

The consultation closes on **July 16 2026 at midnight**.

Consultees do not need to answer all questions if only some are of interest or relevance.

Answers should be submitted by PDF or word document to  
[CJC.SolicitorsAct.Consultation@Judiciary.uk](mailto:CJC.SolicitorsAct.Consultation@Judiciary.uk)

If you have any questions about the consultation or submission process, please contact  
[CJC@judiciary.uk](mailto:CJC@judiciary.uk)

Please name your submission as follows: 'name/organisation - CJC The Reform of the Solicitors Act 1974.

**You must fill in the following and submit this sheet with your response:**

Your response is (public/anonymous/confidential):	
First name:	
Last name:	
Location:	
Role:	
Job title:	
Organisation:	
Are you responding on behalf of your organisation?	
Your email address:	

**Information provided to the Civil Justice Council:**

We aim to be transparent and to explain the basis on which conclusions have been reached. We may publish or disclose information you provide in response to Civil Justice Council papers, including personal information. For example, we may publish an extract of your response in Civil Justice Council publications or publish the response itself. Additionally, we may be required to disclose the information, such as in accordance with the Freedom of Information Act 2000. We will process your personal data in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

Consultation responses are most effective where we are able to report which consultees responded to us, and what they said. If you consider that it is necessary for all or some of the information that you provide to be treated as **confidential** and so neither published nor disclosed, please contact us before sending it. Please limit the confidential material to the minimum, clearly identify it and explain why you want it to be confidential. We cannot guarantee that confidentiality can be maintained in all circumstances and an automatic disclaimer generated by your IT system will not be regarded as binding on the Civil Justice Council.

Alternatively, you may want your response to be **anonymous**. That means that we may refer to what you say in your response but will not reveal that the information came from you. You might want your response to be anonymous because it contains sensitive information about you or your organisation, or because you are worried about other people knowing what you have said to us.

We list who responded to our consultations in our reports. If you provide a confidential response your name will appear in that list. If your response is anonymous, we will not include your name in the list unless you have given us permission to do so. Please let us know if you wish your response to be anonymous or confidential.

The full list of consultation questions is below:

Please give reasons for your answers. Please do so by reference, where applicable, to the guidance given in the footnotes.

All answers should be supported by evidence where possible to enable evidence-based conclusions to be drawn.

It is not necessary to answer all the questions

1. Do consultees agree that any revised code for the regulation of solicitor and own-client costs should have the objectives identified in paragraph 4.2 above?
  - a. Should the revised code contain any other objectives that aren't identified above?
  - b. If consultees disagree, why? What alternate objectives should be relied on?
2. We propose that solicitors' charges should be subject to an overarching principle that they be 'fair and reasonable', judged on an objective basis, which should apply both to the amounts actually charged and to contractual terms, but not to the manner in which the agreement was reached. Do consultees agree with this recommendation?
3. We propose that the approach taken in reg. 3 of the 2009 Order – subject to some updating – would be a sensible approach to producing guidance on the meaning of 'fair and reasonable'. Do consultees agree? Consultees should consider whether:
  - a. there is anything presently contained in reg. 3 of the 2009 Order which should be excluded when producing guidance on the meaning of 'fair and reasonable.'
  - b. there is anything not presently contained in reg. 3 of the 2009 Order that should be included.
4. Do consultees agree that the distinction between contentious and non-contentious business should be removed? Do consultees perceive any disadvantage in doing so?
5. As part of our wider provisional recommendation for a graduated dispute escalation procedure, we propose a route for smaller bills, as set out above. In summary, clients must exhaust internal complaints processes and LeO's complaints procedure before petitioning the Court, initially with an application for permission to proceed which would need to show good reason why further recourse was justified. Do consultees agree with this proposal?

The WG are particularly seeking views on the proposal that clients must show good reason before being given permission to proceed by way of Court proceedings.
6. Do consultees agree with our recommendation for a graduated dispute escalation procedure, including ADR, for those cases falling outside LeO's jurisdiction, as a precondition to accessing the courts in disputes about solicitors' costs?

- 7.** Do consultees agree with our recommendation that the jurisdiction of LeO in relation to costs be clarified and expanded, in the manner suggested?
- 8.** Do consultees consider the proposed cap of £50,000 to be appropriate? If consultees disagree, would they suggest a higher or a lower figure? Why?
- 9.** Do consultees agree that the concept of the 'statute' or 'statutory' bill should be abolished, and that the content and format of bills should be set by conduct rules and rules of court?
- 10.** Do consultees agree that requirements as the signature and delivery of bills should likewise be addressed by conduct rules, reflecting up-to-date practice?
- 11.** Do consultees agree that there should be a single time limit for initiating proceedings of one year from receipt, regardless of whether the bill is paid, subject to a power to extend the time limit where it is fair and reasonable to do so?  
Consultees in particular are asked to consider whether the proposal of a single time limit regardless of payment of the bill raises any concerns.
- 12.** Do consultees agree that the matters described above at paragraphs 4.29–4.34 above do not require legislative provision, and where necessary can be addressed via conduct rules and/or rules of court?
- 13.** Aside from the provisions in the existing legislation outlined above in paragraphs 4.29–4.34, are there any other provisions in the current Part III that consultees feel should be reviewed or removed?
- 14.** Our recommendation is that the proposed changes can be introduced via limited primary legislation containing an appropriate enabling power. Other matters can be addressed by changes to the LeO Scheme Rules, changes to conduct rules, and changes to rules of Court. Do consultees agree?
- 15.** In principle, would consultees support the concept of 'fair and reasonable' charging being extended to other legal services professionals? Please explain your answer, giving examples if possible.