1. **Number of complaints about lawyers received since 1st January 2012 and how many were upheld in part or full?**

We accepted 38,007 complaints about lawyers for investigation between 1st Jan 2012 and 31 March 2017.

Rather than deciding whether or not to uphold a complaint, the Legal Ombudsman’s aim is to help the parties to a complaint reach agreement. We call this an ‘informal resolution’.

Where the parties are unable to reach agreement then either party is able to request a final decision by an Ombudsman. An Ombudsman will decide whether or not the lawyer’s service was of a reasonable standard. If it was not then the Ombudsman will make a finding of poor service.

Where complaints are not informally resolved or decided by an Ombudsman, then they will be recorded as ‘closed’. This covers a number of situations, for example where a complainant withdraws their complaint, where a complainant decides not to provide information we need to investigate the complaint, or where we decide that the complaint is outside of our jurisdiction.

This table shows the total number of complaints resolved by financial year and whether they were closed, informally resolved or decided by an ombudsman:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Closed | Informally Resolved | Ombudsman Decision | Grand Total |
| 2011-2012 Q4 | 562 | 735 | 794 | 2091 |
| 2012-2013 | 2029 | 2642 | 2990 | 7661 |
| 2013-2014 | 2390 | 2524 | 3053 | 7697 |
| 2014-2015 | 1985 | 2317 | 3052 | 7354 |
| 2015-2016 | 1797 | 2008 | 2556 | 6361 |
| 2016-2017 | 1735 | 2337 | 2501 | 6573 |
| Grand Total | 10498 | 12563 | 14946 | 38007 |

In 2016/17 we made 2501 ombudsman decisions. We can provide information for that financial year only about the proportion of all ombudsman decisions which resulted in a finding of poor service.

|  |  |  |
| --- | --- | --- |
|  | Yes evidence of poor service | No evidence of poor service |
| Ombudsman decision accepted by complainant | 695 (95.5%) | 33 (4.5%) |
| Ombudsman decision rejected by complainant | 453 (26%) | 1290 (74%) |
| Grand Total | 1323 (53.5%) | 1148 (46.5%) |
|  |  |  |

1. **What guidance is given to investigators regarding the identification of a breach of client confidentiality?**

In relation to the second part of your query about guidance regarding identifying a breach of client confidentiality, we are able to confirm that all Investigators undergo a thorough initial training programme.

Investigators also have access to a variety of internal training materials, as well as daily access to one-to-one advice with ombudsman staff.

Each complaint we investigate is considered individually, with our Investigators reviewing relevant evidence to reach a view as to whether or not a lawyer has provided a reasonable service to the complainant.

Our investigators and ombudsmen have regard to guidance issued by regulators, and decisions of the courts, but are not bound by them. We do not have a specific guidance document relating to identifying breaches of confidentiality.