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A handwritten signature in blue ink that reads 'Dean Ruth'. The signature is written in a cursive, flowing style.

### **Complaint handling**

I rarely react to press reports. However, in the light of some of the pieces that appeared last week, can I check what the current approach is of the BSB (following the very productive discussion between our teams in December) on the handling of a complaints process for the clients of barristers?

As I said in my letter to you of 7 January, my understanding of that discussion was that there was common agreement about the importance of achieving the outcomes for consumers that my Board has specified, whilst recognising that in a limited number of cases it may be difficult for a barrister to contact a client direct.

Our teams established that, in fact, the requirements currently in force are not substantially different from what was required of barristers previously. It therefore seems to me that your quoted remarks about the perceived change may indicate a degree of misunderstanding on your part about the old and the new requirements. This view would seem to be supported by your recent Board paper, from which it seems clear that the previous requirements were unfortunately not being complied with evenly across the Bar.

As I explained in my previous letter, I had hoped that the example of the barrister's "flyer" that we left with your team would help to influence others to take a similarly open approach to addressing their clients' needs and concerns, wherever they first meet them. This is just one of many ways in which barristers may choose to ensure that consumers are informed of their right to complain, and to take their complaint to the Legal Ombudsman. It is not, therefore, correct to describe it as the "LSB's proposal", or to say that we are "insisting" on it. Achieving effective complaint handling is a good example of how outcomes focused regulation can provide better results for consumers than strict rules: we would not want to prescribe a particular approach.

In any event, we would expect that, as the body charged with direct regulation of barristers, you would be far better placed to identify ways to assist them to achieve the required outcomes.

I trust that this clarifies the Board's position and I know that my team will be happy to discuss any remaining concerns.

As is my practice, I will be placing a copy of this letter on the Board's website.

A handwritten signature in blue ink, appearing to read 'David Edmonds', with a stylized flourish at the end.

**David Edmonds**  
Chairman