



## **DEVON CHAMBERS**

### **PUPILLAGE GUIDE 2021**

**Name of Pupil** -

**Name of Pupil Supervisor** -

**Name of Pupil Coordinator** - Amy Edinborough

**Start date of Pupillage** -

*Revised 2021*

## **INDEX**

1. Introduction
2. General
3. Preliminary Matters
4. Practice
5. Clerks
6. Financial
7. Review / Feedback
8. Tenancy
9. Grievances
10. Fair allocation of work

1. Introduction

- 1.1 The purpose of this Guide is to provide a general introduction to pupillage at Devon Chambers. It is not intended to be comprehensive. It is designed to complement the Pupillage Handbook issued by the Bar Standards Board and the Devon Chambers' Management Manual
- 1.2 This Guide should be provided to each pupil prior to the commencement of her pupillage. A copy of this document will also be available in the Clerks' Room.
- 1.3 Devon Chambers will treat all pupils equally regardless of age, disability, gender reassignment, marriage, civil partnership, pregnancy, maternity, paternity, race, religion, belief, gender, sexual orientation or for any other reason.
- 1.4 Throughout this Guide, the feminine form is taken to include the masculine and the singular the plural.

## 2. General

- 2.1 Each pupil will be assigned a Pupil Supervisor prior to the commencement of their pupillage.
- 2.2 While it is intended that the pupil will spend most of her time with her Pupil Supervisor, provision will be made to ensure that the pupil spends some time with every member of Devon Chambers during her pupillage.
- 2.3 Hours are usually between 8.30am and 5.30pm though this may vary according to the work commitments of the Pupil Supervisor, including travel arrangements for court.
- 2.4 On days when the pupil is working in Chambers, it is expected that she will keep the above hours.
- 2.5 Please remember that pupillage is a 12 month learning experience. During the second 6 months of pupillage, it is hoped that the pupil will be busy with her own work. There can be a tendency to think during the second 6 months that the pupil should concentrate exclusively upon her own work, for example using days out of court to prepare for cases. The pupil should be aware that opportunities in the second 6 months to follow other members of Devon Chambers and observe other areas of law should not be neglected.
- 2.6 Each pupil is entitled to 4 weeks' holiday during the period of pupillage, which should be arranged in consultation with the Pupil Supervisor; it is recommended that 2 weeks' holiday is taken during the first 6 months of pupillage and 2 weeks' holiday during the second 6 months of pupillage.
- 2.7 Devon Chambers will comply with the Working Time Regulations (as amended) and other suitable recommendations from the BSB.

### 3. Preliminary Matters

3.1 The pupil should ensure at the commencement of pupillage that the following are informed about the pupillage:-

- the General Council of the Bar,
- the Bar Standards Board,
- the Western Circuit (cfeest@westerncircuit.co.uk),
- her Inn of Court.

3.2 At the beginning of pupillage, the pupil will be provided with:-

- a copy of this Guide,
- a copy of the Pupillage Handbook.

3.3 Arrangements will be made to ensure that Devon Chambers' Senior Clerk, or someone acting on her behalf, meets the pupil at Devon Chambers on her first day (or some other convenient time), shows her around the building and undertakes the general induction checklist. The Senior Clerk will ensure that each pupil is given:-

- a Devon Chambers' email address,
- a Devon Chambers' secure email address,
- log-in details for the Digital Case System ("DCS"),
- log-in details for Devon Chambers' Wifi,
- log-in details for Gov Wi-fi,
- log-in details for Devon Chambers' online diary,
- access to the printing facilities.

3.4 The pupil will be given key fob to Devon Chambers and instructions about the operation of any electronic codes. The last person to leave the building each evening needs to ensure that all windows are closed

and that the building is locked. Electronic codes must not be disclosed to anyone without the express permission of the Head of Chambers or the Senior Clerk. If the pupil loses her keys this must be drawn to the attention of the Senior Clerk without delay.

- 3.5 The pupil will also be given a list of names and telephone numbers for members of Devon Chambers. Please do not disclose any of these details, including to solicitors or other members of the Bar, without prior authority.
- 3.6 Parking spaces at Devon Chambers are limited; regrettably pupils are not permitted to use the parking spaces.
- 3.7 Pupils should feel free to use tea, coffee, biscuits, drinks etc which are provided for members use in the kitchen.
- 3.8 Pupils should feel free to help themselves to blue books and other stationery as and when they are required. Pupils should seek to work digitally where possible. Devon Chambers is seeking to reduce the use of paper but when needed the upstairs printer in the second conference room should be used before the one in the Clerks' Room.

#### 4. Practice

- 4.1 The pupil will discuss with the Pupil Supervisor, the role which the pupil should adopt in Court and conferences.
- 4.2 As a general rule, the pupil should not intervene, ask questions or make suggestions in conference unless invited to do so.
- 4.3 It will be common for the pupil to work on her Pupil Supervisor's cases, often in the absence of the Pupil Supervisor. If this is the case, the pupil must not contact the solicitor without the express permission of the Pupil Supervisor.
- 4.4 The Pupil Supervisor will arrange invitations for the pupil to cases on the Digital Case System; the pupil should never invite others into a case unless expressly given permission to do so by their Pupil Supervisor.
- 4.5 A desk will be made available for the pupil to sit at in order to carry out written work.
- 4.6 The pupil should not take any papers out of Devon Chambers without the authority of her Pupil Supervisor / Senior Clerk.
- 4.7 The pupil must be particularly aware of her responsibilities regarding confidentiality and GDPR. When there is more than one pupil in that year it is particularly important that pupils must not discuss cases which their Pupil Supervisors are undertaking or may become involved in.
- 4.8 The pupil should not hesitate to ask any member of Devon Chambers, however senior, their advice on any aspect of any case, however minor it may appear to be. Devon Chambers prides itself upon our open door

policy. Whilst members of Devon Chambers may be busy, all will be willing, when time allows, to discuss such issues with a pupil.

- 4.9 The pupil may use the telephones for personal calls (obviously within reason – no international calls, please!)
- 4.10 Pupils can use photocopying facilities. Please try to use the photocopier in the upstairs Conference Room rather than the one in the Clerks' Room. Do not leave photocopied papers on the photocopier, confidentiality and GDPR should be uppermost in the pupil's mind at all times. Please be mindful about the costs which are incurred in unnecessarily copying excessive amounts of material.
- 4.11 All drinks, lunch etc will be paid for by the Pupil Supervisor or the member of Devon Chambers with whom the pupil is working that day; do not be embarrassed about this – it is a common practice at the Bar and the Pupil Supervisor will have enjoyed the same benefit.
- 4.12 The pupil will be given a secure email account. Please ensure that any sensitive communication occurs through secure email. It may not be clear in the early stages of pupillage as to what material should be sent by secure email; if in doubt, err on the side of using secure email. Any further clarification should be sought from the Pupil Supervisor.
- 4.13 Do not leave any papers unattended in an area to which the public have access. Do not leave papers in a car, regardless of whether the car is considered secure.
- 4.14 It will be the pupil's responsibility to keep a work diary / log and to ensure that all areas of work are covered during their pupillage so that the Pupillage Checklist (or equivalent) can be fully completed at the end of their pupillage. The pupil should from time to time draw to her Pupil Supervisor's attention any particularly areas that have yet to be covered.



- 4.15 Pupils are of course permitted to engage in the use of Social Media and Groups (eg Whatsapp groups). However, pupils should be very careful not to breach the confidence of members of Devon Chambers and should be aware of the importance that the Core Duties under the Code of Conduct are not impacted by social media use
- 4.16 Pupils should not seek advice or assistance on Social Media with cases under any circumstances.
- 4.17 Pupils must ensure that their use of computer and electronic equipment is GDPR compliant and that this ensures confidentiality at all times.
- 4.18 Devon Chambers has two Wifi systems. One is for guests and the code may be provided to professional and lay clients. The code can be found in the blue file in the main Conference Room. The other must not be shared with anyone other than members of Devon Chambers.

5. Clerks

- 5.1 The pupil should ensure that the Clerks know where she is at all times; during the first 6 months it can be taken as read that the Clerks will assume that the pupil is with her Pupil Supervisor unless told to the contrary.
- 5.2 In the second 6 months, it is likely that work will be available for the pupil at short notice and so it is even more imperative that the Clerks know where the pupil is at all times. It is recommended that the pupil travels at all times with her wig and gown in her second 6 months. It is sometimes the case that an urgent Court appearance will be required by the pupil. Pupils are not expected to robe during their first 6 months of pupillage.
- 5.3 During their second 6 month the pupil should speak to the Clerks in person, or on the telephone, at the end of each day to make sure that she knows whether or not she is required in Court the following day.
- 5.4 Pupils should ensure that they engage with the Clerks but they should not remain in the Clerks' Room longer than is necessary. The Clerks will have a great deal to do each day.

6. Financial

- 6.1 Chambers will provide an annual award of to the pupil for the first 6 months of pupillage. As of 2021/2, this award was £8500 per pupil but this will be regularly monitored according to Chambers' financial position and the pupillage market.
- 6.2 The pupillage award will be paid at the end of each month in instalments by BACS transfer from the Chambers' account to an account nominated by the pupil. Assuming that the pupil commences pupillage on 1 October, the first payment shall be made on 31 October. Chambers understands that the period immediately prior to the commencement of pupillage can be a difficult time for pupils (often because of the period of grace between ending previous employment and commencing pupillage) and, in those circumstances, Chambers will look favourably upon any request by the pupil to pay the first instalment upon the commencement of pupillage.
- 6.3 In the second 6 months of pupillage, Chambers will guarantee that the pupil will receive a minimum of £8,500 in earnings.
- 6.4 In the event that the pupil has not received the minimum amount in any given month, the difference will be awarded to the pupil for that month by Chambers and "clawed back", if necessary, in the subsequent months.
- 6.5 Chambers will not charge commission on any earnings received by the pupil during the course of her second 6 months of pupillage until the pupil has received £8,500. Once a pupil has received £8,500, Chambers will charge a nominal commission at ½ of the rate which is charged to members of Chambers at that date.

- 6.6 As with other members of Chambers, pupils will receive payment for work done during their 2<sup>nd</sup> 6 months on a twice-monthly basis, i.e. on the 15<sup>th</sup> or 31<sup>st</sup> day of each month (or whichever working day falls closest to these). Any necessary reconciliations, as set out in paragraphs above, will take place on the last day of each month.
- 6.7 Chambers will refund reasonable travel costs incurred by the pupil during his / her pupillage and for the purposes of pupillage.
- 6.8 If the pupil is required to stay overnight for the purposes of a court hearing/conference in his/her first 6 months, reasonable accommodation costs will be met by Chambers.
- 6.9 Chambers will fund the cost of any compulsory course, which the pupil is required to attend as part of her continuing professional education, together with any reasonable travel expenses.
- 6.10 The pupil should provide receipts for expenses to the clerks as soon as possible and they will be paid in addition to the pupillage award on the date of the next payment.
- 6.11 Chambers understands that pupillage can be a financially demanding time. Experience tells us that attempting to write down the circumstances in which Chambers can and will attempt to assist financially in addition to the pupillage award can be counter-productive and liable to cause embarrassment. The pupil should not hesitate to speak to her pupil supervisor about any financial concerns and Chambers will endeavour to find a solution.
- 6.12 As barristers are self-employed, it is difficult to provide an estimate as to likely earnings during pupillage and tenancy. Save for the exceptional circumstances which existed in 2020 as a result of the pandemic, Chambers has not had to ‘top up’ the award during the 2<sup>nd</sup> 6

month of pupillage in the last 10 years, which indicates that earnings have always exceeded the minimum amount.

- 6.13 As an estimate (and by no means a guarantee), Chambers expects that a pupil will receive earnings of approximately £15,000 during her 2<sup>nd</sup> 6 months of pupillage and £30,000-£40,000 during her first full year of practice.

7. Review / Feedback

- 7.1 Training will take place in accordance with the Training Programme (attached).
- 7.2 Feedback will be given by any member of Devon Chambers for whom the pupil does written work; the Pupil Supervisor should ensure that the pupil does at least one piece of written work for each member of Devon Chambers during the course of her pupillage.
- 7.3 Each piece of work which the pupil does should receive feedback on the appropriate Advocacy or Written Work form. If the feedback form is not provided, the pupil should bring this to the attention of the Pupil Coordinator.
- 7.4 A formal review meeting will be conducted by the Pupil Supervisor at the end of each month of pupillage and the form attached (appendix 1) will be completed by the Pupil Supervisor.
- 7.5 A review will also take place each month between the pupil and the Pupil Coordinator. This will be conducted on a confidential basis. Nothing that the pupil tells the Pupil Coordinator in the course of one of these meetings will be communicated to the Pupil Supervisor, or any other member of Devon Chambers, without the pupil's express request. The meetings are designed to enable the pupil to receive confidential advice on issues that may arise that they do not wish to discuss with their Pupil Supervisor.
- 7.6 Chambers will arrange for the pupil to spend 1 week marshalling with a local Judge. Chambers will also ensure that the pupil spends some time with a local solicitor.

## 8. Tenancy

- 8.1 In offering a pupillage, it is the intention of Devon Chambers that, upon successful completion of the pupillage, a tenancy will be offered to the pupil, upon the written application by the said pupil.
- 8.2 This general policy is, of course, subject to a number of factors which include:-
- availability of work,
  - space in Chambers,
  - performance of the pupil during pupillage.
- 8.3 In the event that the pupil applies for a tenancy, Devon Chambers will inform the pupil at least two months prior to the end of her second 6 months of pupillage as to whether the application is successful. This will usually follow a Chambers' meeting which takes place in July, assuming that the pupillage begins in October.
- 8.4 Applications for tenancy should be made in writing to the Head of Chambers at least two weeks before the said Chambers' meeting.
- 8.5 This decision will be made at a Chambers' meeting at which the views of all members of Devon Chambers will be considered. The Pupillage Coordinator will not express a view about the pupil in the course of this meeting, save to raise any matters which the pupil has asked her to do in the course of a monthly review meeting.
- 8.6 In the event that the pupil is not offered a tenancy, Devon Chambers will, at its discretion, allow the pupil to continue to "squat" on the completion of pupillage and will endeavour, where appropriate, to help the pupil find a tenancy / third 6 pupillage in other Chambers.

8.7 Since 2012, Chambers has provided 8 pupillages. 7 of those pupils have been offered tenancy at the completion of the their pupillage and all 7 continue to practice from Chambers as at March 2021.



9. Grievances

9.1 Pupils should refer to the Devon Chambers' Management Manual in order to follow the grievance procedure where appropriate.

10. Fair Allocation of Work

- 10.1 During the practising period of pupillage, Chambers will ensure that each pupil is given an opportunity to conduct work in all areas within which Chambers provides legal services.
- 10.2 Where possible, in the provision of work to pupils, Chambers will endeavour to ensure that the particular interests of the pupil are met.
- 10.3 the Data Diversity Officer will carry out annual reviews of the allocation of work to pupils and, in particular, the allocation of unassigned work to pupils, in order to ensure that rules C110-112 of the Code of Conduct are met.
- 10.4 in the event that the pupil considers that the fair allocation work principle is not being adhered to, this should be raised with the pupil supervisor and / or the pupil coordinator.