

## How we regulate

Updated 25 November 2019

Solicitors and the organisations they work for can provide legal services in different ways. However they need to make sure they have the right systems and controls in place, and that they meet our requirements.

On this page you can find more about how we regulate solicitors, including:

- our Principles and Code of Conduct
- how we work to make sure solicitors and the organisations they work for meet the right requirements and
- what we can do if we need to take enforcement action.

## Our Standards and Regulations

Our [Standards and Regulations](https://guidance.sra.org.uk/solicitors/standards-regulations-resources/) [https://guidance.sra.org.uk/solicitors/standards-regulations-resources/] set the ethical and professional standards we expect from solicitors, and from law firms that we regulate, as well as the people that work in those firms.

## The Principles

There are seven [Principles](https://guidance.sra.org.uk/solicitors/standards-regulations/principles/) [https://guidance.sra.org.uk/solicitors/standards-regulations/principles/] that all people and law firms we regulate must meet. This means that they must act:

1. in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice
2. in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons
3. with independence
4. with honesty
5. with integrity
6. in a way that encourages equality, diversity and inclusion
7. in the best interests of each client.

## Codes of Conduct

There are two Codes of Conduct which outline the professional standards we expect.

The first [Code of Conduct is for solicitors, and for lawyers from overseas who we regulate](https://guidance.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/) [https://guidance.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/].

The Code sets requirements that solicitors must meet, including the behaviours they must demonstrate when they are providing legal services to people. For example, paragraph 8.6 of the Code sets out the information that solicitors must provide to their clients about their services and the options available to them.

We use the requirements of this Code if we need to investigate how a particular situation has been handled by a solicitor.

The second [Code of Conduct is for firms that we regulate](https://guidance.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/) [<https://guidance.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/>]. This sets out requirements for those firms, the people who manage them, and other employees who work in them.

## **Other rules and regulations**

We use other rules to set out specific requirements for solicitors and law firms so that they are able to run their business properly.

These include rules covering situations where solicitors and law firms hold money on behalf of their clients, and rules about price information that solicitors must publish for some of the services they offer.

## **Supervision of firms**

We can take action to make sure a law firm is meeting the Principles and the requirements of the Codes. This depends on the circumstances, and in some cases we will work to make sure law firm firms change their behaviour. For example, we might monitor the number and type of complaints that a firm receives, and work with them to improve their service.

We supervise firms in different ways, including through telephone contact, writing to them, or visiting them.

The level of supervision depends on the risks that we think a law firm may pose to its clients or to the general public based on information that we receive. This information can come from different sources including:

- members of the public,
- the Legal Ombudsman.

If we are not satisfied that a law firm is behaving in the right way or taking the right actions to make sure they start doing so, we may take enforcement action.

## **Enforcement action**

Where there is a failure to cooperate or there are significant risks to consumers or the public we take enforcement action. Solicitors and law firms have a duty to co-operate openly and promptly with us and if they fail to do so we can require them to deliver documents or information to us, or to provide us with an explanation in person.

In some circumstances, we can also apply to the High Court to seek documents or information from a third party.

In making decisions about enforcement action we take different factors into account, including:

- the number of clients affected and any impact on them
- any impact on public confidence
- patterns of behaviour
- whether the conduct continued for an unreasonable period taking account of its seriousness
- the potential to impact a vulnerable person or child
- any potential to affect a substantial, high-value or high-profile matter
- the previous history of the individual or firm, and
- any evidence of deliberate intent, recklessness or dishonesty.

Once we have taken into account the factors above, we use our [Enforcement Strategy](https://guidance.sra.org.uk/sra/corporate-strategy/sra-enforcement-strategy/) to help us make sure we are complying with our legal powers and duties.

Our legal powers mean we can take certain actions, including:

- issuing warnings about future conduct
- imposing [sanctions](https://guidance.sra.org.uk/consumers/solicitor-check/sanctions/) such as [fines](https://guidance.sra.org.uk/consumers/solicitor-check/sanctions/#fine)
- [controlling](https://guidance.sra.org.uk/consumers/solicitor-check/controls/) how a firm or individual works
- referring a case to the [Solicitors Disciplinary Tribunal](https://guidance.sra.org.uk/consumers/solicitor-check/prosecutions/)
- making orders to restrict people from being employed by law firms that we regulate, or removing a law firm's permissions
- [shutting a law firm](https://guidance.sra.org.uk/consumers/solicitor-check/closures/) down with immediate effect.