

Instructions on how to use this form

1. Please first save this form to your computer.
2. Make sure the “Highlighted Fields” button is checked/pressed in the top right hand corner of your screen. This will highlight all of the fields that you can fill in on screen.
3. Fill out the form on screen. You can save the document and come back to it later.
4. Once you have completed the form, print it, sign it and then post it along with any supporting documents to the address listed on page six.

Guidance on filling in the complaint form

If you would like this document in another format or if you have any questions about the Bar Standards Board's complaints process, please phone us on 020 7611 1445.

Please read the information leaflet *Guidance for complainants and barristers on the Bar Standards Board's complaints process* before filling in the complaint form. Also, please read the whole form before you begin filling it in.

Please fill in the form in **dark ink** and in clear writing, or you can download it from our website (www.barstandardsboard.org.uk) and type your answers into the form. If you need more space to answer any of the questions, please continue on extra sheets of paper and clearly show which question the sheets belong to.

PLEASE NOTE: The Legal Ombudsman (<http://www.legalombudsman.org.uk> – telephone 0300 500 0333) became operational on 6 October 2010. From this date all complaints from lay clients about barristers, solicitors, and some other types of legal professional should be directed to the Ombudsman's office. The Ombudsman will deal with service complaints itself and will be able to award compensation of up to £30,000.00 against barristers. It will not investigate complaints of professional misconduct or be involved in the consideration of disciplinary issues. Neither will it consider complaints previously considered by the Bar Standards Board.

The Ombudsman's office will refer all conduct issues relating to barristers to the Bar Standards Board.

In relation to any complaints received by the Bar Standards Board after 6 October 2010 the Bar Standards Board will not be able to require the barrister complained of to pay compensation.

The ordinary time limit for making a complaint to the Legal Ombudsman will be one year from the act/omission or one year from the date that the complainant should reasonably have known there was cause for complaint without taking advice from a third party.

■ Section 1 – Your details

We first need to know whether you are making the complaint yourself, or whether you are making it on behalf of someone else. Either way, we need the person who is filling in the form to give their name, full address, and (if possible) a daytime phone number and email address.

If you are complaining on behalf of someone else, you must get that person to sign the declaration in **section 1a**. If the person you are complaining for is not able to sign the form (for example, if they are in prison or abroad), you must get a letter of authorisation from that person similar to the declaration on the form and attach the letter to the completed form.

Please tell us as soon as possible if any of your contact information changes while we are considering or investigating your complaint.

■ Section 2 – The barrister's details

You must give the full name of the barrister that you are complaining about so we can correctly identify him or her. If you are unsure of the barrister's address, please phone us with their full name and we will help to find their address.

We also need to know whether your complaint is about the barrister's work in a court case, other legal work by the barrister, or their behaviour outside professional work. Please tick the box to show whether the barrister was acting for you, for the other side, or for somebody else.

If you are complaining about more than one barrister, you should fill in a separate form for each barrister.

■ Section 3 – Instructions the barrister received

It is useful for us to know who instructed the barrister and to have that firm's or person's contact details. Please fill in this section as fully as you can and leave blank any questions that you do not know the answers to.

■ Section 4 – Details of the case

You only need to fill in this section if your complaint is about a barrister's work in a court case. We need as much information as possible about the name of the court case, the court name, the date(s) of the relevant hearings, and the court reference number (if you know it).

Please also give a brief description of what the case was about (for example, who brought the case against whom and why).

We also need to know if the court case is still continuing, whether the barrister is still instructed, and the details of any appeal. If you are appealing the decision, we will usually delay considering your complaint until the appeal has ended. It is therefore important that you give as much information as possible about the stage the appeal is at.

■ Section 5 – Time limit

We need to know when the behaviour that you are complaining about took place. If you are complaining about a barrister's actions at a court hearing, please provide the date(s) as accurately as you can.

If the behaviour was more than 12 months ago, we need to know why there has been a delay. Your complaint may be dismissed if there is not a good reason for the delay.

You should first complain direct to the barrister. If you do not, we may refer your complaint to the barrister's chambers to be investigated internally first. If there is a particular reason why you think we should not do this, please say why and we will consider your reasons.

■ Section 6 – Details of your complaint

In section 6a, please describe the background of the complaint as clearly and concisely as you can, by explaining what happened. In section 6b, please try to list your individual complaints about what the barrister did or did not do as clearly as you can. This will help us understand your complaint.

In section 6c, please tell us what you would like to happen to put things right. You should be aware that we are **not** able to overturn the decision of a court or order a retrial nor can we require a barrister to pay compensation.

It is also important that you give the contact details of anyone who saw or heard the actions that you are complaining about, as we may decide to contact them. Finally, we need to know what papers you enclosed with your form so that we can make sure we have received everything you sent.

■ Section 7 – Declaration

Please read the statement and then sign and date the declaration.

Keep a copy of the complaint form

Don't forget to keep a copy of the complaint form for you to refer to. This will help both you and us if we have any questions.

Equality monitoring form

Please take the time to fill in this form as accurately as you can. After we receive your complaint form, we will remove the monitoring form and keep it in a secure place. We will only use it for monitoring purposes.

Complaint form



REGULATING BARRISTERS

Please read the guidance notes and our leaflet on the *Bar Standards Board's complaints process* before filling in this form.

This form is only to be completed if you are seeking to complain about a barrister who does not act for you. If you are a client wishing to complain about your barrister then you will need to refer your complaint to the Legal Ombudsman.

Please tick whether you are filling this form in:

for yourself. Please fill in **Section 1**, and then go to Section 2

on behalf of someone else. Please fill in **Section 1** and **Section 1a**, and then go to Section 2.

Section 1 – Your details

Title (Mr, Mrs, Ms and so on)

Your full name

Your address

Postcode

Daytime phone number

Email address

Section 1a

Name of the person you are filling in the form for

If you are filling the form in for someone else, you will need them to sign the following declaration:

I agree to the person named in Section 1 making this complaint on my behalf and for all correspondence to go to them.

Complainant's signature

Section 2 – The barrister's details

Barrister's full name

Barrister's address

Postcode

Phone number and email address (if known)

Is your complaint about (please tick)

the barrister's work in a court case?

other legal work by the barrister?

the barrister's behaviour outside professional work?

Was the barrister acting (please tick)

for the other side in a case?

for somebody else? If so, who?

▀ **Section 3 – Instructions the barrister received**

Who instructed the barrister? (please tick) a solicitor another representative

Details of the solicitor or other representative instructing the barrister:

Name of firm:

Address:

Name of person dealing with matter:

Reference (if known):

Have you also made a complaint against the solicitor Yes No
to the Solicitors Regulation Authority?

If Yes, please give us the reference number:

Please tick here to give us permission to contact the Solicitors Regulation Authority to obtain details about your complaint against the solicitor who instructed the barrister.

▀ **Section 4 – Details of the case**

If your complaint is about the barrister’s work in a court case and it was heard in court, please provide the following details (if known):

Name of the case:

Name of the court:

Date of the hearing:

Reference number:

Please briefly describe what the case was about:

■ Section 6 – Details of your complaint

a) Please briefly describe the background to your complaint (that is, what happened).

b) Please list, as clearly as you can, the main aspects of your complaint based on the facts on the previous page.

c) How would you like this complaint resolved? (Please tick all the boxes that apply.)

Explanation

Disciplinary action

Other (please say)

(Please note that compensation is not available)

d) Please give us the name and contact details of any witnesses who can provide relevant information about the complaint. Please also indicate what information you consider they can provide.

e) Have you enclosed extra sheets of paper or copies of documents? If so, please list them, and for copies of documents please explain their relevance.

Section 7 – Declaration

To deal with your complaint we will need to show the complaint form, and any documents you provide, to the barrister concerned. We may also need to show them to their employer or chambers. Please sign and date below to give us permission to do this. We are unlikely to be able to take this complaint further if you (or the person complaining on your behalf) do not sign and date this section of the form.

I agree that the Bar Standards Board can disclose my complaint, and any information I provide about it, to the barrister named in this form and anyone else the BSB considers necessary for the purposes of considering my complaint.

I declare that all the information I have given in this form is, to the best of my knowledge, complete and accurate.

Your signature

Date

Checklist – Please make sure you have:

Read the guidance note

Given us the full name of the barrister concerned

Signed the declaration

Fully answered all the questions that apply to you

Given us a list of your specific complaints

Filled in the equality monitoring form

Enclosed any supporting evidence

When you have filled this form in please send it to:

**The Assessment Team
Bar Standards Board
289-293 High Holborn
London WC1V 7HZ**

We recommend that you make a copy of this form before sending it to us.

Equality monitoring form

We are asking for this information from you to help us meet our equality duties and to ensure that we do not unfairly discriminate against people. By monitoring and analysing this information we can act to remove unlawful discrimination and promote equality.

Please take the time to fill in this form as accurately as possible.

1 What is your ethnic group?

Please find which section (from A to F) best applies to you, then tick one box in that section.

A White
British
Irish
Any other White background (please write here):

B Mixed
White and Black Caribbean
White and Black African
White and Asian
Any other mixed background (please write here):

C Asian and Asian British
Indian
Pakistani
Bangladeshi
Any other Asian background (please write here):

D Black and Black British
Caribbean
African
Any other Black background (please write here):

E Chinese or other ethnic group
Chinese
Any other ethnic group (please write here):

F Do not wish to disclose

2 Please indicate whether you are:

(tick the appropriate box)

Male
Female
Do not wish to disclose

3 Do you consider yourself disabled?

Yes
No
Do not wish to disclose

The Bar Standards Board is committed to making reasonable changes to help people with disabilities use our services.

If you have a disability and need help in using any of our services, please phone the Assessment Team on 020 7611 1445

CONFIDENTIALITY

This form is confidential and will be kept securely by the Assessment Team for monitoring purposes only. If information gathered from this form is published, it will not identify individuals who have provided it.

For more information about confidentiality please phone the Bar Standards Board's Data Protection Officer on 020 7611 1444.