



DWF Advocacy Pupillage Policy

August 2021

DWF Advocacy Pupillage Policy

Date: 31 August 2021

For review: August 2022

Introduction

DWF Advocacy operates as an internal set of chambers within DWF legal group. We are an accredited pupillage provider. Members of staff include barristers, pupil barristers, solicitor-advocates, advocates (individuals who have completed the academic and vocational components of education and training for the Bar, but not the pupillage/work-based component) and clerks.

We operate nationwide from DWF office locations and currently have members based in Birmingham, Leeds, Liverpool, London and Manchester.

DWF Advocacy is led by Stephen Pritchett who was called to the Bar in 1989 and brings with him significant experience of practice at the independent bar.

Our barristers and advocates are supported by a clerking team led by Dan Monaghan, a clerk with over 25 years' experience of clerking in chambers.

Our practice areas align with those of DWF Group including personal injury, insurance, commercial and chancery and employment.

The Recruitment Committee comprises Stephen Pritchett (head of DWF Advocacy), Dan Monaghan (director of clerking), Frances Lawley (head of Personal Injury) and Alex Deakin (barrister).

DWF Advocacy Limited supports and adheres to the Bar Code of Conduct, the Equality and Diversity Code and the Pupillage Funding and Advertising Requirements.

Pupillages offered

1. DWF Advocacy is committed to offering at least one pupillage per year. The core practice area will vary depending upon business need.
2. Pupil supervisors are currently based in our Leeds and London offices although the location of pupillage may be flexible depending on candidate and business preference.
3. The remuneration will be a salary of £30,000.
4. In addition, DWF Advocacy offers a range of benefits including, but not limited to:
 - a. payment of all pupillage related expenses namely travel expenses and the cost of pupillage courses (if applicable);
 - b. provision of all necessary IT equipment including a laptop and mobile phone;
 - c. the comprehensive pension and benefits scheme offered by DWF Group.

Pupillage Recruitment

5. The responsibility for pupillage recruitment rests with the Recruitment Committee.
6. DWF Advocacy observes a policy of equal opportunity. All staff, including pupils, are selected on merit alone, irrespective of sex, race, age, disability, sexual orientation, religion or belief, and we encourage applications from groups which are under-represented in our team. We are willing to make reasonable adjustments for disabled candidates.
7. DWF Advocacy advertises pupillage via the Pupillage Gateway and our recruitment timetable aligns with that of the Pupillage Gateway however we use our own application form which can be downloaded from our pupillage website or by emailing pupillage@dwf.law.
8. Application forms will be considered by our team and successful applicants will be invited to interview. The interview will comprise a short advocacy exercise, for which materials will be provided in advance, as well as general questions.

-
9. The key selection criteria that applicants should seek to demonstrate throughout the selection procedure are:
 - a. An excellent academic record. Applicants are expected to have a minimum of a 2:1 at degree level and Very Competent on the BPTC. Candidates with lower grades will be considered where exceptional extenuating circumstances can be demonstrated.
 - b. A commitment to a career at the bar as evidenced by relevant experience such as mini-pupillages, marshalling and mooting.
 - c. Excellence in advocacy as evidenced by academic results, mooting competitions and performance in the interview advocacy exercise.
 - d. Excellence in reasoning and problem solving as evidenced by the essay stage of the pupillage application form and the general questioning in the pupillage interview.
 - e. Relevant experience and skills including work experience.
 10. Any successful candidate will be subject to credential checks and required to provide proof of academic and professional qualifications before an offer is finalised. Candidates will be required to provide evidence of academic qualifications, membership of an Inn of Court and the right to work in the United Kingdom.
 11. Unsuccessful candidates will be notified as soon as possible and feedback will be provided on request to any candidate who has attended interview.

Structure and duration of pupillage

12. The pupillage programme at DWF Advocacy has been designed to produce barristers that have the key knowledge, skills and attributes set out in the BSB Professional Statement for Barristers. These standards are viewed as minimum standards and pupils are expected to exceed them.
13. Pupillages will be 12 months in duration unless a successful candidate has obtained a reduction from the Bar Standards Board and is able to satisfy their Pupil Supervisor and the Recruitment Committee that they have met the necessary expectations for the completion of pupillage within the reduced period.

-
14. The following documents will comprise the pupil's training record:
 - a. a pupillage checklist (see appendix one);
 - b. a pupillage diary (see appendix two);
 - c. the pupil's Lex diary;
 - d. written work feedback forms (see appendix three); and
 - e. a pupillage training record (see appendix four).
 15. The manner in which these documents reflect the Competences set out in the Professional Statement for Barristers is set out in the mapping document (see appendix five).

Training

16. Immediately, or as soon as practicable, upon commencement of employment with DWF, pupils will undertake induction and on-boarding training. This includes a two day induction to DWF Group followed by an induction to DWF Advocacy. The training will include IT training in the use of DWF systems as well as an introduction to DWF Group policies, including the Equality and Diversity, Sickness and Absence and Grievance and Disciplinary policies. Pupils will be provided with a copy of DWF Advocacy's handbook.
17. At the start of pupillage pupils will conduct an initial discussion with their Pupil Supervisor to identify the objectives and particular training needs of the pupil. The pupillage checklist (see appendix 1) will be tailored to the needs of the pupil following this discussion. The pupil will be taken through the Professional Statement for Barristers and the standards expected.
18. The day to the day activities of pupils will be determined by their Pupil Supervisors and will vary depending on their practice as well as any identified training needs.
19. During the first six months of pupillage, pupils will shadow their Pupil Supervisors as well as other barristers and/or advocates. Shadowing will be tailored to the training needs identified at the initial discussion and to the pupillage checklist. Exceptionally, and only with the approval of their Pupil Supervisors and the Bar Standards Board, first six pupils may also be able to

undertake their own advocacy in accordance with the limited rights of audience as a solicitor's clerk.

20. The pupil must ensure satisfactory completion of any mandatory pupillage courses during the pupillage. The costs of any such courses will be met by DWF.
21. Subject to satisfactory completion of the first six months, and with the approval of their Pupil Supervisor, during their second six months pupils will take on their own work. There is a strong emphasis on gaining practical advocacy experience during the second six and pupils can expect to be in court most days.
22. Unique to DWF Advocacy, pupils will have access to the DWF Academy, a training tool used by the DWF group. The DWF Academy constitutes a large suite of online courses in various legal disciplines. Completion of these courses is not a requirement of pupillage; however they may be used as a training tool to develop a pupil's knowledge in a particular field. Pupils will also have access to training days and events run by the DWF group; these are not required but they are encouraged as they not only further the pupil's education but also provide invaluable networking opportunities with professional clients.

Assessments

23. Pupils are encouraged to take ownership of their own development. Self-assessment and taking responsibility for one's own professional competency is a key aspect of life at the Bar. To this end, pupils are required to maintain the documents outlined at paragraph 14 above and to comply with the responsibilities outlined at paragraphs 27 to 29 below.
24. All pupils will be constantly assessed by their Pupil Supervisor against the Professional Statement. Pupil Supervisors will not endorse any pupil's application for either a provisional or a full practicing certificate if he or she is not entirely satisfied that the pupil has met and exceeded the required standards as set out in that document.

-
25. During the course of pupillage, pupils will have to complete six assessed pieces of written work for more senior barristers (this may be reduced pro rata for pupils who have secured a partial pupillage exemption, at the discretion of the Pupillage Committee). After each assessed piece of work, pupils will be provided with a formal feedback sheet to form part of his or her training record (see appendix three). Pupils should not take a different approach to assessments than they do to any other piece of work they are asked to perform; every task should be performed to the best of the pupil's ability. To reflect this, pupils will not be told in advance what work is to constitute a formal assessment.
26. Advocacy skills will be developed on a daily basis through shadowing, formal exercises and gaining experience in court. Whilst there is no formal advocacy assessment, if a pupil is deemed not to be meeting a sufficient standard by the end of their first six, his or her Pupil Supervisor will not endorse a provisional practicing certificate.
27. Each pupil will be required to meet with their Pupil Supervisor for a detailed formal review every 3 months. At each review, pupils will be assessed against the Professional Statement and be provided with a written form to reflect this assessment, as well as points to improve upon, to form part of their training record. The reviews are also an opportunity for pupils to give feedback to their Pupil Supervisors and to request that greater or lesser focus be placed on any particular training need.

The Pupil's Responsibilities

28. Each pupil should ensure that they familiarise themselves and comply with the requirements for pupillage. In particular, the pupil should:
- a. Provide all necessary records to DWF Advocacy, including evidence of academic qualifications, membership of an Inn of Court and the right to work in the United Kingdom.
 - b. Ensure that they are called to the Bar.

-
- c. Register the pupillage with the Bar Standards Board prior to the commencement of pupillage.
 - d. Upon successful completion of the non-practising period, ensure that the Pupil Supervisor signs the form declaring satisfactory completion of the non-practising period and submit it to the Bar Standards Board.
 - e. Upon successful completion of the practising period, ensure that the Pupil Supervisor signs the form declaring satisfactory completion of the practising period and submit it to the Bar Standards Board.
 - f. Ensure that they have completed the required courses.
 - g. Ensure that they maintain the documents outlined at paragraph 14 above.
29. Pupils should ensure that a pupillage diary is kept (see appendix two) which provides a space for the pupil to reflect upon the learning points gained from experience during pupillage. This diary is not intended as a record of every piece of work done however the pupil should be mindful of the need to establish that the Competences outlined in the Professional Statement for Barristers have been met and the pupillage diary is used as a reference point for this as per the mapping document (see appendix five).
30. The pupil, in conjunction with the clerking team, must ensure that their Lex diary contains a complete and accurate record of their own work and all work shadowed. To this end:
- a. The pupil's own work including court appearances and paperwork will be input into Lex by the clerks. The Lex diary will include references to the date by which written work must be completed.
 - b. The pupil's shadowing should be added to Lex via an entry into the pupil's Outlook calendar including reference to the colleague shadowed, the work done, the court and judge (where applicable) and any other brief, relevant details. The pupil should remember that the Outlook

calendar is visible to other colleagues within the firm and ensure that appropriate measures are taken to avoid any privacy issues or breaches of GDPR.

31. It is expected that pupils will act with honesty and integrity at all times and uphold the values of DWF Advocacy and the DWF Group. Pupils are expected to achieve and maintain the standards of work and conduct which would be expected of a member of the Bar and to comply with:

- a. The Bar Standards Board's Bar Qualification Manual;
- b. The Core Duties and Conduct Rules set out in the Bar Standard's Board's Handbook;
- c. All DWF Advocacy and DWF Group policies and procedures.

Pupil Supervisors

32. Pupils will be allocated to a pupil supervisor based on their intended area of practice. It may be that each pupil will have more than one supervisor during their pupillage to ensure a well-rounded education and proper development. Pupils will be informed of who their Pupil Supervisor is going to be at least 3 weeks prior to the commencement of their pupillage.

33. Pupil Supervisors will be responsible for the day-to-day training and development of his or her pupil as well as endorsing that pupil's applications for a provisional and full practicing certificate at the appropriate times.

34. All pupil supervisors are trained in accordance with the outcomes and frequency specified by the Bar Standards Board in the Bar Training Manual.

Working Hours, Holidays and Absence

35. When they are not shadowing, pupils are expected to be in their assigned office from 9am to 5.30pm, however the nature of pupillage and their Pupil Supervisor's practice may necessitate working or traveling outside of these hours.

-
36. Pupils will be entitled to 25 days' holiday within the 12-month pupillage period, in addition to statutory holidays. Holiday is booked centrally through DWF Group's HR systems. All leave must be discussed with the Pupil Supervisor and clerks before booking.
37. If a pupil is unable to work due to ill health, they should endeavour to notify the clerks and their Pupil Supervisor as soon as practicable. DWF Advocacy adopts the DWF group's sickness and absence policy, full details of which will be provided during the first week of pupillage and are available on the DWF website. The need to notify the clerks and the Pupil Supervisor of illness is an additional requirement over and above those set out in DWF Group's sickness and absence policy.

Employment after Pupillage

38. All pupils are recruited with a view to being offered a position as an employed barrister upon completion of pupillage. However this is not guaranteed and is subject to the needs of the business at the conclusion of pupillage, as well as assessment of the individual pupil.
39. Around two months prior to the completion of pupillage, senior management will consider whether to offer the pupil permanent employment as a qualified barrister in light of the recommendations of the relevant Pupil Supervisor(s), the clerking team and client feedback. This decision will take into account all available material, including the documents set out at above. Any action required on the part of the pupil to address any concerns about the above will be communicated to the pupil at this time and they will have opportunity to respond. This decision will also take into account the needs of the business. An offer of permanent employment may not necessarily be offered in the same location as the pupillage and in such an event this will be discussed with the pupil.
40. DWF Advocacy is committed to assisting pupils who are not made an offer of permanent employment as a qualified barrister. This will include provision of suitable references prepared in conjunction with the DWF group's Human

Resources team. Appropriate advice and guidance will also be provided by the pupil's Pupil Supervisor.

41. This may also include, where appropriate and subject to business need, the offer of a 'third six' pupillage wherein pupils are retained for a further six months under the same working conditions as the second six. The process detailed at paragraph 47 above will take place around two months prior to the completion of this third six.

Equality and Diversity

42. DWF Advocacy is an equal opportunities employer, committed to its obligations under the BSB Rules, Equality Act 2010 and general principles. DWF Advocacy has adopted the detailed Equality and Diversity policy of the DWF group, as well as the enforcement mechanisms which support that policy. Full details of the policy will be provided to pupils within the first week of pupillage and are available on the DWF website.

43. Members of the Recruitment Committee have been trained in fair recruitment and selection processes.

Support and Complaints

44. DWF Advocacy is committed to providing a supportive working and learning environment. In the event of difficulty, Pupil Supervisors should always be a pupil's first port of call or in the alternative the Head of DWF Advocacy. In the unlikely event that an issue cannot be resolved in this way, DWF Advocacy has adopted the formal grievance and disciplinary policy of the DWF group, full details of which will be provided to the pupil within the first week of pupillage and are available on the DWF website.

Appendix One: The Pupillage Checklist

The pupillage checklist is not intended to be an exercise in ticking off items alone; it shall be a basis for the Pupil Supervisor to assess competencies by reference to the Professional Statement and to seek to ensure that as far as possible a pupil is given as broad and as relevant a pupillage experience as is possible. At the Pupil Supervisor's discretion and subject to available options, it may be the case that a pupil is seconded to an external chambers for a short period in order to gain experience of matters which it is felt the pupil ought to experience but which cannot be accommodated in house.

<u>Personal Injury Checklist</u>		
Type of work	Shadowed	Conducted
Pre-action disclosure application		
Interim application for relief from sanctions		
Interim application for strike out / summary judgment		
Allocation hearing		
CCMC		

Cross examination on liability		
Cross examination on quantum		
Cross examination with put to proof element / challenge to causation / fraud / FD		
Submissions on RTA liability (trial, small claim)		
Submissions on EL/PL liability (trial)		
Submissions on quantum of general damages for PSLA (trial, disposal, stage 3 hearing)		
Submissions on quantum of special damages (trial, disposal, stage 3 hearing)		
Submissions on quantum of credit hire (trial, disposal, stage 3 hearing)		

Conference with lay witness		
Pre-trial discussion with opposing counsel		
Negotiation by way of mediation or joint settlement meeting		
Advice on liability RTA		
Advice on liability EL/PL		
Advice on quantum of general damages for PSLA		
Advice on quantum of general damages for PSLA in a case involving a minor Claimant		
Drafting Particulars of Claim		
Drafting Defence		

Drafting Counter Schedule of Loss		
Drafting Part 18 requests for further information		
Drafting Part 35 questions of an expert		
Drafting a witness statement in support of an application (e.g. for relief from sanctions)		
Appellate advocacy		

<u>Commercial Checklist</u>		
Type of work	Shadowed	Conducted
Application for an interim injunction		
Interim application for relief from sanctions or an unless order		
Application for a freezing order		
Application for any relief made without notice to the other party (with consideration of the giving of undertakings)		

CCMC/CMC		
A summary judgment or strike out application		
An application for further information or specific disclosure		
An application for permission to amend a statement of case		
A trial under CPR Part 7 or other witness action which includes the cross-examination of witnesses of fact		
Such a trial or action involving the cross-examination of expert witnesses		
A final hearing in a claim under CPR Part 8		
The handing down or delivery of reserved judgment with submissions on costs, permission to appeal and/or the form of order		
An application to enforce a judgment e.g. for a charging order under CPR Part 73		
Conference with lay witness, solicitors and clients and client only		
Pre-trial discussion with opposing counsel		
Negotiation by way of mediation or negotiation session		
An appeal in the County Court, before a High Court Judge or Court of Appeal		
Drafting orders, including Tomlin form and other consent orders		

Familiarisation (and where possible, draft) at least one contract		
Advising in writing		
Drafting Particulars of Claim		
Drafting Defence		
Drafting Reply		
Drafting witness statements and affidavits		
Drafting letters in accordance with pre-action protocols and part 36 offers		

Appendix Two: The Pupillage Diary

This diary is subject to paragraph 29 of the Pupillage Policy, namely:

Pupils should ensure that a pupillage diary is kept (see appendix two) which provides a space for the pupil to reflect upon the learning points gained from experience during pupillage. This diary is not intended as a record of every piece of work done however the pupil should be mindful of the need to establish that the Competences outlined in the Professional Statement for Barristers have been met and the pupillage diary is used as a reference point for this as per the mapping document (see appendix five).

Date	
Work done	
Key information	
Pupil's comments	

Appendix Three: Written Work Feedback Form

Date	
Type of work	
Fee earner	
Pupil Supervisor's comments	
Pupil's comments	

Appendix Four: Pupillage Training Record

Date	
Course attended	
Pupil's comments	

Appendix Five: Mapping document

The competences below refer to those which are outlined in the Professional Statement for Barristers (September 2016) and which are to be assessed during the pupillage/work based learning as identified in the Bar Training: Curriculum and Assessment Strategy (August 2021).

Competence	Pupillage checklist	Pupillage diary	Lex diary	Written work feedback forms	Training record
1.1		x			
1.3	x	x	x	x	x
1.4		x	x		
1.5	x	x	x	x	
1.6				x	
1.7	x	x	x	x	
1.10		x	x	x	
1.11	x	x	x	x	
1.12	x	x	x	x	
1.13		x	x	x	
1.14	x	x	x	x	
1.16		x	x		
1.17		x	x		
1.18		x	x	x	

2.1		x	x	x	
2.2		x	x	x	
2.3		x	x	x	
2.42.5		x	x		
2.6		x		x	
3.1		x	x		
3.2		x	x	x	
3.3		x	x	x	x
3.4		x	x		x
3.5		x	x		
3.6		x	x	x	x
4.1.2		x	x	x	
4.2		x	x		
4.3		x	x		
4.4		x	x		x
4.5		x	x		x
4.6		x	x		
4.7		x	x		