

What is the purpose of the complaints procedure?

1.1 Nine Chambers, its Barristers and staff aim to provide all our clients with excellent service. We strive to do everything we can to ensure your objectives are met – reliably and resourcefully.

1.2 We realise sometimes things do go wrong in legal practice and clients may be unhappy with the service provided by a Barrister or by Chambers.

1.3 This procedure is concerned with what happens if you feel the quality of the service we have provided or the representation provided by a Barrister has fallen short in some way.

1.4 The Legal Complaints Ombudsman stated that there is a need to “put the lay client at the centre of the picture” of any complaints process. As a Chambers, we endeavour to take this good advice and adopt a pro-active response to any complaint we receive.

1.5 Early and open communication is encouraged between client and Counsel to remedy most problems that arise, which may be due to straightforward misunderstandings. However, Chambers recognises that in some cases, a greater degree of formality may be needed to address the concern or complaint.

The purpose and scope of this procedure

2.1 The purpose of this procedure is to set out clearly how we deal with complaints about the quality of service provided to lay or professional clients.

2.2 This procedure does not cover other matters such as the negotiation of fees.

2.3 Should you consider your complaint to be a disciplinary matter or professional misconduct issue you may take your complaint up with the Bar Standards Board. For further information please visit: <https://www.barstandardsboard.org.uk/for-the-public/reporting-concerns.html> to complete the Online Reporting Form.

2.4 Nine Chambers will not ordinarily deal with complaints that fall outside of a twelve-month period from the date on which the act or omission arose save in exceptional circumstances.

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2.5 The Head of Chambers or their delegate retains absolute discretion as to what constitutes exceptional circumstances.

The informal stage

3.1 If a lay or professional client wishes to make a complaint about the quality of services provided by a member of Nine Chambers or its staff this should, in the first instance, be raised either in writing by email or telephone to appropriate the Director of Clerking, Practice Manager or Senior Clerk.

3.2 For criminal matters, this would be Mr Chris Swann (chris.swann@ninechambers.com or 0161 955 5172). For civil matters, this would be Mr Tony Morrissey (tony.morrissey@ninechambers.com or 0161 955 5176).

3.3 In order to deal effectively with a complaint that you wish to make, we need to know:

- i. your name and address;
- ii. the name of the person you are complaining about (unless you are complaining directly to that person);
- iii. details of the complaint;
- iv. what you would like done about it;
- v. how you would like to receive a reply to your complaint (e-mail, letter or other);
- vi. any adjustments to the complaints procedure you may require.

3.4 It is the responsibility of the Director of Clerking, Practice Manager or Senior Clerk to take early and effective action and most difficulties that arise are successfully dealt with in this way.

3.5 The Director of Clerking, Practice Manager or Senior Clerk will make contact with the client to discuss the concern and to understand what if anything has gone wrong. It may be necessary for the Director of Clerking, Practice Manager or Senior Clerk to undertake obtain further information before providing a response.

3.6 The Director of Clerking, Practice Manager or Senior Clerk will endeavour to provide a response either by email or telephone within 14 working days of receipt.

3.7 Nine Chambers understands not all concerns require the application of a formal process and some issues may be capable of informal resolution. However, if you are dissatisfied with the outcome of the informal stage or wish for your concern to be dealt with formally, the second stage of the process is invoked.

The formal stage

4.1 The formal complaints process is dealt with by the Head of Chambers, Mr Christopher Kennedy KC, who may carry out an investigation himself or delegate this task to the Deputy Head of Chambers, or another member of Chambers.

4.2 The Head of Chambers retains absolute discretion as to the handling and investigation of the complaints, in accordance with this process.

4.3 You may raise a complaint directly with the Head of Chambers in writing either by letter to the Chambers address or by email (hoc@ninechambers.com)

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- i. your name and address;
- ii. the name of the person you are complaining about (unless you are complaining directly to that person);
- iii. details of the complaint;
- iv. what you would like done about it;
- v. how you would like to receive a reply to your complaint (e-mail, letter or other);
- vi. any adjustments to the complaints procedure you may require.

4.5 The Head of Chambers will acknowledge receipt within 7 working days and confirm the complaint is being investigated. The Head of Chambers will also provide a copy of this procedure to the complainant, together with contact details for the Bar Standards Board.

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4.6 The Head of Chambers or their delegate will investigate and consider all aspects of the complaint, obtaining further details from the client, member of Nine Chambers or member of staff as is considered necessary.

4.7 All relevant people should be given the opportunity to state their understanding on the circumstances of the complaint. Records are taken of all discussions, investigations, and notes relevant to the complaint.

4.8 The Head of Chambers will determine the action, if any, to be taken to resolve the complaint.

4.9 A substantive response will be provided in writing, by the Head of Chambers to the lay or professional client within 28 working days of the acknowledgment of the complaint or such longer time as may be reasonably necessary in all the circumstances.

4.10 If the complaint involves the Head of Chambers, the Management Committee retains absolute discretion to appoint a senior member of Chambers to investigate.

4.11 If considered necessary by the Head of Chambers, either a face to face or telephone meeting with the lay or professional client will be arranged within 14 days of the outcome, to discuss the matter and finalise the resolution of the complaint.

Confidentiality

5.1 All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent, and to the people, necessary in order to deal properly with the complaint.

5.2 We need to keep records of complaints that have been made, the way they have been dealt with and how they were resolved. Such records are confidential.

5.3 Where complaints reveal deficiencies and matters that require improvement, we may need to use the information derived from complaints in order to work out appropriate solutions and improve our performance. However, as noted above, when that occurs, any information that is disseminated will be anonymised so as to preserve confidentiality.

5.4 The Chambers' Manager is responsible for ensuring that all complaints are recorded and for maintaining copies of all notes, correspondence and documents regarding a complaint in a central file together with a register of all formal complaints.

Complaints to Legal Ombudsman

6.1 We hope this procedure will deal appropriately with any complaint that you make. However, if you are unhappy with the outcome, you may wish to make Legal Ombudsman. The Legal Ombudsman is responsible for dealing with complaints about the services provided to clients by all legal professionals. The Legal Ombudsman requires you to take up your complaint with us in the first place.

6.2 An individual, small business or charity may complain to the Legal Ombudsman if they are unhappy with the outcome of a complaint, or when a complaint has not been dealt with in eight weeks. A full list of who has the right to complain to the Legal Ombudsman is available here: <http://www.legalombudsman.org.uk/?faqs=who-can-use-our-service>.

6.3 There are time limits on when you are able to raise a complaint with the Legal Ombudsman. You can find further information and details of the time limits here: <https://www.legalombudsman.org.uk/faqs/>

6.4 You can contact the Legal Ombudsman at:

Legal Ombudsman

PO Box 6806

Wolverhampton

WV1 9WJ

Telephone: 0300 555 0333

Website: www.legalombudsman.org.uk

Email: enquiries@legalombudsman.org.uk

7th April 2025