

SRA Regulatory and Disciplinary Procedure Rules

[<https://www.sra.org.uk/solicitors/standards-regulations/regulatory-disciplinary-procedure-rules/?docId=1187530434>]

Introduction

These rules set out how we investigate and take disciplinary and regulatory action, for breaches of our rules and regulatory requirements. They apply to solicitors, RELs, and RFLs as well as the firms we authorise and those who work for them.

The sanctions and controls we can impose as a result of our investigation will depend on the scope of our statutory powers and will be determined in accordance with our Enforcement Strategy [<https://www.sra.org.uk/sra/strategy/sub-strategies/sra-enforcement-strategy.page>] .

This introduction does not form part of the SRA Regulatory and Disciplinary Procedure Rules.

SRA Regulatory and Disciplinary Procedure Rules

Rule 1: Assessing reports

- 1.1** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] shall assess any allegation which comes to, or is brought to, its attention in respect of a relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to decide if it should be considered under rule 3.
- 1.2** A matter is an allegation in respect of a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] for the purpose of these rules if it raises a question that the person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] :
 - (a)** is a solicitor [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#solicitor>] , an REL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#REL>] RFL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#RFL>] and has committed professional misconduct;
 - (b)** has committed or is responsible for a serious breach of regulatory obligation placed on them by the SRA's [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] regulatory arrangements [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#regulatory>]



regulations/glossary/#regulatory-arrangements] , section 56 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, section 58 of the Criminal Justice and Courts Act 2015, section 6 of the Civil Liability Act 2018, the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017, the Financial Guidance and Claims Act 2018 or any equivalent legislative requirements that may succeed the same;

- (c) is a manager [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#manager>] or employee of an authorised body [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-body>] and is responsible for a serious breach by the body of any regulatory obligation placed on it by the SRA's [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] regulatory arrangements [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#regulatory-arrangements>] ;
- (d) is not a solicitor [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#solicitor>] and has been convicted of a criminal offence, or been involved in conduct related to provision of legal services, of a nature that indicates it would be undesirable for them to be involved in legal practice;
- (e) in relation to a licensed body [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#licensed-body>] , has committed or substantially contributed to a serious breach of any regulatory obligation of a nature that indicates it is undesirable for them to carry out activities HOLP [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#HOLP>] , HOFA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#HOFA>] , manager [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#manager>] or employee of an authorised body [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-body>] ;
- (f) has otherwise engaged in conduct that indicates they should be made subject to a decision under rule 3.1.

Rule 2: The investigation process

2.1 The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may carry out such investigations, and in doing so may exercise any of its investigative powers, as it considers appropriate:

- (a) to identify whether a matter comprises an allegation under rule 1.2, or



- (b) to the consideration of an allegation under rule 3.

2.2 As soon as reasonably practicable after commencing an investigation under rule 2.1(b), the SRA

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] will inform the relevant person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] accordingly and their employer, unless and to the extent that it considers that it would not be in the public interest to do so.

2.3 Before making a decision under rule 3, the SRA

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>]

shall give notice to the relevant person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] :

- (a) setting out the allegation and the facts in support;
- (b) summarising any regulatory or other history relating to the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] , or any associated person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] which is relevant to the allegation, including the question of propensity;
- (c) where appropriate, making a recommendation as to the decision to be made under rule 3, regarding publication under rule 9, and costs under rule 10; and
- (d) accompanied by any evidence or documentation that the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] considers to be relevant to the allegation, and

inviting the person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to respond with written representations within such period as the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may specify (which must be no less than 14 days from the date of the notice).

2.4 At any stage, an authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to take no further action in respect of an allegation and to close the matter. If so, the authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to issue advice to the relevant person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] ,



or a warning regarding their future conduct or behaviour, but it must give notice under rule 2.3 before doing so.

- 2.5** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may dispense with the giving of notice under rule 2.3 or 2.4 where:

- (a) it intends to include a further allegation in a matter already subject to an application or ongoing proceedings before Tribunal [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Tribunal>] ;
- (b) it intends to make an application to the Tribunal [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Tribunal>] in a case in which it is exercising its powers of intervention [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#intervention>] as a matter of urgency; or
- (c) it is otherwise in the public interest to do so.

- 2.6** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] must inform the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] , their employer (where they were informed of the investigation under rule 2.2) and, where practicable, any person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] who reported the allegation to the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] , of any decision to close a matter under rule 2.4, together with reasons.

- 2.7** At any stage the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may decide to exercise its powers of intervention [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#intervention>] or to take action in relation to the approval of a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] or the holding of an interest in accordance with rule 13.8 or 13.9 of the SRA Authorisation of Firms Rules or Schedule 13 to the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>] .

Rule 3: Consideration by authorised decision makers

- 3.1** On finding that an allegation is proved (save for subparagraph (g)), an authorised decision maker [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide as appropriate in respect of a relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to:



- (a) give a written rebuke, in accordance with section 44D(2) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>] or paragraph 14B(2)(a), Schedule the AJA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#AJA>] ;
- (b) subject to rule 3.6, direct the payment of a financial pen in accordance with section 44D(2)(b) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>] paragraph 14B(2)(b) of Schedule 2 to the AJA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#AJA>] section 95 of the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>] , together with the amount of any penalty;
- (c) disqualify a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] from acting as a HOLP [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#HOLP>] or as a HOFA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#HOFA>] , manager [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#manager>] or employee of a body licensed under the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>] in accordance with section 99 of the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>];
- (d) make an order to control the person's [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] activities in connection with legal practice, in accordance with section 43(2) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>];
- (e) impose a condition on the practising certificate of a solicitor [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#solicitor>] or the registration of an REL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#REL>] or the authorisation of a body for period as may be specified, in accordance with section 13A(1) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>] , paragraph 2A(1) of Schedule 14 to the Courts and Legal Services Act 1990, section 9(2G) of the AJA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#AJA>] or section 85 of the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>] or regulation 19 of The European Communities (Lawyer's Practice) Regulations 2000;



- (f) revoke or suspend authorisation to practise under the SRA Authorisation of Firms Rules;
- (g) make an application to the Tribunal
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Trib>]
under section 47 of the SA
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>]
the allegation to be considered;
- (h) where the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] does not hold sufficient evidence requirements made under rule 11.1 (b) were complied with, to direct the payment of a fixed financial penalty in the prescribed sum in accordance with section 44D(2)(b) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>] paragraph 14B(2)(b) of Schedule 2 to the AJA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#AJA>] section 95 of the LSA. [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>]

3.2 At any stage, an authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>]

may:

- (a) pending a final decision under rule 3.1 or by the Tribunal [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Trib>] impose interim conditions on the practising certificate of a solicitor [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#solicitor>], the registration of an REL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#REL>] or RFL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#RFL>] or the authorisation of a body, where satisfied it is necessary for the protection of the public or the public interest to do so; or
- (b) following an application to the Tribunal [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Trib>] under section 47 of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>] in circumstances in which the solicitor [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#solicitor>] is an REL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#REL>] or RFL [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#RFL>] or has been convicted of an indictable offence or an offence involving dishonesty or deception, suspend or continue suspension of their practising certificate or registration in



accordance with section 13B of the SA

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>]

3.3 As soon as reasonably practicable, the SRA

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>]

shall give notice to the relevant person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]

of any decision made under this rule, together with reasons, and will inform the person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]

of any right they may have to apply for a review or appeal of the decision.

3.4 A decision is made on the date notice of it is given under rule 3.3.

3.5 Conditions imposed under rule 3.2(a) shall take effect immediately or on such other date as may be specified by the authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] .

3.6 A decision under Rule 3.1(b) to direct the payment of a financial penalty (other than by agreement with the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]) must be made by an adjudicator, or where the amount of the penalty is within Band D of the SRA's [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] guidance on its approach to financial penalties, by an adjudication panel.

Rule 4: Decisions to impose a financial penalty

4.1 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to direct the payment of a financial penalty under rule 3.1(b), where this is appropriate to:

- (a) remove any financial or other benefit arising from the conduct;
- (b) maintain professional standards; or
- (c) uphold public confidence in the solicitors
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#soli>]
profession and in legal services provided by authorised persons [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-person>] .

4.2 Where the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] recommends the imposition of a financial penalty on a relevant person



[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] ,
it may, by notice, require the person
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]
to provide a statement as to their financial means which
includes a statement of truth, within such period as the SRA
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>]
may specify (which must be no less than 14 days from the
date of the notice).

4.3 Where an authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] has directed a
person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to pay a financial penalty:

- (a) such penalty shall be paid within a time and in the manner prescribed [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#prescribed>] ;
- (b) the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may direct that the payment of all or part of the penalty be suspended on such terms as prescribed [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#prescribed>] .

Rule 5: Decisions to disqualify a person

5.1 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to
disqualify a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] under rule 3.1(c) only where they
are satisfied that it is undesirable for the person
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]
to engage in the relevant activity or activities.

Rule 6: Applications to the tribunal

6.1 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to make
an application to the Tribunal
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Tribunal>]
in respect of a firm or an individual under rule 3.1(g) only
where they are satisfied that:

- (a) there is a realistic prospect of the Tribunal
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Tribunal>]
making an order in respect of the allegation; and
- (b) it is in the public interest to make the application.



6.2 Where an authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] has made an application to the Tribunal [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Tribunal>] , the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may carry out such further investigations, and in doing so may exercise any of its investigative powers, as it considers appropriate.

Rule 7: Applications for termination of certain orders

7.1 Where a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] has been:

- (a) disqualified from acting as a HOLP [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#HOLP>] , or a manager [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#manager>] or employee of a body licensed under the LSA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#LSA>]
- (b) made subject by the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] an order under section 43(2) of the SA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SA>]
- (c) made subject by the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] an order suspending their practising certificate or register in the register of European lawyers [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#register-of-European-lawyers>] or the register of foreign lawyers [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#register-of-foreign-lawyers>] ,

where there has been a material change in circumstances, the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] may apply to the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] seeking a decision that the disqualification or order should cease to be in force.

7.2 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide that a disqualification should cease to be in force if they are satisfied that it is no longer undesirable for the disqualified person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]



[regulations/glossary/#person](#)] to engage in the relevant activity or activities.

Rule 8: Evidential and procedural matters

- 8.1** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may vary the procedure set out in these rules where it considers that it is in the interests of justice, or in the overriding public interest, to do so.
- 8.2** A decision under rule 3 may be made by agreement between the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] and the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] .
- 8.3** Before reaching a decision under rule 3, an authorised decision maker [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] or adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] may give directions for the fair and effective disposal of the matter.
- 8.4** Decisions of an adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] are made by simple majority. Where the adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] has two members the appointed Chair has the casting vote.
- 8.5** Where an allegation is being considered by an adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] , the proceedings will generally be conducted in private by way of a meeting of the adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] .
- 8.6** An adjudicator [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudicator>] may at their sole discretion decide to:
- (a)** invite the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to be interviewed by an authorised decision maker [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] accompanied by their representative (if any)
 - (b)** direct a hearing before an adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] either in private or put in accordance with Rule 8.6A, if the matter cannot be considered by the Tribunal



[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#Trit> and

- (i) there is a material dispute of fact which cannot be determined without a hearing in which the parties are examined; or
- (ii) if there is an overriding public interest in the matter being heard in public.

8.6 Where an adjudicator [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudicator>] has decided an allegation should be considered at a hearing:

- (a) the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] shall send a notice informing the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] of the date, time and venue of the hearing, no less than 28 days before the date fixed for the hearing;
- (b) the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] and the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] shall have the right to attend and be represented; and
- (c) the adjudication panel [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#adjudication-panel>] may, at any time, whether of its own initiative or on the application of a party, adjourn the hearing until such time and date as it thinks fit.

8.7 The civil standard of proof applies to all decisions made under these rules.

8.8 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may admit any evidence they consider fair and relevant to the case before them, whether or not such evidence would be admissible in a court [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#court>]. This may include regulatory or other history relating to the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>], or any associated person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>], which is relevant to the allegation, including to the question of propensity.

8.9 A certificate of conviction, or a finding by a court

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#court>] or disciplinary or regulatory body, certified by a competent officer of the court [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#court>]



regulations/glossary/#court] , or relevant body in the UK
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#UK>] or
overseas [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#overseas>] , shall be conclusive evidence of
the offence committed or finding reached, and the facts
relied upon.

Rule 9: Disclosure and publication

- 9.1** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] may disclose or publish any information arising from or relating to an investigation, either in an individual case or a class of case, where it considers it to be in the public interest to do so.
- 9.2** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] shall publish any decision under rule 3.1 or 3.2, when the decision takes effect or at such later date as it may consider appropriate, unless it considers the particular circumstances outweigh the public interest in publication.
- 9.3** The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] shall notify the Legal Services Board as soon as reasonably practicable:
- (a) of any decision to disqualify a person
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#per> under rule 3.1(c);
 - (b) of the results of any review of any decision to disqualify person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] under rule 7; and
 - (c) of any decision that a person's
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#per> disqualification should cease to be in force.

Rule 10: Costs

- 10.1** An authorised decision maker
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may require a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] who is the subject of a decision under rule 3.1(a) to (f) to pay a charge in accordance with Schedule 1 to these rules.
- 10.2** The authorised decision maker
[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may decide to charge less than the amount that would be payable in



accordance with Schedule 1 if they consider that it would be just in all the circumstances to do so.

10.3 Any charge must be paid by the person

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>]

in such time and manner as may be specified by the authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] .

Rule 11: Fixed financial penalties

11.1 Where the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] has evidence that a relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] has committed one or more of the breaches listed in rule 11.2, it may notify them and will:

- (a) set out the allegation and the facts in support, accompanied by any evidence or documentation that the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] considers to be relevant to the allegation;
- (b) require the relevant person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] to remedy any specified breaches and provide evidence of the action taken to the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] within a specified period (which must be no less than six days from the date of the notification); and
- (c) make a recommendation as to the decision to be made under rule 3.1(h) (taking into account any previous penalties issued), regarding publication under rule 9, and costs under rule 11.4, in the event that the requirements made under 11.1(b) are not complied with.

11.2 The prescribed breaches are:

- (d) SRA Transparency Rule 1.5
- (e) SRA Transparency Rule 2.1
- (f) SRA Transparency Rule 4.1
- (g) SRA Authorisation of Firms Rule 13.4
- (h) SRA Authorisation of Firms Rule 13.6
- (i) SRA Financial Services (Scope) Rule 5.3
- (j) SRA Financial Services (Scope) Rule 5.4;

- (k) SRA Code of Conduct for Firms Rule 3.3(a); or
- (l) SRA Code of Conduct for Firms Rule 2.1 and/or 3.8(a) respect of material changes or inaccurate or incomplete information provided about:
 - (iii) COLPs [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#COLP>] and/or COFAs [<https://www.sra.org.uk/solicitors/standards-regulations/g>] (with reference to Rule 8.1 SRA Authorisation)
 - (iv) Managers [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#manager>] and owners [<https://www.sra.org.uk/solicitors/standards-regulations/g>] (with reference to Rule 9.1 SRA Authorisation)
 - (v) Non-authorised material interest [<https://www.sra.org.uk/solicitors/standards-regulations/g>] holders in licensed bodies [<https://www.sra.org.uk/solicitors/standards-regulations/g>] (with reference to paragraphs 21 to 24 of the Legal Services Act 2007)
 - (vi) Beneficial owners [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#owner>], officers and/or managers of firms which are independent legal professional and/or tax advisers (with reference to Regulations 56 and 57 of the Money Laundering, Terrorist Financing and Terrorism (Financial Information on the Payer) Regulations 2017 as amended from time to time) (the MLRs)
 - (vii) Beneficial owners [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#owner>], officers and/or managers of firms which are trust or company service providers (TCSPs) (with reference to Regulations 56 and 57 of the MLRs)
 - (viii) Money laundering reporting officer and/or money compliance officer of an ILP, TCSP and/or tax adviser (with reference to Regulation 21 of the MLRs)

11.3 The prescribed sums for the purposes of rule 3.1(h) are:

- (a) £750 for a first breach
- (b) £1,500 for a subsequent breach of the same category within 3 years of the date of the first penalty, or a continuation

the first breach after the SRA has directed payment of a penalty for that breach

11.4 An authorised decision maker

[<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-decision-maker>] may require a person [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#person>] who is the subject of a decision under rule 3.1(h) to pay a charge of £150 in respect of the SRA's [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] investigation costs.

11.5 Rules 2.3, 2.4, 2.5, 2.6, 8.6 and 10 do not apply to the imposition of penalties under rule 3.1(h).

Schedule 1

1.1 This schedule sets out the basis for calculating the charges payable under rule 10.

1.2 The SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] will record the amount of time spent by the SRA [<https://www.sra.org.uk/solicitors/standards-regulations/glossary/#SRA>] or its agents in investigating the matter, including time spent on correspondence, evidence gathering and analysis, and report writing.

1.3 The standard charges are as follows:

Number of hours spent investigating matter	Standard Charge
Under 2 hours	£300
2 hours or more but under 8 hours	£600
8 to 16 hours	£1,350

1.4 In addition to the fixed charge of £1,350, where the time recorded under paragraph 2 above amounts to more than 16 hours, an extra charge of £75 for every additional hour spent will be applied (rounded up or down to the nearest half hour).

Supplemental notes

Made by the SRA Board on 30 May 2018, last amended 30 May 2023.

Made under sections 31, 44C and 44D of the Solicitors Act 1974, section 9 of, and paragraphs 14A and 14B of Schedule 2 to, the Administration of Justice Act 1985, section 83 of, and paragraph 20 of Schedule 11 to, the Legal Services Act 2007 and the Legal Services Act 2007 (The Law Society

and the Council of Licensed Conveyancers) (Modification of Functions) Order 2011.

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The SRA's approach to financial penalties - Guidance [<https://www.sra.org.uk/solicitors/guidance/financial-penalties/>]

Guidance: for our decision makers to assist them in arriving at an appropriate financial penalty for the individuals and firms we regulate.

Issuing Solicitors Disciplinary Tribunal proceedings - Guidance [<https://www.sra.org.uk/solicitors/guidance/disciplinary-issuing-solicitors-disciplinary-tribunal-proceedings/>]

Decision making: To help you understand the approach we take when deciding whether to issue proceedings in the Solicitors Disciplinary Tribunal.

Agreeing regulatory and disciplinary outcomes - Guidance [<https://www.sra.org.uk/solicitors/guidance/disciplinary-regulatory-settlement-agreements/>]

Decision making: To help you understand when we might agree to a regulatory and disciplinary outcome by way of a Regulatory Settlement Agreement.

How we regulate non-authorised persons - Guidance [<https://www.sra.org.uk/solicitors/guidance/general-regulation-non-authorised-persons/>]

Decision making: How we will regulate you if you are not authorised by us directly but where you are involved in a firm we regulate or work for, or are supervised, by a solicitor.

Decision-making, reviews and attendance procedures - Guidance [<https://www.sra.org.uk/solicitors/guidance/decision-making-reviews-attendance-procedures/>]

Decision making: To help you understand how we make a first instance decision and how we deal with an application for an internal review of that decision.

How we gather evidence in our regulatory and disciplinary investigations - Guidance [<https://www.sra.org.uk/solicitors/guidance/investigations-gathering-evidence/>]

Decision making: Understand how we gather evidence, the investigatory powers we have to gather evidence and how we can use those powers.

On-site investigations (inspections) - Guidance [<https://www.sra.org.uk/solicitors/guidance/investigations-on-site/>]

Decision making: To help you understand how we make the decision to conduct an on-site inspection and what is expected from you.

Publishing regulatory and disciplinary decisions - Guidance [<https://www.sra.org.uk/solicitors/guidance/disciplinary-publishing-regulatory-disciplinary-decisions/>]

Decision making: Understand the approach we take when deciding whether to publish regulatory and disciplinary decisions on our website.
