



Criminal Law Solicitors' Association
Suite 2 Level 6
New England House, New England Street
Brighton, BN1 4GH
DX 2740 Brighton
Email: admin@clsa.co.uk
Tel: 01273 676725

CLSA RESPONSE TO:

**CONSULTATION ON THE BUSINESS PLAN PROPOSED BY THE SOLICITOR'S REGULATORY
AUTHORITY**

The Criminal Law Solicitors Association represents Solicitors who almost exclusively practise in Criminal Defence. This is a specialised, complex and often underrated area of work which deals with the most vulnerable members of Society, at the lowest level of remuneration.

It is with concern that the Solicitors Regulatory Authority consultation begins with a business plan, and a strategic view, "Setting and maintaining high standards for the profession and ourselves" Platitudes are all very well, but how does the SRA intend to develop the Police Station Accreditation Scheme around a statement of expected behaviours? The SRA ought to know that the procedures are enshrined in the Police and Criminal Evidence Act and codes of Conduct. Is the SRA alleging that accredited representatives are behaving unlawfully? If so, how?

With rates of remuneration not having increased since 1996, and Sir Christopher Bellamy's recommendations not having been adopted, how does the SRA propose to further add burdens upon this sector of the profession, which is currently haemorrhaging individuals.? What Data does the SRSA rely upon to show that such amendments are required, and more importantly, who is to fund the already overregulated, overburdened, ill paid for sector of the profession?

The SRA exists as a draconian, not regulatory body, this is evidenced further in your paragraph detailing the increase of fining powers, and continued competence assessment. This is not a business plan; it is a further attack upon a beleaguered profession.

The SRA does not have customers. No member of the public purchases anything from the SRA. Solicitors have clients, and where clients complain, there is recourse to remedy, which is of course correct. However, spending 92% of a budget where you have no customers is alarming.

QUESTION 1

This is not a corporate strategy. It is an attack on the integrity of the profession. There is little recourse financially for those who are disciplined by the SRA for the recovery of costs, and twice in the past 12 months, the SRA has been brought to heel by the Courts for the manner in which it has behaved. What is required is a fair evaluation and assessment by those who are experienced in practise to be dealt with fairly by their peers as opposed to constant criticism and undermining of the profession by those who do not practise in it, but purport to regulate it.

QUESTION 2 is full of platitudes, yet says absolutely nothing. Who is your expert panel? What is it comprised of? Why is it the role of an independent body to work supporting Lawtech? Why is the SRA involved in promoting a system when it does not share the backing of the system with the profession, who runs the system, and the benefits of the SRA in promoting the system?

QUESTION 3

The SRA shows itself to be little more than a sales organisation to promote its own income.

It is unclear how the SRA considers itself to be best placed to lead debate with others about emerging issues, assessing impacts and considering the challenges for further regulation. The CLAR review, and other reviews on access to Justice, the inability to encourage practitioners to enter

criminal and family litigation, the lacuna in housing lawyer markets, the inability to respond in detail or at all to recent press coverage on Solicitors acting for wealthy Russians demonstrates a lack of ability to consider any approach, whereas the approach of holding more bespoke events for the profession shows a moneymaking attitude at all costs.

QUESTION 4

This is a difficult question to answer without fully understanding what the SRA considers its role to be, and why

QUESTION 5

The question of the practising certificate fee is a vexed one. The Bar Council charges fees in relation to previous years earnings, and there is a tapered approach. Why could this not be adopted? Those firms that earn millions of pounds paying the same PC fee as a criminal legal aid solicitor is astounding. The same relates to the contribution to the compensation fund from solicitors. Surely the fairest way is to consider where the greatest call for compensation comes from, adjust the figures for the firms involved, and streamline any training to the areas which show the greatest professional deficits.

QUESTION 6

The answer is provided above.

QUESTION 7

No