

Assembly Section

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Mr Shane McAteer
Clerk
Committee for Finance and Personnel
Room 419
Parliament Buildings
Stormont

Our Ref: CFP271/11-15

8 October 2013

Dear Shane,

Your letter of 4th October 2013 asked about the number of complaints against solicitors that relate to the issue of over-charging.

At the meeting with the Committee, officials indicated that the Lay Observer maintains statistics relating to different categories of complaints. While “overcharging” is not specifically categorised, the Lay Observer’s reports note a particular class of complaints as “failure to provide bills of costs/cash/statements; incurring expense without client’s authority”.

During the last 3 years, the numbers of complaints falling into this category have been as follows;

To Sept 2012: 12 complaints (out of a total of 183)

To Sept 2011: 10 complaints (out of a total of 201)

To Sept 2010: 7 complaints (out of a total of 218)

You may wish to note that in Northern Ireland there are other systems in place for dealing with disputed bills from solicitors. In non-contentious matters, a client can ask their solicitor to apply to the Law Society for a remuneration certificate. This certificate will indicate whether a bill was fair and reasonable, or whether the client has been over-charged and should pay a lesser amount. This is a free service for clients.

Similarly, if court proceedings were issued, a client can apply to the Taxing Master in order to obtain an Order for Taxation.

Both of these services are designed to avoid disputes over solicitors’ costs in this jurisdiction, and may highlight why there are relatively few complaints considered by the Society in relation to this issue.

Yours sincerely,

A handwritten signature in blue ink that reads "Judith Finlay". The signature is written in a cursive, flowing style.

JUDITH FINLAY
Departmental Assembly Liaison Officer