

11 MINI-PUPILLAGES

Mini-Pupillages: An Overview

What is a Mini-Pupillage?

A mini-pupillage, or “mini”, is the name given to a short period of time spent undertaking work experience in barristers’ chambers. Occasionally minis are paid and highly structured with a group of mini-pupils receiving talks from members of chambers and attending court in groups. These, however, are rare; most minis will be both unfunded and unstructured. You are likely to be the only mini-pupil in chambers that week and you will probably be assigned to a different barrister each day, sometimes at the last minute, depending on who is available. Some minis are also assessed, usually meaning you will be given a piece of work to do over the course of the week.

Experiences can be glamorous and exciting—discussing cross-examination strategy with a QC in a high profile case then watching as it is put into devastating effect—or mundane and uninspiring—sitting at the back of a hot courtroom day after day watching a boring case and having no interaction with anybody. Most often, your experience will be somewhere between these two extremes. You will probably find yourself reading briefs and discussing them with a barrister, sitting in on a client conference or two and perhaps being invited to lunch so you can meet members of chambers. Whatever your experience, one thing is always guaranteed: you will learn something about practice at the Bar.

A Former Mini-Pupil

“I did one mini where every single case I went to watch settled. Chambers was keen to remind me that this was far from the general reality of their practice. At first I was disappointed not to see the barristers on their feet because this is what I had come to see. However I soon realised that I was getting a crash course in

negotiation, addressing clients' expectations and dealing with Counsel on the other side. It certainly showed me an important part of practice that I hadn't really considered before. It taught me that every day at the Bar can be different: one minute you may be preparing to walk into an exciting case and the next you are spending the afternoon in a conference room hammering out the details of a settlement. The experience gave me lots to talk about at interview."

Why Are They Important?

Mini-pupillages are the closest you can get to experiencing life at the Bar without actually being a barrister. They show you how barristers interact with solicitors, with lay clients, and with other barristers. You will see what it means to be self-employed. You will also get a flavour of the atmosphere in different sets of chambers. All of this is invaluable—both for deciding whether to be a barrister and for choosing the area you want to practise.

Another reason to do mini-pupillages is that they can be excellent groundwork for subsequent pupillage applications. Chambers generally offer more minis than pupillage interviews, so statistically you are more likely to be invited for a mini than for an interview for pupillage. Once you are inside chambers you have the opportunity to demonstrate your strength as a pupillage candidate. You will almost certainly spend some time with a member of the pupillage interview panel (although you may not be told this) and if you can impress them with your interpersonal skills or your response to a problem question, you can put yourself at a significant advantage. Your name may even be passed on to the pupillage committee with a recommendation. So long as you don't submit a hopelessly weak pupillage application form, a good mini can sometimes get you to the first round of interviews. Remember, however, that this level of exposure works both ways. If you make a bad impression by turning up late or inappropriately giving a client legal advice, you are likely to find yourself on the receiving end of a short "application unsuccessful" letter if you later apply for pupillage.

“Your behaviour on a mini is important. Don’t get too relaxed. Whatever you do, don’t (as one mini-pupil we had did) bring out a Game Boy. . .”

Barney Branston, 5 Essex Court

How Many Should I Do?

According to the Bar Council, 32.9 per cent of BVC students surveyed had undertaken either one mini or no minis at all. Even taking into account students who have no intention of practising in England and Wales, this figure is disappointingly high. Pupillage committees seek candidates who can demonstrate a commitment to the Bar. Precisely how many mini-pupillages it takes to demonstrate such a commitment is impossible to say, but it is generally agreed that you should be aiming for at least three. Different barristers will give you different advice about an optimum number. Some will advocate doing as many as possible while others will say that a stack of minis on your OLPAS form will scream to them that you haven’t been using your time wisely. Use your common sense: ensure you’ve had experience at a few different types of set and seen a few different areas of law, possibly both in London and the provinces. If you want to do more, do so. If you feel you’ve done enough, and can justify this to an interviewing panel, then stop.

Note: Because of the nature of a barrister’s work, you may have to travel to watch your mini-pupil supervisor in court. Travel expenses are unlikely to be reimbursed. If you are on a tight budget, inform the mini-pupillage coordinator before you arrive and they may be able to send you to something closer.

Mini-Minis

A Pupil

“As a single mother of two, it was very difficult for me to fit in a number of week-long minis around my commitments at home. When I was applying for minis, I explained my situation to chambers and asked if it would be possible to visit chambers for just

one or two days instead of the whole week. Everyone was very kind and accommodating and I was able to arrange 'mini-minis' which were excellent."

Applying for Mini-Pupillages

Competition

The competition for minis, though less extreme than for pupillage, can be intense. Chambers can get hundreds of applications for just a few places. Do not underestimate this competition: take the time to ensure that your application is as strong as possible.

At most chambers the application process consists of sending a CV and covering letter to the barrister in charge of mini-pupillages. At others there is a mini-pupillage application form and sometimes even an interview. Some chambers adopt a policy of selecting not on merit but entirely at random. Check each chambers' website for details.

When to Apply

Some chambers accept mini-pupillage applications all year round; others have strict deadlines. It is essential to spend a few hours researching chambers in the fields which interest you, either on the internet or by reading a pupillage guide. Note down their application deadlines in your diary. As the academic year progresses, competition for minis increases as students suddenly notice gaps in their CVs. If you can submit your applications early, you may be able to beat the rush and thereby maximise your chances of success. If you are asked to suggest dates you are available, try to offer as many as possible. Be aware that minis during reading weeks and holiday periods become fully booked very quickly.

One Chambers, One Mini: Choose Your Time Wisely: There is so much competition for minis that the same person will rarely be invited twice. Be intelligent in timing your minis. If you have a first-choice chambers, schedule your mini for the time when you will be most impressive, particularly if the mini will be assessed. Wait until you have a couple of other minis behind you and you know something

about legal practice and the Bar. With more experience, you should be more likely to impress.

What to Write in an Application Letter

There are two crucial questions that your mini-pupillage application to chambers needs to address: why you have applied to them and why they should choose you. You need to explain in detail why that particular chambers interests you. It could be the wide range of civil work that they do, the excellent reputation they have for human rights or because you were impressed by one of their barristers in court. See Chapter 21 for ideas on how to address this question more fully. Whatever your reason, make sure that you have done your research thoroughly. They will not be impressed if you focus on their family expertise when they only have a small practice in this area and their true speciality is in crime. Also be sure that the reason you offer is *specific* to that set: a standardised letter is not just wholly unimpressive, it can seem lazy or even rude.

When you have addressed the first question, you then need to promote yourself and explain why you are the best candidate for the mini-pupillage. As modestly as possible, sing your own praises. Tell them about the scholarship you won, the competition in which you did well or the moot that you entered. Tell them why you like their area of law. Finally, remember to say when you are available and sign the letter correctly with 'Yours sincerely' (since your letter should be addressed to a named person). And then stop before the letter goes over a page.

Rejections

If you find that you are getting rejections, show your applications to a careers adviser, tutor, friend or colleague. Your lack of success could be caused by something as simple as spelling the set's name incorrectly, getting your own telephone number wrong or inadvertently omitting some undergraduate degree marks from your CV. If you have friends who have been offered several minis, you may want to ask them if they could look over one of your application letters or if they could give you any tips.

A Successful Mini-Pupillage Applicant

“After getting a couple of rejection letters, I took my mini-pupillage applications to my Director of Studies. He made a few changes such as adding my part-time summer jobs and taking out my irrelevant non-legal work experience. It seemed fairly insignificant but it made a huge difference and afterwards I was offered more mini-pupillages than I had time to do.”

If you still don't have any success after this, think about the quality of chambers to which you are applying. Instead of applying to the leading property set, for example, perhaps you should start lower and aim for somewhere less high-profile. You can always apply again to the leading set when you have more experience.

On the Mini*How to Make a Good Impression*

The ideal mini-pupil engages with what is going on around him but is also able to keep a low profile and fade into the wallpaper when required to do so. Barristers want you to ask questions: this demonstrates that you are thinking about what you are seeing and, ultimately, learning. However, you need to choose your time carefully. Save your questions and observations for a break or the end of the day when the client is not present. Remember: the client is paying for the barrister's undivided attention and not your thoughts.

“A mini-pupil who interrupts at court or in a conference is a disaster, particularly if they contradict you.”

Richard Sear, 1 Hare Court

“If you are going to court, the ability to blend into the background is vital. Just before court I need to be concentrating on the client so it's a question of saving questions until after court or the train journey home.

The best advice for mini-pupils is to keep your eyes and ears open and engage in the experience. In this way you will get the most out of it.”

Jennie Gillies, 4 Pump Court

Mini-Tip: If you are in court or sitting in on a conference, ask yourself what you think about the case. Do you think that the client has a strong chance of success? If in court, what do you think of the opposing Counsel’s advocacy? Is there some element of the law unfolding that you find interesting, and if so why? It is very likely that the barrister will ask you what you think about what you have seen. He will be more impressed if you can give a specific answer or raise a pertinent question than if you reply with a standard “it’s really interesting”.

A Word of Advice about “Networking”

“Networking is often misunderstood and tarnished with unpleasant associations. There are two kinds. One is networking for information. The other is networking to get a job. The first can be a step towards the second, but it is different, wholly acceptable if done tactfully, and invaluable. Do it.

Most members of the Bar are genuinely pleased if a bright person shows an interest in their career. Ask open but intelligent questions: ‘when you started out what did you find the steepest learning curve?’ ‘How do you manage the hectic lifestyle?’ Even better, try to tie your questions to evidence that you have read about an issue: ‘*The Times* last week said that the future of the publicly funded Bar is hanging by a thread. Do you think that’s true?’

Mini-pupillages give you a great opportunity to practise overcoming any natural shyness you feel when it comes to making personal contacts. If you hate presenting yourself to strangers and then engaging them in conversation, think very carefully about whether you are suited to the Bar. It is a networking profession.”

Dr Ruth Smith, Cambridge University Careers Service

The Assessed Mini-Pupillage

The assessed mini-pupillage is used by chambers either to scout out the top candidates before receiving the flood of pupillage

application forms or, increasingly, as a formal and substantive part of the pupillage application process itself. It is effectively a form of extended interview. You should approach this as an opportunity to impress rather than a reason to be nervous.

The major difference with an assessed mini is that you will usually be given a problem question to work on. This may be a hypothetical academic question of law or an issue arising from a case in which chambers has recently been involved. After researching the point you will be asked to present your answer—on paper, orally or both. Although you will probably be given time to work on the problem during the day, you should not be surprised if you need to supplement this by spending time on it in the evenings. Either way, ensure that you take the task seriously and work hard on your answer. Your work should be presented clearly and reasoned logically: you can expect that your analysis and conclusions will be scrutinised by some very experienced people who will not be shy about challenging you. For more detail about how to answer legal problem questions successfully, see Chapter 22 on interviews.

“When you are writing up a problem question, insert paragraph numbers. Everyone in chambers always uses paragraph numbers and mini-pupils never do but it can make their work look much more professional.”

Susannah Jones, 20 Essex Street

On an assessed mini, remember that it is likely that your week’s performance will be filed and referred to when your pupillage application reaches chambers.

Mini-Pupillage Etiquette: There are unwritten rules of mini-pupillages which you may only discover by inadvertently breaking:

- Dress correctly. Wear a dark suit. If you are inappropriately dressed, chambers will not be able to send you to court or to attend anything where client contact is involved. Ladies, if you are wearing a skirt, make sure that it is not too short—around knee length is acceptable—and always wear tights. Gentlemen, if you normally shave, remember to do so.

- Turn your phone off. There are few things more embarrassing than your mobile ringing in a conference with a client or, worse, in court. It looks wholly unprofessional.
- Arrive on time. You will often be asked to arrive before court starts so that the barrister appearing can brief you on the case. If you are late you may miss this opportunity and, worse, irritate the barrister. Sometimes you will be told to meet the barrister at court. Make sure that you are clear which court (not only the address but the courtroom itself), where it is and how long it takes to get there. Do not be afraid to ask the clerks for this information if you are unsure.
- Be cautious about offering a handshake when meeting barristers. Historically barristers did not shake hands with each other and some barristers maintain this tradition.
- Never speak in court or in conferences with clients—not even if you think that you have thought of the knockout argument that will win the case or if you have a witty little anecdote that shows that you fully understand the client's predicament. As with every cast-iron rule there is an exception: you can speak when spoken to.
- Don't fall asleep in court. Obvious but not unheard of. . .

Mini-Tip: Take a book (and the sort of book that you will not be embarrassed to be seen reading). You may have to go by train to meet a barrister in a far-flung court or spend most of your first morning sitting in the waiting room.

After a Mini

The OLPAS form and other application forms specifically ask what you learnt on your work experience. In preparation, it is therefore a good idea to make notes of everything that you experienced during your mini.

Consider all the things you actually learnt and be specific. If you learnt that preparation is paramount and can win you the case, write about it. If you learnt that the reality of practice involves a lot of travel and waiting outside courts but you saw that this time can be put to good use, say so. Chambers will want to know you understand what you are taking on and that you will not be disillusioned and

quit after they offer you pupillage or tenancy. Write such lists shortly after you complete the mini-pupillage while everything is still fresh in your head.

This technique can also be applied to other work experience.

Example of Notes from a Mini-Pupillage:

Mini-pupillage with Fictional Chambers:

- Spoke to head of chambers about his practice (planning law)
- Attended a planning inquiry
- Went on a site visit
- Sat in on a client conference
- Talked to a barrister about the book he is updating on planning guidelines

What I learnt:

- I began to gain an understanding of the practice of planning law in particular how it involves [an example]
- I learnt the procedure for a planning inquiry and the importance of discussing this procedure with the client and ensuring that they fully understand it
- I learnt the significance of site visits to a practice in planning law and how essential it is to double check the documentary information which is provided
- I began to learn the importance of pre-conference preparation and how to manage a client's expectations in a conference

Keep these lists somewhere safe and refer to them when the time comes to complete your pupillage applications. They will save you a great deal of time and effort.

Tip: As a mini-pupil you are taking up professional time. Remember to thank chambers and individual supervisors. A thank you letter might be a good idea.