



18 December 2014

SCHOOL OF LAW AND JUSTICE

Professor Reid Mortensen
Head of School
PHONE +61 7 4631 2713 | FAX +61 7 4631 1886
EMAIL reid.mortensen@usq.edu.au

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Director,

Legal Practitioners Admissions Board: Two Law Deans as members

I am the Chair of the Queensland Law Deans Network ('the Network'), which comprises the Deans and Heads of School of all university law schools in this State.¹

The proposal: On behalf of the Network, I propose that the Legal Affairs and Community Safety Committee add an item to the *Justice and other Legislation Amendment Bill 2014* (Qld) ('the Bill') that the Committee is presently considering. This is that there be an amendment to section 661 of the *Legal Profession Act 2007* (Qld) to the effect that two Queensland law Deans or Heads of School are included in the membership of the Legal Practitioners Admissions Board ('LPAB').

The Network directed that I submit this proposal by a unanimous resolution made at its meeting at Queensland Law Society House on 20 October 2014. The proposal has been raised with the Attorney-General and the Chief Justice, who (we have been told) will indicate their general support for it once this proposal is submitted to you.

Role of the LPAB: The LPAB helps the Supreme Court when considering applications by individuals for admission by the Court as lawyers. Under the *Supreme Court (Admission) Rules 2004* (Qld) it also approves law degrees that, if completed successfully, qualify individuals in part for admission as lawyers. Those degrees are offered by the law schools whose Deans and Heads are represented in the Network. At present, the membership of the LPAB comprises three barristers (one nominated by the Bar Association of Queensland), three solicitors (one nominated by the Queensland Law Society), the Registrar, and one person nominated by the Attorney-General. No institution that has the responsibility for offering the degrees or courses by which the *Admission* Rules are given effect is represented on the LPAB.

¹ Bond University, Central Queensland University, Griffith University, James Cook University, Queensland University of Technology, University of Queensland, University of Southern Queensland, and University of the Sunshine Coast.

Reasons for the proposal: Stated briefly, the considerations that lead to this proposal, and that have been raised with the Attorney-General, include –

- Law deans are members of the New South Wales (two deans), South Australian (three deans) and Victorian (one dean) admission boards, which are the equivalent of the LPAB.²
- The LPAB would benefit from members who have expertise in curriculum, and who are aware of the other regulatory arrangements that also affect the structure of law degrees (eg, the Tertiary Education Quality and Standards Agency and its 'threshold learning outcomes' for law degrees) and that intersect with the requirements of the *Admission Rules*.
- More immediately, having members with expertise in curriculum would mutually enhance the capacity of both the LPAB and the Queensland law schools to respond to national proposals, such as those currently being undertaken in relation to both the academic requirements and the practical legal training requirements for admission as a lawyer. At present, the LPAB does not have members with experience in curriculum and in the broader federal regulatory requirements for curriculum when responding to these curriculum proposals. Further, the LPAB and other Australian admission boards were advised of the nature of these curriculum proposals as early as October 2014, where the Queensland law schools were not permitted to see the curriculum proposals until 5 December 2014. This has been at a relative disadvantage to the Queensland law schools, especially when compared with the law schools in other States that became aware of the nature of the curriculum proposals through membership of their State admissions board.

Thank you for considering this proposal.

Yours sincerely



Professor Reid Mortensen
Head, School of Law and Justice

CC The Honourable Jarrod Bleijie
Mr Glenn Ferguson

² **NSW:** s 1(1)(d), Schedule 3 *Legal Profession Uniform Law Application Act 2014* – '2 persons for the time being nominated by the Council of Australian Law Deans, being members from New South Wales'.
SA: s 14B(5)(d)-(ea) *Legal Practitioners Act 1981* – the Deans of the Faculties or Schools of Law at the University of Adelaide, Flinders University and the University of South Australia.
Vic: s 21(1)(e) *Legal Profession Uniform Law Application Act 2014* – 'a person nominated by the Attorney-General who has experience in the provision of legal education.'