

Cloisters Direct FAQ's

Why would I use Cloisters Direct?

By not involving a solicitor you should save costs. You go direct to the person who will advise you about your case and will provide the representation at court or tribunal. Barristers tend to have lower overheads than solicitors and are normally cheaper when compared to solicitors of similar experience and reputation. Only the barrister you instruct will do your case and you will not be advised or have your work done by cheaper or more junior lawyers. However there are limits to what can be done, and this will be explained to you.

But why Cloisters Direct and not another Barrister?

Cloisters Direct barristers all belong to Cloisters Chambers. Cloisters is, according to Independent Directories a leading set of Chambers. Many of our members are considered leaders in their fields of work. You can have a look at what independent reviewers (Directories) say about us on the Legal 500 and the Chambers & Partners websites.

How do I contact Cloisters Direct?

Please use our contact form on the website.

What cases are suitable for Cloisters Direct?

Any case involving employment or commercial issues can be suitable for public access. It is particularly suitable for the comparatively informal litigation in tribunals and representation at mediation.

Can companies use Cloisters Direct?

Yes. This can be very cost effective and efficient for companies. It particularly suits those companies with HR Departments which provide an ideal interface with the barrister.

What cases are not suitable for Cloisters Direct?

Some, but not all, cases in the High Court might require the more formal conduct of litigation provided by a solicitor being involved. Other cases involving many people or cases which are very complex may mean that a barrister will recommend that you need a solicitor. Any barrister would want to be sure that you could cope with the formal parts of the process which the barrister can't do and also that you were able to ensure that the barrister had all the information which they needed. The barrister will make a decision as to whether your case is one which he or she thinks can be done on public access. There may be cases where the barrister thinks that they can help you up to a point but that you may have to use a solicitor in the future. If that is the case the barrister will try and tell you the stage at which your case is likely to become unsuitable for public access. Even in cases where a solicitor should be retained for part of the role then you may find that using Cloisters Direct and a solicitor in complementary roles is both cost effective and efficient.

How do you charge and how much will it cost?

This depends on the size and complexity of the case and the experience of the person that you want to deal with your case. Where possible we shall aim to give you costs estimates and inclusive fees for a piece of work so that you know precisely what it will cost. Normally we can give you fixed fees for the trials themselves subject to knowing how many days they will be and how many pages of documents are involved.

Which Cloisters Direct barrister should I use?

The decision is yours but our clerks can guide you and help you. Your choice will depend on a number of facts such as the value of your case, the importance of the case and your budget. Barristers have different levels of experience, reputation and cost. Barristers at Cloisters Direct fall into 3 main categories: 1. Juniors. The most cost effective barristers can be those below 10 years qualification. All will have practised for more than 3 years and be experienced in litigation and representation. This level of barrister offers a client the lowest cost option. 2. Senior Juniors. The next level of barrister with 10 or more year's experience. By reason of their greater experience and reputation they cost more. 3. Queen's Counsels. This group of barristers are often referred to as QCs or Silks. They have been appointed by the Queen because they have demonstrated outstanding ability in advocacy and the law. As they are more expensive it can often make sense to employ a Junior or Senior Junior with a QC so that some of the work can be completed more cheaply before the trial. You do not have to pay them both to go to Court. Our QCs are used to working in teams and will delegate work in order to provide the most cost effective solution. We will always look to offer you the best value that we can and see if an inclusive capped fee approach is possible.

How do I know what we have agreed?

Our barrister will draw up an agreement for you to sign. This will contain a description of the work that the barrister is going to do, the work that s/he cannot do, the limits of what s/he do and the cost to you. The barrister can't do any work for you until you sign and return this agreement. As the case goes along and you want different bits of work done the barrister may make new agreements to cover each stage of work.

What does Cloisters Direct need from me?

On the contact form we need you to fill out 1. Your name, address and other contact details; 2. A short description of the reason why you want to see a barrister. You just need to set out a short description of the problem and what solution you would like to get. 3. When the problem started, how quickly you need the advice and any dates of trials or hearings which you know about which you would like the barrister to attend.

What happens next?

A barrister from Cloisters Direct can get to work on your case as soon as they have the papers. Sometimes, however, the barrister will need to have a pre-meeting with you before they agree to take the whole case. A charge and a letter of agreement are normally made even for a pre-meeting but in some exceptional cases a barrister may decide to make no charge for a pre-meeting.

Can you negotiate with the other side to settle the dispute for me?

Yes. We can write letters to the other side on our own formal letter head for the purposes of a negotiation and speak to them and negotiate on your behalf. The early involvement of a barrister can send a message to the other side that you are ready to go to court as you have a barrister; that can be useful in telling them how serious you are about taking action.

How can you help me with experts?

We can't instruct experts but we can help explain the process to you, advise you as to the expert and write the letter for you to send to the expert.

How can you help me with witness statements?

We can't take a statement from a witness and then appear for you as the Barrister in the case unless we reasonably believe that the investigation and collection of that evidence is unlikely to be challenged.

We can, however, explain to you the evidence that is required from the witness and then have you take a statement from the witness which we can put into the form of a witness statement. Alternatively another Barrister can be instructed to deal with this part of the process if necessary.

What can't Cloisters Direct do?

We can't send letters directly to the other side conducting the litigation but we can write letters for you to send. We can't issue proceedings, applications, notices of appeal or similar documents. We can't formally serve documents or accept their service. This falls into the technical meaning of "conducting litigation" which only a solicitor or you can do. We also can't handle any money or conduct your affairs. You need a solicitor to do this.

Are you insured?

Yes, every Cloisters Direct barrister carries compulsory insurance.

Are you regulated?

Yes, every Cloisters Direct barrister is regulated by the Bar Standards Board which enforces standards across all barristers.

If I am unhappy with any part of the service what can I do?

Firstly we always try to resolve any complaint informally and to address it before it has arisen. However, if that is unsuccessful Cloisters has a formal internal complaints procedure which is designed to address your complaint as quickly as possible. Please contact the clerks so that we can try and resolve the issue immediately. If our internal procedure does not address your complaint to your satisfaction then you may refer your complaint to either or both of The Complaints Department, Bar Standards Board, 289-293 High Holborn, London, WC1V 7HZ and / or The Legal Services Ombudsman, PO Box 15870, Tamworth, B77 9LE.