



If you believe the **conduct** of a judge, judicial justice, judicial case manager or justice of the peace was inappropriate, you can make a complaint in writing to the Court.

There is a different process discussed in "Appeals and Judicial Reviews" if you think a judicial officer made a wrong decision in your case.

[Appeals and judicial reviews](#)

## When to use the complaint process

Use the process described below to complain about the conduct of a judicial officer. Conduct is the way that a person behaves in a particular situation. If the behaviour of the judicial officer is, for example, improper or rude you can complain about the judicial officer.

You do not need a lawyer to make a complaint and there is no fee or deadline. However, if a complaint is received a long time after the conduct occurred, the Chief Judge or their delegate may decide that too much time has passed to examine the complaint fairly.

[Judges list](#)

[Judicial justices list](#)

## When not to use the complaint process

You cannot use the complaint process described below to:

- Try to change or overturn a decision
- Obtain a new trial
- Get an order that a particular judge or judicial justice not hear your case

If you want to do any of these things, it is a good idea to talk to a lawyer about the procedure that must be followed. You may need to file an appeal or judicial review with a higher court.

Judges and judicial justices make decisions based on evidence presented in court. It is not appropriate for a person involved in a court case to contact a judicial officer directly. A person who wants a judicial officer to make a decision regarding a legal matter must file an application through the court registry.

## **You cannot use the complaint process to complain about the following people or agencies**

- Judges of the BC Supreme Court or the BC Court of Appeal: if you have a complaint about a judge of one of these courts you can contact the Canadian Judicial Council
- Tribunals like the Civil Resolution Tribunal or Residential Tenancy Branch: if you have a complaint about a tribunal contact the tribunal
- Court registry staff, police, probation officers or correctional officers: if you have a complaint about one of these people, review the Complaints Processes for Justice Agencies in British Columbia
- Lawyers: if you have a complaint about a lawyer you can contact the Law Society of British Columbia

[Canadian Judicial Council](#)

[Complaints Processes for Justice Agencies in British Columbia](#)

[Law Society of British Columbia](#)

## **Conduct we expect from judges**

Judges and judicial justices are expected to display a high standard of personal conduct both in court and in public. The Judicial Council has adopted the *Ethical Principles for Judges* published by the Canadian Judicial Council in 2021 (except for its commentary on “Post-Judicial Careers”). This is to:

- Help judges and judicial justices with difficult ethical and professional issues

- Help members of the public to better understand the role of judges

The guidelines for how justices of the peace should behave are found in the justice of the peace *Code of Ethics*. The guidelines for judicial case managers are contained in the *Standards of Conduct*.

[Ethical Principles for Judges](#)

[Justice of the Peace Code of Ethics](#)

[Judicial case manager standards of conduct](#)

## **When complaints may not be examined**

- Anonymous complaints
- Complaints without a return address
- Complaints that contain rude, abusive or threatening language
- Complaints that appear to be merely academic or mischievous inquiries

## **How to submit a complaint**

You can submit a complaint in three ways:

- [Use the online form](#)
- Send a fax to (604) 660-1108
- Mail a letter to Provincial Court of British Columbia, Attention: Legal Counsel, Suite 337 - 800 Hornby Street Vancouver, BC, Canada V6Z 2C5

If you write a letter or fax, it must include:

- Your name and mailing address
- The name of the judge or justice you are complaining about (if you know it)
- The date when the conduct you are complaining about happened
- The city where the courthouse is located and the court file number (if the conduct involves a court case, and if you know it)
- The place where it happened (if the conduct happened outside a courthouse)
- A detailed description of the conduct that concerns you

You can correct personal information by sending a request in writing through the online complaint form or by mailing the Office of the Chief Judge.

## **After a complaint is submitted**

The *Provincial Court Act* sets out the process the Chief Judge or their delegate must follow when a complaint about judicial conduct is received. There are three possible stages: examination, investigation and inquiry.

### **Stage 1 Examination**

When a written complaint about the conduct of a judge or justice is received, if it does not raise a conduct issue, the complainant (the person making the complaint) is told that.

If a matter does appear to raise a conduct issue, a file is opened. The complainant is told the matter will be considered. A copy of the complaint is sent to the judge or justice and a response is requested from the judge or justice.

After examining the complaint, any relevant materials, and any response received from the judge or justice, the Chief Judge may decide that:

- The complaint lacks merit
- The complaint can be resolved through corrective or remedial measures

- An investigation is warranted.

The complainant and the judge or justice are sent a letter setting out the result of the examination. If the conduct is considered acceptable, the complainant will be given an explanation. If the conduct is considered unacceptable, the complainant may receive an apology, or the judge or justice may agree to take appropriate education or some other remedial action.

A large majority of complaints conclude at this stage. However, where the complaint raises issues about the judge's or justice's fitness for their duties, the Chief Judge may decide that an investigation should be conducted.

## **Stage 2 Investigation**

In this stage of the process there is further investigation of the complaint and additional relevant materials are considered.

On completing the investigation, the Chief Judge may take corrective action within the powers set out in the *Provincial Court Act*, or order an inquiry into the fitness of the judge or justice to perform their duties. The complainant and the judge or justice are told the outcome of the investigation. The Chief Judge must also give the Attorney General of BC a written report outlining the nature of the investigation, the relevant facts, the findings and any corrective action taken.

## **Stage 3 Inquiry**

The Chief Judge may order an inquiry to consider the fitness of a judge or justice to perform their duties.

If an inquiry is held, the judge or justice may choose whether to have it conducted by the BC Judicial Council or by a BC Supreme Court judge. In either case, witnesses may be called to testify under oath. The Council or the Supreme Court judge may consider all matters relevant to the fitness of the judge or justice, including:

- Mental or physical disability
- Misconduct
- Failure in the execution of their office

- Conduct incompatible with the due execution of the office

At the conclusion of an inquiry, the Council or the Supreme Court judge may order:

- Re-instatement of the judge or justice, with or without a reprimand
- Suspension of the judge or justice, with or without salary, for a further period of no longer than 6 months
- Removal of the judge or justice from office

## **Finding a lawyer or getting legal advice**

Information about getting a lawyer and how to get legal advice and legal assistance.



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