

Protocol for dealing with complaints

1. Any person can lodge a complaint, either with regard to unreasonable fees charged by a member of the Mpumalanga Bar or with regard to professional and/or ethical misconduct by such a member. All complaints will be investigated and dealt with in accordance with the protocol set out in the following paragraphs but no anonymous complaints or complaints under an alias will be entertained.

2. All complaints are to be lodged in writing with the Secretary of the Mpumalanga Bar. For the sake of convenience, the e-mail template provided on this web-page can be used for that purpose.

3. Upon receipt of a complaint, the Secretary:
 - 3.1 opens up a file with a unique reference number and registers the complaint;
 - 3.2 acknowledges receipt thereof to the complainant, providing him or her with the unique reference number;
 - 3.3 if the complaint is one concerning unreasonable fees, immediately transfer the file to the Convenor of the Committee for Fee Enquiries or, if the complaint is one concerning professional and/or ethical misconduct, immediately transfer the file to the Convenor of the Professional and Ethics Committee; and forwards a copy of the complaint to the member concerned, directing

him or her to reply thereto within ten (10) working days to the Convenor of the Committee concerned.

4. Upon receipt of the reply from the member or upon expiry of the time period for reply, the Convenor of the Committee concerned appoints a member of the Committee to investigate the complaint and submit a written report to the Committee within ten (10) working days.
5. The Committee concerned, upon receipt of such a written report, decides on the appropriate action to be taken, which action may be the taking of any one of the following steps:
 - 5.1 a rejection of the complaint;
 - 5.2 an informal reprimand of the member by the Convenor of the Committee concerned;
 - 5.3 a referral to the disciplinary Committee; or
 - 5.4 any other appropriate action.
6. The Convenor of the Committee concerned shall notify the Chairperson of the Bar Council, the Secretary, the complainant and the member concerned in writing of the outcome of each complaint.
7. The decision of the Committee shall be final.
8. The Mpumalanga Bar strives to deal with and finalise each complaint within sixty (60) days of the receipt thereof by the Secretary.