

The logo consists of a dark purple square with the white text "7KBW" centered inside it.

7KBW

PUPILLAGES AT 7 KING'S BENCH WALK

POLICY AND PRACTICE

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Introduction

OUR POLICY

This document summarises 7 King’s Bench Walk’s policy and practice in relation to the recruitment of pupils and new tenants. It is to be distributed to all members of the Pupillage Committee, pupil supervisors and pupil assessors, to all pupils at the beginning of their pupillage, and to any candidate who requests a copy. It is to be read in conjunction with section D1 of the Code of Conduct and the BSB’s Supporting Information on the BSB Handbook Equality Rules.

This document and a summary of the information contained in this document appears on Chambers’ website at www.7kbw.co.uk.

OUR VIEW OF PUPILLAGE

At 7 King’s Bench Walk, we recognise that pupillage is a critical first stage of a barrister’s career. Above all, it is an opportunity to develop the skills the pupil will use throughout his or her practice and to observe others putting those skills into practice. It is also a time for the pupil to get to know the individuals who make up Chambers and to decide whether he or she wants to build his or her career amongst them. Ultimately, pupillage offers the chance to put developing skills into practice and, hopefully, to secure a tenancy.

We do not embrace the old-fashioned perception of pupillage as a year-long interview. While securing a tenancy is an important aim for our pupils, we believe that the emphasis of a pupillage at 7 King’s Bench Walk should be on the pupil’s development as a barrister. Our pupillages are designed to achieve this goal, while at the same time providing a fair and structured approach to the assessment of every pupil.

EQUALITY AND DIVERSITY

7KBW is committed to the fair recruitment of the best candidates from the widest possible pool of talent.

As part of this commitment, Chambers participates in a number of schemes designed to expand opportunities for students from under-represented groups to experience life in Chambers, including the Pegasus Access and Support Scheme (PASS), 10,000 Black Interns, BDABar (Bringing [Dis]Ability to the Bar) and the Commercial Bar Association Social Mobility Mentoring Scheme. Chambers also participates in the Bridging the Bar mini-pupillage scheme and works with The 93% Club, the UK’s largest network of state-educated university students. The promotion of equality and diversity is a central consideration in the design and

implementation of our recruitment processes. In particular, we use the same objective and fair criteria for all candidates, assessing candidates solely on merit, irrespective of race (including colour, nationality, citizenship and ethnic or national origin), sex, sexual orientation, gender reassignment, pregnancy/maternity, marital status or civil partnership, age, religion, belief (including political persuasion) or disability. We regularly review our application process to assess whether it is consistent with equal treatment of all candidates.

Concerning disability, we will make reasonable adjustments to the application process for pupillage and tenancy for disabled applicants.

As part of our commitment to the promotion of equality and diversity, we use background information provided by candidates, obtained and analysed through the [Rare Contextual Recruitment system](#), in our assessment process. This enables us to take account of the background and circumstances of each candidate in considering the extent to which that candidate fulfils the criteria for selection.

Vacancies for pupillage will be advertised on the Pupillage Gateway save, exceptionally, in circumstances where the Pupillage Funding and Advertising Rules in the Code of Conduct do not apply. All such advertisements will include the information required by BSB Bar Qualification Manual. The Pupillage Secretary and Equality and Diversity Officers will maintain a record of the number of applications received and the stage of the application process they reached. This information will be reviewed periodically by the Equality and Diversity Officers, by the Equality, Diversity and Inclusion Sub-Committee of the Pupillage Committee, and by the Head of the Pupillage Committee, who is Chambers' Director of Pupil Training and has overall responsibility for pupillage. The reasons for any disparities in the data will be investigated and appropriate remedial action will be considered if it appears that this information may suggest an inequality in the application procedure or its implementation, or disadvantage experienced by particular relevant groups.

All members of our selection panels are trained in fair recruitment and selection processes.

At the application stage

OUR WORK

A great strength of 7 King's Bench Walk is that every member of Chambers practises in the field of commercial law. This provides a unique concentration of expertise, as well as a coherent and supportive working environment.

Chambers' work remains highly varied. Commercial law covers everything from small-scale contractual disputes to complex multi-jurisdictional disputes in areas such as international trade, energy, insurance, banking, financial services, professional negligence, fraud, commodities and shipping. Cases are mostly London-based, typically in the Commercial Court or appellate courts, or in arbitration. But most of Chambers' work has a strong international element, involving jurisdiction disputes; clients, facts and contracts from around the world; or, often, the consideration of foreign law alongside English law principles. Members also appear regularly in other jurisdictions such as Dubai, Abu Dhabi, Singapore, Hong Kong, BVI, Cayman Islands and Bermuda.

For most of us, the primary appeal of commercial work is that it is intellectually demanding and stimulating, and covers a wide and varied range of subject matters. Our work involves absorbing and understanding large quantities of factual and technical information; analysing and researching the complex legal and commercial issues which arise; and developing, advising on, and applying arguments and strategies in the interests of our clients. Being a good commercial lawyer requires strong intellectual and analytical abilities, as well as common sense and sound judgement.

One of the questions most commonly asked by applicants is what work new junior members of Chambers can expect to undertake. There is no single 'mould' for the practice of new tenants at 7KBW, but the one constant is that the work is diverse. Typically, junior tenants divide their time between advising and representing clients on their own in smaller cases and working as junior to more senior members of Chambers in large and complex disputes. The nature of commercial work is such that opportunities for oral advocacy are less frequent during the early years of practice than in many other branches of the law. However, advocacy remains an important element of our work and we encourage our junior members to appear in county courts, in arbitrations and in suitable High Court hearings whenever they can. The opportunities to appear as an advocate in commercial cases increase rapidly after a few years in practice.

OUR MEMBERS

One of the most important, but also most difficult, factors for a candidate to assess when applying for pupillage is whether he or she would be happy working in a particular set of Chambers. 7KBW distinguishes itself by its supportive and inclusive atmosphere. The working environment in Chambers is relaxed and collegiate, backed up by an exceptionally friendly and efficient clerking team. Members often work together in teams on large cases, building relationships between members at all levels of experience. Chambers prides itself on the approachability, as well as the professionalism, of its members. Whilst we have a strong contingent of KCs (22 out of 70 current members), we are a relatively young and dynamic set.

Pupillage is Chambers' key channel for recruitment. Members of Chambers have come to pupillage and the Bar through a variety of routes. Many of our members are non-law graduates, a number are former solicitors and some are practitioners qualified in other jurisdictions. On leaving Chambers, many of our members have become judges, including Lord Denning, Lord Brandon, Lord Goff, Lord Hobhouse, and Lord Mance. Four former members of Chambers currently sit as judges in the Commercial Court (Mr Justice Butcher, Mr Justice Picken, Mrs Justice Dias, and Mr Justice Bright). There is no single model for a member of 7KBW and we welcome applicants of high calibre from any background.

If you are interested in a career at 7KBW, we recommend that you spend time in Chambers to gauge the atmosphere for yourself. Details of how to apply for a mini-pupillage appear in the Mini-Pupillage section. We also encourage applicants to whom we make an offer of pupillage to spend a day in Chambers before deciding whether to accept our offer to assist them in making an informed choice. Doing a mini-pupillage at 7KBW is not a pre-requisite for an application for pupillage, and any mini-pupillage that is done will form no part of the assessment process on an application for pupillage. It is, however, an excellent way to learn more about Chambers and the work we do.

SELECTION CRITERIA

Chambers is looking for high-quality candidates with real potential to succeed at the commercial Bar, regardless of background.

We do not require applicants to have any knowledge of commercial law when they apply to us and we recognise that many, in particular non-law graduates, will not have had an opportunity to study the areas of law in which we practise. We do, however, expect applicants to have the strong analytical and intellectual abilities that are necessary to meet the demands of commercial practice. For this reason, we do not interview candidates who do not have a first or a good upper second class degree, save in very exceptional circumstances.

It is also important that our pupils have the potential to become good advocates. For this

reason, we ask applicants who are invited to a second-round interview to prepare and present a short advocacy exercise.

Applicants are assessed by reference to the following criteria:

A. Intellectual ability

- Excellent graduate or post-graduate achievement
- Other academic achievement or recognition
- Non-academic (e.g. professional) evidence of intellectual ability
- Exceptional achievement in challenging circumstances

B. Analytical ability

- Ability to process and absorb information from extensive material
- Ability to identify salient issues from complex information
- Ability to identify helpful material and dealing with unhelpful material
- Depth and consistency of analysis
- Attention to detail

C. Advocacy

- Excellence in written analysis and presentation
- Oral advocacy proficiency
- Clarity of expression
- Effective and persuasive advocacy
- Resilience and responsiveness

D. Temperament and interpersonal skills

- Commitment to and capacity for hard work
- Ability to perform under pressure
- Ability to work alone and as part of a team
- Understanding of the needs and concerns of others

E. Commitment to the Commercial Bar and 7KBW

- Interest in and drive to succeed at the Commercial Bar and 7KBW in particular
- Potential to contribute to 7KBW more generally (e.g. talks, seminars, marketing)

HOW TO APPLY

Application

7 King's Bench Walk is a member of the Pupillage Gateway scheme. The application procedure is therefore as prescribed by the Pupillage Gateway system, by way of completion of an online application form. If an applicant is by reason of any disability unable to apply through the Pupillage Gateway system in the ordinary way, he or she should contact the Pupillage Secretary, and an alternative but (so far as practicable) equivalent method of applying will be identified which is the most suitable for the applicant and for Chambers. Please see the links set out at the end of this document and the 7KBW website for further details of how to apply.

References

Applicants will be asked to procure two references to be sent to Chambers in support of their application. We would prefer the references to be academic and/or professional, but will accept one personal reference if two academic/ professional references cannot be provided for any reason. The applicant will be sent a copy of the selection criteria to provide to his or her referees, and will be asked to invite the referees to have regard to the selection criteria when writing their references.

Short-listing for interview

Each application for pupillage will be assessed by a member of the Pupillage Committee to determine whether the applicant should be invited for a first-round interview. The assessor will consider the candidate's application by reference to the selection criteria identified above. In addition, the assessor will have regard to contextual recruitment data. For more information about this data, please see Rare's website or the Bar Council website. If an applicant has been interviewed by Chambers in a previous pupillage application process, this may be taken account in assessing his or her application.

There will be several assessors due to the number of applications received by Chambers.

In the event that the number of applicants who have been assessed by the assessors as meeting the standard for interview exceeds the number of first-round interview spaces available then the final decision as to whether to invite any particular applicant for a first-round interview will be taken by the Head of the Pupillage Committee, in consultation with the assessors as necessary.

The first-round interview

Two rounds of interview are held. Not all applicants will be interviewed; rather only those who have been shortlisted for interview upon review of the application forms and references. Chambers will make any reasonable adjustment required to ensure that a disabled applicant is not substantially disadvantaged at interview. The communication inviting an applicant for interview will include a question as to whether the applicant may need any special arrangements to be made for the interview.

There will be several interview panels, each consisting of two members of the Pupillage Committee. The interviewing panels will not include any relative or close friend of any of the applicants invited for interview.

The first-round interview will be short (c.10 minutes). The interview will be based around a legal problem which is provided to candidates shortly before the interview. The problem is not intended to focus on legal knowledge, but instead is designed to allow candidates to demonstrate their aptitude for the Bar regardless of the stage of their legal education. If time permits, there may be some further general questions after the discussion of the problem.

The first-round interview is conducted remotely using a videoconferencing program such as Microsoft Teams. The problem is provided electronically to candidates shortly before the commencement of the interview.

Chambers' policy is that the use of artificial intelligence (AI) tools in considering the interview problem and preparing for interview is prohibited. Any candidates identified as having used such tools will be disqualified from the interview process.

The structure of first-round interview is designed to allow Chambers to offer first-round interviews to the maximum number of applicants possible at this stage. Typically, we hope to offer around 60-65 first-round interview offers.

Each interviewer will independently assess the performance of each of the candidates they interview at the first round by reference to the selection criteria identified above and mark the performance of each of the candidates. In addition, the assessors may have regard to contextual recruitment data provided by Rare.

The marks of each interview panel are submitted to the Head of the Pupillage Committee, who then draws up a shortlist of the best-performing candidates at the first-round interview stage. Any moderation of marking between the interview panels which is necessary is conducted by the Head of the Pupillage Committee in consultation with the interview panels.

The best performing candidates at the first-round interview stage are then invited to a second-round interview.

The second-round interview

Second-round interviews are conducted in person at 7 King's Bench Walk.

The second-round interviews consist of a short advocacy exercise and a broader discussion of the candidate's application and achievements. The advocacy exercise will involve prior analysis of a judgment and submission of a short skeleton argument. Candidates will be advised of the details of the exercise approximately a week in advance of the interview itself.

Interviews will be conducted by three or four members of the Pupillage Committee comprising members of Chambers of varying levels of seniority and, as far as practicable, including members of Chambers of different age, gender, and social, racial or cultural background. The interviewing panel will not include any relative or close friend of any of the applicants invited for interview. Applicants are assessed on the basis of the selection criteria set out above, which will be provided to all applicants invited for interview. In addition, the interviewers may have regard to contextual recruitment data provided by Rare. Each member of the interviewing panel will, immediately following the interview and independently of any of the other members, record his or her assessment on an interview assessment form. The assessment forms are then collated and a consensus decision arrived at.

Questions based on the protected characteristics of an individual (such as race, age or gender) will not be asked, nor will personal questions relating to health, family and personal background.

Chambers will make any reasonable adjustment required to ensure that a disabled applicant is not substantially disadvantaged at interview. The communication inviting an applicant for interview will include a question as to whether the applicant may need any special arrangements to be made for the interview.

It is intended that all interviews should take place as near in time to each other as is practicable.

Offers will be made in accordance with the Pupillage Gateway timetable and in accordance with the rules stipulated by the Bar Council applying at the time.

Records will be maintained of each application, including all assessments made during the application process, for at least five years.

Blank copies of the application forms used for the assessment of the written applications and for the interview assessments are available on request.

Pupillages offered

TYPES OF PUPILLAGE

We offer funded 12-month pupillages to those successful applicants who intend to seek a tenancy at 7 King's Bench Walk.

Exceptionally, and subject to obtaining any waiver that may be required of the advertising requirement in the Pupillage Funding and Advertising Rules (where they apply), we may be prepared to offer a third six-month pupillage to a pupil who has completed, or is about to complete, a 12-month pupillage elsewhere.

In such cases, the criteria for selection are the same as set out above, but are more stringently applied. We also take account of Chambers' recent recruitment from among its pupils and the extent to which further recruitment is desirable. The procedure for application for a third six-month pupillage is the same as for funded twelve-month pupillages, save that such applications usually cannot be made through Pupillage Gateway, but should instead be made by covering letter accompanied by a CV and two academic and/or professional references addressing the selection criteria outlined above. The application will be subject to assessment, followed (where appropriate) by invitation to interview. A sub-committee of the Pupillage Committee, consisting of not fewer than three members of the Committee, will determine what form the interview should take and in particular whether it should involve an advocacy exercise. It will be for the Pupillage Committee to fix the appropriate length of pupillage to be performed (bearing in mind any requirements of the Bar Standards Board) and the pupillage award, if any.

NUMBER OF PUPILLAGES

A maximum of three funded 12-month pupillages per year are available to applicants who intend to seek a tenancy at 7 King's Bench Walk.

Chambers accepts deferred applications, but only in exceptional circumstances.

REMUNERATION AVAILABLE TO PUPILS

Pupillage awards of £90,000 are available. Such awards may be supplemented by any fees earned during the second six months of pupillage. Pupils should not expect to undertake any paid work of their own during the first or second six months of pupillage until tenancy decisions are taken, but it is usually the case that pupils taken on as tenants undertake paid work of their own following the tenancy decision. Any travelling expenses incurred by a pupil during pupillage, other than the cost of travelling to and from Chambers each day, will be reimbursed by Chambers.¹

Pupillage awards are payable in tranches at the beginning of each month of pupillage. £55,000 is paid in the first six months (less any advances paid – see below) and the balance in the second six months. In the event of a pupil leaving Chambers, the balance of any award will not be paid.

We are willing to advance a proportion of the pupillage award (up to £30,000) on an interest-free basis for use during the year preceding pupillage, on condition that the advance will be repaid if the pupil does not pass the Bar exams or complete his or her pupillage. Insofar as the pupil takes any advance(s) of the award, the amount advanced will be recouped by deduction from the award payable in the first six months of pupillage.

¹ Unless the pupil is instructed on the relevant case and the expenses are funded by the relevant client.

Training and the administration of pupillage

PATTERN OF PUPILLAGE AND THE PUPIL SUPERVISORS

A pupil will sit with four different supervisors during pupillage and will be involved in every aspect of their respective practices. Generally, pupils will sit with three different supervisors prior to the tenancy decision, which is made towards the end of June, before moving to a fourth supervisor for the remainder of the pupillage year.

Chambers generally seeks to appoint pupil supervisors whose level of experience is well in excess of the acceptable minimum, and most supervisors will not be less than 10 years' call. Whatever the supervisor's level of call, Chambers ensures that all pupil supervisors meet the minimum requirements imposed by the BSB from time to time and have received the requisite training. Chambers maintains a central record of all training received by pupil supervisors to ensure that they are compliant with these requirements.

In the event that a pupil's supervisor is absent or unavailable for a period of time and it is considered that there is a risk that the pupil will, in the result, be prejudiced in his or her training and/or ability to demonstrate the achievement of the BSB's competences, arrangements will be made for the appointment of an alternative supervisor.

Each pupil supervisor is there to help the pupil to learn and to produce his or her best work whilst in Chambers, through ongoing supervision and feedback. It is also important that pupils do work for members of Chambers other than their supervisors, so that an informed decision can be made about tenancy. However, the pupil supervisor acts as a gateway, to ensure that demands on the pupil are kept within reasonable bounds and that the pupil is not asked to do work without sufficient time to do it properly. We also have active pastoral support for pupils, which remains entirely separate from the assessment process. Chambers wants pupils to succeed and pupillage is approached with that goal.

Pupils will be judged only on ability and their potential as commercial barristers. We do not set quotas for new tenants each year and there is no competition among pupils for a predetermined number of tenancies. Our aim is for as many of our pupils as possible to succeed and to join Chambers as junior tenants.

YOUR WORK

Chambers' practice areas are exclusively commercial, and this will be reflected in the work undertaken by pupils. Within the realm of commercial law, however, there is significant variety and we endeavour to enable each pupil to experience this in the course pupillage at 7KBW.

7KBW places particular emphasis during pupillage on training pupils to become effective commercial barristers. To this end, the work of a pupil is diverse. A significant component will be helping in the preparation of trials and applications and attending Court and arbitrations with your pupil supervisor. You will have the opportunity to see the preparation, in which you will have played a part, put into practice, as well as to observe live advocacy. Your work as a pupil will also include drafting statements of case, researching the law, writing opinions and attending conferences, where advice is given and cases are discussed with solicitors, clients and expert witnesses. These are all skills a barrister at 7KBW can expect to use throughout his or her practice, so Chambers takes care to ensure that pupils have the opportunity to develop them during pupillage, with regular feedback on and discussions of their own work and exposure to the work of established members of Chambers.

THE BSB'S PROFESSIONAL STATEMENT COMPETENCES

In assigning work to pupils, Chambers' aim is to foster and to assess the skills a commercial barrister would need to use throughout his or her practice, in accordance with the BSB's Professional Statement Competences. The Professional Statement Competences are set out in the Appendix: Competences to this Pupillage Policy, along with a statement on a competence-by-competence basis of how the pupillage provided by Chambers is designed to ensure these competences can be met.

Pupils are required to keep their progress against these competences under review during pupillage, in dialogue with their pupil supervisors, who do the same. Pupil Supervisors have the primary responsibility for assessing the progress of pupils against these competences, both at the end of the non-practising stage of pupillage (at six months) and at the end of the practising stage of pupillage (at 12 months). Pupil supervisors are asked to keep the commentary in the Appendix: Competences in mind.

The Pupillage Committee has overall oversight of the pupils' progress and, while they are less well placed than individual supervisors to provide detailed assessment of individual competences, they will provide input and assessment to the extent that they can based upon the assessment forms provided to them by members of chambers (for example, if an assessment form highlights a weakness in a particular area).

The appraisal of professional competences is complemented by the procedures which are in place for making the decision as to tenancy, which are set out below, and involve the independent appraisal of the pupil by reference to objective criteria by all members of Chambers for whom they have completed a sufficient quantity of work to enable an assessment.

If the pupil ceases to be a pupil in Chambers for whatever reason, Chambers will provide him or her upon request with copies of the training records that apply to the period of pupillage completed in Chambers which record the extent to which he or she has demonstrated the achievement of the competences set out in the BSB's Professional Statement during the period of his or her training in Chambers

MONITORING OF PUPILLAGE

Pupils will be assessed by their pupil supervisors, who will provide the pupil with feedback at the end of each individual seat and during the course of that seat.

In addition, pupils will be asked to do several pieces of work for named pupil assessors during the last three months of their first six months of pupillage and during their second six months of pupillage. A pupil may also do work for other members of Chambers during this period, if time permits. The allocation of such work is monitored by the pupil supervisors. Pupils should receive feedback from all those for whom they complete work.

Pupil supervisors, pupil assessors and any other members of Chambers for whom a pupil works are required to complete an assessment form. These forms are collected by the Pupillage Administrators, for review by the Pupillage Committee. They are confidential and are not shown to pupils. They are not generally shown to other pupil supervisors or any member of Chambers other than members of the Pupillage Committee, except when (i) a Decision as to Tenancy is being made and it is reasonably necessary for that purpose to share the assessment forms with members of Chambers who are not on the Pupillage Committee, or (ii) apprising a pupil's current supervisor of the contents of a particular assessment form will facilitate targeted training in response to an identified weakness.

The assessment forms will form the basis of a discussion with each pupil of his or her performance and progress at a meeting with the Head of the Pupillage Committee at the six-month stage (see below). Pupils will also be given an opportunity at these meetings (and, if they wish, at any other stage during pupillage) to raise any questions they may have about their pupillage and to ask for feedback on the progress of their pupillage.

All 12-month pupils will be asked to carry out two to three advocacy exercises during the course of their pupillage year, including at least one prior to the six-month review (see below) and another prior to the Decision as to Tenancy. These exercises will be organised by the

Pupillage Administrators and assessed by a panel of two or three members of Chambers. The panel's assessments are reported in writing to the Pupillage Committee. They are afforded the same confidentiality as pupil assessment forms. Pupils will also be given feedback on their performance and, where appropriate, suggestions for improvement by the panel.

SIX MONTH REVIEW

Pupillages are for 12 months. We review the progress of pupils at the six-month stage of pupillage (usually March of the relevant year), including against the Professional Statement Competences. The review is undertaken by the Pupillage Committee on the basis of the views expressed by members of Chambers for whom the pupil has worked. Pupils will meet the Head of the Pupillage Committee to discuss their progress up to the six-month stage. This provides an opportunity for the Head of the Pupillage Committee to identify any areas for improvement and for the pupil to ask any questions or raise any concerns about the pupillage process.

No decision as to tenancy prospects is taken at the six-month review, but we will let a pupil know in the rare case that we think, on the basis of assessments to that date, he or she does not have a realistic prospect of securing a tenancy at the end of pupillage at 7KBW. In those circumstances, we will be happy for the pupil to complete his or her pupillage with us, but if the pupil concerned decides that he or she would prefer to pursue opportunities at another set of Chambers we will do whatever we can to assist. In this way, the pupil concerned should be able to maximise his or her chances of obtaining a second or third six-month pupillage elsewhere, if he or she so chooses.

YOUR DUTIES AND THE DUTIES OF CHAMBERS

The duties of a pupil, and of Chambers, are set out in Part 4 of the Bar Qualification Manual issued by the Bar Standards Board and available at www.barstandardsboard.org.uk. Please note that references to the "AETO" (i.e. Authorised Education and Training Organisations) in the Bar Qualification Manual are references to Chambers.

Section 4J of the Bar Qualification Manual explains the relevance of the competences in the Professional Statement for Barristers (also available on the Bar Standards Board's website), to which reference is made above and in the Appendix: Competences.

COMPULSORY COURSES OUTSIDE CHAMBERS DURING PUPILLAGE

Pupils must undertake a course in advocacy provided by an approved provider of compulsory barrister training during pupillage (eg Inn, Circuit or other approved provider). This course must be passed before the pupil is awarded their Provisional Practising Certificate. Accordingly, the course must be successfully completed in order to complete the non-practising period of pupillage.

In addition, pupils must sit a compulsory professional ethics examination which the pupil must pass prior to completing pupillage.

The BSB expects to introduce a new negotiation course, which will also need to be completed during pupillage.

It is the pupil's responsibility to book and to complete successfully any required training. Training/courses which are mandated by the BSB will be funded by Chambers. Chambers may also be willing to fund any optional courses for pupils, but only with the prior agreement of Chambers.

HOLIDAY ENTITLEMENT

In accordance with the Bar Standards Board's current guidance, you are entitled to four weeks of leave during the 12 months of your pupillage (in addition to any bank holidays that fall within the period of pupillage). Except with special permission given by the Head of the Pupillage Committee, no more than two weeks' leave may be taken prior to the Decision as to Tenancy, which is usually taken in the second half of June.

If your pupillage at 7KBW is shorter than 12 months, the above provisions will apply on a *pro rata* basis (e.g., if your pupillage is for 6 months, you will be entitled to two weeks' leave, with one of those weeks to be taken after the Decision as to Tenancy).

In special cases, these Holiday Entitlement provisions may be relaxed by the Head of the Pupillage Committee, provided always that the relevant pupil spends the minimum amount of time in Chambers required for the issue of a Certificate of Satisfactory Completion of Pupillage.

SICKNESS AND ABSENCE FROM PUPILLAGE

In the event that the pupil requires a leave of absence from pupillage (for example due to illness or other extenuating circumstances), Chambers may in its absolute discretion consider whether it is appropriate to defer or extend the period of pupillage to enable the pupil to complete their training (with the duration of any permitted extension reflecting the period necessary to enable the pupil to demonstrate competence rather than the period of absence); and Chambers will notify the BSB as required.

TERMINATION OF PUPILLAGE

Chambers is entitled to withdraw the pupillage prior to its commencement and to terminate the pupillage during the pupillage year with immediate effect at any time if:

- 1) The pupil commits a serious breach of the BSB Handbook;
- 2) The pupil is guilty of a serious or persistent breach of Chambers' policies, procedures or codes of conduct applicable to him or her;
- 3) The pupil is convicted of a criminal offence (other than an offence under any road traffic legislation in the UK or elsewhere for which a fine or non-custodial penalty is imposed);
- 4) The pupil fails to meet the minimum attendance or other regulatory requirements of the BSB for commencing or completing the non-practising or practising periods of the pupil's pupillage training;
- 5) During the practising period of the pupillage, the pupil ceases to hold a valid practising certificate;
- 6) The pupil's actions or omissions (whether or not in the course of the pupillage) bring or are such as to risk bringing the name or reputation of Chambers or its members into disrepute or to prejudice the interest of Chambers;
- 7) The pupil's immigration status means he or she ceases to be eligible to undertake or complete the pupillage.

Chambers reserves the right to seek repayment from the pupil of such part of the Award as may have already been paid in the case of withdrawal of the pupillage prior to its commencement or termination of the pupillage during the pupillage year, on one or more of the above grounds.

The decision to withdraw or terminate a pupillage will be taken by Chambers as a whole, based on a recommendation from the Pupillage Committee. The pupil will have the right to appeal the decision to the Head of Chambers. The grounds of appeal should be set out in writing within 14 days of the pupil being notified of the decision to withdraw or terminate the pupillage, and a final decision will be taken by the Head of Chambers within a further seven days.

TENANCY

Save with regard to established practitioners, we offer tenancies only to those who have been pupils at 7KBW.

DECISION AS TO TENANCY

The decision whether to offer a pupil a tenancy is made by Chambers as a whole, although the Pupillage Committee will make a recommendation on the basis of the assessments provided by members of Chambers for/with whom the pupil has worked. No single member of Chambers is permitted to veto a decision and if any members wish to challenge a recommendation of the selection committee this should be done by reference to the selection criteria and on grounds that are substantiated. The recommendations of the Pupillage Committee are deemed to be accepted by Chambers after the period for objection identified by the Head of the Pupillage Committee in notifying Chambers of those recommendations unless at least 5% of the current members of Chambers object. In the event of such objection, a Chambers meeting will be held to discuss the relevant pupil's tenancy application and to determine whether a tenancy should be offered.

The Pupillage Committee, in determining its recommendation, will do so by reference to the selection criteria set out above, on the basis of the following material:

- assessment forms from pupil supervisors;
- assessment forms from pupil assessors;
- assessment forms from other members of Chambers for whom the pupil has done work (if any);
- reports from the panel(s) before whom any advocacy exercise(s) involving the pupil have been conducted.

The Pupillage Committee convened to consider the recommendation to be made in respect of any pupil will include at least 5 members, including the Head of the Pupillage Committee, and, as far as possible, including members of Chambers of different age, gender, and social, racial or cultural background. The panel will not include any relative or close friend of any of the candidates.

Decisions as to Tenancy are made as early as possible in order to allow the maximum opportunity for any unsuccessful pupil to complete his or her second six months elsewhere, if he or she so desires, or to secure a third six-month pupillage elsewhere. The decisions are normally made and communicated to pupils towards the end of June of the relevant year.

AFTER THE TENANCY DECISION

Successful candidates can expect to undertake some work of their own, under the guidance of their last pupil supervisor, during the remainder of their pupillage year.

A pupil's earnings, once taken on, will depend largely upon the amount of work they undertake. Recent experience suggests, however, that new tenants are able to earn as much as, if not more than, the salary of a trainee or assistant solicitor in a commercial firm. New tenants are not required to make more than a nominal contribution towards Chambers' expenses until their income is such that they can genuinely afford to do so.

New tenants will be asked to nominate one of their pupil supervisors to act as a mentor in the first two or three years of practice. Mentors will be available to offer advice and guidance to new tenants about any issue that might arise in connection with their practice.

Pupils who have not been offered a tenancy are normally welcome to complete their pupillage in Chambers. In practice, however, it will usually be in their best interests to try to secure a second or third six months' pupillage elsewhere. We do all we can to assist such pupils to find a place in another set of Chambers and, to date, we have been generally successful in relocating our former pupils, most of whom have gone on to obtain tenancies elsewhere.

HEAD OF THE PUPILLAGE COMMITTEE

A senior member of Chambers who is also a member of the Pupillage Committee is appointed as the Head of the Pupillage Committee, currently James Brocklebank KC.

PUPILLAGE SECRETARY

A member of Chambers who is also a member of the Pupillage Committee is appointed as Pupillage Secretary, currently Dave Barnard. All applications for pupillage and queries concerning applications for pupillage should be addressed to her by email to pupillage@7kbw.co.uk or by telephone.

PUPILLAGE ADMINISTRATORS

One or two members of Chambers who are also members of the Pupillage Committee are appointed as Pupillage Liaison Officer, currently Douglas Grant. The function of the Pupillage Liaison Officer is to ensure the smooth administration of pupillage (including the assessment procedures described above) and the fulfilment of the Bar Standards Board's administrative requirements (such as the registration of pupillages). Pupils are encouraged to contact Doug with any questions about these matters.

PUPILLAGE WELFARE REPRESENTATIVES

Two junior members of Chambers are appointed as Pupillage Welfare Representatives, currently **Julia Gibbon** and **Patrick Devine**.

The Pupillage Welfare Representatives will provide pupils with an induction on the first morning they arrive into Chambers, which will cover among other things their own role (see below), the basic outline of the pupillage year, and an introduction to key individuals in Chambers, such as the Head of the Pupillage Committee (if available) and the senior and junior clerks. They will also introduce the pupils to this Pupillage Policy and the Appendix: Competences.

Thereafter the function of the Welfare Representatives is to monitor pupils' progress informally and to offer guidance and an independent avenue for raising any grievances, problems or other questions which pupils may have. Any concerns raised with the Pupillage Welfare Representatives shall (insofar as is possible and desirable) be kept confidential. The Pupillage Welfare Representatives are not members of the Pupillage Committee and, accordingly, do not participate in any decisions of the Pupillage Committee on pupils' applications for tenancy. They also will not complete assessment forms in respect of the pupils.

MINI PUPILLAGE SECRETARY AND COMMITTEE

A member of Chambers is appointed Mini-Pupillage Secretary, currently **Ralph Morley**. The other members of the Mini-Pupillage Committee are **Henry Ashwell**, **Rebecca Jacobs** and **Emma Franklin**.

If things go wrong

GRIEVANCE PROCEDURES

If any pupil has a question about the organisation or progress of his or her pupillage, or a grievance, he or she is encouraged to refer the matter either to his or her current pupil supervisor or, if the pupil is at all apprehensive about discussing the matter with his or her pupil supervisor, to one or both of the Pupillage Welfare Representatives (**Julia Gibbon** and **Patrick Devine**: see above), or to one or more of the members of the Equality and Diversity Committee (currently **Jawdat Khurshid KC**, **John Bignall**, **Jessica Sutherland**, **Andrew Pearson**, **Henry Ashwell** and **Sophie Hepburn**).

If resolution of the complaint through this discussion is not possible, the pupil should set out the complaint in writing to the Pupillage Welfare Representatives for investigation.

The complaint will (insofar as it is possible and desirable) be kept confidential, and no complainant will suffer detriment as a result of a complaint made in good faith.

Pupils' attention is drawn to Chambers' Grievance Procedures, a copy of which is attached hereto. All pupils are provided with copies of the current version of Chambers' Equality and Diversity Policy and Grievance Procedures.

HARASSMENT

Harassment is any form of unwanted conduct relating to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation which has the aim or effect of violating a person's dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment for that person or a witness to the conduct; or where a person engages in unwanted conduct of a sexual nature which has such aim or effect; or where a person engages in unwanted conduct of a sexual nature (or related to gender reassignment or sex) which has such aim or effect and - because the recipient rejected or submitted to that conduct - treats the recipient less favourably than if they had not rejected or submitted to it. All such conduct is impermissible. Chambers' Policy on Harassment is available on the website. In the event of harassment, a pupil should adopt the grievance procedures referred to above. Avenues for redress for individuals suffering harassment are also set out in the Supporting Information to the BSB Handbook Equality Rules, which is available from the Bar Standards Board.

Mini-pupillages

For individuals interested in acquiring further experience of the Commercial Bar and Chambers in particular, 7KBW offers mini-pupillages of one day's duration.

A mini-pupil typically spends time with two different members of Chambers of different levels of seniority (usually, a more junior member and a senior junior or KC) looking at papers and doing legal research and/or attending court, arbitration hearings or conferences. A mini-pupil will also typically have an opportunity to speak to a senior clerk. Mini-pupillages provide a good opportunity for candidates intending to apply for pupillage to get a better idea of the practice areas and people of 7KBW. Mini-pupillages do not include any formal assessments and completion of a mini-pupillage is not a prerequisite for applying for pupillage, but it is strongly encouraged.

Successful applicants may also elect to undertake a mini-pupillage virtually (speaking to members of Chambers and clerks remotely) by arrangement with the mini-pupillage committee, although 7KBW encourages mini-pupils to come in person wherever possible.

We will pay up to £250 towards the mini-pupil's reasonable travel and accommodation expenses within the United Kingdom. Chambers may, in its sole discretion, reimburse expenses in excess of that sum if an applicant would otherwise lack the means to attend.

There are typically three rounds of mini-pupillages each year. The dates these rounds close are published in the mini-pupillage section of Chambers' website. Each round opens immediately after the preceding round closes.

To apply please send us the following:

- 1) A **completed application form** ([click here to download the editable pdf form](#)). This form includes the facility to give details of your results in any UK degree course examinations undertaken to date (broken down by subject, indicating percentage marks); if you cannot submit those details via the application form (for example, because you studied in a system that does not use UK degree classifications), please include them in your CV. The form includes optional contextual recruitment questions. These enables us to take into account a candidate's background and circumstances, where relevant, in the assessment of that candidate against the selection criteria. Our policy is to award mini-pupillages solely on merit.
- 2) A **cover letter** (PDF or Word format). The covering letter should express the reasons for your interest in the Commercial Bar in general and in 7KBW in particular. It is also your opportunity to draw out relevant skills, experiences and abilities. A good cover letter for a mini-pupillage application is rarely longer than a page.

3) **Your CV** (PDF or Word format).

Please send the above in one email to Mini-Pupillage@7kbw.co.uk. Please would you INCLUDE YOUR FULL NAME in the file name of all three files – this makes it easier for us to manage the application process.

Applications should be received by the Mini-Pupillage Committee at the above address by 23:59 UK time on the day stated above as the deadline for the relevant application period. Applications received after that deadline will not be considered for that period.

7KBW assesses applications against the pupillage selection criteria set out above and on Chambers' website.

Decisions regarding applications will be communicated as soon as possible following the end of each application period. The decision of the mini-pupillage committee is final. The committee is unable to provide feedback.

If an application for a mini-pupillage is not successful, this will have no impact on any application that individual may make for pupillage.

Further Information

Further information on pupillage can be obtained from the following sites:

Pupillage Gateway

<http://www.pupillagegateway.com/>

The Bar Standards Board

<http://www.barstandardsboard.org.uk/>

The Bar Council

<https://www.barcouncil.org.uk/becoming-a-barrister.html>

We are always happy to talk to anyone who is interested in applying to 7 King's Bench Walk or in a career at the Commercial Bar. If you would like to talk to one of our recent tenants, please feel free to contact **Alice Osman**. If you would like specific information about applications for pupillage, please contact **Dave Barnard**. Both can be contacted by email at the following address: pupillage@7kbw.co.uk.

APPENDIX: COMPETENCES

PROFESSIONAL STATEMENT COMPETENCES	CORRESPONDING ASPECTS OF TRAINING PROGRAMME
1. Barristers' distinctive characteristics	
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.	The content and importance of the core duties and other professional conduct requirements will be communicated to pupils on an ongoing basis by pupil supervisors, who will discuss matters of professional ethics with their pupils as and when they arise in practice. Where appropriate the core duties and other conduct requirements will also be discussed with members of chambers other than supervisors, and in the context of the formal advocacy exercises which are performed by pupils. As regards comprehension of the Professional Statement for Barristers, pupils will be required to familiarise themselves with this in tandem with this Pupillage Training Programme.
a) Thoroughly recall and comprehend the Core Duties and their interrelationship.	
b) Ensure that their conduct consistently justifies their clients' and colleagues' trust in them and the public's trust in the profession by: i applying the Core Duties and in particular the paramount duty to the court in the administration of justice; ii complying with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct [1.16]; and iii demonstrating a thorough comprehension of the Professional Statement for Barristers.	
1.2 Have a knowledge and understanding of the key concepts and principles of public and private law.	Pupils will obtain a deeper and broader understanding of key legal concepts, particularly those private law concepts and rules of procedure and practice which commonly arise in the course of commercial litigation and arbitration, through observation and discussion of their supervisors' work and through research required for the exercises they are given to carry out. Pupils will be given access to and encouraged to use chambers' wide range of electronic library resources, such as Westlaw and LexisNexis, to keep up-to-date with all significant changes, particularly those affecting practice at the Commercial Bar.
a) Be able to recall and comprehend and accurately apply to factual situations the principles of law and rules of procedure and practice specified by the Bar Standards Board.	
b) Be able to keep up to date with significant changes to these principles and rules.	
1.3 Have a knowledge and understanding of the law and procedure relevant to their area(s) of practice.	At the commencement of pupillage, all pupils will receive a briefing from the chambers librarian, which will introduce them to the wide range of electronic and hard-copy library materials available within chambers. Pupil supervisors will direct pupils to the core practitioner works / textbooks and other materials relevant to chambers' core areas of practice, and throughout the year pupils will be expected to obtain a close familiarity with these, through a combination of work for supervisors, work for non-supervisors (including Assessed work, as defined in chambers' pupillage policy),
a) Be able to recall and comprehend the core law and rules of procedure and practice relevant to their area of practice.	
b) Know the legal texts, journals, materials, documents and research tools relevant to their area of practice.	
c) Accurately apply to the matters they are dealing with the law and rules of	

procedure and practice relevant to their area of practice.	and formal advocacy exercises. As noted above, pupils will be encouraged to use chambers' wide range of electronic library resources (such as Westlaw) to keep up-to-date with all significant changes. All pupils will encounter the consideration of ADR with at least one supervisor and will learn about the different forms available and their appropriateness to different circumstances.
d) Keep their knowledge and skills in their specific area of practice up-to-date.	
e) Comprehend and be able to identify and advise clients of situations where alternative forms of dispute resolution may be appropriate to their given circumstances.	
1.4 Have an awareness of the wide range of other organisations supporting the administration of justice.	Pupils will in the ordinary course of their supervisors' practice develop familiarity with the range of organisations supporting the administration of justice, especially HM Courts and Tribunals Service and organisations providing advice and funding in respect of litigation. All pupils will discuss alternative sources of advice and funding with at least one pupil supervisor, who will discuss with them the available options and the implications of these for their professional responsibilities.
a) Be aware of the wide range of organisations supporting the administration of justice and their respective roles.	
b) Be able to identify and advise clients of alternative sources of advice and funding available to them, as appropriate.	
c) Understand the implications for the conduct of the case and the additional responsibilities owed in circumstances where the client is publicly funded or otherwise not self-funded.	
1.5 Apply effective analytical and evaluative skills to their work.	These skills will be demonstrated and assessed on an ongoing basis by pupil supervisors, who will set and assess a wide range of work requiring these skills to be demonstrated and improved by their pupils: for example, work on pleadings, advices and evidence (including expert evidence); and work associated with hearings in which their supervisor is involved. In addition, pupils will sometimes carry out work (including Assessed work, as defined in the pupillage policy) for non-supervisors, and this work is expected to test, and to help pupils develop, all of these skills across the course of the pupillage year.
a) Identify all necessary information and seek clarification of instructions using appropriate communication skills.	
b) Rigorously assess facts and evaluate key issues and risks.	
c) Exercise appropriate numeracy skills.	
d) Ensure that the analysis of financial and other statistical information has been competently carried out.	
e) Analyse other relevant information, including expert and medical reports.	
f) Identify inconsistencies and gaps in information.	
g) Methodically evaluate the quality and reliability of the information.	
h) Use reliable sources of information to make effective judgements.	
i) Employ effective research skills [1.12].	
j) Identify relevant legal principles.	Pupils will also undertake 2 or 3 formally assessed advocacy exercises, before a panel of 2 or 3 members of chambers, which will require analysis of a set of papers or a case report, submission of a written skeleton argument, oral submissions, and a brief advice in conference as to the merits of the (notional) client's position. These advocacy exercises will test many of the skills opposite, and

k) Accurately apply legal principles to factual issues to devise the most appropriate solution taking into account the client's circumstances, needs, objectives, priorities and any constraints.	pupils will receive appropriate feedback on their performance and progress.
l) Reach reasoned decisions supported by relevant evidence.	
m) Be able to explain and justify their analysis and evaluation.	
1.6 Provide clear, concise and accurate advice in writing and orally and take responsibility for it.	
a) When giving advice take into account the client's circumstances and objectives.	
b) Ensure that advice is informed by appropriate analysis, synthesis and evaluation and where appropriate identifies and evaluates the consequences of different options.	
c) Address and present all relevant legal and factual issues in communicating their advice.	
d) Exercise good communication skills [1.9].	
1.7 Negotiate effectively.	
a) Identify in so far as possible all parties' interests, objectives and limits.	
b) Develop and formulate best options for meeting the client's objectives.	
c) Present options for resolution cogently.	
d) Recognise, evaluate and respond to options presented by the other side.	
e) Develop appropriate compromises consistent with the client's instructions.	
f) Bring the negotiation to an appropriate conclusion.	
Practical knowledge, skills and attributes	
1.8 Exercise good English language skills.	Communication skills are a central aspect of the training provided by chambers, and pupil supervisors in particular will demonstrate, teach and evaluate written and oral communication skills, on an ongoing basis. Due to the nature of chambers' work, there will be an appropriate emphasis upon written communication skills, which pupils will be able to practice extensively with regular feedback
a) Use correct and appropriate vocabulary, English grammar, spelling and punctuation in all communications.	
b) Speak fluent English.	
1.9 Exercise good communication skills, through any appropriate	

<p>medium and with any audience as required in their work.</p>	<p>from their supervisors. This ongoing training will be supplemented by the 2-3 formal advocacy exercises which take place before a panel of members, and by guidance from all other members of chambers who set and assess work for pupils.</p>
<p>a) Identify the audience and respond appropriately to those from diverse backgrounds and to the needs and sensitivities created by individual circumstances [3.3].</p>	
<p>b) Select the appropriate medium of communication taking into account the message and the audience.</p>	
<p>c) Adapt language and non-verbal communication taking into account the message and the audience.</p>	
<p>d) Use appropriate listening and questioning techniques when obtaining information.</p>	
<p>e) Analyse written information.</p>	
<p>f) Request and provide clarification of meaning when appropriate.</p>	
<p>g) Recognise and respond appropriately to communications from others (whether in writing, verbal or non-verbal).</p>	
<p>h) Exercise good English language skills [1.8].</p>	
<p>i) Write with clarity, accuracy and precision.</p>	
<p>j) Speak articulately and fluently.</p>	
<p>k) Present arguments cogently and succinctly.</p>	
<p>l) Exercise these skills appropriately in all engagements with others, including meetings, conferences and in court (whether conducted face-to-face or remotely).</p>	
<p>1.10 Make sound judgements in their work.</p>	<p>The development of sound judgement is a central aspect of the training provided by chambers, and one of the principal criteria for the assessment of pupils' work. Chambers only recruits pupils who have already shown an excellent aptitude for legal analysis. Inevitably, however, many pupils at the point of recruitment have had limited exposure to commercial transactions and disputes, and their commercial judgment and instincts are less well developed. This is well recognised by pupil supervisors and the pupillage committee, and the development of these skills is emphasised throughout pupillage in the context of exercises testing other skills; purely by way of example, pupils will be encouraged to recognise the potential disadvantages of pleading 'bad' points, adopting</p>
<p>a) Apply effective analytical and evaluative skills to their work [1.5].</p>	
<p>b) Ensure that they act independently so that their judgements are not influenced by external pressures.</p>	
<p>c) Take responsibility for their decisions.</p>	

	unduly legalistic arguments (in the case of certain tribunals), and giving undue time to weak points in the course of advocacy exercises. Where instances arise, pupil supervisors will discuss with pupils the need to take a view independently of the views of those instructing them, and to advise in different terms from advice given by those instructing them where appropriate in view of their duties to the lay client.
1.11 Ensure they are fully prepared.	The importance of time management, preparation and diligence will be emphasised by pupil supervisors on an ongoing basis, along with related topics such as the need to ensure that their caseload does not conflict with their ability to fulfil their duties to individual clients.
a) Ensure that they are fully prepared in order to act in the best interests of the client [3.1] and provide a competent standard of work and service to the client [CD7].	
1.12 Employ effective research skills.	One of the forms of work which pupils are expected to perform for pupil supervisors is the preparation of research notes, and these will be evaluated and areas for improvement identified on an ongoing basis. This is a vital skill for pupils in a commercial set to develop, given the likelihood that they will be instructed as juniors on teams whose more senior members demand such assistance. Having said that, chambers does not embrace the old-fashioned view of pupillage according to which pupils are a readily available research resource for senior members of chambers. Instead, chambers seeks to emphasise the continued development and enhancement of research skills as part of the process of learning other skills, such as pleading and advising, which invariably depend upon a bedrock of sound legal research. In this way, pupils' research skills will be tested on an ongoing basis by supervisors, by non-supervisors (including those setting Assessed work), and in formal advocacy exercises, at least one of which will consist of an application for permission to appeal to the Supreme Court, requiring detailed and extensive legal research, and pupils will be given detailed feedback on their work.
a) Accurately identify the legal and non-legal issues.	
b) Recognise when legal and non-legal research is required.	
c) Use appropriate methods and resources (paper, electronic or other media and/or relevant experts) and ensure that legal sources are up-to-date.	
d) Assess the quality and relevance of all sources.	
e) Interpret and evaluate the results of all research.	
f) Apply effective analytical and evaluative skills to their work [1.5].	
g) Apply the research to the issues identified in order to draw conclusions.	
h) Evaluate and present the results clearly and accurately.	
Advocacy	
1.13 Draft court and other legal documents which are clear, concise, accurate and written so as to reflect fairly the arguments advanced by both sides.	The preparation of court and other legal documents, including statements of case and skeleton arguments, is a central part of training in chambers. As chambers' work is exclusively commercial, and pupils do not usually undertake their own instructions prior to the tenancy decision, pupils will obtain extensive experience of drafting, through observation of their supervisors and
a) Draft accurate and legally effective documents (whether contentious or non-contentious).	

b) Utilise precedents where appropriate and also be able to draft without them.	<p>through practice with feedback from supervisors. Wherever possible, pupils carrying out drafting exercises will be provided with corresponding documents prepared by their supervisors or other members of chambers to help with their development, and they will be encouraged to collate a file of ‘pleading precedents’ to help them in the later stages of pupillage and in practice. The range of documents which will be encountered will correspond broadly to those formerly listed in the BSB’s specialist pupillage checklist for General Commercial Law.</p> <p>Pupils will obtain ongoing exposure to the rules and practice directions relevant to civil litigation and arbitration, particularly those of CPR Part 58 and the latest edition of the Admiralty and Commercial Courts Guide, which pupils will encounter from the earliest stages of pupillage.</p>
c) Address all relevant legal and factual issues.	
d) Comply with appropriate formalities.	
e) Exercise good English language skills [1.8].	
f) Exercise good communication skills [1.9].	
1.14 Draft skeleton arguments which present the relevant facts, law and arguments in a clear, concise and well-structured manner.	
a) Have a thorough knowledge of the Rules and Practice Directions and other protocols relevant to their area of practice which relate to the drafting of skeleton arguments.	<p>As noted already, pupils will not ordinarily undertake any advocacy in court prior to the tenancy decision. This reflects the nature of chambers’ work, which is exclusively commercial, and does not lend itself readily to pupils carrying out such work. They will however routinely discuss matters of oral advocacy, and its improvement and development, with their supervisors by reference in particular to the supervisors’ own practice.</p> <p>Chambers recognises that it is very important to provide pupils with the opportunity to carry out formal advocacy exercises within chambers, and these have been described above. Typically, the first of these exercises will be comparable to a BTPC advocacy exercise, but with a greater focus on documentary evidence, as befits training for a commercial practice. The second (and third, if held) exercises will place more emphasis on legal argument, and will typically involve specialist areas of law with which the pupil will have gained some familiarity during pupillage. Pupils’ preparation for advocacy exercises will be constrained by a fixed preparation period which will allow them to obtain some experience of acting under legitimate pressure. Detailed feedback will be provided on pupils’ performance at these exercises.</p>
b) Draft skeleton arguments which comply with those Rules and Practice Directions and protocols.	
1.15 Have persuasive oral advocacy skills.	<p>As noted already, pupils will not ordinarily undertake any advocacy in court prior to the tenancy decision. This reflects the nature of chambers’ work, which is exclusively commercial, and does not lend itself readily to pupils carrying out such work. They will however routinely discuss matters of oral advocacy, and its improvement and development, with their supervisors by reference in particular to the supervisors’ own practice.</p> <p>Chambers recognises that it is very important to provide pupils with the opportunity to carry out formal advocacy exercises within chambers, and these have been described above. Typically, the first of these exercises will be comparable to a BTPC advocacy exercise, but with a greater focus on documentary evidence, as befits training for a commercial practice. The second (and third, if held) exercises will place more emphasis on legal argument, and will typically involve specialist areas of law with which the pupil will have gained some familiarity during pupillage. Pupils’ preparation for advocacy exercises will be constrained by a fixed preparation period which will allow them to obtain some experience of acting under legitimate pressure. Detailed feedback will be provided on pupils’ performance at these exercises.</p>
a) Thoroughly recall and comprehend and accurately apply to the matters they are dealing with the law and procedure relevant to advocacy.	
b) Apply effective analytical and evaluative skills to their work [1.5].	
c) Identify strengths and weaknesses from different parties’ perspectives.	
d) Prepare how they will effectively communicate the argument.	
e) Manage facts to support the argument or position.	
f) Present orally a reasoned argument in a clear, logical, succinct and persuasive way.	
g) Use and cite legal authority appropriately.	
h) Comply with all relevant formalities.	
i) Recognise the role of different types of witness and use appropriate techniques for witness handling having particular regard to vulnerable witnesses.	
j) Listen and respond effectively to questions and opposing arguments.	
k) Deploy advocacy skills efficiently and effectively, in compliance with the Core	

Duties, so far as possible, notwithstanding that they may be required to act at short notice or under other legitimate pressure.	Given the nature of chambers' work, it is rare for members of chambers to encounter vulnerable witnesses in practice, but if pupils do not obtain live experience of such witnesses they will discuss the appropriate techniques with at least one pupil supervisor, at an appropriate point during pupillage.
Professional standards	
1.16 Comply with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct.	The importance and content of professional standards, along with the existence of support mechanisms (such as more senior members of chambers and the BSB) will be communicated by pupil supervisors to their pupils on an ongoing basis, especially when situations raising difficult questions of professional ethics arise. Such situations may also feature in work set by non-supervisors (including Assessed work), and in advocacy exercises, and in such cases the relevant considerations will be discussed with pupils by the members of chambers responsible for such work.
a) Identify the most recent Code of Conduct and other applicable rules and regulations relevant to their practice and the conduct of any matters they are dealing with.	
b) Recognise potential ethical situations and identify ethical issues.	
c) Be aware of and make effective use of relevant guidance, advice and support regarding ethical issues.	
d) Behave ethically and consistently act in accordance with the Code of Conduct and other applicable rules and regulations.	
1.17 Know how to conduct themselves appropriately in court.	Pupils will generally attend all court and arbitration hearings attended by their pupil supervisor, and will observe and discuss the relevant conduct requirements in that context. Occasionally, where it is desirable to broaden a pupils' exposure, they may attend court with a non-supervisor, and in that case the non-supervisor will be expected to act as a guide to the relevant requirements.
a) Use the required dress, accepted forms of address, observe formalities of proceedings and follow established conventions and customs in each forum where they represent clients.	
1.18 Only accept work which they believe they are competent to undertake.	Chambers undertakes a broad range of commercial work, and very little non-commercial work. During the course of pupillage, pupils should obtain at least some experience of the full range of chambers' work, and be able to recognise areas of work which are not within their competence. Their supervisors will make them aware of support mechanisms available within chambers (such as consulting with more senior members) which will help pupils to make appropriate determinations about their competence and requirements of their professional duties when called upon to do so in practice.
a) Recognise and operate within the limits of their competence.	
b) Explain clearly the limits of their competence and knowledge to relevant others.	
c) Consult relevant others, where appropriate.	
d) Make an informed judgement on the level of knowledge, skills and attributes required in a particular case.	
e) Decline to act where the Code of Conduct requires them to do so.	
2. Personal values and standards	

Values, characteristics and behaviours	
2.1 Act with the utmost integrity and independence at all times, in the interests of justice, representing clients with courage, perseverance and fearlessness.	All these matters will be demonstrated to and discussed with pupils on an ongoing basis by pupil supervisors, and by any other members of chambers shadowed by a pupil whose work raises a pertinent situation. Pupil supervisors will ensure that pupils have and maintain a good familiarity with the relevant regulatory requirements.
a) Identify situations where their integrity and/or independence may be put at risk.	
b) Act with integrity including: i Identifying and avoiding personal bias; ii Maintaining their independence from external pressures; and iii Identifying potential conflicts of interest, being open about conflicts of interest, declaring conflicts of interest formally and being prepared to exclude themselves from acting.	
c) Uphold the reputation of the Bar and observe their duty to the court in the administration of justice [1.1].	
d) Comply with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct [1.16].	
e) Take responsibility for their actions and decisions.	
2.2 Be honest in their dealings with others	
a) Comply with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct [1.16].	
b) Ensure that they are honest about the limits of their knowledge, their experience, qualifications and professional status.	
c) Ensure that to the best of their knowledge and belief any information they give is accurate, true and not likely to mislead.	
2.3 Be aware and active in the pursuit of equality and respect for diversity, not tolerating unlawful discrimination, in themselves or others.	Chambers is committed to equality of opportunity, and will treat everyone fairly and equally, without discrimination on grounds of race (including colour, nationality, citizenship and ethnic or national origin), sex, sexual orientation, gender reassignment, pregnancy/maternity, marital status or civil partnership, age, religion, belief (including political persuasion) or disability. The importance of these commitments will be conveyed to pupils,
a) Actively observe and uphold the law on equality, diversity and discrimination.	
b) Be alert to the potential for unconscious bias.	

c) Take active steps to act fairly and inclusively and show respect to others.	<p>particularly by their supervisors, and all pupils will be expected to familiarise themselves with chambers' policies on the subject, and act accordingly. These policies are collected at: https://7kbw.co.uk/about-us/equality-diversity/ and they will be given to the pupils at the start of pupillage.</p>
d) Identify situations where there is a risk of breach of the law on equality and diversity.	
e) Promote diversity in the workplace and where appropriate challenge others if their behaviour does not comply with the spirit of the law relating to equality, diversity and discrimination.	
2.4 Ensure their work does not incur unnecessary fees.	<p>Pupils will not typically be instructed on their own cases prior to the tenancy decision, and this will necessarily limit their real-life exposure to these issues save during the final months of pupillage. Pupil supervisors will nevertheless explain the fundamental aspects of recording time, the agreement of fees, and billing to their pupils, and pupils will be introduced to chambers' clerks (and their role) at an early stage of pupillage.</p> <p>The need for work to be efficient and expeditious will be communicated to pupils and assessed by pupil supervisors, and others, on an ongoing basis, including by stipulating specific timescales for the completion of certain items of work.</p>
a) Ensure that, where fees are chargeable, the basis for charging fees is established with the client at the outset of any matter.	
b) Follow those arrangements in an efficient and cost-effective manner, ensuring that any necessary changes to the arrangements are agreed with the client.	
c) Undertake work that promotes the client's best interests.	
d) Progress matters expeditiously.	
2.5 Adopt a reflective approach to their work, enabling them to correct errors and admit if they have made mistakes.	<p>Chambers has for a long time rejected the old-fashioned view that pupillage is a year-long interview. Instead it encourages self-reflection, and attaches considerable importance in the assessment of pupils to their trajectory, as well as their achievements to date. Pupil supervisors will provide regular feedback on all work carried out by their pupils. Any other member of chambers who sets work for a pupil is expected to do the same, and to advise the pupillage committee of the date when feedback was given when delivering their assessment of the pupil. Likewise, the panel constituted for any advocacy exercise will provide feedback to each pupil at the conclusion of the exercise. In addition to these ongoing mechanisms to promote review and reflection, chambers holds a 6-month review of each pupil, at which the Head of the Pupillage Committee, having reviewed (along with the Pupillage Committee) all assessments of the pupil to date, provides each pupil with an overview of their progress and key points for improvement. The aim throughout is to foster an atmosphere in which weaknesses are explicitly acknowledged and addressed.</p>
a) Recognise limitations of personal knowledge and skills and act to resolve the situation.	
b) Take appropriate action when experiencing difficulties with work that is beyond their professional competence and disclose as appropriate.	
c) Identify their errors of judgement, omissions and mistakes and take appropriate action.	
d) Ask for and make effective use of feedback, guidance, advice and support.	
e) Take appropriate action to manage personal difficulties that might otherwise affect their work.	
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.	

a) Take responsibility for planning and undertaking personal development and learning.	
b) Identify strengths and areas for development and take positive steps to address them.	
c) Reflect on and learn from their own and others performance and achievements.	
d) Maintain and develop relevant knowledge and skills.	
e) Regularly take part in activities that maintain and develop their competence and performance.	
3. Working with others	
At work	
3.1 Understand and exercise their duty to act in the best interests of their client.	These requirements will be demonstrated, communicated and assessed by pupil supervisors on an ongoing basis. When pupils are asked to carry out exercises such as pleadings for their supervisors, they will usually be provided with the instructing solicitors' instructions, and supervisors will discuss with them the importance of identifying the client's best interests in accordance with their lawful instructions, and of acting in accordance with the Code of Conduct and other requirements.
a) Provide a competent standard of work and service to each client [CD7].	
b) Identify the client's best interests in accordance with the client's lawful instructions.	
c) Recognise and evaluate any conflict between the client's best interests and their duty to the court, their obligation to act with honesty and integrity and to maintain their independence.	
d) Ensure that subject to c) above they do not act contrary to the client's lawful instructions.	
e) Act in accordance with the Code of Conduct and other applicable rules and regulations.	
3.2 Understand and apply principles of team working where appropriate.	Due to the nature of chambers' work, it is very common for cases to involve a team of solicitors and multiple counsel, and pupils will be exposed to and given an understanding of how such a team operates in practice and will be encouraged to develop collaborative working skills with all members of chambers (supervisors and otherwise), all instructing solicitors, and any lay clients they may encounter. Where pupils attend conferences or hearings at which they will encounter lay or professional clients (or witnesses), they will be advised of the appropriate norms of conduct and expected to abide by them.
a) Work collaboratively with others, respecting their skills and contributions.	
b) Comprehend how their behaviour may affect others within and outside teams.	
c) Reflect on own strengths and weaknesses as a team member.	
d) Understand the division of responsibilities within the team.	
e) Understand the relationships between counsel, pupil, clerk and solicitor.	

f) Delegate to and supervise others effectively.	
g) Establish and maintain effective professional relations with others.	
3.3 Respond appropriately to those from diverse backgrounds and to the needs and sensitivities created by individual circumstances.	As noted already, the importance of chambers' commitments to equality of opportunity will be conveyed to pupils, particularly by their supervisors, and all pupils will be expected to familiarise themselves with chambers' policies on the subject, and act accordingly. These policies are collected at: https://7kbw.co.uk/about-us/equality-diversity/ . The skill of context-sensitive communication, particularly in written and oral advocacy, is emphasised throughout pupillage, and will be taught and assessed by pupil supervisors on an ongoing basis. Pupils will be advised by their supervisors of the need to make reasonable adjustments on request where this will assist disabled people to use chambers' services, and will be expected to familiarise themselves with chambers' Reasonable Adjustments Policy.
a) Be aware and active in the pursuit of equality and respect for diversity [2.3].	
b) Provide information in a way that others can understand taking into account their personal circumstances and any particular vulnerability.	
c) Recognise and respond effectively to others' particular needs, objectives, priorities and constraints.	
d) Recognise and take reasonable steps to meet the particular needs of clients including those who are disabled or vulnerable.	
3.4 Treat all people with respect and courtesy, regardless of their background or circumstances.	These skills will be taught and assessed on an ongoing basis by pupil supervisors, and any other members of chambers whom a pupil may shadow or work for during pupillage.
a) Demonstrate suitable professional practice, politeness and respect in communications and personal interactions with others.	
b) Recognise people's differences and modify their behaviour where appropriate to take account of those differences.	
3.5 Where appropriate, keep clients, whether lay or professional, informed of case progress in a clear and timely manner and manage their expectations.	As noted already, pupils will usually not receive their own professional instructions prior to the tenancy decision, and so the primary forum for learning these skills will be through their interactions with pupil supervisors. Chambers' work is almost exclusively commercial, and therefore most cases will occur over a lengthy timeframe, and require careful appraisal by counsel at many different stages throughout that period. Pupil supervisors will demonstrate the relevant skills to their pupils, who will be expected to show awareness of them in any advisory work they are asked to carry out, including mock written advices and advices in conference (which may be held by supervisors and/or by advocacy assessment panels).
a) Identify the level of their responsibility to consult with and to communicate case progress to a particular client.	
b) Inform clients in a timely manner of key facts and issues including key dates, risks, progress towards objectives and costs.	
c) Identify and evaluate possible courses of action and their consequences and assist clients in reaching a decision.	
d) Manage clients' expectations including in relation to options, the range	

of possible outcomes, risks and timescales.	
e) Respond appropriately to clients' concerns and complaints.	
Lay individuals	
3.6 Demonstrate a good awareness of their additional responsibilities in cases involving direct access and litigants in person.	Pupil supervisors will ensure that pupils have a good understanding of these requirements. In chambers' principal areas of practice it is relatively uncommon to encounter litigants in person, which may limit the opportunity for supervisors to provide their pupils with live experience of such encounters, but where that is the case, pupils will be given the opportunity to discuss working on cases involving litigants in person with at least one member of chambers who has appropriate experience of the same.
a) Adapt their communication and handling of the matter to ensure that public access clients are fully informed of the actions which are being taken on their behalf and the purpose and possible consequences of those actions.	
b) Recognise and appreciate the position of opponents not represented by qualified legal advisors (litigants in person).	
c) Understand the professional duties to the litigant in person, the court and their own client, which arise when appearing against the litigant in person, and the potential effect on the handling of the matter.	
d) Act in accordance with the Code of Conduct and other rules and regulations applicable to public access clients or litigants in person.	
4. Management of practice	
Personal practice management	
4.1 Where appropriate, possess a strong understanding of the specific implications of being:	Pupil supervisors will ensure that pupils have a good understanding of the requirements of 4.1.1 (4.1.2 being inapplicable to chambers), and the working contexts referred to. Pupils will also be given some exposure to the clerking, practice management and accounting teams within chambers, which will help them to grasp the organisational and financial aspects of the context in which they work.
4.1.1 a self-employed barrister;	
a) Demonstrate a thorough understanding of the scope of practice rules relevant to a self-employed barrister.	
b) Demonstrate a thorough understanding of the context in which they work (including commercial, organisational and financial) and their place in it.	
4.1.2 an employed barrister.	
a) Demonstrate a thorough understanding of the scope of practice rules relevant to an employed barrister.	

<p>b) Demonstrate a thorough understanding of the context in which they work (including commercial, organisational and financial) and their place in it.</p>	
<p>4.2 Possess sufficient understanding of organisational and management skills to be able to maintain an effective and efficient practice.</p>	<p>As noted above, pupils will not ordinarily be instructed on their own cases prior to the tenancy decision. Chambers seeks to ensure that organisational and management skills are attained in two principal ways. First, a pupil is expected to be involved in many aspects of his/her supervisor's work, and since most supervisors will have extremely busy practices, their pupils will gain exposure to the relevant skills in this context and the importance of active time management. Secondly, while chambers is careful not to overload pupils, there will be occasions when a pupil needs to address the competing demands of different commitments, such as attending a conference with a supervisor on the same day as finishing a written advice on a different matter. Pupil supervisors will seek to teach and assess practice management skills in this context. As pupillage progresses, and pupils become more experienced, they will also be expected to provide realistic time estimates for at least some of the pieces of work given to them, and to reflect upon the estimates they gave and the timeframe which they ultimately achieved. They will also discuss with pupil supervisors the professional obligations owed by a barrister in circumstances where there is insufficient time and opportunity to prepare.</p>
<p>a) Be competent in all aspects of their work, including organisation, management of practice and risk. Competent organisation includes: i Keeping accurate records (including financial records and time recording) and files, electronic or hard copy; ii Allocating time efficiently; iii Prioritising; iv Diarising; v Observing deadlines; vi Using resources (including IT systems) effectively; and vii Being fully prepared. Competent management includes: i Planning; ii Putting in place human and non-human resources; iii Coordinating; iv Leading or directing; v Checking progress against plans to accomplish the goal or target; and vi Financial management. Competent risk management includes: i Identifying, evaluating and measuring the probability and severity of risks to their practice; and ii Proactively deciding what to do about risks and acting appropriately.</p>	
<p>b) Comprehend the relevance of strategic planning, financial planning and business development in the context in which they work.</p>	
<p>4.3 Plan their personal workload and absences so as to ensure they deliver on all work commitments they have made.</p>	
<p>a) Clarify instructions so as to agree the scope and objectives of the work.</p>	
<p>b) Make an informed judgement on the time required to prepare a matter.</p>	
<p>c) Take account of their availability and that of other resources.</p>	
<p>d) Decline to act where there is insufficient time and opportunity to prepare.</p>	

e) Prioritise and plan workload to meet commitments.	
f) Meet timescales, resource requirements and budgets.	
g) Monitor and keep relevant others informed of progress and availability.	
h) Deal effectively with unplanned circumstances and re-prioritise as necessary.	
4.4 Understand the organisational systems or structures within which they work and which support their delivery of a professional service.	
a) Contribute to efficient operation of the workplace including: i Sharing work when necessary; ii Creating effective support systems; and iii Working effectively within governance structures.	
b) Understand the basis on which legal services are provided (contractual or otherwise) including, where appropriate, how to calculate and manage costs, bill clients and the operation of internal budgets for legal advice.	Pupil supervisors will apprise their pupils of the fundamentals of billing, and the operation of internal budgeting, as well as the important external budgeting requirements imposed (for example) by the Costs Practice Direction.
Professional compliance and work	
4.5 Maintain the confidentiality of their clients' affairs, adopting secure technology where appropriate.	Pupil supervisors will teach pupils the fundamental requirements in relation to confidentiality and security of information.
a) Identify how they will act in accordance with the Code of Conduct and other rules and regulations applicable to maintaining the confidentiality and security of information relating to third parties including that of their current and former clients.	Chambers has prepared a GDPR implementation guide, which supervisors will ask pupils to review at an appropriate point.
b) Comply with relevant data protection requirements.	
4.6 Exercise good time-keeping in face-to-face or telephone encounters.	These skills will be demonstrated, discussed and assessed on an ongoing basis by pupil supervisors.
a) Attend all appointments punctually and as fully prepared as possible in the circumstances.	
4.7 Where necessary, be diligent in keeping good records and files of cases.	
a) Identify when compiling and keeping records and files is their responsibility.	

b) Prepare and compile appropriate records at the same time or as soon as possible after the events that they are recording.	
c) Ensure records are clear, accurate and legible and contain sufficient detail for their purpose.	
d) Organise records so that they are retrievable by themselves and other authorised persons as appropriate.	

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