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Australasian Professional Legal Education Community Ltd submission in response to the Law Admissions Consultative Committee Review of Practical Legal Training Consultation Paper April 2026

Executive Summary

The Australasian Professional Legal Education Council Ltd (APLEC) is a not for profit organisation whose membership is made up of the providers of Practical Legal Training (PLT) programs across Australasia. APLEC acts as the peak body of its members.

APLEC welcomes the opportunity to provide a response to the LACC consultation paper and reaffirms its position that PLT reform is long overdue and necessary to reflect the changed competencies required of new lawyers since the current regulatory structure was developed in 2002. APLEC additionally acknowledges that real cost and access pressures exist across the legal education continuum that warrant solutions.

We draw the LACC's attention to APLEC's October 2025 response to the NSW LPAB Discussion Paper on PLT Reform (appended here) and seek that those views be taken into account as part of this response.

Given the concerns expressed by APLEC regarding the NSW LPAB's approach, we are similarly concerned that the Committee's consultation paper, in Appendix F, has used that approach as the basis for a national discussion, rather than adequately facilitating a broader and much needed discussion on the best way to approach, develop and implement critical PLT reforms. National policy impacting the Australian legal profession, such as entry level lawyer competencies and training, should have a transparent evidence base that tests assumptions and compares options rather than defaulting to a contested jurisdiction-specific approach.

APLEC does not agree that the proposal as set out in Appendix F is the only, or in fact a sufficient alternative to the current PLT regulatory requirements.

As an alternative to the proposal set out in Appendix F we recommend the following:

1. Undertake comprehensive national stakeholder mapping;
2. Conduct thorough stakeholder engagement and consultation;
3. Publish the methodology used and all the evidence gathered;
4. Develop evidence-based models and test the alternative approaches;
5. Undertake implementation impact assessments;
6. Conduct a robust comparative cost analysis of all elements of the practical legal training across:

- (a) law courses,
 - (b) PLT and
 - (c) 'PALT',
- including regulatory and supervisory costs;
7. Once a preferred national model has been determined, adopt a phased implementation approach with embedded evaluation mechanisms to regularly test and ensure that the model delivers the intended outcome.

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?

No. APLEC supports a proposal to investigate how Australian Law Courses should demonstrate the teaching and appropriate assessment of practical skills in law courses, as a way of developing an integrated and scaffolded law curriculum from law school through to PLT and beyond.

APLEC submits that it is necessary to first define the required competencies, and associated practical skills, before it is possible to discuss where these skills should be taught. It is therefore not possible, absent that preliminary work, to support the proposal as articulated above.

Further, it is critical to note that the practical skills as they are taught at law school (with the possible exception of an accredited integrated law and PLT programme) do not replicate or replace the acquisition and practise of skills needed immediately prior to admission or in the early stages of legal practice.

If law courses are required to add additional skills content without increasing the length or cost of the law degree, it is not unreasonable to infer that other content would need to be removed to make space. We suggest that it is critical that law courses set out what will be removed or redesigned to incorporate this additional skill-based content.

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?

Yes. Appendix F appears to equate Priestly 11 topics with current LACC PLT topics. While superficially the content descriptors of the two might give this impression, there is a real and substantive difference between the learning objectives of the two, particularly given the stage at which the subjects are undertaken. For this reason we suggest greater clarity and detail is needed.

Where Appendix F refers to inclusion in the delivery of university law courses we suggest that it sets out:

- At what stages of the law course the specific skill should be included;
- The standard at which the skill should be performed, given the stage of the law course at which they are taught and assessed.

Notably, the standard that could reasonably be required at law school is lower than the standard that ought to be required for the purposes of admission to practice. The only possible exception to this would be where an appropriately accredited integrated law and PLT program is offered.

- The integration between skills and knowledge to allow for cohesive integration into the curriculum
- How skills would be assessed.

1.3 Would law schools be able to implement these changes by the beginning of the 2028 academic year, as proposed?

APLEC is not in a position to respond to this. We defer to Australian law schools on this matter.

Again we note with concern that there seems to be an assumption that the changes proposed by the NSW LPAB and set out in Appendix F are the changes that will occur nationally, when this has not yet been determined.

We further note that, notwithstanding the capacity to implement any agreed regulatory changes, there will inevitably be a lag between students undertaking the revised university law courses, and those same students progressing to PLT. Therefore any PLT changes would commence subsequent to the law school changes. In addition, there would need to be transitional arrangements made for up to 11 years (the maximum permissible period for a student completing a double degree at any Australian university) to accommodate and include all students who might be enrolled at the time the changes commence.

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?

APLEC is of the view that there is not yet sufficient evidence to support Appendix F as the appropriate articulation of practical skills and knowledge required at the time of admission.

It is not evident that sufficient national consultation, supported by structured mapping of relevant professional, academic and community stakeholders, has been undertaken to identify and determine the necessary practical knowledge and skills for future focused entry level lawyers.

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

Yes. Further to our submission at 2.1 APLEC suggests further stakeholder consultation and research is required to confidently determine the categories and skills required for entry level lawyers.

2.3 Do you think that the following areas need to be specifically included in the skills schedule?**i. Working with clients from culturally and linguistically diverse backgrounds?**

Yes, this is essential. It should be included within client communication, interviewing, advice and professional judgment.

Cultural competence in working with First Nations clients also ought to be specifically included.

ii. Preventing and addressing sexual harassment?

Yes. This should be expressly included as part of professional responsibility and workplace conduct. The suggestion that this is “a general workplace issue, not one specific to lawyers” ignores the specific experiences of junior lawyers and misses the opportunities to provide them with tools to address this behaviour within a legal professional environment.

Preventing and responding to bullying, harassment and poor supervision practices should also be included.

iii. Awareness of obligations under anti-money laundering/counter-terrorism financing regulations?

Yes, at least at an awareness level, particularly in relation to client intake, compliance and office systems given the new regulatory requirements.

iv. Awareness of ADR options, or specific skills relating to ADR?

Yes. Both awareness of ADR pathways and some practical ADR-related skill development should be included, and possibly emphasised given the increasing importance of and reliance on ADR over court-based processes.

v. Negotiation skills in a wider range of settings, or other specific settings?

Yes. Negotiation should be framed broadly across civil, commercial, regulatory and criminal contexts, not confined to one setting, nor limited to ‘formal’ negotiation. It is also critical that training for entry level lawyers, most of whom will practice as solicitors, includes a broad range of transactional as well as litigation-focussed areas.

vi. Drafting any other types of legal documents? If so, what types of documents?

Yes – drafting applied to common and transferable tasks and documents such as file notes, client advice letters, simple pleadings, affidavits or witness statements, agreements, new forms of electronic court/tribunal forms, additional conditions in standard contracts, and opponent or regulator correspondence.

2.4 Should the option for graduates to undertake Supervised Workplace Training as a way of completing PLT be retained?

Yes, as long as each SWT plan is approved by the relevant regulator and can demonstrate the equivalent skills training required of a PLT course leading to admission.

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?

APLEC supports retaining Supervised Workplace Training (SWT) as an equivalent pathway, with clear guidance on which elements should be delivered (or quality-assured) by an approved provider. In particular, higher-risk skills and values that require calibration and independent moderation, such as ethics and professional responsibility (including confidentiality, conflicts and trust accounting), client interviewing and advice, advocacy and dispute-resolution skills (including online/virtual formats), and assessment of competence against transparent criteria should be supported through structured programmed training and/or provider-validated assessment.

2.6 Should there be any other amendments to Supervised Workplace Training?

Please see above at 2.5

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?**

No. There is no evidence or data to support the proposal that four-weeks is a sufficient or appropriate time, or in fact giving any rationale for selecting four weeks as the length of time for PLT.

Fundamental questions remain unanswered, including:

- why four weeks;
- why this intensity;
- what evidence supports compressing skills formation into an intensive period;
- what alternative models were considered and rejected and on what basis; and
- what evidence demonstrates this model will produce better entry-level lawyers than competency-based or hybrid approaches.

One week of “pre-reading and viewing of preparatory materials” raises serious pedagogical concerns. Quite apart from the very real risk of students with multiple life pressures not undertaking or completing the reading, it also raises the concerns of cognitive overload hampering the understanding and retention of the material, and the inefficacy of passive reading for skills learning.

Skills are not acquired through reading. Rather they are acquired and refined through practising demonstrated skills, receiving feedback, reflecting and doing further practice, then adapting those skills to new environments.

Four weeks course work is too compressed a time frame for any version of serious pre-admission training that goes beyond formulaic compliance.

If PLT is to be useful for entry level lawyers and their employers, particularly if it is to integrate with practical skills training through law schools, it needs to be carefully designed by professionals with the relevant expertise, taking into account data from thorough consultations. The current proposal has not been developed with this kind of rigour and expertise, and it risks missing a rare opportunity to radically improve legal education and training.

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 proposed timeframe is shorter than would reasonably be required. Please see the response to 3.1 above.

A longer PLT course, potentially the length of a university semester would provide sufficient time and opportunity for deep learning which includes:

- seeing the skill being applied in practice;
- practicing the skill in context;
- receiving feedback;
- incorporating feedback and developing a reflective practice;
- applying the skill in a different context.

This process needs to be undertaken and repeated across the range of professional skills required for entry level lawyers. It is essential for effective skills development. It cannot be meaningfully undertaken within a four-week period across the range of skills necessary for entry level lawyers.

We also note that the proposal to incorporate additional **practical skills in law courses**, whilst welcomed, does not appear to have been considered in terms of what the law schools are already required to teach and the difference in pedagogy and expertise required to teach academic skills (which are also absolutely needed by the profession and society at large) as opposed to skills for legal practice. Without substantial reviews of the content of the law school courses (which may or may not be desirable for other reasons), and the availability of appropriately qualified teaching staff, legal skills incorporated into law courses are unlikely to be appropriately scaffolded and focussed on, in order to justify a shorter PLT course.

The **post admission training**, as proposed, raises fundamental questions which remain unanswered, including:

- how was 30 hours of post admission legal training (PALT) arrived at as appropriate;
- how does 30 hours spread across the first two years of practice replace the opportunity provided by the current 150 hours presently spent undertaking two electives prior to admission (which adds to the foundation for entry into the profession);

- how does PALT account for the difference in experience and capacity of junior lawyers across the 24 months in the design of appropriate training;
- how will PALT be regulated and quality assured;
- what training, support and accreditation will be provided to firms undertaking the greater supervision role required for PALT.

APLEC is of the view that significant additional work needs to be done before robust, evidence-based alternatives can be developed.

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?

No. The function of PLT is to assist law graduates to develop professional skills beyond law school so that they are capable and competent entry level practitioners.

Retaining PLT at AQF Level 8 or an equivalent standard is a critical standard or benchmark, as it makes it clear that PLT cannot be limited to simple vocational familiarisation, but must in fact be seen as complex post-degree professional formation requiring the application of knowledge and skills with autonomy, judgment and responsibility. This is the bare minimum to be expected of an entry-level lawyer entering a regulated profession.

TEQSA and the Higher Education Standards Framework provide an important layer of external oversight in relation to course design, learning outcomes, assessment, governance and quality assurance. This includes assurance of course design and delivery that supports student participation, progression and wellbeing.

Removing the requirement for that objective, external quality assurance risks public confidence in the high and consistent standard lawyers ought to be able to demonstrate that we meet.

If anything, the direction of reform should be the opposite. PLT should be more clearly recognised as a rigorous AQF 8 professional formation program, supported by strong assessment, visible standards of performance and credible external quality assurance.

Finally, by removing the requirement for PLT to be delivered at the AQF level 8 standard, students will lose the ability to access FEE-HELP for their PLT. While this will not impact the small proportion of students that obtain graduate positions in the top-tier law firms each year, it will adversely impact those students who have to fund their own PLT.

This is a significant equity issue that seems to have been summarily dismissed when previously raised. The growth in the number of Australian law schools has led to the welcome increase in diversity of students completing a law degree and seeking to enter the profession. Many are first in family not only to law school, but to university. The proposal for compulsory full time attendance for four weeks at a likely urban-based course, that must be paid for privately is a barrier that some will not be able to overcome. The cost may additionally include travel, accommodation, childcare, and loss of wages (unless they are in the minority and already employed in a legal workplace). It is disrespectfully dismissive of these students to determine that FEE-HELP is not critical for them to complete their legal training.

For those domestic students who are unable to access FEE-HELP because they have 'hit their cap' by virtue of paying for the substantially more expensive Juris Doctor degrees, it may be

worth examining the costs of that program or the need to request a FEE-HELP cap removal for professional training that is inherently required for admission to the profession.

4.2 If you support this proposal, would any additional safeguards be required for PLT providers? What should those additional measures be?

APLEC does not support this proposal.

If, however, it was determined that PLT was no longer required to be delivered at graduate diploma level or equivalent, the LACC framework would need to include significantly stronger and more explicit quality assurance measures, including:

- clearer outcome standards
- stronger and more transparent assessment requirements,
- moderation and calibration mechanisms,
- independent external review,
- comprehensive recordkeeping,
- clearer governance around assessment quality and continuous improvement
- robust safeguards for student learning and experience.

A proper compliance and enforcement mechanism would need to be developed and clearly articulated, including systematic monitoring and standards enforcement and review equivalent to TEQSA obligations in order to ensure both public confidence in professional outcomes and appropriate protection of student interests in what is proposed to be, in effect, a high-stakes professional training pathway.

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, by synchronous online delivery?

No.

The question does not take into account contemporary (or likely future):

- (i) teaching and learning technologies;
- (ii) student demand;
- (iii) techniques for self-paced learning;
- (iv) different learning styles;
- (v) the importance of time outside the 'classroom' to develop individual critical thinking and adaptive skills;
- (vi) accessibility and cost for students and employers in regional, rural, remote or very remote locations (RRRR);
- (vii) accessibility and cost for students in both urban and RRRR areas with caring and financial needs that mean they cannot travel and attend a course for three-four weeks;
- (viii) changes in student demographics where many are mature age; working; supporting families; have child-care or elder-care responsibilities;
- (ix) students with disability or accessibility challenges;
- (x) contemporary legal practice which incorporates and relies on hybrid and technologically mediated work.

Synchronous online learning cannot be seen as an option only in 'exceptional cases'. Rather it should be an acceptable standard delivery mode to take into account the needs of a diverse profession and student body.

The critical point is not simply being physically present in the same space. That clearly does not ensure high quality training. Rather, the issue is whether the delivery mode supports active participation, feedback, observed performance and professional interaction. Core performance-based learning can occur in person or through synchronous delivery, with asynchronous content used for preparation.

A related question, not addressed in the proposal, is whether the proposed model contemplates 'in-the-room in-person' delivery of law course practical skills training? If so, what would be the impact for wholly online LLB and JD courses? This too is an access and equity issue.

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?

Yes. Assessment is critical to ensuring that PLT functions as a rigorous pre-admission stage.

Consistent with adult learning and professional education principles, the Standards should require assessment that:

- prioritises competency development through contextually integrated tasks,
- has clear competency criteria,
- incorporates multiple and cumulative forms of evidence,
- provides opportunities for feedback and improvement, and
- incorporates robust moderation and calibration processes
- aligns with the capabilities that the framework is intended to assure, supporting learning progression and professional readiness rather than operating as a narrow gatekeeping mechanism.

We note that, this kind of review is the purpose of quality frameworks such as the AQF and TEQSA, and is a further reason not to abandon these frameworks without careful consideration of how they are going to be replaced (or if they should be replaced at all).

Furthermore, for any form of assessment of skills to be effective, students need to have the appropriate time and space in which to repeat these skills and develop competency in not only completing the skill once but also adapting the skill to different legal contexts. The proposed shorter timeframes for 'learning' and the requirement for the 'learning' to be face-to-face curtails both of these requirements. It promotes surface level learning at best and undermines confidence and capacity in skills at worst.

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?

Yes. Greater clarity would improve consistency, fairness and transparency.

However, we note that any guidance provided on dealing with items such as AI, will also need to be appropriately reactive to the fast paced manner in which these tools are developing and being

incorporated in many commonly used text production products; as well as challenging us all to consider whether the use of AI is appropriate or not, given the uptake of such products in practice.

Workplace Experience

7.1 Do you support the LACC retaining the requirement for a minimum of 15 days of workplace experience prior to admission?

Yes

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?

APLEC supports 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. However, as stated previously, APLEC is concerned at the assumption that the 'skills' as articulated in Appendix F are sufficient, appropriate or clearly set out.

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?

Yes.

To support this effectively, it will be important to undertake national stakeholder mapping to ensure that the guidance developed is informed by, and relevant to, the full range of legal practices offering professional placements.

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?

Yes. The ability to effectively supervise professional development is not innate, it is developed through training and experience. To support consistency and quality of supervision, it is therefore important that supervisors are appropriately trained. This will be particularly critical if there is to be increased reliance on post-admission training.

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?

Yes, additional training is required.

The training should include, but not be limited to:

- an understanding of the skills and knowledge acquired through PLT prior to admission, in order to assist new lawyers to apply, and build their professional skills in practice;
- ethical supervision practices;

- wellbeing systems for supervisors and new lawyers being supervised;
- how to give effective feedback; and
- reflective practice.

The training could be incorporated into an accredited CPD program for supervisors.

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?

Work experience undertaken while studying, while incredibly valuable, does not replace the need for structured workplace experience during PLT. This is particularly so where that experience is obtained in the early years of a law course, creating a lag between the work experience and PLT.

If such an amendment occurs, there should be significant safeguards and requirements imposed on workplace experience undertaken while studying, including:

- eligible workplace experience should be limited to the final year of the law course to ensure sufficient legal knowledge to apply, reflect and benefit from the experience;
- workplace supervisors are trained in the educational purpose of the work placement, and can certify that appropriate legal work was undertaken;
- the workplace experience is of an equivalent standard to PLT-level work experience rather than general administrative work in a legal workplace.

PLT providers could approve such workplace experience. Ideally this should occur prior to the student commencing, rather than retrospectively, to ensure that the criteria are met.

APLEC supports retaining a minimum of 15 days workplace experience to be undertaken as a component of PLT.

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?

Not every PLT provider has the resources to assist students to source PLT workplace experience 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?

Please see the response at 3.2 above.

APLEC does not support this requirement if 15 hours/year of 'PALT' across the first two years of legal practice is intended to replace the current approximately 150 hours of training currently provided through the electives in PLT. This would be far too short, particularly if it is delivered outside a regulated and structured learning program.

30 hours is manifestly insufficient when compared to the opportunity for and volume of skills training offered through PLT courses and the increasing range of skills new lawyers require.

The proposal poses a particular risk for junior lawyers in RRRR areas, or those in small firms and legal centres, who frequently assume significant responsibility very quickly, and where significant

supervision and training is not available. The risk flows through to the practice, the public and potentially legal insurers.

It is quite common that lawyers in small firms need to pay for their own CPD. The additional 15 hours/year will place an unfair burden on the lowest paid practitioners. It is not enough to say that such training is tax-deductible, as it doesn't account for the stress for additional out-of-pocket expenses.

Further, we note that the proposal assumes that newly admitted lawyers are able to find legal employment that would provide supervision and the opportunity to complete 'PALT'. There appears to be no consideration of newly admitted lawyers who are not employed, or employed in policy or other related areas where legal supervision may not be available. This would have a detrimental impact on their career progression.

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.

No. APLEC does not support the proposal that 30 hours additional CPD across the first 2 years of practice is an appropriate or sufficient standard for unrestricted legal practice.

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?

No. Given the jurisdictional differences across Australia, and the desirability of a national profession, APLEC does not support this proposal.

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?

No.

If the skills and practice-area training is removed from PLT, the 'PALT' replacement must be designed and developed to coherently build on the skills acquired pre-admission. Inconsistent and uncoordinated training will adversely affect the competence and reliability of early career lawyers.

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?

No. APLEC does not support the proposal of PALT in only one practice area, as such an early and limited specialisation risks early career lawyers, who frequently move firms and jobs, being significantly under-prepared for the range of skills and knowledge required for practice.

This risks particularly disadvantaging small, regional and community-based practices who may find that they have recruited junior practitioners who do not have the breadth of skills and knowledge that ought to be expected.

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?

The limited PLT proposed would necessarily lead to the need for significant and carefully considered restrictions on early career lawyers to make up for a lack of preparedness for practice.

Any additional restrictions would have an impact on early career mobility, and would likely have a detrimental effect on workforce supply in the already under-supplied legal assistance sector, especially in RRRR regions.

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?**

APLEC does not support the proposed 'PALT' model as a sufficient training model leading to unrestricted practice.

In the event that additional post admission training would be required, APLEC supports the availability of a variety of synchronous delivery modes as essential for accessibility. There should not be the need to demonstrate "exceptional circumstances" to access online synchronous delivery.

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?

APLEC does not support the proposed 'PALT' model as a sufficient training model leading to unrestricted practice.

In the event that the proposed model were to be adopted we suggest that it would be essential for the content and providers of 'PALT' to be accredited by the relevant regulator in each jurisdiction. We note that this would place an additional regulatory burden on the regulators.

19.1 Do you support the proposal that PALT should incorporate rigorous assessment? Do you have any views on the parameters for this requirement?

APLEC does not support the proposed 'PALT' model as a sufficient training model leading to unrestricted practice.

In the event that the proposed model were to be adopted, it is essential that it require rigorous assessment if it is to be a meaningful, useful educational endeavour, and have any regulatory importance.

At a minimum the assessment parameters have to reflect:

- clearly articulated outcomes of the 'PALT' training;
- appropriate demonstration of the level and type of skills and knowledge required;
- realistic practice contexts and practice-based assessments.

Clinical legal education**20.1 Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT?**

Similarly to the submission at 11.1 above regarding pre-PLT workplace experience, APLEC views clinical legal education as an incredibly valuable educational opportunity for skills acquisition.

However, clinical legal education cannot be seen as a substitute for structured PLT undertaken after graduation.

Participation in clinical legal education:

- is undertaken at undergraduate level, with the appropriate mix of skills and responsibilities;
- covers an enormous range of potential work;
- given the cost of running quality clinics is often reliant on insecure funding and has limited places and finite supervisor resources.

For these reasons, although clinical legal education may be of assistance in incorporating legal skills training at an undergraduate level, it cannot replace the structured PLT programs offering the opportunity to learn, practice, receive feedback, repeat and be assessed on essential professional practice skills.

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.

APLEC does not support making clinical legal education a mandatory component of PLT.

Clinical legal education is not available to all students across all universities. Clearly making it mandatory would lock out those students who have no access to clinical legal education from completing their PLT.

Law students in small universities and in regional, rural or remote areas would be significantly disadvantaged due to far fewer clinical legal education opportunities.

In the event that clinical legal education is made a mandatory component of PLT, students that are fortunate enough undertake clinical legal education as part of their law degree should not be entitled to get credit for PLT purposes. This kind of 'double-dipping' on credit does not take into account the very different stage and type of training that is possible at an undergraduate level compared to immediately pre-admission. It also unfairly disadvantages those students not able to undertake clinical legal education during their law degree.

20.3 If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT?

No.

As noted above, APLEC views clinical legal education as an incredibly valuable educational experiential learning opportunity for skills acquisition. However, clinical legal education is not a structured program designed to cover the range of professional and ethical practice skills required of new lawyers.

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

It is not clear if this question presumes that clinical legal education would form part of PLT. If so, APLEC does not support making clinical legal education a mandatory component of PLT.

In any event, it would seem that the accredited institution offering clinical legal education would be responsible for delivering and supervising that clinical legal education.

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?

APLEC does not support making clinical legal education a mandatory component of PLT.

In the event that it was determined that clinical legal education were to be part of PLT, APLEC agrees that it would be essential to have a group of suitably qualified experts explore how this might be undertaken.

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?

APLEC does not support the proposed model of 30 hours 'PALT' replacing more comprehensive and coherently designed practice area training.

However, APLEC strongly supports the need for additional training and guidance for supervisors of early career lawyers to improve supervision. There is currently no mandatory training and support for supervisors, leading to inconsistent quality and outcomes. New lawyers rely on luck and goodwill for effective early career 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?

APLEC does not support the proposed model of 30 hours 'PALT' replacing more comprehensive and coherently designed practice area training.

However, if such a model were to be adopted, APLEC would support the establishment of such a working group.

Implementation timing

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

No. The proposed transition period appears not to take into account the range, complexity and interdependency of the many moving parts across different jurisdictions that such extensive changes would require.

The multi-faceted changes include:

- law degree redesign and accreditation;
- PLT redesign including length and content;
- PLT reaccreditation across each jurisdiction;
- design of the content and regulation of 'PALT';
- extensive training and support of supervisors to carry the additional obligation of the profession;

These are all interdependent. Changes to one cannot be designed, much less implemented, unless all are agreed. Changes to one would undo the design and implementation of the others.

As these elements are not currently a single coherent system, there is no framework to prepare for this level of complex implementation.

Much greater consultation is required to assess feasibility, much less the potential timing for implementation.

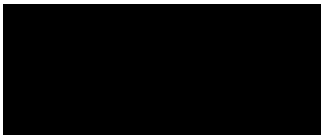
The proposed transitional arrangements fail to adequately and fairly make provision for students and graduates who get caught in the middle of any changes. There are many potential stages at which this could happen, as students take breaks; study part-time; change institutions; have a gap between completing PLT and commencing practice. None of these circumstances are adequately provided for.

The implementation timetable also fails to make provision for:

- evaluation of the model. There is no proposal to pilot the model – or other models – and evaluate their efficacy in reaching any articulated outcome;
- jurisdictional and regional variations

In summary, the proposed timing is both risky and unrealistic.

Yours sincerely



Shirley Southgate

Chair

On behalf of the Board of APLEC

**Australasian Professional Legal Education Community submission in response to the LPAB
Discussion Paper on PLT Reform October 2025**

Executive Summary

The Australasian Professional Legal Education Community (APLEC) welcomes the opportunity to respond to the LPAB Discussion Paper on Practical Legal Training (PLT) reform. APLEC supports reform in principle but raises substantial concerns about the LPAB's proposed direction, process, and evidence base. We urge alignment with the national review of PLT led by the Legal Services Council (LSC) Admissions Committee and the Law Admissions Consultative Committee (LACC) to ensure consistency, quality and sustainability in professional legal education.

1. Reform should be nationally coordinated

PLT reform should proceed through the national framework established under the Uniform Law, rather than through unilateral jurisdictional changes. NSW's withdrawal from the national Urbis survey risks fragmenting national standards and undermining uniformity built over more than 20 years.

2. Competency Standards – outdated and under review

We agree that the LACC Competency Standards (2002) no longer reflect contemporary legal practice, nor prepare graduates for a profession increasingly being shaped by digital workflows, data and AI-enabled modes of service delivery. APLEC in conjunction with the LSC and LACC has initiated a national, evidence-based review, including a profession-wide Urbis survey, to define the generic skills required of entry-level lawyers. Reform should be driven by this data, ensuring competencies are realistic, relevant and pedagogically grounded. Structural change should follow, not precede this work.

3. Prioritise quality and pedagogical integrity over structural change

The LPAB's proposed structural reforms of shorter capstone courses, shifting training to firms and law schools and new compliance arrangements, are procedural rather than educational. Without clear and measurable learning outcomes such reforms risk being bureaucratic, incoherent, and ineffective.

4. Preserve the role and purpose of PLT

PLT bridges academic study and professional competence. Short, de-contextualised intensives cannot substitute for distributed, scaffolded, experiential learning (simulation + feedback + reflective practice + supervised workplace learning). Reducing PLT to task-drills weakens readiness and professional identity formation.

Academic and practical training serve distinct purposes; conflating them will dilute the profession's entry standards.

5. Cost, Time, and Quality Balance

While cost and access pressures are real, APLEC warns against false economies. Compressing or deregulating PLT simply to save money or time will inevitably erode quality. The ‘triple constraint’ principle of time, cost and quality must guide reform. Fee transparency, targeted financial support and competitive oversight are preferable to dismantling established, TEQSA-accredited programs.

6. Accessibility, Equity, and Diversity

Mandatory face-to-face or short intensive programs would disproportionately disadvantage rural, regional and remote (RRR) students, as well as those with caring responsibilities or limited financial resources. Reforms must preserve flexible, blended and online options to promote inclusion and professional diversity.

7. Risks and likely outcomes

The recommended option carries significant risks:

Educational quality risks: the loss of contextualised learning and scaffolded skill building likely decreases work readiness, and replacing accredited qualifications with ad hoc training and CPD modules would weaken educational standards and reduce transparency.

Systemic risks: If PLT is removed from TEQSA oversight or FEE-HELP eligibility, students will lose key protections and financial support. The professional risks national incoherence in admission preparation and portability.

Quality assurance must remain nationally consistent, with transparent provider standards and independent moderation.

8. Supervision and employer burden

Shifting training and assessment to employers is impractical for most practices. Most firms lack the capacity, time, or expertise to deliver structured training. This would likely lower new lawyer readiness and increase workplace strain, and disadvantage smaller firms and community practices.

9. APLEC’s role and recommendations

As the peak body representing PLT providers across Australasia, with over 50 years of expertise in practical legal education, APLEC continues to be an essential partner in designing sustainable, evidence-based reform that serves the profession and the public.

APLEC recommends that the LPAB:

1. Align NSW reforms with the national competency review led by LSC and LACC.
2. Define competencies first, and let structure follow clearly articulated learning outcomes.

3. Retain a distributed, scaffolded model of learning integrating simulation, feedback, and supervised practice over time.
4. Ensure equity and accessibility, particularly for RRR and financially disadvantaged students.
5. Maintain TEQSA accreditation and FEE-HELP eligibility to safeguard quality and affordability.
6. Prioritise teaching and learning coherence over structural change, defining intended learning outcomes before redesigning delivery models.
7. Undertake thorough modelling and costing to avoid unfunded burdens on students and employers.
8. Undertake a CPD framework review before relocating current PLT component to post-admission training.
9. Collaborate with APLEC to leverage existing expertise, research, and national networks and ensure coherent implementation.

In summary:

APLEC strongly supports national, evidence-based PLT reform that prioritises educational quality, professional competence, and equitable access. We caution against fragmented or premature changes that prioritise structural or administrative simplicity over professional formation, readiness, and public protection.

1. Introduction

APLEC, as the peak body of PLT providers, representing thousands of teaching and legal practitioners is pleased to submit feedback on the LPAB Discussion Paper.

It is APLEC's position that PLT reform is long overdue and required to reflect the changed competencies required of new lawyers since the current regulatory structure was developed in 2002. APLEC additionally acknowledges that real cost and access pressures exist across legal education and warrant solutions.

Review of PLT has commenced on a national basis and is a priority on the agenda of the LSC Admissions Committee and the LACC (the Committees). APLEC believes the national review presents the opportunity for world leading innovation in professional legal education. PLT reform should occur at a national level through the Committees, as intended by the Uniform Law. National consistency has been built over 20 years and should be upheld.

APLEC has concerns about the evidence base, feasibility and equity of the recommended option set out in the Discussion Paper, as well as the process undertaken to arrive at the option.

With depth and breadth of experience built over the past 50 years, APLEC is uniquely placed to work collaboratively with regulators to ensure PLT reform is both sustainable, and effective in achieving the intended outcomes.

2. Regulatory form that responds to the professions' needs

The Discussion Paper highlights that too much is currently being sought to be achieved under the existing PLT regulatory framework.

APLEC agrees and acknowledges that the current crowded regulatory framework does not support PLT providers to prioritise or indeed deliver training that adequately meets the needs of new lawyers and their employers. Reform is needed to ensure that PLT can prepare new lawyers to enter the profession with the skills needed to competently and confidently commence working as Australian Lawyers.

The Discussion Paper notes:

- the current Competency Standards in general are unrealistic and do not reflect what a PLT program can reasonably be expected to achieve (page 53)
- for the competencies that all law graduates must study (i.e. all competencies other than the two optional requirements) there is a total of 146 performance criteria (page 54)
- not only do the Competency Standards involve unrealistic expectations, they cover a range of areas which will not be relevant to many lawyers in their future practice (page 55)

The current LACC Competency Standards were informed by reports on the skills and values required for practice from several jurisdictions.¹ They were also informed by data that revealed the areas of practice in which solicitors in private practice were most engaged.

Additionally, the LACC Standards were informed by feedback from a wide range of stakeholders, including judges, admission boards, law societies, bar associations and individual legal practitioners.

APLEC believes that the LACC Competency Standards, developed in 2002, are no longer fit for purpose and must be reviewed. For this reason, APLEC commenced work on a collaborative national review in 2023.

On 7 February 2024, APLEC reported in writing to the Committees on its initiative to review the Competency Standards.

On 18 February 2025, the Committees considered APLEC's detailed research paper prepared to inform the Competency Standards Review and proposed a national survey of the legal profession. The research paper included a literature review on the identified skills for entry level lawyers in Australia and demonstrated the absence of a clearly articulated and evidence backed summary of the generic skills required on admission to the profession. APLEC sought support and funding for a national survey of the legal profession aimed at identifying those skills.

At the meeting on 18 February 2025, the Committees agreed to support the national survey proposed by APLEC. This has resulted in the Urbis survey, which at the time of writing, will shortly be disseminated in the field nationally, except in NSW. The survey will obtain the profession's perspective on the generic skills required on admission. This will form a sensible basis for education design, which must always begin with the intended learning outcomes. This is consistent with the LPAB's comment at page 101 that it is necessary to identify skills of a generic nature which all lawyers should possess prior to admission.

¹ American Bar Association: Taskforce on Law Schools and the Profession: Narrowing the Gap. (1992). Legal education and professional development – an educational continuum: Report of the taskforce on law schools and the profession: Narrowing the gap. Chicago: American Bar Association.

Australian Law Reform Commission. (2000). Managing justice: A review of the Federal Civil Justice System. (ALRC Report No.89.) Canberra ACT Australia: Australian Government Publishing Service

Committee of Inquiry into Legal Education in New South Wales. (1979). Legal education in New South Wales: Report of Committee of Inquiry. Sydney, NSW, Australia: Government Printer.

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Pearce, D., Campbell, E., & Harding, D. (1987a). Australian law schools: A discipline assessment for the Commonwealth Tertiary Education Commission: A summary. Canberra, ACT, Australia: AGPS.

Redmond, P. R., & Roper, C. (2001). Legal Education and Training in Hong Kong: Preliminary Review. Hong Kong: The Steering Committee on the Review of Legal Education and Training in Hong Kong. <http://www.hklawsoc.org.hk> Retrieved June 2003.

APLEC is disappointed by the LPAB decision to have withdrawn New South Wales from the national survey, which risks undermining the national process. The suggestion that participation might 'confuse practitioners' underestimates the intelligence of those it regulates. More troublingly, it may show a lack of confidence in its own processes. We would hope that the NSW LPAB would welcome, not avoid, the scrutiny and comparison that a national review provides.

APLEC continues to be of the view that persons who are admitted to the profession must have demonstrated an ability to practice law, either in a legal workplace or a simulated institutional setting, ie there is a continuing need for pre-admission practical legal training as well as pre-admission academic study. What that training might entail and how, when and where it is best delivered, can only be determined once we have determined the desired content and extent of that training.

The national survey about to take place will inform that determination.

3. Quality educational reform over structural reform

Meaningful reasoned reform demands comprehensive consultation with the full spectrum of students, academics, practitioners, the judiciary, professional bodies and public interest voices. The Discussion Paper's consultation appears weighted toward currently practising and senior lawyers, missing the perspectives of diverse career trajectories and the half of law students who do not pursue PLT or legal practice, which the paper claims miss out on PLT due to cost.

Further, the reform approach described in the Discussion Paper lacks strategic coherence and educational clarity. The approach places process before purpose, effectively 'putting the horse before the cart'. Instead of first defining what kind of lawyer the new training system should produce and what learning outcomes are required, the Discussion Paper is proposing redesigning structures, shortening timelines and redistributing compliance responsibilities without an articulated pedagogical philosophy, risking results which look more like bureaucratic rearrangement than educational renewal.

A haphazard, piecemeal process does several kinds of harm:

- It undermines public and professional confidence. Reforms rushed out of sequence, without clear consultation, transition plans or evidence signal reactivity rather than leadership.
- It confuses ends and means. By prioritising changes in delivery model (shorter capstone courses, CPD mandates) before clarifying measurable competence outcomes, the Discussion Paper mistakes structural reform for quality reform. The system cannot be improved by changing how long it takes, or how it is administered, unless we first define what excellence in new-lawyer education actually looks like.

- It disregards the transformative potential of students themselves. The Discussion Paper speaks as though education flows in one direction, from senior practitioners to trainees without recognising that new graduates are also ‘reverse mentors’.

Today’s students bring technological fluency, cross-disciplinary awareness and new understandings of data, AI and approaches to client experience that many senior practitioners do not have. The Paper frames students almost exclusively as skill-deficient apprentices rather than as co-contributors to the profession’s evolution. The failure to consult the student body is a significant deficit.

- It also fails to ask the question, ‘what are students actually achieving?’ Nowhere does the Discussion Paper seek to quantify graduate competence longitudinally. Educational success in the proposal is measured by attendance, hours and compliance rather than by what students actually learn and apply.
- Finally, it substitutes bureaucratic speed for intellectual rigour. The LPAB’s sequence of untested announcements, early start changes, reduced PLT days, new CPD rules suggests an absence of cohesive planning. Such episodic policymaking produces inconsistency, not reform and makes it impossible to evaluate cumulative impact.

In practice, genuine reform of legal education must begin with a whole of legal continuum approach. It must:

- define the capabilities and values of the 2030-ready lawyer;
- design educational and workplace structures to produce those capabilities;
- evaluate results through transparent, data-driven metrics;

4. National consistency

The Legal Services Council and the Admissions Committee has responsibility for the development of the Legal Profession Uniform Admission Rules and works cooperatively with admitting authorities in the Uniform Law jurisdictions, as well as with admitting authorities in other jurisdictions via the Law Admissions Consultative Committee (LACC).

APLEC contends that a nationally consistent approach to legal education and admission is beneficial to admitting authorities, regulators, educators and the profession, particularly national firms.

Accordingly, APLEC believes a national approach to reform, as is being conducted by the Committees, is the appropriate process for option identification and consultation. This process will no doubt include an examination of the LPAB’s recommended option. However, it should also gather national perspectives and considerations. NSW leadership should strengthen the national framework, rather than pre-empt it.

The Urbis survey of the national profession will collect data on to the national experience of PLT. It is APLEC’s expectation that the profession’s experience of PLT will vary from jurisdiction to jurisdiction

and it will be important to obtain a national picture of PLT, including the experience of students in programs not included in the NSW survey.

Additionally, the experience of supervisors of new lawyers nationally and from a wide range of practice areas and contexts will provide valuable insights and guidance to inform regulatory reform.

5. Cost, time and quality pressures

There is no doubt that the current regulatory framework in PLT contributes to the cost of delivery and therefore the cost to students. However, cost pressures exist across legal education and indeed across any professional training programs.

One year of full-time commonwealth supported undergraduate study in an LLB course currently attracts a student contribution amount of \$16,992 per year. JD courses' fees are not regulated, and JD fees are usually substantially higher than the LLB student contribution amount, up to \$50,000 per year at some universities. When compared with academic training, the cost to students of PLT is low, and the time and attention directed to students is high, with feedback on multiple submissions of simulated client work throughout the course and lower ratios of students to teachers than in most law schools.

The Uniform Standards for PLT Providers and Courses require PLT to be designed to:

- enable regular opportunities for interaction between students and teachers (either individually or in small groups);
- provide timely feedback from teachers to students;
- provide adequate supervision of students, where supervision is appropriate;
- convey the interactive, dynamic nature, and the cultural environment of, of legal practice

The volume of learning included in a PLT course is the equivalent of one year of full-time academic study delivered in a compressed timeframe. The compressed timeframe has evolved due to market pressures, including from firms eager to have their new lawyers admitted as early as possible. There are no regulatory requirements relating to minimum course duration.

The perceived value of PLT is impacted by its position at the end of legal training and the common reality of most students entering law school unaware of the further study required to qualify for admission.

APLEC welcomes the opportunity to simplify PLT regulation and improve the quality of outcomes by decluttering the curriculum to prioritise the essential skills, knowledge and value needed by all new lawyers on entry to the profession.

The concept of the triple constraint² is well known in project management and refers to the reality that time, cost and quality all sit in tension and it is not possible to reduce cost without compromising on quality, time or both.

The recent focus on the College of Law's \$180 million in reserves catalysed attention around affordability and access, but this financial context should not override nuanced system reform. Fee transparency, targeted regulation and competitive oversight would better serve access and equity than dismantling established programs with pedagogical value.

6. Pedagogical Integrity and Innovation

PLT reform presents a once in a generation opportunity for world leading innovation. What is needed now is not a procedural rewrite but a coherent learning framework that recognises students as active participants in, and not passive recipients of, the transformation of legal practice itself.

Reform should be driven by proven educational principles and global best practice, not merely a mirror of current legal practice or workplace traditions. Emphasis on face-to-face instruction and removal of online elements ignores the substantial evidence supporting the quality, flexibility, and security of digital learning. The recommended option in the Discussion Paper risks tethering legal and practice education to historical and outdated modes of practice, rather than equipping graduates for the ethical, technological and professional complexities that are shaping the future of the profession.

The potential of generative AI to enhance PLT should also not be ignored

The recommended option in the Discussion Paper also cuts repeat exposure and modular specialisation, thereby restricting the scaffolding methodologies that underpin deep skill acquisition in law and other domains.

Capabilities (professional skills) emerge only when learners have:

- Content: sufficient substantive knowledge and exposure to realistic matters.
- Context: time, sequencing, supervision, reflection and varied practice settings.

Skills cannot be mass-produced in a short, de-contextualised intensive. Compressing PLT into a 3-week capstone severs content from context, which undermines judgement formation, ethical reasoning, and favours students with time and financial means, amplifying inequity.

The impact of this approach would be to reduce PLT to discrete task-training, not professional identity formation. Even with AI absorbing routine tasks, the enduring core skills (analysis, communication, ethics, client-centred judgement and teamwork) still require iterative practice in real or simulated contexts. That trajectory, not a one-off event is what builds capability.

The current LACC PLT Competency Standards recognise the need for scaffolded learning by requiring providers to employ comprehensive methods, appropriate to post graduate training, to assess an applicant's competence in each relevant skill, practice area and value. Additionally, the Standards require a student's competence in any practice area to be assessed in a way that allows the student, at the same time, to further develop and to demonstrate competence in, relevant skills and values.³

7. Lawyer formation via professional legal education

The Discussion Paper carries several misplaced assumptions about the ease, interest and capability of:

- Law Schools integrating PLT components into the Academic Requirements as presently delivered; and
- Law Firms integrating PLT components into post-admission, in-house supervising and training, over and above the additional 2 days of CPD per year over 2 years proposed in the Discussion Paper.

Law Schools operate within a University/TEQSA framework which prioritises PhD and research qualifications and output well ahead of any professional capabilities or experience.

Working lawyers, while naturally performing supervision and mentoring roles, are not necessarily qualified (nor having the time and interest) to operate as specialist professional legal educators – as is necessary for any program of coherent skills development in the profession.

APLEC suggests that, perhaps contrary to the expressed goals of the Discussion Paper, the net effect of shifting PLT components into Law schools and Law firms would be:

- a 'floodgate' of applicants for admission to practice, given that any LLB or JD will effectively be sufficient qualification (with only the 3-week PLT add-on); and
- less capable entry-level lawyers for law firms to supervise and manage, including managing client expectations and risks.

Specifically, the Discussion Paper makes the following statements, which APLEC suggests are based upon misplaced assumptions:

- 'a number of the current compulsory and optional courses provided as part of PLT either replicate or overlap significantly with disciplines law schools are required to teach as part of the Priestley 11' (at page 6)

While any reference comparing the content descriptors of the Priestley 11 with the LACC PLT Competency Standards might allow for the above impression, there is in fact a very real and

^[2] Atkinson, Roger (December 1999). 'Project management: cost, time and quality, two best guesses and a phenomenon, its time to accept other success criteria'. *International Journal of Project Management*. **17** (6): 337–342. doi:[10.1016/S0263-7863\(98\)00069-6](https://doi.org/10.1016/S0263-7863(98)00069-6)

³ Law Admissions Consultative Committee Practical Legal Training Competency Standards for Entry-Level Lawyers, paragraph 4.6 [LACC - Practical Legal Training Competency Standards for Entry Level Lawyers](#)

substantial difference between ‘academic’ and ‘practical’ approaches to topics that appear to be the same.

Law schools follow a doctrinal and/or statutory ‘case-book’ traverse of fields of law - with assessment mostly focused upon exams asking students to apply the law to given facts and essays amplifying aspects of legal doctrine or exploring law reform. PLT providers start, as in professional practice, with a specific client situation (with uncertain or contested facts) and the need to navigate a process towards an outcome. These different approaches are presently ‘hard-baked’ into the distinction between ‘academic’ and ‘practical’ requirements.

APLEC relies upon the direct experience drawn from our members, which includes many teaching staff who have taught, for instance ‘Property’ or ‘Civil Litigation’ subjects at both LLB or JD level (under the Priestley 11, across a range of Law schools) and at GDLP level (under the LACC requirements). Both from a teaching and student learning perspective, there is a wide and significant gulf between the two - and the content and experience of those practice areas is entirely different.

- ‘The current PLT Competency Standards include mandatory content (for example in Property Law) which will not be relevant to many practitioners. They also include only a limited number of Optional Areas, not all of which and, in some cases, none of which will be relevant to many new entrants to the legal profession’ (page 6)

One purpose of PLT is to provide a foundation of common skills, (procedural) knowledge and values for entry-level lawyers. APLEC suggests that the question of content ‘relevance’ to future professional practice should not be tied so narrowly and tightly to the field of narrow speciality and expertise which a lawyer might only develop over the course of a career in the law. PLT students are at the stage of still grappling with where their future interests might sit.

Rather than framing relevance so narrowly, but while also recognising that narrow frame of reference as still applicable to some, the present approach would reframe the question of relevance to the following capabilities:

- the capacity to have some very basic familiarity with the processes, issues and technical language which arises in various fields of law outside their own present interest or existing knowledge (based entirely upon academic knowledge)
- the capacity to discuss legal issues with more specialist lawyers to the level of some basic proficiency - and refer work to other lawyers with some understanding of what they are being asked to do;
- the capacity to make a better-informed decision about the more specialised fields of law they might (or might not) wish to pursue in their future career as a lawyer and the options available to them;
- with the above in mind, we note that the demographic surveys of the profession conducted highlight that about half of all Australian lawyers work within:
 - Transactions-related practice areas; or

- Civil disputes-related practice areas.

The Discussion Paper critically and inadequately recognises that law students are only at a beginning stage of professional identity formation, where it is entirely appropriate for all entry-level lawyers to be exposed to a common foundation of skills, knowledge and values. By contrast, the option recommended by the Discussion Paper would serve to fragment this common base and create more problems for the profession than it resolves.

8. Accessibility and Equity

All reforms should avoid deepening private practice concentration, regional gaps and inequity. It is in the public interest to diversify the legal workforce and therefore workforce modelling and data-driven review should be embedded in the process to protect gender, socioeconomic, ethnic and neurodiverse representation in the legal profession.

To this end, it is essential that the composition of the panel developing options is drawn from a wider demographic, representative of the broad community that makes up the national legal profession. Consultations should also be as broad as possible. The legal profession benefits from the ability to attract a diverse range of people to meet the needs of our diverse community. It is also acknowledged that there is a shortage of practitioners based in rural, regional and remote areas.⁴

In both the process of determining the essential skills, attributes, knowledge and capabilities of newly admitted lawyers and in then developing the education model for providing the professional development of these capabilities, it is essential that recognition is given to the diversity of those entering the profession and the need to not put barriers in place to improve recruitment and retention of legal practitioners in rural regional and remote areas.

From a RRR perspective, a three-week face-to-face PLT, as the primary form of training raises issues of accessibility. Even if these face-to-face parts are provided in regional hubs (or if they are not), then RRR based law students are required to take three weeks off work, manage caring responsibilities and pay for travel and accommodation for three weeks in another location. Thus, this model precludes (or reduces accessibility) to any student who has caring responsibilities, cannot afford to take time off work and/or does not have the funds to pay for travel and accommodation. This model transfers the cost of participation from the course fee to the hidden costs, thus reducing accessibility to the profession rather than enhancing it.

Finally, APLEC contends that moving admission to occur immediately after a three-week capstone could create a divided profession. Graduates who secure positions in large firms will continue to receive structured, high-quality training. However, others, particularly those without outstanding academic results or professional networks will face far greater barriers. In an era of rapid AI encroachment into entry-level legal tasks, these graduates will be expected to perform at the level of a third- to fifth-year lawyer to compete for work, yet will have few accessible pathways to acquire that experience. This shift risks excluding capable but less-connected graduates, reducing diversity

⁴ Law Council of Australia, Rural, Regional and Remote Lawyers and Communities: National Strategic Plan, 13th November 2020

and equity within the profession and undermining on what should also be the objectives of the discussion paper.

9. FEE-HELP and TEQSA oversight

Similarly, if PLT is reconstructed so that it does not meet the TEQSA requirements for a Graduate Diploma, it will no longer be eligible for payment via FEE-HELP. This will be to the detriment of many students accessing the PLT even if the cost of say a three-week model is less than the present cost. For many students even a reduced cost would be insurmountable without a structured program of fee support. Further, even if the cost of the PLT component is reduced in fee terms, any additional components of professional development that are added in by Compulsory Professional Development providers will come at an additional cost that may end up costing very close to the cost of the current PLT. Is this cost to be borne by newly admitted lawyers or legal practices and how will this impact on accessibility to the profession for those who cannot meet these costs. Might it dissuade legal practices from taking on newly admitted lawyers? This model appears to be more relevant to large firms with internal educational resources (representing just 0.2% of the law practices in NSW) rather than in supporting the 63% of sole practices or 36% of practices with 4 or less principals⁵

It is also troubling to see the proposal to abandon a nationally accredited system of legal education overseen by TEQSA, the national regulator responsible for safeguarding quality and integrity in higher education, in favour of an informal, untested model with weaker standards and fewer protections for students. Given the challenges of critical issues such as digital capability, governance of AI and academic integrity, now is precisely the time when rigorous, accountable professional training is needed most.

10. Supervision

PLT evolved from the challenge of achieving consistent and competent professional development for new lawyers under the articles model.

APLEC is concerned about the requirement in the recommended option for employers to provide structured oversight and mentorship for new lawyers, which would be formalised through mandatory supervision reports, structured training plans, performance assessments (page 104).

The profession is under more pressure than ever before to deliver more for less, and the suggestion that it provide more time and quality mentorship to new lawyers is therefore unrealistic.

Changes to the LACC Competency Standards would achieve better outcomes, noting that most employers are expecting new lawyer competence to be higher level than entry level because they simply don't have the time to invest in developing new lawyers.

⁵ NSW Law Society, 2024 Annual Profile of NSW Solicitors,
https://www.lawsociety.com.au/sites/default/files/2025-06/2024%20Annual%20Profile%20of%20Solicitors%20in%20NSW_Final.pdf

If responsibility for parts of PLT was moved to the profession, this would require a clear and structured regulatory framework, as well as mentoring/coaching training and guidance to ensure the achievement of intended outcomes.

Any proposal to shift components of PLT into CPD presupposes that CPD is structurally capable of delivering skills-based, developmental learning. At present, it is not. CPD was not designed to support foundational professional formation, nor is it regulated, overseen or quality-assured in a way that ensures developmental progression, competency assessment or coherence of learning outcomes. CPD is currently time-based, not competency-based; providers are not required to demonstrate pedagogical alignment; and there is no mechanism for verifying whether learning has occurred, let alone whether graduates have met threshold standards for safe practice. Before any aspect of PLT is migrated to CPD, a review of the CPD framework, its purpose, standards, oversight and enforcement must be undertaken. Otherwise, the shift risks fragmenting early professional training and further entrenching inequities in the quality of learning available to graduates.

11. Collaboration with APLEC in PLT Reform

The Australasian Professional Legal Education Community Ltd (APLEC) has been the peak body representing PLT providers across Australasia since its formation in the mid-1970s. Over time, APLEC evolved from a collegial network into a formal, not-for-profit company limited by guarantee, with membership comprising accredited PLT providers across Australia, New Zealand, Papua New Guinea, Hong Kong, and the Pacific. APLEC's Board is comprised of volunteers drawn from these member organisations, reflecting the diversity and breadth of the profession across the region.

Driven by its core objectives to further professional legal education, encourage and organise publication and research in the field, and promote active cooperative among PLT providers, law schools, tertiary institutions, and professional bodies⁶, APLEC and its member organisations have built unique expertise in legal skills education over the past five decades. This expertise is continuously drawn from the broader Australian and Australasian region of legal communities, encompassing all areas and types of legal practice, from large commercial firms to community legal centres, and from metropolitan to regional practice settings.

APLEC is committed to supporting evidence-based legal education reform and the ongoing professional development of legal educators. APLEC is also a regular contributor to the ongoing debate around legal educational standards and admission criteria. Its annual conferences and professional development activities have become central forums for the exchange of ideas, innovation, and best practice in practical skills-based professional legal education.

APLEC's key role in legal education reform

⁶ Australasian Professional Legal Education Community Ltd (2023), 'Constitution', cl 6.
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Email: contact@aplec.asn.au ABN 97 836 490 102
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The establishment of PLT was itself a response to the inadequacies of the articles of clerkship system aiming to ensure that all entrants to the legal profession received robust, practice-oriented training.⁷ Since the inception of PLT, APLEC has played a pivotal role in shaping the standards and quality of PLT in Australia and beyond. In the late 1990s, APLEC, together with the Law Admissions Consultative Committee (LACC) led the creation and implementation of the National Competency Standards for Entry Level Lawyers (Competency Standards). These Competency Standards underpin the accreditation of all PLT courses in Australia and also serve as models for legal education in several international jurisdictions.⁸

APLEC was also instrumental in the development of Accreditation Standards for PLT Courses, which have been adopted by admitting authorities across Australia to ensure a uniform approach to the accreditation and reaccreditation of PLT providers. APLEC's leadership in these areas works to ensure that PLT in Australia remains rigorous, relevant, and responsive to the needs of the profession and the community.

To that end, APLEC strongly agrees that the Competency Standards, which were developed in 2002, are now out of date, no longer reflect the reality of the modern legal profession, and are no longer fit-for-purpose. Since 2002, significant changes in legislative frameworks, regulatory requirements, business practice, and technology have impacted educational delivery, student outcomes, and the needs of the profession. Whilst APLEC and its members have continuously adapted course content and educational delivery to meet these changes and to continue to provide relevant and practical education in legal skills, more substantial and comprehensive reform is required.

It is with this motivation that in 2023 APLEC formed its own internal multi-jurisdictional, working group comprised of representatives from across APLEC's member organisations to investigate and recommend a new suite of PLT competencies which are both evidence-based and reflect the realities of contemporary legal practice.⁹

In 2024 the APLEC Working Group approached the LSC's Admissions Committee and the LACC (the Committees) for its support in this project, including support for a National Survey to obtain data, currently unavailable in Australia, relating to the skills of a generic nature which all lawyers should possess prior to admission.

APLEC continues to collaborate with the Committees in the national review of PLT and the competencies currently being undertaken by those bodies.

The challenge of PLT reform

As the LPAB Discussion Paper acknowledges, legal education, including PLT, exists within a complex regulatory landscape incorporating multiple demands. These demands extend beyond

⁷ Young, L. K. (1989). The practical training course curriculum: Meeting the needs of the students. *Journal of Professional Legal Education*, 7(1), 39-54.

⁸ Australasia Professional Legal Education Community Ltd, 'About APLEC – Our History'. Accessed on 16 October 2025 at <https://aplec.asn.au/about/>

⁹ Australasia Professional Legal Education Community Ltd, 'About APLEC – Current Projects'. Accessed on 16 October 2025 at <https://aplec.asn.au/about/>

only addressing the profession's expectations for practice-ready graduates. PLT must also satisfy state and territory admission authorities' requirements; it must address all 146 individual learning outcomes prescribed in the Competency Standards (regardless of the appropriateness of those learning outcomes) and it must do so in a way that can be balanced with full-time work for the majority of students; it must satisfy the needs of students by providing an accessible, standardised (yet somewhat tailorable), affordable, scalable, national yet jurisdiction-specific, flexible, and effective educational experience; it must also provide a consistent and reliable education for all students including those who go on to be employed in workplaces with a less-than-model supervisor and mentor willing to spend time teaching the student the fundamental skills necessary to practice law; and it must also meet educational standards set by the Tertiary Education Quality and Standards Agency (TEQSA). This regulatory complexity creates significant challenge and constraint.

With the depth and breadth of experience in addressing the needs of the legal profession while adapting to legislative, business, technological and regulatory frameworks built over the past 50 years, APLEC is uniquely placed to help to ensure regulatory reform to PLT is both sustainable, and effective in achieving the intended outcomes.

APLEC's unique expertise in professional legal education

Educators within APLEC's member bodies bring an interdisciplinary perspective to the teaching of professional legal education that bridges the worlds of legal practice, and academic legal education. This places APLEC in a unique position. Educators employed within APLEC's member organisations have extensive experience in legal practice prior to becoming PLT educators, and many educators continue to simultaneously hold roles in both legal practice and education. This ensures a deep and ongoing connection between APLEC, its member organisations, and the current practice of law. This practical foundation also ensures APLEC possesses a genuine understanding of the realities of legal work and the business of law including the pressures of client service, the complexities of matter management, the ethical dilemmas that arise in practice, as well as the technical skills and legal knowledge which are required to deliver competent legal services.

PLT educators have significant experience in legal practice along with skills and passion for educating, mentoring and championing students and early career lawyers. This unique combination of characteristics is rarely found outside professional legal education. As such, APLEC is an indispensable partner in developing regulatory frameworks that genuinely centre on early career lawyer needs, serve the profession, and protect the public interest.

Beyond the expertise of individual educators, APLEC and its member organisations maintain extensive and ongoing relationships with the legal profession. Through advisory boards, industry consultations, graduate feedback, and feedback from the profession on graduate performance, APLEC gains direct insight into the capabilities, knowledge, and professional attributes that employers expect from newly admitted practitioners. These ongoing relationships inform all aspects of APLEC's work including its advocacy for reform to PLT to ensure PLT remains relevant, practical,

and aligned with genuine professional needs, while meeting the standards which are ensured by the scope of professional and educational regulation.

APLEC's member organisations also possess substantial knowledge in educational design, learning principles, assessment methodologies, and curriculum development. This ensures that APLEC has a strong understanding of how to structure learning experiences that effectively translate theoretical legal knowledge into practical capability, recognising that teaching adults to perform complex professional tasks requires fundamentally different approaches than traditional university legal education.

The case for partnership in reform

Given its unique position as the collective voice of PLT providers and its proven track record in developing, implementing, and modernising national standards, APLEC is an essential partner in any reform of PLT. APLEC brings together the expertise, experience, and perspectives of those directly responsible for delivering PLT, ensuring that reforms are practical and workable.

Collaboration with APLEC will ensure that any changes to PLT are informed by the best available evidence, benefit from national and international benchmarking, and are implemented consistently across Australian jurisdictions. APLEC's commitment to innovation, quality, and inclusivity in legal education makes it an indispensable stakeholder in the ongoing evolution of legal training and admission standards.

12. Conclusion

APLEC strongly supports the need for reform of Practical Legal Training in Australia. However, reform must be evidence-based, nationally consistent, and educationally coherent, rather than driven by localised structural preferences or untested delivery assumptions. The national review of competency standards currently being conducted through the Legal Services Council Admissions Committee and the Law Admissions Consultative Committee is the appropriate mechanism through which reform should be progressed. Any changes in New South Wales should align with, rather than pre-empt or fragment, this national process.

The model proposed in the Discussion Paper presents significant risks:

- Educational quality risk: Compressing skill development into short intensives risks the loss of contextualised, scaffolded learning, producing weaker readiness for practice.
- Systemic risk: Divergence from the national framework undermines portability, coherence, and public confidence in admission standards.
- Reputational risk: Recasting PLT as a 'task-drill' phase diminishes its role in professional identity, ethics, judgement and values formation.
- Operational and cost risks: The proposal relies on unfunded expectations of providers and students, without addressing delivery logistics or resourcing.

If elements of PLT are to be shifted into CPD, this cannot occur without first undertaking a review of CPD itself. CPD is currently time-based, variably regulated, and not designed to support developmental competency formation or assess professional readiness. Relocating foundational professional training into the least regulated part of the system would weaken, not strengthen, standards of admission.

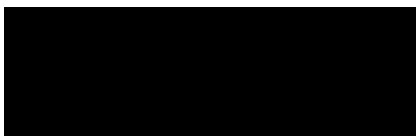
Effective reform should instead:

- Maintain national uniformity in competency frameworks and accreditation.
- Preserve distributed, scaffolded learning over time—for example, immersive induction, iterative skills practice, reflective learning, and supervised workplace experience.
- Ensure equity guardrails, including multiple modes of delivery, regional and remote access, and targeted financial support.
- Strengthen quality assurance through transparent provider standards, consistent moderation, and independent oversight.
- Ensure cost realism and avoid unfunded mandates that shift the burden onto students or providers.

APLEC urges that reform be guided first by a clear articulation of the competencies required of the 2030-ready lawyer, informed by national data and broad consultation across the profession, judiciary, employers, students, and educators. Structural decisions should follow from and be justified by this competency framework, not precede it.

APLEC reiterates its commitment to working collaboratively with the LPAB, the national committees, and the wider profession to achieve a coherent, sustainable, and internationally credible system of legal professional education. With over five decades of experience and deep engagement across the sector, APLEC stands ready to contribute to reform that strengthens not destabilises the pathway to producing competent, ethical, future-ready lawyers for all of Australia.

Yours sincerely



Shirley Southgate

Chair

On behalf of the Board of APLEC