

Proposals for a review of professional accreditation schemes run by the Solicitors Regulation Authority

Consultation paper

Education and Training Unit

Contents

	Page
Executive summary	2
Introduction	3
The regulatory context	4
Background.....	4
Proposed objectives and scope of the review	5
Proposed strategic framework	6
The purpose of accreditation schemes	7
Voluntary or compulsory accreditation schemes?.....	10
Criteria for accreditation	10
Levels of accreditation	11
Assessment of applications	13
Re-accreditation.....	15
The next steps.....	16
Summary of consultation questions	17
How to respond.....	18
Confidentiality.....	18

Proposals for a review of professional accreditation schemes run by the Solicitors Regulation Authority

Executive summary

The Solicitors Regulation Authority (SRA) is proposing to develop a strategic framework for the development and operation of its accreditation schemes and to review its current schemes in line with that strategy. This consultation paper seeks views on the key issues and principles that will form the basis of the strategic framework.

The paper sets out the background to the Law Society's (and now the SRA's) approach to accreditation schemes. It also sets out the regulatory context within which the SRA now operates and the proposals are drafted.

The objectives, scope and the key underlying principles, which will form the basis of the planned review, are clearly set out. The review will be limited to the SRA's current accreditation schemes rather than the development of new schemes which will be considered as part of a longer term review of solicitors' quality assurance.

In summary, the proposals are that:

- a. for the purposes of this review, the SRA retains its current non-compulsory approach to accreditation schemes but that the question of voluntary or compulsory schemes should be considered as part of the proposed longer term review of the quality assurance of solicitors;
- b. the SRA should operate accreditation schemes on the basis of proportionality and the avoidance of unnecessary barriers to competition. Primarily, accreditation should be supported by the SRA in areas of law where there is a case for protection of vulnerable clients in the public interest and support for an efficient justice system. Consideration will also be given, where appropriate, to schemes which facilitate the requirements of procurers with monopsony power (i.e. to ensure quality/competence on behalf of end clients in situations where there is monopoly purchasing power by organisations e.g. the Legal Services Commission);
- c. all schemes run by the SRA should be based on a clear set of competence standards against which applicants will be assessed. The standards will be set at the level of "competent" practitioner; the SRA should not normally be concerned with the setting of higher level criteria for accreditation schemes. There may be possible exceptions for more complex areas of practice, such as child protection work within the wider family law discipline;
- d. the SRA's role in accreditation schemes, as regulator, should be to set the standards for schemes and to validate other organisations to provide objective assessments against these standards. The SRA will not be prescriptive about the methods and formats of assessments but will implement a common framework of assessment standards against which assessing organisations will be monitored for compliance and consistency by the SRA;
- e. practitioners who are accredited on all schemes should be subject to re-accreditation after a fixed period of time. The SRA will implement a common approach to re-accreditation, which will be based on an assessment by a third

party organisation of practitioners' up-to-date knowledge in the particular area of law.

Introduction

1. The SRA is the independent regulatory body for solicitors in England and Wales. It operates professional accreditation schemes in the following areas of law:
 - Children Law
 - Civil and Commercial Mediation
 - Clinical Negligence
 - Criminal Litigation
 - Family
 - Family Mediation
 - Immigration and Asylum
 - Insolvency (note this is a statutory scheme)
 - Mental Health Review Tribunal
 - Personal Injury
 - Planning
2. The SRA also requires solicitors seeking to exercise rights of audience in the higher courts to pass an additional qualification. This scheme is subject to a separate review and does not fall within the scope of this consultation.
3. Accreditation schemes enable solicitors to seek recognition from the SRA for their competence in a particular area of law and provide members of the public with access to details of quality assured practitioners¹.
4. Since the 1980s, when the first accreditation schemes were developed, new schemes have been introduced on an ad hoc basis and in response to a variety of different drivers. This has resulted in a lack of consistency in the development and operation of the schemes. The SRA now intends to adopt a clear and consistent strategy towards accreditation schemes and is seeking views on the key principles which will form the basis of future strategy in this area.
5. Views are welcome from anyone with an interest in, or views on, the SRA's professional accreditation schemes but the proposals will be of particular interest to:
 - existing practitioners who are accredited through one of the schemes;
 - members of the solicitors' profession working in particular areas of law or employers of solicitors who work in particular areas of law;
 - practitioner associations and other practitioner interest groups;
 - consumer interest groups and members of the public concerned with the public interest and access to quality assured professional services;
 - professional bodies within, and outside, the legal profession;
 - other regulatory bodies within, and outside, the legal profession;
 - providers of legal training and assessment;

¹ For further information on the SRA's accreditation schemes, go to www.accreditation.sra.org.uk

- government departments and agencies with an interest in the provision of legal services including those responsible for the procurement of legal services;
- members of the judiciary.

The regulatory context

6. The SRA was established as the independent regulator of the solicitors' profession in January 2007². Its establishment has brought clarity to the regulatory approach to the education, training and development of solicitors. It places that approach firmly at the heart of the quality assurance agenda aimed at ensuring a good service in the interests of the public, law and clients. The SRA is responsible for protecting consumers by setting and enforcing standards for solicitors in England and Wales. It sets the standards for professional accreditation schemes and maintains the records of accredited solicitors for the benefit of the public. The SRA is committed to a risk-based approach to regulation and operates in accordance with the five principles of good regulation. These are that any regulatory intervention is:
 - proportionate;
 - accountable;
 - consistent;
 - transparent;
 - targeted.
7. The SRA is also committed to ensuring that there are no unnecessary barriers to competition and any restrictions on the way in which legal services are provided are only those necessary and proportionate to secure regulatory objectives.
8. It is within this regulatory context that the review of accreditation schemes will be undertaken and that the proposals in this paper are drafted.

Background

9. The first accreditation schemes introduced by the Law Society in the 1980s (for children and mental health tribunal lawyers) were established in response to a need to protect the consumer interest. Until the late 1990s, it was the policy of the Law Society's Council to introduce accreditation schemes only when a particular public interest justification had been identified. This position was later amended and a number of accreditation schemes were established for different reasons, for example, at the request of practitioners or to facilitate the requirements of procurers with monopsony power (i.e. to ensure quality/competence in situations where there is monopoly purchasing power by organisations on behalf of end clients e.g. the Legal Services Commission). In 2001, it was agreed again that new schemes should only be established in defined areas of law where consumer protection and public interest requirements dictated.
10. This evolutionary approach to the establishment of accreditation schemes has resulted in a lack of consistency between the schemes. For example:

² <http://www.sra.org.uk/about/strategy.page>

- Some schemes are based on a clearly stated set of competence standards against which applicants are assessed whilst others require applicants to provide evidence of their “experience” rather than their “competence” in a particular area of law.
- Some schemes offer both standard and higher levels of accreditation, whilst others offer only one level.
- Most schemes are designed to identify the “competent” practitioner but there is a perception that some schemes are open only to those who have reached a specialist level
- Applicants for some schemes are required to pass an assessment provided by an authorised assessment provider whilst applicants for other schemes are considered on a paper basis by subject experts contracted to the SRA.

Proposed objectives and scope of the review

11. The SRA is concerned about the lack of consistency in the development and operation of its accreditation schemes and the resulting lack of clarity for practitioners, and in particular, for members of the public seeking information on quality assured practitioners. The review aims to address this lack of consistency and clarity. There are a number of issues specific to particular schemes which the review will address:
 - Criminal Litigation Accreditation Schemes – The majority of practitioners on the scheme have never been formally assessed and were passported on to the scheme. The introduction of a process for re-accrediting these practitioners is now overdue. There is also a need to update the standards for the scheme.
 - Immigration and Asylum Accreditation Scheme – Many existing practitioners are due for re-accreditation by April 2008. As no re-accreditation process exists, accreditation has been extended to 1 July 2008. A process for re-accreditation must be implemented before this date.
 - Mental Health Review Tribunal Scheme – Changes in the area of mental health law require a review of the accreditation criteria and assessment process for this scheme.
 - Children Law Accreditation Scheme – Recent changes in this area of law require a review of the standards for this scheme.
 - Family Law Accreditation Scheme Advanced Level – There is a need to introduce a process for re-accreditation as all practitioners are now due to be re-accredited.
12. The SRA has identified solicitors’ competence post qualification and the quality assurance of solicitors as a key priority which will be taken forward as a major, longer-term project in the near future. Consideration will be given, as part of that project, to the appropriate scope of schemes which should in future fall within the SRA’s remit. The present review will take place in the short to medium term and will be limited to existing schemes, rather than the development of new schemes, though new schemes could follow in due course. The review will also aim to establish which of the current schemes fall within the SRA’s regulatory objectives.

13. It is proposed that the SRA's review of accreditation schemes will have the following objectives:
- To clarify the purpose and scope of the SRA's accreditation scheme strategy
 - To develop and implement a strategic framework for the development and operation of accreditation schemes which is in line with the SRA's regulatory strategy
 - To introduce consistency of approach in the development and operation of accreditation schemes
 - To determine in general terms the threshold of competence
 - To determine which accreditation schemes should remain within the SRA's scope, and what further areas of law, if any, should be considered for inclusion at a later date
 - To determine the future of any schemes which the SRA concludes are not within its scope
 - To establish a coherent approach to accreditation
 - To provide assurance to the SRA, and therefore the public, that accredited practitioners have been assessed as competent in the areas of law where accreditation schemes exist.
14. The SRA will consider the role of peer review as part of its development of a comprehensive quality assurance strategy for solicitors. Currently, accreditation schemes are focused on an individual practitioner's competence to work effectively in an area of law, while peer review assesses work across a firm after completion. The review highlighted in this paper will consider the effectiveness of accreditation schemes in the context of the totality of quality assurance mechanisms.

Question 1

Are the above objectives comprehensive and appropriate?

- Yes
- No

Please explain your reasons.

Proposed strategic framework

15. It is proposed that the review should be based on a strategic framework which will be underpinned by the following key principles:
- The protection of the public interest, proportionality and avoidance of unnecessary barriers to competition;
 - A suite of schemes necessary in the public interest to protect vulnerable clients and support an efficient justice system;
 - The inclusion of schemes which facilitate the requirements of procurers, where appropriate;

- The setting of clear and transparent standards for each scheme at competent practitioner level;
 - In the majority of cases, one level of accreditation, competent practitioner level, which is open to all solicitors who can demonstrate competence regardless of their previous experience;
 - Robust assessment of competence;
 - Validation of third party organisations to assess applicants against the standards;
 - Non-prescription about the method and format of assessments;
 - Monitoring of assessing organisations by the SRA to ensure standards, consistency and fairness;
 - A common framework of validation and monitoring for assessing organisations for all schemes;
 - Re-accreditation of all practitioners after a fixed period through assessment of up-to-date knowledge;
 - Assurance that accredited practitioners are of appropriate character and suitability.
16. Your thoughts on the issues behind these principles are invited at questions 2-19 below.

The purpose of accreditation schemes

17. Since their inception, there has been some lack of clarity about the primary purpose of accreditation schemes run by the Law Society (and now the SRA). Whilst the purpose of some of the existing schemes is clear, i.e. to provide protection for the vulnerable client or to facilitate the requirements of procurers, the purpose of some schemes is less clear. The SRA's regulatory objectives³ and its strategy for education and training⁴ sets out the regulator's role in the accreditation of solicitors and the purpose of accreditation schemes run by the SRA.
18. The SRA has a duty to ensure that all solicitors are competent to carry out the work they undertake. Generally, this is achieved through the obligations set down in the Code of Conduct. However, there is a strong argument for the regulator setting specific standards in certain areas of law where the client might be considered particularly vulnerable or there is a particular consumer protection interest.
19. There is also an increasing desire by procurers of publicly funded legal services, namely the Legal Services Commission, to quality assure solicitors who receive public funding. If quality assurance is seen as desirable in this area, the SRA, as regulator of the profession, is ideally placed to set and monitor standards for these areas of law and this was confirmed by the recommendations of the Carter Review⁵ in 2006. The SRA believes, therefore, that it should continue to operate accreditation schemes in publicly funded areas of law where a measure of quality assurance is desirable.

³ <http://www.sra.org.uk/about/strategy.page#objectives>

⁴ <http://www.sra.org.uk/news/148.article>

⁵ Legal aid: a market based approach to reform. July 2006

20. The SRA's education and training strategy provides a clear steer on this issue. It suggests that:

“As a regulator, the SRA's approach to accreditation will be determined by the public interest, proportionality and avoiding unnecessary constraints on competition. A suite of schemes covering all specialisms is not proportionate, desirable or achievable. As with CPD, a key driver for securing high standards in specialist areas should be the core duty to produce good standards of service and the requirement to take on work only when competent to do so. This could be supplemented by accreditation schemes where they were needed in order to protect vulnerable clients in the public interest, to support an efficient justice system and/or to facilitate the requirements of procurers”.

21. It is proposed, therefore, that accreditation schemes should be operated by the SRA on the basis of proportionality and the avoidance of unnecessary barriers to competition and that a suite of schemes in all areas of law is undesirable. Primarily, schemes should be supported by the SRA in areas of law where there is a case, in the public interest, for protection of vulnerable clients and support for an efficient justice system. The SRA will also consider supporting schemes which facilitate the requirements of procurers with monopsony power, where appropriate.

Question 2

Do you agree that a suite of accreditation schemes run by the SRA in all areas of law is undesirable?

- Yes
- No

Please explain your reasons.

Question 3

Do you agree that the SRA's role in accrediting solicitors should focus primarily, in the public interest, on the protection of the vulnerable client and supporting an efficient justice system?

- Yes
- No

Please explain your reasons.

Question 4

Which, if any, of the SRA's existing schemes do you think fall within the scope suggested in question 3?

- Children Law
- Civil and Commercial Mediation
- Clinical Negligence
- Criminal Litigation
- Family
- Family Mediation
- Immigration and Asylum
- Insolvency
- Mental Health Review Tribunal
- Personal Injury
- Planning

Question 5

Are there any areas of law which fall within the scope suggested in question 3 where the SRA does not currently operate an accreditation scheme?

- Yes
- No

If yes, please give details.

Question 6

Do you think that the SRA should also operate accreditation schemes in areas of publicly funded law in order to facilitate the requirements of procurers, where appropriate?

- Yes
- No

Please explain your reasons.

Question 7

Should the SRA be concerned with accrediting solicitors in any areas of law which fall outside of the scope proposed in questions 3 and 6?

- Yes
- No

If yes, please give details and explain/give examples.

Voluntary or compulsory accreditation schemes?

22. Accreditation schemes run by the Law Society (and now the SRA) have never been compulsory. However, some of the schemes have become “quasi compulsory” because third parties, e.g. the Legal Services Commission in the case of publicly funded areas of law and social workers and the judiciary in the case of children law, make it difficult for solicitors to practise in these areas without accreditation. There is a strong argument to suggest that, if the regulator considers that there is a consumer protection justification for an accreditation scheme, then the scheme should be made compulsory for all solicitors practising in that area of law. However, whether accreditation schemes run by the SRA should be made compulsory will form part of the longer-term, broader debate about quality assurance of solicitors. It is proposed, therefore, that, in the short-term, and for the purpose of this review, the SRA retains the current non-compulsory approach to the accreditation of solicitors coupled with the requirements of Rule 5⁶.

Question 8

Do you agree that the SRA should retain the current non-compulsory approach to accreditation schemes until the issue has been fully considered as part of the wider quality assurance debate?

- Yes
- No

Please explain your reasons.

Criteria for accreditation

23. As one would expect, the criteria for accreditation differ depending on the particular area of law and the requirements for practise in that area. However, the criteria for some schemes are based on a set of clear statements of the level of competence to be achieved by applicants whilst for other schemes the level of competence is less transparent. Accreditation is based more heavily on an applicant’s experience rather than on a demonstration of competence.
24. The SRA does not believe that the length of experience or the size of caseload alone are sufficient measures of an individual’s competence in a particular area of law. It is firmly of the view that accreditation schemes should be based on an objective assessment of an individual’s competence in a particular area of law against a clear set of competence standards rather than on the length of an individual’s experience or size of their caseload. The more recently developed or revised accreditation schemes have been developed in this way. However, some of the more long-standing schemes are not based on clear statements of the standard to be achieved and rely more heavily on experience and caseload rather than objective, external assessment. One of the key concerns with these schemes is that the experience requirement can act as a barrier to younger/less experienced practitioners who may be competent to practise in that area of law but do not have a mechanism for demonstrating this competence.

⁶ <http://www.sra.org.uk/code-of-conduct/215.article>

25. It is therefore proposed that each accreditation scheme should be based on a set of clear and transparent competence standards. Where these standards already exist for a scheme, they will be revised to ensure that they take into account any recent changes in law and/or practice. Where standards do not currently exist for a scheme, they will be developed in consultation with practitioners in the particular area of law.
26. It is likely that a set of generic standards, common to all accreditation schemes will be identified through this process. These generic standards will be highlighted and applied to all schemes in addition to the specific standards identified for a particular scheme.

Question 9

Do you agree that all accreditation schemes should be based on a set of clear and transparent competence standards?

- Yes
- No

Please explain your reasons.

Question 10

Do you think that it is possible to identify a set of generic standards which would be common to all accreditation schemes?

- Yes
- No

Please explain your reasons.

Question 11

Is it desirable for applicants for accreditation schemes to be assessed against these competence standards rather than on the basis of their length of experience or size of caseload?

- Yes
- No

Please explain your reasons.

Levels of accreditation

27. There has been some uncertainty about the level at which accreditation schemes should be set – “competent practitioner” or “specialist practitioner”. It has generally been accepted that the entry level for accreditation schemes should be that of competent practitioner. However, the criteria for some schemes or the complex or difficult nature of some areas of law, have led to a perception that some schemes are open only to specialist rather than competent practitioners. One of the SRA’s strategic objectives is to ensure that there are no unnecessary barriers to competition. This suggests that all

solicitors should have the opportunity to demonstrate that they are “competent” in an area of law where the SRA runs an accreditation scheme. The question of level would be more transparent if each scheme was based on a clear set of competences which set out the knowledge and skills required for each scheme as proposed above. We envisage a generic definition of competence as the knowledge and skills that would enable a newcomer to the relevant practice area to practice safely in the interests of the client, without more than the normal level of supervision by more senior solicitors.

28. If it is accepted that the entry level for accreditation schemes should be set at the level of competent practitioner, there is still a question about whether a higher level of accreditation should be available for practitioners who wish to seek it. Two of the SRA’s current schemes, the Family Law Scheme and the Immigration and Asylum Accreditation Scheme, have higher levels of accreditation.
29. It is logical to argue that the SRA must take the lead in establishing competence level schemes on public interest grounds. However, the public interest argument is not as strong at an advanced level. There are already other organisations, including practitioner associations, offering specialist recognition at a higher level and recognition by the SRA at this level could result in duplication and confusion for the general public. There is also a risk of the SRA creating unnecessary barriers to competition at this level. This suggests that accreditation at anything other than competent practitioner level should not fall within the remit of the SRA. It will be necessary during the review process to ensure that there is a clear definition of competence within each of the areas of work. This will particularly be the case where the SRA is responding to an external driver for a scheme, for example the Higher Rights Qualification.
30. There is also a question about whether the SRA should require practitioners in some areas of law to be accredited before they are able to work in that area at all i.e. before they reach competent practitioner level. This would involve the setting of an introductory or probationer level of accreditation and might be appropriate in an area of law where the client is considered particularly vulnerable, for example.

Question 12

Do you agree that the SRA should set accreditation at competent practitioner level?

- Yes
- No

Please explain your reasons.

Question 13

Do you think that the SRA should be concerned with setting a higher or specialist level of accreditation?

- Yes
- No

Please explain your reasons.

Question 14

Do you think that the SRA should consider setting an introductory or probationer level of accreditation in some areas of law?

- Yes
- No

Please explain your reasons.

If you answered yes, in which areas of law would this be appropriate?

Assessment of applications

31. There are currently a range of models and methods used to assess applications for the SRA's accreditation schemes. Different models include:
 - Peer assessment by a team of assessors recruited by the SRA.
 - External assessment by one of a number of assessment organisations approved by the SRA.
 - Assessment by one assessment organisation under an exclusive contract with the SRA.
32. Methods of assessment vary greatly and include:
 - Unseen written examinations
 - Case studies completed in the candidate's own time
 - Questions to which written answers are prepared by candidates within a limited time period e.g. a specified weekend
 - Interviews with SRA appointed assessors
 - Simulations under controlled conditions
 - Portfolios of experience
 - Summaries of cases undertaken
33. Assessment methodologies and tools must be appropriate for the knowledge and skills to be assessed. It is therefore likely that different assessment methodologies will need to be used for different schemes, depending on the knowledge and skills required for accreditation to that scheme. However, it would be desirable for a common approach to the model of assessment to be adopted for all accreditation schemes.
34. It is suggested that the SRA, as regulator, should set out the framework and standards for this model and should invite other organisations to apply for validation to provide the assessment tool against these standards. The SRA

would not be prescriptive about the format or method of assessment for each scheme but would ensure standards and consistency of approach by setting down the key principles on which the assessments should be based and the standards to be met by organisations providing these assessments. Requirements in relation to equality and diversity would be integrated into these standards. The SRA would cease to assess applications for accreditation schemes itself but would validate and monitor other organisations to carry out this role.

35. This approach clearly sets out the SRA's role as regulator rather than provider of assessments. It provides opportunities for a range of organisations, including practitioner associations and other practitioners groups, to demonstrate that they are assessing practitioners to the standards laid down by the SRA and to seek validation for this role, if they wish.

Question 15

Do you agree that the role of the SRA, as a regulator, should be to set the standards for assessment of practitioners rather than to prescribe the format of assessments or to provide the assessments itself?

- Yes
- No

Please explain your reasons.

Question 16

Is it desirable for all organisations providing assessments for the purposes of accreditation to be subject to a set of common principles and standards which will be set and monitored by the SRA?

- Yes
- No

Please explain your reasons.

Question 17

Will a robust monitoring regime implemented by the SRA against a common set of principles and standards provide assurance that consistency is being achieved across assessment organisations and that standards are being upheld?

- Yes
- No

Please explain your reasons.

Re-accreditation

36. All of the accreditation schemes operated by the SRA operate on the basis of a fixed period of accreditation which means that practitioners are required to periodically re-apply and be re-assessed for accreditation at fixed intervals. However, some of the current schemes do not have in place a mechanism for re-accrediting practitioners. There is a concern that, where re-accreditation systems do exist, they are not based on an objective assessment of the practitioners' continuing competence in that area of law.
37. Re-accreditation has been a particular issue for practitioners on the Criminal Litigation Accreditation Scheme, the majority of who were passported on to the scheme in 2001 and have never been formally assessed. There is a potential risk to the public, who rely on the SRA's accreditation schemes as a badge of quality assurance, as well as a reputational risk to the SRA, if practitioners remain on accreditation schemes without undergoing any formal assessment of their competence or without any regular updating of their accreditation.
38. It is proposed that a common approach to re-accreditation should be developed and implemented for all accreditation schemes, including the Criminal Litigation Accreditation Scheme. Practitioners will be re-accredited in line with the new process when their current accreditation expires or, in the case of schemes where no re-accreditation process currently exists, a programme of re-accreditation will be implemented over a period of time. In these circumstances, adequate notice of the intention to implement a programme of re-accreditation will be given to the practitioners concerned.
39. Re-accreditation is considered particularly important to ensure that practitioners have kept up to date with changes in their area of law. Once developed, the skills needed to practise in a particular area of law are unlikely to change significantly. It is proposed, therefore, that re-accreditation of scheme practitioners should involve an assessment of their up-to-date knowledge in the particular area of law rather than an assessment of the full range of knowledge and skills which should have been assessed on initial application. The assessment will be provided by third party organisations validated and monitored by the SRA against a common set of principles as proposed in paragraph 15.

Question 18

Do you agree that all accredited practitioners should be subject to re-accreditation after a fixed period of time?

- Yes
- No

Please explain your reasons.

Question 19

Should the re-accreditation process seek to assess:

- Practitioners' up to date knowledge only
- Practitioners' up to date skills only
- Both practitioners' up to date knowledge and skills
- None of the above

Comments:

The next steps

40. This consultation is intended to seek views on key issues and principles which will form the basis of the SRA's strategic framework for accreditation schemes. The consultation period will run for a period of three months, after which the SRA Board will be given the opportunity to consider the responses. The SRA Board will review and amend its proposals, taking into account the feedback received through the consultation process, and will publish both an analysis of the responses and a final set of proposals.
41. If, after the consultation period, a decision is taken to move forward with the review of accreditation schemes, a programme of work will be implemented to review each scheme in line with the published strategy within a fixed period of time. Any work to identify competence standards will be undertaken in consultation with practitioners in those areas of law and current accredited practitioners will be updated on the proposals and the timetable for any review at regular intervals. We will also work closely with third party organisations to develop appropriate assessment frameworks and will consult closely with the Legal Services Commission on schemes in publicly funded areas of law. We do not anticipate considering new schemes until late 2008.
42. We will also be conducting impact assessments as part of the review process. If there are any potential impacts that you would like to make us aware of at this stage, please include these in your consultation response.

Summary of consultation questions

Question:

1. Are the objectives detailed in paragraph 13 comprehensive and appropriate?
2. Do you agree that a suite of accreditation schemes run by the SRA in all areas of law is undesirable?
3. Do you agree that the SRA's role in accrediting solicitors should focus primarily, in the public interest, on the protection of the vulnerable client and supporting an efficient justice system?
4. Which, if any, of the SRA's existing schemes do you think fall within the scope suggested in question 3?
5. Are there any areas of law which fall within the scope suggested in question 3 where the SRA does not currently operate an accreditation scheme?
6. Do you think that the SRA should also operate accreditation schemes in areas of publicly funded law in order to facilitate the requirements of procurers, where appropriate?
7. Should the SRA be concerned with accrediting solicitors in any areas of law which fall outside of the scope proposed in questions 3 and 6?
8. Do you agree that the SRA should retain the current non-compulsory approach to accreditation schemes until the issue has been fully considered as part of the wider quality assurance debate?
9. Do you agree that all accreditation schemes should be based on a set of clear and transparent competence standards?
10. Do you think that it is possible to identify a set of generic standards which would be common to all accreditation schemes?
11. Is it desirable for applicants for accreditation schemes be assessed against these competence standards rather than on the basis of their length of experience or size of caseload?
12. Do you agree that the SRA should set accreditation at competent practitioner level?
13. Do you think that the SRA should be concerned with setting a higher or specialist level of accreditation?
14. Do you think that the SRA should consider setting an introductory or probationer level of accreditation in some areas of law?

If you answered yes, in which areas of law would this be appropriate?

15. Do you agree that the role of the SRA, as a regulator, should be to set the standards for assessment of practitioners rather than to prescribe the format of assessments or to provide the assessments itself?
16. Is it desirable for all organisations providing assessments for the purposes of accreditation to be subject to a set of common principles and standards which will be set and monitored by the SRA?
17. Will a robust monitoring regime implemented by the SRA against a common set of principles and standards provide assurance that consistency is being achieved across assessment organisations and that standards are being upheld?
18. Do you agree that all accredited practitioners should be subject to re-accreditation after a fixed period of time?
19. Should the re-accreditation process seek to assess:
 - Practitioners' up to date knowledge only
 - Practitioners' up to date skills only
 - Both practitioners' up to date knowledge and skills
 - None of the above

How to respond

The deadline for receipt of responses is **Friday, 25 January 2008**.

We strongly encourage you to respond by completing an online form at www.consultations.sra.org.uk.

Alternatively, you can download and save locally a **Consultation questionnaire** form, complete the questions, and submit it—along with a completed **About you** form—as an email attachment (or print it, and submit it by post). All responses that are not submitted using the online form should be emailed or posted to us.

For our email and postal addresses, please visit www.sra.org.uk/contact-us.

Confidentiality

At the end of the consultation period, we will publish a list of respondents with an overall analysis of responses. Attributed responses will not be published. Please ensure that you advise us if you do not wish your name or the name of your firm or organisation to appear on the published list of respondents.