



Queensland
Law Society

Criminal Law

2026 Accredited Specialisation
Assessment Guidelines



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[Specialist Accreditation - Queensland Law Society](#)

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Assessment Guidelines Overview

Solicitors who become Accredited Specialists are recognised as having enhanced knowledge and professional practice skills, as well as substantial involvement in established legal specialty areas. Through the assessment tasks, the Queensland Law Society (QLS) requires candidates to demonstrate a standard of professional knowledge, proficiency in application, and communication that reflects that of a specialist in that area of accreditation, to ensure that recognition as an Accredited Specialist is meaningful, credible and reliable.

These Assessment Guidelines are to assist with your self-directed preparation for the three assessment tasks that are part of the program. They should be viewed in conjunction with the QLS Specialist Accreditation Scheme Handbook which contains the policies and procedures relevant to all areas of accreditation.

Performance outcomes

Specialist Accreditation is a structured assessment process which requires the candidate to draw on their existing knowledge and skills to demonstrate their competency and expertise in their chosen area of law.

Solicitors wishing to be accredited should demonstrate a high standard of:

- knowledge of the law and procedure which underpins the performance of tasks in this area of practice; and
- oral and written advocacy which is expected of practitioners wishing to hold themselves out as specialists in the area.

“High standard” means the standard expected of a specialist legal practitioner with enhanced skills, superior knowledge, significant experience and a high proficiency in Criminal Law, as reflected in the [professional practice skills](#) set out in these Assessment Guidelines.

Assessment program

The assessments are all delivered in a digital environment. This provides equitable access for all candidates irrespective of location and is also aligned with the nature of legal practice in today’s digital world. There is a base level of computer literacy required to complete the assessment, and it is incumbent upon candidates to have access to suitable technology and infrastructure to perform in the most optimal way.

Three assessments make up the Specialist Accreditation program in Criminal Law.

Take home assessment

The take home assessment is usually the first item of assessment attempted in the program. It is in the form of a mock file where professional artefacts (e.g. a letter of advice, court document, or contracts etc.) are drafted in response. The assessment may also include essay questions, which will require a paper to be written which critically analyses and reviews a particular topic. Candidates are given a period of three weeks from the release date to complete the Take Home assessment, which is then submitted online to the QLS Learning Management System (Canvas).

Written examination

The written exam consists of short answer and extended written questions. It is accessed by candidates via the QLS Learning Management System (Canvas).

Oral assessment

The oral assessment varies in each area of accreditation (client interview, mock hearing or application, professional discussion/viva). In 2026 the oral assessment in Criminal Law will take the form of a simulated Court event (for example, summary trial, sentence hearing, appeal hearing or a directions hearing) and the preparation associated with same.

Candidates who complete all three assessments to the standard of an accredited specialist are eligible for accreditation as a specialist in Criminal Law. Schedules 3-5 include further details in relation to each of the three assessments. Specific core knowledge areas and professional practice skills are listed under [Schedules 1](#) and [2](#).

In any or all the assessment tasks, candidates may be assessed on any or all of the core areas of knowledge and professional practice skills.

All assessments undergo a rigorous marking process. Any assessment deemed to not have achieved the standard of an accredited specialist will go through an independent second round of marking before a recommendation is made to grant or deny Accredited Specialisation.

Candidates will be examined on the law as it stands at the date of assessment unless the assessment instructions specify otherwise.

Key milestones and program timeline

Candidates are advised that the Specialist Accreditation program requires a considerable commitment. From when you get accepted into the program, we encourage you to plan and use these guidelines to prepare.

ITEM	DATE
Specialist Accreditation Information Evening (ONLINE)	13 October 2025
Applications Open	17 October 2025
Applications Close	7 November 2025
Candidate Acceptance Notification	15 December 2025
Assessment Briefing Evening (ONLINE)	late February
Assessment Dates	
- Take Home Assignment	Friday 10 April – Tuesday 5 May 2026
- Oral Assessment (Mock Hearing)	Saturday 16 May 2026
- Written Exam	Saturday 30 May 2026
Results Released	late August 2026
Specialist Accreditation Celebration	8 or 9 October 2026

Note: The above dates are correct at the time of publishing. Should any changes need to occur, they will be communicated directly to candidates as early as possible.

Outline of accreditation requirements

Specialists need to possess knowledge of a wide range of topics. In practice of course, the client base and practice experience of the applicant will result in that applicant having a greater degree of familiarity with some of these topics than others.

Nevertheless, every applicant needs to be aware that once accredited as a specialist in this area, the practitioner will be in effect holding themselves out to potential clients as having a knowledge of all the topics that fall within the specialty.

Over a period of years those topics with which the applicant will be most familiar within the speciality may fluctuate as the client base changes.

As part of this program, candidates will undertake practical exercises in:

- conducting necessary research on relevant law and court procedure
- providing advice on causes of action available in Criminal Law
- drafting legal process to institute and/or defend claims
- drafting documents necessary for interlocutory proceedings
- acting as an advocate; and
- comprehending the ethical rules applicable to the conduct of legal practitioners in the course of Criminal Law.

SCHEDULE 1: CORE KNOWLEDGE AREAS

For the purposes of the criminal law specialist accreditation assessment program, the core areas of knowledge have been identified as but are not limited to:

- Evidence
- Police station practice
- Police powers including arrest, entry, search and seizure
- Warrants for search, listening and surveillance devices and telecommunications interception
- Controlled Operations
- Arrest and summons
- Bail
- Sentencing
- Jurisdiction of courts relating to mode of hearing and appeals
- Criminal practice procedure
- Offences, defences and the elements of same
- Domestic violence
- Ethics
- Prosecution policies and guidelines
- Mental health
- Advocacy, including leading evidence in chief and cross examination
- Forensic evidence
- Post conviction orders, outcomes and issues including, but not limited to, parole matters and offender reporting
- Confiscation proceedings – both State and Commonwealth (including knowledge of *Uniform Civil Procedure Rules* ('UCPR') 1999 (QLD)).

The following list is not exhaustive but is a guide to candidates as to the type of matters that may be raised in the criminal law specialist accreditation assessment program. Where an area of knowledge may have State and Commonwealth considerations then candidates should ensure that they are familiar with both jurisdictions.

Topics are grouped under headings as a matter of convenience only. Not all the topics listed will be tested and **any** matter relevant to practice in criminal law may be examined.

Documentation

- Bail applications and associated affidavit material
- Subpoenas/summonses
- Affidavits
- Applications (e.g. special witnesses under s 21AG Evidence Act 1977 (Qld), confiscation proceedings)
- Submissions for discontinuance/charge bargaining
- Sentence submissions
- Advices
- Instructions to counsel
- Appeal documents
- Proceedings under Mental Health Act 2016 (Qld)
- Re-opening applications and submissions
- Communications under s110B of the Justices Act, Applications to cross-examine witnesses
- Preparation for trial, witness statements, specialist reports

Advocacy

- All proceedings in the Magistrates Courts
- Sentence proceedings in the District and Supreme Courts
- Bail applications in all jurisdictions
- Appeals
- Inquisitorial hearings and investigations such as Royal Commissions, Coronial Inquests, Australian Crime Commission and Crime & Corruption Commission hearings
- Disciplinary hearings.

Statutory Provisions, Rules, and Practice Directions

- All State statutory provisions relevant to the practice of criminal law
- All Commonwealth statutory provisions relevant to the practice of criminal law
- Police and prosecution publications and guidelines
- Relevant case law
- Practice rules and directions
- *Australian Solicitors Conduct Rules 2023*

SCHEDULE 2: PROFESSIONAL PRACTICE SKILLS

The skills required to be demonstrated during the criminal law specialist accreditation assessment program include the following:

Ascertaining and obtaining information and evidence

(both from the client and from law enforcement and prosecutorial agencies) necessary to advise and represent a client

- elicit information from clients, law enforcement, and witnesses
- appropriately eliciting, when necessary, information from the client which is relevant and necessary to properly represent a person accused of a criminal offence
- identifying the legal issues that are raised
- recognising when it is necessary to obtain assistance from experts and professionals in other disciplines, for example, engineers, psychiatrists, pathologists; and to recognise and accommodate matters concerning the client such as mental illness, social dysfunction, gender, age, ethnicity, or their status as Indigenous Australians in order to effectively elicit information
- acting ethically and with integrity with the confidential information obtained
- drawing a detailed statement from an accused addressing all aspects of the prosecution case
- compiling information in a way which meets the exigencies associated with the urgency, complexity, and seriousness of the matter; and demonstrate knowledge of the relevant substantive law, policy and procedure associated with the charge/s faced
- discerning when it is appropriate to elicit such factual instructions from an accused having proper regard to the premise that the criminal law operates within an adversarial system which requires the Crown to establish matters to a criminal standard of proof
- performing professionally and effectively in difficult circumstances, such as in a police station or at the scene of arrest or the crime and at all times displaying a tolerance and understanding of the client and the investigating officers including demonstrating an ability to deal with investigators with appropriate firmness
- demonstrating an ability to give timely and where necessary on the spot advice and to act urgently when the circumstance so require it
- demonstrating knowledge of the use of investigators and expert witnesses
- demonstrating knowledge of procedural aids, for example subpoenas and particulars, and able to apply the law of evidence relating to presumptions and the onus of proof
- demonstrating good organisational skills and methodical precision in problem solving.

Providing legal advice

- developing a strategy after analysing the facts in light of the relevant law, procedure and policy associated with the relevant charge, including statutory and common law defences and the applicable laws of evidence
- identifying the critical factual and legal issues and to assess the merits of the case
- identifying matters of mitigation for sentence
- advising the client of the options available and devising a tentative plan which, where possible, offers practical recommendations and alternatives
 - The plan should recognise the client's objectives, and special needs such as health, linguistic and cultural needs, and makes proper use of community resources such as medical, interpretation and community assistance. This advice should be given clearly, in appropriate language and with candour and independence
 - A final plan should be developed in accordance with the instructions of the client
- advising the client as to the prospects of success of each step/application and the likely costs associated with each step and likely option, in writing
- ensuring that all relevant and necessary advice is given at all stages both pre- arrest and post-arrest to fully protect the client's interests. This will include being attuned to all developments in the investigation and prosecution which might impact on the client's rights; and
- communicating in a manner which demonstrates a clear understanding of the rights, risks and obligations faced by an accused.

Implementing a plan

- documenting (or ensures adequate documentation by others) all relevant and necessary information in a systematic and secure fashion
- negotiating with the police, prosecuting authorities, and other defence lawyers, and liaising professionally with support agencies, court administrators, and other professionals
- demonstrating a methodical approach to problem-solving
- developing a plan in collaboration with the client and where appropriate their other representatives; and
- execute a plan in accordance with preparation.

Representing and advocating

- promoting a client's interests through oral and written advocacy including:
 - a high standard of knowledge of procedural, evidentiary and substantive law underpinning the case
 - an ability to succinctly identify and articulate the crucial issues of the case
 - appropriate identification and articulation of the deficiencies in the case
 - strategic planning of evidentiary issues, such as evidence-in-chief, cross-examination, and re-examination.
- demonstrating a high level of oral advocacy to:
 - appear in relevant proceedings connected with the practice of criminal law in a variety of jurisdictions
 - instruct counsel in preparing for and attending on the totality of a jury trial
 - make submissions to discontinue a prosecution
 - negotiate charges with prosecutors; and
 - represent and advise a client both before and after arrest having regard to the developments in the investigation or prosecution.
- demonstrating a high level of written advocacy to:
 - prepare all documentation such as appropriate forms or submissions for a hearing; and
 - prepare in a written form advice to either a client or counsel.
- demonstrating knowledge of court-room etiquette, procedure and nuances including the ability to work under pressure and to present in an effective and skilful manner
- identifying the defence(s) that an accused has available and seeks to promote and formulating a case theory (with counsel if briefed) and compiling the evidence to best advance the client's chances of acquittal or most favourable outcome possible for the client in a sentence proceeding.

Instructing counsel

- recognising appropriate counsel to brief and when
- comprehensively briefing counsel to appear and/or advise in respect of all criminal matters, to include:
 - relevant observations and instructions on procedural, evidentiary and substantive issues
 - reference to the relevant cases and other authorities
 - clear and concise factual instructions from the client, including a detailed statement; and
 - all relevant documents including independent reports.
- actively participating with counsel in the preparation of the case, such as:
 - actively participate in the preparation of a case at all stages
 - providing good administrative support
 - supervising of witnesses and other material; and
 - acting as an effective liaison between counsel and the client.

Meeting and demonstrating professional responsibility

- Demonstrated awareness of professional and ethical responsibilities and practical application of those responsibilities and standards
- maintaining high professional standards to include:
 - a willingness to advise junior members of the profession
 - educating others in legal issues which involve the criminal justice system; and
 - participating in discussions on the improvement of the criminal justice system.
- possessing and demonstrating personal integrity in the discharge of the onerous professional duties which attach to involvement in the criminal justice system, in particular discretion and independence.

SCHEDULE 3: TAKE HOME ASSESSMENT

Mock File

Release date: Friday 10 April 2026

Due Date: Tuesday 5 May 2026

Submission: submitted online to the QLS Learning Management System (Canvas)

Candidates will be required to complete a take home assignment, which is subject to strict time and length limits and will assess the candidate's ability to handle matters in practice. Further details are provided when the assessment is released.

The take home assessment will contain a number of separate questions and will assess a variety of core skills and knowledge areas relevant to the practice of criminal law.

Assessment criteria

Candidates will be assessed on their:

- knowledge of relevant law and procedures
- ability to concisely identify the relevant legal issues
- skilful application of legal principles
- awareness of practical considerations
- ability to provide concise and clear advice
- ability to conduct legal research
- judgement and decision-making skills
- preparation of documents
- ability to identify and address any ethical issues from the given fact situation.

Assessment conditions

Candidates may use the resources of their offices in completing this exercise. However, consultation with any other person in completing the exercise is not permitted and the material submitted must be entirely your own work.

Candidates will face automatic disqualification from the accreditation program if any assessment material is referred to counsel or any other person for opinion or assistance.

The assessment must be submitted as an MS Word or PDF document through the online student portal by no later than 4pm on the due date advised. Late submissions will not be accepted. Candidates should refer to the appropriate section of the *Specialist Accreditation Scheme Candidate Handbook* if they experience a problem completing the assessment by the due date.

No reference or marks which may identify the candidate, or their firm, should appear anywhere in the candidate's work.

To meet the standard of an accredited specialist, candidates must achieve a minimum of 65% in this assessment.

SCHEDULE 4: WRITTEN EXAMINATION

Written Examination

Date: Saturday 30 May 2026

Duration: Three (3) hours and 30 minutes inclusive of reading, planning and writing time

Via: QLS Learning Management System (Canvas)

The written examination will cover a wide range of Criminal Law matters that may be encountered in practice.

The exam is divided into two sections – Part A is short answer. Part B consists of extended written response questions.

Assessment criteria

Candidates will be expected to demonstrate a high standard of knowledge of Criminal Law issues and associated practices and procedures as outlined in [Schedules 1](#) and [2](#) of this document, and will be assessed on their:

- ability to identify relevant issues from a given fact situation
- knowledge of relevant law (including significant recent decisions) and skill in applying that knowledge in practice
- knowledge of the procedural rules
- ability to provide practical, clear, and comprehensive advice
- awareness of practical considerations in Criminal Law
- ability to identify and address any ethical issues

Assessment conditions

Further guidance will be provided in advance of the examination, as to the written and/or electronic reference material which candidates may access during the examination.

Completing the examination

The Written Exam will be delivered online via Canvas. The Specialist Accreditation Team will provide further instructions about the exam ahead of the assessment.

- answers must be typed out using the allocated text box on Canvas
- the use of artificial intelligence in any way shape or form is prohibited
- candidates must have strong and reliable internet connection
- candidates will be solely responsible for any malfunctions, errors or technical problems of any kind associated with the electronic devices they use for the assessment
- candidates will not be provided any additional time to complete an online assessment due to any malfunctions, errors or technical problems of any kind in relation to the electronic advice they use to complete the assessments, or due to their own poor internet connection or usage outages, without approval from the Advisory Committee on a case-by-case basis
- Queensland Law Society will take no responsibility for any issues experienced on electronic devices during the written examination. Malfunctioning of electronic devices during the written examination will not constitute grounds for a special consideration application.

To meet the standard of an accredited specialist, candidates must achieve a minimum of 65% in this assessment.

SCHEDULE 5: ORAL ASSESSMENT

Mock Hearing

Date: Saturday 16 May 2026

Time: Scheduled by appointment closer to the date

Venue: In Person

Remote Candidates will have the option to appear via Microsoft Teams – candidates must have a device with a working camera and access to WiFi and must make a written application in advance

The oral assessment will be an exercise whereby candidates are required to think on their feet and demonstrate their communication skills and underlying legal knowledge in a live setting.

Assessment criteria

Candidates will be assessed on the following criteria:

1. Presentation skills:
 - Observe appropriate etiquette, procedure and protocol, including court attire;
 - Demonstrate effective organisational skills including the use of materials such as supporting material or written outlines;
 - Communicate clearly and confidently;
 - Logically and appropriately present the facts and evidence; and
 - Respond to any variations or questions which may arise.
2. Evidence, research, and argument skills:
 - Show an understanding of the key issues;
 - Demonstrate knowledge of applicable legal principals and skill in applying that knowledge Ability to identify and address ethical issues
 - Make accurate and persuasive submissions on issues of fact and law;
 - Identify and apply the relevant legislation and case law;
 - Tender relevant materials; and
 - Effectively use external information sources.

A sound knowledge of the relevant rules, procedures, practice notes, and protocols will also be required.

Assessment conditions

Remote candidates must have a device with a working camera and access to WiFi.

Further guidance will be provided in advance of the oral assessment, as to the written and/or electronic reference material which candidates may access during the assessment.

Further details regarding scheduling of the oral submissions will be provided closer to the date.