



## Upholding professional standards - diversity monitoring - corporate report 2021/22

[Read in Welsh](#) [\[/sra/research-publications/cynnal-safonau-proffesiynol-202122-monitro-amrywiaeth-adroddiad-ategol/\]](#)

20 July 2023

This is the fourth year where we have published findings on the diversity characteristics of people in our enforcement processes.

Previous reports are available for:

- [2018/19](#) [\[/sra/research-publications/2018-19-review/upholding-professional-standards-supporting-report/\]](#)
- [2019/20](#) [\[/sra/research-publications/upholding-professional-standards-supporting-report-2019-20/\]](#)
- [2020/21](#) [\[/sra/research-publications/upholding-professional-standards-2020-21--diversity-monitoring-supporting-report/\]](#)

We will continue to report on our findings annually .

Monitoring the diversity of people in our enforcement processes and taking action on the findings is a vital part of embedding equality, diversity and inclusion (EDI) in the work we do. We not only do this because we have a public duty to do so, as set out under the Equality Act and Legal Services Act, but because it is the right thing to do. This work will also help us to evaluate the impact of our Enforcement Strategy and our Standards and Regulations.

We have taken the same approach as previously, the detail of which can be found in the next section, the scope of our analysis. This has allowed us to make comparisons and look at trends over the past four years, as set out in the key findings section. We have also noted the limitations in the data we hold or can publish, and the difficulties with drawing meaningful conclusions from the very small numbers in the later stages of the enforcement process.

We continue to see an overrepresentation of men and solicitors from Black, Asian and minority ethnic backgrounds in concerns raised with us and those we investigate. At these two stages of the enforcement processes, the differences are statistically significant and reflect the patterns seen across many professions and regulators. To help us, and others, address these issues, in particular, for Black Asian and minority ethnic solicitors, we have built on earlier reviews by commissioning independent research from York, Lancaster and Cardiff universities, which will provide insight into the factors driving overrepresentation at these stages of the process.

We have published the findings from the literature review carried out by the universities. Experts found little existing research looking specifically at the legal sector. But they did identify a number of common themes from other sectors which may 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 be exploring the experiences of solicitors and behaviours among legal service users.

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

[Open all](#) [\[#\]](#)

## **Scope of our analysis**

We looked at the representation of sex, ethnicity, age and, in some areas where numbers were sufficient, the disability of individuals at the following stages of our enforcement process from 1 November 2021 to 31 October 2022:

- Stage 1 – individuals named on concerns reported to us
- Stage 2 – individuals named on concerns which we took forward for an investigation
- Stage 3 – individuals named on cases with an internal sanction and the types of sanctions we imposed (path A)
- Stage 4 – the cases which were concluded at the Solicitors Disciplinary Tribunal (SDT) by way of a hearing or an agreed outcome, and the types of sanctions the SDT imposed (path B).

## **How we have analysed the data**

Starting with a breakdown of the practising population, we have compared the proportions of each diversity group at the different stages of our enforcement process. For example, men make up:

- 47% of the practising population
- 63% of the individuals named on concerns reported to us (stage 1)
- 70% of the individuals taken forward for investigation (stage 2)
- 74% of the individuals named on cases with an internal sanction (stage 3, path A)
- 75% of the individuals named on cases concluded at the SDT (stage 4, path B).

The number of individuals gets smaller at each stage of the process, making it difficult to draw firm conclusions at stages 3 and 4. Overall, in 2021/22, there were:

- 6,991 individuals named on concerns reported to us (stage 1)
- 1,350 individuals taken forward for investigation (stage 2)
- 267 individuals named on cases with an internal sanction (stage 3)
- 84 individuals named on cases concluded at the SDT (stage 4).

We break ethnicity down into five main groups: White, Black, Asian, Mixed and Other ethnic group. Where the numbers in each group are large enough to report without the risk of identifying individuals, we will report data about each group separately. Where the numbers get too small (at stages 3 and 4), we will compare the White group (which includes minority White groups) to the other four groups, which we refer to as the Black, Asian and minority ethnic group. We no longer use the acronym 'BAME' to refer to this group.

Our analysis looks at the known population among those groups – that is, the people for whom we hold diversity information. This varies at each stage of the process, but, when we look at the practising population, we have information on:

- 88% of individuals' sex
- 9% of individuals' age (this is shown as 100% due to rounding)
- 72% of individuals' ethnicity.

We are using the data about the practising population that we hold in our mySRA systems as the starting point for our analysis. More information about the breakdown of the practising population can be found in the annex at the bottom of this report.

Because of the way we have collected disability data in the past we can only identify the proportion of people who have declared a disability, which is 1% of the practising population.

We are not able to differentiate, with certainty, between people who have actively declared they do not have a disability and those who have simply not answered the question. We suspect there is significant underreporting of disability data within this data set.

A full set of the charts showing the data at each of the stages is in this report. We have also looked at how the cases at the SDT have been concluded, in particular, whether there is a

difference by diversity characteristic in the use of agreed outcomes.

## **Key findings 2021/22**

In this section we have set out an overview of the key findings for sex and ethnicity at all four stages of the enforcement process (where there was sufficient data to allow us to do this). We have the data from earlier years so we can highlight any trends.

### **Low numbers at stages 3 and 4**

Due to the low numbers involved we cannot confirm with confidence if the diversity breakdowns seen in stages 3 and 4 are statistically significant, or whether they are a result of chance. This is because the numbers are too small for statistical tests to reliably establish differences between groups. Any differences between groups should, therefore, be treated with caution.

## **Sex**

### **Breakdown by sex of practising population and at stages 1-4 of our enforcement process**

	<b>Sex</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
<b>Practising population</b>	Men	49% (74,657)	48% (71,933)	48% (70,928)	47% (69,512)
	Women	51% (77,539)	52% (77,769)	52% (78,011)	53% (76,987)
<b>Stage 1: Concerns reported to us</b>	Men	67% (4,440)	65% (3,959)	62% (3,913)	63% (3,894)
	Women	33% (2,161)	35% (2,088)	38% (2,365)	37% (2,336)
<b>Stage 2: Investigation</b>	Men	73% (1,800)	75% (1,166)	68% (820)	70% (804)
	Women	27% (661)	25% (380)	32% (393)	30% (352)
<b>Stage 3 (path A): Cases with an internal sanction</b>	Men	70% (159)	73% (144)	66% (105)	74% (139)
	Women	30% (67)	27% (53)	34% (55)	26% (49)
<b>Stage 4 (path B): Cases concluded at the SDT</b>	Men	85% (119)	80% (99)	73% (75)	75% (61)
	Women	15% (21)	20% (25)	27% (28)	25% (20)

For all four years, men are significantly overrepresented in the concerns we receive (stage 1) compared to their representation in the practising population. This increases further at stage 2, when we decide which cases to take forward for investigation. Looking at what happens to reports received about men, 21% of reports were taken forward for investigation compared to 15% of women.

As in previous years, the proportion of men in cases concluded at the SDT increases compared to the investigation stage. Men make up 70% of those investigated in 2021/22 and 75% of those whose cases were concluded at the SDT.

For cases concluded internally, in previous years, the proportion of men has decreased compared to the investigation stage. However, in 2021/22, men made up 70% of those investigated and 74% of those whose cases were concluded internally.

Please note, the data used in this report is based on a self-reported response to the following question: 'What is your sex: male, female, other preferred description' or 'prefer not to say'. Solicitors answering this question are not required to answer in accordance with their legal sex.

## Ethnicity

We break ethnicity down into five main groups: White, Black, Asian, Mixed or Other ethnic group. Where the numbers in each group are large enough to report without the risk of identifying individuals, we will report data about each group separately. If the numbers are too small, while the experience of people making up the Black, Asian, Mixed or Other ethnic group will not be the same, we will report these groups together, alongside the White group.

In this section we have set out data for the White and the Black, Asian and minority ethnic groups to allow comparison across all stages. A more detailed analysis across all five ethnic groups can be seen in the section covering stages 1 and 2. The approach is not possible for stages 3 and 4 because of the small number of people involved.

### Ethnicity breakdown of practising population and at stages 1-4 of our enforcement process

	Ethnicity	2018/19	2019/20	2020/21	2021/22
<b>Practising population</b>	White	82% (99,098)	82% (96,835)	82% (99,078)	81% (97,326)
	Black, Asian and minority ethnic	18% (21,085)	18% (20,930)	18% (22,223)	19% (22,266)
<b>Stage 1: Concerns reported to us</b>	White	74% (4,273)	74% (3,864)	75% (4,138)	76% (4,172)
	Black, Asian and minority ethnic	26% (1,486)	26% (1,327)	25% (1,376)	24% (1,307)

<b>Stage 2: Investigation</b>	White	68% (1,441)	65% (870)	67% (722)	71% (727)
	Black, Asian and minority ethnic	32% (691)	35% (460)	33% (356)	29% (295)
<b>Stage 3 (path A): Cases with an internal sanction</b>	White	65% (129)	71% (114)	64% (90)	69% (116)
	Black, Asian and minority ethnic	35% (68)	29% (46)	36% (51)	31% (52)
<b>Stage 4 (path B): Cases concluded at the SDT</b>	White	65% (81)	72% (81)	66% (59)	64% (47)
	Black, Asian and minority ethnic	35% (43)	28% (31)	34% (31)	36% (26)

For all four years people from a Black, Asian and minority ethnic origin are overrepresented in the concerns we receive (stage 1) compared to their representation in the practising population. The extent of this overrepresentation has fallen slightly between 2018/19 and 2021/22.

In 2021/22, Black, Asian and minority ethnic people made up 19% of the practising population and 24% of reports received – a difference of five percentage points. In 2018/19, they made up 18% of the practising population and 26% of reports received – a difference of eight percentage points. We will continue to monitor this fall to see if it is indicative of a trend.

The overrepresentation increases at stage 2, when we decide which cases to take forward for investigation. This is the pattern seen for all four years, although the extent of the overrepresentation is the lowest we have seen in the four years we have reported this information. This group makes up 24% of those reported to us and 29% of those taken forward for investigation in 2021/22. Given the number of individuals at this stage, this is a statistically significant decrease. However, as with the drop in overrepresentation in the number of reports received, we will need to monitor to see if these numbers are indicative of an ongoing trend.

Looking at what happens to reports received about Black, Asian and minority ethnic people, 23% of reports were taken forward for investigation compared to 17% of White people. Both Asian and Black groups are overrepresented in reports received, and the rate at which they are taken forward for investigation is similar (23% for the Asian group and 22% for the Black group). Please note that these figures are not in the table above, but are instead calculated as a percentage of the total investigated from the total reported. The numbers can be found in [the stages 1 and 2 section](#). [[#\\_Diversity\\_profile:\\_Stages](#)]

Looking at the proportion of Black, Asian and minority ethnic people in cases which were upheld, compared to the proportion whose cases were investigated, the proportion is higher in 2018/19, 2020/21 and 2021/22 for both cases concluded internally and for cases concluded at the SDT. This group makes up 29% of those investigated in 2021/22, 31% of internal cases concluded and 36% of cases concluded at the SDT. The position in 2019/20

was different, where the proportion of Black, Asian and minority ethnic people in both internal and SDT outcomes was lower than at the investigation stage. It is worth bearing in mind, however, that, the number of cases heard at the SDT, in particular, is quite low each year. Therefore, small changes in numbers can lead to larger changes in percentage figures, and so caution must be taken when considering them.

## Age

Because of low numbers we have combined the two youngest age groups, showing data at each stage for people aged 16 to 34.

### Age breakdown of practising population and at stages 1-4 of our enforcement process

	Age	2018/19	2019/20	2020/21	2021/22
<b>Practising population</b>	16-34	25% (39,593)	24% (39,016)	24% (38,927)	23% (38,997)
	35-44	32% (50,885)	33% (52,124)	33% (53,371)	33% (54,372)
	45-54	24% (38,033)	24% (39,146)	24% (39,788)	25% (41,220)
	55-64	14% (21,378)	14% (22,284)	14% (22,787)	14% (23,698)
	65+	5% (7,280)	5% (7,736)	5% (8,001)	5% (8,485)
	16-34	12% (826)	13% (799)	14% (911)	14% (954)
	35-44	26% (1,776)	27% (1,680)	26% (1,766)	26% (1,794)
	45-54	30% (1,992)	28% (1,754)	28% (1,915)	27% (1,864)
<b>Stage 1: Concerns reported to us</b>	55-64	22% (1,501)	22% (1,403)	21% (1,420)	21% (1,439)
	65+	10% (250)	10% (616)	11% (717)	13% (867)
	16-34	11% (283)	12% (190)	10% (137)	12% (165)
	35-44	26% (659)	29% (479)	25% (335)	26% (337)
	45-54	30% (751)	28% (447)	29% (386)	27% (349)
	55-64	23% (567)	22% (358)	23% (304)	21% (275)
	65+	10% (250)	9% (150)	12% (162)	12% (187)
	16-34	13% (34)	14% (34)	19% (44)	12% (28)
<b>Stage 2: Investigation</b>	35-44	25% (64)	28% (66)	26% (60)	22% (51)
	45-54	27% (69)	24% (56)	25% (58)	32% (73)
	55-64	22% (55)	20% (48)	18% (43)	16% (36)
	65+	13% (33)	14% (34)	13% (30)	18% (41)
<b>Stage 3 (path A): Cases with an internal sanction</b>	16-34	13% (34)	14% (34)	19% (44)	12% (28)
	35-44	25% (64)	28% (66)	26% (60)	22% (51)
	45-54	27% (69)	24% (56)	25% (58)	32% (73)
	55-64	22% (55)	20% (48)	18% (43)	16% (36)
	65+	13% (33)	14% (34)	13% (30)	18% (41)
	16-34	13% (34)	14% (34)	19% (44)	12% (28)
	35-44	25% (64)	28% (66)	26% (60)	22% (51)
	45-54	27% (69)	24% (56)	25% (58)	32% (73)

<b>Stage 4 (path B): Cases concluded at the SDT</b>	16-34	9% (13)	5% (6)	7% (8)	
	35-44	27% (38)	25% (31)	19% (21)	25% (21)
	45-54	31% (44)	30% (38)	31% (34)	33% (28)
	55-64	20% (28)	25% (31)	28% (31)	24% (20)
	65+	13% (18)	16% (20)	14% (15)	18% (15)

\* For 2021/22, there were no 16–24 individuals represented at this stage. Due to low numbers, we have also combined the 25–34 and 35–44 age categories.

Please note that, due to the data groupings for 2021/22, we are unable to show the figures in bar chart form for this year.

Note: numbers may not add up to 100% due to rounding.

For all four years there is underrepresentation of the two younger age categories (people who are aged 44 and under) in concerns reported to us compared with their representation in the practising population. The opposite is true for those in the older age categories (45 and over) who are overrepresented in concerns reported to us when compared with the practising population. This overrepresentation becomes more pronounced as the age increases.

When looking at cases involving individuals taken forward for investigation, compared to the proportion who were reported, there is a similar pattern for 2018/19, 2020/21 and 2021/22. It shows that the rate at which people were taken forward for investigation increases with age. In 2021/22, 17% of those reported aged 16–34 were investigated, 19% of the next three categories and 22% of those aged 65+. Please note that these figures are not in the table above but instead calculated as a percentage of the total investigated from the total reported.

It is difficult to identify any clear patterns in the cases concluded internally or at the SDT over the four years due to the small numbers involved.

## Disability

Because of the very small numbers involved, there are limitations in what we can report – the table is marked with an asterisk where the numbers are too small to report for that year.

### Disability recorded among practising population and in our enforcement process

	<b>Disability</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
<b>Practising population</b>	No disability recorded	99% (155,686)	99% (158,835)	99% (160,662)	99% (164,480)
	Disability recorded	1%(1,673)	1% (1,663)	1% (2,293)	1% (2,362)
<b>Stage 1: Concerns reported to us</b>	No disability recorded	99% (6,719)	98% (6,187)	99% (6,622)	98% (6,842)
	Disability recorded	2% (141)	2% (106)	1% (181)	2% (149)
<b>Stage 2: Investigation</b>	No disability recorded	98% (2,517)	98% (1,609)	97% (1,320)	97% (1,316)
	Disability recorded	2% (62)	2% (38)	3% (37)	3% (34)
<b>Stage 3 (path A): Cases with an internal sanction</b>	No disability recorded	*	*	97% (251)	98% (262)
	Disability recorded	*	*	3% (7)	2% (5)
<b>Stage 4 (path B): Cases concluded at the SDT</b>	No disability recorded	*	95% (123)	*	*
	Disability recorded	*	5% (6)	*	*

Although the numbers are too small to draw any firm conclusions, there is an overrepresentation of disabled people in reports made to us, at the investigation stage and cases with an internal outcome for 2021/22. In 2021/22, 23% of disabled people reported to us were taken forward for investigation. This is broadly in line with the number of concerns we took forward as a percentage of those reported to us (19%).

However, it is important to note that the number of disabled individuals we refer for an investigation is low and any small change in numbers could result in a larger change in percentage.

## **Further work and research**



Since the publication of our 2018/19 report in December 2020, the findings of which have been similar in subsequent years, we have made progress in our work to better understand why we see overrepresentation of some groups in our enforcement processes.

## **What we are doing to address the issues raised**

### **Commitment**

We will commission independent research into the factors that drive the reporting of concerns about Black, Asian and minority ethnic solicitors to us, to identify what we can do about this and where we can work with others to make a difference.

This research will include a review of decision making in our assessment and early resolution process where the decision to refer a matter for investigation is made (referred to as stage 2 in this report)

### **Actions taken**

We have commissioned the University of York, Lancaster University and Cardiff University to take forward this research and they are making good progress. We have published their literature review which highlights a range of factors from existing research which may explain why Black, Asian and minority ethnic solicitors are more likely to be reported to us. The research is ongoing and we will publish the findings in spring 2024.

### **Commitment**

We will work to increase the number of individuals who disclose information concerning their diversity characteristics to us.

### **Actions taken**

We are upgrading the platform which hosts our individual diversity questionnaire on mySRA to improve its functionality and will resume our campaign to encourage disclosure later this year. In the meantime, we are also looking at ways we can communicate directly with aspiring solicitors as they progress through the authorisation process. This will draw their attention to the diversity questions, explain how the data helps them and the profession and encourage disclosure.

### **Commitment**

We will evaluate the changes we have made through our regulatory reform programme, with understanding the impacts on EDI forming a key part of the work.

### **Actions taken**

We have a programme of work to evaluate the impact of our new Enforcement Strategy and new Standards and Regulations introduced in November 2019. Our [year-one evaluation of our Standards and Regulations was published in December 2021 and the work is ongoing.](https://sra/research-publications/year-one-evaluation-standards-regulations/) Our three-year review of our Standards and Regulations will be published in late 2023, and we will look into any EDI impacts as part of this review.

### **Commitment**

We will continue to build on our wider work to promote and support diversity in the profession and our ongoing work to support small firm compliance.

### **Actions taken**

[A review of our EDI work in 2021/22](https://sra/research-publications/edi-work-2021-22/1) [\[sra/research-publications/edi-work-2021-22/1\]](https://sra/research-publications/edi-work-2021-22/1) was published in January 2023, including our work to support small firm compliance, through a series of targeted workshops and resources.

## **Diversity profile: Stages 1 and 2**

This section covers the profile of the individuals named on the concerns reported to us (stage 1) and the concerns we take forward for investigation (stage 2), seen against the breakdown of the practising population. We focus on the data for 2021/22 in this section – any meaningful changes over the past four years at stages 1 and 2 are highlighted in the 'key findings' section above.

### **About the data**

In 2021/22, 10,121 concerns were reported to us. Of these, 5,975 (59%) named one or more individuals. We counted an individual each time they appeared on a concern reported to us, so some individuals may be reported more than once. The analysis in this section is based on the 6,991 individuals named on these concerns. Because our focus is on the diversity breakdown of individuals in our enforcement processes, concerns relating to firms have been excluded.

Of the 6,991 individuals named on the concerns we received (stage 1), 1,350 individuals were taken forward for investigation (stage 2) – this is a rate of 19%.

Broken down by four diversity characteristics (ethnicity, sex, age, and disability), the tables in this section show:

- The practising population
- Stage 1 – individuals named on concerns reported to us in 2021/22
- Stage 2 – individuals named on those 2021/22 concerns which we took forward for investigation.

### **Our findings**

#### **Sex**

There is an overrepresentation in the proportion of men named on the concerns we receive (63%) when compared with their representation in the practising population (47%). This increases when we look at the individuals taken forward for investigation, where 70% are men. The rate at which women are taken forward for investigation is 15% (352 women investigated out of 2,336 reported) compared to 21% for men (804 men investigated out of 3,894 reported).

#### **Stages 1 and 2 - breakdown by sex**

	<b>Men</b>	<b>Women</b>
<b>Practising population</b>	47% (69,512)	53% (76,987)
<b>Stage 1: Concerns reported to us</b>	63% (3,894)	37% (2,336)
<b>Stage 2: Investigation</b>	70% (804)	30% (352)

Please note, the data used in this report is based on a self-reported response to the following question: 'What is your sex: male, female, other preferred description' or 'prefer not to say'. Solicitors answering this question are not required to answer in accordance with their legal sex.

The proportions in the table are based on the following data:

- Practising population – sex was known for 146,499 of the 166,842 practising population (88%).
- Stage 1 – sex was known for 6,230 of the 6,991 individuals named on concerns we received (89%).

- Stage 2 – sex was known for 1,156 of the 1,350 individuals who were taken forward for investigation (86%).

## Ethnicity

The number of individuals counted at stages 1 and 2 of the process is large enough for us to show all five ethnic groups separately. This is not the case for stages 3 and 4 where the numbers are too small, so we have also shown the total for the Black, Asian and minority ethnic groups in the table below, to allow for comparison across all stages of our processes.

Looking at the Black, Asian and minority ethnic group as a whole, there is overrepresentation of individuals from these groups reported to us (24%) and taken forward for investigation (29%) compared to their representation in the practising population (19%). The patterns for the Asian and Black groups are similar although the size of the two groups differ:

- 12% of the practising population is Asian, 17% of the individuals named on concerns reported to us are Asian, and 21% of the individuals at the investigation stage are Asian.
- 3% of the practising population is Black, 3% of individuals named on concerns reported to us are Black, and 4% of the individuals at the investigation stage are Black.

The opposite is true for the White group. There is an underrepresentation of White individuals named on concerns reported to us (76%) compared with the practising population (81%). This decreases when looking at White individuals taken forward for investigation (71%).

The rate at which Asian people are taken forward for investigation is 23% (217 investigated out of 945 reported). For Black people it is 22% (41 investigated out of 185 reported). And, for the Black, Asian and minority ethnic group overall it is 23% (295 investigated out of 1,307 reported). This is higher than the White group, which is 17%, (727 investigated out of 4,172 reported).

### Stages 1 and 2 – ethnicity breakdown

	White	Asian	Black	Mixed	Other
<b>Practising population</b>	81% (97,326)	12%	3%	2%	2%
	<b>19% (22,266) Black, Asian and minority ethnic total</b>				
<b>Stage 1: Concerns reported to us</b>	76% (4,172)	17%	3%	1%	2%
	<b>24% (1,307) Black, Asian and minority ethnic total</b>				
<b>Stage 2: Investigation</b>	71% (727)	21%	4%	1%	3%
	<b>29% (295) Black, Asian and minority ethnic total</b>				

Note: numbers may not add up to 100% due to rounding.

The proportions in the table are based on the following data:

- Practising population – ethnicity was known for 119,592 of the 166,842 practising population (72%).
- Stage 1 – ethnicity was known for 5,479 of the 6,991 individuals named on concerns we received (78%).

- Stage 2 – ethnicity was known for 1,022 of the 1,350 individuals who were taken forward for investigation (76%).

## Age

Because the number of individuals aged 16–25 was too small to show separately they have been grouped with the 25–34-year-old group.

People in this group (16–34) are underrepresented in the concerns reported to us (14%) compared with their proportion of the practising population (23%). This pattern is also seen for those in the 35–44 age category, but to a lesser extent. This group makes up 33% of the practising population and 26% of reports to us.

The opposite is true for those in the older age categories, who are overrepresented in reports compared with the practising population. The most marked difference is for those aged 65+, who make up 13% of reports, but only 5% of the practising population. Those aged 55 to 64 make up 21% of reports and 14% of the practising population.

The proportion of people reported and the proportion investigated is similar for the older age categories (35+). For the younger group (16–34) there is a more of a difference – they make up 14% of the reports received and 12% of those taken forward for investigation.

The rate at which people are taken forward for investigation roughly increases with age:

- 16–34 – 17% (165 investigated out of 954 reported)
- 35–44 – 19% (337 out of 1,794)
- 45–54 – 19% (349 out of 1,864)
- 55–64 – 19% (275 out of 1,439)
- 65+ – 22% (187 out of 867).

### Stages 1 and 2 – age breakdown

	<b>16-34</b>	<b>35-44</b>	<b>45-54</b>	<b>55-64</b>	<b>65+</b>
<b>Practising population</b>	23% (38,997)	33% (54,372)	25% (41,220)	14% (23,698)	5% (8,485)
<b>Stage 1: Concerns reported to us</b>	14% (954)	26% (1,794)	27% (1,864)	21% (1,439)	13% (867)
<b>Stage 2: Investigation</b>	12% (165)	26% (337)	27% (349)	21% (275)	14% (187)

Note: numbers may not add up to 100% due to rounding.

The proportions in the table are based on the following:

- Practising population – age was known for 166,772 of the 166,842 practising population (99.9%).
- Stage 1 – age was known for 6,918 of the 6,991 individuals named on concerns we received (99%).
- Stage 2 – age was known for 1,313 of the 1,350 individuals who were taken forward for investigation (97%).

## Disability

We are not able to draw any reliable conclusions in relation to disability because the numbers are so small.

We have published the breakdown at stages 1 and 2 for completeness, which shows an overrepresentation of disabled individuals named on concerns we received (2%) and taken forward for investigation (3%), compared with the practising population (1%).

The rate at which disabled people are taken forward for investigation is 23% (34 investigated out of 149 reported).

#### **Stages 1 and 2: Disability recorded**

	<b>No disability recorded</b>	<b>Disability recorded</b>
<b>Practising population</b>	99% (164,480)	1% (2,362)
<b>Stage 1: Concerns reported to us</b>	98% (6,842)	2% (149)
<b>Stage 2: Investigation</b>	97% (1,316)	3% (34)

The proportions in the table are based on the following data:

- Practising population – of the 166,842 individuals in the practising population, 2,362 (1.4%) are recorded as disabled.
- Stage 1 – of the 6,991 individuals named on the concerns received, 149 (2%) are recorded as disabled.
- Stage 2 – of the 1,350 individuals taken forward for investigation, 34 (3%) are recorded as disabled.

### **Diversity profile: Path A - Stages 1,2 and 3**

This section concerns the cases concluded via enforcement path A, meaning the reports that are taken forward for investigation (stage 2) and result in an internal sanction (stage 3).

Our analysis in this report is based on enforcement activity within a given year, so although there may be some overlap between the individuals involved in stages 1 and 2 and those involved in stage 3 it is unlikely to be significant. Many of the cases concluded with an internal sanction (stage 3) in 2021/22 will have been received in the previous year.

We focus on the data for 2021/22 in this section – any meaningful changes over the past four years at stage 3 are highlighted in the key findings section.

#### **About the data**

It should be noted that the data in this section covers sanctions we can impose and outcomes reflected in regulatory settlement agreements (RSAs) made in 2021/22. RSAs are used when an individual accepts responsibility for some or all of the allegations investigated and the outcome is agreed between us and the individual.

There were 301 investigations in 2021/22 which resulted in us taking internal enforcement action and issuing a sanction. Of these, 241 cases concerned one or more individuals, and 267 individuals were named on these cases.

There are two tables for each diversity characteristic in this section. The first shows the profile of the individuals at each of the following stages:

- Stage 1 – individuals named on concerns reported to us for the 2021/22 year.
- Stage 2 – individuals named on those 2021/22 concerns which we took forward for investigation.
- Stage 3 – individuals named on cases that resulted in an SRA sanction for 2021/22.

The second table shows the diversity breakdown of individuals by the type of outcome (or sanction) imposed. Some individuals may have more than one outcome and will therefore appear more than once in the analysis. For this reason, the numbers in the first table will not be the same as those in the second table. It should also be noted that the outcomes data includes letters of advice, findings and warnings, rebukes and fines, but excludes decisions to intervene, decisions to refer a case to the SDT, or cases where an individual agreed to be removed from the roll of solicitors through an RSA. This is because these decisions take the outcome outside the scope of path A for the purpose of this analysis.

## Limits in the data we can report

The internal decisions we make are generally published and because the numbers are small at this stage, to report in greater detail would risk revealing someone's identity. As a result, there are limitations in what we have been able to report in this section:

- We have not been able to include a breakdown for disability at all.
- We have not been able to report separately on the groups making up the Black, Asian and minority ethnic category.
- We have grouped together the 16-24 and 25-34 age categories.
- We have excluded some outcomes from the analysis because the numbers are too small – there was 1 condition placed on an individual's practising certificate and 14 section 99 orders. Section 99 orders relate to disqualifying non-authorised people from being employees in legal services or preventing them from taking up certain positions, such as head of finance and administration of head of legal practice.
- We have also excluded 46 section 43 orders because this type of sanction is applied to non-lawyers working in the law firms and businesses we regulate, and we do not hold diversity data for these individuals - as we do for the practising population.
- Section 47(2)(g) orders (where the SDT prevents a former solicitor who has been removed from the roll from being restored without its permission) are also excluded. In 2021/22, there were three.
- We have presented the outcome types in two groups, the more serious sanctions (rebukes and fines) and the less serious sanctions (letters of advice and findings and warnings).

## Limits on the conclusions we can draw

Because of the low numbers involved at stage 3 (267 individuals), we cannot confirm with confidence whether the findings in this section are statistically significant, or a result of chance. Any differences between groups should, therefore, be treated with caution. And as percentage breakdowns can be misleading with small groups, we have also provided the numbers of individuals involved.

## Our findings

### Sex

The proportion of men named on cases that resulted in an internal sanction at stage 3 is 74%. This is compared to 70% of men named at stage 2. The numbers involved at this stage are small, and so it is difficult to draw meaningful conclusions.

	Men	Women
<b>Stage 1: Concerns reported to us</b>	63% (3,894)	37% (2,336)
<b>Stage 2: Investigation</b>	70% (804)	30% (352)
<b>Stage 3 (path A): Cases with an internal sanction</b>	74% (139)	26% (49)

Of the 267 individuals named on cases with an internal sanction at stage 3, sex was known for 188 (70%).

### Outcomes - sex

When looking at the proportion of men at stage 3 (74%), there is a higher proportion of men who received a more serious sanction (a rebuke or fine) at 80%, compared to a less serious sanction (letter of advice or finding and warning) at 67%. The opposite is true for women, who represent 20% of those receiving a more serious sanction and 33% of those receiving a less serious sanction compared to their proportion of the total at stage 3 (26%).

### Path A: Outcome types - breakdown by sex



	Men	Women
<b>Stage 3 (path A): Cases with an internal sanction</b>	74% (139)	26% (49)
<b>Letter of advice or finding and warning</b>	67% (62)	33% (30)
<b>Rebuke or fine</b>	80% (55)	20% (14)

Sex was known for:

- 92 of 114 letters of advice or findings and warnings (81%)
- 69 of 77 rebukes and fines (90%).

## Ethnicity

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, the proportion of Black, Asian and minority ethnic individuals named on cases at stage 3 (31%) is higher than those represented at stage 2 (29%). For White individuals, the proportion of those named on cases at stage 3 (69%) is lower than those represented at stage 2 (71%).

### Path A: Stages 1, 2 and 3 - ethnicity breakdown

	White	Black, Asian and minority ethnic
<b>Stage 1: Concerns reported to us</b>	76 (4,172)	24% (1,307)
<b>Stage 2: Investigation</b>	71% (727)	29% (295)
<b>Stage 3 (path A): Cases with an internal sanction</b>	69% (116)	31% (52)

Of the 267 individuals named on cases with an internal sanction at stage 3, ethnicity was known for 168 (63%).

## Outcomes - ethnicity

Compared to the proportion of Black, Asian and minority ethnic individuals represented at stage 3 (31%), the proportion represented in the less serious outcomes (letters of advice or findings and warnings) is 25%. The proportion represented in the more serious sanction types (rebukes or fines) is 29%.

### Path A: Outcome types - ethnicity breakdown

	White	Black, Asian and minority ethnic
<b>Stage 3 (path A): Cases with an internal sanction</b>	69% (116)	31% (52)
<b>Letter of advice or finding and warning</b>	75% (62)	25% (21)
<b>Rebuke or fine</b>	71% (44)	29% (18)

Ethnicity was known for:

- 83 of 114 letters of advice and findings and warnings (73%)
- 62 of 77 rebukes and fines (81%).

## Age groups

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, there are some differences across the age groups.



For the youngest age group, the percentages are broadly proportionate between stages 2 and 3. For the 35-44 and the 55-64 age groups, there is a decrease in the proportions at stage 3 compared to stage 2. For the 45-54 and 65+ age groups, there is an increase in the proportions at stage 3 compared to stage 2.

#### Path A: Stages 1, 2 and 3 - age breakdown

	16-34	35-44	45-54	55-64	65+
<b>Stage 1: Concerns reported to us</b>	14% (954)	26% (1,794)	27% (1,864)	21% (1,439)	13% (867)
<b>Stage 2: Investigation</b>	12% (165)	26% (337)	27% (349)	21% (275)	14% (187)
<b>Stage 3: Cases with an internal sanction</b>	13% (28)	22% (51)	32% (73)	16% (36)	18% (41)

Of the 267 individuals named on cases with an internal sanction, age was known for 229 individuals (86%).

#### Outcomes - age

Looking at internal and external sanction types across age categories, there is no clear pattern and the numbers are too small to draw any meaningful conclusions from the findings.

#### Path A: Outcome types - age breakdown

	16-34	35-44	45-54	55-64	65+
<b>Stage 3: Cases with an internal sanction</b>	13% (28)	22% (51)	32% (73)	16% (36)	18% (41)
<b>Letter of advice or finding and warning</b>	13% (13)	23% (24)	27% (28)	15% (15)	22% (23)
<b>Rebuke or fine</b>	9% (7)	16% (12)	39% (30)	18% (14)	17% (13)

Note: numbers do not add up to 100%, due to rounding.

Age was known for:

- 103 of 114 individuals who received a letter of advice and/or a finding and warning (90%)
- 76 of 77 individuals who had a rebuke and/or fine (99%).

### Diversity profile: Path B - Stages 1, 2 and 4

This section concerns the cases concluded through enforcement path B: that is, the concerns taken forward for investigation (stage 2) and concluded at the SDT. We prosecute the most serious cases at the SDT. It is the SDT that makes the decisions in the cases referred to in this section. It is independent of us and can impose a wider range of sanctions than we can.

Our analysis in this report is based on enforcement activity within a given year. It is very unlikely there will be any overlap between the individuals involved in stages 1 and 2 and those involved in stage 4. This is because it usually takes longer than a year to investigate, refer, and conclude a matter at the SDT.

We focus on the data for 2021/22 in this section – any meaningful changes over the past two years at stage 4 are highlighted in the key findings section.

#### About the data



It should be noted that the data in this section includes cases that are concluded by a decision made by the SDT and those concluded by an agreed outcome. These are agreements to settle a case reached between us and the individual, which are approved by the SDT. We have looked at the diversity breakdown of those whose cases are concluded through an agreed outcome in the next section.

There were 76 cases concluded at the SDT, which involved 84 individuals and resulted in 84 outcomes in 2021/22. The analysis in this section is based on these 84 individuals. Because our focus is on the diversity breakdown of individuals in our enforcement processes, cases relating to firms have been excluded.

There are two charts for each diversity characteristic in this section. The first shows the profile of individuals at each of the following stages:

- Stage 1 – individuals named on reports made to us for the 2021/22 year
- Stage 2 – individuals named on those 2021/22 reports that we took forward for investigation
- Stage 4 – individuals named on cases concluded at the SDT in 2021/22.

The second table shows the diversity breakdown of individuals by the type of outcome (or sanction) imposed by the SDT. Individuals may receive more than one outcome.

### Limits in the data we can report

The outcome of cases concluded at the SDT are generally published and because the numbers are small at this stage, to report in greater detail would risk revealing someone's identity. As a result, there are limitations in what we have been able to report in this section:

- We have not been able to include a breakdown for disability.
- We have not been able to report separately on the groups making up the Black, Asian and minority ethnic category.
- Due to low numbers, we have grouped together the 25–34 and 35–44 age categories. There are no 16–24-aged individuals at this stage.
- We have excluded some outcomes from the analysis – 10 suspensions, two other orders and one case where there was no order.

### Limits on the conclusions we can draw

Because of the low numbers involved at stage 4 (84 individuals), we cannot confirm with confidence whether the findings in this section are statistically significant, or a result of chance. Any differences between groups should, therefore, be treated with caution. And as percentage breakdowns can be misleading with small groups, we have also provided the numbers of individuals involved.

## Our findings

### Sex

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, there is an overrepresentation of men and an underrepresentation of women named on cases concluded at the SDT, compared with those named on reports taken forward for an investigation. The proportion of men increases, from 70% to 75%, and the proportion of women decreases, from 30% to 25%.

#### Path B: Stages 1, 2 and 4 – breakdown by sex

	Men	Women
<b>Stage 1: Concerns reported to us</b>	63% (3,894)	37% (2,336)
<b>Stage 2: Investigation</b>	70% (804)	30% (352)

#### **Stage 4 (path B): Cases concluded at SDT 75% (61) 25% (20)**

Sex was known for 81 of the 84 individuals named on cases concluded at the SDT (96%).

#### **SDT outcomes - sex**

The proportion of men who are struck off (78%) and who received a fine (73%) is broadly proportionate with the men who are named on cases at the SDT (78%).

#### **Path B: Outcome types - breakdown by sex**

	<b>Men</b>	<b>Women</b>
<b>Stage 4 (path B): Cases concluded at SDT</b>	75% (61)	25% (20)
<b>Fine</b>	73% (24)	27% (9)
<b>Strike off</b>	78% (28)	22% (8)

Sex was known for 33 of the 35 individuals who received a fine (94%) and 36 of the 36 individuals (100%) who were struck off.

#### **Ethnicity**

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, the proportion of Black, Asian and minority ethnic individuals named on cases concluded at the SDT (36%) is higher than at the investigation stage (29%). For White individuals, there is a decrease, from 71% at the investigation stage to 64% at the SDT stage.

#### **Path B: Stages 1, 2 and 4 - ethnicity breakdown**

	<b>White</b>	<b>Black, Asian and minority ethnic</b>
<b>Stage 1: Concerns reported to us</b>	76% (4,172)	24% (1,307)
<b>Stage 2: Investigation</b>	71% (727)	29% (295)
<b>Stage 4 (path B): Cases concluded at SDT</b>	64% (47)	36% (26)

Ethnicity was known for 73 of the 84 individuals named on cases concluded at the SDT (87%).

#### **SDT outcomes - ethnicity**

Compared to the overall breakdown of Black, Asian and minority ethnic individuals named at stage 4 (36%), there is a lower proportion in the less serious outcome (fines), at 29%. There is an increase in the proportion of Black, Asian and minority ethnic individuals who received a strike off, at 44%. For White individuals, the opposite is true, with 64% of White individuals named at stage 4 with 56% struck off and 71% fined.

#### **Path B: Outcome types - ethnicity breakdown**

	<b>White</b>	<b>Black, Asian and minority ethnic</b>
<b>Stage 4 (path B): Cases concluded at SDT</b>	64% (47)	36% (26)
<b>Fine</b>	71% (22)	29% (9)

**Strike off** 56% (18) 44% (14)

Ethnicity was known for 31 of the 35 individuals who were given a fine (89%) and 32 of 36 individuals who were struck off (89%).

## Age

It is difficult to draw meaningful conclusions because the numbers involved at this stage are small, and there are no individuals from the 16–24 age group represented at this stage.

For the two younger groups (25–44 and 45–54) there is a decrease in the proportion of individuals named on cases concluded at the SDT (13% and 4%, respectively), compared to those investigated at stage 2 (10% and 25% respectively).

The opposite is true for the older groups, where there is an increase at stage 4 compared to stage 2. This is most significant for the 55–64 group, which makes up 21% at the investigation stage and 33% of the SDT outcomes

### Path B: Stages 1, 2 and 4 - age breakdown

	<b>25-44</b>	<b>45-54</b>	<b>55-64</b>	<b>65+</b>
<b>Stage 1: Concerns reported to us</b>	39% (2,709)	27% (1,864)	21% (1,439)	13% (867)
<b>Stage 2: Investigation</b>	38% (496)	27% (349)	21% (275)	14% (187)
<b>Stage 4 (path B): Cases concluded at SDT</b>	25% (21)	33% (28)	24% (20)	18% (15)

Note: due to rounding and because the 16–24 age group is not shown, the numbers do not add up to 100%.

Age was known for all 84 individuals named on cases concluded at the SDT (100%).

### Path B: Outcome types - age breakdown

Outcome types across all age categories are broadly proportionate when compared with the age groups represented at stage 4.

	<b>25-44</b>	<b>45-54</b>	<b>55-64</b>	<b>65+</b>
<b>Stage 4 (path B): Cases concluded at SDT</b>	25% (21)	33% (28)	24% (20)	18% (15)
<b>Fine</b>	29% (10)	31% (11)	23% (8)	17% (6)
<b>Strike off</b>	25% (9)	31% (11)	25% (9)	19% (7)

## Diversity profile: agreed outcomes

Agreed outcomes are agreements to settle a case reached between us and the individual accused of misconduct (the respondent) which are approved by the SDT. The SDT rules allow either us or the respondent to propose that a case should be resolved by way of an agreed outcome. This is encouraging more cases to be resolved this way. It can provide a proportionate and cost-effective way to conclude a matter.

The tables in this section compare the diversity breakdown of those individuals whose case was concluded by agreed outcome and those whose case was concluded by a hearing. Of the 76 cases concluded at the SDT in 2021/22, 39 were resolved by agreed outcome involving 43 individuals and 38 cases were concluded following a hearing, involving 41 individuals.

## Limits in the data we can report

The outcome of cases concluded at the SDT, including through agreed outcomes, are published in the main Upholding Professional Standards report. Because the numbers are small at this stage, to report in greater detail would risk revealing someone's identity. As a result, there are limitations in what we have been able to report in this section:

- We have not been able to include a breakdown for disability at all.
- We have not been able to report separately on the groups making up the Black, Asian and minority ethnic category.
- We have grouped together the 25 to 34 and 35 to 44 age groups. There were no individuals in the 16 to 24 age group at this stage.

## Limits on the conclusions we can draw

Because of the low numbers involved in agreed outcomes (43 individuals), we cannot confirm with confidence whether the findings in this section are statistically significant, or a result of chance. Any differences between groups should, therefore, be treated with caution. And as percentage breakdowns can be misleading with small groups, we have also provided the numbers of individuals involved. For this reason, we have not been able to draw any meaningful conclusions based on the changes to this data over the past four years.

## Sex

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, there is a higher percentage of women named on cases concluded by way of an agreed outcome (29% made up of 12 individuals) compared with those concluded by a hearing (20% made up of eight individuals).

### Agreed outcomes - breakdown by sex

Sex was known for 41 of 43 individuals named on cases concluded at the SDT by way of an agreed outcome (95%). It was known for 40 of the 41 individuals where a case was concluded by an SDT hearing (98%). A higher proportion of women resolved their referral to the SDT by way of an agreed outcome – 60% of women compared to 48% of men.

### Agreed outcomes - breakdown by sex

	Men	Women
Cases concluded at SDT hearing	80% (32)	20% (8)
Cases concluded by SDT agreed outcome	71% (29)	29% (12)

## Ethnicity

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, there is a smaller proportion of Black, Asian and minority ethnic individuals named on cases concluded by way of an agreed outcome (26% made up of 10 individuals) when compared with those concluded by a hearing (46% made up of 16 individuals). A higher proportion of White individuals resolved their referral to the SDT by way of an agreed outcome – 60% of White individuals compared to 38% of Black, Asian and minority ethnic individuals.

### Agreed outcomes - ethnicity breakdown

Ethnicity was known for 38 of the 43 individuals named on cases concluded at the SDT by way of an agreed outcome (88%). It was known for 35 of the 41 individuals where a case was concluded by an SDT hearing (85%).

### Agreed outcomes - ethnicity breakdown

	<b>White</b>	<b>Black, Asian and minority ethnic</b>
<b>Cases concluded at SDT hearing</b>	54% (19)	46% (16)
<b>Cases concluded by SDT agreed outcome</b>	74% (28)	26% (10)

## Age

Although it is difficult to draw meaningful conclusions because the numbers involved at this stage are small, there is a smaller proportion of individuals aged 45–54 named on cases resolved by way of an agreed outcome when compared with those concluded by a hearing. The opposite is true for the other age groups, where there is a larger proportion of individuals whose cases were resolved by an agreed outcome.

### Agreed outcomes - age breakdown

Age was known for all 43 individuals named on cases concluded at the SDT by way of an agreed outcome (100%). It was known for all 41 individuals where a case was concluded by an SDT hearing (100%).

### Agreed outcomes - age breakdown

	<b>25-44</b>	<b>45-54</b>	<b>55-64</b>	<b>65+</b>
<b>Cases concluded at SDT hearing</b>	20% (8)	41% (17)	22% (9)	17% (7)
<b>Cases concluded by SDT agreed outcome</b>	30% (13)	26% (11)	26% (11)	19% (8)

Note: numbers may not add up to 100% due to rounding.

## [Annex: diversity profile of the people we regulate](#)

The charts in this annex show the diversity breakdown of the practising population, made up of:

- Individuals on the roll who hold a current practising certificate
- Registered European lawyers, registered foreign lawyers or exempt European lawyers
- Depending on the role, some non-lawyers, such as managers and compliance officers.

The data is based on a 'snapshot' taken on 1 November 2022 from data provided by individuals through their mySRA accounts. The practising population as of this date was 166,842.

As the reports and cases considered in this report are from 2021/22, this was the most appropriate data source against which to compare the diversity profile of people represented in our enforcement processes. This data is different from that collected every other year in our firm diversity data collection, which covers solicitors, other lawyers and other staff working in law firms.

It should be noted, however, that not all the individuals who pass through our enforcement process will be among the practising population defined above. We have a role in regulating everyone working in a law firm, so we can and do investigate concerns about people who are not solicitors. This includes, for example, paralegals and legal secretaries and some non-lawyer managers. They are not on the roll of solicitors, do not hold a practising certificate and do not have mySRA accounts, so we do not have diversity information for these individuals.

## Disclosure rates

When looking at the practising population, the known population for each of the four diversity characteristics ranges from 72% (for ethnicity) to 100% (for age). Please note that

we have age data for 99.95% of the practising population but this is shown as 100% due to rounding. Except data about age, diversity data is taken from individual mySRA accounts, where it is not mandatory for people to declare their diversity characteristics.

### Sex

Table shows the breakdown of 146,499 of the practising population where sex was known. It represents 88% of the practising population as of 1 November 2022.

	<b>Men</b>	<b>Women</b>
<b>Practising population</b>	47% (69,512)	53% (76,987)

### Ethnicity

Table shows the breakdown of 119,592 members of the practising population where ethnicity was known. It represents 72% of the practising population as of 1 November 2022.

	<b>White</b>	<b>Asian</b>	<b>Black</b>	<b>Mixed</b>	<b>Other</b>
<b>Practising population</b>	81% (97,326)	12% (14,587)	3% (3,429)	2% (2,310)	2% (1,940)

### Age

Table shows the breakdown of 166,772 members of the practising population where age was known. It represents 100% of the practising population as of 1 November 2022. (We have age data for 99.95% of the practising population but this is shown as 100% due to rounding.)

	<b>16-24</b>	<b>25-34</b>	<b>35-44</b>	<b>45-54</b>	<b>55-64</b>	<b>65+</b>
<b>Practising population</b>	0% (308)	23% (38,689)	33% (54,372)	25% (41,220)	14% (23,698)	5% (8,485)

### Disability

Table shows the 2,362 practising solicitors who have declared a disability (of 166,842).

	<b>No disability recorded</b>	<b>Disability recorded</b>
<b>Practising population</b>	99% (164,480)	1% (2,362)