

Aled Roberts
Welsh Language Commissioner
Market Chambers
5–7 St Mary Street
Cardiff CF10 1AT

By email: post@welshlanguagecommissioner.wales

8 November 2019

Dear Aled

Solicitors Qualification Examination ("SQE") – Welsh language

I am writing to you in my capacity as Chair of the Junior Lawyers Division ("JLD") of the Law Society of England and Wales.

The JLD is a division of the Law Society of England and Wales and is one of the largest communities within the Law Society with approximately 70,000 members. Membership of the JLD is free and automatic for those within its membership group including solicitor apprentices, Legal Practice Course ("LPC") students, LPC graduates, trainee solicitors and newly qualified solicitors to five years qualified.

Background

Since the introduction of the SQE in 2015 the JLD has worked tirelessly to ensure our members' interests are represented. The introduction of the SQE is going to have a significant impact on a large proportion of our members (and future members).

The JLD is supportive, in theory, of a consistent centralised standard and recognises that there are limitations with the current system of education and training. That said, the JLD is keen to ensure that the SQE is fit for purpose.

We have worked closely with the Solicitors Regulation Authority ("SRA") over the past four years. We have also responded to all SRA consultations on this issue and the work that the JLD has undertaken in relation to the SQE can be found on our [website](#).

We still have a number of concerns about the current proposals for the SQE and we are specifically writing to you regarding the SRA's decision to not offer the SQE in Welsh.

SRA Decision to not offer the SQE in Welsh

The JLD is concerned that the SRA has recently indicated, within the minutes from their [board meeting on 10 September 2019](#), that the SQE will not be offered in Welsh.

For ease of reference the following recommendations were made at the meeting:

- 1) the Board is asked to agree that we [the SRA] undertake a feasibility study and seek stakeholder views on giving candidates the option of writing their answers in Welsh from the introduction of the SQE.

The professional body for solicitors

- 2) the Board is asked to agree that we explore the possibility of permitting candidates to take their oral skills assessments in English or in Welsh, subsequent to the introduction of the SQE.
- 3) the Board is asked to agree that we seek stakeholder views on the emerging position that we do not at this time provide a Welsh version of the Functioning Legal Knowledge assessment questions, but that we should keep this decision under review.¹

As you are no doubt aware, the SRA had originally stated that it would offer the SQE in Welsh provided it could ensure comparability of standards between the English and Welsh versions and that the cost of producing a Welsh version was not exorbitant. It is understood that some stakeholders, including the Welsh Language Commission, have written to the Legal Services Board (“**LSB**”) about this issue previously^{2 3}.

It is also understood that the LSB considered this issue when they approved the SRA’s initial application to introduce SQE in March 2018. We note that within such Decision Notice the LSB stated at paragraph 26:

*“Similarly, in relation to Welsh language versions of future SQE assessments, this issue was not assessed to be within scope of the current application. It is likely to be relevant to the LSB’s consideration of the further regulations that will need to be approved to give effect to regulation 1.1(a). The SRA informed the LSB that it has been in contact with the Welsh Language Commissioner on this issue since the LSB received a representation from her. **We encourage the SRA to continue to involve the Welsh Language Commissioner’s office as it develops its SQE approach and arrangements.**”⁴*

We would be grateful if you could update us in this regard.

Working together

We have had sight of some of your written communication with the SRA and the LSB about this issue. The JLD is wholly in agreement with your position and, if you are amenable, we would like to work with the Welsh Language Commissioner.

The JLD has the benefit of a National Committee (“**NC**”) of local JLDs across England and Wales and we have been in close contact with our Welsh JLDs on this issue. We would urge you to reach out to the [Cheshire and North Wales JLD and the Cardiff and South Wales JLD](#). I copy the relevant contact details below:

Cheshire and North Wales JLD

JLD email: cnwjld@gmail.com

Cardiff and South Wales JLD

JLD email: csewjld@gmail.com

¹ <https://www.sra.org.uk/globalassets/documents/sra/board-meetings/2019/sra-board-item---sqe-in-welsh.pdf?version=4a81df>

² https://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/2018/SQE_submission_-_David_Dixon.pdf

³ https://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/2018/20180228_LL_D_Neil_Buckley.pdf

⁴ https://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/2018/FINAL_decision_notice.pdf

We understand, having spoken to our NC Representatives in Wales, that the SQE not being offered in Welsh is compounding the issue of access to justice in Wales more generally when coupled with, for example, court closures that require lawyers and clients to attend non-Welsh speaking courts which are much further afield. We would also welcome the opportunity to discuss this with you further.

The JLD looks forward to hearing from you.

Yours sincerely



Amy Clowrey
Chair, Junior Lawyers Division (outgoing)
Email: juniorlawyers@lawsociety.org.uk