

CLASSIFICATION – PUBLIC

SRA REGULATORY RISK COMMITTEE

Minutes of the Public Meeting held on
7 October 2015 at 11.30am at
SRA, 24 Martin Lane, London, EC4

Present: Cindy Leslie (Chair)
Diane Moore
James King
Shamit Saggar
Amanda Sherlock

In attendance: Robert Loughlin, David Middleton, Gordon Ramsay, Carol Westrop, Jenny Johnson, Nabila Zulfiqar and Jessica Clay.

Observing: Richard Walsh and David Lye from SAMI Consulting

1&2. Chair's welcome, apologies and minutes of the meeting held on 7 July 2015

1.1 Apologies were received from Paul Marsh.

1.2 The minutes of the public session of the Committee held on 7 July 2015 were agreed.

3. Declarations of interest

3.1 None declared.

4. Matters arising

4.1 There were no matters arising.

5. Report from Legal & Enforcement

5.1 The Committee considered a progress report on operational issues within the Legal & Enforcement Directorate and a general update on performance against its KPIs presented by Gordon Ramsay.

5.2 The introduction of Investigation Plans in June 2015 to provide oversight of cases has improved collaborative working between Legal and Supervision. They also help with forecasting work due to be referred to the Legal team.

5.3 There have been 38 strike offs and 15 suspensions by the SDT up to end July 2015. A lessons learned review is undertaken in the small number of cases which had been struck out by the SDT or where no order for costs had been made. In a very small number of cases we have relied on third party evidence which has not come up to proof. Senior legal advisers are leading on looking at ensuring the

effective particularisation of allegations in pleadings before the SDT, again to minimise the risk of not getting the order being sought from the SDT.

- 5.4 The Committee commented that the KPIs in the Legal & Enforcement Directorate remain very narrow, focusing exclusively on SDT proceedings and therefore taking no account of, for example, the significant amount of legal advice provided by the Directorate in non SDT related work. Further the KPIs only deal with timeliness and do not address the quality of the advice given or decision made. They can also present an unfair picture since the KPIs do not take into account that delays in SDT proceedings can result from matters outside the SRA's control and/or that if a case is particularly complex taking more time to prepare it may be entirely appropriate. Since the numbers of cases is relatively small the impact of such a case on performance against the current KPIs can be very misleading. KPIs need to be ambitious but also realistic and fair, and the Committee did not think that either was necessarily the case yet in relation to the Legal & Enforcement Directorate KPIs. Robert Loughlin said that he took these points on board and would be instigating a review of the overall position. The Committee welcomed this.
- 5.5 The Committee noted the longstanding problems caused by long term absences in the Directorate and welcomed the actions in place to promote flexibility of resource.
- 6. AOB**
- 6.1 There was no other business.

Next meeting: 11.30am on 8 December 2015
Venue: The SRA, The Cube, Wharfside Street, Birmingham