



NALP GRIEVANCE PROCEDURE AND DISCIPLINARY RULES

1. (a). Any complaint against a refusal by the NALP to grant or renew a Membership or Licence shall be made in writing or emailed to NALP within ten days of being notified of such refusal and shall summarise the facts upon which such complaint is made.

(b) Such complaint will be referred to the Appeal Panel or Disciplinary Panel (depending on the reason for refusal), who will decide the matter on the facts submitted or will seek further evidence if required. Their decision shall be final unless the complainant seeks to address the Panel in person.

2. Any allegation or complaint or allegation of improper conduct against any Member or Licensed Paralegal (herein referred to as 'the Respondent') by any person must be made in writing or emailed and must specify the complaint or allegation and summarise the facts which are to be relied upon to support it.

3. (a) A copy of such complaint or allegation will be served by NALP on the Respondent forthwith and in any event not more than 7 days of the receipt of the same.

(b) The Respondent will respond to such complaint or allegation, in writing, or by email within 7 days of the date of posting or receipt of email of the same and summarise the facts which are relied upon to dispute it.

(c) A copy of the response and supporting facts will be sent to the complainant who will either:

(i) accept the same and withdraw the allegation or complaint

(ii) require the allegation or complaint to be referred to the Disciplinary Panel for adjudication

(d) If paragraph 3 (c) (ii) applies NALP must refer the matter to the Disciplinary Panel in writing, stating that it is made under this rule, and setting out the complaint or allegation and a summary of any additional facts relied on to support it. A copy of the reference must be served on the Respondent

4. On such a reference, the Panel must hold a hearing to determine the allegation as soon as is practical and NALP will notify the parties of the date, time and venue of their hearing of determination.

5. (a) The allegations or complaint may be made before the Panel at the hearing by the complainant in person or his representative, or at the complainant's request, on paper.

(b) The respondent may reply to the allegation or complaint at the hearing in person or by a representative of his choosing, or if the complainant has requested a determination on paper then the Respondent may respond on paper.

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c) If the Respondent requests a determination on paper and the Panel on considering the complaint or allegation feels that the Respondent should respond in person, then the hearing will be adjourned for this purpose and all parties notified of the new hearing date, time and venue.

6. (a) Either party may appeal against the decision of the Disciplinary Panel by giving Notice in Writing to NALP within one calendar month of the date that the Panel's decision was posted setting out the grounds for such appeal

(b) On receipt of such Notice NALP will, forthwith, send a copy to the other party and to the Disciplinary Appeal Panel

7. Any such appeal shall not be by way of a full rehearing and the evidence which may be considered is limited to documents showing or recording the evidence which was before the Disciplinary Panel at the time of the decision which is the subject of the appeal and which relate to the grounds of the appeal, and fresh evidence may only be considered if the Disciplinary Appeals Panel are satisfied that it could not previously have been obtained with reasonable diligence, and further that if it had been before the Panel it would have had an important influence upon the determination of the matter.

8. Service or notification under these Rules will be effected by ordinary first class post and be deemed to be delivered on the second working day following the date of posting.

9. The Disciplinary Panel or the Disciplinary Appeals panel may make one or more of the following decisions:

(a) Dismissal of the complaint or appeal.

(b) On the upholding of the complaint:

(i) A reprimand.

(ii) A severe reprimand

(iii) A fine

(iv) A suspension of a Licence or Membership for a specified period of time

(iv) Revocation of a Licence or Membership or refusal to renew a Licence or Membership.

(v) An increase or decrease of penalty on appeal.

10. If a fine is imposed and not paid by the Respondent within a time stipulated by NALP then the Respondent's Licence will be revoked.

NALP has the power to add to, delete, change or amend any rule and any such alteration will come into effect on the publication of such alteration to the Member.

Any infringement of the Code of Conduct can result in disciplinary action