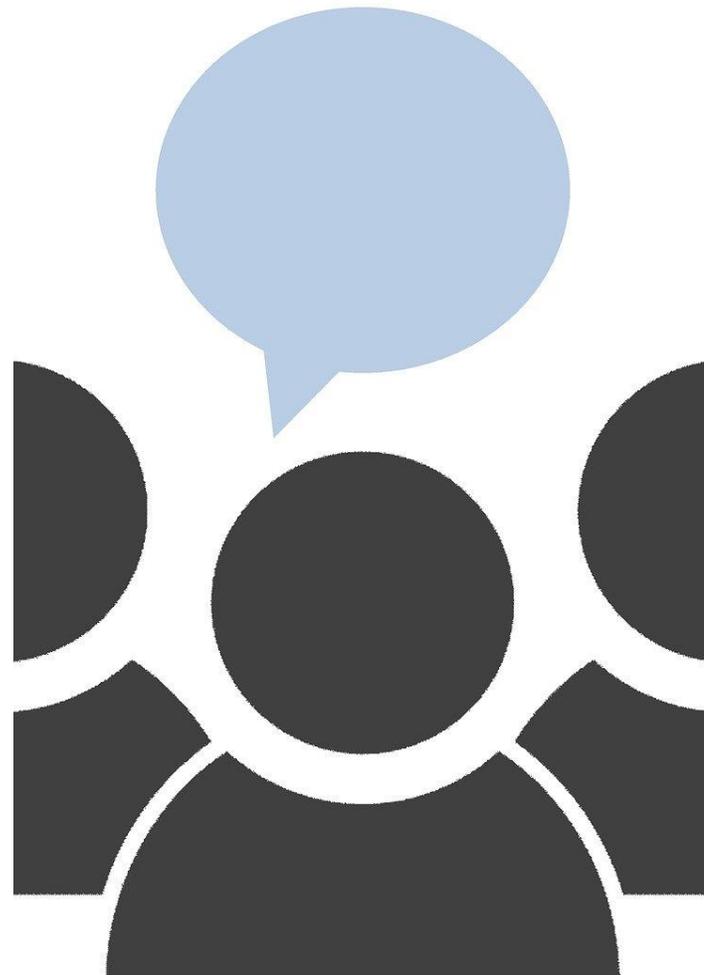

Policy on expectations of a complainant



24 October 2017

Costs Lawyer Standards Board

CLSB
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Introduction

This policy has been written to provide clarity on what a complainant can expect from the Costs Lawyer Standards Board (CLSB) and what the CLSB expects of a complainant in terms of evidence and co-operation when making a complaint about a Costs Lawyer or the CLSB.

This policy should be read in conjunction with the CLSB's Disciplinary Rules and Procedures as well as information about making complaints which can be located on the CLSB website at www.clsb.info.

A complaint that a Costs Lawyer has breached one of the CLSB's regulatory rules may be made by, for example, a member of the public, another regulated legal professional, a business or a member of the judiciary.

What the CLSB will not do

The CLSB will not:

- Make a case for a complainant, as to do so would prejudice impartiality. This policy therefore seeks to assist a complainant in understanding how they must present their complaint.
- Influence, interfere with, delay or prejudice current legal proceedings either directly or indirectly. Where a professional conduct complaint has been brought to the attention of the CLSB by an opposing party during the course of legal proceedings, the correct recourse will be to the court in those proceedings, not to the CLSB. Nothing in this policy will stop the complaint being referred to the CLSB once those legal proceedings have been fully completed.

What a complainant should do

The CLSB is committed to providing a fair, efficient and effective service. To facilitate this, a complainant must use all reasonable endeavours to assist the CLSB and behave in a reasonable manner when communicating with the CLSB, its employees and agents

(including an independent investigator), and not act in a way that will impede the handling of the complaint or the CLSB service to others.

On making a complaint, the complainant should:

- Make out their complaint in full in a single document which sets out the nature of the allegation(s) clearly and concisely attaching only relevant, cross-referenced, documentary evidence which supports the allegation(s) being made.
- Bring to the attention of the CLSB any need for reasonable adjustments to usual processes.
- Respect and adhere to applicable CLSB policy and rules.
- Be truthful in written and verbal representations made to the CLSB.
- Co-operate fully with the CLSB, responding to CLSB communications in a reasonable and concise manner, providing only relevant information and documentation.
- Behave reasonably at all times (examples of unreasonable behaviour include actions considered by the CLSB to be aggressive, bullying, offensive, harassing or unreasonably persistent).

On making a complaint, the complainant should not:

- Be evasive in answering questions put to them.
- Misrepresent, interfere with or alter evidence.
- Change the basis of the complaint(s) once the CLSB has commenced its defined process.

Consequences of failure to comply with this policy

In the event a complainant does not behave reasonably (as set out above), the CLSB reserves the right to take appropriate action having regard to all the circumstances, which may include one or more of the following:

- Not reply to unreasonable correspondence.
- Terminate a phone call.

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- Refuse a complaint.
 - Close a complaint.
 - Report the matter to the police in the event the actions of the complainant are considered by the CLSB to be unlawful.
 - Take legal action (for example, seek an injunction to restrain unreasonable behavior).
 - Report the behaviour of a complainant who is regulated under the Legal Services Act 2007 to their regulator.

In the event a complainant does not otherwise comply with expectations set out in this policy, the CLSB may take appropriate action having regard to all the circumstances, which may include closing a complaint.