
VICTORIAN LEGAL ADMISSIONS BOARD



Annual Report 2016-2017

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1. CHAIRMAN'S REPORT

Since the commencement of the Uniform Law in July 2014 the Victorian Legal Admissions Board and the New South Wales LPAB have created a framework of uniformity that continues to be invaluable to both States.

During 2016-2017 the number of applicants admitted in Victoria increased by 6.6%. Sixty-six percent of applicants were female and 34% were male.

The Victorian Legal Admissions Board (VLAB) held 4 meetings reviewing the work of its Academic Course Appraisal, Practical Legal Training, Overseas Assessment and Secretariat Committees and other relevant business.

During the same period, the Victorian Legal Admissions Committee (VLAC) held 11 formal meetings, three special hearings and two directions hearings. The Chairman and Acting CEO held 49 individual meetings with applicants who had significant disclosures and 24 applicants attended formal meetings. Compliance Certificates were refused in two applications, however, both applicants may reapply in the future.

Social security offences, academic misconduct and traffic, transit and other infringements remain troubling. The percentage of disclosures has increased with many applicants making more than one type of disclosure.

The Disclosure Guidelines were revised so far as they relate to mental health issues to move the focus from the condition to the conduct linked to the condition, with a view to encouraging early appropriate treatment.

The Guidelines set out the Admitting Authorities encouraging approach to people seeking admission who experience mental, physical or other health conditions or disabilities. Examples are provided for illustrative purpose only but help to explain why a health condition may be relevant to determining whether, at the time of making an application, an applicant is able to carry out the inherent requirements of legal practice.

In December 2016 VLAB launched its online client portal and database and processing times have decreased dramatically. Applicants have rated the online experience highly with many commencing and finishing their applications in record time, some even on the same day. Feedback is positive for a user friendly experience.

VLAB also entered an agreement with the Attorney-General's Office to utilise the Document Verification Service (DVS). The service allows VLAB to verify Australian Government issued documents provided by applicants as true and authentic.

Future expansion in technologies will continue and the extent of research into these technologies will include predictive analyses of disclosure trends of individuals who may be exposed to particular disclosure types based on geography, gender, age etc. The predicted results will enable VLAB to better target and provide delivery of presentations to applicants on key disclosure requirements on the basis of these predictions.

Thank you to each of the members of VLAB and its Committees for their contribution.

I extend my thanks to Deborah Jones and her team who have worked diligently over the year to provide dedicated support and assistance to VLAB and its Committees. I also thank Richard Besley for his past contribution and extend best wishes to him for the future.

The Honourable Bernard Teague AO

2. INTRODUCTION

The Victorian Legal Admissions Board (the Board) is a statutory body established under the *Legal Profession Uniform Law* (the Law) which determines the eligibility and suitability of persons seeking admission as Australian Lawyers. Admission of lawyers in Victoria is governed by the *Legal Profession Uniform Admission Rules* 2015 (the Rules).

The Board administers the appointment of Public Notaries in accordance with the *Public Notaries Act* 2001.

The Board accredits academic law courses and practical legal training providers.

3. STRUCTURE

3.1 Board, Committees and Staff

3.1.1 Victorian Legal Admissions Board

Table 1: *Victorian Legal Admissions Board*

Member	Appointment	Term
The Hon. Bernard Teague AO (Chairman)	Person nominated by the Chief Justice	1 July 2015 to 30 June 2018
The Hon. David Habersberger QC (Deputy Chairman)	Retired judge nominated by the Chief Justice	1 July 2015 to 30 June 2018
Dr Suzanne McNicol QC	Person nominated by the Victorian Bar	1 July 2015 to 30 June 2018
Ms Caroline Counsel	Person nominated by the Law Institute	1 July 2015 to 30 June 2018
Ms Magda Karagiannakis	Person nominated by the Attorney-General who has experience in the provisions of legal education	1 July 2015 to 30 June 2018

3.1.1.1 Victorian Legal Admissions Board – Qualification Sub-Committee

Table 2: *Qualification Sub-Committee*

Member
The Hon. Bernard Teague AO
The Hon. David Habersberger QC
CEO

3.1.2 Secretariat Committee

Under an Instrument of Delegation, the Board established the Secretariat Committee to facilitate efficient administrative decision making and enable the secretariat to effectively manage the day to day operations of the Board.

Table 3: Secretariat Committee

Member
The Hon. Bernard Teague AO
CEO

3.1.3 Victorian Legal Admission Committee

Under an Instrument of Delegation, the Board established the Victorian Legal Admissions Committee (the Committee) to assess applicants for admission in Victoria and to grant Compliance Certificates under s19 of The Law.

Table 4: Victorian Legal Admissions Committee

Member
The Hon. Bernard Teague AO (Chairman)
The Hon. David Habersberger QC (Deputy Chairman)
Mr Peter Jopling AM QC (to December 2016)
Mr Ian Waller QC
Ms Kerri Judd QC
Mr Matthew Connock QC
Ms Aileen Ryan QC (now Her Honour Judge Ryan)
Ms Lisa Nichols SC
Ms Caroline Counsel
Mr Peter Holloway
Ms Mary Padbury
Mr John Mengolian
Ms Alison O'Brien
Ms Maryjane Crabtree
Ms Magda Karagiannakis

3.1.4 Academic Course Appraisal Committee

Under an Instrument of Delegation, the Board established the Academic Course Appraisal Committee (ACAC) to accredit, monitor and review academic law courses in Victoria.

Table 5: Academic Course Appraisal Committee

Member
Dr Elizabeth Boros
Mr Ian Hardingham QC
Prof. Simon Evans
Prof. Breen Creighton
Ms Magda Karagiannakis

3.1.5 Practical Legal Training Committee

Under an Instrument of Delegation, the Board established the Practical Legal Training Committee (PLTC) to accredit, monitor and review practical legal training providers in Victoria.

Table 6: Practical Legal Training Committee

Member
Prof. Sandford Clark AM
Prof. Breen Creighton
Prof. Adrian Evans
Mr Hugh Murray
Ms Magda Karagiannakis

3.1.6 Overseas Application Committee

Under an Instrument of Delegation, the Board established the Overseas Applications Committee to assess the overseas qualifications of persons for the purpose of admission in Victoria.

Table 7: Overseas Application Committee

Member
Prof. Sandford Clark AM
CEO

3.1.7 Secretariat Support

The Board and its Committees are supported by employees of Civil Justice, Department of Justice and Regulations.

Table 8: Secretariat Support

Staff Member	Position
Deborah Jones	Acting Chief Executive Officer
Kristen Murray	Principal Policy Officer
Maria Di Palma	Project Manager
Vanessa Wilde	Compliance Officer
Gayle Camilleri	Compliance Officer
Janette Ibarra	Compliance Officer
Irene Boltuc	Compliance Support Officer
Lisa Rozanitis	Administrative Support Officer

4. ADMISSIONS

The Supreme Court of Victoria may admit a person to the Australian legal profession as an Australian Lawyer if the person:

1. has attained the specified academic qualifications prerequisite;
2. has satisfactorily completed the specified practical legal training prerequisite; and
3. is a fit and proper person to be admitted to the Australian legal profession.



4.1 Online Applications

In December 2016, The Board launched its online client portal and database. The portal is accessed via the Board's website for all applicants for admission. Currently the online portal accepts ten types of applications including Supervised Legal Training, Practical Legal Training and Foreign Assessments amongst others.

Since its launch, the processing time for admissions has decreased dramatically and applications can be processed within days. The feedback received has been one of positivity for a user friendly experience

4.2 Admission Figures

The Board will assess and determine an application for a compliance certificate, and if satisfied of the eligibility and suitability of an applicant, the Board may issue the Supreme Court of Victoria with a compliance certificate in respect of the applicant.

During the period under review (1 July 2016 to 30 June 2017):

- 1362 persons were admitted who held qualifications in law obtained wholly or partly in Australia. This is an increase of 6.6% on the previous financial year.
- 40 were previously admitted in a foreign jurisdiction (3% of total admissions) and 15 obtained their academic qualifications in a foreign jurisdiction (1% of total admissions).
- 1307 applicants who attained their academic qualifications wholly in Australia comprised 96% of admissions.
- 37 New Zealand practitioners were admitted, an increase of 15.6% on the previous financial year.
- 12 Australian legal practitioners were appointed as Public Notaries.

Table 9: Country of Admission – Foreign Admitted

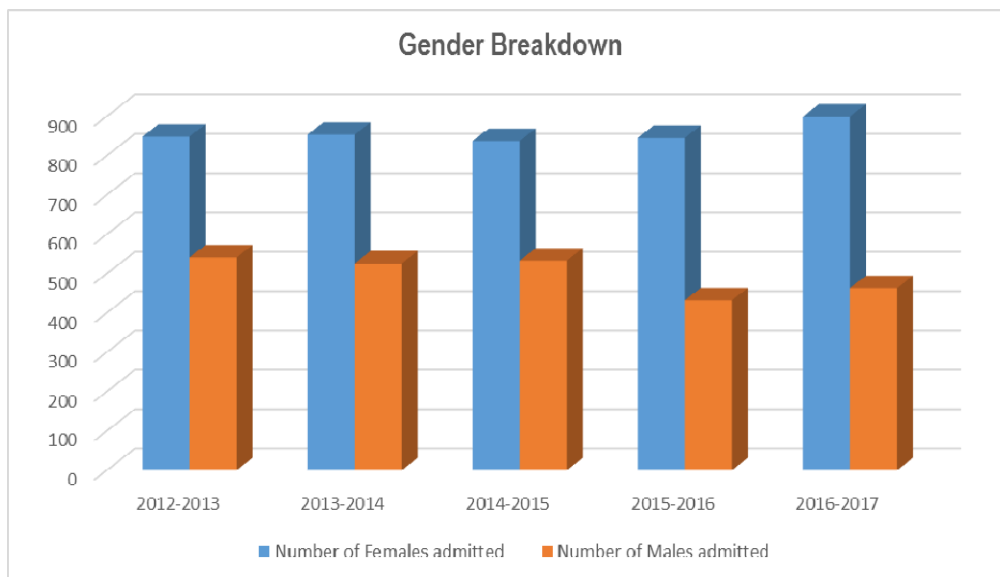
Country of Admission	Number	Country of Admission	Number
Canada	2	Papua New Guinea	1
China	1	Philippines	1
Germany	1	Scotland	2
Hong Kong	2	Singapore	1
India	1	South Africa	2
Ireland	2	Sri Lanka	2
Malaysia	8	United Kingdom	10
Nigeria	1	USA	2
Pakistan	1		
TOTAL			40

4.3 Gender Balance

Table 10: Breakdown of Gender Balance

Year (Financial)	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Number of Females admitted	848	853	837	845	899
Number of Males admitted	541	526	533	432	463

Graph 1: Gender Breakdown

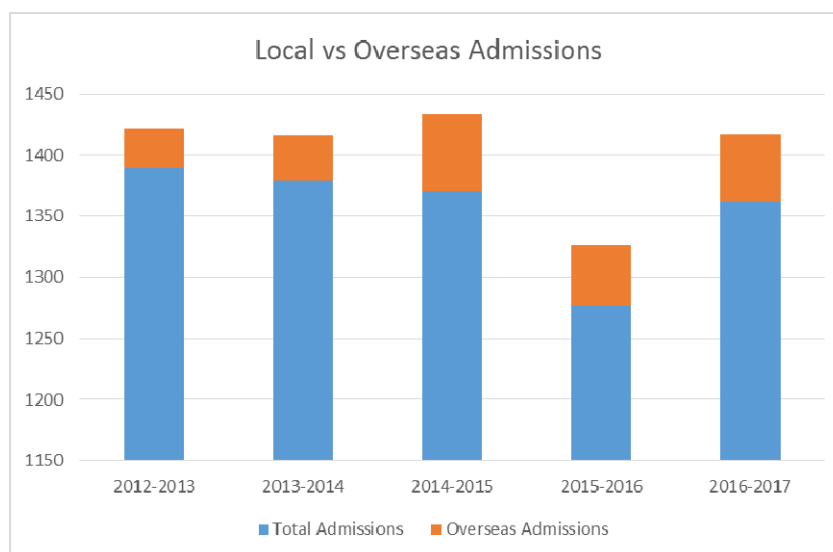


4.4 Total Admissions

Table 11: Admissions Including Overseas

Year (Financial)	Total Admissions	Overseas Admissions
2012-2013	1389	32
2013-2014	1379	37
2014-2015	1370	63
2015-2016	1277	49
2016-2017	1362	55

Graph 2: Local Vs Overseas Admissions



4.5 Mutual Recognition Admissions

There was an increase of 15.6% in New Zealand practitioners admitted under the Mutual Recognition principle in the 2015-2016 financial year.

Table 12: Mutual Recognition Admissions

Year (Financial)	MRA Admissions
2012-2013	50
2013-2014	37
2014-2015	33
2015-2016	32
2016-2017	37

4.6 Public Notary Appointments

Table 13: Public Notary Appointments

Year (Financial)	Public Notary Appointments
2012-2013	2
2013-2014	6
2014-2015	11
2015-2016	12
2016-2017	12

5. OVERSEAS ASSESSMENTS

The Overseas Application Committee assesses foreign graduates and lawyers for admission and has regard to the Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession (Uniform Principles) prepared by the Law Admissions Consultative Committee (LACC).

VLAB received 316 applications for assessment of overseas qualifications in this reporting period. This is an increase of 59% on the previous financial year.

5.1 Jurisdictions

The three countries that sought the highest number of assessments:

Table 14: Number of Assessments

	Year	Number of assessments	Percentage of total applications
United Kingdom	2015-2016	59	31%
	2016-2017	119	37%
India	2015-2016	25	13%
	2016-2017	29	9%
Sri Lanka	2015-2016	18	9%
	2016-2017	26	8%

Table 15: Breakdown of Assessments Received by Country

Country	No. of Assessments	Country	No. of Assessments
Africa	2	Mauritius	4
Argentina	1	Netherlands	1
Australia	9	Nigeria	6
Bangladesh	1	Pakistan	3
Brazil	2	Peru	1
Brunei	1	Philippines	7
Canada	3	Poland	2
China	6	Romania	1
Colombia	2	Russia	1

Country	No. of Assessments	Country	No. of Assessments
Fiji	1	Scotland	3
France	2	Serbia	1
Germany	2	Singapore	7
Hong Kong	5	South Africa	17
Hungary	1	Sri Lanka	26
India	29	Sudan	1
Indonesia	1	Syria	1
Iran	1	Tanzania	1
Iraq	2	Thailand	1
Ireland	6	Turkey	1
Italy	2	United Kingdom	119
Jamaica	1	United States	12
Kenya	2	Vietnam	1
Lebanon	1	Zimbabwe	2
Malaysia	14		
TOTAL			316



6 **CONDITIONAL ADMISSION**

Section 20 of the Law provides for the Board to recommend in a compliance certificate that a foreign lawyer be admitted subject to conditions.

6.1 **Conditional Assessments and Admissions**

The Board assessed 8 applications for conditional admission. Six applications were approved and 2 were refused as both applicants had no employment or supervisory arrangement in place in Australia.

During the current reporting period, 2 foreign lawyers were admitted subject to one or more conditions.

7. **QUALIFICATION ASSESSMENTS**

Any person relying on qualifications completed more than 5 years prior to applying for a compliance certificate, must seek an assessment from the Board.

7.1 **Qualification Assessments**

During the period under review the Board assessed 44 academic and/or practical legal training qualifications that were more than 5 years old.

Ten applicants were required to undertake further study.



8 SUPERVISED LEGAL TRAINING

Supervised legal training is a minimum 12-month period of supervised training under an eligible supervisor during which the trainee must acquire an appropriate understanding of and competence in each element of the skills, values and practice areas set out in the Rules.

8.1 Trainees

The number of applicants undertaking supervised legal traineeships for the last five financial years are as follows:

Table 16: Supervised Legal Trainees

Period	Number of Trainees
July 2012 to June 2013	196
July 2013 to June 2014	174
July 2014 to June 2015	159
July 2015 to June 2016	195
July 2016 to June 2017	136

8.2 Breakdown of Firms

Legal firms from locations throughout Victoria engaged supervised legal trainees over the 2016-2017 financial period. In total 57 firms engaged a trainee in a supervised legal traineeship.

The majority of firms were based in the Melbourne CBD with 108 out of 136 from this area, 79% of total trainees. The remaining trainees came from surrounding suburbs such as Dandenong, Box Hill, Hawthorn and Brighton with firms from regional areas including Ballarat and Shepparton.

Legal firms who engaged the largest number of trainees during this period were:

- Arnold Bloch Leibler
- HWL Ebsworth
- Hall and Wilcox
- Mills Oakley
- Russell Kennedy
- Victorian Government Solicitor's Office

Table 17: Firms Who Engaged Trainees

FIRMS			
Aitken Partners	FCB Group	McNab McNab & Starke Lawyers	Rotstein Commercial Lawyers
Arnold Bloch Leibler	Ferraro & Company Pty Ltd	Melasecca Kelly & Zayler Barristers & Solicitors	Russell Kennedy Lawyers
Arnold Thomas & Becker	Foster Nicholson Jones Lawyers	Mills Oakley	Ryan Carlisle Thomas
Bancroft Lawyers	Frenkel Partners Lawyers	Molino Cahill Lawyers	Saines Lucas Solicitors
Blackstone Waterhouse Zouki Lawyers	Hall & Wilcox	Moores Legal	T.J. Mulvany & Co
Bramich Legal	Holman Fenwick Willan	Morrison & Sawers Lawyers	Thomson Geer
Cassidy Morrison & Teare	Hounslow Lawyers	National Union of Workers	Tisher Liner FC Law
Clothier Anderson Immigration Law	Hoyle Da Silva Lawyers	Natoli Howell Lawyers	Transport Accident Commission
Colin Biggers & Paisley	HWL Ebsworth	Nicholas James Lawyers	Victorian Government Solicitors Office
Cornwall Stodart	Kellehers Australia	Noonan & Sutherland	Williams Winter Solicitors
Davies Collison Cave Law Pty Ltd	Kingston Lawyers	Norton Gledhill	Wilmoth Field Warne Lawyers
Davies Moloney	KP Abbott & Co	Office of Public Prosecutions Victoria	Zaparas Lawyers Pty Ltd
Department of Premier & Cabinet	Lewis Holdway Lawyers	Pointon Partners	
Eales and Mackenzie	Macpherson Kelley Lawyers	Ristevski Lawyers	
Faram Ritchie Davies	McCracken & McCracken Lawyers	Robinson Gill Lawyers	

9 CONCURRENT STUDY

The Rules provide for a practical legal training course to be undertaken concurrently with an academic qualification in law if the applicant has obtained prior permission from the Board. The applicant must have no more than two academic subjects to complete, neither of which are academic requirements for admission and be currently enrolled in the two remaining subjects.

Applicants are not permitted to commence a practical legal training course without the written permission of the Board.

The Board has received 139 applications for permission to commence a practical legal training course prior to completion of a law degree in this reporting period. This is an increase of 24% on the 2015-2016 figure of 112 applications.

10 ACADEMIC INSTITUTION

10.1 Academic Institutions

In the State of Victoria, eight universities have been approved by the Board to provide academic law courses.

Table 18: Approved Victorian Academic Institutions

Academic Institution
Australian Catholic University
Deakin University
La Trobe University
Monash University
RMIT University
Swinburne University of Technology (Dual Award LLB & Leo Cussen Centre for Law)
The University of Melbourne
Victoria University

The Board recognises any Australian law degree that meets admission requirements in the Australian State or Territory in which it is obtained provided all of the prescribed areas of knowledge as set out in the Legal Profession Uniform Rules 2015 are met.



10.2 Academic Course Appraisal Committee

The Academic Course Appraisal Committee (ACAC) is a committee of VLAB established by an instrument of delegation. ACAC was established to accredit, monitor and review academic law courses in Victoria, and to provide advice to VLAB on such matters.

During 2016-17, ACAC commissioned a review of Victoria University's LLB degree. The review presented an opportunity to pilot the draft LACC Accreditation Standards for Australian Law Courses (LACC Standards). These draft standards were prepared to complement the standards employed by other regulators or external reviewers, including the CALD Standards for Australian Law Schools (CALD Standards). The LACC Standards are designed to provide greater certainty to law schools about the matters which an admitting authority will consider relevant when accrediting, monitoring or reaccrediting a law course. The review was completed in May 2017, when the external assessors submitted their report.

ACAC will be conducting reviews of accredited law courses in the next financial year and beyond, to assess whether students have acquired and can demonstrate appropriate understanding and competence in each element of the academic areas of knowledge contained in Schedule 1 of the Rules.

Other activities undertaken by ACAC during the reporting period include:

- Consideration of a proposal by Swinburne University of Technology and the Leo Cussen Centre for Law to offer a combined LLB/GDLP degree. Following discussion and modification, the application was approved.
- Consideration of a proposal by Melbourne Law School to combine teaching of two Priestley 11 subjects, namely Ethics and Civil Dispute Resolution, in their JD program. A supplementary submission on issues associated with the proposal was sought and provided, and approval to offer a combined subject was granted.
- Consideration of a proposal by Victoria University to restructure the delivery of its first year LLB program so that subjects are taught sequentially, in a block format, rather than simultaneously. Further information has been sought and the proposal remains under active consideration.

11 PRACTICAL LEGAL TRAINING PROVIDER

11.1 Practical Legal Training Providers

There are four approved practical legal training (PLT) providers in Victoria.

Table 19: Approved Victorian Practical Training Institutions

Practical Legal Training Provider Institution
Australian National University School of Legal Practice
The College of Law
Leo Cussen Centre for Law
Monash University (Not currently offering a course)

The Board recognises PLT courses undertaken in other jurisdictions for the purpose of admission if the course has been approved as meeting the PLT requirements for admission in the Australian jurisdiction which it was completed.

The Practical Legal Training Committee (PLT Committee) is a committee of VLAB established by an instrument of delegation. The PLT Committee was established to accredit, monitor and review practical legal training providers in Victoria, and to provide advice to VLAB on such matters.

During the reporting period, all Australian admitting authorities agreed to participate in a national review of the College of Law. The purpose of the review is to examine and report generally on the PLT Course of the College of Law in its multiple jurisdictional versions and, in so doing, to determine if the Course is being provided in accordance with the Uniform Standards for PLT Courses and Providers. Without limiting the generality of the inquiry, the review panel has been requested to consider specific issues including:

- The extent to which the curriculum incorporates all required elements of, and complies with, the National Competency Standards;
- The way in which, and the extent to which, the syllabus and course materials are kept current;
- How the understanding of students and their competence in each required element of the National PLT Competencies are assessed;
- Satisfaction levels reported by students and firms.

The review report is expected to be finalised during the 2017-18 financial year.

Other activities undertaken by the PLT Committee during the reporting period include:

- Consideration of a revised set of national work experience rules developed by the College of Law in response to new standards for the work experience component of all PLT programs, developed by the Law Admissions Consultative Committee.
- Consideration of a proposal by the Leo Cussen Centre for Law to offer single PLT subjects on line, to assist overseas practitioners who are assessed by VLAB and needing to complete one or more PLT subject/s in order to become eligible for admission in Victoria.

12 SUITABILITY

12.1 Victorian Legal Admissions Committee

The Committee determines whether an applicant for admission is of good reputation and character and a fit and proper person to be admitted to the Supreme Court of Victoria.

The Committee expects a full and frank disclosure and considers all the circumstances and determines whether an applicant is a fit and proper person at the time of making an application.

An applicant must provide a statutory declaration disclosing details of any matters which may have bearing on his or her fitness and propriety.

The disclosure will be reviewed and determined by way of no additional consideration is required; further and better particulars are required; an invitation to attend a meeting with the Chairman and CEO; the application will be referred to a full meeting of the Committee or a special hearing will be conducted.

Meetings of the Committee are conducted approximately three weeks prior to each admission date. From time to time additional meetings may be held as the need arises.

Applicants appearing before the Committee sometime attend with legal representation and/or with their employer, supervisor or support person.

Special hearings are held in the Supreme Court. A transcript of the hearing is made. The Committee engages counsel to assist it. The role of counsel assisting the Committee is to question the applicant and make submissions to the Committee. Witnesses give sworn evidence.

12.2 Disclosures

The proportion of applicants with disclosures increased with many applicants making more than one type of disclosure. Disclosure types and percentages are shown below.

Table 20: Disclosure Types and Percentages

Disclosure Type	Percentage
Traffic, transit and parking offences	66%
Social security offences	11.5%
Other offences	7.5%
Mental health - capacity	5%
Plagiarism, collusion and other academic misconduct offences	4.5%
Alcohol, drug, intervention, AVO, dishonesty, Indictable offences	4.5%
Physical impairment – capacity	0.5%
General misconduct offences	0.4%
Current additions – capacity	0.1%