

# INDEX

References are to paragraph numbers.

- Abuse**
  - of process, SDT 6.135–6.142
  - positions of trust 4.82
  - role of advocate 3.106
- Abusive litigation**
  - solicitors 3.88–3.90
- Accountant’s report** 3.144
- Accreditation schemes** 1.154–1.157
- Accreditations** *see* Self-regulatory schemes
- Acquisitions or mergers**
  - confidentiality and merger 8.138
  - covenants 11.181
- Actual authority** 8.203–8.206
- Actual conflict**
  - breach of duty 8.95, 8.96
- Adjournments** 6.127–6.134
  - examples of reasons 6.128
- Administration** *see* Insolvency
- Administration responsibilities**
  - misconduct 4.115–4.119
- Administrators**
  - client contract 7.117, 7.118
- Admission as solicitor** *see* Solicitors
  - Regulation Authority (SRA)
- Advertisements** *see also* Publicity
  - adwords 11.186–11.190
- Advocates**
  - quality assurance scheme (QASA) 1.35
  - implementation 1.36
  - solicitors 2.35
- After the event (ATE)**
  - insurance 12.277–12.279
- Age discrimination** *see* Discrimination
- Agents/other forms of representative**
  - client contract 7.76–7.78
  - lawyers as *see* Authority
- Alternative business structure (ABS)**
  - authorisation 1.83
  - ‘legal services bodies’ 1.81
  - transitional arrangements 1.82
  - ‘authorised person’ 1.80
  - development 1.78
  - fundamental requirements 1.73
  - Head of Finance and
    - Administration (HOFA) 1.79
    - Head of Legal Practice (HOLP) 1.79
- Alternative business structure (ABS)—*continued***
  - insurance requirements and
    - combinations of professions 10.59, 10.60
    - ‘legal disciplinary practices’ 1.81
    - ‘licensable bodies’ 1.74
    - ‘manager’ 1.72
    - non-authorised persons 1.78
    - ‘restricted interest’ 1.75
    - approval requirements 1.76
    - conditions 1.77
    - divestiture 1.77
- Anti-money laundering**
  - authorised disclosures 3.213
  - due diligence 3.201
  - customer 3.204, 3.205
  - process 3.206
  - ‘simplified’/‘enhanced’ 3.207
  - ‘independent legal professionals’ 3.200
  - information duties 3.219
  - ‘nominated officer’ 3.203
  - failure to disclose offence 3.215
  - offences 3.210
    - categories 3.211
    - concealing etc 3.212
    - failures to disclose 3.213–3.215
    - tipping off 3.217, 3.218
  - policies and procedures 3.202
  - record keeping requirements 3.208
  - SRA warning notices 3.216
  - training 3.209
- Appeals**
  - Bar Disciplinary Tribunal 6.178, 6.179
  - costs lawyers against Conduct
    - Committee decisions 6.207–6.211
  - First-tier Tribunal 6.216, 6.217
  - Intellectual Property Regulation
    - Board (IPReg) 6.199
  - practising certificates 5.88
    - High Court 5.89–5.102
    - Tribunal 5.103, 5.104
  - Solicitors Disciplinary Tribunal (SDT)
    - appeals from 6.14, 6.15
    - appeals to 6.154–6.159
- Approved regulators**
  - reserved legal activity
    - authorisation 1.59–1.63
- Assessment** *see* Fees

Assigned risks pool	10.15–10.17	<b>Authority—continued</b>	
<b>Association of Litigation Funders</b>		liability	
code of conduct	12.255	client account shortage	8.237–8.239
<b>Authorisation</b>	2.01–2.03	wrongdoing	8.233–8.236
CILEx Regulation	2.165	ostensible authority	8.207, 8.208
entity regulation	2.180–2.182	partners, members and	
practice rights	2.169–2.179	directors	8.219–8.223
qualification		salaried partners	8.242, 8.243
requirements	2.166–2.168	usual authority	8.209–8.215
<b>Council for Licensed Conveyancers</b>		<b>Bankruptcy</b> <i>see</i> Insolvency	
(CLC)	2.144–2.146	<b>Bar Disciplinary Tribunal</b>	
entity regulation	2.158–2.164	appeal	6.178, 6.179
practice rights	2.155–2.157	conduct of hearing	6.175
qualification		constitution	6.173
requirements	2.147–2.154	costs	6.180
entity regulation		procedure to trial	6.174
Bar Standards Board		publication	6.181
(BSB)	2.132–2.143	referral of disciplinary	
CILEx Regulation	2.180–2.182	charges	5.209–5.211
Council for Licensed		sanctions	6.176, 6.177
Conveyancers		<b>Bar Mutual</b>	
(CLC)	2.158–2.164	professional indemnity insurance	
Intellectual Property Regulation		(PII)	10.23, 10.25, 10.30, 10.31
Board (IPReg)	2.187, 2.188	<b>Bar Standards Board (BSB)</b>	
<b>Institute of Chartered Accountants</b>		codes and compliance <i>see</i>	
of England and Wales		Regulatory codes and	
(ICAEW)	2.199–2.204	compliance	
practice rights		enforcement	5.203–5.207
Bar Standards Board		entity regulation	2.132–2.143, 5.208
(BSB)	2.124–2.131	establishment	5.200
CILEx Regulation	2.169–2.179	practice rights	2.124–2.131
Costs Lawyers Standards Board		pupillage	
(CLSB)	2.196–2.198	competent authority	2.123
Council for Licensed		first three years of practice,	
Conveyancers		‘relevant qualified person’	
(CLC)	2.155–2.157	guidance	2.122
Faculty Office	2.191–2.193	insurance	2.116
Intellectual Property Regulation		non-practising period	2.117–2.119
Board (IPReg)	2.186	parts	2.115
qualification requirements		Practice Management Course	2.121
Bar Standards Board		‘provisional practising	
(BSB)	2.107–2.114	certificate’	2.119, 2.120
CILEx Regulation	2.166–2.168	qualification requirements	2.107–2.114
Costs Lawyers Standards Board		referral to Bar Disciplinary	
(CLSB)	2.194, 2.195	Tribunal	5.209–5.211
Council for Licensed		supervision	5.201, 5.202
Conveyancers		<b>Barristers</b> <i>see also</i> Bar Standards Board	
(CLC)	2.147–2.154	(BSB)	3.148
Faculty Office	2.189, 2.190	‘cab rank’ rule	3.26
Intellectual Property Regulation		exceptions	3.27
Board (IPReg)	2.183–2.185	client care <i>see</i> Client care	
Solicitors Regulation Authority		client contract <i>see</i> Client contract	
(SRA) <i>see</i> Solicitors		direct access	7.178–7.182
Regulation Authority (SRA)		disciplinary tribunal <i>see</i> Bar	
<b>Authority</b>	8.202	Disciplinary Tribunal	
actual authority	8.203–8.206	employed	2.124
barristers – Combar terms	7.177	entity regulation	2.132–2.143
criminal proceedings	8.216–8.218	fees	
dishonest employee	8.240, 8.241	charging and professional	
lawyer’s warranty of	8.224–8.232	conduct	12.08, 12.09

- Barristers —continued**  
 fees—*continued*  
   conditional 12.230  
   disputes with  
     solicitors 12.284–12.290  
   referrals 3.149, 3.150  
   VAT on fee notes 12.283  
 indemnity insurance *see*  
   Professional indemnity  
   insurance (PII)  
 negligence and standard of  
   care 9.38–9.40  
 no applicable compensation fund  
   and BARCO 10.183  
 protection of goodwill 11.170–11.174  
   ‘possession’ 11.175–11.180  
   trademarks 11.200–11.206  
 publicity 3.159, 3.160  
 pupillage *see* Pupillage  
 qualification as solicitor 2.50  
 regulation of 1.120–1.122  
 regulatory codes and compliance  
   *see* Regulatory codes and  
   compliance  
 structures  
   admission and expulsion 13.30  
   barrister-led entities 13.47–13.51  
   constitution 13.26, 13.27  
   contractual capacity and use of  
     service companies 13.43–13.46  
   financial obligations 13.31–13.37  
   management structure 13.28, 13.29  
   traditional Chambers  
     legal status 13.38–13.42  
     model 13.25  
   withdrawal of credit 12.290  
 witness evidence 3.105
- Before the event (BTE)**  
 insurance 12.272–12.276
- Bias**  
 Solicitors Disciplinary Tribunal  
   (SDT) 6.143–6.149
- Bills** *see* Fees
- Bribery**  
 fiduciary duties 8.51–8.53  
 offences 3.222, 3.223, 3.225  
 prevention procedures for  
   commercial organisations 3.223,  
   3.224
- Business structures** 13.01–13.03  
 barristers  
   admission and expulsion 13.30  
   barrister-led entities 13.47–13.51  
   constitution 13.26, 13.27  
   contractual capacity and use of  
     service companies 13.43–13.46  
   financial obligations 13.31–13.37  
   management structure 13.28, 13.29  
   traditional Chambers  
     legal status 13.38–13.42  
     model 13.25  
 conversion issues 13.19–13.24
- Business structures—continued**  
 employment status 13.13–13.17  
 legal structure and liability 13.60–13.62  
   1890 partnership 13.64  
   limited company 13.68–13.70  
   limited liability partnership  
     (LLP) 13.65–13.67  
   sole practitioner 13.63  
 limited liability 13.08, 13.09  
 nature of rights and obligations 13.11,  
 13.12  
 ownership of premises 13.52–13.59  
 separation of ownership and  
   control 13.10  
 structures generally 13.05–13.07  
 tax 13.18
- Capacity**  
 client contract 7.96–7.99  
 failure to check and wills 9.140, 9.141
- Case management**  
 professional negligence  
   claims 9.100–9.104  
 Solicitors Disciplinary Tribunal  
   (SDT) 6.46–6.53
- Cash account** 12.58
- ChamPERTY and maintenance**  
 funding of litigation by third  
   party 12.249–12.251
- Character and suitability** 2.13–2.32
- Charities**  
 regulated claims management  
   services exemption 1.90
- Chartered Institute of Legal Executives**  
 (CILEx) *see also* CILEx  
 Regulation  
 Code of Conduct and  
   Regulation 3.182–3.185  
 compensation fund 10.221–10.226  
 Disciplinary Tribunal 6.200, 6.203  
   appeals from 6.204  
   CILEx Regulation  
     prosecution by 6.201  
     publication 6.204  
     hearings 6.202  
   member’s charging of fees 12.10  
   professional indemnity insurance  
     (PII) 10.32–10.38
- Children**  
 client contract 7.91–7.95
- CILEx Regulation** 2.165, 5.218–5.220  
 entity regulation 2.180–2.182  
 practice rights 2.169–2.179  
 qualification requirements 2.166–2.168
- Claims management services**  
 definition 1.86  
 referral fees 1.91  
 ‘regulated claims management  
   services’ 1.87  
 exemptions 1.89, 1.90  
 rendering of relevant services 1.88  
 regulation framework 1.85

- Clementi report** 1.18, 1.20  
 multi-disciplinary practices (MDPs) 2.63
- Client**
- administrator 7.117, 7.118
  - children 7.91–7.95
  - clubs/unincorporated associations 7.80, 7.81
  - companies 7.82–7.90
  - insurer 7.103–7.110
  - liquidator 7.113–7.116
  - mentally incapacitated 7.96–7.99
  - partnership 7.119
  - statutory corporation 7.120
  - trade union 7.102
  - transactions with 8.26–8.34
  - trustee in bankruptcy 7.111, 7.112
  - trustee/executor 7.100, 7.101
- Client accounts** 4.120
- banking facility, use as 4.125
  - ‘borrowed’ funds 4.124
  - culpability 4.128
  - deficiencies 4.123
  - equitable remedy of account against
    - lawyer 8.125–8.127
  - inaccurate accounting records 4.121, 4.123
  - interest 3.141
  - misappropriation 4.130
  - reconciling 4.122
  - shortages
    - liability for 8.237–8.239
    - supervision 4.271, 4.272
  - SRA Accounts Rules compliance 3.139
  - striking off/suspension 4.131
  - transfer of funds to office account 4.129
  - underlying transaction 4.125, 4.126
- Client care**
- barristers
    - BSB Code 3.23
    - acceptance of instructions 3.24
    - ‘cab rank’ rule 3.26
    - exceptions 3.27
    - restrictions on ability to stop
      - acting in a matter 3.28
    - complaints information 3.25
    - direct access rules 3.30
    - referrals 3.29
  - solicitors
    - broad requirements 3.10
    - complaints information 3.17, 3.18
    - costs 3.20
    - documentation 3.12, 3.19
    - financial benefits 3.21
    - funding arrangements 3.14
    - instructions brought to an end 3.22
    - letter and associated terms 3.11
    - ‘outcomes’ 3.09
    - professional negligence 3.21
    - referrals 3.15, 3.16
    - retainers 3.13, 3.22
- Client contract** 7.01
- administrators 7.117, 7.118
- Client contract—continued**
- agents/other forms of
    - representative 7.76–7.78
  - barristers’ standard terms 7.163–7.165
  - Combar terms 7.165
  - authority 7.177
  - charges and payments 7.167
  - client/solicitor obligations 7.172, 7.173
  - control of
    - information 7.168–7.171
    - formalities 7.166
    - risk sharing 7.174, 7.175
    - termination 7.176
  - direct access 7.178–7.182
  - children 7.91–7.95
  - clients subject to mental
    - incapacity 7.96–7.99
  - clubs/other unincorporated bodies 7.80, 7.81
  - companies 7.82–7.90
  - insurers 7.103–7.110
  - liquidators 7.113–7.116
  - multiple individuals 7.71–7.75
  - partnerships 7.119
  - relatives of partners or employees 7.79
  - solicitor’s retainer *see* Retainers
  - solicitors’ standard terms
    - charges and payments 7.134–7.144
    - client care information 7.121, 7.122
    - client obligations 7.150, 7.151
    - complaints and disputes 7.160
    - control of information 7.145–7.149
    - formalities 7.127–7.133
    - general clauses 7.161, 7.162
    - matters commonly dealt
      - with 7.123–7.126
    - risk sharing 7.152–7.159
    - statutory corporations 7.120
    - trade unions 7.102
    - trustees and executors 7.100, 7.101
    - trustee in bankruptcy 7.111, 7.112
- Client money**
- barristers 3.152
  - fiduciary duties 8.54–8.70
  - third party claims 8.71–8.79
  - solicitors 3.139–3.145
- Clubs/other unincorporated bodies**
- client contract 7.80, 7.81
- Collateral benefits**
- misconduct 4.132–4.136
- Communications**
- dealings with regulator 4.237
  - abusive 4.239
  - aggressive 4.238, 4.240
  - offensive 4.238
  - offensive letters 4.234
- Community interest companies**
- reserved legal activities transitional
    - arrangements 1.71
- Companies**
- client contract 7.82–7.90

- Company promoters**  
 fiduciary duty and conflicts of interest 8.102, 8.103
- Compensation** *see also* Compensation funds  
 breach of fiduciary duty 8.122–8.124  
 group claims and intermediaries 4.142–4.146  
 lawyer's negligence 9.41  
 causation 9.50–9.53  
 contributory liability 9.62–9.64  
 foreseeability and SAAMCO 9.43–9.49  
 identification of losses 9.42  
 loss of chance 9.65–9.68  
 restrictions on and exclusions of liability 9.54–9.61
- Compensation funds** 10.182  
 barristers 10.183  
 Chartered Institute of Legal Executives (CILEx) 10.221–10.226  
 Council for Licensed Conveyancers (CLC) 10.213–10.220  
 notaries' contingency fund 10.227–10.229  
 solicitors *see* Solicitors' compensation fund
- Complaints**  
 barristers 3.25  
 Chartered Institute of Legal Executives (CILEx) 3.183  
 licensed conveyancers 3.188  
 solicitors 3.17, 3.18
- Complaints and the Ombudsman**  
 challenges to Ombudsman decisions  
 authorised persons to co-operate with investigations 1.148  
 information or documents production of 1.148  
 failure to comply with requirement and penalties 1.149  
 reporting failures to provide limited advice given 1.146  
 reporting misconduct 1.147  
 history 1.130  
 jurisdiction of Ombudsman  
 any act or omission 1.138  
 Chief Ombudsman and assistant ombudsman 1.141  
 conditional fee agreement 1.137  
 determination of complaints  
 fairness and reasonableness 1.140  
 three-part test 1.135  
 poor service on part of solicitor 1.142  
 scheme rules 1.136  
 time limit where complaint not resolved 1.139  
 overview of scheme 1.134  
 powers 1.143–1.145  
 process 1.132, 1.133, 1.134  
 responsibility for 1.131
- Compliance** *see* Regulatory codes and compliance
- Compliance officers**  
 BSB regulated entities 2.138  
 CILEx regulated entities 2.182  
 SRA (COLP and COFA) 2.75  
 duties and obligations  
 Compliance Officer for Finance and Administration (COFA) 2.85  
 Compliance Officer for Legal Practice (COLP) 2.82–2.84  
 individual approval 2.76  
 personally liable for breaches of duties 2.87  
 responsibility in assessing misconduct 4.268  
 role-specific questions  
 Compliance Officer for Finance and Administration (COFA) 2.80, 2.81  
 Compliance Officer for Legal Practice (COLP) 2.79  
 sufficient seniority/responsibility 2.77, 2.86  
 suitability test 2.77
- Conditional fee agreement**  
 Legal Ombudsman's jurisdiction 1.137
- Conditional fee agreements (CFAs)** *see also* Fees
- Conduct outside of practice**  
 misconduct 4.242–4.255
- Confidentiality and disclosure**  
 barristers  
 rules 3.73–3.75  
 standard terms 7.168–7.171  
 confidential and privileged information to third party  
 funder 12.247  
 duty of confidence 8.128–8.132  
 fiduciary duties 8.40–8.42  
 implied duties 11.55  
 inadvertent disclosure 8.139  
 information barriers 8.133–8.136  
 mergers 8.138  
 misconduct 4.165–4.168  
 duty to the court 4.198  
 overlap with data protection 3.76–3.80  
 protection of information 11.160–11.165  
 changing employment 8.137  
 protectable interests 11.14  
 risk of disclosure 8.133–8.136  
 solicitors  
 conflicts 3.61–3.67  
 rules 3.69–3.72  
 standard terms 7.145–7.149  
 Solicitors Disciplinary Tribunal (SDT) 6.61–6.64  
 SRA investigation 5.35–5.39

- Conflicts of interest** *see also* Fiduciary duties
- barristers, conflict rules 3.68
  - funding of litigation by third party 12.246
  - misconduct 4.147–4.153
  - transactions with clients 4.154–4.164
  - solicitors
    - client conflicts 3.55–3.58
    - confidentiality conflicts 3.61–3.67
    - conflict rules 3.51–3.54
    - own interest conflicts 3.59, 3.60
- Conspiracy**
- misconduct 4.80
- Consumer credit**
- additional ‘specified investments’ 1.104
  - ‘regulated activities’ 1.103
    - ‘designated professional body’ exemption 1.107
    - exclusions 1.105
    - ‘grey areas’ 1.106
- Contentious business** *see* Remuneration of solicitors
- Contributory liability** 9.62–9.64
- Conveyancing** *see also* Licensed conveyancers
- conveyancers
  - negligence in practice 9.122
  - drafting errors 9.129
  - inadequacies
    - advice on planning 9.127
    - pre-contract checks 9.123–9.126
  - Legal Ombudsman complaints 9.131
  - procedural errors 9.128
  - security and creditworthiness 9.130
- Copyrights** *see* Protection of goodwill
- Costs** *see also* Fees
- Bar Disciplinary Tribunal 6.180
  - client care obligations 3.20
  - interventions 5.151–5.156
  - restraint order 3.220
  - Solicitors Disciplinary Tribunal (SDT) 6.109–6.122
- Costs lawyers**
- code of conduct 3.195
  - professional indemnity insurance (PII) rules 10.49–10.52
- Costs Lawyers Standards Board (CLSB)** 5.223
- Conduct Committee
    - appeals 6.207–6.211
    - referrals 6.206
    - sanctions 6.213
    - Conduct Appeal Committee 6.214
  - costs 6.212
  - hybrid complaints 6.205
  - Legal Ombudsman, complaints directed to 6.205
  - practice rights 2.196–2.198
  - practising certificate 6.215
    - permanent removal 6.213
  - qualification requirements 2.194, 2.195
- Council for Licensed Conveyancers (CLC)** 2.144–2.146, 6.182
- ‘Adjudication Panel’ 6.190
  - Adjudication Panel Procedure
    - Rules 2013 6.190, 6.192
  - Adjudication Panel Rules 2013 6.190–6.192
  - Adjudication Panel Standing
    - Orders 2013 6.192
  - Adjudication Panel Terms of Reference 6.192
  - compensation fund 10.213–10.220
  - decisions, framework 5.215–5.217
  - Discipline and Appeals Committee 6.187
    - allegation referrals 6.184, 6.185
  - entity regulation 2.158–2.164
  - introduction of structure different
    - from statutory scheme 6.189
  - Investigating Committee 6.183
    - allegations
      - determination 6.188
      - preliminary investigation 6.184
      - referrals 6.184, 6.185
    - imposition of penalty 6.186
    - role 6.183
  - powers 5.212–5.214
  - practice rights 2.155–2.157
  - qualification requirements 2.147–2.154
  - statutory scheme 6.182, 6.186, 6.188
- Counsel, reliance upon advice** 9.37
- Criminal convictions**
- dishonesty 4.223
- Criminal offences**
- misconduct 4.76–4.78
- Criminal proceedings**
- authority 8.216–8.218
- Damages** *see* Compensation
- Damages based agreements (DBAs)** 12.233–12.242
- Data protection**
- confidentiality and disclosure overlap 3.76–3.80
- Databases**
- protection 11.167
- Dealing with clients** 3.08
- client care *see* Client care
  - Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 3.32–3.38
  - discrimination and reasonable adjustments 3.39–3.50
  - Provision of Services Regulations 2009 3.31
- Dealings with regulator**
- communications 4.237
    - abusive 4.239
    - aggressive 4.238, 4.240
    - offensive 4.238
  - directions compliance 4.236

- Dealings with regulator—*continued***  
 duty to cooperate with SRA 4.235  
 open and constructive dialogue 4.241  
 published guidelines 4.240
- Debts and trading liabilities**  
 indemnity insurance exclusion 10.87,  
 10.88
- Defamation** 11.209–11.213  
 defamatory statements on behalf of  
 clients 8.244–8.247  
 publicity material 8.248–8.250
- Direct access to barristers** 7.178–7.182
- Directors**  
 authority 8.222, 8.223  
 duties  
 implied *see* Implied duties  
 insolvency 13.138–13.142
- Disbursements**  
 inclusion in bills 12.52–12.57  
 value added tax (VAT) 12.281
- Disclosure *see* Confidentiality and disclosure**
- Discrimination**  
 codes and compliance 3.39–3.50  
 misconduct 4.90
- Dishonesty** 4.214, 4.215  
 alleged 4.218, 4.219  
 concealment 4.226  
 criminal conviction 4.223  
 employee 8.240, 8.241  
 examples of 4.216  
 frauds by clients 4.168  
 incompetence 4.228  
 indemnity insurance  
 exclusion 10.89–10.92  
 condoning dishonesty 10.109–10.120  
 corporate dishonesty 10.103–10.108  
 ‘sham’ partnerships *see* ‘Sham’  
 partnerships  
 test for dishonesty 10.93–10.102  
 integrity 4.217  
 mitigation 4.224  
 evidence of good character 4.225  
 seriousness of misconduct 4.74, 4.75  
 striking off 4.221, 4.222  
 criminal conviction 4.223  
 exceptions 4.220  
 turning a ‘blind eye’ 4.227
- Documents *see* Information or documents**
- Domain names**  
 disputes 11.192  
 trademark infringement 11.191
- Due diligence**  
 anti-money laundering *see*  
 Anti-money laundering
- Duty of care *see* Negligence**
- Duty to the court** 3.81, 4.190, 4.191  
 barristers  
 abuse of role of advocate 3.106  
 double booking 4.200  
 generally 3.96–3.98
- Duty to the court—*continued***  
 barristers—*continued*  
 misleading the court 3.99–3.104  
 witness evidence 3.105  
 contempt of court 4.205–4.207  
 court’s directions  
 complying with 4.196  
 deferring to 4.195  
 grounds of appeal advice 4.193  
 improper influence over witnesses 4.203  
 maintaining client’s confidentiality  
 and privilege 4.198  
 manipulation or abuse of system 4.192,  
 4.194  
 misleading  
 clients 4.202  
 document, submission 4.197  
 freezing injunction 4.199  
 non-attendance 4.201, 4.204  
 solicitors  
 abusive litigation 3.88–3.90  
 duty to effect proper  
 disclosure 4.208–4.212  
 litigation and the court 3.91–3.95  
 misleading the court 3.82–3.87
- Employees**  
 entity regulation  
 carrying on activity 1.65  
 ‘regulated persons’ 1.68  
 legitimate interest in retention of 11.12  
 relative as client 7.79  
 solicitors’, applications against 6.39–6.42  
 wrongful or dishonest actions,  
 liability for 8.233–8.236, 8.240,  
 8.241
- Employment status** 13.13–13.17
- Enforcement**  
 Bar Standards Board (BSB) 5.203–5.207  
 Solicitors Regulation Authority  
 (SRA)  
 decisions 5.42–5.44  
 disciplinary powers 5.45–5.56  
 SRA Disciplinary Procedure  
 Rules 2011 5.57–5.66  
 undertakings  
 basis of enforcement 8.182–8.190  
 limits on enforceability 8.191–8.194
- Entity regulation** 1.17, 1.64  
 approved regulators, requirements  
 conflicts 1.70  
 differences in implementation 1.69  
 Bar Standards Board (BSB) 2.132–2.143,  
 5.208  
 insurance and barristers 10.30, 10.31  
 CILEx Regulation 2.180–2.182  
 Council for Licensed Conveyancers  
 (CLC) 2.158–2.164  
 employees or managers  
 carrying on activity 1.65  
 ‘regulated persons’ 1.68

**Entity regulation—continued**

independent trade unions, ‘public’	
exception	1.66
Intellectual Property Regulation	
Board (IPReg)	2.187, 2.188
offences	
carrying on activity through person not entitled	1.67
carrying on activity when not entitled	1.66
<b>Equality</b> <i>see</i> Discrimination	
<b>Errors of judgment</b>	
negligence	9.34, 9.35
<b>European lawyers</b> <i>see</i> Registered European lawyers (RELS)	
<b>Evidence</b> <i>see also</i> Witness evidence	
Solicitors Disciplinary Tribunal (SDT)	6.54–6.60
evidence from police	6.65–6.67
<b>Excess, insurance</b>	10.42, 10.43
<b>Exclusion clauses</b>	9.54–9.61
<b>Faculty Office</b>	
practice rights	2.191–2.193
qualification requirements	2.189, 2.190
<b>Fees</b>	12.01–12.04
assessments	
client’s right to	
burden of assessment	12.113
insolvency	12.111, 12.112
requirements	12.93–12.101
special	
circumstances	12.102–12.107
costs of	
assessment	12.108–12.110
third party rights to	
client and third party	12.123
limitations of remedy	12.121, 12.122
nature of	
assessment	12.114–12.120
charging and professional conduct	12.05
barristers	12.08, 12.09
legal executives	12.10
licensed conveyancers	12.11, 12.12
notaries	12.13–12.15
solicitors	12.06, 12.07
conditional fee agreements (CFAs)	
barristers	12.230
calculation of uplift	12.221–12.225
discounted (DCFAs)	12.217, 12.218
enforceability	12.229
informal	12.213–12.215
meaning of success	12.231, 12.232
nature of	12.207–12.211
personal injury cases	12.212
post-April 2013	12.219, 12.220
retrospective effect	12.226–12.228
costs assessment	
basis of	12.124–12.131
failure to advise on funding	12.141, 12.142

**Fees—continued**

costs assessment— <i>continued</i>	
reasonable costs	12.143–12.156
relevance of estimates	12.132–12.140
damages based agreements (DBAs)	12.233–12.242
degree of detail required	12.88–12.92
disputes between barristers and solicitors	12.284–12.290
guarantees	12.164, 12.165
indemnity principle	12.199–12.206
insurance	
after the event (ATE)	12.277–12.279
before the event (BTE)	12.272–12.276
interim or statute bill	12.79–12.87
legal aid <i>see</i> Legal aid	
Legal Ombudsman	12.157, 12.158
liens	
by subrogation to vendor	12.197
general lien	12.166–12.185
ongoing litigation	12.193–12.196
particular lien	12.186–12.191
statutory lien	12.192
proprietary claims and injunctions	12.163
reasonable costs	12.143–12.156
referrals	1.91
barristers	3.149, 3.150
security	
ability to take	12.159, 12.160
charges over proceeds of litigation	12.161, 12.162
sharing	12.198
standard terms	
barristers	7.167
solicitors	7.134–7.144
statutory scheme for remuneration of solicitors <i>see</i> Remuneration of solicitors	
suings of bills	
amount due to solicitor	12.72, 12.73
costs of solicitors acting for	
themselves	12.77, 12.78
delivery	12.64–12.67
jurisdiction	12.69–12.71
limitation	12.68
signature	12.62, 12.63
statutory demands	12.74–12.76
time to pay	12.61
third party funding	
champerty and maintenance	12.249–12.251
code of conduct	12.255
confidentiality and privilege	12.247
conflicts	12.246
liability of funders	12.252–12.254
nature of	12.243–12.245
prospects of success	12.248
value added tax (VAT)	12.280–12.282
barristers’ fee notes	12.283
<b>Fidelity</b>	
implied duties	11.47–11.54
relevance of lawyer’s duties	11.94–11.96

- Fiduciary duties** *see also* Implied duties
- breach of 8.09, 8.10
    - basis of compensation 8.122–8.124
    - protection of goodwill 11.138–11.142
    - transactions with clients giving
      - rise to 8.26–8.34
  - client funds 8.54–8.70
    - third party claims 8.71–8.79
  - client retainer 8.21–8.25
  - conflicts
    - actual conflict 8.95, 8.96
    - business partner 8.99–8.101
    - component parts 8.97, 8.98
    - conflicts of interest 8.80–8.86
    - informed consent 8.87–8.94
    - insurers and insured 8.117–8.121
    - joint ventures and company
      - promoter 8.102, 8.103
      - lender/borrower 8.104–8.116
  - equitable remedy of account against
    - lawyer 8.125–8.127
  - generally 8.01
  - implied duties 11.56–11.64
    - nature of 8.02–8.08
    - other lawyers as fiduciaries 8.11–8.14
  - profits and benefits
    - bribes 8.51–8.53
  - undivided loyalty 8.15–8.20
  - undue influence
    - gifts to lawyer 8.35–8.39
    - transactions with clients 8.26–8.34
  - use of information and disclosure
    - duties 8.40–8.42
- Files**
- control of 11.166
  - joint, with lenders 8.163–8.166
- Financial crime**
- anti-money laundering
    - legislation 3.199–3.209
  - bribery 3.222–3.225
  - proceeds of crime 3.210–3.220
  - terrorism financing 3.221
- Financial services**
- financial promotions 3.168
  - ‘regulated activities’ 1.97, 1.98, 3.161–3.167
    - exemption from general
      - prohibition 1.97
      - ‘designated professional body’ 1.99, 1.100
      - ‘exempt regulated activities’ 1.99, 1.100
      - ‘grey areas’ 1.101
    - specified activities and
      - investments 1.98
- Financial stability** *see also* Insolvency 3.114
- Fines** *see* Costs; Sanctions and penalties
- First-tier Tribunal**
- appeals 6.216, 6.217
- Foreign lawyers** *see* Registered foreign lawyers (RFLs)
- Former solicitor**
- Solicitors Disciplinary Tribunal (SDT) 6.07
- Fraud** *see* Dishonesty; Frauds by clients; Wrongful trading
- Frauds by clients** 4.177
- conduct amounting to an offence 4.187
  - dishonesty 4.186
  - documents in possession of lawyer 4.188
  - dubious transactions 4.184
  - giving assistance to 4.189
  - mortgage frauds 4.178–4.180
    - recklessness 4.181
  - property fraud 4.182, 4.183
  - trust of client leading to breaches of obligations 4.185
- Garden leave**
- protection of goodwill 11.69–11.73
- Gifts**
- undue influence 8.35–8.39
- Goodwill** *see* Protection of goodwill
- Governance and systems**
- barristers 3.148
  - solicitors 3.113–3.118
- Guarantees** *see* Personal guarantees (PGs)
- Harassment** 11.214–11.216
- Harmful misconduct** 4.84
- Head of Finance and Administration (HOFA)** 1.79
- disqualification 5.42, 5.57, 5.64
  - SRA enforcement decisions 5.42
- Head of Legal Practice (HOLP)** 1.79
- disqualification 5.42, 5.57, 5.64
  - SRA enforcement decisions 5.42
- High Court**
- appeals to
    - from SDT 6.14, 6.15
    - practising certificates 5.89–5.102
    - jurisdiction over solicitors 6.164–6.172
- Hindsight** 9.36
- Human rights**
- interventions 5.178–5.182
  - legal aid 12.260–12.264
- Immigration services** 1.92
- definition 1.94
  - ‘immigration advice’ 1.93
  - person certified as exempt from
    - registration, etc 1.96
    - qualified person 1.95
- Implied duties**
- confidentiality 11.55
  - fidelity 11.47–11.54
  - fiduciary duties 11.56–11.64
  - retainer 9.06–9.09
  - right to skills and
    - experience 11.65–11.67

- Implied terms**  
 solicitor's retainer 7.14–7.18
- 'Improper conduct'**  
 misconduct 4.48–4.50
- Improper litigation** *see* Abusive litigation
- Indemnity basis assessment** 12.124–12.131
- Independence**  
 loss of 4.113, 4.114  
 maintaining 4.55
- Independent trade unions** *see* Trade unions
- Individuals**  
 multiple clients 7.71–7.75  
 rule breaches 4.16–4.22
- Information or documents** *see also* Confidentiality and disclosure  
 client care documentation 3.12, 3.19  
 insurers' entitlement to 10.178–10.181  
 interventions 5.134–5.146  
 production of 1.148  
   failure to comply with  
     requirement and penalties 1.149  
   reporting failures to provide search engines and personal information, right to be forgotten 11.217
- Informed consent** 8.87–8.94
- In-house practice** 3.169–3.176  
 restrictions 2.57
- Injunctions and damages** *see* Interim injunctions; Protection of goodwill
- Inns of Court**  
 barristers' conduct 1.120  
 barristers' qualification 2.108  
 disciplinary tribunal 5.204  
 entity regulation 2.137
- Insolvency** 13.01, 13.04  
 antecedent transactions 13.121–13.123  
   1890 partnership 13.125–13.129  
   limited liability partnership (LLP) 13.130–13.134  
   sole practitioner 13.124  
 assessment of fees 12.111, 12.112  
 effect on firms  
   office leases 13.115–13.118  
   other suppliers/retention of title 13.119, 13.120  
   partners' and members' accounts 13.103–13.109  
   personal guarantees (PGs) 13.113, 13.114  
   retainers 13.110–13.112  
 insurer 10.167, 10.168  
   practical implications 10.169–10.177  
 legal professional privilege (LPP) 8.149–8.153  
 main practice structures 13.96  
   1890 partnership 13.98–13.100  
   limited company 13.102
- Insolvency—continued**  
 main practice structures—*continued*  
   limited liability partnership (LLP) 13.101  
   sole practitioner 13.97  
 misconduct 4.175, 4.176  
 practice preservation  
   continuity 13.144–13.146  
   pre-pack administration sales 13.147–13.152  
 processes 13.71, 13.72  
   administration 13.73–13.76  
   bankruptcy 13.93–13.95  
   liquidation 13.77–13.81  
   receivership 13.82–13.88  
   voluntary arrangements 13.89–13.92  
 statutory duties  
   directors 13.138–13.142  
   LLP members 13.143  
   trustee in bankruptcy 7.111, 7.112  
   wrongful trading 13.135–13.137
- Institute of Chartered Accountants of England and Wales (ICAEW)** 2.199–2.204  
 conduct requirements 3.196
- Insurance** *see also* Professional indemnity insurance (PII)  
 after the event (ATE) 12.277–12.279  
 before the event (BTE) 12.272–12.276  
 client contract 7.103–7.110  
 conflicts 8.117–8.121
- Integrity** *see also* Fidelity  
 lack of 4.91, 4.217
- Intellectual property** *see* Protection of goodwill
- Intellectual Property Board (IPB)** 5.221, 5.222
- Intellectual Property Regulation Board (IPReg)** 6.197, 6.198  
 appeals 6.199  
 Code of Conduct 3.190–3.193  
 entity regulation 2.187, 2.188  
 practice rights 2.186  
 qualification requirements 2.183–2.185
- Interim injunctions**  
 interests of clients 11.102, 11.103, 11.109, 11.110  
 interventions 5.189–5.191
- Intermediaries**  
 group compensation claims 4.142–4.146
- International services**  
 value added tax (VAT) 12.282
- Interventions**  
 ancillary court orders 5.147–5.150  
 balancing exercise 5.176, 5.177  
 challenges 5.157–5.160  
 costs 5.151–5.156  
 delayed decisions 5.183, 5.184  
 employees 5.109  
 grounds for 5.110–5.112  
   limited intervention 5.113, 5.114  
 human rights 5.178–5.182

- Interventions—*continued***  
interim injunctions 5.189–5.191  
methodology of court’s  
decision 5.168–5.175  
nature of 5.105–5.109  
powers exercisable 5.115–5.121  
practice documents 5.134–5.146  
proceedings, nature of 5.162–5.167  
statutory trust 5.122–5.133  
time limit 5.161  
unpaid bills and work in  
progress 5.185–5.188
- Investigation** *see* Solicitors Regulation  
Authority (SRA)
- Joint ventures**  
fiduciary duty and conflicts of  
interest 8.102, 8.103
- Judgment debts**  
non-payment, misconduct 4.174
- Judicial conduct** 1.150–1.153
- Jurisdiction** *see also* Complaints and  
the Ombudsman  
High Court over solicitors 6.164–6.172  
suing of bills 12.69–12.71
- Know-how** *see* Protection of goodwill
- Lawyers** *see* Solicitors
- Legal aid** 12.256  
civil 12.265, 12.266  
criminal 12.268–12.271  
human rights 12.260–12.264  
Legal Aid Agency (LAA) 12.257, 12.258  
scope 12.259  
statutory charge 12.267
- Legal Disciplinary Practices**  
(LDPs) 2.60–2.62
- Legal executives** *see* Chartered Institute  
of Legal Executives (CILEx)
- Legal expenses insurance** 7.105, 7.106
- Legal Ombudsman** *see also* Complaints  
and the Ombudsman  
complaints directed to 6.205  
conveyancing 9.131  
litigation matters 9.121  
statistics 9.146  
wills and probate 9.145  
lawyers’ fees 12.157, 12.158
- Legal professional privilege (LPP)**  
crime/fraud exception 8.170, 8.171  
insolvency 8.149–8.153  
joint files with lenders 8.163–8.166  
loss of 8.154–8.156  
nature of 8.140–8.148  
negligence claims 8.157–8.162  
public authorities 8.167–8.169  
required nature of adviser 8.176–8.181  
self-incrimination 8.175  
SRA investigations 8.172–8.174
- Legal Services Act 2007** 1.15–1.20  
activity-based regulation 1.28–1.31  
legal activities, definition 1.29  
alternative business structures *see*  
Alternative business  
structures (ABS)  
Legal Services Board (LSB) 1.25, 1.26  
Consumer Panel, establishing/  
maintaining 1.27  
principal aims 1.19, 1.20  
regulatory objectives 1.21–1.24  
reserved legal activities *see* Reserved  
legal activities
- Legal Services Board (LSB)** 1.25–1.27  
approved regulators, overseeing 1.61,  
1.62  
Consumer Panel, establishing/  
maintaining 1.27
- Lenders**  
joint files and LPP 8.163–8.166  
lender/borrower conflicts 8.104–8.116  
undertakings 8.200
- Licensable bodies** *see* Alternative  
business structures (ABS)
- Licensed body** 2.58
- Licensed conveyancers**  
charging of fees 12.11, 12.12  
Code of Conduct 3.187–3.189  
professional indemnity insurance  
(PII) 10.39–10.43  
definition of ‘the insured’ 10.79  
voluntary and in-house work 10.147  
regulation of 1.123, 1.124  
supervision, investigation and  
enforcement *see* Council for  
Licensed Conveyancers  
(CLC)
- Licensing authorities**  
reserved legal activity  
authorisation 1.59–1.63
- Liens** *see* Fees
- Limited company**  
insolvency *see* Insolvency  
legal structure and liability 13.68–13.70
- Limited liability partnerships (LLPs)**  
insolvency *see* Insolvency  
legal structure and liability 13.65–13.67  
members  
authority 8.219–8.221, 8.223  
implied duties *see* Implied duties
- Liquidation** *see* Insolvency
- Liquidators**  
client contract 7.113–7.116
- Litigation**  
conduct of 1.37–1.39, 1.44  
‘ancillary functions’ 1.41, 1.42, 1.43  
meaning 1.40  
delegation 1.56  
negligence in practice 9.105  
complaints to Legal  
Ombudsman 9.121

**Litigation—continued**

negligence in practice— <i>continued</i>	
failures	
CPR compliance	9.115–9.120
taking instructions	9.114
flawed advice	9.111–9.113
missed limitation periods	9.106–9.110
solicitors	
abusive litigation	3.88–3.90
litigation and the court	3.91–3.95
third party funding <i>see</i> Fees	

**Managers**

entity regulation	
carrying on activity	1.65
‘regulated persons’	1.68

**Means**

costs and fines	6.111, 6.112
-----------------	--------------

**Mergers and closures *see also***

Acquisitions or mergers;	
Takeovers and mergers	
termination of solicitor’s	
retainer	7.63–7.65

**Meta tags** 11.184, 11.185**Misconduct** 4.01–4.03

areas of	4.94–4.98
client account <i>see</i> Client	
accounts	
collateral benefits	4.132–4.136
conduct outside of	
practice	4.242–4.255
confidentiality	4.165–4.168
conflicts of interest	4.147–4.153
transactions with	
clients	4.154–4.164
dealings with prisoners	4.213
dealings with the regulator <i>see</i>	
Dealings with regulator	
dishonesty <i>see</i> Dishonesty	
duty to the court <i>see</i> Duty to	
the court	
frauds by clients <i>see</i> Frauds by	
clients	
group compensation claims and	
intermediaries	4.142–4.146
lack of integrity	4.217
loss of independence	4.113, 4.114
misrepresentation of	
structures	4.107–4.112
offensive letters	4.234
overcharging	4.137–4.141
professional indemnity insurance	
(PII)	4.169–4.173
responsible	
administration	4.115–4.119
solventy	
insolvency	4.175, 4.176
judgment debt non-payment	4.174
unauthorised practice	4.99–4.106
undertakings	4.229–4.233
unfitness to practise	4.256–4.259

**Misconduct—continued**

concept	4.34–4.38
‘improper conduct’	4.48–4.50
negligence	4.39–4.45
objectives in penalising	4.65–4.68
professional judgment	4.46, 4.47
‘professional principles’	4.51
‘authorised persons’	4.52
core principles	4.53
acting in client’s best interest	4.57
acting with honesty and	
integrity	4.54
complying with duties	
necessary for	
administration of	
justice	4.58
cooperation with regulator/	
managing practices	
properly and	
safeguarding client	
money	4.62–4.64
delivering proper standard of	
work	4.56
keeping clients’ affairs	
confidential	4.60
maintaining independence	4.55
not to damage public trust	
and confidence and	
thereby the profession	4.59
not to unlawfully	
discriminate/	
promoting equality of	
opportunity and	
diversity	4.61
responsibility	
COLP/COFA	4.268
partners	4.260–4.267
supervision	4.269–4.276
rules and codes	
nature of codes	4.04
emphasis placed on each	
approach	4.11
flexibility of system	4.12, 4.13
mix of approaches and	
concepts	4.06
‘outcomes’	4.05–4.10
regulation of entities	4.14
rule breaches and regulatory	
action	4.15
rule breaches	
entities	4.23–4.33
individuals	4.16–4.22
sentencing, factors other than	
seriousness	4.93
seriousness	4.69
abuse of positions of trust	4.82
assessing	4.70–4.73
concealment	4.85
conspiracy	4.80
criminal offences	4.76–4.78
discrimination	4.90
dishonesty	4.74, 4.75

- Misconduct—continued**  
 seriousness—*continued*  
 harm 4.84  
 individual control 4.89  
 individuals affected 4.88  
 integrity and recklessness 4.91, 4.92  
 motivation 4.83  
 premeditation 4.79  
 public confidence 4.86  
 repetition and duration 4.81  
 seniority 4.87
- Misleading the court**  
 barristers 3.99–3.104  
 solicitors 3.82–3.87
- Misrepresentations**  
 misconduct 4.107–4.112
- Money laundering** *see* Anti-money  
 laundering
- Mortgage frauds** 4.178–4.180  
 recklessness 4.181
- Multi-disciplinary practices (MDPs)**  
 SRA authorisation/regulation 2.63–2.67
- Negligence** 9.01–9.04  
 advice in social context 10.148  
 claims procedure 9.86–9.88  
 case management 9.100–9.104  
 CPR Pt 36 9.91–9.95  
 pre-action 9.89, 9.90  
 proceedings 9.96–9.99  
 compensation 9.41  
 causation 9.50–9.53  
 contributory liability 9.62–9.64  
 foreseeability and  
 SAAMCO 9.43–9.49  
 identification of losses 9.42  
 loss of chance 9.65–9.68  
 restrictions on and exclusions of  
 liability 9.54–9.61  
 in practice *see* Negligence in  
 practice  
 legal professional privilege  
 (LPP) 8.157–8.162  
 limitation defences 9.69, 9.70  
 date of damage 9.71–9.79  
 date of knowledge 9.80–9.85  
 misconduct 4.39–4.45  
 scope of retainer 9.05  
 division of responsibility  
 between lawyer and  
 client 9.12–9.14  
 duties to third parties 9.20–9.29  
 implied duties 9.06–9.09  
 involvement of other advisers 9.10  
 limits to scope of work 9.15–9.19  
 relevance of experience and  
 knowledge of client 9.11  
 SRA investigation and duty of care 5.40,  
 5.41  
 standard of care 9.30–9.33  
 barristers 9.38–9.40  
 errors of judgment 9.34, 9.35
- Negligence—continued**  
 standard of care—*continued*  
 hindsight 9.36  
 reliance on advice by Counsel 9.37
- Negligence in practice**  
 conveyancing 9.122  
 drafting errors 9.129  
 inadequacies  
 advice on planning 9.127  
 pre-contract checks 9.123–9.126  
 Legal Ombudsman complaints 9.131  
 procedural errors 9.128  
 security and creditworthiness 9.130  
 Legal Ombudsman statistics 9.146  
 litigation 9.105  
 failures  
 CPR compliance 9.115–9.120  
 taking instructions 9.114  
 flawed advice 9.111–9.113  
 Legal Ombudsman complaints 9.121  
 missed limitation periods 9.106–9.110  
 wills and probate  
 delay 9.134–9.139  
 errors in execution 9.142–9.144  
 negligent drafting 9.132  
 failures  
 checking capacity 9.140, 9.141  
 taking instructions 9.133  
 Legal Ombudsman complaints 9.145
- Non-contentious business** *see*  
 Remuneration of solicitors
- Notaries**  
 charging of fees 12.13–12.15  
 complaints against 6.193  
 Court of Faculties 6.193, 6.194  
 standard applied 6.196  
 Master of Faculties 6.193  
 ‘Guidance for Nominated  
 Notaries’ 6.196  
 Notaries (Conduct and  
 Discipline) Rules 2011 6.193,  
 6.195, 6.196  
 conduct requirements 3.194  
 contingency fund 10.227–10.229  
 Faculty Office  
 practice rights 2.190–2.193  
 qualification requirements 2.189  
 professional indemnity insurance  
 (PII) 10.53–10.58  
 regulation of 1.128, 1.129  
 supervision, investigation and  
 enforcement 5.224, 5.225
- Not-for-profit bodies**  
 regulated claims management  
 services exemption 1.90  
 reserved legal activities transitional  
 arrangements 1.71
- Oaths** 2.33, 2.146, 2.176, 2.186
- Offences**  
 bribery 3.222, 3.223, 3.225

- Offences—continued**  
 entity regulation  
   carrying on activity through  
     person not entitled 1.67  
   carrying on activity when not  
     entitled 1.66  
 money laundering *see* Anti-money  
   laundering  
 terrorism financing 3.221
- Office for Legal Complaints** 1.133
- Office leases**  
 insolvency 13.115–13.118
- Officer of the court**  
 solicitor as 6.164
- Ostensible authority** 8.207, 8.208
- Outsourcing**  
 duty of confidentiality 3.19  
 reserved legal activities 3.125
- Overcharging**  
 misconduct 4.137–4.141
- Overseas lawyers and overseas practice**  
 Registered European Lawyers  
   (RELs) 2.41–2.44, 3.177  
 Registered Foreign Lawyers  
   (RFLs) 2.45–2.49, 3.178  
 SRA Overseas Rules 2013 3.179
- Panels** *see* Self-regulatory schemes
- Participating insurers** 10.13, 10.14
- Partnerships**  
 business partner conflicts 8.99–8.101  
 client contract 7.119  
 implied duties of partners *see*  
   Implied duties  
 inadvertent dissolution 11.125–11.129  
 insolvency *see* Insolvency  
 legal structure and liability 13.64  
 limited liability partnerships *see*  
   Limited liability partnerships  
   (LLPs)  
 partners  
   authority 8.219–8.221, 8.223  
   salaried partners and ‘credit’ 8.242,  
     8.243  
 misconduct,  
   responsibility 4.260–4.267  
   relative as client 7.79  
   retiring, and indemnity  
     insurance claims 10.152  
 ‘sham’ *see* ‘Sham’ partnerships
- Passing off** 11.207, 11.208
- Patent attorneys**  
 Intellectual Property Regulation  
   Board (IPReg)  
   Code of Conduct 3.190–3.193  
   entity regulation 2.187, 2.188  
   practice rights 2.186  
   qualification  
   requirements 2.183–2.185
- Patent attorneys—continued**  
 professional indemnity insurance  
   (PII) 10.44–10.48  
   definition of ‘the insured’ 10.79  
   insuring clauses and definitions 10.82  
   regulation of 1.127
- Penalties** *see* Sanctions and penalties
- Personal guarantees (PGs)**  
 fees 12.164, 12.165  
 insolvency 13.113, 13.114
- Police evidence** 6.65–6.67
- Practice management** 3.112  
 barristers  
   client money 3.152  
   governance and systems 3.148  
   professional indemnity insurance  
     (PII) 3.153  
   referrals 3.149–3.151  
 solicitors  
   client money 3.139–3.145  
   governance and systems 3.113–3.118  
   professional indemnity insurance  
     (PII) 3.146  
   referral arrangements 3.130–3.138  
   separate businesses 3.147  
   staff and supervision of  
     work 3.124–3.129  
   whistle-blowing 3.119–3.123
- Practice rights**  
 Bar Standards Board (BSB) 2.124–2.131  
 CILEx Regulation 2.169–2.179  
 Costs Lawyers Standards Board  
   (CLSB) 2.196–2.198  
 Council for Licensed Conveyancers  
   (CLC) 2.155–2.157  
 Faculty Office 2.191–2.193  
 Intellectual Property Regulation  
   Board (IPReg) 2.186  
 Solicitors Regulation Authority  
   (SRA) 2.33–2.35
- Practice structures** *see* Business  
 structures
- Practising certificates** 2.36–2.40  
 appeals 5.88  
   High Court 5.89–5.102  
 costs lawyer 6.215  
   permanent removal 6.213  
 examples of conditions 5.87  
 ‘provisional’ 2.119, 2.120  
 SRA Practising Regulations  
   2011 5.79–5.86  
 statutory framework of  
   regulation 5.67–5.78
- Premeditation**  
 misconduct 4.79
- Prisoners**  
 dealings with 4.213
- Probate** *see* Wills and probate
- Proceeds of crime** *see* Anti-money  
 laundering
- Procureco** 10.183

- Professional indemnity insurance**  
 (PII) 10.01–10.04  
 ABS and combinations of professions 10.59, 10.60  
 advice as part of voluntary service 10.149  
 barristers 3.153  
   BSB pupils 2.116  
   ‘cab-rank’ rule 10.29  
   definition of ‘the insured’ 10.79  
   entity regulation 10.30, 10.31  
   insuring clauses and definitions 10.82  
   minimum level of cover 10.26–10.28  
   requirement 10.23–10.25  
 broker’s role 10.68–10.76  
 Chartered Institute of Legal Executives (CILEx) 10.32–10.38  
 closing a firm 10.150, 10.151  
 costs lawyers 10.49–10.52  
 definition of ‘the insured’ 10.77–10.79  
 exclusions 10.85, 10.86  
   debts and trading liabilities 10.87, 10.88  
   fraud and dishonesty 10.89–10.92  
     condoning 10.109–10.120  
     corporate dishonesty 10.103–10.108  
   ‘sham’ partnerships *see* ‘Sham’ partnerships  
   test for dishonesty 10.93–10.102  
 informal advice 10.148  
 in-house work 10.147  
 insurers  
   entitlement to documents 10.178–10.181  
   solvency 10.167, 10.168  
   practical implications 10.169–10.177  
 licensed conveyancers 10.39–10.43  
   definition of ‘the insured’ 10.79  
   voluntary and in-house work 10.147  
 misconduct 4.169–4.173  
 notaries 10.53–10.58  
 notification of claims 10.162–10.164  
   circumstances leading to claim 10.165  
   late 10.166  
 obligations when applying for 10.61–10.67  
 patent attorneys 10.44–10.48  
   definition of ‘the insured’ 10.79  
   insuring clauses and definitions 10.82  
 retiring partners 10.152  
 scope of cover 10.80–10.84  
 solicitors 3.146  
   assigned risks pool (ARP) 10.15–10.17  
   current scheme 10.12  
   definition of ‘the insured’ 10.78  
   extended indemnity periods 10.18–10.22  
   history 10.08–10.11  
   insuring clauses and definitions 10.82  
   participating insurers 10.13, 10.14  
   requirement 10.05–10.07
- Professional indemnity insurance**  
 (PII)—*continued*  
 takeovers and mergers 10.153–10.161  
 trade mark attorneys 10.44–10.48  
   definition of ‘the insured’ 10.79  
   insuring clauses and definitions 10.82
- Professional judgment**  
 misconduct 4.46, 4.47
- Professional misconduct** *see* Misconduct
- Professional negligence** *see* Negligence
- Professional principles**  
 promoting and maintaining adherence to *see* Misconduct
- Protection of goodwill** 11.01–11.03  
 adwords 11.186–11.190  
 barristers 11.170–11.174  
   ‘possession’ 11.175–11.180  
 trademarks 11.200–11.206  
 case management and other software 11.193–11.196  
 confidential information 11.160–11.165  
   protectable interests 11.14  
 control of files 11.166  
 copyrights 11.197  
   protectable interests 11.18  
   software infringement 11.195  
   ownership 11.194  
 databases 11.167  
 defamation and harassment 11.209–11.216  
 domain names 11.191, 11.192  
 garden leave 11.69–11.73  
 general principles  
   application 11.78–11.85  
   limits of precedent 11.77  
 geographical restrictions 11.131–11.137  
   reputation 11.15–11.17, 11.34, 11.101  
 implied duties *see* Implied duties  
 inadvertent dissolution of partnerships 11.125–11.129  
 injunctions and damages 11.75, 11.76  
 international issues 11.74  
 lawyer-specific cases  
   departmentalised firms 11.111–11.124  
   duties of fidelity and integrity 11.94–11.96  
   employed lawyer’s specialisation 11.97–11.101  
   fiduciary and other duties 11.138–11.142  
   geographical restrictions 11.131–11.137  
 inadvertent dissolution of partnership 11.125–11.129  
 injunctions and interests of clients 11.102–11.110  
 modern overview 11.143–11.159  
 no implied covenants in contract 11.130

**Protection of goodwill—continued**

lawyer-specific cases— <i>continued</i>	
special understanding	11.86–11.93
limits	
contractual provisions	
post-termination	11.33–11.36
pre-termination	11.37, 11.38
persons owing duties	11.44–11.46
principles of	
construction	11.39–11.43
public interest	11.31, 11.32
reasonableness between	
parties	11.27–11.30
restraint of trade	
doctrine	11.19–11.26
oblique restraints	11.68
restraints made under	
foreign law	11.74
mergers, insolvencies and	
acquisitions	11.181
meta tags	11.184, 11.185
oblique restraints	11.68
passing off	11.207, 11.208
protectable interests	
confidential information	11.14
copyright and know-how	11.18
principles	11.04–11.07
relationships	
clients	11.08, 11.09
employees	11.12
referrers	11.10, 11.11
suppliers	11.13
reputation	11.15–11.17
right to be forgotten	11.217
teams	11.168, 11.169
trademarks	11.198, 11.199
barristers	11.200–11.206
infringement	
domain names	11.191
meta tags	11.184
web rights	11.182, 11.183
<b>Public authorities</b>	
legal professional privilege	
(LPP)	8.167–8.169
<b>Public funding</b> <i>see</i> Legal aid	
<b>Public notaries</b> <i>see</i> Notaries	
<b>Public trust and confidence</b>	
damaging <i>see</i> Misconduct	
<b>Publication</b>	
Bar Disciplinary Tribunal	6.181
CILEx Regulation	6.204
SRA decisions	5.65
<b>Publicity</b>	
barristers	3.159, 3.160
defamation	8.248–8.250
solicitors	3.154–3.158
Solicitors Disciplinary Tribunal	
(SDT)	6.84–6.88
<b>Pupillage</b>	
Bar Standards Board (BSB)	
competent authority	2.123

**Pupillage—continued**

Bar Standards Board (BSB)— <i>continued</i>	
first three years of practice,	
‘relevant qualified person’	
guidance	2.122
insurance	2.116
non-practising period	2.117–2.119
parts	2.115
Practice Management Course	2.121
‘provisional practising	
certificate’	2.119, 2.120
misrepresentation	4.112
<b>Qualification requirements</b>	
Bar Standards Board (BSB)	2.107–2.114
CILEx Regulation	2.166–2.168
Costs Lawyers Standards Board	
(CLSB)	2.194, 2.195
Council for Licensed Conveyancers	
(CLC)	2.147–2.154
Faculty Office	2.189, 2.190
Intellectual Property Regulation	
Board (IPReg)	2.183–2.185
Solicitors Regulation Authority	
(SRA)	2.04
qualification process	2.05
academic stage	2.06, 2.07
vocational stage	2.08
training contracts	2.09–2.12
<b>Qualified lawyers transfer scheme</b>	2.50–2.52
<b>Qualifying insurance</b>	10.05
<b>Reasonableness</b>	
between parties	11.26–11.31, 11.46,
11.123, 11.130	
costs	12.143–12.156
limitation of liability	9.55–9.57, 9.60,
9.61	
presumption	12.128, 12.146, 12.150
public interest	11.122
<b>Receivership</b> <i>see</i> Insolvency	
<b>Recklessness</b>	4.91, 4.92
mortgage frauds	4.181
<b>Recognised body</b>	2.58
<b>Referrals</b>	
Bar Disciplinary Tribunal	5.209–5.211
barristers	
client care	3.29
practice management	3.149–3.151
fees	1.91
barristers	3.149, 3.150
solicitors	
client care	3.15, 3.16
practice management	3.130–3.138
SRA to SDT	5.192–5.199
<b>Registered European Lawyers</b>	
(RELs)	2.41–2.44
<b>Registered Foreign Lawyers</b>	
(RFLs)	2.45–2.49

**Regulators**

- supervision, investigation and enforcement 5.01, 5.02
- Bar Standards Board (BSB) *see* Bar Standards Board (BSB)
- CILEx Regulation 5.218–5.220
- Costs Lawyers Standards Board (CLSB) 5.223
- Council for Licensed Conveyancers (CLC) *see* Council for Licensed Conveyancers (CLC)
- Intellectual Property Board (IPB) 5.221, 5.222
- notaries 5.224, 5.225
- Solicitors Regulation Authority (SRA) *see* Solicitors Regulation Authority (SRA)
- Regulatory codes and compliance** 3.01–3.04
  - breaches *see* Misconduct
  - Chartered Legal Executives (CILEx) 3.182–3.185
  - confidentiality and disclosure
    - barristers, rules 3.73–3.75
    - overlap with data protection 3.76–3.80
    - solicitors, rules 3.69–3.72
  - conflicts of interest *see* Conflicts of interest
  - core principles 3.05–3.07
  - costs lawyers 3.195
  - dealing with clients *see* Dealing with clients
  - duty to the court *see* Duty to the court
  - financial crime
    - anti-money laundering legislation 3.199–3.209
    - bribery 3.222–3.225
    - proceeds of crime 3.210–3.220
    - terrorism financing 3.221
  - financial services
    - financial promotions 3.168
    - regulated activities 3.161–3.167
  - in-house legal practice 3.169–3.176
  - Institute of Chartered Accountants of England and Wales (ICAEW) 3.196
  - licensed conveyancers 3.187–3.189
  - notaries 3.194
  - overlapping conduct requirements 3.197, 3.198
  - overseas lawyers and overseas practice
    - Registered European Lawyers (RELS) 3.177
    - Registered Foreign Lawyers (RFLs) 3.178

**Regulatory codes and compliance—continued**

- overseas lawyers and overseas practice—*continued*
  - SRA Overseas Rules 2013 3.179
- patent attorneys and trade mark attorneys 3.190–3.193
- practice management *see* Practice management
- publicity
  - barristers 3.159, 3.160
  - solicitors 3.154–3.158
- specialist lawyers in SRA authorised firms 3.180
- undertakings 3.107–3.111
- warnings 3.181
- Regulatory framework** 1.01–1.06
  - Clementi report 1.18, 1.20
  - complaints handling and Legal Ombudsman *see* Complaints and the Ombudsman
  - judicial conduct 1.150–1.153
  - Legal Services Act 2007 *see* Legal Services Act 2007
  - other ‘activity based’ statutory schemes 1.84
    - claims management services *see* Claims management services
    - consumer credit *see* Consumer credit
    - financial services *see* Financial services
    - immigration services *see* Immigration services
  - overview 1.07–1.14
  - profession-based regulation 1.108, 1.109
    - barristers 1.120–1.122
    - licensed conveyancers 1.123, 1.124
    - notaries 1.128, 1.129
    - patent attorneys 1.127
    - restrictions on separate businesses 1.118, 1.119
    - solicitors 1.110–1.117
    - trade mark attorneys 1.125, 1.126
    - self-regulatory schemes 1.154–1.161
- Remuneration certificate** 12.157
- Remuneration of solicitors** 12.16
  - contentious business
    - agreement (CBA) 12.37–12.44
    - assessments 12.51
    - bills for 12.45–12.48
    - meaning 12.23–12.28
    - security for costs 12.49, 12.50
  - court’s power to order delivery of bill 12.58–12.60
  - framework of scheme 12.17–12.22
  - inclusion of disbursements in bills 12.52–12.57
  - non-contentious business agreement (NCBA) 12.32–12.36

<b>Remuneration of solicitors—continued</b>			
non-contentious business—continued			
costs			
determination	12.29, 12.30		
security and interest		12.31	
meaning	12.23–12.28		
<b>Reputational goodwill</b>			
protectable interest	11.15–11.17		
<b>Reserved legal activities</b>		1.32	
administration of oaths		1.49	
approved regulators and licensing			
authorities	1.59–1.63		
LSB overseeing	1.61, 1.62		
conduct of litigation	1.37–1.39, 1.44		
‘ancillary functions’	1.41, 1.42, 1.43		
meaning		1.40	
definition		1.33	
entitlement to carry on activities		1.28, 1.34	
offences		1.28	
entity regulation <i>see</i> Entity regulation			
exempt provision	1.50–1.58		
non-commercial bodies, transitional arrangements		1.71	
notarial activities	1.48, 1.57		
outsourcing		3.125	
probate activities	1.47, 1.57		
reserved instrument activities	1.45, 1.46, 1.57		
right of audience		1.35	
quality assurance scheme for advocates (QASA)		1.35	
implementation		1.36	
<b>Restraint of trade <i>see</i> Protection of goodwill</b>			
<b>Retainers</b>			
client care	3.13, 3.22		
client identification	7.33–7.36		
coming off court record	7.66–7.70		
contract by conduct	7.08–7.13		
description of services	7.19–7.27		
duration of client contract	7.37–7.43		
fiduciary duties	8.21–8.25		
formalities	7.02–7.07		
general retainers	7.28–7.30		
implied terms	7.14–7.18		
inexperienced clients	7.31, 7.32		
insolvency	13.110–13.112		
scope		9.05	
division of responsibility			
between lawyer and client	9.12–9.14		
duties to third parties	9.20–9.29		
implied duties	9.06–9.09		
involvement of other advisers		9.10	
limits to scope of work	9.15–9.19		
relevance of experience and knowledge of client		9.11	
termination			
by operation of law	7.58–7.62		
by solicitor	7.44–7.52		
<b>Retainers—continued</b>			
termination—continued			
failure to make payments on account		7.53–7.57	
mergers and closures		7.63–7.65	
<b>Retention of title</b>			
insolvency		13.120	
<b>Rights of audience</b>		2.33, 2.35	
CILEx Regulation		2.172	
<b>Risk sharing</b>			
standard terms			
barristers		7.174, 7.175	
solicitors		7.152–7.159	
<b>Roll, of solicitors</b>		1.111	
<b>Sanctions and penalties</b>			
Bar Disciplinary Tribunal	6.176, 6.177		
costs lawyers			
Conduct Appeal Committee		6.214	
Conduct Committee		6.213	
failure to comply with production of information or documents			
requirement		1.149	
Solicitors Disciplinary Tribunal (SDT)		6.103–6.108	
<b>Search engines</b>			
personal information, right to be forgotten		11.217	
<b>Security for costs/fees <i>see</i> Fees; Remuneration of solicitors</b>			
<b>Self-incrimination</b>			
legal professional privilege (LPP)	8.175		
<b>Self-regulatory schemes</b>		1.154	
accreditation schemes	1.155–1.157		
legal directories		1.160	
other groups and associations, examples		1.161	
quality marks		1.154	
importance		1.158	
Queen’s Counsel (QC)		1.159	
<b>Separate businesses</b>			
restrictions		1.118	
removal		1.119	
‘separate business rule’		1.119	
solicitors		3.147	
<b>‘Sham’ partnerships</b>			
indemnity insurance exclusion	10.121		
aggregation	10.131–10.145		
dishonesty		10.146	
holding out as partner/reliance		10.130	
partnership test		10.122–10.129	
serious misconduct	4.108–4.110		
<b>Societas Europaea</b>		13.68	
<b>Software</b>			
protection of goodwill	11.193–11.196		
<b>Sole practitioners</b>			
insolvency		13.97	
antecedent transactions		13.124	
legal structure and liability		13.63	
permitted modes of practice		2.54, 2.55	

- Solicitors** *see also* Solicitors Regulation Authority (SRA)
- client care *see* Client care
  - client contract *see* Client contract
  - compensation fund *see* Solicitors' compensation fund
  - disciplinary tribunal *see* Solicitors Disciplinary Tribunal (SDT)
  - fees *see* Fees
  - indemnity insurance *see* Professional indemnity insurance (PII)
  - jurisdiction of High Court
    - over 6.164–6.172
  - lien *see* Fees
  - negligence *see* Negligence
  - protection of goodwill *see* Protection of goodwill
  - regulation of 1.110–1.117
  - regulatory codes and compliance
    - see* Regulatory codes and compliance
  - Solicitors' (SRA) Accounts Rules 3.139, 4.127
- Solicitors' compensation fund** 10.184–10.189
- funding 10.190, 10.211
  - grants 10.187, 10.188
    - amount 10.197
    - criteria satisfaction 10.194, 10.195
    - discretionary nature of 10.193
    - exercise of discretion 10.195, 10.196
  - object of fund 10.193
  - refusals 10.191
    - appeals 10.192
  - SRA Compensation Fund Rules 10.185, 10.198–10.204
  - subrogated claims 10.205–10.210
- Solicitors Disciplinary Tribunal (SDT)**
- absolute privilege 6.06
  - abuse of process 6.135–6.142
  - adjudgments 6.127–6.134
    - examples of reasons 6.128
  - appeals from 6.14, 6.15
  - appeals to 6.154–6.159
  - applications against solicitors'
    - employees 6.39–6.42
  - applications to 6.19–6.28
  - approach of court 6.16–6.18
  - bias 6.143–6.149
  - case management 6.46–6.53
  - certification of case to answer 6.29–6.34
  - constitution 6.03–6.05
  - disclosure of documents 6.61–6.64
  - ending suspensions 6.43
  - evidence 6.54–6.60
    - police or other public bodies 6.65–6.67
  - finances and costs 6.109–6.122
  - further allegations 6.35–6.38
  - hearings and findings 6.77–6.83
  - jurisdiction and powers 6.07–6.11
  - orders of 6.12, 6.13
- Solicitors Disciplinary Tribunal (SDT)—*continued***
- previous findings of record 6.68–6.76
  - publicity 6.84–6.88
  - regulatory settlements 6.150–6.153
  - rehearing where respondent not present 6.123–6.126
  - restoration to the roll 6.43, 6.44, 6.160–6.163
  - sanctions and penalties 6.103–6.108
  - service, directions and listing 6.45
  - SRA referrals 5.192–5.199
  - standard of proof 6.89–6.102
- Solicitors Indemnity Fund (SIF)** 10.09–10.11
- Solicitors Regulation Authority (SRA)**
- admission conditions 2.13
    - character and suitability 2.14–2.32
  - approval
    - corporate owners 2.91–2.93
    - owners and managers 2.88–2.90
  - authorisation of entities 2.58, 2.59
    - application process 2.68–2.74
    - criteria 2.94–2.97
  - codes and compliance *see* Regulatory codes and compliance
  - compensation fund *see* Solicitors' compensation fund
  - compliance officers (COLP and COFA) 2.75
    - duties and obligations
      - Compliance Officer for Finance and Administration (COFA) 2.85
      - Compliance Officer for Legal Practice (COLP) 2.82–2.84
    - individual approval 2.76
    - personally liable for breaches of duties 2.87
    - responsibility in assessing misconduct 4.268
    - role-specific questions 2.78
      - Compliance Officer for Finance and Administration (COFA) 2.80, 2.81
      - Compliance Officer for Legal Practice (COLP) 2.79
    - sufficient seniority/responsibility 2.77, 2.86
    - suitability test 2.77
  - decision to refer to SDT 5.192–5.199
  - enforcement
    - decisions 5.42–5.44
    - disciplinary powers 5.45–5.56
    - practising certificate *see* Practising certificates
    - SRA Disciplinary Procedure Rules 2011 5.57–5.66
  - interventions *see* Interventions

- Solicitors Regulation Authority (SRA)—continued**
- investigation
    - disclosure of information 5.35–5.39
    - duty of care 5.40, 5.41
    - explanation by regulated person 5.29, 5.30
    - focus of 5.08–5.14
    - legal professional privilege (LPP) 8.172–8.174
    - powers 5.15
      - rule-based 5.16–5.20
      - statutory 5.21–5.27
    - report stage 5.31
    - representations following report 5.32–5.34
    - SRA Disciplinary Procedure Rules 2011 5.28
  - Legal Disciplinary Practices (LPDs) 2.60–2.62
  - multi-disciplinary practices (MDPs) 2.63–2.67
  - ongoing compliance 2.98
  - permitted modes of practice 2.53
    - authorised body 2.56
      - in-house practice 2.57
      - licensed bodies 2.56
      - recognised bodies 2.56
    - sole practitioners 2.54, 2.55
  - powers 1.110
  - practice rights 2.33–2.35
  - practising certificate *see* Practising certificates
  - qualification requirements 2.04
    - qualification process 2.05
      - academic stage 2.06, 2.07
      - vocational stage 2.08
    - training contracts 2.09–2.12
  - qualified lawyers transfer scheme 2.50–2.52
  - Registered European Lawyers (RELs) 2.41–2.44
  - Registered Foreign Lawyers (RFLs) 2.45–2.49
  - supervision 5.03–5.07
    - training requirements 2.99
    - waivers 2.100–2.106
  - Specialist lawyers**
    - SRA authorised firms, rules applicable in certain situations 3.180
  - ‘Springboard’ injunctions** 11.76
  - Standard of care** *see* Negligence
  - Standard of proof**
    - Solicitors Disciplinary Tribunal (SDT) 6.89–6.102
  - Statute Bill** 12.79–12.87
  - Statutory corporations**
    - client contract 7.120
  - Statutory demands for fees** 12.74–12.76
  - Statutory trust** *see* Interventions
  - Striking off** *see* Dishonesty; Unfitness to practise
  - Successor practice**
    - professional indemnity insurance (PII) 10.153–10.161
  - Suing on bills** *see* Fees
  - Supervision**
    - Bar Standards Board (BSB) 5.201, 5.202
    - misconduct and responsibility 4.269, 4.270
      - abrogation 4.276
      - carrying out proper checks
        - when recruiting 4.274
      - knowledge of wrongdoing 4.275
      - shortages in client accounts 4.271, 4.272
      - standard of supervision 4.273
    - Solicitors Regulation Authority (SRA) 5.03–5.07
      - training requirements 2.99
    - staff and supervision of work 3.124–3.129
  - Suspension** *see also* Unfitness to practise
    - ending 6.43
  - Takeovers and mergers**
    - indemnity insurance claims 10.153–10.161
  - Tax**
    - key factor in choice of business structure 13.18
  - Teams**
    - protection of goodwill 11.168, 11.169
  - Terms of business, solicitors** *see* Client contract
  - Terrorism financing** 3.209, 3.221
  - Third parties**
    - claims and client funds 8.71–8.79
    - duties to 9.20–9.29
    - funding for legal costs
      - champerty and maintenance 12.249–12.251
      - code of conduct 12.255
      - confidentiality and privilege 12.247
      - conflicts 12.246
      - liability of funders 12.252–12.254
      - nature of 12.243–12.245
      - prospects of success 12.248
    - right to assessment of solicitor’s bill
      - client and third party 12.123
      - limitations of remedy 12.121, 12.122
      - nature of assessment 12.114–12.120
  - Time limits**
    - complaint not resolved 1.139
    - interventions 5.161
    - suing of bills 12.61
  - Tipping off** 3.217, 3.218, 3.221

- Trade mark attorneys**  
 Intellectual Property Regulation  
   Board (IPReg)  
     Code of Conduct 3.190–3.193  
     entity regulation 2.187, 2.188  
     practice rights 2.186  
     qualification  
       requirements 2.183–2.185  
 professional indemnity insurance  
   (PII) 10.44–10.48  
   definition of ‘the insured’ 10.79  
   insuring clauses and definitions 10.82  
 regulation of 1.125, 1.126
- Trade unions**  
 client contract 7.102  
 regulated claims management  
   services exemption 1.90  
 reserved legal activities  
   provision of relevant services,  
   ‘public’ exception 1.66  
   transitional arrangements 1.71
- Trademarks** *see* Protection of goodwill
- Training** *see also* Solicitors Regulation  
 Authority (SRA)  
 money laundering and terrorist  
 financing 3.209
- Training contracts**  
 solicitors 2.09–2.12
- Tribunals** *see also* Bar Disciplinary  
 Tribunal; First-tier Tribunal;  
 Solicitors Disciplinary Tribunal  
 (SDT)  
 generally 6.01, 6.02  
 practicing certificate appeals 5.103, 5.104
- Trustees and executors**  
 client contract 7.100, 7.101  
 trustee in bankruptcy 7.111, 7.112
- Trusts**  
 undertakings creating 8.199
- Unauthorised practice**  
 misconduct 4.99–4.106
- Undertakings** 3.107–3.111  
 creation of trusts 8.199  
 disputed 8.195–8.198  
 enforcement  
   basis of 8.182–8.190  
   limits 8.191–8.194  
 lenders 8.200  
 misconduct 4.229–4.233  
 outside practice 8.201  
 SRA Code 3.107
- Undue influence**  
 gifts to lawyer 8.35–8.39  
 transactions with clients 8.26–8.34
- Unfitness to practise** 4.256–4.259
- Usual authority** 8.209–8.215
- Value added tax (VAT)** 12.280  
 barristers’ fee notes 12.283  
 disbursements 12.281  
 international services 12.282
- Verein** 13.06
- Voluntary arrangements** *see* Insolvency
- Waivers** 2.100–2.106
- Warnings** 3.181
- Websites**  
 web rights 11.182, 11.183
- Whistle-blowing** 3.119–3.123
- Wills and probate**  
 negligence in practice  
   delay 9.134–9.139  
   errors in execution 9.142–9.144  
   negligent drafting 9.132  
 failures  
   checking capacity 9.140, 9.141  
   taking instructions 9.133  
   Legal Ombudsman complaints 9.145  
 probate activities 1.43
- Witness evidence**  
 barristers 3.105
- Wrongful trading**  
 insolvency 13.135–13.137

