

POLICY ON THE SUPPLY OF DOCUMENTS TO THIRD PARTIES (PUBLIC AND PRESS)

INTRODUCTION

Transparency and accessibility are cornerstone principles of justice. The SDT, as a quasi-judicial body, has a responsibility to ensure that its proceedings and documents are, so far as possible, accessible to the public. This policy governs the supply of documents by the Tribunal to non-parties (such as members of the public or press), aiming to promote transparency, accountability and public understanding of its cases.

SCOPE

Third parties (members of the public and/or press) have the right to access Tribunal documents unless restricted by law or the Tribunal's obligations to others. This right encompasses access to statements of case, answers to the allegations, witness statements, decisions, orders, and other relevant documents produced by the Tribunal.

The Tribunal makes available as much information about its cases as possible, consistent with the rights of individuals (right to privacy) under Article 8 of the European Convention on Human Rights. This gives no absolute right for a person or organisation who is not a party to the case to see documents, as this may be a disproportionate interference with Article 8. This means that each request will be considered individually.

SOME DOCUMENTS ARE ALWAYS DISCLOSED

The Tribunal has an [Automatic Disclosure Policy](#). Before making a request for a document, reference should be made to that policy to see whether there is already public access to the document.

GENERAL PRINCIPLES

Transparency

The Tribunal is committed to maintaining a high level of transparency in its operations. This includes making documents easily accessible to the public through various means, namely online databases, by email, or in paper form.

Confidentiality and Privacy

While promoting transparency, the Tribunal must also protect the confidentiality and privacy of individuals involved in its proceedings. Documents containing sensitive personal information, trade secrets, or other confidential data may be redacted or withheld.

PROCEDURE FOR ACCESSING DOCUMENTS

Online Access

The Tribunal provides online access to some of its documents through its website and, with permission, its document software CaseLines.

Written Requests

Written requests for documents can be submitted via mail or email. The request should include the name of the case, the type of document sought, and the requester's contact information and proof of identity. Anonymous requests, or those using pseudonyms or aliases will not be considered.

The email address is enquiries@solicitorsdt.com. The postal address is Solicitors Disciplinary Tribunal, 2nd Floor, 45 Ludgate Hill, London, EC4M 7LG. The Tribunal will process the request and provide the documents within a reasonable time, usually less than 14 days.

Views of the parties to the case

When a request is received for documents not covered by the Automatic Disclosure Process, the views of the parties to the case will be sought and considered by the Tribunal before it reaches its decision.

DECISION

The decision on an application is made by a legally qualified clerk to the Tribunal. If the application is refused, reasons will be given. Applications may be granted or refused in part. The decision will be published on the Tribunal's website.

FEES AND CHARGES

Free Access

Access to Tribunal documents is generally free of charge when viewed online. The Tribunal aims to minimise barriers to access and promote public engagement.

Copying and Printing Fees

For physical copies of documents, the Tribunal will charge a commercial fee to cover copying and printing costs.

Fee Waivers

Paper copies of document may be supplied free of charge to individuals who cannot afford to pay the fees and who cannot access them electronically. Requests for fee waivers should be submitted along with the document request and should include a statement setting out why access electronically is not practicable and of financial hardship.

LIMITATIONS AND RESTRICTIONS

Confidential Documents

Documents that are considered to be wholly confidential will not be disclosed to third parties (including public and press). This may include documents relating to clients, details of medical conditions, personal matters concerning a respondent's family members, privileged communications, and other sensitive information.

Redaction of Sensitive Information

Where a document is not wholly confidential a document may be provided to third parties, but sensitive and confidential information will be redacted. Redactions are made, for example, to protect personal data, proprietary information, and other confidential content. Where redactions are considered necessary, the parties to the case will be required to try to agree the extent of redaction but the Tribunal will ultimately sign off on the extent of redaction necessary. Generally, redaction will be more extensive when the confidential and/or sensitive information relates to those who are not respondents.

APPEAL PROCESS

If a request for access to documents is denied, the decision can be appealed. This should be done in writing by mail/email. There is no required form. An appeal must set out the reasons for challenging the grounds of refusal. The appeal will be decided by a panel of the Tribunal, usually dealt with on paper (without a hearing).

If the appeal relates to a case that is in the process of being heard the appeal will (usually) be decided by the panel hearing the case. The panel may decide to hold the appeal in person, but there is no right to an in-person appeal.

If the appeal is unsuccessful a further appeal can be made to the High Court. This is outside of the scope of this policy.

SPECIAL PROVISIONS

Media Access

Journalists and media representatives may receive special access to Tribunal documents to support public reporting on judicial proceedings. Media access may be subject to conditions designed to facilitate accurate and timely coverage while respecting legal and ethical standards.

Educational and Research Use

Academics, researchers, and students may request access to Tribunal documents for educational and research purposes. The Tribunal supports these requests to promote legal education and scholarship, provided that the documents are used responsibly.

Public Interest Cases

In cases of significant public interest, the Tribunal may proactively release documents and information to the public. This practice enhances public understanding and oversight of important Tribunal decisions and their broader societal implications. This will be done through the Tribunal's website.

CONCLUSION

The policy on the supply of documents by the Tribunal to members of the public and the press furthers the Tribunal's commitment to transparency, accountability, and public engagement in the quasi-judicial process. By providing accessible and clear procedures

for accessing documents, the Tribunal seeks to foster trust and confidence in its operations while respecting the need for confidentiality and privacy. This balanced approach ensures that justice is not only done but seen to be done, reinforcing the integrity and legitimacy of the Tribunal, while also respecting the rights of the individuals involved in the cases it hears.