

LEGISLATION AWAITED

*Annual Report of The Lay Observer
for Northern Ireland* **2011**

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SOLICITORS (NORTHERN IRELAND) ORDER 1976

SOLICITORS (AMENDMENT) (NORTHERN IRELAND) ORDER 1989

Presented to the Lord Chief Justice of Northern Ireland, the Department of Finance and Personnel and the Council of the Law Society Northern Ireland pursuant to Article 42 of the Solicitors (Northern Ireland) Order 1976 and Article 17 of the Solicitors (Amendment) (Northern Ireland) Order 1989.

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Table of Contents

Chapter		Page Number
1	Opening Comments	4
2	Context for my Work	7
3	Work of The Lay Observer 2011	9
4	Final Outcomes of Complaints at The Second Tier 2011	11
5	Comment on Final Outcomes 2011	15
6	Complaints Statistics 2011	19
7	Comment on Statistics 2011	21
8	Law Society Response for 2010	23
9	Recommendations 2012	24
10	Concluding Comments	26
Appendix 1	Alasdair MacLaughlin	27
Appendix 2	Response from Law Society – L/O Report for 2010	28

Chapter 1

Opening Comments

- 1.1 This is my eighth Annual Report, and the thirty-fourth in the series. My appointment under present arrangements extends until the end of March 2014, or such earlier date as proposed new structures have been put in place.
- 1.2 My Report deals with the work of The Lay Observer for Northern Ireland during the calendar year 2011. My routine work is fundamentally overseeing the Complaints Handling Processes of the Law Society. This has two main elements. One concentrates on investigating complaints taken against the Law Society of Northern Ireland. I operate the **third** – and independent – tier of the Complaints Handling Process in place to assist the clients of solicitors who have reason to complain against their solicitors. The Complaints Handling Process is governed by the same legislation (as amended) under which my activities are included, and which is listed on the initial pages of this Report. My role is to deal with those complainants who, having brought their complaints to the Law Society – the **second** tier – remain dissatisfied after the Society has concluded their investigations.
- 1.3 The **first** tier is where the clients complain directly to their solicitors. They do so under current regulations put in place in September 2008. These arrangements properly applied have already reduced the number of complaints being directed to the second tier. Incidentally, it cannot be established how many complaints reach firms of solicitors in Northern Ireland each year. Nevertheless, it should be noted that of the many hundreds of thousands of transactions taking place each year, only a tiny percentage attract a complaint which ever reach the second or third tier.
- 1.4 The other main element of my work is concerned with the effective operation of the Complaints Handling Processes by the Law Society. In this context, I am pleased to report that the Law Society continues to give appropriate attention to complaints. Such attention from the Law Society is, of course, entirely as it should be, and is consistent with their role as the principal regulator of the solicitors' profession. A detailed account of this work is contained in Appendix 2 to this Report – the formal Response from the Law Society to my Annual Report for 2010.
- 1.5 This excellent Response makes most encouraging reading as both a statement of intent and a report on progress. This Response above all else exemplifies that the Law Society and the Lay Observer are working together towards agreed goals, namely providing a good service to complainants within the limitations of the current legislation. We are also agreed on the other aspect of improving service to clients by learning from the process, and also by requiring solicitors to meet their obligations under the legislation, regulations and protocols. **It is my opinion that until the Bain proposals, or other changes are made, there is little further development work of a structural nature that can now be tackled.**
- 1.6 It seems to be generally agreed, and certainly is between the Law Society and the Lay Observer, that the current legislation needs to be changed urgently. The current approach is no longer fit for purpose. Until this happens, little more can be done under present arrangements to meet the needs of Complaints Handling in the 21st Century in the solicitors' profession.
- 1.7 I have emphasised that the purpose of handling complaints in any context has a wider perspective than simply helping individual complainants. Complaints, and their resolution, have three key elements – first there is the complaint itself that must be resolved. Secondly, this must be examined to determine the service improvement

that can result from the complaint. Thirdly, these processes should be further studied to determine what learning can result from the complaint and other complaints, their resolution and from service improvements. This is what GOOD COMPLAINTS HANDLING is all about.

- 1.8 I also emphasise that in dealing with complaints against the Law Society at the **third** tier – the independent level provided by the Lay Observer – the process is not about becoming the complainants’ champion. I take an independent view of the facts and draw conclusions; from that process, I make suggestions for resolution, make observations, and where necessary provide recommendations. An independent view can help to defuse and lessen the emotional, and factual impact on clients, and taking this into a wider context, I can help and encourage service improvements and in so doing provide pointers towards learning about minimising future complaints.
- 1.9 It is my clear opinion that the Law Society at the **second** tier should be aiming to achieve similar outcomes within and appropriate to their powers. In no sense should they be or appear to be the solicitors’ champion. Every year, there are instances where complainants feel that this is precisely what the Law Society has been in their particular case; my work indicates that the incidence of these opinions is reducing. But, the Law Society needs to be vigilant to ensure that the wording they use in handling client complaints, in creating an appropriate empathy with the complainant, and in the explanations they give are all directed towards creating a neutral perception.
- 1.10 The Law Society is to be commended for the fact that they continue to develop effective and flexible ways of feeding back experience from the Complaints Handling Process into Continuous

Professional Development (CPD). They also use this as a means of determining priorities for attention under CPD. This matter is extensively dealt with in their Response in Appendix 2. The Law Society has given enhanced profile to the Complaints Handling Processes and to Continuous Professional Development. The profile given by the Presidential Team in the Law Society, the approach to client care for solicitors, and the excellent ways continuing to be developed to prepare newly qualified solicitors for their professional work, already deliver better performance in the profession for the benefit of society in general. This is exemplified in the figures for complaints dealt with later in this Report.

- 1.11 In this context, I would particularly wish to note that during 2011, I was invited to play a key part alongside the Chairman of the Client Complaint Committee and the Head of Client Complaints of the Law Society in Client Care Workshops run by CPD Department. The locations were Newry, Enniskillen and Belfast. They were attended by upwards of 200 solicitors, and in many cases also by their staff representatives. It was a particular privilege for the Lay Observer to have been invited for the first time by the Law Society to play a part in such events. The feedback obtained suggested that these events were well received and appreciated by those who attended.
- 1.12 I maintain regular contact with the Presidential and Office-bearer Team. The Client Complaint Committee, with legal and lay representatives has a difficult and sensitive part to play in enhancing the service of the profession. It is useful for me to remain in open contact with the Chairman and the staff, so that I may understand more clearly the challenges the Committee faces. These contacts are particularly helpful, as the importance of complaints being properly dealt

with in a more holistic way has never been higher. It will be noted, in this context that the cost implications for the Law Society, and for the profession as a whole of the incidence of complaints will bear so much more directly on them under any new arrangements.

- 1.13 During the year I have also had valuable meetings with the Chief Executive and Secretary of the Law Society. I am grateful to Mr Alan Hunter for this constructive contact. On a day-to-day basis, I link with Mrs Moira Neeson and her staff. This continues to work in an effective and professional manner. I aim to work co-operatively, and yet in such a way as to maintain an appropriate professional distance between our respective roles. Our overall aims are of course, the same, namely to enhance service provision from the solicitors' profession to Northern Ireland society and to deal with complaints properly.
- 1.14 I maintain helpful and positive contact with the Department of Finance and Personnel at all levels. The Permanent Secretary provides me with a virtual office, and his support in doing my independent work. I report formally to him under the legislation, and I thank him for the encouragement of his interest in my work.
- 1.15 I have linked with Mrs Anne Flanagan for several years, and with her staff, at operational levels, until the end of 2011, when she moved on to other duties. I am now establishing a working relationship with Mr Martin Monaghan, and I wish him well in his new post. I also thank the following:- Ms Linda Kirkwood, Ms Wenda Pollock, Mr Sean Gillen, Ms Sarah Boal, and others, for the ways in which they consistently and readily facilitate my work, providing necessary resources and support when required.
- 1.16 Despite the fact that my reporting to him is formalised in the legislation, I am no longer invited to account in person for my work directly to the Lord Chief Justice of Northern Ireland, and nor does the post holder of the day correspond with me. The lack of encouragement for my work and of personal accountability to the Lord Chief Justice is indeed regrettable from my point of view.
- 1.17 I am encouraged by the fact that the First Minister, the Deputy First Minister, the Minister for Finance & Personnel, the Minister for Justice and the Attorney General for Northern Ireland have all taken a personal interest in my work, as have NIO Ministers, a number of Members of Parliament, and the various Northern Ireland political parties, their MLA's and a number of Government officials. In addition, a number of Whitehall Departments have had access to and have taken an active interest in my Reports.
- 1.18 I continue to have valuable and helpful contacts with my counterparts in the other jurisdictions of the United Kingdom and Ireland. I meet too with complaints handlers and Ombudsmen in other sectors in regular meetings and workshops. I continue to operate to the Ombudsman Association (formerly BIOA) published standards relating to the principles of good complaint handling and seek to achieve higher standards where possible and appropriate. The standards to which I work are published on my website and were also contained in Appendix 2 of my Report for 2008.

Chapter 2

Context for my Work

- 2.1 Every year, in my Report, I summarise the sources for my authority as The Lay Observer for Northern Ireland, and also the context for my work. This section contains standard information each year.
- 2.2 During 2011, my work of oversight of the Complaints Handling Processes of the Law Society continued alongside dealing with complaints against the Law Society – the third tier of the Complaints Handling Processes. I continue to work in co-operation with the Law Society, and others, to think ahead to ensure that the transition into any changed situation will be as seamless as possible.
- 2.3 It is in this way that my catalytic role develops. I am pleased to be able to report that:
- valuable relationships with the Law Society, and the Office Bearers continue effectively. This creates the basis for strategic discussions when and as required.
 - the Law Society continues to give increasing profile to the importance of reducing the causes of complaints.
 - the regulations introduced by the Law Society in September 2008 in connection with solicitors' business, and the modified material for guiding clients/potential clients are now embedded, and are being firmly applied.
 - The methodologies of contact between the Law Society and The Lay Observer continue in an effective way.
- 2.4 I am pleased to be able to participate where-ever possible in preparing for any effective transition to a new regime under Devolution. However, I am acutely aware, and I know the Law Society agrees on this, that operations must continue effectively and efficiently within the confines of the current legislation. We will not therefore, under the current law, step outside the existing parameters.
- 2.5 The Lay Observer operates under the **SOLICITORS (NORTHERN IRELAND) ORDER 1976** and the **SOLICITORS (AMENDMENT) (NORTHERN IRELAND) ORDER 1989**. The public profile of my role by design is not high. Nevertheless it is appropriate to ensure that potential complainants and stakeholders are aware of the existence of my office, and that I remain accessible to them while at the same time ensuring that it is not appropriate to promote my service.
- 2.6 My leaflet is made available to complainants when requested, and copies are distributed to relevant agencies in the community. Also, the website established at www.layobserverni.com, and access to me by my e-mail address a.maclaughlin@btinternet.com, are both of value to current and potential complainants. Increasingly, approaches to me are by e-mail, and persons refer to having consulted the website before direct contact with me. However, when a complaint is advanced into the system, I require documentation to support it, so that hard copy files are kept by me in progressing and concluding any investigation.
- 2.7 On a more general point, all involved need to be vigilant at all times that tightening and greater discipline in the approach to Handling Complaints does not have the effect of driving legitimate complaints 'underground'. There is a vital balance to be achieved between both complainant and responder following properly, clear and effective procedures on the one hand, and on the other, providing an empathy and approachability towards those who are not so well versed in the law.

- 2.8 Given the way that they will likely develop, Complaints Handling Systems must be ‘user friendly’ and helpful to those who decide to enter them, having a legitimate reason to complain. The Law Society appears to me to appreciate and value complaints as a window on how the public sees the solicitors’ profession, and as a way of enhancing performance in the profession. The further development of a philosophy of improving service will be essential for any future new regime.
- 2.9 Both the Law Society and the Lay Observer agree that there is an urgent need to implement the Bain Proposals or an appropriate alternative, at the earliest possible opportunity. For this reason, I have entitled my Report this year LEGISLATION AWAITED.

Chapter 3

Work of the Lay Observer in 2011

- 3.1 During 2011, I investigated complaints from a total of 38 complainants at the third tier. This compares with 42 complainants in 2010, 35 in 2009, and 43 in 2008. It should be noted that when the Law Society receives a complaint, in most cases that complaint can be analysed under several different categories.
- 3.2 In 2011, the Law Society received 201 categorised complaints, compared with 218 in 2010, with 149 in 2009, and 317 in 2008. And the number of complainants was 122, compared with 110 in 2010, with 104 in 2009 and 133 complainants in 2008. It will be noted from my previous reports prior to 2008 that the number of complainants has now reduced to a lower general level from around 200 in any given year. This is in part to do with the introduction of the Regulations brought in late in 2008. By either count, it will be seen that the solicitors' profession in Northern Ireland attracts a very low number of complaints and complainants.
- 3.3 As part of my oversight of Complaints Handling in the Law Society, I have the privilege of being permitted to audit a random sample of those complaints which reached the second tier at the Law Society – but which do not reach me at the third tier. This is a most valuable exercise, because it enables me to see what happens in complaints that the complainants do not feel the need to progress to the third tier. And as such, are presumably seen by complainants as having been handled to their satisfaction. These complaints include those that are *upheld*, *resolved* or are *re-directed* or which are considered in some alternative way, and those which are *not upheld*. I audited some 25% of complaints in 2011.
- 3.4 I have to report that the complexity of the cases I received continued to change. I have devised a simple format which identifies those cases which

I interpret as **highly complex**, **complex**, and **others**. Complexity equates in this approach to the amount of work needed to conclude each complaint. In the analysis, I make no distinction as to whether the complexity arose from the nature of the issues, or simply from detail, or indeed from both. Once again, I have carried out this analysis of the cases I have concluded, and this shows:

- There were a total of 38 complaints in 2011, 42 in 2010, 35 in 2009, 45 in 2008; and in 2007 there were 51 complaints
- There were 15 very complex cases in 2011, 7 in 2010, 18 in 2009; in 2008, there were 13. Each case took three or more days to conclude
- There were 10 complex cases requiring up to two days to conclude in 2011, 17 in 2010, 5 in 2009; in 2008 there were 6 such cases
- This means that the number of complex and very complex cases together were 25 in 2011, while in 2010 there were 24; in 2009 there were 23, compared with 19 in 2008
- There were 13 other cases 2011, 18 in 2010, 12 in 2009 and 26 in 2008; there were 35 in 2007. Each of these cases took a day to conclude

The overall complexity of investigation as I have defined it, appears to be steadily increasing.

- 3.5 In addition, I receive three 'types of Complaint'. There are **firstly**, those complainants whose 'complaints' have not met the definitional requirements, as derived from the legislation. These are not within my remit, but I may not be initially aware of this, and so I may have to access and to study the files concerned. They usually contain a large amount of detail, which requires considerable work on my part before I can come

to a conclusion. In any case, some complainants say they have not been treated properly, and so take the view that the Law Society has come to a wrong decision or conclusion. In these cases, I provide an opinion as to whether the case has been dealt with correctly or not. If I believe it has not been correctly dealt with, I will revert to the Law Society for a re-consideration of the decision.

3.6 These are all ‘complaints’ which those complaining feel strongly should be dealt with by someone, even though they cannot strictly be entered into the Complaints Handling Processes. I believe that where I can help such persons, I should seek to try to alleviate the strength of feelings involved. I am prepared to do this even where I only answer questions or make non-legal suggestions which may be helpful. In this way, I believe that I can help clients of the legal profession, and also help the profession. As well, I am by so doing, assisting would be complainants feel that they have had independent consideration. Whatever else, all these require time, commitment and energy from me to complete.

3.7 **Secondly** there are those complainants, who having had their complaints dealt with by the Law Society, remain dissatisfied and complain to me – these are of course entirely within my remit. Theirs are the cases for which the legislation has provided me with a remit. **Thirdly**, there are complainants whose complaints have been already concluded by me, but who come back and challenge me, often providing additional information, raising new questions, or commenting unfavourably on the process in part or as a whole. These type of complaints appear to be on the increase.

3.8 I report a continuing increase in the complexity of complaints reaching me in recent years. Also,

I have to report again an increase in the number of complainants who want to challenge the limits of my authority and the conclusions that I have reached - although my conclusion of a complaint is actually the end of the matter, unless there are actionable issues. Most cases involving a wish to challenge may arise because of the limitations of the legislation, which no longer appears to match public expectations.

3.9 Mine is a part-time appointment, and I have continued to operate without assistance from support staff. Most administrative and secretarial tasks are carried out directly by me, as well as the investigations, reporting and auditing work. A proportion of my work is carried out unpaid, and for the benefit of the public. This has now increased to an excessive 20% of my workload. I believe that I continue to operate a low cost, efficient and effective service on behalf of society and the Government within the legislation, procedures and protocols.

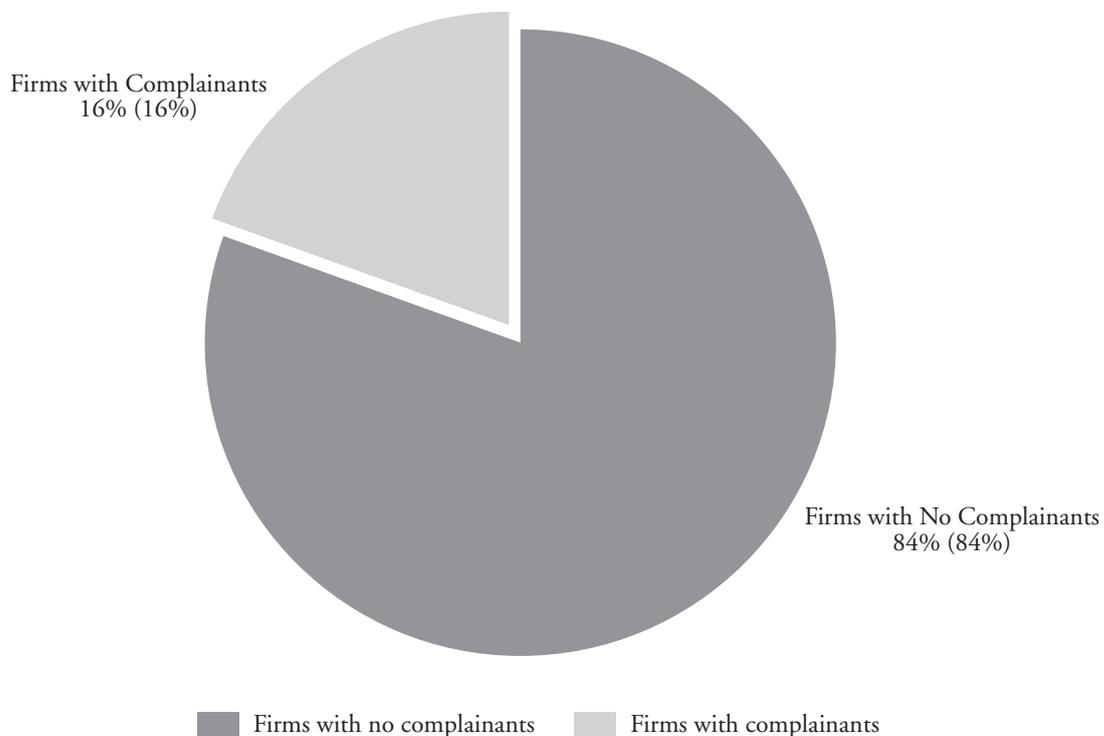
Chapter 4

Final outcomes of Complaints made to the Law Society 2011

Note: the complaints referred to in Chapter 4 are those which achieved a final outcome in the year 2011 at the second tier

Chart A

% Number of Solicitor Firms with **Complainants** and % Number of Solicitor Firms with **No Complainants** in 2011 (figures in brackets are for 2010)



The total number of firms 'on the register' in 2011 at the Law Society is 532. Of these 445 (84%) have attracted no complaints. 87 solicitor firms have attracted complainants; this represents 16%. The corresponding figures for 2010 were 84% attracting no complaints with 16% attracting complainants.

Chart B

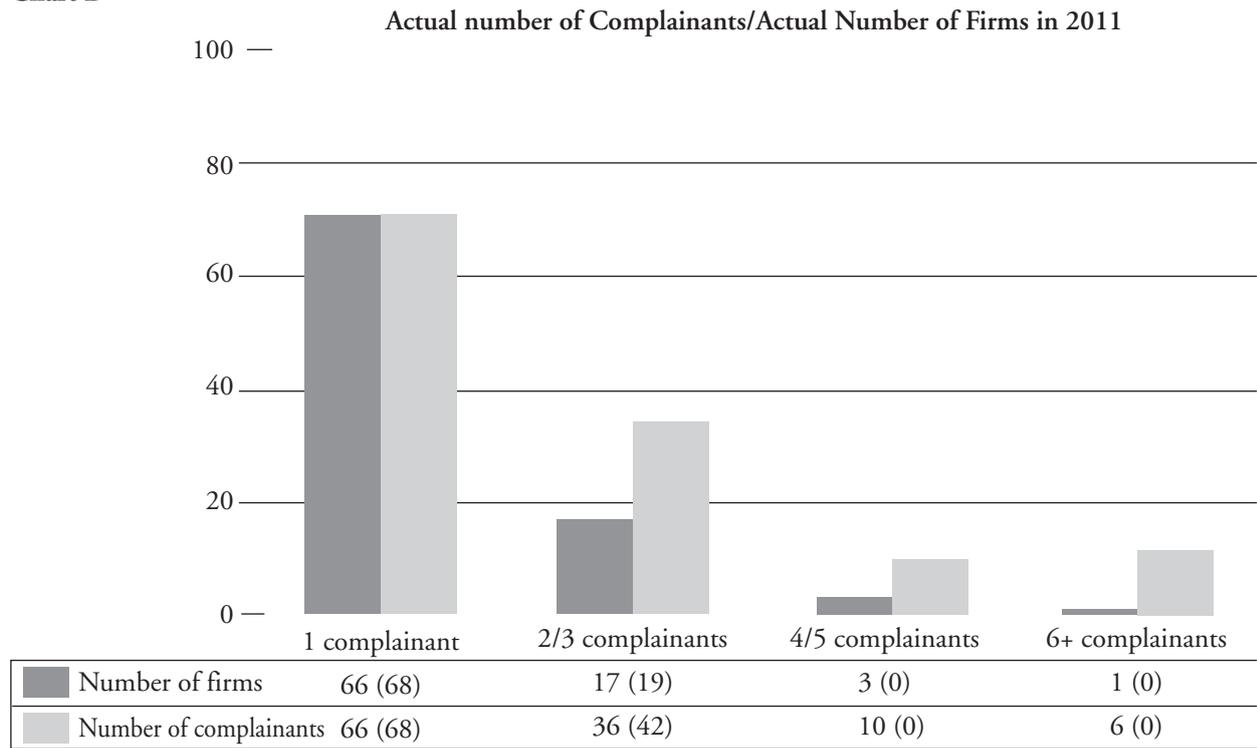


Chart C

Complaints Solicitor to Solicitor as % of total complaints to the Law Society in 2011

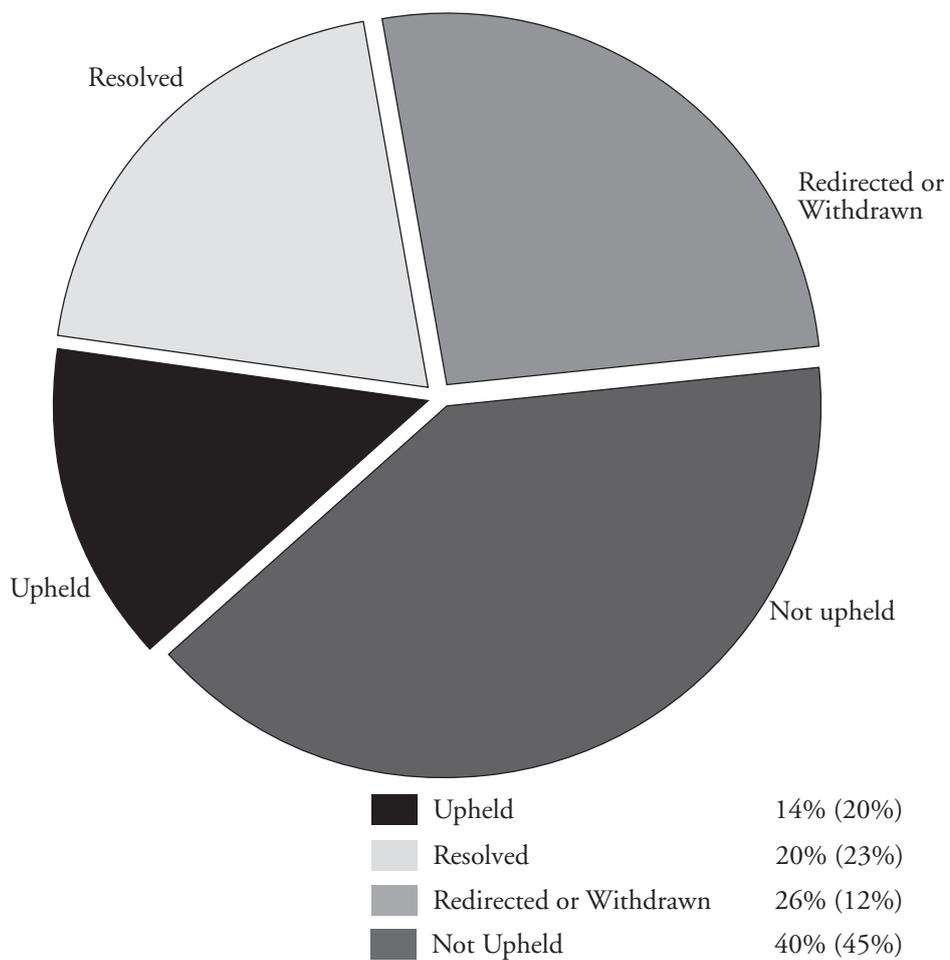


Solicitor to solicitor complaints in 2011 amounted to 15(15) out of a total number of complaints of 122(110)

Figures for 2010 are shown in brackets

Chart D

Summary of final outcomes of complaints registered and completed in 2011
(figures in brackets relate to 2010)



Figures for 2010 are shown in brackets

Chapter 5

Comment on Final Outcome Statistics – 2011

- 5.1 The number of solicitor firms ‘on the register’ for the period concerned is 532. As many as 84% of solicitor firms attracted no complaints in 2011 – exactly the same as in 2010. This, I believe should be thought of as satisfactory in the profession. Alongside these figures, the number of complainants taking complaints has risen minimally from 110 in 2010, to 122 in 2011. These figures are depicted in Chart A in Chapter 4.
- 5.2 Chart B shows the relationship between the number of complainants forwarding complaints and the number of solicitors firms involved. The number of multiple complaints to individual firms (*ie* two or more complaints to one individual firm of solicitors) in 2010 was 19, while in 2011 it was 21.
- 5.3 Closer inspection indicates that:
- In 2011 1 firm had 6 plus sets of complaints
3 firms had 4/5 sets of complaints
17 firms had 2/3 sets of complaints
66 firms had one set of complaints
 - In 2010 No firms had more than 3 sets of complaints
19 firms had 2/3 sets of complaints
68 firms had one set of complaints
 - In 2009 1 firm had 6 sets of complaints
No firms had between 4/5 sets of complaints
12 firms had 2/3 sets of complaints
71 firms had one set of complaints
- 5.4 The overall picture last year suggested that the former pattern of some high multiple complaints for some firms might have been broken. But there has been a small reversion. This is not really significant in my opinion, but those firms given to attracting multiple complaints should be carefully monitored. The usual caution is given that solicitor firms **do** specialise, and some types of clients and work by their very nature **do** attract a greater number of complaints and complainants. Accordingly, firms should not be judged solely on the number of complaints they receive.
- 5.5 Chart C is about complaints ‘solicitor to solicitor’ in 2011. Of course such complaints arise from time to time where a solicitor feels a complaint (usually on behalf of a client) must be made against another solicitor. I have stated before, and do so again that the Complaints Handling Process in my opinion should not be used to put management pressures from one solicitor on to another in order to achieve a result; it ought to be used fundamentally to be of **direct** assistance to solicitors’ clients. Solicitor to solicitor complaints show a reduction to 12% in 2011 compared with 14% in 2010, having been 6% in 2009.
- 5.6 Chart D shows the proportion of final outcomes for complainants who registered complaints and had them concluded in 2011. The proportion of complaints **upheld** has decreased from 20% in 2010 to 14% in 2011. This is a lower percentage than in earlier years, but is consistent with a greater emphasis being placed on better quality internal complaints handling required of solicitors under the Regulations introduced in 2008. A complaint is of the utmost importance to the complainant and this proportion once again indicates that Complaints Handling Processes are by no means a waste of time. Alongside this figure should be placed the 20% of complaints that were **resolved** in 2011. Together these show that a significant proportion – 34% - of complaints to the Law Society had in 2011 very real substance and yet escaped the definitional filters that are currently applied. A further 26% were redirected or withdrawn, leaving 40% not upheld. These

proportions adding up to 60% therefore have important significance. The comparable figure for 2010 was 55%. **It is vital for the public to recognise that where a complaint is justified, the Law Society does indeed find against a solicitor and/or seeks resolution.**

5.7 Under the present legislation, it remains the feeling amongst many complainants that not only do offending solicitors get off far too lightly, the wrong for the complainant simply is not put right directly. This is an accurate perception in many complaints since there is no direct redress, for example by compensation, for the complainant through the current Complaints Handling System. Also, solicitors are not asked by the Law Society to apologise or explain to a complainant, and this in my view is not satisfactory. Good practice in and research into complaints handling indicates that very often what complainants want most is an apology. Apologies I believe are not readily given by legal professionals – because it seems they believe they may sometimes be held to be liable. This however is scarcely an argument for not saying sorry when one is clearly in the wrong or empathising in an apologetic way with the misfortunes of a client. **Nevertheless, it is my understanding that solicitors may find that as a result of a complaint, they may be required to account for themselves using other Law Society mechanisms.**

5.8 In effect any complaint investigation is acting as the eyes and ears for the regulating body. This should be and be seen to be of high value to the solicitors' profession and must be recognised more clearly and be seen to be appreciated by the Law Society. Once again this situation will likely change under new legislation, not least as firms having complaints upheld against them will have to bear the costs of the Complaints Handling Processes, along with the Law Society and so indirectly by the solicitors' profession as a whole.

In the meantime, the Law Society should make it clear to complainants whenever possible that they appreciate their help in this way.

5.9 In 2011, the proportion of complaints **not upheld** was 40%, compared with 45% in 2010. The Complaints Department of the Law Society should take comfort that as many as 60% of the complaints they concluded in 2011 at the second tier have a 'satisfactory' outcome from the point of view of the complainant. This compares well with a 55% figure for 2010. It is surely the principal function of an effective Complaints Handling System to help clear up a complaint for the complainant. **That such a high proportion is so dealt with should continue to be a matter of satisfaction for the Clients Complaints Committee and the Complaints Department of the Law Society.**

5.10 In 2010, the highly significant improvements in the time the Law Society took to conduct complaints referrals in 2009 had not been sustained. **However, the figures for 2011 show a distinct improvement over 2010.** They are as follows:-

	2011		2010	
	Propn	Cum	Propn	Cum
Times				
Within 3 months	51%	51%	43%	43%
Over 3 & less than 6 mos	45%	96%	36%	79%
Over 6 mos & less than 9 mos	4%	100%	13%	92%
*on-going		10%		8%
To Disciplinary Tribunal	4%		3%	

Note * While this figure is accurate overall, it relates only to cases which extended into 2011, but which had not been concluded before March 2011.

- 5.11 There are three notable observations. **First**, the proportion of cases in 2011 concluded within 3 months of receipt into the Complaints Handling Process rose from 43% in 2010 to 51% of complaints received. This is an improvement, but was not up to the standard achieved in 2009 when the equivalent figure was 61%. **Second**, the proportion of cases completed in less than six months improved from 79% in 2010 to 96% in 2011.
- 5.12 **Third**, there has been an improvement in the number of complaints being concluded beyond 6 months to 4% in 2011 from 13% in 2010. It is of poor comfort to those complainants who have to wait beyond 6 months to have their complaints concluded, particularly as the normal expectation is 12 weeks to conclude a complaint. I would however make the comment from my audit that there is a rising number of cases which are of greater complexity.
- 5.13 Also, complainants have now a greater propensity to question every step, particularly when things are not crystal clear to them, and this needs to be recognised. In addition, my audit has shown clearly, that some solicitors seek to be very challenging of the Law Society. It is to their great credit that the Law Society is insistent in applying the Regulations firmly, and in my view, appropriately. I comment further on these points below. They do so rightly even where so doing extends the Complaints Handling Process. Nevertheless, when compared with the poorer figures from a few years ago, this still represents generally a good achievement. I encourage the Society to seek again to reduce these times. To be able to achieve a better result will undoubtedly help to enhance the reputation of the solicitors' profession.
- 5.14 The timetabling of the conclusion of complaints has maintained general levels of efficiency in the ways that were reported in my earlier Annual Reports. In 2007, 75% of the complaints received were concluded within six months; this figure had risen to 85% in 2008, over 90% in 2009, with 79% achieved in 2010. In 2011, the figures attained a commendable 96% level.
- 5.15 It would be wrong not to highlight other points that have arisen which lie behind these figures. The most important of these relate to the increasingly painstaking way in which the Client Complaints Committee of the Law Society has sought to ensure that the essence and spirit of the Regulations relating to client care introduced in 2008 are fully implemented. It has been essential to ensure that solicitors firms now deal properly with matters of client care themselves before allowing the matter to proceed to the Law Society. Accordingly, the Committee continues to work very hard to ensure that solicitor firms deal very thoroughly with complaints at the first tier of the Process, and make serious attempts to deal with complaints at that level. In these circumstances, the Law Society has made it plain to solicitors that they will not tolerate unreasonable resistance. This has meant that the Complaints Department has put significant pressure on firms to deal ever more thoroughly with complaints at the first tier. It is fair for me to point out that some firms clearly do not like this, and some have displayed significant resistance to supplying what is needed. In this context, the Client Complaints Committee has established a Governance Sub-Committee to carry out a review in this matter.
- 5.16 In the instances where a complaint has been permitted to proceed to the second tier in the Process, the Complaints Department has been at pains to ensure that the solicitors concerned provide the fullest information that is possible. These changes may not generally be obvious to the complainant, but the working through of

this activity in such a thorough way has served to elongate the Process to achieve what at the end of the day is an enhanced contribution to high professional standards in the profession. I can confirm that these features are borne out in my audit of complaints dealt with at the second tier. There is now evidence to suggest that this message is 'getting through', and I have no doubt that the excellent work of CPD is having an effect. So in my view the statistics should be accepted as an indication of an increasingly assiduous approach to Complaints Handling in the solicitors' profession; that this tightening effect continues is therefore to be encouraged, given the likely requirements of any new arrangements Government may introduce.

in complaints at the first tier, or how many are successfully resolved there. We do however have a clear view of those who remain dissatisfied and take their complaints to the second and third tiers, and the number is very low.

- 5.17 Once again, I would like to emphasise that it is important in all of this to keep a sense of proportion. It is of the essence to ensure that complaints are properly concluded. In my opinion, and I have provided ample evidence in my Report, the processes of dealing with complaints have become more complex and thorough. I believe that quality of investigation should take preference over simply trying to meet unrealistic timetabled targets. **However, I also consider that it is right to expect the Law Society to keep the complainant informed of progress or changes against a definitive timetable.** My audit suggests that this feature of good complaints handling is not always observed, although it is undoubtedly improving. Nevertheless, in dealing with complaints, complainants are entitled to have expectations - as this is so, then those expectations need to be carefully managed.
- 5.18 **Finally, it is important to note that the solicitors' profession remains one of very low complaint incidence.** No-one knows the number of transactions with clients that solicitors undertake, and we do not know how many result

Chapter 6

*Law Society of Northern Ireland
Information relating to complaints examined by the Society
for the 12 months ending September 2011*

Nature of Complaints	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
1. Undue delay or inaction	4			3	8	4	1	1		1	6	1	3					6		1	13	52
2. Failure to keep client properly informed	3			1	2	1	1	1		1	5		2					6		1	6	30
3. Delay/Failure to respond to reasonable enquiries	4			2	1	1	1	1		1	5		1					1		1	3	22
4. Withholding/loss of documents	4		1		5	3				1	3				1			1		2	4	25
5. Disclosing confidential information				1	1	1																3
6. Acting in a conflict of interest situation	1			2	1	2	1	1			7		2					2				5
7. Acting contrary to client's instructions	1			4	5	2	5	1		1	4	1	1							1	3	19
8. Breach of undertakings																						0
9. Failure to provide bills of costs/cash/statements; incurring expense without client's authority	1				2						5							1			1	10
10. Failure to deal with legal aid issues properly				1				1			4		2					3				11
11. Failure to provide proper client care information or not complying with agreed client care arrangements																		1				3

Chapter 7

Comments on Complaints Statistics 2011

7.1 Regular readers of my Reports will know there was a substantial change in relation to data collection in November 2008, when the Law Society decided to develop further the statistical framework that it has used for the past number of years. I was consulted about this, and was able to see how important this could be in providing more targeted information about complaints. The context for these changes relate, amongst other reasons to likely changes under the Recommendations of the Bain Review.

7.2 A consequence of that change is that a complaint is slightly less likely now than under the previous provisions to be classified under more than one heading, because of the more comprehensive and inclusive nature of the categories selected. However, it still does happen; so in 2011 there were 201 categories of complaint from 122 complainants.

7.3 In recent years, the Law Society has classified complaints according to their nature. Each complaint can have more than one descriptor which means that one individual complaint can figure more than once. Until November 2008, the Law Society used 10 descriptors for nature of complaints; and since then, the Society has used 15 descriptors.

7.4 Statistically, the five most frequently occurring nature of complaints in 2011 were:

	2010	2011
Undue delay or inaction	23%	26%
Failure to keep client informed	17%	15%
Delay/failure to respond – enquiries	11%	11%
Acting contrary to client instructions	13%	9%
Withholding or loss of documents	11%	12%

Together these five most frequent descriptors accounted for 73% of the total complaints received in 2011, when

classified in this way by nature of complaints. As can be observed the actual nature of complaints figuring in this table remain as in the previous year.

7.5 It will be noted that these relate to complaints as they are presented and registered at the beginning of the process. Outcomes – which are analysed in Chapter 4 above – describe how each complaint ended up, the process of complaints handling having been concluded by the Law Society.

7.6 The Law Society has also classified complaints according to the type of activity each case required – these are termed circumstances of complaints. Once again it is possible for a complaint to be classified under more than one heading. Until November 2008, the Law Society classified complaints under 11 descriptors; since November 2008, these have expanded to 15 descriptors for circumstances of complaints.

7.7 Statistically, the six most frequently occurring circumstances of complaints were:-

	2010	2011
Conveyancing	21%	12%
Family Law – General	20%	22%
Accidents (incl. personal injuries)	19%	9%
Wills & Probate	6%	15%
Medical Negligence	0%	11%
Criminal Injuries	2%	7%

Together, these six Circumstances account for 76% of the complaints received in 2011 when classified in this way. The top six (although they were different headings) in 2010 together accounted for 80%. It will be noted that these figures indicate a rapid change in the incidence of Wills & Probate, Medical Negligence and Criminal Injuries. There is a significant reduction in complaints in relation to Accidents.

- 7.8 The framework for classifying types of complaints received is now the basis for a new statistical run. It would be the clear intention that this will better meet the changed needs and demands of any new structures resulting from Devolution of Justice. If this is the case, then comparative statistical runs can operate across the future date lines when change comes about.
- 7.9 It is very significant to note that conveyancing has now fallen to third place in 2011 in the *circumstances of complaints*, having been the most frequently occurring in previous years. This represents a considerable shift over the pattern of previous years when that circumstance predominated in the figures. It will be noted that the housing boom which came to an end in this period will have impacted on this type of business. Nevertheless, there is always property moving, and values in the market are also changing whether they are rising or falling. Either can give cause for complaint when delays take place. It is also significant to note that Family Law has become increasingly significant in *circumstances*. There has also been a steep rise in complaints relating to Will & Probates. Medical Negligence and Criminal Injuries have now entered in the 'top six', while Contract Disputes and Land and Property Disputes have fallen out of the 'top six'.

Chapter 8

Law Society Response to 2010 Report

- 8.1 This year I believe it is appropriate to make specific mention and comment on the Response from the Law Society to my 2010 Report. My Report is published on 31st May each year and it refers to the activity of the previous year – this is when it actually enters the hands of those to whom I formally report, namely the Government, the Lord Chief Justice and the Council of the Law Society. Some days later, the Report is made available more widely to Ministers, Parliamentarians, MLAs, Government Officials, and others. It is also made available to the public by its inclusion on my website:- www.layobserverni.com
- 8.2 The Law Society has until the end of November each year in which to respond. This is then made public the following 31st May when my next Annual Report is published. While this may seem like an unreasonably long time, it is nevertheless of significant value to me to have a thorough Response each year from the Law Society at a six month remove. Over the past several years the quality and focus of this Response has improved enormously and it is now clear that both the Law Society and the Lay Observer are operating in parallel yet independently, and that the aims and objectives of both are being focussed on service improvement for clients.
- 8.3 The Law Society is now prepared and pleased to comment on my Recommendations line by line and point by point. In general terms, we do not disagree on significant matters of detail. This has much to do with a good quality of day to day, or at least very regular and frequent contact in the course of the complaints handling work – and sometimes, even in the heat of the moment! This enables issues to be handled immediately in the context of when they arise, rather than at some distance in the written Reports. In no sense does this quality of working harm the position of independence that by law I must adopt.
- 8.4 The Law Society Response in 2011, which purports to relate to events in 2010 is of particular note I believe. It represents a high degree of development of the oversight and operation of the Complaints Handling Process by the Law Society, with a clear correspondence between our separate and distinct roles, learning together and relating to one another. It is my opinion that the system has been tuned to a high degree. Both entities are now awaiting any new approach, and are ready to respond as they may be required to do when the Northern Ireland Assembly is in a position to legislate.
- 8.5 The Law Society is therefore to be commended for this thorough and interesting Response. I particularly wish to congratulate the Society on the full attainment of ISO 9001, including the first cycles of review. This is an important indication of an intention to achieve and maintain the highest standards of management in general within the Society.

Chapter 9

Recommendations

- 9.1 As already noted, 2011 has seen continued absorption of changes and their consolidation arising mainly from Regulations introduced in September 2008, as well as other aspects of client care, and the data collection framework introduced in November 2008. The tightened approach in the application of Complaints Handling Processes to the solicitors' profession by the Law Society is now evident. It will be some time before all solicitors firms have adjusted – particularly if they have not, as is the case for the vast majority of them, been subject to the Complaints Handling Processes beyond the first tier.
- 9.2 I have attempted to clarify that the ways in which the Law Society has been dealing with complaints in 2011 continued a trend of tightening up the application of the changes made in 2008. This has had the effect of lengthening the timescales of the processing of some complaints. However, this is being done to ensure that solicitor firms themselves also tighten up their approach to dealing with complaints at the first tier. The Law Society has made it clear that solicitor firms must exhaust their own Complaint Handling Processes before a complaint is accepted at the second tier. In my opinion this is absolutely correct. When this realisation becomes evident to increasing numbers of solicitor firms, then a higher overall standard will have been reached.
- 9.3 This is a sensitive process for the Law Society to manage, as in no sense must complaints be driven 'underground'. The Complaints Handling System, it is now widely agreed, must be seen as a positive process out of which the solicitors' profession and the Law Society achieve the capacity to improve the quality and efficiency of legal services.
- 9.4 It is essential that the aims of Complaints Handling are clear and made clear to everyone.

The Law Society of Northern Ireland under the Bain Proposals would retain much of its regulatory role; this is highly to be prized by the Society, as it has been very substantially diluted elsewhere in other UK jurisdictions. In this and previous Reports I have referred to standards that have been developed against which complaints processes can be calibrated. Once again, I point to the guidance criteria issued by Her Majesty's Government Cabinet Office. These principles provide a basis, along with other sources, for objective measurement against which the Law Society can calibrate its own efforts.

- 9.5 Accordingly, my **Recommendations last year** were
1. **I recommended** that the Law Society continues to measure its Complaints Handling Processes against the criteria laid down in the Cabinet Office guidance, other sources of criteria mentioned last year, and most importantly those contained in the ISO 9001
 2. **I recommended** that the Law Society further develops its path of providing pointers to complainants to other means than those available in the Complaints Handling Processes that they may employ to obtain a degree of satisfaction in their complaint
 3. **I recommended** that the Law Society considers ways to ensure that complainants are made aware of the value of the Complaints Handling Processes to improving the standard of service in the profession
 4. **I recommended** that the Law Society considers how best to ensure that complainants are made aware of just how seriously the Complaints Handling Processes bear on a firm of solicitors against whom a complaint is taken.

- 9.6 I recognise two types of recommendations that are appropriate in my Reports. The first relates to specific matters that I feel should be put right. I see no reason to advance any such recommendations in 2012. The second type is those which relate to a development process. For the past two or three years I have only seen a need to advance recommendations of this second type.
- 9.7 As in 2011, I think it appropriate in 2012 to advance again the above four developmental Recommendations. I would however like to suggest that the Law Society considers ways of specifically encouraging offending solicitors to recognise where they have gone wrong and to apologise to their clients. And further, when such situations arise, to consider ways of persuading solicitors to take action to ensure no repetition occurs in their practices.
- 9.8 I believe that the current system has been developed structurally as far as it is possible to do so. This is a matter on which the Law Society, the Client Complaint Committee, and the relevant staff members should feel a degree of satisfaction. At the same time they should recognise that any complaint that can be justified is one too many. There will nevertheless always be things for complainants to complain about.
- 9.9 It is therefore my clear opinion that little further development other than fine tuning is likely until the current legislation is changed. Accordingly, LEGISLATION IS AWAITED.

Chapter 10

Concluding Comment

10.1 In concluding my Report for 2011, I make the following comments. **Firstly**, I emphasise that the continuing improvements in the Complaints Handling Processes that have been achieved at the Law Society and, where relevant, in conjunction with other stakeholders, result from their work, and not that of The Lay Observer. Mine is essentially a catalytic role, so any **commendation due is entirely theirs**.

10.2 **Secondly**, the work of The Lay Observer is governed by a set of principles to achieve best results. These principles are published on my website www.layobserverni.com and they are further expounded in the document entitled The Principles of Good Complaints Handling, which is published by the Ombudsman Association.

10.3 **Thirdly**, the introduction and development of any new approach to Complaints Handling awaits the pleasure of the Northern Ireland Assembly, and to a timetable for full implementation that is not yet clear. The Law Society and The Lay Observer are required to operate the current regime with continuing commitment and effectiveness until a new regime is in place, and the necessary structures are ready to commence. Every effort is being made by the Law Society and by the Lay Observer to make that transfer when it comes, as seamless as possible.

10.4 **Fourthly**, this Report will be made available primarily in electronic format. Accordingly it will be accessible on my website in that form at www.layobserverni.com from 31st May 2012.

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10.5 **Finally**, in addition to my formal Report to the Government, the Lord Chief Justice of Northern Ireland, and the Council of the Law Society – I shall be using a variety of means including the Law Society’s regular information system to make it accessible to every solicitor registered with the Law Society. **I will continue to presume to invite every solicitor firm to review the Report to ascertain if there are implications for their practices.**



Alasdair MacLaughlin

31st May 2012

Appendix 1



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Alasdair MacLaughlin has extensive experience of private, voluntary and public sector work in Northern Ireland, Great Britain, Ireland, the EU and the USA. Originally trained as an economist, his career has been as a manager in manufacturing and consultancy (15 years), the CBI Director Northern Ireland (10 years), and the Director General of the Ulster Farmers' Union (10 years).

Currently and for the past seven years, he has also been the Independent Assessor for Complaints for the Public Prosecution Service of Northern Ireland. He is an Assessor for the CCEA – the curriculum authority in Northern Ireland and he is an independent self-employed complaints examiner. In addition he is a trustee of RELATE and the Belfast Association for the Blind.

Previous activity includes being a member of the board of several private companies, and of the Probation Service of Northern Ireland. He is a former member of the Council of the University of Ulster, Governor of a Grammar School, and a member of two EU Monitoring Committees. He has been a Regulator for the Institute of Chartered Accountants in Ireland, a panel member

of the Industrial Tribunals and the Social Security Tribunals, a member of the N I Economic Council, and of the former Standing Advisory Commission on Human Rights. He is an experienced advisor to the UK Government, to the Wales Assembly Government, and to the Polish Government.

Alasdair MacLaughlin is an organist, is interested in nature and walking, and plays golf for fun.

Appendix 2

RESPONSE OF THE LAW SOCIETY OF NORTHERN IRELAND TO THE 33rd ANNUAL REPORT OF THE LAY OBSERVER FOR NORTHERN IRELAND ENTITLED “*FURTHER PROGRESS*”

Introduction

This is the Law Society of Northern Ireland’s formal response to the Lay Observer’s Report for 2010.

The Society welcomes the Lay Observer’s Report and has given all aspects of that Report careful consideration and thanks the Lay Observer for his considered views.

In responding to the Lay Observer’s recommendations the Society wishes to take the opportunity to again express its strong support for the proposals set out in the Bain Report. Those proposals provide that the Law Society would retain responsibility for the handling of client complaints but that they would be investigated by a Committee with a lay majority and a lay Chairperson. The establishment of the Committee is to be under the oversight of a new Legal Services Oversight Commissioner who would be responsible for determining the criteria for recruitment to the Committee, have the power to monitor and set targets for complaints handling for both the Law Society and the Bar Council for Northern Ireland, assist in promoting accessibility of the complaints handling system, consult with interested stakeholders and be able to offer advice on other regulatory functions of the professional bodies including rule making powers. The Society would repeat its call for the Minister to bring forward legislation at the earliest opportunity to implement the recommendations contained in the Bain Report as it urgently needs the powers set out in that Report to meet the challenges the Public and the Society require in order to address complaints in the 21st Century.

As indicated in our response in 2009, the Complaints Department is and remains physically separated from the Society in anticipation of the implementation of the Bain proposals.

In ongoing preparation for the Bain implementation the Society has held in-depth briefing meetings with the Scottish Legal Complaints Commission, the Office of the Legal Ombudsman in England & Wales, the Law Society of Scotland, the Law Society of England & Wales and the Solicitors Regulation Authority of England & Wales. All these meetings have been to explore the opportunities and challenges any new structures will present, how best to prepare for these and generally to learn how to take forward proposals for change.

The Society reported last year on the development of our website and we confirm that the website is now an important form of access to information about the complaints process, with many complaint forms now being downloaded from the website and completed and returned to the Society rather than issued direct from the Society for completion. We continue to monitor and review the information on our website in the light of experience and comments and where helpful we have added clarification or rephrased aspects to simplify and clarify the content.

The Society and the Lay Observer are fully committed to feeding its complaints experience back to the profession. Our CPD programme is our primary vehicle for so doing. We embarked on two particular Client Care CPD programmes this year one on 7th and 8th April on the topic of “Client Complaints: Learning from Experience”. We were delighted that the Lay Observer agreed to be one of the guest speakers at these seminars. Other speakers included the Chairman of the Client Complaints Committee, Mr. Michael Robinson, and Mr. Gareth McWilliams of BT. The attendance at four venues across Northern Ireland was excellent with almost 200 solicitors attending. The Society considered these very successful seminars as evidenced by the written feedback from the attendees together with subsequent discussions at other meetings which indicated that these seminars were regarded as very useful and were well received.

A further seminar was held on 14th and 15th September entitled 'The Solicitors (Client Communications) Practice Regulations 2008: Update'. Again this was held across four venues and was extremely well received, flagging not just the importance of compliance with The Solicitors (Client Communications) Practice Regulations 2008 but also highlighting the impact of other EU Regulations including the Provision of Services Regulations 2009 which sought to impose clarity of contractual terms and obligations on the part of all service providers including solicitors, and the impact of recent court decisions on the contracts between solicitors and clients.

In our last report we highlighted seminars which we held relating to solicitors' costs. Costs disputes frequently are the seeds which lead to the actual complaint about service. This year we have had a seminar on Non-Contentious Costs (being costs for work for which proceedings did not issue in the courts). We had a further seminar on Costs on Contentious Business Matters, ("contentious business" being where court proceedings are issued), and we are running a further seminar on Contentious Costs particularly in relation to what is known as "party and party costs" i.e. those costs which may be payable by the losing party which are frequently funded by an insurer, the complexities surrounding the calculation of these costs and when solicitors may ask their clients to make payment. The statutory framework for preparation of bills of costs and for assessing costs is extremely complex and therefore it is important that the Society offers training for the solicitors so that they have the necessary knowledge to do it correctly, with a view to minimising disputes with clients in respect of same.

Other relevant client care focussed CPD events this year included seminars on Mediation which is seen as a less adversarial means of resolving disputes, two seminars on "Risk Management", two seminars on "Building Strong Client Relationships", one on "Ensuring Quality in Divorce Petitions" and "Dealing with Bereaved Clients".

The Society continues its policy of encouraging the resolution of complaints under the solicitors in-house complaints procedures in the first instance followed by direct recourse to the Society if that is unsuccessful. The statistics continue to show that this is a successful approach. We hope that such a policy will be able to continue in the advent of the Bain proposals. The Scottish and English legislation provides that before entering the complaints formal process that solicitors and clients must try to resolve the complaints between themselves.

Since 2008 we have been reporting to the Lay Observer on the work the Society was doing towards achieving ISO 9001 accreditation. In order to facilitate that we introduced refinements to procedures for the benefit to the public and our members, it is therefore with great pleasure that we are able to formally advise that the ISO 9001 accreditation was achieved on 9th September 2011 having met all the necessary standards.

RECOMMENDATIONS

Recommendations were set out in paragraphs 8 and 9 of the Report "*Further Progress*"

1. *"I recommend that the Law Society continues to measure its complaints handling processes against the criteria laid down in the Cabinet Office guidance, other sources of criteria mentioned last year and those contained in ISO 9001".*

The Cabinet Office guidance has eight criteria which we will deal with separately.

Ease of Access and Well Publicised

The Society's progress in this matter is ongoing. The Society has already referred to the success of the website which contains detailed information with regard to complaints handling. The information is also available through hard copies of our information booklet and other documents from the Society.

We believe these arrangements meet the criteria in relation to ease of access to the complaints process and being well publicised.

Speedy

The Society's progress on this criterion is ongoing. The Society has in place time limits for action and for keeping clients informed. These are further enhanced by refinements that have been brought into the system to ensure ISO 9001 compliance. We strive to meet the appropriate balance between speed and quality having regard to the complexity of individual cases. The Lay Observer has recorded an elongation in the process at paragraph 5.14 as a result of the Client Complaints Committee "seeking to obtain the fullest information that is possible". This is a necessary step in ensuring a fair, full and thorough investigation of the facts and the Society shall review practice to determine if extending time limits to resolve complaints will be required.

Confidential with a view to protecting staff and those who complain

The Society's progress is ongoing and the subject of review for compliance with our Data Protection Policy. The Society has a high level of confidentiality on complaints for the protection of staff and those who complain. Most communication is in writing and any oral information is confirmed in writing. The Society has to be mindful of its responsibilities under the Data Protection Act in respect of all parties to the complaint and seeks to balance these with its duties and responsibilities under the Solicitors (N.I.) Order 1976 as amended.

Informative – providing information to management so that services can be improved

The Society's continues to progress in this area. The Society's rationale for upholding a complaint is always explained not only to the complainant but also the solicitor so that the solicitor may take on board the decision with a view to improving his/her own systems.

Simple to understand and use

The Society continues to monitor its documents and comments received from the Lay Observer, and users of the system. The information leaflet and other documentation are designed to be clear and simple to use and the Society has seen little by way of difficulty in comprehending or following its procedures, by either the complainant or the solicitor. Where there have been queries these have been dealt with effectively.

Fair with a full procedure for investigations

The Society continues to keep its processes under review. These have been set up in consultation with the Lay Observer and allows for complaint, response, and further observation by the complainant and if necessary further comment by the solicitor affected dealing with all points. The Society attempts to be as effective as possible and deals with all points which are within its remit. However, there are deficiencies in the remedies which are available as a result of the inability to award any form of financial redress other than reduction in the professional fees. The implementation of the Bain proposals would provide effective redress and correct this area of deficiency in its remedial powers.

Regularly monitored and audited to make sure that it is effective and improved.

As already indicated as part of ISO 9001, the systems have been reviewed and upgraded. ISO is an ongoing improvement process, and therefore it is an essential part of the accreditation that an annual review of procedures is carried out with a view to updating and improving processes.

2. *"I recommend that the Law Society further develops its path providing pointers to complainants to other means that they may employ to obtain a degree of satisfaction in their complaint than those available in the complaints handling processes".*

The Law Society seeks to refer people, where appropriate, to the correct redress mechanism. For example, where people have indicated that they believe there has been financial loss the Society always would point out the option of seeking other independent legal advice on the issue.

There is a balance to be struck between being helpful and not giving people an expectation that others can definitely resolve a problem which the Society was unable to address. There is also the problem of assuming the Society has the knowledge and capacity to identify all alternative potential avenues of redress. The Society cannot accept responsibility for so doing. However, it does remind people of their entitlement to seek independent legal advice and of the role of the Ombudsman where public sector issues may be involved and of the PSNI where appropriate.

3. *"I recommend that the Society considers ways to ensure that complainants are made aware of the value of the complaints handling processes to improving the standards of services in the profession".*

Complainants are made aware of the Society's views on complaints on a case by case basis including where the solicitor has been advised to take corrective

action. This is highlighted in the course of individual complaints.

4. *"I recommend that the Society considers how best to ensure that complainants are made aware of just how seriously the complaints handling processes bear on a firm of solicitors against whom a complaint is made".*

The Society appreciates the Lay Observer's objectives in relation to this recommendation. In the context of an individual complaint, for the most part the concern is to get redress in respect of the individual concerns. Most complainants are at the minimum, seeking a reduction in the fee, or if something remains undone, for example title unregistered, that it is completed. Individual solicitors who are complained about to their professional body and regulator are embarrassed and concerned and upset by the circumstances whether the complaints are valid or not. There is also a strong sense of professional opprobrium. The Society will continue to keep this objective under review, taking account of the Lay Observer's recommendations.

30th November
2011



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