

Feedback Form: Review of practical legal training

Respondent details

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Are you responding as (select one):

- ☐ Individual
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- ☐ National
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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? The School of Law and Justice at the University of Newcastle has a strong tradition of teaching practical skills through our Diploma of Legal Practice. For this reason, we are supportive of the embedding of practical skills within the law curriculum. We are supportive of a requirement for appropriate assessment of the skills and would appreciate greater clarity around the requirements for the assessment.
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? We do not have any suggested amendments.
1.3	Would law schools be able to implement these changes by the beginning of the 2028 academic year, as proposed? We anticipate being able to implement the proposed changes for the 2028 academic year.
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? We are supportive of the proposal to amend the PLT Competency Standards to reflect the categories and skills set out in the skills schedule at Appendix F.
2.2	Do you suggest any amendments to the categories or skills set out in the skills schedule at Appendix F? See response to 2.3 below.
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? ii. Preventing and addressing sexual harassment?

	iii. Awareness of obligations under anti-money laundering/counter-terrorism financing regulations? iv. Awareness of ADR options, or specific skills relating to ADR? v. Negotiation skills in a wider range of settings, or other specific settings? vi. Drafting any other types of legal documents? If so, what types of documents? We agree that these skills and values are important in developing ethically minded professional lawyers. ADR and drafting, including pleadings, are critical skills for 21st century lawyers.
2.4	Should the option for graduates to undertake Supervised Workplace Training as a way of completing PLT be retained? We are unable to comment on the requirements for Supervised Workplace Training.
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? We are unable to comment on the requirements for Supervised Workplace Training.
2.6	Should there be any other amendments to Supervised Workplace Training? We are unable to comment on the requirements for Supervised Workplace Training.
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? We acknowledge the proposal to reduce PLT courses to a minimum of four weeks in length.
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? Taking into account the other proposals, we accept that a four-week period achieves a good balance.

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? We expect that removal of the requirement for PLT to be delivered at a graduate diploma level or equivalent may impact the viability of some existing programs.
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? We would not be supportive of additional regulatory requirements for university providers of PLT that are already regulated by TEQSA.
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? We would not be supportive of a requirement for coursework only to be delivered in person or synchronously online. In our view, the quality of a program should be assessed holistically rather than on the basis of whether it is in person or online.
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? We are supportive of rigorous assessments. If this requirement is introduced we would welcome further clarification of the measures law schools will be required to implement in order to satisfy the requirement for rigorous and effective assessment.
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? We believe that academic misconduct is best managed by universities and their existing regulatory requirements. This would seem to be a separate matter from PLT and should continue to be managed in accordance with existing protocols.
Workplace experience	
7.1	Do you support the LACC retaining the requirement for a minimum of 15 days of workplace experience prior to admission? We are supportive of the requirement for a minimum of 15 days of workplace experience prior to admission.

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? We are supportive of further information being provided on the types of tasks and hours to be allocated to the development of specific skills for students completing their workplace experience. In our view, the workplace experience should be focused on the development of the skills required for an entry-level lawyer. Consideration should also be given to the timing of the workplace experience within the law degree so that it is not too early in the degree.
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? We would be supportive of guidance being provided to supervisors.
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? As a general principle we are supportive of supervisors being provided with guidance and training on supervision.
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? We are unable to comment on this.
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? We are supportive of allowing a PLT provider to approve workplace experience being undertaken while a student is studying a law course. We are supportive of PLT providers being able to certify that appropriate work experience has been undertaken. See also our comments at question 8.1 above.

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? We are supportive of PLT providers assisting students to source workplace experience opportunities.
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? We are unable to comment on the requirements for PALT.
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. We are unable to comment on the requirements for PALT.
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? We are unable to comment on the requirements for PALT.
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? We are unable to comment on the requirements for PALT.
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? We are unable to comment on the requirements for PALT.
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? We are unable to comment on the requirements for PALT.

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? We are unable to comment on the requirements for PALT.
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? We are unable to comment on the requirements for PALT.
19.1	Do you support the proposal that PALT should incorporate rigorous assessment? Do you have any views on the parameters for this requirement? We are unable to comment on the requirements for PALT.
Clinical legal education	
20.1	Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT? We are very supportive of clinical legal education as a component of PLT. Clinical legal education involves the intensive supervision of law students undertaking legal work while providing vital services to the community. This develops professional skills in a supportive and real legal environment and inculcates in students a deep awareness of access to justice issues. The School of Law and Justice at the University of Newcastle has had a clinical approach to legal education for more than 30 years. We currently offer a Diploma of Legal Practice that is offered in combination with our Bachelor of Laws and Juris Doctor programs. While we are supportive of clinical legal education, we would not be supportive of an additional set of requirements.
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 See our response to 20.1.
20.3	If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT? We are unable to comment on the requirements for PALT.

20.4	Who should be responsible for delivering and supervising clinical legal education? We believe that delivery and supervision of clinical legal education should be undertaken by experienced legal practitioners within a suitable setting such as a community legal centre or legal aid clinic. See also our response to question 20.1.
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? As a leading provider of clinical legal education in Australia we would be happy to contribute to a working group.
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? We are unable to comment on the requirements for post-admission supervision.
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? We are unable to comment on the requirements for post-admission supervision.
Implementation timing	
22.1	Do you support the proposed transitional arrangements and implementation timeframe set out at Proposal 22? We are supportive of the proposed transitional arrangements and implementation timeframe.