

Solicitors Regulation Authority

Decision Making Criteria



A response by the Association of Personal Injury Lawyers

May 2009

The Association of Personal Injury Lawyers (APIL) was formed by claimant lawyers with a view to representing the interests of personal injury victims. The association is dedicated to campaigning for improvements in the law to enable injured people to gain full access to justice, and promote their interests in all relevant political issues. Our members comprise principally of practitioners who specialise in personal injury litigation and whose interests are predominantly on behalf of injured claimants.

The aims of the Association of Personal Injury Lawyers (APIL) are:

- To promote full and just compensation for all types of personal injury;
- To promote and develop expertise in the practice of personal injury law;
- To promote wider redress for personal injury in the legal system;
- To campaign for improvements in personal injury law;
- To promote safety and alert the public to hazards wherever they arise;
- To provide a communication network for members.

APIL's executive committee would like to acknowledge the assistance of the following members in preparing this response:

Stephen Lawson – APIL Secretary

Any enquiries in respect of this response should be addressed, in the first instance, to:

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Executive summary

APIL supports the publication of the SRA's decision making criteria, which is necessary to ensuring the process is transparent. The published criteria seem to be clear and easy to understand, and referring to these when making decisions would ensure the process is unambiguous and consistent.

Introduction

We welcome the opportunity to respond to the SRA's consultation regarding its decision making criteria. The publication and accessibility of these criteria is vital if the SRA is to ensure its process is transparent. Transparency, however, will not be achieved unless the SRA publishes its detailed procedures and also makes these easily accessible both to those being regulated and to their clients. We therefore hope the SRA ensures that its procedures are made as clear and easy to find as its decision making criteria.

Consultation questions

1. Do you think that the criteria we have published are clear and can be understood easily by all of our stakeholders and users, including lawyers and non-lawyers?

Yes. The criteria appear to be clear and easy to understand.

2. We are committed to ensuring that our decision-making process is more transparent. Do you think that publishing our criteria will help us to achieve this?

Yes. Publication of the criteria will mean that solicitors and their clients will know the basis on which the SRA reaches its decisions. The SRA's decision making process will be much easier to understand if people can clearly identify the factors it has taken in to account.

3. Do you think it would be helpful for us to refer to the specific published decision-making criteria when we make our decisions?

Yes. Referring to specific, pre-published criteria when making decisions would ensure the process is clear and consistent.

4. Would it be helpful if the criteria, or our website, gave examples of how the criteria might be applied in practice?

Some solicitors' clients may find this helpful, especially as some of the decision making criteria, such as that regarding the settlement of regulatory and disciplinary cases, are quite long and may be seen to be abstract.

5. At the moment, the decision-making criteria are only available on our website. Would you like the information to be available elsewhere?

No. We do not think the criteria themselves need to be published elsewhere, but it is important that the fact the criteria are available on the website is widely publicised, so that both solicitors and their clients know where they can be accessed.

6. Do you think the application of these criteria could have an adverse impact on any of the following groups within the profession: older or younger solicitors; men or women; solicitors with a disability; solicitors from any particular ethnic background?

No, we do not think that the application of these criteria would have an adverse impact on any of the aforementioned groups.

Association of Personal Injury Lawyers

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