



# CILEx Regulation Admissions and Licensing Committee **Report 2023**

## Chair's Foreword—Ann Thunhurst

Another successful year has drawn to a close with Committee scrutiny undoubtedly adding rigour to applications considered, with the majority accepted and progressed.

The wealth of experience and background of Committee members adds significant value to the process, as well as providing an excellent environment for members to learn from each other and share interpretations of principles arising within dialogue. Most of the dialogue and decisions made related to the increasingly diverse nature of Qualifying Experience.

Qualifying Experience and Work Based Learning application numbers have decreased further this year. Pleasingly, applications via the Apprenticeship route have increased.

The Committee agreed to extend the Office delegated authority, for common queries with precedent, speeding up the process and improving service for both customers and staff.

There has been an increase in the number of foreign supervisor requests, most of which have been accepted. The nature of applications is increasingly diverse with many interesting discussions around legal application in various guises. New areas of expertise are growing such as GDPR and Legal Technologists.

The latter provoked lengthy interesting discussion as to the role technology can and potentially plays in the application of the law and the degree to which legal skills, knowledge and understanding can be applied via the construction of a technological framework designed to accelerate processes and efficiently deal with volume. The Committee would welcome further discussion and identification of these new and emerging roles and the part they play within the community served by CILEx Regulation.

In conclusion the Committee welcomes the opportunity to add value to both CILEx Regulation as an organisation and applicants alike, in addition to experiencing glimpses of the future and the potential role that CILEx Regulation can play.

## 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 2023 across the different areas of responsibility.

Six committee meetings were held in 2023. All meetings were held virtually.

## Qualifying Experience and authorisation as a Chartered Legal Executive

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

- Two thousand three hundred hours of qualifying experience; and
- Assessment of competence through submission of a work-based learning portfolio

In 2023:

- **584** applications (800 in 2022) for qualifying experience assessment had received payment for processing
- **659** applications (676 in 2022) for authorisation as a Chartered Legal Executive via Work Based Learning had received payment for processing
- **75** applications (66 in 2022) for authorisation as a Chartered Legal Executive via the Chartered Legal Executive Apprenticeship were processed

Office decisions by application type	Approved	Refused	Total
Qualifying Experience	551 (44%)	0	551 (44%)
Fellowship via Work Based Learning	621 (50%)	5	626 (50%)
Fellowship via CLE Apprenticeship	75 (6%)	0	75 (6%)
Total	1,247 (100%)	5 (100%)	1,252 (100%)

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.

Committee decisions by application type	Approved	Refused	Total
Qualifying Experience	21 (84%)	2 (40%)	23 (77%)
Fellowship via Work Based Learning	4 (16%)	3 (60%)	7 (23%)
Fellowship via CLE Apprenticeship	0	0	0
Total	25 (100%)	5 (100%)	30 (100%)

- **30** (or 2%) of the **1252** applications approved in 2023 were determined by the Committee
- **84%** of approval decisions made by the Committee in 2023 related to the assessment of work experience against the definition of qualifying experience, as outlined in the Application for Fellowship Rules.

## Recognition of qualification obtained outside of the United Kingdom

In November 2022, the Legal Services Board approved an application to allow CILEx Regulation (CRL) to extend the scope of its existing regulatory arrangements to accept applications to become authorised as a Chartered Legal Executive or a CILEX Practitioner from individuals who qualified in any jurisdiction outside of the UK, in compliance with the Professional Qualifications Act 2022.

In 2023:

- **8** new applications were received, with **2** applications authorised. One application was withdrawn, with the other applications awaiting further information as at 31 December 2023.

## Accreditation of training providers

The Committee did not approve any new training providers in 2023.

Bloomsbury continues to deliver Chartered Legal Executive pathways. The University of Law continues to deliver practice rights courses<sup>1</sup> as an alternative to the portfolio route for Fellows. Barbri Altior continues to deliver Advocacy Skills courses for those who are undertaking practice rights with advocacy or those who want to become a Chartered Legal Executive Advocate. In 2023 4 advocacy skills courses were delivered with a 100% pass rate.

Barbri Altior cancelled a family course later in 2023 and currently has only one trainer for the course. Waiting times for the criminal course can also be significant since the provider requires a minimum number of applicants to ensure the course is financially viable.

## Authorisation to practise in one or more reserved activities

CRL authorises individuals to practise in one or more reserved activities, subject to applicants meeting the essential knowledge, skills, experience, and competence requirements.

There are multiple ways in which CRL can authorise individuals with practice rights which includes the following:

- Practice rights portfolio route or through a University of Law course depending on the area of practice and whether or not the applicants are CILEX Fellows;
- ACCA CILEX Practitioners through an online application and recognition of accounting and probate qualifications;
- Authorisation of conveyancing and probate practice rights through the authorisation of authorised person exemption.

In 2023 a total of **159** applicants across all schemes were authorised (compared to 89 in 2022), an increase of 44% from the previous year and these included:

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<sup>1</sup> in conveyancing, probate, civil litigation and family litigation

Office decisions by application type	Approved	Refused	Total
Portfolio	47 (30%)	1	48 (30%)
University of Law course	48 (30%)	0*	48 (30%)
ACCA Registrations	7 (4%)	0	7 (4%)
ACCA Renewals	47 (30%)	0	47 (29%)
Authorised Person Exemption Scheme	10 (6%)	0	10 (6%)
Total	159 (100%)	1	160 (100%)

\* Those applicants who undertake the University of Law courses have two attempts to re-sit assessments if they fail and they can also defer the resit, so it is difficult to determine less than two years into the delivery of the courses if anyone has failed. There is no timeline in the practitioner rules for passing either the portfolio route or the University of Law practice rights once an application has been submitted or assessment taken.

- 1 application received through the portfolio route was refused by the Office because of quality issues.

## Authorisation to practice advocacy

CRL 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 2023, the following applications for authorisation as an advocate in one or more of the proceedings were processed:

	Civil	Criminal	Family	Total
New applications received	2	3	2	7
Advocacy courses held	2	1	1	4
New advocates admitted	1	3	3	6
Renewals processed	3	32	28	63

It was determined that advocacy applications had not been recorded in a consistent way in 2023 and therefore the figures presented especially with regards to the new applications may not reflect accurately the new applications processed. Since January 2024 a new process has been introduced to ensure greater consistency.



## Analysis of equality and diversity data for 2023 applications

In 2023, CRL continued to redact applicant details from applications prior to their referral to the Admissions and Licensing Committee.

As part of this Annual Report, CRL has reviewed the diversity data for individual authorisation applications processed in 2023 in relation to gender, age and ethnicity. CRL has reflected on the overall impact of decision making on several groups with protected characteristics.

The data analysis for 2023 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 (0.1%) 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 (43%).
- Applicants aged between 25-34 were most likely to be approved.

As in previous years, the majority of applicants were white (62%).

### Gender

Gender for approved applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
Female	405 (74%)	410 (66%)	59 (79%)	74 (78%)	0	948 (71%)
Male	98 (18%)	105 (17%)	14 (19%)	18 (19%)	0	235 (18%)
Other	0	0	0	1 (1%)	0	1 (0%)
PNS/Not recorded	46 (8%)	106 (17%)	2 (3%)	2 (2%)	0	156 (12%)
Total	549 (100%)	621 (100%)	75 (100%)	95 (100%)	0	1,340 (100%)

Gender for refused applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
Female	1 (33%)	3 (60%)	0	0	0	4 (50%)
Male	2 (66%)	2 (40%)	0	0	0	4 (50%)
Other	0	0	0	0	0	0
PNS/Not recorded	0	0	0	0	0	0
Total	3 (100%)	5 (100%)	0	0	0	(100%)

## Age

Age for approved applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
< 25	8 (1%)	1 (0%)	0	0	0	9 (1%)
25-34	277 (50%)	291 (47%)	47 (63%)	11 (12%)	0	626 (47%)
35-44	143 (26%)	147 (24%)	16 (21%)	48 (52%)	0	354 (26%)
45-54	45 (8%)	44 (7%)	8 (11%)	27 (28%)	0	124 (9%)
55-64	5 (0%)	14 (2%)	1 (1%)	6 (6%)	0	26 (2%)
>65	0	1 (0%)	0	1 (1%)	0	2 (0%)
PNS/Not recorded	71 (13%)	123 (20%)	3 (4%)	2 (2%)	0	199 (15%)
Total	549 (100%)	621 (100%)	75 (100%)	95 (100%)	0	1,340 (100%)

Age for refused applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
< 25	0	0	0	0	0	0
25-34	1 (33%)	0	0	0	0	1 (13%)
35-44	0	1 (20%)	0	0	0	1 (13%)
45-54	1 (33%)	3 (60%)	0	0	0	4 (50%)
55-64	1 (33%)	1 (20%)	0	0	0	2 (25%)
>65	0	0	0	0	0	0
PNS/Not recorded	0	0	0	0	0	0
Total	3 (100%)	5 (100%)	0	0	0	8 (100%)

## Ethnicity

Ethnicity for <i>approved</i> applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
Asian	81 (15%)	64 (10%)	5 (7%)	3 (3%)	0	153 (11%)
Black	27 (5%)	30 (5%)	4 (5%)	4 (4%)	0	65 (5%)
Mixed	18 (3%)	15 (2%)	3 (4%)	1 (1%)	0	37 (3%)
White	367 (67%)	392 (63%)	59 (79%)	84 (88%)	0	902 (67%)
Other	4 (1%)	7 (1%)	1 (1%)	0	0	12 (1%)
PNS/Not recorded	52 (9%)	113 (18%)	3 (4%)	3 (3%)	0	171 (13%)
Total	549 (100%)	75 (100%)	75 (100%)	95 (100%)	0	1,340 (100%)

Ethnicity for <i>refused</i> applications	QE	WBL	Apprenticeship	Practice Rights	Advocacy	Total
Asian	2 (66%)	4 (80%)	0	0	0	6 (75%)
Black	0	0	0	0	0	0
Mixed	0	0	0	0	0	2 (25%)
White	1 (33%)	1 (20%)	0	0	0	0
Other	0	0	0	0	0	0
PNS/Not recorded	0	0	0	0	0	0
Total	3 (100%)	5 (100%)	0	0	0	8 (100%)

## Conclusions in relation to equality and diversity data

- As with previous Admissions and Licensing Committee annual reports, the data continues to show that overall refusal rates across all applications remains very small, and therefore any data regarding BAME backgrounds should be treated with some caution.
- Any applications considered by the Committee are anonymised. 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.
- CRL 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 indicative of a broader equality, diversity, and inclusion issue across the legal sector.