



## Prosecutions

In some cases, we do not make the final decision about a [firm](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#firm) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#firm\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#firm) or regulated person's [alleged](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation) breach of our Standards and Regulations, but we refer it to the [Solicitors Disciplinary Tribunal \(SDT\)](http://www.solicitortribunal.org.uk/) [\[http://www.solicitortribunal.org.uk/\]](http://www.solicitortribunal.org.uk/), where we are responsible for prosecuting the matter. The [tribunal's](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#tribunal) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#tribunal\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#tribunal) powers are wider than some of our own. It can, for example, [strike](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#strike-off) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#strike-off\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#strike-off) or suspend a [solicitor](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#solicitor) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#solicitor\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#solicitor) from the [roll of solicitors](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#roll) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#roll\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#roll), prohibiting them from practising or impose larger fines than we can.

To make a decision to bring a matter before the SDT we decide that

- there is a realistic prospect of the SDT making an order in respect of the allegation
- it is in the public interest to make the application.

You can learn more by reading the SRA's [guidance for issuing Solicitors Disciplinary Tribunal proceedings](https://higher-rights.sra.org.uk/sra/decision-making/guidance/disciplinary-issuing-solicitors-disciplinary-tribunal-proceedings/) [\[https://higher-rights.sra.org.uk/sra/decision-making/guidance/disciplinary-issuing-solicitors-disciplinary-tribunal-proceedings/\]](https://higher-rights.sra.org.uk/sra/decision-making/guidance/disciplinary-issuing-solicitors-disciplinary-tribunal-proceedings/).

There are three types of [outcome](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#outcome) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#outcome\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#outcome) in relation to conduct referred to the SDT, listed below.

## Referral to the Solicitors Disciplinary Tribunal

This is not a finding of a breach of Standards and Regulations; it is a decision by us to prosecute before the SDT. [Allegations](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#allegation) are often contested and some or all of the allegations may not be proven.

It is for the SDT to consider the [evidence](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#evidence) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#evidence\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#evidence) at a [hearing](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#hearing) [\[https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#hearing\]](https://higher-rights.sra.org.uk/consumers/using-solicitor/legal-jargon-explained#hearing) and decide whether the allegations are proven. A decision to prosecute will generally only be published by us when the SDT has certified that there is a case to answer, although we may publish before certification in exceptional cases where we consider it is in the public interest for us to do so.



Decisions to refer to the SDT will be listed either as "prosecution" or "referral to the Solicitors Disciplinary Tribunal" but mean the same thing.

## **Tribunal's order**

This is the SDT final decision. An order may be subject to appeal. Detailed findings are often not available for a few months. These are published on the [SDT website](http://www.solicitorstribunal.org.uk/) [<http://www.solicitorstribunal.org.uk/>].

## **The tribunal's findings**

This is a full account of the SDT decision. It contains both the findings of the SDT in detail and the order made. Such findings may be subject to appeal.

If you have any queries about unpublished SDT findings, please [contact the SDT](https://www.solicitorstribunal.org.uk/contact-us/) [<https://www.solicitorstribunal.org.uk/contact-us/>].

## **Important notes**

Not all regulatory decisions are published—read more about [our approach to publication](https://higher-rights.sra.org.uk/consumers/solicitor-check/policy/) [<https://higher-rights.sra.org.uk/consumers/solicitor-check/policy/>].

Only decisions made since June 2008 are published on this site. Most decisions remain on the site for three years.

For the most up-to-date and complete picture of an individual's regulatory record, please [contact us](https://higher-rights.sra.org.uk/home/contact-us/) [<https://higher-rights.sra.org.uk/home/contact-us/>].

Read more about [how we regulate](https://higher-rights.sra.org.uk/consumers/who-we-are/sra-regulate/). [<https://higher-rights.sra.org.uk/consumers/who-we-are/sra-regulate/>] [<https://higher-rights.sra.org.uk/consumers/who-we-are/sra-regulate/>]