

# Mini Pupillage Policy

## Introduction

1. This document sets out Nine's policy for offering and administering mini pupillages. It replaces all of Chambers' previous policies and guidance in relation to mini pupillage.
2. The aim of this policy is to ensure that Chambers has a consistent process for offering mini pupillage which:
  - (a) complies with the applicable equalities legislation, the BSB Handbook (including the Code of Conduct) and the Bar Council's Fair Recruitment Guide; and
  - (b) ensures that mini pupils within chambers feel welcome and are provided with a varied, diverse and realistic introduction to life at the Bar and at Nine.
3. This policy is to be applied in accordance with Chambers' Equality and Diversity Policy, which shall have precedence in the event of any conflict with this policy.
4. Adjustments may be made to this policy and/or parts of this policy may be disapplied if the Pupillage and Tenancy Committee considers, after consultation with the Equality & Diversity Committee, that it is necessary to do so to comply with Chambers' duty to make reasonable adjustments under the Equality Act 2010.

## Aims of the programme

5. The aim of Nine's mini pupillage programme is to provide mini pupils with an insight into life at the independent Bar. This will involve travelling to court with counsel (within a reasonable distance of Chambers), observing and taking notes in hearings and trials, sitting in on conferences and negotiations, and reading and analysing case papers. Mini pupils may also be asked to assist counsel by undertaking research or other similar tasks.

## Details of the programme

6. Chambers offers a limited number of mini pupillages each year across our core practice areas of crime, family, civil, commercial, employment and personal injury.
7. The number of mini pupillages currently on offer each year is: 24.
8. Mini pupillages at Nine last for two days in duration and are not formally assessed. The hours are typically 9am – 5pm, but may on occasion be shorter.
9. Mini pupillages at Nine are unfunded. Chambers does not therefore offer travel or subsistence expenses to mini pupils. Whilst individual members may wish to treat pupils to lunch or travel, they are not obliged to do so.
10. The Pupillage and Tenancy Committee reserves the right to reduce both the length and number the number of mini pupillages available and/or to suspend applications as necessary in light of available resources within Chambers.

## The application process

11. Applications for mini pupillage should be made in accordance with the online submission form on our website, [www.ninechambers.com](http://www.ninechambers.com).
12. Candidates for mini pupillage should submit a CV (limited to two pages) and covering letter (limited to one page). Postal applications are also accepted and marked FAO Robert Lassey.
13. There are two submission deadlines each year: 30th April and 31st October. Applications for mini pupillage are considered immediately following each deadline. If a candidate does not submit their application by the required deadline, their application will instead be considered in the next application cycle.
14. Successful candidates who apply by the April deadline should expect to be offered a mini pupillage between June and November. Successful candidates who apply by the October deadline should expect to be offered a mini pupillage between December and May.
15. Chambers will endeavour to contact successful applicants within four weeks of the relevant deadline. However, it is not always possible to deal with applications within that timeframe. **Warning:** if a candidate does not confirm their availability / unavailability for the dates offered within at least 14 days of being contacted by Chambers, it will be assumed that the candidate no longer wishes to undertake a mini pupillage at Nine and the offer will be formally withdrawn.
16. Due to the sensitive nature of our work, mini pupils must be at least 18 years old. In addition, applications will not be considered unless applicants have completed their first year of university. We also typically do not accept applications from individuals who have already completed a mini pupillage with us previously.

## Selection criteria

17. Only the information provided within an applicant's CV and covering letter will be considered as part of the application process. That is to ensure that all candidates are treated fairly and consistently. There is no interview stage.
18. Candidates are reminded that the mini pupillage application process is competitive. The criteria for pupillage applications (which can also be found on our website) should be used as a guide. Further, the way in which candidates express themselves within their application will be a factor in considering whether they should be offered a mini pupillage in Chambers. Candidates will be assisted by explaining how their experiences make them a better applicant for a mini pupillage.
19. Applications are particularly welcome from candidates who meet one or more of the following non-essential criteria:
  - (a) Attended a non-fee-paying school or college for the majority of their time in education;
  - (b) Was part of the first generation of their family to attend university;
  - (c) Received free school meals;
  - (d) Was a member of a household that received, or still receives, income support or other means tested benefits;
  - (e) Has, or has had, caring responsibilities;
  - (f) Spent some or all of their childhood in care; and
  - (g) Women and/or members of the BAME community.

## Expectations & standards of behaviour

20. Whilst every effort will be made to ensure that mini pupils are able to observe a range of work within Chambers, candidates should recognise that it is not always possible to accommodate their preferred choice of practice area(s) and/or type(s) of case(s) when deciding upon the appropriate allocation of work. There may also be certain categories of cases which are not suitable for mini pupils to observe, such as those involving children and/or persons with physical and/or mental disabilities, or cases involving the disclosure of sensitive personal information.
21. A mini pupillage is designed to deliver insofar as it is possible, a realistic experience of life at the Bar. Mini pupils are therefore expected to behave in accordance with high professional standards. To that end, during their mini pupillage at Nine, mini pupils MUST observe the following essential rules:

- (a) Attend Chambers promptly at 9am every morning unless directed otherwise;
  - (b) At all times dress appropriately for court: i.e., a formal suit, dark if possible, and dark shoes. In general, clothing that is worn as a requirement or emblem of faith is permitted to be worn in court or tribunals, and is expected to be worn in similar dark tones. Mini pupils should follow this guidance. If a mini pupil has any concerns at all about what clothes to wear they should contact chambers in advance of their placement.
  - (c) At all times behave in a manner which is polite, respectful, and sensitive to the issues involved in the case they are observing;
  - (d) Follow any instructions given by members or staff in connection with mini pupillage; this may include reading papers, research, carrying out drafting, attending conferences, court or other hearings. It may also involve being asked to leave a conference or hearing; if so, the mini pupil must do so without question or protest; and
  - (e) Sign a confidentiality agreement undertaking to strictly observe client confidentiality both during and after the mini pupillage, including the names of clients and the nature/detail of their cases (see below).
22. Similarly, all times during their mini pupillage at Nine, mini pupils **MUST NOT** under any circumstances:
- (a) Speak or contribute during any meeting, conference or hearing at which they are present unless invited to do so by counsel. In particular, they must not give advice or anything that might be taken as advice to lay clients or solicitors, whether the member/solicitor is there or not;
  - (b) Ask questions at inappropriate times: mini pupils should not interrupt court or tribunal proceedings or conferences in order to ask questions of any person. Mini pupils are expected to exercise judgment in being able to recognise an appropriate opportunity to ask questions such as at the end of the court day;
  - (c) Remove books or papers, or copies of papers, exhibits, media, or any other material from Chambers, except with the prior consent of counsel;
  - (d) Use their mobile phone for any purpose during conferences, hearings, or otherwise in front clients or Solicitors, except with the prior permission of counsel;
  - (e) Publicise or post on any social media platform in a way which suggests that their mini pupillage at Nine is a job or other formal position within Chambers;
  - (f) Post anything on any social media platform about the court or tribunal case they have observed; and
  - (g) Take or post any photographs or videos from within Chambers or in any court or tribunal building, nor take any photographs or videos which identify anyone else present with them. Note: this does not prevent a mini-pupil from taking a photograph or video outside Chambers for self-promotion purposes.
23. The Pupillage and Tenancy Committee may, at their sole discretion, immediately terminate a mini pupillage in the event of any breach of paragraphs 21 and 22 above.

## Members' obligations

24. Members are under no obligation to agree to take mini pupils to court or into conference; whether or not they do is entirely a matter for them. Not every case will be appropriate for third party observation, particularly where the case is being held in private or the client is particularly vulnerable. If a member is minded to agree to be accompanied by a mini pupil, they should check with the solicitor (and, if appropriate, the lay client) that the mini pupil's presence is agreed.
25. Members should treat mini pupils with courtesy and maintain professional boundaries at all times. It is acceptable to treat mini pupils to refreshments if the member so chooses. Members should at all times be conscious of the fact that mini pupils are guests of Chambers and potential candidates for pupillage. They should take all reasonable measures to ensure that mini pupils are not made to feel uncomfortable or harassed either whilst in Chambers or socialising outside of Chambers with members.

## Relevance of performance/assessment

26. Mini pupils performance is not assessed. The only relevance of a mini pupillage at Nine to a pupillage application is that it demonstrates commitment to, and experience of, life at the Bar. However, there are limited circumstances in which

conduct during mini pupillage will be relevant to a future application for pupillage. Chambers reserves the right to reject applications for pupillage from candidates who, during their mini pupillage:

- (a) Gave a lay client advice or otherwise breached their confidentiality; and/or
- (b) Behaved in a manner which might reasonably be construed as amounting to gross misconduct, including for example assaulting or verbally abusing a member of chambers, staff member or client, stealing from Chambers, members or staff, or otherwise acting in a manner that could bring Chambers into disrepute.

### Mini pupillages via third party organisations

- 27. The Pupillage and Tenancy Committee, in agreement with the Management Committee, may, at their sole discretion, choose to participate in schemes run by external organisations whereby Chambers offers a mini pupillage to a person selected through that scheme. Where this occurs the Pupillage and Tenancy Committee will consider the selection criteria of the scheme and use that to determine the nature and number of mini pupillages that may be offered through the scheme.
- 28. The Pupillage and Tenancy Committee also has the discretion to agree to offer a mini pupillage or mini pupillages as a prize in appropriate competitions run by external organisations, i.e. as a prize in a mooting competition for a local university.

### Complaints procedure

- 29. Any problems arising during the course of a mini pupillage should be raised with counsel in the first instance, or in the alternative, with the Head of the Pupillage and Tenancy Committee, Ms Amy Smith.

### Confidentiality, record keeping and destruction

- 30. Responsibility for record keeping in relation to mini pupillages will lie with a designated member of the clerking team who will ensure compliance with Chambers' GDPR policy and/or other data protection legislation.
- 31. All mini pupils will be required to sign a confidentiality form. A designated member of the clerking team will ensure that prior to / at the beginning of the first day of the mini pupillage all appropriate forms (including the confidentiality form) have been completed by the mini pupil.
- 32. The designated member of the clerking team will also hold responsibility for ensuring that any records required by data protection rules (including the signed confidentiality agreement) are kept and/or stored and/or destroyed appropriately in compliance with Chambers' data protection obligations.
- 33. If any papers and/or access to digital materials is provided to a mini pupil during the course of their engagement, then the responsible member of the clerking team must ensure that such materials are returned to Chambers and/or that digital access is revoked at the end of the court day. The mini pupil will also be asked to endorse the confidentiality form confirming they will not retain any documents, in hard copy or electronically, provided to them during the mini pupillage.

### Review of this policy

- 34. This policy will be reviewed annually for compliance purposes.

## Mini Pupillage Confidentiality Agreement

During your time with us as a mini pupil, you will be exposed to information relating to the case(s) you are observing. The barrister(s) you are shadowing are bound by strict obligations concerning the confidentiality of the information they receive and are obliged to follow data protection laws concerning personal information that they receive about their client(s) and case(s). As a mini pupil, you are in effect also bound by these obligations. These obligations are extremely important.

What this means in practice is that, save where you are required to do so by law and/or an order of the court, you must not discuss confidential details or personal information that you learn about a case or client with anyone outside of Chambers. That includes your family members, friends, fellow students, or course tutors. Confidential information may be something you hear said in a conference during your mini pupillage, or overhear in a telephone conversation that your barrister has with a solicitor or client, or something that appears in a document that you are given to read.

Information that is revealed in a court hearing that is open to the public is generally not confidential. However, you should always check with the barrister that you are shadowing whether a court hearing you attend is open to the public, and what information is and is not confidential. If you are in any doubt about what sort of information is or is not confidential, please check with the barrister you are shadowing, so you know what you are able to talk about freely with others, and what you should keep to yourself. If you remain in any doubt as to whether information is confidential or not, you should assume that it is.

You are of course free to discuss what you have learnt during your mini pupillage in general terms (for example when discussing it in an interview for pupillage), but you must not reveal personal or confidential details about the cases you have observed.

In addition, you must also not take any documents or copies of documents concerning a case you are following outside of Chambers without prior permission of counsel, or post any details about the case(s) or client(s) you have observed on social media. Any materials that you are provided with or given access to during your mini-pupillage must be returned to Chambers at the end of each day.

Your mini pupillage with 9SJS is offered on the basis that you have read this Confidentiality Agreement; and that by signing it, you agree to be bound by its contents.

Name (please print): .....

Signed: .....

Dated: .....