Specialist Accreditation Scheme

2026 Personal Injury

Assessment Requirements

The 2026 Personal Injury Assessment Requirements should be read in conjunction with the ***2026 Guide to Application and Assessment***. These documents will assist practitioners in understanding and preparing for the assessment process.

Please note that this document has been produced for all Personal Injury Law candidates. References to clients include claimant/plaintiff and defendant/employers/insurers.

Included are:

- the performance standards which are the benchmark for competent practice in this area
- the performance criteria which form the basis for assessment
- the list of the core skills and knowledge areas which underpin the performance standard to assist with assessment preparation, and
- The methods and dates of assessment which applicants are required to undertake.

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Timetable

The shaded area below shows the core assessment period, including the dates associated with each assessment.

Candidates need to focus on this core assessment timeframe and plan their workload well in advance.

Based on feedback reports from previous years, candidates are encouraged to dedicate and manage their time during this period to optimise their performance across all assessment tasks.

Candidates are reminded that participating in the Specialist Accreditation program requires a considerable level of commitment if candidates are to achieve their desired outcome.

Activity	Date
Question & Answer sessions for potential candidates	Mid-February 2026
Applications for Specialist Accreditation close	Early Bird: Saturday, 28 February 2026 Standard: Tuesday, 31 March 2026
Candidature confirmed	Friday, 24 April 2026
Mock File	Released: Wednesday, 13 May 2026 Due: Wednesday, 3 June 2026
Written Examination	Saturday, 18 July 2026
Peer Interview	Sunday, 19 July 2026
Results released to candidates	Mid-October 2026
Reassessment and/or Appeal applications close	14 days from notification of results
Reassessment results released	November 2026
Appeal results released	November 2026

Performance Standards

The standard of an Accredited Specialist

The standard of an Accredited Specialist in Personal Injury Law is that of a 'specially competent practitioner' in the core skills and practical capabilities in their selected area of practice, as assessed against the spectrum of capability of all practitioners in that area of practice. This standard is to be distinguished from the idea that the Scheme requires the highest technical legal knowledge across all aspects of the selected area of practice.

This is the 'performance standard' referred to in this document.

Core Skills and Knowledge Areas

In accordance with the performance standard, candidates seeking Specialist Accreditation in Personal Injury should be able to demonstrate:

- knowledge of the relevant law, procedures and ethical considerations
- understanding, familiarity and application of the Legal Profession Uniform Law Australian Solicitors' Conduct Rule 2015, and
- the core skills.

Core skills

1. Taking instructions and preliminary investigations

1.1 Conducting cases efficiently, effectively and expeditiously

A Specialist Personal Injury lawyer:

- takes the initiative to promote the client's case
- is commercially responsible and guards against wasteful procedures and over-servicing
- develops and maintains efficient and disciplined office procedures, including a diary system for time limitations
- ensures that their client is kept informed and advised of relevant issues and matters in accordance with their professional obligations under the Uniform Law and the Solicitor's conduct rules, and
- is sympathetic, objective, professional and courteous.

1.2 Helping the client to gain a realistic understanding of the case

A Specialist Personal Injury lawyer:

- advises on costs involved, including party-party, regulated and solicitor-client costs and provides a complying fee agreement
- discusses and enters into a complying fee agreement

- advises clients of any applicable restrictions on recovery of costs
- provides realistic advice in relation to the likely outcome of the claim, including liability and damages issues and risks
- advises client of the implications of PIC assessment/court judgment/settlement and the impact settlement may have on Centrelink and/or Workers Compensation entitlements, NDIS
- where appropriate, arrange for the appointment of a tutor with advice that any proposed settlement will require court approval
- advises the client on the availability and advantages of submitting early Offers of Compromise and/or Calderbank offers, and
- considers and investigates whether the client has legal capacity to provide instructions and/or manage funds, and whether the appointment of a Tutor and/or Funds Manager is indicated.

1.3 Understanding the legislative framework

A Specialist Personal Injury Lawyer:

- advises on any statutory benefits available under relevant legislation
- discusses thresholds, caps and limitation periods
- can articulate the most appropriate course for their client, taking into account their client's individual circumstances
- understands the policy objectives of the relevant legislation and is able to apply that understanding to their client's needs and advise on the most appropriate course of action
- if acting for an injured person, acts to secure and protect their client's statutory rights and entitlements within legislated timeframes, and
- If acting for an insurer, acts to ensure that the claimant receives fair compensation for their injury, loss and damage.

2. Advice on prospects

2.1 Eliciting information from the client

A Specialist Personal Injury lawyer:

- has the ability to communicate with clients of all walks of life to elicit all relevant details relating to liability, damages or compensation
- identifies available defences and considers admissions of liability, grounds for privilege, third-party proceedings and cross-claims, and
- obtains relevant details of the claimant’s pre-incident life, education, work history, etc., the consequences of the injuries and the changes which the injuries have had on the client’s life, i.e. the development of a “before and after” picture of the client.

2.2 Obtaining information and evidence

2.2.1 Liability

A Specialist Personal Injury lawyer:

- demonstrates knowledge of the appropriate sources of relevant information, e.g. police reports, clinical records
- obtains factual reports and interview transcripts
- takes statements from all relevant witnesses as expeditiously as possible
- where deemed appropriate, engages experts and ensures reports of experts comply with legal and procedural requirements
- where necessary, attends the scene of the incident as expeditiously as possible, and
- in appropriate cases, applies for and obtains GIPA material (Government Information Public Access), and CCTV footage.

2.2.2 Medical evidence on injury – condition, cause and prognosis

A Specialist Personal Injury lawyer:

- obtains clinical information from hospitals, the ambulance services, treating health practitioners and seeks opinion from appropriately qualified medico-legal experts
- if necessary, conducts an investigation of previous clinical history
- obtains details of the likely cost of any future treatment, therapy and care
- is familiar with clinical terms, technology and the medical and other health practitioners who are available to give clinical and expert opinions
- ensures that the experts address the important questions of evidence, e.g. causation, prognosis and life expectancy, and
- analyses hospital and other medical records and reports, imaging scans, and all medico-legal reports, and
- understands the obligations of expert witnesses.

2.2.3 Evidence on injury - loss and damage

A Specialist Personal Injury lawyer:

- when appropriate, obtains details of work history, income, capacity, ability, duties, prospects for promotion, redundancy and retirement, business growth and development, personnel records, professional qualifications and references, academic records, etc.
- if necessary, engages and qualifies an appropriate expert to assess past and future economic loss
- where appropriate, the defendant/insurance lawyer advises the client on the utility of arranging surveillance of the claimant or a desktop social media investigation, and
- where appropriate, interviews the employer and work colleagues.

2.2.4 Additional facts/evidence

A Specialist Personal Injury lawyer:

- uses initiative and knowledge of formal and informal procedures, including:
  - discovery before action searches and statutory mechanisms to obtain hospital and other government records
  - subpoenas to produce documents, and
  - interlocutory proceedings, e.g. discovery, interrogatories, notices to produce and notices to admit facts.

3. Litigation and dispute resolution

3.1 Assessing liability

A Specialist Personal Injury lawyer:

- analyses the strengths and weaknesses of the client's case in the light of the available facts and the current law
- considers the identity of the correct respondent/defendant, the probable evidence of the opponents, expert reports, probable defences, the possibility of cross-claims and the likely availability, demeanour and credibility of all parties and witnesses
- assesses the likelihood of success, and
- certifies as to reasonable prospects of success where applicable.

3.2 Assessing compensation

A Specialist Personal Injury lawyer:

- properly assesses all potential statutory entitlements and benefits advises a plaintiff client of the benefits of remaining on or foregoing statutory benefits in exchange for damages where applicable
- adopts a realistic approach to the quantification of heads of damages and the calculation of entitlements
- considers questions of insurance and the other party's ability to pay
- evaluates the strength and extent of the clinical evidence, based on knowledge of clinical terminology and investigative procedures
- considers obligations and entitlements to receive National Disability Insurance Scheme (NDIS) support and assistance, social security and other rehabilitation services.
- takes into account refunds payable to Centrelink, Medicare, NDIS and private health insurers, and
- where appropriate, considers the need for, and cost of, the appointment of a Funds Manager

3.3 Determining the appropriate forum

When determining the appropriate forum, a Specialist Personal Injury lawyer applies the principles regarding:

- the nature and quantum of causes of action
- the appropriate jurisdiction, and
- the advantages and disadvantages of various forums, including various methods of alternative dispute resolution.

3.4 Considering tactics

A Specialist Personal Injury lawyer:

- determines when to pursue statutory entitlements
- when to commence, proceed with, defer or attempt to settle a claim
- if appropriate, uses any of the following to advance the client's position:
  - choice of forum and choice of venue
  - expedited hearings
  - split trials on liability and damages
  - interlocutory proceedings
  - proposals of settlement conferences or mediations
  - offers of compromise/Calderbank letters
  - requiring experts to be available for cross-examination, and
  - seeking agreement on the quantum of various heads of damage
- in appropriate cases, advises on the potential to obtain an interim payment from the defendant/insurer.

3.5 Advising the client on a course of action

A Specialist Personal Injury lawyer:

- advises the client on possible courses of action, including alternative dispute resolution, need to compromise, settlement options and the likely duration, cost and outcome of litigation
- considers joining other parties to the proceedings and time limitations
- considers costs regulations and complies with duties to disclose involving costs
- remains objective and realistic, and
- decides final strategy in consultation with the client.

4. Conducting personal injury cases

4.1 Preparation

A Specialist Personal Injury lawyer:

- accurately prepares all necessary documentation in accordance with the rules of the forum, the common law and statutory provisions
- ensures that documents accurately reflect the client's instructions and available evidence or the terms of any agreement
- draws pleadings which identify all relevant parties and disclose proper causes of action, heads of damage or defences, and
- if required, prepares documents for the appointment of tutor/next friend.

4.2 Briefing counsel

A Specialist Personal Injury lawyer:

- considers whether briefing counsel is appropriate
- briefs counsel skilled in the appropriate field
- prepares a competent brief in accordance with the Bar Association briefing protocols
- takes an active role in liaison between the client and counsel
- monitors the presentation of the case, where appropriately undertaken by counsel
- does not abdicate to counsel responsibility for preparing the case and advising the client
- scrutinises counsel's fee agreement and seeks consent and acknowledgement from their client to engage counsel, and
- considers counsel's views and advice on prospects, strategy and preparations.

4.3 Reviewing evidence

A Specialist Personal Injury lawyer:

- reviews the file to ensure the preservation of evidence and updates evidence of loss
- considers the opponent's material, and
- reviews which reports will be used and which experts should be called as witnesses or be required for cross-examination and calls on CCTV footage where applicable.

4.4 Heads of damages

A Specialist Personal Injury lawyer:

- applies common law principles, statutory provisions and comparable verdicts
- considers and calculates the various heads of damage in relation to future loss, including loss of income, medical, therapy and rehabilitation costs, the value of care provided

voluntarily to and by the claimant and/or commercially (as appropriate), the recurring cost of special equipment, home and transport modifications

- applies the appropriate discount rates and actuarial tables and takes into account adverse contingencies, the vicissitudes of life and life expectancy, and deferrals of loss
- obtains particulars of and calculates the total of out-of-pocket expenses
- considers whether out-of-pocket expenses are reasonable and necessary and arise out of the injury
- applies relevant and up-to-date principles and statutory provisions to the calculation of all heads of damage
- considers potential deductions/recoveries by the Department of Human Services (Medicare and Centrelink), NDIS, private health insurers and otherwise, and
- considers and calculates entitlement to interest.

4.5 Negotiating settlements and outcomes

A Specialist Personal Injury lawyer:

- demonstrates an appreciation of when and how to negotiate and the comparative advantages and disadvantages of various approaches
- prepares submissions/assessments/position papers as appropriate, and
- assesses the known attitude and likely approach of the other parties and the strength of the opponent's case.

4.6 Preparing for and conducting hearings

A Specialist Personal Injury lawyer:

- considers the forum rules and practice notes and general procedures and pursues the correct course prescribed by the forum
- issues subpoenae, directions for production or notices to produce
- marshals the evidence
- confers appropriately with counsel
- where appropriate, is acquainted with joint expert conclaves and concurrent expert evidence
- determines the availability of witnesses
- advises readiness for hearing appropriately
- requires witnesses for cross-examination as necessary
- ensures adequate instruction of counsel at hearings
- ensures efficient and considerate calling of witnesses
- keeps the client informed
- advises the client on prospects of appeal/re-hearing, and
- continues to monitor whether the claim/defence has reasonable prospects of success.

4.7 Resolution

A Specialist Personal Injury lawyer:

- provides the client with all relevant documents and advises on resolution
- records instructions (signed where appropriate) with regard to a negotiated resolution and/or finalisation
- ensures all documents, terms of settlement, agreements to settle and forms of judgment are properly prepared and, if required, lodged or filed
- seeks court approval where appropriate
- takes steps to ensure that settlement monies are paid promptly
- notifies proper authorities, including Department of Human Services (Medicare / Centrelink) and NDIS, and any bodies to whom there may be contractual rights of recovery, such as a private health insurer
- advises the client of relevant dates, for example, payment of interest, rehearing or appeal, and any other arrangements which need to be made
- pays all outstanding accounts/expenses
- prepares final accounts and complies with proper accounting procedure
- where appropriate, promptly prepares and sends an assessment of costs, and claims interest on outstanding settlements or judgments when not paid within timeframes.

General core knowledge

1. Legal principles

Common law principles as modified by statute:

- liability in negligence, including duty of care, breach, causation, the burden of proof and recoverable damage principles
- liability in public and private nuisance
- liability for trespass to the person
- liability for intentional torts under the *Civil Liability Act 2002*
- liability in contract
- liability under the Australian Consumer Law
- defences and partial defences including voluntary assumption of risk, obvious and inherent risk, contributory negligence, intoxication, fraud, illegality and failure to mitigate loss
- assessment of heads of damages
- Choice of Law rules applicable in interstate and international torts and
- time limitations under the *Limitation Act 1969* and various statutory schemes
- both statutory and common law principles as to when a cause of action arises, e.g. with the onset of disease.

- liability for historical child sexual abuse, and
- vicarious liability and non-delegable duty.

2. Court proceedings

2.1 Case management

- *Uniform Civil Procedure Rules District Court Rules*
- *Supreme Court Rules*
- *Personal Injury Commission Rules*
- *Personal Injury Commission Procedural Directions*
- applicable practice notes, practice directions or procedural guidelines
- case management processes
- professional negligence lists
- pre-trial conferences/status conferences/directions hearings/call overs, and
- arbitration hearings, settlement conferences, mediations and any other ADR processes.

2.2 Defence of proceedings

- appearances and defences
- cross-claims
- specific pleadings, including the need to plead specific defences, whether under the *Civil Liability Act 2002* (NSW) or otherwise
- applications for security for costs, and
- pursuant to the *Civil Procedure Act 2005* (NSW), applications for permanent stay of proceedings.

2.3 Interlocutory procedures

- particulars, basis for further and better or required under Court rules
- availability of pre-commencement or post-commencement discovery
- interrogatories
- offers of compromise/Calderbank letters
- Notices to Produce
- Subpoenas – including *Hearne v Street* rule and implied Harman undertaking
- Notices to Admit, and
- Notices of Motion.

2.4 Special procedures in cases of legally disabled

- tutor documents
- settlement of claims for "legally" disabled, and
- appointment of a trustee.

2.5 Settlement and judgement procedures

- procedures for judgment,
- preparing agreements for settlement, consent judgments and orders for judgment, and
- notifying proper authorities, including the Department of Human Services (Medicare / Centrelink) and NDIS, and any bodies to whom there may be contractual rights of recovery, such as a private health insurer.

2.6 Re-hearing/reviews/administrative appeals/appeals

- leave to appeal from interlocutory judgments
- judicial reviews from administrative decisions
- leave to appeal from the Supreme Court, the District Court and the Personal Injury Commission non-presidential member, Presidential member and medical panel and medical appeal panel decisions
- requests for re-hearing from arbitrations and administrative assessments
- reconsideration applications in the Personal Injury Commission
- appeals to the Court of Appeal from the District Court and the Supreme Court, and
- applications for leave to appeal to the High Court.

Core knowledge areas

NOTE: All assessments will be based on the law and procedures applicable as of 1 April 2026.

Candidates will be expected to display a working knowledge of the common law principles and legislative schemes listed below and procedures in all of the following 6 core areas.

1. Motor Vehicle Accidents
2. Public Liability & Occupiers Liability
3. Work Injury
4. Medical Negligence
5. Dust Diseases
6. Historical Child Abuse

1. Motor Vehicle Accidents

A Specialist Personal Injury Lawyer demonstrates the knowledge of a specially competent practitioner on:

- where legal representation is restricted
- dispute processes under both schemes
- the entitlement to, and parameters of, statutory benefits
- restrictions to common law under both the *Motor Accidents Compensation Act 1999* and the *Motor Accident Injuries Act 2017*
- the content of the *Motor Accident Guidelines*
- how to distinguish between threshold and non-threshold injuries
- the use of medico-legal evidence, including any applicable restrictions
- the Personal Injury Commissions' various dispute resolution mechanisms and the potential avenues to challenge those decisions
- the scope of the Personal Injury Commission's jurisdiction
- preparation of written submissions in dispute processes
- indemnity issues
- liability issues and the associated possible restrictions to statutory benefits and/or damages
- assessments of whole person impairment and the dispute processes arising therefrom
- time limitations

- application of the Motor Accident Guidelines and AMA Guides to the Evaluation of Permanent Impairment (4th Edition), and
- cost regulations.

2. Public Liability and Occupiers Liability

A Specialist Personal Injury lawyer demonstrates the knowledge of a specially competent practitioner on:

- jurisdiction
- joinder and time limitation issues
- availability of defences, including, but not limited to, obvious risk and dangerous recreational activities
- contributory negligence and its application
- the applicable common law principles with respect to occupier's liability, together with the provisions and the ambit of operation of the *Civil Liability Act 2002* (NSW) [CLA]
- leading cases on occupier's and public authorities liability, including road authorities, and the statutory modification of common law principles
- the areas of investigation to garner evidence to mount or meet a claim for damages
- medical information to advise the prospective Plaintiff or Defendant as to legal costs limitations under the *Legal Profession Act 2004* (NSW) and implications for costs recovery by the prospective Plaintiff
- medical, lay and expert evidence to assess the solicitor's obligations in signing a Certificate under s 347 of the *Legal Profession Act 2004* (NSW);
- prospects of success, associated risks and judicial interpretation (particularly by the NSW Court of Appeal) of similar claims
- instructions to proceed with or defend claims and obtains appropriate expert evidence to support or meet claims
- use of CCTV footage where applicable
- briefing Counsel and the timeliness of same
- assessing heads of damages in accordance with the relevant statutory thresholds
- considering alternate dispute resolution options and the timeliness of same, and
- considering Court proceedings, including Court rules and practice notes, expert witness briefing protocols, expert witness conclaves and concurrent expert evidence.

3. Work Injury

A Specialist Personal Injury lawyer demonstrates the knowledge of a specially competent practitioner on:

- the entitlement to statutory benefits and the various benefits schemes
- limits, caps and thresholds in relation to statutory benefits across the various benefits schemes
- provisions concerning the notification of a claim and requirements to make a claim or respond to a claim for compensation
- application of the SIRA Workers Compensation Guidelines 2021, SIRA Standards of Practice 2022, Workers Compensation Benefits Guides, AMA Guides to the Evaluation of Permanent Impairment (5th edition), the NSW Workers Compensation Guidelines for the Evaluation of Permanent Impairment (4th Edition – revised 1 March 2021), Personal Injury Commission Procedural Directions, ILARS Funding Guidelines and gazetted Fee Orders.
- the scope of the Personal Injury Commission's jurisdiction
- dispute resolution processes and the potential for review of any decision, including reconsideration, review and appeals processes
- limitations on the use of expert medical evidence
- assessments of whole person impairment
- time limitations
- the applicable common law principles with respect to employer liability together with the provisions and the ambit of operation of the *Workers Compensation Act 1987*, *Workplace Injury Management and Workers Compensation Act 1998*, *Civil Liability Act 2002* (NSW) [CLA] and the *Work Health Safety Act* 2011 (NSW)
- restrictions on damages, including thresholds, time limits and procedural requirements, including the operation and effect of section 151Z of the *Workers Compensation Act 1987*
- heads of damage and assessing heads of damage
- costs regulations and the duty to disclose
- medical, lay and expert evidence to assess the solicitor's obligations in signing a Certificate under s 347 of the *Legal Profession Act 2004* (NSW), and
- Court proceedings, including Court rules, practice notes and other guidance concerning work injury damages matters, including expert witness briefing protocols, expert witness conclaves and concurrent expert evidence and restrictions on pleadings.

4. Medical Negligence

A Specialist Personal Injury lawyer demonstrates the knowledge of a specially competent practitioner on:

- the applicable common law principles with respect to medical negligence for each of trespass, informed consent, standard of care and treatment error claims
- issues around identifying a proper defendant and their potential insurance cover

- how limitation periods are applied, particularly in considering discoverability of a potential claim
- leading cases on medical negligence and the statutory modification of common law principles (including the *Civil Liability Act 2002 (*NSW)), other relevant legislation (such as the Australian Consumer Law), and alternative causes of action, including under contract
- issues of clinical practice which impact on liability, including duties to third parties and doctor-patient confidentiality
- Court rules, practice notes and other practices concerning medical negligence matters, including expert witness briefing protocols, expert witness conclaves and concurrent expert evidence
- assessing damages, particularly involving catastrophic claims, and both under the *Civil Liability Act* and under the common law where that act does not apply, and
- the potential relevance and use of information from other forums, including root cause analysis, coronial processes and regulatory/disciplinary matters.

5. Dust Diseases

A Specialist Personal Injury lawyer demonstrates the knowledge of a specially competent practitioner on:

- how to investigate a claimant's exposure history
- how to locate relevant insurance of a defendant
- principles of foreseeability, breach of duty, causation and apportionment as they apply to dust litigation
- the main types of dust diseases
- procedural requirements of the Claims Resolution Process, including Contributions Assessment
- how to manage disputes about insurance
- heads of damage and the Tribunal's approach to each (including the relevance of Dust Diseases Authority), and
- appeal rights.

6. Historical Child Sexual Abuse

A Specialist Personal Injury lawyer demonstrates the knowledge of a specially competent practitioner on:

- how to obtain detailed instructions of abuse from the claimant
- how to investigate a claimant's abuse history
- how to locate relevant institution(s) where the abuse occurred
- how to locate relevant perpetrators
- how to investigate and determine the correct defendant
- if against an individual, how to undertake asset search(s)
- how to investigate the tendency of witnesses

- principles of negligence and vicarious liability
- principles of causation and apportionment
- heads of damages and the relevant Court's approach to each
- how to draft Court documents including Statements of Claim, Statements of Particulars, Defence, Issues in Dispute, evidentiary statements and affidavits
- how to draft subpoenas on relevant parties and the scope of each subpoena
- interlocutory arguments, including motions for permanent stay and objections to subpoenas
- procedural requirements of the relevant Court (District/Supreme) to progress the claim to ADR and hearing
- how to manage the expectations of the claimant
- Principles of negligence and vicarious liability, and
- non-delegable duty.

Legislation

1. Core legislation

All legislation mentioned is to be considered as amended on **1 April 2026.**

- *Australian Consumer Law*
- *Civil Liability Act 2002* (NSW)
- *Civil Liability (Third Party Claims Against Insurers) Act 2017* (NSW)
- *Civil Procedure Act 2005* (NSW)
- *Claim Farming Practices Prohibition Act 2025* (NSW)
- *Compensation to Relatives Act 1897* (NSW)
- *Competition and Consumer Act 2010* (Cth)
- *Dust Diseases Tribunal (Standard Presumptions-Apportionment) Order 2007*
- *Dust Diseases Tribunal Act 1989*
- *Dust Diseases Tribunal Regulation 2019*
- *Dust Diseases Tribunal Rules 2019*
- *Employees Liability Act 1991* (NSW)
- *Evidence Act 1995* (NSW)
- *Law Reform (Miscellaneous Provisions) Act 1944* (NSW)
- *Law Reform (Miscellaneous Provisions) Act 1946* (NSW)
- *Law Reform (Miscellaneous Provisions) Act 1965* (NSW)
- *Law Reform (Vicarious Liability) Act 1983* (NSW)
- *Legal Profession Uniform General Rules 2015* (NSW)
- *Legal Profession Uniform Law* (NSW)
- *Legal Profession Uniform Law Application Act 2014 (*NSW)
- *Legal Profession Uniform Regulations 2015* (NSW)
- *Limitation Act 1969* (NSW)
- *Motor Accident Guidelines 2015*
- *Motor Accident Guidelines Version 10 2025*
- *Motor Accident Injuries Act 2017* (NSW)
- *Motor Accident Injuries Regulation 2017* (NSW)
- *Motor Accidents (Lifetime Care and Support) Regulation 2025*
- *Motor Accidents Compensation Act 1999* (NSW)
- *Motor Accidents Compensation Regulation 2020* (NSW)
- *National Disability Insurance Scheme Act 2013* (Cth) – *Chapters 1, 3 and 5*
- *Personal Injury Commission Act 2020* (NSW)
- *Personal Injury Commission Procedural Directions*

- *Personal Injury Commission Regulation 2020*
- *Personal Injury Commission Rules 2021*
- *State Insurance and Care Governance Act 2015*
- *Uniform Civil Procedure Rules 2005* (NSW)
- *Work Health and Safety Act 2011* (NSW)
- *Workers Compensation (Bush Fire, Emergency and Rescue Services) Regulation 2023* (NSW)
- *Workers' Compensation (Dust Diseases) Act 1942 (*NSW)
- *Workers Compensation (Dust Diseases) Regulation 2023*
- *Workers Compensation Guidelines 2021*
- *Workers Compensation Regulation 2016* (NSW)
- *Workers Compensation Act 1987* (NSW)
- *Workplace Injury Management and Workers Compensation Act 1998* (NSW)

2. Non-core legislation

Candidates should also be aware of the general provisions of these Acts; however, the assessment tasks may not directly refer to them.

- *Choice Of Laws (Limitation Periods) Act 1993* (NSW)
- *Civil Aviation (Carriers Liability) Act 1959* (Cth)
- *Civil Aviation (Carriers Liability Act) 1967* (NSW), *s 5*
- *Companion Animals Act 1998 (*NSW)
- *Dust Diseases Tribunal Act 1989* (NSW)
- *Dust Diseases Tribunal (Standard Presumption-Apportionment) Order 2005* (NSW)
- *Dust Diseases Tribunal Regulation 2019* (NSW)
- *Dust Diseases Tribunal Rules 2019* (NSW)
- *Government Information (Public Access) Act 2009* (NSW)
- *Health Records and Information Privacy Act 2002* (NSW)
- *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* – Chapters 1-3
- *National Redress Scheme for Institutional Child Sexual Abuse Assessment Framework 2018* (Cth).
- *NSW Trustee & Guardian Act 2009* (NSW)
- *Privacy Act 1988* (Cth)
- *Privacy and Personal Information Protection Act (1998)*
- *Safety Rehabilitation and Compensation Act 1988* (Cth)

- *Sporting Injuries Insurance Act 1978* (NSW)
- *Service and Execution of Process Act 2002* (Cth)
- *Transport Administration Act 1988* (NSW), *s 121*
- *Work Health and Safety Act 2011* (NSW)

Methods of Assessment

The assessments that make up the Specialist Accreditation program in Personal Injury are:

- **Mock File**
- **Written Examination,** and
- **Peer Interview**

In order to obtain accreditation, candidates must achieve a pass in all three of these assessments components.

Mock File

Release date: **10:00 am, Wednesday, 13 May 2026**

Due date: **4:00 pm, Wednesday, 3 June 2026**

The Mock File will be available for download from the online candidate portal.

Candidates will be given a Mock File and will be required to complete specific tasks, which may include instigating inquiries, preparing pleadings, and drafting a letter of advice, including a detailed assessment of liability and damages. The Mock File will assess the candidate's ability to deal with more complex issues. Candidates will choose from a claimant/plaintiff file or a defendant/insurer file after candidature is confirmed in one of the following core areas:

1. Motor Vehicle Accidents
2. Public Liability & Occupiers Liability
3. Work Injury
4. Medical Negligence
5. Dust Diseases
6. Historical Child Abuse

Assessment criteria

Candidates will be assessed on the following performance criteria. Candidates will be required to perform each criterion to the level of the performance standard.

a) ability to identify relevant issues from a given fact situation

b) ability to provide practical, clear, realistic and accurate advice

c) depth of knowledge of the law and core skills in applying that knowledge to the given fact situation

d) knowledge of procedural rules and practices, and

e) use of clear and concise language.

NOTE: Candidates are permitted to make their own assumptions where the set of facts is silent, or it is necessary to complete a set of tasks. You will be required to identify and enunciate those assumptions.

Written Examination

Date: Saturday, 18 July 2026

Venue: Online

The Written Examination is **3 hours and 20 minutes,** including 20 minutes of reading time.

This is a **closed-book** examination.

The Personal Injury written examination will consist of the following:

- **PART A -** Candidates **must answer an unseen problem question** (e.g., hypothetical case, in which candidates will be asked to advise the parties on matters such as possible causes of action, possible defences, appropriate jurisdiction, relevant legislation and prospects of success). The case will cover the core areas of motor vehicle accidents, work accidents and civil liability generally.

- **PART B -** Contains up to 20 questions out of a pool of up to 80.

  The pool of 80 questions will be released to candidates **approximately two weeks** in advance of the examination. These questions will require short answers ranging from a few lines to a maximum of half a page. These questions will examine basic knowledge and understanding of legal principles and legislative schemes, the calculation of damages, including the use of actuarial tables, and medical terminology.

Assessment criteria

Candidates will be assessed on the following performance criteria. Candidates will be required to perform each criterion to the level of the performance standard.

a) accurate knowledge of the common law and legislative schemes

b) identify relevant issues given the facts

c) provide concise and clear advice applying law to the facts

d) knowledge of procedural rules and practices, and

e) coming to a conclusion.

*Candidates will be advised of the Written Examination time in early July.

Peer Interview

Date: **Sunday, 19 July 2026**

Venue: **Online**

Candidates will be interviewed by a panel of up to two assessors. Candidates will be questioned as to how they would deal with a typical professional situation. This is in order to assess the candidates' understanding of the area, their ability to plan and communicate ideas, as well as their capacity to run matters efficiently and any office/file management and ethical issues.

This assessment will be recorded.

Assessment may include any of the performance standards and refer to work presented within the candidate's Mock File response.

Assessment criteria

Candidates will be assessed on the following performance criteria. Candidates will be required to perform each criterion to the level of the performance standard.

a) acknowledgement of any errors in the mock file

b) ability to defend position

c) demonstrate knowledge and understanding

d) understanding of ethics and professional standards

e) clear communication, and

f) presentation.

*Candidates will be advised of their Peer Interview time in early July.

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