

PUPILLAGE TRAINING PROGRAMME

I. Duties of Chambers and pupils

1. The duties and responsibilities of Chambers and of pupils during pupillage are set out between paragraphs 14 and 21 of the Pupillage Policy.

II. Curriculum: Core and Wider

The Core Curriculum

2. Chambers' practice areas are specialised and often fairly technical. Members of Chambers undertake a particularly large volume of written work in comparison with many barristers who practise in other areas of the Bar. In order to become competent (within the meaning of the Bar Standards Board's Professional Statement) in the work typically undertaken by members of Chambers, it is necessary for pupils to gain a deep understanding of the specialised work that falls within the core areas of practice for most members of Chambers.
3. For this purpose, a Core Curriculum (see **Annexe A**) has been compiled to assist supervisors and pupils. The Core Curriculum is by no means an exhaustive list of the work pupils are expected to observe and undertake during pupillage. Rather, it comprises a list of work in Chambers' practice areas, which, when satisfactorily completed, will ensure that pupils have acquired the skills, knowledge and experience to meet the Threshold Standard ("**the Threshold Standard**") for Competences prescribed by the Professional Statement for Barristers ("**the Professional Statement**").
4. It is anticipated that a pupil will likely cover each item in the *Observe*, *Draft* and *Advise/Analyse* sections of the Core Curriculum multiple times during pupillage. In doing so, a pupil is expected to develop all of the competences listed in the *Skills* section. It is not expected that there will be any gaps on the checklist by the end of pupillage.

5. Finally, there is an *Administrative/Regulatory* section to the Core Curriculum to remind pupils that a barrister has duties and responsibilities beyond developing their legal knowledge and skills, and to encourage pupils to organise the administrative and regulatory aspects of their practices from the outset. This section contains the compulsory courses that a pupil is required to undertake by the Bar Standards Board.

The Wider Curriculum

6. In addition to the Core Curriculum, a Wider Curriculum (see **Annexe B**) is available for supervisors and pupils to follow. The Wider Curriculum sets out further areas of legal knowledge and experience that are relevant and extremely desirable for a pupil to have.¹
7. The Wider Curriculum consists of:
 - a. The Amended Chancery Bar checklist; and
 - b. A Trusts and Taxation of Trusts checklist.
8. The Chancery Bar checklist is the general guide provided by the Chancery Bar. It has been amended to highlight the aspects that are most relevant to the work undertaken by Chambers. The Trusts and Taxation of Trusts checklist was produced by senior members of Chambers as a skeleton outline of one of Chambers' more technical practice areas.
9. Supervisors and pupils are encouraged to ensure that the pupil completes as much of the Wider Curriculum as is feasible during pupillage. It is unrealistic to expect that each pupil will gain direct experience of every single item listed in the two checklists that form the Wider Curriculum. Instead, once pupils have completed the Core Curriculum (and, inevitably, a large proportion of the Wider Curriculum) and are at the point of commencing tenancy or a third six pupillage, they should have the experience and skills necessary to:
 - a. have an awareness of the limits of their own knowledge;

¹ While the Amended Chancery Checklist also refers to skills, all of these are already contained within the Core Curriculum.

- b. tackle unknown areas they encounter in practice by conducting their own research and analysis; and
- c. understand when it is necessary to ask for assistance from other members of Chambers.

III. Guidance on completion of the Core Curriculum and the Wider Curriculum

10. The time at which each pupil will complete the items of work listed in the Core Curriculum and the Wider Curriculum will typically depend on the work that the pupil's supervisor happens to be undertaking during the pupil's time with them. Opportunities, where feasible, for the pupil to observe or work on 'live' cases are preferential to setting the pupil 'dead' work, and should not be passed up.
11. The specific work undertaken by a pupil during their time with each supervisor will fall within that supervisor's discretion, albeit the supervisor will make reference to the Core Curriculum and the Wider Curriculum and will always bear the interests and progress of the pupil in mind. In this regard, pupil supervisors will discuss with pupils any particular interests they may have and attempt where possible to accommodate those interests with pupillage.
12. The supervisors' discretion notwithstanding, training during pupillage will generally take a similar shape to the following:
 - a. Each pupil have four pupil supervisors, sitting with each one for a three-month period (or 'seat'). Chambers will try to ensure, when designating pupil supervisors, that pupils are exposed to the widest possible range of Chambers' work.
 - b. First six months:
 - i. Emphasis (particularly in first three months) on observation and legal research to familiarise the pupil with areas of law that are likely to be new to them.
 - ii. Pupils given a generous amount of time to research, read around the area, and complete work (unless time pressure is necessary, e.g. because

the pupil is assisting their supervisor or another members of Chambers with live work which has a deadline).

- iii. Pupils given particularly thorough direction about resources and which textbooks to consult for particular issues, so that they learn this for themselves.

c. Second six months:

- i. Emphasis on completing written work and deepening understanding of Chambers' more technical practice areas.
- ii. Pupils still given time to research the general area, but more emphasis on turning work around in good time, as would be expected of a new tenant.
- iii. Pupils encouraged to complete more straightforward, familiar work with less supervision, but emphasis placed on reviewing pupil's tax and drafting work closely, highlighting that these are areas that pupils should check with other members of Chambers, especially when a new tenant.

13. It is expected that pupils will not only complete work for their supervisor and receive feedback for it, but will also discuss what they have observed. Supervisors will make discussion of soft skills, techniques and practical aspects of practice a priority. Supervisors are also expected to flag ethical issues that appear in instructions or other situations, and to make a point of discussing them with their pupil.

14. Pupil supervisors will also discuss issues of practice management with pupils as appropriate. In particular (without limitation) supervisors and pupils should discuss:

- a. The role of clerks and the way in which the administration of Chambers is organised;
- b. The importance of, and techniques for, continuing professional development;
- c. The importance of ensuring that work is undertaken in the most proportionate and efficient manner possible so that fees are not incurred unnecessarily;
- d. The importance of costs budgeting and providing accurate cost estimates; and
- e. Principles of organisation and management of a barrister's practice including those matters identified in Competences at 4.2, 4.3, 4.5 and 4.7.

15. Pupil supervisors must also highlight different forms of funding arrangements encountered in practice including conditional fee agreements and ATE insurance.
16. Pupils are encouraged and expected to be proactive in learning and developing their own skills. There is a well-established practice in Chambers of asking questions and discussing work (where confidentiality and conflict issues permit), whether by impromptu visits in Chambers or at social events such as Chambers Tea. Pupils are encouraged to listen to and reflect on these discussions. By listening and observing, pupils should get a sense of the support and expertise available in Chambers.
17. Pupils and supervisors are not only encouraged to seek opportunities to develop pupils' skills, knowledge and experience within Chambers (as described above) but also to seek opportunities outside Chambers (for example, by attending seminars and conferences hosted by specialist organisations). Participating in outside events will not only ensure that pupils have access to a wide range of different views and experiences within the legal professional but will also help pupils build a professional and social network outside Chambers so as to aid a smooth transition into practice.

IV. Feedback, monitoring progress, and reflection on pupillage

Feedback on individual pieces of work

18. Supervisors and other members will endeavour to give feedback within one week of receiving the relevant piece of work from the pupil (see 18(e), Pupillage Policy). It is expected that detailed feedback will be given on a pupil's opinions and drafting; ideally, feedback will be handwritten on a printed copy of the work or inserted in tracked changes. It is typical for a supervisor or member to also go through the work with the pupil orally. Wherever possible, pupils will be given the opportunity to compare their work with the supervisor's/member's final version.

Supervisor's general feedback on pupil

19. Formal feedback on a pupil's overall performance is given by a supervisor at the end of their time with each pupil. Supervisors will start by going through the Core

Curriculum checklist (see **Annexe A**) with the pupil and filling it out if this has not already been done.

20. Supervisors will then fill out an electronic Feedback Form (see **Annexe C**) with general comments on the work undertaken by the pupil during the three-month period, and the following headline feedback points:

- a. 'Avoid' – flagging areas in which the pupil falls short of the Threshold Standard in the Professional Statement and habits that they should avoid.
- b. 'Focus on' – suggestions for what the pupil could be doing that they are not already.
- c. 'Continue' – highlighting positive aspects of the pupil's performance so that the pupil recognises that these are attributes to be developed.

21. Pupils will be given an opportunity to read the Feedback Form. Pupils and supervisors will have a short meeting on the Feedback Form so that the supervisor can expand on their comments and the pupil can raise any questions they may have. Pupils are then given an opportunity to add to the Feedback Form their own comments on the work they have undertaken, the skills they have developed, and their focus going forward, either with their next supervisor or during tenancy or a third six. This is a chance for pupils to reflect on their progress during their time with the supervisor, explain – where necessary – the circumstances of the work completed and their performance, and set goals for their progress in the immediate future.

22. The pupil's former supervisor will have a handover meeting with the new supervisor, discussing the pupil's progress with reference to the Core Curriculum checklist. The new supervisor will endeavour to address any gaps in the pupil's completion of the Core Curriculum, as well as the Wider Curriculum.

23. As set out further below, the Feedback Forms of the first three pupil supervisors will be reviewed by the Pupillage Committee as part of the tenancy decision process.

Monitoring progress

24. At the end of a pupil's 'first six', they will have a meeting with a member of the Pupillage Committee (who will not be their supervisor during pupillage) to discuss progress. Reference will be made to the following:
- a. The two Feedback Forms that will have been completed by that stage;
 - b. The pupil's Core Curriculum checklist; and
 - c. The pupil's formal advocacy assessment (see further below).
25. The meeting will be an opportunity for the Committee member and the pupil to touch base and review the feedback to date. The Committee member will discuss the Professional Statement with the pupil to ensure that the pupil is sufficiently familiar with it. The pupil will have an opportunity to voice their views on the development of their pupillage, ask any questions and raise any concerns. The Committee member will discuss with the pupil whether they have met the Threshold Standard for the oral advocacy and professional standards Competences in the Professional Statement. If the pupil has not met the standard, they will be given an opportunity to undertake another advocacy exercise in the weeks after the monitoring meeting.

Reflection

26. Pupils are encouraged to keep:
- a. A brief diary of the work undertaken and observed. An optional template is provided to pupils during pupillage induction.
 - b. A document of notes collating and reflecting on (soft) skills and practical tips picked up during pupillage. An optional template is provided to pupils during pupillage induction. Pupils are encouraged to use and add to this document beyond pupillage.

V. Assessment of pupils

Methods of assessment

27. Each pupil will be subject to two formal assessments:
- a. A formal advocacy assessment; and
 - b. A formal written assessment.

Advocacy assessment

28. During the second three-month period of pupillage, each pupil will complete two advocacy exercises:
 - a. The first exercise will be held about a month into the three-month period and be an unassessed practice exercise.
 - b. The second exercise will be formally assessed and will take place shortly before the end of the three-month period (i.e. just before the end of the ‘first six’).
29. The second advocacy exercise will be assessed using the assessment form at **Annexe D**. The assessment criteria correspond with the Competences in the Professional Statement for advocacy. A pupil is required to achieve the Threshold Standard to pass the advocacy assessment.
30. The assessment will be carried out by the pupil supervisor and two other members of chambers who are not pupil supervisors for that year. Where there is more than one pupil, if possible, the same two members shall participate in the assessment for each pupil to ensure consistency of marking.
31. The first advocacy exercise is designed as an opportunity for the pupil to practise their oral advocacy skills before being assessed. Although the exercise is unassessed, the pupil will be given informal oral feedback after the exercise under the various headings under the assessment form at Annexe D.

Written assessments

32. During the third three-month period of pupillage, each pupil will complete a written assessment. The pupil’s work will be assessed using the assessment form at **Annexe E**. The assessment criteria are based on the Competences appropriate for written work. A pupil is required to achieve the Threshold Standard to pass the written assessment.
33. The assessment will be carried out by three members of Chambers. Where there is more than one pupil, if possible, the same three members shall participate in the assessment for each pupil to ensure consistency of marking.

34. Supervisors will be made aware at the beginning of the year of the subject matter and type of written assessment and should give the pupil at least one opportunity to familiarise themselves with the subject area and type of written document. This is particularly important where there is more than one pupil undergoing pupillage; in these circumstances, pupil supervisors should liaise to ensure that each pupil has had broadly similar exposure to the type of work by the time that they complete the assessments.

VI. Provisional Practising Certificate

35. Pursuant to section 4K, paragraph 2.5 of the Bar Qualification Manual, the final supervisor shall complete the Non-practising period completion form. In deciding whether certify satisfactory completion of the non-practising period of pupillage the pupil supervisor shall consult with the Pupillage Committee about whether the relevant Competences have been satisfactorily completed. If the pupil supervisor is unable to certify satisfactory completion of pupillage, paragraphs 38 to 40 of the Pupillage Policy shall apply.

36. Pupils are reminded that they should not expect to practise during the ‘second six’. However, they may complete pieces of work in their own name if their pupil supervisor judges the work suitable for the pupil and if it is compatible with the pupil’s training and other commitments. Where a pupil is able to undertake work, Chambers’ policies and procedures on the fair allocation of work shall apply (and see also paragraph 19 of the Pupillage Policy).

VII. Procedure for recruiting tenants

37. There is no formal application process for a tenancy at Chambers. Unless they indicate otherwise, it is assumed that every pupil wishes to be considered as a candidate for tenancy. Pupils will be appraised of the timing and mechanics for recruitment of junior tenants during the induction process at the start of pupillage.

38. The process for assessing each pupil’s suitability for tenancy is set out between paragraphs 34 and 37 of the Pupillage Policy.

39. Once each of that year's pupil supervisors has had an opportunity to assess the work of each pupil they will meet and (by reference to the selection criteria set out at Annexe A of the Pupillage Policy) formulate a recommendation as to whether each pupil meets the criteria for selection as a tenant.
40. The recommendation is subject to confirmation by the Pupillage Committee. In deciding whether to confirm the recommendation, the Pupillage Committee shall have regard to:
- a. The Feedback Forms of the first three pupil supervisors.
 - b. The formal written and advocacy assessments.
 - c. The pupil's Core Curriculum checklist.
41. The Pupillage Committee shall confirm the pupil supervisors' recommendation if satisfied that the pupil will at the end of the pupillage meet the Threshold Standard for Competences prescribed by the Professional Statement.

VIII. Full qualification

42. Pursuant to section 4K, paragraph 3.11 of the Bar Qualification Manual, the final supervisor shall complete the Practising period completion form. In deciding whether certify satisfactory completion of the practising period of pupillage the pupil supervisor shall consult with the Pupillage Committee about whether the relevant Competences have been satisfactorily completed. If the pupil supervisor is unable to certify satisfactory completion of pupillage, paragraphs 38 to 40 of the Pupillage Policy shall apply.

IX. Reasonable adjustments and tailored arrangements

43. Pupils are reminded the Chambers has adopted a reasonable adjustments policy and that this applies to pupils. Pupils are encouraged to take advantage of this policy if appropriate. If it is felt, based upon personal circumstances, that there are adjustments which could be made to the way feedback is delivered and/or assessments are carried out so to maximise their benefit to the pupil, the pupil and the supervisor are encouraged to discuss this at the earliest opportunity to see what steps can be taken.

44. Pupils are required to undergo compulsory training and assessment during pupillage. It is important that they have enough time to prepare properly for these commitments. Pupils and supervisors therefore should discuss how adequate time for preparation can be accommodated alongside the requirements of this Training Programme.
45. As matters stand, the only compulsory course which the BSB requires pupils to undertake is an advocacy course in the non-practising period of pupillage and a professional ethics exam. Chambers will meet the reasonable costs, if any, of such a course/exam and attendance at that course/exam will not be counted towards any days of your entitlement to annual leave.
46. In the event that a pupil is required to be absent from Chambers for an extended period by reason of ill-health or other extenuating circumstances and arrangements for remote supervision cannot reasonably be made in the circumstances, so that there is a risk that Chambers cannot be satisfied that the pupil has met the Competences required to enable it to certify the satisfactory completion of pupillage, paragraph 39 of the Pupillage Policy shall apply.
47. In the event that a supervisor is unable to provide supervision for an extended period by reason of ill-health or any other circumstance, Chambers will make arrangements as soon as reasonably practical for another supervisor to supervise the pupil and so far as is reasonably possible shall ensure that there is no effect on that pupil's ability satisfactorily to complete the period of pupillage by its contemplated end.

X. Review of training programme

48. Pupils, supervisors and members conducting formal assessments will all be asked for feedback on pupillage and training after a decision has been made about tenancy. The Pupillage Committee will meet after any such feedback has been received to consider whether any amendments to the Training Programme are necessary or desirable. In doing so they must have regard to the requirements of Flexibility, Accessibility, Affordability and High Standards as defined by the BSB Authorisation Framework.

Annexe A: Core Curriculum

Supervisors and pupils are expected to review and fill out the following table throughout or at the end of their time with each supervisor. Reference can be made to the pupil's work diary for dates and other details. The table will be submitted to the pupil's next supervisor so that the pupil's progress is actively monitored.

OBSERVE		
Item	Details of how this was covered to the Threshold Standard	Date
A directions hearing or a CCMC		
A trial (ideally between one and five days, a contested probate claim or a 1975 Act claim)		
A hearing dealing with the summary assessment of costs		
An application for relief from sanctions		
A final hearing in a Part 8 claim		
A final hearing in the Court of Protection		
A mediation		
A client conference: (i) with solicitors only; (ii) with solicitors and lay client(s).		
<p><i>It is expected that pupils will observe all of these during pupillage, either with their supervisor or another member of Chambers.</i></p> <p><i>If, for whatever reason, a pupil does not manage to observe one of the above:</i></p>		

(i) the pupil's supervisor should replicate it with the pupil as an exercise, if appropriate, or discuss it with the pupil thoroughly; and

(ii) the pupil should ask to observe it as a junior tenant or third six pupil.

It is anticipated that, in observing the above, the pupil will see cases in a range of courts and before a variety of judges. Pupils and supervisors should make reference to the Amended Chancery Checklist to ensure that each pupil has experienced advocacy in a sufficiently wide range of settings.

DRAFT

Reminder: Pupils should be set a suitably challenging drafting task during their third seat of pupillage to ensure all advocacy Competences are addressed to the Threshold Standard before the end of pupillage

Item	Details of how this was covered to the Threshold Standard	Date
A deed of variation of a will		
A deed of appointment		
A statutory will		
A Tomlin order		
A skeleton argument		
A letter before claim <i>or</i> a response to a letter before claim		
A particulars of claim		
A defence		

An order following a directions hearing or CCMC		
A part 8 claim form and witness statement (e.g. seeking removal of a personal representative under s.50 AJA 1985)		
<p><i>It is expected that pupils will draft all of these during pupillage, either for their supervisor or another member of Chambers.</i></p> <p><i>If, for whatever reason, a pupil does not manage to draft one of the above, the alternative is that the pupil's supervisor will go through an example of the relevant piece of work with the pupil and discuss it in detail.</i></p>		

ADVISE / ANALYSE		
Item	Details of how this was covered to the Threshold Standard	Date
A 1975 Act claim		
An infant approval opinion		
A contentious probate claim (in particular, involving testamentary capacity)		
Construction of a will or a trust		
A Court of Protection issue		
A Part 64 application		
Trust powers (in particular, powers of appointment and advancement)		

Termination of a trust		
Tax: IHT, including NRB/RNRB		
Tax: CGT upon death		
Tax: consequences of a deed of variation		
Tax: settling probate / 1975 Act claims		
Tax: IIP and discretionary trusts		
<i>Pupils should write an opinion on the above or (if appropriate) complete some other work involving case analysis on the above.</i>		

SKILLS	
Written advocacy (skeleton arguments, documents for court)	
Details of when this was observed, discussed or practised:	Date:
Oral advocacy	
Details of when this was observed, discussed or practised:	Date:

Drafting and pleading (contentious)	
Details of when this was observed, discussed or practised:	Date:
Drafting (non-contentious)	
Details of when this was observed, discussed or practised:	Date:
Legal research	
Details of when this was observed, discussed or practised:	Date:

Advising in writing (opinions, notes, emails)	
Details of when this was observed, discussed or practised:	Date:
Advising in conference	
Details of when this was observed, discussed or practised:	Date:
Negotiations (at mediation and in other settings)	
Details of when this was observed, discussed or practised:	Date:

Dealing with professional and lay clients appropriately	
Details of when this was observed, discussed or practised:	Date:
Ethical issues	
Details of when this was observed, discussed or practised:	Date:
Practice management	
Details of when this was observed, discussed or practised:	Date:

<p><i>The above skills can be gained through observation, discussion with supervisor and other members of Chambers, or practice.</i></p>	

ADMINISTRATIVE / REGULATORY		
Task	Completed?	Date
Notify BSB of change in circumstances with each new supervisor	Supervisor 1:	
	Supervisor 2:	
	Supervisor 3:	
	Supervisor 4:	
Compulsory course: advocacy		
Compulsory course: professional ethics		
Compulsory course: negotiation		
Optional course: forensic accounting (paid for by Chambers)		

Apply for confirmation of full qualification letter and provisional practising certificate		
Organise accounting and tax (this is left to you)		
Apply for full practising certificate		
Register with the ICO		
Obtain BMIF Insurance and, if necessary, top up insurance		
GDPR training		
<i>For assistance with or explanation of the above, pupils should contact Chambers' Operations and HR Manager.</i>		

Annexe B: Wider Curriculum

Annexe C: Supervisor Feedback Form

Name of supervisor:		Name of pupil:	
General comments on / details of work undertaken by pupil:			
Headline feedback points from supervisor:			
Avoid:			
Focus on:			
Continue:			
Comments from pupil on work undertaken and skills developed:			

Comments from pupil on areas of focus going forward:

Annexe D: Formal feedback form for the advocacy exercise.

Scale:

The pupil will be scored on the following scale. A pass mark is 3 or above. Markers are required to have regard to the threshold standard set out in the BSB's Professional Statement.

1	2	3	4
Threshold standard not achieved	Threshold standard partially achieved	Threshold standard fully achieved	Threshold standard exceeded

Competences:

The pupil will be scored on the following Competences. Markers may be obliged to assess some of the Competences through judicial intervention or discussion with the pupil following the exercise. The use and content of any documents prepared by the pupil ahead of the exercise will also be taken into account. Specific feedback or clarification on scores can be given in the comments box.

Competences (set out at 1.15, BSB's Professional Statement)	Score (out of 4)
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	
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) [Where relevant to the exercise] 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.	
Comments:	

Has the pupil achieved the threshold standard? (All Competence scores must be a 3 or above)

If not, which Competences which did not meet the threshold standard?

Any other advice or feedback:

Annexe E: Formal feedback form for the written exercise.

Scale:

The pupil will be scored on the following scale. A pass mark is 3 or above. Markers are required to have regard to the threshold standard set out in the BSB's Professional Statement.

1	2	3	4
Threshold standard not achieved	Threshold standard partially achieved	Threshold standard fully achieved	Threshold standard exceeded

Competences:

The pupil will be scored on the following Competences (including the sub-Competences that go with them - markers will need to be familiar with the relevant parts of the BSB's Professional Statement). Specific feedback or clarification on scores can be given in the comments box but it is also expected that detailed comments will be made on the work submitted by the pupil, either in tracked changes or handwritten on a copy of the document.

Competences (taken from the BSB's Professional Statement)	Score (out of 4)
1.2 Have a knowledge and understanding of the key concepts and principles of public and private law.	
1.3 Have a knowledge and understanding of the law and procedure relevant to their area(s) of practice.	
1.5 Apply effective analytical and evaluative skills to their work.	
1.6 Provide clear, concise and accurate advice in writing.	
1.8 Exercise good English language skills.	
1.10 Make sound judgements in their work.	
1.12 Employ effective research skills.	
[Where relevant] 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.	
[Where relevant] 1.14 Draft skeleton arguments which present the relevant facts, law and arguments in a clear, concise and well-structured manner.	
Comments:	

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Has the pupil achieved the threshold standard? (All Competence scores must be a 3 or above)

If not, which Competences (or other criteria) did not meet the threshold standard?

Any other advice or feedback:

