

# CLLS Meeting

12 February 2020

16:38

Present: Julie Brannan, Nick Eastwell, Ben Perry, Caroline Janes, Catherine Moss, Edward Brown, Frances Moore, Greg Lascelles, Lindsay Gerrand, Louisa Mendes Da Costa, Patrick McCann, Peter Carrick, Stephanie Tidball

Absent: Hannah Kozlova Lindsay

Agenda:

SRA items:

1. SQE skills decision (both SQE1 and 2)
2. SQE 2 pilot findings
3. Approach to fair assessment: reasonable adjustments; diversity

CLLS items:

4. SQE 1 and 2 timings – can SQE 2 go before QWE, is 2021 still the date?
  1. Messaging out to potential City trainee solicitors – what to give and who to give it
  2. Thoughts from CLLS Training Committee member firms re how our training contracts/QWEs might change under the SQE
    - confirmation of no minimum time requirement per <4 accrediting employers
  3. SQE and paralegals – request for confirmation from the SRA re the status of paralegals who qualify as solicitors in City firms but remain/are employed as paralegals. Will this still be permitted (albeit relevant colleagues will need a practising certificate)?
  4. CLLS and engagement with the City generally – our thoughts
  5. Continuing competence – impact in the City
  6. Co-ordination with the LETG – would that be helpful for the SRA?
  7. Meetings with SRA – agreeing 2020 size and shape

## SQE Assessments

JB - Options for SQE 1 and SQE2 skills:

1. SQE1 - 5 options now narrowed to 2.
  - a. No skills in SQE1 or
  - b. Each of 2 FLK papers would have 90% of marks for MCQ and 10% for written question (no oral element). Skills exercise set at admission standard (Day 1 solicitor) not at lower standard as in the pilot. Can still pass overall even if you get nothing on written element. The SRA needs to keep written element small so as not to affect the reliability of the overall test. Option 1 will be cheaper and quicker to mark than option 2.
  - c. The SRA will want to come to a coherent view in the light of the results of the SQE2 pilot. Decision sometime in the summer before submission to the LSB. Looking for 14 assessments as a minimum in SQE2 but that number might need to increase to give sufficient assessment points to assure reliability.
  - d. Option 1 majority preference around the table. Means that legal writing would need to be taught by firms separately.
2. SQE2. Options
  - a. Assessment in context of applicants choice or
  - b. Randomised contexts across protected areas or

- c. Half in context of choice and half in a common core area (randomly allocated)
- d. SRA needs to be sure that assessments can be carried out at the equivalent level in all contexts so that candidates do not game play.
- e. SRA will be looking at correlations from MCQ and common core for reliability purposes. It may be that the only way forward is through a uniform context. The results of the pilot would explore the equivalence of context. The SRA also needs to resolve whether assessments should be looking at FLK as well as skills. Currently framed at half and half. Allows rather more complicated analysis of law than just looking at skills alone. SRA exploring the design of the exercises. It needs to assess fundamental concepts candidates could carry in their heads and it may be allowable not to know the relevant process precisely.
- f. Most candidates will want to sit the exam in a context they are familiar with if half the assessment is about FLK. Majority opinion in the meeting was for free choice of contexts but it was acknowledged that the exam needs to be reliable and that a uniform context may be required
- g. SQE2 pilot findings minimal at the moment.
- h. Position still that SQE2 can be sat before QWE starts. 2021 is still the implementation date

#### QWE topic guides

SRA gave out rating card on utility of different types of guidance which the SRA might issue on how QWE will work.

Still some concerns about paralegals being in a position to qualify in all the elements of SQE + QWE but will not be able to work as a paralegal if they are qualified as a solicitor.

Confirmation that there is no minimum time at any one employer which can count as long as the nature of the work will give proper qualifying experience. It is important for the SRA to give examples or definitions on what does not constitute qualifying work experience.

#### Time to Count

Firms can decide on the issue of time to count. Employment contracts will have to deal with the requirement to have 2 years of the right level of experience (rather than just 2 year's experience in general) if firms choose to do so.

#### Messaging

CLLS not keen to be involved in giving advice on which route to go down for qualification for general careers purposes. SRA has a decision tree to help applicants decide. The SRA website was felt to be too general. Difficult for the SRA to know what Law Firms might recommend or want to implement. In the end, City firms will need to be advising their future trainees on the route to go down. The key CLLS concern is about advice which is being sought in various university law departments

#### Continuing Competence

Law Firms are still running training programmes and learning still goes on. Some solicitors are more active than others in reflecting on their learning .

JB - LSB has put in a call for evidence about CPD. SRA has also conducted research which suggests that training still goes on and that engagement levels have increased slightly. Still some concern that people are not really sure whether they are doing what they should be doing.

There are 2 separate elements involved - the need for reflective obligation and also assurance that it is happening. SRA will be looking at both these elements.

#### CLLS-SRA Meetings

CLLS obliged to meet 3 times a year. PM - felt that committee should be chatting with SRA twice a year. Next meeting to discuss SQE2 pilot in July. CLLS may organise a workshop about SQE in summer. SRA is sending out regular bulletins on progress.

Co-ordination with LETG and SRA.

Would help for SRA to liaise with LETG also.

#### CLLS Committee Meeting

1. Minutes of meeting on 9 January agreed.
2. PM read out CLLS procedures
3. Year Planner. Suggestion to meet 3/4 times. Agree Thought Leadership pieces by next Committee Meeting.
4. **ACTION: All to come up with 3 suggestions (eg Partner Development, Teaching secretaries the law).**
5. Workshop in Summer - start planning in April. Meeting in May and then ask Project Associates to produce something. Quieter in June until SQE2 pilot results are available. May also want to discuss what we want as an outcome from SQE review. Another TL piece to be issued during the Autumn. On reflection,, perhaps one seminar and one TL piece should be sufficient although to be decided once possible TL submission ideas have been made. There is also the possibility that the Committee could redefine its remit. Defined by SRA qualification review for too long.
6. **ACTION: All to submit ideas on purpose and activity.**
7. Sabina Clark to be co-opted onto the Committee agreed.