

# 4 NEW SQUARE

C H A M B E R S

## PUPILLAGE POLICY

### Introduction

We are a leading commercial chambers comprising 84 practitioners, 33 of whom are Queen's Counsel. Barristers act as specialist advocates and advisers in a wide range of commercial disputes worldwide. Members are consistently recommended for all types of commercial disputes, often with an international element.

The reputation of Chambers is particularly strong in relation to commercial fraud, construction, costs and litigation funding, disciplinary and regulatory issues, insurance, international arbitration and commercial disputes, professional liability, public international law and sports. Chambers' expertise in professional liability covers the full range of claims against professionals, not just for negligence but for fraud, breach of fiduciary duty and breach of trust, and disciplinary and regulatory proceedings.

The Pupillage Recruitment Committee comprises Miles Harris (Chairman), Clare Dixon KC, Nicole Sandells KC, Charles Phipps, Michael Bowmer, Shail Patel, Thomas Ogden (Head of Recruitment), Christopher Greenwood, Nick Broomfield, Jonathan Worboys, Anthony Jones, Benjamin Fowler, Marie-Claire O'Kane, Mark Cullen, Simon Teasdale (Head of Regulation and Compliance), William Harman (Head of Training), Ian McDonald, Carola Binney and Lizzy Stewart. When seeking to communicate with the Committee or in relation to pupillage matters generally please do so in the first instance via the email address [pupillage@4newsquare.com](mailto:pupillage@4newsquare.com) rather than direct to individual members' email addresses. Our pupillage administrator, Erika Dotson, will deal with your enquiry or pass it on to the relevant member(s) of the Committee.

4 New Square supports and adheres to the BSB Code of Conduct, the Equality and Diversity Rules, the Bar Qualification Rules, Bar Qualification Manual and other regulatory provisions concerning pupillages applicable from time to time.

Chambers is committed to the BSB's principles of Flexibility, Accessibility, Affordability and High Standards.

### A. Pupillage Recruitment

1. The responsibility for pupillage recruitment rests with Chambers' Recruitment Committee.
2. All mini pupils, pupils, tenants and staff are selected on merit alone, irrespective of sex, race, age, disability, sexual orientation, religion or belief, and we encourage applications from groups which are under-represented in Chambers. We will make reasonable adjustments for disabled candidates; any applicant who wishes to request that reasonable adjustments be made in relation to an application for pupillage should indicate their requirements on the Reasonable Adjustments Form.
3. To assist us in considering applications, 4 New Square uses the Rare [Contextual Recruitment System](#) (CRS). The CRS helps us to understand each applicant's achievements in the context that they have been gained. We understand that

candidates' achievements may not be fully understood on paper and we want to recruit the best people, regardless of their background. We ask applicants to share this information so that their application can be reviewed in the context of their socio-economic background (e.g. so we can consider whether a candidate has overachieved in light of their wider personal circumstances). The CRS is a 'screen in' tool, not a 'screen out' tool, and under no circumstances are candidates ever marked down for supplying or not supplying this information.

4. Applicants are also asked to complete an equal opportunities monitoring questionnaire (in accordance with the Bar Standards Board's Equality and Diversity Rules), which is used for monitoring purposes only and is not considered by the Recruitment Committee in the course of the pupillage or mini pupillage application process.
5. Chambers is a member of the Pupillage Gateway. For information regarding applications and deadlines, please visit the Pupillage Gateway website.
6. Chambers does not accept applications for a deferred pupillage (e.g. an application in 2022 for a pupillage commencing in October 2024, rather than October 2023) but may consider deferring or bringing forward the start of a successful applicant's pupillage subject to the approval of the relevant committee.

## **B. Criteria for pupillage**

7. In considering prospective candidates for pupillage or mini pupillage, we concentrate on four criteria.
  - The requisite intellectual ability, as distinct from pure legal knowledge. At this stage, intellectual ability is usually measured by performance in university and school examinations and at interview and other experience. We may also require applicants to complete a piece of written work during the course of the selection process.
  - Potential as an advocate both in oral and written advocacy.
  - Personal qualities such as self-reliance, independence, integrity, reliability and the capacity to work effectively with clients, colleagues and Chambers' staff.
  - Motivation to succeed in a career at the Bar, including the steps taken to acquire the personal qualities required of a barrister.

Of these, we give the greatest weighting in our assessment process to intellectual ability.

The aim of our selection process is to allow candidates to show they meet a standard of excellence judged by our selection criteria. Our criteria are objective. The process focuses on your ability and aptitude, and our experience is that this is not pre-determined by the place that you studied, or the background that you come from. We welcome applications from candidates from all backgrounds and

from all universities. We have no preference as to whether graduates complete a first degree in law or another subject.

In assessing candidates against our criteria, we recognise that pupillage is itself a training process and that people follow different routes to pupillage and are often at different stages of their legal education. It is the potential of candidates we are concerned with. The aim of pupillage is to develop talent so that pupils go on to succeed as tenants in our chambers.

## C. Mini pupillages

8. Applications for mini-pupillages may be made at any time of year. It is likely that the dates offered will coincide with specific mini-pupillage weeks in Chambers (normally arranged to coincide with academic holidays). The details are as follows:
  - 2 days duration
  - Up to £50 travelling expenses
9. Applications for mini-pupillage must be made on Chambers' own mini-pupillage application form, which is also available to download from [our website](#). When applying please indicate your likely availability for mini-pupillage in the year following your application. Details of the planned mini-pupillage weeks and their associated deadlines are available, along with the application form, on the mini-pupillage page of the website ([www.4newsquare.com/recruitment/mini-pupillages](http://www.4newsquare.com/recruitment/mini-pupillages)). As with applications for pupillage, we are willing to make reasonable adjustments for disabled candidates; again, details are available on the mini-pupillage page of the website.
10. **Assessment of applications for mini-pupillage.** Chambers offers mini-pupillages both for recruitment purposes and in order to afford an opportunity to those considering a career at the Bar to see what life is like at the Bar and in chambers. As a reflection of the fact that the prospective mini-pupils are likely to be at an earlier stage of their legal education, applications are not subjected to quite the same degree of assessment as for pupillage. However, we have limited availability of mini-pupillages and therefore we must apply some objective selection criteria.
11. Accordingly, all applications are assessed broadly in accordance with the criteria that we apply to pupillage applications. Of these we again weight intellectual ability more heavily than the other criteria.
12. Taking these factors into account we expect an applicant for an assessed mini-pupillage to have a real prospect of subsequently being selected for a first round interview for pupillage (assuming their education/qualification/career continues along existing lines).

## D. Pupillages offered by 4 New Square Chambers

13. Our aim is to recruit at least two new tenants each year. Depending on circumstances, Chambers may recruit more, but the number of new tenants will not normally exceed three in any given year. The primary source of tenants is expected to be our own 12 month pupils.
14. **12 month pupillage.** As it is our hope and ambition that each of our pupils should reach the required objective standard for tenancy, it follows that our general recruitment practice and intent is to select two 12 month pupils each year. However, we do not exclude excellence for the sake of a quota, and in appropriate years and to an appropriate group of candidates we may make offers of more than two 12 month pupillages. Providing they meet our standards of excellence, all pupils have an equal chance of obtaining tenancy and pupils do not compete with each other or for space in chambers. Accordingly, tenancy opportunities are equal in each year no matter what number of pupils is selected. Experience also shows that the number of junior tenants recruited in any year does not affect the prospects of those tenants developing a successful practice.
15. Our tenancy decision is taken at the conclusion of 9 months of pupillage, i.e. at the end of June or in early July each year. The decision is taken by Chambers as a whole following the provision of a report and recommendation from the Recruitment Committee.
16. As indicated above, we recruit our tenants by reference to objective standards. Any pupil who reaches that standard is made an offer of tenancy. No regard is taken of availability of work or accommodation in Chambers.
17. The recruitment or potential recruitment of second or third 6 month pupils does not affect the tenancy prospects of our 12 month pupils.
18. **Funding for 12 month pupils.** Our pupillages for the pupillage years 2023/2024 will each carry an annual award of £75,000, which comprises an award of £65,000 and guaranteed earnings in the second 6 months of £10,000. £5,000 of the award will be paid to successful candidates on their acceptance of an offer of pupillage with us. £15,000 from the remaining £50,000 award can be drawn down during the year prior to pupillage. Pupils are allowed to keep any earnings from their second 6 months, including any earned in excess of the £10,000 guarantee. No expenses or fees are payable to Chambers in respect of earnings in the second 6 months of pupillage.
19. Pupils are expected to pay for their own travel within London and whenever travelling on their own account. Where possible, pupils will be put in funds by their pupil supervisor before incurring any other expenses (such as copying) on their pupil supervisor's behalf or, failing that, will be repaid promptly by their pupil supervisor or by Chambers. If not paid for by their pupil supervisor, pupils will be reimbursed by Chambers for the cost of travel or accommodation outside London (save when such cost is incurred in their second 6 months on their own account).
20. **The pupillage agreement.** The latest version of the Chambers' contract with pupils ("the Pupillage Agreement") can be viewed by following this [link](#). It is amended and revised as necessary each year. The Pupillage Agreement sets out the respective obligations of pupils and chambers. Among other things, it is

a condition precedent of any offer that pupils provide documentary evidence of the satisfactory achievement of the academic and vocational stages of their training and certain other matters prior to the commencement of pupillage. If prior to the anticipated commencement date of your pupillage a pupil fails to pass the vocational component of Bar training (or, where applicable, the Bar Transfer Test), offers of pupillage will be automatically withdrawn.

- 21. Second 6 month pupillages.** We very occasionally offer second 6 month pupillages but this is exceptional and is not part of our standard recruitment policy. Any applications should be submitted directly to the Recruitment Committee by letter and completed application form, and candidates should seek to demonstrate that they meet or exceed our objective standard of excellence expected from pupils at that stage of the year, i.e. the standard to be expected after 6 months of pupillage.
- 22. Third 6 month pupillages.** Our own 12 month pupils are the primary pool from which we recruit. However, Chambers may decide whether it wishes to consider applications from exceptionally well-qualified third 6 month pupils. It will not necessarily do so. If it does, consideration of such applications will normally take place in June/July. The decision to offer a third six does not impact upon the tenancy decision in relation to our 12 month pupils. In the event that applications are to be considered, candidates for third 6 month pupillages should apply by letter and CV directly to the Recruitment Committee (bearing in mind the contents of our application form for pupillage), and should seek to demonstrate that they meet or exceed our objective standard of excellence expected from pupils seeking tenancy at that stage of the year, i.e. the standard to be expected after 9 months of pupillage.

## **E. Pupillage at 4 New Square Chambers**

- 23.** This section of the Pupillage Policy is only applicable to 12 month pupillages. Second and third 6 month pupillages are designed according to the individual's circumstances applicable at the time and will be individually agreed with each pupil.
- 24.** We want our pupils to succeed and feel supported at all times. Pupillage is not intended to 'trip people up' or to be a 'survival test'. The aim of pupillage at 4 New Square is both to allow fair, effective and transparent assessment of pupils with a view to whether they should be offered a tenancy and to train pupils both generally and in particular with a view to assisting pupils in, at the very least, obtaining and evidencing that they have met the Threshold Standard and Competences required by the Bar Standards Board's Professional Statement for Barristers. Chambers' Training Programme documents explain how the training provided by Chambers during pupillage (assessed and unassessed) seeks to address the various competences required of pupils in order to assist pupils to obtain them and also to equip supervisors (or if necessary by the Recruitment Committee Chairman) to consider if they can sign the Certificate of Satisfactory Completion of Pupillage on an informed basis.
- 25.** Prior to commencing pupillage:

- Pupils will be provided with the Policies set out in Appendix 1 of the Pupillage Agreement and required to read and consider them before commencing pupillage;
  - Pupils will be asked (in confidence) to inform their first supervisor, the Head of the Recruitment Committee, and the CEO of any personal circumstances they believe may require reasonable adjustments to be made by chambers and/or to be taken into account so as to ensure effective and fair account in their training and assessment (e.g. a disability, childcare or caring responsibilities). The intention of this is to ensure that reasonable adjustments are made to the Training Programme and assessments to ensure they are fair, effective and consistent with the principles governing training of pupils, including in particular flexibility and accessibility. The effectiveness of any measures agreed at the outset of pupillage should be reviewed regularly and at least at every informal and formal assessment and the Training Review Meeting.
  - Pupils will be invited to meet informally both with very junior tenants and (separately) with their pupil supervisor. This provides an informal way of introducing pupils to life in chambers as well as a platform for answering any queries pupils have in advance of pupillage beginning.
26. On the commencement of pupillage, pupils will be also given a detailed induction. This will include:
- Introductions by their pupil supervisor or a member of staff to as many of the members of chambers, clerks, administrative staff and receptionists as practicable.
  - A meeting with the recruitment committee chairman regarding the expectations standards required by chambers and the training and assessment process. During this meeting consideration is given to key documents and policies, including the applicable Pupillage Policy, the Training Programme, and the Training Record template. The importance of the support mechanisms provided to pupils if they have any difficulties and how they operate will also be covered (see these mechanisms below). The other policies provided prior to commencement of pupillage will also be discussed and their significance explained. There will be ample opportunity for pupils to raise any queries arising from these policies or regarding pupillage at 4 New Square Chambers generally.
  - An IT and security induction provided by Chambers' IT Manager. The IT Manager will also ensure that pupils are provided with a dynamic set-up through Chambers IT department. Pupils are provided with Microsoft Surface Pro devices (not for personal matters). For working in Chambers, they are provided with docking stations with multiple monitors so that a genuine desktop experience is available to them.
  - Time management training with an experienced member of chambers.
  - Equality & Diversity Training.



- Security Training.
  - An initial meeting with their first supervisor to discuss what the first few weeks of their training will involve.
27. Within the first few weeks, the Recruitment Committee hosts an informal welcome evening to introduce new pupils to further members of Chambers.
28. Pupillage is split into 3 periods with 3 different pupil supervisors. The periods run (roughly) from October to December, from January to March, and from April to September. Pupils will work as if their pupil supervisor's work was their own, and each piece of work they produce is discussed with their pupil supervisor, who will generally grade the work by reference to Chambers' mark scheme, which provides for supervisors to consider both how a pupil's work compares to Chambers' standard of excellence (with a view to a decision on tenancy) and how it compares to the Threshold Standard. However, it should be noted that the marks given by supervisors in the written reports they provide on provision of a formal review are not expected simply to follow a mathematical relationship to the grades awarded for each piece of work. This is because, at the review stage, a judgment is made in the round and having regard to all the circumstances during the time with the supervisor (including non-written aspects of a pupil's performance) and the standard of performance of the pupil at the time of the supervisor's written report. This may mean that overall end of 'seat' grades awarded by supervisors differ from grades which, for example, were awarded for pieces of work produced at an earlier juncture.
29. The work pupils do, has its basis in our core work as described in the introductory paragraph of this document. In addition to this, members of Chambers have their own specialised practices and pupils will also see other areas of Chambers' work.
30. **Pupillage Supervisors.** Supervisors are all appropriately trained in accordance with the regulatory requirements from time to time. The recruitment committee review and confirm the appointment of pupil supervisors on an annual basis. In selecting the supervisors responsible for training and assessing pupils each year, the Recruitment Committee will apply the following criteria: (i) excellence as practitioners, (ii) evidence of ability and desire to devote time and attention to training and assessment, (iii) diversity and inclusion (iv) range and type of practice, (v) seniority and experience, (vi) high standards of practice management. Where possible, to accommodate particular interests expressed by pupils chambers will try to be flexible in its selection of supervisors; further details of the main areas of our work can be found on the Chambers website at [www.4newsquare.com](http://www.4newsquare.com).
31. **Planning.** At the outset of each seat (or as soon as the relevant dates are known) each pupil supervisor and pupil should draw up a timetable, using the Training Programme as a starting point, which identifies key events for the seat, such as moots, assessed work, BSB compulsory courses or Inns' advocacy training, and the dates on which the necessary preparation time will be provided by the pupil supervisor for any assessed activity. Similarly, pupil supervisors and pupils are encouraged to diarise the dates and times of regular feedback sessions (to take place within Chambers or other private environment) so as to

ensure that that feedback is provided reasonably promptly. Supervisors should seek to ensure that planning is flexible as required by the Training Programme and that, opportunities with training value outside the supervisor/pupil relationship are taken and, if necessary, investigated, so as to ensure pupils receive a full and enriching training.

32. **Formal Reviews.** At the end of (roughly) the pupils' first 3 months, second 3 months and third 3 months, the pupil supervisors will carry out an appraisal, feedback and assessment session with their pupil and a written report will then be prepared and provided to the Recruitment Committee Chairman and Senior Clerk. The appraisal process should be a valuable opportunity to give structured and objective feedback to pupils which should lead to improved performance. It is also an opportunity for us to get feedback from pupils about how they see their role, the work they have done and the way in which they are being supervised. In order to assist with this process and to identify aspects that need to be brought up for discussion at the appraisal, pupils will be asked to complete a self-assessment form in advance of the appraisal meeting and the supervisor's written report. The written report that is then prepared by the pupil supervisor will be provided to the pupil for comment before it is sent to the Recruitment Committee Chairman and Senior Clerk. The relevant forms will be provided to the pupil by our pupillage administrator.
33. At these reviews, progress in relation to attaining the Threshold Standard and Competence must be considered. Pupils and pupil supervisors should also discuss progress in this regard on an approximately monthly basis, using the standard forms prepared by Chambers, the Professional Statement, the Training Record template and the (no longer compulsory) pupillage checklist. The checklist will be adapted to reflect work in chambers.
34. Following the review with the pupil supervisor, both the self-appraisal form and the pupil supervisor's written report will be passed to the Recruitment Committee Chairman and Senior Clerk. Based on this information, a formal review will take place between the pupil, the Recruitment Committee Chairman and the Senior Clerk. This is a valuable opportunity for pupils to discuss how they are doing, and where improvements need to be made. In the course of or following this meeting, the chairman of the Recruitment Committee will provide the pupil with a summary of the conclusions of the meeting. The meeting will also be used to assess a pupil's progress towards attaining the Threshold Standard and Competences and identify areas for further training towards their fulfilment in the coming weeks/months. The Recruitment Committee Chairman will record in writing the pupil's progress and the areas identified for future training and supply a copy of this to the pupil and their next supervisor.
35. The **Training Review Meeting** and the **Final Review Meeting**. Very shortly after the tenancy decision, generally made in early July, there shall be a Training Review Meeting attended by the Recruitment Committee Chairman, Senior Clerk, the pupil supervisor and the pupil. The aim of the Training Review Meeting is to plan in a structured way how the remainder of pupillage can be used generally but in particular to address any areas where further training is required for the pupil to attain the Threshold Standard and Competences. Chambers will, insofar as necessary and appropriate, show flexibility towards usual supervision arrangements to ensure that the pupils' training needs and



interests are met. The Final Review Meeting is intended as a final check in that regard before the completion of pupillage.

36. **Informal Reviews.** In addition to the above Formal Reviews, there shall be informal reviews (i) between supervisors and pupils and then (ii) between supervisors, pupils, the Recruitment Committee Chairman and the Senior Clerk. These take place in the middle of each three month period that precedes the tenancy decision and are intended to be less formal and less structured versions of the Formal Review Meeting and are carried out to ensure that there is good communication between all concerned to ensure any issues are not just left until the end of a pupil's time with a particular supervisor.
37. **Unassessed Training provided by Chambers.** As set out above, one of the aims of pupillage at 4 New Square is to train pupils generally and particularly with a view to assisting them in obtaining and evidencing that they have, at the very least, met the Threshold Standard and Competences required by the Bar Standards Board's Professional Statement for Barristers. The Training Programme documents set this out in detail. However, it will be seen that some of the training is referred to as unassessed: this means they are not taken into account as part of the evidence on which Chambers will decide whether or not an offer of tenancy should be made.
38. The unassessed training of our pupils is conducted under the supervision and direction of our Head of Training, presently William Harman. It will include:
- Training in respect of pleadings (and possibly opinion writing) by some more junior members of Chambers (not by the pupil supervisors);
  - An advocacy training workshop session in preparation for the Moot (see below). This training will be conducted either by other more senior Members of Chambers (but not the pupil supervisors) or if necessary, by an outside trainer. It will be before the first assessed moot.
  - Around the end of the non-practising period of pupillage, pupils will accompany the most junior members of Chambers to court in order to experience the type of work that they can expect to carry out in their second 6 months.
39. Pupils are expected to attend the training that is provided by the Inns (i.e., the Practice Management Course and advocacy training) and any other compulsory training.
40. **Assessed panel work.** Pupils also do 3 or 4 pieces of time limited, assessed written work for a prescribed panel of other members of Chambers, of varying seniority, usually during the period from January to May. Panel members discuss the work done by the pupils, provide feedback and complete an assessment form provided to the pupil, the pupil supervisor and the Recruitment Committee. Chambers will ensure time is created for assessed work to be carried out.
41. **Moots and Assessed Advocacy.** There will be two moots or assessed advocacy exercises during pupillage. These are formally assessed pieces of work and the

pupil supervisors will provide feedback to the pupils following the exercises. They can be classic moots based around an appeal on a point of law or more practical advocacy exercises intended to more closely reflect the early years of practice; in either event each pupil supports his submissions with a skeleton argument. These exercises will normally be attended by the pupil supervisors and the Recruitment Committee. Chambers generally arranges for the exercises to be judged by members of the judiciary. Feedback will be given to pupils by the judges, the members of the Committee who attend and pupil supervisors. Performances will be considered at informal and formal reviews.

42. **Working for other Members of Chambers.** As set out in the Training Programme and above, it is important that training of pupils allows sufficient flexibility to ensure that valuable training opportunities are taken. However, all work done for the pupil supervisor is done as part of the pupil's essential training and assessment in pupillage. Moreover, any work given to a pupil other than by their pupil supervisor at any stage in pupillage must be done only with the agreement of the pupil supervisor and should be channeled through them. The pupil supervisor will liaise with the clerks and with the Recruitment Committee Chairman to determine the arrangements upon which any such work should be given to a pupil (including whether the pupil should be paid). Pupils will not normally be asked to do work for any members of Chambers other than for their pupil supervisor and the panel work before the tenancy decision has been made. Chambers has, and follows, a devilling policy.
43. **Client marketing and social events.** During the course of the pupillage year there will be various social events with clients for the purposes of marketing. Pupils are invited to and are welcome at many of these events, but pupils' attendance or non-attendance is not something that is assessed or required. The ability to mingle with clients at these events is not assessed either. It is recognised by Chambers that although it is important for pupils to feel part of Chambers in a social context and to meet clients, these gatherings can be difficult for pupils at an early stage. Pupils are encouraged to see these events as an opportunity to socialise with each other and with members of Chambers.
44. We strive to provide a friendly and sociable atmosphere in which to work. Pupils are also involved in Chambers' internal social events. These events normally include Chambers drinks, a Christmas and a summer party.
45. **Working hours, holidays and absence.** Pupils are expected to work hard during their pupillage. This is seen as essential preparation for full time practice as a barrister. Pupillage must be undertaken full time. The minimum number of hours each week should be 35 hours, and the maximum is 48 hours. It will soon be appreciated that most barristers work far longer hours than this. The pupil supervisor will specify the time that the pupil should arrive in Chambers and leave each day. Subject to special circumstances, which must be considered by the supervisor in accordance with the principles of flexibility and accessibility, this will generally be based on a 9 hour working day with an additional 1 hour break for lunch. But pupils are encouraged not to work for the sake of it. Unless there is a particular justification or need (such as a pupil assisting their pupil supervisor and/or leader during a trial), pupils should feel able to down tools at the agreed time and not generally to work late into the evening or at weekends.

Naturally, however, the ultimate responsibility for effective and productive working practices rests on each pupil.

46. If a pupil is unwell and is unable to attend for work, the pupil should notify the pupil supervisor as soon as possible and leave a detailed message if they are unavailable. If the pupil supervisor cannot be contacted either or both of the Senior Clerk or chairman of the Recruitment Committee should be informed. In addition, the pupil should notify the CEO of any sick leave during pupillage immediately on return to Chambers following any such leave. If the pupil has more than 5 days' sick leave in any 6 month period of pupillage, their pupillage must be extended by the period of absence. The pupil must also notify the Standards and Quality Section of the Bar Standards Board of the new date on the Notification of a Material Change in Pupillage Arrangements form.
47. Pupils are entitled to 20 days' annual leave to be taken in their 12 month pupillage. This does not include Bank Holidays but does include any period when Chambers may be closed. Holiday time should be agreed in advance between the pupil and the pupil supervisor, and in the practising 6 month period should also be discussed with the clerk.
48. Dress and conduct. Pupils are expected, unless otherwise told, to wear attire appropriate for a business environment at all times when in Chambers and always to have available in chambers attire appropriate for attendance at court.
49. Pupils are expected to conduct themselves professionally and courteously at all times during pupillage. In particular, attendance in Chambers or at court or on other business whilst under the influence of alcohol or drugs will be taken extremely seriously.
50. **Disciplinary Procedure.** Should a pupil fail to observe his or her obligations under the Pupillage Agreement, then it may be necessary for disciplinary action to be taken against the pupil. If so, that action will follow the Pupils Disciplinary Procedure, a copy of which is [here](#).
51. **Appeal Procedure.** If the Head of Pupillage/the pupils supervisor for the time being supervisor refuses to sign a Certificate of Satisfactory Completion of Non-practising Pupillage or a Certificate of Satisfactory Completion of Pupillage there shall be a right of appeal against that decision. The procedure for that appeal appears [here](#).

## F. Work in the second 6 months

52. Chambers places great importance on getting pupils into court in their practising 6 months (subject to approval of pupil supervisors and the Recruitment Committee). This is important for assessment and for attaining the Threshold Standard and Competences.
53. For the most part, the work available to second 6 pupils is outside our core areas of work and comprises small claims, mortgage repossession hearings, road traffic hearings, and

so on. It provides very valuable court experience.

54. Each pupil will not generally be asked to do more than two court hearings per week unless expressly agreed with their pupil supervisor. This is to ensure that there is adequate time for the pupil also to concentrate on working with their pupil supervisor and completing any panel work requirements.
55. Where possible briefs are allocated on a rota basis (this will be dependent, for example, on the pupils' capacity and any express requests from instructing solicitors) to ensure that all pupils are given fair and equal access to all opportunities that are offered to pupils during pupillage. Allocation of work is monitored, and prompt action is taken where necessary.
56. Pupils' experiences at Court should (so far as confidentiality and privilege allows) be discussed with supervisors to ensure that pupils take a reflective approach to the experiences and obtain the maximum training benefit from them.

## **G. Recruitment of tenants**

57. As set out above, Chambers does not have a set minimum or maximum number of places to offer each year, although we aim to recruit at least two new tenants each year.
58. We recruit from our pupils on individual merit against objective standards. We do not stream our pupils. At the commencement of pupillage, each has an equal prospect of securing a tenancy at the end. We assess pupils through their pupillage in the following ways. First, against the criteria by which we assess candidates for pupillage as set out earlier in this document in Section B with the additional criteria of "written work" (which together with "intellectual ability" is given greater weight than the other criteria) and "temperament" (ability to cope under pressure, resilience etc). Second, by performance in pupillage working for their pupil supervisor. Third, by reference to work set by the panel. Fourth, by their performance in the assessed moots/advocacy exercises. Fifth, by their performance when working for clients in their practising 6 months of pupillage. This is in part assessed by feedback, if available, from instructing solicitors. Our assessment is ultimately aimed at determining whether candidates are capable of performing the best work available in Chambers to a standard of excellence, and whether each candidate is likely to inspire confidence in clients, members of the judiciary and other members of Chambers.
59. For 12 month pupils, offers of tenancy are made following a Chambers meeting which takes place towards the end of June or in early July each year. At this meeting the applications from our pupils are considered by Chambers against our six criteria and in light of a report from the Recruitment Committee summarising each pupil's performance to date in the areas set out in the preceding paragraph. This report takes into account the reports from the individual pupil supervisors, the assessed Moot(s), the assessed panel work and any feedback from instructing solicitors or the clerks.
60. In preparing its recommendation to Chambers in respect of whether to offer tenancy, the Recruitment Committee will consider all material available to it.

The Committee's report is provided to Chambers and each pupil's performance will be discussed during the Chambers meeting. Unless it is inappropriate to do so, any and all further material may be considered by Chambers as a whole.

61. To be successful, a candidate for tenancy must have achieved the required standard of excellence, judged at a level to be expected after completion of 9 months of pupillage (and with a view to the standard likely to be achieved at the conclusion of 12 months), and requires a two thirds majority vote in favour of their application.
62. Pupils who are not made an offer of tenancy are given every assistance by Chambers in finding places elsewhere in the legal profession. The reason the Chambers meeting at which the tenancy decision is made is timetabled for June or early July is to provide pupils who are not offered a tenancy with as much time as possible to secure a place elsewhere. Chambers has a good track record of helping ex pupils to secure places at other Chambers and in firms of solicitors.

## **H. Arrangements for new tenants**

63. A new tenant typically will share the room of a more senior Member of Chambers for their first year or so of practice. In addition to this, we operate a mentoring scheme whereby new tenants choose a more senior member of Chambers as their first port of call for questions or problems and who will also participate in six monthly review meetings between the new tenant and the Senior Clerk. The mentoring scheme usually ends after the first two years of tenancy unless the junior tenant and mentor are both content to extend it further.
64. New tenants have a guaranteed annual income during their first 3 years of practice. For those pupils who commence pupillage in October 2023 the relevant guarantee is for income of £75,000, £85,000 and £90,000 in the first three years respectively. It should be noted that we would normally expect a junior tenant's income significantly to exceed those figures for those years. Junior tenants starting in 2024 pay a subsidised rent of £6,000 per annum for their first year of tenancy and £7,000 per annum for their second year. New tenants do not pay any chambers expenses on their first £50,000 of earnings received as a tenant.

## **I. Contacting Chambers**

65. The administration of pupillage and mini pupillages is dealt with by the Pupillage Administrator. If you have any queries, please contact us on tel: 020 7822 2000 or [pupillage@4newsquare.com](mailto:pupillage@4newsquare.com).
66. If you have any other queries about mini pupillage, pupillage, the early years of tenancy here, or the work we do, please email the Pupillage Administrator at the above address indicating the nature of your enquiry and that you would like to speak to or hear from a member of the committee. Your email will then be passed on to the appropriate person who will contact you.

## **J. Feedback and improvements**

67. We are always looking for ways to improve our recruitment, selection and training of pupils and mini pupils.
68. If you have any comments on our recruitment, selection or training, please let us know by contacting the Pupillage Administrator or any member of the Recruitment Committee. Chambers has ten Equality and Diversity Officers, currently Paul Mitchell KC, Helen Evans, Stephen Innes, Shail Patel, Lucy Colter, Marie-Claire O’Kane, Mark Cullen, Diarmuid Laffan, Seohyung Kim and Carola Binney. Any concerns about equality or diversity should be addressed to them, which can be done confidentially.
69. Regrettably, we are unable to offer feedback to applicants for pupillage or mini-pupillage whose applications are unsuccessful.
70. This policy is reviewed every year but is liable to be changed at any time. This version was approved in April 2022.

## **K. Problems during Pupillage and Feedback on the Process**

71. If a pupil has difficulties or problems during pupillage, their first port of call should normally be their current pupil supervisor. It is each current pupil supervisor’s primary responsibility to provide appropriate advice, support and guidance and the pupil should approach them first if possible. More informal support can be obtained from other members of Chambers and, in particular, more junior tenants.
72. If a pupil has a concern or something about the pupillage process that they feel may need to be resolved or looked into, there is a nominated senior member of Chambers, Graeme McPherson KC, who is “ring-fenced” from Chambers’ Recruitment Committee and the day-to-day pupillage process. His role, having heard the nature of the complaint, issue or problem, is to take the lead in its resolution either (where matters are less serious) by raising the matter as appropriate with the pupil supervisor and/or the Recruitment Committee or, alternatively, by reporting to the Head of Chambers on what steps should be taken by way of formal investigation, change of pupil supervisor or otherwise. Likewise, if a pupil supervisor has a problem or concern about a pupil or if an issue over the conduct of a pupil (which is other than minor) is brought to the attention of the Recruitment Committee, this will also be raised with Graeme McPherson KC who again will take the lead in its resolution in like manner. Any concerns about equality or diversity matters should be raised with the Chambers’ Equality and Diversity Officers immediately, which can be done confidentially.
73. In addition to this, there are two nominated members of Chambers, Kendrah Potts and Mark Cullen, who are available to discuss confidentially matters of a pastoral or personal nature if required. Any discussions with Kendrah or Mark are in strict confidence and are outside the Chambers’ assessment process and also outside Chambers’ complaints or grievance process, save that Kendrah or Mark may (with the consent of the pupil or where the matter is sufficiently serious) refer any concerns raised by a pupil to Graeme McPherson KC.



74. If pupils have a concern about any aspect of their pupillage or the conduct of their pupil supervisor, they should raise it promptly with Kendrah Potts, Mark Cullen and/or Graeme McPherson KC and/or the Equality and Diversity Officers (rather than, for instance, with former pupil supervisors) and should not leave the matter open to pursue at a later stage.
75. Chambers understands that pupils may feel reluctant to raise issues of this sort. Chambers will endeavour to ensure that, in the event of an issue needing investigation and/or a complaint, careful steps will be taken so that it does not adversely impact on the pupil's prospects of tenancy. In particular, if (as can occasionally happen) a pupillage relationship between pupil and pupil supervisor breaks down, then, on Graeme McPherson KC's recommendation, a pupil can change to another pupil supervisor without any adverse impact on their prospects in Chambers.
76. At the end of each of the first two 3 month periods, the pupil will be asked to complete a feedback form dealing with the time they have spent with that pupil supervisor. At the end of pupillage, and after the tenancy decision, a feedback form will be completed in respect of the pupil supervisor they have had during that final period. These forms will be passed to Graeme McPherson KC. In the period prior to the tenancy decision, this feedback will be treated as confidential from the pupil supervisors and the Recruitment Committee unless Graeme McPherson KC considers that any matters arising need to be investigated or dealt with either by way of a complaint or by the Recruitment Committee. After the tenancy decision has taken place, the Recruitment Committee and each pupil supervisor will be provided with the feedback that has been given (specific to that pupil supervisor).
77. Chambers also has a general complaints procedure, a copy of which will be provided to pupils upon arrival. It can also be downloaded from our [website](#).
78. We are always keen to try to improve the pupillage process and experience. After the tenancy decision and before the end of the pupillage year, all pupils will be invited to attend a meeting individually with a Member of Chambers who is not involved in the assessment of pupils for the purpose of the Committee obtaining feedback and suggestions as to pupillage at 4 New Square.

