

Our Ref: IG/TC/448



Ms Strickland

By email only:

request-721868-4ff1d747@whatdotheyknow.com

The Cube
199 Wharfside Street
Birmingham B1 1RN

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www.sra.org.uk

05 March 2021

Dear Ms Strickland,

Information request – Our Ref: IG/TC/448

I am writing in response to your email of 26 January 2021 in which you have made requests for information.

The SRA is not covered by the Freedom of Information Act (the FOIA), as it is not a designated authority, but has adopted its own voluntary Transparency Code (the Code) that closely reflects the FOIA.

I am an Information Governance Officer at the SRA and it is my responsibility to respond to requests under the SRA's Transparency Code.

You requested the following information:

- “1. whether there is any training for SRA investigators for dealing with solicitors charged with, or convicted for a non violent protest;*
- 2. if investigators do receive training for protest cases, please disclose any documents, policies or case law used by, or taken into account by investigators;*
- 3. please disclose any internal documents (including internal correspondence sent/ received by Juliet Oliver - General Counsel) addressing how the SRA might deal with protest cases.”*

Our response:

In response to your first two questions, we do not hold specific guidance or training for investigating cases relating to solicitors charged with or convicted for a non-violent protest.

In response to your third question, I am unable to provide in a Transparency Code response any advice provided in these matters, as this is subject to limitations of our code as set out below. I am therefore unable to provide this information in a Transparency Code response as they are subject to limitations of our code as set out below.

We do hold two letters to Lawyers for Extinction Rebellion which you may find relevant to your request. Please find these attached.

My reasoning:

Any information released under the SRA's Transparency Code is considered a release into the public domain and not a specific release to an individual based on their personal interests in receiving the information.

We can only release data under the Code that we would be able to publish on our website for the general public to see. Information regarding specific matters and details of individual investigations would not be information that we would be able to disclose into the public domain.

Having considered your request I find that the following limitations of our code apply:

- **Qualified limitation 17:** *Information that is or is likely to, prejudice law enforcement or the exercise by us of our statutory and public functions.*

We are unable to publish regulatory information, such as our internal advice on specific matters into the public domain. Therefore, the information you have requested is subject to Qualified Limitation 17 of our code.

- **Qualified Limitation 22:** *Information that is protected by legal professional privilege, for example where we have received advice.*

We are not able to publish our internal legal advice into the public domain. Therefore, the information you have requested is subject to Qualified Limitation 22 of our code.

- **Absolute limitation 5:** *Personal data which if disclosed would breach the relevant data protection legislation.*

Information referring to specific individual's personal data and so we must consider the relevant data protection legislation. I have considered this matter and I have concluded that the information requested is subject to Absolute Limitation 5, as it would be a breach of data protection to disclose this into the public domain.

Next steps:

If you not satisfied with the response that I have provided to your request for disclosure under our Transparency Code, you can find more information about the internal review and complaint process in the notes at the end of this letter.

If you do contact us further in regard to this Transparency Code response, please quote the reference number **IG/TC/448** in your correspondence.

More information on how we handle requests, including a link to a copy of our Transparency Code, can be found on our website:

www.sra.org.uk/sra/how-we-work/transparency.page

Yours sincerely,

Jack Baraczewski
Information Governance Officer
Solicitors **Regulation** Authority

Internal review and complaint process

If you are not satisfied with our response to your request for information, you can request that the matter is reconsidered as an internal review. To do so please write to, or email, the Information Compliance and Governance Manager at:

SRA Information Compliance
The Cube
199 Wharfside Street,
Birmingham B1 1RN

SRAInformationCompliance@sra.org.uk

Please note that your request for an internal review must be submitted within 60 days of our decision. We aim to issue a formal response to internal reviews within 20 working days.

Internal review process

The internal review will consider any limitations applied and the information disclosed. This aspect of the review is final and there is no further avenue for appeal. It is also important for you to note that, as this is a voluntary code, the Information Commissioner is unable to consider your complaint.

Escalation to a complaint

If you are still not satisfied with the response that you have received, you can make a complaint to our Complaints Team about the way we have handled your request.

The complaints team will only be able to review the matters related to our service, for example our communication and compliance with the deadline.

If you are unhappy with the Complaint's Team decision, you can escalate the matter further and ask the Independent Reviewer (Centre for Effective Dispute Resolution) to review your complaint. The service is independent to us and they will review how we handled your complaint, not our decision.