

Date:	30 September 2025
Item:	10.01 Standalone Litigation Rights
Author:	Jonathan Levack, Director of Policy and Governance
Title:	2 nd Consultation on Stand-alone Litigation Practice Rights
Purpose:	This paper updates the Board on the conclusions of the consultation on and changes to regulatory arrangements to enable CILEx Regulation (CRL) to authorise Chartered Legal Executives (CLEs) with stand-alone litigation practice rights
Recommendation:	To APPROVE for CRL to apply to the LSB to change our rules to enable standalone litigation rights
Timing:	We intend to submit an application to the LSB to change our Rules in early October
Impact assessment	N/A
Impact on Regulatory Objectives	<p>This proposal will have a positive impact on the following LSB Regulatory Objectives:</p> <p>RO3: Improving access to justice</p> <p>RO5: Promoting competition in the provision of services</p> <p>RO6: Encouraging an independent, strong, diverse and effective legal profession</p> <p>RO8: Promoting and maintaining adherence (by authorised persons) to the professional principles</p>
Implications for Resources	This is being managed within existing resources
Impact on Consumer Empowerment	N/A
Impact on Ongoing Competence	N/A
Publication Status	
Appendices	10.01.1 Summary of consultation responses

Background

1. Based on feedback from CILEX members, we undertook a consultation earlier this year to measure the level of support for the proposal to develop stand-alone litigation practice rights. The response was clear: over 95% of respondents were in favour.
2. Following Board approval to proceed, we published a second consultation on the requisite Rule changes to enable standalone litigation rights. This consultation sought views on:
 - Clarifications to the various routes to authorisation of stand-alone litigation practice rights
 - Proposed amended rules to reflect the changes to requirement for members to submit a dual application for both litigation and advocacy practice rights
 - Proposed new authorised titles that will be issued to successful applicants upon approval.
3. The consultation ran from 29th July to 9th September 2025.

Consultation outcomes

4. We received 34 responses to the consultation, the majority being from CLEs and Advanced Paralegals.
5. Given the changes being consulted on were technical in nature, the majority of responses raised no concerns with our proposals and continued to support the separation of advocacy and litigation practice rights.
6. The only substantive issue raised in the consultation was whether Fellowship should automatically enable advocacy and litigation rights. This was deemed outside the scope of the consultation.

Proposed next steps

7. Based on consultation feedback, we propose to proceed to apply to the LSB to change our Rules as outlined in the consultation. We do not see the need to amend them based on consultation feedback.

Recommendation

8. The Board is asked to **APPROVE** the proposal to proceed to apply to the LSB to change our Rules to facilitate the introduction of standalone litigation rights.

Timeline

Activity	Timing
Submission of Alternation Application for regulatory change	October 2025
Target Implementation	January 2026