

SRA BOARD
31 January 2023

CLASSIFICATION – CONFIDENTIAL



Publishing Regulatory Decisions Principles

1. Our purpose as the regulator of solicitors in England and Wales is to protect the public. In addition, the Legal Services Act 2007 (LSA) sets out 8 regulatory objectives which we must ensure our work is compatible with. In redefining our approach to publishing regulatory decisions, we have been guided by the following regulatory objectives:
 - Protecting and promoting the public interest
 - Protecting and promoting the interests of consumers
 - Encouraging an independent, strong, diverse and effective legal profession
 - Promoting and maintaining adherence to the professional principles
2. The LSA also sets out the following overarching principles we must adhere to in the delivery of all our regulatory activities. These are more commonly known as the 'better regulation' principles and are as follows:

Transparent

Accountable

Proportionate

Consistent

Targeted

3. The presumption of transparency in the public interest is paramount, and we will publish information relevant to understanding the nature of a regulatory decision, and why it was reached unless there is a good reason not to. In our approach to publishing regulatory and disciplinary decisions, we aim to:
 - ✓ Be **transparent** about the regulatory decisions we make, publishing information related to regulatory decisions or arising from investigations where it is in the public interest to do so. By doing this we encourage the profession to uphold the highest professional standards and help consumers of legal services make informed choices. To maintain transparency where matters are sensitive or confidential, we will seek to redact or reduce information rather than to remove decisions entirely.
 - ✓ Be **accountable** for the regulatory decisions we make by making them, and the reasons we have made them, available to both the public and the profession promptly. We will also make our publication policy available on our website so that the public and profession understand how we approach our regulatory decision-making role and responsibilities.
 - ✓ Be **proportionate** in what information we make available, taking into account any relevant factors which might indicate that we should withhold publication or redact/reduce information available about a regulatory decision. We recognise that people are at the centre of our regulatory decisions, and we will consider the impact any publication will have on a regulated individual, including any impacts on their mental health and wellbeing, balanced against our overarching role to protect the public.
 - ✓ Be **consistent** in what information we publish about the regulatory decisions we make, and how we present that information, to a high quality, on our website. We take a consistent approach to making decisions to withhold information about our regulatory decisions from the public, in exceptional circumstances if there is a good reason to do so.