

Feedback Form: Review of practical legal training

Respondent details

Name: __KYLIE VIRTUE__

Organisation (if applicable): _____

Contact details: _____

Are you responding as (select one):

- ☒ Individual
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- ☐ Other (please specify): _____

Jurisdiction (select one)

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

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

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

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

- ☒ Yes
- ☐ No

Responses to consultation questions

Law courses	
1.1	Do you support the proposal for the LACC to amend the Accreditation Standards for Australian Law Courses to require law courses to demonstrate how they have included practical teaching and training of the practical skills identified at Appendix F, with appropriate assessment? YES
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? NO
1.3	Would law schools be able to implement these changes by the beginning of the 2028 academic year, as proposed? I expect so – based on the encouraging levels of engagement by various NSW law schools (despite some of the reservations expressed) in their respective annotations to the earlier, 16/01/26 version of the LPAB’s skills schedule at Annexure F to the LPAB’s Interim Report of 13 March 2026 – particularly from university PLT providers UNSW and UTS. (And while noting that UNE stated a minimum of 2 years would be required to implement, the University of Notre Dame suggested only 6 months lead time was required; while most others seemed to accept that the beginning of 2028 is achievable).
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? YES - ABSOLUTELY! (For all the reasons canvassed in the Urbis survey, LACC consultation paper and NSW LPAB’s discussion paper regarding the virtual impossibility of meeting the existing 146 performance criteria, with its ‘information overload’ and emphasis on completing coursework covering too many subject areas, at the disturbing expense of equipping law graduates with viable practical legal skills that are both necessary for entry level lawyers and applicable across multiple practice areas/workplaces in modern day legal practice – which the skills schedule is designed to do far more directly and effectively).
2.2	Do you suggest any amendments to the categories or skills set out in the skills schedule at Appendix F? I suggest at least the following two (and possibly more – see comments at 2.3 below):

1. **'Awareness of/ability to understand ADR options/skills re ADR'**

Could be included under the 'Negotiations' category - either as part of (i) - being an essential part of, or as precursor to 'Ability to participate in a settlement negotiation of a simple commercial dispute'), or otherwise as an additional 3rd item under that category.

Alternatively, such explicit reference to ADR could be included as an additional item under the skills schedule category of 'Court processes, etiquette and advocacy'

This would ensure that ADR was included in the teaching of practical legal skills by university law courses or PLT providers, and could be incorporated into client advice tasks and negotiation skills workshops (as the College of Law currently does – albeit only briefly). Ideally, ADR should at least be touched on in university law courses - eg, as inherent to teaching dispute resolution/civil litigation subjects (noting many already do, even if only included as part of an elective negotiation subject).

I consider this addition warranted, given the following matters highlighting the significance of ADR to legal practice:

- the fact that well over 90% of disputes are resolved prior to determination by a court/tribunal/adjudicator;
- the emphasis given to various ADR mechanisms in court rules (eg, Part 28 FCR), various courts' practice notes and legislation such as the Civil Procedure Act 2005 (NSW); and
- the express obligation on solicitors under ASCR 7.2 (communicating advice to clients which includes alternatives to fully contested adjudication).

Therefore, although ubiquitous to more-experienced legal practitioners, it would be helpful for the skills schedule to make clear the expectation that newly-admitted lawyers will have at least a basic understanding about ADR and have sufficient knowledge of ADR to advise clients generally of ADR *options* and/or to service the needs of clients *in a practical way* such as explaining mediation etc – whether gleaned from their university studies or PLT, but preferably both.

2. **'Critical thinking and problem solving'**

While likely embedded in all the Priestley 11 subjects and thus implicit in university legal studies (like legal research - which has been accepted should not be required to be addressed in the PLT course), these skills may warrant explicit mention in the skills schedule – either as part of the 'Negotiations' category, OR could possibly be included in item (ix) of the EPR category.

I consider this warranted after further reflection on the following matters:

The rampant use of AI - with its arguably pernicious influence on conventional methods of education - is unquestionably undermining learning

	processes, whereby students are increasingly more focused on chasing answers at the expense of reflective thinking and developing their own understanding and knowledge. This highlights the vital importance of giving law students opportunities to practise critical thinking and develop their own problem-solving skills. It's worth noting that the LPAB's interim report of 13 March 2026 records [at p.12] that: <i>"Most stakeholders were concerned that law graduates lack the 'foundational understanding of substantive law areas, technical and practical skills required to be a legal practitioner, problem-solving, written and oral communication skills, client management, practice development, understanding of ethics and professional regulations and technological skills."</i> (quoting from a letter from the Law Council of Australia. I also note that the list of required competency skills under PLT coursework in Appendix C ('Overview of PLT requirements') to the LACC's consultation paper already includes 'Problem Solving' as a standalone skill (separate from 'Lawyers Skills' and 'Work Management and Business Skills'). Under the existing regime, the College of Law's current PLT course includes in its longstanding 'Lawyers Skills' week, a workshop entitled '<i>Problem Solving, Risk and Work Management</i>' which has barely changed in a decade (apart from the recent introduction of cyber-security/fraud risk), which attempts to cover in <u>less than 2 hours</u>, each of client/file/time/self-management, together with a group 'problem-solving' exercise by reference to a client's proposed business venture. If the critical thinking and problem-solving skills of law graduates are to be improved (alongside the written & oral communication, technical & practical, client management, EPR and technological skills - that have been consistently identified as lacking, and thus have now been referred to expressly in the skills schedule) then, given the above, there seems to be a compelling case for including express reference in the skills schedule to '<i>critical thinking and problem-solving</i>' as well. Hopefully such inclusion will not only highlight the importance of these skills for lawyers but also result in more time being allocated for appropriate tasks/exercises dedicated to developing them in the re-imagined, compressed 4-week PLT program than the current 2 hours! (ie, in the same way that the inclusion in the skills schedule of the '<i>Communication</i>' and '<i>Drafting legal documents</i>' categories should lead to more appropriate skills activities being incorporated across the proposed 4-week program than the inadequate 2 hour '<i>Writing & drafting</i>' workshop offered presently in the College of Law's '<i>Lawyers Skills</i>' week).
2.3	Do you think that the following areas need to be specifically included in the skills schedule, either as categories or identified knowledge and skills: i. Working with clients from culturally and linguistically diverse backgrounds?

	<i>NO - appears to be picked up already under <u>Communication</u> in (vi)(b), and should therefore be included in PLT courses (and/or law courses) – including eg, working with interpreters.</i> ii. Preventing and addressing sexual harassment? <i>NO - as per LPAB's thinking, an important but general workplace issue, and appropriate subject of CPD.</i> iii. Awareness of obligations under anti-money laundering/counter-terrorism financing regulations? <i>MAYBE? – should definitely be taught as part of <u>EPR</u> (i), although specific reference in the skills schedule is probably not required, bearing in mind that the ASCR & LPUL – which are fundamental to the regulatory framework for legal ethics and are expressly taught in [my experience of] PLT - are not named in the skills schedule. (And noting, as the LACC's consultation paper does, that the broad drafting of <u>EPR</u> (i) should be sufficient to capture AML/CTF, as well as other new regulatory areas as they arise).</i> iv. Awareness of ADR options, or specific skills relating to ADR? <i>YES - although arguably may be caught by the <u>Client relationship</u> (i) category in terms of servicing clients 'in a practical way' and/or <u>Communication</u> (ii) in terms of giving 'options', it does warrant explicit mention for the reasons outlined in response to 2.2 above.</i> v. Negotiation skills in a wider range of settings, or other specific settings? <i>YES – according to my comments at 2.2 above (and given that at least some PLT courses on negotiation currently include some ADR component, for the avoidance of doubt it may be convenient to expand the wording in the category of <u>Negotiations</u> (i) to read: 'Ability to participate in a settlement negotiation of a simply commercial dispute, AND ADVISE clients of the ADR options available, including benefits/disadvantages...'']</i> vi. Drafting any other types of legal documents? If so, what types of documents? <i>YES/MAYBE – in addition to 'a simple contract' and 'simple summons or statement of claim', other useful drafting exercises that could be incorporated into a civil litigation context (perhaps as part of a negotiation workshop) could be, eg:</i> - terms of settlement; - deed of release; - short minutes of order etc. (Perhaps these need not be prescribed, but could be mentioned as examples of other legal documents commonly required to be prepared by relatively new lawyers).
2.4	Should the option for graduates to undertake Supervised Workplace Training as a way of completing PLT be retained?

	UNSURE – being based in NSW I don't have any appropriate experience of VIC & QLD's SWT.
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? UNSURE (see 2.4 above)
2.6	Should there be any other amendments to Supervised Workplace Training? UNSURE (see 2.4 above)
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? YES!
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? Based on my experience as a casual PLT teacher at the College of Law (NSW & VIC) for more than a decade (and having taught various undergraduate law courses as well – at ANU and Victoria University), plus bearing in mind what needs to be covered under the skills schedule, I think 4 weeks is about right (together with one extra week of pre-reading).
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? YES – it allows existing PLT providers to continue offering GDLP/GCLP courses, thus taking into account the (alleged) status of diplomas with international students and the availability of fee help (for those willing to spend the extra time and money!).
4.2	If you support this proposal, would any additional safeguards be required for PLT providers (given they would not necessarily be regulated by TEQSA)? For example, should new quality assurance measures be required in the LACC framework documents? What should those additional measures be? Yes probably, but not sure precisely what. Presumably any new quality assurance measures should address similar matters as the Higher Education Standards Framework 2021, namely: - student acquisition of learning outcomes – <u>by specific reference to the skills schedule</u>

	- currency of curricular content - continual monitoring, review and improvement of courses - validity and reliability of assessment design - learning environment - student experience - teaching staff. However, it's pertinent to note that despite these existing Standards the recent review by the LPAB and the findings of the LACC-commissioned Urbis survey demonstrate that these key metrics are not being satisfied - eg, currency of content, continuing monitoring, review and improvement of courses, and most particularly, student acquisition of learning outcomes! In view of the apparent failings of the current system, perhaps oversight from the LACC and the various state law societies would be more appropriate?
5.1	Do you support the proposal that the LACC amends the PLT Standards to require that PLT coursework is to be delivered in person or, in exceptional cases (as determined by the PLT provider), by synchronous online delivery? YES - absolutely!
6.1	Do you support a review of the PLT Standards to ensure that assessments are rigorous in measuring whether students have developed the required knowledge and skills? If so, do you have any suggestions on how the Standards should be set to ensure rigorous and effective assessment? YES – definitely! Tests to be done under exam-like conditions with at least 50% pass required, failing which a student would be required to undertake further training/instruction under the supervision/mentoring of PLT teachers before being allowed to resit after a short period (ie, not just allowed to redo online tests over & over again privately until pass mark achieved!). AND instead of doing written multi-choice tests with no opportunity for correction, more oral assessment/VIVAS should be done – ideally before visiting practitioners/adjunct lecturers who are external to the PLT teaching staff. There should some time allocated for verbal constructive feedback to be given immediately post-completion of VIVAS (including particular focus to correct any errors/address areas of weaknesses to ensure the student learns from the experience and is directed to where further focus is required if they do not pass).
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 – definitely, to ensure clarity of expectations and consistency with handling of such incidents.

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; although I'm mindful of the challenges/difficulties encountered by those undertaking such short work experience stints in isolation - often with inadequate supervision, inappropriate administrative tasks and the prevalence of exploitation with little or no pay (especially where the workplace/supervisor does not see any point in investing in that graduate, if not seen as a prospective longer-term employee).
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? YES – and necessary to address some of the challenges noted at 7.1 above. Perhaps a version of the VLSBC's Supervision Plan Template using that list of suggested skills/tasks [see page 7]; and – to the extent that list might be expanded on in more detail - a requirement that at least say, 75%-85% of the suggested tasks/skills are undertaken/achieved (IF some of those tasks are not possible to be undertaken at some workplaces in the limited period available).
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 - VLSBC's Supervision Plan Template: https://lsbc.vic.gov.au/sites/default/files/2025-12/VLSBC_Supervision_Plan_Template.pdf AND see also: NSW Law Society's Supervised Legal Practice Quick Guide, December 2023 (including remote supervision): https://www.lawsociety.com.au/sites/default/files/2024-01/LS3549_LIC_SLP_QuickGuide_2023-12-19.pdf AND the recent report from the UNSW's CFLP Think Tank on 'Making Supervision Work for Everyone' (which I participated in) – particularly its content on 'strategies for quality supervision' and 'designing supervision for remote and hybrid practice':

	https://www.unsw.edu.au/law-justice/centre-future-legal-profession/think-tank-series https://online.flippingbook.com/view/344635041/
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
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 – see 9.1 above; and could be delivered as part of annual CPD (and potentially to qualify for Specialist Accreditation?). Query whether supervisors should also be required to formally obtain Specialist Accreditation as a supervisor of entry level lawyers, given they will likely be required to certify/sign off on the completion of tasks by reference to a document along the lines of the VLSBC’s Supervision Plan Template.
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? YES; and YES to safeguards (per 8.1 and 9.1 above). I’m not sure about PLT providers playing the role of certifying the appropriateness of work experience – that may be better to be done by the state law societies?
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? YES
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? YES; and 15 hours/year for the first 2 years is about right; although it could possibly be offered more conveniently in 5 sessions of 3 hours (ie, 5 x ½ days), rather than only as 2 full days per year.

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. YES
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? YES (and no issue for NSW).
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? YES
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? YES
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? YES - such as not signing off on legal advice without their supervisor and not having clients of their own (while noting the existing restrictions on supervised legal practice on the first 2 years post-admission should also remain – namely, not signing off on bills of costs nor being the solicitor on the record).
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? YES
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? YES
19.1	Do you support the proposal that PALT should incorporate rigorous assessment? Do you have any views on the parameters for this requirement? YES
Clinical legal education	

20.1	Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT? YES
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 OPTIONAL (probably) But IF made mandatory, then yes - give credit for undertaking clinical legal education as part of their law degree.
20.3	If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT? YES probably – so must either do clinical legal education OR PALT (provided the clinical legal education requirement has a 4-week minimum period of work).
20.4	Who should be responsible for delivering and supervising clinical legal education? Universities (eg, Kingsford Legal Centre by UNSW), or PLT accredited providers. Under appropriate supervision and with requisite quality controls in place, a new legal clinic at the College of Law’s Town Hall offices could be a worthy use of some of the \$200m in reserves currently sitting in the College’s coffers! Not only is it well-located to serve needy inner city inhabitants (including many visibly struggling with homelessness around that area) - and would presumably be able to tap into a constant source of PLT students keen to satisfy their work experience requirements for admission - but would potentially provide valuable clinical legal education and work experience opportunities to many law graduates that might (especially if combined with significantly more affordable PLT fees) encourage more to pursue legal careers in the public sector such as with the DPP, Crown Solicitors, the ALS, community legal centres and Legal Aid.
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? YES
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? YES
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? YES
Implementation timing	
22.1	Do you support the proposed transitional arrangements and implementation timeframe set out at Proposal 22? YES