

Feedback Form: Review of Practical Legal Training

Respondent details

Name: Corina Martin

Organisation (if applicable): Aboriginal Family Legal Services

Contact details: ceo@afls.org.au

Are you responding as (select one):

- ☐ Individual
- ☒ Organisation
- ☐ Peak body / Representative group
- ☐ Other (please specify): _____

Jurisdiction (select one)

- ☐ National
- ☐ Australian Capital Territory
- ☐ New South Wales
- ☐ Northern Territory
- ☐ Queensland
- ☐ South Australia
- ☐ Tasmania
- ☐ Victoria
- ☒ Western Australia
- ☐ Multiple
- ☐ Other. Please specify:

Your submission will be shared with the Admissions Committee and the Law Admissions Consultative Committee and may also be shared with the Legal Services Council.

Unless stakeholders advise us otherwise, submissions may be published on the Council's website.

May we publish your response on the Legal Services Council's website (select one)?

- ☒ Yes
- ☐ No

Responses to consultation questions

Law courses	
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? Aboriginal Family Legal Services WA supports the proposal to amend the Accreditation Standards for Australian Law Courses to require demonstrable inclusion of practical skills teaching and assessment. However, it is critical that this reform is not confined to generic skills development. From the perspective of a frontline Aboriginal legal service, the concept of “practice-ready” must be expanded to include cultural awareness and the capability to engage with clients experiencing intergenerational trauma, systemic disadvantage, and entrenched distrust of legal institutions. Without embedding culturally safe and trauma-informed approaches into the core of legal education, graduates will continue to enter the profession ill-equipped to serve Aboriginal communities effectively. Accordingly, the proposed reforms should explicitly require law schools to demonstrate how such competencies are taught, assessed, and integrated across the curriculum.
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? The proposed skills schedule would benefit from targeted strengthening to ensure it reflects the realities of legal practice in community and Aboriginal legal service contexts. In particular, there is a clear need to incorporate culturally safe legal practice as a discrete and assessable competency, rather than treating it as an implicit or peripheral consideration. Similarly, the ability to engage in trauma-informed interviewing and client interaction should be expressly recognised, given the prevalence of family violence and complex social circumstances in many legal matters. A more explicit focus on understanding structural inequality, including the ongoing impacts of colonisation and systemic discrimination, would further ensure that graduates possess the contextual awareness necessary for equitable service delivery. Without these enhancements, the schedule risks prioritising technical proficiency at the expense of meaningful access to justice.

1.3	Would law schools be able to implement these changes by the beginning of the 2028 academic year, as proposed? While implementation by the beginning of the 2028 academic year is theoretically achievable, it will require a substantial shift in how law schools design and deliver their programs. In our experience, genuine skills development cannot be achieved through minor curriculum adjustments; rather, it necessitates sustained investment in experiential learning, clinical programs, and partnerships with organisations delivering real-world legal services. Without appropriate resourcing and collaboration with the community legal sector, there is a significant risk that the proposed changes will be implemented in a superficial manner that does not materially improve graduate readiness. We understand that the LACC is currently undertaking the development of a nationally recognised and contemporary set of guidelines to frame the teaching, learning, practice and application of an essential set of skills and knowledge. We would support the continuation of this work in consultation with the community sector, which should be allowed sufficient time to achieve a contemporary, flexible and fit-for-purpose set of standards.
Reform of PLT – Practical knowledge and skills	
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? We support the proposal to align PLT Competency Standards with the skills schedule set out in Appendix F, provided that the schedule itself is strengthened to reflect the complexity of contemporary legal practice. In particular, competency standards should acknowledge that many graduates will work in environments where clients present with multiple, intersecting legal and social issues, requiring a more holistic and adaptable skill set than is traditionally emphasised.
2.2	Do you suggest any amendments to the categories or skills set out in the skills schedule at Appendix F? Further refinement of the skills categories is necessary to ensure they capture the realities of practice in community-based legal services. In addition to core legal skills, there should be explicit recognition of the ability to manage competing priorities in high-demand environments, to exercise sound ethical judgment in culturally complex situations, and to collaborate effectively with non-legal support services. These capabilities are critical to delivering safe and effective legal assistance, yet they are often underdeveloped in current training frameworks.

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? The inclusion of additional areas such as working with culturally and linguistically diverse clients, preventing and addressing sexual harassment, and awareness of anti-money laundering obligations is appropriate and supported. However, it is essential that cultural competency is not treated as a generic concept. The specific knowledge and skills required to work effectively with Aboriginal and Torres Strait Islander clients must be explicitly articulated. Similarly, while alternative dispute resolution and negotiation skills are important, they should be contextualised to reflect the realities of family violence, child protection, and other high-risk practice areas. In terms of drafting, there is a clear need to ensure that graduates are capable of preparing documents commonly used in these contexts, including affidavits, restraining order applications, and submissions in culturally sensitive matters.
2.4	Should the option for graduates to undertake Supervised Workplace Training as a way of completing PLT be retained? The retention of Supervised Workplace Training as a pathway to completing PLT is strongly supported. From our perspective, workplace-based learning remains one of the most effective mechanisms for developing practical competency, particularly when it involves direct client engagement and exposure to real legal problems.
2.5	If the option of Supervised Workplace Training is to be retained, what aspects of the skills schedule should be delivered by an approved provider or as approved programmed training? If Supervised Workplace Training is retained, there must be a clear delineation between competencies that can be effectively delivered in a structured learning environment and those that require practical, in-person experience. While foundational knowledge and ethical principles can be taught by approved providers, skills such as client interviewing, advocacy, and cultural competency can only be meaningfully developed through direct practice.

2.6	Should there be any other amendments to Supervised Workplace Training? There is a need to strengthen the framework governing Supervised Workplace Training to ensure consistency and quality. This includes establishing minimum standards for supervision, introducing competency-based assessment mechanisms, and implementing safeguards to prevent the exploitation of students as unpaid labour. Consideration should also be given to incentivising placements in regional, remote, and Aboriginal legal services, where the need for skilled practitioners is most acute.
Reform of PLT – Delivery of PLT	
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? We do not support the proposal to reduce the minimum duration of PLT courses to four weeks. Such a reduction would significantly undermine the development of practical skills and professional judgment.
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? A four-week PLT program is, in our assessment, inadequate to prepare graduates for the realities of legal practice. Even under the current system, graduates entering community legal services often require extensive additional training and supervision. Reducing the duration of PLT would likely exacerbate this issue, effectively shifting the burden of training onto employers who are already operating under significant resource constraints. This has direct implications for the quality of service provided to vulnerable clients and therefore raises broader access to justice concerns.
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? We cautiously support increased flexibility in the qualification level of PLT, provided that this does not result in a diminution of quality or accountability.

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? If PLT providers are not subject to existing higher education regulatory frameworks, it is essential that robust alternative quality assurance mechanisms are introduced. This should include independent accreditation processes, regular auditing, and clear performance benchmarks. There must also be transparency in how competency outcomes are measured and reported.
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? We support the requirement for PLT coursework to be delivered in person, except in genuinely exceptional circumstances. The development of practical legal skills is inherently interactive and relational and cannot be fully replicated through asynchronous or purely online delivery models.
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? A review of assessment standards is both necessary and appropriate. Assessments must move beyond theoretical knowledge testing and instead focus on demonstrated competency in realistic scenarios. This includes observed client interactions, practical advocacy exercises, and problem-solving in complex factual contexts. Only through rigorous, practice-based assessment can confidence be maintained in the readiness of graduates.
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? There is merit in providing clearer guidance on the recording and reporting of academic misconduct. Consistency in this area is important to uphold the integrity of the admissions process and to ensure that admitting authorities have access to relevant information when assessing an applicant's suitability for admission.

Workplace experience	
7.1	Do you support the LACC retaining the requirement for a minimum of 15 days of workplace experience prior to admission? The current requirement of 15 days of workplace experience is insufficient. From our experience, this duration does not allow for meaningful exposure to legal practice or the development of core competencies. Consideration should be given to increasing this requirement to ensure that graduates have adequate practical experience prior to admission.
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? Updating the Standards to provide more detailed guidance on workplace experience is supported. Such guidance should ensure that students are exposed to substantive legal tasks, including client interaction, drafting, and advocacy, rather than being confined to administrative functions. It should also emphasise the importance of cultural competency and ethical practice.
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? The development of guidance for supervisors is strongly supported. Effective supervision is critical to the success of workplace training, yet there is currently significant variability in the quality of supervision provided. Clear expectations regarding the role and responsibilities of supervisors would improve consistency and outcomes.
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? There is a clear need for enhanced training for lawyers who undertake supervisory roles. Such training should address not only technical supervision skills, but also cultural competency, trauma-informed practice, and effective feedback mechanisms. Delivery could be integrated into continuing professional development requirements to ensure broad uptake.

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? Supervision requires skills beyond legal expertise, including effective feedback, performance management and oversight to ensure client safety. Training should also include cultural competency and trauma informed practice. Delivery through mandatory CPD would support consistency and accessibility.
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? Allowing workplace experience to be undertaken concurrently with legal studies is supported in principle, provided appropriate safeguards are in place. It is essential that such experience is genuinely educational in nature and subject to proper oversight and assessment.
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? PLT providers should have a defined role in assisting students to secure workplace experience. This is particularly important for students from disadvantaged backgrounds, who may otherwise face barriers to accessing relevant opportunities.
Post Admission Legal Training (PALT)	
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? The proposed 15 hours per year is appropriate as a minimum baseline, provided the training is practical, relevant and includes cultural competency and trauma informed practice. Its effectiveness will depend on quality and accessibility, particularly for under-resourced community legal services.
13.2	Do you think it is appropriate for this requirement be implemented as a condition on practising certificates? If not, please outline what you consider to be the preferable mechanism to impose the new requirement. AFLS supports implementing the PALT requirement as a condition on practising certificates. This provides a clear, enforceable mechanism that promotes consistency across professions and ensures early career lawyers engage in ongoing development.

14.1	Do you support the proposal for lawyers who practise exclusively as barristers to be exempt from the requirement to undertake PALT? Would this pose any issues in your jurisdiction? Aboriginal Family Legal Services WA supports the proposed exemption for lawyers who practise exclusively as barristers. This reflects the distinct training and professional development pathways already in place at the Bar. We do not anticipate this posing any material issues within our jurisdiction.
15.1	Do you support the proposal that PALT should be delivered in areas identified and developed by PALT providers, subject to the approval mechanisms set out separately below? We support PALT being delivered in areas identified and developed by approved providers, provided there is appropriate regulatory oversight to ensure consistency, quality, and relevance. It is important that content is aligned with real-world practice demands, including cultural competency and trauma-informed approaches.
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? We support allowing lawyers to undertake PALT across one or multiple practice areas. Flexibility is essential, particularly for lawyers working in community legal services who often operate in generalist roles and require a broad skill set.
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? We support the introduction of additional restrictions on early career lawyers undertaking PALT, particularly where this promotes client safety and professional standards. This may include requirements for appropriate supervision and limitations on unsupervised conduct of complex or high-risk matters.
Delivery of PALT	
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? We support PALT being delivered primarily in person, with synchronous online delivery permitted in exceptional circumstances. The development of practical legal skills and professional judgment is best achieved through interactive, real-time engagement.

18.1	Do you support the proposal that the content and providers of PALT should be approved by the regulator that issues practising certificates to solicitors? We support regulatory approval of PALT content and providers by the body responsible for issuing practising certificates. This is necessary to ensure quality, consistency, and accountability across the profession.
19.1	Do you support the proposal that PALT should incorporate rigorous assessment? Do you have any views on the parameters for this requirement? We support the inclusion of rigorous assessment within PALT. Assessment should be practical and competency-based, ensuring that lawyers can demonstrate applied knowledge and skills rather than merely completing attendance-based requirements.
Clinical legal education	
20.1	Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT? The inclusion of clinical legal education as part of PLT is strongly supported. From our perspective, clinical models provide one of the most effective forms of practical training, particularly when delivered in partnership with community legal centres and Aboriginal legal services. Consideration should be given to making such components mandatory, given their demonstrated value.
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 Clinical legal education should be a mandatory component of PLT. It provides critical exposure to real clients and legal problems, which cannot be replicated through classroom-based learning. Students who have already completed equivalent clinical experience as part of their law degree should be eligible for appropriate recognition or credit.
20.3	If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT? Where clinical legal education is undertaken, it should be capable of satisfying PALT requirements where it meets the relevant competency standards. This would promote efficiency and recognise the value of experiential learning.

20.4	Who should be responsible for delivering and supervising clinical legal education? Responsibility for delivering and supervising clinical legal education should be shared across universities, community legal centres, and Aboriginal legal services. This ensures that training is grounded in real practice environments and reflects the needs of diverse client groups.
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? We support the establishment of a working group comprising suitably qualified educators and practitioners to explore the integration of clinical models into PLT. This work should include strong representation from the community legal sector and Aboriginal organisations.
Supervision of early career lawyers	
21.1	Do you think there is a need for additional guidance to supervisors of early career lawyers, to improve supervision? There is a clear need for improved guidance and resources for supervisors of early career lawyers. Establishing a dedicated working group to develop these resources is supported and would represent a meaningful step toward improving professional standards.
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 legal profession regulators establishing a working group to develop additional guidance and resources for supervisors of early career lawyers. Improved supervision is critical to maintaining professional standards and ensuring safe and effective legal practice, particularly in high-risk areas.
Implementation timing	
22.1	Do you support the proposed transitional arrangements and implementation timeframe set out at Proposal 22? The proposed implementation timeframe is supported in principle. However, it is critical that reforms are accompanied by appropriate resourcing and do not inadvertently transfer additional training burdens onto already under-resourced community legal services.