

Australian Clinical Legal Educators' Network

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Legal Services Council
Legal Admissions Consultative Committee

By email: submissions@legalservicescouncil.org.au

Submission on the *Review of Practical Legal Training*

This submission has been developed by the Australian Clinical Legal Educators' Network (ACLEN). We welcome the opportunity to respond to the Legal Services Council and Law Admissions Consultative Committee *Review of Practical Legal Training* (April 2026) ('LACC Review').

ACLEN is a group of academic teachers, clinical legal supervisors, legal practitioners, and others interested in promoting dialogue and awareness of the contributions the clinical methodology can make to teaching law and practice. As such, we are very interested in both legal education and the development of the legal profession. We have expertise across the university sector, the teaching of law, and the practice of law. As many clinical programs in Australia collaborate with the community legal and legal aid sectors, we have a particular interest in access to justice and in the future legal profession's ability to meet legal needs.

Reform of the practical legal training ('PLT') program is overdue. The results of the recent nationwide survey make that abundantly clear.¹ We wholeheartedly support the increased focus on practical opportunities to develop knowledge, skills, and values as an essential part of legal education in Australia. As clinical legal educators, we are uniquely positioned to deliver important skills-

¹ Urbis, *National Practical Legal Training Research: Survey Research Report* (March 2026) ('Urbis Report')
<<https://legalservicescouncil.org.au/documents/highlights/national-plt-research-report-march-2026.pdf>>.

focused legal education. We approach this response through the lens of our experience and perspectives as clinical legal educators.

This moment presents an opportunity to undertake a root-and-branch reform of the entire continuum of legal education. Reactionary and piecemeal reforms have the real potential to make things worse than they presently are.

We observe two central planks of the proposed PLT reform that are relevant to clinical educators. The first is reducing the coursework component to 4 weeks (plus a week of pre-reading), to be delivered in person, except in exceptional cases². This is to be achieved by moving some practical knowledge and skills training into the foundational law degree, in addition to the existing Priestley 11 requirements.³ The second is a minimum of 15 days of legal workplace experience⁴, which may include work completed during a foundational law degree, such as in a legal clinic.⁵

Following this introduction, our submission comprises six parts. In the first part, we address the proposal to reduce the PLT course to 4 weeks of contact teaching and some issues that flow from that. In the second part, we address the proposal to shift some practical skills training from PLT to foundational law degree programs. In the third part, we discuss the benefits and constraints of clinical legal education in the context of the proposal to increase the use of clinical teaching methods in PLT. The fourth part discusses some of the issues arising from the proposal to mandate in-person PLT instruction, allowing for only limited exceptions. In the fifth part, we make some observations regarding the pre-admission workplace experience requirement. The sixth part provides our concluding remarks.

² Legal Services Council and Law Admissions Consultative Committee, *Review of Practical Legal Training* (Report, April 2026) ('LACC Review'), 45 <<https://legalservicescouncil.org.au/content/dam/dcj/legal-services-council/documents/highlights/consultation-paper-review-of-plt-april-2026.pdf>>.

³ LACC Review (n 2) 36–37. It is also noted that the LACC Review also suggests the incorporation of some practical skills training after admission, which is referred to in the LACC Review as Post-Admission Legal Training (or PALT), which is beyond the scope of this submission.

⁴ LACC Review (n 2) 48.

⁵ LACC Review (n 2) 50–51.

1. Reducing the PLT course to four weeks

Suggesting that a revised PLT course could be taught in 4 weeks, with one week of pre-reading, is premature. How can we know how long the course needs to be until what needs to be taught is established? What needs to be taught in the PLT course is largely dependent on what the law schools are able or willing to absorb.

If the substantial content identified to be removed from the current PLT is intended to be taught and assessed in a foundational law degree, what assurance is there that this has occurred to an appropriate level? What transitional arrangements need to be explored?

It is acknowledged in the LACC Review that a standalone PLT course of this length would not be eligible for FEE-Help. Although the consultation paper anticipates that the course fees would be substantially lower, as the course would be far shorter, there is no proposal for a substitute loan scheme for all students who wish to access it or for comprehensive needs-based scholarships for students to access the PLT program of their choice.⁶

Students' course fees will likely need to be paid in advance, which may not be financially viable given the extra costs of a mandatory four weeks away from work or other commitments, plus travel and accommodation for students who do not live close by. This will only exacerbate the financial hardship already experienced by students from less-affluent backgrounds.

PLT providers would continue to determine their in-person course locations. Currently, this is limited to capital city locations in most jurisdictions. There are no proposals to increase in-person delivery in regional areas. Safety nets must be achieved and sustained to avoid penalising students who are not situated near course locations or who need flexibility to balance their work, family, or other commitments.

⁶ Alternatively, fee relief could be provided through substantial fee rebates offered to students who take up positions at community legal centres or Legal Aid offices for a set period of time after qualifying, or even complete fee waivers where the student takes up a position in a rural or remote area.

2. Reallocating practical knowledge and skills training into the law degree

The law degree is already crowded in programs offered by most law schools, and the cost to students is a major factor. What comes out to make room for this additional training?

The consultation paper suggests that current teaching and assessment in Priestley units would be supplemented by the addition of teaching and assessment of additional specified practical content. This seems impractical considering the demands of existing Priestley requirements, class sizes, and logistics. A less prescriptive approach is preferable, leaving law schools to design their programs so students can meet the requirements.

Furthermore, many, if not most, Australian law school faculties prioritise academics with PhDs over practitioners, so it is unclear who will teach and assess these practical skills to an acceptable standard. If this is simply a request that law schools do more within their already crammed curriculum, relying on goodwill from the legal profession and retired practitioners, it is hard to see how the outcome would be better than the existing providers, who have been developing their courses for decades and have dedicated and well-trained staff delivering them.

Noting that some students undertake a law degree with no intention of practising as a lawyer, it may be possible to include a practical skills unit as an elective for those students who do wish to practice. However, this presents practical difficulties, as elective unit numbers are often capped and run a limited number of times per year. What happens to students in larger law schools who wish to practice but are unable to enrol in this elective, or smaller law schools who lack the resources to provide these units each teaching period?

3. Clinical legal education

We believe that clinical programs can play a crucial role in the formation of 'practice-ready' law graduates. Clinical legal education is more than skills development; it is a fundamental educational approach that strengthens learning by situating it clearly within the context the learning is intended to serve. In doing so, it provides a unique learning environment for students to not only develop the legal practice skills they need, but also to understand why they are important, what they can achieve when executed well, and the ethical impacts of their practice.

Clinical Legal Education can:

- Turn passive knowledge into active knowledge by requiring students to use the knowledge they have gained from law school
- Develop communication skills and, in particular, the skill of listening and understanding the context of their clients, a crucial element of good legal practice.
- Develop ethical and reflective practice in students, better equipping them for practice and a sustainable legal career.
- Provide a first-hand experience of the ways in which the legal system functions and fails, the way it denies some while benefiting others and how real people deal with these issues.

More clinical legal education within law schools (and PLT for that matter) would not only increase the skill level of our graduates but also develop those important professional skills within institutions set up to provide the supervision, scaffolding and support for students. However, steps must first be taken to adequately resource such an initiative.

Clinical programs are resource-intensive. Many law schools, law students, and partner organisations (mainly reflecting non-profit legal assistance services and initiatives) do not have the resources to implement or participate. Resource limitations apply to all three, as evidenced by:

- Lack of a clinical legal education guarantee by most Australian law schools. Instead, for most, only a small fraction of students has an opportunity to participate.
- Low law school expenditure on arrangements with non-profit legal service partners. Where there are partners, they are generally selected for low logistics and low cost, resulting in unacceptable patterns of urban concentration and legal inclusion, mainly perceived through an urban lens.
- Very limited access by law students to financial assistance to participate, resulting in barriers that operate against greater diversity and legal inclusion of regional, rural, remote and very remote (4Rs) areas from perspectives, contexts and issues in these areas.

By way of contrast, the American Bar Association mandates that an accredited law school must:

...provide substantial opportunities to students for:

- (1) law clinics or field placement(s);
- (2) student participation in pro bono legal services, including law-related public service activities; and
- (3) the development of a professional identity.⁷

There is no such requirement in Australia, which is noteworthy given the proposal to transfer practical knowledge and skills training into the foundational law degree.

Furthermore, clinics tend to be small and require intensive supervision. A ratio of 1 legal practitioner supervisor to a maximum of 8 students is recommended, taking into account the supervisor's other academic responsibilities.⁸ Expansion of clinical legal education presents a real opportunity to play a significant role in teaching practical skills in a foundational law degree (and in PLT), but the question of resourcing these clinics cannot be ignored.

4. Mandating in-person PLT attendance

The proposal to mandate that students complete PLT coursework in person needs more consideration. The LACC Review only superficially explains why this might be beneficial. For instance:

The national survey found graduates who completed their PLT in person reported significantly higher levels of satisfaction. This suggests that an in-person learning environment helps to facilitate student learning and participation. In-person learning may help engagement and build connections and networks within the legal profession. Some teaching methods and assessments (e.g. advocacy, moots) may also be most effectively delivered in person.⁹

It is not clear how student satisfaction correlates (if at all) with their learning or participation. Student satisfaction ratings alone are not a

⁷ American Bar Association, *Standards and Rules of Procedure for Approval of Law Schools* (2025-2026) Standard 303(b) <https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2025-2026/>.

⁸ Adrian Evans et al, *Best Practices: Australian Clinical Legal Education* (2012) <<https://cald.asn.au/wp-content/uploads/2023/11/Best-Practices-Australian-Clinical-Legal-Education-Sept-2012.pdf>>.

⁹ LACC Review (n 2) 45.

sufficient basis to conclude that in-person teaching is the only way forward. Regrettably, the LACC Review does not engage with any scholarship on the subject. Studies have shown that online delivery is at least as effective, and in some cases, slightly more effective than in-person delivery.¹⁰ Without evidence of a tangible pedagogical benefit, it is difficult to escape the feeling that the insistence on in-person delivery is no more than thinly veiled parochialism.

Currently, most PLT providers in Australia who offer an in-person course option do so only in a capital city. There is no 'service guarantee' or PLT-provider incentive structure for in-person courses in regional areas. The LACC Review does not consider this and does not explore or propose any arrangements to achieve in-person PLT coursework availability in regional areas.

The LACC Review acknowledges that the in-person mandate will impact students from regional and remote areas, as well as those with disabilities or caring responsibilities.¹¹ The Review goes on to suggest that those students should be allowed to apply for an exemption from the PLT provider, to be considered on a case-by-case basis. Forcing students to seek permission and face scrutiny from PLT providers for their personal arrangements is deeply unsatisfactory and possibly discriminatory.

5. Workplace experience component

It is very common for PLT students to be working in legal sector roles, both before and while studying PLT. The *National Practical Legal Training Research* conducted by Urbis (Urbis Report) noted that:

A very large proportion of graduates had previous legal sector experience, with almost three-quarters (72%) of respondents reporting having worked as a paralegal or similar prior to commencing PLT studies. Only 12% of respondents reported having not worked in legal or other professional service roles prior to PLT. A similar proportion of respondents (80%) reported working in the legal profession while undertaking their PLT coursework, with

¹⁰ See eg, Yanqung Xiong, Shixin Fang and Menghan Shen, 'Meta-analyzing the effect of online learning on academic achievement in higher education during COVID-19 pandemic' (2024) 33(2) *Interactive Learning Environments* 1712; Garry John Stevens et al, 'Online university education is the new normal: but is face-to-face better?' (2021) 18(3) *Interactive Technology and Smart Education* 278.

¹¹ LACC Review (n 2) 45.

two-in-five (40%) in graduate positions and almost one-quarter (24%) working as a paralegal.¹²

The Urbis Report goes on to observe that:

Those graduates with previous legal experience were generally satisfied with the usefulness of PLT workplace experience compared with their previous experience (60% net satisfaction). This view was shared by supervisors, with 73% agreeing that PLT workplace experience supports graduates to develop their legal skills.¹³

This statement suggests a possible misunderstanding on the part of the Urbis researchers. Namely, that the previous legal experience and the PLT workplace experience are distinguishable phases. However, according to the Urbis data, 58% of graduates continued working for the same firm. Intuitively, this makes sense: a law graduate working as a paralegal at a law firm while studying for their foundational law degree is likely to continue working at that same firm during PLT.

The PLT provider, generally, has no direct role in providing the supervised legal practice, other than to mark it complete when the student submits a satisfactory record of hours and any other associated assessment tasks (such as a reflective journal or similar). The exception to this would be in-house clinical legal workplace experience programs, embedded in the PLT program. For instance, in Curtin University's PLT program, students have the option to undertake a 40-day clinical legal workplace experience placement at the John Curtin Law Clinic. While at Murdoch University, a tiered clinical model is used, in which students who have completed an undergraduate clinic can return to complete PLT placement hours.

While some PLT providers already offer an 'in-house' option for students to complete their PLT workplace experience, there is no uniform availability across PLT providers. This is an obvious gap that clinical programs could potentially fill. However, the resourcing constraints noted above come sharply into focus when the proposal involves potentially mandating clinical workplace experience in PLT.

There is an argument that workplace experience should not form part of the pre-admission PLT requirements at all.¹⁴ The Urbis Report

¹² Urbis Report (n 1) 7.

¹³ Urbis Report (n 1) 7.

¹⁴ Rob Lilley and Jim McMillan, 'After Law School: A Critical Evaluation of Practical Legal Training in The Australian Context' (2024) 2 *Western Australian Law Teachers' Review* 1, 8.

notes that around a quarter of survey respondents undertook unpaid or 'reduced rate' placements. Of those students undertaking unpaid or low-paid placements, 70% reported a 'moderate to severe impact on their financial situation' as a result of their PLT workplace experience.¹⁵ The Urbis Report goes on to note that:

It was suggested that unpaid placements could create a barrier to entry into practice and reduce the diversity within the profession, disadvantaging those who do not have existing relationships within the profession or were not able to work during their studies.¹⁶

This issue is, of course, shared by legal clinics, as the scant funding available for such programs does not extend to providing any sort of remuneration for students or graduates undertaking work experience. This makes lengthy clinical placements difficult and a potential barrier to entry for students who need to work to support themselves and their families.

6. Conclusion

PLT reform is desperately needed and well overdue. This moment presents a real opportunity for meaningful, holistic reform of the entire legal education continuum, grounded in evidence and informed by international perspectives. However, reactionary and underdeveloped reforms risk making things worse rather than better. It is important that the loudest voices in the legal profession do not drown out the expertise of the legal educators at the front line of designing and delivering law courses. For this reason, ALCEN strongly supports the proposals to establish working groups of suitably qualified educators and experts to:

- (a) explore how clinical models of legal education could be employed, not just in PLT, but in legal education in general¹⁷; and

¹⁵ Urbis Report (n 1) 7.

¹⁶ Ibid; the same effect was noted by Lilley and McMillan (n 14) 8.

¹⁷ LACC Review (n 2) 62, consultation question 20.5. Please note that the consultation question is limited to PLT, whereas our submission is that these reforms cannot be considered in isolation and that wider consultation and reform are needed, including of the foundational law degree.

(b) develop additional guidance and resources for supervisors of lawyers in their supervised legal practice and consider regulatory reform.¹⁸

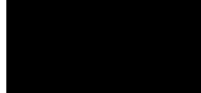
These working groups should be formed as soon as possible and certainly before any decisions are made about the final form of any future PLT course.

Attention must also be given to ensuring that reforms do not inadvertently narrow pathways into the profession, as maintaining and enhancing diversity is critical to a legal system that is accessible, trusted and capable of supporting access to justice and the rule of law.

Clinical training is a very important piece of the legal education puzzle. The proposals to increase clinical legal education in both the foundational law degrees and PLT are welcome, but adequate funding and staffing are crucial to properly deliver clinical education at scale. Without first answering those questions, the consultation on expanding clinical offerings (whether in law degrees, PLT, or both) puts the proverbial cart before the horse.

We would welcome the opportunity to contribute further to this conversation, whether as part of any working groups established in accordance with the proposal within the LACC Review or otherwise.

Yours sincerely



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¹⁸ LACC Review (n 2) 64, consultation question 21.2.

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