

# Growing Australia-UK Trade in Legal Services

1 July 2026



# Acknowledgements

This report was prepared by the Australia-UK Legal Services Regulatory Dialogue (**Dialogue**).

The report has benefited from the input of participants in the Legal Services Regulatory Dialogue Working Groups, including representatives from the Law Council of Australia, the Legal Services Council, the Legal Services Council Admissions Committee, the Law Admissions Consultative Committee, the Law Society of England and Wales, the Solicitors Regulation Authority, the Bar Council of England and Wales, the Bar Standards Board, the Law Society of Scotland, the Faculty of Advocates, the Law Society of Northern Ireland, the Bar of Northern Ireland, the Legal Practice Board of Western Australia, the Victorian Legal Admissions Board, the Law Society of South Australia, the Law Society of New South Wales, the Legal Profession Admission Board (NSW), the Victorian Bar, Law Firms Australia, the Victorian Legal Services Board and Commissioner, the Queensland Legal Services Commissioner and the Legal Profession Board of Tasmania.

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# Introduction

Australia and the United Kingdom (**UK**) enjoy a strong trading relationship built on close historical ties, people-to-people links, shared language and similar institutions.

We also share a common legal tradition and similar professional standards. Our legal professions have long been open to competition, and we have separately pioneered innovative forms of legal business structures and approaches to legal profession regulation in different jurisdictions within our respective countries.

In recognition of the essential role that legal services play in facilitating trade and investment and in promoting economic growth and business confidence, both the UK and Australian governments place particular emphasis on legal services in their trade relationships. The Free Trade Agreement between the Governments of Australia and the United Kingdom of Great Britain and Northern Ireland (**A-UKFTA**), which was signed in December 2021 and entered into force in May 2023, contained specific provisions on legal services. Article 10.8 of the A-UKFTA encourages legal sector representatives from both countries to establish a standing dialogue over a period of three years to discuss specified issues and identify ways of improving conditions for legal services trade.

This report reflects on the work undertaken by the Legal Services Regulatory Dialogue established under the A-UKFTA and includes recommendations for the sector to consider actioning.

Whilst the initial term of the Dialogue has come to an end, the organisations involved in the Dialogue have agreed to continue to meet, so as to maintain the networks and capacity to share expertise and experience on regulatory issues including those affecting trade in legal services.

The Law Council of Australia  
The Legal Services Council  
The Legal Services Council Admissions Committee  
The Law Admissions Consultative Committee  
The Law Society of England and Wales  
The Solicitors Regulation Authority  
The General Council of the Bar of England and Wales  
The Bar Standards Board  
The Law Society of Scotland  
The Faculty of Advocates  
The Law Society of Northern Ireland  
The General Council of the Bar of Northern Ireland



# Legal services in the Australia-UK Free Trade Agreement

## What does the A-UKFTA say about legal services?

The A-UKFTA sets out some high-level objectives for trade and the regulation of professional services (which includes legal services).

It states an ambition for both countries to continue to lead on the liberalisation of trade in these services.

The legal services sector is, however, singled out for special mention, given the importance that both the Australian and UK governments attach to it, and the fact that both countries are among the world's most open jurisdictions for transnational legal practice.

The A-UKFTA confirms the status quo on market access for legal services across both jurisdictions.

The A-UKFTA recognises but does not change legal profession regulatory frameworks and mechanisms presently in place across both countries. It does, however, set out high-level expectations on how regulation is conducted, and creates a mechanism for independent regulators and professional bodies in the legal services sector to come together to discuss and address issues related to trade in legal services.

## Key Provisions of the A-UKFTA for Legal Services

- Article 10.5 encourages relevant domestic bodies to establish and operate systems for the recognition of professional qualifications obtained in the other country.
- Article 10.7 guarantees existing levels of access for Australian and UK lawyers and encourages further liberalisation of the legal services market.
- Article 10.8 establishes the Legal Services Regulatory Dialogue.

## What does this mean in practice?

The A-UKFTA guarantees that UK and Australian lawyers can supply legal advisory services and legal arbitration, conciliation and mediation services in relation to the law of their home country or other foreign law (to the extent that they are qualified to practise that law), and international law in the other country.

## What is excluded from the scope of the A-UKFTA?

- The A-UKFTA excludes services supplied by legal professionals entrusted with public functions such as notaries, services supplied by bailiffs, and services supplied by patent or trademark attorneys.
- Representational services in courts and tribunals are also excluded.

# The Legal Services Regulatory Dialogue

The Dialogue is a formal mechanism set up under the A-UKFTA which brings together representatives of the legal sector from Australia and the UK to consider regulatory issues relevant to trade in legal services. The Dialogue reports to the Professional Services Working Group, which is an inter-governmental committee of officials established under the A-UKFTA.

The inclusion of named organisations, including both independent regulators and professional bodies, sets the Dialogue apart from previous attempts to promote sector-led regulatory dialogue as part of free trade agreements. The A-UKFTA text identifies the following non-exclusive list of participating organisations. In practice, around 25 different legal sector bodies have been involved in different aspects of the Dialogue's work.

## Australia

- The Law Council of Australia
- The Legal Services Council
- The Legal Services Council Admissions Committee
- The Law Admissions Consultative Committee

## United Kingdom

- The Law Society of England and Wales
- The Solicitors Regulation Authority
- The General Council of the Bar of England and Wales
- The Bar Standards Board
- The Law Society of Scotland
- The Faculty of Advocates
- The Law Society of Northern Ireland
- The General Council of the Bar of Northern Ireland

## What is the Dialogue aiming to achieve?

The objectives of the Dialogue as set out in the A-UKFTA are:

- Considering any matters affecting the requalification of lawyers seeking admission to practise in the other country;
- Sharing expertise on matters affecting the types of business structures through which lawyers and enterprises may establish and supply legal services, including limited liability partnerships, incorporated legal practices or multi-disciplinary partnerships; and
- Sharing information and knowledge on other regulatory matters, including on licensing and standards, recognition of professional qualifications and on wider matters affecting trade in legal services between the parties.

The Dialogue may develop recommendations for governments, regulators, professional bodies and other stakeholders on how respective legal professions, legal services markets and approaches to regulation can continue to evolve, consistent with the aspirations and objectives of the A-UKFTA.

The A-UKFTA envisaged a minimum three-year term for the Dialogue (i.e. until May 2026).

## Activities of the Dialogue

In addition to a preliminary meeting to discuss shared expectations, the Dialogue held six plenary meetings between October 2023 and March 2026.

At the first plenary meeting, members of the Dialogue agreed to establish four thematic working groups:

- **Qualifications, Recognition and Admission** to consider requirements, pathways and approaches to admission to the legal profession and the practise of law in Australia and the UK;
- **Business Structures and Issues** to consider the availability of business structures, as well as other issues for those conducting legal business across Australia and the UK;
- **Barrister and Advocate Cooperation** to consider issues relating to barristers' practice, including the requirements for admission and practice which are specific to barristers and advocates; and
- **Regulatory Cooperation** to consider other regulatory matters, including opportunities to reduce regulatory friction, and emerging issues relating to legal technology and artificial intelligence.

## Key Outputs

- Collation of statistics on registered foreign lawyers from the UK in Australia;
- Mapping domestic qualification routes for solicitors, barristers and advocates, as well as requalification pathways for foreign-qualified lawyers;
- Updates to guidance from professional bodies to lawyers seeking to requalify between Australia and the UK;
- Collation of information on the availability and prevalence of business structures across jurisdictions in Australia and the UK, including information on non-lawyer ownership and multi-disciplinary practices;
- Producing updated information on the regulatory challenges associated with introducing limited liability partnerships in Australia; and
- Producing an environmental scan of regulatory responses to artificial intelligence in Australia and the UK by legal regulators and professional bodies.

## Recommendations

Informed by the work of the four thematic working groups and its work more broadly, the Dialogue has developed seven recommendations, aimed at the UK and Australian governments, the members of the Dialogue and other regulatory and legal professional bodies in each jurisdiction.

These recommendations are intended to improve information-sharing, build on progress made, monitor changes, and maintain the relationships that have been developed.

### *Recommendation 1*

The Australian and UK governments should:

- Provide clear and accessible guidance regarding available immigration and visa pathways for barristers and advocates seeking to practise in the other jurisdiction; and
- Where existing pathways do not adequately accommodate the predominantly self-employed nature of the referral bar, consider amendments to visa availability and pathways to address those gaps.

### *Recommendation 2*

Dialogue members should consider facilitating further engagement between professional bodies and professional indemnity insurance (**PII**) providers on how PII can better support cross-border legal practice.

### *Recommendation 3*

The Legal Services Council's Admissions Committee and the Law Admissions Consultative Committee should work with Australian admitting authorities to promote a consistent approach to assessing applications for admission from lawyers who have qualified under England and Wales' Solicitors Qualifying Examination but do not hold a tertiary qualification that included the study of Foundations of Legal Knowledge subjects.

#### ***Recommendation 4***

Members of the Dialogue should ensure that published resources relating to qualification and requalification pathways remain up to date and publicly accessible, and share information on changes with other Dialogue members.

#### ***Recommendation 5***

To assist in assessing the operation and effectiveness of admission and registration pathways, as well as to monitor trends over time, regulatory authorities should:

- Collect and monitor statistical data on the number of foreign lawyers registering and/or requalifying in their jurisdiction; and
- Collect statistical data on the number of UK and Australian lawyers registering or requalifying between jurisdictions.

#### ***Recommendation 6***

The Legal Services Council should monitor the uptake of conditional admission in New South Wales, Victoria and Western Australia, including conditional admission of foreign lawyers who have come from the UK.

#### ***Recommendation 7***

The Dialogue members should meet annually after the end of the minimum term of the Dialogue to share information about developments in each jurisdiction and discuss any areas of concern.



# Trade in Legal Services

## How does trade in legal services work and what is the level of exchange between the UK and Australia?

Unlike trade in goods, which involves the physical movement of products across a border, trade in services can happen in several different ways. The General Agreement on Trade in Services of the World Trade Organisation, commonly known as GATS, classifies four ways in which services, like legal services, can be supplied internationally.

### *The different “modes” of trade in legal services*

| Mode 1                                                                                                                                  | Mode 2                                                                                                          | Mode 3                                                                             | Mode 4                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>Cross-border services delivered remotely</b>                                                                                         | <b>Legal services purchased in person by overseas clients</b>                                                   | <b>Establishment of law firms</b>                                                  | <b>Individual lawyers present in host country</b>                |
| (E.g. Scottish law firm provides services to an Australian party in relation to a JV between Scottish and Australian energy businesses) | (E.g. Australian fintech investor travels to Belfast to conclude investment deal using Northern Irish law firm) | (E.g. English law firm opens an office in Sydney; Australian firm opens in London) | (E.g. Australian barrister travels to London for an arbitration) |

## How much legal trade do we do?

The Australian and UK legal professions enjoy a close relationship which is reflected in the number of lawyers who practise transnationally across both jurisdictions and in the number of legal businesses which have been established cross-jurisdictionally. The UK, particularly England and Wales, is a popular destination for junior Australian solicitors, seeking to advance their careers. Australia’s proximity to markets in East Asia, and emerging economies in Southeast Asia, make it an attractive jurisdiction for UK lawyers to establish a presence either on a temporary or more permanent basis.



Total bilateral trade in legal services between the UK and Australia amounted to around £110 million/ AUD 225 million in 2023.

# The role of regulation in legal services trade

## How does regulation affect trade in legal services?

Existing barriers to trade in legal services are largely due to legal professional regulation, particularly in relation to admission and licensing requirements for legal practitioners and available business structures for legal practices. Whilst regulations are designed to protect consumers of legal services and maintain public confidence in the legal system and profession, they can also have the effect of reducing competition in the legal services sector, and limiting services trade.

The IBA's *General Principles for the Establishment and Regulation of Foreign Lawyers* emphasise that regulation should be transparent, fair, non-discriminatory, based on uniform treatment, and administered in a manner that promotes the interests of clients and facilitates the effective delivery of legal services.<sup>1</sup>

The UK and Australia both rank in the top 10 most open and well-regulated countries for legal services, according to the OECD's Services Trade Restrictiveness Index. Both countries allow foreign lawyers to practise foreign law under their home title and provide pathways for them to requalify domestically, and maintain a relatively liberal framework in relation to foreign investment and ownership of law firms.



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<sup>1</sup> International Bar Association, [IBA Statement of General Principles for the Establishment and Regulation of Foreign Lawyers](#) (1998).

## How can trade agreements deal with legal services?

Trade agreements facilitate market access and stronger trade and commercial ties between nations. They contribute to reducing trade barriers across participating nations by, for example:

- reducing tariffs;
- harmonising standards; and
- addressing non-tariff barriers.

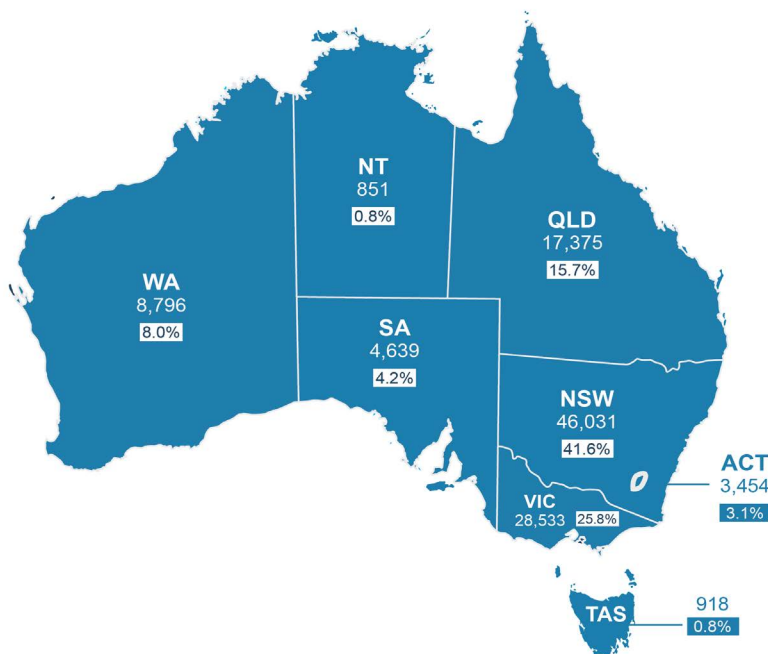
Trade agreements can widen the scope of practice for foreign lawyers, or guarantee existing levels of access. They can positively alter the regulatory landscape and improve business-to-business links through provisions to support transparency in regulation and decision-making. Trade agreements can also create mechanisms for engagement between professional bodies and regulators to address particular barriers. The Dialogue, established under the A-UKFTA, is one such example.

Legal services have a role to play across the whole supply chain, and their value is embodied in the sale of goods, in investment agreements, in intellectual property protection and the value of property. The expanded trade resulting from FTAs is beneficial to service providers in facilitating trade and investment flows that create demand for more services activity.

The A-UKFTA sets out to encourage best practice regulation to not only facilitate international trade between the UK and Australia, but also serve as an illustration to other countries of the benefits of an open and liberal approach to regulating professional services, including legal services.



# The Legal Services Sector in Australia



## Size and distribution of the Australian profession

- 110,597 legal practitioners: 103,854 solicitors + 6,743 barristers
- The largest proportion of solicitors are licensed in New South Wales (41.6%) followed by Victoria (25.8%)

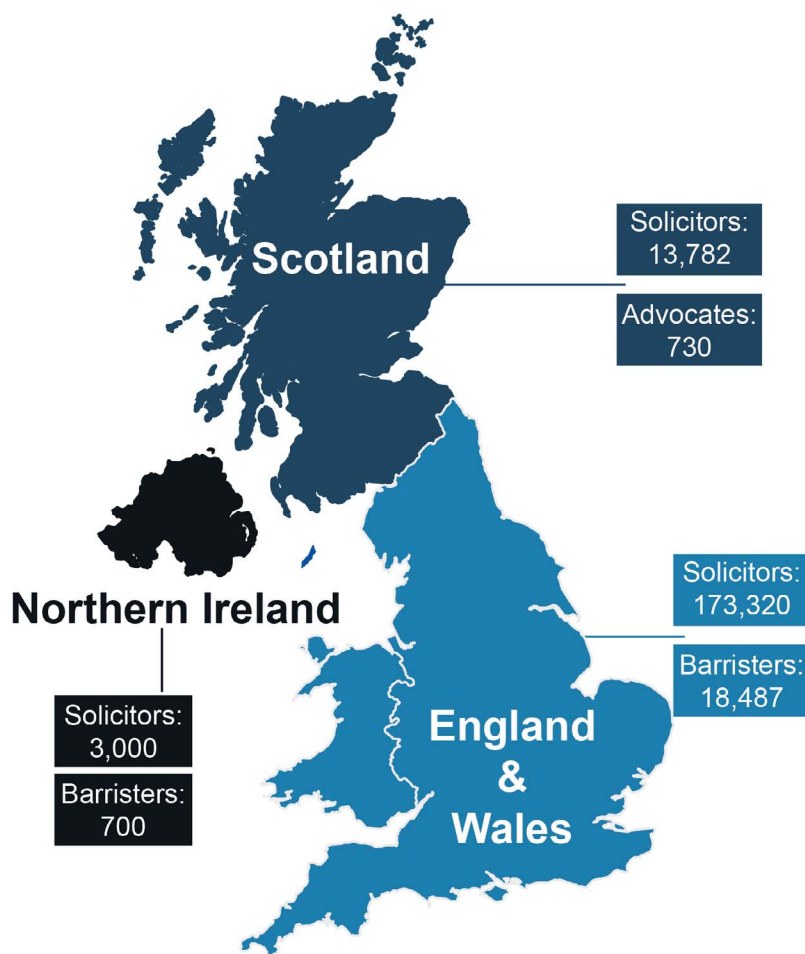
Source: Legal Services Council as at 30 June 2025.

## Key facts

- The Australian legal profession is regulated at the State and Territory level. Legal profession legislation in Australia is based on principles of mutual recognition by each jurisdiction of admission to the profession, practising entitlements and conditions, uniform (or at least harmonised) core regulatory standards, and regulatory cooperation and recognition between State and Territory regulatory bodies.
- Lawyers can work as either solicitors or barristers. In New South Wales and Queensland, the roles of barrister and solicitor are separated. In South Australia, Victoria, Western Australia and the Australian Capital Territory, the professions of barrister and solicitor are fused, however an independent bar is maintained for those wishing to practice solely as barristers. In Tasmania and the Northern Territory, the profession is fused, although a small number of practitioners operate as an independent bar.
- Under the mutual recognition scheme built into every state and territory's legal profession law, the grant or renewal of a practising certificate by one jurisdiction automatically entitles the holder to engage in legal practice in every other State and Territory.
- Legal profession laws prohibit an unqualified (i.e. unauthorised) person from engaging in legal practice.



# The Legal Services Sector in the UK



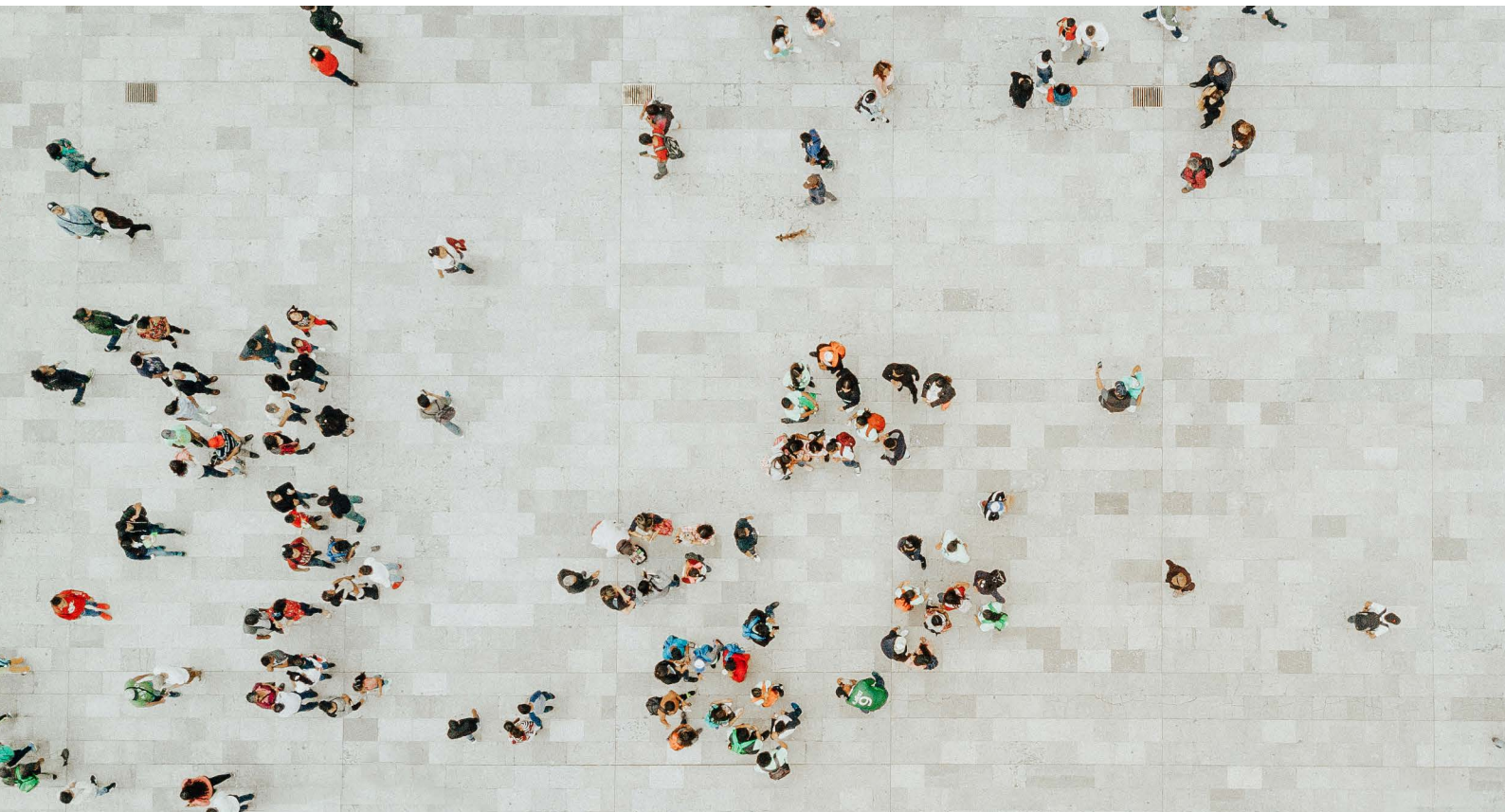
## Size and distribution of the UK profession

- There are approximately 210,000 regulated solicitors, barristers and advocates in England and Wales (as at January 2026).
- There were an estimated 364,000 individuals employed across the legal sector in 2023. Around 40% were based in London, Edinburgh or Belfast. But important legal clusters exist in many other cities across the country.

Sources: Solicitors Regulation Authority, Bar Standards Board, Law Society of Scotland, Faculty of Advocates, Law Society of Northern Ireland, Bar of Northern Ireland, TheCityUK.

## Key facts

- The UK is home to two distinct legal systems: Common law (which applies in England and Wales and Northern Ireland) and Scots law, which is a hybrid system drawing on Roman law and common law. The UK Supreme Court ties these systems together by ruling on UK-wide matters of public or constitutional interest.
- The legal sector is made up of three separate jurisdictions: England and Wales, Scotland and Northern Ireland. Each jurisdiction has its own separate legislation governing the regulation of the legal profession. The main applicable legislative Acts are: *The Legal Services Act 2007* (England and Wales); the *Solicitors (Scotland) Act 1980* and the *Solicitors (Northern Ireland) Order 1976*. Although the body of distinct Welsh law has grown since 2007, when the Welsh Senedd was granted primary legislative powers, the establishment of an additional Welsh jurisdiction is not immediately on the horizon.



- There are two main branches of the legal profession in each UK jurisdiction: Solicitors and Barristers (or Advocates in Scotland). England and Wales and Scotland also recognise other types of legal professionals who are permitted to undertake certain **reserved legal activities**.<sup>2</sup>
- The three UK jurisdictions take a broadly similar approach to regulating lawyers. The right to provide certain types of legal services<sup>3</sup> is reserved to individuals holding the lawyer titles recognised in those jurisdictions. Regulated lawyer titles are also protected.
- There is no automatic mutual recognition between the UK jurisdictions, or between different legal professions within each jurisdiction. However, qualification between England and Wales and Northern Ireland for solicitors is very straightforward and does not require additional courses, examinations or experience.

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<sup>2</sup> In England and Wales the “authorised persons” are: solicitors, barristers, legal executives, licensed conveyancers, licensed probate practitioners, notaries, patent attorneys, trademark attorneys, and law costs draftsmen. In Scotland authorised persons are: solicitors, advocates, conveyancing practitioners, notaries public, executry practitioners and patent attorneys. In Northern Ireland those recognised to carry out certain reserved acts are: solicitors, barristers, notaries public and patent agents.

<sup>3</sup> These are broadly the same across the three UK jurisdictions (but how they are regulated in detail does differ): the exercise of a right of audience; the conduct of litigation; reserved instrument activities; probate activities; notarial activities; the administration of oaths.

# Practising without requalifying

Both Australia and the UK provide opportunities for a foreign-qualified lawyer to practise without requalifying.

## What can Australian lawyers do in the UK without requalifying?

The A-UKFTA restates the long-established position that Australian lawyers can practise Australian law (and/or the law of any other jurisdiction that they are entitled to practise) in the UK. Beyond this, because of the permissive nature of the UK's approach to regulating legal services, Australian lawyers can also practise widely in transactions and advisory work relating to the local law of the different jurisdictions of the UK, subject to the following restrictions:

### England and Wales

In England and Wales, Australian lawyers can practise freely provided they do not hold themselves out to be locally qualified solicitors or barristers. The following activities are reserved to lawyers qualified in England and Wales:

- The conduct of litigation
- The exercise of a right of audience
- Reserved instrument activities (e.g. deeds relating to land transfer)
- Probate activities
- Notarial activities
- The administration of oaths

Restrictions also apply to the provision of:

- Claims management
- Financial services
- Immigration advice

Foreign lawyers may also act as managers or interest holders in firms in England and Wales after registering with the SRA as a foreign lawyer (**RFL**).<sup>5</sup>

### Scotland

There is no bar to lawyers qualified in another jurisdiction working in Scotland, provided they do not describe themselves as “solicitors” and do not undertake certain types of work reserved by statute for Scottish qualified solicitors.<sup>4</sup>

These are broadly, conveyancing of land and/or buildings; litigation (civil or criminal); and obtaining confirmation in favour of executors (the Scottish equivalent of probate). They can enter into partnerships with Scottish qualified solicitors in a multinational practice by becoming registered foreign lawyers.

### Northern Ireland

As in the rest of the UK, Australian lawyers can also practise freely in Northern Ireland, provided they do not hold themselves out to be locally-qualified solicitors or barristers. The reserved activities in Northern Ireland are also broadly the same as in England and Wales. The main difference is that Australian solicitors cannot enter into partnerships with Northern Irish solicitors and there is no registered foreign lawyer scheme in Northern Ireland.

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<sup>4</sup> *Solicitors (Scotland) Act 1980* s 32.

<sup>5</sup> Solicitors Regulation Authority, [Guidance: Registered Foreign Lawyers](#).



## What can UK lawyers do in Australia without requalifying?

In Australia, UK lawyers are allowed to practise UK law and/or the law of any other jurisdiction that they are entitled to practise for up to 90 days in any 12-month period without any need for registration. They are also allowed to practise international law. The objective of Australia's foreign lawyer provisions is to encourage and facilitate the internationalisation of legal services available in Australia.

### Australian Registered Foreign Lawyers

- UK lawyers who wish to practise in Australia for more than 90 days in any 12-month period or establish a commercial presence (i.e. an office) may do so through a simple registration process.
- Legal profession legislation in each State and Territory provides for mutual recognition of Australian registered foreign lawyers' practising entitlements. Once registered, there is no need to apply for additional registration in any other state or territory.



In 2024/25, approximately

# 204

foreign lawyers registered in Australia, approximately 78 of whom had qualified in the UK.





## Immigration and Visa Pathways for Barristers

The Dialogue received feedback that practitioners who are self-employed have previously faced obstacles when working overseas, when the acquisition of an entitlement to work requires visa sponsorship. This issue is particularly relevant for the barrister and advocate professions which are predominantly self-employed. The availability of visa pathways is also dependent on the nature and duration of work that barristers undertake. Accordingly, the Dialogue provides the following recommendation to Government.

### *Recommendation 1*

The Australian and UK governments should:

- provide clear and accessible guidance regarding available immigration and visa pathways for barristers and advocates seeking to practise in the other jurisdiction; and
- where existing pathways do not adequately accommodate the predominantly self-employed nature of the referral bar, consider amendments to visa availability and pathways to address those gaps.

## Professional Indemnity Insurance

The Dialogue has identified scope for collaboration on the issue of PII, including providing greater clarity around PII requirements for barristers and advocates seeking to work across jurisdictions. In some cases, a PII policy may be extended to cover additional jurisdictions, however in other circumstances a practitioner will be required to leave their existing policy and take up a new policy. Exemptions may be available for practitioners practising under their home title.

### *Recommendation 2*

Dialogue members should consider facilitating further engagement between professional bodies and PII providers on how PII can better support cross-border legal practice.

# Qualifications – Australia

## How do you become a lawyer in Australia?

In Australia, the qualification requirements for lawyers are similar across all states and territories. Prospective lawyers must complete:

- a law course (the academic requirement), which in each jurisdiction requires study of the “Prescribed Academic Areas of Knowledge”, also referred to as the Priestley 11; and
- practical legal training (PLT), which is usually satisfied by completion of a PLT course, or less commonly, a period of supervised legal training or legal traineeship.

Applicants for admission must apply to their state or territory **admitting authority**, submitting evidence of good character and suitability to join the legal profession.<sup>6</sup> This leads to qualification as an Australian lawyer of the jurisdiction in which they have been admitted, which is recognised in all Australian states and territories.

To practise law, an individual must then apply to their local **regulatory authority** to obtain a practising certificate.<sup>7</sup> There may be additional licensing requirements for barristers depending on the jurisdiction, for example, passing a bar exam.

### Additional requirements for qualification as a barrister in Australia

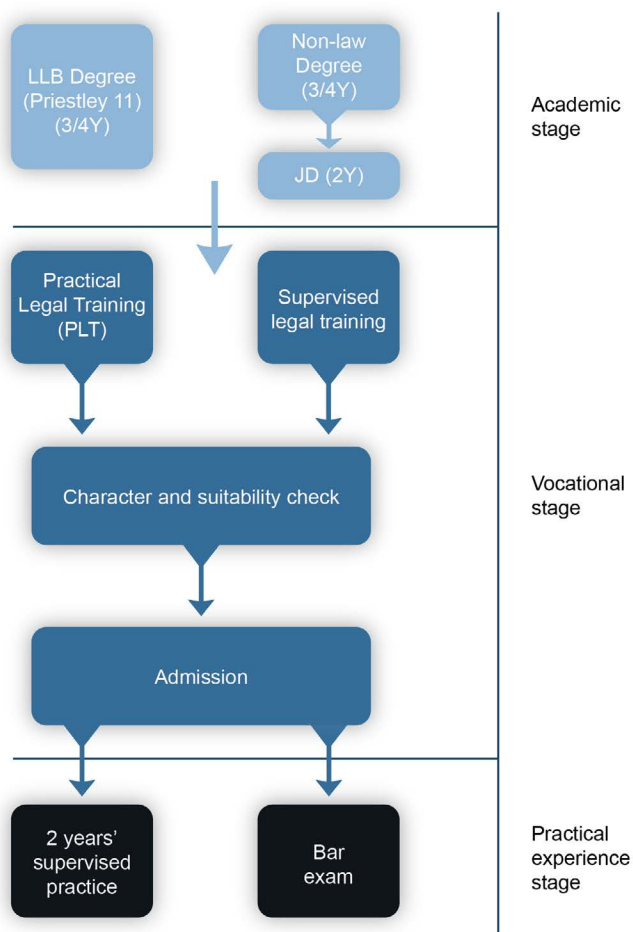
|     |                                                                                                                                                                                                                                                           |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ACT | Completion of the NSW Bar Exam, and a 12-month reading period which includes the NSW Bar Practice Course.                                                                                                                                                 |
| NSW | Completion of the NSW Bar Exam, and a 12-month reading period which includes the Bar Practice course. The Course includes 10 days of civil and 10 days of criminal law reading.                                                                           |
| NT  | Though not required, many individuals complete a readership with a barrister at the NT Bar or another independent bar in Australia, or undertake other qualifications prior to (or shortly after) applying for a 'barrister only' practising certificate. |
| QLD | Completion of the Queensland Bar Exam, and a 12-month readership period which includes a 6-week Bar Practice Course.                                                                                                                                      |
| SA  | A 12-week Bar Readers' Period plus a 5-month Bar Readers' Course which includes the 5-day Essential Trial Advocacy Course (ETAC) offered by the Australian Bar Association.                                                                               |
| TAS | In most cases, a first-time applicant for a barrister practising certificate is required to comply with certain conditions such as completing a 2-year pupillage.                                                                                         |
| VIC | Completion of the Victorian Bar Exam, and a 9-month Readers' period which includes a 9-week reading course.                                                                                                                                               |
| WA  | Completion of the Bar Readers' Course including 6-8 one-hour seminars held once per week and the 5-day ETAC.                                                                                                                                              |

<sup>6</sup> Admitting Authorities: ACT Legal Practitioners Board, NSW Legal Profession Admission Board, Legal Practitioners Admission Board of the Northern Territory, QLD Legal Practitioners Admission Board, SA Legal Practitioners Education and Admission Council, TAS Board of Legal Education, Victorian Legal Admissions Board, Legal Practice Board of Western Australia.

<sup>7</sup> Practising Certificate Issuing Authorities: ACT Law Society, ACT Bar Association, Law Society of New South Wales, New South Wales Bar Association, Law Society of Northern Territory, Queensland Law Society, Bar Association of Queensland, Law Society of South Australia, Law Society of Tasmania, Victorian Legal Services Board, Legal Practice Board of Western Australia.

## Summary of domestic qualification pathway in Australia

The following diagram illustrates the pathways to qualification as a solicitor or barrister in Australia.



In 2024, over 250 lawyers who obtained their qualifications in the UK applied to have their qualifications assessed by Australian admitting authorities. Of these, 58 UK-qualified lawyers were admitted in NSW, VIC and WA

The Uniform Principles do not include explicit consideration of new pathways to admission in overseas jurisdictions, including the Solicitors Qualifying Examination in England and Wales. This new system presents a challenge as lawyers are required to pass examinations, but may not have formally studied the Foundations of Legal Knowledge subjects.

The Dialogue considers that it would be appropriate for Australian admitting authorities to develop a consistent approach to assessing such applicants for admission, noting that the decision will turn on the training and skills of the individual applicant.

### Recommendation 3

The Legal Services Council's Admissions Committee and the Law Admissions Consultative Committee should work with Australian admitting authorities to promote a consistent approach to assessing applications for admission from lawyers who have qualified under England and Wales' Solicitors Qualifying Examination but do not hold a tertiary qualification that included the study of Foundations of Legal Knowledge subjects.

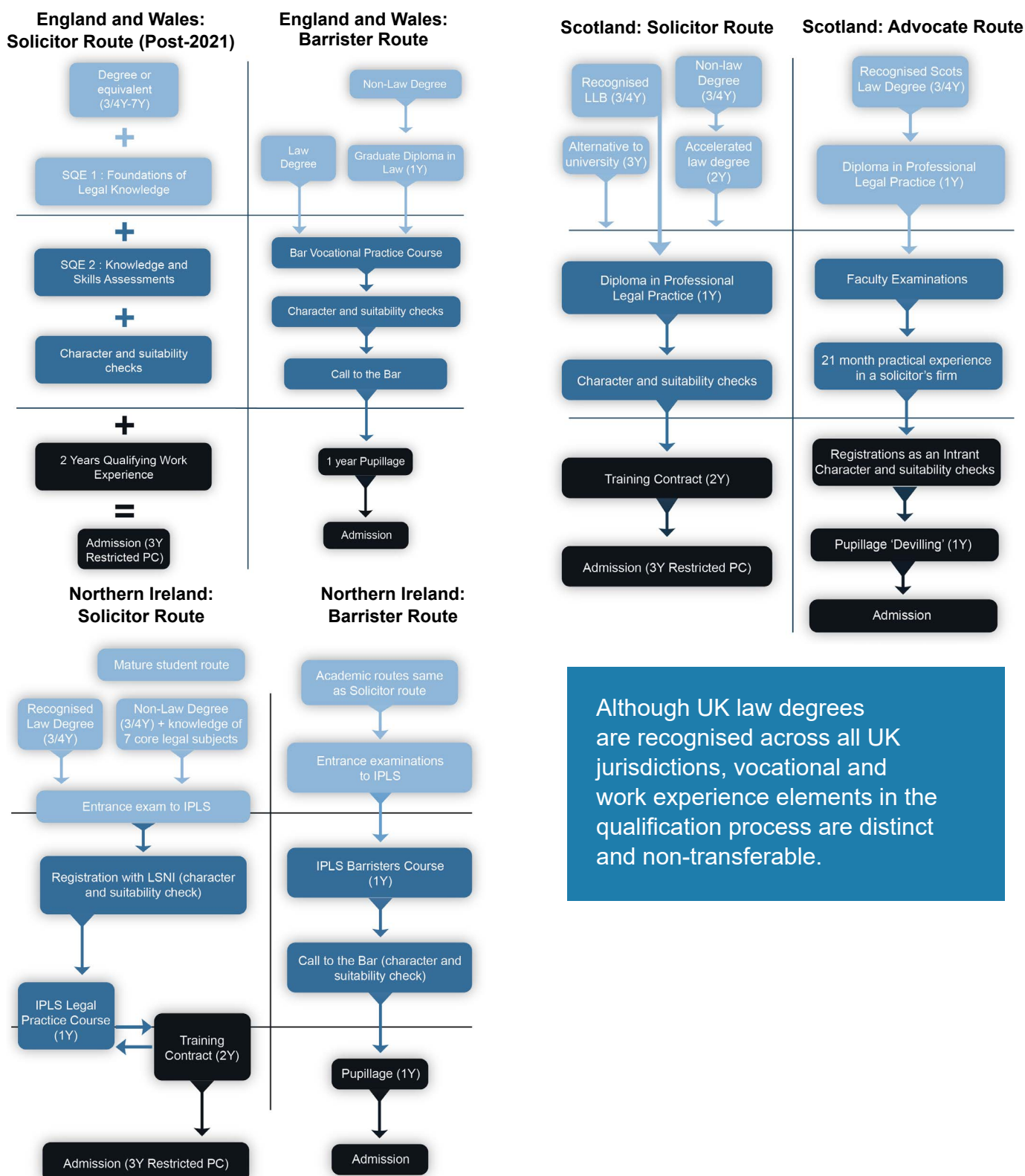
## How can a UK lawyer requalify in Australia?

Lawyers who have trained in the UK must first apply to the relevant admitting authority for an assessment of their qualifications and PLT. That assessment takes into account the approach set down in the [Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession](#) (**Uniform Principles**) developed by the Law Admissions Consultative Committee.

# Qualifications – UK

## How do you become a lawyer in the UK?

The domestic qualification routes for solicitors, barristers and advocates in UK jurisdictions are summarised below.





# What options are currently available for an Australian lawyer to requalify in the UK?

## England and Wales

Dual qualification in the UK has long been a popular option for Australian lawyers. Statistics available from 2014–2022<sup>8</sup> show that 578 Australian lawyers were admitted through the Qualified Lawyers Transfer Scheme (**QLTS**), a set of examinations leading to admission in England and Wales.

Australian lawyers accounted for 11% of all non-UK lawyers seeking admission by this route and the largest national group outside the US. On average, 10–12 practitioners from Australia apply to transfer to the Bar each year (around 80–90% successfully).

As at January 2026, there were 354 solicitors qualified in England and Wales<sup>9</sup> who state that their main practising address is Australia. Given that some of these individuals will be UK nationals who have moved to Australia, this may suggest that many Australian lawyers who have dual qualified in England and Wales are likely to have either stayed in the UK or moved to live and work elsewhere in the world.

In 2021, the system of qualification for **solicitors** changed. All candidates, domestic and overseas are now required to sit the Solicitors Qualifying Examination (**SQE**). There are two separate assessments that make up the SQE:

**SQE1** tests functioning legal knowledge through single best answer multiple-choice questions. It is divided into two five-hour papers held over two days.

**SQE2** assesses practical legal skills and functioning legal knowledge. The assessment takes place over five half days and includes both written and oral elements. Candidates must pass SQE1 before they can sit SQE2.

Australian lawyers with an unrestricted practising certificate are automatically entitled to an exemption from SQE2. This exemption can be obtained on presentation of evidence of their professional qualification, e.g. an admission certificate or a certificate of good standing and a copy of their current practising certificate will need to be shown before they are admitted.

In order to requalify as a **barrister** in England and Wales, applicants need to have obtained a recognised law degree (or an undergraduate degree in another subject together with a one-year Graduate Diploma in Law). They must then complete the one-year Bar Course and finally undertake a one-year period of “pupillage” or supervised practice.

An Australian lawyer who has been qualified for three years and who can demonstrate that they have regularly exercised full rights of audience in courts which administer law substantially similar to the common law of England and Wales (i.e., which includes Australia) will be exempt from the academic legal training and the vocational training requirements and, if the Bar Standards Board thinks fit, from part or all of pupillage.

<sup>8</sup> Eileen Fry and Richard Wakeford, 'The Qualified Lawyers Transfer Scheme: The Objective Structured Clinical Examination (OSCE) 2014–2022' *The Law Teacher* 57 (2023) 377.

<sup>9</sup> This figure includes both practising certificate holders (327) and those admitted but not holding a PC (27). Source SRA.

## Northern Ireland

To be admitted as a **solicitor** in Northern Ireland, Australian lawyers need to have their qualifications and experience assessed by the Education Committee of the Law Society of Northern Ireland.

Applicants are usually required to attend and pass courses in Property Law 1 & 2 and Administration of Estates at the Institute of Professional Legal Studies, Queen's University, Belfast (**IPLS**) and to undergo a period of apprenticeship.

The apprenticeship period can be waived for those with special qualifications or experience and applications for admission from other jurisdictions.

There is no defined route for a foreign-qualified lawyer (who qualified outside of England and Wales or Ireland) to be admitted as a **barrister** in Northern Ireland. Australian lawyers would need to seek recognition of some part of their existing qualification. The steps to qualification for prospective barristers are:

- Complete a qualifying law degree.
- Complete the Bar Post-Graduate Diploma in Professional Legal Studies at the IPLS.

Call to the Bar of Northern Ireland and complete a 12-month pupillage.

## Scotland

To requalify in Scotland as a **solicitor**, Australian qualified lawyers must obtain a Certificate of Eligibility (based on a certificate of good standing, relevant police checks and submission of a portfolio of learning and experience). They must then undertake the Qualified Lawyers Assessment, which is a series of 11 90-minute examinations held twice a year over three days.

To requalify as a Scottish **advocate**, Australian lawyers are required to sit an aptitude assessment and may be required to spend time in supervised practice.

### Case Study: Early Career Move to the UK to Gain Experience



*"I decided to come to the UK for a mix of professional and personal reasons. I've always had a strong desire to explore overseas, travel more widely, and experience working life in a completely different environment. ...so I bit the bullet and made the move and have never once regretted it.*

*I'm currently working in London at a private firm that predominantly acts for public-sector clients. My practice is focused on information law, which includes freedom of information, data protection issues, and advisory work around information governance. It's been a great opportunity to deepen my expertise in a niche but increasingly important area, especially in a jurisdiction with such a mature and complex regulatory landscape.*

*I'm planning to requalify in England and Wales and will be sitting the SQE in due course. Requalification feels like a strong career move, it allows me to undertake the full ambit of legal work, and enhances my long-term career options. One of the reasons I want to become dual-qualified is so that I can keep my career options open — whether that means staying in the UK longer term, returning to practise in Australia, or exploring opportunities somewhere else entirely".*

Australian lawyer working in UK under home title.

## Case Study: English Qualification to Grow an International Practice



*"I am an Australian M&A lawyer (with 7 years PQE) based in Melbourne, primarily supporting Japanese investors on cross border M&A into the Australian market and also advising foreign investors on VC investments into Australian technology companies. In 2025, I was admitted as a solicitor in England and Wales (after sitting the SQE1 exam in Melbourne and gaining the SQE2 agreed exemption).*

*Looking ahead, I aim to broaden my practice to provide English law support to Japanese clients on transactions across Asia, complementing my Australian work. To date my focus has been on Australian law transactions documents and regulatory workstreams, and the English law qualification will help me build a more internationally focused practice (which is important as Australia–Japan partnerships often involve cross border elements). For others working in cross border M&A, I would strongly encourage considering the SQE. It is a practical and accessible route that broadens your toolkit and supports an international career."*

Melbourne based Australian lawyer, dual qualified in England and Wales.

## Inventory of resources

Members of the Dialogue have updated the information and guidance they publish on their respective websites for lawyers looking to move between jurisdictions.

In Australia, a recently updated consolidated list of resources is available on the Law Council of Australia's website.<sup>10</sup> The Law Society of England and Wales has also updated its guidance to practising and requalifying in Australia.<sup>11</sup>

### Recommendation 4

Members of the Dialogue should ensure that published resources relating to qualification and requalification pathways remain up to date and publicly accessible, and share information on changes with other Dialogue members.

<sup>10</sup> Law Council of Australia, [Foreign law and lawyers in Australia](#) (Webpage).

<sup>11</sup> Law Society of England and Wales, [Australia: Guide for English and Welsh solicitors and firms](#).



## Information about the number of lawyers moving between Australia and the UK

During the course of the Dialogue, it was observed that jurisdictions and regulatory authorities vary in the extent to which they collect and record information relating to foreign lawyers. This can create challenges for analysing the operation and effectiveness of registration mechanisms over time, and developing a complete picture of the movement of lawyers across jurisdictions.

It is therefore recommended that regulatory authorities in both Australia and the UK consider how statistical information on registration and requalification of foreign lawyers in their jurisdictions might be collected and monitored to inform future possible reforms.

### *Recommendation 5*

To assist in assessing the operation and effectiveness of admission and registration pathways, as well as to monitor trends over time, regulatory authorities should:

- Collect and monitor statistical data on the number of foreign lawyers registering and/or requalifying in their jurisdiction; and
- Collect statistical data on the number of UK and Australian lawyers registering or requalifying between jurisdictions.





# Recent Developments

## Australia: Exemptions under the Uniform Admission Rules

The Legal Profession Uniform Law, which is in effect in New South Wales, Victoria and Western Australia, provides that when considering whether to admit a person to the legal profession, an admitting authority may exempt a person from satisfying academic and PLT prerequisites, if they are satisfied that a person has sufficient legal skills or relevant experience so as to render the person eligible for admission (section 18).

On 1 July 2025, an amendment to the Legal Profession Uniform Admission Rules 2015 commenced which provides guidance to the admitting authorities on factors to take into account when considering whether a foreign lawyer is eligible for an exemption under section 18 of the Uniform Law.

Under the amended rules, when considering whether to grant an exemption to a foreign lawyer who has practised foreign law for a total of at least seven years, the admitting authority must have regard to:

- the extent to which the legal system and regulatory framework of the relevant foreign country are substantially equivalent to the legal system and regulatory framework of the Australian jurisdiction, and
- the number of years the applicant has practised foreign law, and
- the type of legal practice the applicant has engaged in, and
- the nature of the applicant's previous work, including the applicant's level of responsibility.

The rule change was accompanied by a new Legal Services Council Guideline, which sets out further detail on the operation of the Rule.

## Australia: Conditional Admission

The Uniform Law provides that a foreign lawyer may be admitted subject to conditions. On 16 May 2024, the Legal Services Council issued a Guideline on conditional admission which was issued to admitting authorities. The guidelines set out that the admitting authority may exempt a foreign lawyer from satisfying the qualifications prerequisite, or PLT prerequisite or both, if the admitting authority is satisfied that the person has sufficient legal skills or relevant experience so as to render the person eligible for admission.

In considering whether to grant an exemption, the admitting authority may have regard to any condition or conditions imposed on the foreign lawyer's admission. The admitting authority may therefore recommend that a lawyer be admitted subject to one or more conditions.

Noting that conditional admission has only been operational for a short time in Uniform Law jurisdictions following the above developments, the Dialogue recognised the importance of monitoring the implementation of the conditional admission framework.

In 2024, five lawyers, including two from England and Wales were conditionally admitted in New South Wales following the issuance of the Legal Services Council Guideline.

### *Recommendation 6*

The Dialogue recommends that the Legal Services Council should monitor the uptake of conditional admission in New South Wales, Victoria and Western Australia, including conditional admission of foreign lawyers who have come from the UK.

## Australia: Reviews of PLT

In October 2025, the Admissions Committee of the Legal Services Council and the Law Admissions Consultative Committee (**LACC**) launched a national survey of legal practitioners as part of a comprehensive review of PLT.

This landmark review responds to concerns in Australia that PLT may no longer meet the needs of the modern legal profession. It aims to ensure that PLT equips new lawyers with the skills and values required in today's legal landscape.

The review will also consider how PLT can be provided in a cost-effective way which is achievable for new lawyers and graduates.

The review is examining how the content and delivery of PLT programs, including cost and quality, might be improved to develop national proposals for reform. This work builds upon earlier research regarding entry-level lawyers in Queensland, and the ongoing review of PLT in New South Wales led by the New South Wales Legal Profession Admission Board, with a view to progressing nationally consistent reform.

## Scotland: Reform to solicitor regulation

The Scottish Parliament passed the Regulation of Legal Services (Scotland) Act in May 2025. This new legislation provides sweeping reforms to the way the existing solicitor profession is to be regulated. It introduces different tiers of legal regulator, based on the consumer risk they regulate. It creates a new regime for handling complaints and for regulating all legal businesses, including Licensed Legal Services Partnerships (**LLSPs**), which allow for up to 100% non-lawyer ownership. Extensive work is now underway to implement the 2025 Act.



## Northern Ireland: Review of solicitor qualification pathways

In 2025, the Law Society of Northern Ireland published a consultation document on “Enhancing Access to the Profession” which sought to gather views on how to make solicitor qualification pathways more flexible, accessible, and sustainable. Respondents endorsed reform and further exploration of new routes such as:

- a solicitor modern apprenticeship scheme;
- part-time and hybrid qualification routes; and
- a returners programme to support qualified solicitors re-entering practice.



# Legal Business Structures

One of the stated objectives of the Dialogue is to share expertise on matters affecting the types of business structures through which lawyers may establish and supply legal services transnationally.

Globalisation, technology and the evolving nature of legal practice have all shaped the structure of firms and how legal services are delivered. Both Australia and the UK have experience in pioneering innovative forms of legal business structures which provide useful lessons for each other and internationally. This includes the creation of limited liability partnerships, incorporated legal practices and multidisciplinary partnerships.

To progress the objective as set out in the A-UKFTA, representative bodies and regulators shared information regarding the availability and prevalence of permitted structures in each jurisdiction. The data reveals a clear trend away from the traditional partnership model towards incorporation, reflecting the growing risk and commercial pressures associated with legal practice. Across Australia and the UK there is scope for further reform of business structures or the introduction of new business structures. Professional bodies from Australia and England and Wales are supportive of the introduction of limited liability partnerships in Australia. In Scotland, there is further work to be done on the regulatory scheme for Licensed Legal Services Providers (LLSPs).

The Working Group on Business Structures and Issues recognised that if, and when, jurisdictions consider making changes to regulation of legal businesses, it would be valuable to draw on the comparative experience of counterparts and build on the relationships established through the Dialogue as well as the information shared and produced. The Working Group did not develop any recommendations to reform existing regulatory frameworks.

## A note about data

Information about the prevalence of business structures is not always collected in ways that are directly comparable. Some jurisdictions retain statistics on the number of distinct business entities, whereas others record the number of legal practitioners by entity type.

The Dialogue recognises there is scope for greater alignment of the type of information collected and retained by jurisdictions in relation to business structures to develop clearer national and international pictures of the prevalence of legal business structures.



# Firms and Legal Businesses in Australia

## How do lawyers practise in Australia?

The Australian legal profession is predominantly comprised of smaller law practices. As of October 2024, there were 16,793 private law practices operating across the country.<sup>12</sup> 78% are sole practices, whilst 13% are law practices with 2–4 principals. As of October 2024, there were 79 law practices with 21 or more principals. Whilst this amounts to less than 1% of total practices, these 79 practices employ 21% of solicitors in Australia.

### Available Business Structures

The Legal Profession Uniform Law (which operates in New South Wales, Victoria and Western Australia) contemplates a range of business structures, all of which are defined to be a type of 'law practice'. This includes sole practitioners, law firms, community legal services and incorporated legal practices (ILPs).

In Queensland, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory, solicitors may practise as a sole practitioner, a partnership, an ILP, or (except for in South Australia) a multi-disciplinary practice.

### Barristers

- Australian barristers are only permitted to operate as sole practitioners. While group chambers and other forms of shared administrative arrangements exist, barristers are not permitted to practise in partnership or as an employee; nor are they permitted to hold or have an interest in any other law practice nor be an employee of a solicitors' legal practice.
- Exceptions do exist for some barristers who are employed by governments or statutory bodies.

- In 2001, New South Wales became the first jurisdiction globally to permit incorporated legal practices and non-lawyer investment in law firm entities.



- ILPs are now permitted in all Australian States and Territories.

<sup>12</sup> This does not include figures from the Australian Capital Territory.

## Approval of new firms and ongoing expectations

Under the Uniform Law, a law practice that intends to provide legal services through an 'alternative' business structure must notify the regulatory authority of that intention before commencing to provide legal services. These law practices must also have at least one "authorised principal", a legal practitioner authorised by their practising certificate to supervise others at all times.

Similar notification requirements apply before providing legal services as an ILP or multidisciplinary practice in non-Uniform Law jurisdictions.

### Limited Liability Partnerships (Australia)

- Australia does not presently permit the limited liability partnership business structure for law firms which is a common business structure utilised by many of the UK's top law firms.
- The adoption of the LLP structure in Australia requires broad legislative change beyond amending respective State and Territory legal profession legislation.
- The Australian legal profession's preferred model for the adoption of the LLP business structure is for them to be treated as a separate legal entity incorporated under the federal corporations law.
- Reform in this area would likely require a referral of powers from the States to the Commonwealth due to the constitutional division of powers.
- The Law Council of Australia has expressed in principle support for the introduction of LLPs in Australia.



# Firms and Legal Businesses in the UK

## How do lawyers practise in England and Wales?

Most authorised legal practitioners in England and Wales work in private practice for solicitors' firms, which range in size from global firms with thousands of employees to sole practice. Nearly 40% of solicitors work for the top 100 firms.

As of 1 April 2026, there were 18,276 practising barristers, of which 14,721 were self-employed. Barristers can also be in employed practice (either in law firms or as in-house practitioners). Since 2015, the Bar Standards Board (**BSB**) also regulates entities

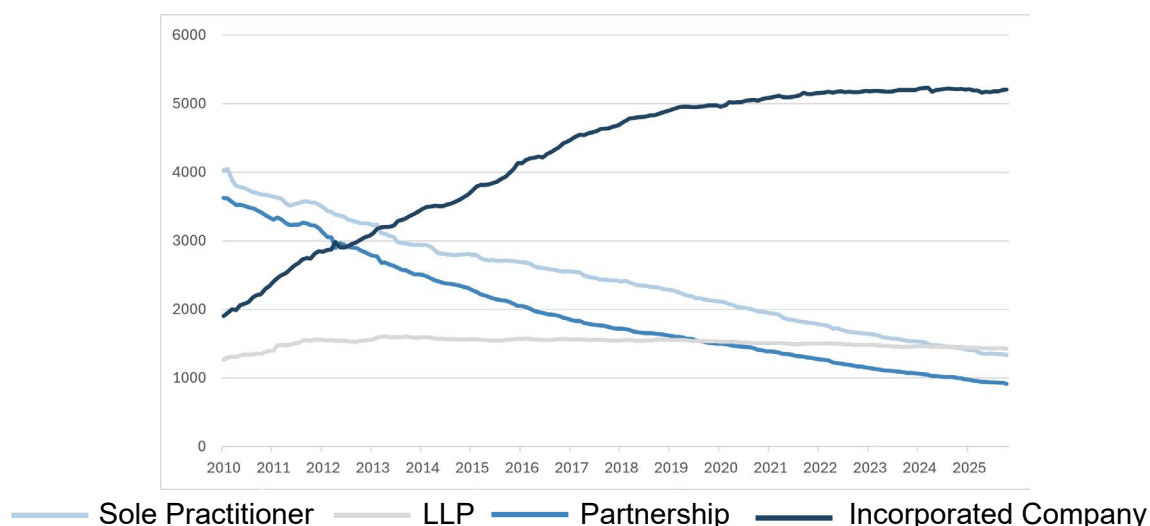
### Corporate form versus regulatory form

Incorporation of law firms has been permitted in England and Wales since 1985 and limited liability partnerships since 2000. In 2007, the Legal Services Act enabled 100% external ownership of legal business and multidisciplinary practices (**MDPs**). This regulatory reform allows law firms to include non-lawyer owners in their ownership, whatever corporate form they choose to take. It also allows law firms to list on the stock exchange or non-lawyers to form and own legal businesses outright. Collectively these regulatory structures are known as alternative business structures (**ABS**), or more formally as licensed bodies.

According to the Solicitors Regulation Authority (**SRA**), as of January 2026, 58% of regulated law firms are incorporated companies, 10.5% are partnerships, 16% limited liability partnerships (**LLPs**) and 15% sole practices. As of January 2026, the BSB authorises 161 entities, of which 15 are licensed bodies.

Since 2010, England and Wales has seen a steady replacement of the sole practice and general partnership structures by incorporated legal practices, especially among smaller law firms. LLPs have remained very stable as a proportion of all law firms. This structure tends to be favoured by larger practices.

### Breakdown of solicitor practices by corporate form, July 2010–April 2026 (Source: SRA)



### Limited Liability Partnerships (England & Wales)

- A limited liability partnership is a corporate business structure providing the benefits of limited liability while allowing its members the flexibility of organising their internal structure and tax arrangements as a traditional partnership, and providing the protections of an incorporated vehicle.
- Any new or existing firm of two or more persons can incorporate as an LLP.
- At January 2026, all bar two firms in the top 50 law firms in England and Wales by turnover had adopted the LLP structure. One of the two non-LLPs is publicly listed, whilst the other is a general partnership.

## How do lawyers practise in Scotland?

- As of October 2023, around 45% of practices in Scotland are traditional practices: sole practices (30%) or traditional partnerships (15%).
- 40% of practices are incorporated limited practices and 14% are limited liability partnerships.

### Multinational Practices

- Multinational Practices (**MNPs**) are practices owned and controlled by a

combination of solicitors holding practising certificates issued by the Law Society of Scotland and registered foreign lawyers (lawyers who are entitled to practise as members of the legal profession outside of Scotland).

- In 2023, 49 practices were classified as multinational practices in Scotland.

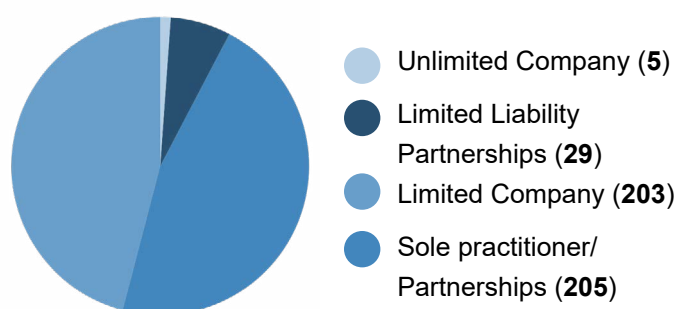
### A new option in Scotland's Legal Landscape: Licensed Legal Services Providers

- In addition to the business structures referred to above, Scotland's Regulation of Legal Services Act 2025 updates the provisions of the *Legal Services (Scotland) Act 2010* in relation to the formation of Licensed Legal Services Providers (**LLSPs**).
- The LLSP structure foreseen by the 2010 legislation would have permitted non-lawyer owners to hold up to 49% of an LLSP's equity. The 2025 Act has removed any ownership limitations on external investment and ownership by non-solicitors.
- At present, the Law Society of Scotland is the only approved regulator of LLSPs, but is unlikely to undertake any work on a regulatory scheme until 2027, given other more immediate requirements made by the 2025 Act.



## How do lawyers practise in Northern Ireland?

As at 21 October 2024, there were 3,102 solicitors holding practising certificates, 80% of whom were working in private practice within solicitor firms. As of October 2024, there were 459 active solicitor firms in Northern Ireland:



Northern Ireland continues to have a larger proportion of very small firms in the legal market when compared with other parts of the UK. 80% of the sole practice and two-partner firms in Northern Ireland have nine employees or fewer.

The size of Northern Irish firms by number of partners has grown in recent years.

The largest stand-alone Northern Irish firm now has over 30 partners, and a growing number of firms in Northern Ireland are part of bigger international partnerships.

The number of large firms in Northern Ireland with between 50 and 249 employees has doubled over the past 10 years whilst the number of small and micro solicitors' firms continues to decline.

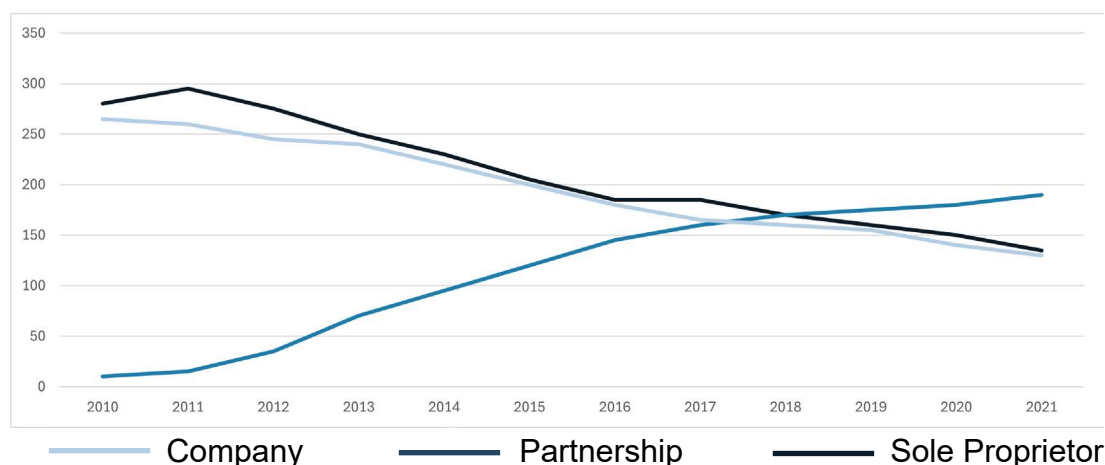
Mergers between Northern Irish and international firms have become increasingly common, with a third of all assistant solicitors in Northern Ireland now employed in large firms and nearly a quarter employed in very large international firms.

### Prohibition on alternative business structures

Unlike other jurisdictions in the UK, law firms in Northern Ireland are subject to specific restrictions including the prohibition on contingency fees and fee-sharing. The 2007 Regulations also prohibit alternative business structures and non-traditional ownership models.

International firms seeking to enter the Northern Irish legal market must ensure new or merged firms in operate as a free-standing entity, with compliance mechanisms tailored to Northern Ireland's regulatory framework.

### Changing Ownership Structures in Northern Ireland 2010–2021



# Where next for legal services? The shared challenge of new technology

Technology is increasingly influencing legal practice in both the UK and Australia, with rapidly rising use of generative AI by lawyers in both countries and burgeoning legal tech markets. This creates new challenges for regulators, professional bodies and courts, including how to encourage the take-up of technologies that will increase legal sector productivity and improve access to justice, whilst protecting against misleading advice and risks to client confidentiality.

## Regulatory and governance philosophy

Both countries have been active in issuing guidance to their respective legal professions, though Australia has moved faster on coordinating professional standards. The Law Society of New South Wales, the Legal Practice Board of Western Australia and the Victorian Legal Services Board and Commissioner produced a joint statement emphasising that AI chatbots and research assistants cannot be relied on as a substitute for legal knowledge, that no current large language model can be free of hallucinations (i.e. responses which are fluent and convincing but inaccurate), and that lawyers using AI must be personally able and qualified to verify the information they produce.<sup>13</sup> More recently Queensland Law Society has collaborated with other solicitor bodies to produce guidance on AI selection and use.<sup>14</sup>

Australian courts have issued practice notes and guidelines on using generative AI in litigation and court processes.<sup>15</sup> Many of these deal with common areas: confidentiality and data privacy; cautions or restrictions on use of AI to generate content of affidavits, witness statements, character references; verification of authorities and citations when AI has been used in written submissions; and use of AI in preparing expert reports. For example, the Supreme Court of NSW requires a certification that affidavits, witness statements and character references have not been generated using AI.

In the UK, most of the sector regulators and professional bodies have issued guidance to assist the lawyers they regulate or support.<sup>16</sup> In general, the approach has been to encourage take-up and use of new technologies, alongside a recognition of potential risks. The SRA has, for example, regularly run workshops for firms on how AI can help transform legal businesses and improve their client service. The sector continues to develop apace with the SRA authorising the first AI-led law firm in 2025.

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13 Law Society of New South Wales, Legal Practice Board of Western Australia, Victorian Legal Services Board and Commissioner, Statement on the use of Artificial Intelligence in Australian Legal Practice (6 December 2024).

14 Queensland Law Society, AI selection and use checklist For Legal Practitioners (February 2026)

15 Federal Court of Australia, Use of Generative Artificial Intelligence Practice Note (GPN-AI) (16 April 2026); Supreme Court of New South Wales, Practice Note SC Gen 23: Use of Generative AI (28 January 2025); Supreme Court of Victoria, Guidelines for litigants: Responsible use of AI in litigation (May 2024); Supreme Court of Western Australia, Guidelines for the use of generative AI (November 2025); South Australia Courts Administration Authority, Guidelines concerning the use of generative artificial intelligence in litigation (24 December 2025); Supreme Court of Queensland, Practice Direction No. 5 of 2025: Accuracy of references in submissions (24 September 2025).

16 See, Law Society of England and Wales, Generative AI – the essentials (Webpage); Law Society of Scotland, Guide to Generative AI (Webpage); Bar Council of England and Wales, Staying ethical with AI at the Bar (Webpage).

## Court cases

Both countries' courts have been grappling with the hallucination problem directly. In the UK, a High Court judgment in May 2025 raised questions about the misuse of generative AI in legal proceedings, with the President of the King's Bench Division highlighting the dangers of AI-generated inaccuracies including fabricated case citations.<sup>17</sup>

Australia has moved to formal sanctions: in August 2025, a Victoria-based lawyer became the first legal practitioner in Australia to be sanctioned for submitting AI-generated cases to a court.<sup>18</sup> In response, some bodies have moved toward structured education rather than purely punitive measures. The ACT Bar Association partnered with an AI legal technology firm to provide barristers with formal training in using generative AI safely, with the ACT Bar Council President describing legal technology as now an "essential competency for modern practice." In 2025, the University of New South Wales published a report detailing the growing misuse of generative AI in legal matters across ten jurisdictions.<sup>19</sup>

Both countries share common concerns: ensuring that efficiency gains from AI don't erode professional accountability or the quality of legal advice, but equally that the resources available to courts and the outcomes that emerge from them are not adversely affected by AI.

Sharing best practice and lessons learned during such a period of change is one of the useful functions of a regulatory dialogue. Professional bodies, regulators and courts in both countries have developed their own guidance, and the dialogue has played an important role in monitoring and sharing such outputs.

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<sup>17</sup> Ayinde, R (On the Application Of) v London Borough of Haringey [2025] EWHC 1383 (Admin).

<sup>18</sup> Victorian Legal Services Board and Commissioner, Statement on the 'Mr Dayal' matter (2 September 2025).

<sup>19</sup> Centre for Future of the Legal Profession, GenAI, Fake Law & Fallout: A review of the misuse of generative artificial intelligence in legal proceedings (November 2025).

## Future of the Dialogue

Dialogue participants have valued the opportunity to strengthen and forge relationships with counterpart professional bodies and regulators and to engage in a structured manner on issues relating to the objectives set out in the A-UKFTA.

Members of the Dialogue have agreed to continue to meet annually after the end of the minimum term of the Dialogue to share information about developments in each jurisdiction and discuss any areas of concern.

### *Recommendation 7*

The Dialogue members should meet annually after the end of the minimum term of the Dialogue to share information about developments in each jurisdiction and discuss any areas of concern.





