



Association of Women Solicitors

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*Essential for Success*

**SRA Consultation**

**Reporting Concerns**

Response by Association of Women Solicitors, London

**About Association of Women Solicitors, London**

Association of Women Solicitors, London was founded in 1992 and its aims include representing, supporting and developing the interests of women solicitors. Membership is open to women solicitors and trainees and associate membership to other women lawyers including barristers, chartered legal executives and paralegals. For further information please visit our website [www.awslondon.co.uk](http://www.awslondon.co.uk)

## RESPONSE

### Question 1

**Do you agree that a person should report facts and matters that are capable of resulting in a finding by the SRA, rather than decide whether a breach has occurred?**

No. There should be an internal investigation before the facts are reported externally to the SRA.

### Question 2

**Where do you think the evidential threshold for reporting should lie?**

- a. **Belief (See option 1)**
- b. **Likelihood (See option 3)**
  
- c. **Any other options.** Balance of Probabilities following the internal investigation referred to above.

### Question 3

**Do you think that an objective element – such as “reasonable belief” or “reasonable grounds” would assist decision makers, or unnecessarily hamper their discretion?**

**If you have a view, please explain why. (See Options 2 and 4)**

We do not consider that there should be an objective element. The decision maker should only report after an internal investigation.

### Question 4

**Do you have a preferred drafting option – and if so which option is it?**

Option 4. A reasonable belief after an internal investigation.

### Question 5

**What else can the SRA do to help those we regulate to report matters in a way that allows us to act appropriately in the public interest?**

Provide Guidance for decision makers on difficult matters such as, for example, allegations of sexual harassment and bullying and short, concise Guidance on what constitutes a “serious” breach, given what we have said in previous Responses about the need to encourage women to report such incidents. We would also have liked to see a full Equality Impact Assessment.

Association of Women Solicitors London

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