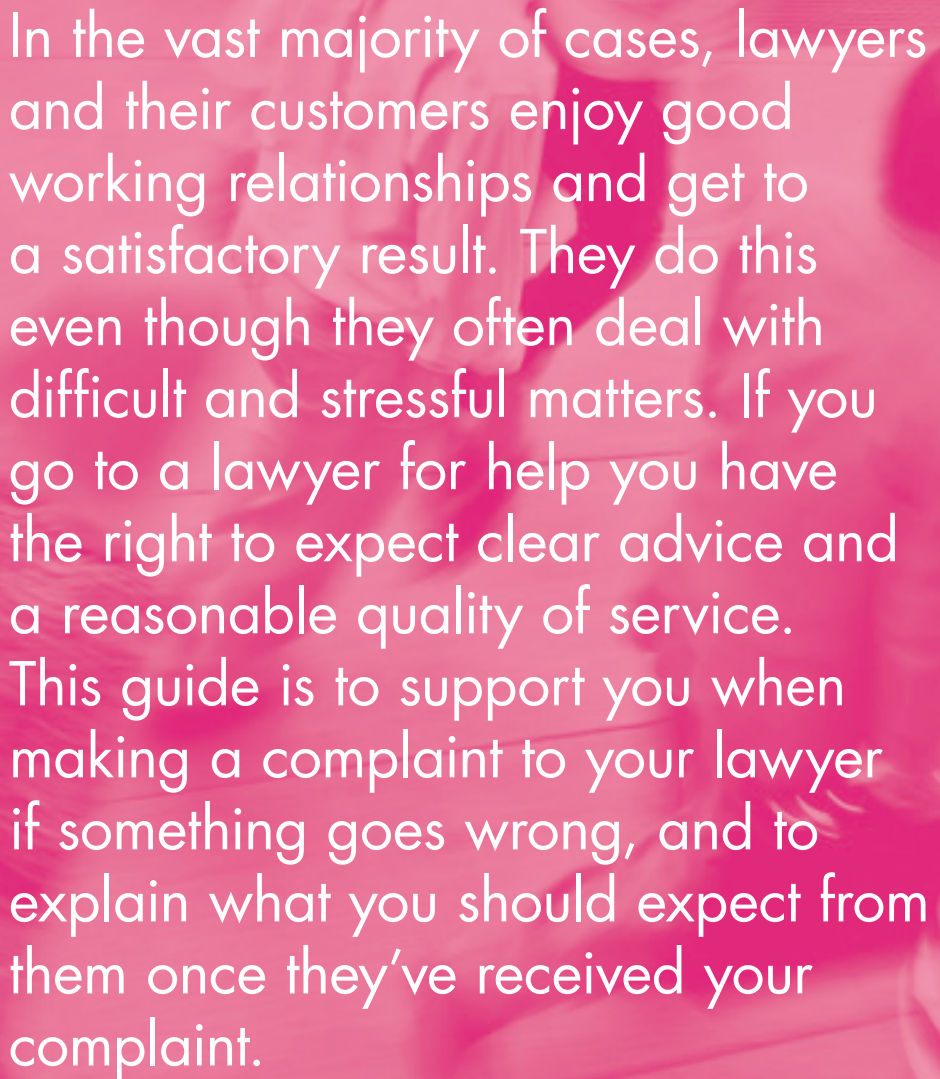

How to complain
to your lawyer:
Be clear, be bold,
be fair



LEGAL
OMBUDSMAN

www.legalombudsman.org.uk



In the vast majority of cases, lawyers and their customers enjoy good working relationships and get to a satisfactory result. They do this even though they often deal with difficult and stressful matters. If you go to a lawyer for help you have the right to expect clear advice and a reasonable quality of service. This guide is to support you when making a complaint to your lawyer if something goes wrong, and to explain what you should expect from them once they've received your complaint.

What should you expect from your lawyer?

They should:

- Treat you fairly and provide for any special access requirements you have
- Give you all the information you need to decide what service you require
- Tell you how your problem will be handled and the options available to you
- Give you adequate information about likely costs
- Keep you informed of progress and any changes
- Tell you about your right to complain and how to make a complaint

You should make sure you understand what your lawyer has told you and shouldn't be afraid to ask questions.

Sometimes something goes wrong or the lawyer doesn't meet these expectations, and you may feel as though you've received a poor service. If you find yourself in this position, you may decide to complain. You shouldn't be intimidated by your lawyer or worried about approaching them; they are all required by their professional code of conduct to deal with complaints promptly and fairly.

How to complain: A three step approach

Be clear

Be sure in your own mind why you want to complain.

It is important that you are clear about the reason for your complaint so that you can describe the problem to your lawyer. For example, have you been charged more than you were expecting or has the lawyer lost an important document?

Have a clear idea of what you want to happen as a result of your complaint. For example, would you like the lawyer to reduce or waive certain costs or would an apology be enough? This will help the lawyer understand how they can put things right if they have provided a poor service.

Be bold

Contact the lawyer directly. Sometimes, people don't complain because they feel they won't be taken seriously or because they fear that the complaint could increase their costs or affect the outcome of their case. Neither of these things should happen. If they do, you should ask to speak to a senior partner in the firm or contact us.

Go back to your main contact at the law firm and tell them you want to complain and why. You can raise the complaint with your lawyer or ask to speak to a dedicated complaint handler (if you're complaining about a barrister, complain directly to them). You can make your complaint in writing or by email: your lawyer should also accept a verbal complaint.

Tell your lawyer about your dissatisfaction.

Give them an opportunity to address your complaint. Don't be scared about using the words 'I want to make a complaint' and make sure you give as much information as you think the firm will need in order to deal with it. Use clear language and stick to the facts – try to remain objective and keep your emotions in check.

Be fair

Work with the firm to help them carry out a thorough investigation. Your lawyer may want to speak to you to understand more about your complaint. It is important to cooperate with them and remain calm and focused: it may help you both reach a satisfactory outcome.

Keep any evidence that could help your lawyer investigate and resolve your complaint, such as emails and letters. It may also be useful to make a file of documents that you think help to show the poor service you have received, such as invoices, letters and phone bills.

Be patient. It could take a while for your lawyer to investigate your complaint. Once an investigation has been carried out they should tell you their findings. You should expect this within eight weeks of your initial complaint. If you are not happy they should tell you about your right to take the complaint to the Legal Ombudsman.

Contacting the Legal Ombudsman

If you're not happy with your lawyer's final response – or if you don't get one after eight weeks – call us as soon as possible on **0300 555 0333** or email us at enquiries@legalombudsman.org.uk.

Alternatively you can write to PO Box 6806, Wolverhampton, WV1 9WJ.

When you call us, it will be helpful if you know:

- The name and address of the lawyer
- The date you found out about the problem you're complaining about
- The date you complained
- How your lawyer responded to your complaint

Don't forget

Here are some valuable hints, which should help you to get the result you are looking for:

- **Don't leave it too long to complain.** The Legal Ombudsman can only investigate complaints up to six years from the date of the problem happening or within three years of when you found out about the problem. However, this new limit will be introduced gradually so at the moment the problem must have happened on or after 6 October 2010. Or, if the problem happened earlier than that, you must not have been aware of it before 6 October 2010. If you have are unsure about this change please call 0300 555 0333.

- **Keep records.** It's important that you keep evidence about your complaint. If you have a conversation with someone (either face to face or over the phone) keep a record of who it was and when. Keep records of all written communication such as emails and letters.
- **Stay focused.** Remember to be clear about what it is you're complaining about and what you think should be done to resolve the complaint. We often use legal services at very stressful times in our lives but it's important to try stick to the facts and keep your emotions in check.
- **Be patient.** It is important to give the lawyer an opportunity to fully investigate your complaint. The Legal Ombudsman won't usually accept a case until the firm has had eight weeks to resolve the complaint first.
- **Don't be intimidated.** Legal services can be complex and confusing, but we expect lawyers to give information in plain English and to take time to address your concerns. If you feel that you're not getting a helpful response, remain calm and take the complaint to the next level.
- **Your rights as a consumer.** You are entitled to complain if you have received poor service and this should be fully and fairly investigated by the lawyer. However, a complaint is not always justified and there may be good reasons why an investigation by the lawyer or by the Legal Ombudsman does not find in your favour. Whatever the outcome, it should be an open and transparent process for both parties and decisions should be clearly explained.

Other sources of information on complaints

The Law Society produces a useful guide to using a solicitor which you can see on their website at: www.lawsociety.org.uk. The guide is available in Braille, on audio tape and on CD – you can phone the Law Society on 0870 606 2555.

Which? provides useful information on complaints at <http://www.which.co.uk/consumer-rights/making-a-complaint/making-a-complaint/>

The Citizens Advice Bureau also provides guidance on how to complain and how to use a solicitor at <http://www.adviceguide.org.uk>

How to contact us

Call: You can call us on **0300 555 0333**

(Calls to the Legal Ombudsman cost the same as a normal 01 or 02 landline number, even from a mobile phone, and are recorded for training and monitoring purposes.)

We are open Monday to Friday
between 8.30am and 5.30pm.

If you are calling from overseas,
please call +44 121 245 3050.

For our minicom call 0300 555 1777.

Email: You can also email us at
enquiries@legalombudsman.org.uk

If you want to find out more about us and what we do,
please visit **www.legalombudsman.org.uk**

Write: If you prefer, you can write to us at

Legal Ombudsman

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**If you need information in another language
or in large print, Braille or on audio CD,
please get in touch.**