



BIRMINGHAM LAW SOCIETY
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**Response to the SRA Consultation on Restoring the
Annual Keeping of the Roll Exercise**

May 2022

Response of the Consultation Committee of the Birmingham Law Society to the SRA Consultation on Restoring the Annual Keeping of the Roll Exercise

This response has been prepared by the Consultation Committee of the Birmingham Law Society. The Society is the largest local law society with some 5,000 members. The response represents the collective view of the Consultation Committee whose members are specialist lawyers practising in all aspects of professional regulation and discipline.

Questions for Consultees

Question 1

Do you agree with our proposal to reintroduce the annual keeping of the roll exercise in April 2023?

Yes. It is entirely sensible for the reasons set out in the consultation paper and, in particular, to ensure compliance with GDPR

Question 2

Based on our plan to reintroduce an annual charge to cover the cost of running the keeping of the roll exercise and maintaining the data, do you consider it fair and proportionate to charge directly for this exercise? We anticipate the unsubsidised administration charge amount will be no more than £30-£40. If not, what alternative would you suggest to meet these costs?

It is agreed that those solicitors without a PC wishing to remain on the Roll, should bear a reasonable/proportionate cost of the exercise. Until 2014 the fee was £20. To the best of our knowledge there is no evidence to enable a judgment to be formed as to whether this was the true administrative cost. It is suggested that the fee for the reintroduced scheme might be £30/£40 but there is a lack of evidence/information upon which the SRA relies to support either figure. It is simply observed that in the absence of evidence, round figures like this tend suggest a measure of arbitrariness. The fact that there is not a costing is a concern as these suggested fees represent an uplift on 2014 of 50% or 100% respectively. These are substantial increases and appear to ignore the economies brought about by the introduction of the new IT

system and MySRA, each designed to make the system more streamlined, user friendly and enable the registrant personally to input information directly on to the system.

Assuming £20 did indeed represent something close to the true cost in 2014, after taking into account the savings brought about by the technological advances there is a sound argument for saying the fee should be £20 or thereabouts for 2023. If the savings would not allow for this, and we have no way of knowing if this is the case, then we are left solely with trying to assess the influence of inflation. Inflation in the intervening period is 17.86% (CPI) which means £20 translates to £23.57 in May 2022. Allowing for current inflation rates continuing over the next 12 months adding 7% to this produces £25.22 and at 10% £25.93.

In the absence of any other information a fee of £25 would seem to be the correct fee although our expectation is that the SRA would bring into account savings attributable directly to the streamlining of the process. For the purpose of this exercise, it would not be acceptable for those savings simply being deployed to be set against general overheads.

Question 3

Do you agree with the conclusions in our equality impact assessment (EIA)? Do you have any information about the impact of our proposals on any other groups? Do you have any evidence to support this?

Yes

Birmingham Law Society Consultation Committee

17 May 2022