

Review of practical legal training

We welcome the opportunity to provide feedback on the review of practical legal training (PLT). We support reform to PLT to ensure that it is adapted to contemporary practice, is of high quality, effectively prepares graduates for legal practice and contributes to a robust legal profession in Australia. The proposed reforms are significant, and we have consulted widely with the community legal sector in Victoria to inform our response.

We would be keen to engage further with the Legal Services Council's Admissions Committee (LSC) and the Law Admissions Consultative Committee (LACC) (together, the **Committees**) in the development of the proposed reforms and in particular, the reforms around clinical legal education (CLE) and the broader promotion of social justice work as part of PLT.

Key recommendations

Our key recommendations in response to the Committees' proposed reforms are as follows:

Reforms to practical knowledge and skills

Recommendation 1: We support a greater focus on teaching practical legal skills in law school to expose students to these skills early on which would complement the PLT course but not serve as a direct substitute.

Recommendation 2: We recommend that learning about social justice and community law be embedded in legal education (as part of law school and in PLT).

Recommendation 3: We recommend that additional areas be included in the proposed skills schedule (to be delivered as part of university law courses and/or PLT, as appropriate). This includes:

- trauma informed practice and responding to victim survivors of family and sexual violence
- working with clients experiencing disadvantage and systemic barriers
- working with culturally and linguistically diverse clients and culturally safe practice
- developing First Nations cultural capability
- climate conscious lawyering
- preventing and addressing sexual harassment
- alternate dispute resolution (**ADR**) and negotiation skills with reference to specific legal practice areas

Delivery of PLT

Recommendation 4: We recommend that the redesign of the PLT course focus on improving its quality and value for students, rather than its length.

Recommendation 5: We recommend that FEE-HELP (or another deferred payment option) continues to be available for PLT. If FEE-HELP is not available, there should be other mechanisms to ensure the cost of PLT remains reasonable, including subsidies for:

- students experiencing financial hardship, and
- for students who work in the community legal sector as part of PLT and for a defined period post-admission.

Recommendation 6: We recommend the PLT course is delivered flexibly, with options provided for both in-person and synchronous online attendance.

Recommendation 7: We support the PLT course having strong quality assurance, transparent assessment requirements, appropriate oversight and clear policies for academic misconduct.

Workplace experience

Recommendation 8: We support the proposal to retain the minimum requirement of 15 days workplace experience as part of PLT.

Recommendation 9: We support the delivery of training on supervisory skills for lawyers who supervise PLT placements which is accessible, low cost and subsidised for the community legal sector.

Recommendation 10: We see value in PLT providers having an obligation to assist students to source workplace experience opportunities providing there are requirements for them to select appropriate and quality placements.

Clinical legal education

Recommendation 11: We recommend that CLE programs form part of PLT and a working group be established to consider this further with representation from the community legal sector. Dedicated funding will need to be provided to community legal centres (**CLCs**) where they are involved in the delivery of CLE programs as part of PLT.

Supervision of early career lawyers

Recommendation 12: We support the establishment of a working group to develop additional guidance and resources for supervisors of early career lawyers which should build upon existing materials.

Promotion of social justice work

Recommendation 13: We suggest that the Committees make a recommendation to the Commonwealth Government that they fund a national initiative to promote the importance and value of community law and to create structured pathways from universities/PLT providers to CLCs, including:

- through a graduate placement program, and
- offsets for HECS/HELP liability and PLT fees for work in CLCs during PLT and for a defined period post-admission.

Similar offsets could also incentivise lawyers to work in the legal assistance sector in regional, rural and remote (**RRR**) areas where there is currently high demand for lawyers.

About the Federation

The Federation of Community Legal Centres (Vic) is the peak body for Victoria's 50 CLCs. Our members are at the forefront of helping those facing economic, cultural or social disadvantage and whose life circumstances are severely affected by their legal problem.

For over 50 years, CLCs have been part of a powerful movement for social change, reshaping how people access justice, creating stronger more equitable laws, and more accountable government and democracy. We want a community that is fair, inclusive and thriving.



THE FEDERATION ACKNOWLEDGES THE TRADITIONAL ABORIGINAL OWNERS OF COUNTRY AND WE PAY OUR RESPECTS TO ELDERS PAST, PRESENT AND EMERGING. WE RECOGNISE THEIR CONTINUING CONNECTION TO LAND, WATER AND COMMUNITY. SOVEREIGNTY WAS NEVER CEDED.

1. Law courses

1.1 Integrating practical legal skills in university law courses

Qu.1.1 Do you support the proposal for the LACC to amend the Accreditation Standards for Australian Law Courses to require law courses to demonstrate how they have included practical teaching and training of the practical skills identified at Appendix F, with appropriate assessment?

We understand that the Accreditation Standards for Australian Law Courses do not currently include any requirements around the teaching of practical skills as part of law degrees, so the integration of practical skills varies across law schools nationally.¹ The 2025 national survey of the legal profession (the **national survey**) indicated that graduates and supervisors considered that a number of legal skills should be developed throughout the “continuum of legal education from law courses to supervised legal practice.”²

Greater focus on practical legal skills in law school

We support a greater focus on practical legal skills within university law degrees so that students gain foundational skills while in university and are not introduced to practical legal skills for the first time during PLT. We see value in exposing law students to practical legal skills early on and reinforcing this throughout their law degree and as part of PLT. This would enable students to have exposure to practical legal skills alongside existing university legal education in a diverse range of subjects.

The Committees have proposed that university law schools be required to incorporate teaching of practical skills as identified in Appendix F which will reduce the content and length of the PLT course (from around 450 hours to four weeks), shifting greater responsibility for delivering practical legal education onto universities. While we support a greater focus on practical legal skills within university law courses, we do not see this as a simple substitute for the PLT course.

We have concerns that relying on university law schools to teach practical legal skills traditionally covered during PLT will dilute students’ learning in this area. To ensure students have requisite practical legal skills and knowledge, those skills introduced in university should be reinforced and advanced during PLT. This reflects that students’ learning and their ability to apply practical skills will evolve over the course of their legal education. It also recognises that law degrees have a broader educative purpose and scope well beyond vocational training, whereas PLT is focused on preparing students for legal practice for those wishing to pursue a legal career.

Once there is some consensus on the core skills and competencies required for law graduates, there will be more scope to assess where these skills and competencies are best taught across the continuum of legal education to optimise PLT outcomes.

Other concerns

We understand that there are concerns about the feasibility of integrating an overly prescriptive list of legal skills (set out in Appendix F) within an already full university curriculum and that this could be particularly challenging for smaller universities to pivot, including those in RRR areas. We support university law schools retaining flexibility in the way they integrate practical legal skills within their law courses.

¹ Legal Services Council’s Admissions Committee and the Law Admissions Consultative Committee, [Consultation paper - review of practical legal training \(PLT\)](#), p.36 (the **Consultation Paper on PLT**).

² Ibid, p.36.

We also understand that there are some concerns that academia may not be the appropriate forum for teaching practical legal skills as career academics may not have the requisite professional legal experience. Where there are gaps, this could provide an opportunity for universities to work with legal professionals (including, CLCs) with relevant expertise and complementary skills.

1.2 A focus on social justice and community law

Qu 1.2 Do you suggest any amendments to the proposed skills schedule (Appendix F) in respect of the knowledge areas and skills to be included in the delivery of law courses, as identified in column three of the table?

There are important additional practical legal skills that should be included in the proposed skill list in Appendix F and we have addressed this in section 2 below in response to questions 2.1 to 2.3.

This review provides a valuable opportunity to consider the role of social justice and community law as part of legal education. There is far greater visibility of the pathways in corporate law among students than alternate options in the community legal sector or other social justice programs. It is important that this imbalance is addressed as part of this review.

While we appreciate that some universities have social justice programs already within their curriculum, we support a greater focus on social justice and community law within university law courses across the board and within PLT. This would expose law students to more diverse career options early on which would allow them to consider the full expanse of options in the legal profession at a formative stage.

It would also provide a foundational understanding on how the law can be used to advance social justice and ways that lawyers can contribute meaningfully to the community in their careers in line with the high standing expected of the legal profession. This will advance the aim set out in the proposed skills schedule for new lawyers to “feel that they are part of something bigger than themselves – that is that they are part of a profession.”³

Recommendation 1:

We support a greater focus on teaching practical legal skills in law school to expose students to these skills early on which would complement the PLT course but not serve as a direct substitute.

Recommendation 2:

We recommend that learning about social justice and community law be embedded in legal education (as part of law school and PLT).

2. Reform of PLT – practical knowledge and skills

2.1 Updating the PLT Competency Standards

Qu. 2.1 Do you support the proposal to amend the PLT Competency Standards to reflect the categories and skills set out in the skills schedule at Appendix F as the practical knowledge and skills required at the time of admission?

³ Ibid, Appendix F, p.88.

Reference to other frameworks

We support the proposal to update the PLT Competency Standards. As part of the review, we suggest the Committees consider the Victorian Legal Services Board + Commissioner's (VLSB+C) Early Career Lawyer Capability Framework (the **Capability Framework**) which is more outcomes based and has a greater focus on soft skills, such as, behaving professionally, exercising good judgement and interpersonal and communication skills.⁴ For example, the Capability Framework addresses the following soft skills essential for building strong client relationships and maintaining high professional standards:

- demonstrating professional courtesy, honesty and integrity (which is in the current PLT Competency Standards but has not been carried over to the proposed skills schedule)
- lawyers accurately assessing their own suitability to take on legal matters
- tailoring engagement to meet different audiences
- delivering unwelcome information clearly and sensitively
- lawyers understanding the impact of their own emotions on communication style and tone
- establishing and maintaining appropriate professional boundaries with clients
- recognising when referrals to other professionals are needed.

While we appreciate that the Committees are aiming to strike a balance between adequately outlining the requisite skills while avoiding overly detailed lists, a greater focus on soft skills is important particularly given the national survey results that there needs to be a renewed focus on core skills within PLT.⁵

Wellbeing and resilience

Given the high rates of depression and other mental health issues among the legal profession, we would like to see more emphasis on wellbeing and resilience in the proposed skills schedule. The proposed skills schedule includes knowledge of mental health and substance abuse issues that disproportionately impact the legal profession and techniques to build resilience and cope with stress.⁶ While we support these areas being included, the section on wellbeing strategies could be expanded. For example, the Capability Framework includes:

- understanding the factors that can negatively affect a workplace (e.g., high workload, stress, vicarious trauma and negative workplace behaviour and culture), and
- contributing to a positive workplace culture, such as treating others with respect and understanding steps that can be taken where there is unlawful discrimination, bullying, sexual harassment and victimisation.

2.2 Additional skills and knowledge

Qu. 2.2 Do you suggest any amendments to the categories or skills set out in the skills schedule at Appendix F?

We suggest the following additional areas be included in the proposed skills schedule:

⁴ Please refer to the [VLSB+C's Early Career Lawyer Capability Framework](#) (the **Capability Framework**).

⁵ Consultation Paper on PLT, p.39.

⁶ Ibid, Appendix F, p.89.

- trauma informed practice and responding to victim survivors of family and sexual violence
- adjusting approaches to meet the needs of clients experiencing disadvantage and systemic barriers
- working with culturally and linguistically diverse clients and culturally safe practice
- developing First Nations cultural capability
- climate conscious lawyering

As noted above, we would also like to see a greater focus on social justice and community law within legal education. The proposed skills schedule refers to the provision of pro bono assistance as part of understanding the nature of the legal profession.⁷ This should be expanded to cover social justice and community law.

Trauma informed practice

The proposed skills schedule contemplates including trauma informed practice, but it is not listed in Appendix F.⁸ Understanding trauma informed practice is a core skill for lawyers. Many lawyers will work with people who have experienced trauma in a range of practice areas, such as family law, criminal law, personal injury, migration and employment law, and in all forms of practice, including private practice, the community legal sector and government practice. Trauma can have a significant impact on a client's ability to engage with lawyers and with legal processes. It is important for these practical skills and knowledge to be taught at the outset as they are foundational skills required as part of legal practice.

Given the prevalence of family and sexual violence in our community,⁹ responding effectively to clients who have experienced family or sexual violence should be a key component of training around trauma informed practice.

Trauma informed practice could include, for example, an understanding of:

- the impact of trauma and effects on cognition, memory and the ability to give instructions
- how to respond empathetically to someone experiencing trauma or where they have disclosed family or sexual violence
- the prevalence, nature and dynamics of family and sexual violence, barriers to reporting and myths and misconceptions
- how to effectively link clients into support (e.g., therapeutic, specialist and family violence services) and work with other community service professionals as part of the legal process.

This is in line with the Australian Law Reform Commission's report on *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence* which recommended that the LACC ensure that education about myths and misconceptions and trauma informed and

⁷ Ibid, p.88.

⁸ Ibid, p.89.

⁹ According to the Australian Bureau of Statistics (ABS) Personal Safety Survey (PSS) in 2021-2022, 1 in 5 adults (20% or 3.8 million adults) have experienced physical and/or sexual violence from a partner, boyfriend, girlfriend or date, or family member since the age of 15 with far higher rates among women (1 in 6 women) than men (1 in 18 men). See [Australian Institute of Health and Welfare - Family, domestic and sexual violence summary](#), 23 April 2026.

culturally safe responses to sexual violence be part of any reforms to the curriculum of law schools and PLT.¹⁰

It is also essential that as part of ethics and professional responsibility, students learn about non-collusive practice when working with people who use violence.

Working with clients who experience disadvantage and systemic barriers

We suggest that the proposed skills schedule covers working with clients who experience disadvantage and systemic barriers, including due to age, race, disability, socio-economic background, sexual orientation or gender identity, migration status, mental health and substance use.

This could be drawn from the Capability Framework which covers adjusting a lawyer's "approach to meet the needs of clients experiencing vulnerability". This includes the following performance indicators:

- identifies whether their client is experiencing vulnerability
- Identifies whether the client has (and continues to have) capacity to provide instructions and considers the client's legal capability in relation to all aspects of their matter
- tailors their communication style to support client understanding and agency, and endeavours to take a trauma informed approach, where appropriate
- verifies that their client understands the information and advice provided.¹¹

Working with culturally and linguistically diverse clients

We suggest that the proposed skills schedule covers working with people from culturally and linguistically diverse backgrounds. This should include training around culturally safe practice, as well as key considerations when working with interpreters and opportunities for further training in this area, as needed.

Developing First Nations cultural capability

The proposed skills schedule does not include anything around First Nations self-determination or working with First Nations clients, both of which should be part of the skills schedule. The Committees could draw on the Capability Framework which includes improving First Nations cultural capability by reference to the Framework for First Nations Cultural Capability in the Legal Profession developed by the Victorian Aboriginal Legal Service.¹²

Climate conscious lawyering

Climate change impacts many aspects of legal practice, which will intensify as the effects of climate change worsen. For the PLT course to keep pace with contemporary issues, it is important that there is a section on climate conscious lawyering.

This could consider, for example, how climate change intersects with the legal practice across public, private and community legal practice and how lawyers can take a climate conscious approach to their legal practice. This section could also cover the consequences of climate change and increase in inequality in the justice system, as well as how climate change is shifting the legal responsibilities of businesses, financial institutions and governments. The Climate Justice Field Guide for CLCs is a useful resource for developing climate conscious

¹⁰ Australian Law Reform Commission, [Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence](#), ALRC Report 143, January 2025, p.237.

¹¹ Capability Framework, p.9.

¹² See Victorian Aboriginal Legal Service, [A Framework for First Nations Cultural Capability in the Legal Profession](#), 2025.

lawyering practices.¹³ If a student undertakes this subject as part of their university degree, then they could receive credit.

2.3 Other identified knowledge and skills

Qu 2.3 Do you think that the following areas need to be specifically included in the skills schedule, either as categories or identified knowledge and skills:

- i. Working with clients from culturally and linguistically diverse backgrounds?*
- ii. Preventing and addressing sexual harassment?*
- iii. Awareness of obligations under anti-money laundering/counter-terrorism financing regulations?*
- iv. Awareness of ADR options, or specific skills relating to ADR?*
- v. Negotiation skills in a wider range of settings, or other specific settings?*
- vi. Drafting any other types of legal documents? If so, what types of documents?*

As highlighted above, we support working with clients from culturally and linguistically diverse backgrounds being included in the skills schedule, alongside culturally safe practice and working with interpreters.

As discussed above, we also support the inclusion of preventing and addressing sexual harassment in the skills schedule. The rate of sexual harassment in the legal profession is unacceptably high. The Victorian Equality Opportunity and Human rights Commission (the **Commission**) found that approximately 24% of survey respondents stated that they had experienced sexual harassment while working as a lawyer or legal trainee in Victoria and another 12% were aware of instances of sexual harassment that had happened to another female lawyer in their workplace in the previous 12 months.¹⁴ The Commission also found that sexual harassment was likely to occur in the early stages of employment with 63% of incidents occurring within the first 12 months of being in the workplace.

Similarly, the VLSB+C found that 21% of legal professionals who experienced sexual harassment were lawyers who had not completed their period of supervised legal practice.¹⁵ This underscores the importance of including a module on preventing and addressing sexual harassment before students commence working in legal practice. This training is also crucial in engendering cultural change in workplaces.

We consider that awareness of ADR options and negotiation skills are foundational skills that should be included in legal education. Given that the nature of ADR and negotiation skills varies depending on the practice area, it would be valuable if ADR and negotiation skills were taught by reference to specific legal practice areas (as part of university courses and/or PLT, as appropriate) (e.g., family law, criminal law, corporate law and employment law).

We also support expanding the list of legal documents for drafting and would be happy to discuss this further with the Committees.

Recommendation 3

¹³ See the [Climate Justice Field Guide - Federation of Community Legal Centres](#).

¹⁴ Victorian Equal Opportunity and Human Rights Commission, [Changing the rules - The experiences of female lawyers in Victoria](#), p.4.

¹⁵ Victoria Legal Services Board + Commissioner, [Sexual Harassment in the Victorian Legal Sector - Report on findings](#), 2019, p.viii.

We recommend that additional areas be included in the proposed skills schedule (to be delivered as part of university law courses and/or PLT, as appropriate). This includes:

- trauma informed practice and responding to victim survivors of family and sexual violence
- working with clients experiencing disadvantage and systemic barriers
- working with culturally and linguistically diverse clients and culturally safe practice
- developing First Nations cultural capability
- climate conscious lawyering
- preventing and addressing sexual harassment
- ADR and negotiation skills with reference to specific legal practice areas.

3. Reform of PLT – Delivery of PLT

3.1 Length of PLT course

Questions:

- *3.1 Do you support the proposal for the LACC to amend the PLT Standards to reduce PLT courses to be a minimum of four weeks in length, together with up to one week of pre-reading and viewing of preparatory materials?*
- *3.2 Do you think that a four-week period is too short or too long for a PLT course, taking into account the other proposals in relation to law courses and post admission training?*

The Committees have proposed that the PLT course be reduced from approximately 450 hours to four weeks with an aim of addressing concerns in the national survey that the length of PLT and cost can be a barrier to entry to the legal profession.¹⁶ It is proposed that the PLT coursework hours could be reduced to reflect the shortened skills schedule which removes the five practice areas (three mandatory and two electives), refines the skills list and embeds teaching of practical legal skills in university courses.¹⁷

Improving the quality of the PLT curriculum

While we acknowledge feedback around the length and cost of PLT, we are concerned that reducing the PLT course to four weeks will not improve its quality but may diminish the depth and breadth of practical legal skills and knowledge gained by students. Given concerns in the national survey around the level of skills gained by PLT students at admission,¹⁸ the focus on redesigning the PLT course should be on how to improve its quality and value and not on its length. In the sector's experience, students' satisfaction and learning during PLT can vary greatly depending on the institution that they attend and the quality and rigour of the PLT course. For example, the national survey found that Tasmanian graduates were more satisfied with their PLT experience than graduates from other jurisdictions and the length of the Tasmanian Legal Practice Course is 24 weeks.¹⁹ The starting position should be on examining what core practical knowledge and skills would be of value to be taught as part of

¹⁶ Consultation Paper on PLT, p.43.

¹⁷ Ibid.

¹⁸ Ibid p.6, 35.

¹⁹ Ibid, p.26.

an improved PLT curriculum with consideration given to the time needed to effectively teach that knowledge and skills.

Reducing cost of PLT

We understand that another key driver of the proposal to shorten the PLT course is to reduce costs for students. However, it is also acknowledged in the consultation paper that a shortened PLT course will result in FEE-HELP no longer being available.²⁰

We agree that the high cost of PLT is a significant issue. It can be a barrier to admission and steer students towards law firms that will cover the cost of PLT, narrowing the diversity of career pathways in the legal profession. However, we are concerned that the proposed changes to PLT will shift the cost of PLT to other areas but will not substantially reduce it. It could lead to university law degrees becoming more expensive (to absorb any additional costs for teaching practical legal skills) and introduce high upfront costs for the PLT course and Post Admission Legal Training (**PALT**) without FEE-HELP. Students who cannot afford the additional upfront costs for PLT without FEE-HELP (on top of an already expensive law degree) may simply decide that studying law is out of reach for them. This may have implications for diversity and inclusion across law schools which will be a loss for the legal profession.

Any redesign of the PLT course should ensure that some form of FEE-HELP or other deferred payment option is still available to students. If deferred payment options are no longer available for PLT, then there will need to be a mechanism to ensure costs for PLT remain reasonable and that subsidies are available for students experiencing financial hardship. We also propose that there are subsidies for students that work in the community legal sector as part of their PLT placement and following admission for defined period which is discussed in section 9 below.

3.2 Online or in-person delivery

Qu. 5.1 Do you support the proposal that the LACC amends the PLT Standards to require that PLT coursework is to be delivered in person or, in exceptional cases (as determined by the PLT provider), by synchronous online delivery?

The Committees propose that the PLT course be delivered in-person (or by synchronous online learning in exceptional circumstances), recognising the significantly higher levels of satisfaction in the national survey among graduates who attended PLT in-person.²¹

We do not support the proposal for in-person delivery of PLT courses to be the default. While we recognise that in-person workshops can facilitate greater participation, connections and networking opportunities, this needs to be weighed against the impact on accessibility. Mandatory in-person delivery may disadvantage many students, including students who live in RRR areas and will have additional travel and accommodation costs, those with caring duties who rely on flexible work and study arrangements, those with competing work commitments and students with accessibility issues, such as students with a disability or other health concern.

To promote accessibility, it should be the student's choice as to whether they attend online (synchronously), in-person or a mixture of online and in-person (e.g., some modules could be in-person where it is better suited to face-to-face learning). Offering PLT courses in a variety of delivery formats also reflects the realities of current legal practice which is often a

²⁰ Ibid, p.43.

²¹ Ibid, p.45.

combination of online and in-person work, including client meetings, negotiation and dispute resolution processes and court appearances.

3.3 Rigour and quality assurance

Questions:

- *4.1 Do you support the proposal for the LACC to amend the PLT Standards to provide that a PLT course may be, but does not have to be, delivered at a graduate diploma level or equivalent?*
- *4.2 If you support this proposal, would any additional safeguards be required for PLT providers (given they would not necessarily be regulated by TEQSA)? For example, should new quality assurance measures be required in the LACC framework documents? What should those additional measures be?*
- *6.1 Do you support a review of the PLT Standards to ensure that assessments are rigorous in measuring whether students have developed the required knowledge and skills? If so, do you have any suggestions on how the Standards should be set to ensure rigorous and effective assessment?*
- *6.2 Do you think that there is a need for the LACC to amend the PLT Standards to provide guidance on how incidents of academic misconduct should be recorded and reported to the admitting authorities in student conduct reports?*

The proposed changes to the PLT course will mean that it is no longer subject to TEQSA oversight.²² Given concerns in the national survey around the quality of PLT courses, it is important that if the PLT course is no longer a graduate diploma or equivalent, that there is still strong quality assurance (e.g., minimum quality standards and requirements for suitably qualified instructors), transparent assessment requirements and appropriate oversight. The quality standards should include clear processes for student feedback and complaint mechanisms, accessibility and completion outcomes and currency in technology, digital practice and ethical AI use.

Student assessments should be rigorous and competency-based focused on practical legal tasks that resemble real legal work (e.g., drafting client correspondence and court documents, ethical issue-spotting, digital file management and use of case management systems). For example, assessments could be designed to meet a requisite competence level with only two submission attempts being allowed (rather than having no limit on submission attempts which reduces the rigour of the assessment process).

There should also be clear policies and consequences for academic misconduct. We support the Committees providing guidance on how incidents of academic misconduct should be recorded and reported. This should be proportionate and consistent with procedural fairness and should address misuse of AI and other digital tools, including failure to disclose technology-assisted work, where required.

Recommendation 4

We recommend that the redesign of the PLT course focus on improving its quality and value for students, rather than its length.

²² Ibid, p.44.

Recommendation 5

We recommend that FEE-HELP (or another deferred payment option) continues to be available for PLT. If FEE-HELP is not available, there should be other mechanisms to ensure the cost of PLT remains reasonable, including subsidies for:

- students experiencing financial hardship, and
- for students who work in the community legal sector as part of PLT and for a defined period post-admission.

Recommendation 6

We recommend the PLT course is delivered flexibly, with options provided to students for both in-person and synchronous online attendance.

Recommendation 7

We support the PLT course having strong quality assurance, transparent assessment requirements, appropriate oversight and clear policies for academic misconduct.

4. Workplace experience

4.1 Length and recognition of prior workplace experience

Questions:

- 7.1 Do you support the LACC retaining the requirement for a minimum of 15 days of workplace experience prior to admission?
- 11.1 Do you support the LACC amending the Standards and the Standards for PLT Workplace Experience to allow a PLT provider to approve workplace experience being undertaken while the student is studying a law course? If so, should any additional safeguards or requirements be imposed on such work experience? Should PLT providers play the role of certifying that appropriate work experience has been undertaken?

The Committees propose that the existing minimum requirement of 15 days of workplace experience be retained which is not intended to prohibit students undertaking additional workplace experience hours.²³ We support this proposal, acknowledging that many jurisdictions have a longer workplace experience requirement than the minimum length.

We highlight that the structure of workplace experience should be flexible and accessible so it does not become a financial barrier to admission. Remote or hybrid workplace experience should be recognised where the legal practice has remote or hybrid working arrangements and the placement involves genuine legal work with appropriate supervision.

We support prior workplace experience being recognised as is currently the practice in some jurisdictions and providing it meets requisite criteria for PLT placements (e.g., the work undertaken is not solely administrative in nature). This is particularly useful in jurisdictions where the length of workplace experience is substantially higher than the minimum standard of 15 days and a proportion of previous workplace experience can be counted. For example, the College of Law permits students to count up to 60 days of prior workplace experience and 15 days after PLT starts.²⁴ Another suggestion that has been made is only recognising prior

²³ Ibid, p.47.

²⁴ College of law – [What counts as work experience for PLT?](#)

workplace experience undertaken a set period of time prior to the start of PLT (e.g., two years) so that students have gained sufficient practical legal skills and knowledge to apply during their placement.

There may be practical limitations on a PLT provider certifying a work experience placement that occurred some years earlier. The Committees may wish to consult with universities as to whether it would be more appropriate for universities to certify the workplace experience a student has completed in line with set standards, so this occurs contemporaneously.

4.2 Guidance for supervisors

Questions:

- *8.1 Do you support the LACC updating the Standards on PLT Workplace Experience to provide more information on the types of tasks and hours allocated to the development of specific skills for students completing their workplace experience, with regard to the skills schedule at Appendix F? Do you have any suggestions on what this guidance should include?*
- *9.1 Do you support the LACC working with stakeholders to prepare guidance for supervisors on the supervision of workplace experience that addresses the purpose and requirements of workplace experience, the type of tasks to be undertaken and time allocated to them and the ethical standards and expectation of supervisors?*

We support the LACC working with stakeholders to prepare guidance for supervising lawyers on the purpose and requirements of workplace experience, including, appropriate tasks, supervision expectations and learning outcomes. Recognising that work experience placements vary considerably between legal practices, any guidance should consider different practice environments, including private practice, government and CLCs. It should also contemplate requirements for placements which involve online or hybrid working arrangements.

The guidance should not be too prescriptive (e.g., hours allocated) given the diversity of work undertaken at different law practices during placements (but not be so high level that it loses its utility). It should be framed as a guide to support supervisors rather than comprise set requirements which will increase the burden of compliance and reporting and may lead to some legal practices being excluded from offering PLT placements. The guidance would also need to be realistic as to what is achievable in jurisdictions where placements are short (e.g., the minimum requirement of 15 days).

4.3 Training on supervisory skills

Questions:

- *10.1 Do you think that legal profession regulators should review the training that is offered to lawyers who wish to improve their supervisory skills?*
- *10.2 Do you think that there is a need for additional training for lawyers who wish to improve their supervisory skills? What do you think that training should include? How could it be delivered?*

We support training for lawyers involved in supervision of PLT students to improve their supervisory skills. This should improve the quality of PLT supervision and students' workplace experiences with positive flow-on effects for supervision arrangements across law practices more broadly. We would suggest that the LACC review current training in this area and build on what is already available.

Some CLCs considered that supervisors of PLT students should be required to undertake training on supervisory skills as this involves core skills. However, there were also concerns that mandating training could become an additional barrier for some law practices taking on PLT students given the additional workload and cost, particularly for small law practices, which could reduce available PLT placements.

At a minimum, we suggest that lawyers who supervise PLT students should be incentivised to undertake a course on supervisory skills which could contribute to their yearly CPD requirements. It should be made as accessible as possible for lawyers to attend through flexible delivery modes (online or in-person) and ideally be free for supervising lawyers to attend given its benefit to the legal profession. If this is not possible, then the training should be low cost and subsidised for the community legal sector.

4.4 Sourcing workplace experience opportunities

Qu. 12.1 Do you support the LACC amending the PLT Standards to set out the obligations of PLT providers to assist students in sourcing workplace experience opportunities?

We see value in PLT providers having an obligation to assist students in sourcing workplace experience opportunities. This would be particularly helpful for those students who do not have existing professional networks to assist them, who live regionally or need flexible or remote placement options. However, it is important that if PLT providers take on this role that there are requirements for them to connect students to appropriate and quality placement options.

Recommendation 8

We support the proposal to retain the minimum requirement of 15 days of workplace experience as part of PLT.

Recommendation 9

We support the delivery of training on supervisory skills for lawyers who supervise PLT placements which is accessible, has flexible delivery modes and is low cost and subsidised for the community legal sector.

Recommendation 10

We see value in PLT providers having an obligation to assist students to source workplace experience opportunities providing there are requirements for them to select appropriate and quality placements.

5. Post Admission Legal Training

Questions:

- *13.1 Do you support a new requirement being imposed for early career lawyers to undertake 15 hours of PALT in each of the first two years of practice? Is the amount of time proposed for PALT too long or too short?*
- *15.2 Do you support the idea that lawyers can choose to undertake PALT in one practice area, or up to four different practice areas?*

- 16.1 Do you support the proposal that lawyers who are undertaking PALT should have further restrictions on their ability to practise? If so, what additional restrictions should apply?
- 17.1 Do you support the proposal that PALT should be delivered in person or, in exceptional circumstances (as determined by the PALT provider), by synchronous online delivery?

The Committees are proposing that instead of students being required to complete training in five practice areas (three mandatory and two electives) during the PLT course, lawyers would complete 15 hours of training in areas relevant to their areas of legal work within the first two years of practice.²⁵ While we see value in early career lawyers having more opportunity to engage in learning through 'on-the-job' training relevant to their areas of practice, concerns have been raised about the cost, accessibility and structure of PALT.

There are concerns that 15 hours of PALT will not be an adequate substitute for broader exposure to different practice areas during the PLT course, particularly given that it is proposed the PLT course be reduced to four weeks.

While we appreciate that PALT is only 15 hours, we are concerned about the impact of the cost of PALT. As discussed above, we understand that a key objective of redesigning PLT is to reduce costs. However, the loss of FEE-HELP for PLT alongside the introduction of PALT is likely to shift the cost burden rather than substantially reduce it. While the costs of PALT may be easily absorbed by large law firms that already have teams dedicated to in-house legal training and professional development, this is likely to place additional pressure on small legal practices and the community legal sector. Where employers are unable to cover the cost of PALT and provide the additional training and support required for early career lawyers, this may have unintended consequences. It may make those workplaces unattractive for graduates and reduce the availability of graduate positions with potential flow-on effects for access to justice where adequately trained lawyers cannot be recruited within the legal assistance sector.

If PALT is introduced, then it should be subsidised for early career lawyers that work at CLCs. There should also be recognition of tailored training delivered by the community legal sector to early career lawyers as part of PALT.

Lawyers should have flexibility to choose the PALT areas relevant to their practice and we support allowing training across more than one area. For the reasons highlighted above, we do not support the proposal that PALT be delivered in-person as the default (or in exceptional circumstances online (synchronously)). There should be flexible options for attendance for PALT (e.g., in person and online sessions and sessions which are outside and during work hours).

The Committees are proposing to introduce further restrictions on lawyers in their first two years of practice until PALT is completed in addition to existing restrictions around supervised practice. We do not support this proposal and consider that there are already sufficient restrictions on lawyers in the first two years of practice. We also do not support any restrictions on practising certificates in relation to the legal practice areas that lawyers are allowed to practice in while undertaking PALT.

6. Clinical legal education

6.1 Inclusion of CLE as part of PLT

²⁵ Consultation Paper on PLT, p.53.

Questions:

- 20.1 Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT?
- 20.5 Do you support the Committees inviting a working group comprising suitably qualified educators/experts to explore how clinical models of legal education could be employed as part of PLT?

The Committees propose that PLT incorporate CLE which involves active learning with client responsibility and supervision by qualified lawyers and is informed by social justice, reflective practice and ethics and professional responsibility.²⁶ One model that has been proposed is an initial four weeks of skills and values instruction (coursework component) followed by a further period (e.g., four weeks) of practical skills development in a structured learning environment in the form of CLE.

We support CLE being considered as a component of PLT and the establishment of a working group to explore how CLE models could be part of PLT. We suggest that the community legal sector is represented in the working group.

Many universities run CLEs in partnership with CLCs. The exposure to social justice work can have significant benefits to students and can provide valuable practical experience. While CLE programs can be a positive and rewarding part of work for CLCs, establishing and running CLE takes significant resources. If CLE was introduced as part of PLT, CLCs would need to be properly resourced to run CLE programs. CLCs already operate in a resource constrained environment and would not be able to absorb the additional work required to run CLE programs and supervise and train students without dedicated funding. We also highlight that while CLE has many benefits, it is not a substitute for adequately funding the legal assistance sector (e.g., CLCs and Legal Aid Commissions) to address unmet legal need through the delivery of legal services in the community.

6.2 Mandatory or optional component

Questions

- 20.2 If introduced, should clinical legal education be a mandatory component of PLT or an optional extra for students to undertake? If clinical legal education is a mandatory component of PLT, should students be entitled to credit for clinical legal education undertaken as part of a law degree?
- 20.3 If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT?

There are mixed views among the community legal sector as to whether CLE should be a mandatory or an optional part of PLT. Some CLCs support CLE being mandatory as it will offer an exceptional experience and opportunity for a broad cross-section of students to undertake social justice work. If CLE was mandatory, there would need to be a phased implementation approach to build the infrastructure necessary to accommodate placements for all students undertaking PLT.

Other CLCs consider that CLE should be optional due to concerns about there being sufficient CLE placements for all PLT students and so CLE placements are reserved for those students who have some interest in this type of work. If CLE is optional, then there should be incentives for students who complete a CLE placement to encourage a broad cross-section of students to undertake CLE, for example, it being part of workplace experience and/or PALT

²⁶ Ibid, p.60.

providing it meets requisite standards (e.g., involves actual client work, supervision, reflection and assessment).

As noted, expanding CLE will require associated investment whether it is an optional or mandatory part of PLT, as well as promotion so PLT students are aware of this opportunity if it is optional. Any CLE programs would need to be designed to ensure that they support clients appropriately and clients do not feel that they are receiving an inferior service. CLE programs should also reflect contemporary legal practice and include hybrid clinical models (online and in-person).

6.3 Responsibility for running CLE programs

Question 20.4 Who should be responsible for delivering and supervising clinical legal education?

Given that universities have traditionally run CLE programs in partnership with legal service organisations, we consider that universities would be best placed to establish and deliver CLE programs that meaningfully builds the practical skills required for students and encourages critical reflection. However, as the purpose of the CLE program for PLT would differ from current CLE programs run by universities, the feasibility of universities taking this on would need to be assessed in consultation with them.

If universities ran CLE programs for PLT, they should retain flexibility in how they meet the responsibility to deliver CLE programs, including by resourcing partnerships with legal service organisations (i.e., CLCs and specialist providers) with the supervisory capacity, technology and operational infrastructure to deliver high-quality CLE at scale. As highlighted, CLCs and partner providers should not be expected to absorb the costs of supervision, training, risk management, technology systems and administration without dedicated funding.

Recommendation 11

We recommend that CLE programs form part of PLT and a working group be established to consider this further with representation from the community legal sector. Dedicated funding will need to be provided to CLCs where they are involved in the delivery of CLE programs as part of PLT.

7. Supervision of early career lawyers

Questions:

- *21.1 Do you think there is a need for additional guidance to supervisors of early career lawyers, to improve supervision?*
- *21.2 Do you support legal profession regulators establishing a working group to develop additional guidance and resources for supervisors of lawyers as part of their supervised legal practice and consider potential regulatory reforms?*

We support the establishment of a working group to develop additional guidance and resources for supervisors of early career lawyers. We suggest that any additional guidance builds upon existing resources to avoid duplication. For example, the VLSB+C has resources that could be adapted to other jurisdictions. This includes the Capability Framework, supervision plan templates and reflective practice templates. Like the VLSB+C resources, the focus of any additional guidance should be on practical support for supervisors and not additional compliance burden.

Recommendation 12

We support the establishment of a working group to develop additional guidance and resources for supervisors of early career lawyers which should build upon existing materials.

8. Implementation timing

Qu 22.1 Do you support the proposed transitional arrangements and implementation timeframe set out at Proposal 22?

As the main changes would impact universities and PLT providers, we defer to them as to whether the proposed changes could be implemented by 2028. If this timeline is considered too tight, then a staged commencement from 2028 should be considered.

We suggest that there is more planning around the transitional arrangements to ensure that students who are in law school while the change takes effect are not disadvantaged where they do not have the full benefit of practical legal skills being integrated into their university degree but only have access to the significantly reduced PLT course. As noted, a staged approach may be preferable to allow for more gradual transitional arrangements.

9. Other feedback - promoting social justice work in law careers

We welcome the focus on CLE as a way of promoting social justice work and community law to a wide spectrum of students as part of PLT. In addition to CLE, there are other avenues to promote early career lawyers' engagement in social justice and CLCs. As part of this review, we urge the Committees to consider the influence PLT could have in shaping future career pathways and using this as an opportunity to strengthen the visibility of social justice work.

There is currently no structured pathway for graduate lawyers to move into the community legal sector unlike the corporate law sector. There is an opportunity for the Commonwealth Government to support multi-year graduate placements in each state and territory. This could include, for example, incentivising new law graduates to join these programs by providing evidence of study, volunteering or clinical placements at CLCs to demonstrate interest in and fitness for work in community legal settings; and reducing students HECS debt and PLT fees after completing a placement and continuing to work at a CLC for a period of time. Such a program could be used to incentivise placement of law graduates in RRR locations (with sufficient support for both the graduate and the host CLC) recognising the high demand for lawyers in these areas. There is a role for governments (Commonwealth and state), policy makers, universities, PLT providers and CLCs in developing this.

Recommendation 13

We suggest that the Committees make a recommendation to the Commonwealth Government that they fund a national initiative to promote the importance and value of community law and to create structured pathways from universities/PLT providers to CLCs, including:

- through a graduate placement program, and
- offsets for HECS/HELP liability and PLT fees for working in CLCs during PLT and for a defined period post-admission.

Similar offsets could also incentivise lawyers to work in the legal assistance sector in RRR areas where there is currently high demand for lawyers.