

Whistleblowing to the SRA

Last updated: 2 January 2020

Background

The Solicitors Regulation Authority (SRA) regulates law firms and individuals who provide legal services.

This statement sets out our approach to receiving information from the public, from lawyers and from other people working in the legal sector, which relates to serious misconduct or risk to the public.

If you are concerned about the conduct of someone who you work with or another person, it can place you in a difficult position. However, many serious risks to the public do not come to light unless someone decides to report them, or they may come to light only when a great deal of damage or loss has already been caused. We strongly encourage responsible and lawful reports to us of information about serious misconduct and serious risks at the earliest possible stage. Your prompt report could be vital in protecting consumers and other members of the public from reckless or dishonest behaviour.

How we will deal with your report

We will deal with your report sensitively and if information is provided to us on a confidential basis we will take appropriate steps to protect your identity. Information is, however, often provided to us openly. Please do inform us when making your report if you wish your report to remain confidential because otherwise we may assume that we can disclose it as part of our regulatory action in the matter.

In some cases, we will need to discuss with you whether you are prepared to be identified at some stage. For example, depending upon the facts of the case, we may have difficulty in taking enforcement or disciplinary action without formally and openly relying upon evidence from you.

Individuals and firms who we regulate are required to report such matters to us in any event. However, if you are also regulated by us and are concerned about whether you yourself may be investigated for your own part in any wrongdoing, reporting the issues and co-operating with us could constitute significant mitigation. This is particularly so where issues are reported to us at an early stage. Late reports could, however, also constitute mitigation. We would rather solicitors and others working in the legal sector provided information late than not at all. Although we cannot guarantee that we will not take any action against you, bringing the information to us is likely to help your position considerably.

You can find more information about reporting information to us:

- [For solicitors - reporting and how to report](https://www.sra.org.uk/solicitors/guidance/reporting-notification-obligations/)
[\[https://www.sra.org.uk/solicitors/guidance/reporting-notification-obligations/\]](https://www.sra.org.uk/solicitors/guidance/reporting-notification-obligations/)
- [For consumers - report a solicitor](https://www.sra.org.uk/consumers/problems/report-solicitor/)
[\[https://www.sra.org.uk/consumers/problems/report-solicitor/\]](https://www.sra.org.uk/consumers/problems/report-solicitor/)

Reporting sensitive information to the SRA

Not all information or documentation which lawyers or others involved in the legal sector encounter can immediately be provided to us. In some circumstances part of the information which you wish share with us may be sensitive. For example, information given to you in a court or tribunal case is sometimes barred from being used (including being disclosed) for anything other than your case. A lot of information in court cases can be disclosed to us but the risks arising from incorrect disclosure are so serious that it is important to be very careful.

In particular, if your concerns arise from or are related to any case involving a child, you should speak to your legal advisers and to us before disclosing any information at all. We would also need to work very carefully with you to ensure that in any steps we take the rights of the child and other people involved in the case are properly protected.

If you have any concerns about the nature of the information in question then it is much safer for you to speak to us or a legal adviser before you send it. We cannot give you legal advice but we can try to help you understand where you stand.

How to contact us

If you know, or suspect, that another regulated person, or their employee, is involved in dishonest or serious misconduct, contact our [Red Alert line](https://www.sra.org.uk/solicitors/resources-archived/fraud-dishonesty/) [\[https://www.sra.org.uk/solicitors/resources-archived/fraud-dishonesty/\]](https://www.sra.org.uk/solicitors/resources-archived/fraud-dishonesty/). Red Alert is available to all members of the profession and their staff who want to report concerns. For all other matters, you can contact us via our [contact centre](https://www.sra.org.uk/contact-us/) [\[https://www.sra.org.uk/contact-us/\]](https://www.sra.org.uk/contact-us/).