36 Crime Team Level Mini-Pupillage Application

This policy governs the Crime Team's mini-pupillage applications and the process by which they are considered. It is drafted with the 36 Group's overarching policy in mind and may be amended either at the direction of the Executive Board or by a simple majority of the panel members responsible for its implementation.

This policy applies only to applications made to the Crime Team and does not apply to the other teams within the 36 Group.

In broad terms, this policy is intended to increase the number of mini-pupillages and to provide eligible applicants with up to five days' experience of life at the criminal Bar. The usual format will be to place the applicant with a member of the Crime Team to observe a Crown Court trial. Applicants will not be required to undertake work or complete a test. The purpose of the mini-pupillage is simply to provide experience of, and access to, the criminal justice system for those seriously considering joining the profession. The policy is also intended to encourage more applications, particularly from those from backgrounds that have traditionally been underrepresented in the profession, in line with chambers' overarching mini-pupillage policy.

The policy and scheme will be overseen by a panel of Crime Team members. The panel will be responsible for administering the scheme, vetting applications, and allocating successful candidates to members of chambers.

The Crime Team Mini-Pupillage Panel

1. Each member of the Mini-Pupillage Panel must be a member of the Crime Team.
2. At all times, the panel must comprise no fewer than three members.
3. Future members of the panel shall be appointed either by agreed secondment, with the approval of a simple majority of the existing panel members, or by the Head of the Crime Team.
4. Membership of the panel automatically ends when a member leaves chambers.
5. Members may resign at any time by giving seven days' notice to the Head of the Crime Team.
6. If the number of panel members falls below three, the Head of the Crime Team must seek and appoint sufficient replacements as soon as possible.
7. The Head of the Crime Team may remove or bar any member of chambers from the panel who, in their reasoned opinion, is not complying with the spirit or the requirements of this policy.
8. The founding members of the Mini-Pupillage Panel are Andrew Fitch-Holland, John Hallissey, Emma Hornby, Henry James, Elizabeth Muir, Diane Mundill, Nathan Palmer, Simren Singh, Lady-Gene Waszkewitz, and Diana Wilson.

The Application Process

1. Applicants should provide a covering letter and a copy of their CV.
2. The covering letter should set out:
   i. why the applicant wishes to undertake a mini-pupillage;
   ii. which parts of the country the applicant would prefer, and/or be willing, to attend (London, Thames Valley, and East Midlands); and
   iii. the applicant's available dates.

Criteria for Assessing Applications

The overarching aim is to offer as many mini-pupillages as can reasonably be accommodated to applicants who demonstrate a genuine interest in, or ambition to pursue, a career at the criminal Bar. Applications will then be assessed on their comparative merits where there is competition for a particular placement. The exact number of places is not fixed and will be reviewed and calibrated as the scheme develops. The current ambition is to accommodate around 50 placements in the first 12 months.

1. Applicants must be over 18 years of age.
2. Applicants must not have any convictions that would prevent them from pursuing a career at the Bar.
3. Applicants must be able to demonstrate some academic ability with suggested predicted or actual grades of at least;
   i. 3 B at A-Level (or equivalent), or
   ii. A 2.2 degree (or equivalent),
   Those without formal qualifications (either actual or predicted) are invited to demonstrate their academic ability through any other evidence, including, but not limited to, employment and experience.
4. Applicants who feel their grades do not reflect their abilities are invited to explain any particular hardships or difficulties they face which might have impacted their results. All details will be held in confidence.
5. Applicants must be able to provide proof of identity.
6. Applicants must agree to sign and comply with a non-disclosure undertaking in relation to any privileged information to which they may be exposed.
7. Applicants must agree not to post on social media any information or opinions about any case to which they may be exposed during the mini-pupillage.
8. Applicants must also agree an undertaking not to post, after the mini-pupillage has ended, any information that could identify any case to which they were exposed to or given privileged access to.

Assessment & Placement

Assessment

1. Applications will be assessed on merit by reference to the details in their covering letter and CV and will be reviewed as quickly as possible after receipt (usually within 5 weeks) .
2. Three members of the panel are required to approve any application.
3. Approval shall be by majority decision.
4. Assessors may seek further information from any applicant, either in writing or by video conference or telephone interview.
5. If an application is refused, the reasons for refusal should be recorded and endorsed by the majority responsible for the decision.
6. Applications will be assessed with the overarching chambers policy to promote access to bar in mind. Specifically, this scheme has 5 places per year reserved on a first come first serve basis for applicant who:

    i. Have been, at any point in their life, in the care of the local authority;
    ii. Have been, at any point in their school career, eligible for free school meals; or
    iii. Neither of whose parents had been to university when the candidate left school.

    Any applicant who meets one or more of those criteria, and who wishes to apply for one of the reserved mini-pupillages, should identify that fact in his/her covering letter. That letter will be treated in the strictest confidence. The mini-pupillage panel will know of the applicants status, in order to allocate the mini-pupillage, but, so far as the rest of chambers are concerned, the mini-pupil will be indistinguishable from any other mini-pupil.
7. It is intended that applications will be assessed on a rolling monthly basis with a rotating set of lead assessors. This may need to changed depending on the numbers of applicants. On the basis that we are looking to find 50 placements per year that gives just over 4 placements per month, with some flexibility.

Placement

1. An approved applicant's availability and preferred location will be matched against available placement slots and, all other things being equal, allocated on a first-come, first-served basis.
2. Where this is not possible, preference will be given in accordance with chambers' general policy of promoting those from backgrounds traditionally underrepresented at the Bar.
3. Every reasonable effort will be made to find a placement for all successful applicants on a mutually convenient date.
4. Every reasonable effort will be made to accommodate any disabilities.

Responsibilities of Mini Pupillage Supervisors

Supervisors are responsible for the mini pupil while at court and must use their best judgment to protect the mini pupil's interests and wellbeing. Whatever the mini pupil's age or circumstances, the relationship between the supervisor and the mini pupil must remain professional. Quite apart from any moral issues or other professional sanctions, any sexual contact between a supervisor and their mini pupil will be treated as a disciplinary matter by chambers.

When first meeting the mini pupil, the supervisor should ask them to sign the non-disclosure document and social media undertaking.

A mini pupillage supervisor has the absolute right to terminate the mini-pupillage at any stage. It should be made plain to all mini-pupils that their supervisor's primary responsibility remains throughout to their lay and/or professional clients. If an issue arises which appears to compromise that, the supervisor should direct the mini pupil to the public areas of the building and/or terminate the mini-pupillage. If this happens, the supervisor must contact a member of the panel and the clerks immediately. In any event, it is recommended that a note be made of the circumstances and the reasons for the decision.

If an emergency arises that relates to, or affects, the mini pupil, the supervisor should contact the clerks and, if possible and practical, a member of the panel.

Good Practice

1. Supervisors should read and digest the Bar Council's Ethics Committee notes on mini pupillage.
2. All mini pupils should be treated with courtesy and respect.
3. The supervisor should then satisfy themselves that the mini pupil understands those obligations and will comply with them.
4. The supervisor should explain the boundaries of their involvement in any cases being conducted. It should be explained that the Supervisor's primary responsibility throughout will remain with the lay and professional client.
5. The mini pupil's status should be explained to lay clients when they are first introduced, and consent should be sought if it is necessary or appropriate to share any sensitive material with the mini pupil.
6. Mini pupils should not be left alone with lay clients.
7. Mini pupils should not be left alone with privileged material or allowed to take documents out of the court building.

Notwithstanding any non-disclosure document, supervisors are reminded of their GDPR obligations. Before disclosing any sensitive data, consider whether you have the relevant consent from your client and whether it is in fact necessary to share the

information. Mini pupils will, of course, be able to watch hearings that are held in public and to see and read documents that become public when read in court. It may be safest to share such data in document form only after it has been revealed in open court.