



## **MINI-PUPILLAGE POLICY**

In force from	14 March 2016
Last reviewed	15 January 2024
Next review due	15 January 2025

## **Introduction**

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

## **The scheme**

6. The aim of 3PB's mini pupillage programme is to provide mini pupils with an insight into life at the Bar. Mini pupils will travel to court with counsel (within

a reasonable distance of the relevant centre), observe and take notes in hearings and trials, sit in on conferences and negotiations, and read and analyse case papers. Mini-pupils may also be asked to undertake legal research relevant to cases that they are observing.

7. Mini pupillages are unassessed. The offer or rejection of an application for mini pupillage is not relevant to any subsequent application for pupillage. Pupillage applications are marked solely on the content of the Pupillage Gateway application form and in accordance with different criteria. Applicants who are offered a mini pupillage are neither more nor less likely subsequently to be offered a pupillage than applicants who are not.
8. Mini pupillages are unfunded. 3PB does not offer travel or subsistence expenses to mini pupils. Individual members may treat pupils to lunch or travel, but they are not obliged to do so and mini pupils should not assume that they will.
9. Mini pupillages will usually be available in each centre throughout the year except for August and over the Easter and Christmas breaks. Each mini pupillage lasts for 3 or 5 days. Each centre will take only one mini pupil at a time, although individual members may agree to shadowing separately: see below.
10. 3PB reserves the right to reduce both the length and number the number of slots available in each centre and to suspend applications as necessary in light of available resources within Chambers and the individual centres.

#### Assessing applications

11. Applications must be made on 3PB's application form, downloadable from the website, and sent to [Minipupils@3pb.co.uk](mailto:Minipupils@3pb.co.uk).
12. Due to the sensitive nature of our work, mini pupils must be at least 18 years old. Chambers may be able to offer unpaid work experience to under-18s, but this will be limited to work within the centre with our practice development and admin teams. Work experience does not fall within the remit of this policy.

13. Application forms will be marked out of a possible 16 marks on the basis of the following criteria:

- (a) *Intellectual ability*: may be demonstrated through a very good academic record (regardless of school or university attended) or through other achievements/employment which show a high level of intellectual application (up to 8 points).
- (b) *Commitment*: a high level of drive and determination; evidence of a genuine and strong interest in practising law at the Bar (up to 4 points);  
and
- (c) *Impact*: the candidate's ability to market themselves on paper through their personal style and achievements (up to 4 points).

### **Application process**

14. Applications are made via 3PB's application form to Minipupils@3pb.co.uk, an address monitored by the Director of Operations. Applications are determined by each centre's assessor on the basis of the form. There is no interview stage. The applications are considered once a month, with a cut-off date off 15<sup>th</sup> of the month, with the applicants usually being informed by the end of the month. As we are a working Chambers, it is not always possible to deal with applications as swiftly as we would like.
15. Applications will only be accepted if they are made using the Chambers' application form. Chambers does not accept applications via curriculum vitae or covering letter. Only the information provided on the application form itself will be used for assessment, to ensure that all candidates are marked fairly and consistently. It is not acceptable to submit an application form with only basic information that refers to an attached curriculum vitae or other information.
16. Applications sent via e-mail must contain the centre to which you are applying in the subject box, failure to do this will result in your application being rejected.
17. Applications will then be passed on by The Director of Operations to the relevant centre's mini pupillage assessor(s).
18. Ethnic monitoring information is often also provided by applicants. This is purely so that 3PB can comply with its regulatory duties. This information must be separated from the form by the admin team before the application form is sent to the relevant centre.
19. Once the assessor has received the forms for a particular month they will:
  - (a) Ensure that the candidate is at least 18 years old;
  - (b) Mark any application forms received in accordance with the criteria set out at paragraph 12 above (and send a copy of the marking data to Head of Mini Pupillage and Director of Operations);

- (c) Email each applicant individually not later than 14 days after the relevant deadline to inform them whether or not their application has been successful (and copy in the Head of Mini Pupillage and Director of Operations to each email).
- (d) Successful applications will be invited to contact Chambers within 7 days of the date of the assessor's email to book a date to attend and warning them that if they do not respond it will be assumed that they do not wish to take up the offer.
- (e) If your application to Chambers is unsuccessful then applicants cannot reapply for a minimum of 12 months.

### **The programme**

- 20. Each mini pupillage lasts for 3 or 5 days between Monday and Friday or (if in the week of a public holiday) for 4 days. Mini pupils will not be assigned to a barrister "supervisor" for their week, as this potentially limits the work that they will see. In each centre the mini pupillage administrator will liaise with the practice development team every evening to identify appropriate cases, conferences or members for mini pupils to shadow within Chambers.

### **Relevance of Performance/Assessment**

- 21. Mini pupils' performance is not assessed. The only relevance of a mini pupillage at 3PB to a pupillage application is that it demonstrates commitment to and experience of life at the Bar. However, there are limited circumstances in which conduct during mini pupillage will be relevant to a future application for pupillage. Chambers reserves the right to reject applications for pupillage from candidates who, during their mini pupillage:
  - (a) Gave a lay client advice or breached confidentiality; and/or
  - (b) Behaved in a manner which might reasonably be described as amounting to gross misconduct, including for example assaulting or verbally abusing a member of chambers, staff member or client, stealing from Chambers, members or staff, or otherwise acting in a manner that could bring Chambers into disrepute.

### **Members' obligations**

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

### **Duties of mini pupils**

24. Mini pupils MUST:
  - (a) Attend Chambers at 9am every morning unless otherwise instructed;
  - (b) At all times dress appropriately for court: formal suit, dark if possible, and dark shoes;
  - (c) Follow any instructions given by members or staff in connection with mini pupillage; this may include reading papers, research, carrying out drafting, attending conferences, court or other hearings. It may also involve being asked to leave a conference or hearing; if so the mini pupil must do so without question or protest; and
  - (d) Sign a confidentiality undertaking agreeing to observe strictly client confidentiality both during and after the mini pupillage, including the names of clients and the nature/detail of their cases.

25. Mini pupils MUST NOT:

- (a) Speak or contribute during any meeting, conference or hearing at which they are present. In particular, they must not give advice or anything that might be taken as advice to lay clients or solicitors, whether the member/solicitor is there or not.
- (b) Take books or papers, or copies of papers, belonging to members of Chambers out of Chambers.
- (c) Publicise or post on any social media platform your mini pupillage at 3PB as a job or a position
- (d) Post anything about which court you have attended or who you attended with
- (e) Take or post any photographs or videos from within Chambers or in any court or tribunal room, nor take any photographs or videos which identify anyone else present with you.

26. Chambers may in its discretion immediately terminate a mini pupillage if there is any breach of paragraphs 24 and 25 above.

**Informal Shadowing**

27. As with many professions, some members of chambers may wish to offer individuals the opportunity to “shadow” them personally in appropriate circumstances. This is permitted but subject to the following limitations:

- (a) Members may only offer up to 3 days’ shadowing.
- (b) Such offers may only be made if the Head of the Pupillage Committee or Head of Mini-pupillage has confirmed that making this offer would not interfere with a mini pupillage offered by Chambers.
- (c) It must be made absolutely clear to the shadower that they are not undertaking a mini pupillage with Chambers, but a period of shadowing the barrister personally. The shadower must not suggest or imply in subsequent applications that they have undertaken a mini pupillage at 3PB.



- (d) The member of Chambers is personally responsible for the shadower and must not expect the practice development team or pupillage committee to find appropriate work for the shadower. The assumption is that the shadower will stay with the member of Chambers who invited them throughout.

**Review of this policy**

- 28. This policy will be reviewed annually.



## OFFER OF MINI PUPILLAGE

This mini pupillage is offered in exchange for the following undertakings:

**BETWEEN**                      3PB Barristers

**AND** .....

1. During the period that you are conducting your mini pupillage in chambers you are very likely to come across confidential information, either orally, in written form or otherwise. If you are in any doubt as to whether information is confidential or not, you should assume that it is. If you have any questions about confidentiality issues, either now or in the future, you should discuss the matter with your mini pupillage supervisor.
  
2. Subject to clause 3 below, during your mini pupillage and thereafter you will:
  - 2.1. Not disclose to any person, firm, company or other entity
  - 2.2. Not use for your own or another's advantage;
  - 2.3. Not copy, adapt or reproduce; and
  - 2.4. Use your best endeavours to prevent the disclosure of  
  
any disclosure derived from your time in chambers relating to cases in which members of chambers or their pupils are instructed or more widely to the business or affairs of chambers or any client of chambers which you know or ought reasonably to have known to be confidential. In particular you shall keep agreements, advice, standard forms, practice notes and all other information confidential.
  
3. The restrictions in clause 2 above shall not apply:
  - 3.1. To any disclosure or use with the prior authorisation of your mini pupillage supervisor or which is required by law or by a court order;
  - 3.2. So as to prevent you from using your own personal skill and experience after the mini pupillage has ended;
  - 3.3. To any protected disclosure under the Employment Rights Act 1996 if applicable; or



3.4 Where the information is already in the public domain (unless as a result of your breach of Clause 2)

4. You and chambers confirm that this confidentiality agreement records the entire agreement between you and them and is intended to be an exclusive record of the terms of that agreement, and that no other terms and conditions relation to the mini pupillage have been agreed.

Please confirm that you have read and understood both the Mini Pupillage Policy and Confidentiality Agreement by signing below.

Signed: .....

Date: .....

Name: .....