

Module	<b>SOLICITORS REGULATION</b>
Jurisdictions	<b>ENGLAND AND WALES</b>
Legal Expert	<b>Martine Polaine</b> Barrister (England & Wales), Brooke Chambers  <a href="#">Barristers – BrookeChambers</a> <a href="https://www.linkedin.com/in/martin-polaine-fciarb-faiadr-961363132">linkedin.com/in/martin-polaine-fciarb-faiadr-961363132</a>

## Module Application

Are those in your organisation (including legal and non-legal staff) familiar with the relevant legislation, standards, codes of conduct, principles, and authorisation requirements imposed on solicitors and legal firms?

Do solicitors in your organisation meet the necessary qualification requirements, while continuing to maintain their professional skills and competence?

Does your organisation have systems in place to comply with operational requirements, including payment of fees, reporting obligations, file retention, advertising, handling of complaints, prevention of financial crime, and financial and risk management?

---

## Module Scope

Solicitors in England and Wales are governed by a framework of legal services and solicitors legislation, such as the Legal Services Act 2007 and the Solicitors Act 1974, which controls the provision of legal services and restricts the practice of certain legal activities. Solicitors and legal firms engaging in such activities are required to obtain the necessary authorisation from the relevant regulator, namely the Solicitors Regulation Authority (SRA).

In addition, solicitors and legal firms (including non-legal staff) are also subject to various standards, codes of conduct and principles as laid out by the SRA and the Law Society of England and Wales. Compliance with these requirements allow solicitors and legal firms to demonstrate their commitment to professionalism, accountability and the rule of law, thereby upholding the integrity of the legal profession and protecting clients' interests.

The England and Wales Solicitors Regulation module addresses this legal and regulatory landscape through a set of 19 core obligations and sub-obligations, concisely covering a wide range of requirements which solicitors and legal firms must take into account, along with the required actions and the consequences for failure to comply.

The core legal and regulatory obligations are based on the following considerations:

- › Decision making
- › Accountability
- › Stewardship
- › Direction
- › Control

An organisation is required to ensure that its staff (including, both legal and non-legal) are fully informed and conversant with respect to their obligations and responsibilities, whether these obligations are legal or standards-based in nature. In particular, the module aims to equip the subscriber with the knowledge necessary to answer the following questions:

- › What are our legal and regulatory obligations?
- › What is the source of those legal and regulatory obligations?
- › How may we best ensure that we are complying with our legal and regulatory obligations?
- › What are the consequences of non-compliance?

The following key regulatory topics form the basis of this module:

- › Regulatory framework and reserved legal activities
- › Professional structures
- › Professional standards
- › Operations of legal practice
- › Quality marks and accreditation
- › Qualifications
- › Admissions
- › Prerequisite for practice as a solicitor
- › Continuing competence
- › Mandatory practicing fees and Compensation Fund
- › SRA reporting and notification obligations
- › File retention
- › Advertising of legal services
- › Complaints and investigation
- › Financial management
- › Prevention of financial crime
- › Risk management
- › Foreign lawyers
- › Financial difficulty, bankruptcy and closure of practice

The England and Wales Solicitors Regulation module recognises the very serious consequences which solicitors and legal firms are subject to in cases of obligation breach, commensurate with the high professional and ethical standards to which they are expected to adhere. Consequences are not limited to criminal convictions (penalties and fines), but also include far-reaching disciplinary actions such as being struck off the roll, deregistration, imposition of conditions, orders, rebukes and/or reprimands that may be made against a solicitor or legal firm.

Given the wide breadth, applicability and gravity of the legal services and solicitors regulation, we at LexisNexis appreciate the need for clarity of law and regulation in upholding legal professional standards and the rule of law, regardless of the subscriber or user's level of legal

proficiency. The England and Wales Solicitors Regulation is accordingly set out in non-technical language. Staff (irrespective of position, seniority or legal background) will readily be able to understand what is expected of them based on their roles, where the legal obligations in concern come from, and the risks and consequences faced.

### **About LexisNexis Regulatory Compliance**

LexisNexis Regulatory Compliance® helps you forge a clear path to compliance.

With LexisNexis® content know-how at the core, our compliance registers, alerts, and information-driven solutions make compliance uncomplicated for GRC professionals across the globe.