

Reference: 2025-127

Thank you for your email dated in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

1. Reporting Procedures:

Please provide copies of any internal policy, guidance, or referral criteria used by the SFO for determining whether to investigate allegations of serious fraud involving solicitors, law firms, or former police officers.

2. Inter-Agency Referrals:

Please confirm whether the SFO has any memorandum of understanding (MoU), referral protocol, or joint working arrangement with the following bodies regarding potential fraud or misconduct by legal professionals:

- **Solicitors Regulation Authority (SRA)**
- **Legal Ombudsman**
- **National Crime Agency (NCA)**
- **Hampshire & Isle of Wight Constabulary**
- **Home Office or Ministry of Justice.**

3. Referral Records (Limited Scope):

Please confirm whether, between 1 January 2018 and 1 November 2025, the SFO has received any referrals or intelligence reports from the above bodies relating to alleged fraud or financial misconduct by solicitors or law firms based in Hampshire, or by any former police officers who are now practising solicitors. (I am not requesting personal data, only confirmation of whether such referrals or intelligence entries exist.)

4. Oversight and Reporting Channels:

Please provide details of the appropriate channel or procedure for members of the public to report credible evidence of complex fraud or corruption involving legal professionals and potential collusion by regulatory or law-enforcement bodies.

Response

Please see below our response to your questions in the order asked.

Question 1

Information on our reporting procedures is available on the SFO website at: [SFO Reporting Portal](#). For information on our guidance and the regulatory framework within which we operate, please visit: [Guidance and regulation - GOV.UK](#)

Question 2

We can confirm the following regarding memoranda of understanding (MoUs), referral protocols, or joint working arrangements:

- **Solicitors Regulation Authority (SRA):** We have one general fraud-related MoU with SRA.
- **Legal Ombudsman:** There is currently no MoU with Legal Ombudsman.

- **National Crime Agency (NCA):** We have a total of 18 fraud-related MoUs with the NCA. Of these, 11 are general fraud MoUs (8 signed and 3 in progress). The remaining 7 MoUs are case-specific (6 signed and 1 in progress).
- **Hampshire & Isle of Wight Constabulary:** There are currently no MoU with Hampshire & Isle of Wight Constabulary.
- **Home Office:** We have 6 MoUs with the Home Office (3 signed, 1 in progress and 2 paused).
- **Ministry of Justice:** There is currently no MoU with the Ministry of Justice.
- **Referral Records (Limited Scope):** The SFO does not hold this information.

Question 3

The SFO neither confirms nor denies whether it holds information falling within the description specified in your request. The duty in Section 1(1)(a) of the FOIA does not apply, by virtue of sections 30(3) of that Act. Nothing in my reply should be taken as an indication that the information you requested is or is not held by the SFO.

Section 30(3) provides that:

The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1) or (2).

Section 30(1) provides that:

- (1) *Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—*
 - (a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—*
 - (i) whether a person should be charged with an offence, or*
 - (ii) whether a person charged with an offence is guilty of it,*
 - (b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct,*

or (c) any criminal proceedings which the authority has power to conduct.

How the exemption is engaged

Section 30(1) exempts any information held by a public authority if it has at any time been held by the authority for the purposes of (b) any investigation which is conducted by the authority, and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct.

Section 30(3) allows the respondent to “neither confirm nor deny” whether any information is held in relation to the question where the requested information, if held, is described by section 30(1).

It is clear that your questions relate to information that you believe may be held by the SFO for the purposes of criminal investigations, as set out in section 30(1)(b), meaning the SFO must neither confirm nor deny whether the information is held in accordance with S30 of the FOIA (2000).

Public interest test

Sections 30(3) is a qualified exemption and requires consideration of whether, in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the public authority holds the information. More information about exemptions in general and the public interest test is available on the ICO's website at www.ico.org.uk

It is recognised that there is a general public interest in publicising the work of the SFO, so that the public knows that serious fraud, bribery and corruption are being investigated and prosecuted effectively and so that the public can be reassured about the general conduct of our organisation and how public money is spent. The SFO takes steps to meet this interest by publishing casework information on its website where appropriate.

However, it is also recognised that it is in the public interest to safeguard the investigative process and that investigating bodies should be afforded the space to determine the course of any investigation. On some occasions, releasing information about what is held or not held by law enforcement bodies would be detrimental to that process. To confirm or deny whether the information you have requested is held (if held) would, for reasons outlined earlier, be likely to prejudice the SFO's conduct of any criminal investigation/ability to tackle and prevent serious crime. This would not be in the public interest as the right of access to information should not undermine the investigation and prosecution of criminal matters.

Having considered the opposing arguments, it is clear that the benefits of confirming whether or not the information is held are outweighed by the disbenefits and thus the public interest favours maintaining the exclusion of the duty to confirm or deny whether information is held.

Question 4

The SFO accepts reports on serious bribery and corruption offences from members of the public, including whistleblowers, and from corporate entities either directly or via their legal representatives.

For fraud offences, the SFO only accepts reports from:

- Corporate entities (either directly or via their legal representatives)
- Whistleblowers (current or former workers of the organisation they are reporting on)

Reports and referrals can be submitted via the SFO reporting portal: [SFO Reporting Portal](#)

If a member of the public wishes to report a fraud that does not fall within these categories, they can do so by contacting Action Fraud, the UK's national reporting centre for fraud and cyber crime. The SFO works closely with Action Fraud, and any allegations received by Action Fraud that fall within the SFO's remit will be referred to us.