

Business Plan – 2007 to 2010 (Sixth Term)
International Legal Services Advisory Council (ILSAC)

The peak public-private sector consultative and advisory forum for Australia's international legal services sector

Mission: Improve the international presence and performance of Australia's legal and related services

1. Objective One: *Enhance the international profile and performance of Australia's legal services.*

Aims	Indicative Tasks	Desired Outcomes
<p>i. Enhance the international profile of Australia's legal services sector.</p> <p>ii. Improve the performance of Australia's legal services sector internationally.</p> <p>iii. Inform government policy on globalisation of legal practise and international trade in legal services.</p> <p>iv. Improve transnational professional mobility through greater access for Australia's legal service providers internationally.</p> <p>v. Increase demand for Australian legal services internationally.</p>	<p>a. Monitor, conduct research and review domestic and international developments, including the impact of information technology and knowledge management, in legal services and the internationalisation of legal practice.</p> <p>b. Provide advice to the Government on:</p> <ul style="list-style-type: none"> – policy relevant to international legal services – coordination of programs relevant to international legal services – legal services market access barriers or impediments – developments in regulation impacting on legal and related services, and – other matters relevant to Australia's international performance in legal services. <p>c. Continue active engagement in providing advice on legal services market access and domestic regulatory issues in relation to bilateral, including Free Trade Agreement (FTA), regional and multilateral trade negotiations.</p> <p>d. Develop and support activities that promote export of legal services (eg through legal services missions, seminars, etc).</p> <p>e. Continue with survey of Australia's international trade in legal services statistics focussing on all modes of service delivery with full coverage of areas of practice and geographical distribution.</p> <p>f. Continue to promote greater liberalisation of legal services markets internationally and in Australia through the adoption of hospitable foreign lawyer regulations (eg through WTO, APEC, FTAs, Missions, Seminars, SCAG, etc).</p> <p>g. Promote Australia's National Legal Profession project and the advantages of nationally consistent legislation across Australia on foreign lawyers.</p> <p>h. Promote, in Australia and overseas, transparent regulatory regimes, which include objective and competency-based admission criteria applied on an uniform basis 'in-country' for those with foreign legal qualifications seeking admission to practise as local lawyers.</p>	<ul style="list-style-type: none"> • Increased opportunities for Australian legal services providers internationally (eg through liberalisation of legal services markets). • Increased earnings and/or balance of trade in legal services exports. • Increased participation by Australian law firms in the export of legal services. • Availability of improved statistics on international trade in legal services, including the capture of exports/imports by overseas offices Australian law firms. • Implementation of foreign lawyer legislation consistent with the National Legal Profession initiative Model Bill in all Australian States and Territories. • Substantial progress towards the establishment of a national legal services market. • Reduction of unreasonable and/or non-competency based criteria for admission to local professional legal practice internationally.

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2. Objective Two: *Create greater awareness and understanding of Australia's legal system in the Asia-Pacific and other regions. Establish and improve links between the legal and related services sector in Australia and countries in the region and elsewhere.*

Aims	Indicative Tasks	Desired Outcomes
<p>i. Create a greater understanding of Australia's legal system and institutions in the region and more widely.</p> <p>ii. Promote, in Australia, a greater understanding of the laws, legal system and legal institutions in countries in the Asia-Pacific region and elsewhere.</p> <p>iii. Develop and support high quality legal cooperation activities, in both the private and public sectors, between Australia and countries in the Asia-Pacific region and other significant areas.</p> <p>iv. Establish and improve links between the legal and related services sectors in Australian and the region.</p>	<p>a. Encourage and facilitate study visits to Australia by senior members of the legal and related services sector from the Asia-Pacific region and targeted countries.</p> <p>b. Contribute to international legal cooperation activities undertaken by private and public sector bodies.</p> <p>c. Support and/or attend meetings of the Australia-Indonesia Ministerial Forum (AIMF) Working Group on Legal Cooperation (WGLC).</p> <p>d. Develop and/or participate in Legal Services Missions to targeted countries.</p> <p>e. Publicise and develop information on ILSAC, including establishing links to ILSAC's website.</p> <p>f. Build capacity and transfer technical expertise in legal services in the Asia-Pacific region.</p> <p>g. Seek funding to further ILSAC's aims.</p> <p>h. Identify and develop links with relevant foreign bodies (including both the public and private sector).</p>	<ul style="list-style-type: none"> • Greater understanding of Australia's legal system and institutions in the Asia-Pacific region and elsewhere. • Greater understanding <i>in Australia</i> of the legal systems and institutions in the Asia-Pacific region and elsewhere. • Increased contact and stronger links between Australia and the Asia-Pacific region and elsewhere in law and legal related services. • Increased knowledge and expertise in legal services related areas in the Asia-Pacific region. • Wider use of ILSAC's website and other related web-pages.

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3. Objective Three: *Support trade in and enhance the international profile, recognition and quality of Australia's legal education and training services.*

Aims	Indicative Tasks	Desired Outcomes
<p>i. Enhance the international profile of Australia's international legal education and training institutions and services.</p> <p>ii. Enhance the international trade in Australia's legal education and training services.</p> <p>iii. Promote and/or undertake initiatives likely to increase recognition of Australian legal qualifications overseas.</p> <p>iv. Promote an internal accreditation framework that facilitates trade in legal services while maintaining the quality of the Australian legal professional qualification.</p> <p>v. Promote a more internationally competitive legal education and training sector in Australia.</p>	<p>a. Support bilateral, including through Free Trade Agreement, regional and multilateral negotiations on the recognition of legal qualifications.</p> <p>b. Maintain and expand links with the Council of Australian Law Deans (CALD) and other relevant bodies, particularly to enhance internationalisation of legal education.</p> <p>c. Provide briefings to CALD and other relevant bodies on ILSAC's work, focussing on international legal education and training.</p> <p>d. In conjunction with CALD, support frameworks to facilitate greater collaboration in international legal education and research.</p> <p>e. Support and participate in activities of the Department of Education, Employment and Workplace Relations (DEEWR)/Australia Education International (AEI), IDP Education Australia Ltd and similar bodies to promote Australia's legal education and training capabilities internationally.</p> <p>f. Support the continued publication and distribution overseas of <i>Studying Law in Australia</i>, and expansion or revision of its content and layout.</p> <p>g. Progress the development and implementation of a system for both the central assessment of foreign qualifications and a consistent process for the full admission of foreign qualified lawyers across Australia.</p>	<ul style="list-style-type: none"> • Increased opportunities internationally for, and export of, Australia's legal education and training services. • Greater recognition of Australian law degrees internationally (eg. in Singapore, Malaysia, India, US). • Increased number of countries from which students use Australia's legal education and training services. • Increased number of overseas students studying law or legal studies in Australia, including those enrolled in Australian institutions offshore. • Increased Australian academic research, study, or student interchange in the field of law in overseas countries. • Significant progress in gaining support for the implementation of a central assessment of qualifications of foreign qualified lawyers seeking admission to practise as a domestic lawyer in Australia.

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4. Objective Four: *Promote Australian expertise in Australia and the Region in International Commercial Dispute Resolution (ICDR) services and explore opportunities of enhancing Australia’s role in ICDR.*

Aim	Indicative Tasks	Desired Outcomes
<p>i. Enhance Australia’s profile and reputation in ICDR skills and services in the Asia-Pacific region and internationally.</p> <p>ii. Increase demand for Australia’s ICDR skills and services in the region and internationally.</p> <p>iii. Enhance the international trade in Australia’s ICDR services.</p>	<p>a. Promote and facilitate dialogue between dispute resolution bodies in Australia and the Asia-Pacific Region.</p> <p>b. Support regional initiatives in ICDR.</p> <p>c. Raise awareness of developing trends in ICDR within government and business.</p> <p>d. On-going enhancement of the ICDR website (icdr.gov.ai), including providing direct and useful links identifying individual service providers.</p> <p>e. Develop strategies and activities that highlight the skills and services of Australian ICDR practitioners internationally.</p> <p>f. Develop strategy to identify the next generation of Australian arbitrators and mediators. Consider if skills transfer initiatives need to be adopted.</p> <p>g. Develop initiatives that permit foreign lawyers to provide legal services in relation to ICDR and arbitration proceedings, without limitation as to jurisdiction.</p>	<ul style="list-style-type: none"> • Support within the government, legal, business and exporting sectors for the operations of Australia’s peak ICDR organisations and centres. • Increased use of the ICDR website (icdr.gov.ai). • Next generation of arbitrators and mediators in Australia are readily identifiable. • Increased trade in Australia’s ICDR services. • Increased recognition in Australia and overseas of Australia as a centre of expertise for ICDR services.

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5. Objective Five: *Improve coordination of public and private sector activities that promote Australia's international capabilities in legal and related services.*

Aims	Indicative Tasks	Desired Outcomes
<p>i. Create wider awareness of Australian government policy on legal and related services sectors.</p> <p>ii. Create wider awareness in government departments and agencies of Australia's capabilities and international activities in legal and related services sectors.</p> <p>iii. Engage with all key stakeholders in promoting the interests of the Australian legal and related sectors internationally.</p> <p>iv. Improve information and statistics on international trade in legal and related services (see also Objective One, above).</p>	<p>a. Update and publicise the Australian Legal Services Export Development Strategy.</p> <p>b. Improve and maintain up-to-date information on ILSAC and its activities, through its website.</p> <p>c. Undertake research on international legal services issues, particularly in areas of interest to ILSAC identified under Objectives one to four of this Business Plan.</p> <p>d. Expand, develop and maintain a network of links important to legal and related services in Australia and elsewhere.</p> <p>e. Establish, maintain links and undertake joint initiatives with relevant stakeholders, including with the Law Council of Australia, Corporate lawyers, Council of Australian Law Deans, the Australian Law Teachers' Association and the Law Admission Consultative Committee.</p> <p>f. Correspond with the Australian Bureau of Statistics and other relevant departments and agencies, on improving the availability, coverage, depth and frequency of publication of data on legal and related sectors.</p> <p>g. Expand the public/private interface by conducting and engaging in relevant workshops, seminars and publications.</p>	<ul style="list-style-type: none"> • Better informed policy, program and commercial decisions in the public and the private sectors on trade, and export involving legal and related services. • Better coordinated and more effective activities in promoting Australia's legal and related services. • Increased availability of detailed, relevant and up-to-date statistical information on international trade in legal and related services.

6. Objective Six: *Report and advice to the Attorney-General and other Ministers on issues relevant to international legal and related services.*

Aim	Indicative Tasks	Desired Outcomes
<p>i. Provide advice and reports to the Government on international legal and related services, including international legal education and training services.</p>	<p>a. Inform the Attorney-General, and other Ministers about ILSAC's work and achievements.</p> <p>b. At the conclusion of the current term (July 2007 to June 2010), provide a triennial report to the Attorney-General on the work and achievements of the Council during the term.</p>	<ul style="list-style-type: none"> • Relevant and timely advice on international legal and related services is provided to Government. • The Government and other bodies adopt policies and undertake initiatives that improve Australia's international performance in legal and related services.