

Submission

Review of Practical Legal Training: Consultation Paper

From: Parallax Legal Pty Ltd, ABN 79 656 971 783 (Parallax Legal)
To: Legal Services Council / Law Admissions Consultative Committee (LSC / LACC)
Date: Thursday 21 May 2026

Background

- (1) This submission was prepared by Parallax Legal in response to the call for submissions from the LSC and LACC related to the *Review of Practical Legal Training: Consultation Paper* (Consultation Paper).¹
- (2) Ahead of our submission, we had the opportunity to review the separate submission prepared by the First Nations Legal Professional Standards Working Party (FNLPSWP).² Our submission is made in support of the FNLPSWP submission, along with additional comments of our own on the topic of cultural competency, specifically in the context of working with and for Aboriginal and Torres Strait Islander clients.

About Parallax Legal

- (3) Parallax Legal was co-founded in early 2022 by Cassie Lang, a Bundjalung woman, and Stephanie Parkin, a Quandamooka woman. Our primary focus is working with Aboriginal and Torres Strait Islander people and communities, and those who wish to do business with such communities.
- (4) Parallax Legal provides both legal and consultancy services. Our areas of expertise include ICIP, Aboriginal and Torres Strait Islander cultural heritage, native title and other Indigenous land titles, Indigenous corporations, governance, protocols, and engagement with First Nations communities.

¹ Legal Services Council/Law Admissions Consultative Committee, *Review of Practical Legal Training: Consultation Paper* (April 2026) ('Consultation Paper').

² First Nations Legal Professional Standards Working Party, 'Submission to the Legal Services Council and Law Admissions Consultative Committee *Review of Practical Legal Training*' (May 2026) ('FNLPSWP Submission').

Cultural competency

- (5) In response to consultation question 2.3(i) from the Consultation Paper, we take the view that working with clients from culturally and linguistically diverse backgrounds is essential for Australian legal practitioners and should be specifically included in the skills schedule.
- (6) Without detracting from the importance of that general statement, we take the further view that specific inclusion in the skills schedule of working with clients from Aboriginal and/or Torres Strait Islander backgrounds is also essential.
- (7) The New South Wales Legal Profession Admissions Board's (**NSW LPAB**) *Interim Report on PLT Reform (Interim Report)*,³ from which the skills schedule in Appendix F of the Consultation Paper is drawn,⁴ noted that there was no proposal "to incorporate First Nations focused and led content into the PLT curriculum."⁵ We recognise that the LSC / LACC's present review is not a review of the NSW LPAB's Interim Report, however, the Consultation Paper's proposal to adopt the skills schedule from that Interim Report⁶ requires attention to be given to the reasons for the rejection of this proposal.
- (8) In rejecting the proposal to incorporate First Nations focused and led content into the PLT curriculum, the NSW LPAB cited the existing reference in the skills schedule to general communication skills "having regard to the nature of the audience, including with respect to life experience, sex, age, language ability, and their cultural, racial, religious and educational background."⁷
- (9) The NSW LPAB further noted that "there is commonly a substantial focus on First Nation's [sic] peoples in law degree" and the requirements on law schools to abide by the Council of Australian Law Deans *Statement on Australian Law's Systemic Discrimination and Structural Bias Against First Nations Peoples* (2020), implying that the work of Aboriginal and Torres Strait Islander cultural competency is complete at law school with no need to supplement or develop this further in PLT offerings.⁸
- (10) Lastly, the NSW LPAB noted that "[A]s the legal profession is increasingly varied, the interactions and the context in which members of the profession may interact with First Nations' clients will vary significantly. Factors such as the location and nature of practice will impact on the frequency and type of these interactions."⁹
- (11) Developing lawyers' understanding of the diversity within Aboriginal and Torres Strait Islander peoples and cultures is precisely why specific instruction in PLT curricula is essential. We regularly encounter, and are placed in positions to correct, assumptions made across the profession about Aboriginal and Torres Strait Islander peoples and cultures. A PLT curriculum cannot teach the full breadth of cultural difference within Australia any more than a PLT

³ Legal Profession Admission Board of New South Wales, *Interim Report on PLT Reform* (13 March 2026). ('Interim Report')

⁴ Consultation Paper (n 1) at 83ff.

⁵ Interim Report (n 3) at 28.

⁶ Consultation Paper (n 1) at 39-41 (6.3).

⁷ Ibid.

⁸ Ibid.

⁹ Ibid at 28-29.

curriculum can teach the full breadth of knowledge a practising lawyer will need around court procedures or trust accounting. However, an appreciation of cultural difference, respect and appropriateness, and the relevance of these things to legal practice, is an essential skill, further to it being intrinsic to a lawyer's professional responsibilities.

- (12) While there are lessons of general application across cultural competency, the uniqueness and specificity of Aboriginal and Torres Strait Islander culture necessitates separate consideration within cultural competency generally. Indigenous Cultural Competency (ICC) cannot be adequately addressed through general references to communication skills alone. Generic curriculum references do not ensure that PLT students are taught the distinct, context-specific knowledge and practical capabilities required to work effectively with Aboriginal and Torres Strait Islander clients. Further, the assumption that ICC is given substantial and consistent attention across Australian law degree programs is questionable. In the absence of any enforceable national standard, ICC content within law schools is uneven and frequently insufficient, with many graduates completing their studies having had minimal meaningful exposure. While PLT is intended to build on academic learning through the application of practical skills, this progression is not occurring in practice. Parallax Legal's observations reveal a persistent disconnect, reflected in the limited cultural competence displayed by many practitioners when engaging with Aboriginal and Torres Strait Islander clients.
- (13) At present, the work to instil cultural competency in the legal profession falls disproportionately on Aboriginal and Torres Strait Islander lawyers when engaging with peers, and to Aboriginal and Torres Strait Islander clients themselves when instructing legal practitioners.
- (14) For clients, this may result in incurring additional costs for time spent on what ought to be a baseline level of cultural competency. We have encountered many examples of clients who have sought to engage new lawyers because, in that client's view, the original assisting lawyer did not act respectfully, appropriately, or competently in cultural terms.
- (15) Parallax Legal's clients include Traditional Owners, Prescribed Bodies Corporate, applicants in native title claims, and former applicants in unsuccessful native title claims. We assist our clients in negotiations with public and private proponents around matters related to native title and cultural heritage, including infrastructure, construction and resources projects occurring on our clients' Country. These negotiations can only proceed smoothly when lawyers on all sides are culturally competent, and where all parties can trust lawyers involved to comport themselves in a culturally competent manner. In the absence of defined opportunities in PLT curricula to introduce fundamentals of cultural competency, the presence of culturally competent practitioners in the legal profession is left to chance and the initiative of individual practitioners.
- (16) Cultural difference is also reflected across Australian law. Aboriginal corporations are required to comply with separate legislation and a separate regulator. Native title, land rights, and Aboriginal Cultural Heritage legislation give rise to specific rights, interests, obligations and liabilities, both for Aboriginal and Torres Strait Islander peoples and for those in the broader community who come into contact or conflict with those rights and interests. Ministers, departments, and agencies across levels of government are variously responsible for matters concerning Aboriginal and Torres Strait Islander peoples and interests. There are truth telling

inquiries, redress schemes, and other legal avenues available to Aboriginal and Torres Strait Islander people. Lawyers not only need to have relevant knowledge of these options to fulfil their professional duties but also need to be equipped with relevant and specific skills to communicate with Aboriginal and Torres Strait Islander clients.

Recommendations

We echo the recommendations made by the FNLPSWP in their submission. We refer you to their submission in full, but reproduce the recommendations here for ease of reference:

1. Reform Legal Professional Accreditation

- LACC amend the Model Admission Rules to mandate ICC.
- LACC to include Indigenous Cultural Competency in the proposed Skills Schedule: Practical knowledge and skills expect of a person seeking admission as an Australian lawyer.

2. Establish a National Working Group

- Form a National ICC Implementation Working Group (including representatives from LACC, CALD, Law Council of Australia, NATSILS, NAILSMA, Indigenous lawyers' associations and Indigenous legal academics) to promote and implement best practice at a national level.
- The National ICC Implementation Working Group is to be Indigenous-led and resourced to carry out its functions.
- Adopt a Common Definition of Indigenous Cultural Competency. Based on the AHPRA definition, developed through Indigenous-led consultation, to ensure consistency across law schools and the profession.

3. Mandate University Accountability

- Require law schools to demonstrate ICC is embedded and scaffolded through curriculum and governance to ensure ICC learning outcomes are achieved.
- CALD to support capacity building and the development of resources for ICC in curricula.

4. Embed ICC in Closing the Gap Justice Targets

- Recommend the inclusion of "culturally capable legal professionals" as a measurable indicator in future CTG Justice Targets.

Thank you for the opportunity to submit to this review and we look forward to seeing the outcomes and future implementation into PLT curricula.

Yours faithfully,



Cassie Lang

Co-Founder and Principal



Stephanie Parkin

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