

News release

Ensuring high standards in solicitor advocacy

28 July 2020

We have announced a number of new measures which will come into effect next year, designed to maintain and ensure high standards of advocacy among solicitors.

The announcement follows a 12-week public consultation last year, during which a wide range of stakeholders took the opportunity to feedback on our initial proposals and options.

Among the recommendations now being taken forward are a number of changes to how Higher Rights of Audience (HRA) assessments operate, including:

- Introduction of revised criminal and civil Higher Rights of Audience (HRA) standards from early 2021
- Requiring HRA assessments to be taken post admission
- Introduction of a single HRA assessment provider, from not before summer 2022

We found concerns expressed about the standards of criminal and civil advocacy provided by some solicitors to be persistent but largely anecdotal. We have announced a series of measures designed to ensure ongoing competency. These include:

- Developing a range of online resources designed to help solicitors understand expected standards and stay up-to-date
- Online resources to help the public understand the advocacy standards they should expect from their solicitor
- Encouraging the reporting of concerns about standards of advocacy
- Publishing summary versions of reports made to the SRA raising concerns about criminal and civil advocacy from summer 2021

After reviewing feedback, we will not be taking forward a proposal that solicitors acting in serious cases in the youth court should have a higher rights qualification where one would be needed if the case was in an adult court. Instead, it will build on its recent work to provide resources for youth court practitioners, and for young people in the criminal justice system. It will work with solicitors who practise in the youth court to use training record

checks to gain assurance and understanding about how they maintain their competence. This will include random sampling of their learning and development records.

Paul Philip, SRA Chief Executive, said: "The public expect all solicitors to provide a high standard of service. This is particularly the case in an area of practice where people are often vulnerable and the stakes are high.

We want to support solicitors who undertake civil and criminal advocacy in the important work they do. The measures we are taking will enhance confidence by strengthening Higher Rights of Audience assessments and through ongoing assurance of continuing competence. We will also provide further resources for the profession and the public."

Read our final response to the consultation

[<https://www.sra.org.uk/sra/consultations/consultation-listing/advocacy/#download>] .

The proposals are subject to final confirmation by the Legal Service Board.