

10.01.1 Annex – Analysis of responses to the Stand-Alone Litigation Rights 2nd Consultation

This document sets out the 2nd consultation on proposed changes to the Practitioner Authorisation Rules to enable the authorisation of Chartered Legal Executives with stand-alone litigation practice rights.

This consultation ran from 29 July to 9 September 2025 and invited member of the CILEX regulated community, other regulators, members of the public and other interested parties to respond.

A total of 34 responses were received. The breakdown of respondents is as follows:

- 17 Chartered Legal Executives
- 9 CILEX Members – Advanced Paralegal
- 1 CILEX Member – Paralegal
- 1 CILEX Student
- 1 Chartered Legal Executive (on Maternity/Paternity leave)
- 1 Professional body
- 1 Respondent identifying as “other”
- 3 Respondents did not identify their status

The consultation posed the following questions:

1. Do you foresee any issues with the proposed changes to the Rights to conduct litigation and rights of audience certificate rules?
2. Do you foresee any issues with the proposed changes to the Practice Rights Certificate for Chartered Legal Executives rules?
3. Do you foresee any issues with the proposed changes to the Practitioner Authorisation Rules?
4. Do you agree with the findings of the Impact Assessment?
5. Do you have any other comments?

Q1: Do you foresee any issues with the proposed changes to the Rights to conduct litigation and rights of audience certificate rules?		
Yes	No	Did not answer
0	34	0

Comments from respondents who did not see any issues with the proposed changes to the Rights to conduct litigation and rights of audience certificate rules:

[REDACTED]

[REDACTED]

[REDACTED]

- “The proposed changes make perfect sense.”
- “The current situation does not make any practical sense.”
- “You need to have separate practising certificates for different areas of work.”
- “These changes shall be a positive for the industry and provide better access to justice for clients as it should help lower costs.”
- “[REDACTED]
- [REDACTED]
- [REDACTED]

Q2: Do you foresee any issues with the proposed changes to the Practice Rights Certificate for Chartered Legal Executives rules?

Yes	No	Did not answer
1	33	0

Comments from respondents who supported the proposed changes include:

- “I don’t see any issues.”
- “Practice Rights should be automatic when becoming a Fellow.”
- “It is long overdue.”
- “I don’t foresee any issues with the changes.”

Comment from the respondent who raised a concern:

- “It may cause upset for those who currently have PR and are undergoing training for advocacy when they don't necessarily need it.”

Q3: Do you foresee any issues with the proposed changes to the Practitioner Authorisation Rules?

Yes	No	Did not answer
0	34	0

Comments from respondents who did not foresee any issues with the proposed changes to the Practitioner Authorisation Rules:

- “[REDACTED].”

Q4: Do you agree with the findings of the Impact Assessment?

Yes	No	Did not answer
30	4	0

Comments from respondents who agreed with the Impact Assessment:

- “It is really difficult for visible minorities to afford to pay for and obtain rights in 2 areas when they only work in, for example, litigation, and don't require advocacy practice rights.”
- “This does not impact The Stand-alone Litigation Practice Rights.”
- “ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Comments from respondents who disagreed with the Impact Assessment:

- “It really is a step in the right in the direction from a social mobility perspective.”
(Note: this comment was listed under “No” but appears supportive, possibly a data input error.)

Q5: Do you have any other comments?	
Provided additional comments	Did not provide additional comments
17	17

Comments from respondents include:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- “I don’t think it’s fair that you continue to offer and advertise the existing course until the way forward is confirmed.”
- “This is a positive development. Thank you for doing this and working on behalf of your practitioners. Now that there will be separate practising certificates can you: reduce the fee for the litigation certificate and arrange it so CILEX places payment for the certificate on its payment portal with access to our employers. It was not done and I had to pay for it as my employer could not access it.”
- “I am head of a CILEX training provider and have found issues with people wanting to qualify in a litigation area but not wanting the advocacy rights numerous times. Such people are horrified at not only the cost of the advocacy course but also the requirements which they would not be able to meet. In my opinion, removing the advocacy as a mandatory element would be excellent as those wanting to take it would still have the option to, but those not would not be put off doing the CPQ.”

- “Why is it so complicated to practise as a CILEX Legal Executive? Studying can be difficult in order to pass the examinations. There seems to be too much red tape as per certain parts of the regulations.”
- “Stand-alone practice rights can only benefit the progression and retention of long-standing Chartered Legal Executives. Advocacy is regularly passed to barristers and the navigation of day-to-day litigation is a skill that many of us wish to continue to practise as Chartered Legal Executives in management roles.”