

# SRA's initial response to the Independent Comparative Case Review

3 June 2014

## Table of contents

<b>Introduction and summary .....</b>	<b>2</b>
<b>SRA's assessment of the findings of the ICCR.....</b>	<b>3</b>
<b>SRA's regulatory approach .....</b>	<b>6</b>
<b>Disproportionate outcomes – external and internal issues .....</b>	<b>7</b>
External factors contributing to disproportionate outcomes .....	7
Internal factors contributing to disproportionate outcomes .....	9
Monitoring our decision making and the exercise of discretion .....	9
Handling complaints of discrimination .....	10
<b>SRA governance, leadership and culture .....</b>	<b>10</b>
Governance .....	10
Leadership and culture .....	11
<b>Transparency and engagement.....</b>	<b>13</b>
Stakeholder engagement.....	13

## Introduction and summary

- 1.1 This paper sets out the Solicitors Regulation Authority (SRA)'s initial response on the findings set out in the report of the Independent Comparative Case Review (ICCR), conducted by Professor Gus John.
- 1.2 Professor John was commissioned in November 2012 to carry out a review using a sample of 160 case files plus statistical analysis. The terms of reference of the review were agreed with the External Implementation Group (EIG) (a group comprising the SRA and representative bodies of Black and Minority Ethnic (BME) lawyers chaired by Lord Herman Ouseley). Professor Gus John submitted his report to the SRA on 4th February 2014. View the ICCR report at [www.sra.org.uk/iccr](http://www.sra.org.uk/iccr).
- 1.3 The ICCR report contains 50 recommendations and while the majority are for the SRA, there are also recommendations for the Legal Services Board (LSB), the Law Society (TLS) and the Solicitors Disciplinary Tribunal (SDT).
- 1.4 The SRA has considered the detailed recommendations as well as taken an overview of what the report tells us and the key issues which arise and require attention. In considering this the SRA has been assisted greatly by engagement with a range of individuals and organisations (including organisations represented on the EIG) during its early consideration of the report.
- 1.5 This response addresses the overall findings of the report and the key themes that emerge. It does not respond in detail to each of the individual recommendations but we have considered these recommendations and will take them into account as we progress the work programmes set out in this response. The majority of the individual recommendations were for the SRA to consider but others were for other bodies or proposals for joint work. We will engage with these bodies to identify whether there are areas for collaborative action to address the issue of disproportionality.
- 1.6 Set out in this response are a number of actions to which the SRA is committed:
  - we have published a [policy statement](#) defining our regulatory purpose and objectives and are seeking views on this. We will publish a final statement in October 2014;
  - we have [announced](#) a programme of regulatory reform to ensure our regulation is more targeted and proportionate;
  - we will publish proposals to reduce regulatory burdens for small firms and to improve our engagement with, and regulation of, them;
  - we will engage with the Law Society, other representative bodies, firms and solicitors to identify ways to improve the co-ordination of efforts to improve diversity within law firms and to identify more effective approaches for the future. We will publish the outcome of this work in October;

- we will use the data from the ICCR report and our diversity monitoring report to analyse and understand the causes of disproportionality better so that we can address the issues and reduce disproportionality;
- we will review the content of our diversity monitoring report, start publishing it twice a year and undertake more engagement with stakeholders about what it is indicating, with a view to identifying priority areas for action;
- we will revise and strengthen our internal quality assurance processes so as to provide greater assurance that our discretionary decisions are fair, consistent and free from bias;
- we will publish an annual report on discrimination issues raised by law firms' employees and consumers;
- we will recruit people with expertise to join the SRA Board's Equality, Diversity & Inclusion Committee (ED&I) to advise and support it in leading the work to tackle the issues identified in the ICCR report;
- we will continue to take action to improve the diversity profile of our staff and develop effective training and professional development so that our staff have the confidence and skills to make fair and transparent decisions;
- we will publish an update on our work on the issues identified in the ICCR at the end of October 2014, and a full report on progress in October 2015.

1.7 The SRA would like to thank Professor John and Anthony Robinson for their commitment to this project, their diligent examination of the issues and their recommendations. The report has added significantly to our understanding of this important issue. We would also like to thank Lord Herman Ouseley and the members of the EIG for their contribution to this work and for their assistance over a number of years in helping the SRA with this work. All of the organisations represented on the EIG are small and the members of those organisations who have attended the EIG and many other meetings with the SRA have given up their own time, freely, on behalf of their colleagues.

## **SRA's assessment of the findings of the ICCR**

2.1 For the SRA, the key findings of the ICCR are:

- that BME solicitors continue to be disproportionately over-represented at key stages of the regulatory process: from conduct reports being received by the SRA from third parties, through to the sanctions imposed by the SDT; and
- that there was no evidence of direct discrimination, including in the individual cases reviewed, in the way the SRA applied its regulatory policies and processes.

- 2.2 These findings are consistent with the findings of previous reviews and the SRA's own consideration of this issue. They are, sadly, not uncommon for other professional regulatory bodies or for the legal sector generally.
- 2.3 The SRA has been addressing the issue of disproportionality for the past seven years. We started to monitor our regulatory outcomes as they applied to BME solicitors compared to their white counterparts in 2005 and found an emerging pattern of disproportionality which showed that BME solicitors were over-represented in regulatory decisions and outcomes. As a result, we have taken a number of key actions to address the issue of disproportionality including:
- commissioning three reviews (the previous reviews having been undertaken by Lord Herman Ouseley and by Pearn Kandola) to better understand the issue of disproportionality and identify and implement changes to improve the position;
  - improving engagement with BME stakeholder groups through the establishment of the EIG and through direct engagement with BME practitioners and the Sole Practitioner Group (SPG);
  - improving transparency by publishing our equality impact assessments, our decision making framework, and publishing annual reports on regulatory outcomes; and
  - carrying out a number of audits to ensure that key regulatory policies and processes were free from bias and focusing internally to provide leadership and training to SRA staff on the importance of this issue, and of the need to ensure fair and consistent decision-making across all areas of our work.
- 2.4 While we were confident that we had not directly discriminated in the individual cases reviewed by Professor Gus John, or in the regulatory decisions taken, we are reassured that the independent review has confirmed this and did not find evidence of direct discrimination.
- 2.5 However, the evidence of continued disproportionality is a matter of very significant concern for us. We accept that those who represent BME solicitors are justified in challenging us and asking us to explain why the disproportionality continues, particularly as the review does indicate that disproportionality exists at the investigation and outcome stage.
- 2.6 We recognise that we have an issue which we need to address and we recognise that we need to identify and explain the reasons for any disparity, and demonstrate through evidence that there is no institutional bias or discrimination in the way we regulate.
- 2.7 The disproportionality in outcomes is readily apparent from the data. What is not so readily apparent from the data are the causes of that disproportionality. There is no single cause of the disproportionality that exists. Rather, it manifests because of a range of factors which interact with each other. These broadly fall into two groups:

- factors operating outside of the SRA, to some extent within wider society but, more specifically, within the legal services market – in this response we refer to these as “external factors”; and
- factors operating within the SRA itself – in this response we refer to these as “internal factors”.

2.8 An example of an external factor, identified in the ICCR report, is that a greater proportion of BME solicitors establish their own firms earlier in their careers than their white counterparts. In the report, much wider societal factors, broadly described as “social and cultural capital”, are also referred to. We agree that these factors are relevant and likely to be contributing to the disproportionality of outcomes identified. During the engagement that we undertook in developing our approach to this response, the identification of this category of issues was criticised by some groups and individuals. What was expressed was a degree of concern that the very individuals suffering from disproportionate outcomes were themselves being in some way blamed.

2.9 Given the level of disproportionality, and the length of time for which it has been apparent, we understand the concerns that underlie such responses. In our view this was, at least partially, due to concern that the SRA would seek to justify continued disproportionality on the basis that it was solely caused by external factors over which we had limited influence. This will not be the case.

2.10 Our position on the external factors is that:

- they are present and there is evidence to support many of them;
- they are likely to be causal factors in the disproportionality of outcomes that exists;
- some, particularly wider societal issues, are not ones that the SRA can influence but a number, particularly those more closely associated with the operation of the legal services market, are ones over which we can exercise at least some influence and, certainly, a degree of leadership;
- we do not consider that the external factors are the only ones which may be contributing to disproportionality of outcomes, and the ICCR report itself did not suggest that they are; and
- the ICCR report was right to draw attention to these issues and they must be considered as a part of the SRA’s forward programme if we are to understand the causes of disproportionality more completely *and* take targeted and appropriate action to address them.

2.11 Examples of “internal factors” which may be causal to the disproportionality identified include: the regulatory arrangements, the exercise of discretion in taking regulatory decisions, the leadership and culture within the SRA and the training delivered to people within the SRA. All of these issues, and others, are more directly in our control. The SRA is committed to taking all necessary and appropriate steps, consistent with our overall regulatory obligations, to ensure that “internal factors” do not give rise to disproportionate outcomes. In

our view work must be taken on all relevant internal factors with the aim of removing any unjustifiable causes of disproportionality and reducing disproportionate outcomes overall.

- 2.12 It is important to recognise that, although internal factors are more directly within our control and are therefore more capable of being changed, it does not follow that change will be easy or quick to achieve. For example, if changes in supporting information systems are required to enable one aspect to be addressed, there may be a lengthy lead in time to the implementation of those changes. Similarly, cultural change within organisations is recognised as being something that can take a number of years, rather than months, to effect.
- 2.13 The SRA is committed to addressing these issues and will aim to do so transparently and through engagement with stakeholders. If this approach is to succeed, and confidence in the SRA amongst those affected by the current position enhanced, it is critical that there is openness and honesty about the current position and the work that lies ahead.

## **SRA's regulatory approach**

- 3.1 The report indicated that there was a perceived lack of clarity about how we saw our regulatory purpose and role and in how we focused our attention and justified our decisions. The report emphasised the need for clarity given that these issues had an influence on the culture of the organisation and on the decisions made by SRA staff and on the way in which the SRA is perceived by those it regulates. We accept the need for such clarity and for increased common understanding of the outcomes we seek to achieve as a regulator. We have already begun to address this.
- 3.2 On 7 May 2014 we published [Approach to regulation and its reform](#) together with four separate consultation papers including ones on:
- compulsory professional indemnity insurance;
  - the scope of the Compensation Fund; and
  - changes to reporting accountants' requirements.
- 3.3 The regulatory approach policy statement sets out clearly how we see our regulatory purpose and the approach we will take to meeting it. We will be engaging with individual solicitors and representative bodies on the contents of this paper throughout summer 2014 and will be publishing a final version, in the light of those conversations, alongside a new Strategic Plan for the organisation in October 2014. Throughout our engagement on this we will particularly be considering it in the context of the issues raised in the ICCR report.
- 3.4 A common thread across the statistics demonstrating disproportionality in outcomes and in the ICCR report is the concentration of BME solicitors in small firms.

- 3.5 Our [diversity monitoring report](#) indicates that smaller firms are themselves more likely to be the subject of some form of regulatory intervention. In the policy statement referred to above we have undertaken to reassess our approach to the regulation of small firms to identify measures to reduce regulatory burdens, provide greater certainty and to support them better. We expect to publish proposals for consultation in the summer.
- 3.6 As part of our work on reducing the regulatory burdens on small firms, we will be considering the impact on BME practitioners and other equality groups.
- 3.7 As the ICCR report identified, many of the regulatory interventions which disproportionately impact on small firms and BME practitioners flow from the holding of client money and the operation of the SRA's Accounts Rules. One of the consultations issued on 7 May 2014 covers the requirement to provide accountants reports on the holding of client money. This is intended to be an early part of wider reform in this area which we are already progressing. In particular we will wish to explore the options for alternatives to the holding of client money either through changing processes or by working with others to develop new mechanisms through which client money can be more safely held.
- 3.8 The reform of our approach to regulation, to ensure that it is transparent and more proportionate and targeted, has the potential to improve the position of all firms, through the removal or reduction of unnecessary regulatory burdens. To the extent that it benefits small firms in particular, it has the potential to disproportionately benefit BME practitioners; given their over-representation in small firms. It is possible that in the past our engagement with BME practitioners has been too narrowly focused on disproportionality and insufficiently focused on more general issues, such as our overall approach to regulation. We intend to address this through our refreshed approach to engagement set out in section 6 of this response. It is important that the impact of our general regulatory policies and approach on BME practitioners is given greater consideration during the course of our policy development.

## **Disproportionate outcomes – external and internal issues**

### External factors contributing to disproportionate outcomes

- 4.1 The ICCR refers to a number of factors external to the SRA, although not all external to the solicitors profession and legal services market, which need to be considered if the causes of disproportionate regulatory outcomes are to be identified and addressed. This process must involve a wider debate with a range of stakeholders and other organisations.
- 4.2 Some of the factors the report suggests contribute to disproportionality include:
- the location of BME solicitors in the profession. [Data](#) shows that BME solicitors are over-represented in small firms and under-represented in large firms, particularly at more senior levels in those firms. Data also shows that those in sole practice and small firms of four partners and



fewer are more likely to face regulatory action than solicitors in larger firms. Necessarily this contributes to the overall level of disproportionality;

- BME solicitors face barriers and potential discrimination in gaining employment and furthering their careers within the profession which leads them to be statistically more likely than their white counterparts to set up their own practices; and
- BME solicitors are younger and have less experience than their white counterparts when setting up in their practices.

- 4.3 We hold both individual and firm diversity data through our online portal, mySRA, and the Workforce Diversity Data Project. Firms themselves are now obliged to publish their firm diversity data to encourage transparency and promote diversity and many have published their diversity data on their websites. This lack of diversity is not only an issue facing BME solicitors. There is a lack of women and BME individuals at partnership level and a pay gap between BME solicitors and white British solicitors. Access to the profession for people from less affluent socio-economic backgrounds is also an issue we recognise.
- 4.4 It is clear to the SRA that one of the most significant changes that could contribute to a reduction in disproportionality would be through an increase in diversity within medium and large firms within England and Wales. For as long as the profession and firms recruit and promote in ways which lead to disproportionate numbers of BME lawyers being concentrated in sole practices and in the smallest firms then the issue of disproportionate outcomes is likely to remain to some extent. In addition, society, consumers and law firms themselves will fail to realise the benefits of a fully diverse workforce that fully reflects the diversity of our society.
- 4.5 The SRA can provide information and leadership on this issue and can, and does, place specific requirements on firms in order to require them to address their own diversity issue, for example, through SRA Principle 9 and through the Workforce Diversity Data project.
- 4.6 The SRA cannot address this issue on its own. Therefore, we feel it is right for us to set a challenge for the profession itself to consider the report and look at what actions it needs to take to ensure that there is no bias in the way firms make decisions in relation to work experience, training contracts, recruitment and career progression. We have seen that when firms show willingness to address under-representation then changes are made such as with the '30 plus' initiative to increase women at partnership level.
- 4.7 While the SRA will not set targets for recruitment in relation to under-represented groups, we would like to see firms consider the setting of targets for BME individuals as they have done in relation to women. It is in the interests of all firms to assess the rate of entry and level of retention of underrepresented groups in their organisation to encourage and promote diversity under Principle 9 and Chapter 2 of the SRA Code of Conduct.



- 4.8 We will engage with the Law Society and other representative groups and with individual solicitors in order to take stock of the range of activities being undertaken to reduce barriers and increase diversity in law firms. Our objective will be to identify better ways to work together in a co-ordinated way on this issue and to accelerate progress. We will report on our work on this issue in October 2014.

## Internal factors contributing to disproportionate outcomes

- 4.9 Our objective is to ensure that our policies and procedures, their application, and our decisions are transparent, consistent, fair and proportionate. The issues of leadership, culture and training, all critical to achieving these outcomes, are addressed in section 5 below.

## Monitoring our decision making and the exercise of discretion

- 4.10 Much of the work we have done to date on addressing disproportionality has focused on our approach to formal regulatory decision making, particularly after the findings from the 2010 Pearn Kandola report. This has included:
- introducing a formal decision making framework in 2012 for formal regulatory decisions;
  - documenting our decision making powers and a schedule of delegations confirming who had the power to make these decisions;
  - establishing and publishing criteria for each of these decisions;
  - training all decisions makers, including on managing unconscious bias; and
  - publishing Equality Impact Assessments (EIAs) of our policies and processes and, undertaking equality audits for some of the areas where our statistics were showing there was disproportionality.
- 4.11 We know that we need to do more to address this issue and there are still areas where we need to improve, including the way we are recording data such as in relation to publication of decisions and regulatory settlement decisions. The lack of consistent recording systems has hindered monitoring and makes the EIAs more difficult to produce and consider and less robust.
- 4.12 We will review the information provided in the diversity monitoring report and the ICCR report data, and carry out further analysis to ensure that the exercise of discretion and regulatory action is free from bias and justified. The [latest diversity monitoring report](#) is being published at the same time as this response. At present this report is published annually but we intend to move to publication twice yearly and to include additional analysis, particularly in relation to the issues identified in the ICCR. We will publish the next version of this, updated report, in October this year and undertake a programme of engagement around it in order to assist us in identifying trends and key issues for our management attention and action.

- 4.13 We will develop and implement a new decision making framework which will cover strategic and operational decisions as well as regulatory decisions. Regulatory decisions will have a wider meaning and will include decisions not to take any action. We will also realign our monitoring so that we are capturing a wider range of decisions, such the decision not to open a conduct matter. We will ensure that our decisions are recorded in a way that will enable us to monitor better the full range of our work.
- 4.14 We will review our Code of Referral to the SDT in 2015. We are currently reviewing our existing quality assurance capability and are in the process of scoping a quality assurance programme, which would include a tiered system of checks to ensure all our outcomes and decisions are accurately and fairly recorded. This programme would include within it equality checks and measurements.
- 4.15 We are currently part way through a major programme of investment and reform of the operational processes and information systems which support our staff in carrying out their regulatory roles. This programme, known as R-view, will be the vehicle for the implementation of much of the activity set out above, in terms of better information aligned to more robust decision making frameworks, processes and quality assurance. We will ensure that the work on R-view and the changes we need to make in order to address the issues highlighted in the ICCR are aligned. The R-view programme will complete its delivery in the second half of 2015.

### **Handling complaints of discrimination**

- 4.16 We currently publish information about the complaints made to us, including complaints of discrimination, so this information is already in the public domain. In addition, we have independent oversight of our complaints handling function provided by the ICRS (the Independent Complaints Resolution Service) which publishes its findings annually.
- 4.17 There is a challenge in that in some cases, individuals do not raise complaints with us through the complaints process at the time, but much later on in the enforcement proceedings themselves. This was true for the six examples considered in the report. We need to find out why individuals are not raising their complaints through the complaints process and do more to make people aware of the complaints policy and encourage them to bring their complaints to us at an early stage.
- 4.18 We have also recognised, through our own analysis of complaints, that there is more we can do to train staff across the organisation in complaints handling which includes identifying and investigating at the earliest opportunity complaints of discrimination.

## **SRA governance, leadership and culture**

### **Governance**

- 5.1 The ICCR review sets out a challenge for the SRA to review whether its governance of equality and diversity and the leadership and culture of the

organisation enables it to demonstrate that it is delivering the obligations set out in the Equality Act 2010.

- 5.2 We recognise that as a public authority, we need to ensure that we are complying with our legal requirements as set out in the Equality Act. Our aspiration has always been to move beyond compliance towards creating an organisation that is proactive in addressing discrimination and valuing diversity. We aim to be and be seen as an inclusive organisation in which people are valued and where they are developed and empowered to make high quality decisions
- 5.3 Our starting point for demonstrating that we are fulfilling our duties is set out in our [Equality Framework](#) which explains how we are complying with our public sector duties and our human rights obligations. This Framework covers our responsibilities as an employer and regulator.
- 5.4 We have reviewed and strengthened our governance arrangements for equality by establishing the Equality Board Group as a formal committee of the SRA Board. The group is now the Equality, Diversity & Inclusion Committee (ED&I) of the SRA Board. The Committee is chaired by a lay Board member, Jane Furniss, and comprises one solicitor and one further lay board member. [View ED&I committee terms of reference](#)
- 5.5 As a result of the Report and discussions that we have held with representative groups following its publication, the Committee has decided to extend its membership so that it can benefit from the diverse range of views and perspectives external to the SRA. The process to recruit the additional members will be open and transparent and we will ensure that we encourage applications from individuals who come from a diverse range of ethnic and social backgrounds. Ideally we would like to attract members who have experience in representing BME lawyers and members who have direct experience of leading organisations through the process of addressing issues of disproportionality.
- 5.6 The Board believes that it has an important role to play in promoting this agenda and in enhancing confidence in the decisions it makes. From March 2014, the SRA Board and Committee members have a responsibility to promote and progress equality and diversity in discharging their roles. This is now a formal objective set out in the 'code of conduct' and appraisal process which the Board requested be developed in recognition that it needed to improve the effectiveness of the way it and its committees delivered their obligations.

## Leadership and culture

- 5.7 One of the themes emerging from the ICCR findings is the role the SRA leadership has in embedding equality and diversity into the way it delivers its responsibilities as a regulator and as an employer.
- 5.8 The CEO of the SRA has championed the equality and diversity agenda and has already led briefings and discussions with all SRA staff on the ICCR and the issues it raises for the SRA. The executive leadership of the SRA is committed to integrating this work into our overall culture change programme,

led by the CEO. As a part of this we will be looking at the SRA's organisational structures for supporting and advancing the diversity inclusion work of the SRA.

- 5.9 We will continue with our programme of work to embed equality and diversity into the culture of the SRA. Some of the key actions we have taken include
- providing diversity training, workshops and events for staff, including a programme to develop and embed our vision and values;
  - establishing a business champion community whose role includes working with their respective units to raise awareness of the importance of embedding an inclusive culture which proactively promotes equality and diversity;
  - implementing an internal benchmarking tool to ensure all areas of the organisation are delivering against our equality framework;
  - embedding equality and diversity as a key competency in our behaviour and technical competency frameworks;
  - developing a specific diversity objective for leadership and managers on promoting equality and diversity. We will measure this through the annual appraisal process; and
  - carrying out an annual staff survey which included a section on equality and diversity.
- 5.10 Although the review did not find evidence of discrimination in the way the organisation regulated or how our people made decisions, we are not complacent. All our staff need to be clear about what is expected from them. They also need to be provided with the appropriate learning and development interventions to equip them with the knowledge, skills and confidence of making high quality decisions which stand up to external scrutiny.
- 5.11 We will deliver to all recruiting managers training which will focus on unconscious bias in recruitment and selection. Furthermore, a new module is being developed entitled "Managing a Diverse Workforce" to equip managers with the skills to manage in a more inclusive way.
- 5.12 In his report, Professor Gus John says that the SRA needs to set measurable targets to improve the diversity profile of its Board, Committees and adjudicators. We accept that where possible our governance structures, internal leadership and our workforce need to reflect the diversity of the profession and the society within which it operates.
- 5.13 We are aware that our aim to improve the diversity of our workforce is having some success but that we need to do more to encourage talented individuals from diverse backgrounds, including those from BME communities to apply for positions on the Board, its Committees and in positions of leadership.
- 5.14 We are working to ensure that our recruitment processes are better targeted to encourage applications from individuals from more diverse backgrounds;

we also ensure that we use suppliers who have are committed to diversity in recruitment.

- 5.15 There is considerable work being undertaken currently to improve our data collection systems so that we can generate good quality management information to inform the growth and development of our organisation. We are now preparing quarterly reports outlining the diversity profile of the SRA. We have also recently published our annual report outlining the demographic profile of our workforce; this [data has now been published on the SRA website](#), in line with the requirements of the Equality Act 2010.

## Transparency and engagement

### Stakeholder engagement

- 6.1 In the ICCR report, Professor John suggests that fewer individuals and firms may end up in formal disciplinary processes, if they have support from the Law Society (as the representative body) and a more constructive relationship with the SRA (as the regulator). He goes further and says that engaging and having a positive relationship with all segments within the profession will help promote equality and minimise disproportionality for BME solicitors and firms.
- 6.2 We see our engagement role to include:
- engaging and listening to the profession we regulate, including those from diverse backgrounds;
  - developing a more positive relationship with firms.
- 6.3 Inclusive engagement is relevant to all aspects of the SRA's work. It is about actively encouraging and supporting the participation of all individuals and organisations interested in our regulatory approach, our guidance, our policies and our procedures.
- 6.4 We have sought to provide support for small firms largely through a targeted approach to engagement and close working with practitioner groups. We have had regular meetings with BME solicitors through the EIG (chaired by Lord Ouseley).
- 6.5 The EIG has provided a consistent and valuable method of receiving advice, guidance and challenge for the SRA. However, its members acknowledge that its role has come to an end, there is a need to refresh and reinvigorate relationships and the SRA needs to review its engagement approach and use a range of approaches to engagement.
- 6.6 We will develop a more comprehensive engagement strategy that will use multiple models to engage and communicate with the profession, consumers and the public. We will make sure that the approaches we adopt are inclusive and seek to involve all our stakeholders. This will include:

- roadshow events which have been received positively by all segments within the profession and engaging more directly with groups of individual solicitors in addition to meeting their representative groups
- maximising the use of social media such as Twitter and LinkedIn to get feedback, and communicate learning and key messages
- a stakeholder forum to build on the work of the EIG
- developing more effective engagement with local Law Societies
- developing participation on our vulnerability forum so that we cover the widest range of consumer groups supporting vulnerable consumers
- developing a positive relationship with those we regulate

6.7 Achieving fair and proportionate outcomes for all regulated individuals and firms and being seen to achieve these outcomes is very important to us. We have become much more open about our work in recent years and will continue to engage with a wide range of groups in the profession to promote understanding of what we do. The feedback we receive from consultations and other workshops helps us improve as a regulator and understand the pressures on practitioners in the legal marketplace.

6.8 We have already recognised that success in moving to a new regulatory approach would require a change in culture at the SRA and the behaviours expected of staff. The report highlights the importance of this work and challenges the SRA to review our engagement with small firms and sole practitioners so that we are more proactive and encourage firms to seek help at an early stage when issues arise.

6.9 We recognise that we need to do more to improve confidence levels within small firms and sole practices so that they engage with us early on and seek support. The work to which we have referred in section 3 of this response is, in part, designed to achieve this.