

12 June 2018

## **Welsh Government: The Draft Legislation (Wales) Bill consultation**

### **Response from the Solicitors Regulation Authority**

- 1 The SRA is the regulator of solicitors and law firms in England and Wales. We work to protect consumers and support the rule of law and the administration of justice. We do this by overseeing all education and training requirements necessary to practise as a solicitor, licensing individuals and firms to practise, setting the standards of the profession and regulating and enforcing compliance against these standards. Further information is available at [www.sra.org.uk](http://www.sra.org.uk).
- 2 We are the largest regulator in legal services in England and Wales, covering over 80% of the regulated market. We oversee just under 450 firms with headquarters in Wales with a total turnover in excess of £370m, and nearly 5,000 individual solicitors.
- 3 The SRA welcomes the Welsh Government's desire to improve the accessibility of Welsh law. We agree that improving accessibility to the law and developing the public and lawyers' understanding are important public policy goals.
- 4 We are committed to regulating effectively in the public interest in Wales. In the last few years we have increased our presence in Wales to strengthen our knowledge and awareness of the Welsh policy and political context. Meetings with local law societies, compliance sessions with law firms and public and student focus groups in Wales have all proved helpful.
- 5 We have worked closely with the profession and other key stakeholders such as the universities and Welsh Government on a range of issues, including our proposals for a new Solicitors Qualifying Exam and as we design our new IT systems. Our Board meet once a year in Wales, and we have engaged with the Commission on Justice in Wales, chaired by Lord Thomas.
- 6 We provide an increasing range of materials in Welsh, including around 700 practising certificates a year, public facing information, annual reports and our core strategy documents. In order to make all our documents as accessible as possible, our website also has a translation facility. We hope that the development of a Welsh law website would provide more opportunities for us to reach people in Wales and we would welcome the opportunity to provide appropriate links to the new site.
- 7 We will be introducing a new, independent centralised assessment for all aspiring solicitors. The Solicitors Qualifying Examination (SQE) will mean that everyone who becomes a solicitor will meet the same high standards in a consistent way. We aim to introduce this not before late 2020. The SQE will be available in England and Wales.

- 8 We have engaged extensively with the Welsh law schools, Government and other key stakeholders in Wales on our plans. We do not intend to pursue a separate qualification process in relation to the proposed SQE for solicitors in Wales or those wishing to practise in Wales. However, all SQE candidates will need to be aware of the implications of the devolutionary settlement as this is a fundamental aspect of the English and Welsh legal system. Candidates will need to understand where the parameters of English and Welsh law differ, within the core legal knowledge which will be assessed.
- 9 We can see that the ambitious programme of codification of existing legislation as you propose in the draft Bill and its eventual publication on a dedicated Welsh law website can play a significant role in helping candidates understand these differences.
- 10 We think that the SQE will also bring benefits to Wales and help to support and develop a vibrant, diverse and sustainable legal profession. In brief, the SQE enables us to be more flexible in our training requirements and provides increased flexibility to those seeking to qualify as solicitors about how they can train.
- 11 These new freedoms offer opportunities in relation to the practice of law in Wales. Firms will be able to work with law schools to design courses which meet their particular needs, including the challenge of delivering legal services in bilingual or rural communities. From a consumer perspective, we think it is important that consumers can access legal services in the language of their choice. We are actively looking at whether we can offer the SQE in Welsh, and in particular how we can address the challenges of cost and standard setting of a bilingual assessment.
- 12 As we move into developing the details of the SQE assessment, we will continue to work closely with the relevant stakeholders in Wales.