



**Criminal Law Solicitors' Association**

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**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.