

News release

Thematic reviews of professional obligations and probate

13 December 2024

We have published two new thematic reviews into [professional obligations](https://consultations.sra.org.uk/sra/research-publications/professional-obligations-thematic-review/) [https://consultations.sra.org.uk/sra/research-publications/professional-obligations-thematic-review/], and [probate and estate administration](https://consultations.sra.org.uk/sra/research-publications/probate-administration-thematic-review/) [https://consultations.sra.org.uk/sra/research-publications/probate-administration-thematic-review/].

Both reviews followed the publication of our 2023 [Annual Assessment of Continuing Competence](https://consultations.sra.org.uk/sra/research-publications/annual-assessment-continuing-competence-2023/) [https://consultations.sra.org.uk/sra/research-publications/annual-assessment-continuing-competence-2023/], and are part of our work to understand the steps solicitors take to keep their knowledge and skills up to date, including awareness of their professional obligations.

We found some positive examples of good practice in how solicitors did this.

Our review of probate and administration found that firms were meeting the needs of clients in vulnerable circumstances, including keeping matters progressing and clients updated. Firms also showed a sensitivity to the complex dynamics between families and co-executors under the stress of bereavement. There was consistent good practice for the authorisation of payments from client accounts.

In the review of professional obligations, we looked at how solicitors more generally maintain their knowledge and skills in legal, regulatory and ethical areas. We found that where individuals acknowledged the link between client outcomes and compliance, it often led to a more engaged and meaningful approach. All firms we visited had regulatory controls, processes, and systems in place and fee earners had training records.

However, our reviews also indicated that in some areas there is room for improvement. In particular, solicitors should be careful not to focus their learning and development activity too narrowly on technical legal knowledge and should give proper consideration to developing wider knowledge and skills including regulatory and ethical matters.

Paul Philip, Chief Executive of the SRA, said: 'Maintaining competence, including awareness of professional obligations, is a regulatory requirement and is vital to upholding confidence in the legal profession. We expect all solicitors to meet this requirement.'

'We are pleased to see examples of good practice, including how well firms handle the complex dynamics of probate, and an understanding of the link between client outcomes and compliance when understanding professional obligations. There is still room for improvement. Our wider review of continuing competence in 2025 will explore how we can drive better compliance, drive the right learning and development behaviours and better support solicitors to maintain their competence.'

We have also carried out a review of probate [training records](https://consultations.sra.org.uk/sra/research-publications/probate-training-records-review/) <https://consultations.sra.org.uk/sra/research-publications/probate-training-records-review/>, alongside the probate and administration thematic review.

Thematic reviews involve us conducting in-depth visits to a cross-section sample of firms active in the relevant areas. As well as helping to inform our work in areas being looked at, we share our findings with the wider profession so other firms can learn from insights and best practice.