

CILEx Regulation Webinar - 2 October 2023

Questions asked before and during the Webinar with CRL's Responses



Introduction

As each of the presenters said in the webinar, the issues raised in [CILEX's consultation](#) affects all CILEX members. You can access the slides from the presentation [here](#).

Our key message from the webinar is that you need to [respond to the consultation to make your voice heard](#).

CRL believes that these are the key questions which CILEX members will expect CILEX to answer:

- How will a change of regulator improve regulation either for members or consumers?
- Will the 7,000 CILEX Fellows lose the input into regulatory decisions that they currently have?
- Will CILEX's 9,500 paralegal members lose access to the voluntary, independent regulation that CRL currently provides?
- How will the public interest be served by making this change?
- How will SRA champion interests of CILEX members. CRL has committed to a new champion post to do this. Will SRA commit to do same?
- How much will the change cost and who will pay?

We have set out below our answers to the questions you raised both before and during the webinar (those raised in the webinar have been clearly identified).

Thank you for your interest.

Robert Morris
Interim CRL Chief Executive
CILEx Regulation

	Question	CRL's Response
	Your Comments	
1.	The questions you refer to in your email are certainly questions that I would like answered too. At present I do not have any additional questions - thank you for putting on this webinar	Thank you for your comments. We hope you found the webinar helpful.
2.	I have not kept abreast of the changes due to my workload and I want to find out further information about the changes proposed.	Answers to some of the key questions are set out in these responses. We recommend that you read both the CILEX and the SRA Consultations. We shall shortly be publishing our response to the CILEX Consultation.
3.	not a question but a comment, my nearest physical consultation is Bristol, a 250 mile round trip from Plymouth.	This question related to CILEX's in person events and webinars. If it is not possible to attend an in person event, you can register here for the remaining webinar at 08.00 on 10 October 2023
	Risks	
4.	I would be interested to hear what CILEx Regulation believe the potential risks and adverse implications of the planned changes to be.	<p>CRL considers there is insufficient detail and analysis in both the CILEX and SRA Consultations to enable a reasoned and evidence based decision to be made.</p> <p>Neither the CILEX nor SRA proposals have been costed nor have impact assessments been published. It is also surprising to CRL that CILEX have stated clearly that the decision it has to make 'is not a matter of choice or preference of our members'.</p> <p>We have set out above the key questions which we believed should be answered before any decision is made.</p> <p>The questions set out below identify the issues which are of concern to the profession:</p>

	CILEX/CRL Relationship	
5.	Webinar Question - What is the relationship between CILEX and CILEX Regulation? Is the regulator a wholly owned subsidiary of CILEX? Would CILEX Regulation disappear entirely if the change goes ahead?	CILEX has delegated its regulatory functions to CRL, a company limited by guarantee. CILEX is the sole shareholder of CRL. Although this has to date not been discussed it is likely that CRL would be wound up if it no longer had any regulatory functions.
6.	Webinar Question - Hello all. Apologies, new Paralegal member here so bear with me. Who will ultimately make the call / decision if CILEX & CRL cannot align and agree on this? The LSB?	Ultimately, the Court may be asked to determine the issue.
	Status	
7.	1. In the merger of CILEX with SRA, will CILEX fellows who specialise in commercial contracting continue to be regarded as lesser speciality than a fellow who is a conveyancer or fellow who has a criminal law speciality 2. Will there be a tiering system applied to the roles after the merger of CILEX with SRA so a CILEX fellow is equivalent to a solicitor in grading?	The proposal is that CILEX re-delegates its regulatory functions to the SRA. No suggestion has been made that there would be a merger. CILEX would continue with its representative functions and continue as the approved regulator. As Patricia White said in the webinar 'We are specialist lawyers; we are not solicitors - there is a distinct difference between the two'. We understand this will continue to be the position.
8.	Will fellows be treated as equivalent to solicitors. Will we need to undergo any exams	CILEX has consulted about a range of different issues. These are all questions which should be asked of CILEX in the context of that consultation. Jonathan Rees, the CRL Board Chair, reminded us in the webinar that in the CRL consultation 96% said you wanted us to raise the profile of regulated community in the legal sector and with consumers. CRL's Proposal is to appoint a Head of Public Affairs to create a new engagement plan. Clearly CRL would need to work with
9.	Are CILEX trying to downgrade Fellows to be perceived as advanced paralegals instead of lawyers?	
10.	I really need to know why a Fellow of the Institute is of a lesser standing than a solicitor and why Fellows have to ask solicitors to witness and sign documents for certain lenders.	
11.	How are the public and other professionals supposed to have confidence and know what we are when as a Cilex advocate even I can't work out what I need to do or why I need to become a CILEX lawyer	
12.	How can CILEX be more widely Accepted like our other Professional bodies.	

13.	Why are you considering the SRA where all indications are that this will only serve to reinforce the false impression that FCILEX are somehow second rate to solicitors. It feels like taking several steps backwards - for no gain.	CILEX since as the representative body, it has the lead role in representing the interests of its members. It is also clear that SRA does not see that as part of its Proposal .
14.	There is still snobbery around the CILEX qualification route and even in the last year I have experienced this from a solicitor. Who is going to champion us and fight for parity if regulation is for both CILEX members and solicitors?	
15.	Webinar Question - I think the SRA view CLE's as less than solicitors as the CILEX level 6 is seen as degree level and not LPC equivalent. If CRL remain the regulator, what will you do to address the way CLE's status is viewed in the industry?	
	Practice Rights	
16.	Why have the qualification changed or to be changed to allow new CILEX to automatically have their practice rights, when those who have qualified and has experience still have to complete a course/submit a portfolio and pay £500	These are all very important questions for you but they do not relate directly to any of the issues raised in CILEX's consultation. Over the next few days we will be replying directly to everyone who has asked these questions. If you have any further questions, please send them to CRL at info@cilexregulation.org.uk .
17.	I have tried several times to get clarity as to how someone like me that passed levels one and two legal practise and law papers in 1990-1991 and higher law diploma Tort in 1992. I tried making an enquiry but it was 3 years ago in covid period and I could not speak to anyone, it was all via email and CILEX portal. I did not get a clear answer and things have changed again. I have now been offered the law apprenticeship to qualify as a solicitor and looking into this now to make a final decision. I qualified to ACILEX back in the 90s and was part way in the final higher diploma level but placed my further academics on hold as my father passed very young and unexpectedly, I then had a family of my own and carried on working and bringing up a family. They are all adults now and I have the time to finish higher level qualifications so I am no longer held back on various practical working processes. Many thanks.	

18.	There appears to be a lot of confusion concerning the need for CILEx to complete the portfolio. This has caused stress to many and please can this be clarified at the webinar.	
19.	1 - I am in the process of completing my practice rights and advocacy application - how will this be affected? 2 - I have recently been rejected from volunteering with a domestic abuse charity to offer free legal advice because their insurance will only cover the voluntary advice of someone with a SRA number and not anyone regulated by CILEX, will CILEX lawyers be given SRA registrations under the proposed plans?	
20.	What is the current position regarding Higher Rights application and how will this be affected if CILEX choose to change to the SRA	<p>These are all very important questions for you but they do not relate directly to any of the issues raised in CILEX's consultation. Over the next few days we will be replying directly to everyone who has asked these questions.</p> <p>If you have any further questions, please send them to CRL at info@cilexregulation.org.uk.</p>
21.	I note that the Consultation recognises that the current requirements for Chartered Legal Executives to obtain practice rights, is proving to be a barrier. In my case, a Partner in a law firm who qualified over 25 years ago, the fact that I am not currently undertaking advocacy is the barrier. I used to undertake advocacy many years ago but my role does not now require it. Even if I undertake the advocacy course, I then have to show I am using the skills, which I cannot do as it is outside of my role. I believe that this requirement is therefore discriminatory against experience and age. Is the intention to specifically address this? I do not see why a Chartered Legal Executive cannot obtain practice rights, WITHOUT advocacy rights, on the basis they instruct a suitably qualified advocate when required?	
22.	Will there be a top programme that allows practitioners to become chartered executives?	
23.	I'm not sure but I think with my 25 + years experience in conveyancing I may be able to obtain a further qualification as a Conveyancer. I'm told I can use the letters ACILEx however I feel this isn't regarded highly in the profession. Assistance would be welcome as well as webinars and seminars to update us on many topics esp The Building Act 2022 I have an awful lot of responsibility at work but feel the imposter syndrome at times and	

	would now in my mid 50's like to finally establish myself! Or have I left it all too late? Thanking you	
24.	Will CILEX fellows still need to complete practice rights to upgrade rights to that of a solicitor in the event the SRA take over our regulation? It seems that the main point of practice rights are to enable CILEX lawyers to set up a legal practice independently, regulated by CILEX regulation which may no longer be necessary.	
25.	Webinar Question - Will CILEX fellows still need to complete practice rights to upgrade rights to that of a solicitor in the event the SRA take over our regulation? It seems that the main point of practice rights are to enable CILEX lawyers to set up a legal practice independently, regulated by CILEX regulation which may no longer be necessary.	<p>These are all very important questions for you but they do not relate directly to any of the issues raised in CILEX's consultation. Over the next few days we will be replying directly to everyone who has asked these questions.</p> <p>If you have any further questions, please send them to CRL at info@cilexregulation.org.uk.</p>
26.	Webinar Question - Your arguments regarding the benefits of being focused on Cilex members are persuasive. However, as a very longstanding CLE who doesn't currently conduct advocacy, I am now barred from further progression, which makes me feel like a second class citizen. Does Cilex Regulation intend to work to enable practice rights (running own firm, supervising others, etc) but without personal advocacy rights?	
	Qualifying as a Chartered Legal Executive	
27.	To what extent will these changes impact on those Fellows who are not CILEX Lawyers within the meaning of the new qualification?	The status of Fellows will be unaffected by the changes.
28.	I am an CILEX advanced paralegal taking the legacy route to qualify as a chartered legal executive. I would like to know if there is a portfolio template i can use as guidance?	Please see 3. Demonstrating competence on the Become a Chartered Legal Executive (Legacy route) page
	CPQ	
29.	When will all the CPQ professional modules including immigration/probate come live?	CILEX provide these modules, so this is a question which should be put to CILEX .

	Professional Titles	
30.	Why have several additional CILEX titles been introduced, is there any data to support the introduction of the additional titles. There is a concern among the CILEX community this will further confuse members of the public but also provide cause for employers to negotiate lower salaries.	<p>The proposal to introduce additional CILEX titles is set out at section 2: Recognition as Chartered Professionals of the CILEX Consultation at pages 6-9.</p> <p>You should ask CILEX any questions you have about Professional Titles.</p>
31.	why so many changes to name of Cilex Advocate to Chartered lawyer or CILEX Lawyer	
32.	Is the transition to the Chartered Lawyer designation guaranteed?	
	SRA	
33.	I have deep concerns as to the discussion as to SRA taken regulation from us	<p>These are all relevant questions for you to ask.</p> <p>The CILEX Consultation and the SRA Consultation may help you to answer these questions.</p> <p>Either way you are encouraged to complete and submit the CILEX response form and the SRA consultation response form to ensure that your voice is heard.</p>
34.	My initial view is that being regulated by the SRA will be a positive move, lessening the gap between CILEX and Solicitors. If this is not the case it would be useful to understand why.	
35.	How would the transfer of regulations of Cilex's professional be impacted by the Solicitor regulations authority?	
36.	Will this affect a chartered legal exec to solicitor transition	
37.	As a Fellow and Chartered Legal Executive, will my membership and practising certificate therefore come from the SRA and be renewed at the same time as solicitors and will our CPD requirements change to the SRA format?	
38.	Would fellows be classed as solicitors if the change happened?	
39.	I do not believe that SRA will or is going to protect the interests of the 7000 Cilex Fellows. Our number compared to number of their member seems negligible. Where therefore is the evidence that they are going to look after our interests when they eventually absorb us?	
40.	If the proposals go ahead will CILEX Fellows be able to be included in bulk renewals of practising certificates at the same time as solicitors? Will cross-qualification from CILEx Fellow to solicitor be affected?	

41.	What impact will moving to SRA have on those CILEX Members who have obtained the extra Practitioner's level qualification? How will this be distinguished between CILEX Members who have not obtained this qualification?	
42.	Webinar Question - If we were to be subsumed into the SRA model would we receive the same rights as our Law Society brethren? (I guess not on past form.....). I am a conveyancing specialist.	We understand the intention is for CILEX professionals to continue to be regulated separately from Solicitors, and obtain no new rights. Please see the CILEX Consultation (especially page 11-12) and the SRA Consultation (especially pages 14-16).
	Reason for Change	
43.	I am not entirely clear why CILEx propose to change the current regulation model and move regulation over to the SRA. What benefits would this have, if at all? If the proposal goes ahead, will the SRA be renamed to ensure inclusivity for non-Solicitor lawyers? I also wish to understand why CILEx introduced the new CILEx Lawyer route to qualification, rather than continuing to campaign for Chartered Legal Executives. This has caused an awful lot of confusion amongst members and which terminology to use. More worryingly, it seems to be having an impact on equal opportunities for Chartered Legal Executives. I do intend to send a formal email addressing my queries and concerns properly this weekend.	<p>CRL has not been involved in CILEX's process nor in any decision it has made.</p> <p>CILEX have explained why they have made these proposals in the Case for Change and also in their Consultation. You can also access the SRA Proposal and the SRA Consultation.</p> <p>You are encouraged to complete and submit the CILEX response form and the SRA consultation response form to ensure that your voice is heard.</p> <p>Any questions about these documents should be directed to CILEX or to the SRA.</p>
44.	I am not sure I understand why Cilex would separate from its body. By way of analogy there are two ways to be a doctor in America DO and MD. There is talk of merger but they don't. They keep their separate identities.	
45.	I don't understand the point of it and why it is all being messed with	
46.	Despite meetings between CILEX Regulation and CILEX, is CILEX just going through the motions before marching on with CILEX member regulation via SRA? Will the membership ultimately get a vote on this?	
47.	Webinar Question - What is the motivation for proposing this change?	

	Continuing Regulation	
48.	I am due to retire next year. What can CILEX offer someone like me in relation CPD.	This query should be directed to CILEX .
49.	We are an ACCA Cilex firm. Our question would simply be, what does this mean for us in terms of any annual reporting etc. Would there be any change to how things operate now?	Please see page 18 of the CILEX Consultation and page 13 to the top of page 14 of the SRA Consultation .
50.	Are there expected to be any changes to the current route to become dual qualified as a Fellow and Solicitor through the Chartered Legal Executives Equivalent Means route prior to 31 December 2032?	The SRA has posted information about how CILEX members can qualify as solicitors . Any questions about this process should be sent to the SRA .
51.	I am a Fellow of CILEx- I qualified in 2015 and would like to know the impact of the consultation for those of us who have been qualified as a Fellow for some time. Thank you.	You are recommended to read the CILEX Consultation and the SRA Consultation .
52.	Webinar Question - Many people I work with are leaving CILEX and becoming Licensed Conveyancers due to the requirement to obtain and pay for additional qualifications in order become (for example) a Conveyancing Practitioner. This is extremely disheartening when having been qualified for more than 20 years. I now have to have work signed off by newly qualified Solicitors. What, if anything can be done about this?	Please see 3. Demonstrating competence on the Become a Chartered Legal Executive (Legacy route) page
	Training and Qualification	
53.	I would like to ask if my late document review will be suitable for my work experience.	We will reply separately to this question.
	Will the webinar be recorded	
54.	My webcam is currently acting up. Will a recording be available to view online? And if so, where and when?	We do not have a recording of the webinar. We are emailing a link to the webinar presentation and to these questions and answers to all CILEX members.
55.	Hi I may not be able to attend due to work commitments if that is the case could I get a recording of the webinar as I am keen to find out more about the proposed changes.	