

1 HARE COURT COMPLAINTS PROCEDURE (Appendix 3A)

- 1 Against a barrister by a professional client
- 2 Against a barrister by a lay client
- 3 Against a member of staff by a professional or lay client

Against a barrister by a professional client

- 1.1 Any complaint about a member of Chambers made to the clerks by a professional client, whether by letter or telephone, will be recorded and brought to the attention of the Senior Clerk. If the complaint is in a letter, a copy of the letter will be filed. If the complaint is made over the telephone, the complaint will be recorded in writing and filed.
- 1.2 The record will contain details of:-
 - the name and address of the complainant, both solicitor and firm
 - the date the complaint was made;
 - the nature of the complaint; and
 - the identity of the barrister.
- 1.3 Any barrister who receives a verbal complaint from a professional client should make a written note of the complaint and notify the Senior Clerk that this has happened.
- 1.4 A copy of any written or telephonic complaint received by Chambers will be forwarded immediately to the barrister concerned and, if serious, may be placed before the Head of Chambers if the barrister concerned agrees.
- 1.5 The barrister who is the subject of the complaint, the Senior Clerk or the Head of Chambers (as may be appropriate) will acknowledge the complaint in writing within 48 hours of receipt, or as soon thereafter as is practicable.
- 1.6 If a complainant is not satisfied by the response to the complaint made, he will be advised of the procedure for formal complaint to the Bar Standards Complaints Department and the Legal Services Ombudsman.
- 1.7 Any complaint to the Bar Standards Board Complaints Department must be brought to the attention of the Head of Chambers at the first opportunity.
- 1.8 Any complaint involving negligence or a potential claim against professional indemnity insurance must be brought to the attention of insurers as soon as possible.
- 1.9 Any complaints received will be kept on file for a period of six years in case the complainant does take up the complaint with the Bar Standards Board.

Against a barrister by a lay client

2. Where the complaint is made against a barrister by a lay as opposed to a professional client, the same procedures will apply as at Paragraph 1 above, save that the person to acknowledge the complaint will be either the barrister concerned or the Head of Chambers, as may be appropriate.

Against a member of staff by a professional or lay client

- 3.1 Any complaint about a member of staff made to the clerks by a professional or lay client, whether by letter or telephone, will be entered immediately in the central complaints file and brought to the attention of the Senior Clerk. If the complaint is in a letter, the letter will be filed. If the complaint is made over the telephone, the complaint will be recorded in writing and filed.
- 3.2 The record will contains details of:-
- the name and address of the complainant, both solicitor and firm if a professional client;
 - the date the complaint was made;
 - the nature of the complaint; and
 - the identity of the member of staff.
- 3.3 Any member of staff who receives a verbal complaint from a professional client should make a written note of the complaint and forward a copy to the Senior Clerk. He should notify the complainant that this has happened.
- 3.4 A copy of the complaint, if serious, will be placed before the Head of Chambers at the first opportunity, and a copy in any event given to the member of staff concerned.
- 3.5 The Senior Clerk will acknowledge the complaint in writing within 24 hours of receipt. In the case of a complaint made by a lay client the Head of Chambers will acknowledge the complaint within 24 hours. The Senior Clerk or Head of Chambers will inform the complainant that the complaint is under investigation and give a date by which he will make contact again.
- 3.6 If a complaint is made against the Senior Clerk, the same procedures apply, but will be dealt with by the Head of Chambers.
- 3.7 The Senior Clerk should carry out all necessary investigations, and provide any relevant person with the opportunity to express his opinion about the circumstances surrounding the complaint.
- 3.8 After a full investigation, the Senior Clerk shall
- a) inform the complainant that the complaint has been investigated and found not to be justified, explaining why; or
 - b) inform the complainant that the complaint has been investigated and found to be justified; and either
 - c) explain the remedial action proposed and any form of compensation, or
 - d) if deemed to be serious, refer the matter to the Head of Chambers for resolution with the complainant.
- 3.9 If appropriate in the view of the Head of Chambers, disciplinary action will be taken against the member of staff pursuant to Chambers' disciplinary procedures.

- 3.10 A record of the steps taken to resolve the complaint will be placed in the complaints file.
- 3.11 The complaints file will be periodically reviewed by the Head of Chambers in order to identify recurring problems and to implement any changes to procedures or systems, so as to reduce the possibility of a similar complaint arising again.
- 3.12 External complaints against a member of staff will be kept on file for a period of six years.

We hope that you will use our procedure. However, if you would rather not, or are unhappy with the outcome you may take up your complaint with the Bar Standards Board. You can write to them at the address below. You can also contact the Legal Ombudsman **no later than one year of the act or omission being complained about, or one year from when the complainant should have realised that there was cause for complaint.**

Complaints Department
Bar Standards Board
289-293 High Holborn
London
WC1V 7HZ

Tel: 020 7611 1444
Fax: 020 7831 9217
E-mail: complaints@barstandardsboard.org.uk
Web: WWW.barstandardsboard.org.uk

Legal Ombudsman
PO Box 6806
Wolverhampton
WV1 9WJ

Tel: 0300 555 0333
Web: legalombudsman.org.uk