



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 6

#### LEGAL COMPLAINTS

##### *Reporting misconduct*

#### **143 Reporting possible misconduct to approved regulators**

- (1) This section applies where—
  - (a) an ombudsman is dealing, or has dealt, with a complaint under the ombudsman scheme, and
  - (b) the ombudsman is of the opinion that the conduct of the respondent or any other person in relation to any matter connected with the complaint is such that a relevant authorising body in relation to that person should consider whether to take action against that person.
- (2) The ombudsman must give the relevant authorising body a report which—
  - (a) states that the ombudsman is of that opinion, and
  - (b) gives details of that conduct.
- (3) The ombudsman must give the complainant a notice stating that a report under subsection (2) has been given to the relevant authorising body.
- (4) A report under subsection (2) may require the relevant authorising body to report to the ombudsman the action which has been or is to be taken by it in response to the report and the reasons for that action being taken.
- (5) The duty imposed by subsection (2) is not affected by the withdrawal or abandonment of the complaint.
- (6) If an ombudsman, having regard to any report produced by the relevant authorising body in compliance with a requirement imposed under subsection (4), or any failure to comply with such a requirement, considers—

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*Status: This is the original version (as it was originally enacted).*

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- (a) that there has been a serious failure by the relevant authorising body to discharge its regulatory functions, or
- (b) if such a requirement has been imposed on the body on more than one occasion, that the relevant authorising body has persistently failed adequately to discharge its regulatory functions,

the ombudsman may make a report to that effect to the Board.