



# Admissions & Licensing **Annual Report 2021**

## Chair's foreword | Ann Thunhurst

In my first year as Chair, I would like to express my appreciation for the support provided by the office, in addition to my fellow committee members. The end of the year saw the departure of John McCarthy and Kath Hill; their expertise and contributions were immensely valued and will be greatly missed. Even to me as a relatively new member of the Committee, the speed of change is apparent both in the type of applications received and working practices.

To this end the Committee welcomed two new members, Alan Kershaw and Rob McCusker, who joined in January 2021 and bring a wealth of new experience to the Committee with fresh perspectives on applications, ensuring that CILEX remains respected and valued within the domestic and international communities, breeding longevity and relevance.

The past year has seen remote working become firmly embedded into the activities of the Admissions and Licensing Committee (ALC). Application numbers this year have been lower than previous years with a notable number showing furloughed applicants and job losses, largely due to the pandemic. The number of applications containing a proportion of overseas legal jurisdictions appear to be increasing as well as applications relating to niche specialist areas of practice, such as Money Laundering and GDPR.



Ann Thunhurst  
Admissions & Licensing Chair

## Introduction

The Admissions and Licensing Committee has oversight responsibility for a range of individual authorisation functions as detailed below:

- authorisation as a Chartered Legal Executive
- authorisation to practise reserved activity in one or more areas of specialism
- authorisation to practise advocacy in one or more areas of specialism

This report provides an analysis of the decision making of both the office and the committee in 2021 across the different areas of responsibility. The report is divided into four sections to reflect the decision making which fell within the committee's remit:

- qualifying employment decisions and authorisation as a Chartered Legal Executive via the Work Based Learning;
- authorisation for individual practice rights;
- authorisation for advocacy; and
- analysis of decision-making based on age, gender, and ethnicity.

The committee met six times in 2021. Due to continued remote working arrangements, all six meetings were held virtually.

## Qualifying Employment and authorisation as a Chartered Legal Executive

Qualification as a Chartered Legal Executive is comprised of two parts:

- Three years of qualifying employment; and
- Assessment of competence through submission of a work-based learning portfolio

In 2021:

- **812** applications for qualifying employment assessment were processed
- **625** applications for authorisation as a Chartered Legal Executive were processed

<i>Office decisions by application type</i>	Approved	Refused	Total
Qualifying Employment	698	5	703
Work Based Learning	619	3	622
Total	1317	8	1325

The office has delegated authority to decide applications. Where the office is unable to make a decision in relation to an application, it is referred to the committee.

<i>Committee decisions by application type</i>	Approved	Refused	Total
Qualifying Employment	97	12	109
Work Based Learning	3	0	3
Total	100	12	112

- 100 of the 1,417 applications approved in 2021 were determined by the committee (7%)
- 97% of approval decisions made by the committee in 2021 related to the assessment of work experience against the definition of qualifying employment, as outlined in the Application for Fellowship Rules.
- 3% of approval decisions made by the committee in 2021 related to authorisation as a Chartered Legal Executive via the Work Based Learning scheme.

## Authorisation to practise in one or more reserved activities

CILEx Regulation is able to authorise individuals to practise in one or more reserved activities, subject to applicants meeting the essential knowledge, skills, experience, and competence requirements.

In October 2021, the Legal Services Board approved an application to allow CILEx Regulation to provide legal regulation to accountants delivering non-contentious probate services, following the Association of Chartered Certified Accountants' (ACCA) decision to withdraw as a legal services provider. CILEx Regulation began processing applications from individuals seeking regulation as a CILEX Practitioner (ACCA-Probate) in November 2021.

In 2021:

- **47** applications for authorisation in one or more reserved activities were determined.
- **108** new applications were received, with **88** applications deferred until 2022, awaiting further information from the applicant, the outcome of assessment by an external advisor or completion of a relevant advocacy skills course.
- the most popular areas of practice continue to be conveyancing and civil litigation, although it continues to be noted that probate is also a popular with applicants.

## Authorisation to practise advocacy

CILEx Regulation can authorise individuals to conduct advocacy in one or more of the following areas of practice; civil proceedings, criminal proceedings or family proceedings, subject to applicants meeting the essential knowledge, skills, experience and competence requirements.

There are two parts to the application process:

- initial assessment of knowledge, skills and experience which provides the applicant with a certificate of eligibility; and
- attendance at a six-day training course, at the end of which, the applicant is assessed for full competency in advocacy for the relevant proceedings.

In 2021, the following applications for authorisation as an advocate in one or more of the proceedings were processed:

	Civil	Criminal	Family	Total
New applications received	0	3	7	10
Certificates of Eligibility Granted	0	0	3	3
Advocacy courses run	1	1	1	3
New advocates admitted	0	4	3	7
Renewals processed	4	9	16	29

No applications for authorisation as an advocate or advocacy renewal certificate renewal were referred to the committee for decision in 2021.

## Analysis of equality and diversity data for 2021 applications

In 2021, CILEx Regulation continued to redact applicant details from applications prior to their referral to the Admissions and Licensing Committee.

As part of this Annual Report, CILEx Regulation has reviewed the diversity data for individual authorisation applications processed in 2021, in relation to gender, age and ethnicity. CILEx Regulation has reflected on the overall impact of decision making on several groups with protected characteristics.

The data analysis for 2021 authorisation applications was very similar to that of previous years. It has been noted that the percentage of refused applications as a total of all applications received continues to be very small (1.6%) and therefore findings may not be statistically valid.

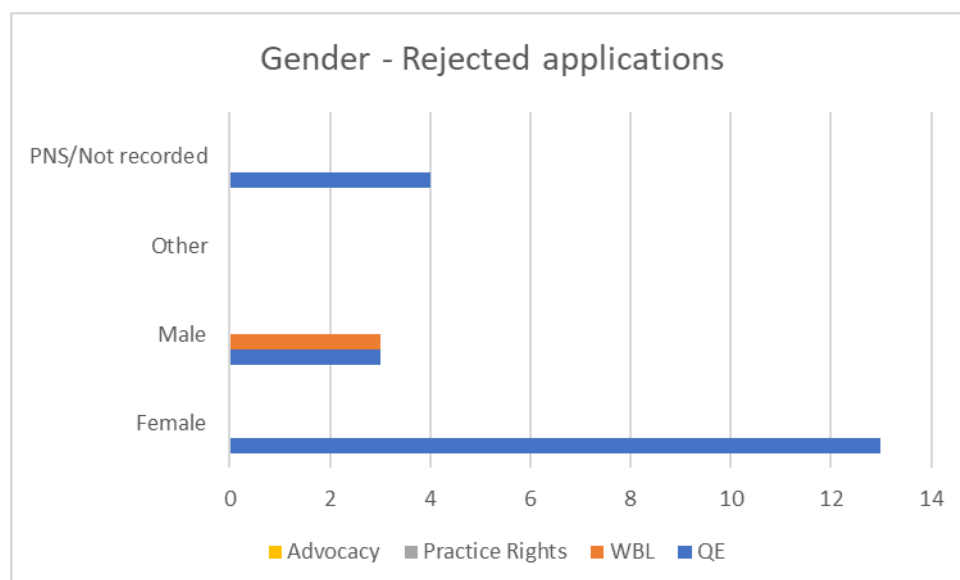
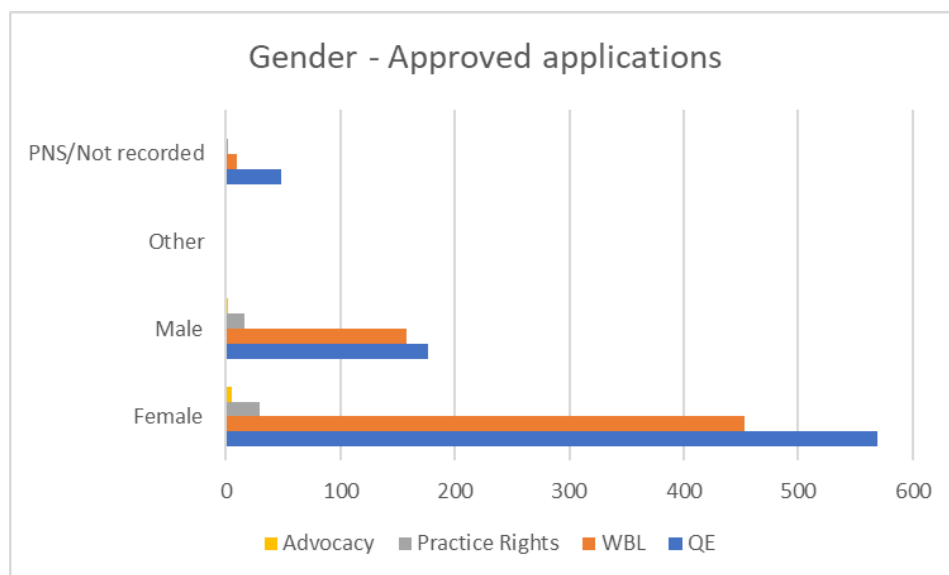
Some initial observations from the data analysis have been detailed below:

- It appears that the approvals and refusals by gender continue to reflect the male: female ratio for the CILEX membership.
- The majority of applications were received from applicants aged between 25 and 34 (59%).
- Applicants aged between 25-34 were most likely to be approved.
- As in previous years, the majority of applicants were white (70.8%).

## Gender

<b>Gender for approved applications</b>	QE	WBL	Practice Rights	Advocacy
Female	569	453	29	5
Male	177	158	16	2
Other	1	1	0	0
PNS/Not recorded	48	10	2	0

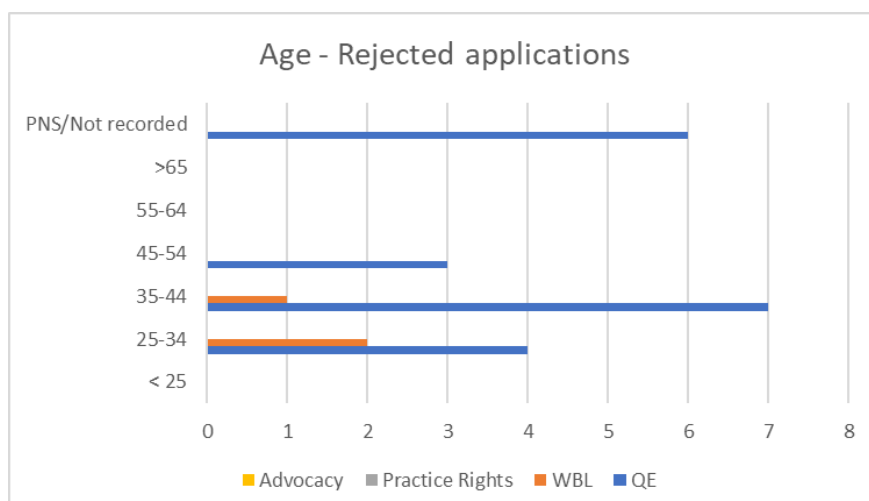
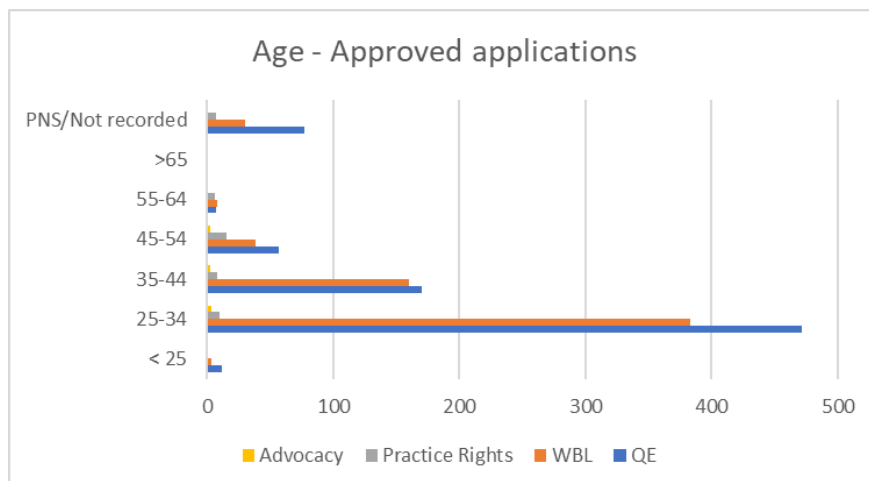
<b>Gender for refused applications</b>	QE	WBL	Practice Rights	Advocacy
Female	13	0	0	0
Male	3	3	0	0
Other	0	0	0	0
PNS/Not recorded	4	0	0	0



## Age

<b>Age for applications approved</b>	QE	WBL	Practice Rights	Advocacy
< 25	12	3	0	0
25-34	472	383	10	3
35-44	170	160	8	2
45-54	57	38	15	2
55-64	7	8	6	0
>65	0	0	1	0
PNS/Not recorded	77	30	7	0

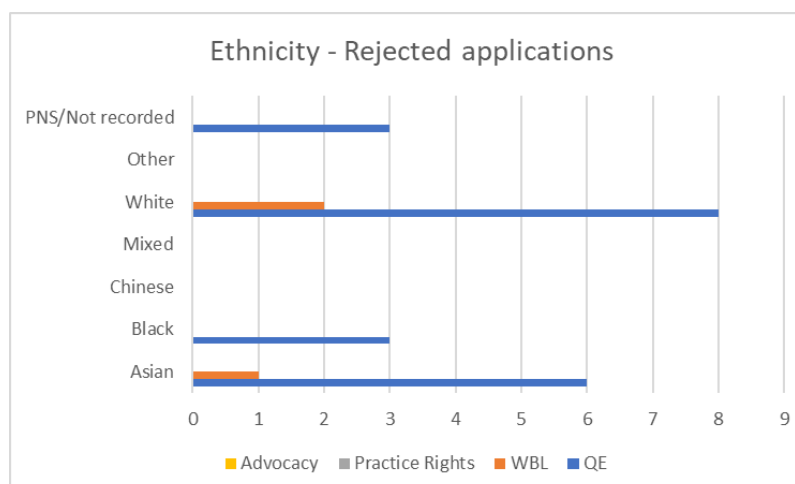
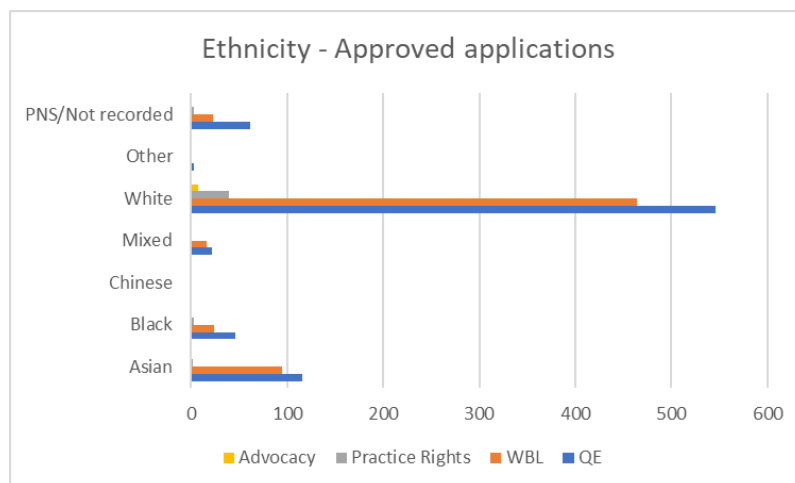
<b>Age for refused applications</b>	QE	WBL	Practice Rights	Advocacy
< 25	0	0	0	0
25-34	4	2	0	0
35-44	7	1	0	0
45-54	3	0	0	0
55-64	0	0	0	0
>65	0	0	0	0
PNS/Not recorded	6	0	0	0



## Ethnicity

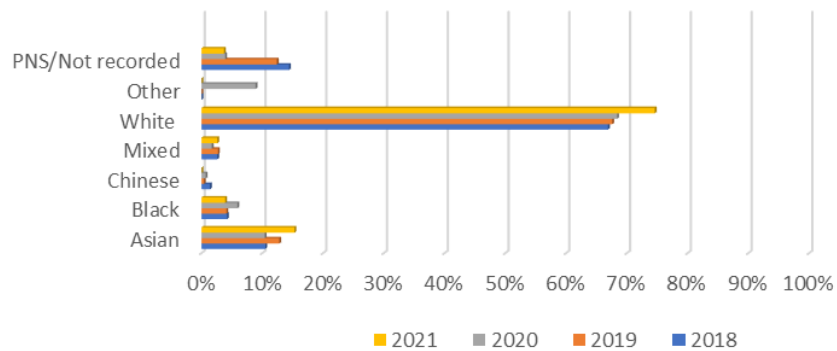
<b><i>Ethnicity for approved applications</i></b>	QE	WBL	Practice Rights	Advocacy
Asian	116	95	2	0
Black	46	24	3	0
Chinese	0	0	0	0
Mixed	22	16	0	0
White	546	464	39	7
Other	3	0	0	0
PNS/Not recorded	62	23	3	0

<b><i>Ethnicity for refused applications</i></b>	QE	WBL	Practice Rights	Advocacy
Asian	6	1	0	0
Black	3	0	0	0
Chinese	0	0	0	0
Mixed	0	0	0	0
White	8	2	0	0
Other	0	0	0	0
PNS/Not recorded	3	0	0	0

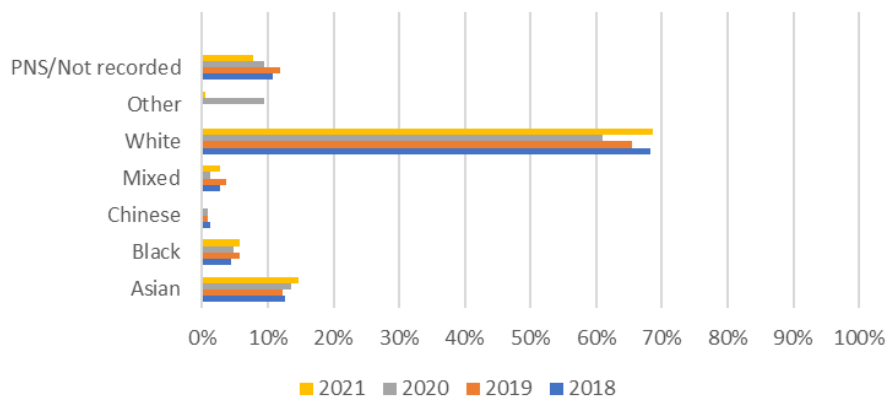


## Comparison of ethnicity data for 2018-2021 application decisions

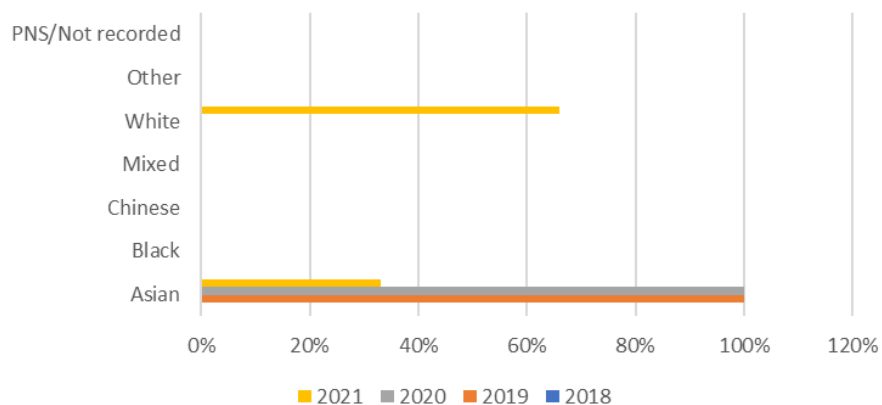
Work Based Learning - Approved applications  
2018 - 2021



Qualifying Employment - Approved applications  
2018 - 2021

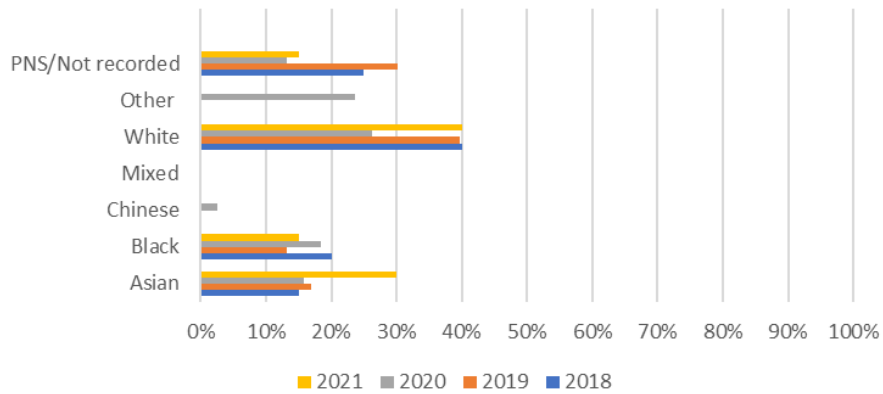


Work Based Learning - Refused applications  
2018 - 2021

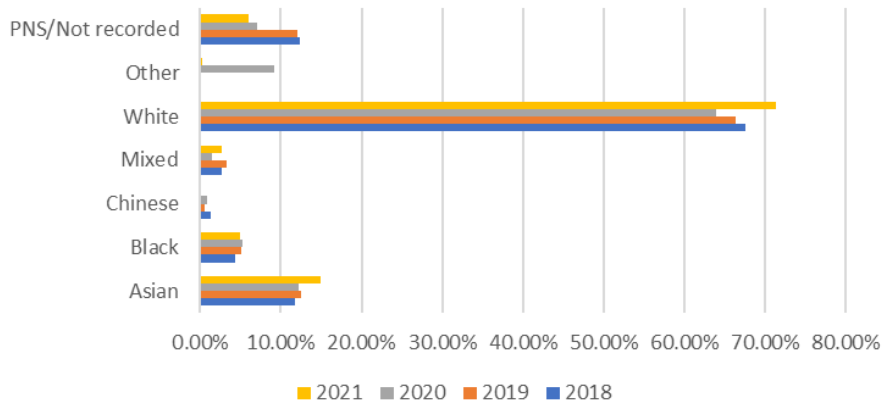




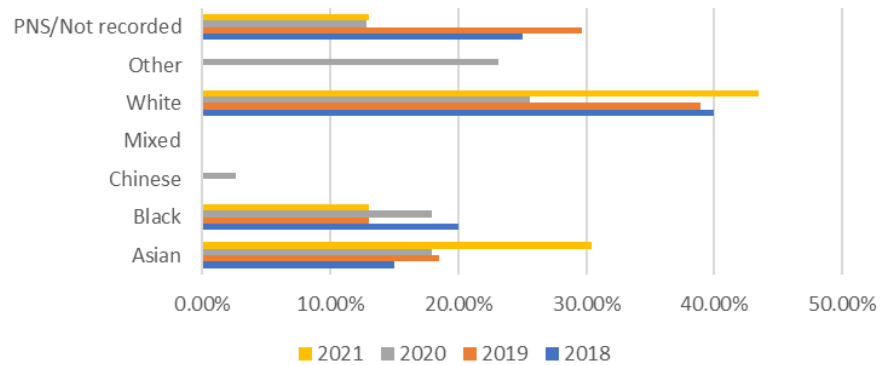
### Qualifying Employment - Refused applications 2018 - 2021



### Work Based Learning and Qualifying Employment Combined - Approved applications (2018 - 2021)



### Work Based Learning and Qualifying Employment Combined - Refused applications (2018 - 2021)



## Conclusions in relation to equality and diversity data

- As with previous Admissions and Licensing Committee annual reports, the data continues to show that applicants from BAME backgrounds are more likely to be refused than white applicants. However, it should be noted that the overall refusal rate remains very small and therefore the data should be treated with some caution.
- As mentioned earlier in the report, the applications referred to the Committee are anonymised of the applicant's name and any identifying details. It should be noted that the data in relation to ethnicity and the likelihood of an application being approved or refused has not significantly changed as a result.
- CILEx Regulation previously commissioned research to review its processes with applications and the report resulting from the research did not find that there were biases in the applications process. As such, this trend may be representative of a wider issue across the legal sector in relation to equality, diversity, and inclusion.