



**Northern Ireland
Assembly**

**Committee for Justice
Room 242
Parliament Buildings**

Tel: +44 (0)28 9052 1629

Fax: +44 (0)28 9052 1371

E-mail: committee.justice@niassembly.gov.uk

**From: Christine Darrah
Clerk to the Committee for Justice**

Date: 2 November 2015

**To: Shane McAteer
Clerk to the Committee for Finance and Personnel**

Subject: Legal Complaints and Regulation Bill

Correspondence from the Committee for Finance and Personnel dated 21 September 2015 requested the views of the Committee for Justice on the Legal Complaints and Regulation Bill.

Please see attached a response agreed by the Committee for Justice at its meeting on 22 October 2015.

**Christine Darrah
Clerk to the Committee for Justice**

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COMMITTEE FOR JUSTICE RESPONSE ON THE LEGAL COMPLAINTS AND REGULATION BILL

Thank you for inviting the views of the Committee for Justice on the Legal Complaints and Regulation Bill.

At its meeting on 22 October 2015 the Committee agreed the response outlined below.

Principle of the Bill

The Justice Committee is aware that reform of the complaints handling system for complaints against solicitors and barristers has been under consideration for some time now and therefore welcomes the Legal Complaints and Regulation Bill which aims to improve the existing system and enhance oversight arrangements and the regulatory framework.

Complaints Handling Framework

On occasions the Committee has received correspondence from individuals expressing discontent with the arrangements for the handling of their complaints by both the Law Society and the Bar Council.

The main issues raised relate to the complicated and cumbersome complaints process, a lack of knowledge and understanding of the process, the time taken for complaints to be dealt with and a perceived lack of independence in the system with the appearance of the professions investigating complaints against fellow members.

The Justice Committee is of the view that the complaints system should:

- Be transparent with information widely available on the processes to be followed and clear timescales for each stage of the process
- Be as simple and straightforward as possible with bureaucracy reduced to a minimum

- Address the perception that the current complaints process lacks independence – the provision in the Bill establishing a Legal Services Oversight Commissioner for Northern Ireland who must not be, and never have been, a solicitor or a barrister and who will have appropriate powers will assist in this regard as will the requirement for both the Bar Complaints Committee and the Solicitors Complaints Committee to be chaired by a lay person and to consist of a majority of lay persons.
- Include appropriate sanctions where complaints are upheld.

The Legal Complaints and Regulation Bill is an opportunity to ensure that such a framework for complaints against solicitors and barristers is put in place.

Alastair Ross MLA
Chairman, Committee for Justice