

News release

SRA issues warning notice on unsolicited approaches and cold calling

19 December 2024

We have [issued a warning to law firms](https://higher-rights.sra.org.uk/solicitors/guidance/marketing-public/) [https://higher-rights.sra.org.uk/solicitors/guidance/marketing-public/], especially those engaged in high volume claims work, about prohibited marketing practices, such as cold calling, door knocking and directly targeted online messaging.

The notice comes following concerns raised in reports made to us and through our proactive work, regarding law firms recruiting new clients by targeting them with unsolicited approaches.

One particular area of concern is that not all firms are meeting their obligations to ensure that third parties they work with, such as claims management companies or lead generators, are not using tactics to recruit clients which they would not be allowed to employ.

We are also warning law firms to make sure marketing and recruitment materials used to attract clients do not have the potential to mislead consumers.

In particular, when marketing the benefits of 'no win, no fee' agreements, firms need to make sure they are clear that the agreements are not necessarily risk-free. And that consumers are aware of the scenarios where they may become liable for costs. We are concerned by recent cases where consumers have been faced with large, unexpected costs – for instance, where the firm has not fulfilled the terms of the after the event insurance policies and the insurance has then not covered the costs of bringing the claim.

Alongside the warning notice, we have published a '[no win, no fee](https://higher-rights.sra.org.uk/consumers/choosing/no-win-no-fee/)' [https://higher-rights.sra.org.uk/consumers/choosing/no-win-no-fee/] guide to help inform consumer choices. It outlines key considerations, risks and questions the public should ask before entering into such agreements.

Paul Philip, SRA Chief Executive, said 'Firms being able to promote their services is important, and can help people get access to justice. Likewise, 'no win, no fee' arrangements' can help people to access the expert help they need. But firms must always promote their services in line with high professional standards.

'We are concerned about evidence of poor practice when firms are recruiting clients – whether that's a failure to assure themselves that a lead has not come through a cold call, or not being clear about potential

risks in taking forward a case. We will take action against firms who aren't working in their clients' best interests or who are otherwise breaking our rules.'

Issues addressed in the [Warning notice](https://higher-rights.sra.org.uk/solicitors/guidance/marketing-public/) [https://higher-rights.sra.org.uk/solicitors/guidance/marketing-public/], include firms making sure they:

- aren't making unsolicited approaches in breach of our rules
- assure themselves that third party introducers are adhering to regulatory requirements when marketing to potential clients
- regularly obtain and review any publicity or promotional material used by third parties they are engaged with, and record compliance
- are clear about the potential risks - and costs - in any 'no win, no fee' type marketing.

The notice emphasises the obligations to comply with the SRA principles. We will take action where evidence of non-compliance is found.