

Our ref: [REDACTED]
Your ref: [REDACTED]



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To be opened by addressee only

[REDACTED]
[REDACTED]

By email only: [REDACTED]

13 April 2021

Dear [REDACTED]

Your firm's compliance with the SRA Transparency Rules (the Rules)

We are writing to you in your capacity as a Compliance Officer at [REDACTED] about its compliance with the Rules.

We have reviewed your firm's website and there are concerns that it is not compliant with the Rules, because its pricing and service information does not meet the standards required and it does not provide sufficient complaints information.

As a result of this, we have opened an investigation into your firm's compliance with the Rules, and I am investigating the matter.

You may find it helpful to refer to guidance on our website, which explains how we investigate a matter www.sra.org.uk/solicitors/guidance/ethics-guidance/we-are-investigating-you.

You can also find further information on the Rules on our website, <https://www.sra.org.uk/solicitors/standards-regulations/transparency-rules/>.

Our concerns

Last year, we asked your firm to make a declaration about its compliance with the Rules. Your firm submitted that declaration on 4 August 2020, confirming that its website was compliant with the Rules.

We check the websites of a small proportion of those firms which submit a declaration. Your firm was one of the ones selected. When we reviewed your firm's website, there were some areas where your firm's website did not meet the standards required by the Rules.

In particular, we have noted that the following information is either missing or incomplete:

Conveyancing work (Rule 1.3(a))

1. Although your firm's website provides the starting point for conveyancing fees dependent on the property value, it does not provide an upper limit. For properties worth over £1 million, the website does not provide any indicative costs. Rule 1.5 (a) is specific in requiring firms to include 'the total cost of the service or, where not practicable, the average cost or range of costs'.
2. Your website does not include any information on your fees for mortgages or remortgages, as required by Rule 1.3(a)(ii).
3. Although your website refers to HMRC's SDLT calculator, there is no link to the actual webpage to enable the client to calculate the amount of SDLT payable. I consider that this is not in accordance with Rule 1.5 (d) which requires the actual amount of the disbursement, the average cost of a range of costs to be given.
4. While your website states whether VAT is chargeable, it does not state the rate at which VAT is charged as required by Rule 1.5 (e).

Immigration Work (Rule 1.3 (c) and (d))

1. The website does not state whether any disbursements are required, or their likely cost, average cost or range of costs as required by Rule 1.5 (d).
2. There are references to VAT, however the website does not state the rate at which VAT is charged as required by Rule 1.5 (e).
3. Although your firm's costs information sets out what is included in its fees, it does not set out the key stages, timescales or what is excluded as required by Rule 1.5 (f).

Criminal Work (Rule 1.3 (e))

The Rules apply to "*the provision of advice and representation at the Magistrates Court in relation to summary only road traffic offences dealt with at a single hearing*".

Although your website shows that you offer a Criminal Defence Service, it is not clear if this includes advice and representation on summary only road traffic offences. If this service is offered, then your website does not comply with the Rules as there is no costs and service information on this work as required by Rules 1.5(a)-(g).

Litigation Work (Rule 1.4 (b))

1. Your website has provided some costs information in relation to uncontested debt recovery work up to £25,000. Rule 1.4(b) states the Rules apply to debt recovery for business up to the value of £100,000. Further costs information is needed on contested and uncontested cases up to £100,000 in accordance with Rule 1.5 (a).
2. The debt recovery web page provides examples of possible disbursements but does not give details of likely, average or a range of costs as required by Rule 1.5 (d).

3. Your website refers to VAT but the rate at which it is charged is not stated and there are no details of whether VAT is applicable to disbursements as required by Rule 1.5 (e).
4. Rule 1.5 (f) requires firms to publish details of the services included such as the key stages, timescales and what services are not included. There is some information on stages in terms of what is covered by some of the fees, but this could be more clearly explained. In addition, there is no service information set out for contested claims.

Complaints information (Rule 2.1)

Although your firm's website displays its complaints handling procedure, it does not include details about how and when a complaint can be made to the SRA or the details for doing so.

We have issued guidance on complaints information which can be found at <https://www.sra.org.uk/solicitors/guidance/publishing-complaints-procedure/>.

What we need from you

To help me to progress this investigation, please provide the following by 27 April 2021:

1. We are in receipt of your Self Declaration, dated 4 August 2020. At that stage please state what actions you took to satisfy yourself that to the best of your knowledge the pricing and service information for your conveyancing, immigration, criminal and debt recovery services complied with all aspects of Rule 1.5.
2. With respect to your conveyancing services, please explain:
 - a) Why you have not provided information on the total, average or range of costs for the services as required by Rule 1.5 (a);
 - b) Why you have not provided details and prices on any likely disbursements for these services, as required by Rule 1.5 (d);
 - c) Why the rate/ amount of VAT payable is not provided for your charges/ any likely disbursements, as required by Rule 1.5 (e).
3. With respect to your immigration services, please explain:
 - a) Why you have not provided details and prices on any likely disbursements for these services, as required by Rule 1.5 (d);
 - b) Why the rate/ amount of VAT payable is not provided for your charges/ any likely disbursements, as required by Rule 1.5 (e);
 - c) Why there is no information upon the timescales/ key stages of these services, as required by Rule 1.5 (f).
4. With respect to your criminal services, please explain:
 - (a) Why you have not provided information on the total, average or range of costs for the services as required by Rule 1.5 (a);
 - (b) Why you have not provided the basis for your charges, as required by Rule 1.5 (b);
 - (c) Why you have not provided the experience and qualifications of those who carry out these services, as required by Rule 1.5 (c);

- (d) Why you have not provided details and prices on any likely disbursements for these services, as required by Rule 1.5 (d);
 - (e) Why the rate/ amount of VAT payable is not provided for your charges/ any likely disbursements, as required by Rule 1.5 (e);
 - (f) Why there is no information upon the timescales/ key stages of these services, as required by Rule 1.5 (f).
5. With respect to your debt recovery services, please explain:
- a) Why you have not provided information on the total, average or range of costs for the services as required by Rule 1.5 (a);
 - b) Why you have not provided details and prices on any likely disbursements for these services, as required by Rule 1.5 (d);
 - c) Why the rate/ amount of VAT payable is not provided for your charges/ any likely disbursements, as required by Rule 1.5 (e);
 - d) Why there is insufficient information on the timescales/ key stages of these services, as required by Rule 1.5 (f).
6. With respect to your complaint's information, please explain why the information upon how to make a complaint to the Solicitors Regulation Authority is not provided as required by Rule 2.1.
7. If you believe that your firm's website is in fact compliant with respect any of the concerns above, please provide further information and explanation.

Our investigations

Where we identify serious breaches of our rules, Standards or Regulations, or serious risks to consumers, the public or the wider public interest, we will take action. We are at an early stage in our investigation and no decision has been reached yet as to what action, if any, we will take.

Our Enforcement Strategy sets out how we consider seriousness and the factors we take into account. This can be found on our website at www.sra.org.uk/sra/strategy-2017-2020/sub-strategies/sra-enforcement-strategy.

You can find our Topic Guide on the Rules, to be read alongside our Enforcement Strategy at www.sra.org.uk/sra/corporate-strategy/sub-strategies/enforcement-practice/transparency-rules This identifies what mitigating and aggravating factors we take into account should we recommend a sanction be imposed.

Guidance

You can find guidance and template information on price and service information for each area of work at <https://www.sra.org.uk/solicitors/guidance/transparency-in-price-and-service/>

Your information

We aim to be transparent about our investigations wherever possible. We may also disclose information to third parties including those involved in regulating the profession or law enforcement. If you have any concerns about this, I am happy to discuss them with you.

Support

Please do talk to me at any time if you are finding the investigation process difficult or of concern. There are also sources of advice and support available on our website at www.sra.org.uk/support.

You may wish to seek independent legal advice.

If you have any questions in the meantime, I am happy to discuss them with you.

Yours sincerely



Investigation Officer
Solicitors Regulation Authority



T: [Redacted]

Information on how we process personal data can be found in our privacy notice www.sra.org.uk/sra/how-we-work/privacy-notice.page