1 COR

1 CROWN OFFICE ROW

1 CROWN OFFICE ROW

HOW TO MAKE A COMPLAINT

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. It is not necessary to involve solicitors in order to make your complaint, but you are free to do so should you wish.

2. Please be assured that any complaints made will be taken seriously and handled with care and will not disadvantage your case or matter. We will investigate and handle complaints in a fair and consistent manner, diligently and impartially, and seek to respond and resolve your complaint promptly.

3. Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has time limits in which a complaint must be raised with them. From 1 April 2023, the time limits are:

    a. The complainant must refer the complaint to the Legal Ombudsman no later than one year from the act/omission, or one year from when the complainant should reasonably have known there was cause for complaint.

    b. The complainant must also refer the complaint to the Legal Ombudsman within six months of the complaint receiving a final response from their lawyer, if that response complies with the requirements in rule 4.4 of the Scheme Rules (which requires the response to include prominently an explanation that the Legal Ombudsman was available if the complainant remained dissatisfied, and the provision of full contact details for the Ombudsman and a warning that the complaint must be referred to them within six months).

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

5. 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 do not fall within the jurisdiction of the Ombudsman who are not satisfied with the outcome of the Chambers' investigation should contact the BSB rather than the Legal Ombudsman.

6. 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 to satisfactorily investigate and resolve such matters is limited and complaints of this nature are often better suited to the disciplinary processes maintained by the BSB. 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 BSB.

Complaints made by telephone/video call/other formats

7. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraphs 10 and 11 below. If you would like to make your complaint in other ways or formats, or accessible options, please do not hesitate to contact us so that we can best accommodate your needs.

8. However, if you would rather speak initially on the telephone, video call, or other format that suits your preference and information needs, about your complaint, then please engage the individual nominated under the chambers complaints procedure to deal with complaints, which is the Chambers Director, John Petrie or (if the complaint is about the Chambers Director) one of the Joint Heads of Chambers, Henry Witcomb KC or Clodagh Bradley KC. To arrange a telephone call (or other preferred format of communication), you should contact the Chambers Director, who will make the arrangements for that communication. The person you contact will make a note of the details of your complaint and what you would like to have done about it. They will discuss your concerns with you and aim to resolve them. If the matter is resolved they 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.

9. If your complaint is not resolved at this stage, you will be invited to write to us about it, so it can be investigated formally. At this stage, we will also check if you would like to engage with us on accessible formats, to meet your specific information and communication needs. We will discuss and agree with you the best way and format for us to engage and communicate together. We will advise you on the best way to set out your concerns and complaint for the next formal investigation stage, depending on your needs and preferences.

Complaints Made in Writing and in other Accessible Formats

10. For complaints made in writing, please give the following details:
    - Your name and address;
    - Which member(s) of chambers or staff member you are complaining about;
    - The detail of the complaint; and
    - What you would like done about it.

11. Please address your letter/correspondence to the Chambers Director, John Petrie: John.Petrie@1COR.com. 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.

12. For complaints made in other accessible formats, we will discuss and advise you on the best way to set out your concerns, tailored to your needs, and how to provide the information above in paragraph 10.

13. Our chambers has a panel headed by the Head(s) of Chambers and made up of experienced members of chambers and the Chambers Director, which considers any written and formal complaint. Within 14 days of your letter/formal complaint 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.

14. The person appointed to investigate will write to you as soon as possible to let you know they have been appointed and that they will reply to your complaint within 14 days. If they find 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. In any event, we will keep you informed and provide regular updates on progress of the complaint investigation. 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 proposals for resolving the complaint.

Complaints which may give rise to an Insurance Claim

15. If your complaint about a barrister involves a matter which may give rise to an insurance claim, the barrister will be obliged to inform the Bar Mutual Indemnity Fund (BMIF, the Bar's insurer). The BMIF will then need to be consulted before any proposals can be put to you to resolve your complaint. This may constrain the speed with which we are able to respond in these circumstances.

Confidentiality

16. 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 member or staff about whom you have complained, the head or relevant senior member of the panel and the person who investigates the complaint. The BSB is entitled to inspect the documents and seek information about the complaint when discharging its monitoring functions.

Our Policy

17. 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. From time to time, a summary of the complaint will be provided to the Bar Standards Board, on an anonymous basis, which will only provide information about what the complaint was about, and the outcomes.

Complaints to the Legal Ombudsman

18. If you are unhappy with the outcome of our investigation and you fall within their jurisdiction you may take up your complaint with the Legal Ombudsman, the independent complaints body for complaints about lawyers, 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, or if the complaint has not been resolved to your satisfaction within 8 weeks of making your complaint. Please note the timeframe for referral of complaints to the Ombudsman as set out at paragraph 2 above. Those clients who are able to complain to the Legal Ombudsman are as follows:

a) Individuals;

b) Businesses or enterprises that are micro-enterprises within the meaning of Article 1 and Article 2(1) and (3) of the Annex to Commission Recommendation 2003/361/EC (broadly businesses or enterprises with fewer than 10 employees and turnover or assets not exceeding €2 million);

c) Charities with an annual income net of tax of less than £1 million;

d) Clubs, associations or organisations, the affairs of which are managed by its members or a committee of its members, with an annual income net of tax of less than £1 million;

e) Trustees of trusts with an asset value of less than £1 million; and

f) Personal representatives or beneficiaries of the estates of persons who, before they died, had not referred the complaint to the Legal Ombudsman.

19. You can write to the Legal Ombudsman at:
    Legal Ombudsman

    PO Box 6167

    Slough SL1 0EH

    Telephone number: 0300 555 0333

    Email: enquiries@legalombudsman.org.uk

    More information about the Legal Ombudsman is available on their website: http://www.legalombudsman.org.uk/

20. If you are unhappy with the outcome of the investigation, alternative complaints bodies as approved by the Chartered Trading Standards Institute (https://www.tradingstandards.uk/consumer-help/adr-approved-bodies/) also exist which are competent to deal with complaints about legal services, should you and the barrister both wish to use such a scheme. If you wish to use your chosen ADR provider, please contact us to discuss this, including time limits for contacting your chosen ADR. Please also note that if mediation is used, neither you nor the barrister is required to accept the proposed resolution. If mediation does not resolve the complaint, you may still make a complaint to the Legal Ombudsman (provided you fall within their jurisdiction and you do so within the time limit)

21. If you are not the barrister's client and are unhappy with the outcome of our investigation, then please contact the Bar Standards Board at:

Bar Standards Board Contact and Assessment Team

289-293 High Holborn

London WC1V 7JZ

Telephone number: 0207 6111 444

Website: www.barstandardsboard.org.uk