**LINCOLN HOUSE CHAMBERS**

**MINI PUPILLAGE POLICY**

**Introduction**

1. Lincoln House Chambers (‘LHC’) offers a limited number of unremunerated, non-assessed mini pupillages as a means to offer a short introduction to life at the Bar and at LHC.
2. This policy document sets out the framework governing LHC’s mini pupillage programme in 2021. It aims to ensure that Chambers has a consistent process for offering and administering mini-pupillages which complies with the applicable equalities legislation, the BSB Handbook (including the Code of Conduct) and the Bar Council’s Fair Recruitment Guide.
3. This policy document must be read alongside other relevant LHC policy documents (which shall take precedence in the event of conflict).
4. This policy will be kept under continual review by the Mini Pupillage Committee and adjustments may be made to this policy if the Mini Pupillage Committee considers it necessary for any reason, including in order to comply with Chambers’ duty to make reasonable adjustments under the Equality Act 2010.
5. The mini pupillage policy will be fully reviewed annually.
6. LHC believes that Mini Pupils should never experience abuse of any kind, and that LHC staff and members of Chambers have a responsibility to promote and protect the welfare of all those we work with. LHC staff and members must treat mini pupils with courtesy and maintain professional boundaries at all times.
7. The LHC equality and diversity policy sets out in detail Chambers’ policy in relation to harassment, bullying and inappropriate behaviour.

**LHC Mini Pupillage Framework**

1. Due to the sensitive nature of our work, we operate a minimum age requirement of 18 years of age.
2. Mini pupillages are designed to give an insight into life at the independent Bar. This will involve observing hearings and trials, attending conferences, listening to negotiations, and reading and discussing case papers with counsel.
3. Members of Chambers are under no obligation to take a Tier One mini-pupil. However, there is an expectation that Members upon being asked will agree to take a Tier Two mini-pupil unless they have a particularly good reason not to. Members will be asked to take a pupil not less than one week before the mini-pupil placement begins. 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. However, if a member does agree to take a mini-pupil it is expected they will treat their pupil according to the aims and requirements set out in this document.
4. LHC will offer 24 mini pupillages annually through competitive application. These mini pupillages will fall into two tiers, with 12 mini pupillages offered within each tier respectively.
5. LHC does not discriminate directly or indirectly on grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or political persuasion.

**Pupillage Applications and Mini-Pupillage Offers**

1. When interviewing candidates for Pupillage the panel conducting the interview is asked to recommend to the Mini-Pupillage Committee any candidate who demonstrates the potential to be a successful applicant in the future and who may be helped in their development by taking part in a Tier One Mini-Pupillage.
2. The Mini-Pupillage Committee will regard the fact that the person recommended was successful in being invited to an interview for Pupilage as sufficient evidence that they are of the required standard to be offered a Tier One Mini-Pupillage.

**Mini-pupillage via third party organisation**

1. The Mini-Pupillage Committee, in agreement with the Management Committee, may 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 Mini-pupillage 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.
2. The Mini-Pupillage also has the discretion to agree to offer a mini-pupillage, of any type, as a prize in appropriate competitions run by external organisations, i.e. as a prize in a mooting competition for a local university. The type of mini-pupillage offered will be based on the nature of the competition and will be decided at the discretion of the Mini-Pupillage Committee.

**‘Tier One’ Mini Pupillages: Framework**

1. ‘Tier one’ mini pupillages are more intensive and aimed at those at a later stage in their legal training. Applicants must be in their third year of a law degree or undertaking the GDL or Bar Course. These mini pupillages will last for three days. The hours are 9am to 5pm.
2. The three-day mini pupillage will comprise of:
	* + - 1. One day at court with a barrister in a civil case.
				2. One day at court with a barrister in a criminal case.
				3. Half a day at court with a barrister in a criminal case.
				4. Half a day in Chambers undertaking an oral or written advocacy exercise which will be reviewed and feedback provided.
3. Prior to the commencement of the mini pupillage, a member of Chambers will be identified to act as a mini pupil supervisor for the three days. The mini pupil supervisor will be provided with a copy of the mini pupil’s application form and will contact the mini pupil via email prior to the start of the mini pupillage to introduce themselves. The mini pupil supervisor will then act as a supervisor for all three days of the mini pupillage, ensuring that they know where the mini pupil is going to be each day, who they will be with, and what they will see.
4. LHC will run three ‘tier one’ mini pupillage competitions each year. Four applicants will be selected in each competition and the mini pupillages will take place over a two-week period, with two mini pupillages running each week. 12 ‘tier one’ mini pupils will therefore be taken annually.

**‘Tier One’ Mini Pupillages – Application Process and Criteria**

1. Applications for ‘tier one’ mini pupillages must be made on LHC’s application form, downloadable from the website, and sent to [LHC email address to be set up dealing specifically with MPs].
2. All application forms will be marked according to set criteria, ensuring that successful candidates comply with pre-determined competencies.
3. Application forms will be marked by members of the Mini Pupillage Committee out of a possible 20 points:
4. Intellectual ability - as demonstrated by the applicant’s academic record or through other achievements/employment which show a high level of intellectual ability.

And by demonstrating their competencies in relation to the following topics:

1. Interest in the law and in the life of a Barrister
2. Possessing and building knowledge
3. Working on your own
4. Working with others
5. Marks will be awarded as follows:
6. Competency not met
7. Partially met
8. Fully met
9. Exceeded
10. RARE software will be utilised in the application and up to five additional points will be added to a candidate’s score, one per RARE flag.

**‘Tier Two’ Mini Pupillages - Framework**

1. ‘Tier two’ mini pupillages are aimed at those at an earlier stage of their training. Applicants must be over 18. Applicants do not have to have commenced legal studies to apply, but successful applicants must evidence a genuine and strong interest in practicing law at the bar. These mini pupillages will last for up to two days. The hours are 9am to 5pm.
2. ‘Tier two’ mini pupillages will echo the traditional mini pupillage historically offered by LHC. They will be less intensive than ‘tier one’ mini pupillages and will not include any oral or written exercise in Chambers, but will include shadowing at Court, undertaking the activities described in paragraph 9 above. The mini pupil will be assigned by a member of the clerking team to a member of Chambers at least one week prior to the mini-pupillage commencing. The member of Chambers will be provided with a copy of the min-pupil’s application form.
3. LHC will run three ‘tier two’ mini pupillage competitions each year. Four applicants will be selected in each competition and the mini pupillages will take place over a two-week period, with two mini pupillages running each week. 12 ‘tier two’ mini pupils will therefore be taken annually.

**‘Tier Two’ Mini Pupillages – Application Process and Criteria**

1. Applications for ‘tier two’ mini pupillages must be made on LHC’s application form, downloadable from the website, and sent to [LHC email address to be set up dealing specifically with MPs].
2. All application forms will be marked according to set criteria, ensuring that successful candidates comply with pre-determined competencies.
3. Application forms will be marked by members of the Mini Pupillage Committee out of a possible 20 points based on the following criteria:
4. Intellectual ability (up to 10 points): may be demonstrated through the applicant’s academic record or through other achievements/employment which show a high level of intellectual ability.
5. Interest in the law and the life of a barrister: (up to 10 points): encompasses both commitment to practicing law and LHC’s areas of practice.
6. RARE software will be utilised in the application process and up to five additional points will be added to a candidate’s score – 1 point per RARE flag.

**Equality and Diversity Form**

1. All applicants will be requested to complete an Equality and Diversity Form. This form will be used solely for statistical purposes, to help Chambers’ Equality and Diversity Officer monitor equality and diversity in Chambers. All diversity data forms will be held confidentially and anonymously.

**Mini Pupillage Pack**

1. Chambers will maintain a mini pupillage pack (containing information on confidentiality obligations and our conduct policy). This will be available to download from the Chambers website and the mini pupil must download and review the pack prior to the commencement of the mini pupillage. The mini pupil must also download, sign and return the relevant forms to the designated member of the clerking team prior to the commencement of the mini pupillage.

**Financial Assistance**

1. It is Chambers position that no person should be unable to undertake a mini-pupillage due to a lack of finances. Chambers will make a financial contribution to assist a mini-pupil on a case-by-case basis. Mini-pupils are encouraged to discuss any hardship concerns with Chambers as part of the application process.
2. All expenses must be agreed in advance between Chambers and the mini-pupil, and receipts must be provided.

**Relevance of Performance / Assessment**

1. The performance of a mini pupil is not assessed. The oral / written advocacy assessment undertaken during the ‘tier one’ mini pupillage is solely for the benefit of the mini pupil who will be given feedback orally and, if requested, in writing.
2. Completion of a mini-pupillage with Chambers is not required as part of the application process for pupillage; a record of mini-pupils will be kept and any comments made by a mini-pupil supervisor will be reviewed if a former mini-pupil is invited for a first or second round pupillage interview -
3. The only relevance of a mini pupillage at LHC to a pupillage application is that it demonstrates commitment to and experience of life at the Bar.
4. However, there are limited circumstances in which conduct during mini pupillages 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:
5. Gave a lay client advice or breached confidentiality; and/or
6. Behaved in a manner which might reasonably be described as amounting to gross misconduct; and/or
7. Acted in a manner that could bring Chambers into disrepute.

**Expectations of Mini Pupils**

1. A mini pupillage provides the opportunity to learn via observation however there may be some cases that are not suitable for the mini-pupil to observe. These are cases likely to involve children and/or persons with physical and/or mental disabilities or involving the disclosure of sensitive personal information.
2. 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.
3. Mini Pupils are e­­xpected to:
4. **Attend:** mini pupils should attend chambers or elsewhere as instructed by the clerks, their mini pupil supervisor or the member of Chambers they will be accompanying. Mini pupils should be punctual.
5. **Follow instructions:** mini pupils should follow any instructions given by members or staff in connection with the mini pupillage; this may include reading papers, research, 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.
6. **Adhere to confidentiality:** mini pupils are required, before they begin the placement, to sign a confidentiality undertaking agreeing 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).
7. **Listen:** mini pupils are expected not to speak or contribute during any meeting, conference or hearing at which they are present. 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.
8. **Ask questions at appropriate times:** mini pupils should not interrupt Court 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.
9. **Dress Appropriately**: Barristers are required to wear business attire, which means smart dark office wear (black, grey or dark blue). Counsel may wear clothing as appropriate to their chosen gender or any gender. In general, clothing that is worn as a requirement or emblem of faith is permitted to be worn in Court, 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.
10. Chambers may in its discretion immediately terminate a mini pupillage if there is a failure to meet the expectations above.

**Confidentiality, Record Keeping and Destruction**

1. Responsibility for record keeping in relation to mini pupillages will lie with a designated member of the clerking team.
2. All mini pupils will be required to sign a confidentiality form.
3. 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.
4. The designated member of the clerking team will collate any records required by data protection rules (including the signed confidentiality agreement) and will also destroy any records in compliance with data protection rules.
5. Any documents that require a signature must be signed and returned to the clerking team for storage in Chambers prior to the mini pupillage commencing.
6. If any papers are provided to the mini pupil and/or any access provided to any digital materials, then the responsible member of the clerking team must ensure that such papers are retrieved from the participant at the end of the shadowing, and that any access to digital materials is withdrawn. The mini-pupil will 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.
7. The sifting / selection records will set out a scoring / evaluation element and will be maintained as part of the mini pupillage records stored in Chambers.
8. The designated member of the clerking team will ensure compliance with the Chambers’ GDPR policy.

**Personal Shadowing**

1. Members of Chambers may offer work experience within their own practice, including ‘shadowing’ at Court. However, due to the sensitivity of the work undertaken by members of Chambers, any such offer must only be made to a participant who is over the age of 18.
2. Personal shadowing offered by a member of Chambers personally is to be distinguished from LHC’s formal mini pupillage programme, detailed above.
3. The participant may only accompany the member of Chambers who has offered the shadowing opportunity. The member of Chambers offering the opportunity must not ask the clerking team, the mini pupillage committee or other members of Chambers to find appropriate work for the participant. The participant will stay with the member of Chambers who invited them throughout.
4. Shadowing must be offered personally by an individual member of Chambers. Chambers will not administer any application procedure for shadowing.
5. Chambers will not offer any assistance with funding for travel or subsistence.
6. Chambers operates a mini-pupillage programme with a competitive application process. No such application procedure applies to personal shadowing.  The member of Chambers offering the shadowing opportunity must therefore make absolutely clear to the participant that they are not undertaking a mini pupillage with Chambers, but a period of shadowing with the barrister personally. The participant must not suggest or imply in subsequent applications (whether for a formal mini pupillage or pupillage) that they have undertaken a mini pupillage at LHC. As Chambers will maintain a register of both shadowing and mini pupillage participants, such information will be checked. It will reflect negatively on an applicant if they seek to present a shadowing experience as a mini pupillage with Chambers.
7. Shadowing experience in Chambers should be declared if later applying for a mini pupillage.
8. Chambers will maintain a shadowing pack that can be obtained from the relevant clerk.
9. The member of Chambers offering the shadowing opportunity is personally responsible for the participant and is responsible for ensuring the following:
10. Prior to the shadowing commencing, the participant must be provided with a shadowing pack that contains information on confidentiality obligations; safeguarding; conduct policy; and the relevant parts of Chambers’ complaints procedure.
11. Any documents that require a signature, i.e. proof of receipt of the pack, signed confidentiality policies etc, must be signed and returned to the designated member of the clerking team for storage in Chambers prior to the shadowing.
12. Dates of the shadowing; its location, duration, and the name and contact details (telephone number and email) of the participant must be submitted to the shadowing register held in chambers.
13. If the member of Chambers offering the shadowing opportunity is made aware of any complaints by the participant, the member must communicate that complaint to the appropriate person in Chambers as per the Chambers complaints procedure.
14. If any papers are provided to the participant and/or any access provided any digital materials, then the member must ensure that such papers are retrieved from the participant at the end of the shadowing, and that any access to digital materials is withdrawn. The member will be personally responsible for any data breaches arising from any failure to comply with this obligation.
15. Ensuring that the participant is aware that personal shadowing of this type must not be described as a mini pupillage in later applications to Chambers.
16. Ensuring that the participant is aware that they must declare any shadowing experience if applying for a mini pupillage in Chambers.

**Mini Pupillage and Shadowing Register**

1. The designated member of the clerking team will maintain a register of ‘tier one’ and ‘tier two’ mini pupillage participants and of any person undertaking personal shadowing with a member of Chambers. The register will include the following information:
2. Dates of the mini pupillage / shadowing
3. Location of the mini pupillage / shadowing
4. Name and contact details (telephone number and email) of the participant.
5. In the case of mini pupillages, the name of the mini pupil supervisor and any member of Chambers who participated in the mini pupillage.
6. In the case of personal shadowing, the name of the member of Chambers with whom the shadowing was undertaken.