

Mr Steve Lees
Operations Manager
Office of the Legal Services Ombudsman
3rd Floor
Sunlight House
Quay Street
Manchester M3 3JZ

Ms Noëlle Rawé
3 Jefferson House
11 Basil Street
London SW3 1AX
Tel (work):

(By Special Delivery)

Your ref: 32563

2 April 2005

Dear Mr Lees

Failure by the Bar Council to deal with my complaint against Mr Stanley Gallagher, Arden Chambers, London WC1N 2ES

Please, not your Office as well!

I refer to your letter dated 1 April 2005 which, while it has all the makings of an April fool joke, I know is not.

You state: *"However, it appears from what you have told us in the application form that the Ombudsman is unable to help because the Bar Council are still investigating your complaint and there are no strong reasons which would justify the Ombudsman's involvement at this stage."*

How can you possibly arrive at this conclusion? I most vehemently disagree with it. The first sentence of my 25 March 2005 letter addressed to Mrs Manzoor reads: *"I am escalating my complaint to your Office as I consider that the Bar Council has either ignored or dismissed all the substantive points in my complaint against Mr Stan Gallagher, Arden Chambers"*. I then state that I enclose my reply to the Bar Council. The second sentence of this letter reads: *"This reply is for the benefit of Mrs Zahida Manzoor CBE, Legal Services Ombudsman, to whom I am referring my complaint"*.

In her 27 January 2005 letter to me Karin Seidenstein wrote: *"Under the Rules, there is no mechanism for you to appeal this decision... If you are dissatisfied with the way in which your complaint has been considered by the Bar Council, you may approach the Legal Services Ombudsman to investigate the way we have dealt with it."*

What has evidently happened is that your Office has been contacted by the Bar Council. Indeed, yesterday, I received the enclosed letter, dated 30 March 2005¹, from Karin Seidenstein: *"In light of the issues you have raised, I am seeking further advice"*.

"In light of the issues [I] have raised"? There is **nothing new** in my 25 March 2005 reply to the Bar Council, apart from highlighting:

- Sections from the Bar Council Code of Conduct. Are the Bar Council and barristers who were members of the Committee that reviewed my complaint now saying that they do not know their own Code of Conduct?

¹ Letter to me from Karin Seidenstein, Bar Council, dated 30 March 2005

- The conduct expected of a barrister – as an officer of the court - and associated Civil Procedure Rules. Likewise, do the Bar Council and barristers who were members of the Committee that reviewed my complaint claim to be ignorant of these?

In her 27 January 2005 letter Karin Seidenstein wrote: "After a very full discussion, the Committee decided that there was no professional misconduct or inadequate professional service on the part of Mr Gallagher. The complaint was accordingly dismissed... the independent Lay Representatives... agreed with this decision...".

"After a very full discussion...". This can only be read as 'a discussion that carefully considered the evidence I supplied'. As it should be, given that the Bar Council is the regulatory body for barristers and the body to which members of the public must address their complaints.

Over the course of what now amounts to precisely one year, I have supplied the Bar Council with three, very detailed and comprehensive documents in which I have painstakingly cross-referenced every event, every single point to Mr Gallagher's replies and / or my previous documents. In these documents, I have also included extensive extracts from supporting documents of which, in total, I supplied over 110.

Having said "after a very full discussion..." and "...the complaint was accordingly dismissed..." and "...there is no mechanism for you to appeal this decision...", Karin Seidenstein is now saying that she is going to "seek further advice". It is clearly the trademark of barristers to only recognise the evidence at the point of being suffocated by it.

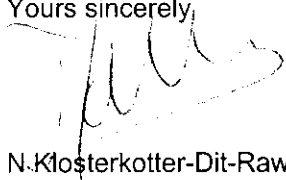
It is also clear that only people like me with the ability to take them on have any chance of getting their complaint acknowledged. When are the Bar Council's current arrangements for dealing with complaints due to be replaced by the independent system of complaints handling recommended by Sir David Clementi?

And your Office, Mr Lees, is accepting this U turn by the Bar Council? (Given the evidence, I can only conclude that this is the reason behind your letter).

I reiterate my request that you please consider my complaint. Please, let me know of your decision over the next few days.

Thank you.

Yours sincerely,



N. Klosterkötter-Dit-Rawé

- cc. Mrs Zahida Manzoor, CBE, Legal Services Ombudsman (By Special Delivery)
- Karin Seidenstein, Assistant Executive Secretary, Bar Council (By Recorded Delivery)

