



Bar Council response to the First-tier complaints handling: LSB requirements for approved regulators consultation paper

1. This is the response of the General Council of the Bar of England and Wales (the Bar Council) to the Legal Services Board consultation paper entitled First-tier complaints handling: LSB requirements for approved regulators consultation paper.¹

2. The Bar Council represents over 15,000 barristers in England and Wales. It promotes the Bar's high quality specialist advocacy and advisory services; fair access to justice for all; the highest standards of ethics, equality and diversity across the profession; and the development of business opportunities for barristers at home and abroad.

3. A strong and independent Bar exists to serve the public and is crucial to the administration of justice. As specialist, independent advocates, barristers enable people to uphold their legal rights and duties, often acting on behalf of the most vulnerable members of society. The Bar makes a vital contribution to the efficient operation of criminal and civil courts. It provides a pool of talented men and women from increasingly diverse backgrounds from which a significant proportion of the judiciary is drawn, on whose independence the Rule of Law and our democratic way of life depend. The Bar Council is the Approved Regulator for the Bar of England and Wales. It discharges its regulatory functions through the independent Bar Standards Board.

Overview

4. The Bar Council thinks it useful that the guidance issued by the LSB to regulators is updated to ensure its relevance and utility. It agrees with all the proposed amendments and the emphasis on improving outcomes for clients. However it questions the LSB's use of statistics from 2011 to illustrate problems with the complaints process because these will not accurately reflect the situation today, five years on.

Question 1- Representations on proposed updates to LSB requirements and outcomes for ARs (Annex A)

5. The Bar Council agrees with the proposed amendments.

¹ Legal Services Board 2016 [First-tier complaints handling: LSB requirements for approved regulators consultation paper](#)

Question 2- Proposed Changes to guidance for achieving outcomes (Annex B).

6. The Bar Council agrees with the suggestions made in Annex B, many of which are already being done by the Bar Standards Board. We think that it is helpful for the regulators to use complaints data to improve outcomes for clients. The Bar Standards Board is already gathering information on the first-tier complaints process in its supervision programme. However information on second-tier complaints will need to be made readily available to regulators by the Legal Ombudsman for second-tier complaints data to be effectively used.

Question 3- Evidence demonstrating how the complaints handling outcomes are being delivered for consumers.

7. We would refer the LSB to the Bar Standards Board's Report² on High Impact Supervision Returns that was published in October 2015. This contains information on how chambers handle complaints and monitor feedback to improve standards of service.

Bar Council
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For further information please contact
Sarah Richardson, Head of Regulatory Issues and Law Reform
The General Council of the Bar of England and Wales
289-293 High Holborn, London WC1V 7HZ
Direct line: 0207 611 1316
Email: SRichardson@barcouncil.org.uk

²https://www.barstandardsboard.org.uk/media/1707974/2015_10_supervision_report_high_impact_themes_comms.pdf