

CLOTH FAIR CHAMBERS

Chambers Complaints Procedure

1. We aim to give you an excellent service at all times. 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.

Complaints made by Telephone

2. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 4 below. However, if you would rather speak on the telephone about your complaint regarding a barrister or member of staff, then please telephone the individual nominated under the Chambers Complaints Procedure to deal with complaints – Nick Newman, the Senior Clerk. If the complaint is about the Senior Clerk, telephone the Head of Chambers, Nicholas Purnell QC or other member of Chambers appointed by him. The person you contact will make a note of the details of your complaint and what you would like done about it. He will discuss your concerns with you and aim to resolve them. If the matter is resolved 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.
3. 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

4. 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.
5. Please address your letter to the Senior Clerk, Nick Newman, Cloth Fair Chambers, 39-40 Cloth Fair, London EC1A 7NT. 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.
6. Our chambers has a panel headed by Nicholas Purnell QC and made up of experienced members of chambers and a senior member of staff, which considers any written complaint. Within 14 days of your letter being received the head of the panel or his deputy in his 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.

7. The person appointed to investigate will write to you as soon as possible to let you know he has been appointed and that he will reply to your complaint within 14 days. If he finds later that he is not going to be able to reply within 14 days he will set a new date for his reply and inform you. His reply will set out:
 - The nature and scope of his investigation;
 - His conclusion on each complaint and the basis for his conclusion; and
 - If he finds that you are justified in your complaint, his proposals for resolving the complaint.

Confidentiality

8. 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, members of our management committee and to anyone involved in the complaint and its investigation. Such people will include the barrister or member of staff whom 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.

Our Policy

9. 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 will inspect an anonymized record of any complaint with a view to improving services.

Complaints to the Legal Ombudsman

10. We hope that you will use our procedure. 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, the independent complaints body for complaints about lawyers. If you are unhappy with the outcome of our investigation and you fall within its jurisdiction, you may take up your complaint with the Legal Ombudsman, at the conclusion of our consideration of your complaint. The Ombudsman is not able to consider your complaint until it has first been investigated by Chambers.
11. Please note that the Legal Ombudsman will only consider complaints received within the following time limits:
 - Six years from the date of the act or omission complained of;

- Three years from the date on which the complainant should reasonably have known that there were grounds for complaint (if the act or omission took place before 6 October 2010 or was more than six years ago;
- Within six months of the complainant receiving a final written response from his or her lawyer, if that response complies with the requirements of rule 4.4 of the Legal Ombudsman Scheme Rules (which requires the response to include prominently an explanation that the Legal Ombudsman was available if the complainant remained dissatisfied, the provision of full contact details for the Ombudsman and a warning that the complaint must be referred to the Ombudsman within six months).

The Ombudsman can extend the time limit in exceptional circumstances. Chambers must therefore have regard to that timeframe when deciding whether they are able to investigate your complaint. Chambers will not usually deal with complaints that fall outside of the time limit applicable to a complaint to the Legal Ombudsman.

12. The Ombudsman will 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 the Chambers investigation should contact the Bar Standards Board rather than the Legal Ombudsman.
13. It should be noted that it may not always be possible to investigate a complaint brought by a non-client. This is because the ability of Chambers satisfactorily to investigate and resolve such matters are limited and complaints of this nature are often better suited to the disciplinary processes maintained by the Bar Standards Board. Therefore, Chambers will make an initial assessment of the complaint and if they feel that the issues raised cannot be satisfactorily resolved through the Chambers complaints process they will refer you to the Bar Standards Board.
14. Generally, a complaint cannot be taken up with the Legal Ombudsman unless the complainant has first used Chambers complaints procedure. However, the Ombudsman will consider a complaint where there has been no resolution under the Chambers complaints procedure within 8 weeks of your complaint. If you are not eligible to complain to the Legal Ombudsman, you may contact the Bar Standards Board.

The contact details are:

The Legal Ombudsman
PO Box 6806
Wolverhampton
WV1 9WJ

Telephone: 0300 555 0333 (UK)
+44 121 245 3050 (Overseas)

Email: enquiries@legalombudsman.org.uk

Website: www.legalombudsman.org.uk

Bar Standards Board
Professional Conduct Department
289-293 High Holborn
London WC1V 7JZ

Telephone number: 0207 611 1444

Website: www.barstandards.org.uk

39-40 Cloth Fair, London, EC1A 7NT
020 7710 6444