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Dear Chair and Members

ABN 62 208 314 893

Submission – Review of Practical Legal Training

Thank you for the opportunity to provide a submission in response to the
Consultation Paper: Review of Practical Legal Training (April 2026).

The Law Society Northern Territory (**Society**) is a statutory body constituted under the *Legal Profession Act 2006* (NT) (**LPA**) which is responsible for the regulation of the legal profession in the Northern Territory and which represents the interests of its legal practitioner members who work within the NT's justice system. As part of this role, the Society provides submissions and public comment from time to time on access to justice, administration of justice and the rule of law as well as issues affecting the legal profession.

The Society broadly supports the need for reform to the practical legal training (**PLT**) requirements for admission and the overall direction of the proposed reforms. However, it has a number of concerns about the impact of the reforms for persons in the Northern Territory seeking admission and newly admitted, as well as their broader consequences for the efficient administration of justice.

We are pleased to provide this submission to the Committee.

Please contact Ms Georgia Kalyniuk, Senior Policy and Regulatory Solicitor, on [REDACTED]
[REDACTED] or at [REDACTED] in the first instance if you require
further information or clarification.

Yours faithfully,

[REDACTED]

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A. Overview of the Society's submissions

1. The Society supports reform to the current model of PLT which strengthens the practical skills of newly admitted lawyers and legal practitioners in their first years of practice. It is agreed that the current model has created a barrier to entry to the profession due to its cost and duration which should be reformed in order to ensure that our legal profession is representative of the community which it serves.
2. In principle, the Society supports the implementation of a staged model, where the development of practical skills and experience begins during law courses and continues post-admission. It is also supportive of the maintenance of rigorous standards of supervision for early career lawyers.
3. However, the Society holds concern about the proposals for reform. It respectfully submits that proposed model is, instead of achieving its desired outcome of reducing barriers to entry to the profession, likely to perpetuate inequity and create an even greater barrier to entry to the profession than the current model, particularly for aspiring and early-career lawyers in rural and remote locations, from low income backgrounds and/or with care responsibilities.
4. Requiring face-to-face delivery (**FTFD**) of the PLT and post-admission legal training (**PALT**) programs with only limited personal exemptions is untenable in the Northern Territory. The FTFD requirement disproportionately disadvantages students and early-career lawyers in rural and remote areas across Australia, and in the whole of the Northern Territory, even in the relatively urban centre of Darwin. The Society and we anticipate the Legal Practitioners Admissions Board in the Northern Territory (**NT Admissions Board**) would be unlikely to adopt such a requirement in the circumstances, creating a departure from the maintenance of a consistent national standard for pre-admission and during supervised legal practice (**SLP**). If a requirement for FTFD of PLT and PALT is adopted, noting the risk of creating a disadvantage for participants in rural and remote areas across Australia (as well as those with health issues, care responsibilities and financial difficulties), it must at minimum include automatic exemptions for those located in remote and rural areas, and have clear categories for exemption on the basis of disability, care responsibilities and financial hardship.
5. Without such exemptions, the Society would also be concerned about the reforms disincentivising the employment of early career lawyers in rural and remote areas, where legal assistance services often rely on junior practitioners, and which already significantly struggle with recruitment and retention. The proposed amendment to the nature of the legal practice which early-careers lawyers can undertake during SLP would compound this risk. If adopted, these reforms risk significantly impacting access to justice in the Northern Territory, in circumstances where there is already a high demand for access to legal representation.
6. It would be extremely difficult for the Northern Territory to justify the adoption of reforms which would disadvantage its own aspiring and early-career

lawyers and negatively impact the overall administration of justice in its jurisdiction. The Society understands that the pool of admittees per annum in the Northern Territory may be lower than interstate admittees (approximately 60 to 70 persons per annum). However, the Society considers that the Northern Territory is also most likely to be impacted by a departure from a consistent national standard for admission and early-career supervision which could stifle the movement of legal practitioners between jurisdictions, as it is heavily reliant on interstate migration to fulfil its demand for the provision of legal services.

7. In addition, the Society is significantly concerned that the proposed reform model essentially shifts the onus for the preparation of aspiring and early-career lawyers for the realities of legal practice from colleges, universities and other private PLT providers back on to the legal profession regulators and members of the profession.
8. This is of particular concern in the Northern Territory context. The Society, as the regulator of the profession (and also the member services body), is not statutorily empowered nor otherwise equipped to undertake the functions which would be thrust upon it by virtue of the proposed amendments. The adoption of the proposed program may also require legislative amendment, which the Society considers there would be little to no appetite for the Northern Territory government to undertake. Regardless, it would certainly require additional resourcing by way of increased funding and staff for the Society. In a context that each year the Society's funding submission is heavily scrutinised and limited, the reality of obtaining such funds appears unlikely. Even were additional funding secured, the challenges of recruitment and retention in the Northern Territory are such that appropriate staff with relevant expertise present obstacles. The Society would need to call on support from its larger interstate colleagues for such services to be an option, or for the services to be provided by a national body.

B. Consideration of consultation questions

Incorporating practical skills in law courses (Proposal 1; Questions 1.1-1.3)

9. The Society supports amending the requirements for Australian law courses to include the teaching and assessment of practical skills, and agrees that this can be achieved by amending the Accreditation Standards for Australian Law Courses to require law courses to demonstrate how they teach and assess the practical skills identified in Appendix F.
10. The Society considers that it is not the body best placed to respond to questions 1.2 and 1.3, but notes broadly in relation to question 1.3 that the timing of the proposed reform overall should involve a clear transition plan which takes into account how it will fit within the broader reform structure. It considers that it is not likely to be achievable in the stated timeframe, i.e. by 2028.

Delivery of PLT (Proposals 3-6; Questions 3.1-6.2)

11. The Society supports in principle reducing PLT to a minimum four-week course (plus preparation materials), provided that the program is sufficiently intensive and interactive, the assessment of the students' understanding is robust, and workplace experience remains a meaningful component. However, it is concerned about the unintentional creation of a two-tier system which entrenches disadvantage for rural, remote and low-income students.
12. There is an undeniable need for improvement from the current PLT system, the Graduate Diploma of Legal Practice (**GDLP**), both in terms of its academic rigour and its success at preparing students for practice post-admission.¹ The Society agrees in principal that the cost of the GDLP program is exorbitant and creates a barrier to entry to the legal profession for aspiring lawyers from low-income backgrounds. This is particularly the case for those who do not meet the eligibility requirements for HECS-HELP support or otherwise have some kind of financial support available (i.e. through a graduate program at a private firm which covers the cost of PLT).
13. The Society is concerned that, in attempting to reduce the PLT cost and removing the program from the tertiary education system, while overall cost will be reduced, the burden of that cost will actually increase, as students undertaking the shorter PLT course would not be able to access HECS-HELP support and would likely be required to make up front payment. It considers that this may result in aspiring lawyers who do not have the means to cover an upfront cost of several thousand dollars choosing to undertake a more expensive and longer GDLP program because of the availability of HECS-HELP loans.
14. It is also unclear from the consultation paper if and how it is proposed that the cost of the minimum 3-4 week short PLT course would be regulated, once that course is removed from the Tertiary Education Quality and Safeguards Agency (**TESQA**). Even if the course was significantly cheaper than a GDLP program, say around the cost of a single course in a post-graduate degree (between \$2,000 and \$4,000), the Society considers that many aspiring lawyers would not have access to that amount of money in a lump sum, such that a more expensive program with no immediate upfront cost would remain a more attractive option.
15. The Society is therefore of the view that, if a dual model is adopted which provides for a mandatory minimum course of 3-4 weeks (whether FTFD is also required or not), the following measures must be considered to avoid creation of a two-tier system disadvantaging some students:
 - (a) the cost of PLT short courses be monitored or set by the Legal Services Council (**LSC**) or Law Admissions Consultative Committee (**LACC**), and in any event be capped at \$4,000; and

¹ See Urbis, 'National Practical Legal Training Research: Survey Research Report', (March 2026).

- (b) arrangements for payment plans or student loans be facilitated, such that interest-free financial assistance would be available to any student who is able to demonstrate financial hardship.
- 16. The Society appreciates that such a proposal is challenging because it risks making the market for the provision of the proposed PLT short courses unattractive to private enterprises. However, it anticipates that existing PLT providers adjusting to any reform will already be required to adjust their courses such that it is unlikely to produce an outcome where the provision of PLT courses is completely unattractive to possible providers.
- 17. Another risk which arises from removing the minimum PLT short course from the GLDP structure is that it will no longer be subject to oversight and regulation by TEQSA. On one view, TEQSA regulation has not prevented the issues with the current PLT programs' fitness for purpose and academic rigour identified in the national PLT survey. However, without regulation through TEQSA, some alternative mechanism for ensuring consistency with minimum standards must be implemented.
- 18. Quality assurance could be achieved by:
 - (a) Accreditation of courses by the LSC or another appropriate body, including regular review of course materials and course delivery;
 - (b) Quality assurance measures set out in the LACC framework documents published on the LACC website, similar to the standards currently provided for PLT Courses and Providers and for PLT Workplace Experience; and
 - (c) A requirement for PLT providers to undertake periodic independent moderation and audit of their courses.
- 19. It is noted that the Society would not, however, support the introduction of a requirement which provides that regulators (or those issuing practising certificates) in each jurisdiction should become auditors or accreditors of PLT courses. The Society does not have the resources to fulfil such functions without significant changes to its funding and structure, and nor does the NT Admissions Board. It is noted that the NT Admissions Board does currently approve GDLP courses under the *Legal Profession Admissions Rules 2007* (NT) (**NT Admissions Rules**)² but that this occurs in a context where the courses are separately accredited by TEQSA.
- 20. Any requirement for the Society to be involved in the regulation of an amended PLT course would likely also require legislative change, as the Society is a statutory body constituted under the LPA and its functions do not include the provision or regulation of education. Further funding and the ability to identify, retain and secure appropriately qualified staff would also be required. For reasons discussed in more detail below, the manner in which

² *Legal Profession Admissions Rules 2007* (NT) r 5(1).

the proposed reforms place the onus for the delivery or regulation of PLT courses onto the legal profession regulators is wholly unworkable.

21. As an alternative to the proposed introduction of a short PLT course outside the existing GDLP framework, the Society submits that consideration should be given to reforming the PLT courses currently delivered within the GDLP structure. In particular, this could include mandating a maximum course cost and reviewing the applicable teaching rubrics and assessment standards to improve the quality, consistency and rigour of the practical skills training provided. Such an approach could address the concerns identified in the national survey in relation to both affordability and fitness for purpose, while preserving the benefits of existing tertiary sector oversight and access to student loan arrangements.
22. The Society is fundamentally opposed to the proposal that the short PLT program (and PALT, discussed below) involve required FTFD with limited individual exemptions available. The adoption of this requirement is not viable in the Northern Territory.
23. There is no locally based provider in the Territory. The two national PLT providers offer courses to students almost entirely online. Due to challenges with logistics, including recruitment and retention, there is no guarantee that any PLT course would actually be offered face-to-face in the Territory, even in Darwin. The Society considers that requiring aspiring lawyers to undertake a course with mandated FTFD is equivalent to requiring them to travel interstate to complete their PLT, and to bear the costs of flights and accommodation while they undertake that course, in addition to the cost of the course itself, currently proposed to be required upfront.
24. Accordingly, aspiring lawyers in the Northern Territory would be placed at a financial disadvantage in comparison to those in other Australian states and territories, even where some travel to a capital city may be required if FTFD is mandated. That disadvantage arises even without considering the myriad of reasons why interstate travel (or to Darwin, if a course was available there) is not feasible for many aspiring lawyers, including: health and/or disability making travel difficult or more expensive; full time work in another profession, and caring responsibilities for children, or for family members with disability or who are elderly.
25. Women, who make up 70% of solicitors below the age of 24,³ are most likely to be disadvantaged by FTFD requirements of PLT (and PALT), because they are more likely to have primary care responsibilities.⁴
26. Whilst FTFD of PLT courses may be achievable and even preferable for students in large capital cities who fit a certain profile (young, healthy, full time students without children with access to funds for upfront payments), it

³ 'Gender Statistics', *Law Society of New South Wales* (Web Page) <<https://www.lawsociety.com.au/advocacy-and-resources/advancement-of-women/gender-statistics>>.

⁴ Australian Bureau of Statistics, *Survey of Disability, Ageing and Carers, Australia*, 2022 (Web Page) <<https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release>>.

would place many students in the Northern Territory at a disadvantage and may create an insurmountable barrier to entry into the profession for some.

27. If the proposed reform requiring FTFD of short PLT courses is adopted by the LACC, the Society submits that Northern Territory would be unlikely to follow suit in circumstances where its aspiring lawyers would be most negatively affected by the reform. However, it considers that students in other Australian jurisdictions, particularly in other areas of rural and remote Australia would be similarly affected. Requiring students to make individual applications for exemption from these requirements places a significant burden on individuals and on those required to then assess such applications on a case by case basis. The Society submits that, if the proposal for mandatory FTFD is adopted by the LACC, it must be with automatic exemptions should be granted for students located in rural and remote areas, including in general, the Northern Territory.
28. Exemptions for other reasons, such as disability, must be accessible and must not require prospective PLT students to go through an arduous and burdensome process to demonstrate eligibility. Without general and specific accessible exemptions to and FTFD requirement which is adopted in the national admission standards, the reformed PLT requirements are likely, in the Society's submission, to further entrench disadvantage and inaccessibility to the profession for women, people with disability, and people living in rural and remote locations, including First Nations people.

Workplace experience (Proposals 7-12; Questions 7.1-12.1)

29. The Society supports retaining a minimum requirement for lawyers to complete 15 days of workplace experience prior to admission. Workplace experience is consistently identified as the most valuable component of PLT and is key to ensuring newly admitted lawyers are ready to provide legal services post-admission.
30. The Society agrees that it is important that adequate guidance is provided for supervisors of PLT students undertaking workplace experience and, as discussed below, supervisors of newly admitted lawyers during their SLP period. However, noting the existing resources developed by legal profession regulators to guide supervisors of legal practitioners, such as the Victorian Legal Services Board and Commissioner,⁵ the Society suggests that these existing resources can be leveraged or, if necessary, updated or adapted to provide adequate guidance in the workplace experience context.
31. The Society understands in theory the philosophy of placing this burden upon the legal profession regulators to review the training that is offered to lawyers who wish to improve their supervisory skills. However, while it considers that additional training for supervisors of workplace experience and early career lawyers would undoubtedly be beneficial it is not in a position to perform that role. It would need to rely on other regulators endorsement of particular programs or for such training to be offered online

⁵ Victorian Legal Services Board and Commissioner, 'Supervised Legal Practice: Information for Supervisors,' *Victorian Legal Services Board and Commissioner* (15 December 2025) (Webpage) <<https://lsbc.vic.gov.au/lawyers/new-lawYERS/supervised-legal-practice/SLP-supervisors>>.

for its local profession. This has the issue that such training may be of less value in a context of the uniqueness of the legal profession legislation in many jurisdictions.

32. As noted above, the Society does not have the resources available to fulfil the various functions the proposed reforms purport to place upon it. Its focus is regulation of the profession and protection of the public, including admission, registration and discipline of lawyers. Its secondary function is to promote the administration of justice. It does not currently provide or administer a Continuing Professional Development (**CPD**) program or other similar member services related to training and development, because it does not have the funding, resources or statutory mandate to do so.
33. A proportion of the Society's funding is sourced through practising certificate fees, but the remainder is provided through an annual grant from the Legal Practitioners' Fidelity Fund and which is approved by the Northern Territory Attorney-General. The Society submits that should it be required to carry out the functions proposed under the reforms, it would need to seek significant additional funding, which there is little to no change of it receiving. Even with additional funding allocated, the challenges with recruitment and retention of staff with relevant skills and experience would not be addressed nor surmountable in light of the small population in the Northern Territory.

Post-admission legal training (Proposals 13-19; Questions 13.1-19.1)

34. In principle, the Society supports additional practical training post-admission during SLP, provided that this training is distinct from and more onerous than usual CPD requirements; does not require regulator delivery or oversight, and is not mandated to be delivered in person. It is not supportive of additional restrictions being added to the practising certificates of early-career lawyers during their SLP due to the foreseeable negative impact that doing so would have on already strained access to justice in the Northern Territory.
35. The Society supports the proposal that PALT should be delivered as two 7.5-hour full days of training per year, incorporating required participant interaction and rigorous assessment. If PALT is not delivered as two full days, or in several blocks, it remains essential that the program is intensively interactive and includes rigorous assessment. This will ensure its comprehensiveness and efficacy in advancing practical legal skills.
36. The Society notes the proposal by the NSW LPAB referred to in the consultation paper that PALT could be mandated through the imposition of conditions on practising certificates, and that evidence of completion would need to be provided for such conditions to be removed. The Society would support this methodology for ensuring compliance with PALT requirements, notwithstanding that it would generate an increase in the Society's regulatory burden. Given the regulation of practising certificates is part of the Society's core regulatory function, this proposal could be efficiently managed.
37. Whilst the Society supports in principle the idea of additional restrictions on the practice of newly admitted lawyers while PALT is undertaken, due to the

added protection this would afford both to those lawyers and to the public, it is of the view that the adoption of such restrictions on junior practitioners in the Northern Territory would be practically unworkable and have a negative impact on a legal system in which access to justice is already a core issue.

38. Improper support and supervision in the initial two years of practice often contributes to mistakes and conduct issues, which the Society deals with in its capacity as the legal profession regulator. It acknowledges that additional restrictions would provide a safeguard for junior practitioners and their clients in the event of failures of supervision by providing an objective rule about the appropriateness of undertaking higher risk legal tasks. This is particularly the case where the other proposed reforms may operate to cause practitioners to be admitted earlier in their journey to the law, and often with less practical experience (in comparison to how many students currently complete graduate programs or full time paralegal work during the months in which they complete their GDLP).
39. However, the proposed restrictions, for example against lawyers taking on their own clients in the two years post admission, would have a devastating effect on the delivery of legal services in the Northern Territory, particularly to vulnerable and low-income clients.
40. The legal assistance sector in the Territory heavily relies on early-career lawyers. Those practitioners usually take on clients directly, including through providing duty lawyer services and ongoing file work on more simple matters such as summary offences or tribunal proceedings. Whilst these junior practitioners are of course supervised by more senior practitioners, one senior can supervise the work of a number of junior staff under the current arrangements, in which a junior practitioner may, for example, receive coaching from their supervisor before and after a client interview, and have their advice reviewed, but undertake the actual interview alone. Requiring senior practitioners to be present during client interactions or have carriage of more tasks would lower the number of junior practitioners that a service could employ and supervise and result in a lower capacity overall for an organisation to offer legal services.
41. Preventing junior practitioners from having carriage of their own client matters would require a fundamental restructure of the way legal assistance services are provided in the Northern Territory, and likely in other jurisdictions. Additionally or alternatively, the adoption of such restrictions would disincentivise legal assistance organisations from hiring early-career lawyers because they would no longer be able to provide legal services in the way the organisation requires to make efficient use of its limited funding.
42. The demand for legal services the Northern Territory, particularly in remote and regional areas, is high and the availability of experienced practitioners is limited. Adopting additional practice restrictions would complicate existing challenges with recruitment and retention, and may reduce the capacity of legal assistance services and small private practises to service their community.

43. If the reforms to junior practitioner practice and supervision were introduced, the Northern Territory may not follow suit. At best, this would result in another departure from a consistent national standard allowing for easy movement of legal practitioners between jurisdictions which would also particularly disadvantage the Territory and which the Society submits should be avoided. However, the Society notes that it is likely that it is not only legal assistance services in the Territory that employ junior practitioners in a manner incongruent with the proposed reforms and which would be negatively impacted. The Society urges the Committee to consider alternative measures that balance the need for oversight with the imperative to maintain access to justice for all members of the community.
44. The Society is separately concerned that, while it considers it could not realistically entertain further restrictions on the practice of junior solicitors in this jurisdiction, failure to implement this safeguard if the other reforms allowing for admission on an expedited basis are commenced could result in early-career lawyers who are worse-prepared for the realities and challenges of legal practice without appropriate safeguards in place to protect the public from additional risk. The Society considers that, as such, the proposed reforms cannot be divorced from one another.
45. The Society takes the view that, for similar reasons to those set out above at paragraphs 22 to 28 above, mandated FTFD of PALT is unfeasible in the Northern Territory, and for any early-career lawyers practising in rural and remote locations. Many early-career lawyers in the NT provide critical legal services in geographically isolated locations where access to in-person training opportunities is limited and the logistics required to introduce in-person PALT sessions are prohibitively complex. It would require practitioners to travel to an urban hub and most-likely interstate, which would disproportionately place a financial burden on those practitioners and the Society submits would disincentivise practitioners from relocating to rural and remote places.
46. The Society therefore submits that the Territory simply could not require PALT to be undertaken face-to-face. However, as with PLT, this issue will effect rural and remotely located practitioners across all jurisdictions. The Society strongly suggests that clear and automatic exemptions be provided for early-career lawyers in rural and remote areas, as well as easily accessible exceptions for persons with disability, caring responsibilities and financial difficulty. Without these measures, requiring FTFD of PALT is likely to similarly entrench disadvantage for certain groups of practitioners, and disincentivise applications to the profession from a broad and reflective cross-section of society.
47. Separately, the Society notes that the proposed exemption for persons practising only as barristers does not translate to the Northern Territory, which is a fused profession. A newly admitted practitioner cannot lawfully practise in a self-directed 'barrister only' capacity until they have completed the required two years of supervised legal practice and are eligible to hold an unrestricted practising certificate. In any event, and as a matter of general principle and parity, the Society would not support exempting practitioners

who elect to practice primarily or exclusively as barristers from PALT, as the competencies and ethical obligations PALT is intended to reinforce are equally relevant across practice types.

Clinical Legal Education (Proposal 20; Questions 20.1-20.5)

48. The Society considers that the proposal for clinical legal education to be included as part of PLT has merit. However, it notes that there would be significant logistical challenges and considers that the proposal to incorporate clinical legal education is in its early stages and not sufficiently developed to be properly considered. Many of the issues identified with the other proposed reforms for the Society also pertain to clinical legal education, including:
- (a) Lack of availability of local providers in the Northern Territory of clinical legal education, including at universities;
 - (b) Lack of available resources and infrastructure to support the establishment of new legal education clinics; and
 - (c) The risk that mandating participation in clinical legal education would require significant travel, which may be prohibitive to some aspiring lawyers.
49. The Society would support further consideration of clinical legal education as an optional pathway for aspiring lawyers pre-admission which could then result in a reduction in PALT requirements.
50. As with the other proposals which rely on the Society and other regulators to shoulder the burden of developing and implementing PLT reform, the Society does not have and is not within range of having the capacity to facilitate a working group to explore how clinical models of legal education could be employed as part of PLT. However, it is supportive of such a group being established at a national level.

Supervision of early career lawyers (Proposal 21; Questions 21.1-21.2)

51. The quality of supervision provided to early-career lawyers is vitally important and as acknowledged above, contributes to positive outcomes for practitioners and the public. The Society reiterates its submission at paragraphs 29 and 30 in this regard.
52. The Society does not have the capacity to establish a working group to develop additional guidance and resources for supervisors as part of their SLP, and consider potential regulatory reforms.

Practice management course

53. As noted in the consultation paper, the Northern Territory does not have a practice management course. It is noted that this is in part due to many of the issues identified in these submissions with the availability of local training

providers, issues of recruitment and retention, and a lack of regulator capacity.

Implementation timing

54. Noting the objections set out above, the Society is of the view that the reforms as currently proposed are unworkable and should not be adopted. It remains of the view that the current PLT model would benefit from reform but suggests that further consultation should be undertaken to develop a more effective model which would adequately address the barriers to entry created by the length and duration of the current course, as well as the issues identified with its capacity to prepare graduates for the realities of legal practice.
55. It considers that the proposed implementation timeframe of a 2028 commencement for reforms should be re-evaluated in light of further consultation being required.