

## Annex 3

### The Principles

The Solicitors Qualifying Examination (SQE): approach to qualified lawyers seeking admission as a solicitor of England and Wales

#### Overarching requirements

1. Qualified lawyers who wish to be admitted as a solicitor of England and Wales will need to:
  - a. Hold a legal professional qualification that we recognise which confers rights to practise in England and Wales or in an overseas jurisdiction.
  - b. Demonstrate that they have the competences set out in the [Statement of Solicitor Competence](#) (SoSC), and the knowledge of English and Welsh law set out in the Statement of Legal Knowledge either on the basis of the principles set out below and/or through successful completion of the SQE.
  - c. Have a degree or qualifications or experience which we are satisfied are equivalent to a degree.
  - d. Satisfy our character and suitability requirements.
2. We will recognise the knowledge, skills and competences that qualified lawyers have gained through professional qualifications and professional experience.<sup>1</sup> This recognition may relate to SQE1 and/or SQE2 in totality, or individual components<sup>2</sup> which make up SQE1 and/or SQE2.

We will only recognise professional legal qualifications or professional experience as equivalent to an individual component of the SQE where the knowledge, skills and competences for which a qualified lawyer seeks recognition correspond to the whole of an individual component. There will be no recognition available for only part of an individual component as it is not possible to assess all candidates on a reliable and accurate basis where some candidates are only being assessed on some aspects of a component.

#### Recognition of professional qualifications

3. For us to recognise a qualified lawyer's professional qualification as equivalent to part or all of the SQE (SQE1 and/or SQE2), they will need to demonstrate that the qualification they hold is equivalent to SQE1 and/or SQE2 in its entirety, or individual components of the SQE in the following ways:
  - Content: the professional qualification will need to cover content which is not substantially different to the areas of English and Welsh law set out in the Statement of Legal Knowledge and the competences set out in the SoSC.

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<sup>1</sup> Recognition of part or all of the SQE will be granted to candidates who hold a legal professional title we recognise (a professional qualification). Where recognition is granted, the qualified lawyer will not be required to sit the corresponding components of the SQE assessment(s).

<sup>2</sup> "Component" of the SQE means an individual assessed element of the SQE for which a separate standard is set, and a mark provided.

- Standard: the professional qualification will need to be of an equivalent standard – ie it will have to assess to a level which is comparable to level three of the [SRA threshold standard](#).

### **Recognition of professional experience**

4. Where qualified lawyers have acquired professional experience in legal practice<sup>3</sup> through practising under their home title and/or in their home jurisdiction, we will consider whether the knowledge, skills and competences developed by this professional experience are equivalent to corresponding parts of SQE1 and/or SQE2. For us to recognise a qualified lawyer's knowledge, skills and competences acquired through professional experience, they will need to demonstrate that the knowledge, skills and competences acquired are equivalent to the whole of the SQE, or individual components of the SQE in the following ways:
  - Content: the knowledge, skills and competences acquired through the professional experience will need to cover content which is not substantially different to the areas of English and Welsh law set out in the Statement of Legal Knowledge and the competences set out in the SoSC.
  - Standard: the knowledge, skills and competences acquired through the professional experience will need to be developed to a level which is comparable to level three of the SRA threshold standard.
5. As a starting point, we envisage that qualified lawyers will typically have a minimum of two years' professional experience in order to show us that they have satisfactorily developed to an equivalent standard the competences assessed by the part(s) of the SQE for which they are seeking recognition.

However, some candidates may be able to demonstrate to our satisfaction that they have developed the respective competences to an equivalent standard within a shorter period of professional experience or through lifelong learning (or through a combination of both).<sup>4</sup> They can still apply to us for recognition by submitting formal evidence and we will review the evidence to assess whether their knowledge, skills and competences meet our content and standard requirements.

### **English or Welsh language**

6. Where necessary,<sup>5</sup> there will be an English or Welsh language requirement imposed for qualified lawyers whose professional qualification(s) or professional experience we have recognised as equivalent to all or part of SQE2. This will take place post-admission, at the point applicants apply for a first practising certificate.

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<sup>3</sup> Periods of professional experience in legal practice which are undertaken either pre or post qualification can be taken into consideration.

<sup>4</sup> 'lifelong learning': all general education, vocational education and training, non-formal education and informal learning undertaken throughout life, resulting in an improvement in knowledge, skills and competences, which may include professional ethics.

<sup>5</sup> in cases of "serious and concrete doubt" about the applicant's language knowledge in respect of the professional activities which they intend to pursue as per the European Union (Recognition of Professional Qualifications) Regulations 2015.



## Notes on the principles

### Regulatory/professional bodies

7. A regulatory/professional body may make an application to us for recognition of a professional title.
8. We will continue to recognise professions which we have recognised previously. However, a regulatory/professional body applying for recognition for the whole of SQE1 and/or SQE2 or individual components of the SQE for their profession will need to undertake a mapping exercise and submit evidence to us showing how their members' professional qualification is equivalent to the SQE.
9. We will review the mapping exercise the regulatory/professional body has undertaken and recognise the professional qualifications of a regulatory/professional body as equivalent to the SQE or individual components of it, where we assess that the content and standard of the qualification scheme is not substantially different to corresponding areas of the SQE. We will look at the content and standard of the profession's qualification scheme only,<sup>6</sup> and whether the recognition sought covers the entirety of an individual component and/or the whole of SQE1 and/or SQE2.

### Individuals

10. Qualified lawyers who are seeking admission will have to contact us and demonstrate how their professional qualification or professional experience is equivalent to the SQE, or part of it, based either on the areas of recognition agreed with us by their regulatory/professional body, and/or their individual circumstances. In order to do this, they will be required to submit formal evidence, including an explanation of how their professional experience has enabled them to develop the competences in relation to which they are seeking recognition.<sup>7</sup>
11. Qualified lawyers may make an application to us for recognition of a professional title that they hold and which confers practice rights in England and Wales or in an overseas jurisdiction which has not previously been recognised by us and has not been the subject of an application to us by the regulatory/professional body. If the qualification has not already been recognised sufficient information will need to be provided to enable the mapping exercise referred to in paragraphs 8 and 9 above to be carried out.
12. Qualified lawyers of EU Member States other than the UK, have the choice as to whether they seek admission on the basis of Directive 2005/36/EC or Directive 98/5/EC. Typically, candidates seeking establishment on the basis of Directive 98/5/EC will need to effectively and regularly pursue an activity in the law of England and Wales, in England and Wales under their home-country professional title for a period of at least three years.

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<sup>6</sup> ie - we will not look at features such as the assessment methodology or the format of the assessment.

<sup>7</sup> In practice this could be achieved either on the basis of confirming to us that they are a member of a profession which has pre-agreed areas of recognition in place (based on the standard qualification route of the profession), and/or by submitting evidence in support of 'less typical' periods of professional experience.