

21 May 2026

The Hon Justice Francois Kunc
Chair of the Legal Services Council's Admissions Committee
Chair of the Law Admissions Consultative Committee

By email: submissions@legalservicescouncil.org.au

Dear Chair

Review of Practical Legal Training – Consultation Paper – Submissions

Thank you for the opportunity to provide submissions in relation to the proposals set out in the Consultation Paper – Review of Practical Legal Training (**Consultation Paper**).

The Legal Practice Board (**Board**) is a statutory authority responsible for the regulation of the provision of legal services in Western Australia.

The Board's statutory powers and functions include:

- accreditation, monitoring, facilitation and management of law courses, practical legal training courses, practice management courses, and continuous professional development providers and activities;
- regulation of admission to the legal profession and the issuing of practising certificates by reference to statutory standards and the lawyer's fitness and suitability to practice; and
- assessing complaints with respect to lawyers, legal practices and unqualified legal practice and conducting investigations or disciplinary processes where appropriate.

The Consultation Paper seeks the Board's feedback on proposals that would:

- require university law courses to teach and assess identified practical skills and knowledge;
- establish a shorter Practical Legal Training (**PLT**) program that focuses on identified practical skills and knowledge, to be completed prior to admission;
- impose a requirement for 15 days of workplace experience, to be completed prior to admission;

- implement new structured and assessed post-admission legal training (**PALT**) to be undertaken by early career lawyers in the first two years of practice (which will focus on specific areas of legal practice); and
- improve the supervision framework for early career lawyers.

The Consultation Paper was considered by the Board's Admissions & Registration Committee (**ARC**) at its meeting held on 20 May 2026.

Without going through and addressing each of the questions in the Consultation Paper, the following high level observations were made by the ARC:

1. Cost

- (a) The transfer of teaching, training, and assessments into law courses, which are already being conducted by PLT providers (most of whom are TEQSA accredited) is likely to simply transfer the existing cost of PLT into the completion of law courses.
- (b) Further observations on regulatory and hidden costs are set out below under 'PALT'.

2. Staleness

- (a) Many applicants for admission complete PLT between 6 and 18 months. However, many students do not complete their law degree within 3 years. If practical knowledge and skills is built into the law course, not only will it be sporadic in teaching, training and assessment, in many cases the proximity of completing the practical knowledge and completing the degree is likely to not be close. Even if a law course is completed in 3 years, there will be a 3 year span in teaching and assessment of practical knowledge.
- (b) For example, contracts is generally taught in the first year. If a student prepares a draft contract in first year, as part of the incorporated practical knowledge and skills, then completes further unrelated assessments throughout years 2 and 3, there is a significant risk the practical skills and knowledge is completely lost prior to the student even being admitted.
- (c) We are in the process of gathering data on the duration of the law course for admission applicants over the past 12 months, to provide as supplementary information.

3. Overseas Assessments

- (a) An overseas qualified applicant may apply to the Board for assessment of his or her academic qualifications and practical legal training requirements. In assessing applications the Board has regard to the Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession. Many overseas applicants for assessment will be required to complete some or all of the current PLT, and a period of supervised legal practice (**SLP**) less than the statutory 2 years.

- (b) It is unclear how an applicant who is required to complete, say Commercial and Corporate Practice, could do the practical knowledge and skills at university, and then what, if any, component of the capstone course would apply. In terms of PALT and SLP, we have assumed they will run together. If an applicant is subject to 12 months SLP, that does not correlate with 2 years of PALT (further on the relationship between PALT and SLP is set out at 6 below).

4. Impact on non-metropolitan students, and others

- (a) There is a proposal that the 4 week capstone course is to be done 'in-person', and permission may be granted to complete it by synchronous learning, but only in exceptional circumstances.
- (b) It is unclear who is to provide those exemptions. It is assumed that exceptional circumstances are to be rare, and that given 80% of WA's population is in the metropolitan area, those in remote areas are expected to travel.
- (c) Remote and regional practitioners tend to be in small firms, Legal Aid or community legal services. A 4 week absence from work may have critical impacts on service delivery (with firms working on low margins), cost of travel and accommodation, and loss of income.
- (d) It is also highly likely that those lawyers completed their law degree, at least partially, through synchronous learning. It appears difficult to reconcile how the 4 week course in-person only could be justified, in circumstances where 4 weeks of learning is mere given it follows from a, minimum, 3 year law course.
- (e) Even though students are in the metropolitan region, there is little consideration of those with disability, caring and other responsibilities.

5. Accreditation of 4 weeks delivery and PALT

- (a) It is unclear who is to accredit the 4 week course and PALT. The consultation paper suggests it should be the licensing regulator. In the Board's case, that already occurs, but if not limited to the existing PLT providers, it will cause an additional regulatory burden.
- (b) For example, if firms themselves wish to accredit individuals as being capable of delivering parts of PALT, it will create inconsistencies, delays, and costs to accreditation.

6. PALT:

- (a) Requires the lawyer to obtain employment. It is assumed that being admitted will increase the lawyers' ability to obtain employment and attract a higher salary. However, it has been said that employers are dissatisfied with the level of skill of those graduates of current PLT, and it is unlikely those practitioners will be paid more than a current clerk or paralegal.

- (b) There is little detail on what impact it has on part-time lawyers (usually females with caring responsibilities). If PALT is to run as long as SLP, without being pro-rated, then the lawyer will do substantially more PALT if part-time than if full-time. Alternatively, if PALT is pro-rated, its learning outcomes will become substantially diluted. Some part-time arrangements do not count towards a period of SLP – will those lawyers still need to complete PALT at the same time? How does the lawyer get trained if not completing PALT, and yet is still admitted, notwithstanding the concept of being conditionally restricted.
- (c) The proposed condition on practising certificates to complete PALT will be difficult to regulate. The lawyer is already admitted. If they do not complete PALT, in a timely manner or at all, what regulatory sanctions could be imposed. Is it suggested that a practising certificate could be suspended or cancelled if practitioner cannot complete PALT? Consideration of the human impact of requiring a practitioner to retain a condition for sometimes years on end is more acute issue post admission. As the regulator it is not unusual to encounter arguments that the requirement to complete a practice management course prior to becoming a principal is burdensome, or that restricting a practising certificate is a barrier to employment.
- (d) PALT is not to apply to barristers. WA barristers are required to have completed SLP prior to being able to engage in legal practice as or in the manner of a barrister. Interstate experience as a barrister under pupillage or passing a bar exam, or both, would count towards SLP in WA, however if not the full 2 years the practitioner would need to complete the balance of SLP (including PALT) prior to going to the bar. In those circumstances, it is not clear what component of PALT would apply.
- (e) Proposal 16 suggests that the practitioner could be restricted to a particular practice area until PALT is complete. Many early career practitioners change employers and practice areas during a period of supervision. They also may work in a generalist practice, covering multiple practice areas. In addition, there would be additional regulatory cost and burden in identifying and monitoring a limited area of practice.
- (f) It is not clear who will end up paying for PALT. As already mentioned, there appears to be a suggestion that an admitted lawyer will earn more money than a clerk or paralegal, thus being able to pay for the annual 15 hours of PALT. The cost of current PLT is borne (largely) by the student. However, it is also common practice, particularly in smaller practices, that the practitioner bears the cost of regulatory compliance (practising certificate, CPD, and so on). This will cause a tension in the profession, notwithstanding the current common practice of user pays.

7. Timing

- (a) The commencement date of the start of the academic year 2028 has been previously raised, as optimistic.

8. Alternative model

- (a) The Legal Services Council has requested identifying alternative models to PLT if the current proposals are not accepted. The Board supports the intention of achieving a balance between accommodating modern methods of teaching, while attempting to maintain the quality of learning and assessment as part of a law course, however the above observations identify the difficulties with the model as proposed. One alternative is to move to a model based on a 12 month trainee solicitor program (not admitted). Once admitted the practitioner will be subject to PALT and 4 week education program. They will also be subject to 12 months SLP and PALT. However, PALT would not pro-rated in any employment arrangement. That is PALT has to be completed in 2 years, notwithstanding the practitioner may still be subject to SLP for a further period.

I trust the above information is of assistance to the Committees.

Yours sincerely



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Legal Practice Board