

26 February 2008

Ruth Evans, Chair, and
Sue Carr QC, Chair-designate, Complaints Committee
The Bar Council
289-293 High Holborn
London
WC1V 7HZ

Dear Ruth and Sue

Bar Standards Board consultation on complaints and disciplinary procedures

The Legal Services Commission (LSC) welcomes the opportunity to contribute to this consultation.

The LSC supports the changes outlined in the consultation paper as they will streamline and simplify processes. A more straightforward process for dealing with complaints, with less overlap, is always a positive development for both customers and regulators.

In relation to the composition of the Complaints Committee, the LSC agrees with the principle of rebalancing the committee to increase the lay membership. There is an historic opportunity for the Board to take a lead and seek to be exemplars in the area of professional regulation.

The LSC would suggest that the Board should move to a majority of lay members with a lay chair, plus a significant number of barrister members and access to additional barrister members if required. I would suggest that this is not a technical issue but a public confidence issue: a complaint should be regarded in a similar way to audit and a complaints committee should operate with the same degree of independence as an audit committee. For example, the LSC has recently reconstituted its customer redress committee to increase the number of independent members and its audit committee consists of an independent chair and members.

The LSC would fully support the Board in demonstrating to the public and other stakeholders in such an important and symbolic way your commitment to independent scrutiny.

I look forward to hearing the results of this consultation exercise and continuing to work with you in the future.

Yours sincerely,

Carolyn Regan
Chief Executive
Legal Services Commission