



University of
**Southern
Queensland**

**SCHOOL OF LAW AND
JUSTICE**

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The Hon Justice François Kunc
Chair
Law Admissions Consultative Committee
Legal Services Council

By email: submissions@legalservicescouncil.org.au

Dear Justice Kunc,

REVIEW OF PRACTICAL LEGAL TRAINING

The University of Southern Queensland's School of Business, Law, Humanities and Pathways supports, in principle, legal education reform that equips law graduates with the skills and knowledge necessary to contribute positively to their communities and the legal profession, now and into the future.

At the same time, however, we are concerned about the timing and content of the proposed reforms, and strongly endorse the submissions made by the Council of Australian Law Deans (CALD) and the Legal Education Associate Deans (LEAD) Network, including:

1. The need for a continuum-based and collaborative approach to reform which takes into account existing knowledge and skills; avoids ad hoc additions focused on restructuring PLT, and which results from broad engagement with contemporary scholarship (including of Indigenous cultural competency), the legal profession, the academy and students.
2. The impracticality of implementing the reforms by 2028.
3. The equity and consequent access to justice risks resulting from mandated in-person delivery of PLT and the removal of FEE-HELP eligibility.
4. The need to consider the implications for curriculum balance, staff workload, student learning and (we submit) student wellbeing, where additional knowledge and skills are added to an already crowded curriculum.
5. The regulatory risks and potential duplication resulting from the proposed accommodation of non-AQF PLT courses.

6. The need to consider transitional arrangements and synchronised implementation of the proposed reforms.

It is our submission that:

- 1. The reforms should start with review of the existing requirements of legal education and the extent to which these continue to meet the needs of law graduates and the legal profession**

We agree with CALD and LEAD's submissions that the proposed changes should not be made on an ad hoc basis, driven by the objective of restructuring PLT. Rather, they should result from broad consideration and consultation about the extent to which the existing requirements (including the 'Priestley 11' and Threshold Learning Outcomes ('TLOs')) continue to meet the needs of law graduates and the legal profession. As a regional Law School, we submit that this should include consultation with, and consideration of, the needs of lawyers and law students in rural, regional and remote communities, and should engage more deeply with the literature on Indigenous cultural competency and the needs of Aboriginal and Torres Strait Islander peoples (CALD Submission 7).

We also submit that consideration be given to reconciling the list of proposed knowledge and skills in Appendix F against existing requirements, given that some items might be regarded as giving greater specificity to existing knowledge and skills – the 'ability to work with colleagues within a team', for example, might be regarded as an example of the ability to 'collaborate effectively' (TLO 5). We are concerned that adding on additional requirements without this reconciliation risks:

- Compressing doctrinal knowledge and an explanation of the theoretical and historical context for core legal principles in order to accommodate additional skills.
- Increasing the number of core courses that students must take, which then reduces the number of electives they can take in other areas of legal practice, such as family or succession law.

From a practical perspective, it is also important to avoid adding an additional layer of complexity to already complex decisions about credit transfers and transitional arrangements for law students. We strongly endorse the LEAD submission in that regard.

- 2. Fostering flexibility and the agility to respond to future changes**

All Law Schools are unique, and serve different cohorts and communities. This diversity is important, and contributes to access to justice for marginalised clients and communities. For this reason, we recommend that any list of required skills be drafted at the 'category' level, to allow flexibility for Law Schools to adapt their curriculum to the needs of their unique cohorts, and to be agile in responding to future changes to the law and the nature of legal practice (including those resulting from the widespread adoption of artificial intelligence and other technologies). Framing the knowledge and skills as 'legal drafting' (for example), gives universities the autonomy to incorporate skills where and in a way that suits their context, while still assuring learning.



Alternatively, the list of specific skills in the second column of Appendix F might be used as examples of the broader skill of 'legal drafting', rather than specific items that must be taught and assessed explicitly, at the expense of other forms of drafting.

We also submit that the reforms should not prescribe the courses in which skills are to be taught and assessed. This restricts law schools from embedding skills in ways that suit their pedagogical strengths and unique contexts (including access to practitioner support). A more effective model would specify outcomes rather than delivery, allowing Law Schools to adopt capstone, clinical, or vertically scaffolded approaches to meet the requirements.

3. Student equity and access to justice

Many of our students live in rural, regional or remote communities; study part-time; work significant hours; have caring responsibilities; or live with disability. As such, they rely on flexible delivery arrangements and access to FEE-HELP for PLT. We submit that the proposals to limit PLT to in-person or synchronous online delivery creates an equity issue for students who cannot access legal qualifications without flexible accommodations. Over time, this may negatively impact access to justice for communities that rely on a diverse cohort of law graduates and practitioners.

We do support the LACC amending the PLT Standards to set out the obligations of PLT providers to assist students in sourcing workplace experience opportunities, as this is likely to be of benefit to our students.

4. Timing of proposed changes

We echo CALD and LEAD's submissions that the timing of the proposed reforms is impracticable, due to University governance processes and resourcing. Moreover, the reforms coincide with assessment changes currently being made by Universities across Australia to accommodate the challenges posed by artificial intelligence.

Postponing the implementation date beyond 2028 will allow time for these changes to be embedded, which will have positive flow-on affects for the assessment of proposed skills in Appendix F.

We also ask that consideration be given to transition arrangements for students who have partially completed their studies prior to the implementation of the reforms, and for the management of credit transfers across jurisdictions and institutions, which are already highly complex.

Yours sincerely



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Head of Law and Justice and Dean

