

## INTRODUCTION

Welcome to 2 Hare Court. You are about to embark on a twelve-month pupillage that we hope will be one of the most rewarding experiences of your career, and will stand you in good stead to begin a long and successful career at the Bar, wherever that may take you. Having reached this stage, it will be no surprise to you that pupillage will be a challenging and, at times, demanding process. However, everyone at 2 Hare Court is committed to doing what they can to ensure that it is also an enjoyable and enriching experience. Ultimately, you have been awarded a twelve-month pupillage with us because we consider that you have the potential to develop into an excellent barrister and a valuable member of chambers if you so wish. This induction pack is designed to give you some useful advice and information to help make the most of your pupillage year and maximise your chances of successfully applying for tenancy at 2 Hare Court.

In addition to this written guidance, everyone at 2 Hare Court is eager to help by imparting their knowledge, sharing their experience and offering their guidance when you need it. Throughout your twelve months at 2 Hare Court, if you need help and advice, do not hesitate to reach out to members of chambers and staff who may be able to assist.

## THE STRUCTURE OF PUPILLAGE

As you know, your twelve-month pupillage is divided into two six-month periods. During your 'first six' you will be learning by shadowing your pupil supervisors, and, when appropriate, other members of chambers, and observing the court or tribunal based work that they do. This is an excellent opportunity to learn the art of advocacy, and the other professional skills required of a barrister, by observing members of chambers in action. During this period, you will also be expected to assist your pupil supervisors and other members of chambers with tasks such as legal research, taking notes of conferences and hearings, and drafting legal documents such as skeleton arguments, opening notes and notes on the law.

Your 'second six' is when you start to take on your own cases and appear in courts and tribunals on behalf of your own clients. This is colloquially referred to as 'getting on your feet', because instead of sitting behind members of chambers who you are shadowing, you actually get to stand up and do the job for yourself. This will likely begin with appearances at the Magistrates' Court, but you will soon progress to dealing with hearings in the Crown Court, and potentially some of the other tribunals that members of chambers appear in front of outside the criminal law setting. During this time, the focus is very much on developing your own skills and your own practice by doing the job. You will, however, still be expected to undertake work for your pupil supervisors and, time permitting, for other members of chambers.

Throughout the course of these twelve months you will have three sets of pupil supervisors. At any one time you will have both a senior supervisor (i.e. a silk or senior junior) and a junior supervisor. You will be assigned a new set of supervisors every four months. This is designed to ensure that you are exposed to a broad range of individuals in chambers, who will all have their own expertise, experience, and style.

At the end of your twelve months, you will be asked to submit an application for tenancy. If successful in that application, you will become a fully-fledged member of chambers. However, it is not at all uncommon, when a pupil applies for tenancy after twelve months, for that pupil to be kept on for a further six months of pupillage, rather than being awarded tenancy at that stage. This is known as a 'third six'. If this occurs, you should not take it as an indication that chambers does not think that you have what it takes to join chambers as a tenant. What it usually means is that people would simply like to see how you continue to develop over the course of a further six months, during which time you will get more exposure to court work and to instructing solicitors and clients.

<p><b><u>Essential BSB forms</u></b></p>	<p>As set out below, you must register pupillage, completion of 1<sup>st</sup> / 2<sup>nd</sup> six and material changes to your pupillage with the BSB</p> <ul style="list-style-type: none"> <li>· Missed deadlines can incur fees and also stop you appearing in Court!</li> <li>· Some forms require input / signatures from a member of chambers</li> <li>· Contact chambers before you begin to fill in the pupillage registration form</li> <li>· Forms and guidance can be found here: <a href="https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/current-requirements/forms-and-guidelines/pupillage-forms">https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/current-requirements/forms-and-guidelines/pupillage-forms</a></li> </ul>
<p><b><u>Register pupillage with BSB</u></b></p>	<p>Must be done before pupillage begins.</p> <p>The pupillage registration process is managed by the BSB Authorisations Team. The relevant registration form is available on the ‘pupillage forms’ section of the BSB website.</p> <p>Any questions relating to your pupillage registration and completion process should be directed to <a href="mailto:authorisations@barstandardsboard.org.uk">authorisations@barstandardsboard.org.uk</a> Please note that the team experiences a high volume of work related to the pupillage process between August and October, allow two weeks for email requests to be processed.</p>
<p><b><u>Register completion of 1<sup>st</sup> six with BSB</u></b></p> <p><b><u>Obtain Provisional Practicing Certificate</u></b></p>	<p>Must be done 1 week before 2<sup>nd</sup> six begins</p> <p>You must obtain a Provisional Practicing Certificate before you can appear in court or provide legal services in your second six.</p> <p>The process is managed by the BSB Authorisations Team and the relevant forms are available on the BSB website.</p>

<p><b><u>Register completion of 2<sup>nd</sup> six with BSB</u></b></p> <p><b><u>Obtain Full Practising Certificate</u></b></p>	<p>Must be done 1 week before completing 2<sup>nd</sup> six (i.e. around start of September).</p> <p>As above, the process is managed by the BSB Authorisations Team and the relevant form is available on the same part of the website.</p> <p>You must obtain a Full Practising Certificate before you can appear in court or provide legal services as a third six pupil or member of chambers upon completion of pupillage.</p> <p>The process is managed by the BSB Authorisations Team and the relevant forms are available on the BSB website.</p>
<p><b><u>Change of supervisor</u></b></p>	<p>Notify BSB 1 week before any change in supervisor.</p> <p>The process is managed by the BSB Authorisations Team and the “Notification of a Material Change” form is available on the same part of the website.</p>
<p><b><u>Advocacy Course</u></b></p>	<p>The Advocacy Course must be satisfactorily completed in the non-practising period of pupillage (1st six). If the course is not satisfactorily completed, the non-practising period of pupillage can be extended.</p> <p>Check Inn websites for dates and details of courses.</p>

## CHAMBERS ADVOCACY TRAINING

During your twelve-month pupillage, and usually soon after you start your first six, you will embark upon in-house advocacy training. This is separate to the compulsory advocacy course which is provided by your Inn of Court, and which must be completed during your first six (see details below). This training is provided in the form of two-week alternating sessions. One week you will hear from an experienced member of chambers (sometimes more than one) about how to conduct a particular aspect of litigation. In the next week, you will perform a mock exercise of that aspect of litigation in front of several members of chambers, and receive feedback on your performance. For example, one week you will be taught how to present an opening speech in a jury trial, and then the following week you will actually perform your mock opening speech.

The training programme will follow the structure of an actual criminal trial. So in your first two weeks, you will learn how to carry out, and then will actually practise carrying out, a bail application in the magistrates court. In the following weeks you will move on to opening speeches, examination in chief, cross examination, closing speeches etc. You will generally stick with one mock trial exercise throughout the course, so you should be very familiar with the case by the time of your closing speeches!

Once the criminal trial aspect of this training is complete, you will likely also have similar training sessions in relation to non-criminal work, such as professional discipline proceedings.

The practical sessions, when you perform in front of members of chambers, serve two functions. First and foremost, they are an opportunity for you to learn by doing, and to receive instant feedback from highly skilled and experienced advocates, which will help you to refine your skills over time. They are also, however, an opportunity for you to impress those members of chambers who attend to observe you in action. At your stage, nobody expects you to put on a stellar performance at every single session, and it is inevitable that you will do better in some weeks than in others. But when there is precious little opportunity to see your advocacy in court (it is

increasingly rare for instructing solicitors to come to court with you) impressing members of chambers in these sessions will stand you in good stead for your tenancy applications at the end of the year.

At the culmination of the year, and usually not long before your tenancy application, you will take part in a full mock trial at the Old Bailey, overseen by a Circuit Judge or High Court Judge. This is generally attended by a large number of members of chambers and clerks, and is a great opportunity to show off the skills you have learnt both during your advocacy training sessions, and having spent time on your feet during your second six.

### FIRST SIX - WHAT TO DO AND WHAT NOT TO DO

Experience tells us that embarking on a twelve-month pupillage can be as daunting as it is exciting. One of the reasons for this is a feeling - to some extent justified - that there are so many unwritten rules and expectations about how to conduct yourself, that it is hard to know how to behave.

Of course, you should at all times act with courtesy and respect for everyone you engage with during your time at 2 Hare Court. This includes your pupil supervisors, other members of chambers, the clerks and other chambers employees, solicitors and clients. But it extends to everyone you interact with in this time. Court staff, security staff, custody officers, social workers, probation officers: these are all people who you may come across during your pupillage and you should treat them all with respect, courtesy and professionalism. Not only is this simply the right thing to do, but you will find that these people are much more willing to help you if you are polite and courteous than if you are rude and obnoxious.

In addition to this golden rule, below are a few pointers about what to do and what not to do during your first six. Of course, this is not an exhaustive list. Developing your own professional judgement about how to conduct yourself is one of the key skills of being a barrister.

## What to do

- Quietly watch and listen to what your supervisors or other members of chambers are doing. The first six is primarily for you to learn from members of chambers, rather than to impress them by sharing your views.
- Offer to assist in any way you can. Does your supervisor want you to take a note of a particular piece of evidence? Do they need help drafting a certain document? Show that you are keen to help and to learn.
- Be on time. Punctuality is absolutely *essential*. If necessary, plan to arrive at court much earlier than you are required. There will usually be a coffee shop nearby where you can wait if you arrive too early. Nowadays you can use apps such as Trainline, Google Maps, and Citymapper to plan your route.
- Undertake work for members of chambers other than your supervisors. This is a great way to show other members of chambers that you have the skills of written advocacy required of you. However, be careful not to overburden yourself. Check with your supervisor that work you are asked to do by others does not clash with work that they need you to do.
- Make your face known in chambers. Nowadays it is more and more convenient to work from home. However, when you are not physically shadowing your pupil supervisors it is a good idea to be around chambers so that your face becomes known to the clerks and to members of chambers. You are not expected to be in chambers every working day, but it is a good idea to spend a good portion of your time around chambers. By the time of your tenancy application, you don't want people in chambers left with no idea who you are.
- Keep some form of diary of the things you observe. This doesn't need to be a daily journal, but it is probably helpful to keep a record of some of the more interesting things you see,

whether it be a particularly persuasive closing speech, or a particularly difficult case to defend, or how a member of chambers handles a difficult client. Apart from being a good learning experience in and of itself, this may provide things to talk about in your tenancy interview.

- Dress appropriately. Dark suits and plain shirts are the order of the day. Generally speaking, you are not expected to be robed when shadowing members of chambers at the Crown Court, but it is probably a good idea to check with whomever you are shadowing as to what they prefer.
- Get an idea of who is who in chambers. Nobody expects you to memorise the entirety of chambers' membership, but it is probably a good idea to learn who some of the key individuals are, such as the Head of Chambers, the Heads of the Pupillage Committee and the Tenancy Committee, etc. It is probably also good to know who the various members of the clerking team are. Use the chambers website to figure out who these people are, and what they look like, so that if you meet them in chambers, you know what their role is.

#### *What not to do*

- Do not talk when it is not appropriate to do so. Generally speaking, you should be extremely circumspect about offering your views on a case when lay clients or solicitors are present. You risk undermining or embarrassing the member of chambers whom you are shadowing. Of course, if you are asked for your views, you should give them. But remember, your primary role as a first six pupil is to observe.
- Do not overload yourself with work. Whilst it is tempting to do as much work as possible, and impress as many people as possible, this should not be done at the cost of overburdening yourself. To do so not only risks undermining your mental wellbeing, but

also carries the risk that all of the work you do produce will be of lesser quality, which will not benefit you in the long run.

- Do not get drunk or embarrass yourself. Going for a few drinks at bars near chambers (Daly's Wine Bar is the usual 2 Hare Court hangout) is a long-held tradition, and one which will allow you to get to know members of chambers, and hear about and learn from their court experiences. It is also great fun. But take care to make sure if you do drink, you don't get drunk and/or do something that you may later regret. You do not want a reputation for behaving inappropriately at social events.
- Do not pay for drinks or food at social events. It is a golden rule at all social events that pupils do not pay for things. Don't try to impress by 'getting a round in'. You will likely only annoy members of chambers who are committed to maintaining this long-standing custom.

## SECOND SIX - REQUIREMENTS FOR COMMENCING PRACTICE

At the commencement of your second six or third six, you will meet the Director of Clerking to ensure that you are fully aware of the nature of the second six months of pupillage and the expectations that 2 Hare Court has of working pupils.

You must have a Provisional Practising Certificate before you can undertake legal work in your second six. At the successful conclusion of your first six your pupil supervisor must complete the non-practising period completion form. Pupil supervisors can only do so if you have reached the required standards. If your pupil supervisor is unavailable to sign the form, the Head of Pupillage or the Head of Chambers may sign the form confirming completion, providing reasons why the pupil supervisor was unable to sign and are satisfied the requirements have been met. The form must be submitted to the BSB by the pupil by email to [authorisations@barstandardsboard.org.uk](mailto:authorisations@barstandardsboard.org.uk).

There may be a short delay between completion of the non-practising period and when the pupil will be able to exercise a right of audience as part of the practising period of pupillage. You cannot exercise any rights of audience until the process is complete.

In order to reduce the delay, pupils are encouraged to submit the form to the BSB as soon as possible on successful completion of the non-practising period. If your pupil supervisor is prepared to sign the form in advance, the BSB will accept the signed form one week in advance. The form will still need to indicate the full dates of the non-practising period.

You should be familiar with the full guidance on this process found in the Bar Qualification Manual at Part 4K.

The date when the non-practising period completion forms need to be submitted will be added to the Lex diaries of all pupils and all pupil supervisors, providing a reminder of what is required. The clerks will also be able to see the position and plan accordingly.

The Advocacy Course run by your Inn of Court must be satisfactorily completed during your first six. If the course is not satisfactorily completed, you cannot progress to the practicing period of pupillage (second six).

#### SECOND SIX - WHAT TO DO AND WHAT NOT TO DO

As your second six is all about developing your own skills and practice by doing the job, slightly different considerations apply to how you conduct yourself, although good judgement and common sense will tell you that many of the rules that apply to your first six continue to apply throughout your pupillage and beyond.

## *What to do*

- Always turn up on time. This is just as important when you are dealing with your own cases. You do not want a reputation for being someone who has a habit of being late.
- In the couple of weeks before your second six, ask your supervisor if they are content for you to spend some time shadowing more junior members of chambers, or even third-six pupils, at court. The chances are that these members of chambers will be doing hearings closer to the sorts of hearings that you will be asked to attend in your second six, and they will be able to give you good advice about practical issues that arise in such hearings.
- Touch base with your instructing solicitors before and after a hearing. Whilst you will usually receive some form of written instructions, it's a good idea to speak to your instructing solicitor before a case to see if there is any other information they can give you that isn't in their written instructions that may help you in preparing for the hearing. Afterwards, whilst you should always send an attendance note to your solicitor promptly, it does no harm to phone them up as soon as you get out of court to at least let them know the outcome. This will also mean that instructing solicitors start to recognise who you are, and may be more likely to instruct you in the future. Just remember that solicitors are very busy, so don't pester them if they don't answer your calls.
- Draft helpful attendance notes and send them to your solicitor and/or anyone that you're covering for promptly. It is good for solicitors and other barristers to be able to understand what has happened in a case. If you are covering a case for another member of chambers, it is important for them to know what happened too. Give them a call to let them know the outcome (you can give more detail in your attendance note). Again, this is a good way of ensuring people in chambers know who you are.

- Update the clerks. When you leave court, phone the clerks to let them know you have finished, and inform them of any dates that need to be entered into the diary for future hearings in the same case. Send them a copy of your attendance note. This will trigger the billing process so that you can be paid. Include your travel costs in your attendance note.
- Manage your diary. This is a crucial part of practice. Whilst the clerks will help you, you are responsible for managing your time. So get into the habit of routinely looking at what you have coming up in your diary in the coming weeks so that you can manage your time effectively, both in terms of court work and written work you undertake for other members of chambers.
- Seek advice from your peers. You will probably get to know the ‘junior juniors’ in chambers - i.e. those under 12 years call - quite well. It may well be that they are better placed to advise you about non-legal matters. As always, however, bear in mind that they too have busy practices.

#### *What not to do*

- Do not let your non-court work slide. It will be an extremely busy six months. However, don't lose sight of the fact that you still need to impress members of chambers who will be considering your application for tenancy in a few months' time. You shouldn't overload yourself, but doing work for members of chambers is still an important part of your pupillage.
- Do not speak to solicitors or clients about billing. The reality of the bar is that sometimes it takes a long time for bills to be paid by solicitors. Chasing these bills, and all matters related to fees are the remit of the clerking team. Certainly at your level, you should not be engaging in any discussions with solicitors or clients about this issue. If you have any

concerns about very late bills, mention these to your pupil supervisor in the first instance, and if appropriate, they may raise this with the clerks on your behalf. Bear in mind however, that it is not at all unusual for bills to go unpaid for several months, so you should be slow to pester either your supervisors or the clerks except in extreme cases.

## COMPETENCIES

At the conclusion of your first twelve months of pupillage, you will be required to apply for your full practising certificate. Barristers who reach this stage are required by the Bar Standards Board to meet the 'threshold standard', which involves possessing certain competencies set out in the BSB Professional Statement. During your twelve months at 2 Hare Court we will train you in these competencies, as set out below. The competencies state that barristers will:

### Legal knowledge, skills and attributes

- 1.1 Uphold the reputation of the Bar and observe their duty to the court in the administration of justice.*
- 1.2 Have a knowledge and understanding of the key concepts and principles of public and private law.*
- 1.3 Have knowledge and understanding of the law and procedure relevant to their area(s) of practice.*
- 1.4 Have an awareness of the wide range of organisations supporting the administration of justice.*
- 1.5 Apply effective analytical and evaluative skills to their work.*
- 1.6 Provide clear, concise and accurate advice in writing and orally and take responsibility for it.*

### *1.7 Negotiate effectively.*

During your first six you will accompany your pupil supervisor working in courts and tribunals on a range of cases. You will undertake written work for your pupil supervisor and other members of chambers that will require you to undertake research into a variety of legal topics within the areas of law that are practiced within chambers. You will observe that procedures of the courts and tribunals members of chambers typically appear in.

Then, in your second six, you will have the opportunity to incorporate your knowledge and experience of what you have observed into your own practice, developing your understanding of the legal concepts and principles of the law and legal system. You will advise your own clients on the law, and negotiate with opponents and others you come into contact with within the justice system.

### *Practical knowledge, skills and attributes*

#### *1.8 Exercise good English language skills.*

*1.9 Exercise good communication skills, through any appropriate medium and with any audience as required in their work.*

*1.10 Make sound judgments in their work.*

*1.11 Ensure they are fully prepared.*

*1.12 Employ effective research skills.*

Your written communication and language skills will be honed through the written work you undertake throughout the twelve months of pupillage. You can expect to receive constructive feedback on the work you complete, which you should use to improve and develop your written

communication skills. You can also ask your supervisors or your junior contemporaries for samples of particular kinds of written work in order to fully understand what is expected of you when you undertake a particular kind of written work.

You will learn the importance of good judgment, particularly during your second six, when you will very often be responsible for exercising your own judgment in relation to your own cases. However, you should also feel able to speak to other members of chambers in order to seek advice, or even to sense-check your own judgments.

### Advocacy

*1.13 Draft court and other documents which are clear, concise, accurate and written so as to reflect fairly the arguments advanced by both sides.*

*1.14 Draft skeleton arguments which present the relevant facts, law and arguments in a clear, concise and well-structured manner.*

*1.15 Have persuasive oral advocacy skills.*

You will observe some of the most able courtroom advocates at the Bar during your first six. Make the most of this opportunity. Make notes of particularly persuasive advocacy and think about how you might incorporate such examples into your own advocacy.

You will also undertake advocacy training in chambers during your first six. You will be taught advocacy techniques by members of chambers, and have the opportunity to put what you have learned into practice in mock advocacy exercises, during which you will be given detailed feedback by members of chambers. At the end of the year, you will also perform a full mock trial at the Old Bailey.

During your second six, you will be in court most days, and will be able to develop your advocacy skills and develop your own advocacy style. You will inevitably draft a large number of skeleton arguments, both for members of chambers, and in your own cases.

### Professional standards

1.16 *Comply with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct.*

1.17 *Know how to conduct themselves appropriately in court.*

1.18 *Only accept work which they are competent to undertake.*

During your first six you will observe how your pupil supervisors and other members of chambers conduct themselves in court. You will likely have discussion with your pupil supervisor about ethical issues that they come across in their cases.

In your second six, you will likely come across difficult ethical issues in your own practice. The Bar Council has a helpline that can be contacted for guidance in such situations, but you should also feel able to discuss these with members of chambers, and seek advice, and ultimately make your own decisions on such matters. Should you apply for tenancy at the end of your twelve month pupillage, the tenancy interview will usually include a discussion of an ethical problem, and what your response to it would be.

### Values, characteristics and behaviours

2.1 *Act with utmost integrity and independence at all times, in the interests of justice, representing clients with courage, perseverance and fearlessness.*

- 2.2 *Be honest in their dealings with others.*
- 2.3 *Be aware and active in the pursuit of equality and respect for diversity, not tolerating unlawful discrimination, in themselves or others.*
- 2.4 *Ensure their work does not incur unnecessary fees.*
- 2.5 *Adopt a reflective approach to their work, enabling them to correct errors and admit if they have made mistakes.*
- 2.6 *Ensure they practise with adaptability and flexibility, by being self-aware and self-directed, recognising and acting upon the continual need to maintain and develop their knowledge and skills.*

You will likely have a lot of discussions with your pupil supervisors and other members of chambers about the values, characteristics and behaviours expected of you as a barrister and member of chambers. You will develop your understanding of the importance of integrity and honesty, mutual respect, and hard work in everything we do.

### At work

- 3.1 *Understand and exercise their duty to act in the best interests of their client.*
- 3.2 *Understand and apply principles of team working where appropriate.*
- 3.3 *Respond appropriately to those from diverse backgrounds and to the needs and sensitivities created by individual circumstances.*
- 3.4 *Treat all people with respect and courtesy, regardless of their background or circumstances.*

3.5 *Where appropriate, keep clients, whether lay or professional, informed of case progress in a clear and timely manner and manage their expectations.*

In your second six, through your own practice, you will learn how to interact with a wide range of people who you come across in your work, including lay and professional clients, judges, court staff, witnesses and clerks.

#### Lay individuals

3.6 *Demonstrate a good awareness of their additional responsibilities in cases involving direct access and litigants in person.*

A number of members of chambers are direct access qualified. You will be able to observe them interact directly with lay clients. You may also come across litigants in person, whether in the criminal courts or other tribunals that members of chambers appear in front of.

#### Personal practice management

4.1 *Where appropriate, possess and strong understanding of the specific implications of being a self-employed barrister.*

4.2 *Possess sufficient understanding of organisational and management skills to be able to maintain an effective and efficient practice.*

4.3 *Plan their personal workload and absences so as to ensure they deliver on all work commitments they have made.*

During your first six you will be required to manage your time effectively, both attending court to observe your pupil supervisor or other members of chambers, and completing written work

for members of chambers outside court hours.

But particularly in your second six you will be responsible for overseeing your own diary. Whilst of course the clerks are on hand to help with practice management, you will come to learn the importance of proactively managing your own professional commitments in order to ensure that deadlines are met, and your responsibilities to your clients fulfilled.

#### At workplace level

*4.4 Understand the organisational systems or structures within which they work and which support their delivery of a professional service.*

You will come to learn the importance and great value of the chambers clerking and administrative team. Chambers staff can help you with a wide range of tasks, from managing your diary to assisting with everyday clerical matters. By the end of your twelve months you will have a good understanding of the different members of chambers staff and their differing roles and responsibilities.

#### Professional compliance and work

*4.5 Maintain the confidentiality of their clients' affairs, adopting secure technology where appropriate.*

*4.6 Exercise good time-keeping in face-to-face or telephone encounters.*

*4.7 Where necessary, be diligent in keeping good records and files of cases.*

Particularly in your second six, when you take on your own case load, you will learn the importance of maintaining good records and files of individual cases, ensuring that helpful records are kept, and confidentiality is maintained.

### COMPULSORY COURSES

During your first six, you are required to complete a compulsory advocacy course, which is provided either by your Inn of Court or your Circuit. It is your responsibility to organise your attendance at and completion of this course. If you started your vocational bar training from 2020 onwards, you are also required to complete a Professional Ethics Assessment. You must have completed three months of pupillage before carrying out this assessment. It is your responsibility to ensure you sign up for these compulsory courses. Further information can be found on the BSB website. If you have any questions about the compulsory courses you are required to undertake in pupillage, you can ask your pupil supervisors. Whilst you are responsible for organising your attendance at these courses, your pupil supervisor will be on hand to help, and chambers will ensure that you are afforded the time during your pupillage to undertake this training.

### SEEKING ADVICE

There will likely be many situations throughout your pupillage in which you require advice from others. This can range from something as simple as what forms you need to complete during a first appearance at the Magistrates' Court, to difficult ethical problems that arise in a case of yours in your second six. Whatever the problem, it is better to seek the advice of your contemporaries and colleagues than to suffer in silence, or to risk making things worse by making a mistake that could easily be avoided. Everyone at 2 Hare Court wants the best for its pupils, and is willing to help if they can. Below is a non-exhaustive list of people you may be able to call on for help.

- Pupil supervisors. They really are your first port of call for many of the questions and problems you may encounter. They can help you in relation to the policies and processes

of chambers, as well as offering you advice about law and procedure when it comes to your own cases.

- Head of the Pupillage Committee. For questions about your pupillage generally, such as questions about the pupillage award, the timing of the mock trial, or questions about pupillage policies, the Head of the Pupillage Committee is happy to help. It may be worth speaking to your pupil supervisor first if that is appropriate.
- Junior juniors. They are probably better placed to help you with some of the more mundane queries you might have. For example, they will know exactly what forms you need to complete in the Magistrates' Court, or how to use the Digital Case System. You may not want to trouble more senior members of chambers with this sort of query, and in fact it may be that more junior members of chambers are more familiar with such matters anyway!
- Senior juniors and silks. Hopefully it won't happen often, but it may be that during your second six, you come across very difficult legal or ethical dilemmas. You may want to speak to someone with more experience and knowledge. Senior members of chambers are happy to help, but of course, you should always bear in mind that they will have very busy practices of their own, and their time is precious. If you don't know the contact details for someone you would like to speak to, telephone chambers and ask reception for their contact details.
- The clerks. It may be that you run into difficulties relating to your diary, or that you have questions about whether to undertake certain work that you are offered the opportunity to undertake. The clerking team are open to discussing such matters, and are happy to help where they can.

- Support staff. The chambers support staff, such as the chambers administrator, are happy to help with practical queries, such as accessing chambers facilities.
- Fellow pupils. You will find that many of the problems you encounter will also have been encountered by your contemporaries. Seek their views and share your experiences with them in return. You will all benefit.

### ANNUAL LEAVE

Some people seem to think that taking time off should be avoided because it suggests that you lack enthusiasm. That is absolutely not the case at 2 Hare Court. You are entitled to 20 days of holiday, excluding bank holidays, in your first 12 months, and we actively encourage you to take this. How you divide this between your first and second six is a matter for you. However, you should agree the timings in advance with your pupil supervisor and, during your second six, with the clerks.

### WORKING HOURS

Whilst working long hours is sometimes a necessary part of the job, it is also increasingly recognised that this should not come at the expense of your mental wellbeing and health. Urgent deadlines do mean that sometimes late nights or doing work over the weekend cannot be avoided. However, chambers' policy is that pupils should not routinely work past 8pm or on weekends. If you feel that you may be working too many hours contrary to this policy, consider raising this with your pupil supervisor or the Head of the Pupillage Committee.

### SICK LEAVE

If you cannot attend chambers due to illness or for any other reason (e.g. family bereavement etc.) your pupil supervisor should be informed at the earliest opportunity. If you are absent for

five working days or more for medical reasons, a note from a medical practitioner is required and should be sent to your pupil supervisor, copied to the Chambers Administrator.

It is for the Head of the Pupillage Committee and your pupil supervisor to determine the impact of longer periods of leave (for example because of sickness or bereavement) and whether the period of pupillage should be extended to enable you to meet the competences in the Professional Statement. If your pupillage is to be extended, chambers will notify the BSB of the new date that you will be completing pupillage by completing the notification of material change in pupillage form. Where your pupillage is extended, your pupil supervisor will set clear and measurable objectives as to what is expected of you during the extended period. As a pupil, you must apply to the BSB for dispensation if you need to take a substantial break from pupillage and feel that extending the pupillage would not be appropriate in the circumstances.

#### TENANCY APPLICATIONS

Applications for tenancy are made to the Tenancy Committee at the conclusion of your twelve months. As part of that application you will be asked to provide the following supporting evidence:

- CV.
- Covering letter. The content of this letter is a matter for you, but it should deal with things like how you have found your experience at 2 Hare Court, why you would like to apply to tenancy, and why you think you could make a valuable contribution as a member of chambers.
- List of written work completed for members of chambers during pupillage. This can be presented in tabular form. The purpose of this is to allow the Tenancy Committee to seek the views of people you have completed work for.

- A written summary of the court work you have undertaken. This needn't be a list of every hearing you have done, but should give a clear picture of the nature of work you have undertaken. For example, how many sentencing hearings in the Crown Court have you carried out? How many Magistrates' Court trials? etc.
- Two samples of written work. It is entirely up to you which pieces of work you choose, but it is probably a good idea to demonstrate that you have a broad range of skills. As such, you may want to consider presenting a note on the law you produced following a piece of legal research *and* a skeleton argument.

The Tenancy Committee will, in considering your application, seek the input of your pupil supervisors, any members of chambers you have done work for, any members of chambers who have observed your performance in advocacy training sessions and the mock trial, and the clerks room.

The Tenancy Committee do not require judicial references or references from instructing solicitors. However, if you have received unsolicited references, they can be provided to the Tenancy Committee, who will consider them as part of your application.

You will be interviewed by members of the Tenancy Committee. That interview will comprise an advocacy exercise, which will typically be a bail application or a plea in mitigation. You will be given the exercise a few days before the interview, which should give you more than enough time to prepare. You will also be asked how you would respond to an ethical problem that might arise in your practice. All candidates in a given year will be asked the same ethical question. In addition to this, you may also be asked general questions about your experiences during pupillage.

The Tenancy Committee will consider all of the information they acquire during the process set out above, and will then draft a report, in which they will make a recommendation as to whether

you should be offered tenancy, asked to undertake a third six months of pupillage, or have your application refused.

That report and recommendation will be confidentially distributed to all members of chambers. There will then be a general chambers meeting at which the report and recommendation of the Tenancy Committee will be discussed, and the members of chambers will vote on whether to award you tenancy, request that you undertake a further six months of pupillage, or refuse your application.

You will be notified, usually on the evening of the chambers meeting, of the outcome of your application.

In the event you are not taken on as a tenant by 2 Hare Court, you shall be offered the opportunity to practice as a “squatter” at 2 Hare Court at Chambers’ discretion following the conclusion of your pupillage. This will allow you to continue practising for a time whilst you seek either a third six or tenancy at another set of chambers.

#### PRACTISING AFTER YOUR 12 MONTH PUPILLAGE

Whether you are taken on as a member of chambers after 12 months, or are asked to continue for a third six, you must obtain authorisation to practise if you are to continue to exercise your rights of audience. At the successful conclusion of your second six, your pupil supervisor must complete the practising period completion form to confirm that you have met the competences in the Professional Statement. If the pupil supervisor is unavailable to sign the form, the Head of Pupillage or the Head of Chambers, or equivalent, may sign the form confirming completion, providing reasons why the pupil supervisor was unable to sign and are satisfied the requirements have been met. The form must be submitted to the BSB by the pupil. If the BSB are satisfied you have satisfactorily completed the practising period, it will confirm eligibility for a full Practising Certificate. You will need to make an application for a Practising Certificate through MyBar.

A Provisional Practising Certificate is valid for 30 days after the end date of pupillage to give pupils time to apply for a full Practising Certificate.

After the expiry of your Provisional Practising Certificate, you must not undertake any court work or provide legal services, under any circumstances, until you have been issued with a Full Practising Certificate. If there is a delay in this process, for any reason, and you anticipate that there may be a gap between the period covered by your Provisional and Full Practising Certificate, you must immediately notify your pupil supervisor (or the Head of Pupillage in their absence) and forewarn the clerks that court work may be affected.

### THIRD SIX

If you carry on for a further six months of pupillage after your initial tenancy application, your time will be spent in much the same way as it was during your second six. The main difference is that you are no longer covered by any chambers award or guaranteed earnings. Because of this, any non-court work that is undertaken by you for members of chambers other than your pupil supervisors must be paid for at a minimum rate of £25 per hour. If the member of chambers who asks you to do this work does not mention this, discuss this with your pupil supervisor, and they can advise you as to how to raise this appropriately.

## ESSENTIAL READING

You should familiarise yourself with the contents of the following documents before your pupillage start date.

### *BSB Bar Qualification Manual*

Part 4 deals with pupillage. The Manual is available online here:

<https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual.html>

### *BSB Professional Statement*

During pupillage you will be assessed against the standards and competences specified in the Professional Statement. It is available online here:

<https://www.barstandardsboard.org.uk/uploads/assets/a4556161-bd81-448d-874d40f3baaf8fe2/bsbprofessionalstatementandcompetences2016.pdf>

### *BSB Curriculum and Assessment Strategy*

This document sets out the requirements for all three components of training for the Bar: academic, vocational and pupillage/work-based. It is available online here: <chrome-extension://efaidnbnmnibpcjpcglclefindmkaj/https://www.barstandardsboard.org.uk/uploads/assets/482b158c-0000-4a93-9db34a4944c31499/Curriculum-and-Assessment-Strategy-August-2021.pdf>

### *BSB Handbook*

The BSB Handbook contains the rules about how barristers must behave and work. It also contains the Code of Conduct for barristers, which you must be familiar with.