

# COLLAS CRILL COMPLAINTS PROCEDURE

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## 1. INTRODUCTION

- 1.1 Our aim is to give you a good service at all times. However, if you have a concern or complaint about any aspect of the service that you receive, the conduct of our partners or employees, or our fees and/or disbursements, you have a right to complain and should let us know as soon as possible.
- 1.2 Collas Crill is fully committed to ensuring that everyone is treated fairly, with respect and without discrimination based on race, gender, sexual orientation, disability, age, religion or belief.
- 1.3 As legal professionals, we are officially regulated in our respective jurisdictions by the Bermuda Bar Association, Virgin Islands General Legal Council, the Legal Services and Supervisory Authority in the Cayman Islands, the Guernsey Bar and the Law Society in Jersey (**Relevant Regulators**).
- 1.4 The Relevant Regulators usually request lawyers to investigate any complaints before they get involved. This is because many concerns can be dealt with successfully by good communication between lawyer and client at the outset of a problem.
- 1.5 We therefore kindly request that in the event you do wish to raise a concern or complaint, you follow our procedure as set out at section 2 below.
- 1.6 Unless otherwise defined in this document, the definitions in our [Terms and Conditions](#) apply.
- 1.7 This procedure is without prejudice to the jurisdiction of the courts over any dispute between a Client or former Client and us.

## 2. MAKING A COMPLAINT

- 2.1 It is important that you raise your concern as soon as possible after the date of the event or occurrence you want to complain about. This is:
  - (a) so that we can investigate promptly and effectively;
  - (b) in the interests of fairness to all those concerned; and
  - (c) in consideration that you may wish to escalate it to the Relevant Regulator in Guernsey or Jersey, which ask that complaints are received within a set time period (six months or one year respectively) and will only consider complaints outside that period in exceptional circumstances.
- 2.2 Concerns should initially be raised with the Supervising Partner responsible for the matter in question, or in the alternative the head of the department acting for you. The Supervising Partner will generally be identified in your Engagement Document, but if this is unclear please ask your direct point of contact. We would prefer to resolve the issues through open and honest direct contact wherever possible.
- 2.3 Should you still remain dissatisfied with any part of our service to you, you should raise it with one of the Managing Partners of Collas Crill. We have a Managing Partner in each jurisdiction as follows:
  - (a) **Bermuda:**  
Lilla Zuill  
[lilla.zuill@collascrill.com](mailto:lilla.zuill@collascrill.com)  
+1 441 405 1500  
Suite 505, Fifth Floor, Canon's Court, 22 Victoria Street, Hamilton HM 12, Bermuda  
<https://www.collascrill.com/people/team-members/lilla-zuill/>
  - (b) **BVI:**  
Ellie Crespi  
[ellie.crespi@collascrill.com](mailto:ellie.crespi@collascrill.com)  
+1 284 852 6335  
Collas Crill, 125 Main Street, P.O. Box 2241, Road Town, Tortola, British Virgin Islands  
[www.collascrill.com/people/team-members/ellie-crespi](https://www.collascrill.com/people/team-members/ellie-crespi)

(c) **Cayman:**

Gina Berry

[gina.berry@collascrill.com](mailto:gina.berry@collascrill.com)

+1 345 914 9654

Collas Crill, Floor 2, Willow House, Cricket Square, PO Box 709, Grand Cayman KY1-1107, Cayman Islands

<https://www.collascrill.com/people/team-members/gina-berry>

(d) **Guernsey:**

Gareth Bell

[gareth.bell@collascrill.com](mailto:gareth.bell@collascrill.com)

+44 (0) 1481 734214

Collas Crill, Gategny Court, PO Box 140, Gategny Esplanade, St Peter Port, Guernsey, GY1 4EW

[www.collascrill.com/people/team-members/gareth-bell](http://www.collascrill.com/people/team-members/gareth-bell)

(e) **Jersey:**

Pamela Doherty

[pamela.doherty@collascrill.com](mailto:pamela.doherty@collascrill.com)

+44 (0) 1534 601655

Collas Crill, Gaspé House, 66-72 Esplanade, St Helier, Jersey, JE1 4XD

[www.collascrill.com/people/team-members/pamela-doherty](http://www.collascrill.com/people/team-members/pamela-doherty)

- 2.4 In the event that your complaint relates to a local Managing Partner, you can complain to Jason Romer, the Group Managing Partner, as follows:

[jason.romer@collascrill.com](mailto:jason.romer@collascrill.com)

+44 (0) 1534 601696

[www.collascrill.com/people/team-members/jason-romer](http://www.collascrill.com/people/team-members/jason-romer)

- 2.5 We prefer to receive complaints in writing through the complaint form available for download at [www.collascrill.com/terms](http://www.collascrill.com/terms) or by request through the contact details at the end of this procedure (**Complaint Form**). This will prompt you to include all the details to help us resolve your complaint. When using the Complaint Form, please ensure that you use the space provided to explain as clearly and precisely as you can the nature of your complaint. We ask that this be returned to us within five Business Days of the date which it was sent to you.
- 2.6 You may submit your complaint via another medium if you are unable to use the form, but we ask that you indicate as clearly as possible that your communication is a complaint.
- 2.7 By making a complaint to Collas Crill in accordance with this procedure you are agreeing to the investigation of your complaint in accordance with this procedure.
- 2.8 If you require assistance in making your complaint, please let us know, and we will make reasonable accommodations to support you.

### 3. INVESTIGATION PROCEDURE

- 3.1 Once a complaint is received, receipt will be acknowledged by the firm within two Business Days.
- 3.2 In the event of an initial complaint, the Supervising Partner will write to you with their response within five Business Days of receipt or an explanation of why more time is needed to formulate a response.
- 3.3 If you are escalating your complaint to a Managing Partner, they will:
- (a) write to you within five Business Days of receipt to let you know that they have been notified of the complaint;
  - (b) carry out a proper investigation of the circumstances leading to your complaint and report promptly and within 30 Business Days of Collas Crill having received it, or if delayed, they will explain the reason and inform you of a new date for completion of the investigation; and
  - (c) in their report set out:
    - (i) the nature and scope of the investigation;
    - (ii) the conclusion reached on each matter of complaint and the reason for that conclusion; and
    - (iii) if your complaint has been found to be justified, proposals for resolving it.

- 3.4 We may need to disclose the fact of your complaint, and the details of it to:
- (a) the person or persons about whom you have complained;
  - (b) any Employees we feel can assist in any investigation of the relevant facts to your complaint;
  - (c) our professional indemnity insurers; or
  - (d) the Relevant Regulator.
- 3.5 However, we will not disclose the fact of your complaint or details of it to anyone outside the law firm unless we decide that it is necessary to do so in the interests of a full and fair investigation or if we otherwise feel obliged to do so.
- 3.6 The Managing Partner's report will be sent to you, to the Supervising Partner in charge of the complaint, and to the person you complained about.
- 3.7 All persons to whom your complaint is disclosed pursuant to the above will be required to keep the fact of your complaint and the details of it, and all conversations and documents relating to it, confidential.
- 3.8 Should you be unhappy with the outcome of a complaint made to us you may, to the extent applicable, take your complaint to a Relevant Regulator.

#### 4. ESCALATION TO THE RELEVANT REGULATOR

- 4.1 The Relevant Regulator will only proceed to its disciplinary process if the complaint relates to professional misconduct, however it will endeavour to establish a way forward or resolution where it considers the complaint falls outside this scope.
- 4.2 Professional misconduct is when a legal practitioner has broken the rules set out in the respective Barristers' Code of Professional Conduct 1981 (Bermuda), BVI Code of Ethics, the Code of Conduct for Cayman Islands Attorneys-at-Law, the Rules of Professional Conduct of the Guernsey Advocate, the Law Society of Jersey Code of Conduct, and any laws, rules or regulations (including any amendments that have been made to such laws, rules and regulations) which govern locally-qualified lawyers in Bermuda, BVI, Cayman, Guernsey and Jersey (**Relevant Rules**).
- 4.3 Please note that where a lawyer in the firm is qualified somewhere other than the Relevant Jurisdiction, they operate under the supervision of a locally-qualified lawyer who is responsible for their compliance with the Relevant Rules. It may therefore be the case that the Relevant Regulator cannot uphold a complaint against a non-locally qualified individual but does proceed to investigate the relevant locally-qualified supervisor. You may also potentially have a recourse to a regulator in another jurisdiction if the non-locally qualified lawyer continues to be regulated there.

##### *Bermuda*

- 4.4 The Barristers Code of Professional Conduct 1981 and related legislation can be found on [the website of the Bermuda Bar Association](#).
- 4.5 The procedure for making a complaint can also be found [on the Bermuda Bar Association website](#). Complaints should be made in writing to the Bermuda Bar Council, the governing body of the Association, addressed to the Executive Secretary, Bermuda Bar Association, P. O. Box HM 125. Hamilton HM AX. Bermuda

##### *BVI*

- 4.6 The BVI Code of Ethics can be found at Schedule 4 of [the Legal Profession Act, 2020 Revision \(BVI Act\)](#).
- 4.7 The forms to be submitted when making a complaint and details of any disciplinary hearing that may be held by the Disciplinary Tribunal in accordance with the Legal Profession (Disciplinary Proceedings) Rules, 2015, are appended to the BVI Act at Schedule 6.
- 4.8 Please contact the BVI Bar Association at [info@bvibar.org](mailto:info@bvibar.org) for details on how to submit a complaint.

##### *Cayman*

- 4.9 The Code of Conduct for Cayman Islands Attorneys-at-Law can be found on [the website of the Cayman Islands Legal Practitioners Association](#).
- 4.10 Complaints to the Relevant Regulator should be submitted as described on [the Legal Services Council website](#).

##### *Guernsey*

- 4.11 The Rules of Professional Conduct of the Guernsey Advocate are published on [the website of the Guernsey Bar](#), along with a complaint form and details of the complaints procedure.

**4.12** 4.12 Complaints should be sent to the Bâtonnier by email to [batonnier@ogier.com](mailto:batonnier@ogier.com) or to the following address:

Bâtonnier  
Advocate Marcus Leese  
Ogier (Guernsey) LLP  
Redwood House  
St Julian's Avenue  
St Peter Port  
Guernsey  
GY1 1WA

#### *Jersey*

**4.13** The Law Society of Jersey's Code of Conduct is published [on their website](#) or available on request.

**4.14** A complaint form and a fee adjudication request form (in the case of a complaint about legal fees) can also be found [on their website](#), along with details of the complaints procedure. Complaints should be sent to [manager@jerseylawsociety.je](mailto:manager@jerseylawsociety.je), marked for the attention of the Chief Executive Officer or to the following address:

Chief Executive Officer  
The Law Society of Jersey  
P.O. Box 493  
St Helier  
Jersey  
JE4 5SZ

## **5. FOR MORE INFORMATION, PLEASE CONTACT:**

Collas Crill Bermuda // Suite 505, Fifth Floor, Canon's Court, 22 Victoria Street, Hamilton HM 12, Bermuda  
T: +1 441 405 1500 E: [enquiries.bermuda@collascrill.com](mailto:enquiries.bermuda@collascrill.com)

Collas Crill BVI // 125 Main Street, P.O. Box 2241, Road Town, Tortola, British Virgin Islands  
T: +1 284 852 6300 E: [bvi@collascrill.com](mailto:bvi@collascrill.com)

Collas Crill Cayman // Floor 2, Willow House, Cricket Square, PO Box 709, Grand Cayman KY1-1107, Cayman Islands  
T: +1 345 949 4544 E: [cayman@collascrill.com](mailto:cayman@collascrill.com)

Collas Crill Guernsey // Gategny Court, PO Box 140, Gategny Esplanade, St Peter Port, Guernsey, GY1 4EW  
T: +44 (0) 1481 723191 E: [guernsey@collascrill.com](mailto:guernsey@collascrill.com)

Collas Crill Jersey // Gaspé House, 66-72 Esplanade, St Helier, Jersey, JE1 4XD  
T: +44 (0) 1534 601700 E: [jersey@collascrill.com](mailto:jersey@collascrill.com).