

The Council has reconsidered the Motion it proposed at the AGM.

It has now decided not to support the Resolution issued for ballot.

Vote NO to raising the SGM threshold to over 1000 signatures

Protect accountability, equality and fairness in our profession

The Council proposal was to raise the minimum number from 100 solicitors to 0.5% of the profession and:

- require an unquantified and uncertain number of signatures – currently over 1,000; and
- was brought by the Council without prior consultation.

It was defeated at the AGM and despite many unanswered objections the same flawed proposal is put to the entire profession.

Given that the Council itself no longer supports this proposal, who is now seeking to persuade the membership to support this proposal?

The ability to challenge the Society by its membership should be encouraged not undermined!

Trust

Our representative body should provide fair representation to every solicitor - whether in large or small firms, sole practitioner, in house or freelance.

It may sound like a small technical change but making it far harder for ordinary members to hold the Society to account undermines trust and is damaging to the Society.

Accountability is essential and members must have an effective right to challenge policies and changes that affect their professional work.

The profession is now larger than when the limit of 100 was set but is now a specialist profession. Requiring more than 5% or 10% of any group to sign up to trigger debate is unreasonable. While large and city firms could muster 1,000 signatures if they wished, most practitioner or specialist interest groups cannot. There are just 1500 Sole practitioners so this change would require 2/3 of them to sign a resolution.

Raising the threshold in this way disenfranchises small and regional practices and silencing legitimate concerns from sections of the profession is not fair or reasonable. Equality of voice is a professional principle, not a convenience.

The current threshold remains proportionate and the comparator bodies cited are not comparable with the solicitors' profession. Rules of governance should be founded on fairness, not size or resources.

Accountability

SGMs can provide a timely route for members to question decisions or proposals.

SGM's are rare and some challenges just cannot wait - the 2024 meeting to challenge conveyancing changes has now resulted in remedial action and a successful outcome.

The current rules are fair and proportionate but raising the bar to over 1,000 converts a mechanism for accountability into a right more notional than real.

The current threshold number to challenge or bring any matter to a meeting of members must remain for democracy to work in the future as it has in the past.

Confidence is fragile and the Society should strengthen accountability, not weaken it.

Drafting defect 1: No number is specified it just refers to the “register,”

The proposal refers to “members on the SRA register” – and not the Solicitors' Roll.

The ‘SRA register’ is a construct of the SRA and includes all and any persons regulated by the SRA. It includes non-solicitors.

The register is owned by the SRA who control the timing of any changes or updates.

It is Roll of Solicitors' Roll that defines members qualified to vote.

A threshold based on the register describes the wrong electorate and is uncertain leaving it open to disputes about eligibility.

This flawed drafting alone is sufficient reason to reject the proposal.

Moreover, the date for calculating the threshold number is not specified.

These basic drafting errors introduce uncertainties that are serious and fatal.

Drafting defect 2 “Vexatious or frivolous”— who decides?

The drafting gives an overarching veto to the executive enabling any motion to be delayed or blocked for arbitrary reasons.

The bye laws rules should not depend upon subjective judgments by those in power about whether a challenge is valid - in effect this is a double jeopardy.

Cost arguments don't stand up

The Society claims each SGM costs £100,000 or more. No evidence has been produced to substantiate this. Most costs are fixed — premises, staff time and existing systems.

The Society has a budget of over £35m and so resources should be easily available to meet the wishes of members.

The possibility of member meetings is part of democratic life and the cost for suppressing members' voices is far greater — in lost legitimacy and trust.

“You can easily get 1,000 signatures online”

It is misleading to claim that modern communication makes it “easy” to gather signatures.

Finding and verifying identity and eligibility for 1,000 solicitors is onerous, time-consuming, and far from easy administratively. In practice, most members are overwhelmed with regulatory and everyday concerns and do not engage with an issue that of little interest to their own sector.

The Society mounts events throughout the year for sections of the membership - but it was only able to engage with 1000 members even over the course of a year, let alone for a single issue.

The current threshold is realistic: it tests whether an issue has professional traction without turning it into a marketing exercise. A proposed ten-fold increase would confiscate the right from ordinary members.

Solicitors in all size of firms should vote NO

Even if your firm could easily meet the new threshold, legitimacy matters. A professional body that changes its own rules to make challenge harder risks credibility and trust.

Fair process protects everyone and public trust in the profession depends on openness, accountability and sound governance.

The bottom line

The effect of this change would be to silence smaller voices.

The justifications are weak and the drafting is flawed.

Claims of “high costs”, “frivolous SGMs” and “easy online mobilisation” do not stand scrutiny.

Vote NO — to keep the Society accountable and fair to all solicitors.