

Feedback Form: Review of practical legal training

Respondent details

Name: Professor Sharon Mascher

Organisation (if applicable): UWA Law School, University of Western Australia

Contact details: dean-law@uwa.edu.au

Are you responding as (select one):

- ☐ Individual
- ☒ Organisation
- ☐ Peak body / Representative group
- ☐ Other (please specify): _____

Jurisdiction (select one)

- ☐ National
- ☐ Australian Capital Territory
- ☐ New South Wales
- ☐ Northern Territory
- ☐ Queensland
- ☐ South Australia
- ☐ Tasmania
- ☐ Victoria
- ☒ Western Australia
- ☐ Multiple
- ☐ Other. Please specify:

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? UWA Law School notes at the outset the concern expressed by the Council of Australian Law Deans (CALD) that the reform proposals – which are directed at restructuring PLT - risk producing piecemeal changes to the law courses. If changes are to be made, in our view a more comprehensive review of the Accreditation Standards for Australian Law Courses – and its Priestley 11 - would lead to a more coherent, durable and beneficial reform for law students, and the legal profession. Adding practical skills content outside of a more comprehensive review necessarily overlooks resulting trade-offs within an already crowded curriculum, including with doctrinal, theoretical and contextual content that is central to the development of critical thinking and professional judgment. The proposal may also divert attention from other under-recognised priorities, including Indigenous knowledges and laws and step changes in the legal landscape associated with AI and developing technologies. Additionally, there is a lack of focus on how these proposals relate to the threshold learning outcomes for LLB and JD degrees endorsed by the Council of Australian Deans. This gives rise to concerns about fragmentation and misalignment within the curriculum. While urging that change take place within the framework of a more comprehensive review, UWA Law School is broadly supportive of the proposal for the LACC to amend the Accreditation Standards for Australian Law Courses to require law courses to expose students to some practical teaching and training of practical legal skills. However, as noted below, UWA Law School is of the view that further consideration is needed – in consultation with law schools and other across the legal education continuum - as to which of the long list of skills in Appendix F are best taught within a qualifying degree, and whether skills are missing from the list in Appendix F given the changing profession our students are entering.
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? Yes. As indicated above, UWA Law School is of the view that further consideration is needed as to which of the long list of skills in Appendix F are best taught within a qualifying degree, and whether skills are missing from the list in Appendix F given the changing profession our students are entering. An alternative approach would be to move to consider higher level practical competency requirements, as is done in other jurisdictions such as the Federation of Law Societies of Canada's National Requirement and leave law schools to develop curriculum to achieve those competencies.

	UWA Law School is also strongly of the view that law schools must retain flexibility in how, and where, within the law course required practical skills are taught. As written, Appendix F is overly prescriptive and risks distorting curriculum design, reducing educational coherence and undermining innovation in teaching. Some of the practical skills listed in Appendix F are already embedded – or could be embedded - within compulsory units in our Juris Doctor degree that sit outside the Priestley subjects. Pedagogical choices have been carefully made to fit within the design of our Juris Doctor curriculum and the scaffolding of assessment and skill development. An overly prescriptive approach as to how and where skills are taught will not deliver better outcomes and, depending on existing course design, may well detract from them. Flexibility must also be retained as to how skills are assessed. UWA Law School also emphasises concerns raised by Indigenous legal academics through the First Peoples Partnerships Working Party of the Council of Australian Law Deans and the First Nations Legal Professional Standards Working Party, which addresses the longstanding calls for lawyers to develop the knowledge and skills to be able to work effectively with Aboriginal and Torres Strait Islander peoples. While the Consultation Paper refers to cultural competency, it does not adequately engage with the scholarship on Indigenous cultural competency in legal education and professional standards. Nor does it sufficiently recognise the unique status of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia, or the continuing effects of colonisation on interactions with the legal system. That is a significant omission in any proposal concerned with the capabilities of future Australian lawyers. Indigenous cultural competency should be expressly recognised as an essential capability for Australian lawyers and developed deliberately across the continuum of legal education and professional training in consultation with Indigenous experts. Without that recognition, the proposal risks treating a core professional responsibility as peripheral.
1.3	Would law schools be able to implement these changes by the beginning of the 2028 academic year, as proposed? UWA Law School does not consider the proposed 2028 implementation date to be feasible. Without knowing the scope of the final proposal, curriculum and assessment redesign will undoubtedly be required. This work cannot begin until the new regulatory framework has been finalised and settled, which on current timelines is unlikely before the second half of 2026. As CALD has noted, adoption by individual admitting authorities may extend into 2027, and only then can law schools begin the substantial work of redesign and approval. Depending on the scale of redesign, university governance processes may be engaged, as will accreditation processes for the law degree. Given this, 2029 would be the earliest UWA Law School could be positioned to deliver a cohesive and pedagogically informed response to the proposed changes.
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? UWA Law School is not a PLT provider, and we have no plans to enter the sector. Given this, we will leave it to the PLT providers to provide detailed comment. We will, however, note that some of the comments relating to Appendix F as it applies to law courses, also translate to PLT.
2.2	Do you suggest any amendments to the categories or skills set out in the skills schedule at Appendix F? See above.
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? These are questions that engage PLT providers and the legal profession, and we will leave this to them to comment. However, we again emphasise the importance of not grouping practical skills relating to Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia into a general basket of skills relating to other culturally and linguistically diverse groups of peoples.
2.4	Should the option for graduates to undertake Supervised Workplace Training as a way of completing PLT be retained? We will leave it to our colleagues working in the PLT sector to comment on how this recommendation might be practically implemented. However, we emphasise the need to ensure diverse groups of law graduates and future legal practitioners are not left behind by these changes.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.

2.6	Should there be any other amendments to Supervised Workplace Training? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment. That said, we note that the appropriateness of the four-week model depends on the overall allocation of responsibility to teach listed practical skills across the law degree, PLT, PALT and supervised legal practice. This, in turn, depends on the role PLT plays within the broader educational continuum.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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?

	As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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 will leave it to our colleagues in the legal profession to comment on whether the proposed minimum standards are appropriate.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment. We note, however, that focusing on outcomes and attributes rather than tasks and hours may lead to higher quality workplace experience opportunities.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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? We will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession to comment.

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? UWA Law School recognises the importance of law students gaining experience within the legal profession whilst undertaking their degree studies. For our students, this occurs through supervised internships for course credit as well as casual employment alongside their studies. However, it would change these experiences significantly if they were undertaken for satisfaction of PLT and would create a significant additional level of oversight and regulation. We will leave it to our colleagues who provide PLT to comment on the viability of this undertaking.
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? As we do not operate in the PLT sector, and have no plans to enter this sector, we will leave it to our colleagues who provide PLT to comment.
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 will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession and potential PALT providers to comment.
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 will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession to comment.
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 will leave it to our colleagues in the legal profession and PALT providers to comment.
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 will leave it to our colleagues in the legal profession and PALT providers to comment.
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 will leave it to our colleagues in the legal profession and PALT providers to comment.
Clinical legal education	
20.1	Do you support the Committees considering options for the inclusion of clinical legal education as a component of PLT? UWA Law School supports further consideration of clinical legal education and recognises its pedagogical value. However, the assumption that graduates have had no exposure to legal practice during their degrees does not hold in all cases, and the suggestion that shortened PLT programs are best placed to deliver clinical legal education across the broader continuum has not yet been made

	out. This proposal requires fuller consideration and consultation before reform proceeds.
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 above 20.1
20.3	If clinical legal education is optional, should completion of clinical legal education satisfy the requirements for PALT? We will leave it to our colleagues in the legal profession and PALT providers to comment.
20.4	Who should be responsible for delivering and supervising clinical legal education? Please see the response to question 20.1 above. UWA Law School also recognises that many law schools are already delivering clinical legal education within their degrees, often working alongside accredited community legal centres, and in those cases universities and law schools are also well placed to deliver and supervise clinical legal education.
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? Yes, a working group would be welcome.
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 will leave it to our colleagues in the legal profession to comment.
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? Yes.
Implementation timing	

22.1	Do you support the proposed transitional arrangements and implementation timeframe set out at Proposal 22?
	No. As stated in our response to question 1.3, the 2029 academic year would be the earliest that UWA Law School could deliver such a skills curriculum, with this response dependant on the relevant requirements being settled by mid-2026. Transitional cohorts may take many years to move through degree changes, creating substantial administrative complexity for law schools, PLT providers and admitting authorities. A staged approach would better protect students, reduce avoidable complexity, and allow reforms to be implemented and evaluated in an orderly way. Regardless of the approach taken, accredited transitional arrangements will be required for several years.