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The SQE: what it is and where are we so far!


- What is the SQE?
- What is the current position with the SQE?
- The regulatory process!
- Social Justice and SQE!
- Your thoughts





The SQE

- A single, national licensing examination for admission as a solicitor of England and Wales: Solicitors Qualifying Examination (SQE)
- The SRA will no longer specify routes to admission as a solicitor



What the SRA say the benefits are

- **Aspiring solicitors:** Fairness and choice; greater flexibility in how to train
- **Law firms:** guarantee of standards; greater opportunity to tailor training to their needs; wider range of recruitment options
- **Education and training providers:** ability to innovate, greater ability to offer training suited to local needs and wider recruitment options
- **General public:** greater confidence in the competence of the solicitors they use; wider access to legal services

Assessments

- **SQE 1**
- **Functioning Legal Knowledge Assessments**
 - Substantive and procedural law
 - Test of application of fundamental legal principles
 - Computer based assessment
- **Practical Legal Skills Assessment**
 - Legal Research and Writing Skills
- **SQE 2**
- **Practical Legal Skills Assessments**
 - Client interviewing, advocacy, case and matter analysis, legal research and written advice, legal drafting
 - Simulated role plays/written tasks



SQE 1

Functioning Legal Knowledge Assessments

- Criminal Law and Practice; Principles of Professional Conduct, Public and Administrative law and the legal systems of England and Wales
- Business Law and Practice; Dispute Resolution; Contract; Tort
- Property Law and Practice; Wills and the Administration of Estates and Trusts

Practical Legal Skills Assessment

- Legal Research
- Writing Skills



SQE 2

Practical Legal Skills Assessments

- Client interviewing and attendance note
- Advocacy – rights of audience
- Case and Matter Analysis – including Negotiation Planning
- Legal Research and Written Advice
- Legal Drafting

Assessed in the following contexts:

- Criminal Practice; Dispute Resolution; Property; Wills and the Administration of Estates; Business Practice



- Draft Assessment Specification:
- <https://www.sra.org.uk/sra/policy/sqe/research-reports.page>



Qualifying Work Experience

- At least 2 years' experience of legal services which enables a candidate to develop the competences in the Statement of Solicitor Competence
- Can be with no more than four different organisations
- No requirement for three practice areas; QWE is about developing the competences in the Statement of Solicitor Competence
- Working in student law clinic, or placements in law firms, can count; would need sign off by solicitor at university.
- Within law firms, can be signed off by COLP. No requirement for Training Principal
- Sign off to confirm completion of QWE, not to assess that standard has been met



Practical Arrangements



Initially, two exam sittings per year; 3 attempts; 6-year validity; SQE 2 only after passing SQE 1; SQE 1 to be taken in one sitting



SQE available in England and Wales; wide geographic network for written tests; limited number of centres for oral skills



And (for written tests) internationally



Future – sittings/venues will keep pace with demand



Indicative Fees

- £3,000 - £4,500 for SQE 1 and SQE 2
 - SQE 1: £1,100 – £1,650
 - SQE 2: £1,900 - £2,850
- Indicative only – eventual fee may be inside or outside this fee range. Variables:
 - Size of assessments: numbers of questions, numbers of contexts and length of testing time
 - Offering SQE in both English and Welsh

Next Steps

- 2019: Running pilots for SQE 1 (March) and SQE 2 (December)
 - Checking assessment design
 - Making assessments work
- Results of SQE 1 pilot: summer 2019
- Recruitment for SQE 2 pilot: July 2019
- Autumn 2019: Publishing Assessment Specification and sample questions for SQE 1
- Spring 2020: Publishing Assessment Specification and sample questions for SQE 2
- Autumn 2021/Spring 2022: First assessments

The regulatory process!



Proposed regulatory changes to SRA Authorisation of Individual Regulations

1.1 You will be eligible for admission as a **solicitor** if the **SRA** is satisfied:

- (a) you have successfully and satisfactorily passed an assessment which is designed to assess your competence against the **prescribed** competences for **solicitors** and is conducted by an assessment organisation appointed by the **SRA** for the purpose;
- (b) you hold a **degree** or qualifications or experience which the **SRA** is satisfied are equivalent to a **degree**;
- (c) you have completed qualifying work experience which meets the requirements of regulation 2; and
- (d) as to your **character and suitability** to be a **solicitor**.

Qualifying work experience

2.1 Qualifying work experience must:

- (a) comprise experience of providing legal services which provides you the opportunity to develop the **prescribed** competences for **solicitors**;
- (b) be of a duration of a total of at least two years' full time or equivalent; and
- (c) be carried out under an arrangement or employment with no more than four separate firms, educational institutions or other organisations.

2.2 In respect of each organisation under regulation 2.1(c) above, you must arrange for confirmation in the **prescribed** form of the period of work experience carried out and that it provided you with the opportunity to develop some or all of the **prescribed** competences for **solicitors**, to be given by:

- (a) the organisation's **COLP**;
- (b) a **solicitor** working within the organisation; or
- (c) if neither (a) or (b) are applicable, a **solicitor**.

The Legal Services Act 2007

- The SQE cannot come into force until the Legal Services Board approve the changes to the SRA Authorisation of Individual Regulations
- These changes can only occur when an 'approved regulatory' makes an application under Schedule 4. The Law Society is the approved regulatory but have delegated regulatory powers to the SRA
- The power granted to the LSB to make the changes is very wide and there are limited reasons set out in the Act to refuse an application
- On 26th March 2018 the LSB granted an application from the SRA for approval of amendments to its regulatory arrangements. However this is not the final approval.

26th March 2018

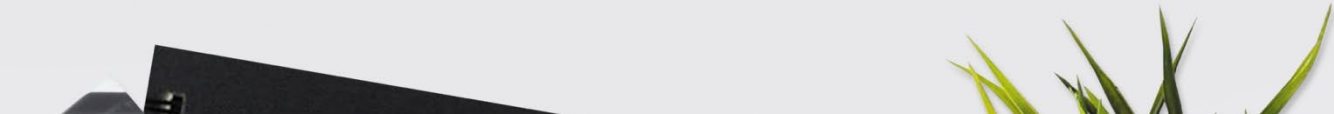
- The SRA asked the LSB to approve:
- New Authorisation of Individual Regulations 1.1 – 1.4
- The SRA Handbook Glossary (Amendment) Rules
- The SRA acknowledged that in order for regulation 1.1(a) to have effect it will need to apply to the LSB for approval of additional regulatory arrangements that prescribe awarding requirements for the SQE
- This was a test application fully acknowledged by the LSB

Issues arising

- The LSB acknowledged a number of issues that would need addressing but this did not include the removal of the qualifying law degree. The main issues raised were:
 - (1) Costs and accessibility of assessments
 - (2) Equality and diversity
 - (3) Oversight of education and training providers
- Decision notice link:
https://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/2018/FINAL_decision_notice.pdf



Qualifying Work Experience and Social Welfare



Questions



Useful Links

- Law Society SQE guidance:
- <https://www.lawsociety.org.uk/law-careers/becoming-a-solicitor/sqe-overview/>
- SQE Round Table Event Booking Form:
- <https://www.eventbrite.co.uk/e/sqe-roundtable-discussion-the-story-so-far-tickets-61302221595>