

News release

Literature review into overrepresentation in complaints about potential misconduct made to SRA published

23 June 2023

An independent review of existing literature looking into the overrepresentation of Black, Asian and minority ethnic solicitors in complaints about solicitors made to the Solicitors Regulation Authority (SRA) has been published.

This [review \[https://consultations.sra.org.uk/sra/research-publications/over-rep-black-asian-minority-ethnic-solicitors-reports/\]](https://consultations.sra.org.uk/sra/research-publications/over-rep-black-asian-minority-ethnic-solicitors-reports/) is the first part of an ongoing research project to try and understand why those from Black, Asian and minority ethnic backgrounds are overrepresented in reports to, and resulting investigations by, the regulator. The literature review is directed at the pattern of complaints received by the SRA, which is the main area of focus for the research.

Drawing together findings and commentary from a broad range of third party sources, the literature review has been prepared by an independent consortium of the universities of York, Cardiff and Lancaster.

The researchers found little existing material looking specifically at the legal sector. But they did identify a number of common themes from other sectors which might mean those from certain ethnic backgrounds are more likely to be reported to their regulator. These related to:

- Conscious and unconscious perceptions or expectations, among those making the complaints, which mean they are more likely to complain about an individual.
- Being more exposed to working environments, types of work or other case-related circumstances that by their very nature generate more complaints.

Based on the findings of the literature review, the universities are undertaking an objective and in-depth analysis of SRA datasets. They will also explore the experiences of solicitors and behaviors among legal service users.

A final report on the research is expected to published in spring 2024.

Paul Philip, SRA Chief Executive, said: 'The findings of this literature review confirms there is no simple explanation as to why Black, Asian and minority ethnic solicitors are overrepresented in the complaints that we receive. We want to know what structural and societal factors are

driving this troubling and longstanding pattern. The next stages of the research will look into this further so that we can better understand what's happening and how these issues could be addressed.'

The SRA has previously commissioned a series of external reviews looking into the overrepresentation of solicitors from Black, Asian and minority ethnic backgrounds in its enforcement processes. None of the reviews have identified any evidence of discrimination but each provided recommendations for the SRA and others, which have helped to shape the approach to enforcement.

The SRA is also working with the University of Exeter on research looking at the factors influencing differences in outcomes by ethnicity in legal professional assessments. [A literature review \[https://consultations.sra.org.uk/sra/research-publications/ethnicity-attainment-gap-legal-professional-assessments/\]](https://consultations.sra.org.uk/sra/research-publications/ethnicity-attainment-gap-legal-professional-assessments/) linked to this research was published earlier in June.

Commissioning new research on these issues was a commitment the SRA made when it resumed [annual reporting of diversity data \[https://consultations.sra.org.uk/sra/research-publications/upholding-professional-standards-2020-21--diversity-monitoring-supporting-report/\]](https://consultations.sra.org.uk/sra/research-publications/upholding-professional-standards-2020-21--diversity-monitoring-supporting-report/) in relation to its enforcement processes in 2020. The research is looking into both the factors leading to overrepresentation in complaints made to the SRA, and the increase in overrepresentation when complaints are assessed for investigation.