

Making a Complaint

Our aim is always to give good service. However, if you have a complaint about some aspect of the service that you have received, you should please let us know as soon as possible. It is not necessary to involve solicitors to make your complaint. 4-5 GIS is fully committed to ensuring that all users of the complaints procedure are treated fairly, with respect and without discrimination based on race, gender, sexual orientation, disability, age, religion or belief. All references to “complaints” include complaints about service or the professional conduct and competence of Counsel.

- Against a barrister by a professional client
- Against a barrister by a lay client
- Against a member of staff by a professional or lay client

Introduction

1. Our aim is to give you a good service at all times. However, if you have a complaint let us know as soon as possible. It is not necessary to involve solicitors to make your complaint, but you are free to do so.
2. 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. As from 1st 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).
3. 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 if it is fair and reasonable to do so.
4. The Ombudsman deals only with complaints from consumers. This means that only complaints from the barrister's client(s) 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. Contact details are shown below.
5. 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 chamber's complaints process, they will refer you to the BSB.

Complaints Made By Telephone

6. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 8 below. However, if you would rather speak on the telephone about your complaint, then please telephone Emily Martin – Senior Clerk. If the complaint is about the senior member of staff telephone the joint Head of Chambers – Rupert Beloff. 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.
7. If your complaint is not resolved on the telephone, you will be invited to write to us about it, so it can be investigated formally.

Complaints Made in Writing

8. Please give the following details:

- Your name and address;
- Which member(s) of chambers you are complaining about;
- The detail of the complaint; and
- What you would like done about it.

9. Please address your letter to:

Miss Emily Martin
Senior Clerk
4-5 Gray's Inn Square Chambers
4-5 Gray's Inn Square
Gray's Inn
London WC1R 5AH

Alternatively, written complaints can be addressed by email to complaints@4-5.co.uk.

We will, where possible, acknowledge receipt of your complaint within two working days and provide you with details of how your complaint will be dealt with.

10. Our chambers has a panel headed by Rupert Beloff and made up of experienced members of chambers and a senior member of staff, which considers any written complaint. Within 14 working days of your letter being received the head of the panel (or their deputy in their absence) will appoint a person to investigate it. If your complaint is against the head of the panel, their deputy will appoint the investigator. The person appointed will be someone other than the person you are complaining about.
11. The person appointed to investigate will write to you as soon as possible to provide the following information:
 1. Their name, contact details, and a description of their role within chambers;
 2. Clear and comprehensive information about how their complaint will be investigated; and
 3. Confirmation that they will reply to your complaint within 14 days and provide an indicative date by which a reply will be provided.
 4. If they are not going to be able to reply within 14 working days, provide 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 proposals for resolving the complaint.

Chambers will, in any event, seek to provide a full response no later than 8 weeks from receipt of your initial complaint.

Confidentiality

12. 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 person you have complained about, 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

13. 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 from resolution of the complaint. All such data is retained in compliance with UK GDPR. For further information on how we process your personal data, please see our Privacy Notice, available [here](#).
14. Complaints data will be held in anonymised form in order for us review and improve our services, and to comply with requests for disclosure from the BSB in the exercise of its monitoring and auditing remit.

Complaints & Record Keeping

15. Members of chambers are required to ensure that details of any complaints they receive and deal with relating to their work at chambers, including steps taken to respond to it and the outcome, are provided to the Senior Clerk so that they can be recorded centrally and handled in accordance with this procedure. A summary of complaints received will be sent to the BSB from time to time in line with our mandatory complaints reporting obligations.
16. The Senior Clerk will report at least annually to the management committee of chambers on the number of complaints received, the subject areas of those complaints, and their outcomes. That report will include a review of complaints for trends, risks or issues, including any possible systemic issues in how complaints have been assessed and resolved and any service issues. Measures will be implemented to address any risks and issues identified. Appropriate training will be considered and, where necessary, undertaken, and appropriate resources provided, to address the identified risks and issues.

Complaints To The Legal Ombudsman / Alternative Dispute Resolution

17. 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. 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.

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:

www.legalombudsman.org.uk

If you are unhappy with the outcome of the investigation, alternative complaints bodies as approved by the Chartered Trading Standards Institute 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).

18. 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: 020 7611 1444 Website: www.barstandardsboard.org.uk

Provision of Complaints Information

19. Chambers will notify clients, in writing or in formats tailored to their specific information needs, of their right to make a complaint and of this complaints handling procedure.

This information will be provided:

- when we are instructed, or, if that is not practicable, at the next earliest appropriate opportunity;

- at the conclusion of the matter;
- upon request; and
- if a complaint is made during a matter.

20. Where work is accepted by referral through a professional client (for example, a solicitor), this information will ordinarily be provided in our terms of engagement or equivalent letter. Where no letter of engagement is sent to a lay client, a specific letter or communication (in a format tailored to the client's information needs) will be sent to provide this information.

18. Where work has been accepted on a referral basis, the lay client may make a complaint directly to the barrister concerned or to chambers without going through their solicitor or other professional client. Where public access or licensed access work is undertaken through an intermediary, the intermediary will be informed of this complaints procedure in the same way.