerned; and
- (b) two other members, neither of whom has been—
  - (i) an office holder; or
  - (ii) a practising or employed lawyer.

(2) A disciplinary panel where the office holder concerned is a justice of the peace is a panel consisting of—

- (a) either an office holder or former office holder who is of a higher rank than the office holder concerned;
- (b) a justice of the peace; and
- (c) one other member, who has not been—
  - (i) an office holder; or
  - (ii) a practising or employed lawyer.

(3) In relation to a former office holder, reference to their rank means the rank they held immediately before they ceased to hold office.

(4) The Lord Chief Justice must nominate persons who may become members of a disciplinary panel under paragraphs (1)(a), (2)(a) and 2(b).

(5) The Lord Chancellor must nominate with the agreement of the Lord Chief Justice persons who may become members of a disciplinary panel under paragraph (1)(b) and (2)(c).

(6) A person is ineligible for membership of a disciplinary panel if that person has had any previous involvement in the disciplinary process relating to the case that is being referred to the disciplinary panel.

(7) The office holder who has been nominated under paragraph (1)(a) or (2)(a) must chair the disciplinary panel and must exercise a casting vote if necessary.