

## What is character and suitability?

19 December 2024

When applying to be admitted as a solicitor or returning to the roll of solicitors, you must tell us about all matters relevant to our assessment of your suitability.

We need to know any information which tells us that you are not fit to practise as a solicitor for any reason. This includes anything that would adversely affect your ability to meet your regulatory obligations or to be subject to regulatory investigations or proceedings if required.

If you do not meet our requirements, we will not admit you as a solicitor or restore you to the roll. This is unless we are satisfied that any risks can be mitigated by conditions.

## What we need to look at

Matters may include (but are not limited to):

- criminal conduct
- behaviour which has a bearing on your integrity and independence
- education assessment offences
- financial conduct and events
- regulatory or disciplinary findings
- health conditions.

Read our [rules](https://upgrade.sra.org.uk/solicitors/standards-regulations/assessment-character-suitability-rules/) [https://upgrade.sra.org.uk/solicitors/standards-regulations/assessment-character-suitability-rules/] for more detailed information on what you must disclose. These apply to anyone looking to qualify as a solicitor, whichever [pathway to qualification](https://upgrade.sra.org.uk/become-solicitor/admission/pathways-qualification/) [https://upgrade.sra.org.uk/become-solicitor/admission/pathways-qualification/] you follow.

## When to tell us about any issues

For aspiring solicitors, you do not have to tell us about any character and suitability issues at the start of your studying or training/qualifying work experience. You only need to do so when you apply to be admitted as a solicitor.

However, if you are concerned about any potential suitability issues, you can apply for an early character and suitability assessment at any time. We are not bound, in any subsequent application for admission, by any decision made at this stage.

The need to meet our character and suitability requirements is also ongoing. This means you must tell us if anything relevant to your



suitability happens:

- after our decision to admit you as a solicitor
- before your admission date
- while you are practising as a solicitor.

## More information on what we consider

[Open all \[#\]](#)

### **Criminal conduct**

You must tell us about any criminal convictions or cautions, including spent convictions or cautions unless they are protected (as defined in the Rehabilitation of Offenders Act 1975 (Exceptions) Order 1975 (as amended in 2013)). You must also tell us if you are currently facing any criminal charges.

The most serious criminal conduct includes any convictions or cautions (which are not protected) where the offence:

- meant you were given a custodial or suspended sentence
- involved dishonesty, fraud, perjury and/or bribery
- was of a violent or sexual nature
- meant that you have been included on the Violent and Sex Offenders Register
- was associated with obstructing the course of justice
- which demonstrated behaviour showing signs of discrimination towards others
- was associated with terrorism
- meant that you have been convicted by a court of more than one criminal offence.

Serious criminal conduct includes any criminal convictions or cautions (which are not protected) for any other offences, and if you are currently subject to a conditional discharge or bind over by a court.

An offence in the 'most serious' and 'serious' categories may result in refusal.

[You can find out more about protected offences in our FAQs](https://upgrade.sra.org.uk/become-solicitor/character-and-suitability/character-suitability-faqs/)  
[\[https://upgrade.sra.org.uk/become-solicitor/character-and-suitability/character-suitability-faqs/\]](https://upgrade.sra.org.uk/become-solicitor/character-and-suitability/character-suitability-faqs/).

### **Behaviour which has a bearing on your integrity and independence**

You must tell us if you have:



- been responsible for dishonest, violent, threatening or harassing behaviour
- behaved in a way where there is evidence of discrimination towards others
- misused your position for (your or anyone else's) financial gain
- misused your position of trust in relation to vulnerable people.

### **Education assessment offences**

You must tell us if you have ever committed (or been adjudged by an education establishment to have committed) a deliberate assessment offence that amounts to plagiarism or cheating to gain advantage for yourself or others.

You do not need to disclose where the finding does not amount to cheating or dishonesty, eg incorrect referencing, or failure to attribute correctly, in an essay or paper.

### **Financial conduct and events**

You must tell us if you have been:

- subject to a form of personal or company insolvency
- found to have deliberately sought to avoid responsibility for your debts
- found to have been dishonest in relation to the management of your finances
- made subject to a Debt Relief Order
- behind with six or more consecutive payments
- subject to possession proceedings
- subject to a Liability Order

Personal insolvency examples include, but are not limited to, the following:

- You have not kept up with contractual repayments to your creditors.
- You have entered into a debt management plan with your creditors.
- A County Court Judgment has been issued against you.
- You have been ordered by a court to pay a sum of money (for example, a Liability Order, Possession Order (suspended), a Consent or Tomlin Order).
- You have entered into an Individual Voluntary Arrangement.
- You have been declared bankrupt.

Company insolvency examples include, but are not limited to, the following where you were the manager or owner:

- The company has not kept up with contractual repayments to its creditors.
- The company has been liquidated because it is/was insolvent.



- The company has gone into receivership because it is/was insolvent.
- A County Court Judgment has been made against the company.
- The company has been ordered by a court to pay a sum of money.
- The company has entered into or is currently subject to a formal voluntary arrangement to repay its creditors (for example, a Company/Partnership Voluntary Arrangement, Time to Pay Agreement).
- You have been fined, prosecuted or disqualified as a director.

## **Regulatory or disciplinary findings**

You must tell us if you have ever:

- had any disciplinary or regulatory findings, sanctions or actions brought against you by a regulatory body (or any court or body hearing appeals in relation to disciplinary or regulatory findings)
- failed to give information to a regulatory body when asked
- given false or misleading information to a regulatory body
- breached a regulatory body's requirements
- failed to comply with a request from a regulatory body resulting in a finding against you
- been disqualified from being a charity trustee for a charity under section 178(1) of the Charities Act 2011
- been removed and/or disqualified as a company director
- committed an offence under the Companies Acts.

You must also tell us if you are currently facing any regulatory disciplinary proceedings or investigations. A regulatory body includes us.

## **Health conditions**

If you have a health condition and you are not sure whether you need to report it to us, you will find our [approach to health issues and medical evidence](https://upgrade.sra.org.uk/solicitors/guidance/sra-investigations-health-issues-and-medical-evidence/) [https://upgrade.sra.org.uk/solicitors/guidance/sra-investigations-health-issues-and-medical-evidence/] helpful. It explains when health issues can be a regulatory concern and should be reported to us, and how we deal with those that arise during investigations.

You do not need to tell us about a health condition if you are satisfied that you, and where relevant, your employer are taking appropriate steps to address the condition. And any risks it may pose to your practice as a solicitor or your ability to meet your regulatory obligations. This includes taking part in an investigation or disciplinary process.

If you are not certain that you can safely manage any risk that a health condition may pose, you should let us know by [emailing us](https://upgrade.sra.org.uk/contactus/) [https://upgrade.sra.org.uk/contactus/].

[Read our FAQs for helpful answers to common questions](https://upgrade.sra.org.uk/become-solicitor/character-and-suitability/character-suitability-)  
[https://upgrade.sra.org.uk/become-solicitor/character-and-suitability/character-suitability-]

[faq5/1](#) about character and suitability issues, background checks and our assessment process.