

Reporting a solicitor or firm to us

Updated 29 November 2023

Our rules aim to uphold high professional standards. We insist that solicitors and firms in England and Wales report serious breaches of our rules to us. But we also need the public, clients and others to let us know when things go wrong in a way that breaches our rules.

If you're thinking about reporting a solicitor or firm to us, there are some things you need to know. Please take the time to read this guidance before reporting your concerns. It will help you make sure that you're contacting the right organisation. And it will let you make sure your concerns are something we're able to help with.

Open all [#]

What we do

If you report a firm or solicitor to us, we check if there is a serious breach of our rules that we need to investigate. We don't investigate all the reports we receive. If we decide to investigate, we collect and review evidence. If we decide we don't need to investigate, we'll clearly explain the reasons to you.

What we investigate

We investigate serious or repeated cases of poor behaviour or conduct. Types of things we usually investigate are set out below. It's a list of examples. It's not a list of everything we investigate.

- Dishonesty or fraud
- Misuse of client money
- Sexual or violent misconduct
- Serious criminal offences
- Misleading the court or others (for example, about what has been done on a case or about the evidence)
- Taking unfair advantage of you or others (For example, a solicitor persuades someone who doesn't have a legal adviser to sign an unfair settlement agreement, letting them think that it is in their interests and that they don't need independent legal advice.)
- Discriminating against you or others
- Serious concerns about the solvency of a firm (ie, employees have not been paid)

- Failing to act in the best of interests of a client, including the firm/solicitor acting for another client whose interests conflict or putting their own interests first
- Failing to take steps needed to safeguard against money laundering
- Seriously reckless or incompetent behaviour or a pattern of behaviour that puts you (as a client), your money or your case at risk

Each case is different and depends on its own facts and circumstances.

How we decide if a breach of our rules is serious

To decide if we need to investigate the reports we receive, we apply an assessment threshold test [<https://www.sra.org.uk/solicitors/guidance/investigations-decisions-investigate-concerns/>] .

As well as looking at the type of issue reported, we may look at:

- the motivation behind the solicitor's or firm's actions
- whether the solicitor's or firm's actions went on for some time or were repeated
- whether the firm or solicitor gained any benefit or advantage
- whether the solicitor or firm was dealing with a vulnerable person.

Evidence

We'll also look at how strong the evidence we have is and how much more evidence we may be able to get by investigating.

In order to take regulatory action, we need to be able to prove that the alleged facts are more likely to have occurred than not and that the concerns they raise are serious.

As a result, we may decide not to investigate if the evidence we have doesn't support the reported concerns and if we don't think we'll be able to get evidence that does support them. This might be the case, for example, if:

- a key witness won't help with our investigation
- we can't get evidence because the report is about events that happened a long time ago
- we wouldn't be able to contradict a likely reasonable explanation by the firm or solicitor for what they did.

What we don't investigate and who can help instead

Poor service from a firm or solicitor

We don't usually investigate

- concerns about delays or communication
- disagreements about your bill
- isolated mistakes by your solicitor.

We can't make a solicitor say sorry to you or pay compensation to you. If these are outcomes you are looking for, first raise your concerns with the solicitor or their firm. And, if you aren't happy with their response, the Legal Ombudsman [<https://www.legalombudsman.org.uk/>] is the organisation that is best placed to help you.

The Legal Ombudsman can look at your complaint, investigate it and recommend that the firm:

- pay you compensation
- reduce your bill
- give you an apology
- take other steps to put things right.

Data protection breaches

We do expect solicitors to keep their clients' information confidential. But data protection breaches such as accidentally sending an email or letter to the wrong address are usually best reported to the Information Commissioner's Office [<https://ico.org.uk/>] rather than to us.

Matters already before the court

If a solicitor's or a firm's conduct has been criticised by the court, or if a solicitor has failed to comply with a final order or decision of the court, we normally investigate.

But we don't usually investigate solicitors for not complying with court directions in ongoing legal cases, as the court is likely to deal with this as part of the proceedings.

Things we can't help with

- We can't take action against people or firms we don't regulate. We don't regulate every person and firm who offers legal services in England and



Wales. You can check if we regulate a person or the firm where they work by searching our Solicitors Register [<https://www.sra.org.uk/consumers/register/>] .

- We can't intervene in legal disagreements with others, including disputes about fees, debts, wills, employment matters, divorces, eviction cases or family matters.
- We can't tell a solicitor to take specific steps in your legal case or to stop taking steps in your case.
- We don't have the power to make a solicitor or firm say sorry to you, pay compensation to you for a mistake or to put things right in other ways. If the solicitor or firm you're unhappy with has acted for you, the Legal Ombudsman may be able to help you.
- We can't provide legal advice, such as advice about whether your solicitor has been negligent.
- In most cases, we can't give you documents that a solicitor or firm has given us during our investigation, for you to use in a legal claim against them, for example.

You may wish to think about getting legal advice from another source. To find a solicitor in your local area, the Law Society's Find a solicitor [<https://solicitors.lawsociety.org.uk/>] website is likely to be helpful. Or you can learn about people who provide legal advice at little or no cost [<https://www.sra.org.uk/consumers/instructing/costs-legal-aid/>] .

Action we can take against a firm or solicitor

After investigating, the type of action we can take includes:

- giving advice to a solicitor or firm
- warning a solicitor or firm about their professional conduct
- putting conditions on a solicitor's licence to practise (known as a practising certificate), to make them do certain things (eg complete further training) or to stop them from carrying out certain activities or holding certain roles in a firm
- fining a solicitor or firm
- rebuking a solicitor or firm
- referring a solicitor or firm to the Solicitors Disciplinary Tribunal (SDT) (In a few, very serious cases, the SDT may suspend or strike off a solicitor from the roll. This means they can no longer work as a solicitor in England and Wales.)
- in very serious cases, closing down a firm to protect clients and client money. (This may happen at any time in the investigation process.)

Who can make a report

Anyone can report concerns about a solicitor or a firm. This includes members of the public, clients, employees and employers, as well as other regulators.

Time limits for raising a concern

There is no time limit for reporting concerns. But it's a good idea to report your concerns as soon as possible. This will increase the chances of getting evidence to support your concerns.

If the events you report to us took place a long time ago, we may decide that it's not proportionate to investigate the matters now, particularly if they are borderline and we have not received other complaints in the meantime.

How long we take to assess concerns and decide whether to investigate

We'll decide whether to investigate by looking at the information you send us and any other related information we hold. We may ask you or the firm for more information to help us decide whether to investigate or not.

We'll acknowledge receipt of your report, saying when we'll contact you next. It can take us up to eight weeks to decide whether to investigate or not. We'll let you know if we need any longer and explain why.

If we identify urgent problems, we'll respond more quickly. For example, we'll prioritise reports that a solicitor has stolen money, a sole practitioner has died or a firm has been infiltrated by a fraudster.

Learn more about how we investigate your concerns

[<https://www.sra.org.uk/consumers/problems/report-solicitor/investigating-concerns/>]

Explaining our decision to you

If we decide to investigate the concerns you report to us, we'll write to you to explain the next steps in our process.

If we decide not to investigate, we'll write to you to explain how we reached our decision. We won't be able to answer queries about the facts, as we won't have investigated.

If we can't help, we'll aim to suggest other sources of help.

How to make a report to us

If you think a solicitor or firm might have breached our rules, you should report your concerns to us.

Before you give us your report, please read our guidance about what we can and can't help with [headingthree] .

Download, complete and return a form

The quickest, easiest way for most people to report concerns is to download, complete and return our report form.

Complete our report form

Report form (DOC, 5 pages, 101KB)

[<https://www.sra.org.uk/globalassets/documents/consumers/report-solicitor-form.docx?version=48f47a>]

Speak to an adviser

If you have a disability and need help to report your concerns, please contact us [<https://www.sra.org.uk/home/contact-us/>]

To ask for a printed copy of our report form to complete and return, please contact us [<https://www.sra.org.uk/home/contact-us/>]

Information we'll need

When you report concerns, it's important for you to send us everything from the list below as early as possible. This will help us to decide if we can investigate.

We'll need:

- the solicitor's or firm's name and work address
- why you think a solicitor or firm may have breached our rules, including the date(s) when the event(s) took place
- copies of documents – such as letters, emails, bank statements or court documents – that show the actions and events you are concerned about
- the names and addresses of anyone else who witnessed or was involved in the events
- the outcome and a copy of any decision or outcome if you have already contacted another organisation about the matter
- your contact details.

We won't need:

- you to tell us which rules of conduct you think the solicitor or firm breached
- your whole case file or every document you have about the case. (Please send us only copies of documents that you think show the solicitor or firm did something wrong.)

We'll decide if we need to investigate based on the information you give us. We may need to ask you or the solicitor or firm for more information to help us decide whether to investigate.

How we use your information

If we decide to investigate, we're likely to share details of your concern with:

- the solicitor(s) concerned
- their firm
- other regulators or organisations that could help our investigation
- any independent expert we use.

We'll need to use your information to investigate your concerns. If you don't want us to use your information to investigate, let us know why. We may still use your information in the interests of protecting the public, but we'll let you know before we do.