

DEVEREUX CHAMBERS COMPLAINTS PROCEDURE

Introduction

1. Our aim is 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 your solicitors or advisers in order to make a complaint, but you are free to do so should you wish. This document contains the Devereux Chambers Complaints Procedure.
2. Complaints which relate to an act or omission by or on behalf of a barrister in relation to services provided directly or indirectly to the complainant will be considered by Devereux Chambers ('Chambers') under this Procedure, subject to paragraph 4 below. Any other complaint will be considered by Chambers under this Procedure only with the consent of the barrister against whom the complaint is made.
3. This Procedure aims to ensure that complaints are dealt with promptly, courteously, fairly and proportionately, in a manner which addresses the issues raised.
4. Complaints will ordinarily be considered by Chambers under this Procedure only if:
 - a. the act or omission complained of, or the date when the complainant should reasonably know there was cause for complaint, was after 5 October 2010; and
 - b. the complaint is made no later than the later of:
 - i. six years from the act or omission complained of;
 - ii. three years from the date when the complainant should reasonably have known there was cause for complaint.
5. Complainants will be informed in writing if a complaint, or any aspect of it, is

considered to be outside this Procedure, and will be given information on how to complain to the Legal Ombudsman.

6. A copy of this Complaints Procedure will be provided on request to any professional or lay client or intermediary.

Informal complaints

7. A complaint about a barrister should, wherever possible, be raised informally in the first instance with that barrister or a practice manager. A complaint about an employee of Chambers should, wherever possible, be raised informally in the first instance with the Chambers Director. If this is not possible, or if no informal resolution is reached, a complaint should be made in writing as set out below.

Formal complaints

8. Formal complaints should be made in writing and addressed to the Head of Chambers (or to the Chambers Director if the complaint is about the Head of Chambers), marked 'Complaint' on the outside of the envelope. The Head of Chambers may give authority to another barrister or to a senior employee to open such correspondence on his behalf.
9. A written complaint must include the following details:
 - a. The name and contact details of the complainant;
 - b. The member(s) of Chambers complained about;
 - c. The detail of the complaint; and
 - d. The outcome sought by the complainant.
10. The aim is for the complaint to be resolved under this procedure within 56 days from receipt of the complaint. Within 14 days of receipt of the complaint, the complainant will be sent, in writing:
 - a. confirmation that the complaint has been received;

- b. the name of the person appointed to deal with the complaint in the way described below;
 - c. a description of that person's role in Chambers;
 - d. a copy of this Complaints Procedure;
 - e. the date by which the complainant will next hear from Chambers.
11. The Head of Chambers, or another barrister or senior employee appointed by him for this purpose ('the investigator'), will review the complaint, liaise with the barrister and the person making the complaint to obtain evidence about the complaint, discuss the issues raised with each (so far as each is willing to do so) and explore whether it is possible to reach agreement on disposal of the complaint. If agreement is not possible the investigator will decide how to resolve the complaint based on the available evidence. Where reasonably possible (having regard to seniority) the complaint will be reviewed by an investigator not involved in the matter leading to the complaint. A clear explanation for any decision reached will be provided by the investigator to the complainant and the barrister who is the subject of the complaint, based on the available evidence. The decision will also set out the complainant's right to complain to the Legal Ombudsman, of the time limit for doing so, and how to contact them.

Record Keeping and Documents

12. A record will be kept of the complaint, of all steps taken in response to it, and of its outcome. The record will be retained for six years, together with copies of all relevant documentation including letters and email correspondence.
13. All communications and records relating to complaints will be kept confidential and disclosed only where legally required or so far as is reasonably necessary for:
- a. the investigation and resolution of the complaint;
 - b. internal review in order to improve Chambers' handling of complaints;
 - c. complying with requests from the Legal Ombudsman, the Bar Standards

Board or any other duly authorised body, in the exercise of its functions.

Complaints to the Legal Ombudsman

14. If the complainant remains dissatisfied following Chambers' written response to the complaint, he or she may complain to the Legal Ombudsman. A referral to the Legal Ombudsman must be made within specific time periods:
 - a. within six months of our final response to the complaint; and
 - b. within six years of the date the issue occurred; or
 - c. within three years of the date the complainant became aware of the issue.
15. More information, including information about how to make a complaint, is available from the Legal Ombudsman website: www.legalombudsman.org.uk, by telephoning the Legal Ombudsman on 0300 555 0333, by email to enquiries@legalombudsman.org.uk or by post to PO Box 6806, Wolverhampton, WV1 9WJ.

Alternative Complaints Bodies

16. Alternative complaints bodies (such as Ombudsman Services, www.ombudsman-services.org) exist which are approved to deal with complaints should we both wish to use such a scheme.

Annual review of complaints

17. The Chambers Director reports annually to the Chambers Supervision Committee in writing on the number of complaints received, the subject areas of the complaints and the outcomes. No confidential information is provided in the report.
18. On the basis of the report by the Chambers Director, the Chambers Supervision Committee reviews the complaints for trends, possible training issues and ways

to improve Chambers' handling of complaints.

Date last reviewed: November 2021