

## **Court paves way for fresh start to resolving complaints about lawyers**

The Legal Ombudsman today welcomed the outcome of High Court proceedings that cleared the way for it opening on time.

The Legal Ombudsman is the new scheme that will investigate and resolve complaints made by consumers of legal services. It is charged with beginning to accept complaints before the end of 2010. It will be based in central Birmingham and bring 300-350 jobs to the city.

The court was asked to determine if the principles of TUPE applied to the establishment of the Legal Ombudsman. As the Legal Ombudsman is an independent Government body it found that these principles did not apply.

In responding to the outcome of High Court proceedings, Adam Sampson, Chief Ombudsman said "I am pleased that we are now clear about the way in which the Legal Ombudsman will recruit. This decision means we will start resolving complaints on time."

Before the court hearing, the Legal Ombudsman had been in constructive discussions with all the Approved Regulators for the legal profession. This was to make sure that the right mix of arrangements would be put in place to ensure that neither consumers nor lawyers suffer any detriment as the old schemes close and the new one begins.

It emerged during these discussions that clarity about the legal basis for these arrangements was required. This court decision gives a solid foundation for the set up of the scheme.

Adam Sampson, Chief Ombudsman added "We have always been clear that our aim is to bring about a new way of resolving complaints and to do that we need the right skills and expertise to be successful. We want to develop a high-performing and diverse organisation and hope that many of the skilled and experienced employees of existing complaints handling bodies will want to be part of this new way of working."

The Legal Ombudsman will seek to work closely with the Approved Regulators over the coming weeks and months to make sure this transitional period works as smoothly as possible.

The Legal Ombudsman will shortly begin recruitment. Information will be available on the Legal Ombudsman website.

### **Notes for editors:**

1. The Legal Ombudsman is being established by the Office for Legal Complaints as a key step in the implementation of the Legal Services Act 2007.

2. The Legal Ombudsman Business Plan outlines the plans for its set up. The Plan can be found on the Legal Ombudsman website at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)
3. The Act sets the stage for wide-ranging reforms to the provision and regulation of legal services in England and Wales and establishes the OLC to administer an Ombudsman scheme that will deal with all consumer complaints about legal services.
4. The Legal Ombudsman is independent from government and the legal profession. It is a public body sponsored by the Ministry of Justice. The Legal Ombudsman will become fully operational by no later than the end of 2010.
5. Elizabeth France was named Chair of the OLC in October 2008 by the Legal Services Board. On 3 February 2009, the Legal Services Board and the Chair of the OLC announced the appointment of six OLC Board members. Adam Sampson was named as Chief Ombudsman in March 2009. Biographies of each of the Board members and the Chief Ombudsman and more information can be found on the Office for Legal Complaints website at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)
6. Vacancies at the Legal Ombudsman will be advertised on the Work for us page of the Legal Ombudsman website. Tribal will manage the recruitment process for the Legal Ombudsman.
7. For information regarding the Legal Ombudsman, please contact Alison Robinson on 0121 503 2938.