

5RB

Complaints Policy

1. Our aim is to give clients a good service at all times and to deal with both clients and non-clients with fairness and reasonable courtesy. However if you have a complaint you are invited to let us know as soon as possible. It is not necessary to involve solicitors in order to make your complaint but you are free to do so should you wish.
2. This document sets out the policy and procedures that we will normally follow in dealing with a complaint. It may be departed from in an appropriate case.

How to complain

3. Minor complaints such as matters of discourtesy or the like may be best made by telephone or in person, either to the barrister concerned or to the Senior Clerk. You should state the nature of your complaint and what you would like done about it. We will aim to resolve telephone complaints promptly and informally.
4. For complaints other than minor ones, and for all complaints of failure in professional service, it will be appropriate to set the complaint out in writing. Equally, if you have made a complaint by telephone or in person which has not been resolved to your satisfaction, the next step will be to set it out in writing. Once that is done, we will investigate the complaint formally.
5. When making a written complaint please use the form provided for the purpose and give the following details:

Your name and address;

Which barrister or staff member you are complaining about;

The capacity in which you are complaining (as a client, or on behalf of one, or otherwise);

The detail of the complaint; and

What you would like done about it.

6. Please address your letter to one of the Heads of Chambers (at the time of writing, Desmond Browne QC or Matthew Nicklin QC) at 5RB, 5 Gray's Inn Square, Gray's Inn, London, WC1R 5AH.

Timing

7. Please make any complaint promptly, as delay may make it harder to investigate and establish the facts. We may decline to investigate a complaint which is made more than 12 months after the act or omission complained about, without good reason for the delay. See below for the time limits on any action by the Legal Ombudsman.

Dealing with your complaint

8. We will aim to acknowledge receipt of your complaint within 48 hours and provide you with details of how your complaint will be dealt with.
9. A person will be appointed to investigate the complaint. We have a panel headed by the senior Head of Chambers and made up of experienced members of Chambers and

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a senior member of staff. Within 14 days of your written complaint the head of the panel or their deputy will appoint a panel member to investigate. If your complaint is against the head of panel, the next most senior panel member will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.

10. The person appointed to investigate will write to you as soon as possible to let you know he or she has been appointed and that they will reply to your complaint within 14 days. If he or she finds later that they are not going to be able to reply within 14 days they will set a new date for their reply and inform you. Their reply will set out:

The nature and scope of their investigation;

Their conclusion on each complaint and the basis for their conclusion; and

If they find that you are justified in your complaint, their proposal for resolving the complaint.

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 heads of Chambers, members of our management committee and to anyone involved in the complaint and its investigation, as necessary. Such people will include the barrister member or staff 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 is entitled to inspect the documents and seek information about the complaint when discharging its auditing and monitoring functions.
12. If you are not a client of the barrister you are complaining about, then their duties of client confidentiality may restrict the disclosure of information to you.
13. If you are complaining on behalf of a client of a barrister, we may require you to provide proof that they have authorised you to do so, before confidential information of theirs is disclosed to you.

Taking it further

14. If you are unhappy with the outcome of our investigation you may take it to another regulatory body. Which body has power to deal with your complaint depends on whether you are complaining as a client of a 5RB barrister, or in some other role.
15. If you are a client you can take up your complaint with the Legal Ombudsman, the independent complaints body for complaints about lawyers' services. You can write to the Ombudsman at:

Legal Ombudsman

PO Box 6806

Wolverhampton WV1 9WJ

Telephone number 0300 555 0333

E-mail enquiries@legalombudsman.org.uk.

Please note, however, that some old issues fall outside the scope of this service, and there are also time limits for complaints to the Legal Ombudsman: they will not deal

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with a complaint unless it has first been investigated by Chambers, and you must complain within 6 months after the final outcome of that investigation.

For more detail visit the Ombudsman's website. <http://www.legalombudsman.org.uk>

16. If you are not a client then the Legal Ombudsman is unlikely to be able to deal with your complaint. It may be suited to consideration under the disciplinary processes of the Bar Standards Board. You can write to them at:

Bar Standards Board Professional Conduct Department

289-293 High Holborn

London WC1V 7JZ

Telephone number: 0207 6111 444

Website : www.barstandardsboard.org.uk