

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 0207 611 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. Also, 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, please 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 twelve 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.