

SQE year one: Initial perceptions and experiences

16 March 2023

Introduction

Since 1 September 2021, anyone wanting to qualify as a solicitor in England and Wales must pass the Solicitors Qualifying Examination (SQE). This is unless they are granted an exemption or are qualifying under the transitional arrangements.

We introduced the SQE to provide:

1. Greater assurance of consistent high standards at the point of admission as a solicitor; and
2. New and diverse pathways to qualifying as a solicitor which:
 - i. respond to the changing legal services market; and
 - ii. promote a diverse profession by removing artificial and unjustifiable barriers.

We have committed to a ten-year evaluation programme to assess the extent to which the reforms deliver our objectives and to understand the impact of the SQE. The first phase, the publication of the evaluation framework [<https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/evaluating-sqe/>], is complete.

For the second phase, we issued an online questionnaire to collect initial perceptions and experiences of the reforms after the first year. This report summarises the responses.

Objective of the survey

In October 2022, we surveyed candidates, training providers and firms to collect:

- initial perceptions of the SQE
- initial perceptions and early experiences of the requirement to complete qualifying work experience (QWE), the mandatory two-years' legal work experience.

The survey in context

The SQE has replaced the Legal Practice Course (LPC) that had been taken by aspiring solicitors since 1993. Anyone wishing to qualify as a

solicitor must do so through the SQE qualification route, unless they fall within the transitional arrangements which will end in 2032.

It will take five to ten years to properly assess whether we have met our objectives for the SQE. At the time of the survey, we had run only two sittings of SQE1 (the test of functioning legal knowledge) and one sitting of SQE2 (the test of legal skills).

In the first year, more than 3,000 candidates took the SQE. We expect this number to increase to up to 10,000 candidates per year. Around 1,600 candidates report that they have completed some QWE. Around 1,000 periods of work experience have been confirmed. We expect these numbers also to increase considerably over the next ten years.

We know that these early cohorts of candidates are not typical of those we are likely to see in the future. They include a large proportion of transitional candidates and qualified lawyers. For example, over half of the candidates in the first SQE2 assessment were either qualified lawyers or LPC transitional students.

The early cohorts are likely to include a higher number with many years' legal services experience. These are people who hadn't been able to qualify before but who now see the opportunity to do so under the SQE.

The responses give us an early snapshot of views. They are not based on a representative sample. But they do give us an indication of what is and is not perceived to be working well, which we can monitor over time. This will act as a helpful baseline for future surveys. We expect views to change over time as the SQE becomes more embedded and as candidate numbers increase.

We will track these views periodically. We will also complete full, independent evaluations after three, five and ten years as well as an independent, technical evaluation of the SQE after five years.

Respondents

558 respondents completed our questionnaire, the majority of whom were candidates:

- 347 candidates who have taken, or are planning to take, the SQE
- 104 respondents from law firms
- 39 respondents from other legal service providers
- 36 respondents from education and training providers for aspiring solicitors
- 32 other respondents (including bodies representing solicitors and solicitors not currently working in legal services).

Open all [#]

Perceptions of the SQE

Ensuring consistent high standards

Over half of all respondents agreed that the SQE will ensure consistent high standards of all solicitors at the point of qualification. This included more than two thirds of candidates and a third of law firms and training providers who responded.

One respondent commented that it was clear that we now have a standardised 'bar' of entry which must be met by every aspiring solicitor. A small number suggested that it remained to be seen whether the SQE provides the knowledge and skills needed by a solicitor on day one of practice.

Fairness

Over half of candidates agreed that the SQE was a fair assessment. Some candidates said that sitting the SQE made them confident that it is fair. Others suggested the assessment was not fair because it was difficult to pass. Or because it was not possible to pass without undertaking a preparatory training course, which some cannot afford.

Training providers were less positive than candidates with two thirds disagreeing that the SQE was a fair assessment. Law firms were evenly split with a third agreeing and a third disagreeing.

Availability of a wide range of training options

Over half of all respondents agreed that there is a wide variety of SQE training options. Fewer than a quarter disagreed and a quarter responded as 'don't know' or neutrally. Candidates tended to be more positive than training providers and law firms.

Accessibility of the SQE

We asked whether the SQE is accessible for all candidates, including those requiring reasonable adjustments. 40% of respondents agreed it was accessible, just over a quarter disagreed and just over a third did not know or were neutral.

Clarity of expectations

Views were mixed about whether the expectations of the SQE are clear, although overall more respondents agreed than disagreed that they were. Some respondents said information published about the SQE had helped them understand what it involves and/or increased their trust in the

assessment. Others said that they would like more detailed assessment specifications and more sample questions.

Testing the right knowledge and skills

Almost half of all respondents thought that the SQE tests the right knowledge and skills and a third disagreed. Some candidates who had sat the SQE thought it was a thorough and challenging assessment which tests the knowledge and skills needed to practise as a solicitor. Others said that the content of the exams is too wide and it is difficult to remember all of the legal knowledge on which candidates are assessed.

Promoting diversity

Views were mixed about whether, over time, the SQE will help remove artificial and unjustifiable barriers to entering the solicitors profession. Forty four percent of candidates, a quarter of law firms and 17% of training providers agreed with this statement. A quarter of all respondents did not know or were neutral.

A number of candidates said that the SQE had removed barriers to entering the solicitor profession, in general or for them personally. Some respondents highlighted that removing barriers to qualifying as a solicitor and encouraging a more diverse profession requires action by a range of stakeholders, not just us. Others raised concerns that the combined cost of the training and the assessment could be a barrier for some.

Views were similarly mixed on whether, over time, the SQE will help promote diversity at the point of entry to the solicitor profession. Over a third of all respondents agreed and over a third disagreed.

Affordability of the SQE and SQE preparatory courses

Many respondents expressed concern about the affordability of the SQE and preparatory courses. When asked whether the exam fees are reasonable, just under a quarter of respondents agreed that they were reasonable with over half saying that they were not. Levels of disagreement were highest amongst candidates.

When asked whether candidates were able to find affordable SQE training options, just under a third of respondents agreed that candidates can find them and 46% disagreed. When commenting on the fees, respondents often suggested that the combined total cost of the SQE and the preparatory training was high. Some suggested that the combined cost was similar to the cost of an LPC.

Trust in the SQE

We asked respondents whether their trust in the SQE had changed since it was introduced in 2021. Most said their trust had not changed or they did not know. While 10% said their trust in the SQE had increased, just under a third said that their trust had decreased.

The majority of those who said their trust had increased were candidates followed by law firms. No training providers stated their trust had increased. The most common reasons for increased trust amongst candidates were:

- the difficulty of the exams
- a better understanding of what the SQE involves
- the practical nature of the exams.

Across all groups, common reported reasons for decreased trust in the SQE included:

- issues with the operational delivery of the exam
- the exam fees
- elements of the exam itself, for example, the use of multiple-choice questions
- concerns about the disparity between pass rates for candidates from White backgrounds and candidates from some Black, Asian and minority ethnic backgrounds.

Confidence in the SQE

Respondents' overall confidence in the SQE scored three out of a maximum of five. We calculated this score by giving a numerical value to respondents' views on ten separate elements of the SQE assessment. We then calculated the mean of the individual scores for the ten elements and the mean score for all respondents.

Candidates, who were the majority of respondents, reported higher confidence than other groups. Training providers reported the lowest overall confidence.

Perceptions of QWE

Clarity of requirements

Almost two thirds of all respondents said that the requirements candidates need to meet to complete QWE are clear. Respondents thought that the requirements for organisations confirming QWE were less clear. Almost half of respondents agreed they were clear, a fifth said there were not clear and a third said they did not know or were neutral.

Respondents suggested that there was a need for more guidance and clarification around what counts as QWE, the process for confirming QWE and quality control.

Helping candidates prepare for practice

Just under two thirds of all respondents agreed that QWE helps develop the competences needed to practise effectively as a solicitor on day one of practice. Almost three quarters of candidates responding agreed with this, while levels of agreement were lower among law firms and training providers.

Promoting diverse QWE opportunities and a diverse profession

The majority of all respondents agreed that the introduction of QWE will lead to a more diverse range of organisations offering work experience to aspiring solicitors. Over a half of respondents also agreed that, over time, our QWE reforms will help remove artificial and unjustifiable barriers to entering the solicitor profession.

Similarly, over half agreed that, over time, our QWE reforms will help promote diversity at the point of entry to the solicitor profession. Candidates particularly agreed this would be the case.

Several candidates left positive comments about the potential QWE has to help remove artificial and unjustifiable barriers to becoming a solicitor. And how it helped encourage the profession to become more diverse. Other respondents highlighted that it would take time to measure the diversity impacts of QWE and that this will depend, in part, on employers' practices.

Overall confidence in QWE

Overall confidence in QWE was good at 3.6 out of five. The confidence measure was calculated on six criteria. Candidates and private and public sector legal services providers had the highest confidence levels in QWE, whilst training providers had the lowest overall confidence.

Candidate experiences of QWE:

327 candidates completed this section of our questionnaire. Eighty nine percent of candidates who responded said that they had completed some or all of their QWE. More than 70% had completed more than the required two years. Half said that they had completed or planned to complete just one QWE placement.

A high proportion said that they had completed their QWE in law firms or other private sector organisations and over a third in public sector

organisations. A fifth of candidates had completed some QWE in a student law clinic. (Candidates were able to choose multiple options.)

Completing QWE before or after the SQE

The majority of candidates completed or planned to complete QWE before taking SQE1 or before taking SQE2

Only a small number of candidates did not complete or plan to complete any QWE before taking SQE2.

Securing QWE

Almost a third of candidates told us that it was easy or very easy to secure QWE. Around a quarter said that it was difficult or very difficult and a quarter said it was neither easy nor difficult.

Those who found it difficult to secure QWE placements gave the following reasons (they were able to select multiple answers from a given list):

- there was a lot of competition for QWE
- it was hard to find paid QWE placements
- there was a lack of knowledge about QWE among legal service providers
- it was hard to find QWE in their local area
- it was hard to find QWE to suit their personal circumstances
- it was hard to find QWE in their desired area(s) of law
- a few said they did not meet the eligibility requirements for some QWE placements.

Candidates were asked to identify the three most important factors to them (from a list of eight) when seeking QWE. Practice area, desire to work for the provider and type of organisation received the highest number of 'first' rankings. Provider reputation, location and placement length received the least first rankings

Candidates also told us that the following factors were important when seeking QWE:

- flexible working, particularly for disabled candidates and those with caring responsibilities
- workplace culture, especially in relation to equality, diversity and inclusion
- forms of candidate support, including effective supervision and mentoring
- the organisation's understanding of the SQE

- paying for candidates to train for and sit the SQE assessments.

Over three quarters of candidates reported that they completed or planned to complete only paid QWE. Twelve per cent said they completed or plan to complete unpaid QWE where no expenses are covered and 3% where some or all expenses are covered.

Candidates gave the following reasons for completing or planning to complete some unpaid QWE (respondents were able to select multiple answers from a list):

- They completed or planned to complete QWE with a voluntary organisation or student law clinic
- There was a lack of paid placements in general or in their desired area(s) of law
- The value of the placements they completed or planned to complete was more important than payment
- Payment was not a priority for them because of their personal circumstances
- More unpaid placements are available or there is less competition for unpaid placements.

Satisfaction with QWE

Almost 90% of candidates who had completed some QWE said they were very satisfied or satisfied with it and 3% were dissatisfied or very dissatisfied. The others were neither satisfied nor dissatisfied.

More than 80% were also very satisfied or satisfied with the supervision during their QWE. 3% were dissatisfied or very dissatisfied.

Almost 90% of candidates agreed or strongly agreed that their QWE had helped them develop the competences they need to practise effectively as a solicitor. Just 1% disagreed.

Over three quarters of candidates said that they were exposed to a broad range of competences during their QWE. Those who said they had not been exposed to a broad range of competences explained their QWE was in a specialist area of practice. Or their experience was focused on specific skills (eg advocacy).

Confirming QWE

Almost half of candidates told us that some or all their QWE had been confirmed. Over two thirds said that the process of getting their QWE

confirmed was easy or very easy. Thirteen percent said that it was difficult or very difficult.

The minority of candidates who found it difficult to get their experience confirmed suggested this was because organisations did not understand the QWE requirements.

Some candidates said that organisations can be reluctant to confirm QWE if they think it goes against their interests. For example, because it would enable paralegals to qualify as solicitors and either resign or ask for a higher salary.

Organisations' experiences of QWE

151 organisations completed this section of the questionnaire, including 104 law firms, 39 other legal service providers and eight training providers. The number of QWE placements the organisations were planning to offer varied widely.

Benefits and challenges for organisations

We asked organisations whether and, if so how, QWE benefitted them. The most frequently selected benefits (from a list) were:

- Being able to develop existing employees (eg paralegals)
- Being able to provide work experience to aspiring solicitors for the first time
- That QWE was simple to provide
- Being able to design different types of QWE to recruit a more diverse range of candidates
- That QWE does not require them to assess competence to practise as a solicitor.

We also asked organisations whether and, if so how, QWE created any challenges for them. Over a third of organisations reported that they had not experienced any challenges. Of those who said they had experienced challenges, the most frequently selected challenges (from a list) were:

- Not being able to employ any or all their paralegals as solicitors after confirming their work experience as QWE
- That QWE was too new
- Individuals in their organisation did not agree with the introduction of QWE
- They did not understand the requirements of QWE.

Moving from training contracts to QWE

Almost half of organisations reported they had provided training contracts at some point in the two years before we introduced the SQE. Over half of those still providing a period of recognised training (PRT), also known as a training contract, did not know when they would stop. A small number planned to continue for at least five years.

Structured QWE schemes

Over a quarter of organisations said they already recruited candidates onto a structured QWE scheme and a further 15% were planning to do so in the next 12-24 months. Twenty one percent said they had no plans to recruit and 38% said they did not know.

Organisations that didn't provide PRT but who were recruiting, or were planning to recruit, candidates onto a structured QWE selected (from a list) the following reasons for doing so:

- QWE is more flexible to provide
- QWE helps develop existing talent
- they support the introduction of QWE
- QWE it is cheaper to provide
- they could not meet the regulatory requirements to provide training contracts.

Supporting candidates during QWE

We asked organisations whether they included or planned to include preparatory training for the SQE as part of their structured QWE. Of the organisations that answered this question, almost all said that they did, or they planned to.

We also asked organisations whether they cover or plan to cover costs associated with sitting the SQE as part of their QWE schemes. Of those who responded, the majority covered or planned to cover the full training costs and fees for SQE1 and SQE2 and associated expenses. Some organisations covered or planned to cover partial costs.

Over half of organisations said they paid their QWE candidates a salary or a salary plus additional expenses and 5% said their QWE is unpaid. More than 40% said that they did not know whether their QWE was paid.

Employing solicitors who complete QWE elsewhere

Over a third of respondents said that they would employ solicitors who qualified having completed QWE in another organisation. Over a third said

that they did not know.

Nine percent said that they would, but the solicitor would need to do some QWE with the organisation even if they had done two years elsewhere. A further 9% said they would not employ candidates who had completed their QWE elsewhere.

Organisations that said they would only employ solicitors who qualify through the SQE if they complete some or all their QWE with them gave the following reasons:

- Concerns about the quality of QWE completed elsewhere
- To make sure they have the competences needed to practise as a solicitor
- To make sure they understand the organisation's areas of practice
- To train them in the culture of the organisation
- They practise in specialist areas of law.

(They were able to select multiple reasons)

Requiring candidates to pass the SQE before starting QWE

Over a quarter of respondents said that they did not require candidates to pass either part of the SQE before starting QWE. A fifth of respondents said that they required candidates to pass both parts of the SQE before starting QWE.

The organisations that required candidates to pass SQE1, or both SQE1 and SQE2, before starting QWE explained why. The most frequent answers were:

- It reduces the risks to their organisation of providing QWE
- It helps candidates get more out of their QWE
- It makes it easier to supervise candidates during QWE.

(Respondents were able to select multiple reasons from a list.)

Large law firms with 100 plus partners were more likely to require candidates to pass SQE , or both SQE1 and SQE2, before starting QWE with them. This was when compared with firms with fewer than 100 partners.

Preparing candidates for practice



Almost two thirds of organisations said their QWE exposed candidates to a broad range of competences in all sections of our Statement of Solicitor Competence. Four percent said that their QWE exposed candidates to a broad range of competences in some but not all sections. This was because of their specialist area(s) of practice or resource issues. Just over a third said that they did not know.

Confirming QWE

We asked organisations to tell us if they had ever refused to confirm work experience as QWE. This question was applicable to 87 organisations. Over half said that they had not refused to confirm work experience as QWE. Eleven percent had refused to confirm it and one third did not know.

The organisations that reported that they had refused to confirm work experience as QWE explained why (they were able to select multiple reasons from a given list). The most frequently selected responses were:

- Concerns about the quality of work completed by the candidates
- A lack of evidence about the work that was completed
- Too much time had passed since the work was completed.

Next steps

As stated, these findings represent an early snapshot of stakeholder views. We will undertake further surveys to track whether views change over time and to build up a richer picture. We have identified areas for ongoing monitoring and action in response to these initial responses.

Cost of the SQE assessments

The SQE assessment tests a wide range of knowledge and practical skills to a high standard. This is essential to protect the public by making sure that anyone who qualifies as a solicitor has met the standards that we expect. There will inevitably be a cost associated with an assessment of this nature.

We will continue to review whether there are ways to administer the assessments that would minimise additional cost to candidates.

Affordability of SQE training options

We have published outputs from a separate survey of SQE training providers [<https://www.sra.org.uk/become-solicitor/sqe/training-provider-list/>]. This suggests that there is a wide range of both courses on the market and a correspondingly wide range of fees. Standalone courses, not leading to an academic award, ranged from £500-£4,500. Prices for courses leading to

an academic award, such as an undergraduate or postgraduate degree, were higher and ranged from £7,500 – £13,000.

We will continue to monitor the emerging training market and will conduct a full evaluation as part of our three-year market evaluation. We will also continue our work to help candidates make informed choices. To date, this includes resources [<https://www.sra.org.uk/become-solicitor/sqe/training-provider-list/>] and a webinar [<https://www.sra.org.uk/sra/news/events/on-demand-events/navigating-sqe-training-market/>] .

Accessibility of the SQE and reasonable adjustments for disabled candidates

We are committed to making sure the SQE assessment is as accessible as possible to all candidates. We keep the policy and process for reasonable adjustments under review and have already made some changes to improve the candidate experience. The Independent Reviewer for the SQE has also concluded that reasonable adjustment arrangements are working well.

We will continue our work in this area to:

- raise awareness of the measures in place to make the SQE accessible
- monitor how Kaplan, the SQE provider, reviews and improves its arrangements for reasonable adjustments
- engage with disabled people and other stakeholders to inform our approach
- track the extent to which the views and experiences of candidates from diverse backgrounds change through regular surveys.

Expectations of the SQE

We will continue to engage with training providers to understand the lack of confidence shown by some in the SQE.

Our engagement to date suggests that training providers would welcome more detail on the content of the assessments and on the performance of their candidates. We will continue to discuss with providers the detail we can provide in a system where providers do not set and mark assessments for students they have taught. This will include further webinars targeted at training providers where we will share insights from the assessments.

Trust and confidence in the SQE

We will continue to engage with stakeholders to learn more about the factors influencing their confidence in the SQE. We will also discuss if there is anything we can do to improve it at this early stage.

We will repeat our surveys to track if trust in the SQE changes as more solicitors qualify having taken the exam.

Working with our assessment provider, Kaplan, we will continue to:

- learn lessons from the delivery of the SQE
- reduce the risk of operational failures
- identify any improvements that can be made to the candidate experience.

Our work with the University of Exeter is underway to explore the factors that might affect differential performance in legal professional assessments. This is by candidates from some Black, Asian, and minority ethnic backgrounds compared to that of White candidates.

Confirming QWE

We have already provided a range of resources to help candidates and legal services providers understand the requirements of QWE. We will continue to engage with bodies representing solicitors and a wide range of law firms, other legal services providers and training providers. This will help identify what further steps we can take to clarify those requirements.

We have already set up a helpline [https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/refusal-confirm-qualifying-work-experience/#what_if_a_solicitor_or_colp_still_refuses_to_confirm] for candidates who experience difficulties in getting their QWE signed off. We will continue to monitor the extent to which organisations refuse to sign off QWE and their reasons for doing so. We have published guidance for candidates who are dealing with a refusal to confirm QWE [<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/refusal-confirm-qualifying-work-experience/>].

Candidate confidence in, and experience of, QWE

We will undertake further surveys to gather the views of future candidates and compare them with those in earlier cohorts.