

**New** Practice note

# Mazur and the conduct of litigation

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This practice note provides advice on how solicitors, law firms and legal businesses can make sure that only those authorised to do so carry on the conduct of litigation, following the Court of Appeal judgment in *Mazur v Charles Russell Speechlys*. It also helps you to understand what activities non-authorised team members can carry out in their own right and/or under supervision.

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## On this page

- 1 [Introduction](#)
- 2 [What is litigation?](#)
- 3 [Who is authorised to conduct litigation?](#)
- 4 [What does and does not fall within the reserved activity of the conduct of litigation?](#)
- 5 [What can be done by a non-authorised person?](#)
- 6 [Consequences of breach](#)
- 7 [More information](#)

[Legal status](#)

[Terminology](#)

For the purposes of the [Legal Services Act 2007](#) (LSA 2007), the conduct of litigation is a 'reserved legal activity'.

This means a person must be authorised by the Solicitors Regulation Authority (SRA) (or other approved legal regulator) to carry on the conduct of litigation.

The definition of the 'conduct of litigation' is narrow and limited to formal steps in proceedings. For example, the issuing, filing and serving of applications and statements of case.

Much of the work involved in handling proceedings will not fall within the definition of the conduct of litigation, and can be carried out by non-authorised staff.

An individual who is not an authorised person may lawfully perform any tasks which are within the scope of the conduct of litigation, for and on behalf of an authorised individual, provided the authorised individual retains responsibility for the tasks delegated to the non-authorised person.

The Court of Appeal stated that the delegation of tasks by the authorised individual to the unauthorised person "requires proper direction, management supervision and control, the details of which are a matter for the regulators".

Solicitors, firms and legal businesses should make sure their processes and records demonstrate that appropriately authorised persons are exercising their professional responsibility for the key formal steps and strategic decisions in connection with proceedings initiated before the courts.

Further, firms and legal businesses must make sure arrangements for delegation and supervision of tasks are appropriate in the circumstances, in line with guidance from their regulator.

This practice note is the Law Society's view of good practice in this area and is not legal advice. For more information, see the [legal status](#).

## 1. Introduction

### 1.1 Who should read this practice note?

This practice note should be read by any of the following, practising in the field of litigation:

- any solicitor in legal practice or employed as an in-house solicitor in England and Wales
- any trainee solicitor or employee of a solicitor, law firm or legal business
- any law firm or legal business

### 1.2 What is the issue?

[Mazur & Stuart v Charles Russell Speechlys LLP & Others \[2026\] EWCA Civ 369](#) considered whether a non-authorised person is entitled to conduct litigation under the supervision of an authorised person.

The “conduct of litigation” is one of six activities reserved under [section 13\(2\) LSA 2007](#).

Only persons (individuals and bodies) who are either authorised by an approved legal regulator, or exempt, under the LSA 2007 may “carry on” the conduct of litigation.

The Court of Appeal judgment held that:

- a non-authorised person may lawfully perform any tasks, which are within the scope of the conduct of litigation, for and on behalf of an authorised individual provided the authorised individual retains responsibility for the tasks delegated to the non-authorised person
- the delegation of tasks requires proper direction, management supervision and control, appropriate arrangements for which must be put in place by the authorised person
- the degree of appropriate control and supervision will always depend on the circumstances; the details of which are for the regulators

This practice note provides advice on how you can make sure that only those authorised to do so carry on the conduct of litigation.

It also helps you to understand those activities that non-authorised team members can carry out in their own right and/or under supervision.

## 2. What is litigation?

The conduct of litigation is defined in [section 12](#) and [Schedule 2 paragraph 4\(1\) LSA 2007](#) to comprise:

- a. the issuing of proceedings before any court in England and Wales
- b. the commencement, prosecution and defence of such proceedings, and
- c. the performance of any ancillary functions in relation to such proceedings (such as entering appearances to actions)

This therefore includes steps taken in proceedings initiated before the:

- Supreme Court
- Court of Appeal: Civil and Criminal Division
- High Court: Kings Bench Division, Chancery Division, and Family Division
- Crown court, county court, magistrates' court, Court of Protection and Family Court

In addition, [section 207 LSA 2007](#) defines this to include proceedings before certain tribunals. This covers:

- the Upper Tribunal, which handles appeals through tribunals within its:
  - Administrative Appeals Chamber
  - Tax and Chancery Chamber
  - Immigration and Asylum Chamber
  - Land Chamber
- the First-tier Tribunal, which includes the tribunals within the:
  - War Pensions and Armed Forces Compensation Chamber
  - Social Entitlement Chamber
  - Health Education and Social Care Chamber (including, amongst others, Mental Health Tribunals)

- General Regulatory Chamber
- Tax Chamber
- Immigration and Asylum Chamber
- Property Chamber
- a statutory inquiry (within the meaning of the [Tribunals and Inquiries Act 1992](#))
- a court-martial, or ecclesiastical court (including the Court of Faculties)

By analogy, it is likely that coroners courts would count as courts included within section 207 LSA 2007.

Note, however, that this does not cover the Employment Appeal Tribunal, Solicitors Disciplinary Tribunal, or other similar regulatory and disciplinary tribunals.

There is an argument that Employment Tribunals would fall within the definition of a court. However, steps taken before the Employment Tribunal do not comprise the “conduct of litigation”.

This is because section 6 of the Employment Tribunals Act 1996 makes provision for a person to appear or be represented (alongside counsel, solicitors or trade union/employer’s association representatives) by “any other person whom he desires to represent him”.

Schedule 2(4) makes it clear that the conduct of litigation does not cover any activity in relation to a particular court or proceedings if there was no restriction on who was entitled to carry on that activity immediately before the provisions came into force.

Some tribunals captured within the definition of “conduct of litigation” have their own procedure rules, which set out what a non-authorised person may do (see [section 4.1 of this practice note](#)).

### 3. Who is authorised to conduct litigation?

The right to conduct litigation is reserved to any person authorised to conduct litigation by an approved legal regulator under the LSA 2007 ([section 18](#)).

This will include solicitors who are on the roll and hold a practising certificate granted by the SRA (so long as they have no restrictions in place which prevent them from doing so).

It will also include other qualified lawyers such as:

- costs lawyers (in relation to legal costs), and
- chartered legal executives, barristers and patent/trade mark attorneys (but in each case only where they have the relevant practising rights)

Registered foreign lawyers (RFLs) registered with the SRA are not granted a general authorisation to carry on the reserved legal activities (including the conduct of litigation).

However, RFLs are given specific rights of practice under 9.4 of the [SRA Authorisation of Individuals Regulations](#).

These include, in relation to immigration work, the right to “have conduct of, and prepare documents for, immigration tribunal proceedings” (9.4(c)(ii)).

Registered European lawyers (RELs) are authorised to carry on litigation or prepare court documents, only in conjunction with a solicitor or barrister who is authorised to do so (9.2).

Registered Swiss lawyers (RSLs) can do so under the direction and supervision of a supervisor (9.5).

This will also include:

- bodies authorised by the SRA to provide legal services (recognised bodies, licensed bodies or recognised sole practices)
- certain other bodies – for example, CILEX-authorized firms where run by a member with the relevant practice rights

If a person carries on a reserved activity when they are not entitled to do so, they may be found guilty of a criminal offence.

The LSA 2007 makes it an offence for an employee to carry on a reserved activity when unauthorised, irrespective of whether their employer is authorised ([section 16](#)).

This position is reflected in rule 5.3 of the [SRA Authorisation Rules](#), which states:

“An authorised body may only carry on a reserved legal activity through a person who is entitled to do so”.

Both the firm and the individual carrying on the activity must be authorised, save where the LSA 2007 permits an authorised person to carry on reserved activities (including the conduct of litigation) through or for an unauthorised business or organisation.

This applies in certain circumstances, including where it is a non-commercial organisation or where the person is working in house.

The legitimacy of the use of artificial intelligence (AI) to make key decisions in a case that would amount to conducting litigation if taken by an individual remains unresolved.

This is a novel development that was clearly not within the contemplation of the drafters of the LSA 2007.

There can be no certainty as to how a court might decide the issue if called upon to do so.

Firms may therefore want to make sure they have processes in place to assure the quality of any work generated by AI and its compliance with regulatory provisions and obligations to the court.

Solicitors who wish to use AI may wish to consult our [generative AI essentials guide](#), particularly the section on solicitors' professional obligations.

#### 4. What does and does not fall within the reserved activity of the conduct of litigation?

The statutory definition relates solely to steps taken in proceedings initiated before the courts.

This will not cover activities that take place prior to issue and which do not involve any contact with the court ([Heron Bros Ltd v Central Bedfordshire Council \(No 2\)](#) [2015] EWHC 1009 (TCC) (*obiter*)). For example:

- advising on the merits, or drafting particulars of claim, or
- pre-action correspondence or other steps taken with the intention of settling without bringing proceedings

This would also include providing advice and assistance at the police station, which takes place prior to criminal proceedings (although [other accreditation requirements may apply](#)).

The Court of Appeal confirmed that the first limb of the definition involved the "process of starting court proceedings by issuing an originating document" including using electronic systems "in order to make this happen".

It also endorsed the position set out in the leading authority of *Agassi v Robinson (Inspector of Taxes) (Costs)* [2006] 1 WLR.

This confirmed that the statutory definition must be interpreted narrowly, because a breach is a criminal offence, and that the ancillary (or subordinate) tasks covered will be limited to formal steps in the proceedings.

In practical terms this will include, for example, issuing, filing and serving applications and statements of case.

However, a distinction can be made between those formal steps and administrative – or "purely clerical or mechanical" – tasks.

This means activities such as photocopying, preparing bundles and arranging conferences with counsel are not covered.

This was considered in [Ndole Assets Ltd v Designer M&E Services UK Ltd](#) [2018] EWCA Civ 2865.

*Ndole* distinguished the formal delivery of documents (an administrative task) and the role a solicitor carries out taking legal responsibility for their service (which was found to be the conduct of litigation).

Certain tasks will not generally be included, such as:

- giving legal advice (*Agassi*)
- taking a statement from a witness, or
- dealing with correspondence from the other party

While concluding that it would not be possible to provide a comprehensive list, the Court of Appeal highlighted the following areas from a list provided by the Law Society, which it confirmed were common ground between the parties as being "unlikely" to fall within the definition:

- pre-litigation work: see *Heron Bros Ltd v Central Bedfordshire Council* [2015] EWHC 1009 (TCC)
- giving legal advice in connection with court proceedings: see *Agassi* at [56] and *JK v MK* [2020] EWFC 2, [2020] 1 WLR 5091 at [27]
- conducting correspondence with the opposing party on behalf of clients: see *Agassi* at [56]
- gathering evidence: see [R \(Factortame Ltd\) \(No. 8\)](#) [2002] EWCA Civ 932, [2003] QB 381 at [25] to [29]
- instructing and liaising with experts and counsel: see *Factortame* at [28]
- signing a statement of truth in respect of a statement of case: see *O'Connor v Bar Standards Board* (unreported, 17 August 2012) at [27]
- signing any other document that the Civil Procedure Rules (CPR) permits to be signed by a legal representative, as defined by CPR Part 2.3. This includes a "solicitor's employee" and manager of an authorised firm that is a recognised body

*Ndole* and [Baxter v Doble](#) [2023] EWHC 486 (KB), both addressed the situation where a non-authorised individual was conducting litigation for a litigant in person.

These cases confirmed that, in that context, whether an offence is committed will be a question of fact and degree and depends on whether the non-authorised individual is taking responsibility for the tasks that amount to the conduct of litigation or whether the tasks are simply mechanical or administrative.

This is a matter of substance, not form (*Ndole*). A finding that a person has carried out the conduct of litigation can therefore arise from:

- a single action (such as serving a claim form in *Ndole*), or
- a series of actions which, when taken together, show that in substance they are responsible for the conduct of the litigation

In *Baxter v Doble*, the “tipping point” flowed from the fact that the non-authorised individual had done:

“everything...in relation to the proceedings that a solicitor or other authorised person would have done. They gave full-service assistance...including drafting all of the documents required to comply with formal requirements, giving instructions to counsel, making a payment to court, corresponding with the other side, and ensuring that all procedural steps complied with the CPR.”

The actual activities involved and the role of the individual was also relevant in [Ellis v Ministry of Justice \[2018\] EWCA Civ 2686](#).

Mr Ellis was found to have carried out a range of activities which constituted the conduct of litigation – including serving documents, filing documents at court, giving assistance to people at court hearings and giving his address as an address for service – in circumstances where he acted as the driver behind vexatious and meritless claims.

The courts have also made a distinction between circumstances where the court is adjudicating on a dispute between parties, and where it is overseeing a non-contentious process.

The LSA 2007 does not make a distinction between the two.

However, in *Baxter v Doble*, the court noted the LSA 2007’s introduction of the second limb of the test (“commencement, prosecution and defence of such proceedings”).

The court distinguished [JK v MK \[2020\] EWFC 2](#), in which the unauthorised body had undertaken work in relation to a divorce decree and a financial consent order:

“I think that [*JK v MK*] can be distinguished from the present case. It was concerned with proceedings which were wholly consensual – a formal step that had to be taken before a divorce could take effect. In those circumstances, I respectfully agree with Mostyn J that the involvement of the consultants did not amount to the conduct of litigation. There was nothing to prosecute and nothing to defend. The present case, however, being contentious litigation, is very different.”

This suggests many of the activities involved post-issue in progressing proceedings consensually or where these are wholly non-contentious (such as non-contentious Court of Protection or probate proceedings) can be seen (if they otherwise would comprise the conduct of litigation) to fall outside the definition.

The same principles would appear to apply to inquisitorial proceeding, such as coronial inquests, although the position is less clear given the express inclusion of statutory inquiries within the definition of “courts” for these purposes.

#### 4.1 Relation with exemptions and other reserved activities

The LSA 2007 intended to preserve the status quo, and to maintain rights ([Schedule 2 paragraph 4\(2\)](#)) that were in existence before it came into force.

It also sets out exemptions in [Schedule 3](#).

A non-authorised person may carry out the conduct of litigation in relation to any proceedings if they have:

- been granted by a court the right to conduct litigation in relation to those proceedings, or
- a right to conduct litigation in relation to those proceedings granted by or under any enactment

This latter exemption was put forward in the Court of Appeal as the rationale for the signing of documents by non-authorised persons where permitted under CPR Part 2.3, and this appears (above) to have been implicitly (if not explicitly) accepted by the court.

This also includes, for example, rights granted to conduct proceedings before the magistrates’ court to individuals authorised under [section 223\(1\) of the Local Government Act 1972](#), or [section 39 of the Health and Safety Act 1974](#).

Specific procedure rules apply to tribunal proceedings:

- the [Tribunal Procedure \(Upper Tribunal\) Rules 2008](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(Health, Education and Social Care Chamber\) Rules 2008](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(Property Chamber\) Rules 2013](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(Tax Chamber\) Rules 2009](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(War Pensions and Armed Forces Compensation Chamber\) Rules 2008](#)

- the [Tribunal Procedure \(First-tier Tribunal\) \(Social Entitlement Chamber\) Rules 2008](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(General Regulatory Chamber\) Rules 2009](#)
- the [Tribunal Procedure \(First-tier Tribunal\) \(Immigration and Asylum Chamber\) Rules 2014](#)

These rules permit a party to appoint a representative, whether or not that individual is a legal representative (a person authorised to exercise a right of audience or the conduct of litigation).

This does not include immigration judicial review proceedings before the Upper Tribunal, where this is reserved to persons authorised under the LSA 2007 to conduct litigation in the High Court.

The rules provide that anything permitted or required to be done by a party under the rules in question – or practice directions or a direction – may be done by the party’s representative.

There are some exceptions, for example:

- the signing of a witness statement
- in certain cases, the signing of an application notice and the sending of notice to go on the record in the proceedings

You will want to consider carefully any specific statutory permissions or other approvals that apply to your work, especially in the context of regulated activity: for example, as an immigration adviser, and any accreditation schemes.

The activity of “preparing an instrument relating to court proceedings in England and Wales” falls within the definition of “reserved instrument activities” under the LSA 2007.

To the extent that carrying on this activity also falls within the conduct of litigation, Schedule 3 paragraph 3 LSA 2007 confirms this can be done under the direction and supervision of an authorised individual (where this is done by an employee or fellow employee of the authorised individual, or fellow employee/manager within an authorised body).

Rights of audience (the right to appear before and address a court, including the right to call and examine witnesses) are dealt with separately under the LSA 2007.

The authorisations required for those appearing before the court and those carrying on the conduct of the litigation will need to be considered separately.

Any person whose work is to assist in the conduct of litigation and is acting under instructions given (either generally or in relation to the proceedings) and the supervision of an authorised person who can conduct litigation is entitled to appear in chambers hearings in the county court, High Court and Family Court (Schedule 3 paragraph 1(7)).

## 4.2 Exclusions for reserved family proceedings

This latter exemption does not apply to family court proceedings that were reserved to the High Court when the Family Court was established.

These proceedings are:

- cases relating to international child abduction and certain other family court proceedings relating to international family law disputes, and
- cases involving the inherent jurisdiction of the court, such as wardship proceedings

Unauthorised people are also not permitted to conduct advocacy before a single lay magistrate or bench of lay magistrates.

([Schedule 3 paragraph 1\(7\)\(c\) LSA 2007](#) and [Schedule 10, Part 2, para 98\(1\) Crime and Courts Act 2013](#)).

## 5. What can be done by a non-authorised person?

While only an authorised person may “carry on” the conduct of litigation, the Court of Appeal concluded that these words refer to the direction and control of, and responsibility for, the relevant tasks.

These may, however, be executed by a non-authorised person for them and on their behalf.

The work involved in litigation can be executed by non-authorised staff where it does not amount to the reserved activity of the conduct of litigation.

Where this does amount to the conduct of litigation, the non-authorised individual may also undertake the work where this has been delegated to them, so long as the authorised individual retains responsibility for the tasks delegated.

Responsibility in this context means both formal responsibility for the task itself, and responsibility to meet the professional principles set out at [section 1\(3\) LSA 2007](#) to:

- act with independence and integrity
- maintain proper standards of work
- act in the best interests of their clients
- comply with their duty to the court to act with independence and in the interests of justice, and
- keep the affairs of clients confidential

This will also include responsibility for meeting wider professional obligations under the relevant regulatory rules and standards.

The Court of Appeal makes it clear that the delegation of tasks “requires proper direction, management supervision and control” and that it is the responsibility of the authorised individual to put in place appropriate arrangements.

What is appropriate will depend on the circumstances, with the Court of Appeal stating:

“In some circumstances the degree of appropriate control and supervision will be high, with approval required before things are done. In other, for example routine, circumstances, a lower level of control and supervision will be required. In such cases, it may be sufficient for the authorised individual to conduct regular meetings with the unauthorised person and to sample their work.”

For the detail of what is appropriate in the circumstances, familiarise yourself with the [SRA guidance on effective supervision](#). This is being updated following the Court of Appeal decision.

In the meantime, this will require clear oversight of the work being done. Key questions (such as how many people an individual can supervise, how much of each person's work they will see, whether prior approval for certain tasks is required, and how and how often they will communicate) will depend on risk factors such as:

- the complexity and nature of the work itself
- the experience, competence and capacity of the non-authorised individual, and
- the availability of alternative means of support

The authorised individual will need to be appropriately qualified to establish what is adequate in terms of the supervision arrangements, as well as to oversee the work.

It is unlikely to be sufficient for the authorised individual to have limited experience or competence in the specific area of law.

You will wish to make sure that:

- there is an authorised individual responsible for each matter
- a clear record of the delegated instructions by the authorised individual to any non-authorised member of staff covers any key decisions and formal steps in the proceedings. These instructions can be specific or general (with non-authorised staff working to policies, guides or protocols). However, they must be to the non-authorised individual who is carrying out the task in question: tasks that constitute the conduct of litigation cannot be sub-delegated. This would break the nexus with the authorised individual required for the tasks to be carried out for and on their behalf
- the work is actively [supervised in line with wider regulatory obligations](#)

You may want to take specific advice on how this applies to your practice, particularly where your work involves specialist proceedings.

## 5.1 Practical steps firms can take

Practical steps that firms can take towards compliance with the rules, include:

- reviewing policies and procedures to make sure these document the steps involved in your litigation processes and who carries each of these out
- making sure an authorised person is responsible for each matter. Check that the practising rights of the authorised person include the conduct of litigation and that they have the relevant technical skills and competences for the litigation in question
- making sure those key formal trigger points which amount to the conduct of litigation are the responsibility of the authorised person. Document delegations and decision-making to demonstrate the professional judgement applied to these steps in the proceedings
- training all staff involved in your litigation processes on the policies and procedures to be followed and the reasons for them and have suitable supervision and review processes in place to make sure the policies and procedures are being followed in practice

## 6. Consequences of breach

It is a criminal offence under the LSA 2007 to carry on the conduct of litigation yourself if you are not entitled to do so, or through an employee or manager who is not themselves entitled to do so ([section 14](#) and [section 16](#) respectively).

Andrew LJ expressed the position very clearly in the Court of Appeal judgment:

“In essence, the question in any given set of circumstances will be whether the unauthorised person, in carrying out whatever tasks which fall within the scope of "conduct of litigation" have been delegated to him or her, is in truth acting on behalf of the authorised individual. If they are, it is the authorised individual who is conducting the litigation. But if the reality is that the litigation is not being conducted by the unauthorised person for and on behalf of the authorised individual, they will be committing an offence.”

This means that the non-authorised individual themselves and/or their employer/firm may be liable where:

- there is no authorised individual involved at all in the tasks
- these have not been appropriately delegated and supervised, or
- the non-authorised individual has acted outside the scope of their delegated authority

Breach could result in imprisonment or a fine, or both. This may also amount to contempt of court.

It is a defence for an unauthorised individual to show that they did not know and could not reasonably have been expected to know, that the offence was being committed.

It is a defence for an authorised person to show that they took all reasonable precautions and exercised all due diligence to avoid committing the offence.

Acting without authorisation will also comprise a breach of your regulatory obligations and may result in disciplinary action.

You should make sure you are familiar with the SRA's [guidance on conducting litigation](#) and [enforcement strategy](#).

If you identify a potential breach, you should take prompt action to:

- review and correct the position
- understand and address any impacts this has had on the handling of clients' cases, and
- consider and document carefully whether the breach is serious and needs to be reported

In [Media Protection Services Ltd v Andrew Crawford, Christine Crawford](#), the court found the consequence of laying an information in breach of the prohibition was that the prosecution could not proceed because there had been no lawful laying of the information.

However, the conduct of proceedings by a non-authorised person does not automatically nullify the proceedings or any of the activities in question.

*Ndole* highlighted that, rather, criminal and regulatory sanctions were the intended consequences of the statutory scheme.

While the courts might decide to set these aside on the individual facts, this was considered to be unlikely in *Ndole* for several reasons, including that the acts were done in good faith.

The draconian impact, where this had no relevance to the merits of the case, was also raised.

A similar position was taken in *Mazur*. The judge declined to strike out the claim as an abuse of process, commenting that whether or not the lodging of the initial claim had been tainted, the issue had been rectified and to do so would cause real prejudice to the respondent.

If you are involved in a case and are concerned that an unauthorised person in your organisation has conducted litigation on it, you will need to consider your duties as an officer of the court and under the SRA's Principles and Code of Conduct, and consider what, if any, steps you need to take to rectify the position.

Different judges may take different views as to what steps they would expect a solicitor to take in relation to the underlying litigation in this situation.

You may wish to familiarise yourself with the views of your local judiciary before deciding whether any formal application is required.

Given the indication by the courts that criminal and regulatory sanctions are the intended consequences of a breach, particularly in the cases relating to civil proceedings, you should be careful not to behave in a way that risks straying into improper use of satellite litigation to attempt to influence another party's behaviour or the progress of the litigation.

The SRA may consider this to be misconduct.

## 7. More information

### 7.1 Support for members

To further support members following the Court of Appeal judgment, we arranged a [free online classroom to answer your questions](#).

### 7.2 Legal Services Board review

The Legal Services Board published a helpful [guide to the reserved legal activities](#).

In October 2025, the Legal Services Board announced it would undertake a [regulatory review following the Mazur ruling](#).

The review aims to establish:

- what happened in the past, and
- how approved regulators and regulatory bodies ensured that information on conducting litigation was accurate and reliable

The LSB review will help identify possible lessons to maintain clarity and confidence in the regulatory framework.

### 7.3 SRA guidance

The SRA has published resources to support your understanding of your obligations under the LSA 2007 in relation to the conduct of litigation.

Read the [SRA guidance on conducting litigation](#) and [effective supervision](#).

## Legal status

Practice notes represent the Law Society's view of good practice in a particular area. They are not intended to be the only standard of good practice that solicitors can follow. You are not required to follow them but doing so will make it easier to account to oversight bodies for your actions.

Practice notes are not legal advice, and do not necessarily provide a defence to complaints of misconduct or poor service. While we have taken care to ensure that they are accurate, up to date and useful, we will not accept any legal liability in relation to them.

For queries or comments on this practice note, contact our [Practice Advice Service](#).

### SRA Principles

There are seven mandatory principles in the [SRA Standards and Regulations](#) which apply to all aspects of practice.

The principles apply to all authorised individuals (solicitors, registered European lawyers and registered foreign lawyers), authorised firms and their managers and employees, and to the delivery of regulated services within licensed bodies.

## Terminology

**Must** – a requirement in legislation or a requirement of a principle, rule, regulation or other mandatory provision in the SRA Standards and Regulations. You must comply, unless there are specific exemptions or defences provided for in relevant legislation or regulations.

**Should** – outside of a regulatory context, good practice, in our view, for most situations. In the case of the SRA Standards and Regulations, a non-mandatory provision, such as may be set out in notes or guidance.

These may not be the only means of complying with legislative or regulatory requirements and there may be situations where the suggested route is not the best route to meet the needs of a particular client. However, if you do not follow the suggested route, you should be able to justify to oversight bodies why your alternative approach is appropriate, either for your practice, or in the particular retainer.

**May** – an option for meeting your obligations or running your practice. Other options may be available and which option you choose is determined by the nature of the individual practice, client or retainer. You may be required to justify why this was an appropriate option to oversight bodies.

[Regulation](#)

[Dispute resolution](#)

[Solicitor](#)

[Alternative business structure](#)

[Apprentice or trainee](#)

[Paralegal](#)

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[31 March 2026](#)

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