

# **FOUNTAIN COURT CHAMBERS**

**A GUIDE TO PUPILLAGE**

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## **INTRODUCTION**

Fountain Court is a large set of chambers in London which specialises in commercial work of all types. In addition to general commercial litigation, specific practice areas include aviation, banking and financial services, civil fraud, commercial arbitration, conflict of laws, employment, energy, insurance and reinsurance, mergers and acquisitions, product liability, professional negligence, public law and regulatory work (particularly in the City context, including Lloyd's and the Stock Exchange) and shipping and international trade. Private international law and EC law permeate much of this work. Apart from the Commercial Court, members of chambers regularly appear in the Queen's Bench Division, the Chancery Division and appellate tribunals, including the Court of Appeal, the House of Lords and the Privy Council. Members of chambers also have a wide experience of many forms of alternative dispute resolution, including mediation. There is a broad range of other work in chambers, including insolvency and company law, media, entertainment and sport. Of course, the bias of the practice of individual members of chambers varies: some specialise in a few of these areas whereas others have more general practices. From the beginning pupils become involved in intellectually demanding and stimulating work. Cases on which they will work may well become reported cases in the Court of Appeal, the House of Lords or the Privy Council.

Fountain Court has a dedicated Pupillage Committee with 9 Members of Chambers, the Chairman of which is Derrick Dale QC. Fountain Court expects to take up to three or four pupils for full pupillages of twelve months duration, each of whom we select on the basis that he or she is a potential member of chambers. We recognise a responsibility towards those not offered tenancies, and the prospects of a tenancy either with us or in other chambers doing similar work are good.

We have sought to develop procedures for selecting pupils which, without being unduly onerous and time-consuming for applicants, are fair, and which, in particular, comply with the requirements and principles of equality and diversity and do not discriminate against any pupil or applicant for pupillage on grounds of race, sex, disability, marital status, sexual orientation, religion, age or political persuasion. A copy of our current Pupillage Policy, which includes details of our pupillage selection procedure, is available on our Chambers website.

We would welcome any observations or suggestions as to how we might improve our procedures.

This guide deals specifically with Fountain Court and its pupillage arrangements. It also deals more generally with the steps necessary to qualify for the Bar and sources of finance. If after reading this guide you have any questions about pupillage or mini-pupillage generally or pupillage at Fountain Court in particular, please contact, **Lucy Scutt**, our dedicated pupillage assistant, her details can be found on the Fountain Court website.

## **PUPILLAGE, AWARDS AND TENANCIES**

### **FULL OR AWARD PUPILLAGES**

These pupillages are of a twelve month duration, and it is from our award pupils that we make our tenancy selections in the summer of each year.

Applications should be made through Pupillage Gateway at [www.pupillagegateway.com](http://www.pupillagegateway.com), which is designed to enable students to apply for pupillage through a central clearing house.

Fountain Court welcomes applications from law and non-law graduates alike. Awards are generally given to pupils of high academic achievement whom we consider to have the potential to be tenants at Fountain Court and who will wish in due course to be considered for a tenancy here.

For 2015/2016 we expect to offer up to three or four award pupillages. Each award will be for £60,000, in the form of a first six month award of £40,000, renewable for a second six months of £20,000. It would be exceptional not to renew the award. The awards are payable monthly in advance during pupillage. The pupillage year runs from October to September. Those accepted for tenancy may also have opportunities to do some work in the last three months of their pupillage year.

Upon receiving your application we might invite you for a first interview, and you should make yourself available for interview shortly after submitting your application. Thereafter, we plan to invite a shortlist of applicants for second, more formal, interviews.

In selecting our pupils we will be looking to assess academic and intellectual abilities, skills in oral and written communication, and understanding of and interest in our work. Successful applicants tend to have a First Class degree.

## **PRE-PUPILLAGE SUPPORT**

Fountain Court is willing to consider making an advance to award pupils for the vocational course year, and has done so on numerous occasions in the past.

## **THE TRAINING**

During the year's pupillage we aim to give a pupil a broad and thorough training in the types of work done by chambers. This also enables members of chambers (in selecting tenants) to make the best possible assessment of the pupil's abilities.

Pupils spend the first three and last three months with the same pupil supervisor (who has overall responsibility for seeing that they are getting proper experience) and the middle six months with two different pupil supervisors. A pupil will be called upon to do specific pieces of work for other members of chambers, particularly the Silks. In this way pupils will get to know and to be known by chambers generally and experience the full spectrum of work done in Fountain Court. If pupils wish to see more of particular areas of work, that can usually be arranged.

The work of pupils is varied and challenging. Much of it is of a commercial nature and the Bar Council's "Commercial-General" pupillage checklist is used at Fountain Court. A pupil will spend much time reading papers and preparing pleadings and advices. Notes on specific questions of law are often required. This work is reviewed and discussed with the pupil supervisor. A pupil can also expect to accompany his or her pupil supervisor to trials and appeals and, more frequently, to interlocutory hearings.

One consequence of the nature of the work at Fountain Court is that it is unusual for pupils to get work of their own. However, it is Fountain Court policy to encourage pupils during their pupillage year to undertake a limited amount of work for the Free Representation Unit, which trains and facilitates pupils, students and others to undertake advocacy on behalf of clients in employment and social security tribunals. Some pupils choose to undertake other pro bono work.

Pupils are not encouraged to undertake any paid advocacy work (or, for that matter, forced to undertake any assessed advocacy exercises) prior to the tenancy decision, usually made in June or July. Our recruitment process is designed to help us select as pupils those we think will make good advocates. During pupillage, we feel there are enough pressures on pupils without adding to them unnecessarily. This does not mean there is not a heavy emphasis on small advocacy work for junior tenants here once they have completed pupillage. It is vital that junior tenants get into court on a regular basis on smaller cases at this stage in their careers.

It is the policy of Fountain Court to take on at least one newly qualified tenant a year, chosen from the award pupils. We may take on more than one such tenant and have done so frequently in recent years. But there can be no absolute guarantee that in any particular year a new tenant will be taken on or that we will not consider applicants who have not done a full pupillage at Fountain Court (although this would be most exceptional).

### **TENANCY OFFERS**

Offers of tenancies are generally made in June or July of each year. Fountain Court recognises a responsibility towards those pupils who are not offered tenancies to make every effort to “place” them in other chambers doing good quality work. We have usually been successful in this. Our early choice of tenants normally makes it possible for the pupil’s position to be resolved before the long vacation.

### **NEW TENANTS**

Fountain Court operates a loan/income supplement scheme to ensure that new tenants receive an income of at least the amount of the current pupillage award during their first year of tenancy. In our experience tenants generally receive more than this and are soon earning more than a solicitor in a City firm at a comparable stage.

Members of chambers share the expenses of administering chambers. Contributions are proportionate to income so that the senior members of chambers pay the greater part of the costs. “Maternity leave” is given in the form of requiring no chambers contribution for six months.

In their first year of practice tenants are not required to pay any contribution to chambers. Instead they may be asked to undertake a modest amount of unpaid legal work, for example, for voluntary or charitable organizations.

Chambers encourages and pays for new tenants to attend the week-long advanced advocacy course run by the South-Eastern Circuit at Keble College, Oxford and the Forensic Accounting Course run by BPP Professional Education and Development.

### **MINI-PUPILLAGES**

Some potential pupils, but by no means all, spend a short time at Fountain Court as a “mini-pupil”. The mini-pupillage, usually lasts for 2 days, and provides an opportunity to meet us and to be introduced to the type of work done and to life in chambers.

Mini-pupillages are generally (but not always) undertaken in the applicant's second year at university (or later for non-law graduates). Some legal education prior to the commencement of the mini-pupillage is usually required. Applications should be made in writing on the mini-pupillage application form which can be downloaded from our website [www.fountaincourt.co.uk](http://www.fountaincourt.co.uk) and sent to Lucy Scutt by email to lucy@fountaincourt.co.uk.

We emphasise that we take many pupils who have not been mini-pupils at Fountain Court. Applications from those who have been mini-pupils are treated no more and no less favourably than other applications. Our mini-pupillages are not assessed, whether for the purposes of any subsequent applications for pupillage or otherwise. We take the view that there are enough calls on the time of those who wish to qualify for the Bar without our adding to them by making an assessed mini-pupillage a necessary condition of applying to Fountain Court for a full pupillage.

### **QUALIFYING: FROM DEGREE TO TENANCY**

In this section we summarise the steps you need to take in order to qualify for practice, and the principal sources of finance available in this period. We emphasise that this summary is intended to provide a simple, brief overview of the position at the time of preparation of this guide.

The summary is aimed at the typical graduate who has recently obtained a U.K. degree. Detailed information can also be obtained from the publications referred to below, which must be consulted in any event to ensure that you obtain all the relevant, comprehensive and up-to-date information you need. This is particularly important in relation to the dates by which applications must be made, which can often be early and may alter. Useful addresses and sources of information are set out at the end of the brochure. The steps to qualification are as follows:

- Degree
- Common Professional Examination (for non-law graduates)
- Vocational course
- Joining an Inn
- Dining and Call
- Pupillage

### **DEGREE**

In general you must have a degree, law or non-law. A degree must have included the seven "core" subjects.

## **COMMON PROFESSIONAL EXAMINATION/GRADUATE DIPLOMA IN LAW**

Non-law graduates need to obtain a Graduate Diploma in Law (GDL), also known as the Common Professional Examination (CPE). The course is generally full time for one year. Students can now study for the CPE/GDL at many institutions throughout the U.K.

You should apply to the Bar Council for a Certificate of Academic Standing to proceed to the Bar Vocational Course (BVC).

Fountain Court has a strong tradition of recruiting non-law as well as law graduates. Many former and current members of Chambers did not read law for their undergraduate degrees, including Lord Bingham, the senior Law Lord, and nearly half of the current Silks.

## **VOCATIONAL COURSE**

After obtaining your law degree or your non-law degree and CPE/GDL, you need to complete the BPTC. This course is now operated by a number of institutions. The full-time course lasts one year, beginning in September/October of each year and ending in late June, part-time courses are also available at a number of the course providers. Applications for this course are dealt with through the Bar Standards Board website. For further details please visit [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk).

## **JOINING AN INN OF COURT**

You have to join one of the four Inns of Court (Gray's Inn, Lincoln's Inn, Middle Temple or Inner Temple) in order to proceed with the Bar Professional Training Course (BPTC). Your application to an Inn is entirely separate from any application for the vocational course. Although you do not have to join an Inn before starting the vocational course, it is worthwhile joining while you are completing your degree. By joining an Inn you can take advantage of its facilities and personal contacts to help in deciding which type of practice is suitable and how to select and be selected by appropriate chambers as a pupil and later as a tenant.

At many universities there are active societies for each of the four Inns. Each Inn has a Students' Officer who can assist you with most enquiries. Each Inn also runs a scheme to provide individual student members with a sponsor. The sponsor is a practising barrister whom the student can meet informally to talk about the Bar, chambers and pupillage etc.

In general your choice of Inn will have no bearing upon your future practice. You may be a member of one Inn and have chambers in another, or outside the Inns. You may choose your Inn because of personal contacts or associations, the character of its buildings or gardens, the

scholarships or awards it offers, or indeed for no particular reason at all. For information on joining an Inn you should write to its address as given on the last page of this guide.

## **DINING AND CALL**

You must complete twelve “qualifying sessions” prior to being called to the Bar. “Qualifying sessions” include dining in the Hall of your Inn and attending advocacy weekends and/or education days organised by your Inn. Dining is arranged through your Inn. The arrangements for dining vary from Inn to Inn. The dates upon which you may dine are available from your Inn upon request and you should seek their guidance as to their requirements. For those taking their vocational course out of London alternative dining arrangements are organised through the appropriate circuit.

Currently, once you have completed the BPTC and twelve “qualifying sessions”, you may be called to the Bar by your Inn. The date of your Call will determine your seniority as a barrister. Each Inn has its own Call ceremony, which presently takes place four times a year.

## **PUPILLAGE**

In general only barristers who have practised for not less than six years are eligible to take pupils. They must be registered as pupil supervisors with their Inn.

In order to practise at the Bar, you must undertake pupillage for an aggregate period of not less than twelve months. It is possible, with the previous approval of the Masters of the Bench of your Inn, to undertake specific periods of pupillage outside chambers, for instance with a solicitor or lawyer in an EC country; by undertaking a “stage” at the Commission of the European Communities in Brussels or Luxembourg or a “placement” at the European Commission in London; by spending time as a marshal for a judge; or by sitting with an employed barrister. Pupils are required to attend an advocacy course, provided by their Inn or Circuit and “Advice to Counsel” and accountancy courses, arranged by the Bar Council, before they can obtain their practising certificate.

You notify the Masters of the Bench of your Inn of the details of your pupillage when you have arranged it. At the end of the first six months’ pupillage (during which you may not practise) you will obtain from the Bar Council a provisional practising certificate, after submitting a certificate of satisfactory completion of the period from your pupil supervisor. At the end of the second six months you will obtain from the Bar Council a Final Certificate upon submitting the appropriate certificate from your pupil supervisor.

## **CONTINUAL PROFESSIONAL DEVELOPMENT**

Barristers must undergo Continuing Professional Development (CPD). Essentially this falls into two parts; the New Practitioners' Programme (NPP) and the Experienced Practitioners Programme (EPP). NPP is compulsory for all new tenants and requires attendance at a total of 42 hours of continuing professional development within the first three years of practice. The EPP scheme requires all practitioners over three years' standing to complete 12 hours of CPD per year.

## **FINANCE**

The provision of finance for students and pupils whilst training for the Bar has improved enormously over the years. Substantial sums of money are now available to large numbers of students for the CPE/GDL year, for the vocational course year and during pupillage. You should not overlook the possibility of supplementing your income with your own earnings by, for example, teaching. The major sources of finance at different stages are as follows.

### **THE CPE/GDL YEAR**

It is possible but unlikely that your Local Education Authority will provide a discretionary grant for some or all of the fees and maintenance. You should ask your LEA at an early stage whether or not it has a policy of making funds available and when and how to apply for them. It may be possible for some students to obtain a Career Development Loan from the Department of Employment. The loan is administered by various high street banks. Details can be obtained from job centres.

Some of the Inns have a number of awards of up to £8,000 for the CPE/GDL year. There are a large number of these available. You may apply to only one Inn for an award. The closing date for these awards is usually 31 May, but this may change.

### **ON JOINING YOUR INN**

All the Inns have entrance awards. These are very numerous and generally cover Admission and Call fees (circa £200).

### **VOCATIONAL COURSE**

Your Local Education Authority may provide a discretionary grant for some or all of the fees and maintenance in this year. Again, you should ask your LEA at an early stage whether or not it has a policy of making funds available and when and how to apply.

Each of the Inns provides substantial sums in scholarships and awards for this year. There are presently a large number of these available. They are for amounts up to £15,000. The

particular terms of the awards and scholarships vary considerably. The Inns will provide you with more information, and, in any event, it is advisable to seek information from your Inn or prospective Inn at the beginning of the penultimate year of your law degree course (or final year of your non-law degree course) in order to be sure not to miss any closing dates. Fountain Court can also help with pre-pupillage support.

## **PUPILLAGE**

Up-to-date information about chambers and what they are offering is contained in The Pupillage and Awards Handbook which is revised each year and which can be obtained from the Bar Council or from the Students' Officer of any of the Inns.

Each of the Inns also provides scholarships and awards for this year. Of these, presently about fifty are worth £1,000 or more. It is advisable to seek information from your Inn or prospective Inn during the penultimate year of your law degree or final year of your non-law degree in order to avoid missing any closing dates. The Bar Council administers the Bar Scholarship Trust, which provides assistance during pupillage by way of a minimum of nine interest-free loans of up to £5,000 per year. Further details are available from the Bar Council.

## **SOURCES OF INFORMATION**

The Bar Council publishes a very useful guide to qualification, finance and practice called Steps to the Bar. This is obtainable from The General Council of the Bar, Education and Training Department, 289 High Holborn, London WC1V 7HZ (Tel: 020 7242 0082).

For information on joining an Inn, dining, pupillage, or guides to scholarship and awards, you should write to the Students' Officer of the Inn concerned:

Middle Temple, London EC4Y 9AT (Tel: 020 7427 4800)

Inner Temple, London EC4Y 7HL (Tel: 020 7797 8250)

Lincoln's Inn, London WC2A 3TL (Tel: 020 7405 0138)

Gray's Inn, London WC1R 5EU (Tel: 020 7458 7900)

The Bar Council also publishes a brochure called Guidance on Completion of the Academic and Vocational Stages of Training at the Bar, setting out the precise requirements and giving much information about the vocational training course. This is obtainable from The General Council of the Bar, whose address appears opposite. The new GTi Directory of Conversion and Vocational Law Courses, a supplement to GTi's Target Law is also useful.

Fountain Court's web site can be found at [www.fountaincourt.co.uk](http://www.fountaincourt.co.uk).