

Getting the Point? CPD for Victorian Lawyers

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Preview

- Why CPD?
- Learning / Compliance
- Markets / Regulation
- New Directions

Why CPD?

- Fundamental occupational concept
 - Still relevant in a knowledge economy?
- Public policy bargain
 - exclusivity / competence
- Consumer protection / Risk management

(Adult) Learning



(Adult) Learning

- Relevance / Intrinsic motivation
- Reflection / Planning / Continuity
- Knowledge, but also skills and values
- Different modes for different topics / different cohorts
- Engagement – practising / peers / presenters

“Education is not the filling of a pail but the lighting of a fire” (Yeats)

Compliance

- Legal Profession Uniform Law
- 10 points / linked to annual practising certificate / auditable
- ≥ 1 point in each of Substantive Law / Profess'l Skills / Practice Mgt / Ethics
- Different modes permitted / limits on online programs

Compliance Reality

- March madness
- Large format, generic seminars
- Focus on substantive law
- Insufficient risk assessment
- Insufficient planning and resources
- Poor strategic governance

Compliance – Some Positives

- Four subject areas align with basic competencies
- 60-70% satisfaction (?)
- Growth in online offerings
- Knowledgeable stakeholders / willingness to do better

Markets

- Providers
 - Commercial / Educ'l NFPs / Prof Assoc'ns / In-house / Insurers / Others
 - Free services – affect profitability / quality
- Purchasers
 - Wide spectrum of experience / practice / subject areas
 - Discretionary expense
 - Low expectations

Regulators

- Horses and water / point-less CPD?
- Cost-Benefit / Lawyer X's Ethics
- A federal system
- Other jurisdictions / professions
- Risk-based / Competence-based
- Guidance and collaboration
- Auditing / Data

New Directions

- 28 Rec's, 4 Areas for Action :
 - Guidance, Support and Resources
 - Competency Framework
 - Ethics
 - Regulatory Reform
- CPD Governance / Leadership
 - Steering Committee
 - Implementation Planning – 3 year horizon