

These notes refer to the Legal Complaints and Regulation Act (Northern Ireland) 2016 (c.14) which received Royal Assent on 11th April 2016

Legal Complaints and Regulation Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 11: Complaints procedures of barristers

Section 11 relates to the regulatory arrangements for the handling of complaints against barristers. Barristers, under the prevailing model, are all self-employed and therefore it would be anachronistic for each one to have an “in-house” complaints-handling system. Section 11 permits the Bar Council in providing an alternative model for informal resolution of complaints. A complainant will therefore first engage with the Bar Council who will attempt to resolve the matter for the complainant in conjunction with the individual barrister. A complaint may include something the barrister did, or something the barrister didn’t do, but should have done.

Subsection (1) provides that the General Council of the Bar must make provision requiring each barrister to participate in, or be subject to, procedures for the resolution of complaints. It also requires the Bar Council to make provision specifying a person or body to establish and maintain such procedures.

Subsection (2) requires the Bar Council to consult the LSOC before making such provisions, and *Subsection (3)* defines a relevant complaint in relation to a barrister as one that relates to professional services and which may be made to the Bar Complaints Committee established under section 12.