

CRL Consultation Webinar - 13 June 2023 Q&A

Some Introductory Comments

Thank you very much to everyone who attended one of our Webinars.

We have been very pleased with the level of responses and degree of engagement we had from you during the Webinar. It has enabled us to have a much better understanding about your priorities.

Whilst we were delighted over 100 registered to attend the webinar, we decided that asking you to post questions on the Q&A was the best way to ensure that as many people as possible could have their questions answered.

As agreed in the Webinar, we set out below answers to all the questions asked in the Q&A. The questions have been copied and posted without any editing.

Please send any further queries to consultations@cilexregulation.org.uk

[Access our consultation page for further details](#) – consultation closes 5pm 26 June, 2023.

Q&A

Question	Answer
Please can you explain what the pros are with CILEx regulation at present in terms of the qualification route (QE,WBL Portfolio, then Practice & Advocacy rights) as advised to going through SQE which includes practice rights upon conclusion?	<p>The CILEX route has traditionally been for people who do not necessarily possess traditional higher education qualifications and/or who cannot afford the costs of qualifying as a solicitor or barrister.</p> <p>CILEx provides a route that does not require a university degree, and enables you to learn while you earn.</p> <p>CRL sets the Education Standards, which has allowed CILEX to bring forward the CPQ.</p> <p>CILEX as the membership body promotes its own routes to qualification.</p>
Why did CILEx do this without a mandate from it's members? Appreciate you cannot answer on their behalf but to do this without consultation with yourselves or us is frankly disgraceful.	CRL has always believed that all CILEX members must have a voice in this process. Your voice will be heard and be taken into account when you respond to our consultation.
The Solicitors obviously hate us - we should have our education equivalent	CRL agrees that its education standards are equivalent to those of any other regulator.

to SQE2 and this has not been done and if we don't make sure we get full parity we will be ridden roughshod over and marginalised. Solicitors tell me I know more than they do, I am more highly trained and have better understanding and education in law in general than someone with a law degree so if we are going to have our regulation in common the solicitors need to recognise our qualifications.	ULaw have been very complimentary about the knowledge and experience of Fellows gaining Practice Rights through the assessment route.
My firm would like to appoint me as a director. However as there are already 3 non solicitor directors and 75% of the board has to be solicitors I am prevented from joining the board. Will these restrictions be lifted if we are regulated by the SRA	The SRA has not provided any information to date.
Would a move to SRA potentially even up the standing and recognition of solicitors and Legal Execs, in the courts? If so could CLR offer similar "levelling up".	<p>We have published a list of the courts that Chartered Legal Executives, CILEX Advocates and CILEX Practitioners can appear in on the website. There are some specific exceptions when representing organisations.</p> <p>Practice rights have been available since 2014. CRL will be submitting an application to regulate Higher Rights of Audience (building on Advocacy Rights) before the end of 2023.</p>
The combination of Chartered Accountants and Certified Accountants probably gives the best way forward in dealing with this - will this procedure learn the lessons from what other organisations have done?	<p>Regulation of legal services by the accountancy sector differs from the legal sector because legal services are delivered as an add on to their mainstream accountancy services.</p> <p>CRL welcomes suggestions from the CILEX membership about what they think would work best for them and learnings from other sectors.</p>
Re practice rights - It may feel more streamlined but it is causing more hoops for those to jump through , and further expense. Surely if the regulation changed to SRA, CLE's would be able to obtain practice rights via SRA which at present seems more straightforward for those who have been in practice as a CLE for many years and for those who are yet to qualify	<p>The CILEX website says</p> <p><i>'CILEX education route would need to be retained with CILEX members qualifying through CPQ'.</i></p> <p>Practice rights have been available since 2014. ULaw offer an assessment route and has announced assessment dates to the end of 2024.</p> <p>CRL will be submitting an application to regulate Higher Rights of Audience (building on Advocacy Rights) before the end of 2023.</p>

for anyone considering enrolling in the rights of audience course, is it worthwhile awaiting the outcome of the consultation? and are the consultations the reason why there is currently no date listed for the next course?	<p>CRL will submit an application to regulate Higher Rights of Audience (building on Advocacy Rights) before the end of 2023.</p> <p>Further dates for delivery of the current advocacy course will be announced shortly.</p>
It is easier to join CLC than to fill in the repetitive and very long one size fits all form with supporting documents to get CILEx lawyer status - the remedy for this is surely in CILEx's hands?	<p>CILEX Lawyer is a title offered by CILEX.</p> <p>CRL awards the titles Chartered Legal Executive and CILEX Practitioner (for those with a practice right).</p> <p>We currently receive the most practice rights applications for conveyancing.</p>
But if you claim to represent us, you should know this!	<i>No answer required</i>
Do CRL accept that to reach qualification and obtain practice rights is harder/ more time consuming than those that will now qualify via SQE/Sol apprenticeships? If remain, will you look into the future of the process?	<p>The changes to the Education Standards made in 2021 allow for practice rights to be assessed as part of the CPQ process.</p> <p>CRL believes this helps to increase the status of CLEs since they are able to practise unsupervised in a reserved (or regulated) activity once they qualify. The skills, knowledge and experience, including evidence, are still assessed.</p> <p>CRL also offers an assessment route for Fellows through ULaw, as an alternative to submitting a portfolio. We currently receive the most practice rights applications for conveyancing.</p> <p>Assessments are available quarterly through to the end of 2024.</p> <p>CRL has continued to review how practice rights are obtained, whilst ensuring that the required standards are met.</p> <p>CRL will continue to work with CILEX to ensure that the routes to qualification remain appropriate reflect best practice.</p>
You have not published all of the questions? Please can you answer the remaining questions asked. Thank you	<i>See comments above</i>
Hopefully the fact that the Law Society opened their Local Government Diploma course to CILEX from 2019 will indicate the greater recognition slowly happening although this is still	<i>No answer needed</i>

too slow and I still believe that an unfair imbalance remains.	
What is the reason for the CILEx application for PR being so much more complicated than that for CLC? For someone with circa 20 years PQE, this is incredibly disappointing	<p>The changes to the Education Standards made in 2021 allow for practice rights to be assessed as part of the CPQ process.</p> <p>CRL believes this helps to increase the status of CLEs since they are able to practise unsupervised in a reserved (or regulated) activity once they qualify. The skills, knowledge and experience, including evidence, are still assessed.</p> <p>CRL also offers an assessment route for Fellows through ULaw, as an alternative to submitting a portfolio. We currently receive the most practice rights applications for conveyancing.</p> <p>Assessments are available quarterly through to the end of 2024.</p> <p>Education standards are approved by the Legal Services Board. CRL is not able to comment on the requirements approved for the CLC.</p>
To all those asking why CILEx are doing this, please keep in mind it was CILEx and not CRL who proposed this. It is not entirely fair to ask CRL (who oppose it) to try to explain CILEx's thinking (which as Robert rightly says was vague and mostly speculative.)	<i>No answer required</i>
Is it known whether the SRA are agreeable to regulate CILEX members?	<p>In their Business Plan and Budget 2023/24 the SRA say:</p> <p><i>'Furthermore, we continue to engage with the Chartered Institute of Legal Executives (CILEX) following its approach to us to explore the transfer of regulation of CILEX members to the SRA, while retaining their distinct identity as CILEX practitioners and their route to qualification.'</i></p>
Can the CILEx board change regulator without consulting us or will we have a say?	<p>CRL has always believed that all CILEX members must have a voice in this process. Your voice will be heard and be taken into account when you respond to our consultation.</p> <p>We understand that CILEX will be launching their own consultation in late July 2023. We encourage you to respond to that consultation to ensures your voices are heard.</p>

Do CRL feel that they are able to improve the way CLE's are viewed in the workplace if they don't feel that a move to the SRA would be achieve such fairness? If so, what plans are in place	<p>The SRA regulates c160,000 solicitors as against 7,200 Chartered Legal Executives and CILEX Practitioners.</p> <p>CRL has made progress in breaking down barriers and is committing further significant resources to this as part of its future plans.</p>
Please note that there are many CILEx professionals that are so disappointed with the current status of how these bodies are behaving. The fact that you are not listing my questions unfortunately reconfirms my views.	<p>CRL has always believed that all CILEX members must have a voice in this process. Your voice will be heard and be taken into account when you respond to our consultation.</p> <p>Apologies for the delay in listing your questions. You will be pleased to note that those questions and your comments are included in this document.</p>
Are CRL planning on proposing a more straightforward process of obtaining practice rights for CLE's in light of how those qualifying via the new CPQ will obtain PR automatically	<p>CRL was authorised in 2014 to grant individual practice rights subject to a portfolio assessment.</p> <p>The changes to the Education Standards made in 2021 allow for practice rights to be assessed as part of the CPQ process.</p> <p>CRL believes this helps to increase the status of CLEs since they are able to practise unsupervised in a reserved (or regulated) activity once they qualify. The skills, knowledge and experience, including evidence, are still assessed.</p> <p>CRL can also offer an assessment route for Fellows through the University of Law (ULaw) as an alternative to submitting a portfolio. Assessments are available quarterly through to the end of 2024.</p>
We ought all to be regulated to the same standards whether solicitors or legal executives, so would a way forward be for the LSB to set up a new regulation authority to replace both SRA, CILEx RA, and any other related organisations (e.g., Licensed Conveyancers). If we are subsumed we'll be closed out but a new Joint Regulatory Authority would benefit both the clients and ourselves, wouldn't it?	<p>CRL believes that any change should be discussed in an open manner with all stakeholders so that the most appropriate regulatory arrangements can be put in place.</p>
What do CRL do better than the SRA?	<p>The LSB published the latest Regulatory Performance Assessments in January 2023.</p> <p>CRL believes it is well placed to understand and respond to the needs of all those it regulates.</p>

What reason have CILEX given so far for wanting to change regulator?	<p>CILEX have provided information on their website.</p> <p>CRL will be responding to their case for change which will be published as part of the CILEX consultation.</p>
I am aware that a number of conveyancing CILEx Fellows are leaving CILEx to join CLC as they can automatically gain practice rights without the need for a further exam or portfolio. How is CRL looking to deal with this to prevent further Fellows from leaving CILEx?	<p>CRL has advised CILEX that some CILEX Fellows have applied to be licensed by the CLC.</p> <p>We currently receive the most practice rights applications for conveyancing.</p> <p>CRL works closely with HM Land Registry to raise the profile of CILEX Conveyancing Practitioners</p>
Do SRA recognise the CILEX qualification? Or will FILEX have to requalify as Solicitors if SRA regulate them?	<p>CRL awards the titles Chartered Legal Executive and CILEX Practitioner (for those with a practice right).</p> <p>The SRA has not provided any information to date.</p>
With respect, you are only dealing with the questions that you want to answer. This is a horrible thing for us to be having to witness. Why aren't you openly addressing our concerns as our regulator!	<p>All the questions submitted today have been answered and, as we have said, we want to understand what the CILEX membership expect from their regulator in the future.</p>
As a FCILEx in a solicitor's firm I have to live with SRA requirements which strike me as very good but not really differing from CILEx's requirements. The legal standards surely should be the same for all legal professionals, just ourselves and solicitors?	<p>CRL agree that consistent standards need to be applied across the legal profession.</p>
Please could you summarise the main reason CILEX have given for the need for change?	<p>CILEX have provided information on their website.</p> <p>CRL will be responding to their case for change which will be published as part of the CILEX consultation.</p>
You have not answered all of the questions, please publish them all and answer them all	<p>All the questions submitted today have been answered and, as we have said, we want to understand what the CILEX membership expect from their regulator in the future.</p>
Please could the case for change be published or linked on the CLR website where it is easily accessible to members to read	<p>CILEX have provided information on their website.</p> <p>CRL will be responding to their case for change which will be published as part of the CILEX consultation.</p>
Please confirm why chat / mic is disabled?	<p><i>See comments above</i></p>

<p>Please confirm why this event - which is seeking the comments of "the regulated community" - when a large number of those are sitting exams right now, or revising</p>	<p>The timing of these events was dictated to CRL by the need to meet the CILEX timetable to progress their case for change.</p> <p>We hope that all CILEX members will respond to any future CILEX consultations on the options they put forward.</p>
<p>Please confirm my questions are being received</p>	<p><i>No response required</i></p>
<p>My question was actually that I don't know why you are holding a consultation when a large number of CILEx professionals are sitting exams</p>	<p>The timing of these events was dictated to CRL by the need to meet the CILEX timetable to progress their case for change.</p> <p>We hope that all CILEX members will respond to any future CILEX consultations on the options they put forward.</p>
<p>I intend to email you directly as you have failed to acknowledge my question about the timing of today's meeting. Unfortunately this only helps people to decide whether you are listening to us as regulated individuals</p>	<p>All the questions submitted today have been answered and, as we have said, we want to understand what the CILEX membership expect from their regulator in the future.</p>