



HOUSE OF COMMONS
LONDON
SW1A 0AA

Nadhim Zahawi MP

Member of Parliament for Stratford on Avon

Paul Philip
Chief Executive
Solicitors Regulation Authority
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Our Ref: ZA62398

21 April 2022

Dear Paul

I am writing on behalf of a constituent, Dr [REDACTED], [REDACTED], who recently contacted me regarding legal misconduct by law firms representing Health Education England.

Dr [REDACTED] has asked me to forward the enclosed letter to you and he requests substantive answers to Question 1 and Question 2 therein.

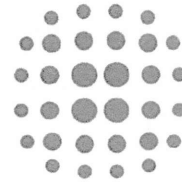
I know my constituent would be grateful for a response.

Yours sincerely

Nadhim Zahawi

Cc: [REDACTED]

ENCS



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Authority

From the Chief Executive

Your ref: ZA62398

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22 April 2022

Dear Mr Zahawi

Re: **Your constituent [REDACTED]**

Thank you for your letter of 21 April 2022.

We have written to Dr Day in response to his letter of 16 March 2022.

With his consent, we would be happy to explain the background to his concerns, but we are unable to share details of his case without his consent.

If you would like further information about Dr Day's case, and are able to forward his consent to us, we would be happy to respond further.

Yours sincerely

**Paul Philip
Chief Executive
Solicitors Regulation Authority**

We are the regulator of solicitors and law firms in England and Wales.

Solicitors Regulation Authority Limited is a company limited by guarantee.
Our registered offices are: The Cube, 199 Wharfside Street, Birmingham, B1 1RN.
Our company registration number is: 12608059.

Chrismarkday@gmail.com

3 May 2022

Mr Paul Philip
Chief Executive
Solicitor Regulation Authority

By email only; steven.bint@sra.org.uk

Dear Mr Philip,

I have been forwarded by a GP colleague a letter exchange between you and the Conservative MP and Secretary of State for Education Mr Nadhim Zahawi. This occurred on the 21 and 22 April 2022 respectively.

I can see from the exchange that Mr Zahawi supports my request for the SRA to answer 2 fairly simple questions in respect of their investigation into the law firms involved in my whistleblowing case. These were set out in my letter to you dated 16 March 2022 that was sent to my 4,000 crowdfunders, when it was not responded to properly by the SRA.

I can see that you told Mr Zahawi that the SRA responded to my letter dated 16 March 2022. However, you neglect to mention that the SRA has still not answered the 2 questions. You do not give Mr Zahawi an answer to the two questions either and seem to rely on the fact that you do not have my consent to discuss my case as the reason for not giving Mr Zahawi a response to the two questions.

I confirm that you have my consent to discuss any aspect of my case with Mr Zahawi and his constituent Dr [REDACTED] I provide this consent on the following conditions

- 1. That any written material sent to Mr Zahawi from the SRA is copied to me at (chrismarkday@gmail.com).**
- 2. That you as CEO take responsibility for the content that is shared and ensure that it is not misleading or defamatory**

Please can I request a meeting to discuss this situation as it has been ongoing now for several years. Various senior people including an MP, a Bishop in the Church of England and several doctors have criticised the SRA for obvious and objective reasons. For some reason the SRA seems to believe it does not need to respond to this criticism. I hope Mr Zahawi as a Cabinet Minister has more luck!

Yours sincerely



Dr Chris Day

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Example of Misleading SRA Spin

When the SRA represents the pleaded position in my case of the NHS' position on cost threats, the SRA quotes only seems to focus on an incomplete quote of paragraph 33 (see underlined portion), namely 33b of the pleadings. It repeatedly leaves out and ignores the rest of paragraph 33 and what comes after at paragraph 34 and 35 which clearly needs to be explained.

b) In 10 January public statement the Trust change their position; "Dr Day's legal representatives indicated that it would be helpful to them for the Trust: To state what our position would be on costs if the tribunal were to dismiss Dr Day's claims and make findings that he had not been truthful in his evidence...The Trust's legal representatives confirmed that if the tribunal were to dismiss Dr Day's claims and make findings that his evidence was untruthful, then there would be an issue to costs. This reflects that we are an NHS body responsible for public funds"

It is obvious that paragraph 33b is clearly a dramatic change in the NHS' earlier position. Paragraph 33b is clearly a retreat from the NHS' initial categorical denials that any cost threats occurred in my case that was made months earlier to the press and MPs pleaded earlier in paragraph 33;

33. *"The Claimant claims as detriments the following statements released publicly by the Trust about the without prejudice settlement discussions at his October Hearing.*

a) In 4 December 2018 public statement;

(i) "he claims that the Trust threatened him with the prospect of paying our legal costs. All of this is simply untrue".

(ii) "we did not threaten Dr Day with legal costs to pressure him to drop his claim"

(iii) "[o]n the issue of costs, we had decided not to pursue Dr. Day for legal fees before he withdrew his case":

The SRA also ignores what comes after paragraph 33 in paragraph 34 and 35 that clearly contradicts the underlined portion of paragraph 33 that the SRA selectively quotes. The SRA gives no reason why this content is being ignored.

"34. The Claimant's counsel, Chris Milsom, has confirmed in writing that the costs consequences communicated by Ben Cooper QC for the Trust "did not link matters to the truthfulness of [the Claimant's] evidence" and also that he "certainly made no comments as to [the Claimant's] evidence being untruthful." This position has been further endorsed by the Claimant's Solicitor Tim Johnson in an email dated 13 January 2019, "I don't think for a moment that Chris Milsom said anything to Ben Cooper or anyone else, to suggest that your evidence was untruthful. I have no evidence to suggest Chris did that and I don't believe he would."

35. A letter dated 14 January 2019 from the Claimant's former firm of solicitors to the First Respondent's solicitors states, "As your firm is aware Tim Johnson/Law made no approach to your firm, your client or counsel to ask for settlement discussions in Dr Day's case."