

Future lawyers can bypass university degree under legal reforms

Jonathan Ames Legal Editor October 30 2020, The Times

School leavers will no longer need to go to university if they want to become lawyers after regulators approved the biggest reform of legal education for a generation. Under the changes, which take effect from next September, people can join law firms as apprentices on the government's "trailblazer" scheme. Then, after gaining mandatory work experience, they will be able to sit a new two-part solicitors' qualifying exam to become fully qualified.

The move to reform legal education is highly controversial. Many solicitors and legal academics have accused the Legal Services Board of "dumbing down" entry requirements with the updated regime.

Proponents of the overhaul, led by the Solicitors Regulation Authority (SRA), claim that it will broaden access to the profession to a wider pool of students from less traditional socio-economic backgrounds. They say that the present system of qualification, which normally requires a law degree or conversion course diploma for non-law graduates, plus a postgraduate course and then two years' on-the-job training, is complicated and expensive. It is estimated that for many students aiming to qualify as solicitors, the new regime will reduce their fees by tens of thousands of pounds. At present postgraduate fees alone in London can cost students qualifying as solicitors about £30,000 and it is predicted that the new regime will cut two thirds from that expense.

In authorising the regime this week, Helen Phillips, chairwoman of the Legal Services Board, said that it aimed to "ensure consistency of standards and improve diversity access to the sector". Dr Phillips added that the reforms were designed to "help increase consumers' trust and confidence, create a profession that better reflects society, and widen access to justice".

The reforms have triggered controversy ever since they were first mooted about five years ago. In 2016 Anthony Bradney, a law professor at Keele University, published an 18-page diatribe through the Politeia think tank damning the proposals as "dumbing down the law". Leaders of the solicitors' regulator strongly contest that criticism. Anna Bradley, chairwoman of the SRA, told *The Times* that the updated process "will be a tough, but fair, assessment of practical legal skills and knowledge. People will have to work hard to pass and I know that many involved in our pilots were disappointed by their results." Ms Bradley said that while nearly half of students continued to go to university, "we expect that the majority of those who qualify under the SQE are likely to have a degree". But she emphasised: "Non-degree routes, such as apprenticeships, will be an attractive option for many people for whom university does not appeal and who want to learn — and earn — in the workplace straightaway."

The process would take five to six years of on-the-job training, but the advantage, say proponents of the scheme, is that those qualifying through that route would be able to earn at the same time. The Law Society was critical of the proposed changes, but this week its officials were resigned to the change. "The introduction of the SQE will mark a big change in how aspiring solicitors begin their career in law," said David Greene, the society's president, adding that the new qualification process "has the potential to broaden access to the profession".

The junior lawyers' division of the Law Society lambasted the plans, not least, it said, because of the multiple-choice element to questions on the new exam. This, the group claimed, would potentially trigger a lowering of standards and diminish regulators' ability to assess students' legal knowledge.

Peter Hungerford-Welch, associate dean at the law school at City, University of London, said that solicitors' firms were worried by the reforms. "Part of their concern is that students who pass SQE1 [the first stage of the new solicitors' qualifying examination] without having gone through a law degree or GDL graduate diploma may lack the deeper understanding of the law, and the ability to apply it," he said.

Peter Crisp, pro-vice-chancellor of the University of Law, the biggest provider of postgraduate legal education in Britain, described this week's reforms as a "monumental moment".

But he added: "As one partner in a major City law firm put it to me, 'We do not want trainees arriving in the firm with less knowledge and fewer skills than they have now.'"