We have responded to the specific questions asked in Discussion Paper 02/2012 below.

Question 1: In the light of limited evidence received so far we would welcome further input as regards the preferred scope of QLD Foundation subjects, and/or views on alternative formulations of principles or outcomes for the QLD/GDL (We would be grateful if respondents who feel they have already addressed this issue in response to Discussion Paper 01/2012 simply refer us to their previous answer).

We refer you to our previous comments on this issue in our response to Discussion Paper 01/2012. We continue to believe that there should be common requirements and standards for the Foundation topics, and that it would be helpful to include additional modules in the areas of company law and ethics.

As a firm that employs a number of people who complete the GDL, however, we would not want any addition of content to lengthen that course unduly. As it sits between a student's first degree and their vocational training (either LPC or BPTC in most cases), it is important that it fits within one academic year so that the qualification process is not lengthened further (with consequential cost implications for students)

Question 2: Do you see merit in developing an approach to initial education and training akin to the Institute of Chartered Accountants of England and Wales? What would you see as the risks and benefits of such a system?

We do not see any advantage in developing an approach similar to that adopted by the ICAEW. We think that it would prove to be more confusing for students than the current system in which they know that if they complete a law degree or GDL, they will have obtained a base knowledge that will allow them to progress to the next stage of qualification as a legal practitioner.

It is difficult to see what exemptions could be made available to those students who had studied a degree other than one which covered the Foundation topics. For example, there could be no equivalent of the exemption currently granted to law graduates from the law components of the ICAEW examinations.

Finally, the current system allows time to be dedicated at the law degree/GDL stage to teaching students the legal research and reasoning skills they will require to be rounded practitioners. We would be concerned that a move to a system where the regulatory focus is purely on the exams would risk losing this emphasis on general legal skills. It could lead to students developing only a narrow knowledge set – just enough to pass the exams.

Question 3: we would welcome views on whether or not the scope of the LPC core should be reduced, or, indeed, extended. What aspects of the core should be reduced/substituted/extended, and why?

We are generally happy with the LPC as it stands, although we would welcome the removal of Wills and Probate from the Compulsory Core, perhaps to be replaced with a short module on conflicts of law/comparisons between different legal systems to reflect the increasingly international nature of society and commerce. The short amount of time given to the study of Wills and Probate in the LPC Core would not prepare any student to practise effectively in this area, and it would therefore seem more appropriate to save this topic for the Electives stage, to

be studied in depth by those who are likely to specialise in this field. We would also like to be able to introduce an advanced legal research module, which would allow our students to consider more complex and open-ended problems than the course currently allows.

As we mentioned in our previous response to Discussion Paper 01/2012, we have been pleased to be able to take advantage of the flexibility introduced by the SRA in recent years. Our tailored LPC now prepares our future trainees very well for work at our firm, and our major concern is to ensure that the flexibility that allows us to provide such an LPC is maintained.

Question 6: we would welcome any additional view as to the viability and desirability of the kind of integration outlined here. What might the risks be, particularly in terms of the LSA regulatory objectives? What are the benefits?

We do not see any advantage in combining the initial professional training for solicitors and barristers, particularly in light of the increasingly specialised nature of the professions and the very different work that most solicitors and barristers focus on. We think it would probably be very difficult for the solicitors' profession and the bar to agree the content of such a course, given the very different focus of the current LPC and BPTC. How much time should a future solicitor who has no desire to engage in advocacy be forced to spend on advocacy training, for example? It seems to us that this approach would throw away the extensive work that has been done in relation to both the LPC and the BPTC to make these courses prepare students as well as they can for practice, and could only result in a compromise with which neither profession are entirely happy.

Further, the flexibility introduced by the SRA for the LPC means that, for trainee solicitors, integration of some study with the training contract is already possible. It would not help those trainees or the firms who have taken up the option of integrating the Electives with the training contract to start from scratch with a new course which, for the reasons set out above, may leave them with more training to do at that second stage.

Question 8: As a matter of principle, and as a means of assuring a baseline standard for the regulated sector, should the qualification point for unsupervised practice of reserved activities be set, for at least some part of the terminal ('day one competence') qualification at not less than graduate-equivalence (QCF/HEQF level 6), or does this set the bar too high? (Note: 'qualification' for these purposes could include assessment of supervised practice). What are the risks/benefits of setting the standard lower? If a lower standard is appropriate, do you have a view what that should be (eg, level 3, 4, etc)?

We think it is very important to keep the standards for unsupervised practice of reserved activities high, both to ensure that practitioners are able to deal with matters appropriately and to ensure the public's trust in the legal system. We therefore would not approve of any lowering of the current standards.

The suggested qualification point of graduate-equivalence appears to be lower than the current standards, which are at post-graduate level (e.g. for solicitors, the LPC followed by a two-year training contract). The often complex and intellectual nature of our work means that we need academically strong lawyers. We therefore do not think that a standard of graduate-equivalence is high enough.

Question 11: Regarding ethics and values in the law curriculum, (assuming the Joint Announcement is retained) would stakeholders wish to see

(a) the status quo retained;

(b) a statement in the Joint Announcement of the need to develop knowledge and understanding of the relationship between morality and law and the values underpinning the legal system

(c) a statement in the Joint Announcement of the need to develop knowledge and understanding of the relationship between morality and law, the values underpinning the legal system, and the role of lawyers in relation to those values

(d) the addition of legal ethics as a specific Foundation of Legal Knowledge.

In terms of priority would stakeholders consider this a higher or lower prority than other additions/substitutions (eg the law of organisations or commercial law)? Would you consider that a need to address in education and training the underlying values of law should extend to all authorised persons under the LSA?

We would like to see either option (b) or option (c) adopted. Whilst we favour option (c) because we think that it would be helpful to introduce students to the ethical obligations that will sit on them as practitioners as early as possible, we accept that it may be difficult to introduce. Students may not be able to engage fully with the ethical aspects of legal practice at such an early stage, and universities may struggle to teach this aspect of ethics appropriately. Option (b) may therefore be the most practical one.

We consider this to be of equal priority to other proposed additions, for example company law.

We also think that all authorised persons under the LSA should have had some training in the underlying values of law. Ethics should not just be the concern of solicitors and barristers but all those who do authorised legal work for the general public, particularly as the number of these other authorised persons increases.

Question 12: Do you agree the need for an overarching public interest test in assessing the aims and outcomes of LET? If so do you have any view as to the form it should take?

We do not feel that we know enough about the consequences of introducing a public interest test to come to a firm view on this question. However, we do feel strongly that any assessment of the aims and outcomes of LET should take the impact on the service providers themselves (law firms or other organisations providing legal advice) into account. If not, one could end up with a regime which, whilst beneficial for consumer welfare, is prohibitively complex and/or costly for the service provider.

Question 13: we would welcome any observations you might wish to make as regards our summary/evaluation of the key issues (as laid out in paras. 127-31 of the Paper)

As the Review team appear to recognise at the start of paragraph 127, it is almost impossible to come up with an accurate summary of issues that apply equally across the whole of the legal sector. The sector is now so diverse that what appear to be major issues in one part of the sector will simply not be relevant in another. For example, we do not believe that the points set out in paragraph 127 (a), (b) and (c) are problems faced by large commercial firms. Our sophisticated clients demand high standards from their legal advisers both in terms of quality of advice and quality of service. Ongoing training is often provided to ensure that ethics and values remain at the forefront of our solicitors' minds.

It will therefore be important that the Review team only propose any widespread changes to the legal education and training regime because they address problems/issues identified across the sector and not because they deal with issues existing only in certain areas. Otherwise you risk throwing away the extensive work that some parts of the sector (such as the bar and the solicitors' profession) have already started to do to improve their training regimes.

Question 14: Do you agree with the assessment of the gaps (now or arising in the foreseeable future) presented in this paper in respect of the part(s) of the sector with which you are familiar? If not, please indicate briefly the basis of your disagreement. [If you feel that you have already responded adequately to this question in your response to Discussion Paper 01/2012, please feel free simply to cross-refer]

We agree with the points in your statement in paragraph 133 of what the LET system should aim to achieve, and where the gaps in knowledge and skills may lie. However, we think that there are limits to what can be achieved by formal education and training in some areas e.g. in relation to some aspects of the Organisational and Commercial Skills set out in paragraph 133.

As a firm, these are all areas that we have addressed in our LPC and in our ongoing training programmes, to ensure that our lawyers are able to meet the very high standards our clients demand. Generally we would expect that there are fewer gaps in these areas amongst lawyers working in City law firms than in other parts of the legal sector. As stated above, the sophisticated nature of the clients and their ability to move to other law firms if they are not satisfied with the quality of service they receive tends to ensure that high standards are met.

Question 15: do you consider an outcomes approach to be an appropriate basis for assessing individual competence across the regulated legal services sector? Please indicate reasons for your answer.

We consider that an outcomes based approach would be an appropriate basis for assessing individual competence, as long as those outcomes provide for developmental progression through stages of training. This does need to be combined, however, with prescription in the areas to be covered in the foundation stage of training (law degree/GDL) to ensure that everyone who has completed that stage has studied similar topics as well as reaching similar outcomes.

Question 16: in terms of the underlying academic and/or practical knowledge required of service providers in your part of the sector, would you expect to see some further specification of (eg) key topics or principles to be covered, or model curricula for each stage of training? If so do you have a view as to how they should be prescribed?

We do not think that there needs to be further specification, in addition to what already exists. Indeed, given the diversity of the profession, we doubt that this would be possible.

Question 17: Would you consider it to be in the public interest to separate standards from qualifications? What particular risks and/or benefits would you anticipate emerging from a separation of standards and qualifications as here described?

We would like to have more information about what might be envisaged here before responding to this question.

Question 18: Decisions as to stage, progression and exemption depend upon the range and level of outcomes prescribed for becoming an authorised person. A critical question in respect of existing systems of authorisation is whether the range of training outcomes prescribed is adequate or over-extensive. We would welcome respondents' views on this in respect of any of the regulated occupations.

It is quite difficult to comment on this question without knowing what practical steps the Review team may have in mind to make the pathways to qualification more integrated. We will be happy to comment on any future proposals in this area.

One point we would like to make at this stage is that the various elements of any system of authorisation must be consistent with each other. For example, solicitors now work under an outcomes-focused regulatory regime and yet the SRA still prescribes the content of a Management Course which solicitors must complete before they are three years' qualified (and which aims to prepare solicitors for setting up their own practice). These sorts of inconsistencies in approach should be addressed in any future system.