







Approved Regulators' Sanction & Appeals Mechanisms

SOLICITORS REGULATION AUTHORITY – NON-ABS

USED WHEN:	Enforcement action taken if there is serious non-compliance with SRA principles or a risk exists to the public that cannot be mitigated by either the SRA or an individual							
OVER WHO:	Individuals (including solicitors (S), RELs, RFLs, former solicitors (FS), managers (M), employees (E) employees of sole practitioners (ESP)) and recognised bodies (RB)							
WHAT POWERS:	<ul style="list-style-type: none"> - The Solicitors Act 1974, The Administration of Justice Act 1974, The Courts and Legal Services Act 1990 - Part II of the Solicitors Act 1974 (as amended) established the Solicitors Disciplinary Tribunal (SDT) - The SDT's powers are recognised, modified and extended under the LSA, particularly in Part 8 							
DECISION MAKER	SANCTIONS/PENALTIES/COSTS							APPEALS
SRA staff with delegated authority or... Adjudication (single) (civil)	<u>Regulatory Settlement Agreement (including):</u> - Agreed public statements - Schemes for correction, improvement and restitution - Removal from the roll by consent							NONE (SDT must consent to withdrawal if proceedings started)
	- Removal from roll by - Practising controls - Costs							
	- Written rebuke and publication - Penalty to £2,000 (consulting to raise to £10K, 50k or 100k) - Costs from solicitors, RELs and recognised bodies							1: Adjudication (panel) 2: SDT 3: High Court
	- Conditions (S, REL, RFL) - Conditions (RB) - suspend / revoke authorisation (RB)							1: Adjudication (panel) 2: High Court
SDT (non-ABS) (criminal)	Referral to the SDT							NONE
		S	REL	RB	M	E	RFL	ESP
	- Strike off (S) restore/prohibit (FS)							
	- Suspension (indef/specified)							
	- Termination of suspension							
	- Revoke sole endorsement							
	- Unlimited penalty (incl FS)							
	- Criminal/ legal aid exclusion							
	- Revoke recognition							
	- Reasonable costs							
The SDT also frequently issues reprimands & severe reprimands and orders practising controls (Though, these acts are not based on express statutory powers)								1: Master of the Rolls 2: High Court (admin)









SOLICITORS REGULATION AUTHORITY - ABS

USED WHEN:	Enforcement action taken if there is serious non-compliance with SRA principles or a risk exists to the public that cannot be mitigated by either the SRA or an individual	
OVER WHO:	Licensed bodies, HOLPs, HOFAs, managers, employees, solicitors, European lawyers (REL), foreign lawyers (RFL) and former solicitors (FS)	
WHAT POWERS:	<ul style="list-style-type: none"> -The Legal Services Act 2007, The Solicitors Act 1974, The Administration of Justice Act 1974, The Courts and Legal Services Act 1990 - Part II of the Solicitors Act 1974 (as amended) established the Solicitors Disciplinary Tribunal (SDT) - The SDT's powers are recognised, modified and extended under the LSA, particularly in Part 8 	
DECISION MAKER	SANCTIONS/PENALTIES/COSTS	APPEALS
SRA staff with delegated authority or... Adjudication (single) (civil)	 <u>Regulatory Settlement Agreement (including):</u> <ul style="list-style-type: none"> - Agreed public statements - Schemes for correction, improvement & restitution - Practising controls - Removal from the roll by consent - Costs 	NONE
	<ul style="list-style-type: none"> -Penalty to £50m / publication – ABS individual - Penalty to £250m / publication – ABS entities 	1: Adjudication (panel) 2: SDT 3: High Court (points of law)
	 -Impose conditions on solicitors, RELs and RFLs 	1: Adjudication (panel) 2: High Court
	 <ul style="list-style-type: none"> - Impose conditions on a licensed body - Suspend / revoke authorisation - Disqualify from <u>acting</u> as a HOLP or HOFA - Disqualify from <u>being</u> a manager or employee 	1: Adjudication (panel) 2: SDT

BAR STANDARDS BOARD





USED WHEN:	The BSB has available both non-disciplinary powers for breaches of the Handbook and disciplinary powers for professional misconduct. It will only refer complaints for disciplinary action where it considers there is a realistic prospect of a finding of professional misconduct being made (or there is a realistic prospect of the disqualification condition being satisfied <i>and</i> it is in the public interest, having regard to the regulatory objectives to pursue disciplinary proceedings)		
OVER WHO:	Sole practitioner, employed, and self-employed barristers and all persons called to the Bar (Relevant Persons, as defined in Part 6 of the BSB Handbook)		
WHAT POWERS:	Disciplinary Tribunal Powers derived from the Senior Courts Act 1981 give High Court judges the power to discipline barristers, which they resolved, in 1986, to exercise through COIC. The appeal function is exercised through High Court under the Crime and Courts Act 2013.		
DECISION MAKER	SANTIONS/PENALTIES/COSTS		APPEALS
Professional Conduct Dept or... Professional Conduct Committee (civil)	<p><u>Non-disciplinary sanctions (no further action (NFA) decisions):</u> - Advice</p> <p><u>Non-disciplinary administrative sanctions available for all breaches of the Handbook:</u> - Written warning - Fixed penalty fine - administrative fine to £1,000</p>		BTAS 3 person appeal panel (£100 payable to BSB) (civil)
Professional Conduct Committee (criminal)	<p><u>Determination by consent:</u> - Reprimand (BSB) - Advice order - CPD order - Fine to £50,000 - Reprimand/advice from nominated person</p> <p><u>Referral to BTAS 3 or 5 person panel</u></p>		NONE
Disciplinary Tribunal BTAS (Criminal): - 3 person panel - 5 person panel (dishonesty and/or deception)	<p><u>3 person panel:</u> - Reprimand (Tribunal/nominee) - Advice order (Tribunal/nominee) - CPD order - Conditions on practising certificate - Prohibited from accepting public access instructions - Exclusion from Legal Aid representation - Suspension to 12 months (with or without conditions) - Disqualification to 12 months - Fine to £50,000 and costs both ways - Referral to 5 person panel for sentencing</p>	<p><u>5 person panel:</u> <i>(in addition to 3 person panel powers):</i> - Disbar - Suspension for an unlimited period (with or without conditions) - Disqualification for more than 12 months</p>	High Court under the Crime and Courts Act 2013 (criminal)
<u>ON APPEAL:</u> High Court under the Crime and Court Act 2013 (criminal)	<p>- Dismiss appeals - Allow in part of whole</p>	<p>- Confirm / vary orders - Order re-hearing</p>	NONE

COUNCIL FOR LICENSED CONVEYANCERS








USED WHEN:	The CLC invokes its enforcement policy when its Code of Conduct is not upheld		
OVER WHO:	Licensed conveyancers, recognised bodies, licensed (ABS) bodies		
WHAT POWERS:	<ul style="list-style-type: none"> - Part II of the Administration of Justice Act 1985 - Legal Services Act 2007 for alternative business structures - Section 69 Order for amendment to appeals process (first draft with the Ministry of Justice) 		
DECISION MAKERS	SANCTIONS/PENALTIES/COSTS		APPEALS
Authorised officers, LPIs & directors (civil)  	- Penalty to £1,000	- Reasonable costs	Adjudication Panel
	- Referral to Adjudication Panel		High Court (civil)
As Approved Regulator (non-ABS)			
Adjudication Panel (civil) 	<u>Licensed conveyancers:</u> <ul style="list-style-type: none"> - Revoke licence - disqualification (perm/specific) - Suspension - Condition to licence - Reprimand order - Penalty to £50m 	<u>Recognised body:</u> <ul style="list-style-type: none"> - Revoke recognition - Reprimand order - Condition to recognition - Penalty to £250m - Appropriate costs 	<u>Manager/employee of recognised body:</u> <ul style="list-style-type: none"> - Order CLC to take steps - Referral to other regulator - Penalty to £50m - Appropriate costs 
As Licensing Authority (ABS)			
Adjudication officers (civil) 	<u>Licensed body:</u> <ul style="list-style-type: none"> - Reprimand body - Revoke body's licence - Suspend body's licence - Conditions direction - Intervene 	<u>Licensed body owner:</u> <ul style="list-style-type: none"> - Conditions on material interest - Object to interest & apply to High Court to divest interest 	Adjudication Panel (civil) 
	<u>HoLP or HoFA:</u> <ul style="list-style-type: none"> - Require CLC to take steps - Withdraw approval for role - Disqualify from holding a licensed role 	<u>Manager/employee of ABS:</u> <ul style="list-style-type: none"> - Require CLC to take steps - Referral to other regulator - Disqualify from holding a licensed body role 	
Adjudication Panel (civil) 	<ul style="list-style-type: none"> - Penalties to £50m for licensed body owners, HoLPs, HoFAs, managers & employees - Penalties to £250m for licensed bodies 		First Tier Tribunal (civil)

INTELLECTUAL PROPERTY REGULATION BOARD

USED WHEN:	IPReg reviews complaints to decide if there are proportionate, prima facie cases to answer A complaint about an attorney or firm must relate to a breach of IPReg's Code of Conduct or Litigators' Code Special consideration is given to attorneys' complaints about other attorneys	
OVER WHO:	- Patent attorneys - Trade mark attorneys	- ABS - Entities
WHAT POWERS:	- s.275A Copyright Designs and Patents Act 1988 and s.83A Trade Marks Act 1994 (as amended) do not specify any sanctions or appeals mechanism, though they do give the person keeping the register power to make regulations governing conduct and discipline - Section 69 order for ABS powers (seeking approval)	








DECISION MAKERS		SANCTIONS/PENALTIES/COSTS	APPEALS
Complaints Review Committee (Sift Panel) (civil)		<u>Summary procedure:</u> - Notice - Warning	Disciplinary Board
		- Referral to the Disciplinary Board	NONE
Disciplinary Board (civil)		- Public notice - Warning - Penalty to £5,000 - Part or full costs	Considered by an independent adjudicator
		- Reprimand - Suspension/removal - Cancelled certificate - CDP order Recommend ITMA/CIPA suspension/expulsion Recommend recognition, authorisation & withdrawal for: - UK Intellectual Property Office - European Patent Office - Office for Harmonisation in the International Market - Recommend ITMA/CIPA suspension/expulsion	
ON INTERNAL APPEAL: Independent Adjudicator (civil)		- Affirm decision - Vary decision - Vary costs	(Proposed external appeal) First Tier Tribunal (civil)

IPS






USED WHEN:	IPS investigates conduct complaints and refers allegations to its Professional Conduct Panel, which assesses whether its outcomes based Code has been breached		
OVER WHO:	Individual Chartered Legal Executives, Associate Prosecutors (Currently seeking entity rights and individual rights for CILEx practitioners)		
WHAT POWERS:	<ul style="list-style-type: none"> - The Legal Services Act 2007 - The Institute's Royal Charter - Section 69 Order for entity enforcement powers (seeking approval) 		
DECISION MAKERS		SANCTIONS/PENALTIES/COSTS	APPEALS
IPS manager		- Reject case where IPS has no jurisdiction	Professional Conduct Panel
		- Referral to Disciplinary Tribunal	NONE
		- Determination by consent - no costs (agreed by IPS manager, signed-off by Conduct Panel)	NONE
Professional Conduct Panel (civil)		<ul style="list-style-type: none"> - Suspension during hearing (12 months max) <u>Conditions on employment or conduct:</u> - Practising conditions - Reprimands - Warnings <u>Future conduct:</u> - Undertaking agreement conditions 	Appeals Panel (civil)
		- Referral to Disciplinary Tribunal	NONE
		<ul style="list-style-type: none"> <u>Conditions on employment or conduct:</u> - Practising conditions - Reprimand - Membership exclusion (fixed or indefinite period – Can reapply after fixed period has lapsed) - Fines to £3,000 (policy being developed) - Order costs <u>New powers (seeking approval):</u> - Pre hearing interim orders 	Appeals Panel (civil)
<u>ON APPEAL:</u> Appeals Panel (civil)		<ul style="list-style-type: none"> - Affirm decision - Vary decision 	NONE

COSTS LAWYER STANDARDS BOARD

USED WHEN:	The CLSB investigates complaints where it believes there are reasonable grounds that its rules and code have not been complied with by a costs lawyer
OVER WHO:	Individual costs lawyers Currently not seeking entity rights, awaiting outcome of call for evidence on legal regulation
WHAT POWERS:	The Association of Law Costs Draftsmen Order 2006 was revoked and replaced on 01 January 2010 by Legal Services Act (Commencement No 6, Transitory, Transitional and Savings Provision) Order 2009

DECISION MAKERS		SANCTIONS/PENALTIES/COSTS		APPEALS
<u>Level One:</u> CLSB investigation		<u>Minor disciplinary findings:</u> - Warning letter - Undertaking - Costs fixed at £250		Conduct Committee
		Referral to Conduct Committee		Conduct Appeal Committee
<u>Level Two:</u> Conduct Committee (civil)		- Warning letter - Undertaking - Suspension to 2 years - Permanent removal from register - Penalty to £2,000 - Costs fixed at £1,000		Conduct Appeal Committee (civil) <i>(no further appeals to Level Three from Level One warning letter or undertaking)</i>
<u>Level Three:</u> Conduct Appeal Committee (civil)		- Dismiss, uphold, vary sanction/costs - Suspension, unlimited - Permanent removal from register - Revise penalty to £4,000 - Costs fixed at £1,500		NONE

MASTER OF THE FACULTIES

USED WHEN:	For the protection of the public when service complaints are received about notarial conduct		
OVER WHO:	Individual notaries -currently not considering to apply to regulate entities		
WHAT POWERS:	The Ecclesiastical Act 1533, the Public Notaries Act 1801, section 4 of the Public Notaries Act 1843 and section 57(4)(c) of the Courts and Legal Services Act 1990 grant the Master of Faculties broad powers to make rules about the practice, conduct and discipline of public notaries. It is also an AR under the LSA		
DECISION MAKERS	SANCTIONS/PENALTIES/COSTS		APPEALS
Registrar of the Court 	<u>Referral to the Company of Scriveners:</u> When there is a case for notarial misconduct		NONE
	<u>Appointment of Nominated Notary:</u> When there is a case for non-scrivener misconduct		NONE
	<u>Interim Order to suspend, restrict , limit or impose conditions of practice:</u> Evidence of gross misconduct		Court of Faculties
Court of Faculties (Commissary & 2 assessors) (civil) 	<u>Notarial misconduct:</u> <div> <div> - Struck-off register - Suspension (time/conditions) - Conditions on practising certificate - CPD order </div> <div> - Admonishment - Order costs both ways - Penalty to £10,000 - Indemnify clients with fund </div> </div>		Judicial review of the Commissary decision
	<u>To review Orders for striking-off, suspension, or conditions:</u> <div> <div> - Restore notary to the Roll - Immediate/future lifting of suspension </div> <div> - Remove/vary conditions - Impose new conditions - Dismiss application </div> </div>		NONE
Master of Faculties 	Reject application for admission or readmission as a public notary		Chancellor of the High Court
Chancellor of the High Court 	Notaries can challenge the Master if they are refused a licence <i>"without just and reasonable cause... to any faculty to practise"</i>		NONE