



By Special Delivery

Judicial Conduct Investigations Office
81-82 Queen's Building
Royal Courts of Justice
WC2A 2LL

And by email to: general.enquiries@judicialconduct.gov.uk

Dear Madam/Sir

Group Complaint to the Judicial Conduct Investigations Office regarding Employment Judge Lancaster

We are instructed to act for a group of complainants, including Ms [REDACTED], Dr Hinaa Toheed, Ms Alison McDermott, who have all made serious allegations of judicial misconduct against Employment Judge Lancaster of the Leeds Employment Tribunal.

One of those complaints, by Ms [REDACTED], is outstanding before the Judicial Conduct Investigations Office ("JCIO"). It was brought in time and fully particularised by us on 23 May 2025. The others, which were made by the individuals separately, and for the most part without the benefit of legal representation, have been dismissed summarily for a variety of reasons, but without the complaints ever proceeding to a proper investigation of Judge Lancaster's conduct. For example, as far as we are aware, the JCIO has never obtained or listened to an audio recording of Judge Lancaster's conduct of a hearing.

As the below summary of the experiences of all these complainants (predominantly women) makes clear, Judge Lancaster's conduct over many years in many cases gives rise to very serious concern. This new evidence of a longstanding pattern of conduct must now be investigated to prevent other litigants becoming victims of his conduct, and to avoid the judiciary being brought further into disrepute. The JCIO has both the power and the duty to conduct this investigation.

By this Group Complaint, we are therefore requesting the JCIO to open a proper investigation into the cases of all these complainants on the grounds that it is now clear that Judge Lancaster has repeatedly engaged in misconduct in his judicial role over many years. The misconduct consists of regular bullying of litigants-in-person and legal representatives, including shouting, harsh and inappropriate personal criticisms, intimidation and interruption of evidence.

We make clear that if this longstanding pattern of Judge Lancaster's misconduct is not properly investigated by the JCIO we intend to challenge that decision by way of judicial review.

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Details of the Group Complaint

1. Factual background

- 1.1 We understand that at least 13 individuals have come forward, to date, alleging serious misconduct by Judge Lancaster during Leeds Employment Tribunal hearings. The complainants include, *inter alia*:
 - 1.1.1 **Ms. [REDACTED]**, who is currently pursuing a live complaint and for whom detailed particulars of the complaint were submitted to the JCIO by our firm on 23 May 2025.
 - 1.1.2 **Dr. Hinaa Toheed**, who has an ongoing complaint against Judge Lancaster which is corroborated by two legal professionals, including a fee-paid Employment Judge and remains unresolved after three years.
 - 1.1.3 **Ms. Alison McDermott**, who we consider was unfairly denied an investigation of her complaint regarding Judge Lancaster after requesting a modest extension based on medical evidence and citing JCIO rules concerning connected acts. Part of her complaint received independent validation through critical remarks by the Employment Appeal Tribunal.
 - 1.1.4 **Additional complainants**: we are also aware of a number of other individuals who have submitted complaints to the JCIO, which were nonetheless dismissed despite awareness of similar, contemporaneous allegations against the same judge, and others who were deterred from submitting formal complaints within the time limit due to the significant barriers outlined herein.
- 1.2 We **enclose** with this pre-action letter:
 - 1.2.1 a detailed chronology of the complaints against Judge Lancaster of which we are aware; and
 - 1.2.2 a bundle of supporting documents which are referred to in this letter and the chronology in the format *[B/p.XX]*.
- 1.3 A group of ten of the above individuals including Dr Toheed and Ms McDermott submitted a complaint to the JCIO on 8 January 2025 **[B/p32]**. On 28 January 2025, the JCIO stated in response that it was not possible to accept the complaint “*because it does not comply with Rule 8(c)*” **[B/p36]**. Your letter of response stated: “*The onus is on you, as the complainant, to provide details of misconduct on the part of the Judge*”.
- 1.4 In accordance with Rule 8(c) of the Judicial Conduct Rules 2023, the particulars of the Group Complaint relating to the alleged misconduct on the part of Judge Lancaster are set out herein.
- 1.5 Rule 8(c) does not preclude the acceptance of group complaints, particularly where they demonstrate a pattern of misconduct. It is instead clear that taking complaints together is helpful in that it can demonstrate: (a) the credibility of the complaints and (b) that the acts complained of raise matters of conduct, not just case management (for example repeated interventions precluding a Claimant’s answers to questions can be seen as bullying and hostile, rather than ordinary case management).

- 1.6 We request an extension of time pursuant to Rule 15 of the Judicial Conduct Rules 2023 for any of the complaints which are considered to be out of time on the grounds that there are exceptional circumstances for extending time (as to which see paragraph 3 below).
- 1.7 Further and in any event, we note that under Rule 132 of the Judicial Conduct Rules 2023, a nominated judge who receives information from any source which raises a question of misconduct by an office holder must refer the case to the JCIO. This indicates the importance of judicial misconduct which is brought to the attention of the judiciary being investigated by the JCIO.
- 1.8 Finally, the pattern of misconduct revealed in this group complaint constitutes significant new evidence for the purposes of Rule 23(f) of the Judicial Conduct Rules 2023 and demonstrates that the complaint cannot properly be dismissed on any of the other bases set out in Rule 23 so that proper inquiries must now be made under Rule 24.

2. Allegations of misconduct: bullying, hostile interventions, dismissive remarks, harsh and unjustified criticisms, and shouting and banging the table

- 2.1 Our clients make the following specific allegations against Judge Lancaster, which taken together demonstrate a clear pattern of misconduct:

2.1.1 Aggressive/bullying conduct; shouting:

- Dr Toheed, a doctor who bought a case of pregnancy and maternity discrimination and sex discrimination in the Employment Tribunal in 2022, was shouted at on 16 occasions by Judge Lancaster while she was being cross-examined [B/p.198, 199 and 210]. This was documented by [REDACTED], a fee-paid Employment Judge, in his contemporaneous notes of the hearing [B/p.210]. Dr Toheed has said that Judge Lancaster treated her with palpable disgust and disdain and did not raise his voice at any other witness.
- In respect of Ms McDermott, she contends that he was aggressive, rude and hostile when conducting proceedings, [B/p.58]. At times, both the Respondent's barrister and the Judge were firing questions at her at the same time, [B/p.61]. He repeatedly made comments like "*I am getting very frustrated*" or "*you are frustrating me*", [B/p.60].
- When Ms [REDACTED] was questioning another witness, [REDACTED], Judge Lancaster shouted at our client and banged the table, accusing her of being rude. Our client found this behaviour so intimidating and distressing that she broke down in tears and had to leave the hearing in order to speak to her therapist. Judge Lancaster engaged in this conduct despite having been notified of our client's vulnerability and mental health needs, and despite the inherent difficulty she faced in representing herself.
- Judge Lancaster was repeatedly shouting throughout the hearings of [REDACTED]. For example, he regularly shouted "*move on*" or "*enough!*", [REDACTED].

particularly when she tried to address the central aspects of the case. She adds that “[h]is non-verbal communication was also angry and dismissive (snorting derisively, for example) and his body language intimidating (e.g. frowning and staring darkly at myself and my husband but full of smiles and friendly familiarity for the Respondents)” [B/p.256-257].

- Judge Lancaster repeatedly shouted at [REDACTED] in an aggressive manner, and stated that he had already told her to “be quiet” several times, [B/p.380]. Similarly, he was very aggressive towards [REDACTED] and her partner, telling her repeatedly to “be quiet”, [B/p.419].
- Judge Lancaster showed an annoyance towards [REDACTED] and her counsel through his body language and facial expressions, [B/p.312]. He also raised his voice and demonstrated visible irritation towards Ms [REDACTED], [B/p.359].
- In the case of [REDACTED], Judge Lancaster stated: “That’s the trouble with Litigants in person who have no knowledge of the law!” [B/p.385-387], and that he scoffed at her, and that she felt bullied by him, [B/p.390].

2.1.2 Inappropriate and intimidating interventions to progress of a case:

- [REDACTED] and [REDACTED] are two journalists who observed Sellafeld whistle-blower Alison McDermott’s case and have stated that Judge Lancaster “*sharply rebuked*” Ms McDermott’s barrister for pointing out that crucial evidence (a document showing that the Respondents had documented that they were concerned about the timing of her dismissal) had been withheld by the Second Respondent until April 2021, and Judge Lancaster told him to “*get on with the substance of the case*”, when this was plainly relevant to the heart of the case as the discussion in hand had taken place the week after Ms McDermott was dismissed. [B/p.50, 62-64]. In addition, it is noted that the UK’s public accounts committee has recently raised concerns about safety and bullying at the site, located on the Cumbrian coast about 170km from Ireland, an issue which Judge Lancaster also refused to consider during the hearing.
- Judge Lancaster tried to force Dr Toheed to concede points, and when she would not, he “*expressed his exasperation and frustration with my non-compliance through his facial expressions, gestures and through comments he made which intimidated me*”. Further, in cross-examination of a Respondent witness, [REDACTED], the Judge intervened on multiple occasions to provide explanations on [REDACTED]’s behalf, [B/p.197]. See also the contemporaneous notes taken by [REDACTED] which demonstrate that EJ Lancaster effectively took over questioning for extended periods of time, for example, and shouted at Dr Toheed on 16 occasions [B/p.222-226].
- EJ Lancaster intervened to provide answers on behalf of witnesses for the respondent and blocked highly relevant evidence during [REDACTED]’s hearings. For example, [REDACTED] had admitted that she forced an inhumane ultimatum onto Ms [REDACTED], but the Judge persuaded her to retract

that admission, by saying: “*you didn’t mean it that way did you?*”, despite this being conceded [B/p.256-257]. This also aligns with allegations made by [REDACTED]. At crucial moments Judge Lancaster would provide an answer on a witness’s behalf. A crucial question in her case was whether the Claimant could be identified within an anonymised report, yet the Judge intervened on behalf of a witness and said “*I believe that the investigation report was anonymised, you only saw the summary. You did not see the actual witness statement itself, so you can’t identify anyone from the witness statement*” [B/p.308, 310-312].

- This also aligns with allegations made by Dr Bragadeesh, who says “*Judge Lancaster suggested answers on behalf of the respondent witnesses.*” For example, one witness had been unable to explain why they had sent a serious incident report to a Coroner, and the Judge intervened by saying “*you are saying the reason you sent it on the 17th of June was because that’s when the coroner requested the SI report*” to which the witness responded yes, [B/p.337-338]. This approach meant it was difficult to explore key evidence in Dr Bragadeesh’s case relating to patient deaths, which Dr Bragadeesh was whistleblowing about. By way of illustration of how important it was to explore this evidence, the police have now opened an investigation into heart patient deaths at the hospital where he worked.
- In the case of Ms [REDACTED], our client was representing herself during her hearing and, in the course of doing so, examining her former employer’s witnesses. This is an inherently difficult task for an untrained member of the public. Judge Lancaster severely impeded the execution of this task with repeated hostile, dismissive and accusatory interventions suggesting variously that our client’s line of questioning was unjustified because she had not raised points before, preventing her from pursuing questions which would show her employer’s factual defence was incorrect, preventing her from relying on evidence on the grounds it was not relevant, preventing her from making submissions on the grounds she had not raised points in her witness statement. Collectively, these repeated criticisms and impediments served to intimidate and undermine our client so that she was distracted, confused and at times in tears. We refer to our client’s fully particularised complaint of 23 May 2025 in this regard.
- In the case of *Mr I Ion v Citu Manufacturing Ltd & Mr C Thompson* [2023] EAT 151 the Employment Appeals Tribunal upheld the contention that “*there were a significant number of occasions when the EJ [Judge Lancaster] intervened to prevent questioning of the respondent’s witnesses in relation to culture and values which were relevant to the issues in the case*” (page 400).

2.1.3 **Stereotyping/unfairly characterising women and people with disabilities:**

- In his judgment in the case of Dr Toheed, Judge Lancaster referred to our client as “*overly sensitive*” [B/p.205 and 207].
- Despite awareness of Ms McDermott’s documented mental health conditions, Judge Lancaster permitted opposing counsel to repeatedly

characterise her motives using demeaning, gendered terminology including "spiteful," "vindictive," "self-serving," "entirely self-absorbed," and "acting out of revenge". Two members of the public and two independent journalists separately filed formal complaints about Ms McDermott's treatment.

- By way of example of other places in which this behaviour was exhibited, Judge Lancaster also described another female witness's evidence as "*somewhat emotive and perhaps hyperbolic form of language that she is prone to*" in the case of [Rodgers v MOD](#) at §18.

2.1.4 Disparaging and inappropriate remarks:

- On the second day of cross-examination of Ms Alison McDermott, Judge Lancaster said "*your case is not strong, and your lack of clear explanation is not helping*". He later interrupted cross-examination and said "*you are really not helping yourself*". He repeatedly made comments like "*I am getting very frustrated*" or "*you are frustrating me*" [B/p.60].
- Also in Ms McDermott's case, Judge Lancaster stated in a public judgment that he "*had a strong suspicion*" that Ms. McDermott "*sought to position herself as the champion of equality in the nuclear industry and to court publicity accordingly*". These remarks were formally condemned by the Employment Appeal Tribunal as "*troubling*" given that the tribunal was "*avowedly speculating*". As a result of the treatment by Judge Lancaster, Ms McDermott became extremely unwell during the hearing prompting her counsel to notify the judge that she may be unable to continue. Two additional Sellafield employees also abandoned legitimate Employment Tribunal claims after witnessing Ms. McDermott's treatment as confirmed in written correspondence which we have obtained.
- In cross-examination of Dr Toheed, Judge Lancaster said "*I cannot see any indication of any less favourable treatment, certainly re: Jandu as actual comparator on that point*" [B/p.241].
- Judge Lancaster began [REDACTED]'s case by stating that there was no case to answer, unless there was proof that she had been replaced by someone else at the Respondent, [B/p.310].
- Judge Lancaster also began Dr Toheed's case by describing it as "*an omnishambles*", as documented in the notes of [REDACTED], her counsel and a fee-paid Employment Judge.
- As set out above, in the case of [REDACTED], Judge Lancaster stated: "*That's the trouble with Litigants in person who have no knowledge of the law!*" [B/p.385-387]. He later stated during evidence that "*I'm sure that there was no sinister intent*" and "*I'm sure that there was no malicious intent*", [B/p.386-387].

2.2 It is clear from the above and the **enclosed** detailed Chronology that the allegations against Judge Lancaster relate to misconduct rather than judicial decisions or case management, and that there are undeniable similarities in the complaints made by each

of the individuals who have come forward. It is noted that the overwhelming majority of those affected are claimants who are also women, individuals from ethnic minority backgrounds, and/or whistleblowers — a fact that significantly heightens both the gravity of the misconduct and its wider public interest implications. The conduct may engage duties imposed on the JCIO under the Equality Act 2010, including the public sector equality duty.

- 2.3 The complaints raised by our clients can be seen as part of a wider pattern of problematic behaviour and misconduct by Judge Lancaster which has caused considerable distress, appears to be targeted particularly at women, impedes the administration of justice, and brings the judiciary into disrepute. It is noted in this respect that Baroness Harman is currently conducting an independent review¹ into bullying and harassment at the bar, including the judiciary, and has said that it is “*clear*” that there is a “*problem of judicial bullying*” and “*concerns about misogynistic bullying, which has a harassment element in relation to women*”.² Whilst Baroness Harman urges barristers to speak out against judicial misconduct, Dr Toheed's barrister did exactly that three years ago – yet, to date, no action has been taken by the JCIO. We note that we have been contacted by the Inquiry in relation to the present case.
- 2.4 We consider that our clients' ability to provide fully particularised complaints has been severely hampered by the failure of the Court to provide transcripts of proceedings. This is particularly problematic in cases in which our clients have represented themselves and, unlike a represented party, do not have the benefit of a note of the proceedings. In the case of Ms [REDACTED], the fact that Judge Lancaster has himself refused an application for a transcript to be provided at public expense is also especially concerning as it has the effect of insulating him from criticism of his conduct and effective complaints. That Judge Lancaster has received repeated criticism of his conduct, reported in the media, of which he must be aware makes it particularly important that such transcripts are readily provided or that Judge Lancaster's judicial notes are made available if no such transcripts exist. We note that two MPs are now pursuing these documents: Sir David Davies, representing Dr Bragadeesh in connection with a police investigation, and Anna Dixon, who has written to the Justice Secretary demanding the lawful basis for Judge Lancaster's refusal to release notes from Ms McDermott's whistleblowing case against Sellafeld. We consider that these cases demonstrate compelling public interest grounds for disclosure, beyond the fundamental requirement of fairness in the administration of justice.
- 2.5 In all the circumstances, we consider it imperative that an urgent investigation into Judge Lancaster is now carried out by the JCIO. The pattern of concerning behaviour detailed in these complaints goes as far back as 2018. Throughout this extended period, Judge Lancaster has been allowed to continue presiding over tribunal hearings without restriction or interim measures and we consider that the ongoing failure by the JCIO to open an investigation is unlawful.

¹ <https://www.barcouncil.org.uk/support-for-barristers/bullying-and-harassment/review.html>

² <https://www.legalfutures.co.uk/latest-news/harman-tells-judges-you-have-a-clear-bullying-problem>

3. Timing

3.1 As set out above, Ms [REDACTED] has submitted an in-time complaint under Rule 8 of the Judicial Conduct Rules 2023 and the outcome of that complaint is awaited.

3.2 In addition, we respectfully submit that the complaints as a whole as outlined in this pre-action letter and the enclosures should be investigated by the JCIO. Where those complaints fall outside the three-month time limit under the Judicial Conduct Rules 2023, we request an extension of time pursuant to Rule 15 of the 2023 Rules. We consider that these circumstances are genuinely exceptional within the meaning of Rule 15, as they demonstrate systemic barriers to bringing complaints which go beyond individual cases and engage fundamental principles of access to justice:

3.2.1 A number of the complaints³ were originally submitted within the three-month window but were not accepted by the JCIO because they were said not to meet one or other of the criteria in Rule 23. There is, however, now substantial new evidence in the form of corroborating material now available for all these complaints so that Rule 23(f) applies and it is clear that the criteria in Rule 23 are all met.

3.2.2 In the case of Alison McDermott, a time extension was refused despite medical evidence from multiple healthcare professionals confirming that she was, at the relevant time, ill. In addition, Judge Clarke's substantive response in respect of Ms McDermott's complaint concluded that the complaints related to "*unconnected or isolated acts*" and that time would not be extended in relation to the prior acts. This was an erroneous in law, but in any case in light of the new evidence now available, such a conclusion is unsustainable, given the clear similarities in Judge Lancaster's conduct across a number of hearings.

3.2.3 Several other individuals⁴ were discouraged from raising concerns at the time due to the emotional and psychological impact of their hearings — including trauma, depression, and a deep sense of disempowerment within the tribunal process. For many, it was only seeing other women's descriptions of their interactions with Judge Lancaster online and on television that allowed them to realise that they were not powerless and alone in the face of this treatment.

3.2.4 Critically, many believed it would be futile to complain at all, given the absence of a court transcript or recording. Individuals were either refused access to hearing records or told that they could only obtain transcripts at their own expense — an often insurmountable barrier, particularly for litigants in person or whistleblowers. Concerningly, some litigants were actively discouraged from obtaining transcripts, being informed that they did not need them and that the judgment alone would suffice. This meant that by the time they realised transcripts were necessary to substantiate their complaints or appeals, the strict three-month time limits had often expired. Furthermore, they were also denied access to the Employment Judge's handwritten or typed notes, despite the JCIO's guidance that, in the absence of a transcript, the judge's notes

³ Including [REDACTED] and Dr Bragadeesh

⁴ Including [REDACTED]

constitute the official record. This lack of access to any contemporaneous record left complainants without the basic means to substantiate their experiences, contributing directly to the perceived futility of raising concerns.

3.2.5 We understand that the JCIO has previously extended time limits where patterns of misconduct only became apparent through multiple complaints. Here, the true extent and pattern of Judge Lancaster's conduct could not have been known to individual complainants acting in isolation. It was only when complainants began communicating that the systemic nature became clear - a classic exceptional circumstance that justifies collective consideration of all complaints regardless of individual timing.

3.2.6 Finally, the emerging pattern of similar complaints — spanning years, cases, and parties — now presents a credible and troubling account of repeated judicial misconduct. In the interests of public confidence, judicial accountability, and fair process, we submit that these complaints should now be reconsidered and investigated collectively, especially in light of corroborating evidence unavailable at the time prior decisions were made.

4. The Law

4.1 Disciplinary powers in relation to judicial office holders were given to the Lord Chancellor by virtue of the provisions of the Constitutional Reform Act 2005.

4.2 Section 108 of the 2005 Act provides the power for the Lord Chancellor, or the Lady Chief Justice with the agreement of the Lord Chancellor, to exercise disciplinary powers in respect of judicial office holders in the form of sanctions such as the giving of formal advice, formal warning or reprimand. In furtherance of the exercise of these powers section 115 and 116 of the 2005 Act provide as follows:

“115 Regulations about procedures The Lord Chief Justice may, with the agreement of the Lord Chancellor, make regulations providing for the procedures that are to be followed in- (a) the investigation and determination of allegations by any person of misconduct by judicial office holders; (b) reviews and investigations (including the making of applications or references) under sections 110 to 112.

116 Contents of Regulations (1) Regulations under section 115 (a) may include provision as to any of the following- (a) circumstances in which an investigation must or may be undertaken (on the making of a complaint or otherwise); (b) steps to be taken by a complainant before a complaint is to be investigated; (c) the conduct of an investigation, including steps to be taken by the officeholder under investigation or by a complainant or other person; (d) time limits for taking any step and procedures for extending time limits; (e) persons by whom an investigation or part of an investigation is to be conducted; (f) matters to be determined by the Lord Chief Justice, the Lord Chancellor, the officeholder under investigation or any other person; (g) requirements as to records of investigations; (h) requirements as to confidentiality of communications or proceedings; (i) requirements as to the publication of information or its provision to any person.”

4.3 The then Lord Chief Justice exercised the powers conferred by sections 115, 116, 117, 120 and 121 of the 2005 Act in making the Judicial Discipline (Prescribed Procedures) Regulations 2023. The 2023 Regulations were made on 13 September 2023 and came into force on 13 October 2023. The JCIO is the body designated pursuant to Regulation 4 of the 2023 Regulations for the purpose of performing the functions specified by the Regulations. Regulation 6 requires that complaints about a judicial officeholder must be made to the JCIO. Regulation 7 of the 2023 Regulations makes provision for the Lady Chief Justice, with the agreement of the Lord Chancellor, to make rules about the process to be applied in respect of a complaint to the JCIO.

4.4 The Judicial Conduct Rules 2023 are the rules which have been made pursuant to this provision. The 2023 Rules contain provisions in relation to the making of a complaint about misconduct on the part of a judicial officeholder. The provisions of particular relevance are contained within rules 8 to 10 as follows:

“8. A complaint must- (a) state the name of the person making the complaint; (b) state the address or email address of the person making the complaint; (c) contain an allegation of misconduct on the part of an identified or identifiable person holding an office, which is supported by relevant details as specified in guidance published by the JCIO from time to time; (d) state the date, or dates, that the alleged misconduct took place unless the JCIO decides that this is unnecessary taking into account all the circumstances of the complaint.

9. A complaint must be accompanied by copies of all the documents within the control of the complainant to which they intend to refer.

10. The JCIO must not accept a complaint in any case where one or both of the following applies- (a) the complaint does not meet the requirements set out in rules 6 to 9; (b) the complainant states that they do not want the officeholder concerned to see a copy of the complaint or of any document accompanying it.”

4.5 Rule 22 of the 2023 rules provides that a complaint “must initially be considered” by the JCIO. Thereafter, rules 23 and 24 of the 2023 rules make the following provisions:

“23. The JCIO must dismiss a complaint, or part of a complaint, if it falls into one or more of the following categories- (a) the alleged facts are obviously untrue; (b) even if the alleged facts were true, they would not require a disciplinary sanction to be issued; (c) it is about a judicial decision or judicial case management, and raises no question of misconduct; (d) it is vexatious; (e) it is misconceived; (f) it raises a matter which has already been dealt with, whether under these Rules or otherwise, and does not present any significant new evidence; (g) it is about the private life or the professional conduct in a non-judicial capacity of a person holding an office and raises no question of misconduct; (h) for any other reason it does not relate to misconduct by a person holding an office.

*If it appears, following initial consideration, that none of the criteria for dismissal of a complaint in rule 23 apply **the JCIO must make such enquiries as it considers reasonable and proportionate to establish the facts of the case.*** (emphasis added)

5. Need for an investigation of this Group Complaint

5.1 We consider that there have been systemic failures by the JCIO in the handling of our clients' complaints to-date, which we respectfully request the JCIO to address and rectify:

- 5.1.1 Officials have failed to recognise an emerging pattern of misconduct by Judge Lancaster requiring investigation, despite near-identical concerns being raised by multiple complainants in different proceedings. Treating each complaint over a period of at least seven years (2018-2025) in isolation has resulted in a failure to identify what is clearly a pattern of concerning judicial conduct, and corroborating evidence of each complaint which should have been taken into account when applying Rule 23. The JCIO has thereby missed crucial opportunities for intervention and allowed vulnerable court users to continue experiencing similar treatment.
- 5.1.2 Several complaints were dismissed despite being submitted within the relevant time limits or with a clear justification for the delay. Of particular concern is that these dismissals on apparent technicalities occurred while officials were aware of multiple other contemporaneous complaints against the same judge. In addition, modest extensions of time have been refused. For example, two qualified NHS physicians documented Ms McDermott's severe clinical depression, with explicit medical advice against revisiting traumatic legal matters as "*it would risk significant deterioration of mental health*"; however, a three-month extension for submitting Ms McDermott's complaint was refused.
- 5.1.3 The absence of accessible hearing recordings created a structural barrier preventing complainants from gathering sufficient evidence, highlighting the critical importance of obtaining judicial notes in this investigation.
- 5.1.4 JCIO refusals to consider complaints have rested on a mischaracterisation of complaints as raising issues solely of case management, rather than conduct, pursuant to Rule 8(c). It should be noted that such complaints are usually raised without the benefit of legal representation, and often at a time of great distress or difficulty. In that context, the JCIO failed to take sufficient note of the clear allegations of misconduct contained in each complaint. This is especially so given that officials knew of multiple complaints raising similar concerns, indicating that the issue was less one of case management and one of the interpersonal hostility and aggression of Judge Lancaster.
- 5.1.5 Of particular concern is also that Employment Appeal Tribunal judges have formally criticised Judge Lancaster's conduct in published judgments at the same time as multiple complaints were being made about similar behaviour. The EAT's criticism in *Ion v Citu Manufacturing Ltd* regarding his interventions, and its description of his comments about Ms McDermott as troubling given that the tribunal was "*avowedly speculating*", corroborate the complaints our clients have made. Our clients brought this convergence of judicial criticism and multiple complaints to the attention of both the President of Employment Tribunals and the JCIO, yet no investigation was commenced. When appeal judges' formal criticisms align with a pattern of complaints from court users, this would appear to present compelling evidence of misconduct requiring urgent investigation.

- 5.2 For all these reasons it is now critical the JCIO opens a proper investigation of all these complaints. If the JCIO does not do so, we make clear we are likely to challenge that decision by way of judicial review.

6. Details of the Action the JCIO should take:

- 6.1 The JCIO is requested to initiate an urgent and independent investigation into the conduct of Judge Lancaster. All available judicial notes and transcripts must be released without delay to ensure proper scrutiny of the proceedings.
- 6.2 In the absence of publicly available court transcripts or recordings in many of the proceedings, it is also imperative that the JCIO, and/or the nominated judge, conducts a rigorous and transparent evidence-gathering process. We consider that first-hand witness testimony and contemporaneous documentation is likely to be essential to establishing the facts and ensuring accountability.
- 6.3 We consider the following are key elements of a proper investigation, without which this Group Complaint cannot properly and fairly be dismissed:
- 6.3.1 A comprehensive review of all complaints submitted against Judge Lancaster, including those previously dismissed without investigation.
 - 6.3.2 Statements from each complainant to ensure their full accounts are properly recorded and considered.
 - 6.3.3 Interviews with relevant witnesses — including legal professionals, medical experts, accredited journalists, and public observers who attended the hearings and submitted complaints or documentation.
 - 6.3.4 Consideration of the Employment Appeal Tribunal's formal criticisms of Judge Lancaster's conduct as part of the evidentiary record.
 - 6.3.5 An analysis of Judge Lancaster's written judgments to identify recurring patterns of reasoning, tone, and language indicating systemic bias. We have found consistent indicators of gender bias in descriptions of female claimants versus male respondents, including demeaning language, unsupported character judgments, and disparate procedural treatment.

7. Disclosure of transcripts

- 7.1 As indicated above, the complainants have been severely hampered in the complaints process by being unable to obtain transcripts, audio-recordings and/or notes of hearings even though the onus is placed on them to substantiate their complaints. This has put them at a significant disadvantage in making these complaints.
- 7.2 We therefore ask the JCIO obtain and disclose transcripts and audio-recordings, if available, and Judge Lancaster's notes of each of the hearings conducted by Judge Lancaster as referred to in the enclosed chronology of events. We do not consider the complaints can be fairly or properly dismissed without providing these to us.

8. **Urgency**

8.1. Given that Judge Lancaster continues to preside over Employment Tribunal hearings, including those involving vulnerable claimants, we consider that this matter is urgent and we look forward to hearing from you in relation to the next steps in this Group Complaint by 4pm on **30 June 2025**.

Yours faithfully

A handwritten signature in black ink, appearing to read "Deighton Pierce Glynn". The signature is written in a cursive, flowing style.

DEIGHTON PIERCE GLYNN