

News release

Researchers appointed to examine overrepresentation in solicitor reports and enforcement

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We have appointed a research team to help it better understand why there is overrepresentation of those from a Black, Asian and minority ethnic backgrounds in reports made to it and subsequently its enforcement processes.

Experts from a consortium featuring the universities of York, Cardiff and Lancaster, have come together to carry out the study.

The pattern of certain ethnic groups being overrepresented in concerns raised with the regulator is not unique to legal services and can be seen across most professional service industries. This study will attempt to understand what factors contribute toward this.

The researchers will also review the regulator's decision making at the assessment stage, to understand why a greater proportion of cases involving Black, Asian and minority solicitors are taken forward for investigation.

We previously commissioned a series of external reviews on similar themes. The most recent of which, the [Independent Comparative Case Review of 2014](https://higher-rights.sra.org.uk/globalassets/documents/sra/equality-diversity/independent-comparative-case-review-iccr-gus-john.pdf?version=4a1ac5), [https://higher-rights.sra.org.uk/globalassets/documents/sra/equality-diversity/independent-comparative-case-review-iccr-gus-john.pdf?version=4a1ac5] focused on the regulator's internal processes. This report concluded that there was no evidence of discrimination but did make recommendations for the SRA and others.

Commissioning new research on these issues was a commitment we made when it resumed annual reporting of diversity data in relation to its enforcement processes in 2020.

Paul Philip, SRA Chief Executive, said: 'We are committed to understanding what is happening to drive the longstanding overrepresentation of Black, Asian and minority ethnic solicitors in our enforcement work. We have made significant changes to our enforcement processes and reformed our regulation over the last few years, but the pattern remains the same - as it is for so many regulators - and it is unclear why that is the case. Since 2007 we have held three independent reviews into our processes to make sure they are fair and free from bias, and none found any evidence of discrimination.'

'There could be many factors affecting the troubling picture we are seeing, including wider societal issues or structural features in the legal sector, for example the different diversity profile of small firms compared to large firms. Having a better understanding of the causes will help us and others address these issues.'

Claudia Gabbioneta, University of York, said: 'The team is very honoured to be involved in such an exciting research project, with important implications for the future regulation of the legal profession in England and Wales. We are very much looking forward to collaborating with the SRA to better understand the causes of overrepresentation of solicitors from Black, Asian and minority ethnic backgrounds in reports made to the Authority, as well as to further strengthen the Authority's regulatory processes'.

This is a complex subject which will require the researchers to use a wide range of qualitative and quantitative research methods. The project will also see a dedicated stakeholder reference group set up to provide direct input and support.

Since the 2014 report we have carried out a major programme of reform work, and taken a range of steps to make sure its decision making is fair and free from bias which is outlined in [a report here. \[https://higher-rights.sra.org.uk/sra/how-we-work/archive/reports/iccr-response/\]](https://higher-rights.sra.org.uk/sra/how-we-work/archive/reports/iccr-response/)