

Review of the Statement of Solicitor Competence and the SQE Functioning Legal Knowledge: Consultation

October 2026

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About this consultation

We are seeking views on proposed changes to the Statement of Solicitor Competence (SoSC) and Functioning Legal Knowledge (FLK) both of which underpin the content of the Solicitors Qualifying Examination (SQE). The Statement of Solicitor Competence is also used as a tool by solicitors as part of our continuing competence requirements.

We have already engaged with a range of stakeholders to inform our proposed changes. We would welcome further views from all interested stakeholders as part of this consultation which is running from 8 October 2026 until 3 December 2026. We are not seeking a change to rules or regulatory arrangements.

After this consultation closes, we will collate and analyse responses and publish a response to the consultation along with final versions of the SoSC and FLK in April 2027. Any changes would then come into effect in September 2027, ahead of SQE1 assessments taking place in January 2028. This timeline aligns to that for the annual FLK review and will be familiar to training providers and other stakeholders.

You can find information on our regulatory and equality impact assessment in [Annex five](#).

How to respond

Online questionnaire

This consultation will end on 3 December 2026.

Our online consultation questionnaire is a convenient, flexible way to respond. You can save a partial response online and complete it later. You can download a copy of your response before you submit it.

[Start your online response now.](#)

Reasonable adjustment requests and questions

We offer reasonable adjustments. [Read our policy to find out more.](#)

[Contact us](#) if you need to respond to this consultation using a different format or if you have any questions about the consultation.

Publishing responses

We will publish and attribute your response unless you request otherwise.

Background to consultation

How the Statement of Solicitor Competence and Functioning Legal Knowledge were developed

In 2015, in response to the 2013 report of the [Legal Education and Training Review](#), we published a 'Competence Statement' for solicitors. This was prior to the introduction of the SQE.

The Competence Statement defines the standards of competence we expect of solicitors at the point of qualification and throughout their professional legal career as a practising solicitor.

The Competence Statement is designed to:

- support the obligations already placed on individuals and entities through the Code of Conduct (for individuals and firms)
- provide confidence to the public and individual and business consumers of legal services that those we regulate are meeting the standards that they would expect from those authorised by us
- be flexible enough to recognise the wide range of environments within which individuals now operate and the wide range of roles they undertake
- be valued and respected by employers and complement their own objectives.

The Competence Statement comprises three elements:

1. the Statement of Solicitor Competence setting out what solicitors need to do to be able to perform their role effectively
2. the Statement of Legal Knowledge (Functioning Legal Knowledge or FLK) setting out the knowledge that solicitors are required to demonstrate at the point of qualification
3. a Threshold Standard setting out the level at which the competences in the Competence Statement should be performed upon qualification as a solicitor.

When developing the original SoSC and FLK, we undertook an extensive research and engagement exercise to gather input on what is expected of a newly qualified solicitor. And to understand the key activities required for effective performance as a solicitor.

This was done through the following methods:

- extensive stakeholder engagement: engaging with approximately 2,000 stakeholders, which included focus groups, a Delphi group of experts, large-scale public research and a formal consultation process
- input from the profession: an online survey used to develop the FLK gathered responses from more than 1,000 solicitors across all major practice areas, representing both private practice and in-house roles
- consumer feedback: a survey also gathered input from 503 individual consumers of legal services and 204 businesses that had used a solicitor in the previous three years.

When developing the Competence Statement, we were guided by the following principles:

- the statement should support the broad practice rights solicitors gain on admission. Although individual firms employ solicitors in specialised roles, their practice rights are generalised and allow solicitors to practise across all the reserved activities. Therefore, the solicitor qualification is not about ensuring that candidates are competent in specific roles or sectors. A newly qualified solicitor is entitled to work in any area of practice, doing any type of legal work, regardless of their previous training or experience. Subject to their own assessment of practising within the limits of their competence
- individuals who we admit have demonstrated they are able to practise competently across the range of reserved activities is a core responsibility in order to meet our regulatory requirement to protect consumers.
- consumers, and the public more widely, are entitled to assume that all solicitors have met the same consistent standard and are competent to practise in whatever role they take up after admission – recognising that this may change over time.

The Statement of Solicitor Competence

The SoSC is structured into four parts: ethics, professionalism and judgment; technical legal practice; working with other people; and managing yourself and your work. The SoSC identifies a core set of competences that all solicitors must be able to carry out competently but how it applies in practice will depend on, for example, area of practice or level of experience. The core competencies are drafted to be relevant for all solicitors, setting out the standard of competence we would expect from anyone seeking admission as a solicitor but

also to define the continuing competences we require all qualified solicitors to be able to demonstrate. It does not focus on knowledge and skills, but instead on the core activities that a solicitor must be able to undertake to be considered competent.

We must take care to distinguish between the regulatory standards and obligations for solicitors set out in our Standards and Regulations and the SoSC. They are complementary and must be aligned. But the Standards and Regulations (including the codes of conduct) are the binding rules that dictate professional behaviour. We must take care not to introduce a new obligation into the SoSC which should more properly sit in our Standards and Regulations.

The Functioning Legal Knowledge

The FLK sets out the core legal principles and rules that all SQE candidates must understand and be able to apply. It is based on the original statement of legal knowledge and was first published in 2020. The comprehensive research and engagement undertaken during the development of the Competence Statement resulted in a high level of agreement among stakeholders that the FLK accurately reflected the core, fundamental knowledge required for safe legal practice at the newly qualified 'day one' level. Since 2023, we have updated the FLK on an annual basis, either where the law has changed or to add clarity in response to stakeholder feedback. The FLK is split into FLK1 and FLK2.

The FLK can be found in the [SQE1 Assessment Specification](#).

Why are we reviewing the SoSC and the FLK?

It is important that we review the SoSC and FLK periodically to make sure that they remain up-to-date and reflect current legal practice. When we introduced the SQE, we committed to a multi-phase evaluation programme to assess the impact of both the SQE and qualifying work experience (QWE). The following phases have been completed:

- phase one (2021) involved the development of the evaluation framework for the SQE and QWE
- phase two (2022) involved a survey of perceptions and experiences of the SQE and QWE amongst candidates and other stakeholders. This was repeated in 2023
- phase three (2024/25) involved a repeat of the perception surveys by an independent research agency.

It is now more than 10 years since the SoSC and original statement of legal knowledge were developed and published, and five years since the SQE was introduced. We committed to

reviewing the SoSC and FLK as part of the fourth phase of our SQE evaluation, taking place in 2026 and 2027 and consists of:

- an independent, technical review of the SQE to determine the extent to which it is valid, reliable and fair
- a further study of the impact of the reforms on the legal services market and the training market
- a review of the SoSC and FLK.

Phase five, which will take place 10 years after the introduction of the SQE will build on the findings from earlier phases, and revisit key areas of focus to assess the longer-term impact of the SQE reforms.

Our review and this consultation focus on the SoSC and the FLK. We are not proposing any changes to the Threshold Standard. This provides guidance to the profession by setting out the level at which the competences in the competence statement should be performed upon qualification as a solicitor. And, in relation to the SQE, it is primarily used by Kaplan (as the appointed assessment organisation) to assist question writers, markers and assessors with setting the level of the SQE assessments.

We do not expect the level of competence required of a newly qualified solicitor to change significantly over time. We have not received any feedback from stakeholders suggesting that the Threshold Standard needs to be changed. However, we would welcome any feedback on it from stakeholders during this consultation.

Changes to the SQE Assessment

The SoSC is used to inform the design and content of the SQE assessments which are mapped against the whole of the SoSC.

The FLK outlines the Functioning Legal Knowledge assessed by the SQE. It details the core legal principles and rules that a newly qualified 'day one' solicitor in England and Wales is expected to be able to apply in practice from the point of qualification.

We are therefore mindful that we will also need to consider whether any proposed changes will need to be reflected in the SQE assessment to ensure that the assessment remains valid, fair, and reliable and appropriately aligned and mapped against the SoSC and FLK.

The review process

We held six focus groups in early 2026 and heard the thoughts and views of more than 140 professionals in relation to the SoSC and FLK. These were made up of:

- members of the legal profession including representatives from law firms (solicitors, EDI and HR leads, and those involved in the training, recruitment and retention of trainee solicitors), training providers, educational institutions and legal academics
- the Solicitor Apprenticeship Trailblazer group, which included representatives from law firms and organisations concerned with the delivery of the solicitor apprenticeship
- practising solicitors, legal academics and representatives from training providers and educational institutions who have specific expertise and knowledge in each area of the FLK. Separate breakout sessions were held in respect of each area of the FLK.

We followed up with stakeholders who attended focus groups and shared our proposed changes for further comment.

Attendees were invited to give their views on the SoSC in relation to:

- the structure and content of the SoSC, and whether anything should be changed or made clearer
- whether anything has changed in the last years of legal practice which should be reflected in the SoSC and
- whether there is anything which might change in the next 10 years that should be reflected in the SoSC to future proof it.

In respect of the FLK, attendees were asked to comment on:

- the current content of the FLK
- whether any changes needed to be made to reflect the knowledge that a day one solicitor should possess to be able to practise.

The discussion was informed in part by feedback we had received through other mechanisms such as the annual review of the FLK.

Section one: Proposed Changes to the Statement of Solicitor Competence

The proposed changes to the SoSC are captured in [Annex 1](#), and the table of proposed changes and rationale, in [Annex 2](#).

Our proposed changes to the SoSC fall broadly into one of the following categories:

- technology and AI
- professional conduct and ethics
- supervision
- health and wellbeing.

We also propose to make minor changes to the competences relating to equality, diversity and inclusion to align with drafting in our Principles and Codes of Conduct. The changes reflect the need for greater emphasis on solicitors to encourage equality, diversity and inclusion in the profession.

We are making proposed changes to the use of language throughout the SoSC, as well as some changes to the structure. The aim of these changes is to:

- make it more accessible to all, using clear, plain and simple English which can be easily interpreted and understood, including by those whose first language is not English
- make sure the language is consistent throughout
- remove or replace any words or idioms which could be misinterpreted
- make sure the wording is inclusive, particularly for those with disabilities
- align the wording with the SRA Codes of Conduct and Transparency Rules.

Technology and AI

AI and the use of technology are rapidly transforming the legal profession in England and Wales, and internationally, from conducting legal research, drafting documents, to contract

review and due diligence and case outcome prediction. We have also seen the authorisation of the first AI-driven regulated law firm in England and Wales.

It is therefore no surprise that technology, including AI, was a key theme throughout the focus groups.

There is a strong consensus amongst all that the SoSC needs to explicitly reflect the use of technology including AI as it is relevant to both the ethical and technical legal practice of solicitors. It is felt that reference to technology is important in future proofing the SoSC, and to reflect how the use of technology has changed legal practice in areas such as ethics, professionalism and judgement, technical legal practice including legal research and legal drafting, and supervision of the use of technology and AI by others. With a diverse profession, any changes to the SoSC should recognise that technology and AI will affect solicitors in different ways, and for some solicitors more than others so any changes to the SoSC need to reflect this.

Given the level of interest and debate over the regulation and use of technology and AI in the legal sector, we considered whether there should be a new, standalone section in the SoSC on technology and AI. There is a broader debate across the legal sector, both here and internationally, about whether competence in the use of technology and AI is becoming a core professional competence in its own right, or whether it is more appropriately reflected through existing professional competences. Different jurisdictions have adopted different approaches, with some introducing technology-specific competence requirements and others embedding expectations within broader professional standards. Feedback from stakeholders was similarly mixed.

Our current view is that consistent with our broader approach to technology and AI, it is not necessary to introduce a standalone technology competence. Instead, we have sought to reflect the growing importance of technology and AI within the existing competences where they are most relevant to effective and ethical legal practice. This embedded approach reflects the integrated nature of technology and AI in the legal practice. And it will allow the SoSC to remain applicable across the diverse range of roles, setting and practice areas within the legal profession.

We want to make changes where reference the use of technology and AI will have the most impact. We therefore propose to update the SoSC to reflect the prevalence and importance of the use of technology including AI in legal practice. We have embed specific references in the following areas:

- ethics, professionalism and judgement – in maintaining the level of competence and knowledge to be able to practise effectively taking into account developments in technology including AI

- technical legal practice – undertaking research and drafting documents in seeking to address concerns regarding AI hallucinations in legal work and submissions to the court
- supervision – to reflect that competence rests not only with solicitors using technology and AI in legal practice, but with solicitors who supervise or manage others and have oversight and responsibility for work being done including the use of technology and AI.

Professional conduct and ethics

Ethics is the first element of the SoSC because of the importance we attach to it. We acknowledge the need for a greater focus on ethics and professional conduct in light of recent concerns about the ethical behaviour of some solicitors and firms. We have also considered the Legal Services Board (LSB) statement of policy on upholding professional ethical duties and our ongoing work on ethics. Many focus group attendees thought that there should be more explicit reference to wider regulatory regimes and tools in the SoSC.

We propose a number of changes to reflect the need for increased focus on professional conduct and ethics. These include new competences reflecting the importance of being able to prioritise ethical obligations when they come into conflict with each other and understanding when and how to raise concerns about ethical issues or unethical behaviour.

We propose a change in respect of demonstrating competence in applying good business practice, to extend the scope beyond the rules of professional conduct to include other regulatory regimes. This adds clarity that solicitors are subject to rules imposed by us as the regulator of solicitors in England and Wales but may also be bound by rules of other regulators.

Supervision

The requirement for firms and individuals to have effective supervision in place is not a new concept. However, the Court of Appeal's recent judgment on *Mazur vs Others* has put a spotlight on the importance of supervision. Stakeholders suggested that the competences required to effectively supervise others are not adequately reflected in the SoSC, particularly in the need for responsible supervision and oversight of the use of technology and AI.

Whilst the SoSC does include some competences for those who supervise others, these are embedded into a general section on maintaining effective relationships with others. We propose to add a separate section setting out the competences required for effective supervision of others. Our competences are aligned to our [‘Effective Supervision’](#) guidance. The changes reflect the need for greater emphasis on supervision in the use of technology

and AI and we have also added competences reflecting the importance of leading by example in promoting professional integrity and ethical practice and recognising and responding to concerns about health and wellbeing in those they supervise.

Health and wellbeing

In the focus groups, the subject of health and wellbeing was high up on the agenda in terms of importance in the workplace. It was felt that solicitors should be aware of their own health and wellbeing and those who they supervise, and to know when to seek support. The importance of taking steps to create and promote an inclusive and healthy workplace culture were also emphasised. We propose new competences to reflect this which also align to our [wellbeing guidance](#).

Consultation questions

1. To what extent do you agree or disagree with the proposed SoSC amendments in relation to technology and AI?
2. To what extent do you agree or disagree with the proposed SoSC amendments in relation to a solicitors' professional conduct and ethical obligations?
3. To what extent do you agree or disagree with the proposed SoSC amendments in relation to equality, diversity and inclusion?
4. To what extent do you agree or disagree with the proposed SoSC changes in relation to effective supervision as a competence for solicitors responsible for supervising others?
5. To what extent do you agree or disagree with the proposed additions to the SoSC in relation to solicitors looking after their own health and well-being, and that of those they supervise?
6. To what extent do you agree or disagree that the proposed SoSC amendments make it more accessible?
7. To what extent do you agree or disagree that the proposed SoSC amendments make it easier to understand?
8. To what extent do you agree or disagree that the 'Threshold Standard' is set at the appropriate level reflecting the standard at which the competences in the Competence Statement should be performed upon qualification as a solicitor?
9. Are there any other amendments that you think should be made to the SoSC? If so, please tell us and explain your reasons.

Section two: Proposed changes to the Functioning Legal Knowledge (the ‘FLK’)

The FLK is designed to ensure that newly admitted solicitors have the baseline knowledge and competence needed to practise safely, exercise their broad practice rights, and meet the demands of modern legal practice. It focuses on the core legal knowledge required at the point of qualification, including the reserved activities solicitors are entitled to undertake on admission. Business Law and Practice is included because of its widespread relevance across the profession.

The content of the FLK should continue to be informed by stakeholder views, taking into account:

- a) what the profession considers to be the core and fundamental legal knowledge required of solicitors
- b) the knowledge and skills a newly qualified solicitor should demonstrate on day one, compared with those that can be developed in practice
- c) the need to balance the breadth of the FLK with practical limits on assessable content, while ensuring competence across the range of reserved activities.

In our 2020 application to the Legal Services Board, we confirmed that the SQE is intended to support the general practice rights granted on admission, rather than prepare candidates for specific roles or sectors. Newly qualified solicitors may practise in any area of law, subject to working within their competence, and we have a regulatory responsibility to ensure those we admit can practise competently across all reserved activities.

Accordingly, the SQE assesses candidates against the reserved legal activities they will be authorised to perform under the Legal Services Act 2007. And reflects the realities of modern legal practice, including through the inclusion of Business Law and Practice. The subjects included in the FLK were selected on this basis.

In addition to the reserved activities, we included Business Law and Practice which has been a core foundation subject in which aspiring solicitors have been tested in for many years. And has widespread relevance in the profession both as one of the largest practice areas in its own right but also in its relevance to a number of other practice areas. For example, a day one solicitor needs to understand:

- the different types of business to advise claimants or defendants in litigation

- who has authority to act on behalf of any legal entity that is not a natural person, to ascertain who should be party to a contract or lease or other legal arrangement, and to ensure that a legal entity has capacity to enter into any such arrangements.

A significant proportion of solicitors in England and Wales work in corporate and commercial law. Business Law and Practice underpins the majority, if not all, areas of practice in a corporate commercial firm and is also relevant to the work that many non-corporate commercial firms undertake. Business law activity continues to rise and dominate the profession, with corporate law the largest practice area in London.

SQE2 also assesses candidates in the practice areas related to the reserved activities (Criminal Litigation, Dispute Resolution, Property Practice and Wills and Intestacy, Probate Administration and Practice) as well business law.

Some stakeholders suggest that we should expand the FLK to include other areas of law not currently tested on the SQE, including social welfare law and family law. We hear these suggestions regularly through our ongoing engagement. It was also suggested that the FLK needs to be brought up-to date in terms of alternative dispute resolution. In particular, mediation where recent changes to the Civil Procedure Rules explicitly embed alternative dispute resolution into the Overriding Objective and case management rules.

However, we do not propose any fundamental changes to the practice areas covered by the FLK. In our wider engagement as well as during this review, we also received feedback that the breadth and depth of the FLK is too wide and that the core areas are covered by the FLK too numerous. To include more subject areas would not alleviate this concern. It could add cost to the SQE and could result in longer assessments. Additionally, to remove or reduce some practice areas and replace with others would not reflect our responsibility, set out to the LSB, to ensure that those we admit have demonstrated they are able to practise competently across the range of reserved activities.

We propose changes to the FLK based on feedback received from the focus groups, Kaplan specialists and our subject matter experts. For example, we propose to remove the scope of anti-avoidance provisions in relation to income tax, capital gains tax, corporation tax and inheritance tax from the FLK. Additions have been proposed to some areas of the FLK, notably Property Law and Practice, Wills, Probate and Administration of Estates, Criminal Liability and Criminal Law and Practice.

The proposed changes and rationale to the FLK are captured in [Annex 3 \(FLK1\) and Annex 4 \(FLK2\)](#).

Differences in English and Welsh law and practice

England and Wales are not separate legal jurisdictions. However, the laws that apply in each country may be different from those that apply in the other. In Wales, the Welsh language has official status and can be used in proceedings in Wales. Solicitors are entitled to practise in both England and Wales.

In the SQE, candidates are required to show that they can apply their knowledge of the sources of primary and secondary legislation in England and Wales and how that law is applied. Therefore, where the law covered by the FLK differs between England and Wales, candidates must be able to apply the law applicable in both England and in Wales.

We are seeking views on whether the FLK continues to accurately reflect the differences between the law applicable in England and the law applicable in Wales, and whether such differences are core and fundamental legal rules and principles for a newly qualified solicitor.

We are not making any proposed changes in respect of the difference between English and Welsh law and practice.

Consultation questions

10. To what extent do you agree or disagree that the current FLK reflects the fundamental legal rules and principles that a newly qualified solicitor should be expected to understand and apply at the point of qualification?
11. Do you consider the current scope of the FLK to be too broad, about right or too narrow?
12. For each area where you have expertise, please tell us whether you agree or disagree with the proposed changes

Practice Areas

- Business Law and Practice
- Dispute Resolution
- Contract Law
- Property Law and Practice
- Wills and the Administration of Estates
- Solicitors Accounts

- Trusts Law
- Criminal Law and Practice
- Criminal Liability

13. Where you disagree or strongly disagree with any FLK changes, please tell us and explain your reasons. Please tell us the area of specialism you are referring to.

14. Based on your area(s) of specialism, are there any additional changes you would suggest to ensure that the FLK remains relevant to modern legal practice? Please tell us why and explain your reasoning. Please indicate the area of specialism you are referring to.

15. To what extent do you agree or disagree that the FLK reflects the core differences between the law applicable in England and that in Wales that a newly qualified solicitor should be expected to know?

Our consultation questions in full

Question 1

To what extent do you agree or disagree with the proposed SoSC amendments in relation to technology and AI?

Question 2

To what extent do you agree or disagree with the proposed SoSC amendments in relation to a solicitors' professional conduct and ethical obligations?

Question 3

To what extent do you agree or disagree with the proposed SoSC amendments in relation to equality, diversity and inclusion?

Question 4

To what extent do you agree or disagree with the proposed SoSC changes in relation to effective supervision as a competence for solicitors responsible for supervising others?

Question 5

To what extent do you agree or disagree with the proposed additions to the SoSC in relation to solicitors looking after their own health and well-being, and that of those they supervise?

Question 6

To what extent do you agree or disagree that the proposed SoSC amendments make it more accessible?

Question 7

To what extent do you agree or disagree that the proposed SoSC amendments make it easier to understand?

Question 8

To what extent do you agree or disagree that the 'Threshold Standard' is set at the appropriate level reflecting the standard at which the competences in the Competence Statement should be performed upon qualification as a solicitor?

Question 9

Are there any other amendments that you think should be made to the SoSC? If so, please tell us and explain your reasons.

Question 10

To what extent do you agree or disagree that the current FLK reflects the fundamental legal rules and principles that a newly qualified solicitor should be expected to understand and apply at the point of qualification?

Question 11

Do you consider the current scope of the FLK to be too broad, about right or too narrow?

Question 12

For each area where you have expertise, please tell us whether you agree or disagree with the proposed changes.

Practice Areas

- Business Law and Practice
- Dispute Resolution
- Contract Law
- Property Law and Practice
- Wills and the Administration of Estates
- Solicitors Accounts
- Trusts Law
- Criminal Law and Practice
- Criminal Liability

Question 13

Where you disagree or strongly disagree with any FLK changes, please tell us and explain your reasons. Please tell us the area of specialism you are referring to.

Question 14

Based on your area(s) of specialism, are there any additional changes you would suggest to ensure that the FLK remains relevant to modern legal practice? Please tell us why and explain your reasoning. Please indicate the area of specialism you are referring to.

Question 15

To what extent do you agree or disagree that the FLK reflects the core differences between the law applicable in England and that in Wales that a newly qualified solicitor should be expected to know?

Question 16

To what extent do you agree or disagree with our assessment of the regulatory and equality and diversity impacts of our proposals?

Where you disagree or strongly disagree with our impact assessment, please tell us why and explain your reasons, including whether there are any further impacts or evidence we should consider.