

## Closed Consultation

# Changes to the regulations for the Higher Rights of Audience qualification

6 March 2025

- The consultation period ended on **18 April 2025**
- You can [download the consultation paper](#) [#download] or read it below

### Next steps

- [Download analysis of responses to the consultation](#) [#download]
- [Download all consultation responses](#) [#download]

## About this consultation

We are consulting on the regulatory amendments needed to enable a sole provider to deliver the assessments for the Higher Rights of Audience (HRA) criminal and civil qualification.

The HRA qualification is currently assessed by multiple providers who we authorise. Following a consultation in 2019, [we decided to move to a single assessment provider model for the qualification](#) [<https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards-consultation-response.pdf>]. We made this decision because appointing a single assessment provider will provide assurance that all solicitors awarded the HRA qualification have been assessed to the same standard.

Following a tender exercise during 2021 and 2022, we appointed the University of Law in November 2024 as the single assessment provider to deliver the HRA assessments.

Our current rules reflect assessment by multiple providers, and we are now consulting on minor technical amendments to our regulations to enable us to move to a single assessment provider. This consultation seeks feedback on the technical changes to our regulations to do this. We are not seeking feedback on the principle of moving to a single assessment provider model for the HRA qualification, as we consulted on this question in our 2019 consultation.

The consultation will run until 18 April 2025.

After this consultation closes, we will consider any responses and feedback we receive about our proposals in finalising our position. We will publish a response setting out our final position and next steps,

including seeking approval from the Legal Services Board for the rule change.

[Open all \[#\]](#)

## **Proposed regulatory changes**

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 people against those standards. The assessment tests advocacy skills; the ability to conduct a full trial; knowledge of evidence, procedure, witness handling; and ethics in the higher courts. There are separate assessments for criminal and civil advocacy.

At present, each assessment organisation designs and runs its own assessments for the qualification. This means that when pass rates vary between providers, we do not know whether this is because of candidate cohorts of different ability levels, variations in the quality of teaching, or inconsistent assessment standards.

After a consultation in 2019, [we decided in July 2020](#) [\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards-consultations.pdf\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards-consultations.pdf) 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. This does not provide sufficient assurance that solicitors who earn the qualification are assessed to a consistent standard. A single assessment provider model will mean every solicitor who gains the HRA qualification takes the same assessment. This will increase public confidence in the HRA qualification by providing assurance that all solicitor advocates have been assessed to the same consistent standard.

Following a tender process, we have now appointed the University of Law as the single assessment provider for the HRA qualification. During this process, we kept the existing assessment providers informed of our progress. We will work with the University of Law to continue to update other training providers about how the criminal and civil assessments will be delivered under our new model.

We are asking for feedback on a draft of the regulatory amendments needed to move to a single assessment provider model for the HRA qualification. We propose amending the following regulations:



- Education, Training and Assessment Provider Regulations
- Authorisation of Individuals Regulations
- Application, Notice, Review and Appeal Rules.

[Annex 1](#) [\[#download\]](#) highlights in more detail the amendments we propose to make to these regulations. The amendments remove all references to the accreditation and approval of multiple assessment providers for the HRA qualification. Instead, only an organisation directly appointed by the SRA will be able to assess the qualification. Other organisations will still be able to provide preparatory training for the qualification, but they will not be accredited or quality assured by the SRA.

**Q1: Do you have any comments on the proposed amendments to the Standards and Regulations for Higher Rights of Audience assessments in Annex 1?**

**Potential impact of these changes**

As part of our 2019 consultation, we published an [equality impact assessment](https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards---annex-1--impact-assessment.pdf?version=4a4225) [\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards---annex-1--impact-assessment.pdf?version=4a4225\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/assuring-advocacy-standards---annex-1--impact-assessment.pdf?version=4a4225) that analysed the potential impacts of appointing a single assessment provider for the HRA qualification. We did not identify any adverse impacts on any groups because of their protected characteristics. We decided to appoint a single assessment provider following this impact assessment.

Since then, we have continued to evaluate whether transitioning to a single assessment provider model for the HRA qualification could negatively affect any groups due to their protected characteristics. During this review process, we have not identified any adverse impacts on specific groups.

During our 2019 consultation, some stakeholders expressed concerns that moving to a single assessment provider might negatively impact the HRA qualification and training market. Since then, we have taken steps to mitigate the risks identified by stakeholders. The remainder of this section outlines how we have addressed each of these concerns and mitigated the risks associated with transitioning to a single assessment provider model.

**Solicitors obtaining the HRA qualification**

The HRA training and assessment market remains static. Based on our data, 400-500 solicitors take the assessment each year. The number of assessment and training providers also remains static with four organisations currently authorised. We have not authorised any new providers since 2019.



More than 6,900 solicitors now hold the HRA qualification. This includes over 2,700 with the criminal qualification, over 2,800 with the civil qualification, and more than 1,300 holding both.

Our proposed rule change does not restrict solicitors from taking the HRA qualification. All solicitors and registered European lawyers will still be able to sit the civil and criminal HRA assessments. The proposed rule change is unlikely to result in a decline in the number of solicitors looking to obtain the qualification. We will monitor whether the transition to a single assessment provider has any impact on the number of people obtaining the HRA qualification.

All solicitors are eligible to obtain the HRA qualification and therefore a move to a single assessment provider does not have a disproportionate impact on any one group of solicitors. Our proposal does not have any impact on existing higher court advocates.

## **A more difficult assessment**

We have heard from some stakeholders that moving to a single assessment provider could reduce the number of individuals qualifying as solicitor advocate if it makes the HRA qualification more challenging.

We have considered this risk and taken the necessary steps to mitigate it. The purpose of the proposed regulatory amendments in [Annex 1](#) [\[#download\]](#) is to ensure consistency of assessment in the HRA qualification, not to introduce a more difficult assessment for aspiring higher court advocates.

As such, the amendments should not change the number of individuals qualifying as solicitor advocates. Quality assurance arrangements are in place to ensure the University of Law sets the assessment at an appropriate level. We will also monitor the numbers of solicitors taking the assessment to understand if there is a decline and, if so, why.

## **Lack of access to assessments**

In our 2019 impact assessment, we noted that appointing a single provider could reduce the frequency and geographical availability of HRA assessments. To address this risk, the University of Law is required to provide an appropriate number of assessments to enable solicitors to take the assessments. This includes appropriate geographical availability. The written element of the assessment will be available online which will help address geographical access concerns.

We will closely monitor the geographic availability of assessments. Additionally, we will take necessary steps to ensure that the locations used for the assessment do not prevent those with a disability from undertaking it.



## **Increased assessment costs**

Some stakeholders have expressed concern that appointing a single assessment provider could lead to an increase in the cost of the assessment. They have suggested that this would prevent some solicitors from obtaining an HRA qualification.

We recognise these concerns. We are committed to making sure that the cost of the assessment does not unnecessarily restrict solicitors from obtaining the HRA qualification. We have reviewed the University of Law's assessment funding model and are satisfied that adequate processes are in place to prevent the cost of the assessment becoming an unnecessary barrier to solicitors seeking the HRA qualification. Measures are also in place to review and agree future assessment cost increases.

## **A healthy training market**

Some stakeholders have raised concerns that a single assessment model may lead some solicitors to believe that there is an advantage in choosing to train with the University of Law since they will also be responsible for administering the assessment. They have noted that this could force other training providers to withdraw from the market due to a lack of candidates. As a result, the range of training options available to candidates may decrease, making it harder to access training for the HRA qualification.

We are committed to maintaining a healthy HRA preparatory training market. To address these concerns, we have put in place measures to ensure that there is a clear separation between the single provider's delivery of preparatory HRA courses and the administration of the HRA assessment. Those responsible for providing the University of Law's HRA training will not have access to any information about the assessment that is not also available to other training providers.

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. Moreover, the provider 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.

Additionally, we will ensure that candidates are aware of the various training options available to them. We will publish information on our website clarifying that a variety of preparatory courses from different providers are offered for the HRA assessment.



Our proposed regulatory change will not prevent existing assessment providers from offering preparatory training. Indeed, the changes will mean that providers will no longer need our authorisation to deliver training for the HRA qualification. This will lessen the burden on new entrants into the training market, which could increase competition by encouraging more organisations to enter the market and provide training.

We will engage with training providers to keep them informed about the new assessment's design and delivery during the implementation stage, making sure all providers have access to the same information at the same time. This will continue once assessments under the single provider model begin.

At the same time, it is important to note that providers of HRA training may choose to withdraw from the market for a variety of reasons at any point in the future. This decision is at the discretion of the training provider and is beyond our control.

Several existing providers have expressed an interest in continuing to offer training, and we will continue to engage with these providers during the transition to a single assessment provider.

## **Integrity of the HRA qualification**

Several stakeholders have expressed concerns that appointing a single assessment provider may compromise the integrity of the HRA qualification. They suggest that if other training providers leave the market, the sole assessment provider would become the only organisation offering training and this could allow them to increase the cost of HRA training without adequate regulatory oversight.

We note these concerns. Protecting the integrity of the HRA qualification and making sure that there are no unjustifiable barriers to solicitors seeking the qualification is our priority. We will closely monitor the cost of preparatory training charged by the assessment provider. We will engage with the sole assessment provider where we believe the cost of preparatory training presents a risk to these objectives.

## **Transition arrangements**

Under the transition arrangements for our proposal, current assessment providers will be authorised to deliver HRA assessments until October 1, 2025. This will enable individuals who have already registered to take the HRA assessments with these providers to do so. After October 1, 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 until April 1, 2026.

Some stakeholders have expressed concern that this change may disadvantage candidates who take the HRA assessment with existing providers before the October 1 deadline. They have suggested that if these candidates fail the assessment, they may not have time to retake it with their chosen provider before the deadline.

We have considered this risk and believe that these candidates will not be unduly disadvantaged. If they do not have time to retake the assessment with their chosen provider before the October 1 deadline, they will have the option to take the new assessment offered by the University of Law. The competence standards for the HRA qualification will remain the same after the change, meaning that these candidates will not be assessed against different standards. Additionally, existing providers charge the same fee for retakes as they do for initial sittings of the HRA assessments, so candidates will not miss out on any discounts for retakes.

**Q2: Do you have any further comments on the potential impacts, either positive or negative, of our proposed regulatory changes?**

### **Consultation questions**

Q1: Do you have any comments on the proposed amendments to the Standards and Regulations for Higher Rights of Audience assessments in Annex 1?

Q2: Do you have any further comments on the potential impacts, either positive or negative, of our proposed regulatory changes?

## **Downloads and related documents**

- [Consultation: Changes to the regulations for the Higher Rights of Audience qualification \(PDF 8 pages, 158KB\)](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-to-the-regulations-for-the-higher-rights-of-audience-qualification.pdf)  
[\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-to-the-regulations-for-the-higher-rights-of-audience-qualification.pdf\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-to-the-regulations-for-the-higher-rights-of-audience-qualification.pdf)
- [Annex 1: Proposed amendments to the Standards and Regulations for Higher Rights of Audience assessments \(PDF 3 pages, 78KB\)](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/proposed-amendments-to-the-standards-and-regulations-for-higher-rights-of-audience-assessments.pdf)  
[\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/proposed-amendments-to-the-standards-and-regulations-for-higher-rights-of-audience-assessments.pdf\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/proposed-amendments-to-the-standards-and-regulations-for-higher-rights-of-audience-assessments.pdf)
- [Summary of responses and feedback \(8 pages, 142KB\)](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-response.pdf)  
[\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-response.pdf\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-response.pdf)
- [Consultation responses - Changes to the regulations for the Higher Rights of Audience qualification \(PDF 7 pages, 55KB\)](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-responses.pdf)  
[\[https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-responses.pdf\]](https://rules.sra.org.uk/globalassets/documents/sra/consultations/2025/changes-hra-qualification---consultation-responses.pdf)

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