

GENERAL POLICIES IN RELATION TO PUPILS AND MINI-PUPILS

References to Chambers in this policy include Brick Court Chambers and its service company, Little Essex Street Service Company Ltd. References to employees are to former employees of Brick Court Chambers and current and former employees of Little Essex Street Service Company Ltd, as appropriate.

A. Introduction

1. Mini-pupillage is an important part of our pupillage selection procedures. We think it is important that those who are contemplating spending a year here in pupillage with a view to securing tenancy have an opportunity to see Chambers over a more extended period than is possible during an interview. For our part, mini-pupillage gives us a proper opportunity to assess pupillage candidates. At the current time, mini-pupillages are taking place principally “in person” in Chambers, but they can be remote where necessary.
2. It is therefore important that, even though we are members of Pupillage Gateway, potential candidates should apply to Chambers for a mini-pupillage using the online form which can be found on our website at <https://www.brickcourt.co.uk/pupillage-and-mini-pupillage> where you will also find any deadlines for applications. Those seeking mini-pupillages should only apply during the year in which they intend to apply for pupillage.
3. The system for selecting mini-pupillage candidates is as follows:
 - (1) Paper applications are reviewed by members of the Pupillage Committee; both individually and at a calibration and selection meeting.
 - (2) The Committee also has regard to “contextualised recruiting” (where the candidate has chosen to provide the relevant information) currently provided by the charity UpReach.

- (3) Selection takes place by reference to the published criteria (set out in paragraph 13 below.
 - (4) We try to make allowances for the different amounts of time that applicants have spent studying law.
- 4. Only those perceived as strong candidates are offered mini-pupillages.
 - 5. Those selected are offered a small contribution towards their day to day expenses, together with reimbursement of reasonable travel and accommodation costs.
 - 6. Those attending mini-pupillages will be asked to complete a standard piece of written work, marked anonymously, for consideration by the Pupillage Committee as part of the assessment process.
 - 7. All mini-pupillages last for two days with the general piece of assessed work being undertaken outside the mini-pupillage within a given time frame.

B. The number of pupils

- 8. Brick Court Chambers normally offers five 12-month pupillages each year. There may be additional vacancies for established practitioners switching to the Bar or those not intending to practise at the English Bar. Exceptionally, Chambers may also take on a third six-month pupil. Any such other pupils would be assessed separately from the intake of 12-month pupils.

C. Awards/wages

- 9. A pupillage award, currently £75,000, is offered to all 12-month pupils intending to practise at the English bar which is divided into two parts: £50,000 for the first six (non-practising) with the remaining £25,000 being paid during the second six (practising). This may be supplemented by any fees earned during the second six months of pupillage (although you should not expect these to be significant). The Court of Appeal has decided that The National Minimum Wage Act does not apply to pupils. Up to £25,000 of the award can be drawn down during the year prior to pupillage, upon application.
- 10. Since Chambers offers its pupils a relatively generous award, pupils will not in the normal course be paid for work which they do for members of Chambers. However, there have been occasions when individual members of Chambers have chosen, entirely in their discretion, to pay a pupil for a

particular piece of work which they have done. Any such sums received are in addition to, not substitution for, the pupillage award.

11. If a pupil supervisor asks a pupil to travel to court or to a meeting with them, they will pay for travelling expenses. In addition, Chambers will pay for the travelling expenses for a 12-month pupil to accompany their pupil supervisor to a hearing in one of the European Courts once during the pupillage year (should the occasion arise).
12. Pupils must attend any compulsory courses including the advocacy courses run by the Inns and Chambers will pay for the cost of these courses. Pupils do not have to pay any clerks' fees or other Chambers' expenses.

D. Selection of pupils and mini-pupils

13. All applications are considered fairly and on their merit alone. Chambers is committed to equality of opportunity and diversity. Chambers' Equality and Diversity Policy, and its other equality and diversity related policies, are available on the intranet as well as the "Equality and Diversity" section of Chambers' website. Chambers' Selection Criteria are as follows:
 - (a) Intellectual ability.
 - (b) Analytical ability.
 - (c) Advocacy/communication skills.
 - (d) Resilience, determination and self-motivation.
14. Details of Chambers' pupillage selection procedure are set out in the "Pupillage and Tenancy" section of Chambers' website. No 12-month funded pupil is selected without having come through Chambers' selection procedure. Chambers is a member of Pupillage Gateway.

E. Roles and Duties of Pupils

15. The care we give to pupils is well-known at the bar. We aim to give all our pupils a basic understanding of the skills and disciplines necessary for practice at the commercial bar. Some pupils aim to specialise in competition and/or public law and/or human rights and will spend more time during pupillage with the competition/public law/human rights practitioners. But over-specialisation at an early stage is discouraged. It is important that any

commercial practitioner at the Bar also has a basic grounding in both competition and public law.

16. Pupillage at Brick Court Chambers is inevitably demanding. Pupils will at times need to work long hours and we recognise that the period before a tenancy is obtained is often stressful. But we try hard to make the experience stimulating and enjoyable. Pupils' roles and responsibilities are listed in the Bar Qualification Manual prepared by the Bar Standards Board and in the BSB Handbook Part 2: Code of Conduct. You are required to be diligent in receiving the instruction given and to apply yourself full time to your pupillage (save that you may take part-time employment that does not materially interfere with it). You are required to preserve the confidentiality of every client's affairs, including clients of your pupil supervisor and other barristers with whom you work. You must also comply with any other rules or guidelines relating to pupillage issued by the Bar Standards Board.
17. We have a well-developed programme of advocacy exercises for pupils under the supervision of senior members of Chambers. Here, pupils prepare applications such as an application for summary judgment, security for costs interim injunctions, arbitration appeals or freezing orders or make applications for permission to appeal to the Supreme Court. They prepare skeleton arguments in advance and argue the application against each other, in the face of interventions from the members of Chambers present. Individual feedback is provided to each pupil after each exercise. The first two of these exercises are not assessed. Thereafter they are assessed, and the reports from the exercises form part of the materials considered in relation to each pupil by the Tenancy Committee, which monitors the progress of pupils in Chambers.
18. We also provide each pupil with a standard pleading exercise at the outset of their pupillage. This is not assessed, although feedback will be provided, but is intended to ensure that all pupils gain some experience of producing a written pleading at an early stage of their pupillage.
19. Due to the specialised nature of much of Chambers' work, and because of the demanding nature of our pupillage assessment procedures, pupils are unlikely to spend very much time doing their own work during the second six months of pupillage. Court appearances by second six-month pupils are not a regular occurrence. Briefs available to pupils will be distributed fairly and without discrimination by the clerks.

F. The General Pattern of Pupillage

20. During pupillage, the year is divided into three periods so that the pupil will sit with at least three different members of Chambers. The pupil will do work primarily for his or her pupil supervisor, who is responsible for training in the basic skills of advocacy and in the business of a commercial, EU or public law/human rights practice.
21. Although the assessment process is a continuous one, pupils will be asked before the end of their first six months to prepare specific pieces of assessed work for consideration by the Tenancy Committee. These exercises will be blind marked and individual feedback will be provided. After Easter, the pupil may be offered some small work of their own. Every member of Chambers for whom pupils carry out a piece of work during the course of their pupillage will provide comments on that work not only to the pupil, but also to the Tenancy Committee, who will then be in the best possible position to discuss overall progress.
22. Before Easter, the Tenancy Committee will review the work of each of the pupils and give a frank assessment of their progress to date and their prospects of that pupil being offered a tenancy. This gives all pupils information to assist in the completion of their pupillage. It also gives any pupil who is not regarded as a serious contender for tenancy the opportunity to consider whether to move for the second six months of their pupillage to other Chambers where their tenancy prospects may be better. However, all pupils are welcome to remain in Chambers for their full twelve months of pupillage, and in recent years all pupils have done so.
23. Pupils will generally be asked in June to prepare a second round of specific pieces of assessed work for consideration by the Tenancy Committee. These specific pieces of work will cover each of Chambers main practice areas.

G. Check Lists

24. Chambers currently uses the Bar Standard Board's generic checklist, together with the Brick Court Chambers Specialist Check List which has been approved by the Bar Council. Both must be completed by all pupils. A copy of the Brick Court Chambers check list is obtainable from the Pupillage Manager, Lyana Peniston. All pupils should endeavour to complete their checklists as their pupillage progresses in order for Chambers to be in a position to sign off the pupillage.

H. Tenancy

25. It is Chambers' policy to offer tenancy to all pupils who are considered to be of sufficient quality. All decisions are made on the basis of merit alone, and all applications are considered on an equal and non-discriminatory footing. Chambers' selection criteria, which are the same as those used for selection of pupils, have been set out above.
26. A decision as to whether to give a tenancy to pupils is generally taken in early July. The Tenancy Committee will make a recommendation to Chambers based on the assessment process during the year of pupillage. The decision is taken by Chambers as a whole, after consultation with pupil supervisors, persons for whom pupils have worked and the clerks.
27. For pupils who are not chosen to be tenants here, we consider it our responsibility to make every effort to assist them in finding a place as tenants in another good set of Chambers. We pride ourselves on our record in placing pupils whom we have trained in other good Chambers.
28. Whilst it is not in general Chambers' policy to permit "squatters", we would expect to adopt a sympathetic attitude towards any pupil who has not yet succeeded in finding a place elsewhere at the end of their pupillage.
29. For those who decide to switch to a job in the City, either with solicitors or elsewhere, a pupillage at Brick Court Chambers is widely regarded as a valuable training.

Approved by the Executive Committee on 27 May 2021. Updated November 2022.

To be reviewed by the Pupillage and Tenancy Committees every two years.