



## PARK PLACE CHAMBERS

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[clerks@9parkplace.co.uk](mailto:clerks@9parkplace.co.uk)

### COMPLAINTS PROCEDURE

#### Aim

1. Our aim is to give you a good service at all times. If, however, you have a complaint you are invited to let us know as soon as possible. It is not necessary to involve solicitors, if you are instructing one, in order to make your complaint but you are free to do so should you wish. No charge is made by us for investigating your complaint.

2. However Chambers may not be best placed to seek to resolve or provide redress for complaints which relate to misconduct or professional negligence. You will be informed in writing if any aspects of your complaint are deemed to be outside of chambers complaints handling procedures. This will include information on how to complain to the Legal Ombudsman.

#### Legal Ombudsman

3. 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.

Ordinarily, the complainant must refer the complaint to the Legal Ombudsman [[see \*scheme-rules-april-2023-final.pdf\* \(\[legalombudsman.org.uk\]\(http://legalombudsman.org.uk\)\) at Page 11, Para 4.5 & 4.6](#)] 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.

c) The complainant must also refer the complaint to the Legal Ombudsman within six months of the complainant 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, together with the provision of full contact details for the Ombudsman and a warning that the complaint must be referred to them within six months).

4. 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 the Legal

Ombudsman's time limits. The Legal Ombudsman can extend the time limit in exceptional circumstances.

5. The Legal Ombudsman will also only deal with complaints from consumers. This means that only complaints from the barrister's client are within their jurisdiction. Non-clients who are not satisfied with the outcome of the Chambers' investigation should contact the Bar Standards Board rather than the Legal Ombudsman.

6. It should be noted that 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 cannot be satisfactorily resolved through the Chambers' complaints process they will refer you to the BSB.

### **Complaints made by telephone**

7. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 9 below. However, if you would prefer to speak on the telephone about your complaint, then please telephone the individual nominated under the Chambers' Complaints Procedure, Michael Lieberman, the Senior Clerk. If the complaint is about the Senior Clerk you should telephone the Head of Chambers, David Elias KC.

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.

8. If your complaint is not resolved over the telephone you will be invited to write to us about it so that it can be investigated formally.

### **Complaints made in writing**

9. Please give the following details:

- your name and address;
- which member of Chambers you are complaining about;
- details of the complaint; and
- what you would like done about it.

10. You should address your letter to Michael Lieberman, Senior Clerk to Chambers at the address above, or by email to him at [mlieberman@9parkplace.co.uk](mailto:mlieberman@9parkplace.co.uk). We will, where possible, acknowledge receipt of your complaint within two days and provide you with details of how your complaint will be dealt with.

11. Our Chambers has a panel headed by David Elias KC, made up of experienced members of Chambers and a senior member of staff, which considers any written complaint. Within 14 days of your letter being received the head of the panel, or his deputy in his absence, will appoint a member of the panel to investigate it. If your complaint is against the head of the panel, the next most senior member of the panel will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.

12. The person appointed will write to you as soon as possible to let you know that they have been appointed and that you will receive a reply to your complaint within 14 days. If they find later that they are not going to be able to reply within 14 days they will set a new date for their reply and inform you.

The reply will set out:

- the nature and scope of the investigation;
- a conclusion on each complaint and the basis for such conclusion; and
- in the event that it is felt that you are justified in your complaint, the proposals for resolving the complaint.

### **Confidentiality**

13. 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 barrister or member of staff who 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**

14. 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. Our management committee inspects an anonymised record regularly with a view to improving services.

### **Complaints to the Legal Ombudsman / Alternative Dispute Resolution**

15. 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 them at:

Legal Ombudsman

PO Box 6167

Slough

SL1 0EH

Telephone number: 0300 555 0333 [10am – 4pm Monday – Friday]

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

More information about the Legal Ombudsman is available on their website:

<http://www.legalombudsman.org.uk/>

### **ADR approved bodies**

In the event that it does not prove possible to settle your complaint using our formal complaints procedure, and all parties consent, alternative complaints bodies exist which are competent to deal with complaints about legal services. These include [ProMediate](https://www.promediate.co.uk/) (<https://www.promediate.co.uk/>) and [Small Claims Mediation](#).

16. 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: 0207 6111 444

Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)

*We review our Complaints Procedure regularly, most recently in January 2024 [amendment made to reflect the change of address for the LO].*



REGULATING BARRISTERS

Our barristers are regulated by the Bar Standards Board