



**Arrangements for SRA regulation of CILEX members
Responses to our consultation**

March 2024

These respondents, listed in the order in which they responded to the consultation, asked us to name them and publish their responses. The text of their responses follows the list of names.

Nicholas Walton

Denys Kent

Adrian St John Clemens

Andrew Melling

Anthony Garcia-Deleito

Lachlan Atcliffe

Howard Shelley

David Taylor

Sabina Masimova

Steven Mather

Liverpool Law Society

Solicitors Disciplinary Tribunal

Dorset Law Society

Association of Chartered Certified Accountants

Birmingham Law Society

Bloomsbury Institute

Criminal Law Solicitors' Association

Leicestershire Law Society

Legal Services Consumer Panel

The Law Society of England and Wales

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:11 Data

2. About you

1.
First name(s)

Nicholas

2.
Last name

Walton

3.
Please enter your SRA number (if applicable)

424364

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

retired

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

None

12.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX

lawyers?

I believe that there should be one Code of Conduct which covers all legal professionals whether CILEX or not

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

The sooner this is done the better for both the SILEX lawyers and SRA governed legal professionals

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

none

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

none

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

This should be done as soon as possible

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

If the entities meet the regulatory standards for authorisation they should be welcomed into the regulatory process and domain of the SRA

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Governance under the umbrella of the SRA will give the general public using their services the confidence that there is a body corporate which regulates their activities in exactly the same way as SRA does now for the legal profession for whom they are responsible

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Yes

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

None

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

None

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

None

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

None

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Yes

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

The process should be the same as currently for SRA regulated/ authorised firms

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

None

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

Subject to the adoption of the new proposed criteria.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Subject to the governance criteria being adopted by the CILEX bodies and authorised CILEX lawyers

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

None

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

If they wish to join the club they must abide by the rules.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

none

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

none

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

It should be the same as currently adopted in respect of SRA firms

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

Current regulations, governance and sanction should apply to all. If this is not the case Instructions by clients to those lawyers should be met with the caveat and provision made to ensure Clients are aware of the differences

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

none

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

None

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Should be as per current regulations for SRA authorised firms

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

I can see no benefit to the Client, why should exempt professional entities be allowed to carry on regulated financial services activities.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-

commercial body? If so, please explain.

none

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

none

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

none

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

none

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:16 Data

2. About you

1.
First name(s)

Denys

2.
Last name

Kent

3.
Please enter your SRA number (if applicable)

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

Retired

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

The SRA cannot properly govern its own behaviour. It should not be allowed to seek to or govern any other body. Its aims re CILEX are simply the aims of an empire builder and should be barred.

12.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX

lawyers?

The SRA serves no useful purpose. The solicitors' profession was regulated perfectly well before the coming into being of the SRA which should be dissolved saving costs for all and saving yet further embarrassment to the profession.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Totally unnecessary.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No. The solicitors' profession and bodies related to it should have nothing whatsoever to do with the regulation of CILEX.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

See previous answers.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No. See previous answers.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No. See previous answers.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

I have no opinion on this.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No. See previous answers.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No. See previous answers

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No. See previous answers

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No see previous answers

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No. See previous answers

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No. See previous answers

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No. See previous answers.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No. See previous answers.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

No. See previous answers.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No. See previous answers.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No. See previous answers.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No. See previous answers.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised

CILEX bodies? Please explain.

No. See previous answers.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No. See previous answers.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No. See previous answers.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No. See previous answers.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

The SRA's so called approach on 'consumer information' has done nothing whatsoever to secure improved service to solicitors' clients (note: not consumers) so its proposed approach on CILEX issues is equally doomed.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No. See previous answers.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No. See previous answers.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No. See previous answers.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No. See previous answers.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No. See previous answers.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No. See previous answers.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No. See previous answers.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No. See previous answers.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No. See previous answers.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:28 Data

2. About you

1.
First name(s)

Adrian St John

2.
Last name

Clemens

3.
Please enter your SRA number (if applicable)

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

N.A. Retired.

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Yes, I concur with the Law Society's views and am not in favour of SRA regulating CILEX.

12.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No, CILEX should be independent. The purpose of government reforms over the years has been to create more competition. If CILEX should fall under the umbrella of SRA so should Licensed Conveyancers and in that event the SRA may find itself having to change its name with the word solicitor omitted. This would be at odds with the government policy of creating competition. There are now different types of lawyers and their ethics should not be presumed to be the same.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

See my answer to 2 above.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

See my answer to 2 above.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

See my answer to 2 above.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

See my answer to 2 above.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No, see my answer to 2 above.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Yes.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Not really, see my answer to 2 above.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

See my answer to 2 above.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

See my answer to 2 above.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

See my answer to 2 above.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

see my answer to 2 above.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No, see my answer to 2 above.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No, see my answer to 2 above.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No comments but bear in mind my answer to 2 above.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No, see my answer to 2 above.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Definitely not.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised

CILEX bodies? Please explain.

No but bear in mind my answer to 2 above.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No but bear in mind my answer to 2 above.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

See my answer to 2 above.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

See my answer to 2 above.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No but bear in mind my answer to 2 above.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

See my answer to 2 above.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

See my answer to 2 above.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

I cannot answer this question as I do not approve of TPMA's.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

See my answer to 2 above. It should not be the SRA's concern as CILEX should be independent.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

See my answer to 31 above.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional

arrangements? If so, please explain.

No.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No but bear in mind my answer to question 2.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:30 Data

2. About you

1.
First name(s)

Andrew

2.
Last name

Melling

3.
Please enter your SRA number (if applicable)

100151

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

retired

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

It is a bad idea. It is likely to lead to confusion.

12.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX

lawyers?

No. SRA should remain entirely separate from CILEX.

13.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

as above.

14.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

As above

15.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Yes. Leave it to CILEX

4. Consultation questions - page 2/7

16.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

As above

17.
7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

As above

18.
8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

As above

19.
9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

As above

20.
10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

As above

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

As above

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

As above

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

As above

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

Scrap them

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

As above

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

As above

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

As above

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

As above

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

Scrap them

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Absolutely not, although the question should not arise if SRA kept out of CILEX affairs.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

As above

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

As above

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

As above

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

As above

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

As above

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

As above

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

As above

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

As above

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

As above

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

As above

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

As above

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

As above

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

As above

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

As above

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

As above

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:56 Data

2. About you

1.
First name(s)

Anthony

2.
Last name

Garcia-Deleito

3.
Please enter your SRA number (if applicable)

274683

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

CONSULTANT SOLICITOR

9.
Please specify if you are

an in-house solicitor

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

A single integrated regulatory body for all legal practitioners of whatever qualifications which would thereby might be able to enforce compliance and perhaps to universalise enforcement of undertakings is to be welcomed. However, you may no longer

call yourselves the Solicitors' Regulation Authority and must rebrand to a generic Legal Regulation Authority because it is not correct to put other methods of qualification into Law on the same footing as the traditional Solicitors' pathway, nor thereby to confuse the public about the legal qualification of the person they engage.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No. Harmonise and ensure a level playing field and enforcement of undertakings. Bring in licensed conveyancers and conveyancing barristers too under the same regime.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Align all conveyancing services and their compliance rules across all providers but rename the SRA to a generic name of legal regulator.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

I cannot comment as I have not taken time to read them, but harmonisation and thought to enforcement of undertakings under one umbrella Authority must be mutually of interest to all practitioners and consumers, especially in conveyancing.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No comment.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No comment.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Care should be taken to maintain the distinction of the legal qualifications. It does not matter, if the SRA renames as, say, "LRA", legal regulatory authority. You will also need to speak to the Bar Council. What would they say if Cilex started to want to be regulated as barristers? Why should the Solicitors' profession be uniquely to bear the blending and merger of legal qualifications and regulations with Cilex?

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Accountancy and any other firms conducting legal work/trust management ought also be regulated by a super regulator, some "legal regulatory authority" to ensure a level playing field and harmonised compliance standards. However, the SRA could no longer call itself the "SRA".

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No comment as I am not familiar.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No comment.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

So long as the professional standards are equally highly placed as between differing qualifications types, I am happy.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

A number of SRA decisions featured in The Gazette have seemed potentially harsh where, reading between the lines, especially younger professionals may have been left unsupported and unsupervised. Perhaps a self-certificate by the practice manager may be necessary to ensure industry-wide standards on the road to qualifying and in early years thereafter, say up to 3 ppe min. are being maintained.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

Only as above. The separate qualifications need to remain separate or otherwise Cilex disappear and simply a new pathway to qualification as a Solicitor be more widely recognised.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

Cannot comment.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

As above.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes, assuming you are no longer the "SRA" or else that a new road to qualifying as a Solicitor be recognised. Otherwise, you must call the organisation something other than the Solicitors' Regulation Authority in order to avoid confusion in the public over the practice and their practioners' qualification level.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Caveats and concerns as expressed above.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

To remove a practising right is to take away a person's livelihood and is a serious matter. The fullest principles of natural justice

should be applied. A perfunctory summary judgement approach is probably unlikely to accord with basic principles of natural justice and is to be avoided unless the evidence in a matter is truly overwhelming and without possibility of reasonable doubt. To hear the accused and to allow the accused to put their defense is fundamental to a fair regulatory regime.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

Cannot comment.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

To be fair, this would depend on whether the PII insurance industry can first be canvassed to comment so as to indicate whether such firms are (or are not) any more risky than traditional law firms. There is already much to worry about existing entrants of yesteryear by way of other ABS structures. On balance, I tend towards "no"; CiLex need to arrange their own run-off cover for min. 25 years. Or, the SRA would need to ask its insurers and actuaries to advise so as to figure out an appropriate price for the CiLex to buy into our taking on their risks under our policy/CF indemnity contributions scheme.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Possibly, subject to the appropriate pricing of risk acceptance and the SRA No longer being called the SRA but instead a more generic name as legal regulator, removing the word "Solicitor's"

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

Cannot comment.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

I take the view that if you are doing this exercise at all it has to be with the overall goal to harmonise and create a level playing field for lawyers of all qualification types. Otherwise, scrap the whole idea of merger of regulation.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

Again, it would be essential in order to have a level playing-field between professionals of differing qualifications practicing in the same legal work-types to be subject to the same rigorous standards so as to maintain public standards for the consumer. Otherwise, the regulatory merger exercise becomes fatally flawed.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

I am only familiar with SRA standards which I believe interact well with the general law anyway. There ought not be a problem. The higher standard (whichever that may be ought to prevail)

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

Personally I do not mind whatever, so long as there is a level playing-field and that the nature and level of qualification of legal practitioner (indeed if having any legal qualification at all, or if partially qualified to indicate) is regulatorily mandated be made clear to the consumer, so that the consumer be clear about their choice of level of practitioner being engaged to perform their legal work.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

Clear disclosure needs to be made to the consumer about the level of qualification of their lawyer with day to day conduct of their matter and that they are aware and consent to a blend or variance of legal level of qualification for different stages of their matter as appropriate.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

Happy so long as everything is the same for all - the level playing-field principle applies.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

There seems an argument here to have legal super regulator instead, based on existing SRA standards, but for the SRA to no longer call itself as "S" for regulation of solicitors, but instead to be a generic Legal Regulatory Authority "LRA".

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

If there is to be a level playing-field then the same standards must be applied. That either means loosening existing SRA requirements or else tightening the CILEX standards. In the end, the two outcomes to be achieved must, in my view, be twofold of achieving a level playing field and whilst also protecting the public and consumer in order to maintain the reputational standards of legal practice in England and Wales (and the UK generally) as a safe place to conduct business.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

So long as properly qualified persons are engaged and there is a level playing-field, I do not mind. What does the FCA say?

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

I do not mind so long as the distinction of legal qualifications (ef. whether Solicitor or CILex) is made plain and visible to the consumer and there be a level playing-field for practitioners giving the consumer or user of legal services the transparency and choice as to the qualification of their legal service provider.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

Unable to comment save to say I do not mind so long as the outcome achieved ensures a level playing-field and fully prices in and recovers (or else excludes) any risk acceptance in liabilities caused by merging (eg. say, as to access to the Solicitor's Compensation fund, which this questionnaire seemd to suggest a possibility).

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

Unable to comment.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Unable to comment.

Arrangements for SRA regulation of GILEX members: Consultation

Response ID:77 Data

2. About you

1.
First name(s)

Lachlan

2.
Last name

Atcliffe

3.
Please enter your SRA number (if applicable)

522510

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

OneSource

9.
Please specify if you are

an in-house solicitor

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

No.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

Yes.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

My comments all relate to training.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Yes, I think this will achieve the desired result.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

I would prefer the SRA starts thinking about how to regulate once they are "onboard" rather than blindly copying the old arrangements. It defeats the point otherwise.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

I want to be sure that CILEX lawyers have a route into the profession and a respected qualification. The recession and pandemic saw an explosion of "half-lawyer" paralegal qualifications, which ended up a trap for the unwary or those who couldn't

afford the vocational courses. I don't want CILEX lawyers to end up some sort of second-class paralegal open to exploitation.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

See earlier re wanting qualification routes into the profession that don't sideline CILEX lawyers or trap them.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

None.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes, so long as they are familiar with CILEX and not applying solicitor standards blindly.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes, very much so.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:85 Data

2. About you

1.
First name(s)

Howard

2.
Last name

Shelley

3.
Please enter your SRA number (if applicable)

343801

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

K J Conroy & Co

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

No.

12.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX

lawyers?

Yes. CILEX members can hardly be held to the same standards as solicitors given the different educational background.

13.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

This seems very sensible. Alignment - where it is possible - is just easier. It makes good sense (for example to enforce the same rules for personal probity and conflict of interest).

14.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No. The code seems clear enough.

15.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

17.
7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

The authorisation should be just ported across. There is no need for reauthorisation. it would be a bureaucratic exercise with no actual purpose.

18.
8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

19.
9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

20.
10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

There should be no change. If the CILEX arrangements are good now (and I see no evidence that they are not) then they are good in the future. If it ain't broke don't fix it.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

None.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

None

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

None

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

I do not think that the SRA should regulate CILEX members at all. They are not very good at regulating solicitors and this just adds another area of complexity.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

Yes

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

There is a difficulty in that (potentially at least) a person facing regulatory action could argue that the SRA, while it is the statutory regulator lacks the ability, knowledge and skills to regulate CILEX members.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

If the decision is that the SRA should go ahead then providing the CILEX members contribute then I can see no difficulty. Work would need to be undertaken to assess the level of risk they represent though since payment needs to be commensurate with this.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

if it is decided to proceed at all - yes.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

seems sensible

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

seems sensible although I would have thought this would be an opportunity to review AM procedures for everybody.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No - it is a matter for the

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

no

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

no

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No comment

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

If they didn't need to do it before - why should it change. If the regulator changes this is just an issue of enforcement. Unless the SRA can demonstrate that CILEX standards are bad, leave well alone. Apart from anything else if the SRA starts tinkering with CILEX rules it is hardly going to be a happy marriage if the SRA starts out by binning a lot of the existing rules.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial

services activities as an exempt professional firm? If so, please explain.

Why shouldn't they?

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

None

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

None

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of GILEX members: Consultation

Response ID:88 Data

2. About you

1.
First name(s)

David

2.
Last name

Taylor

3.
Please enter your SRA number (if applicable)

164264

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

Hanne & Co

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

My comment is where is the question as to whether i agree to the whole thing. The consultation is clearly biased in that it assumes it is a done deal and merely asks for comments on the procedure for amalgamation.

Where is the position of the Law Society set out opposing this merger? The Law Society is the Regulator under the Legal Services Act, the SRA merely and agent to which the Society has devolved its powers. Why, therefore, is the Society's view omitted in all the preamble to this consultation

The clue is in your title. Once again the SRA seek to empire build when they are not doing the simplest things well. One only has to see what a dog's dinner you have made of the Axiom case.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

NO

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

CILEX members are not solicitors as much as they crave equivalence. This being their latest tactic to acquire it.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

See Q1

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

See Q1

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Once again the public will be confused as a CILEX member will point them being regulated by the SRA but they are not solicitors.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

I assume no comment will be made on the registers that the CILEX do not have the same professional training or duties that solicitors have.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

See Q1

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

There is still a differential and CILEX will not be under the same "robust" glare of the SRA as are solicitors.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

See Q1

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Not good enough. Unless you can guarantee that the appropriate SI will be passed then any merger is precipitous.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-

ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:127 Data

2. About you

1.
First name(s)

Sabina

2.
Last name

Masimova

3.
Please enter your SRA number (if applicable)

835093

6.
I am responding..

on behalf of an organisation

7.
On behalf of what type of organisation?

SRA-regulated law firm

8.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

9.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

We oppose the proposed governance arrangements and firmly believe that each profession should continue to be regulated by its existing designated body: CILEX for legal executives and SRA for solicitors.

Our stance aligns with the Law Society's perspective, which asserts that these proposals are in conflict with the fundamental regulatory objective of safeguarding the interests of consumers. Additionally, there is a notable absence of evidence suggesting that these proposals would contribute to building a more diverse legal profession, enhancing access to justice, or fostering increased consumer choice and competition.

10.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

We have reservations about the entire proposal and not only about this specific aspect. The idea of introducing separate Codes of Conduct raises concerns contrary to our belief in maintaining distinct regulatory bodies for each profession. Establishing a separate SRA Silex Code of Conduct, as suggested, will not effectively address our broader concerns, which include instances of the SRA operating beyond its corporate objectives and regulatory mandates as a designated body for solicitors. This approach risks creating false equivalence and potential confusion among consumers, particularly those from diverse international backgrounds, where the distinctions between a "solicitor" and a "lawyer" may not be readily apparent. Based on our experience, certain foreign languages lack a clear differentiation between these terms, and we rely on the clear and separate regulatory bodies (SRA and SILEX) to elucidate this distinction. The current proposals, in contrast, seem likely to exacerbate the existing confusion between the two professions.

11.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

The standards shall remain distinct and not be aligned. Such alignment would erode the well-defined boundaries that exist between these two professions, necessitating separate and tailored approaches that accurately address the distinctive needs and requirements of each profession at their respective levels.

12.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

13.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

14.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

15.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

We firmly disagree with this proposal, primarily because any reference to SRA would introduce unnecessary confusion for individuals outside of the two professions. Such a distinction may not be user-friendly for the general consumer, who may not possess an in-depth understanding of these nuanced differences or may not have the time and resources to invest in such detailed comprehension.

16.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

N/A

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No we do not agree for the reasons specified above.

5. Consultation questions - page 3/7

19. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No, we do not agree, for the reasons mentioned above.

20. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No comments, for the reasons mentioned above.

21. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No comments, for the reasons mentioned above.

22. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No comments, for the reasons mentioned above.

23. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No comments, for the reasons mentioned above.

6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Do not agree for the reasons mentioned above.

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Do not agree for the reasons mentioned above.

26. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Do not agree for the reasons mentioned above.

27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No comments for the reasons mentioned above.

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Do not agree for the reasons mentioned above.

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Do not agree for the reasons mentioned above.

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No comments for the reasons mentioned above.

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No comments for the reasons mentioned above.

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No comments for the reasons mentioned above.

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No comments for the reasons mentioned above.

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No specific comments, but this is one of the major concerns raised in our previous responses and the reasons for keeping SRA separate to CILEX and maintaining the existing arrangements.

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

As above.

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

As above.

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No comments for the reasons mentioned above.

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

This level of detail is not appropriate to comment on as we strongly disagree with the entire proposal for the reasons mentioned above.

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

As above.

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

As above.

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

As above.

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

As above.

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

As above.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:187 Data

2. About you

1.
First name(s)

Steven

2.
Last name

Mather

3.
Please enter your SRA number (if applicable)

393500

6.
I am responding..

in a personal capacity

7.
In what personal capacity?

Solicitor

8.
Please enter the name of your firm/employer

Nexa Law

9.
Please specify if you are

10.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

11.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do not believe that CILEX should be regulated by the Solicitors Regulation Authority. If they were, it would require two distinct sets of rules, but that is not helpful for the consumer.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

Yes, but I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

as above.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

n/a

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

no

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No, I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority. If they were, then it should be very clear to the public that the regulated firm is not a firm of solicitors.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

no

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

no

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

n/a

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

If the proposal occurs, it is important that resources are not taken away from Solicitors - investigations already take too long hanging over the individuals head, and extending that due to a lack of resources would be unhelpful.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

no

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

no.

if the proposal proceeds, cilex should not benefit from the compensation fund and they should pay for their own.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

no.

i believe the compensation fund should be dealt with on a similar basis to the FSCS standard and requirement. it is too expensive and too generous at present.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

i do not believe that the standards should be the same, do not believe they should be reauthorised as an SRA regulated firm, and their regulation should remain distinct.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

CILEX members will not have done the required FSMA/FS training as solicitors will have undertaken, so I do not believe they should be permitted as exempt firms.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

n/a

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

I do not believe that CILEX members should be regulated by the Solicitors Regulation Authority.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:195 Data

2. About you

1.
First name(s)

Mickaela

2.
Last name

Fox

3.
Please enter your SRA number (if applicable)

6.
I am responding..

on behalf of an organisation

7.
On behalf of what type of organisation?

Law society

8.
Please enter the name of the society

Liverpool Law Society

9.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

10.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

11.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

12.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

13.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

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14.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

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4. Consultation questions - page 2/7

15.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

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16.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

17.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

18.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

19.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

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5. Consultation questions - page 3/7

20. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

21. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

22. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

23. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

24. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

6. Consultation questions - page 4/7

25. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

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26. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

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We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

28. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

29. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

7. Consultation questions - page 5/7

30. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

31. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

32. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated

firms? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

33. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

34. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

8. Consultation questions - page 6/7

35. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

36. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

37. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

38. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

39. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

9. Consultation questions - page 7/7

40. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

41. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

42. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

43. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

44. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

We have considered and endorse the Law Society's comments made in its response dated 3 November 2023.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:205 Data

2. About you

1.
First name(s)

Deborah

2.
Last name

Baljit

3.
Please enter your SRA number (if applicable)

6.
I am responding..

on behalf of an organisation

7.
On behalf of what type of organisation?

Other

8.
Please specify

Solicitors Disciplinary Tribunal

9.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

10.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

No, this is a matter for CILEX and the SRA.

11.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

See response to Q3 below.

12.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

If the SRA envisages a position that "with our current Standards and Regulations for solicitors, we will be able to take enforcement action for a breach of Principle, where relevant, without needing to establish a breach of any of the more detailed requirements of the Code of Conduct, and vice versa" then why retain a separate code? All lawyers are subject to regulatory oversight should be subject to the same, single Code of Conduct. To do otherwise may not achieve the desired aim of creating "a legal sector regulatory framework for England and Wales which is not complex and fragmented".

13.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

Neutral.

14.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

See Q£ above regarding complexity and fragmentation.

4. Consultation questions - page 2/7

15.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No.

16.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Neither agree nor disagree.

17.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No.

18.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Neither agree nor disagree.

19.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Neither agree nor disagree.

5. Consultation questions - page 3/7

20. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Neither agree nor disagree.

21. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No.

22. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

We would expect the SRA to provide all those it regulates with consistent rights of appeal. We also expect that it will have in place the required statutory instrument to ensure immediate and consistent consumer protection arrangement across all the firms it regulates. We consider that it is right and proper for the SRA to "offer a legislative opportunity to provide CILEX members with the same external rights of appeal as those seeking authorisation as a solicitor or SRA regulated firm."

23. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No.

24. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

Neither agree nor disagree.

6. Consultation questions - page 4/7

25. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Neither agree nor disagree.

26. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

Neither agree nor disagree.

27. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Neither agree nor disagree.

28. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

Please see observations at Q3.

29. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Neither agree nor disagree.

7. Consultation questions - page 5/7

30. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Neither agree nor disagree.

31. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No.

32. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No.

33. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No.

34. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No.

8. Consultation questions - page 6/7

35. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No.

36. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No.

37. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No.

38. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No.

39. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No.

9. Consultation questions - page 7/7

40. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No.

41. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No.

42. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No.

43. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

None other than set out in the response to Q3 and Q13.

44. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:218 Data

2. About you

1.
First name(s)

Martin

2.
Last name

Varley

3.
Please enter your SRA number (if applicable)

132035

6.
I am responding..

on behalf of an organisation

7.
On behalf of what type of organisation?

Law society

8.
Please enter the name of the society

Dorset Law Society

9.
How should we publish your response?

Please select an option below.

Publish the response with my/our name

3. Consultation questions - page 1/7

10.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

CILEX regulation by the SRA would suggest a false equivalence between two distinct groups of professionals, creating confusion for the consumer.

11.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX

lawyers?

Dorset Law Society opposes the SRA's proposals to regulate CILEX members.

12.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Those individuals who are members of CILEX and who work in Solicitors' practices are regulated by the SRA already. The SRA Principles and the SRA Code of Conduct for Firms apply to members and employees of firms authorised by the SRA, whether or not they have a Practising Certificate as a Solicitor. Extending the regulation of CILEX members who do not work in SRA authorised Solicitors' firms will lead to confusion. The regulation of entities that are not firms of Solicitors authorised and regulated by the SRA would naturally lead consumers to the conclusion that the CILEX entity is the same as a firm of Solicitors.

13.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

Any CILEX code of conduct is a matter entirely for members of CILEX.

Those individuals who are members of CILEX and who work in Solicitors' practices are regulated by the SRA already. The SRA Principles and the SRA Code of Conduct for Firms apply to members and employees of firms authorised by the SRA, whether or not they have a Practising Certificate as a Solicitor.

14.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Dorset Law Society opposes the SRA's proposals to regulate CILEX members. This will lead to confusion.

The SRA may wish to be the regulator of all legal services providers. That may be something to consider in the future. The name of the SRA would have to be changed if the SRA is to undertake the regulation of more than one existing regulated community.

4. Consultation questions - page 2/7

15.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

16.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

17.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

18.

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entities?

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

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5. Consultation questions - page 3/7

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22. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

23. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

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Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

6. Consultation questions - page 4/7

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Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

26. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

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Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

28. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

Dorset Law Society opposes the SRA's proposals to become a regulator of more than one existing regulated community.

29. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor

or non-authorised person)?

Dorset Law Society opposes the SRA's proposals to provide access to the SRA Compensation Fund for clients of former CILEX entities. CILEX authorised entities should be treated entirely separately.

7. Consultation questions - page 5/7

30. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Dorset Law Society opposes the SRA's proposals to provide access to the SRA Compensation Fund for clients of former CILEX entities. CILEX authorised entities and individuals should be treated entirely separately.

31. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX authorised entities.

32. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

33. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

34. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

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Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

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39. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

9. Consultation questions - page 7/7

40. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

CILEX lawyers can be authorised to practise in specific areas of law, but they are not authorised in all areas, as solicitors are upon qualification.

CILEX regulation by the SRA would suggest a false equivalence between two distinct groups of professionals, creating confusion for the consumer.

41. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

42. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

43. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

44. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Dorset Law Society opposes the SRA's proposals to regulate CILEX individuals and entities.

Paul Philip
Chief Executive Officer
Solicitors Regulation Authority
The Cube
199 Wharfside Street
Birmingham
B1 1RN

22 November 2023

Dear Paul

ACCA response to the Solicitors Regulation Authority (SRA) arrangements for SRA regulation of CILEX members

ACCA welcomes the opportunity to comment on SRA's proposed arrangements for the regulation of CILEX members, including CILEX-ACCA Probate entities.

We are ACCA (the Association of Chartered Certified Accountants), a globally recognised professional accountancy body providing qualifications and advancing standards in accountancy worldwide.

Founded in 1904 to widen access to the accountancy profession, we've long championed inclusion and today proudly support a diverse community of over 247,000 members and 526,000 future members in 181 countries.

Our forward-looking qualifications, continuous learning and insights are respected and valued by employers in every sector. They equip individuals with the business and finance expertise and ethical judgment to create, protect, and report the sustainable value delivered by organisations and economies.

Guided by our purpose and values, our vision is to develop the accountancy profession the world needs. Partnering with policymakers, standard setters, the donor community, educators and other accountancy bodies, we're strengthening and building a profession that drives a sustainable future for all.

ACCA



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The Adelphi 1/11 John Adam Street London WC2N 6AU United Kingdom

At the outset, ACCA would like to state that it is supportive of the SRA's proposed approach to regulating the authorised CILEX-ACCA Probate practitioners currently regulated by CILEX Regulation Limited (**CRL**).

Our response focusses on Questions 9 and 15 of the consultation document. The points set out in this letter are from an ACCA perspective, and in particular the perspective of ACCA practitioners authorised by CILEX to undertake non-contentious probate activities. We have also considered whether the proposed regulatory arrangements are in the interests of ACCA members and firms and serve the overall public interest. ACCA has no comments to make on the other questions within the consultation document.

CILEX is the Approved Regulator for 40 ACCA probate entities authorised to provide the reserved activity of non-contentious probate under the Legal Services Act 2007 (the **Act**). It currently delegates its regulatory activities to CRL, a separate and independently run organisation that operates at 'arms-length' from CILEX. However, CILEX has announced its intention to change its regulatory delegation from CRL to the SRA.

We believe that regulatory delegation to a body that is structurally, financially and operationally independent from CILEX will increase the independence of CILEX's regulatory model and enhance public trust and confidence in legal services regulation. In our opinion, the SRA has the resources, scale and reach to deliver efficient and effective regulation at a cost that is affordable for ACCA practitioners and consumers.

ACCA welcomes the proposals from CILEX and the SRA to implement a model of regulation that will maintain and promote the distinct identity of authorised ACCA practitioners. We are pleased that the SRA proposes to maintain the current regulatory requirements for CILEX-ACCA Probate entities and retain a separate regime for these entities, with their own register and handbook, as this will help to minimise confusion, complexity and cost for our practitioners. We note that the SRA will apply a standardised and consistent approach to regulation as far as possible, while recognising the distinctions that arise from the different professional identity of ACCA probate firms. We are also encouraged by the commitment from CILEX and the SRA to work with ACCA to ensure a smooth transfer of regulation for ACCA probate entities.

We are, as indicated earlier, very supportive of measures which strengthen trust and public confidence in the legal services profession. The proposals will preserve a route into legal services for ACCA members and firms which is critical to meeting the regulatory objective set out in the Act of '*Encouraging an independent, strong, diverse and effective legal profession*' and is therefore in the public interest. We believe that SRA regulation of ACCA probate entities alongside CILEX probate entities and solicitor-led firms will also deliver enhanced consumer protection by aligning regulatory standards, requirements, and obligations.

Similarly, we also recognise the reputational benefits that ACCA and its members and firms would enjoy from the new regulatory framework. A change in regulatory delegation to the SRA will give ACCA practitioners access to market opportunities and the resulting commercial benefits, including support for professional development and the potential to obtain other legal services recognitions.

In conclusion, ACCA is supportive of the proposed transfer of ACCA probate firms to the SRA, and we do not consider there to be any risk or detrimental effect arising from the transfer.

We hope that you will find our comments helpful and if you should wish to discuss any aspects further, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Maggie McGhee', with a stylized flourish at the end.

Maggie McGhee
Executive Director – Strategy & Governance

CC: cilexconsultation@sra.org.uk; Jatinderpal Loyal Jatinderpal.Loyal@sra.org.uk; Stephen Nelson Stephen.Nelson@sra.org.uk



BIRMINGHAM LAW SOCIETY
one profession • one region • one voice

**Response to SRA Consultation on arrangements
for SRA regulation of CILEX members**

November 2023

Response of the Professional Regulation Committee of the Birmingham Law Society to the SRA Consultation on arrangements for SRA regulation of CILEX members

This response has been prepared by the Professional Regulation Committee of the Birmingham Law Society. The Society is the largest local law society with some 9,000 members. The response represents the collective view of the Professional Regulation Committee whose members are specialist lawyers practising in all aspects of professional regulation and compliance for the legal profession.

Response

The Chief Executive of the SRA (Mr Paul Philip) announced at the SRA COLP/COFA conference on 18 October 2023 that the SRA proposals for its regulation of CILEX members was a *“tidying up exercise”*. The Birmingham Law Society (“BLS”) strongly disagrees with this view which seriously underestimates the impact of such a significant change upon CILEX members, the solicitors’ profession, and the legal profession more generally.

BLS agrees that the current system put in place by the Legal Services Act 2007 is imperfect. Its implementation followed a report produced by Sir David Clementi, who was appointed in July 2003 to review the regulatory framework for legal services in England and Wales. This followed a report by the Department of Constitutional Affairs which concluded that the framework was *“outdated, inflexible, over-complex and insufficiently accountable or transparent”*. Clementi’s task was, therefore, to suggest a simplification to the system with more transparency and accountability.

He failed in his objective. The result was the Legal Services Act – a huge and complex piece of legislation which has left the legal profession with 8 frontline regulators of greatly differing sizes and an overarching regulator, the Legal Services Board (“LSB”). All regulators have different rules and regulatory regimes and, as an added complication, many lawyers are regulated by two regulators – as an individual by one regulator and as part of a firm, by another.

This was compounded by a failure to open up the debate on which legal services should be subject to regulation and which should not. There was therefore no change to the list of reserved activities (taking oaths, litigation and advocacy, conveyancing, and probate) which had been set out in successive Solicitors Acts over many decades. This spawned an increase in those providing legal services through unregulated entities and by unqualified individuals. The result for the public was the complete opposite of a simplification of the regulation of legal services as envisaged by Clementi.

However, the failure of Clementi does not in the view of BLS justify tinkering or tidying up the regulation of legal professionals in the way proposed by the SRA in this consultation. Change to the regulation of legal service providers would need to be undertaken in a holistic way and would be a job for the Government not the SRA.

This consultation has the look and feel of another step on the SRA's onward march to becoming the sole regulator for legal services alongside its pitch for a role as sole supervisor for AML. It may have its sights set on becoming the Financial Services Authority for the law – the Legal Services Authority.

The Law Society will be scrutinising the specific proposals within the consultation and responding in detail. BLS supports and endorses the concerns expressed by the Law Society.

Of particular relevance to BLS are the following:-

1. The solicitors' profession has not been consulted on the principle of these proposals. The SRA has jumped forward to a consultation upon "arrangements" before the CILEX members have responded to the CILEX consultation and before solicitors can consider whether they want CILEX members to be regulated by the SRA.
2. The proposed legal relationship between CILEX which is the representative body for CILEX members (equivalent to the Law Society) and the SRA.

3. The potential for consumer confusion including the effect upon the identity of the solicitors' profession as well as CILEX's proposal to use the title "Chartered Lawyer".
4. The SRA will sit between two representative bodies i.e., the Law Society & CILEX – how will disagreements between those two bodies be resolved?
5. Will the SRA Board need a Legal Executive as a member of its Board who will then oversee decisions about solicitors?
6. CILEX will continue to oversee entry or membership for Legal Executives and the education and training – the SRA undertakes these roles for solicitors. How will this work in practice?
7. This whole exercise will cost the SRA additional funds in training and ongoing staff costs. There will be separate Codes of Conduct for CILEX members.
8. It is not clear how the CILEX members will be able to fund these costs which will be more than their current outlay. It is anticipated that the number of CILEX members will decrease significantly. The cost will therefore be borne by the solicitors' profession.
9. If clients of CILEX entities are permitted access to the Compensation Fund then contributions and reserves should not be pooled otherwise the solicitors' profession will be subsidising the CILEX clients.

BLS understands that CILEX members are generally not in support of these proposals expressing the concern that it would be the beginning of the end for CILEX members who have been a source of immense benefit to the legal services market since 1892.

In summary, BLS is not in agreement with these proposals and urges the SRA to take particular notice of the Law Society detailed response.

Birmingham Law Society Professional Regulation Committee

November 2023

2 November 2023

Bloomsbury Institute is a CRL approved provider, our LLB (Hons) Law and Legal Practice is a CRL approved programme. Our LLB is an alternative qualification, distinct from the CILEX Professional Qualification (CPQ), that may lead to authorisation as a Chartered Legal Executive with practice rights. This is our response to the CILEX and SRA consultations on proposals to move the regulation of CILEX members to the SRA. This response is limited to the sole issue of the proposed education and authorisation requirements. Therefore, the below is our response to the CILEX Consultation Question 12 and the SRA Consultation Question 10.

Bloomsbury Institute cannot agree the proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers. The SRA propose to continue recognising the CPQ as leading to authorisation as a Chartered Legal Executive with practice rights, reflecting the current accreditation conferred by CRL. The SRA also propose to continue to recognise those who qualify through legacy educational awards previously approved by CRL. However, the SRA proposals do not confirm that they will continue recognising our LLB (Hons) Law and Legal Practice as an approved programme.

It is unclear if the omission from the proposals means that the SRA are proposing not to continue the current CRL approach in respect of alternative providers and qualifications. They do suggest, at Annex 2.3 of the SRA Consultation Paper, that the current CILEX Regulation Training Provider Approved Qualification Policy and Training Provider Approved Qualifications Handbook will be adopted. However, they also commit to work with CILEX to establish a suitable framework for the accreditation and quality assurance of new qualifications leading to authorisation which suggests the existing arrangements will be displaced. The SRA make clear that they will adapt the policy and handbook to reflect the proposed new regulatory arrangements. Therefore, there is a risk that they will not continue to recognise qualifications delivered by alternative CRL approved providers.

The CRL's current approach to the education and authorisation requirements for individual authorised CILEX lawyers is founded on research that the CRL commissioned. In addition, between December 2018 and February 2021, CILEX Regulation conducted 3 consultations in relation to their proposals to change their education standards. In 2021, the extensive work undertaken by CRL culminated in them making an application to the LSB for the approval of changes to regulatory arrangements relating to their Education Standards. CRL had identified barriers to entry and, as a result, their application included amendments to the arrangements for granting exemptions and recognising alternative qualifications. The application was approved by the LSB on 16 June 2021. Based on the published information, the SRA proposals may lead to the reintroduction of the barriers that CRL identified. Therefore, we cannot be satisfied that the proposed changes will support improved equality, inclusion, and diversity across legal services. There are potential negative equality impacts which do not appear to have been considered by the SRA that may present material risks for the public or consumers.

The SRA's draft equality impact assessment explains how their initial analysis of CRL and SRA data sets has identified some common equality issues in respect of the two regulated populations. These include under-representation of women and professionals of a Black, Asian and minority ethnic origin in senior roles, and under-reporting of disability across both professions. There is evidence to support that continuing to recognise alternative routes to qualification may support improved equality. For example, in 2023 circa 69% of students studying our LLB (Hons) Law and Legal Practice are Black, Asian or a minority ethnic origin and 29% have declared a disability. In addition, alternative providers may be able to offer improved support to students in finding employment or obtaining qualifying experience. For example, the BIL law clinic provides law students with clinical experience that may contribute to their qualifying employment.

The legal profession has a duty over and above that of many sectors as regards diversity because the profession is responsible for the administration of justice. There is a need for the profession to reflect the population it serves. Lack of diversity in the profession may restrict access to justice. It may deter members of the public from seeking advice, people may not feel that there are lawyers who will understand them and their particular needs. A diverse and representative profession also means improved choice and a better experience for the consumers in using legal services.



John Fairhurst

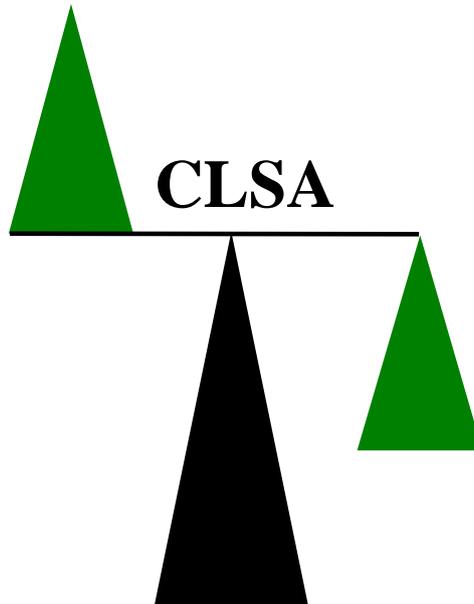
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Principal and Chief Executive Officer

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Criminal Law Solicitors' Association
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Email: admin@clsa.co.uk

**CLSA response to Arrangements for SRA regulations of CILEX members:
Consultation**

The Criminal Law Solicitors' Association is the only national association entirely committed to professionals working in the field of criminal law. The CLSA represents criminal practitioners throughout England and Wales and membership of the Association is open to any solicitor - prosecution or defence - and to legal advisers, qualified or trainee - involved with, or interested in, the practice of criminal law. The CLSA is responding to the consultation on behalf of its members.

1. We have considered the Consultation document and the online questionnaire.
2. Many of the questions go into the detail of a proposed scheme for the SRA to regulate CILEX lawyers. We have a fundamental opposition to CILEX lawyers being regulated by the SRA and so we are not going to engage in comments about the details of the proposals.
3. We have the following observations on the proposal in principle.
 - a. We consider that if both solicitors and CILEX members are regulated by the SRA then this would adversely affect the reputation, standing and identity of the solicitor profession and confidence in the way that it is regulated.
 - b. We make the obvious point that SRA stands for Solicitors Regulation Authority. This is a well known and established regulatory body. Would it change its name if it regulates CILEX members? If not then the title would be misleading. If it does change its name then it can only diminish recognition of its role and standing in the eyes of the public.
 - c. We are very concerned at CILEX's proposal to introduce the title of 'SRA-Chartered Lawyer'. This we consider is a misguided appropriation of the term "lawyer" which is an over-arching term that the public understands as mostly encompassing solicitors and barristers. Use of this term would cause confusion for consumers when choosing legal services.

We understand that a YouGov poll commissioned by the Law Society found that a significant proportion (24%) of the public considered the term "chartered lawyer" unhelpful and confusing.

- d. We consider that if only some of CILEX members move to SRA, as is the proposal, then this will create regulatory fragmentation in respect of CILEX lawyers to the detriment of consumers and, indeed, CILEX members.
- e. We consider that the differentiation between solicitors and legal executives is of benefit to the public and important that CILEX retains its own code of conduct, focused on CILEX members and the work that they carry out.
- f. We consider that there has been an insufficient impact assessment into the effect of these proposals.

Summary

4. CILEX members carry out a huge amount of good work within the legal framework, often within solicitors firms. Many of our members work closely with CILEX members and they can have associate membership of the CLSA.
5. They often work under the supervision of solicitors and often at a lower cost to clients.
6. This differential works well in practice and is to the benefit of consumers and solicitors firms.
7. The difference should be celebrated. This proposals risk confusion in the eyes of the public and even within the professions. We strongly resist them.



LEICESTERSHIRE
LAW SOCIETY Est.1860

Response on behalf of Leicestershire Law Society to SRA Consultation on Arrangements for SRA Regulation of CILEX members.

Leicestershire Law Society was founded in 1860. It has a membership of around 500 solicitors living and practising in Leicester, Leicestershire, and Rutland. The Society's current objectives include representing the interests of its members locally and nationally.

Further information can be found on our website
www.leicestershirelawsociety.org.uk

RESPONSE

Having read The Law Society's Responses to the Consultation dated 17th November 2023 we agree with everything that has been said.

In particular, we endorse the aspect of consumer confusion that is stressed throughout. If the proposed "merger" goes ahead, clients and potential other service users will not understand the options available to choose the best and most suitable legal adviser for their needs.

Leicestershire Law Society
November 2023



Sent by email only to

cilexconsultation@sra.org.uk

22 November 2023

Dear Sir/Madam,

The Legal Services Consumer Panel (Panel) is unable to engage in the finer details of how the Solicitors Regulation Authority (SRA) proposes to regulate CILEX members because, as indicated in our response to CILEX, the proposal to re-delegate regulatory responsibility to the SRA lacked evidence of consumer engagement or research, so there is insufficient evidence on which to base any judgement.

A considered response could only be made if we could see the benefits, costs and risks to consumers. We would also expect to see Information on how these proposals would be monitored and evaluated by the SRA and by CILEX, and this again seems to be missing.

The Panel is keen to stress that its view has no bearing on the SRA's proposals, but we find it difficult to respond to the process when the premise for the action is unproven.

Yours sincerely,

A handwritten signature in black ink that reads "S Chambers".

Sarah Chambers
Chair
Legal Services Consumer Panel.



The Law
Society

Law Society response:

**Arrangements for SRA regulation of CILEX
members consultation**

November 2023

The Law Society's response to the SRA consultation on proposed changes to regulatory arrangements for CILEX members

November 2023

1. The Law Society is the independent professional body for solicitors in England and Wales. We are run by and for our members. Our role is to be the voice of solicitors, to drive excellence in the profession and to safeguard the rule of law. The Law Society is also the approved regulator for the solicitor profession under the Legal Services Act 2007. It has delegated its regulatory functions to Solicitors Regulation Authority Limited (SRA), whose remit is limited to the regulation of the solicitor profession under its constitutional delegation from the Law Society and its Articles of Association.

Introduction

2. When responding to this SRA consultation, we have had in mind the key points made by CILEX in its recent accompanying consultation. This is especially relevant for two reasons: First, the SRA consultation is premised on the basis that it is seeking views on proposed changes to its regulatory arrangements to enable it to regulate CILEX members *in the event that* CILEX decides to proceed with redelegation. However, the recent CILEX consultation has presented a positively biased view in favour of the proposed arrangements, leaving the SRA to fill in some of the information necessary to take a more balanced view. That information does not appear from the SRA's consultation document, which means that both consultations suffer from significant gaps in the detail that is necessary to make an informed response to the proposals. To the extent that it is suggested that details are to be worked out following later discussions, the Society does not consider this to be an acceptable or sufficiently diligent approach to proposals that signal significant and unprecedented changes to the regulatory landscape introduced by the Legal Services Act and impact on all members of both the Legal Executive and solicitor professions. This is a highly undesirable and unsatisfactory position, also because the proposals significantly impact on the Law Society both as representative body and as approved regulator.
3. The Law Society notes the timing of this consultation, launched before CILEX members had any opportunity to respond to CILEX's consultation on the principle of the proposals.¹ This gives the strong impression that these parallel consultations are treated as a formality and that the proposals are a foregone conclusion. The Society again questions the adequacy of this approach and the lack of impartiality that it reflects, particularly in circumstances where the proposals are not underpinned by sufficient information to inform responses. These consultations should also not be treated as a box-ticking exercise to satisfy the timetable for compliance with directions made by the Legal Services Board (LSB) following its

¹ The Society notes from reports that CILEX has recently declined a request from members to convene a special general meeting to give their views on the proposed re-delegation of regulatory functions to the SRA, and that it believes such a request would place CILEX in breach of the requirements under the LSB's Internal Governance Rules and the Legal Services Act 2007 to maintain separation between representative and regulatory functions. This is a surprising approach, not least because it appears that adoption and implementation of the CILEX proposals would ultimately and inevitably require amendments to its bye laws to be passed at a members' meeting convened for that purpose.

investigation into disputed issues between CILEX and its regulatory body, CILEx Regulation Authority (CRL).

4. While the SRA may believe that these proposals are helpful in enabling positive organic regulatory consolidation² and that it is up to CILEX to decide whether to pursue them, that is not relevant to any objective consideration that the SRA is required to give to the factors that could negatively affect solicitors or CILEX members. Despite the SRA's expectation that these changes will not affect the reputation and standing of the identity of the solicitor profession or the way it is regulated, the Law Society has serious concerns about the, the adverse effect that the proposals may have on the solicitor profession and on the regulatory objectives more widely.
5. At no point in this consultation does the SRA ask for views on the principle of the proposals, nor is there any acknowledgement that solicitors may not support them in principle.
6. It is also noted that the SRA takes no view on CILEX's proposal to use the title 'Chartered Lawyer' and it has undertaken no assessment of the clear risk that this will cause confusion to consumers by adopting a term widely used to refer to solicitors and barristers, both in this jurisdiction and internationally. In this respect, the solicitor profession might legitimately expect its regulator to step in and protect the reputation of its regulated community and to uphold the regulatory objective to protect and promote the interests of consumers.
7. Lastly, the Law Society notes the vehement opposition of CRL in response³ to CILEX's consultation. CRL believes that there have been no regulatory failings on its part, and the LSB's most recent regulatory performance review⁴ of CRL notes no areas of insufficiency. CRL also says that CILEX has failed to demonstrate due consideration of the response made by CRL to CILEX's Case for Change or to demonstrate the necessity for redelegating its regulatory functions to the SRA, particularly when CRL is determined to continue to provide specifically tailored regulation to *all* CILEX members (not just those who the SRA is proposing to oversee).

² <https://www.sra.org.uk/globalassets/documents/sra/consultations/arrangements-for-sra-regulation-of-cilex-members-consultation.pdf?version=4a53a1> page 7

³ <https://cilexregulation.org.uk/wp-content/uploads/2023/10/CILEx-Regulation-Limited-consultation-response-October-2023-FINAL.pdf>

⁴ <https://legalservicesboard.org.uk/our-work/regulatory-performance/current-regulatory-performance-assessments#:~:text=In%20November%202022%2C%20we%20completed,of%20the%20regulatory%20bodies'%20performance.>

Governance

Q1. Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Regulatory conflict

8. The Law Society has concerns about the risk to the reputation of the SRA and a loss of confidence in its regulatory capacity due to a real or perceived lack of partiality towards inevitable competition between the professions represented by the Law Society and CILEX. As a regulatory body placed between the two professional bodies, the SRA will effectively be given the power of adjudicating any disagreements between them regarding regulatory matters. This will inevitably interfere with the independence of the solicitor profession and the Law Society's ability to represent it in respect of regulatory issues, since the views of CILEX would have to be taken into consideration. The SRA would also be required to regulate outside its current remit.
9. Neither CILEX nor the SRA have set out clearly how governance of the SRA will be altered to also reflect the interests of CILEX members. It is seemingly proposed that the Board of the SRA would remain and would have decision making powers over matters affecting both solicitors and Legal Executives. If there are to be Legal Executive members of the SRA Board in the future, they who would have decision making power over matters affecting solicitors. This fundamental alteration to regulatory governance of the solicitor profession is not considered or weighed up in terms of the disadvantages to the existing regulatory community of the SRA or its impact on the way that regulation of the solicitor profession currently supports the regulatory objectives.

Internal Governance Rules

10. As widely reported, the relationship between CILEX and its regulator has encountered several problems. Disputes between them were investigated by the LSB. CILEX set out in its recent consultation how it considers its relationship with CRL to be restricted by the Internal Governance Rules (IGRs) made by the LSB to ensure adequate separation and independence between an approved regulator's representative and regulatory functions.
11. CILEX also suggests that there is a risk of conflict between the discharge of its duties as the parent organisation for CRL and the limitations that the IGRs place on its relationship with CRL as a regulatory body.
12. As stated by the Law Society in response to the CILEX consultation, this is a moot point because the proposals put forward by CILEX and the SRA would involve a regulatory delegation arrangement that is governed by *the same* rules and restrictions that currently apply to the internal governance arrangements between CILEX and CRL. However, there is a real risk that the same conflicts and relationship issues may again cause problems following a transfer of the regulatory functions of CILEX from CRL to the SRA. This would have a negative impact on the reputations of both the SRA and the Law Society and may adversely affect the effective exercise of the SRA's functions to the detriment of the solicitor profession.
13. For its part, the SRA suggests in its consultation that it will establish internal governance arrangements with CILEX to govern their relationship, but without

providing any details. There is also no recognition of the existing relationship and internal governance arrangements between the Law Society and the SRA, to which the very same IGRs apply. Neither is there any explanation of how the SRA proposes to establish internal governance arrangements with CILEX in a way that would avoid the perceived difficulties previously experienced by CILEX in relation to the operation of the IGRs. Or how the SRA proposes to administer internal governance arrangements with both approved regulators, and whether they would be equal and consistent.

14. This is a key area that underpins the regulatory body's relationship with its approved regulator/s. Without a clear approach, the SRA is at risk of entering into a regulatory arrangement that may undermine the regulatory objectives, also with a negative impact on the Law Society.

Regulatory Standards

15. The consultation states that the SRA will "initially" only regulate those CILEX members who require authorisation to provide specified legal services without supervision. This is a small proportion of CILEX's total membership, all of whom are currently required to adhere to the CILEX Code of Conduct and are overseen by CRL. The SRA must clarify its future intentions to oversee any of the rest of CILEX's members following the *initial* arrangements. It must also answer questions that remain about the new Chartered Paralegal qualification proposed in both the CILEX and SRA consultations, which suggests that different longer-term plans may be under consideration.
16. Leaving CILEX to continue to oversee arrangements for the remaining CILEX membership undermines the SRA's assertion that these proposals amount to regulatory consolidation. We view it instead as a fragmentation of CILEX's current regulatory arrangements, particularly since the SRA propose to align CILEX's Code of Conduct closer to SRA standards, leaving different parts of CILEX's membership to be held to different standards.

Individuals

Q2. Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

17. A profession's code of conduct, along with the route to authorisation, are the basis for that profession's identity and public confidence here and abroad.
18. Therefore, in maintaining the separation of the CILEX and solicitor professions it is essential that CILEX retain its own Code of Conduct. Separate Codes of Conduct are also appropriate and necessary to recognise and reflect the difference in scope and context of the professional practice of solicitors and Legal Executives respectively.

Q3. Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

19. Without departing from the Society's position as set out in paragraphs 17 and 18 above, where Legal Executives are authorised to conduct the same activities as solicitors, they should be subject to the same standards in a way that appropriately

recognises the differences between the professions in respect of scope and context of practice.

20. The proposals represent a desire to move towards greater alignment between Legal Executives and solicitors. However, as market differentiation reduces there is a risk of greater homogenisation of and decrease in choice. This is contrary to the regulatory objective of promoting competition in the provision of legal services.
21. The proposals also represent another disincentive for individuals pursuing a legal profession to choose the Legal Executive route. The increasingly flexible routes into the solicitor profession introduced by the Solicitors Qualifying Exam (SQE), apprenticeships and qualifying work experience means that CILEX is no longer unique in offering an earn-while-you-learn model of qualification. It also remains the position that Legal Executives are confined to narrow authorisations in comparison to solicitors.
22. The proportionality of the proposals is also questionable since most authorised Legal Executives already work in SRA regulated firms. It is unlikely that these changes will actually affect consumers' experience of legal services. Most consumers would not know or need to know about the regulatory structure underpinning the workings of the firm, organisation or individual providing their legal services.

Q4. Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

23. We welcome the recognition of restrictions on the scope of practice of authorised Legal Executives. We also welcome the recognition that there must be a clear requirement to practice within their scope of authorisation and that their professional status and authorisation must be explained to clients. We agree with the clear confirmation that they must not hold out an undertaking to be a solicitor's undertaking.
24. However, it is not clear how in practice the SRA would ensure that the requirements above are adequately and effectively implemented in the best interests of consumers. There is also a risk of an increase in complaints, claims and general confusion where authorised Legal Executives are associated with the regulator for the solicitor profession and outwardly promoted in that capacity.

Q5. Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Q6. Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

25. We welcome the SRA taking a similar and consistent approach to Legal Executives and solicitors in respect of conduct outside the workplace where that is relevant to their practice and in other regulatory areas such as compliance with existing Transparency Rules and Overseas Rules.

CILEX entities

Q7. Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

26. The Law Society opposes the principle of the SRA's proposals and notes that there is nothing in the proposals to meet CILEX's intention, as set out in its earlier consultation, that a new model of regulation should improve access to lender panels, banks, approved provider lists and insurance cover for CILEX entities. There is no consideration of how the proposals might meet the aspirations and expectations of CILEX following a redelegation of its regulatory functions to the SRA, which increases the risk of future conflict over such matters.
27. Based on our knowledge of professional indemnity insurance (PII) and discussions with the broker industry, the Society does not believe that the position is as straightforward as set out by CILEX. This also applies to other issues that are not under the control of any regulator but determined by independent factors.
28. It is not explained how reauthorisation would fulfil CILEX's belief that SRA regulation of CILEX entities will stimulate increased appetite amongst CILEX members to set up new entities, thus supporting increased choice for consumers and innovation of service delivery models in the market. If anything, it seems likely that an increase in regulatory burdens and additional requirements (for example minimum PII cover) are more likely to put off any CILEX members planning to start their own firm.
29. While it may seem like a straightforward and sensible approach to convert those CILEX entities who have solicitors in key positions to be SRA entities, it should be noted that those firms have chosen to be regulated by CILEX despite being eligible for SRA regulation. Further consultation with those firms regarding their preferred model of regulation is required, rather than imposing on them a model that they have deliberately rejected. Given the small number of entities involved, it should be possible for the SRA to engage with them directly.

Q8. Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

30. Comments on specific areas are set out elsewhere in this response.

CILEX-ACCA Probate entities

Q9. Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

31. Since the approach was endorsed by the LSB when regulation of these entities moved to CRL from the ACCA, the arrangements agreed with the parties should not be altered by the SRA. This is particularly true since it is not these entities who are seeking a change in the regulatory arrangements and it is unclear what, if any, consultation with CILEX-ACCA Probate entities has been undertaken.
32. It is also the case that no issues have been reported in respect of CRL's regulation of this group, so there is no impetus for change. The LSB's November 2022

regulatory performance assessment report noted that it was, “assured by CRL’s regulatory approach to onboarding this new community”⁵.

Education and authorisation

Q10. Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Education and training

33. The SRA is, in relation to solicitors, of the view that standards for entry to the profession are the first point of regulation. It therefore considers education and training arrangements to fall under this regulatory requirement and operates these arrangements on that basis, most recently with the introduction of the SQE. Continuing to recognise CILEX’s freedom to develop and deliver educational awards which lead to authorisation as a Chartered Legal Executive is a divergence in approach to this area, in conflict with the SRA’s arrangements for solicitors.
34. The SRA is in other aspects looking to closer align the CILEX and solicitor professions, but in this fundamental respect of how individuals qualify into the professions the SRA is suggesting that it will subordinate its requirements to the wishes of CILEX. This ties the hands of the SRA when it comes to making, for example, necessary changes to entry requirements such as updates to professional ethics or areas of competence.
35. No information is provided within the consultation document as to how the SRA will address these areas in the future. The consultation makes passing reference to working with CILEX over time to consider the case for amending these arrangements and establishing a framework. This is not adequate and does not provide enough detail or give any assurance that the SRA will address this inequality in the way that it proposes to regulate CILEX members compared to solicitors. This only further extends the uncertainty and confusion arising from other parts of the proposals.

Authorisation individuals

36. The establishment and administration of a series of separate processes for different authorisations, supported by appropriately trained staff and adjudicators, is likely to be resource intensive and costly. As set out in the consultation, these processes are to be funded by CILEX who must surely pass the cost on through the practising certificate fees of fewer than 8,000 or so authorised CILEX members (for an initial year, according to the consultation document). This cost increase is likely to make it more difficult for those persons to operate, and calls into question the likelihood that any of them would willingly enter into this arrangement.
37. In addition, while the SRA states on the one hand that it expects ongoing costs to be no higher than those currently experienced by affected CILEX members, it acknowledges on the other hand that it is not able to forecast future costs with confidence since it has not had access to information held by CRL. The cost for CILEX members and firms are not openly stated to enable members to make any meaningful assessment.

⁵ <https://legalservicesboard.org.uk/wp-content/uploads/2023/01/LSB-2022-Regulatory-performance-report-Embargoed-Version.pdf>

38. This is an area where the SRA should surely seek to assure itself that ongoing regulatory costs will be at a manageable scale for itself and for those persons who will be funding it before asserting any expectations or entering into a serious conversation, let alone consultation, about these arrangements.
39. The Law Society remains concerned that the proposals involve potentially serious financial risks for the SRA, and by extension the Law Society and the solicitor profession. The SRA could be left regulating a small number of CILEX members potentially unable to bear the additional regulatory cost contribution, resulting in unjustifiable financial risks to the solicitor profession.

Authorisation entities

40. As with individual authorisations, this is a potentially resource intensive approach. Particularly since the proposed arrangements would serve only a small number of entities unlikely to grow in numbers according to CILEX and the SRA's own analysis. Whilst it can be assumed that there will be some sharing of resources since the SRA intends to align standards more closely with those required for SRA entities, the burden of funding the set-up and maintenance of these processes is borne by such a small number of entities that the costs may be unmanageably high for them.
41. The weight of this burden is exacerbated by the SRA's decision to move those entities currently regulated by CRL straight into the pool of SRA regulated entities where they have solicitors in key positions, thus reducing further the number of CILEX entities.

Q11. Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

42. The SRA's proposed approach to continuing professional competence is set in line with the requirements set out by the LSB in its Statement on Ongoing Competence. As such the SRA is required to meet these requirements in relation to all those it regulates.
43. However, in relation to authorised Legal Executives specifically, these individuals will lose some of the oversight and support they had from CRL such as routine audit of records which is above and beyond the requirements of the SRA. This is a useful tool that assists authorised Legal Executives in maintaining their competence and is one that CRL, as a small regulator attuned to their specific needs, is able to provide.
44. There is a blurring of lines between CILEX's membership functions and the SRA's proposed regulatory functions in the area of education and training, with an expectation that CILEX would share information gained during any checks conducted as part of its membership function with the SRA for regulatory purposes. Whilst information should clearly be shared where it represents a risk, it is not clear where that boundary is, or who would be responsible for setting it, or how CILEX members may expect their membership body to treat their information and records in relation to their independent regulator.
45. CILEX stated in its recent consultation that moving regulatory functions to the SRA would enable greater independence than it has with CRL, but this is undermined

by aspects of the SRA's regulatory proposals that blur the lines of separation. This also has implications for resource allocation, which can't be assessed until all relevant information is fully examined.

Q12. Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

46. The following comments are made on the strict basis that the Society firmly opposes the SRA's proposals for the reasons given in this response.
47. The Legal Practice Course (LPC) is a current, albeit legacy, part of qualifying as a solicitor. As such, its inclusion as 'qualifying experience' for purposes of authorisation of Legal Executives is non-sensical in the first place. The LPC is a classroom-based course that does not require time spent in a work environment and is not considered experience for solicitors, but vocational education. It would therefore be appropriate to remove this from the Legal Executive qualification route, particularly since the transitional arrangements for the SQE mean that LPC courses can continue to run for the next few years at least.
48. SQE preparatory courses are of course not interchangeable with the LPC, because SQE courses are not regulated by the SRA. This means there are a range of courses without any specific requirements.
49. When considering the future of qualifying experience for authorisation, the SRA should consider ensuring that Legal Executives have real work-based experience where they gain competence in skills relating to the areas they apply to be authorised in, similar to the qualifying work experience that aspiring solicitors must complete prior to qualification.
50. It is appropriate to ensure that an authorised person is required to confirm an individual's qualifying experience in order to maintain the necessary standards appropriate for authorisation in an area of practice. There is no waiver provided to aspiring solicitors when it comes to signing off qualifying work experience and the same rules should apply to Legal Executives seeking authorisation. If there are to be the same rights conferred in an area of practice for solicitors and authorised Legal Executives, then the same requirements should be met in reaching that authorisation for both professions.

Q13. Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

51. No.

Q14. Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

52. The Law Society notes that the consultation states an initial intention that the SRA's education requirements will incorporate existing CRL requirements. This suggests that the SRA foresees making changes in the future. It must be transparent about what those changes may be and whether it is envisaged to introduce further creep towards greater alignment of standards with solicitors. We are concerned that there is the potential for the SRA to assimilate the professions to the point where

the regulatory objective of promoting a strong and diverse legal profession is undermined by a false homogenisation of two of the largest professions.

Registers

Q15. Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

53. The proposals set out in the consultation again lack the necessary detail and reassurances required to give confidence to the solicitor profession that any potential risks have been or will be recognised and addressed. It is unacceptable to simply state that the SRA will work with CILEX on the best way to present the information about all those authorised to provide legal services, including solicitors.
54. The SRA's primary consideration should be to uphold the regulatory objectives and protect the reputation of its current regulated community of solicitors. Nowhere does it mention how tensions between the needs of both professions would be managed, or how the Law Society would be engaged on such matters to represent the views and interests of solicitors.
55. As in the CILEX consultation, it is stated that the publication of the proposed register of authorised Legal Executives would be managed so as to support improved consumer understanding and choice. CILEX additionally suggests that this is an opportunity to explain the equivalence and distinction of the two professions, therefore assisting consumers to better understand and compare the choice of practitioner able to service their legal needs. Contrary to these views, the Law Society believes that the proposed approach to registers would instead increase consumer confusion.
56. A comparable or searchable register (or registers) of solicitors and authorised Legal Executives would not on its own provide or ensure informed consumer choice in a competitive market. Since consumers would not be comparing like with like, they will need additional information to make an informed choice. This is a consumer protection risk which must be mitigated.
57. Authorised Legal Executives are limited to working in a single area of law with statutory consumer protections also limited to that reserved area. Any tools that provide for comparison must also spell out clearly the difference between an authorised Legal Executive's narrow area of regulated authorisation and expertise and the more comprehensive authorisation and expertise of a solicitor together with wider consumer protection.
58. Any assertion of consumer choice benefits assumes that consumers know their legal issue(s) well enough to judge whether advice from a practitioner who is authorised in only one specific area would be sufficient to meet their needs. The Society does not believe that this is a safe assumption to make, and that uninformed consumers may be left having to seek additional advice from other providers.

CILEX proposals for a combined register

59. CILEX stated in its recent consultation that its longer-term objective would be to combine the registers of authorised Legal Executives and solicitors. This would be unacceptable. It would only increase confusion for consumers since it would be harder to clearly see which profession was which. Any move to combine would also be contrary to the SRA's commitment to keep the professions separate in all aspects.

Investigation and enforcement

Q16. Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

60. The following comments are made on the strict basis that the Society firmly opposes the SRA's proposals for the reasons given in this response.
61. Separately trained staff and adjudicators should be used for CILEX lawyers. However, there is an unacknowledged funding issue, since these staff will need to be trained on matters relating to authorised Legal Executives. This cannot be funded from solicitors' practising certificate fees and therefore represents another transitional cost that CILEX or the small population of authorised Legal Executives would have to meet. As with other areas highlighted throughout this response, it is essential that the SRA and CILEX make clear the expected costs of all elements of the proposals for a redelegation of regulation before proceeding any further.

Q17. Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

62. The inability of the SRA to refer authorised Legal Executives to the Solicitors Disciplinary Tribunal (SDT), except using existing powers relating to non-solicitors in SRA firms, potentially presents an issue where individuals are concerned. The SRA must be clear about whether it would hold authorised Legal Executives to a different standard of regulation than solicitors or whether it would seek to replicate the approach of the SDT within its own processes for authorised Legal Executives.
63. CILEX and the SRA appear to be seeking alignment of opportunity and standards, and the appearance of equality between solicitors and Legal Executives. If that is the case, then the same regulatory processes must be applied or there will be a serious risk of public confusion and reputational damage for the SRA and for solicitors. It must also be recognised that alignment will bring more onerous professional obligations for authorised Legal Executives than at present. This would have a negative impact on the current service offering from CILEX members.

Q18. Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

64. The use of fair hearings in serious cases seems essential to ensure that the individual concerned can exercise their right to representation.
65. Currently a hearing before an adjudicator is a very rare occurrence. If these hearings are to become more regular, then adjudicators will require appropriate

training. Their present experience would not equip them to deal with cases involving a potential loss of practising rights in the same way that the expert and independent members of the SDT do in relation to solicitors.

Q19. Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

66. No.

Client protection

Compensation arrangements

Q20. Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

67. No. As it stands this proposal has not been fully or sufficiently explained as is necessitated by the potential serious cost and liability consequences that would follow.

68. For clients of CILEX entities to be able to access the Compensation Fund, authorised Legal Executives would need to pay a yearly contribution. That would initially be required to fund the appropriate reserves cushion equivalent to that maintained in the fund at present and contributed by solicitors. Contributions from and reserves held for the two professions should not be pooled.

69. In addition, eligibility to make claims would have to be the same as it is for solicitors' clients. The Compensation Fund can currently accept a claim where no claim is possible under a solicitor's PII which is on minimum terms and conditions. If the fraud provisions in PII policies of authorised Legal Executives are not the same, then claims can be made that would not be eligible in the present scheme. If CILEX entities are to insure on the same terms as solicitors and such terms are available from the market, this would inevitably increase the premiums payable by authorised Legal Executives.

Q21. Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Q22. Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

70. Without greater clarity around the arrangements being proposed in this area, it is difficult to respond to these questions. For example, it is not clear what is meant by 'statutory instrument' or what the arrangements for clients pre-dating the switch to the SRA will be. They will not be able to claim from the SRA's Compensation Scheme, but it is not stated whether or how they might continue to be able to claim under the existing CRL arrangements.

71. In any event, it is essential that clients of entities or authorised individuals must be provided with adequate protections.

Professional Indemnity Insurance (PII)

Q23. Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

72. The change would align with the cover provided by solicitors but would carry a cost to authorised Legal Executives, which may have a negative effect on the ability of those entities to continue to offer legal services.

73. Our comments in response to question 7 are also relevant in this context.

74. The Society understands that CILEX firms have experienced significant difficulties to find PII cover because there are only two underwriters willing to collaborate with them. This means that the market is highly uncompetitive. Since there are too few CILEX-regulated entities for underwriters to offer bespoke terms, they only offer policies based on the SRA's minimum terms. (The only difference is that there is a fraud exception in CILEX policies that does not exist in SRA-compliant policies.) Therefore, from the perspective of underwriters, CILEX policies represent a risk broadly equivalent to SRA policies.

75. Regulation by the SRA could theoretically open the market significantly for CILEX firms because they could potentially be able to access more than 20 underwriters. However, the wider market would probably have concerns about those CILEX firms operating without solicitors as principals, who may continue to have limited choice at higher premiums unless and until other participating insurers are convinced that they represent a good risk.

Interventions

Q24. Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

76. No.

Anti-money laundering (AML)

Q25. Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

77. Since HM Treasury under the Money Laundering Regulations (MLRs) stipulate who the designated AML supervisors are, the SRA must bear responsibility for those it regulates in the same way they currently do for solicitors and CRL does for Legal Executives. This is not something it has control or choice over, although taking over AML supervision of CILEX firms will require appropriate revisions to the MLRs.

Consumer information

Q26. Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

78. Again, these proposals represent an increase in consumer protections but also an increase in regulatory burdens for those entities and individuals concerned, which could negatively impact their ability to continue their businesses. CILEX entities

would be subject to the wider requirements that the SRA applies to firms it currently regulates in terms of the Transparency Rules. This would require all those firms to publish information about complaints and regulatory status, not just those who provide conveyancing, probate and/or immigration services as CRL currently requires.

79. These entities and individuals would also be required to comply with the SRA's current requirements on costs information, which is good for consumer choice and competition but, in light of the additional work and expense, may have a negative impact on those businesses which are currently not required to publish these details.
80. It is noted that there may be further disruption to affected individuals and entities resulting from the SRA's planned work on transparency requirements in the coming year, which represents additional uncertainty for those affected by these proposals. It is also noted that the SRA proposes to treat CILEX-ACCA probate entities differently, as they will continue to be subject to current CRL transparency requirements.
81. Whilst the increased transparency in relation to costs and regulatory status may benefit consumers, the use of the SRA clickable logo currently used by all solicitor firms would in our view be an additional factor contributing to consumer confusion between CILEX firms and solicitor firms.

Q27. Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

82. It is not clear whether these proposals are intended to align with the requirements of the SRA Authorisation of Individuals Regulations (the AIRs), which require solicitors who are providing services outside an authorised firm to comply in full with the Code of Conduct for Solicitors, Registered European Lawyers, and Registered Foreign Lawyers. Clarification is required before any substantive comment can be made. For example, the concept of "freelance" does not appear in the SRA's proposals. Solicitors are able to practise as freelance solicitors whether they offer reserved or unreserved services. The SRA Roll, Registers and Publications Regulations require solicitors intending to practise in this way to notify the SRA regardless of whether the services are reserved or unreserved. The consultation does not explain whether the same requirements will apply to CILEX members.

Communications

Q28. Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

83. The proposed approach to communications set out in the consultation is focused solely on CILEX and authorised Legal Executives and notes only how their authorisation will be explained and what their regulation means. There is no consideration by the SRA of the need to make clear the SRA's role in regulating both Legal Executives and solicitors in those new communications, or how it would ensure clarification and accurate understanding of the two separate professions. Since this affects the public and solicitors, we would expect to be able to consider

the way in which it is intended that the communication of regulatory information would be accomplished.

84. The distinct identity, qualification route and scope of authorisation applicable to solicitors in comparison to authorised Legal Executives should be clear and transparent. Given the risk of reputational damage, we would expect to see how this would be achieved.

85. We note the inclusion of a proposed register as a means of publishing public facing information. We have addressed issues with these proposals in more detail in answer to question 15.

Proposed SRA statement

86. In addition to the risk of greater consumer confusion stemming from a shared regulator, we believe the SRA's proposed statement that CILEX members have the same authorised status as solicitors is misleading and presents a serious risk. In order to accurately understand such a statement, consumers would require an understanding of different education and training requirements and the difference in scope of authorisation held by members of each profession. The current statement provides no explanation of any of these essential elements.

87. CILEX stated in its consultation that it wants to clarify the status of authorised Legal Executives through this SRA statement by confirming that they have the same authorised status as solicitors in areas where they have practising rights and that this flows from their training, assessment, and competence and not simply from being regulated by the SRA.

88. The Law Society's view is that, compared to the narrow qualification requirements for Legal Executives, solicitors have a wider breadth of knowledge, skills and experience underpinning their authorised practice and are able to conduct their practice in multiple areas of law as may be required. Therefore, authorisation of Legal Executives in a particular area does not represent the same authorisation status as solicitors as the proposed SRA statement suggests. The narrower scope of authorisation also goes wider than just previous education and training. It also extends to the ability to recognise that an issue may involve more than one area of law and being able give or direct appropriate and comprehensive advice to meet a combination of legal needs.

89. The Law Society was previously approached by CILEX to make a joint statement with CILEX that the professions were "authorised persons of equal standing", which the Law Society was not able to do because there is clearly a difference in the qualifications, scope of authorisation and the roles held in each profession.

Rebranding of authorised Legal Executives

90. We believe the risk of increased confusion for consumers would be greatly exacerbated if CILEX are allowed to rebrand as 'Chartered Lawyers', a term widely understood as referring to qualified solicitors and barristers. This would be further aggravated if those individuals were to be regulated by the *Solicitors* Regulation Authority, coupled with the SRA's proposed statement that they have the same authorised status as solicitors. It is easy to see how consumers would be led to believe that the two professions have been assimilated.

91. Our position is supported by research we have conducted. In October 2023, the Law Society asked 2,236 adults questions to assess their understanding of legal titles and the differences between solicitors and Legal Executives and between legal regulators. Three-quarters of the public associated the term 'lawyer' with solicitors while 60% associated the term 'lawyer' with barristers. Only 1 in 10 associated the term 'lawyer' with Legal Executives/CILEX legal professionals. On balance the public thought the term 'Chartered Lawyer' would be unhelpful.
92. These findings indicate the potential to disrupt an established understanding of the term 'lawyer' as relating to solicitors and barristers. They also demonstrate the difficulty in building an improved understanding of CILEX members linked to a new 'Chartered Lawyer' title.

Welsh language

93. Another issue that must be considered in the jurisdiction of England and Wales is the consumer confusion that would be likely to occur when 'Chartered Lawyer' is translated into the Welsh language. Unlike in English, there is no distinction or separate word for a solicitor in Welsh compared to 'lawyer'. The word for both solicitor and lawyer (singular) is cyfreithiwr.
94. Whilst in English lawyer can be used as a generic term to refer to a barrister or solicitor, or potentially another legally qualified individual, this is not the case in Welsh. The word 'cyfreithiwr' (solicitor/lawyer) would never accurately be used to denote a sole barrister or other legal professional.
95. The translation of Chartered Lawyer, 'cyfreithiwr siartredig', would therefore, to a Welsh speaker, mean chartered solicitor. Whilst the word translates to lawyer, if it referred to a barrister or other legal professional, such as a Legal Executive, it would explicitly state so.
96. The current term used for Legal Executives, 'Gweithredwr cyfreithiol', avoids the confusion outlined above.

Other regulatory issues

SRA Accounts Rules - Official appointments

Q29. Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

97. The SRA is proposing to remove a requirement without giving any indication as to why the requirement is currently in place, or what the implications for removing it may be. Its core requirements for competencies, character suitability and ongoing competence have been designed for the solicitor profession and can't automatically be applied to authorised Legal Executives where different requirements exist.
98. It is necessary to first assess and confirm that the competencies as well as character and suitability requirements that must be demonstrated by authorised Legal Executives meet the required standards as currently met by solicitors before it can be assumed that this approach is appropriate. This would serve not only the interests of the two professions, but also the public interest.

99. Being subject to the SRA's rules merely by virtue of place of work does not provide enough assurance. If it chooses to regulate authorised Legal Executives as individual practitioners, the SRA must assure itself that the regulatory arrangements are appropriate.

Third-party managed accounts (TPMAs)

Q30. Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case-by-case basis to use a TPMA? If so, please explain.

Regulated financial services activities

Q31. Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

100. The approach to third-party managed accounts (TPMAs) and regulated financial service activities seems appropriate in the context of reauthorising CILEX entities and holding them subject to the same requirements as existing SRA entities in this and other respects.

101. However, it should be noted that under the SRA's current arrangements, firms operating a TPMA are exempt from paying the firm contribution to the Compensation Fund, although solicitors within the firm are still required to pay their individual contribution. If the SRA applies the same principle to CILEX firms with TPMAs, that may exacerbate concerns around the Compensation Fund as expressed above.

Authorised CILEX lawyers in non-commercial bodies (including not for profit bodies)

Q32. Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

102. No.

Ancillary changes and transitional arrangements

Q33. Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

103. The transitional arrangements should be agreed between SRA, CRL and CILEX. The SRA would need to ensure that it has adequate assurances and resources in place to avoid any negative knock-on effect in terms of regulatory costs or performance. It must also ensure that there is no impact on the available regulatory resources for solicitors and that it is not taking on a responsibility that it does not fully understand or cannot manage.
104. It is difficult to comment further since there is no explanation in the consultation document of how the new and additional workload will be managed, how long a period of time the transitional period will be, and whether there will be a gradual handover of processes or a hard stop.

Draft regulatory impact assessment

Q34. Do you have any comments on our draft regulatory impact assessment? If so, please explain.

105. Disappointingly, the SRA has not set out or even addressed any consideration of the potential impacts on the solicitor profession, other than to assert that it believes the changes will be “broadly neutral”.
106. As mentioned at the outset, in responding to this consultation we have in mind the key points made by CILEX in its previous accompanying consultation. This is especially relevant since the SRA has chosen not to seek views on the question of whether or not it is appropriate for it to regulate authorised Legal Executives, focussing only on *how* it would do so.
107. Given that the majority of CILEX members already work within SRA regulated entities and are therefore subject to SRA regulation in that way, this is a disproportionate amount of upheaval and cost for any limited gains that CILEX or the SRA may expect to achieve. This is particularly important since the results from CRL’s recent consultation show that when Legal Executives were asked if they considered it to be a priority to change the current regulatory system, 68% of the 1,018 people who answered this question said ‘no’.
108. The Law Society’s comments are limited by the information provided, which we believe to be inadequate. We will give further consideration once further detail emerges.

Regulatory objectives

109. We have considered how the proposals may, in the round, affect the regulatory objectives. We believe CILEX and the SRA have failed to demonstrate how the proposals meet the bar of positively influencing or promoting the regulatory objectives and to assure the affected regulated communities that the proposals will not have a negative effect.
110. The relevant regulatory objectives referenced are:
improving access to justice
protecting and promoting the interests of consumers.
promoting competition in the provision of services within subsection
encouraging an independent, strong, diverse, and effective legal profession.
111. In contrast to the SRA’s regulatory impact assessment which states positive or neutral impacts, we believe that the proposals may adversely affect these regulatory objectives.

Improving access to justice

112. The LSB's stated position is that improved access to justice will only come through the lowering of regulatory barriers, thus enabling completely new entrants. This is not something that can be addressed by the greater budget of the SRA, or by a re-ordering of the current population of CILEX members, or by SRA statements asserting the relative merit of Legal Executives.

113. The small number of CILEX led firms is not likely to increase as CILEX acknowledges that there is no pipeline of members wishing to set up new firms.

114. The SRA believes there will be a positive impact on access to justice from simplifying the regulatory landscape. However, the majority of CILEX members work in solicitor run firms so these changes would have no effect on those individuals and the services they provide, or on how consumers interact with them.

Protecting and promoting the interests of consumers

115. As noted above in response to question 28, we believe that shared regulation premised on a statement of equal authorised status will result in greater consumer confusion. This risk would be greatly exacerbated if CILEX were to rebrand as 'Chartered Lawyers'.

116. We also believe that the proposals would negatively impact on the ability of consumers to clearly understand the choice of legal services available to them and to choose the appropriate provider to meet their needs. This would be particularly difficult and open to risk for vulnerable consumers.

Promoting competition in the provision of services

117. The proposals represent a desire to move towards greater alignment between Legal Executives and solicitors, thereby reducing differentiation in the legal market. A move to SRA regulation, along with the increased flexibility of routes for education and training for solicitors brought about by the introduction of the SQE, makes the choice to become a Legal Executive rather than a solicitor less clear cut.

118. Competition is a factor of informed consumer choice with the availability of relevant information an absolute prerequisite. Even if a larger number of CILEX entities existed or were to exist in the future (which is unlikely), as explained above consumer interest is not measured by competition alone.

Encouraging an independent, strong, diverse, and effective legal profession

119. This is addressed in response to question 35 below.

Regulatory fragmentation

120. The LSB has previously indicated that it would be supportive of regulatory consolidation, and the SRA states in this consultation that it believes this move would achieve organic, well managed regulatory consolidation. However, this lies outside the SRA's scope of delegation, which is limited to the regulation of solicitors.

121. Given the current arrangements of CILEX's membership, where members must adhere to the CILEX Code of Conduct with regulatory oversight from CRL, the proposal to move only part of the membership to the SRA could be viewed as regulatory fragmentation, not consolidation.

122. As a result of these proposals, CILEX would be left overseeing CILEX's remaining non-authorised individuals, which would be a retrograde step for the regulation and oversight of those individuals.

123. It is also unclear what CILEX intends for the regulation of the new 'Chartered Paralegal' qualification that it has put forward in its recent consultation. The SRA mentions in this consultation only that this is an area that would need to be resolved in the future, without any commitment to regulating this qualification itself. This is indicative of the lack of detail and unanswered questions in both consultations, and of the level of uncertainty that respondents are left with when asked to comment on the proposals.

Draft equality impact assessment

Q35. Do you have any comments on our draft equality impact assessment? If so, please explain.

124. As noted in the equality impact assessment, the SRA must promote the regulatory objective to encourage an independent, strong, diverse, and effective legal profession.
125. The draft equality impact assessment covers an overview of the various information available about each of the professions and a comparison of the various groups represented in each profession. However, there is no actual analysis of the potential for positive or negative impacts that would result from the proposals on any of the affected groups.
126. We would expect further analysis and a thorough impact assessment, based on full information, which considers the potential for any adverse effects from these proposals, particularly focusing on solicitors as the profession regulated by the SRA.
127. The consultation document notes only that the effects of changes will be monitored, but it is not explained what data will be collected, how this would be analysed or how the SRA will stretch its resources to accommodate the regulation of an additional profession.
128. The consultation also does not address the potential adverse impact of joining together the regulation of the two professions. This is a significant proposal, without even the most basic of analysis of what the potential adverse effects might be, or how the SRA will be adequately prepared to appropriately monitor any issues that may arise.
129. The diversity of the professions will not change as a result of some of CILEX's members being regulated by the SRA. At best this change would slightly alter the diversity balance of the SRA regulated community.
130. As explained in response to various aspects of this consultation, we also believe these proposals have the potential to result in higher and possibly unnecessary regulatory standards, regulatory burdens, and cost for Legal Executives. Making it harder and more expensive to qualify and operate a business would do the opposite of encouraging an independent, strong, diverse, and effective legal profession.

The following respondents asked for their responses to be published anonymously.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:4 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

Yes

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

They must be prohibited from holding themselves out as Solicitors.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No. These entities should be removed from regulation unless they can align with CILEX entities

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No.

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No.

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No.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

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9. Consultation questions - page 7/7

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43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:5 Data

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YES

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

The 'aligned standards approach' seems logical and sensible.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

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4. Consultation questions - page 2/7

16.

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Again - this seems logical and sensible.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

YES - AGREE

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8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by

CILEX (other than CILEX-ACCA Probate entities)?

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38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:18 Data

2. About you

9.
How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

10.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

11.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No - what is the point of having a separate code of conduct when they do the same job? Having it separate will just cost more money.

12.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Make it all the same for solicitors or CILEX, ie the SRA code of conduct for solicitors. They want to be regulated by the SRA, so why develop a code especially for CILEX?

13.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

14.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Separate qualification paths makes sense, but there will be blurring of the lines, so far as the public are concerned.

4. Consultation questions - page 2/7

15.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Are there any CILEX lawyers outside of E&W? If so, yes the usual SRA rules should apply.

16.
7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Yes - they may be very different organisations, so it wouldn't do to make them all SRA firms.

17.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No, except why would they want to change regulator!?

18.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

19.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes

5. Consultation questions - page 3/7

20. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No - again, if they want to be regulated by the SRA CPD requirements should be the same for CILEX and solicitors.

21. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

22. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

It seems complicated, but amalgamating regulation of two distinct (if allied) professions is complicated. I still fail to see who benefits at all from this. But I would hope if this does go ahead, the cost of doing it falls on CILEX not solicitors. But if we are to be treated equally, the practising fees should also be equal. So how can this go through without it costing us all more money?

23. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

24. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

25. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

26. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

It seems unnecessarily complicated

27. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

28. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so,

please explain.

29. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Yes

7. Consultation questions - page 5/7

30. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Only if money comes from the CILEX side to funds additional claims on the fund

31. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

32. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

33. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

34. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

35. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

36. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

37. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

38. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

39. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

40. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

41. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

42. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

43. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

44. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:26 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do not believe that "incorporating" CILEX members is beneficial for solicitor or CILEX. Members

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

I do not believe that the SRA should regulate CILEX at all.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Again. The "merger" is not a good step for solicitors or CILEX members

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

Same comment as before. Merger is not good for either

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Yes. Don't do it.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Again. Don't do it.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No. Solicitors should not get involved here. Nor should SRA.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Again. Don't do it.

No benefit for solicitors. Risk too great.

Mission creep for SRA is the only "benefit"

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

As I am against SRA having any role, I disagree here too.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No. Comment as before.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No. Same comment as before.

No benefit for solicitors.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

Same overriding comment. SRA should not expand to CILEX.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

Nothing specific above objections in principle

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

Opposed to this move totally

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

Oppose. Comments as before

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Oppose.

SRA should use its funding for regulation of solicitors.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Oppose generally

A recipe for confusion.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

See comments before.

An unnecessary expansion. The only beneficiary is SRA

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No further comment

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

No

Why should solicitors pay for the dishonesty of non solicitors?

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Oppose.

For reasons stated before. Oppose merger totally

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

Oppose.

Same reason as before.

This shouldn't happen

No benefit for solicitors

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

Oppose.

Same reason as before

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

See comments before

No need for SRA to expand

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised

CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

Oppose

See comments before

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

Oppose

Same reasons as before

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

Oppose

Same reason as before.

SRA should regulate solicitors only.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

Oppose merger. So no need to communicate

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Oppose.

See comments before

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Oppose

Same reason as before

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

Oppose

Same as before

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

Oppose

CILEX should regulate CILEX

SRA will already have used the resources/ funding from PC s to pay for the work to date. Funds should be used for solicitor profession

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

Same as before

Don't do it

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

The risks are understated. The costs are not clearly predicted.

The law of unintended consequences is ignored.

No need and limited benefit to anyone other than SRA expansion

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Nothing els

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:50 Data

2. About you

8.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

9.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

As a fellow I think this will strengthen the work of cilex over the years. By amalgamating with SRA confirms the status of cilex lawyers and will give public confidence to know cilex members are regulated to a high standard

10.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

It will probably be too much work to merge them but largely the code of conducts will be the same. Probably easier to merge and incorporate CILEX into the code of conduct. Both standards are equally high and will require less man power to regulate. Think they should be amalgamated

11.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No

12.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

13.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

14.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

15.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No sure

16.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Not sure

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes

5. Consultation questions - page 3/7

19. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

YES

20. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

21. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

22. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

23. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have

aligned it with solicitors and SRA-authorized firms?

Yes

26. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

Yes

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Yes

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Don't understand

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Not sure

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:57 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Yes, I do not consider CILEX should transfer the regulation to the solicitors' regulation authority.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

Yes

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Yes there does not need to be an alignment, the two strands should be kept separate.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Yes, the two strands of qualification should be kept separate.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by

CILEX (other than CILEX-ACCA Probate entities)?

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA

Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Yes the two strands are different and should be kept apart. The public will be confused by CILEX lawyers and think they are the same as Solicitors.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:60 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I oppose it as the two disciplines of solicitor and legal executive are distinctly different

I do not believe Legal Executives are in favour of merger , not having been properly consulted

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Yes , I do have concerns .

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

It predeposes that merger will go ahead

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No view

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies'?

depending on who owns and manages them?

No

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No view

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

It seems to be hybrid proposal to overall plan

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

The two should remain distinct

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Only if scheme accepted but smacks of dual standards

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

None

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

I believe so

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

None

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No , it should fall to fund in force at time of breach

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

See before

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No view

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

None

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

None

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No view

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No view

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No view

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No view

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No view

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No view

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

None

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

Proposals seem fragmented

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

As above at 33

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Did not fully understand it

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:65 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do not agree that legal Executives should be regulated by the SRA as it is under enough pressure as it is

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:87 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I am pro bringing CILEX under SRA. I think this will allow for greater awareness of the CILEX scheme thereby widening the access to becoming a solicitor and hopefully helping those from non traditional backgrounds to qualify into the profession more easily.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

I do not see two Codes of Conduct as necessary. Most CILEX lawyers are operating at SRA standards and maintaining two codes continues to hold onto an outdated two tier system. Where CILEX lawyers are not authorised to carry out certain actions can be dealt with in it's on section of the SRA code similarly to in house lawyers.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

This is positive move and it make it clear that CILEX and SRA lawyers are of equal merit and standing.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

I thinking merging the regulation of CILEX as SRA as a very positive move. I think it will additionally boost trust by the general public in the profession

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

I think this is a sensible approach.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

I think all CILEX entities should be reauthorized as SRA firms and CILEX bodies should be removed as an option.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

I think CILEX has proven itself to be robust as had only ever added to the legal profession. The combining of CILEX and SRA is recognition of the standards already achieved.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

I agree with the maintenance of regulatory requirements, but I would like to see some change to the nomenclature to remove this equal but separate qualifications. It gives the wrong impression of "lesser" to the general public that is antiquated.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Subject to my earlier comments, I agree with the overall approach, but I would like to see the SRA go further.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

I agree with the requirements that must be met.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

I agree with the qualifying requirements, but the SQE preparatory and LPC are equivalent, so not taking time spent on these into account, on the face it appears discriminatory. This should be reconsidered urgently. It seems to me to be relatively straightforward to have the relevant institution confirm how many hours of a course were attended.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

The other two proposals seem fine.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

CILEX Lawyers should have the same ongoing CPD requirements as SRA lawyers.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

I agree with the approach, but the SRA should go further in combining the two routes to qualification to create full equivalency

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

I agree with the approach, but this should be temporary with them to always move the regulations to apply equally across all SRA managed profession - both lawyers and non lawyers.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

I agree with this approach

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

It should always be necessary for a full hearing where the removal of practising rights is being considered.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

The rules seem good, but the end goal should be to work towards CILEX Lawyers being treated as solicitors

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

I agree

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

I agree, subject to my reference that there be no CILEX bodies, all bodies should be SRA. Option (2) should still be under the compensation fund.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No comments at this point.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

I agree with the suggested approach

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

I agree with this approach

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

I agree with this approach

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

I agree with the proposed approach

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

I agree with the proposed approach

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

I agree with the proposed approach

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

I do not think there are good reasons to maintain the CRL's approach. I think the SRA approach is correct.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

I do not think there are good reasons to maintain the CRL's approach. I think the SRA approach is correct.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

I agree with this approach. However I see no need to maintain any legal bodies as CILEX bodies.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

I agree with this approach.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

I agree with the arrangement proposed.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

The impact assessment appears correct.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

This impact assessment seems correct. I would like the SRA to conduct a further assessment if the proposals go ahead

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:101 Data

2. About you

8.
How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

9.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

The term chartered legal executive is appropriate and understood by the public and profession and should remain. The term Chartered Lawyer is inappropriate. The public do not understand the difference between solicitor and lawyer already and this will confuse the market place even further.

10.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No - You're either regulated by SRA or you are not. The same code should apply for anyone regulated by SRA - otherwise you have dual standards for the same regulator.

11.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

The standards should be exactly the same for any person authorised by SRA

12.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

Should not have a separate SRA Cilex Code of COnduct -the SRA Code of Conduct should apply to anyone regulated by SRA- In the event of multiple codes, it will become an impossible headache to regulate the SRA rules trying to work out whcih bit of the code applies to whcih regulated person.

13.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

no

4. Consultation questions - page 2/7

14.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Each set of Rules should apply to all SRA regulated members whether solicitors or Cilex,

15.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

CILEX firms should only be able to be "authorised CILEX bodies" unless:

(i) they merge with an SRA firm, when the CILEX members work in the same firm as the existing solicitors AND WHERE THERE ARE A MAJORITY OF SOLICITORS in the firm (and a majority of solicitors manage the firm) and these CILEX services do not contribute more than 20% of the fee income of the practice.;

(ii) they are managed by a firm where THERE ARE A MAJORITY OF SOLICITORS in the firm (and a majority of solicitors manage the firm) and these CILEX services do not contribute more than 20% of the fee income of the practice.;

Allowing Solicitors to Manage CILEX Bodies and thereby call them SRA firms will confuse the marketplace and allow regulatory and insurance arbitrage and dilute the standing of solicitors still further..

16.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No. The CILEX-ACCA Probate entities should either be regulated by ACCA or SRA not both. We have come across ACCA firms conducting law and the standards of ACCA practices when they carry out legal work is dire and their ethics. exceedingly poor.

If an SRA regulated firm is carrying out probate then they should face exactly the same set of regulatory rules that a solicitors firm carrying out probate is required to face.

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes! however, as usual with SRA it's about SRA's ability to manage and expand its regulatory roie and not about SRA protecting the integrity of solicitors. - as usual nothing has been considered about how to ensure the public don't confuse CILEX with solicitors - A large sticker on the front of the door or a large web-image saying Regulated by the Solicitors Regulatory Authority will say to the public that these are equivalent to solicitors to the detriment- yet again - of solicitors.

5. Consultation questions - page 3/7

19. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

20. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

21. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

22. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

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23. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

The SRA should set up a separate regulatory "trade name" CILEX Regulatory Authority and regulate through this.

So that the public don't confuse CILEX with solicitors

- A large sticker on the front of the door or a large web-image saying Regulated by the Solicitors Regulatory Authority will say to the public that these are equivalent to solicitors to the detriment- yet again - of solicitors.
- If however the sticker on the front of the door or a large web-image saying Regulated by the CILEX Regulatory Authority - this will say to the public that these are NOT equivalent to solicitors, thus preserving the premier role of solicitors.

6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

YES

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No - see above answers

26. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes - but CILEX costs should be separated from Solicitors costs - so that solicitors don't get additional fees due to the costs of regulating Cilex

27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

NO

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

NO - there should be a separate Compensation Fund whose costs are solely picked up by CILEX members

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No NO NO - there should be a separate Compensation Fund whose costs are solely picked up by CILEX members

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

See above answers

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated

firms? If so, please explain.

This is essential to preserve the level playing field and should be the same insurance providers - but the insurers should recognise the difference between SRA - Solicitors PII insurance and SRA-CILEX PII Insurance so that claims in CILEX fields do not adversely affect SRA-Solicitors PII premiums.

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No, save that costs should fall into the CILEX regulatory budget

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

NO

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

The SRA should set up a separate regulatory "trade name" CILEX Regulatory Authority and regulate through this.

So that the public don't confuse CILEX with solicitors

- A large sticker on the front of the door or a large web-image saying Regulated by the Solicitors Regulatory Authority will say to the public that these are equivalent to solicitors to the detriment- yet again - of solicitors.

- If however the sticker on the front of the door or a large web-image saying Regulated by the CILEX Regulatory Authority - this will say to the public that these are NOT equivalent to solicitors, thus preserving the premier role of solicitors.

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

same rule should apply as for solicitors

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

Completely ignores separation of solicitors and CILEX in the public mind - just another regulatory power grab by SRA without proper consideration of how to protect solicitors from unfair, lower overhead competition, from CILEX. In no other European jurisdiction are there so many quasi-solicitors and this is just another example of the downgrading of the profession of solicitors by the solicitor's own regulatory body.

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

YES - for all of the above reasons

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Same regulatory hurdles as solicitors - but losses arising from TPMAs (i.e. Tmpa collapses) should not fall within the compensation fund

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

CILEX entities do not have the rigorous training and safeguards that solicitors have in relation to regulated financial services activities and should not be allowed.

If a CILEX entity wants to carry on regulated financial services activities as an exempt professional firm, it should have to re-register as a solicitors firm and meet the same regulatory hurdles

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

See above comments

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

it is Rubbish as usual - the regulatory impact is something that can only be truly assessed after the fact.

Your view that the proposal has potential to benefit the public and consumers of legal services and advance the regulatory objectives set out in the Act in a number of ways is simply justification for the regulatory powergrab of an increasingly autocratic regulatory body. It is delusional to say that the impact of your proposals will be broadly neutral for stakeholders including regulated CILEX and SRA practitioners, the public and consumers - consumers and the public will be confused still further about the difference between solicitors and CILEx members, particularly when "Regulated by SRA" badging and solicitors will (yet again) face additional compensation from less trained professionals with lower overheads in the increasingly tilted playing field. It is unsurprising that SRA has not identified any potential negative impacts or material risks for the public or consumers, because SRA is so disconnected from the real world issues facing solicitors.

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

The SRA equality impact assessments are already farsical - let the farse continue

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:108 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do not wish CILEX members to be registered under the SRA

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Do not agree

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Yes

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be

dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:124 Data

2. About you

8.
How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

9.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Beyond disagreeing with the premise of the changes, no

10.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

no

11.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

You appear to wish for a fusion of the professions

12.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

13.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

14.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

15.
7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

It is confusing to the consumer and undermining to the solicitors profession

16.
8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by

CILEX (other than CILEX-ACCA Probate entities)?

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

5. Consultation questions - page 3/7

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6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

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27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

No

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

I agree with the law society's response

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

I agree with the law society's response

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:125 Data

2. About you

15.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

1.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Since SRA members are qualified solicitors being admitted, but the members of CILEX are not really being admitted with practising legal qualification, it is in fact unfair for two groups of professionals who have been "recognized" via different routes and with different professional qualification/identify being subject to a same regulatory body.

2.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No, if SRA is to regulate CILEX professional, why should there be 2 separate sets of Code of Conduct?

3.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No

4.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

5.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

6.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

7.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No

8.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

9.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

10.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

11. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

12. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

13. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

14. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

15. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

16. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

17. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

Yes

18. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

19. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

20. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No

7. Consultation questions - page 5/7

21. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

22. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

23. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

Yes, this is fair

24. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

25. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

26. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

27. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

28. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

29. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No

30. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No

9. Consultation questions - page 7/7

31. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

This is not right and risky as CILEX entities may not have ability or capability as well as professional knowledge to carry on regulated financial activities which will require very sophisticated skill set and knowledge

32. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

33. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

34. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

35. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Agreed, confusion will definitely happen, hence not agree to accept CILEX as it will be quite impactful

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:131 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

The Law Society say that the governance arrangements will create conflict with the core regulatory objective of protecting the interests of consumers.

There is no evidence the proposals would support building a more diverse legal profession, increase access to justice nor expand consumer choice and competition.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

Yes - their entire regulation should be separate.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

It should be profession-led regulation, as introduced by the Legal Services Act, but CILEX are a separate profession to Solicitors.

It suggests a false equivalence between two distinct groups of professionals. Consumers are confused already and this will add to that confusion.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Many Chartered Legal Executives are very good at their jobs. However, if regulation by CILEX has failed, then presumably their regulation was in some way faulty and so every aspect of their work would presumably need re-examining upon re-authorisation of anyone, should that go ahead.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Many Chartered Legal Executives are very good at their jobs. However, if regulation by CILEX has failed, then presumably their regulation was in some way faulty and so every aspect of their work would presumably need re-examining upon re-authorisation of anyone, should that go ahead.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

no

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

no

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

no

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

Anything which suggests a false equivalence between two distinct groups of professionals is creating confusion for the consumer.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

We already have ACCA Probate issues where they deal with the administration of estates and do not have sufficient knowledge of Wills and Trusts to deal with the estate properly and so the consumer approaches a solicitor for assistance (often at additional cost to the client and after problems have been generated), so I fear that this will exacerbate the problem.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

No - aligning the professions is inappropriate and causes confusion for the consumer.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

Consumers should have access to insured professionals, but the alignment of the professions is inappropriate and causes confusion for consumers.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

The system of reporting is already inadequate - limited details given out creates confusion between firms with similar names as it is (I have personal experience of this), so adding more firms with different professions within them will simply create more

confusion for consumers and more potential for the SRA to effectively defame innocent firms who happen to have a similar name to a firm who has been reported.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

There should also be limitations on those taking up a position, so that any concerns about their suitability can be checked, no matter which profession. The protection of the consumer and the reputation of solicitors should be maintained.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

I disagree that public confidence will benefit - this will cause confusion for the consumer and the brand of solicitor will be diminished.

The Law Society has raised concerns for the profession and the regulation of CILEX is outside the remit of the SRA.

I see no evidence that this will make a stronger and more diverse profession. The vast majority of CILEX members have not voted for this and they have always wanted to be separate from solicitors (having worked with Ilex some years ago). Solicitors similarly are concerned that any parity with CILEX is inappropriate and causes confusion for consumers.

I don't see any benefits to SRA taking on the regulation of CILEX at all, but only negatives.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:138 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do think that it would be cleaner and more efficient if the SRA regulated all professionals working in a law firm or related businesses. I do not think Legal Executives should be renamed Chartered Lawyers. Lawyer is an all encompassing term and I think it would cause confusion for the public who often assume a lawyer is a barrister or a solicitor.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

I don't mind either way

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

I do not agree with the renaming of Chartered Legal Executives

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

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No

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8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

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5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

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6. Consultation questions - page 4/7

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Yes

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

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37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:140 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Legal Execs are not solicitors so should not be governed by the SRA. There is no reason to change the title of Legal Execs to Chartered Lawyers. It is clearly designed to make the role of 'Legal Exec' sound more grandiose. Chartered Lawyer is not an accurate description of a Legal Exec and allowing Legal Execs to call themselves 'Chartered Lawyers' diminishes the role and importance of being a solicitor in the public's eye. It detracts from the professionalism associated with the term 'solicitor.'

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

There should be no SRA code of conduct for Legal Execs

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Yes. It shouldn't be done. SRA shouldn't be regulating non-solicitors.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

See answer to question 3.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Yes the SRA should have no part in regulating Legal Execs. It's clear it is already decided to do so. The obvious reason is that it is a money based decision and not one based on what is best to maintain the public's perception of solicitors.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Yes. SRA should not be involved in regulating Legal Execs.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Yes. SRA should not be involved in regualting Legal Execs.

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

Yes. SRA should not be involved in regualting Legal Execs.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No view. But the SRA should have no part in it.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No. SRA should not be involved in regualting Legal Execs.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes. SRA should not be involved in regualting Legal Execs.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

Yes.SRA should not be involved in regualting Legal Execs.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

Yes. SRA should not be involved in regualting Legal Execs.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

Yes. SRA should not be involved in regualting Legal Execs.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

Yes. SRA should not be involved in regualting Legal Execs.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No. SRA should not be involved in regualting Legal Execs.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have

aligned it with solicitors and SRA-authorized firms?

No. SRA should not be involved in regulating Legal Execs.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

No. SRA should not be involved in regulating Legal Execs.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

SRA should have no involvement with the training of Legal Execs and should not agree to them being able to call themselves Chartered Lawyers.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No. Of course not.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

There shouldn't be any as the SRA should not be involved with regulating Legal Execs.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

Yes. CILEX entities shouldn't be authorised by the SRA.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

Yes. CILEX entities shouldn't be authorised by the SRA.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

Yes. Legal Execs and CILEX entities shouldn't be authorised by the SRA.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising CILEX entities.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising Legal Execs.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising Legal Execs.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

SRA shouldn't have any involvement with authorising Legal Execs.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Yes. The good reason being that the SRA shouldn't have any involvement with authorising CILEX entities.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising CILEX entities.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising Legal Execs.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

Yes. SRA shouldn't have any involvement with authorising CILEX entities nor Legal Execs so there shouldn't be any 'transitional arrangements.'

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

You should not have undertaken one.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

You should not have undertaken one as the SRA should not be involved in regulating Legal Execs or allowing them to call themselves 'Chartered Lawyers.'

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:153 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

No. In general terms it seems sensible that the whole of the solicitors profession along with legal executives be regulated by the same authority.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

If that is more convenient, yes.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

See above

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies'?

depending on who owns and manages them?

Yes

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

This is not my field.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Yes

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

Yes

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Yes

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Provided those quoted bodies pay their fair share into the SRA Compensation Fund, yes

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

Agree

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No, seems far too bureaucratic and time-wasting

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No, provided they are insured adequately

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:157 Data

2. About you

8.
How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

9.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

Many of the proposals, including a single category of " authorised CILEX lawyer" is a good proposal.

10.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No. It would make the most sense to have a single code of conduct by which both arms of the profession are held. This will ensure that members of the public can be assured that the standards will be the same, it will equally ensure that two persons working in the same office on the same matter, a solicitor, and a Chartered Legal Executive, will be held to the same standards.

11.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

It would be most sensible for a CILEX Lawyer's (Chartered Legal Executive etc.) undertaking to be recognised in line with a solicitors undertaking. The consequences of breaching that will be the same and therefore the recognition in the code of conduct would be useful for standards and enforcement.

12.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

As I have said above, it would be most sensible to have a single code of conduct for both Chartered Legal Executives and Solicitors.

13.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Please can you arrange for the CILEX CPD year to tie in with the Solicitors CPD year (the legal year). It makes absolutely no sense for them to be separate and it will enable firms/entities to properly plan training etc.

4. Consultation questions - page 2/7

14.
6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

These proposals look to be sensible

15.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

Again, this looks to be sensible

16.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

N/A

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

These proposals look sensible

5. Consultation questions - page 3/7

19. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

YEs

20. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

21. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

22. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

23. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

Yes

26. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

Yes

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Yes

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:160 Data

2. About you

8.
How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

9.
1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

CILEX members would benefit from some reassurance regarding the ongoing recognition by the SRA of our higher practice rights; and clarification on how these can be obtained. CILEX Regulation currently oversees the higher practice rights procedure and it would be useful to have clarification from the SRA how it proposes to deal with these.

Otherwise, most of the suggestions seem sensible and beneficial to members and the public

10.
2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No - we should all adhere to the same Code of Conduct. They are similar enough at the moment.

11.
3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

I appreciate the alignment, subject to my comments above that there should be one Code of Conduct for all your regulated members.

12.
4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

The requirement for CILEX lawyers to not hold themselves out as Solicitors is quite insulting, particularly when CILEX Lawyers have achieved their higher practice rights and have true parity with Solicitors in any event. I am unsure why we would want to hold ourselves out as Solicitors, or vice versa.

13.
5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

Overall I do think this is a positive step and will provide clarity to the public to have one organisation responsible for the regulation of legal practitioners, the majority of whom already work in SRA regulated firms.

4. Consultation questions - page 2/7

14.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No comments

15.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

I think this is an excellent idea

16.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

No comments

17.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Yes

18.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

Clarity is needed for CILEX Lawyers who work in unregulated areas - currently we complete additional CPD and can use the title CILEX Lawyer which means we can practice in our area unsupervised, with the same rights as Solicitors. We do not get a certificate for this like those completing additional rights in regulated areas such as conveyancing or probate. This applies to lawyers in areas such as employment law, wills or Court of Protection specialists. Clarification is needed on how the SRA proposed to honour our higher rights.

5. Consultation questions - page 3/7

19. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

Yes

20. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

21. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

22. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

23. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

24. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

Yes

25. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

Yes

26. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

27. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

28. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorized person)?

Yes, again I think this is an excellent idea and provides more security for clients and members of the public

7. Consultation questions - page 5/7

29. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

Yes

30. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

31. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

32. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

33. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No - again this is a good idea to bring everyone in line with each other

8. Consultation questions - page 6/7

34. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

35. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

36. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

37. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Honestly - I haven't been able to get my head around this under the current arrangements, let alone new proposals

38. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No

9. Consultation questions - page 7/7

39. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No comments

40. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

41. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

42. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

43. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:164 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I don't think it is a good idea. The proposed change, if implemented, will confuse the public and damage the Solicitor brand.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

I think it would be sensible for the separate professions to be regulated separately.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

I think this is a bad idea.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorized firms?

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No. This should be dealt with separately.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:192 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

In my view this proposed change whilst understandable approaches it from the wrong starting point and without addressing the core source issue. There should be a review: why and whether it is appropriate and necessary in 2023 to continue with these two different routes to practice (Solicitor and the various types of Legal Executive). Then the question of regulation would follow and would likely be solved. Unless there's a compelling justification, as there plainly is with Solicitor versus Barrister, there should just be one route and status- Solicitors, with one regulator (SRA) and one set of regulatory standards. It's confusing not just to the public but also to many Solicitors to have "legal executives", "CILEX practitioners" "authorised CILEX lawyers" etc. Confusing and complex- what do these statuses mean, what are their practice limits etc. There is also the issue, rightly noted by the Law Society response, that legal executives should not be held out as equivalent to Solicitors. Legal executives are very sensitive to any suggestion that they're of lower experience, qualifications and status than Solicitors. The reality is there are differences in background. Even from their perspective, it would help if there was no longer a two tier legal profession within law firms.

That this consultation involves so many (understandable) questions evidences the regulatory complexity caused by having two routes. I disagree with transferring CILEX regulation to the SRA.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No. There should be one standard of regulation and the exact same content.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor

or non-authorized person)?

No. This Consultation states "The consultation also confirms that the costs of regulating authorised CILEX lawyers would be fully recovered from the practising certificate fees of CILEX members, and that there would be no cross subsidy between solicitors and CILEX lawyers." So this is inconsistent with that.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional

arrangements? If so, please explain.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

The assessment data is not easy to understand, because of the varying CILEX terms used and compared against and how it is presented (which again evidences how confusing it is when compared to the simple term "solicitor"). Therefore I do not know what impact these proposals might have on protected characteristics. The assessment notes this: "Perceptions of other legal professionals A key equality, diversity and inclusion concern raised by the CILEX membership is that 'they are looked down on by some other legal professionals who consider them to be lesser lawyers'. It has been stated that this 'creates detriment, impedes career progression and cannot be ignored' (CRL diversity report, 2021).

NB much of the CILEX membership are paralegals. But these perceptions aren't caused by protected characteristics. Moreover these proposals will not and cannot address those concerns. It is important to recognise that there are real differences in background, authorisation and status. I agree these issues shouldn't be ignored. There should be a review of why and whether it remains appropriate and necessary in 2023 to have two distinct routes to legal qualification to practice within firms. The vast majority of legal executives work in SRA regulated law firms so are already, as the Consultation notes, subject to elements of dual regulation. It is not the levels of regulation which causes the perception of "lesser lawyers". It is the differences in background, qualifications and experience, due to which it is important as the Law Society response notes, that they should not be represented to the public as equivalent to solicitors.

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:203 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

We should retain the current arrangements that recognise the distinction between Solicitors and CILEX lawyers

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No. The two types of lawyer should remain distinct with separate regulatory arrangements

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

Aligning standards makes sense but this can be done whilst retaining the present separate regulatory arrangements

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

None

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

There should be no change to the existing regulatory arrangements. The two types of lawyers are distinctly different and should be regulated as such

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

No

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies'?

depending on who owns and manages them?

No

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

The present regulatory regime should be retained in its present form. This provides no benefits for consumers nor is it in the public interest.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

Yes, but all the present regulatory requirements should be retained

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

Solicitors and Cilex professionals are different and should be treated as such

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No. The present regulatory arrangements should be retained

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

The proposed arrangements present no additional benefits to consumers nor does it strengthen consumer protection

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Yes. The present arrangements work well and there is no real benefit in changing the regulatory arrangements

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

No

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:213 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I'm against it because I believe this approach is wholly unnecessary. CILEX lawyers and Solicitors both do great work in our respective roles. I don't agree with us being put in the same box.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No I don't.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

I'm not in favour of the overall approach.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

I'm not in favour of the proposed approach.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

I am against these proposals.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies'?

depending on who owns and manages them?

I do not agree

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

None

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

I'm not against this

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

No

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

Probably

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

No comment to this

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:215 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I don't think you should regulate cilex members

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

No

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

No

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

No

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

No

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

I don't think you should regulate cilex members

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

I don't think you should regulate cilex members

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

No

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

No

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

No

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

No

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

No

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

No

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be

dealt with by way of hearing?

Yes, but you should not regulate cilex members

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

No

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

No

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

No but you should not regulate cilex

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

No

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

No

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

No

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

No

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

No

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

You should not regulate cilex members

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

No

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

No

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

No

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

No

Arrangements for SRA regulation of CILEX members: Consultation

Response ID:216 Data

2. About you

10.

How should we publish your response?

Please select an option below.

Publish the response anonymously

3. Consultation questions - page 1/7

11.

1) Do you have any comments on the proposed approach to governance arrangements? If so, please explain.

I do not think you should consider regulating Cilex as this will most definitely lead to confusion for the general public. Solicitors are quite distinct from Cilex and if they want the undoubted benefits of being a solicitors, then they need to take the exams. I worked very hard to become a solicitor and i had no intention of doing a lesser role as a Cilex. I strive to maintain the high standards expected of a solicitor.

12.

2) Do you agree with the proposed approach of maintaining a separate SRA CILEX Code of Conduct for authorised CILEX lawyers?

I would if i agreed with the principle of regulating Cilex but the first premise is that i do not agree with you expanding your remit to regulate Cilex. They should have thought their own situation more carefully - they can go elsewhere such as the bar standards, or make up their differences with their own regulator.

13.

3) Do you have any comments on our proposed approach to aligning standards for authorised CILEX lawyers and solicitors in the draft SRA CILEX Code of Conduct?

I do not want any Cilex regulation within the SRA, otherwise how will the public differentiate between the two categories. in the firm where i work which i recently joined, i am taking over a case load from a Cilex and i have a strong suspicion that in introducing me to clients, the Cilex has avoided referring to me as a solicitor, because i would then be in a superior position to the Cilex. The term 'lawyer' has been used instead, possibly to homogenise and minimise my qualifications as a solicitor.

14.

4) Do you have any other comments on the draft SRA CILEX Code of Conduct? If so, please explain.

I strongly opposed regulation of Cilex by SRA. And most definitely the term 'Chartered Lawyer' should be opposed.

15.

5) Do you have any other comments on the proposed approach to the regulation of individual authorised CILEX lawyers?

As above.

4. Consultation questions - page 2/7

16.

6) Do you have any comments on the proposal that our Overseas Rules will apply to any authorised CILEX lawyers established to provide legal services outside England and Wales?

Cilex should not form part of the SRA regulation whether in the UK or abroad.

17.

7) Do you agree with the proposed approach of reauthorising CILEX entities as SRA firms or as 'authorised CILEX bodies' depending on who owns and manages them?

No Cilex individual or entity should be authorised by the SRA. I

18.

8) Do you have any other comments on the proposed overall approach to the regulation of firms currently authorised by CILEX (other than CILEX-ACCA Probate entities)?

See above.

19.

9) Do you agree with the proposed approach of maintaining the current regulatory requirements for CILEX-ACCA Probate entities?

No.

20.

10) Do you agree with our proposed overall approach to the education and authorisation requirements for individual authorised CILEX lawyers and for authorised CILEX bodies?

No. I do not want the SRA to authorise Cilex bodies or Cilex lawyers. The idea is misconceived and is of no benefit to solicitors, for whom the the SRA was set up for and the Law Society is the sole shareholder.

5. Consultation questions - page 3/7

21. 11) Do you agree with our proposed approach to continuing professional competence for authorised CILEX lawyers?

No. Cilex should be quite distinct from the SRA in everything, including education, name, reputation and regulation.

22. 12) Do you have any comments on the issues relating to qualifying experience discussed in this consultation paper? If so, please explain.

See above. If Cilex members want the benefits of being regulated by the SRA then they know how to quality to become solicitors. Many do and there is nothing wrong with that. What does not happen is that solicitors re qualify to become Cilex members, because that would be absurd!

23. 13) Do you have any comments on other specific issues relating to our approach to education and authorisation requirements? If so, please explain.

See above.

24. 14) Do you have any other comments on the draft rules in Annex Two to the consultation? If so, please explain.

See above.

25. 15) Do you have any comments on our proposed approach to registers and regulatory information for individual authorised CILEX lawyers, for authorised CILEX bodies and/or for CILEX-ACCA Probate entities? If so, please explain.

See above.

6. Consultation questions - page 4/7

26. 16) Do you agree with our proposal to use trained staff, adjudicators and (where appropriate) panels of adjudicators to take investigation and enforcement decisions about individual authorised CILEX lawyers?

I do not agree with Cilex being regulated by the SRA. The slant of this consultation presupposes that Cilex regulation by the SRA will become effective, and with respect, that is not the purpose of the consultation, as I understand.

27. 17) Do you agree with our approach to enforcement for authorised CILEX lawyers and bodies, and how we have aligned it with solicitors and SRA-authorised firms?

See above.

28. 18) Do you agree that it is appropriate for matters that could for example, result in the removal of practising right to be dealt with by way of hearing?

Yes.

29. 19) Do you have any other comments on the draft rules and Enforcement Strategy material in Annex Three? If so, please explain.

As I have said, the questions all seem to be geared toward your acceptance of Cilex as being regulated, rather than seeking views on the essence of the matter.

30. 20) Do you agree we should provide access to the SRA Compensation Fund for clients of former CILEX entities where the entity is authorised on the same basis as existing SRA firms (as its owners and managers include at least one solicitor or non-authorised person)?

No, Cilex members have not contributed to the Compensation Fund. You are putting the cart before the horse, so to speak.

7. Consultation questions - page 5/7

31. 21) Do you agree we should work with others to pursue a statutory instrument to enable access to the SRA Compensation Fund for clients of (1) authorised CILEX bodies owned and managed only by authorised CILEX lawyers, and (2) authorised CILEX lawyers providing unreserved services outside an authorised firm?

No, for the reasons given above. Cilex should not be part of the SRA.

32. 22) Do you have any comments on the options for transitional consumer protection arrangements for authorised CILEX bodies? Please explain.

This is not a consumer lead initiative, and the public will be confused. It will do nothing to enhance public perception of solicitors or the legal profession in general to have an amalgamation of Cilex and Solicitor regulation and in fact will very much detract from the offering provided by solicitors, probably to dilute the profession and possibly with that, standards.

33. 23) Do you have any comments on the proposal to require CILEX entities reauthorised as SRA firms (other than CILEX-ACCA Probate entities) to comply with our MTCs, including the minimum £3m PII coverage per claim for incorporated firms? If so, please explain.

I do not accept that Cilex entities should become SRA firms, but if they do, then they must, as a minimum provide the same level of PII as comparative solicitor firms do.

34. 24) Do you have any comments on our proposal to apply our current intervention regime to CILEX entities which are reauthorised as SRA firms or authorised CILEX bodies? If so, please explain.

See above.

35. 25) Do you have any comments on our proposal to apply our established approach to AML supervision for authorised CILEX lawyers and for CILEX entities reauthorised as SRA firms? If so, please explain.

See above. If Cilex are regrettably regulated by the SRA in due course, then there must be a level playing field in terms of responsibilities, PII, intervention, etc, but the authorising body or subdivision of the SRA would have to be clearly identified as being for Cilex only and not confused with the SRA. Why should the SRA have to change its name? Cilex are trying to get elevated status and recognition by the back door, so to speak, but aligning themselves with solicitors and the solicitor brand.

8. Consultation questions - page 6/7

36. 26) Do you have any comments on our proposed approach to consumer information requirements for CILEX entities which are reauthorised as SRA firms? If so, please explain.

See above. I think the proposed move and regulation would be very confusing for the public, who already think that a lawyer is a solicitor and are not aware of the distinctions and grades.

37. 27) Do you have any comments on our proposed approach to consumer information requirements for authorised CILEX lawyers providing unreserved legal services outside an authorised firm? If so, please explain.

See above.

38. 28) Do you have any comments on our proposed approach to communications and reporting relating to authorised CILEX lawyers? If so, please explain.

See above.

39. 29) Do you think there are any good reasons to maintain CRL's requirement for an authorised CILEX lawyer to be authorised separately to take up one or more of these official roles? If so, please explain.

Question not understood.

40. 30) Are there good reasons why CILEX entities reauthorised as SRA firms should need to obtain our approval on a case by case basis to use a TPMA? If so, please explain.

AS above.

9. Consultation questions - page 7/7

41. 31) Do you have any comments on our proposed approach to allow CILEX entities to carry on regulated financial services activities as an exempt professional firm? If so, please explain.

I hope they have no more favourable positions than solicitors.

42. 32) Do you have any comments about our proposed approach to authorised CILEX lawyers working in a non-commercial body? If so, please explain.

As above.

43. 33) Do you have any comments about our proposed ancillary changes and/or our proposed approach to transitional arrangements? If so, please explain.

As above.

44. 34) Do you have any comments on our draft regulatory impact assessment? If so, please explain.

Cilex are trying to get elevated status and recognition by the back door, so to speak, by aligning themselves with solicitors and the solicitor brand. I do not wish to see Cilex members regulated by the SRA.

45. 35) Do you have any comments on our draft equality impact assessment? If so, please explain.

As above.

The following respondent asked to be named but not published.

Newcastle upon Tyne Law Society

There were also respondents who asked to be not named and for their responses not to be published.