



TRIBUNALS
JUDICIARY

NJ WARREN
CHAMBER PRESIDENT
GENERAL REGULATORY CHAMBER

Mr I Belchamber

6 March 2013

Dear Mr Belchamber

Your complaint against Judge Farrer QC has been referred to me.

It seems to me that your complaint falls into three parts:-

1. That there was only one outcome possible to your case and that was that the appeal should have been allowed. The Judge could not have had "a trace of impartiality" and must have ignored the evidence in your favour.
2. The Judge was aiding and abetting fraud by contributing to a cover up.
3. The Judge, having been part of the Tribunal which decided the case against you, should not have dealt with your application for permission to appeal to the Upper Tribunal.

On your first point, I should explain that under the complaints rules I can deal only with allegations of misconduct. I cannot give a fresh decision on the case. I cannot investigate the merits of the Tribunal decision. My provisional view is that this part of your complaint is a complaint about the decision made by the three members of the Tribunal and I therefore cannot entertain it under the complaints rules; but first I wish to give you the opportunity to comment on this. .

Your second point does potentially involve judicial misconduct. I must ask you to provide me with the material you have which implicates the Judge in aiding and abetting a fraud. I should explain that, in doing this, it will not be sufficient for you to simply refer me to a large number of other documents or to other websites. I need to know precisely what it is that you say the Judge did which amounted to aiding and abetting a fraud.

Finally, I can answer now your point about Judge Farrer dealing with your application for permission to appeal. This is quite routine. Any apparent unfairness is cured by a litigant's ability to ask the Upper Tribunal direct for permission to appeal if the First Tier Tribunal refuses it. Judges do in fact quite often give permission to appeal against their own decisions. The advantage of the First Tier Judge having the opportunity to do this is that an Upper Tribunal case can get off the ground more quickly. The Judge who heard the case originally can identify points of law that caused difficulty. Additionally, if it turns out there is an obvious error of law then the First Tier Judge can ask the Chamber President to arrange for the decision to be reviewed by a different Tribunal thus giving a quicker remedy to the aggrieved party.

If you wish to respond to this letter I would be grateful if you would do so within fourteen days.

Yours sincerely

A handwritten signature in black ink that reads "Nick Warren". The signature is written in a cursive, slightly slanted style.

NJ Warren