

An analysis of the factors causing overrepresentation of Black, Asian and minority ethnic solicitors in reports made to the SRA and in reports taken forward for investigation

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1. Introduction

The universities of York, Lancaster, and Cardiff were commissioned by the Solicitors Regulation Authority (SRA) to understand the reasons why there is overrepresentation of Black, Asian and minority ethnic solicitors in reports about potential misconduct they receive. There are two main components to the research. The first looks at the factors, present in the legal sector and wider society, which may explain the overrepresentation in reports of potential misconduct made to the SRA. The second looks at decision making at the assessment stage, when the SRA decides which reports to take forward for investigation. The reason for this focus is that the overrepresentation is particularly evident at these two early stages of the SRA's processes. It is present in the reports received and increases further at the assessment stage. The research uses multiple complementary research methods, including both quantitative and qualitative analyses, to shed further light on this subject.

The overall findings from the research, including an overview of the component parts of the project, are published separately. This supporting report is part of both the first (looking at reports received) and the second (looking at the decision to take reports forward for investigation) component of the project. It sets out our findings from a detailed analysis of the data provided by the SRA, covering the reports received by the SRA, and those taken forward for investigation over a four-year period from November 2018 to October 2022.

In approaching this analysis, we took into account the findings from the literature review, which found there were range of characteristics which could affect the likelihood of reports being made about potential misconduct. These were broadly categorised as individual, organisational and case related factors. Following on from this, using the data provided by the SRA, we identified a range of relevant factors from the SRA's data, and have presented our findings in line with these three categories.

Identifying which factors were relevant and how significant they are in driving the overrepresentation of Black, Asian and minority ethnic solicitors is a complex process. Although it is often possible to determine which factors are important, it is difficult to say definitively if one factor is driving reports over and above other factors. In this report we will not be able to provide a simple answer which explains the factors causing the patterns that are seen. But we will present a comprehensive and systematic analysis of the factors which do seem to influence the likelihood of reports and whether those reports are progressed to an investigation.

We also present some analysis of how these factors may interact. This level of analysis has not been carried out before and although it provides real insight into the issues which affect the reports of potential misconduct which are received and investigated by the SRA, it does not identify a simple answer to explain the patterns.

The report is structured as follows:

- Part I examines the reports received by the SRA.
- Part II examines the reports taken forward for investigation.
- Part III sets out a summary of the analyses and conclusions for both parts I and II.

The Appendices A to E are published in a separate [accompanying document](https://rules.sra.org.uk/sra/research-publications/overrepresentation-analysis-appendices/) [<https://rules.sra.org.uk/sra/research-publications/overrepresentation-analysis-appendices/>].

- Appendix A provides a glossary of terms and a brief discussion of the limitations of the data and its analysis.
- Appendix B provides descriptive statistics for both the individuals and organisations in the data.
- Appendix C provides the results of additional chi-square tests that are useful to understand how different attributes are distributed in the population.
- Appendix D provides additional regression analysis, including the results of regression interacting variables.
- Appendix E provides an explanation of the sentiment analysis of report records.

[Read the report \(PDF 70 pages, 1.2MB\)](https://rules.sra.org.uk/globalassets/documents/sra/research/overrepresentation-sra-analysis.pdf)

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