

13 May 2026

The Hon Justice François Kunc
Chair
Law Admissions Consultative Committee
Legal Services Council

By email: submissions@legalservicescouncil.org.au

Dear Justice Kunc,

Review of Practical Legal Training – April 2026 Consultation Paper

The Council of Australian Law Deans (CALD) welcomes the opportunity to provide this submission in response to the Consultation Paper regarding the proposed Review of Practical Legal Training.

CALD represents Australia's university law schools, and is committed to the ongoing quality, integrity and accessibility of legal education in Australia. We support reform of the regulation of legal education where reform is warranted. However, we are strongly of the view that reform in this area must be undertaken cautiously, collaboratively and with careful attention to the legal education continuum as a whole.

CALD has encouraged individual law schools to respond directly to the consultation questions, particularly on matters that depend upon institutional requirements, local capacity and existing program structures. This submission therefore focuses on matters of overarching importance to Australian law schools and law students.

1. A continuum-based and collaborative approach to reform

CALD supports reform that is grounded in sound pedagogical principles and developed through genuine collaboration across the legal education sector. In our view, reform of PLT cannot, and should not, overwhelmingly drive reform of the law degree and post-admission training.

The Consultation Paper is explicitly focused on PLT. While it recognises the broader continuum of legal education, CALD is concerned that the reform proposals risk producing ad hoc changes to the law degree driven primarily by the objective of restructuring PLT, rather than by a coherent, evidence-based vision for legal education as a whole. The two Urbis surveys that inform the Consultation Paper clearly address only a part of the legal education continuum (i.e. PLT) and attempts to respond to their specific findings may involve trade-offs and adverse consequences for other parts of the legal education continuum (e.g. the law degree) that were not the subject of either exercise.

CALD considers that a more appropriate model for reform is a cautious, sector-wide process that explicitly addresses the law degree, PLT and post-admission training together, informed by contemporary scholarship on legal education and professional formation as well as the expectations of the legal profession. In this regard, CALD notes the value of earlier collaborative initiatives that sought to take a system-wide, future-focused approach to legal education reform, such as the 'Australian Legal Education: 2030 and Beyond' project, and considers such an approach preferable to rushed or piecemeal change.

2. Incorporating practical skills into law degrees (Proposal 1)

CALD is supportive, in principle, of embedding practical legal skills within the law degree. Australian law schools have, over many years, progressively expanded experiential learning opportunities, skills-based assessment, and clinical offerings.

However, CALD has significant concerns about the manner and pace in which this proposal is currently framed.

First, incorporation of additional practical skills content is not a simple curriculum adjustment. It necessarily requires difficult trade-offs with existing doctrinal, theoretical and contextual content that remains essential to a rigorous legal education aligned with the prescribed areas of knowledge. These decisions must be made deliberately, not hastily, and with appropriate regard to the diversity of law school missions and student cohorts.

Secondly, the proposal has substantial staffing implications. Skills-based teaching requires suitably qualified and experienced instructors, and cannot realistically be delivered at scale through ad hoc reliance on practising lawyers. Many law schools would need to reconsider their staffing profiles and undertake new recruitment. This is particularly challenging in the current regulatory environment governing university employment, including heightened scrutiny of casual and sessional staffing arrangements.

Finally, CALD is concerned that the proposed skills schedule reflects an insufficiently broad engagement with the substantial literature on the skills required of 21st-century legal practitioners. A robust approach would require deeper engagement with existing pedagogical research on skills development and assessment, as well as on the contemporary and future needs of legal practice, rather than rapid alignment with a fixed schedule developed primarily for PLT purposes.

3. Implementation timing for law degree changes (Proposal 1.3)

CALD does not consider the proposed 2028 implementation date to be feasible for many, if not most, Australian law schools.

In practical terms, law schools will not be in a position to commence substantive program redesign until the new regulatory framework is finalised and settled. On current timelines, this is unlikely to occur before the second half of 2026. Adoption by individual admitting authorities may extend into 2027.

Following this, many universities require lengthy internal approval processes for curriculum changes. These processes typically involve multiple stages of academic governance, external consultation, and compliance checking, and commonly take 12 to 24 months to complete. In parallel, where new skills-based subjects are proposed, recruitment of appropriately qualified staff would also be required.

Taken together, these factors make it highly unlikely that revised LLB or JD programs could realistically be ready for student intake by early 2028. The risk is that law schools will be forced either to implement sub-optimal transitional arrangements or to divert substantial resources away from educational quality to meet the deadline.

4. PLT Competency Standards and in-person delivery (Proposals 2.1, 5.1, 17.1)

CALD does not wish to comment in detail on the proposed revisions to the PLT Competency Standards, leaving those matters to PLT providers. However, CALD is concerned about proposals mandating in-person delivery of PLT (and post-admission training) except in limited exceptional circumstances.

While CALD recognises evidence suggesting higher satisfaction with in-person delivery for some cohorts, a prescriptive requirement risks creating significant equity barriers. Many law students are located in regional, rural or remote areas, have caring responsibilities, live with disability, or lack the financial capacity to relocate or travel for extended periods. For these students, high-quality online or blended delivery is not a matter of convenience but of access and equity.

Given the significance of these issues and the greater number and diversity of law graduates (relative to earlier eras), a compelling case for an insistence on concentrated in-person delivery is required. Such a case is not provided by the LACC and LSC's commissioned research. The *National Practical Legal Training Research – Survey Research Report* reveals that 51% of graduates were satisfied with the delivery method of their PLT course and only 26% recorded dissatisfaction. While the correlation between in-person and satisfaction was high (at 78%), the lower satisfaction reported by those who completed PLT in hybrid mode (49%) and fully online (43%) is not definitive that mode of delivery is itself, or even predominantly, the factor to seize upon. In any event, prohibiting rather than more closely regulating online delivery may not be the most appropriate solution, given the serious financial and logistical impediments to accessibility to legal education that necessarily ensue.

If concerns exist about the quality of online delivery, CALD submits that those concerns should be addressed through improved regulation and quality assurance of online delivery, not by prohibiting or unduly restricting it.

5. Duration of PLT and pressure on the law degree (Proposal 3.1)

CALD is concerned that a substantial reduction in the duration of PLT will inevitably increase pressure to push additional content into the law degree, without sufficient consideration of the implications for curriculum balance, staff workload, and student learning.

CALD supports thoughtful reform of PLT but cautions against changes that simply displace responsibility elsewhere in the education continuum without ensuring that institutions have the time, resources and pedagogical capacity to absorb those changes appropriately.

6. Removal of AQF alignment and FEE-HELP eligibility (Proposal 4.1)

CALD has concerns about proposals that would result in PLT no longer being delivered as an AQF-aligned qualification and therefore no longer eligible for FEE-HELP.

First, removal of FEE-HELP eligibility would have clear and adverse implications for equitable access to the legal profession. Law graduates from lower socioeconomic backgrounds rely on income-contingent loan schemes to manage the cost of entry to the profession. Requiring upfront payment for PLT risks entrenching existing inequalities and narrowing the diversity of the future legal profession.

Secondly, CALD is concerned that this change may reduce the number of university PLT providers. Such providers may determine that it is no longer financially viable to offer PLT – particularly with substantially

increased costs as an in-person course – at a price point students can afford without FEE-HELP support, potentially reducing competition and choice.

It is not reasonable to assume in respect of both these concerns that PLT will continue to be offered as a Graduate Diploma or Certificate by some providers. Market forces will ultimately ensure that those able to cater to the minimum standard at scale will eclipse other providers, including those operating high-quality bespoke programs.

Moreover, experience in other regulated training markets demonstrates that once a qualification is removed from TEQSA oversight, low-overhead RTOs inevitably enter the space to undercut established providers, free from the institutional scrutiny that the higher education framework demands, with the long-term consequence that the quality and integrity of training is diminished rather than enhanced. The entry of new players would also place a further regulatory burden on the system.

7. Indigenous cultural competency

CALD also draws attention to concerns raised by Indigenous legal academics via its First Peoples Partnerships Working Party. While the paper acknowledges the importance of cultural competency, it does not meaningfully engage with the substantial body of scholarship on Indigenous cultural competency in legal education and professional standards. The proposed Skills Schedule frames communication skills in generic terms of cultural difference, which, while important, does not adequately recognise the unique status of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia, nor the enduring impacts of colonisation that continue to shape Indigenous peoples' interactions with the legal system.

CALD supports the inclusion of skills relating to working with culturally and linguistically diverse clients, but it considers this insufficient on its own. Indigenous cultural competency should be expressly recognised as an essential capability for Australian lawyers, to be developed deliberately and appropriately across the continuum of legal education and professional training.

8. Regulation of non-AQF courses and overlap with TEQSA (Proposal 4.2; Proposal 6.2)

CALD does not support the establishment of a separate regulatory framework by the LACC for non-AQF courses that would apply to universities, which are already comprehensively regulated by TEQSA.

In addition, CALD considers that issues of academic misconduct should continue to be addressed through existing university and TEQSA-aligned processes, rather than being incorporated into PLT Standards. Inclusion risks unnecessary duplication and uncertainty about regulatory responsibility.

9. Clinical legal education (Proposal 20.1)

Many Australian law schools already offer clinical legal education programs, often with strong community engagement and experiential learning foundations. CALD supports further consideration of clinical legal education and acknowledges its pedagogical value. However, CALD strongly prefers that careful consideration be given to where clinical legal education is best situated within the legal education continuum. In many cases, the LLB or JD may be a more appropriate and effective location than PLT, particularly given existing infrastructure and expertise within universities.

At the same time, CALD would not support the mandating of clinical legal education in either the law degree or PLT. The establishment of in-house legal clinics, in particular, is not a viable option for many law schools.

10. Transitional arrangements and synchronised implementation (Proposal 22.1)

CALD does not support the proposed transitional arrangements, particularly the synchronised introduction of new law degree requirements and a new PLT model in 2028. CALD is concerned that insufficient attention has been paid to transitional cohorts, including students who complete an “old” LLB or JD but are required to undertake a “new” PLT. In addition to the risk that, for several years, graduating law students will have received inadequate instruction in skills development, it creates significant administrative complexity for

law schools, PLT providers and admitting authorities. Cross-institutional study (something TEQSA is particularly concerned to support) will be difficult to administer during the transition period. It will be extremely difficult to administer students who are seeking credit for prior study at differing institutions, because law schools will not be able to plot their skills development consistently.

CALD strongly submits that any reforms should be staged, with law degree changes introduced first, followed by PLT reforms once those changes are embedded and evaluated.

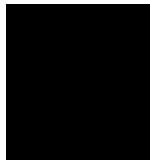
Overall, the findings of the *National Practical Legal Training Research – Survey Research Report* suggest that while reform and improvement is clearly needed, the current state of PLT is not such that warrants the risks of imposing under-developed, costly and potentially access-restricting change. CALD supports reform of legal education regulation, but only where that reform is evidence-based, collaborative, realistic in its timing, and attentive to issues of equity, diversity and institutional capacity. We urge the Committees to reconsider the pace and sequencing of the proposed reforms, to engage more deeply with law schools as key partners in the legal education continuum, and to adopt a cautious and staged approach that minimises unintended adverse consequences for students and institutions.

CALD would welcome the opportunity to continue to engage constructively with the Committees on this important work.

Yours sincerely,



Professor Therese Wilson, CALD Co-Chair



Professor Nick James, CALD Co-Chair