



Solicitors
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Solicitors Qualifying Examination

Equality, Diversity and Inclusion Risk Assessment

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Headline summary

- In 2021 we will be introducing the Solicitors Qualifying Examination (SQE) - a new centralised assessment to make sure that all aspiring solicitors meet the same consistent standard at the point they join the profession.
- We also want the SQE to lead to new and diverse pathways to qualification, while removing unjustified barriers. It is in everyone's interest that talented people from all backgrounds can become solicitors. We recognise, however, that across professional examinations there are attainment gaps for some groups of candidates. This is a longstanding and complex problem, with no easy solutions.

Progress since our first Equality, Diversity and Inclusion (EDI) risk assessment

- In 2016 we published our [EDI risk assessment](#), examining the risks and benefits of our proposed approach to the SQE.
- Since then, engaging with thousands of stakeholders, we have made significant progress on developing the detail of the assessment, including the examination and approach to qualifying work experience. This has included running pilots for SQE1 and 2, and our assessment provider, Kaplan, taking specialist EDI advice.
- We have also worked with an expert organisation - the [Bridge Group](#). They have provided independent advice on assessing the EDI impacts of the SQE, and how we can maximise its positive impacts on diversity. In 2017 they concluded that although the SQE cannot solve all the diversity issues in the profession, it could help.

Our updated risk assessment - benefits, risks and mitigations

- We have now updated this risk assessment to reflect the progress we have made and how a new market is beginning to develop. We focus on the following areas: cost, fairness, access, and the quality of qualifying work experience.
- Examples of potential EDI benefits of the SQE include:
 - more flexible routes into the profession
 - the creation of a more competitive training market, where people have more choice and more opportunities to earn and learn. There is already evidence to suggest some options will be more affordable than the current admission route
 - providing a level playing field where every candidate is assessed to the same standard regardless of their training or prior achievement
 - tackling the training contract bottleneck through having a more flexible approach to qualifying work experience. This could reduce the risk of talented people getting stuck in the qualification process
 - Introducing modern best practice and consistent design to assess candidates fairly
 - a centralised assessment, with extensive, comparable data on results, means that we will have the ability to effectively monitor performance by diversity characteristics.

- Examples of potential risks include:
 - concerns that certain assessment methods, such as the use of multiple-choice-questions or computer-based testing could disadvantage certain groups of candidates, such as disabled people or women
 - that the potential benefits of allowing qualifying work experience through new routes, such as a paralegal, may not be realised, because of a view that such routes are less valid
 - the SQE assessment - and some training options - not being eligible for government backed loans.

- We are keen to mitigate risks where we can. Examples of such mitigations include:
 - creating resources, including data on candidate performance by provider, to help candidates choose the right option for them. For instance, explaining the potential to get funding through a degree course incorporating SQE preparation, or for graduates to join an apprenticeship programme
 - making appropriate reasonable adjustments for those who need them
 - making sure that the SQE assessments themselves are fair. So far there is no evidence that any of the assessments are intrinsically biased and we will continue to carry out in-depth analysis of the SQE to check it is fair. This is in addition to robust quality assurance measures - backed up by independent review. We will monitor performance by protected characteristic, and there will be a post-implementation independent review of EDI impacts
 - Reasonable adjustments for those with a disability
 - publishing the results of students with their mark and to standardise results between successive sittings to aid fair recruitment.

Conclusions and next steps

- We think the potential benefits of the introduction of the SQE for candidates from protected groups outweigh any the potential risks.

- This document is not our final risk assessment. Our Board is still to make final decisions about our exact approach to assessing skills in the SQE, in particular whether candidates should take a uniform assessment or have options. We set out our initial view of some of the risks and benefits of different approaches in this area. We will update this risk assessment following our Board's decision.

- We also want to continue to get feedback from stakeholders. By publishing this draft document, we would like to get input on whether people agree with the benefits and risks we have identified, as well as whether there are further mitigations we should consider. We will update the assessment on the back of the feedback we receive. You can let us know your views by [completing this survey](#).

Introduction

1. From 2021, we will introduce a new framework for qualification as a solicitor. We will require all intending solicitors to
 - hold a degree or equivalent qualification or experience

- pass the SQE, a standardised, national licensing examination
 - have undertaken a period of qualifying work experience (QWE)
 - meet our character and suitability requirements.
2. Our new requirements will replace the current qualification system (see annex 3) which is based on different routes, assessed in different ways by a wide range of providers. The aims of the new qualification requirements are:
- greater assurance of consistent, high standards at the point of admission
 - the development of new and diverse pathways to qualification, which are responsive to the changing legal services market and promote a diverse profession by removing artificial and unjustifiable barriers.
3. In 2016, we published an EDI risk assessment which examined the risks and benefits of the new framework for qualification, in line with our public sector equality duty, alongside our second consultation. We also commissioned the Bridge Group to provide independent advice on:
- how we could monitor the impact of the SQE on candidates with protected characteristics, and those from lower socioeconomic groups
 - practicable actions that we could take to maximise the positive impact of the SQE in relation to diversity.
4. The Bridge Group pointed out that we will not be able to fully assess the impact of the SQE on protected groups until the SQE is implemented and we have collected data from the assessments over a number of years. To help to understand the potential implications, we have spent time engaging with stakeholders since we published our impact assessment in order to:
- inform the design and development of the SQE assessments and
 - gain an understanding of the developing market impact of the introduction of the SQE and the new qualification framework.
5. In light of this, we have reviewed our risk assessment to provide an update on:
- developments since the last risk assessment
 - what new information we have, to help inform our assessment of the risks and benefits of the new system
 - things we have already done to mitigate risks
 - other things we plan to do to mitigate them

- our ongoing work to further understand the risks and benefits.
6. This update looks at the impacts of both the introduction of changes to the qualification framework, for example, the new requirement for qualifying work experience, as well as the impacts of the introduction of the assessment itself (the SQE). The considerations are different for each, but the potential impacts are inherently linked as we identify below.
 7. We have set out in this draft a consideration of the possible impacts of whether the SQE2 model should require all candidates to take the same tests, or whether they should have a choice. We explored the alternative models through the SQE2 pilot and set out the emerging findings and their possible implications.

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Report from the Bridge Group

8. This risk assessment should be read alongside the [Bridge Group report](#) published March 2017. A high-level summary of this is in annex 2.
9. The report concluded that “There is no silver bullet to address diversity in the legal profession, because lack of diversity is constructed of a complex range of factors at every stage on the journey to the profession. It follows that diversity implications cannot be precisely predicted, given the variety and multiplicity of these factors”.
10. The report recommended that we place emphasis on the gathering and analysis of accurate data, throughout the implementation process and beyond, to enable us to review and evaluate impact, and take informed decisions regarding the continued development of the SQE.
11. Whilst it is clear that the SQE cannot solve all of the problems affecting diversity in the profession, the Bridge Group concluded that it could help. For example, they said “The proposals are highly likely to increase the number, and broaden the range, of training providers in the market, and provoke new models of training including online provision. Wider range of choice is...an important opportunity to support diversity, since it will enable students to chart more flexible pathways.”
12. We have asked the Bridge Group to provide an update on their report, taking into account developments since 2017. This will be published alongside the final risk assessment.

What have we done since we published the last risk assessment?

13. In line with the Bridge Group's recommendations, we have taken time to carefully develop and test the SQE. We issued a third consultation on the regulations that will implement the new approach. And we made further changes as a result of that consultation.

14. We have appointed Kaplan as the SQE assessment provider and have worked closely with them to develop an assessment that will be fair, valid¹ and reliable². We have not yet decided on the final design of the SQE assessments. We will do this in summer 2020. But we have worked closely with Kaplan to develop the detail of the assessment with potential EDI risks and opportunities in mind.

We have also included obligations within the contract with Kaplan to require them to adopt an approach to equality, diversity and inclusion that is at least equivalent to that taken by the SRA.

15. We have engaged extensively with stakeholders throughout the testing, piloting and design of the SQE to make sure that the design is informed by stakeholder views, potential market impact and considers possible EDI risks and benefits.

Since 2017, we have had more than 13,000 stakeholder engagements, through almost 300 meetings and events, plus 18 broadcasts and webinars. We have had more than 800 responses across 11 surveys on a number of topics, as well as 444 pieces of coverage in the media.

Online we have had almost 350,000 visits to our SQE-related web pages, as well as 20,000 engagements and 1.2m impressions on social media. Since launching our new dedicated [SQE bulletin](#) in January, we now have more than 1,000 subscribers to the email alerts telling people about the monthly update.

16. We have met regularly with interest groups including the Law Society and their divisions: Ethnic Minority Lawyers Division, Lawyers with Disabilities Division and Junior Lawyers Division.

We have also met regularly with the Young Legal Aid Lawyers, the Association of Law Teachers, the Society of Legal Scholars and the City of London Law Society. We have engaged through workshops with groups including the Black Solicitors Network, Society of Asian Lawyers, British Nigeria Law Forum, Society of British Bangladeshi Solicitors, Birmingham Black Lawyers.

¹ Validity is the extent to which an assessment accurately measures what it is intended to measure

² Reliability is the degree to which an assessment produces stable and consistent results over time

And we have worked closely with our SQE Reference Group³, which also includes representatives from specific interest groups, and our LinkedIn Group, which has a wide membership (around 1,650+ members drawn from the profession, universities and other training providers), on specific issues including EDI impact, reasonable adjustments and the final design of the SQE assessments.

17. We have published the [indicative cost of the SQE assessments](#). This is discussed in detail below.
18. The training market is developing. A number of providers have already made public their plans for SQE training. This is important because it will help realise the potential of the new approach to offer wide and flexible pathways offering aspiring solicitors more choice and ways of qualifying that suit their circumstances and means. For example, we expect there to be more choices involving online provision which will be cost effective and suit candidates with, for example, caring or other responsibilities.
19. We have published the final [Assessment Specification](#) for the Functioning Legal Knowledge (FLK) assessment within SQE1. We have also published [sample FLK questions](#).
20. We have published [initial resources](#) on the SQE. These include information about how candidates can take advantage of qualifying work experience. We plan to publish further information as SQE implementation gets closer and we have engaged with stakeholders on what information would be helpful.

³ Members which includes more than 30 experts, ranging from solicitors to academics to representative groups

Benefits and risks of the SQE for candidates from protected groups and less privileged backgrounds

21. In our 2016 risk assessment, we set out the key risks and benefits of the introduction of the new system of qualification and the SQE. These covered three key areas:

- cost
- fairness
- access.

22. We have summarised again these risks and benefits below. And we have added a new area related to the quality of qualifying work experience. We have also set out:

- the new information we have obtained, to inform our assessment of these risks and benefits
- what we have done since 2016 to mitigate the risks
- what else we plan to do to mitigate these risks.

Cost of training and qualification

23. Qualifying under the current system can be expensive and may deter some talented candidates, particularly those from less privileged backgrounds and those from other protected groups, from seeking admission as a solicitor⁴. The Legal Practice Course (LPC) costs up to £17,300 and provides no guarantee of a training contract. This is in addition to undergraduate fees and, for non-law graduates, about £10,000 for the Graduate Diploma in Law (GDL). Training providers must also pay £1,500 - £2,000 for the Professional Skills Course (PSC).

24. Although some people get a period of recognised training (often know as a training contract) before taking the LPC, many people do not. That means taking the risk that by paying up to £17,300 for the LPC, they will not only pass the course, but will also get the necessary training - the "LPC gamble". With some 10,000 candidates a year taking the LPC and 6,000 periods of recognised training, four out of ten aspiring solicitors are losing that gamble. Some students get funding from their employer for the LPC, but these are in the minority (around 25% are funded by their employer).

⁴ For example, enrolments as a percentage of applications for the full time LPC and Common Professional Examination (CPE) in 2018 were 85.6% (CPE) and 94.9% (LPC) for those funded by their training provider/employer; and 58.7% (CPE) and 72.3% (LPC) for those self-funded, or funded by a parent/guardian: Central Applications Board Ltd Annual Report 2018.

25. The table below shows average progression figures through the current system, between 2011 and 2019. It should, of course, be noted that there are a range of reasons why candidates do not progress to qualify as a solicitor. This can often be because of cost or difficulty in securing a training contract but may also be for other reasons.

Qualifying law degree	Start CPE ⁵	Start LPC	Start period of recognised training	Admitted as a solicitor by these pathways
23,413	4,499	9,978	5,757	5,407

How will the new system help to address this?

26. We will no longer specify the length, type and order of training needed to qualify as a solicitor. This means that we will no longer specify a requirement to take the LPC or any other specific form of preparatory training.

Candidates will instead demonstrate their competence to practise as a solicitor by passing the SQE. They will be able to choose the type of preparatory training for the SQE which best meets their needs and circumstances. Candidates may still need to take preparatory training for the SQE. But by removing the requirement for a specified course, we hope that different courses and training products will emerge at a range of different price points.

27. We will use market information and open data to create competitive pressures from candidates and employers/firms for high quality, flexible legal education and training. For example, we will publish SQE results by reference to where candidates did their training. We hope that this will encourage training providers to offer high quality courses at competitive prices.

What are the potential cost risks?

28. Stakeholders, including the Law Society and the Junior Lawyers Division, continue to express concern that the new system will be at least as expensive, if not more expensive, than the current system. This would perpetuate the problems with the current system faced by those from less affluent backgrounds.

29. Stakeholders are also concerned because SQE preparatory training, which is not included as part of an undergraduate or master's degree, plus the cost of the SQE assessment itself, is not currently eligible for government-backed student loans or for Disabled Students Allowances. There is also a risk that no longer specifying the length of SQE preparatory training could advantage those most able to afford the highest quality training in the shortest time – which could come at a greater cost, disadvantaging less affluent students.

⁵ Common Professional Examination covering the foundations of legal knowledge for non-law graduates

What new information do we now have to inform our assessment of these risks and benefits?

30. We have published indicative costs for the SQE assessments. This is still indicative at this stage as the final cost will depend on the design of the SQE assessments. The final cost will be available in summer 2020. Indicative costs are:
- £3,000 - £4,500⁶ for SQE1 and SQE2
 - SQE1: £1,100 – £1,650
 - SQE2: £1,900 - £2,850
31. These costs are comparable with other professional assessments, on time per test basis⁷.
32. The cost of any training will be additional. We anticipate there will be a wide range of training models, and price points, including:
- SQE-inclusive law degrees
 - apprenticeships funded through the apprenticeship levy and which allow people to earn a salary while training. This can include individuals with prior learning joining the apprenticeship programme for the last two years of their training, in which case the cost of their training and assessment (on a pro rata basis) is recoverable through the apprenticeship levy
 - bespoke SQE-focused training courses for law and non-law graduates
 - new post-graduate professional law programmes which may include the current GDL content within an SQE training package.
33. The training market is already developing:
- 29 organisations have so far joined the [SQE list of training providers](#) on our website
 - There are already new entrants offering SQE training. For example, education and training provider, Barbri are advertising SQE prep courses that include a full-time (10-week) or part-time (20-week) SQE1 prep course for law graduates and a full-time (8-week) or part-time (16-week) SQE2 prep course. They have indicated that the cost of the two prep courses may be in the region of £7,000.
 - Traditional universities are looking at their law degrees to consider if and how to prepare their graduates for SQE

⁶ Indicative only – eventual fee may be inside or outside this fee range

⁷ When compared with similar assessments for GPs and overseas dentists wishing to qualify in this jurisdiction

- Publishers have advanced preparations in hand to launch textbooks and suites of multiple-choice questions
 - Firms are introducing new training programmes.
34. Some of these options will be materially cheaper than the current route to admission. Where a candidate trains through a combination of a law degree integrating SQE1 preparation, and QWE integrating SQE2 preparation, there would be no additional training cost. Where a candidate requires SQE training over and above a law degree and their QWE, early market indications such as the Barbri course suggest that training costs could be substantially lower than the LPC, in the region of £7,000⁸.
35. However, we are also aware that early indications suggest that not all universities wish to incorporate SQE preparation into their law degree. So SQE preparatory training could be still be needed for SQE1, even after completing a law degree at university, particularly in the early years. And candidates may need some classroom training in addition to their QWE before taking SQE2.
36. The structure of the SQE also helps address the “LPC gamble”. SQE1 is a much cheaper initial pre-work-based-learning assessment than the LPC. So when the SQE is introduced, the risk to candidates is in the region of £1,100 - £1,650 (plus any training costs they choose to incur). That is helpful to people seeking to enter the profession, particularly candidates from less affluent backgrounds.

What are we doing to mitigate the risks?

37. It is correct that student loan funding and Disabled Students Allowances are not currently available for the cost of the SQE assessment itself, or for the cost of private courses that a candidate may choose to take. However, there is government funding for degree courses which incorporate SQE training and for SQE costs through the solicitor apprenticeship. The upfront cost, as set out above, is very significantly lower and the SQE offers real flexibility (eg online training or integrated approaches combining class-room and work place learning), providing more scope for “earning while you learn”. We have discussed the funding issue with the Law Society and together we will continue to lobby Government on this point.
38. However, where employers offer [solicitor apprenticeships](#), the Institute for Apprenticeships and Technical Education has confirmed to us that graduates can join the apprenticeship programme to complete QWE and SQE, in which case the cost of their training and assessment (on a pro rata basis) is recoverable through the apprenticeship levy.

⁸ Barbri International has [estimated](#) its SQE1 and 2 fees at £7,000.

39. We know from talking to law firms, that some employers are considering paying SQE costs for employees, as they currently do (for example) for their CILEx (Chartered Institute of Legal Executives) employees and for PSC fees.
40. We have contractual mechanisms with the assessment supplier to make sure that we have full visibility of the costs of the delivery of the SQE assessments. Candidate fees will be agreed with us in advance and must represent value for money.
41. When the final design and cost of the SQE is available, we will publish resources to help candidates navigate the range of options available. We have already published initial resources on the SQE tailored to the needs of different stakeholders. This will help to mitigate the impact by preparing people ahead about the options so they can navigate the choices available
42. We have launched a Facebook page – [Career in Law](#) – to provide information to prospective students about how to qualify as a solicitor in the future. This includes information about the cost of qualifying and the different options available to students.
43. We will also provide easily accessible and authoritative data on candidate performance on the SQE by provider to inform the purchasing decisions of candidates and employers.

Conclusion on cost

44. We believe that, overall, our reforms will help to drive a more competitive and flexible legal education and training market which will benefit potential solicitors from a diverse range of backgrounds and address some of the issues with cost inherent in the current system. The market is already responding and will continue to develop in the years after the introduction of the SQE.

Early indications show that a range of options for SQE preparatory training will emerge. These will offer choice and a range of price points for candidates, with some options coming in cheaper than the cost of the LPC. But critically, the emerging training market will be at a structural level more competitive both on price and quality, because of greater transparency, choice, and accountability.

45. We anticipate that there may be some more expensive courses on the market, which go beyond the SQE to include wider training (for example in Legal Tech, or project management or commercial awareness). These may not be affordable for all students but will provide a range of different options to the whole market. Taken together, we hope that:
 - the wide range of options for training and preparation
 - the publication of market data to encourage training providers to deliver quality training

- the wider range of opportunities to earn and learn should make it possible for those from less privileged backgrounds to access SQE training.
46. We also believe that the removal of the “LPC gamble” will benefit candidates from less privileged backgrounds. There is a risk that the bottleneck could be shifted from the training contract to the point of admission ie more people will qualify as a solicitor and, depending on the development of the legal sector, not all of them may be able to get jobs as a solicitor.

We recognise this risk but do not think this is a reason for retaining the current qualification system. It is our role to check that those who we admit are competent and to make sure that we do not put in place any unnecessary restrictions on qualifying as a solicitor that could limit consumer access to competent legal advice. The period of recognised training is a regulatory requirement which can act as a barrier to qualification for some people. Amending our requirements to introduce more flexibility through QWE will help to address this barrier.

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Fairness and consistent standards

47. We cannot be sure that all new solicitors under the current system are meeting, on a consistent basis, the levels of knowledge and skills that are needed to qualify as a solicitor. This is critical for consumer protection.
- There are different routes to admission as a solicitor, which are assessed in different ways
 - On the graduate routes for domestic candidates, more than 110 providers offer the professional legal assessments we specify. They each set and mark their own assessments. We know that there is significant, unexplained grade inflation in higher education⁹. We also know that pass rates on the GDL and LPC vary from under 40% to 100%, but we don't know the reasons why.
 - At the end of the period of recognised training, there is no benchmarking or standardisation to make sure that decisions to sign off trainees are taken against a consistent standard. In practice, few trainees do not get signed off.

How will the new system help to address this?

48. The SQE will provide a level playing field for all candidates, whatever their backgrounds. It will assess all candidates to the same standard regardless of their training or prior achievement. Candidates who attended less prestigious universities, or who choose new routes to qualification, can demonstrate to employers that they have reached the same standard as candidates who attended more prestigious universities or followed more traditional routes.
49. The SQE will bring solicitor assessment into line with best practice in other high stakes professional assessments. It will provide a high degree of assurance that the candidates who pass are those who should pass, again regardless of their prior education or achievement. This is essential for proper consumer protection and public confidence in the profession.
50. The data generated from a large scale standardised test will also provide more detail on the performance of different groups of candidates than is possible in the current system. This will allow us to monitor performance of candidates by protected groups on an ongoing basis.

Overall, SQE introduces a step-change forward in professional legal assessment. SQE2 will be the end point assessment for solicitor apprentices. The assessment methodology and quality assurance processes have been reviewed and approved by the Education Skills and Funding Agency which has approved Kaplan as the End

⁹ [Office for Students analysis of degree classifications over time, December 2018](#)

Point Assessment Organisation for the solicitor apprenticeship, and the SRA as the External Quality Assurance Organisation.

51. The SQE will assess the competences required to qualify as a solicitor in two stages: SQE1 assesses functioning legal knowledge (FLK); SQE2 assesses practical legal skills.
52. The FLK assessments in SQE1 will consist of multiple-choice, single best answer questions. Multiple-choice questions are widely used in assessment in other professions (for example in medicine, pharmacy, accountancy). They are also used in the legal context, both in a university setting and in high-stakes licensing examinations (for example within the LLB, on the LPC, on the Bar Professional Training Course and as part of the US Multi-state Bar Exam, including the New York Bar).
53. Single best answer multiple-choice questions:
 - can measure the cognitive skills we wish to test effectively
 - provide better assurance of a candidate's breadth of knowledge than a small number of essay-style questions: doing three essay questions on a topic increases the risk that a candidate "gets lucky" on the subjects that come up in an exam and does not in fact have the range of knowledge we expect of a solicitor
 - can be objectively marked
 - enable us to adopt modern, statistically based standard setting processes, to ensure a high level of accuracy in assessment decisions and consistent assessment over time, across successive sittings and between different candidates.
54. Multiple-choice questions cannot be used as the sole method of assessment in the SQE. They cannot assess the range of legal skills set out in the Statement of Solicitor Competence which we require aspiring solicitors to demonstrate. We will assess these skills through a suite of exercises in SQE2.

What are the potential risks to fairness and standards?

55. Stakeholders have raised a number of concerns about the SQE and its ability to uphold standards and provide a level playing field for all candidates. For example, stakeholders tell us they are worried that:
 - the assessment methods proposed for the SQE, the use of multiple-choice questions and computer-based testing and the assessment of skills, could disadvantage particular groups of candidates, especially disabled candidates and women
 - candidate performance on the SQE could be influenced by the candidate's prior educational experience, therefore re-enforcing prior social and economic disadvantage

- the requirement to sit the SQE in a single, and potentially lengthy, assessment session could discriminate against candidates with particular disabilities/conditions, or for those with family or other caring commitments.
- the requirement to take some of the SQE2 assessments at a small number of specified assessment centres could disadvantage disabled candidates and less affluent candidates who might find it difficult to travel
- firms and employers could be sceptical about the quality of alternative/new training providers and courses until there is sufficient data to show positive outcomes, and so would be most likely to stay with tried and trusted routes and providers. This might limit the development of a more competitive training market and may be detrimental to the progression of students from less affluent backgrounds who may choose newer and cheaper training providers

What new information do we have to inform our assessment of these risks and benefits?

56. We will not be able to make a full assessment of all these risks and benefits until we have the final design for the SQE assessments in the summer. We will update this risk assessment once we have that information.

SQE1 pilot

57. We have completed and reported on the piloting and testing of SQE1. The independent reviewer for the SQE confirmed that the pilot was successful and achieved its purpose. The 316 candidates who completed the assessment were broadly representative of those who would sit SQE1, both in terms of prior education and demographic characteristics.

The pilot showed that it is possible to design a robust and manageable assessment of the FLK using multiple choice questions. Kaplan concluded that it is possible to run a computer-based SQE1 assessment both in the UK and abroad. They recommended that we amend the design of the FLK assessments from three 120 question assessments (the pilot model) to two 180 question assessments. This will improve the reliability and precision of the exam and as a result will be fairer to all candidates. The total number of questions to be answered will remain the same. But the length of each assessment may be longer. There will, of course, be appropriate rest breaks and candidates with a disability will be able to apply for reasonable adjustments.

58. The performance of candidates with protected characteristics and socio-economic status was monitored. In addition, Kaplan conducted exploratory analyses to give an indication of the best predictors of candidate performance. They cautioned that despite having a diverse spread of candidates, there are limitations to drawing conclusions from the results. Reasons for this included the small sample size, overlapping variables (eg completion of a GDL and ethnicity) and the fact that behaviour will be different in a pilot when compared to a live examination.

59. With those caveats, key things to note include:
- The most significant predictors of FLK performance were completion of a GDL and completion of a law degree at a Russell Group university.
 - Male candidates performed marginally better in the FLK assessment, although there was little difference in the skills assessment. Overall Kaplan concluded that gender was of limited significance in determining performance.
 - White candidates generally performed better than black, Asian and minority ethnic candidates in both the FLK and particularly the skills assessment.
60. We also found that the design of the SQE1 skills assessment was not sufficiently robust. If we took the SQE1 skills model into the live assessment it would not give us sufficiently reliable data to make accurate judgments about pass and fail decisions. This means that we would not be confident that we were passing and failing the right candidates, particularly for borderline candidates. Where you have differential performance by ethnicity, that group would be disproportionately affected by any inaccuracy in the pass mark.
61. In light of these findings, we are looking again at whether we should include a skills assessment in SQE1. SQE1 skills would have to be set at day one solicitor level.

SQE2 pilot

62. We have completed a pilot for SQE2 and are analysing and evaluating the findings. We hope to have these available in June. However, early findings are that an SQE2 model with 15 – 16 stations (assessments) will be reliable and accurate (unlike the SQE1 skills model).
63. The assessment supplier analysed the findings by protected characteristics. The analysis needs to be viewed with caution given the small candidate numbers in each group. The emerging findings are that, with the univariate analysis, there was no significant difference overall between men and women. There was a difference in performance between white and BAME candidates. But when they did the multivariate analysis, which seeks to identify the best true predictors of candidate scores, this differential performance disappeared.

What are we doing to mitigate these risks?

64. We recognise the challenge in higher education in relation to performance in assessments by different protected characteristics¹⁰. This is also the picture for

¹⁰ [Universities UK: Closing the Gap](#)

professional examinations, for example in medicine¹¹, pharmacy¹², architecture¹³ and barrister qualification¹⁴.

65. In the current domestic route to admission as a solicitor, there is consistent under-performance by ethnicity on both the GDL and LPC. For example, in academic year 2017-18 (the latest for which we hold data) GDL completion rates were as follows:
- 68% for white students
 - 49% for Asian/Asian British students
 - 43% for black (African/Caribbean/Black British).
66. For the LPC, completion rates are:
- 66% for white students
 - 48% for Asian/Asian British students
 - 35% for black students.
67. The assessment tasks used in SQE are widely used elsewhere. We have found no evidence that any of these assessment methods are intrinsically biased or that the outcomes are worse than those seen in the current LPC system. But we are reviewing the design of both the SQE1 and SQE2 skills assessment in light of the findings of the pilot. We will publish the results of this review in summer 2020.
68. We will also continue to review the research for any emerging evidence relating to the assessment methods.
69. As stated, we are looking again at whether we should include skills in SQE1.
70. We will include these robust quality assurance measures in the SQE:
- to review questions for cultural bias
 - to recruit and train a diverse pool of question writers and assessors
 - to monitor assessor decisions.

¹¹ [Ethnicity and academic performance in UK trained doctors and medical students: systematic review and meta-analysis](#)

¹² https://www.pharmacyregulation.org/sites/default/files/2017-09-07_-_17.09.c.02a_june_2017_performance_breakdown_by_characteristic.pdf- see p.3

¹³ [RIBA \(Education Statistics 2017-18\)](#)

¹⁴ <https://www.barstandardsboard.org.uk/uploads/assets/7a20eb3e-b152-4777-9e821417bf596eed/bptckeystatisticsreport2019.pdf>

Kaplan has already appointed appropriate external expertise to advise on these issues. And we have appointed an independent reviewer who will provide independent, external quality assurance of the SQE.

71. As recommended by the Bridge Group, we will monitor performance by protected characteristics on the SQE on an ongoing basis and will report on the profile of SQE candidates and newly qualified solicitors by protected characteristic and socio-economic background.

We have updated the diversity characteristics so that they will be comprehensive and align with our data collection for the profession and we are already collecting baseline data from LPC providers to inform this work. We will conduct a full independent evaluation of the SQE post-implementation. This will include an evaluation of the impact of the SQE on diversity in the profession and a perception study to understand employers' and other stakeholders' perception of and confidence in the SQE.

72. The making of reasonable adjustments for candidates with certain conditions/disabilities is a legal obligation, which we require Kaplan to comply with. Our contractual arrangements provide for the recording and monitoring of adjustments procedures. These adjustments can include extra time to take the assessments, rest breaks, special seating or lighting, a personal assistant.

All of these adjustments are made on an individual basis, depending on the candidate's personal circumstances and the specific demands of the particular assessment. We will also consider religious holidays when deciding on assessment dates.

73. Kaplan has many years' experience of making reasonable adjustments, not least in its running of Qualified Lawyers Transfer Scheme (QLTS) assessments. In preparing for the introduction of the SQE, it is already planning for an increase in adjustment requests. It is a contractual requirement that each of the SQE assessment centres is compliant with all applicable equality legislation.

74. All of the SQE1 assessments and the majority of the SQE2 assessments (the written assessments) will be taken at Pearson Vue centres which are widely available throughout the UK and abroad. Candidates will be able to choose to sit these assessments at a centre close to home. A small number of the SQE2 assessments (the oral assessments) will need to be taken at a specified test centre. These assessments will be available at five test centres in England and Wales, once the SQE is fully established. We must strike a balance between ensuring standardisation and comparability in the assessments with the number of assessment centres. And we must also consider the additional cost that more test centres would require. Candidates with specific needs will, of course, be able to apply to Kaplan for reasonable adjustments as described above.

75. The SQE is set at the standard we specify for practice as a solicitor in the [Threshold Standard](#). All question writers and examiners will be qualified solicitors. We will be using modern assessment methodology to set and maintain a consistent standard:
- A panel of solicitors will review questions to be used in the live assessment.
 - We will use an “Angoff panel” of solicitors to set the pass mark for the Functioning Legal Knowledge assessments¹⁵.
 - The pass mark will include a calculation of the Standard Error of Measurement, to take the pass mark beyond the margin of error¹⁶. This further increases confidence that only those who are competent pass the SQE.
 - We will measure the reliability of the assessment over time¹⁷.
 - We will use “borderline regression” methodology to set a consistent standard for the skills assessments¹⁸.
76. Assessors will be trained and monitored statistically to make sure they understand and assess against the standard required for competence. They will also have training in unconscious bias.

Conclusion on fairness and standards

77. The SQE will allow all candidates to show that they have met the same high standards, regardless of their training route or prior educational achievement. We will demonstrate the ongoing fairness and robustness of the SQE through both public reporting of candidate results and by independent scrutiny of the SQE assessment and independent evaluation of the reforms as a whole. The SQE will provide us with much better data than under the present system to monitor and evaluate the outcomes of candidates from black, Asian and minority ethnic backgrounds.
78. We remain confident that multiple choice questions are an appropriate method for assessing the FLK and that they will enhance assessment quality. In their advice to us, AlphaPlus stated: “The evidence regarding the use of objective tests (generally multiple-choice tests) in contexts and qualifications similar to this is strong: They are used in comparable contexts, as indicated by our case studies and experience of other similar qualifications. They can be used to assess higher order skills, as

¹⁵ This is a method of standard setting where a panel of trained judges provide an estimate of the proportion of minimally competent candidates who would get each item correct. The information is used in setting the pass mark.

¹⁶ All measurements involve a margin of error which is the potential difference between a true and observed score. The Standard Error of Measurement quantifies that error to provide confidence in assessment outcomes.

¹⁷ Reliability is the consistency with which an assessment can reproduce the same outcomes. Cronbach’s alpha (α) is a statistical measure used to estimate internal consistency or reliability.

¹⁸ Borderline Regression is a method of standard setting where a judge provides a score and a standard setting grade for each candidate. All candidate scores are plotted against their grades, and a best fit line (linear regression) is drawn through the data. The cut is set at the score where this regression line crosses the borderline grade.

evidenced by a review of published literature and examples, mainly from the medical sciences. They have been shown to be reliable in this context.”

79. We recognise the challenges of performance by different characteristics that exist across education. It is not possible for us to solve all of these problems. They are based on multiple factors, many of which are outside of our control. It is our responsibility to make sure that SQE is fair to all candidates. We will do this in the ways described above. This is a responsibility we take very seriously.
80. We intend to continue to monitor the way diversity affects outcomes across the profession and will consider whether there is potential for research into these challenging issues.

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Access

81. One of the major barriers to qualification is the ability to secure a training contract. Many firms and employers, in particular City firms who will fund candidates' training, recruit their trainees from a narrow range of elite universities, mostly from the Russell Group. People from disadvantaged backgrounds are under-represented in this group.

How the new system will help address this?

82. When the SQE is introduced, candidates will not need to gain their work experience under a formal training contract. We will recognise any work-based experience that allows a candidate to develop the competences in the [Statement of Solicitor Competence](#).
83. QWE offers a wider range of options, helping to tackle the "training contract bottleneck" that causes so many aspiring solicitors real difficulty. Periods of experience acquired under a formal training contract, or through working in a student law clinic, as an apprentice or a paralegal, or through a placement as part of a sandwich degree could all contribute to this requirement. And it will provide opportunities for firms to provide work experience in circumstances where – because of their size, resources, or niche areas of law - they might currently not be able to provide a period of recognised training.
84. Firms and employers will not be making any judgments about whether a candidate is competent to be a solicitor. Instead, we will test their competence via the SQE2 assessments.

What are the potential risks to access?

85. Some stakeholders are concerned that there will be a perception that candidates who gained their qualifying work experience as a paralegal or working in a legal advice centre (these candidates are more likely to come from non-traditional backgrounds) had not reached the same standard of competence as those who had followed a more traditional training contract route.

What new information do we have to help inform our assessment of these risks and benefits?

86. Whilst we have carried out work to develop the SQE assessments, nothing has changed in relation to the wider framework of qualification as a solicitor since our 2016 report. So new information on this issue is limited. But we do have more insight into how the market is developing. And we know from our ongoing engagement that the perception of a two-tier system of qualification continues to be a concern amongst some stakeholders.

What are we doing to mitigate these risks?

87. We are planning to publish results to students with their mark (not just a pass/fail) and to standardise results between successive sittings to aid fair recruitment. And we hope that as SQE gains market confidence people will rely on SQE results for recruitment decisions instead of university results and prior academic attainment. But we recognise from our discussions with stakeholders that this may take some time to establish. We know some, but not all, firms recruit trainees before they are likely to have SQE results.
88. We also hope that post-admission all firms would want to know SQE results for early years jobs so that apprentices, trainees and paralegals are all compared on the same basis. Over time this data may make firms recruit more actively from less fashionable universities and lead firms to wait longer to see what SQE1 results are before recruiting.
89. We will continue to engage with the profession to explain the potential benefits of the new system. We will also evaluate the market impact of the changes both in the short-term and over the longer-term.
90. We will add to our resources, tailored to the needs of different stakeholder groups, explaining the new routes to qualification. We will plain how performance in SQE2 will provide objective evidence of the competence of a candidate, and therefore help candidates to market themselves, even if they have followed a less traditional route to qualification.

Conclusion on access

91. We know that the under-representation of candidates from disadvantaged, socio-economic backgrounds and some ethnic groups in the legal and other professions is a complex and longstanding problem with no easy solutions. There is already a two-tier qualification system for solicitors, largely based on choice of university.
92. The SQE should help because it will provide objective data to help employers make recruitment decisions. If employers wait for SQE data to be available before making recruitment decisions, they will no longer have to rely on A-level and degree results (which are not related to solicitor competence).
93. We recognise that we have limited influence over how the profession, as employers of potential solicitors, respond to the changes. We know that some employers already have plans to change the way they train and recruit solicitors. But we also know that some do not intend to make any significant changes. However, the narrow recruitment practices of some firms and employers and the fact that some employers may be biased against some of the new routes to qualification are not compelling reasons to retain the traditional two-year period of recognised training. Through our testing and piloting, we will make sure that the SQE will be a robust assessment of competence and that allowing greater flexibility in qualifying work

experience will not dilute standards but promote a wider range of talented candidates to qualify as a solicitor.

94. We do recognise that employer trust in the SQE is key to realising the benefits arising from more flexibility in training and in qualifying work experience, but we believe that the quality of the assessment and our ongoing engagement with stakeholders will develop that confidence. We intend to carry out a study to examine stakeholders' perception of the SQE a couple of years after introduction. And a perception study will also be included in the full evaluation to be carried out five years after introduction.
95. We know that the under-representation of candidates from disadvantaged, socio-economic backgrounds and some ethnic groups in the legal and other professions is a complex and longstanding problem with no easy solutions. But we believe that the SQE will help to address this problem through:
- the enhanced flexibility of QWE
 - independent and authoritative data on candidate performance on the SQE by provider to inform the purchasing decisions of candidates and employers
 - online resources for candidates.
96. We will continue to engage with the profession to explain the potential benefits of the new system. We will also evaluate the market impact of the changes both in the short-term and over the longer-term.

Quality of training during qualifying work experience

What are the potential risks to the quality of training in qualifying work experience?

97. Stakeholders, including the Junior Lawyers Division, are concerned that widening of the scope of qualifying work experience (QWE) could encourage less responsible employers to take on candidates without providing appropriate training or to exploit them, for example, by making them work for free. These candidates are more likely to be from non-professional backgrounds or from protected groups.

What are we doing to mitigate this risk?

98. We already have in place a number of regulatory requirements which will protect candidates from exploitation during their qualifying work experience. These requirements can be found in a number of different sources:
- The competences to be developed are contained in the Statement of Solicitor Competence.
 - Requirements not to take unfair advantage, and to properly supervise and manage staff are set out in the Code of Conduct for [firms](#) and [solicitors](#).
 - Our disciplinary approach is set out in our [Enforcement Strategy](#) and we can take action when we have evidence that employers are not meeting their obligations.
99. Our online resources will include information to help candidates who are looking for QWE. We will provide pointers on what candidates should look for when choosing an employer. Candidates will also have access to data on the performance of training providers to help in their decision.
100. We also know that other stakeholders are developing resources which will help candidates when the SQE is introduced. For example, the Sutton Trust has produced guidance on work placements. We intend to publish this as part of our suite of SQE resources. The Law Society is also planning to publish guidance for candidates and firms.

Conclusion on risk to quality of training during QWE

101. We have in place regulatory controls to protect candidates. We do not see why QWE might create any greater risk of exploitation than under the current system. On the contrary, the wider availability of QWE means people may be less likely to put up with poor treatment than in the present system where there is a scarcity of alternative training contracts.
102. We removed the minimum salary for trainee solicitors in 2014. We do not see a case for requiring it for QWE, particularly given the introduction of the national

minimum wage. Indeed, given that QWE can encompass any form of work experience in legal services which gives a candidate the opportunity to develop the competences in the Statement of Solicitor Competence, it is difficult to see how it could be done.

103. Our online resources, together with resources provided by other stakeholders will help candidates when choosing a provider of QWE. We will monitor the effectiveness of the information available through our SQE evaluation.

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SQE2 assessment: optional or uniform assessment

104. Legal skills cannot be assessed in a legal vacuum, so SQE2 must assess skills, through the vehicle of different areas of practice. These will be the reserved areas of practice¹⁹ and business law (because it is such a major sector). One of the key questions for the pilot was whether candidates should all have to demonstrate their legal skills through the same assessments (the uniform model), or whether they could be allowed to demonstrate their legal skills in practice areas of their own choice reflecting their work experience or career aspirations (the optional model).
105. Few law firms practise across all the reserved activities. In practice, trainees start to specialise before admission when they choose which law firm to train in. There is no current requirement for trainees to demonstrate their competence across all reserved areas. For this reason we originally proposed a model where candidates could choose two practice contexts in which to have their legal skills assessed. This best reflected current custom and practice in the sector, and enabled SQE2 assessment to be aligned to work experience in some practice areas only.
106. The pilot enabled us to explore three alternative models:
 - a) specialisms only: candidates take legal skills assessments in two contexts of their choice
 - b) uniform exam: candidates take same exam, which sampled across all legal skills and all contexts
 - c) common core: candidates take an exam combining one context of their choice with a sample of all skills and all contexts
107. At the same time, we have been exploring these options with stakeholders since September 2019, through roundtables, individual meetings, webinars, the SQE Reference Group and an online survey.
108. The pilot findings are clear that both of the optional models (specialisms only and common core) create a significant risk that candidates may not be assessed fairly against the same consistent standard. It was not possible to make a precise statistical comparison of the level of demand of different subjects. Quality assurance arrangements can mitigate, but not eliminate, this risk.
109. Candidates with protected characteristics may be disproportionately represented in some specialist areas and having optionality would make monitoring of performance by protected characteristics (and other statistical methods of investigating

¹⁹ Broadly, civil litigation, criminal litigation, advocacy, probate and property

differential performance) less meaningful, with the attendant drawbacks in terms of advancing equality of opportunity.

110. The pilot also provided some indicative evidence that legal skills were not wholly transferrable between different practice areas. Given that the solicitor qualification is broad, this does create a consumer protection risk: the optional model may result in people being licensed to practise who have not demonstrated their competence in all reserved activities.
111. On the other hand, the uniform model is likely to make it more difficult to rely on work experience alone to prepare for SQE2. Some form of classroom or online learning may be required, at least to top up legal skills. The uniform model is likely to cost less to assess, but the training costs may be higher than the optional model.
112. We have discussed these risks with stakeholders since September 2019, and again following the pilot. Their views are mixed. Training providers confirm that training for a uniform exam is likely to cost more. And law firms worry about funding training in skills which their particular businesses don't need. On the other hand, some stakeholders recognise that the uniform model provides the greatest measure of consumer protection, and that it avoids early over-specialisation.
113. We continue to engage with stakeholders to hear their views. We will consider the range of stakeholder views, findings from the SQE2 pilot and the advice from our experts in reaching a final decision on SQE2 design.

Overall conclusion

114. We have continued to engage with stakeholders, including representatives from special interest groups, on the potential risks and stakeholder concerns about the SQE and the wider qualification framework. We have developed and designed the SQE with these issues firmly in mind. We have carefully considered the potential benefits and risks. We remain of the view that the potential benefits of the introduction of the SQE for candidates from protected groups outweigh the potential risks.
115. We will continue to engage with stakeholders. Through ongoing and transparent evaluation, we will check whether the potential benefits we have identified are being realised and whether the mitigations we have put in place have minimised the risks. We will do this through the transparent collection, analysis and reporting of data on candidate performance on the SQE at each assessment session and through the regular collection and analysis of data on the profile of the profession. We will commission an independent evaluation of the SQE to include an evaluation of market and EDI impacts and stakeholder perceptions.

Annexes

Annex 1 – What we have already done and plan to do to minimise the risks

Annex 2 – High level summary of the 2016 Bridge Group report

Annex 3 – Current and indicative new routes to admission

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Annex 1 - What we have already done and plan to do to minimise the risks

Summary of what we have already done to minimise the potential risks

- We have fully tested and piloted the SQE assessments. And we have put in place independent scrutiny of the SQE design, development, piloting, testing and implementation through the appointment of an independent reviewer and an independent psychometrician.
- In March 2019 we ran a pilot of SQE1. The range and diversity of candidates was broadly representative of the profile of candidates we expect to take the live assessment. Both Kaplan and our independent reviewer confirmed that the pilot was a useful and valid exercise that achieved our aims. It showed it is possible to design a robust, manageable assessment of functioning legal knowledge. We have already made some changes to the design of the SQE1 assessments in the light of the findings from the pilot and we will make further decisions on this in the Summer.
- The full range of reasonable adjustments will be made for those with particular needs. Kaplan has many years' experience of making reasonable adjustments for candidates with a wide range of disabilities, through its involvement in the QLTS assessment. The QLTS Alternative Assessment Arrangements Policy includes a long (but non-exhaustive) list of reasonable adjustments that can be made, including:
 - break periods
 - computer screen adjustments
 - the provision of an amanuensis
 - separate invigilation
 - signed assessments
 - use of audio-tape
 - adaptations to assessments
 - rescheduling of assessments.

Test centres will be accessible. Each SQE assessment centre will be compliant with all applicable equality legislation and accessible to candidates with special requirements (for example limited mobility).

- Kaplan also operate a "fit to sit" policy, whereby in attending an assessment, a candidate certifies himself or herself as being fit to sit it.

- We have published initial resources on the SQE tailored to the needs of different stakeholders.
- We have continued to engage with universities, other providers of SQE preparatory training and publishers to make sure they have timely information about the SQE to allow them to design appropriate courses and materials. We have:
 - established an SQE Reference Group, whose members include:
 - The Law Society
 - Junior Lawyers Division
 - Young Legal Aid Lawyers
 - the Association of Law Teachers
 - the Society of Legal Scholars
 - the City of London Law Society
 - formed a LinkedIn Group, which is open to all. The group currently has more than 1,600 members drawn from the profession, universities and other training providers
 - held regular SQE webinars and event broadcasts which have been viewed more than 7,000 times
 - drawn together subject matter experts to advise on technical aspects of the SQE
 - conducted surveys (which we have sent directly to education and training providers) on aspects of the SQE, including the Assessment Specification and the timing of the assessment windows. We have had over 800 responses to our surveys.
 - held roundtable events to discuss the assessment of skills in SQE1 and 2
 - held three annual conference with education and training providers, which have attracted almost 100 delegates each year
 - published the final Assessment Specification for the Functioning Legal Knowledge (FLK) element of the SQE and a set of 90 sample FLK questions.
- We have trademarked SQE and require training providers to sign up to the terms of the trademark if they wish to use SQE in their marketing for preparatory training. So far, we have 29 providers on this list.
- We have made sure, through our contract mechanisms, that the assessment supplier has a transparent funding model for the delivery of the SQE assessments

and all candidate fees will be agreed with us in advance. They must represent value for money.

- We have published information about the indicative/final cost of taking the SQE assessments. This is comparable with other professional assessments, on time per test basis. Early market indications suggest that there will be options available to candidates where the total cost of training and assessment will be less than the cost of the LPC.
- We have launched a Facebook page – Career in Law – to provide information to prospective students about how to qualify as a solicitor in the future. This includes information about the cost of qualifying and the different options available to students.

Other things we plan to do to minimise the risks

- We will monitor performance by protected characteristics on the SQE on an ongoing basis. All questions will be reviewed for cultural bias, and all examiners will be trained to recognise unconscious bias.
- Kaplan will recruit a diverse examiner team.
- We have commissioned the Bridge Group to provide an update on its report, taking into account developments since 2017.
- We will conduct a full independent evaluation which will be carried out post-implementation.
- We will continue to engage with representative groups working in this area.
- We will continue to monitor the way diversity affects outcomes across the professions and consider whether there is potential for joint research into these challenging issues.
- We will report on the profile of SQE candidates and newly qualified solicitors by protected characteristic and socio-economic background to monitor the impact of the SQE on the profile of the profession.
- Through our resources, we will explain how performance in SQE2 will provide objective evidence of the competence of a candidate, and therefore help candidates to market themselves, even if they have followed a less traditional route to qualification.
- We will continue to engage with universities, other providers of SQE preparatory training and publishers on the design of the SQE and make sure they have access to timely information to allow them to design appropriate courses and materials.

- We will provide easily accessible, independent and authoritative data on candidate performance on the SQE by provider to inform the purchasing decisions of candidates and employers.
- We will provide more resources, tailored to the needs of different stakeholder groups, explaining the new routes to qualification. This will include information about the different types of SQE preparatory training available and information candidates and employers could use to inform their choice of university or other training provider.
- We will publish the confirmed SQE fee as soon as it is available.
- We will continue to engage with the government to explore whether career and professional development loans can be used for SQE preparatory training and assessment.

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Annex 2 – High level summary of Bridge Group report

1. We commissioned the Bridge Group to review our proposals to provide us with advice and recommendations about how we could monitor the impact of the SQE and practicable solutions we would take to maximise the positive impact of the SQE
2. The Bridge Group report provides an analysis of the issues and factors affecting diversity in the legal sector and the barriers that some face in qualifying into and progressing within the profession.
3. The report concludes that “There is no silver bullet to address diversity in the legal profession, because lack of diversity is constructed of a complex range of factors at every stage on the journey to the profession. It follows that diversity implications cannot be precisely predicted, given the variety and multiplicity of these factors”.

The report recommended that we place emphasis on the gathering and analysis of accurate data, throughout the implementation process and beyond, to enable us to review and evaluate impact, and take informed decisions regarding the continued development of the SQE.

4. Whilst it is clear that the SQE cannot solve all of the problems affecting diversity in the profession, the Bridge Group concluded that it could help. The report commented that the SQE:
 - can help the sector to have an improved understanding of the causes of, and potential solutions to, the lack of diversity, due to the greater transparency it affords
 - has the potential to increase the range and choice of legal training, without compromising on the need for high standards
 - may drive down costs for trainees through competitive pressures in the market.
5. The report also:
 - identified the risk that greater choice of training, whilst of itself a good thing, could make the training market more difficult for students to navigate
 - emphasised the need for effective information, advice and guidance
 - suggested that data from the SQE will allow us to monitor far more closely the performance and progression of particular groups
 - recognised the role for employers and education and training providers to take advantage of better information and new freedoms to promote greater diversity in recruitment.

- suggested that different models and ways in which to study will emerge – for example, online or work-based – and better information may enable students to make choices about which course would suit them best in terms of cost and lifestyle. Information about courses and providers will also be available to recruiters to help them make informed decisions.
6. In addition to emphasising the importance of data gathering and evaluation, the report recommended that:
- we make sure that the proposed resources for students is accessible, robust and that there are resources in place to enable students from all backgrounds to navigate the increasingly complex range of qualification routes
 - the credibility of assessments should be supported by considering carefully the timing of the reforms, and undertaking a transparent testing process that is accompanied by a communications strategy with differentiated messages to key stakeholders
 - we continue to liaise closely and frequently with employers to establish and preserve their confidence in the rigour and relevance of the SQE, to make sure that it is meeting their needs.

Annex 3 - Current and indicative new routes to admission

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