



## THIRTEEN OLD SQUARE CHAMBERS

### **13 Old Square Chambers Complaints Procedure**

1. Our aim is to give you a good service at all times. However, if you have a complaint you are invited to let us know as soon as possible.
2. This document describes Chambers' policy and procedures in relation to the handling of complaints from the professional or lay client, in accordance with the Bar Council Practice Management Guidelines and the Code of Conduct of the Bar.
3. Chambers recognises that a complaint may be made against [1] an individual barrister; [2] Chambers as a whole; and [3] against the Clerk(s). Chambers recognises that in each case it is the duty of Chambers to ensure that the interests of the lay client are protected. A fair, positive and constructive attitude will be adopted in the handling of complaints. It is understood that a complaint does not necessarily mean that any individual is at fault and a complaint may be unfounded.

#### **Complaints made by telephone**

4. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 7 below. However, if you would rather speak on the telephone about your complaint then please telephone the Senior Clerk. If the complaint concerns the Senior Clerk, then the matter should be raised with the Head of Chambers.
5. 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 endeavour to resolve the matter on an informal basis. 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. If the complaint cannot be resolved, or you do not feel that the concern or matter you have raised has been dealt with to your satisfaction, then you may wish to make a formal complaint and you will be invited to put your complaint in writing within 14 days.
6. If you tell us that you will not use a particular counsel again, this will be recorded to assist in the future allocation of any work from you.

**13 Old Square**, Lincoln's Inn, London WC2A 3UA  
T + 44 (0)20 7831 4445  
F + 44 (0)20 7841 5825  
E [clerks@13oldsquare.com](mailto:clerks@13oldsquare.com)  
DX 52 London - Chancery Lane

## Complaints made in writing

7. Please address your formal letter of complaint marked “Private and Confidential” to **The Senior Clerk, Chambers, 14 Old Square, London WC2A 3UE**. Please give the following details: your name and address; which member(s) of Chambers or staff you are complaining about; the detail of the complaint; and what you would like done about it.
8. The written complaint will be recorded and you will be sent an acknowledgment of receipt confirming that an internal investigation will be carried out and giving a date for a formal response. The date for a formal response should be no more than **28 days**, unless there are exceptional circumstances. This response will be in writing.
9. As far as barristers are concerned, the complaint may relate to (a) the service provided; and/or (b) the legal competence of counsel; and/or (c) professional misconduct:
  - (a) where the complaint relates to the legal service provided, the Senior Clerk may investigate the complaint himself unless, in his discretion, he considers it appropriate to ask the Head of Chambers;
  - (b) where the complaint relates to the legal competence of counsel, the Senior Clerk will refer the complaint to the Head of Chambers so that he may investigate the complaint;
  - (c) where the complaint amounts to an allegation of a breach of the Code of Conduct of the Bar of England and Wales the complainant may make a complaint to the Bar Standards Board or the Legal Ombudsman (please follow the procedure under paragraph 13 below). The complainant will be informed of this right in the initial letter confirming that the complaint is being investigated. If a complaint is made to the Bar Standards Board or the Legal Ombudsman the Chambers’ complaints procedure will be suspended until the conclusion of any other investigation. The Senior Clerk will then refer such a complaint to the Head of Chambers for investigation.

If your complaint is against the Senior Clerk or Head of Chambers, it will be investigated by the Chambers Administrator or the Deputy Head of Chambers.

10. The person appointed to investigate will reply to your complaint within 28 days from the date of the letter acknowledging receipt of the complaint. Her/his reply will set out:
  - The nature and scope of her/his investigation
  - Her/his conclusion on each complaint and the basis for her/his conclusion; and
  - If s/he finds that you are justified in your complaint, her/his proposals for resolving the complaint.

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## Confidentiality

11. 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 Head of Chambers, Senior Clerk and to anyone else we consider necessary to involve in the complaint and its investigation. Such people will include the member of Chambers or staff who you have complained about.

## Our Policy

12. As part of our commitment to client care we make a written record of any complaint.

## Complaints to the Legal Ombudsman or the Bar Standards Board (professional body for Barristers)

13. We hope that you use our procedure, and that it produces a satisfactory result. However, if you would rather not do so or are unhappy with the outcome you do have the choice of taking up your complaint with the Legal Ombudsman or the Bar Standards Board. You can contact them at:

Legal Ombudsman  
PO Box 15870  
Birmingham B30 9EB  
Tel: 0300 500 0333  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)  
Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

Complaints and Hearings Team  
The Bar Standards Board  
289-293 High Holborn  
London WC1B 7HZ  
Tel: 020 7611 1444  
E-mail: [Complaints@BarStandardsBoard.org.uk](mailto:Complaints@BarStandardsBoard.org.uk)  
Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)

Please note that if you are not the client of the barrister about whom you wish to complain then you will need to complain to the Bar Standards Board. All complaints must be on their standard complaint form which can be downloaded from their website.

14. Please also note that complaints made more than six months after the act or omission complained of will be dismissed by the Complaints Commissioner unless the complaint is sufficiently serious to justify further consideration, or there are exceptional circumstances which would justify further consideration of the complaint despite the lapse of time since the matters complained of. If you have already contacted us and are not happy with the results of the investigation, you must send your complaint to the Bar Standards Board within 3 months of the date that our decision is sent to you.

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