



Training for Tomorrow

Presentation to City of London Law Society
13 October 2015



The context

Legal Education and Training Review (LETR)



Historically managed through input requirements such as periods of study or teaching methods



This was easy to demonstrate and measure, but did not necessarily assure standards



SRA's primary focus was on regulating the pathways



Large number of organisations involved in assessment and absence of direct assurance of consistency



Training for Tomorrow



Followed LETR



Core objective – uphold public confidence in the profession, both domestically and internationally:

- consistent, rigorous standards
- innovation and flexibility in solicitors' training
- promotion of a broad, diverse profession



Three strands of work

Training regulations

Review and update of existing approach: equivalent means; simplification of quality assurance arrangements for LPC/GDL; removal of specified terms of training contract

Continuing competence (CPD)

New approach for practising solicitors

Professional standards

A new Competence Statement for solicitors and a new assessment framework for admission, including introducing a new apprenticeship route to qualification



Statement of solicitor competence

Describes the core skills the public should be able to expect from solicitors in four broad areas:

- ethics, professionalism and judgement
- technical legal practice
- working with other people
- managing yourself and your work



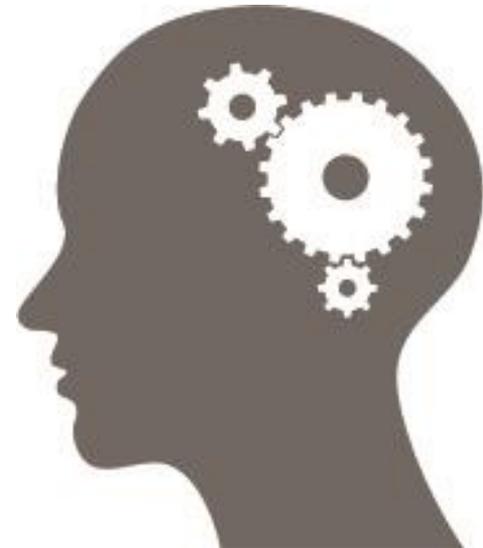
Statement of Legal Knowledge and Threshold Standard



Background knowledge areas set out in a **Statement of Legal Knowledge**



- **Threshold Standard** – defines the performance standards needed to meet the competences included in the Competence Statement at point of qualification



How we developed the statement



Comprehensive engagement programme with 2,000 consumers, solicitors and academics



The programme involved

- workshops and interviews
- online surveys and questionnaires
- Delphi group of experts



A new assessment framework



Solicitors
Regulation
Authority



The Competence Statement defines the standards



How do we ensure that standards are met at point of entry

- On consistent, rigorous basis; while
- Encouraging innovation and flexibility in training?



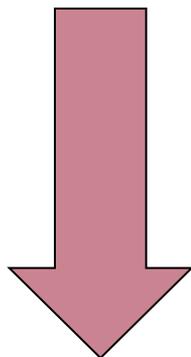


The current picture



Comparability of pathways

1993

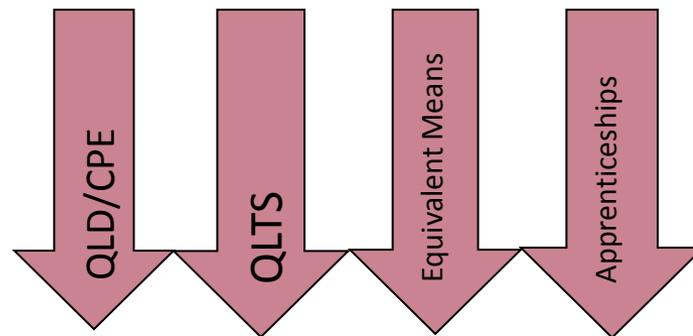


LPC

Curriculum, programme design, teaching, assessment, staffing levels were all highly specified

All routes led to the highly specified LPC

2015



'Standard' LPC

LPC integrated into QLD

Accelerated LPC

LPC integrated into training contract

How can the SRA compare standards across these pathways?



Legal Education and Training Review report (2013)

'The current system of [legal education and training] does not consistently ensure that desired levels of competence are reliably and demonstrably achieved.

The key weaknesses in the system are...

insufficient clarity and consistency around standards at points of entry;

the absence, in general, of robust mechanisms for standardising assessment ...

(there is) "insufficient assurance of a consistent quality of outcomes and standards of assessment".



TLS Global Competitiveness Report (2015)

Reported concerns about *'significant disparities on the LPC'*

Felt that it was *'inevitable that there would be variations in standards at the end of the training contract with so many training principals assessing the standard.'*



Standards across institutions are maintained by external examiners:



Higher Education Academy (2015) report

Found “*variability in examiners’ academic standards*” and ‘*little evidence to support the view that external examiners are an effective means to safeguard academic standards*’.



HEFCE (2015) concluded: “*the current quality assessment system does not provide direct assurance about the standard of awards made to students, or their broad comparability.*”



Legal Education and Training Review

- “ An important criticism of the legal education and training system is its relative lack of flexibility and responsiveness to change.”
- “The relative lack of variety in models of vocational training has the potential to restrict development of a more competitive legal training market.”
- “Alternative routes, such as apprenticeship, the development and professionalisation of paralegal roles, and pathways such as work-based learning.....are likely to be important levers for increasing diversity, and should be supported by regulation.”





The proposal: options and emerging thinking

Assessment framework: the options



Solicitors
Regulation
Authority

- **The status quo: we continue to specify pathways**
 - Minimises uncertainty and disruption, but does not address comparability and consistency or encourage flexibility and innovation in training

- **Authorise pathways which we do not specify, if they deliver competences in Competence Statement**
 - Encourages flexibility, but does not address consistency or comparability

- **Introduce a new Common Professional Assessment for all intending solicitors**
 - Would assure standards on consistent basis

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Early thinking

-  A new professional assessment needed
-  Must be quality assured, consistent and relevant to needs
-  Must provide a number of flexible pathways to support the development of the profession
-  The SRA would play a key oversight role in this model.
-  Currently testing a possible model
-  We will consult on our proposals before the end of 2015.



Benefits of new professional assessment

-  • Provides a mechanism to test the competence of all intending solicitors on a consistent and fair basis
-  • Protects consumers by ensuring that entry to the profession is based on candidates' ability to demonstrate the competences captured in the competence statement
-  • Offers better technical assessment than what is currently on offer, attracting the best examination expertise, keeping abreast of assessment methodologies and best practice, exploiting IT solutions and pooling resources
-  • Can provide objective data on providers' performance and therefore drive academic quality



The Law Society 's response to Assessment Options, September 2015

“The Society supports a properly thought out and appropriately scoped centralised assessment, which would be of benefit in ensuring that a common minimum standards [sic] for entry is assured – which at present it is accepted it is not.”



Next stage of work



Two separate questions:

- 1. Introduction of professional assessment
- 2. Specification of other entry requirements



Options for requirements could be:

1. Completion of prescribed/authorised pathways
2. Setting entry requirements
3. Reliance on assessment alone





Major restriction on market, and some evidence that limits diversity of profession, so right to look closely at its justification



But some form of pre-qualification work experience likely to be required, in order to:

- Maintain credibility of solicitors' qualification
- Assess all the competences in the Competence Statement





Questions and discussion