

Serjeants' Inn Chambers' Pupillage Prospectus

We recruit purely on merit in accordance with our equality and diversity policy, encourage applications from all sections of the community and are happy to make reasonable adjustments as necessary for those with disabilities, either for the purpose of making an application for or undertaking a pupillage in chambers.

<i>Introduction by the Heads of Chambers.....</i>	<i>1</i>
<i>The format of pupillage at Serjeants' Inn</i>	<i>2</i>
<i>Pupillage award and earnings</i>	<i>3</i>
<i>What we expect from you</i>	<i>4</i>
<i>What you can expect from us</i>	<i>5</i>
<i>Tenancy and how it works.....</i>	<i>6</i>
<i>Applying for pupillage at Serjeants' Inn</i>	<i>7</i>
<i>Experiences of pupillage at Serjeants' Inn.....</i>	<i>8–11</i>
<i>A final word.....</i>	<i>12</i>

Welcome to Serjeants' Inn Chambers' Pupillage Prospectus. Our aim is give you an overview of how pupillage at Serjeants' Inn will prepare you for life at the Bar, but also what we expect of you if you join us and how to go about making an application.

We appreciate that you probably want to know why Serjeants' Inn is different from other chambers, in respect of what it does and how it trains pupils. We are a modern, common law set, which handles some of the most interesting litigation you are likely to hear about. We cover all aspects of medical and police law. At the time of going to press, members of chambers have recently appeared in ground-breaking cases involving the right to die and the duties of police forces to protect their officers during operations. Many of our cases span both elements of public and private law. They affect the rights of both individuals and the state.

In 2015 we were named as "Chambers of the Year" by Chambers & Partners, Halsbury Legal Awards and Modern Law Awards. We were also the only set to be shortlisted by the Financial Times in its Innovative Lawyers Report 2015.

We support a number of charities including First 100 Years and Friends in Law as we believe that there is an obligation on the Bar to promote not only access to justice but also fairness within the profession itself.

The broad mix of our work necessitates a diverse group of barristers in chambers. Some of us have taken the traditional route to the Bar, but a number have had previous careers as judge's clerks, solicitors, accountants, surveyors, doctors, psychologists and police officers and came to the Bar slightly later on.

Our academic backgrounds vary from modern history to chemistry. What we have in common is a commitment to excellence and a convivial, fair working environment for everyone.

We take pupillage seriously. You have only twelve months to make the transition from student to barrister. We believe that a solid grounding in both written and oral advocacy is essential. Appearing in court will sharpen your analytical skills and quicken your thinking, both of which are fundamental to advisory work. We provide our pupils with a combination of rigorous intellectual training by exposing them to more complex cases through their pupil supervisors, whilst honing their skills as advocates by giving them their own cases as second six pupils.

Finally, we assume that if you are considering an application for pupillage at Serjeants' Inn, you also want to know about life as a tenant in chambers, so at the end of this prospectus you will find interviews with four junior tenants, all of whom were recruited from pupillage, Susanna Rickard, Pravin Fernando, Jemma Lee and Aaron Rathmell.

We wish you every success with your application and future at the Bar.

Angus Moon QC and John Beggs QC
Joint Heads of Chambers

Pupillage is divided into two periods of six months each, commonly known as the first and second six, respectively. The first six, i.e. the “non-practising” part, is spent working with pupil supervisors and other members of chambers.

Your working hours will generally be 9:00am to 6:30pm Monday to Friday subject to any other arrangements you make with your pupil supervisor. It is inevitable that pupillage entails a very steep learning curve, particularly during the first six months. You will need evenings and weekends to recuperate. Pupillage is a marathon and not a sprint!

During the second six you will still work under the supervision of a pupil supervisor, but you will also have your own cases and court appearances. You will begin to work directly with solicitors and chambers’ clerks. This is the next major step to becoming a fully-fledged barrister. Starting your own work is exciting, but you are not expected to manage alone. Asking questions (even if only where to stand) is part of the process!

We aim to give pupils as broad an exposure to the different aspects of chambers’ work as possible. Of course, you may already have your own ideas about which areas of law interest you, but we urge you to keep an open mind. You will find as you start to see law in practice that your interests evolve and change. You will also see how skills and knowledge acquired in relation to one area of law, are often invaluable in another.

So, what does this mean in practice for you? You will spend four months with three different pupil supervisors, all of whom will have slightly different practices and levels of seniority.

You’ll find that much of the first three months is spent with your pupil supervisor, but then gradually you will start undertaking work for other members of chambers and accompanying them to court. The aim is to ensure that you not only have the broadest training possible, but also that a wide number of people in chambers have the opportunity to meet you and you, them. By the end of the twelve months you should have met and worked with a broad cross-section of tenants from our silks to our most junior tenants.

Whilst you should receive informal feedback continuously throughout pupillage, every three months you will have a short meeting with the Head of Pupillage to discuss your progress and any concerns you may have. You should not be in the dark at any stage during your pupillage either about how you are performing or what lies ahead during the rest of your pupillage. Pupillage is intellectually demanding and we believe that your efforts should be directed to acquiring the necessary skills to become a good barrister, as opposed to worrying unnecessarily. To this end, we also have a mentoring system. A mentor is appointed every year to provide pupils with pastoral care on a confidential basis where appropriate.

All pupils taken on for twelve months will receive an award totalling £45,000, comprising a grant of £35,000 payable in regular instalments throughout the pupillage together with guaranteed earnings in the second six months of pupillage of £10,000.

Pupils will be entitled to retain any fees earned on their own work during the second six months, but will be expected to pay nominal clerks' fees on such earnings. The guarantee is applied at the end of the second six by determining the fees billed by the pupil during the period and making a payment of any shortfall on £10,000.

Up to £10,000 may be drawn down by way of loan before the commencement of pupillage for the purpose of assisting with tuition fees and the like.

Occasionally, pupils may do work for pupil supervisors and other tenants of value to them in their practices. As such work is also intended to be part of the training of the pupil, the award is generally considered to cover any entitlement to payment which might otherwise arise. However, during the second six months, in the absolute discretion of the tenant concerned, pupils may on occasions and by prior arrangement with the current pupil supervisor, undertake work for tenants in respect of which separate payment will be made.

Even as a pupil you contribute to the perception of chambers and its working atmosphere.

We expect you to comply with the Bar Council's regulations and to obtain both a partial (at the end of your first six) and full practising certificate at the end of twelve months should you be offered a tenancy.

Even as a pupil you contribute to the perception of chambers and its working atmosphere. Consequently, you are expected to be punctual, dress appropriately (to meet a client or attend court) and preserve clients' confidentiality at all times.

You must also deal with all chambers' staff regardless of their role in a courteous and professional manner.

A thorough, but exciting training in a sympathetic atmosphere.

In short, a thorough, but exciting training in a sympathetic atmosphere, during which you will be assessed as a potential tenant of chambers. The idea of a year long interview is not one to which we wholeheartedly subscribe. What we want to see is your potential to learn (sometimes from your mistakes) and to develop good working relationships with a wide variety of people. No two judges, witnesses or clients are the same and you need to be able to relate to all of them quickly.

We will invite you to come to chambers long before your first day of pupillage. All successful candidates are invited to chambers' Christmas party the year before they start pupillage, the aim of which is to reassure rather than alarm! However, we also invite new pupils to visit chambers before they start to meet our Head of Pupillage, Business Director, Senior Clerk and their pupil supervisor and mentor. This is to let them see how chambers works and who to go to if their pupil supervisor is unavailable.

We hope that you will find chambers' layout and ethos means that you can always find someone to talk to whether it's about a case or a problem. Most problems should be capable of informal resolution. However, if that is not possible, you should raise the matter with your pupil supervisor and/or the Head of Pupillage, who will then take appropriate action in accordance with chambers' relevant policy.

You will be provided with the following documentation before you start pupillage by the Business Director, so you are aware of how chambers is run and what you can expect:

- Pupillage Policy
- Equality and Diversity Policy
- Reasonable Adjustments Policy
- Parental Rights Policy
- Data Security Policy
- Harassment and Victimisation Policy.

The decision about tenancy is taken by chambers as a whole and is subject to commercial conditions at the time. We aim to give pupils a firm indication by the end of June about their prospects of securing a tenancy subject to the satisfactory completion of pupillage.

This means that if you have to leave us, you have plenty of time to secure a third six pupillage in another chambers.

During your pupillage you will be given feed-back on every piece of written work you undertake and a corresponding written report will be sent to the Head of Pupillage and your pupil supervisor (unless the work was set by your pupil supervisor). The work will be graded in accordance with fixed criteria to ensure uniformity and objectivity.

Around the beginning of June, reports on your performance will be prepared and sent to chambers as a whole by your pupil supervisors along with a recommendation about your application for tenancy. The contents of the reports will be discussed with you before they are sent to the rest of chambers, so you have an opportunity to comment.

A report will also be provided to chambers by the Senior Clerk, which will include any feedback received from solicitors on your performance and the clerking team's views on how you have worked with them. Again, you will be told about the feed-back both from solicitors and clerks before it is circulated around chambers.

The reports will then be discussed at a chambers' meeting, after which a decision will be taken about your tenancy application.

So now you have heard about us, how do you go about making an application?

We offer up to two pupillages for the period of twelve months starting in October every other year, provided that the candidates from whom we receive applications meet our criteria for selection. These include ability, both practical and academic, personality and aptitude, together with the commitment and flexibility to face the challenges of a changing and demanding profession.

We choose pupils on merit alone and do not discriminate on grounds of ethnic origin, sex, age, sexual orientation, religion or disability. As a chambers, we support the objectives of the Bar Council Equality and Diversity Code and try to ensure that our recruitment policies are in line with the Bar Council's "Fair Recruitment Guide 2015 (A Best Practice Guide for the Bar)."

Applications for twelve month pupillages should be made through the Pupillage Gateway. Chambers will confirm annually whether it intends to recruit twelve month pupils. Vacancies for third six pupillages will be advertised on chambers' website. Selection of third six pupils will usually take place in June/July for the following October. Prospective candidates either for twelve month or third six pupillages should feel free to contact Chambers' Business Director, Martin Dyke for further information.

The aim of our interviews is to enable you to demonstrate your potential as a barrister and to assess our potential as your future colleagues. We do not expect to find the finished product, nor do we wish the process to be any more stressful than it already is. We have all sat the other side of an interview table (some of us more recently than others!) and want to ensure

that whatever the outcome you have had an opportunity to show us what you can do. Should you wish, we are happy to provide feedback on your performance in the hope that this will assist you with other interviews if your application to us is unsuccessful.

Applications for pupillages should be made online through the Pupillage Gateway at www.pupillagegateway.com

Susanna Rickard Pupillage: October 2009 – September 2010



Pupillage gave me a thorough grounding in the practice areas I went on to specialise in. Chambers ensured that I saw work that particularly interest-ed me, including medical ethics and public law/human rights cases. I had four supervisors over the year: Michael Mylonas, Bridget Dolan, Randal Davidson and John de Bono.

The year started with Michael on a high profile life/death medical treatment case. From that point on, the “medical ethics” work was a frequent feature, such that at the very start of tenancy I was able to begin my own practice in the Court of Protection and a year in I was junior counsel for the Official Solicitor in an anorexia case that received international attention: 2012 EWHC 1639 (COP). At the same time as shadow-ing my supervisors in their conferences and court appearances, I was learning to plead in civil and police matters, becoming proficient at tackling files upon files of medical records and trying my hand at difficult advices. The thorough grounding in clinical negligence, though not something I chose to pursue once qualified, has been useful in all other aspects of medical law.

The learning process in chambers involves regular feedback, which allows you to correct your mistakes and build on your strengths for each subsequent piece of work. Sometimes we would sit down at the end of each week and, together, my supervisor and I would discuss the things that each of us, not just I, had learned that week. This regular, collaborative approach enabled me to get the most from the year and has also encouraged a reflective approach in my own practice. As the year progressed, in addition to work for my

supervisors I began to do more work for junior members of chambers in preparation for my second six and (hopefully!) tenancy. Once on my feet, there were numerous County Court civil applications, includ-ing various applications for the police; a fond highlight was a week-long ASBO case involving multiple witnesses.

Chambers is a fantastic environment to be in daily and in which to continue learning and I think that is part of our fundamental ethos.

I now have five years’ practice under my belt. My time is divided equally between Court of Protection medical/welfare cases and other civil and public law work, including inquests. I do quite a lot of mental health law. That spans public law advisory work, high security psychiatric tribunals and judicial review. I also do work in the health-care regulation sector, which concerns decisions of the Care Quality Commission which affect care homes, hospitals and GP practices. That spans a mixture of tribunal work, judicial review and even the occasional prosecution. I’ve been led in multi-ple medical ethical and public law cases both from within and outside chambers. My clients are divided equally between public bodies such as Clinical Commissioning Groups and NHS Trusts, and patients.

Pravin Fernando Pupillage: October 2009 – September 2010



The journey from OLPAS (as it was in my day) to the completion of pupillage is no easy feat as anyone who has embarked on that journey will acknowledge. It feels like a long time ago that I was sitting in the foyer of what seemed like the grandest building on Fleet Street, waiting for my pupillage interview. Now into my sixth year of tenancy I cannot believe how fast the time has flown by. I was fortunate to have Richard Partridge, George Thomas and Neil Davy as my pupil super-visors. I was reassured by many tenants that they knew the pupillage year was a demanding one and although expectations were high they were equally realistic. I was swiftly introduced to all of the types of work undertaken in chambers. There is no doubt that a lot of emphasis was placed on developing good written skills and this has not changed. After each piece of work I received feed-back from my supervisors.

Pupillage is a learning process and errors were not frowned on (just as long as they were not repeated!)

In my second six months, I continued to complete written work for my supervisors whilst under-taking my own cases. I also started to undertake work for other (and often senior) members of chambers. The pupillage year equipped me well for my early years in practice. Within six months of being taken on I appeared in the case of *SJ (a child)* [2011] EWHC 473 (Fam) which concerned an application for public interest immunity over police documents. We are never short of inter-esting cases in chambers. I recall that one of my first trials concerned a man serving a double life sentence for murder. He complained that the police had allowed vehicles on his premises to be stolen during their investigation into the murders he had committed!

I continue to practise in chambers' core areas. I have defended doctors and dentists before their regulatory bodies and have appeared in Article 2 inquests concerning deaths in prison and following police restraint; in emergency applications on child welfare decisions in the High Court including the withdrawal of life sustaining treatment; and in public inquiries such as the Mid Staffordshire Inquiry, in which I appeared on behalf of the Department of Health. The list goes on. And yes, I still enjoy the variety of work that chambers has to offer!

Aaron Rathmell Pupillage: October 2011 – September 2012



My pupillage was divided into three rotations with different pupil supervisors. I was lucky to have Neil Davy, Ranald Davidson and John Beggs QC in that order. Neil and Ranald do a lot of disciplinary and clinical negligence work. They are highly regarded by claimant solicitors and the medical protection societies alike. This allowed me to get lots of experience in two areas in particular: draft-ing pleadings and attending conferences with expert witnesses.

Heavy work on pleadings for the first few months of pupillage, with the benefit of regular detailed feedback, was an important foundation for understanding the law in practice. This allowed me to try to master the fundamentals, while honing my own drafting style. Learning about medicine at its interface with the law was also a great experience, like learning another language.

My third rotation was with the head of chambers, John Beggs QC, who does a lot of public, human rights and police law: civil claims, judicial reviews and high profile inquests and inquiries. Most of my time was spent in court or preparing for court: assisting with skeleton arguments, legal research and discussing cross-examination strategy.

Serjeants' Inn Chambers was able to offer me excellent variety and experience during pupillage, with genuine mentoring in a rigorous, but caring and collegial environment.

At the end of pupillage, I became junior counsel on record in some of the cases I worked on, for instance *Davis v Metropolitan Police*, a police shoot-ing case [2016] EWHC 38 (QB). At the same time, I was in the very early stages of building my own practice: working on smaller instructions and attending court during the practising 'second six'. In the three years since completing pupillage, I have tended to do civil claims, judicial reviews and inquests, including the Hillsborough inquests. I have prosecuted in police misconduct cases and been junior in three High Court cases concerning Article 2 (right to life), Article 8 (right to privacy) and negligence. I also do advisory work for Police and Crime Commissioners, the Competition and Markets Authority and hospitals.

Jemma Lee Pupillage: October 2011 – September 2012



Pupillage provides you with the life skills required for a successful career at the Bar, as well as the high quality professionalism and nous that you will need.

I was supervised during my pupillage by Bridget Dolan, Simon Cridland and John de Bono. My first four months with Bridget were predominantly focused on clinical negligence, Court of Protection work and inquests. Bridget has a heavy advocacy-based practice and I was in court regularly, learning how to deal with opponents, lay clients, professional clients and judges. A lot of court-room advocacy is about knowing how to read other people and knowing when it is best not to ask questions at all! I gained considerable experience of how to communicate effectively in order to achieve a good outcome for my client.

Early in the new year, I became Simon's pupil and the focus changed to a lot of pleadings and quantum analysis. Serjeants' Inn prides itself on its written skill set and a lot of work goes into making sure that pleadings are up to scratch. Pupils are helped by being given plenty of opportunity to work with a whole range of tenants in order to adopt the written advocacy style that works best for them. I had previously undertaken a lot of written work with Bridget, but with Simon I was able to expand upon this and the quality of my pleadings improved considerably. I also learned how to work more efficiently under Simon's guidance.

During this time I also moved into my second six and began to take on my own cases. I was given the opportunity very early on to run a professional negligence trial which had inappropriately ended up as a small claims matter. I managed successfully to have the claim reallocated on the day of trial, which led to a settlement with the other side. This case was the start of a large number of clinical negligence cases with a firm that still instructs me today. The opportunity meant that I was undertaking

written clinical negligence work and advising in conferences with experts before I was even a tenant. I was also attending inquests representing

Anthony Searle *Pupillage: October 2016 - September 2017*



My first supervisor in October was Claire Watson. On my first day, I wrote a research note for her and Angus Moon QC to assist in a professional discipline case involving one of the first appeals by the GMC under the section 40A of the Medical Act 1983. That week, I also wrote a conference plan and attended a conference in a case involving the police's seizure and retention of an ancient artefact, the provenance of which had been challenged. It was certainly an interesting start to pupillage!

Over the next few months, my main objective was to get a solid grounding in the "basics", namely drafting pleadings and advices in an array of clinical negligence cases, and getting to grips with expert evidence. One of the highlights of my time with Claire was writing a research note on the viability of distinguishing or arguing against the decision in *Briody* [2001] EWCA Civ 1010. This assisted Claire with her submissions in *XX v Whittington Hospital NHS Trust* [2017] EWHC 2318 (QB), the first case in which the court awarded damages for the cost of surrogacy. It was great to be involved in a groundbreaking case.

I began my second period of supervision in February with Richard Partridge, whose knowledge and experience helped me to hone my skills, particularly in relation to pleadings. By this point, I was also doing quite a lot of work for other members of chambers. For example, I drafted grounds for judicial review for Paul Spencer in a case involving the publication of a school inspection report, and I wrote various medical and legal research notes for Christopher Johnston QC in a case involving a mental health patient who attempted to commit suicide. I was even fortunate enough to observe members of chambers in the Supreme Court on two occasions!

Richard's advice and support during the transition to my second six was greatly appreciated. Whilst I was naturally quite nervous at first, being able to talk through my own cases with Richard and get him to read through my first few skeleton arguments provided me with the confidence I needed to make a good start to my career in advocacy. In addition, many other members of chambers talked through new areas of law with me.

In June, Conrad Hallin became my third and final supervisor. As well as building on what I had learnt in the previous eight months, Conrad's aim was to prepare me for tenancy by helping me become more practical and more efficient. I also attended a number of interesting Court of Protection hearings and conferences with him. By this point, I felt more independent and started to take on more of my own work. In particular, I was instructed by a number of police forces to attend hearings (including a firearms appeal and a Forced Marriage Protection Order application) and advise on a wide range of matters. This experience meant that the transition from pupillage to tenancy was smooth and less of a shock than some might expect.

Pupillage Serjeants' Inn was challenging and rewarding. I was provided with many opportunities to experience interesting cases first-hand and build the foundations for a successful practice. Not only did I learn from leaders in their fields, but I also felt welcome and supported throughout.

*We hope that by now you have a clear idea about pupillage at Serjeants' Inn and how to make an application. However, if you have any concerns or queries, please contact Martin Dyke on **mdyke@serjeantsinn.com**. If he is unable to assist, your query will be directed either to our Head of Pupillage, Fiona Paterson, or Head of Equality and Diversity, Mike Horne QC.*