

SENT BY EMAIL

[REDACTED]
[REDACTED]



LEGAL SERVICES
BOARD

Legal Services Board
One Kemble Street
London
WC2B 4AN

www.legalservicesboard.org.uk

13 March 2019

Fol request (Ref: 20190319/01)

[REDACTED]

Thank you for your email of 19 February 2019 requesting information. We have dealt with this request under the Freedom of Information Act 2000 ("FOIA").

You have requested in relation to the SRA and Leigh Day:

a copy of the media enquiries and FOI requests (and the LSB's responses to those enquiries and requests) referred to in paragraph 23 of the attached progress report.

We have disclosed to you in our letter of 22 February 2019 a copy of our response dated 15 February 2019 to the FOIA request. As noted in our letter we received two FOIA requests, one of which was your request.

I can confirm that the Legal Services Board holds the other information you requested, please find this enclosed. Some of this information is exempt from disclosure under s40(2) FOIA, because it contains personal data that is the names and contact details of individuals.

Personal data can only be disclosed if to do so would not contravene any of the data protection principles set out in Article 5(1) of the General Data Protection Regulation and s34(1) of the Data Protection Act 2018. We believe releasing the full information requested into the public domain would breach the first data protection principle, which requires that personal data is processed fairly and lawfully. Disclosure would be unfair to the individuals concerned, and contrary to their reasonable expectation that their names and contact details in correspondence with the Legal Services Board will not be placed in the public domain under the FOIA.

This is an absolute exemption and does not require a public interest test.

If you are dissatisfied with this response to your request for information, you have the right to ask for an internal review / to submit a complaint (see [LSB's Freedom of information – Complaints procedure](#)).

If you are dissatisfied with the outcome of your complaint, you may refer the matter to the Information Commissioner for a decision. Please be aware that the Commissioner will be

unlikely to make a decision until you have been through our internal complaints procedure first. You can write to the Commissioner at:

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF

The reference for your request, which should be quoted in all correspondence, is:
20190319/01.

Yours sincerely




Media enquiry 1 in FoIA request

From: [REDACTED]
Sent: 18 December 2018 16:02
To: [REDACTED]
Subject: RE: Legal Services Board visits Wales (J)

Hi [REDACTED]

Our Chief Executive Neil Buckley has raised it verbally in meetings he has had with the Chief Executive of the SRA.

Hope that this helps.

Best regards

[REDACTED]

From: [REDACTED]
Sent: 18 December 2018 15:58
To: [REDACTED]
Subject: Re: Legal Services Board visits Wales (J)

Thanks [REDACTED] – I assume you can't give any more details about how precisely you've raised the handling of the Leigh Day Case with the SRA – eg a letter?

[REDACTED]

[REDACTED]

[REDACTED]

Law Society Gazette
19 Bell Yard
London WC2A 2JR

[REDACTED]

From: [REDACTED]
Date: Tuesday, 18 December 2018 at 13:18
To: [REDACTED]
Subject: RE: Legal Services Board visits Wales (J)

Hi [REDACTED]

In response to your query I can confirm that the LSB has received no complaints in relation to the Leigh Day case.

The matter has, however, been raised with the SRA.

The LSB has recently undertaken a review of SRA enforcement activity and will be publishing a summary document in the New Year.

I hope that this helps clarify things for you.

Best regards

[REDACTED]

From: [REDACTED]
Sent: 17 December 2018 11:18
To: [REDACTED]
Subject: Re: Legal Services Board visits Wales (J)

Hello [REDACTED]

You'll have seen disclosure of communications between the SRA and government departments over the Leigh Day case have attracted heavy criticism and suggestions of collusion. Could I ask if the LSB, as overarching regulator, will be investigating how the SRA handled the Leigh Day investigation? Has the LSB so far received any complaints about the SRA's handling of this case directly?

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]

Law Society Gazette
19 Bell Yard
London WC2A 2JR

[REDACTED]

From: [REDACTED]
Date: Wednesday, 28 November 2018 at 12:52
Subject: Legal Services Board visits Wales (J)

Dear journalist.

Please follow this link to a Legal Services Board [press release](#) which highlights our holding of our last Board meeting of 2018 in Cardiff and meetings with the Counsel General for Wales and others.

If you have any questions please don't hesitate to get in touch.

Best regards

[REDACTED]

[REDACTED]
Communications Manager

Legal Services Board | One Kemble Street | London | WC2B 4AN

T 020 7271 0068

W www.legalservicesboard.org.uk

T [REDACTED]
@LSB_EngandWal

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From: ContactUs
Sent: 21 December 2018 15:31
To: [REDACTED]
Subject: RE: SRA £3.1m spending On Leigh Day

Dear [REDACTED]
Thank you for your follow up email. I can confirm that the information that you have requested is not readily available.
We are now in the process of locating what information we hold in relation to your request.
As set out in our earlier email, we will respond according to the statutory deadline ie by 23 January 2019 at the latest. If the information is available any sooner than this, we will be in touch.

Yours sincerely
[REDACTED] Corporate Governance Manager | Legal Services Board
One Kemble Street | London | WC2B 4AN

From: [REDACTED]
Sent: 21 December 2018 14:03
To: [REDACTED]
Subject: Re: SRA £3.1m spending On Leigh Day

Thanks, but I would like to clarify that the 20 days maximum time is generally required where an organisation is busy with work load or where it would take a long while to obtain the information. We have worked closely with the Information Commissioner's Office(ICO) and have been advised in the past that organisations should supply information at their earliest convenience when asked, but have up to 20 days to supply this information under the Freedom Of Information Act.

This is a maximum time limit. If you have the requested information ready to hand, I would like to have it immediately, as we would prefer to publish today or before Christmas. If however, the substantive response you plan to send will require a lot of time, that's fine, but I would like the required information as quickly as you can.

Kind Regards

[REDACTED]
[REDACTED] The Eye Of Media.Com
[REDACTED]

From: [REDACTED]
Sent: 21 December 2018 13:02:54
To: [REDACTED]
Subject: RE: SRA £3.1m spending On Leigh Day

FoI request (Ref: 20181221-01)

Dear [REDACTED]
Thank you for your request for information. The detail of the request being identified as:
"the extent to which the issue [Leigh Day proceedings] was raised [with the SRA] and the conclusion of your [LSB] particular engagement in this respect"

Your request was received on 21 December 2018 and I am dealing with it in accordance with the Freedom of Information Act 2000. I will provide a substantive response within 20 working days – i.e. by not later than 23 January 2018. This will be sent to the [REDACTED] address that you provided. The reference for your request, which should be quoted in all correspondence, is: 20181221-01. If you have any queries about this email, please do not hesitate to contact me.

Yours sincerely

[REDACTED] Corporate Governance Manager | Legal Services Board
One Kemble Street | London | WC2B 4AN

From: [REDACTED]
Sent: 21 December 2018 10:29
To: [REDACTED]
Subject: Re: SRA £3.1m spending On Leigh Day

Thanks for your response. You say the issue was raised with the SRA as part of your regular engagement, but you appear to be withholding the extent to which the issue was raised and the conclusion of your particular engagement in this respect.

I would be grateful if you could disclose at your earliest opportunity, the extent to which you raised this issue with the SRA, and how the matter was left. I think it is in the public interest that the legal service board is transparent in relation to your communication with the SRA in this matter since you are an independent regulator of them, and they evidently messed up there.

You guys do a great job and provide a much needed and valued service to the legal profession, so it would be inconsistent with the notable and reputable image you have if you decided for no stated reason to withhold information about your interaction with the SRA

As far as my other request is concerned, I have circulated your response to members of our team and thinktank team, and will consider the points you make carefully.

Kind Regards,

[REDACTED]
[REDACTED] The Eye Of Media.Com
[REDACTED]

From: [REDACTED]
Sent: 20 December 2018 15:34:45
To: [REDACTED]
Subject: RE: SRA £3.1m spending On Leigh Day

Dear [REDACTED]

As noted in our previous response, this issue has been raised with the SRA, as part of our regular engagement.

In relation to the reason and timing for our review of the SRA's enforcement powers, this was originally a commitment in our 2017/18 business plan. The justification for this work is explained in paras 53 and 54 of that business plan:

https://www.legalservicesboard.org.uk/news_publications/publications/pdf/2017/Business%20Plan%20201718.pdf

The review began at the start of 2018 and we intend to report in January 2019. This work did not involve assessing the SRA's handling of any individual cases.

In relation to your point about consumer difficulty in identifying whether a solicitor or barrister has a poor disciplinary record, the LSB expects the regulators that it oversees to meet the following outcome:

A5: The regulator's list of those they regulate is accessible, accurate and provides information on the disciplinary records of those regulated.

This should mean that disciplinary records are easy to find and would be associated with names and practising addresses, as well as other relevant information, that should allow consumers to identify whether a regulated lawyer has any disciplinary findings against them.

We will be publishing an assessment of how the regulators are performing against this outcome, as well as 25 other outcomes, in early January. This is part of our new regulatory performance assessment framework, further details of which are available on our website:

https://www.legalservicesboard.org.uk/Projects/developing_regulatory_standards/Regulatory_Standards_Ac

[tion_Plans_2015_16.htm](#). Our report will identify actions to address any deficiencies in performance and timescales for completing these actions.

Thanks,

[REDACTED]

From: [REDACTED]

Sent: 19 December 2018 18:05

To: [REDACTED]

Subject: Re: SRA £3.1m spending On Leigh Day

Can you also give us a synopsis of what led you to undertake a review of the SRA's overall approach? I would like to incorporate it in an article we are waiting to publish later this evening or latest tomorrow. We would definitely like you to consider for your January publication, the latter part of my first mail in relation to the SRA providing full disclosure of offending solicitors identity. I would be grateful for a response on my first email in relation to the Leigh Day case and the impetus for your SRA review as soon as possible

Kind Regards

[REDACTED]

The Eye Of Media.Com

[REDACTED]

From: [REDACTED]

Sent: 19 December 2018 16:17:08

To: [REDACTED]

Subject: RE: SRA £3.1m spending On Leigh Day

Dear [REDACTED]

In response to your query I can confirm that the LSB has received no complaints in relation to the Leigh Day case.

The matter has, however, been raised with the SRA.

Separately, the LSB has recently undertaken a review of the SRA's overall enforcement approach and will be publishing a summary document in the New Year.

I hope that this helps clarify things for you.

Best regards

[REDACTED]

From: [REDACTED]

Sent: 19 December 2018 12:37

To: [REDACTED]

Subject: SRA £3.1m spending On Leigh Day

Dear Sir/Madam,

Could you please update us with developments with regards to you scrutiny of the SRA in relation to their £3.1m spending for the failed Leigh Day probe. We hear you regulate organisations like the SRA and have been following the story in relation to the failed probe for a very long time.

I would be grateful if you could get back to me at your earliest convenience, as I am waiting to publish an article about the matter

Kind Regards

[REDACTED]

The Eye Of Media.Com

[REDACTED]

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