



FAO: Paul Philip and Juliet Oliver
Solicitors Regulation Authority (SRA)
The Cube, 199 Wharfside Street
Birmingham, B1 1RN
By email only

27 March 2025

Dear Mr. Philip and Ms. Oliver,

RE: Response to SRA's letter re SLAPP in the case of Yevgeny Prigozhin v Eliot Higgins

We are writing to you as co-chairs of the UK Anti-SLAPP Coalition, which comprises freedom of expression, whistleblowing, anti-corruption and transparency organisations, as well as media lawyers, researchers and academics who are researching, monitoring and highlighting cases of legal intimidation and SLAPPs, and seeking to develop remedies for mitigation and redress.

In 2022, Eliot Higgins, the founder of Bellingcat issued a complaint to the SRA against *Discreet Law* concerning their representation of Yevgeny Prigozhin. This related to the [legal action](#) he brought against Mr. Higgins for a series of tweets about Mr. Prigozhin's role in the private military company, *Wagner Group*. In 2024, the SRA discontinued the complaint against *Discreet Law* on the basis that the firm did not act improperly.

On 6 March 2025, The Rt. Hon Baroness Stowell of Beeston MBE published a [letter](#) she received from the SRA responding to her inquiry into your decision on this case. In this letter you accurately highlight the limitations of regulation without "a robust legislative solution", which "is the principal way to reduce opportunities and incentives for claimants to abuse the system". This position was echoed in the SRA's latest [statement](#), published on 24 March 2025, which states that the "main way to address the problem of SLAPPs is through a robust legislative solution that gives the courts more powers." We are in full agreement. This is why the UK Anti-SLAPP Coalition has led calls for a universal Anti-SLAPP Law beyond the narrow and flawed parameters established in the Economic Crime and Corporate Transparency Act 2023. This will be a vital step to protect SLAPP targets and the British justice system, while also giving the SRA and those it regulates much needed clarity.

While we acknowledge that your statement is an effort to provide transparency on the SRA's decision to discontinue the complaint against Discreet Law, we have a number of questions regarding the SRA's handling of Mr. Higgins' case that remain of concern to the Coalition. Clarity on this issue is of significant public importance given the threat that SLAPPs pose to the freedom of speech and public participation in this country.

We have outlined our queries and concerns below:

- i. The SRA's letter to Baroness Stowell states: "Our rules do not require us to define a case as a SLAPP or not; it is legislation that gives powers to the courts to strike out SLAPPs claims, and to protect parties from cost and other consequences". This point is also repeated in your statement, which states that the SRA's role "does not depend on defining a case as a SLAPP." While we accept that the SRA does not have the power to strike out claims and is not required to define a case as a SLAPP, it cannot be the case that the SRA is precluded from identifying a

case as a SLAPP. This would provide much-needed clarity to the legal profession on what constitutes a SLAPP, particularly when the SRA's own [Warning Notice on SLAPPs](#), as updated on 31 May 2024, reminds regulated professions of their obligations, and defines features common to SLAPPs. Specifically it states *"you should identify proposed causes of action or behaviours which comprise a SLAPP or abuse of the litigation process, and decline to act in this way"*.

- ii. As previously demonstrated through [leaked documents](#), it was evident that Discreet Law was, at the very least, aware that the Proceedings could constitute an abuse of process. These documents showed, for example, that *Discreet Law* was instructed to monitor Higgins' Twitter account in order to find a jurisdictional basis to sue him in the UK. It is difficult to reconcile such conduct with their obligation to *"explore [their] client's motives and intentions for pursuing a claim, and make sure that there is a proper basis for doing so"*. Also relevant here is that Mr. Higgins merely retweeted three articles written by others and, rather than engaging with those publications (or indeed *Bellingcat*, the organisation founded by Mr. Higgins), Mr. Prigozhin opted instead to pursue Mr. Higgins personally. On this basis, it is difficult to reconcile the firm's conduct with the SRA's decision that it did not act improperly.
- iii. It is incorrect to assert that only events after September 2022 clarified Mr. Prigozhin's role within the *Wagner Group*. When the Proceedings were issued, he was subject to sanctions from the UK, the EU, and the United States of America. The EU's sanctions, imposed as early as October 2020, directly linked these measures to Mr. Prigozhin's role in financing *Wagner Group's* activities in Africa, where it has been responsible for numerous atrocities. Any reasonable law firm doing even the most cursory on-boarding due diligence would have been aware of the connections between Mr. Prigozhin and *Wagner Group* well before 2022, and it is difficult to understand what *"independent research"* Discreet Law could have undertaken that would have led them to a conclusion different from that of the UK, US, or EU sanctioning authorities, or indeed, from the world media's reporting and expert commentators on *Wagner Group*.
- iv. The SRA's letter to Baroness Stowell states: *"the merits of the defamation proceedings were tested with specialist counsel who settled the particulars of claim, and the case progressed through the courts until the claim was eventually struck out in May 2022 ... the Particulars of Claim set out the reasons why Discreet Law issued against Mr Higgins and selected England as the appropriate jurisdiction; this was subject to careful consideration and advice from Counsel"*. Can you confirm whether the SRA reviewed the written advice from counsel referred to in your letter, or did the SRA conclude that the Proceedings did not constitute a SLAPP simply because *Discreet Law* took advice from counsel? Can the SRA confirm whether the same counsel was then hired to represent Mr. Prigozhin in court?

We hope you appreciate the Coalition's concerns regarding the above, the greatest of which is: **If the Proceedings do not constitute a SLAPP, and if *Discreet Law*, in acting for an already-sanctioned war criminal against a solitary journalist, for re-tweeting articles, is assessed by the SRA as neither facilitating an abuse of the legal system nor acting improperly, then other firms will rely on that fact in future to advance meritless and potentially deliberately malicious claims against the independent media and others who speak out in the public interest.**

We are also concerned that information related to the SRA's decision on Mr. Higgins' complaint against *Discreet Law* has only been made public in response to the letter from The Rt Hon Baroness Stowell of Beeston MBE. While we welcome your statement of 24th March, the public should not have to depend on a letter from a Parliamentarian to encourage the SRA to share more information about its decision-making as it relates to SLAPPs. As you are aware, the delay in communicating the reasoning for the SRA's decision has led to widespread media and public speculation, confusion and misunderstanding regarding the SRA's decision-making processes.

To maintain public trust a regulator must be *seen* to be working by the firms and solicitors it regulates, but also by the wider public who are important stakeholders in the process. Without proactive, accessible and clear communications around its regulatory function as it relates to SLAPPs, this public trust could be undermined, leading to potential SLAPPs complainants being discouraged from coming forward with additional complaints to the SRA.

We would also appreciate an update regarding the number of SLAPP related investigations opened by the SRA to date, how many have been closed (and on what reasoning), how many remain open and how many have been referred for further regulatory action, including to the Solicitors Disciplinary Tribunal. We note that the last public update regarding this was provided by the SRA in May 2024, as part of oral evidence given to the House of Lords Communications and Digital Select Committee.

Whilst we still have serious concerns about the SRA's decision-making process as set out in this letter, a fulsome response on the points outlined above may go some way to restoring the faith of such potential complainants, the media and also the public in the SRA and its processes.

We would appreciate your response to the above mentioned points as soon as possible.

Yours faithfully,

The Co-Chairs of the UK Anti-SLAPP Coalition

Susan Coughtrie, Director, Foreign Policy Centre

Charlie Holt, European Lead, Global Climate Legal Defense

Jessica Ní Mhainín, Head of Policy and Campaigns, Index on Censorship

Nik Williams, Policy and Campaigns Officer, Index on Censorship

On behalf of the UK Anti-SLAPP Coalition