



Changes to the regulations for the Higher Rights of Audience qualification

Consultation Response

May 2025

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Executive Summary

We ran this consultation to gather views on the minor technical regulatory amendments needed to enable a sole provider to deliver the assessments for the Higher Rights of Audience (HRA) criminal and civil qualification.

As part of the consultation, we produced an equality impact assessment that analysed the potential impacts of appointing a single assessment provider for the HRA qualification. We did not identify any adverse impacts on any specific groups because of their protected characteristic. Respondents to the consultation also did not identify any issues with our proposed regulatory changes.

Having analysed responses to this consultation, we will:

- submit our application to the Legal Services Board (LSB) for formal approval of these regulatory changes. We will ask the LSB to approve the changes to take effect from 1 October 2025.
- allow current assessment providers to be authorised to deliver HRA assessments up to and including 30 September 2025. This will enable individuals who have already registered to take the HRA assessments with these providers to do so
- continue to engage with existing HRA training providers to make sure they have the necessary information about the design and the delivery of the new sole assessment
- communicate our changes to the profession and wider stakeholders
- update our website so that solicitors looking to obtain the HRA qualification understand the new assessment arrangements, including the details of organisations that offer HRA preparatory training
- monitor the implementation of our proposals to identify any unintended consequences or changes to the HRA training market.

Background

In England and Wales, a right of audience refers to a lawyer's ability to appear and conduct proceedings in court on behalf of their clients. At the point of admission, all solicitors automatically have rights of audience in Magistrates' courts and the County Court. To represent clients in the higher courts in criminal or civil matters, a solicitor must pass either the criminal or civil HRA qualification.

We set the regulations and standards for the HRA qualification and currently authorise four assessment organisations to assess solicitors against those standards. At present, each assessment organisation designs and runs its own assessments for the qualification. After a consultation in 2019, [we decided in July 2020](#) to adopt a single assessment provider model for the HRA qualification.

We made this decision because our current model means that there is no single, standardised assessment for the HRA qualification. A single assessment provider model will mean every solicitor who gains the qualification is assessed in the same way by the same provider. This will increase public confidence in the HRA qualification by providing assurance that all solicitor advocates have been assessed to a consistent standard. Following a tender process, we have appointed the University of Law as the single assessment provider.

This consultation invited views on a draft of the regulatory amendments needed to move to a single assessment provider model for the HRA qualification. We did not seek feedback on the principle of moving to a single assessment provider model for the HRA qualification, as we consulted on this previously in our 2019 consultation.

Who we heard from

The consultation ran from 6 March 2025 until 18 April 2025.

We engaged with existing assessment and training providers as we have developed our proposals. We promoted the consultation through a range of communication channels, including social media and our website. We also distributed the consultation to The Law Society, The Solicitors Association of Higher Courts Advocates and existing HRA training and assessment providers.

We received six responses in total, from two solicitors and four aspiring solicitors/current law students. All respondents responded in a personal capacity.

We are grateful to everyone who took the time to respond to our consultation. We have reviewed and considered each response in developing our final policy positions.

Our final positions

In this section, we outline:

- each consultation question
- a summary of the responses we received
- our final policy positions
- our next steps.

Consultation question one: Do you have any comments on the proposed amendments to the Standards and Regulations for Higher Rights of Audience assessments in Annex 1?

Summary of responses

Three respondents raised questions about how we will make sure that the assessments delivered by the sole provider will be of appropriate quality. This included making sure reasonable adjustments are offered to candidates that require them.

Another respondent questioned the feasibility of maintaining a consistent assessment standard for the HRA qualification, even with a single assessment provider model. They also raised concerns that training providers may not have sufficient information about the sole provider's assessment to teach the HRA qualification effectively.

One of the respondents supported our proposed regulatory amendments, while the remaining respondent chose not to answer this question.

Our position

Having considered these points, we plan to proceed with the proposed regulatory amendments needed to move to a single assessment provider for the HRA qualification. None of the responses raised any concerns about the technical drafting of our regulatory amendments, which was the topic of this consultation.

We will, through our oversight of the appointed sole assessment provider, make sure that the HRA assessment is delivered to a consistent standard and that the integrity of the qualification is maintained. We will also require the sole provider to efficiently and effectively deliver reasonable adjustments for candidates taking the HRA assessment, in line with the Equality Act.

We engaged with existing training and assessment providers prior to the launch of this consultation to understand what information they require ahead of the new assessments. We will continue to do this to make sure they have sufficient information about the new assessment to effectively deliver training. We will continue to engage with training providers on a regular basis after the shift to a sole assessment provider model.

We will also update our website content so that any solicitor looking to obtain the HRA qualification understands the new assessment arrangements.

Consultation question two: Do you have any further comments on the potential impacts, either positive or negative, of our proposed regulatory changes?

Summary of responses

Three respondents expressed dissatisfaction with the move to a single assessment provider model without identifying any specific adverse impacts on candidates. Another respondent argued that candidates would invariably choose the University of Law as their training provider because of their status as the sole assessment provider.

One respondent argued that the move to a single assessment provider would increase fairness for candidates by ensuring a consistent standard for those completing the HRA qualification. The remaining respondent chose not to respond to this question.

Our position

As outlined in the consultation document, we have taken steps to reduce the risk that solicitors perceive that there is an advantage in choosing to train with the University of Law because they will also be responsible for the assessment.

For instance, measures are in place to make sure that there is a clear separation between the University of Law's delivery of preparatory courses and delivery of the assessment. No individual involved in examining the HRA assessment will participate in the delivery of any training courses. There will be a separate website to book the assessment, and the provider will not offer a joint assessment and training package.

Additionally, the University of Law will not suggest in its marketing material for its preparatory training that there is any advantage in doing a course with them because of the organisation's involvement with the HRA assessment.

Alongside the consultation, we published an equality impact assessment on the potential impacts of moving to a single assessment provider model for the HRA qualification. We did not identify any adverse impacts on any groups because of their protected characteristics.

Also, the change will apply to all solicitors wishing to complete the HRA qualification, regardless of their protected characteristics. It will not discriminate against any solicitors because of their protected characteristics. Similarly, respondents found no adverse impacts on individuals or groups resulting from the shift to a single assessment provider model.

Since the consultation, we have reviewed our data on solicitors obtaining the HRA qualification to determine if certain groups are more or less likely to complete the qualification. Our aim was to determine if any specific groups might be more likely to be affected by the change to a single assessment provider model.

A significant number of individuals gaining the HRA qualification have not reported their gender, age, ethnicity, or disability status to us. This lack of data prevents us from drawing accurate conclusions about the age and disability status of those who have completed the qualification.

We do have sufficient data to draw some tentative conclusions about the ethnic backgrounds and gender of those completing the HRA qualification. Our data indicates that the proportion of solicitors from minority ethnic backgrounds completing the qualification is comparable to the proportion of lawyers in SRA-regulated firms from minority ethnic backgrounds. Excluding those who did not report their ethnicity, 20 per cent of lawyers in SRA-regulated firms were from minority ethnic backgrounds in [our most recent diversity survey conducted in 2023](#). Similarly, again excluding those who did not report their ethnicity, 24 per cent of those who completed the HRA qualification in 2023 were from a minority ethnic background. Due

to the small number of individuals reporting their ethnicity, we cannot provide more granular demographic data on the specific ethnic backgrounds of those completing the HRA qualification. Nonetheless, the available evidence suggests that solicitors from minority ethnic backgrounds are not significantly more or less likely to complete the HRA qualification. As such, they are not more likely to be affected by the change to a single assessment provider model.

Our data suggests that men may be slightly more likely to complete the HRA qualification than women. Excluding those who did not report their gender, 54 per cent of individuals completing the qualification in 2023 were men. In comparison, 45 per cent of lawyers in SRA-regulated firms were men, according to our 2023 diversity survey (again, excluding those who did not report their gender).

Consequently, there is a small chance that this change may have a slightly greater impact on male solicitors than on female solicitors. However, the change will apply to all solicitors taking the HRA qualification, regardless of their protected characteristics.

Next steps

Having analysed responses to this consultation, we plan to proceed with the regulatory changes needed to shift to a single assessment provider for the HRA qualification. This is subject to approval from the LSB. We will update our website to provide details of any organisations offering HRA preparatory training.

We will submit our application to the LSB for approval of these regulatory changes. We will ask the LSB to approve the changes to take effect in October 2025.

There will be transition arrangements in place for our shift to a single assessment provider for the HRA qualification. This means current assessment providers will be authorised to deliver HRA assessments up to and including 30 September 2025. This will enable individuals who have already registered to take the HRA assessments with these providers to do so.

After 1 October 2025, only the University of Law will be permitted to administer HRA assessments. However, the other assessment providers will still be able to engage in post-assessment activities for assessments conducted before this date, such as marking, moderation, and the issuing of results. They will be able to do this up to and including 31 March 2026.

Over the coming months, we will continue to engage with current HRA training providers. We will make sure they have the necessary information regarding the design and delivery of the new single assessment for the HRA qualification.

We will update our website to help solicitors seeking the HRA qualification understand the new assessment arrangements. We will include details about organisations that offer HRA preparatory training.

Additionally, we will monitor the implementation of the change to identify any unintended consequences or changes within the HRA training market. We will produce an evaluation of the shift to a single assessment provider two years after the change is implemented.