



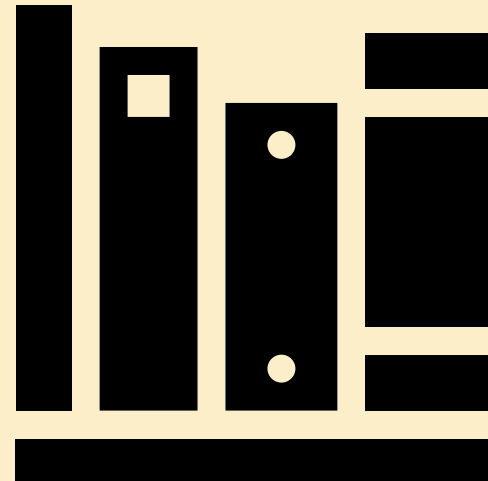
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Unit 4:

REGULATION OF THE LEGAL PROFESSIONS & PROVISIONS OF LEGAL SERVICES

CONTENT

- Chartered Legal executive
- Solicitors
- Barristers
- Confidentiality
- Money Handling



CHARTERED LEGAL EXECUTIVES

- Regulated by **CILEX Regulation**
- Must abide by the Cilex Regulations.
- Code of Conduct (9 principles).
 - Principles members must follow in conduct, practice, professional performance and outcomes
- Continuing professional development:
 - 1 Oct to 30 Sept: online log, planned and unplanned
 - Training events, webinars, course
 - reflective learning (self evaluation)

CHARTERED LEGAL EXECUTIVES

- CILEX Regulation now able to regulate legal practices run by chartered legal executive litigators and advocates, conveyancing practitioners, probate practitioners and immigration practitioners as well as those run by other “authorised persons” (inc solicitors).
- Legal practices (also referred to as “entities”) will be required by CILEX Regulation to appoint the following key personnel (one person may have more than one role):
 - an approved manager; a compliance manager; and an accounts manager.
- These managers are required to demonstrate competence in practice management and accounts management.

ACTIVITY 1

1. Go to the CILEX Regulation complaints website at <https://cilexregulation.org.uk/complaints/>
2. What are the two main types of complaint which may be made?

Solicitors

- Solicitors' regulation authority.
 - 6 core functions
- SRA standards and regulations
 - 7 principles how to act
- SRA Code of Conduct for Solicitors
- SRA Code of Conduct for Firms.
- Fines of up to £2000 on individuals or firms
- CPD



ACTIVITY 2

1. Go to the Code of Conduct for Solicitors at <https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/>
2. Find para 3.2 in s3: Service and competence. What standard of service to clients is required?

Barristers

- Bar Standards Board
- Code of conduct
 - Covers rights of audience, advertising and relationships with solicitors.
 - Core duties: not to discriminate unlawfully against anyone
 - Not bring profession into disrepute
 - Honesty, integrity, Confidentiality
 - Duty to the court in administration of justice



ACTIVITY 3

- Go to the [Legal Ombudsman website](#). Read the guidance to legal professionals on “signposting” the Legal Ombudsman to clients.
- Why should you signpost?
- When should clients be signposted to the Legal Ombudsman?

THE LEGAL SERVICES BOARD



Oversees legal activities



Works with different branches of the legal profession to meet the objectives of the S.1 (1) of the Legal Services Act 2007.

THE OFFICE FOR LEGAL COMPLAINTS

- "Supervises the legal ombudsman.
- Legal Ombudsman staffed by chief ombudsmen and three ombudsmen.
- Can award up to £50,000 for compensation

Reflective Question



Go to the Financial Conduct Authority Financial Services Register at <https://www.fca.org.uk/firms/financial-services-register>

If you intend to deal with a new financial adviser, what should you be checking for as you use the register?

Financial conduct authority

Regulates financial provisions.



Regulated activities - Financial Services and Markets Act 2000



Financial Services Act 2021.

SAFEGUARDS AND PROFESSIONAL ETHICS



SOLICITORS' REGULATORY
AUTHORITY OR CILEX CODE OF
CONDUCT MUST BE COMPLIED WITH.



SRA STANDARDS AND REGULATIONS-
RULES



Who is the client?



SRA CODE OF CONDUCT FURTHER REQUIREMENTS



Para 1.1 - Maintaining trust and acting fairly.



Para 3.1-3.6 - Competence



Para 6.1-6.2 - Conflict of interest

CONFIDENTIALITY AND DISCLOSURE



Must keep confidential client information.



Including all details



This includes all staff.



Para 6.3 SRA code of conduct deals with confidentiality.

What about duties to the court?

Research;

Para 1.4

Para 2.1

Para 2.4

Para 2.5

Para 2.6

Para 2.7

What about third parties? - Para 1.2.

ACTIVITY 4:

- A. Go to the SRA money-laundering webpage at

<https://www.sra.org.uk/solicitors/resources/money-laundering/what-does-my-firm-need-do/>.

- B. What steps does a firm need to take to comply with the regulations?

HANDLING DATA

- General Data Protection Regulation: 7 principles
- Data Protection Act 2018
- Identifiable data.
- Cybersecurity - need to be taken seriously.

Finacial Crime

- Required to abide by the Money Laundering, Terrorist Financing and Transfer of funds (information of the payer) Regulations 2017
- Proceeds of Crime Act 2002.
- Checks on this will be carried out.

KNOWLEDGE CHECK (1)

- All chartered legal executives must comply with the CILEX Code of Conduct?
- True or False?

KNOWLEDGE CHECK (2)

- Legal persons do not need to comply with the UK GDPR principles?
- True or False?

KNOWLEDGE CHECK (2)

- Which of the following defines the role of the Legal Services board?
- A) The regulator for the provision of financial services in the UK.
- B) Body that oversees legal activities in England and Wales.
- C) The body who regulates CILEX practitioners
- D) The body who regulates solicitors

KNOWLEDGE CHECK (4)

- What paragraph of the SRA code of conduct concerns conflict of interest?
- A) 3.1 and 3.2
- B) 5.1 and 5.2
- C) 6.1 and 6.2
- D) 8.1 and 8.2

Summary

- Chartered Legal executive
- Solicitors
- Barristers
- Confidentiality
- Money Handling



THANK YOU !

Any questions?