

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed. The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about

discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Office of the Legal Services Commissioner

In this fact sheet, we introduce the Office of the Legal Services Commissioner (**OLSC**) and outline how complaints can be made by people to the OLSC.

The OLSC is an independent statutory body that can handle complaints about lawyers practising in New South Wales. The OLSC consists of the NSW Legal Services Commissioner and staff who advise and assist the Commissioner in the exercising the functions and powers of the office.

Legislation and Key Terms

Relevant Legislation:

- [Legal Profession Uniform Law \(NSW\) 2014](#)

Key terms:

Complaint: An expression of dissatisfaction where a response or resolution is wanted, expected or required.

Complainant: A person who has made a complaint.

Consumer matter: A complaint about the conduct of a lawyer or costs charged by a lawyer that are assessed by the OLSC as capable of being resolved.

Disciplinary matter: A complaint about the conduct of a lawyer that may amount to unsatisfactory professional conduct or professional misconduct.

Law practice: Law practices are commonly referred to as law firms. They are businesses that provide legal services and can include, sole practitioners, community legal services, and incorporated and unincorporated legal practices.

Lawyer: A solicitor or barrister.

Mediation: Trying to resolve a conflict or disagreement between two parties by involving a third party

Professional Misconduct: Conduct by a lawyer in connection to the practice of law, that involves a substantial or consistent failure to meet or maintain a reasonable standard of competence and diligence. Or, conduct, whether or not occurring in connection with the practice of law that, if established, would justify a finding that the lawyer is not a fit and

proper person to engage in legal practice.

Unsatisfactory Professional Conduct: Conduct by a lawyer in connection with the practice of law that falls short of a reasonable standard of competence and diligence. The conduct can be a one-off event.

Step 1: What type of Complaints can be made to this body?

You can make a complaint to the OLSC about the services, advice or treatment you receive from a solicitor, barrister or law practice operating in NSW. Complaints are categorised as consumer matters, disciplinary matters or a mix of both.

Sub-category	Example
Service, advice and treatment issues	<p>You may make a complaint if you experience issues with the service, advice or treatment you receive from a solicitor, barrister or law firm. This can include, but is not limited to, the below examples. Depending on how serious the problem is, these issues may be classed as consumer or disciplinary matters.</p> <ul style="list-style-type: none"> • poor communication • bills and costs • handling of documents • failure to release a client's documents or property (liens) • poor service • discourtesy • delay • mistakes • threatening or abusive behaviour • breach of confidentiality • misleading conduct • acting with a conflict of interest • not following instructions • stealing trust money • inappropriate personal conduct including discrimination, sexual harassment or bullying within a legal workplace
Consumer matters	<p>Consumer matters are considered less serious. These do not involve issues of unsatisfactory professional conduct or professional misconduct and are able to be resolved by engaging the OLSC. These matters are related to the conduct of a solicitor, barrister or law firm and can include:</p> <ul style="list-style-type: none"> • Delays • Costs • Poor Communication and rudeness • Release of a client's documents or property <p><i>Examples:</i></p> <ul style="list-style-type: none"> • <i>Charlie retained a solicitor to assist them in a local court matter. The solicitor was rude and dismissive of Charlie and they had to wait a long time for the advice.</i>

	<ul style="list-style-type: none"> • <i>Maz engaged a lawyer for a business matter. His lawyer was incredibly unclear and vague about the details of the hearing and also failed to give him the exact dates and timings of the hearing. Maz constantly had to follow up on new updates about his case, and whenever he did his lawyer would start raising his voice and tell him to 'calm down'.</i>
<p>Disciplinary matters</p> <p>Legal Profession Uniform Law (NSW) 2014 s298</p>	<p>Disciplinary matters involve conduct by solicitors or barristers capable of amounting to unsatisfactory professional conduct or misconduct.</p> <p>Unsatisfactory professional conduct</p> <p>Conduct by a lawyer in connection with the practice of law that falls short of a reasonable standard of competence and diligence. The conduct can be a one-off event.</p> <p>Conduct by a solicitor or barrister that may amount to unsatisfactory professional conduct includes:</p> <ul style="list-style-type: none"> • threatening or abusive behavior; • failure to comply with an undertaking; • poor advice and representation; • serious delay; • non-disclosure of costs; • negligence; • minor breach of the Solicitors Conduct or Practice Rules; and • breach of confidentiality <p><i>Examples:</i></p> <ul style="list-style-type: none"> • <i>Hudson goes to see a local solicitor to get some family law advice. He speaks to a solicitor, and they exchange a few emails over the following weeks. He later receives a bill for a very large amount of money. This comes as a shock because the lawyer did not give him any information about how much they would charge.</i> • <i>Matt has recently engaged a lawyer for his small business matters. On Friday afternoon he got a call from his mate telling him that he had overheard his lawyer talking to a friend about all the details of Matt's case and disclosing confidential information at a busy bar.</i> <p>Professional misconduct</p> <p>Conduct by a lawyer in connection to the practice of law, that involves a substantial or consistent failure to meet or maintain a reasonable standard of competence and diligence. Or, conduct, whether or not occurring in connection with the practice of law that, if established, would justify a decision that the lawyer is not a fit and proper person to engage in legal practice.</p> <p>Conduct that may be capable of being professional misconduct includes:</p>

	<ul style="list-style-type: none"> • Charging an excessive cost in relation to the work performed without consent (gross overcharging) • Conflicts of interest • Acting contrary to instructions • Misleading or dishonest conduct in or outside court • Misappropriation, i.e. falsely giving away or distributing trust money • Professional misconduct can also include conduct outside the practice of law including convictions for: <ul style="list-style-type: none"> • a serious criminal offence; • a tax offence; or • an offence involving dishonesty. <p><i>Examples:</i></p> <ul style="list-style-type: none"> • <i>Georgina is a barrister and a director of a company. She is convicted of stealing money from the company and is disqualified from acting as a director. This behaviour is likely to be professional misconduct.</i> • <i>Liz has been appointed a lawyer from a local law firm to help her deal with a dispute with the local golf club. When she googled her lawyer, she realised he was on the board of the local golf club, hence is concerned about fair representation. Representing Liz is likely a conflict of interest.</i>
Mixed complaints <i>Legal Profession Uniform Law (NSW) 2014 s268(2) & s271</i>	Some complaints may involve both consumer and disciplinary matters. In these cases, the OLSC may give priority to resolving the consumer matter first. <i>Example: Tim has engaged a lawyer in a family court matter. He has just received his bill for the lawyer's work, which is slightly higher than what he was told when they had begun working together.</i>
Costs disputes <i>Legal Profession Uniform Law (NSW) 2014 s291</i>	There are rules lawyers must obey when charging for their services. This includes telling clients what their legal costs are likely to be and if they are going to be more than \$750. You can complain to the OLSC if you have concerns about the costs you have been charged. The OLSC will generally only deal with a costs dispute if: <ol style="list-style-type: none"> 1. The total bill for legal costs is less than \$314,330; or 2. The total bill for legal costs equals or is more than \$314,330, but the total amount in dispute is less than \$31,440. These amounts are indexed annually. You should contact the OLSC Inquiry Line on 1800 242 958 or (02) 9377 1800 before lodging a costs dispute to confirm the current thresholds and check whether the OLSC can deal with your circumstances.
Inappropriate	The OLSC can handle complaints about inappropriate personal conduct including sexual harassment, bullying or discrimination that

personal conduct	<p>happens at a law practice or in a barrister's chambers.</p> <p>If you have witnessed, know about, or have experienced this type of behaviour, either as an employee or client of a legal service, you can lodge an informal complaint or a formal complaint with the OLSC.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • <i>Taylor Seeks is a new paralegal at a law firm. A senior lawyer at the firm keeps commenting on how much he likes the way she looks. Taylor has tried to laugh off his comments, but they are making her feel uncomfortable.</i> • <i>Morgan goes to a law firm to get advice. On arriving, Morgan notices that one of the lawyers is speaking rudely and harshly to another lawyer who seems scared and uncomfortable. Morgan asks the lawyer about the incident and learns that this behaviour happens all the time.</i>
Additional information	<p>If you are not sure whether the problem you have is something the OLSC can help you with, you can call the OLSC Inquiry Line on 1800 242 958 or (02) 9377 1800 before lodging a complaint. The OLSC can help you check whether it has power to deal with your issue and explain its functions and powers.</p>

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	The OLSC has powers to hear complaints under the law of New South Wales.
Geographical Scope	The OLSC has powers to hear complaints about solicitors and barristers practising in New South Wales.
Time Limitations <i>Legal Profession Uniform Law (NSW) 2014 s272(1), s272(2) & s272(3)</i>	<p>If your complaint does not involve a dispute about legal costs, you have three years from the date the problem arose to lodge a complaint with the OLSC. However, the OLSC may deal with your complaint outside this timeframe if:</p> <ol style="list-style-type: none"> 1. it is just and fair to do so when considering the delay and the reasons for the delay; or 2. the complaint is about a matter of professional misconduct and it is in the public interest to investigate the complaint. <p>If your complaint involves a dispute about the legal costs you have been charged you must:</p> <ul style="list-style-type: none"> • lodge your complaint within 60 days of the legal costs being payable; or • if you requested an itemised bill – within 30 days after your request for the itemised bill was complied with. <p>The OLSC may deal with a complaint outside that timeframe if:</p> <ol style="list-style-type: none"> 1. the complaint is made within 4 months after the required period;

	<ol style="list-style-type: none"> 2. if it is just and fair to deal with the complaint when considering the delay and the reasons for the delay; and 3. the lawyer or law practice has not commenced legal proceedings in respect of the legal costs.
Exclusions	<p>There are several issues the OLSC cannot deal with, such as:</p> <ul style="list-style-type: none"> • Provide legal advice or representation • Order a lawyer to deliver up documents, although the OLSC may be able to deal with some lien-related complaints and discharge a lien in respect of specified documents • Assist in debt recovery matters • Order a lawyer or law firm to remove a caveat, which is a notice for the public of an interest in land or property • Complaints about judges or magistrate court staff
Exercise of discretion	<p>The OLSC may decide to close a complaint after assessment for reasons such as:</p> <ul style="list-style-type: none"> • The complaint should be dealt with by another body such as the police or another law enforcement body • The matter of the claim is currently being investigated • There is not enough basis for the complaint, or it is vexatious • It would be for the benefit of the public to close the complaint • The OLSC does not have power to deal with the complaint

Step 3: Who can you make a complaint against?

Respondent	Description
Solicitors	You can complain about a solicitor practising in New South Wales. You can search for a solicitor registered in NSW here .
Barristers	You can complain about a barrister practising in New South Wales. You can search for a barrister registered in NSW here .
Law firms	You can also complain about a law firm or law practice operating in New South Wales.
Exclusions <i>Legal Profession Uniform Law (NSW) 2014 s263</i>	<p>The OLSC cannot deal with complaints about:</p> <ul style="list-style-type: none"> • solicitors or barristers whilst they are acting as judges, magistrates or judicial members of tribunals. • court staff, judges or magistrates – Refer to the Judicial Commission of New South Wales, the Federal Court of Australia or the Federal Circuit and Family Court • paralegals, law clerks and persons practising law without a practising certificate – Refer to the Law Society of NSW;

	<ul style="list-style-type: none"> • migration agents – Refer to the Office of the Migration Agents Registration Authority; • licenced conveyancers – Refer to NSW Fair Trading.
Additional information	If you are not sure if your complaint is within the jurisdiction of the OLSC, you can discuss your situation with the OLSC Inquiry Line by calling 1800 242 958 or (02) 9377 1800 before lodging a complaint.

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint? <i>Legal Profession Uniform Law (NSW) 2014 s266(1) & s266(2)</i>	Any person or body can make a complaint. You can make a complaint on behalf of another person. The OLSC can also initiate a complaint about disciplinary matters.
Pre-requisite steps	If your complaint is about a consumer matter you must have tried to resolve it with your lawyer before complaining to the OLSC. If you believe it is unreasonable for you to try to resolve your complaint directly with your lawyer, the OLSC may waive this requirement if you can explain why that is the case.
Can complaints be made on behalf of someone?	Complaints can be made on someone's behalf. If you are making a complaint on behalf of another person, such as a friend or relative, you will need to provide: <ul style="list-style-type: none"> • their name • your relationship to them • a written letter from them authorising you to make the complaint on their behalf
Exclusions <i>Legal Profession Uniform Law (NSW) 2014 s268(3)</i>	You need to lodge your complaint within strict timeframes, please see Step 2 above. If you do not meet these timeframes the OLSC may not be able to deal with your complaint. If you are a commercial or government client the OLSC cannot attempt to resolve a consumer matter complaint that you may have.
Additional information you need to know	There is no cost in making a complaint to the OLSC.

Step 5: What remedies are available at this body?

Power	Description
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<p>Consumer matters</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s290 & s306</i></p>	<p>Possible outcomes for consumer matters include:</p> <ul style="list-style-type: none"> • Receiving an apology from the lawyer • Resolving a dispute about fees • Improving communication with the lawyer • Resolving any other dispute with the lawyer • Help resolve issues about the release of your documents or file, including lien-related issues in some cases • Cautioning the lawyer • Requiring the lawyer to undertake training, education, counselling or be supervised • Requiring the lawyer to redo the work, the subject of the complaint, at no cost or reduced fees • Receiving a compensation order, however this is limited when it comes to negligence • Otherwise having the problem with the lawyer or law firm resolved.
<p>Disciplinary matters</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s299, s284, s300, s302, s303 & s306</i></p>	<p>Possible outcomes for disciplinary matters include:</p> <p>If the OLSC finds that the solicitor or law firm has engaged in unsatisfactory professional conduct, it may:</p> <ul style="list-style-type: none"> • Caution the solicitor or barrister; • Reprimand the solicitor or barrister; • Require the solicitor or barrister to apologise; • Require the solicitor or barrister to redo the work that is the subject of the complaint at no cost or reduced cost; • Require the solicitor or barrister to undertake training, counselling or education or be supervised; • Require the solicitor or barrister to pay a fine not exceeding \$25,000; • Recommend the imposition of conditions upon the solicitor or barrister's Australian legal practising certificate; or • Arrange for an assessment of the costs charged or claimed by the solicitor or barrister. <p>Complaint is referred to the Disciplinary Tribunal</p> <p>If the OLSC considers that the conduct of the solicitor or barrister may amount to unsatisfactory professional conduct or professional misconduct, it may initiate proceedings before the NSW Civil and Administrative Tribunal (Disciplinary Tribunal).</p> <p>In addition to being able to make the same orders as the OLSC referred to above, the Disciplinary Tribunal can also order that:</p> <ul style="list-style-type: none"> • the solicitor or barrister refrain from doing something in

	<p>connection with the practice of law;</p> <ul style="list-style-type: none"> • the solicitor or barrister's practice be managed for a specified period in a specified way or subject to specified conditions; • the solicitor or barrister's practice be subject to periodic inspection; • the solicitor or barrister seek advice in relation to management of their legal practice; • the name of the solicitor or barrister be removed from a roll kept by the NSW Supreme Court; a register of lawyers or the Australian Legal Profession Register; • a specified condition be imposed on the solicitor or barrister's practicing certificate; • the solicitor or barrister's practicing certificate or registration certificate be suspended for a specific period or cancelled; • the solicitor or barrister pay compensation to you; • the solicitor or barrister pay a fine not exceeding \$100,000 if they are found guilty of professional misconduct. • The solicitor or barrister pay costs of the Disciplinary Tribunal hearing.
<p>Compensation orders</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s309(1), s309(2) & s310</i></p>	<p>The OLSC may make a compensation order if it is found that you suffered a loss because of a solicitor or barrister's conduct, and it is in the interests of justice to make the compensation order.</p> <p>Compensation orders can include:</p> <ul style="list-style-type: none"> • Requiring payment to you of an amount not exceeding \$25,000 • Preventing your solicitor or barrister from recovering payment from you, or requiring them to repay an amount to you. • Discharging a lien in respect of specified documents. A lien is when a lawyer keeps certain client documents or property as security for unpaid legal costs. The OLSC cannot order documents to be delivered up; that type of order can be made by the Supreme Court. <p>A compensation order will not be made where you have received or are entitled to receive compensation under a court order or compensation from a fidelity fund, a fund established to compensate people who have suffered loss due to the acts of their lawyers, barristers or law firms (where the claim for payment from the fund has been made or determined).</p> <p>You can file a compensation order in the Local Court of New South Wales and seek to have it enforced as if it were an order of the court.</p>
<p>Register of disciplinary action</p> <p><i>Legal Profession Uniform Law Application Act</i></p>	<p>The OLSC is required to keep a Register of Disciplinary Action taken against solicitors and barristers in New South Wales. This is a publicly available register.</p>

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Additional Information	<p>The OLSC cannot:</p> <ul style="list-style-type: none"> • provide legal advice or representation; or • investigate or change court findings. <p>If you believe your lawyer has been negligent and you would like to receive financial compensation you should consider obtaining independent legal advice about your rights. While the OLSC can handle complaints involving allegations of negligence, it has limited power to award financial compensation. Professional negligence claims are more appropriately pursued through private legal action.</p>

Step 6: Preparing your complaint. What should it include?

Requirement	Description
Before you make a complaint	Unless it would be unreasonable to expect you to do so, you should try and resolve the matter with your solicitor or barrister before making a complaint to the OLSC.
Format - Consumer matters and Disciplinary matters <i>Legal Profession Uniform Law (NSW) 2014 s267</i>	Your complaint must be in writing. If you need help to make a written complaint, the OLSC has a Public Liaison Officer who can help you. You can request assistance by calling 1800 242 958 or (02) 9377 1800, or by emailing olsc@justice.nsw.gov.au .
Personal Details <i>Legal Profession Uniform Law (NSW) 2014 s267</i>	Unless you are anonymously and informally notifying the OLSC of inappropriate personal conduct, your complaint must identify you (or the person you are lodging the complaint for). You also need to provide your contact details including telephone, email and address. If you are lodging a complaint on someone's behalf you will need to provide: <ul style="list-style-type: none"> • Their name and contact details; • Your relationship to the person you are helping (eg: friend, relative); and • A document signed by the complainant authorising you to make the complaint on their behalf.
Respondent's Details <i>Legal Profession Uniform Law (NSW) 2014 s267</i>	You must identify the solicitor, barrister or law practice you are complaining about, including lawyer's name, law practice's name, address and telephone number.

<p>Relevant Facts</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s267</i></p>	<p>You need to describe the conduct that you are complaining about.</p> <p>It is important to include as much detail as possible such as:</p> <ul style="list-style-type: none"> • when and where the conduct happened • what area of legal service your complaint relates to • whether you have tried to resolve the issue with the lawyer, and if not, why not. • what you would like to happen in order to resolve your complaint <p>If your complaint is about the costs you have been charged, you should also explain:</p> <ul style="list-style-type: none"> • If you have received a bill, and if so, when, for how much, and if you have paid any amount of it. • If you received a costs agreement and/or costs disclosure. • If the lawyer has sued you for unpaid costs, including when the proceedings started and which court they are in. <p>You should provide photocopies of any supporting documents you have, such as copies of correspondence or bills you have received.</p>
<p>What NOT to include</p>	<p>Your complaint should not include:</p> <ul style="list-style-type: none"> • Abusive or inflammatory language. • Opinions and irrelevant facts. • Complaints that are frivolous, trivial or vexatious should also be avoided.
<p>Additional information you need to know</p>	<p>The OLSC may provide a copy of your complaint to the lawyer or law firm you are complaining about. If you have concerns about this you should raise this with the OLSC.</p>

Step 7: Lodging your complaint and next steps.

Step	Description
<p>Where to lodge your complaint</p>	<p>The OLSC co-regulates the legal profession with the Law Society of NSW or the NSW Bar Association. While you can lodge a complaint directly with the Law Society of NSW and the NSW Bar Association, any complaints received by these bodies need to be referred to the OLSC, as it is responsible for administering the complaints process.</p> <p>Before making a complaint, the OLSC encourages you to contact its Inquiry Line on 1800 242 958 or (02) 9377 1800 to check whether it can deal with your specific issue and to understand its functions and powers.</p> <p>The easiest way to make a complaint is via the OLSC Portal.</p> <p>You can also make a complaint by:</p>

	<ul style="list-style-type: none"> • Downloading and sending a complaint form with supporting documents to the OLSC at GPO Box 4460 Sydney NSW 2001. You must complete a separate complaint form for each lawyer you are complaining about; • Sending a letter with supporting documents to the OLSC at GPO Box 4460 Sydney NSW 2001; or • Sending an email with supporting documents to the OLSC at olsc@justice.nsw.gov.au. <p>You will need to provide copies of supporting documents. Do not send the OLSC original documents.</p> <p>Inappropriate personal conduct</p> <p>If you wish to make an informal report about discrimination, sexual harassment or bullying either in your workplace, or when you received legal services, you can:</p> <ul style="list-style-type: none"> • Notify OLSC online here; ¹ or • Download and complete a notification form and email it to the OLSC on olsc@justice.nsw.gov.au. • If you wish to make a formal complaint, you can download, complete and post the online complaint form, together with supporting documents, to the OLSC at GPO Box 4460 Sydney NSW 2001. Alternatively, you can email the form and supporting documents to olsc@justice.nsw.gov.au.
<p>Preliminary assessment</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s276</i></p>	<p>After receiving a complaint, the OLSC must make a preliminary assessment about whether the complaint is:</p> <ul style="list-style-type: none"> • A consumer matter that may be capable of resolution; or • A disciplinary matter (i.e.: a complaint that raises issues of unsatisfactory professional conduct or professional misconduct that may result in disciplinary action being taken against the solicitor or barrister). <p>The OLSC may ask you, the respondent, or another person for further information to help with their preliminary assessment.</p> <p>The OLSC will decide whether it will handle the complaint, or refer it to the Law Society of NSW or the NSW Bar Association to handle. The Law Society of NSW or the NSW Bar Association have the same complaint handling powers as the OLSC.</p>
<p>Closure of complaint after preliminary assessment</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s277(4)</i></p>	<p>If at any stage the OLSC decides that no further action is warranted, it may close your complaint. You will be provided with that decision and the reasons for it in writing.</p> <p>The OLSC is not required to give to you an opportunity to be heard before deciding whether or not to close your complaint.</p>

¹ See [Reporting harassment | The Law Society of NSW](#)

<p>Acknowledgment/ Notification</p> <p>Legal Profession Uniform Law (NSW) 2014 s281</p>	<p>If following the preliminary assessment, the OLSC decides to take action on your complaint, you will be sent an acknowledgement. If your complaint is referred to Law Society of NSW or the NSW Bar Association to handle you will be informed of that and will be given a file number and contact details for your case officer.</p> <p>Except in limited circumstances, your complaint, or a summary of it, will be given to the solicitor, barrister or law firm for their response.</p>
<p>Consumer matters</p> <p>Legal Profession Uniform Law (NSW) 2014 s287, s288, s289, s290(2) & s290(3)</p>	<p>If your complaint is treated as a consumer matter: the OLSC will attempt to resolve your complaint informally by communicating with you and the respondent;</p> <ul style="list-style-type: none"> • the OLSC may order the parties to attend a mediation. • If the parties reach agreement about how to resolve the complaint, the OLSC may prepare a written settlement agreement for the parties to sign. Either party may file the agreement in court if they wish to enforce the agreement. • If agreement cannot be reached, the OLSC may determine the matter and make orders such as those outlined in <i>Section 5: Remedies</i> above. Failure by the solicitor or barrister to comply with those orders may amount to unsatisfactory professional conduct or professional misconduct and be subject to a further complaint. <p>Most complaints are finalised within 3 to 4 months but can take longer.</p>
<p>Disciplinary matters</p> <p>Legal Profession Uniform Law (NSW) 2014 s282, s279 & s280</p>	<p>If your complaint is treated as a disciplinary matter, the OLSC may investigate your complaint to determine whether the solicitor or barrister has engaged in unsatisfactory professional conduct or if their conduct amounts to professional misconduct.</p> <p>If the OLSC decides to investigate your complaint, it must provide the solicitor or barrister with a summary or details of the complaint as soon as possible and inform the solicitor or barrister that they have the right to make submissions within a specified time, usually 21 days.</p> <p>If your complaint is investigated by the OLSC:</p> <ul style="list-style-type: none"> • The OLSC may require written information, documentation and/or submissions from the solicitor or barrister; • The solicitor or barrister must cooperate and assist the OLSC in their investigation; and • The OLSC will usually forward the parties submissions to each other for comment. <p>Disciplinary matters generally take longer than consumer matters. Complaints involving disciplinary matters may take many months, even years to be finalised.</p> <p>If your complaint has been referred to the Law Society of NSW or NSW Bar Association to handle, the OLSC will monitor the investigations and receive regular updates about their progress.</p> <p>If the OLSC initiates proceedings in the Disciplinary Tribunal the</p>

	<p>matter will be listed for a directions hearing so that the Tribunal can make directions about preparation of the matter for hearing;</p> <p>Once the matter is ready for hearing, the Tribunal will hear the matter and make its determination.</p> <p>You can learn more about the Disciplinary Tribunal process here.</p>
<p>Withdrawing a complaint</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s273 & s273(2)</i></p>	<p>You can withdraw your complaint.</p> <p>Requests to withdraw a complaint should be made in writing to the OLSC, or the NSW Law Society or NSW Bar Association if they are handling your complaint.</p> <p>The OLSC, the NSW Law Society or NSW Bar Association may decide to still investigate the complaint even if you withdraw the complaint.</p>
<p>Additional information you need to know</p>	<p>It is always a good idea to keep a copy of your complaint and when and how you made it.</p> <p>The OLSC can organise an interpreter for you. You should book this through OLSC.</p>

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
<p>Internal review opportunities</p> <p><i>Legal Profession Uniform Law (NSW) 2014 s313</i></p>	<p>The OLSC may at its absolute discretion conduct an internal review of its decision if it considers it appropriate to do so.</p> <p>Requests for a review must be lodged within 30 days of receiving a decision on your complaint.</p> <p>If your complaint was referred by the OLSC to the Law Society of NSW or the NSW Bar Association to handle, in exceptional circumstances, the OLSC may review their decisions.</p> <p>Requests for a review must be in writing and should identify why you believe the decision or process was wrong.</p> <p>When conducting a review, the Commissioner will not reinvestigate the complaint. The role of the review is to examine:</p> <ul style="list-style-type: none"> • how the complaint was handled; • whether the decision was justified in light of the available evidence; and • whether the decision was adequately explained. <p>Following their review, the Commissioner may:</p> <ul style="list-style-type: none"> • Confirm the decision • Refer the matter to mediation • Re-investigate the complaint or direct the Law Society or Bar Association to do so • Caution or reprimand the solicitor or barrister

	<ul style="list-style-type: none"> • Make a compensation order • Institute proceedings in the Disciplinary Tribunal or direct that the Council do so. <p>There is no fee for seeking a review.</p> <p>On average, the review process takes about 4 months.</p>
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Step 9: Other bodies that handle complaints that may involve legal services:

Complaint body	Description
Australian Human Rights Commission	<p>The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of you ex, disability, race, age or sexual preference the AHRC may be able to help.</p> <p>There are also State Government discrimination complaint bodies who may also be able to assist.</p>
Office of the Australian Information Commissioner	<p>The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions that are made by Australian Government agencies and ministers.</p> <p>There are also State Government privacy and information complaint bodies who may also be able to assist.</p>
National Anti-Corruption Commission	<p>The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector.</p> <p>There are also a State Government corruption complaint bodies who may also be able to assist.</p>
Law Society of NSW	<p>The Law Society of New South Wales co-regulates the NSW legal profession with the OLSC and the Bar Association. The Law Society of NSW can receive and handle complaints about lawyers. However, the OLSC administers the complaint system, so any complaints about lawyers or law firms need to be directed to the OLSC in the first instance.</p> <p>The Law Society of NSW can also handle complaints about paralegals, law clerks and individuals who practise law without holding a practising certificate.</p>
Bar Association of NSW	<p>The Bar Association of New South Wales co-regulates the NSW legal profession with the OLSC and the Law Society of NSW. The Bar Association of NSW can receive and handle complaints about lawyers. However, the OLSC administers the complaint system, so any</p>

	complaints about lawyers or law firms need to be directed to the OLSC in the first instance.
Judicial Commission of NSW	The Judicial Commission can provide you with information and receive complaints about a current magistrate or judge of a NSW Court, the President of NCAT or a Commissioner of the Industrial Relations Commission. The Law Society of NSW and the Bar Association of NSW can act as co-regulators.
Federal Court of Australia	The Registrar of the Federal Court can provide you with information and handle complaints about court registry services. The Chief Justice of the Federal Court can deal with complaints about the conduct of a judge of the Federal Court.
Federal Circuit Court and Family Court	The Chief Executive Officer and Principal Registrar can provide you with information and handle complaints about court registry services. The Chief Justice of the Federal Court can deal with complaints about the conduct of a judge. The Court Children's Service can hear complaints about family consultants and conduct an assessment, but not while the matter is currently before a court.
Office of Migration Agents Registration Authority	Office of Migration Agents Registration Authority can provide you with information and handle complaints about a registered migration agent.
NSW Fair Trading	NSW Fair Trading can provide you with information and handle complaints about licensed conveyancers.

Need help to preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
OLSC	Website: www.olsc.nsw.gov.au Telephone: 9377 1800	The OLSC can provide you with information about the procedure for making a complaint about a solicitor or barrister and can help you to write your complaint if you need assistance.
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provide support to people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.

Self-help tools and additional resources

Resource	How this helps
OLSC website	The OLSC website contains lots of useful information about the complaints process and potential remedies including information about: <ul style="list-style-type: none"> • Factsheets on different areas of law and problem that might arise • Types of complaints • Making a complaint • The Complaint process • Inappropriate Personal Conduct • Disciplinary action
Where to make a complaint	A list of complaint services depending on your complaint type from the NSW Ombudsman.
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
How to make a complaint	Guidance on how to make a complaint
Law Society: Know Your Rights	Guidance for individuals who are uncertain about where to start when seeking legal advice.

