

**From: The Hon Mr Justice Sweeney,
Lead Presiding Judge of the South Eastern Circuit**



**ROYAL COURTS OF JUSTICE
STRAND LONDON WC2A 2LL**

6th November 2015

Dear Mr Herbert

I am writing to you in your capacity as a Recorder and as a Judge of the Immigration and Employment Tribunals and in my capacity as the Lead Presiding Judge of the South Eastern Circuit (with the agreement of the President of the Immigration Tribunal, Michael Clements, and of the President of the Employment Tribunal, Brian Doyle).

The JCIO has drawn our attention to two complaints that have been received about your conduct. I understand that the complaints procedure is being followed and, as you would expect, neither I nor the Presidents are involved in it; therefore we can make no assessment and no assumptions about the ultimate outcome.

That said, and for obvious reasons, it would not be appropriate for you to sit in any judicial capacity until the complaints have been resolved. I must therefore ask you to refrain, on a voluntary basis, from sitting until then. If, as I would hope, you agree to take that course, no more need be done. If you do not, then I will have to take steps to formally seek your suspension.

I would be most grateful if you could let me have your decision by return.

Yours faithfully,

A handwritten signature in cursive script that reads "Nigel Sweeney".

The Hon. Mr Justice Sweeney
Presiding Judge of the South Eastern Circuit