



APPENDIX 12E

CHAMBERS' COMPLAINTS POLICY

1. Our aim is to provide a good service at all times. However, if you have a complaint you are invited to let us know as soon as possible. Lay clients may complain to us directly or through solicitors if preferred.
2. Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has a six year time limit in which a complaint must be raised from the date of the act or mission complained of, or three years from when the complainant should reasonably have known there was a cause for complaint without taking advice from a third party. The Ombudsman can extend the time limit in exceptional circumstances. Chambers must therefore have regard to that timeframe when deciding whether we are able to investigate your complaint. Chambers will not therefore usually deal with complaints that fall outside the six year time limit.
3. The Ombudsman will also only deal with complaints from consumers. This means that only complaints from the barrister's client are within their jurisdiction. Non-clients who are not satisfied with the outcome of Chambers' investigation should contact the Bar Standards Board rather than the Legal Ombudsman.

Complaints made by telephone

4. You may wish to make a complaint in writing and, if so, please follow the procedure set out in paragraph 5 below. However, if you would rather speak on the telephone about your complaint then please call our Senior Clerk Simon Butler who is the individual nominated to deal with complaints. If the complaint is about the Senior Clerk, please telephone one of our Heads of Chambers Gillian Etherton QC and Peter Clement, or Jennifer Knight. The person you contact will make a note of the details of your complaint and what you would like done about it. S/he will discuss your concerns with you and aim to resolve them. If the matter is resolved, s/he will record the outcome, check that you are satisfied with the outcome and record that you are satisfied. You may also wish to record the outcome of the telephone discussion in writing.
5. If your complaint is not resolved on the telephone, you will be invited to write to us about it within the next 14 days so it can be investigated formally.

Complaints made in writing

6. Please give the following details:

- Your name and address;
- Which member(s) of Chambers you are complaining about;
- The details of your complaint; and
- What you would like done about it

Please address your letter to either Simon Butler or Gillian Etherton QC at 2 Harcourt Buildings, 1st floor left, Temple, London EC4Y 9DB. We will, where possible, acknowledge receipt of your complaint within two days and provide you with details of how your complaint will be dealt with.

7. Our Chambers has a panel headed by Gillian Etherton QC and Peter Clement and made up of experienced members of Chambers and our Senior Clerk, which considers any written complaint. Within 14 days of your letter being received the head of the panel or their deputy in their absence will appoint a member of the panel to investigate it. If your complaint is against the head of the panel, the next most senior member of the panel will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.

8. The person appointed to investigate will write to you as soon as possible to let you know s/he has been appointed and that s/he will reply to your complaint within 14 days. If s/he finds later that s/he is not going to be able to reply within 14 days, a new date will be set and you will be informed. The substantive reply will set out:

- The nature and scope of the investigation;
- His / Her conclusion on each complaint and the basis for that conclusion; and
- If s/he finds that you are justified in your complaint, his/her proposals for resolving the complaint.

Confidentiality

9. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that is necessary. Disclosure will be to the Heads of Chambers, members of our Management Committee and to anyone involved in the complaint and its investigation. Such people will include the barrister, pupil or staff member who you have complained about, the head or relevant senior member of the panel and the person who investigates the complaint. The Bar Standards Board (the regulatory arm of the Bar Council, the professional body for barristers) is entitled to inspect the documents and seek information about the

complaint when discharging its auditing and monitoring functions. Where a complaint raises an allegation of negligence the Bar Mutual Indemnity Fund will also be informed.

Our Policy

10. As part of our commitment to client care we make a written record of any complaint and retain all documents and correspondence generated by the complaint for a period of six years. Our Management Committee inspects an anonymised record regularly with a view to improving services.

Complaints to the Legal Ombudsman

11. We hope that you will be satisfied with our complaints handling procedure. However, if you are unhappy with the outcome, you may take up your complaint with the Legal Ombudsman. You will have six months from the date of our final decision in which to complain to the Legal Ombudsman, so long as you ensure that your complaint is submitted no later than six years from the date of the act or omission about which you wish to complain, or three years from the date when you could reasonably have been expected to have found out there was a problem. The contact details are as follows:

Legal Ombudsman
PO Box 6806
Wolverhampton
WV1 9WJ
Tel: 0300 555 0333
www.legalombudsman.org.uk
enquiries@legalombudsman.org.uk