



Fountain Court
CHAMBERS

A GUIDE TO PUPILLAGE

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), commercial crime and international trade. Private international law permeates much of this work, as does (for the time being) EC law. 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 Supreme Court 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 or the Supreme Court.

Fountain Court has a dedicated Pupillage Committee with 13 Members of Chambers, the Chair of which is Rosalind Phelps QC. Fountain Court expects to take up to three or four pupils for full pupillages of twelve months' duration, each of whom we select with a view to them becoming future members of chambers. There is no limit to the number of new tenants we may take on and therefore pupils are not in competition with one another.

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, nationality or ethnicity, sex, gender reassignment, disability, marital status, pregnancy or maternity, sexual orientation, religion or belief, 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 as part of the Equality and Diversity Handbook.

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, **Tati Giatagana**, our pupillage assistant. Her details can be found on the Fountain Court website.

PUPILLAGES

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

Applications should be made through the Pupillage Gateway at 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 first-class 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.

Each year we expect to offer up to three or four award pupillages. Each award will be for £65,000, in the form of a first six month award of £40,000, renewable for a second six months of £25,000. 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 on their own account in the last three months of their pupillage year.

Fountain Court operates a system of assessed mini-pupillages, which are a compulsory part of our pupillage application process (please see the section on ‘Mini-Pupillages’ that follows). If you have not completed an assessed mini-pupillage prior to making an application for pupillage, upon receiving your application we might invite you for a first interview for an assessed mini-pupillage, and you should make yourself available for interview shortly after submitting your application. Once all potential candidates have completed an assessed mini-pupillage, we plan to invite a shortlist of applicants for a formal pupillage, interview.

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.

PRE-PUPILLAGE SUPPORT

Fountain Court is prepared to make an advance on the pupillage award of up to £20,000 for the BPTC year.

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 the pupillage committee 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 the pupils are getting proper experience) and the middle six months with two different pupil supervisors. The first two months of pupillage are unassessed: we consider that this is an important aspect of the training function of pupillage and a pupil will therefore generally only work for his or her initial pupil supervisor during that period and aim to practice all major types of work (pleadings, advices, skeletons, etc.). Thereafter, a pupil will be called upon to do specific pieces of work for other members of chambers. 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, this 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 or other member setting the work. A pupil can also expect to accompany his or her pupil supervisor to trials and appeals and, more frequently, to interlocutory hearings.

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. However, there is 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.

TENANCY OFFERS

Offers of tenancies are generally made in June or July of each year. It is the policy of Fountain Court to make offers of tenancy to *all* pupils who meet the relevant standard, irrespective of space and room arrangements, and in recent times we have taken on all our pupils in a given year. Offers of pupillage are only made to candidates who we consider to have a realistic prospect of becoming future members of chambers.

However, in the event that a pupil is not offered tenancy, Fountain Court recognises a responsibility towards such pupils to make every effort to "place" them in other chambers doing good quality work. We have usually been successful in this (including placing former pupils in recent years at 7 King's Bench Walk, 20 Essex Street and Atkin Chambers). Our early choice of tenants normally makes it possible for the pupil's position to be resolved before the long vacation.

NEW TENANTS

New tenants should expect to receive an income of at least the full amount of the current pupillage award during their first year of tenancy, and in our experience tenants generally receive more than this. Fountain Court does offer loans to new tenants to ensure that they receive at least that level of income; however in recent memory it has never been necessary to do so.

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. 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

Mini-pupillage are an important part of Fountain Court's pupillage application process. We require all candidates to have completed a 3-day assessed mini-pupillage, save in exceptional circumstances.

Mini-pupillages are usually not undertaken before an 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 and sent to **Tati Giatagana** by email to tati@fountaincourt.co.uk.

Mini-pupillages are assessed, and that assessment will form part of the application process for pupillage at Fountain Court Chambers. It will be generally expected for a pupillage candidate to have a completed a mini-pupillage before making their pupillage application. Where a candidate for pupillage has not completed or been offered a mini-pupillage before making their pupillage application, we will treat their application for pupillage as also being an application for mini-pupillage which will be completed as part of their pupillage application process. However, we would very much encourage potential pupillage candidates to apply for their mini-pupillage much earlier than the time of their pupillage application. Indeed, we would encourage potential candidates to apply as soon as they have provisionally decided upon pursuing a career at the Commercial Bar.

Mini-pupillages will usually last for three days and will sit with two or three members and learn about life at Fountain Court Chambers. Mini-pupils will be asked to complete a piece of written work which

a member will review and discuss. That piece of work will form part of the overall assessment process. A contribution of £150 is paid towards expenses upon completion of the mini-pupillage.

In certain circumstances, we will consider an application for pupillage from a candidate who has not completed a mini-pupillage or who is not due to complete a mini-pupillage prior to a decision being made upon their application. For example, where prospective candidates are engaged in full or part time employment it may not be possible to complete a mini-pupillage. Candidates who are unable to complete a mini-pupillage should not feel discouraged from applying for pupillage, and should contact us to discuss any concerns they may have.

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
- Graduate Diploma in Law (for non-law graduates)
- Bar vocational course (BPTC)
- Joining an Inn
- Dining and Call
- Pupillage

DEGREE

In general you must have a degree whether in law or a non-law subject. A law degree must have included the seven “core” subjects.

GRADUATE DIPLOMA IN LAW

Non-law graduates need to obtain a Graduate Diploma in Law (GDL). The course is generally full time for one year. Students can now study for the 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 Professional Training Course (BPTC).

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 former senior Law Lord, and many of the current Silks.

BAR PROFESSIONAL TRAINING COURSE

After obtaining your law degree or your non-law degree and 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 Professional Training Course application service at www.barsas.com.

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. Importantly, the Inns provide significant funding for both the CPE and the BPTC.

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.

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. Fountain Court allows pupils the time to attend these courses during their pupillage year.

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 to have a formal plan for ensuring their effective CPD.

FINANCE

The costs of training for the Bar is high, particularly the vocational stage. However, large sums of money are available to substantial numbers of students for the 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.

Some of the Inns have a number of awards of up to £10,000 for the 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.

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

Each of the Inns provides substantial sums in scholarships and awards for the BPTC year. There are presently a large number of these available, for amounts up to £20,000. 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. If you have secured pupillage with us, Fountain Court will also allow a draw down on the pupillage award of up to £20,000.

Each of the Inns also provides scholarships and awards for the pupillage year, although they are not generally not aimed at those who have secured well-funded commercial pupillages

SOURCES OF INFORMATION

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

For information on joining an Inn, dining, pupillage, or guides to scholarship and awards, you should contact 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)

Information is also available on the respective Inns' websites.

Fountain Court's web site can be found at www.fountaincourt.co.uk.