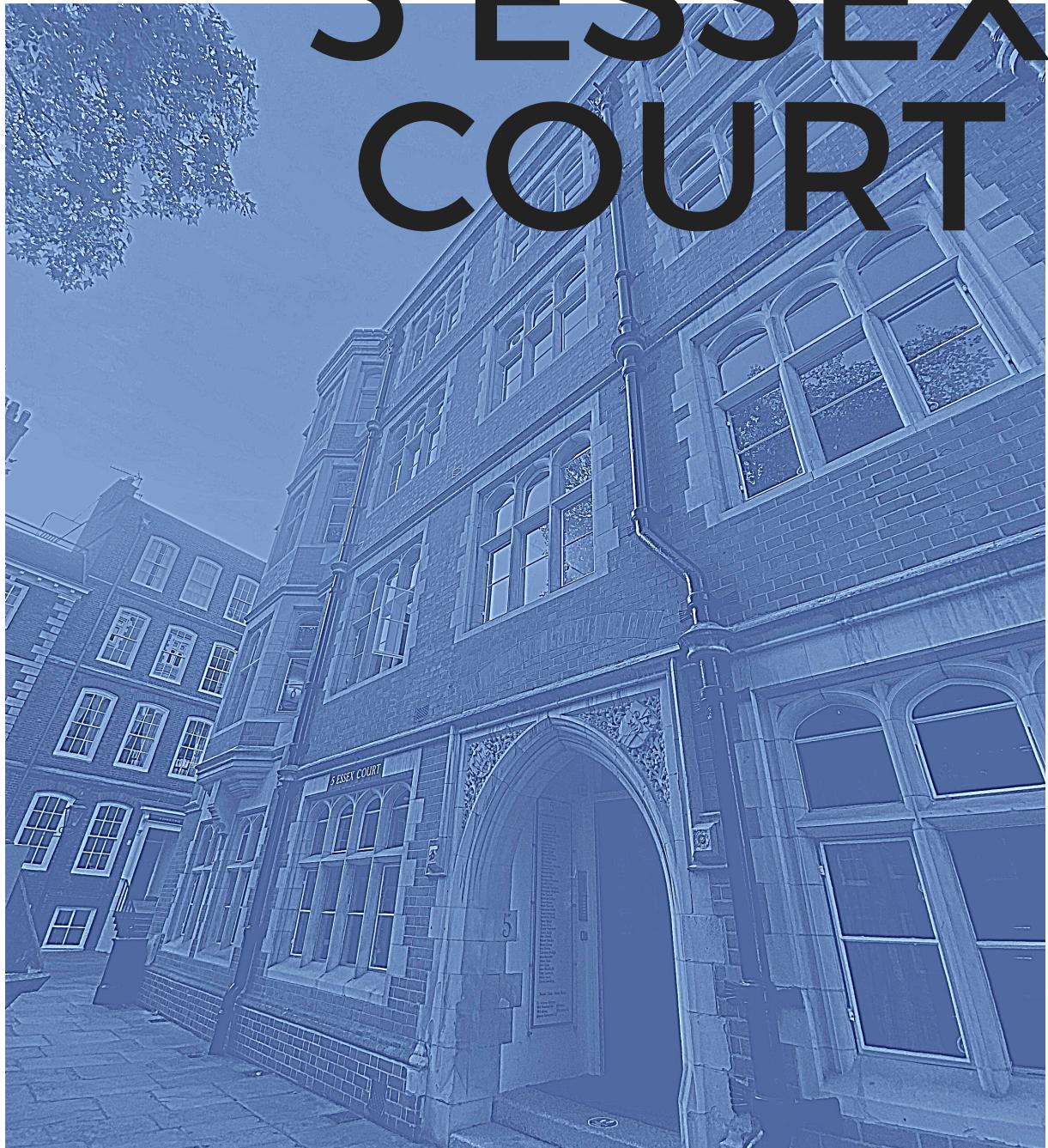


5 ESSEX COURT



2020 PUPILLAGE
SELECTION REPORT



Since 2012, 5 Essex Court has published a detailed report on its process for selecting pupils. Each year, the report covers the whole process from applications to final interviews. It offers an insight into our Pupillage Committee's deliberations and contains information on the questions we ask and the answers that impress us. The report provides, we hope, a useful guide for anyone seeking pupillage, whether at 5 Essex Court or elsewhere.

For ongoing useful tips and updates, follow us on Twitter [@pupillages](#) and our Instagram account [@5essexcourt_pupillages](#) which aims to capture a slice of life at the Bar and give students and future barristers a unique insight into our working lives.

GOOD LUCK WITH ALL YOUR
APPLICATIONS.

5 ESSEX COURT 2020 PUPILLAGE APPLICATION ROUND

Introduction

1. There will undoubtedly be many who will be fatigued by hearing “unprecedented” describing the challenges that have faced the global community. We wish it was possible to say that the legal sector was unaffected, but those reading this report will know that recruitment across chambers has changed as a consequence of the current public health crisis.
2. Although we suspended in-person mini-pupillages, we are pleased to report that we introduced virtual mini-pupillages and completed the 2020 pupillage application round almost seamlessly. Credit must go to a rapid transition to online working and, in particular, to all the interviewed candidates, for their patience, adaptability and the elegance with which they managed an entirely new approach to interviewing.
3. Other critical issues came to the fore in the course of the pandemic. We, along with our colleagues across the legal profession, were appalled by the tragic death of George Floyd in the USA. Black Lives Matter trended across social media platforms and profiles. The movement is more than simply a social media trend. Black lives do matter. We have considered closely what positive change we can contribute as part of our own recruitment process.
4. We are particularly proud of our gender balance at every level of chambers. We have more female than male QCs. In 2020, we are number 1 for greatest proportion of female QCs and remain in the top 10 of Legal Cheek’s list of Chambers with the highest proportion of female juniors. We seek to highlight the diversity in chambers because research shows that it is a powerful factor in the decisions of many highly talented students from groups who are underrepresented at the Bar to apply to us.
5. We continue to be committed to moving towards a demographic within Chambers that is more representative of the wider community, primarily by recruitment at the pupillage stage.
6. We have, for many years, made it clear in our recruitment literature that we particularly encourage applications from black and minority ethnic candidates, and from those with non-traditional backgrounds – including, in particular, those from backgrounds that are underrepresented at the Bar. We are acutely conscious that the nature of our work – particularly with its emphasis on acting for the police and government bodies – can deter talented applicants. We are keen to dispel misapprehensions and share information on the positive social impact that our work can do. To that end, we continue to take part in a number of initiatives with the aim of further dispelling some of the myths about the Bar, and the pupillage process. We hope that this encourages and empowers all



applicants and ensures they have equal opportunity to put their best foot forward. We want to go further. We outline some of our new initiatives below.

7. Our current initiatives have included members of the pupillage committee, and junior tenants and pupils, taking part in a large number of talks and presentations to students and potential pupils. We have continued to use our twitter account (@pupillages) to continue to try and provide tips and useful information concerning pupillage applications and to try and encourage applications from groups that are not well represented at the Bar generally, or in our practice areas or in Chambers particularly. We have also continued to use our Instagram account @5sessexcourt_pupillages.
8. Despite the challenges in this year, we organised a webinar with Legal Cheek entitled “*Sitting down with... Legal Cheek – Applying for pupillage in the age of Coronavirus*”. The seminar was extremely well-received and it was a pleasure to have Alex Aldridge join us from Legal Cheek to explain how they have adapted to an online set up.
9. This year, Saara Idelbi recorded “Paperless Practice” in association with Gray’s Inn’s “Raising the Bar” podcast, adding to the podcast repertoire of Chambers, with Beatrice Collier and Georgina Wolfe having recorded the second series of “The Pupillage Podcast” in association with Middle Temple in 2019.
10. We have attended various pupillage fairs and events throughout the year including sponsoring the Urban Lawyers Career Conference in November 2019. We continue to attend virtual fairs. We had booths in the Legal Cheek and Bar Council virtual fairs, and will have a booth in the University of Law virtual fair. Our members are scheduled to give virtual talks with law schools on the pupillage process.
11. We appreciate the opportunities to secure mini-pupillages this year have been scarce. Consequently, we strongly encourage applicants to attend virtual fairs and speak to those chambers they are interested in to learn more in readiness for application season.
12. We were proud, in the course of the year, once again to be nominated for a range of awards for our recruitment processes, and the training we provide to pupils. In the Legal Cheek 2020 awards, we were highly commended for our training, quality of work and work/life balance. We were delighted to have won the Legal Cheek 2020 award for Best Chambers for Colleague Supportiveness. It really encapsulates our ethos.
13. In 2018, we substantially increased our pupillage award. It includes a guaranteed minimum earnings component which, in the last 10 years, our pupils have consistently exceeded. Despite the impact of Covid-19, our 2019/20 pupil again exceeded the guaranteed earnings component. However, we do not use the pupillage award as a prominent component of our marketing: we want



applicants to apply to us because they want to work in the areas in which we practise and because they will be happy, motivated and fulfilled at 5 Essex Court, rather than because of the amount of the award. We are, however, very conscious of the amount of debt that many applicants have accumulated, and the costs of living in, or close to, London. We were also concerned that those without independent financial support or means might struggle to service existing debt whilst also managing continuing living expenditure, without an increase in the pupillage award.

Mini-pupillages

14. As set out above, applicants in 2020-2021 will have faced challenges to obtaining mini-pupillages this year.
15. Owing to lockdown restrictions, we suspended our spring mini-pupillage programme and offered to accommodate successful mini-pupillage candidates later in 2020. This gave us time to (i) see how the restrictions would change and (ii) carefully consider how we could structure a virtual mini-pupillage.
16. We made a conscious decision to restart mini-pupillages as soon as we could safely do so, given the lack of opportunities that the pandemic has caused for aspiring barristers.
17. Our first virtual mini-pupillages started this Autumn. Applicants undergo a competitive process where applications are assessed. Our mini-pupillages themselves are not assessed. As we anonymise pupillage application forms, an assessed mini-pupillage would not assist us in selecting candidates for first round interview. Mini-pupillages with us are meant to be an opportunity for candidates to: demonstrate that they have done mini-pupillages and are confident this is the career for them; consider whether they would like to apply to us; and to assist them in preparing “why our chambers” question on the pupillage application form.
18. We operate one virtual mini-pupillage a month, with eight participants. This operates across two days.
 - a. On day 1, a member of chambers hosts an introductory session to provide mini-pupils. The mini-pupils read some publicly available skeleton arguments from a case conducted by members of chambers. The case is then discussed. Thereafter, they look at a past advocacy exercise from our pupillage interviews and plan how they would approach it.
 - b. On day 2, mini-pupils watch some Court of Appeal advocacy on You Tube and discuss it with a member of chambers. Finally, we host a Q & A session with mini-pupils to discuss Chambers and our application process.



19. The feedback we have received so far from our virtual mini-pupillages has been positive.
20. We are keeping the structure of mini-pupillages under review.
21. One initiative we have started is to offer all applicants who were unsuccessful in obtaining a mini-pupillage with us an “open day”-style seminar session where we will be discussing application tips. Our first seminar took place on 15 October 2020. Others will follow. Depending on the feedback we receive from these seminars, we anticipate rolling out a similar “open day” to pupillage applicants, who did not obtain a first-round interview.
22. We do not fund mini-pupillages. When we do return to in-person mini-pupillages, we do have the option to assist with travel expenses for those who are offered a mini-pupillage but for whom the cost might otherwise be prohibitive.

Further initiatives

23. The Pupillage Committee have been engaged in considering proposals that will maximise impact to increase diversity both in our own chambers and in the Bar overall. We know the Bar Council have started excellent initiatives to improve equality and diversity understanding, awareness and access to the Bar.
24. Ahead of the 2021 recruitment cycle, the Pupillage Committee will be undertaking detailed refresher training on fair recruitment. This is part of a rolling programme within Chambers of refresher training in equality and diversity for members of Chambers and staff. This includes a focus on unconscious bias.
25. We are also conscious that inequality is an issue long before candidates start university. In the coming year, we are reviewing the ways that we can engage potential barristers (and/or future lawyers) from underrepresented backgrounds when they are at school. We are always open to hearing any suggestions.

Preparation for application round

26. All members of the Pupillage Committee are trained in the Bar Council’s fair selection and/or have studied the Bar Council’s Fair Recruitment Guide. All those additional members of chambers involved in recruitment (those co-opted to the Committee) have undergone Equality and Diversity training and have either undergone training or studied the Bar Council’s Fair Recruitment Guide (http://www.barcouncil.org.uk/media/165213/recruitment_guidev22_18sept_merged_readonly.pdf). Part of the fair recruitment training involves addressing unconscious biases.
27. One member of the Committee has been on parental leave during this application round and took no part in the recruitment process. All references to



“the Committee” in the subsequent sections do not include reference to the member of chambers on parental leave.

28. As we have done each year, we changed the composition of the recruitment panel by co-opting two members of Chambers to the panel to assist in this year’s selection round and to ensure that applications were considered by a cross-section of Chambers with a good mix of those who had experience of previous rounds, and those who brought fresh ideas and perspectives.

Selection for first interview: the “paper sift”

29. We did not consider any applications until after the expiry of the deadline for applications. Once the final deadline had expired, we anonymised and downloaded all application forms.
30. In 2019, we decided to remove the details of the university that the applicant had attended before the form was marked. As we explained in our 2019 Pupillage Report, we concluded that any possible benefit in knowing the university attended is outweighed by complex factors that underlie university choices, the relatively narrow demographics at Oxbridge and some Russell Group universities, the complexity of comparing degree results from different universities and the fact that academic achievement is just one factor in our selection process. In 2019, the automatic anonymisation process was only partially successful, as the name of the university was removed from one section of the form but was often obvious from other parts of the form. In 2020, we anonymised universities with the net effect that all educational institution names were removed. It was felt that this was an important step, not simply for our assessment, but for our candidates to know that we are assessing their application on substance and not labels. We do emphasise that we do not attach weight to the university attended.
31. One member of the Committee selected a number of applications to be considered by the Committee and co-opted members at a meeting to discuss the detail of the paper-sift and to ensure consistency.
32. The applications were selected with the aim of securing a broad range, but with a particular focus on applications which were likely to be at the margins of those who would be selected for first interview (distinguishing between these is the most important, and most difficult, aspect of the paper sift).
33. All members of the Committee and co-opted members independently considered these applications with reference to our published selection criteria.
34. We then held a lengthy meeting to discuss the approach to each of our selection criteria and their application to the “consistency” candidates. One member of the committee was unable to attend but still carried out the consistency exercise.



35. Following the “consistency” meeting all applications (including the selection that had already been considered) were assessed by reference to our four published criteria. These are academic ability, experience, presentation and other factors. We did not allocate an overall score to each candidate. Instead, we gave box markings – consistent with the approach recommended by the Bar Council – for different factors that were designed to measure each of the four criteria.
36. Applicants were selected for first round interview according to the box markings.
37. Academic ability: The primary assessment was made on the basis of degree results. However, we also took account of A level and post-graduate qualifications, together with any other evidence of academic ability that could be gleaned from the totality of the form. We did not generally attach significance to whether the applicant had studied law as an undergraduate (save that we generally require at least a commendation on the GDL to demonstrate sufficient legal academic ability). Very limited weight was given to GCSE results.
38. This year, as in the last 5 years, all those selected for interview had gained a 2:1 or first in their degree(s) (and they were evenly divided between 2:1s and firsts). There was a broad mix of law and non-law degrees. We do generally consider a first class or 2:1 degree as demonstrative of academic ability. Nevertheless we consider all application in full. Where candidates with a 2:2 degree provide compelling alternative evidence of academic ability, such as exceptional results in post-graduate degrees or a successful career since University that demonstrates academic ability, or explain significant mitigating circumstances, an applicant may still secure an interview where they satisfy our other criteria.
39. We encourage candidates – who may have just missed a 2:1 (or a first) due to mitigating circumstances – to break down their degree result percentages and to utilise the mitigating circumstances box to explain how their circumstances affected their degree result.
40. Academic ability is just one of four criteria and is not sufficient, in itself, to secure an interview. As in previous years there were applicants with an exceptional academic record (including very high marks in post-graduate legal studies) who were not selected because they did not satisfy other criteria (eg they had insufficient advocacy experience, their form was not sufficiently well presented, or they had not demonstrated a genuine interest in 5 Essex Court).
41. Experience: We took account of all experience which demonstrated the skills needed to succeed at the Bar, but we particularly looked for evidence of an interest in, and a talent for, advocacy. The highest box markings were given to those who had extensive mooting and/or debating experience and success (with



success in national and international competition naturally attracting higher gradings than an individual University moot) and who had engaged in oral advocacy in real life cases (eg for FRU or IPSEA). Conversely, those who said that they had “organised” moots or had been “FRU trained” without providing any evidence of actually undertaking advocacy did not score highly under this criterion. That said, it was not helpful when candidates listed mooting under “interests or non-work related”. We felt mooting should appear more naturally elsewhere on the form (indeed we asked a specific question about it) and under the interests section we hoped to see candidates show some evidence of their personality away from law. We recognise gaining mooting experience will be difficult in the academic year 2020/21, but we are also aware that a number of organisers including the Inns of Court have moved their mooting programme online.

42. **Presentation:** We work on the basis that the application form is itself a strong indicator of an applicant’s work, demonstrating the care and attention that has been applied and the applicant’s skills at using language. The vast majority of applications had at least one mistake. Many contained several errors, from sentences that simply did not make sense, to misspellings of chambers’ and/or barristers’ names, to incorrect use of language. A small single error will not affect our assessment, repeated errors will. We had a number of applicants this year refer to “chamber” as opposed to “chambers”. Misspellings are particularly unimpressive where the applicant had stressed their thoroughness or “eye for detail” or where they appeared in the section about why they had applied to 5 Essex Court and were interested in our practice areas. This year all applications were written in prose. In 2018, we received an application entirely in rhyme¹. Although we were amused by it, we ultimately felt it was not really appropriate in a piece of formal writing. This year, however, in the non-assessed marketing question we include on the form, one applicant used their answer as an opportunity to demonstrate their poetic prowess. The applicant was selected for interview on the basis of their strong application form, but it was a good – and rare – example of well-judged humour.
43. Applications which were unnecessarily wordy were marked down. The best applications – as with the best written advocacy – were clearly and succinctly written in engaging and persuasive language.
44. We were struck by some candidates’ poor use of grammar and punctuation. Colons and semi-colons can be effectively deployed to strengthen your prose but, if misused, they jar and undermine the hard work that has gone into the application. Even full-stops and commas need to be used with care – some candidates did not appear to appreciate the difference between them. For anyone with any doubt about punctuation, we recommend Lynne Truss’s “Eats, Shoots and Leaves” for a funny and easy-to-read masterclass.

¹ See <https://www.legalcheek.com/2018/11/5-essex-court-receives-rhyming-pupillage-application/>



45. Other factors: We were looking for evidence, anywhere in the application form, and in any context, which (aside from the other categories set out above) demonstrated that the applicants had the skills and potential necessary to secure a tenancy at 5 Essex Court.
46. The paper sift exercise is, by a very long way, the most competitive stage of the process. We are acutely conscious that we are rejecting potentially very able candidates without giving them an opportunity of an interview. Our experience is that candidates who are often borderline on paper perform exceptionally well in interview (and vice versa). Following the sift we considered, more broadly, some themes that have emerged over the years from the paper sift exercise. These were as follows:
47. *Mini-Pupillages:* We consider mini-pupillages to be an important part of an applicant's experience. Mini-pupillages are an essential part of legal training and are an aspect of the application to which we give a great deal of weight. Through mini-pupillages, applicants can see what life at the Bar, different practice areas, and individual chambers are really like. We do not expect candidates to have undertaken an excessive number of mini-pupillages without having the time to amplify their application in other ways. Nevertheless, candidates who have undertaken mini-pupillages can make better-informed choices about the chambers to which they apply and can usually demonstrate good reasons for selecting their practice areas.
48. There is a section on the form for "legal work experience" which is where mini-pupillages should be described. They show us that the candidate is committed to the Bar, understands what life at the Bar entails and has sufficient talent to pass through the rigorous assessment process to obtain mini-pupillages. The selection of mini-pupillages described also reveals where the candidates' true interests lie. If a candidate has done only criminal mini-pupillages for example, we will not be persuaded of their interest in civil law.
49. Those who had undertaken mini-pupillages in sets that do similar areas of work to us (and/or had other evidence of their interest in this type of work), and who demonstrated (by what they drew out from that experience) a real understanding and aptitude for Chambers' areas of work, were more successful. We have on occasion interviewed candidates who have done mini-pupillages in sets that do not do similar areas of work to us, but have taken the time to explain the reason for their changed focus and have demonstrated sufficient experience to show they have made an informed decision.
50. The strongest candidates described each mini-pupillage separately, highlighting what they had learnt and insightfully analysing their experiences in a few pithy sentences. It is not necessary for candidates to name the barristers they met on a mini-pupillage but if a candidate chooses to do so, it is essential to spell their names correctly – particularly if they are a member of our chambers.



Unsuccessful candidates would often simply list their mini-pupillages without explaining what they had learnt.

51. We were less impressed by candidates who simply listed off names of members of chambers they had shadowed and courts they had attended; we were much more interested in and impressed by those who were able to describe and analyse what they experienced and learnt during their mini-pupillages.
52. We understand that it will be difficult to obtain mini-pupillages in academic year 2020/21. There are still some opportunities out there, and mini-pupillages are continuing. Most civil courts are still running and virtual hearings are open to members of the public to attend. If applicants are struggling to obtain mini-pupillages, there are still opportunities to see advocacy in action.
53. *Mature Students:* As in previous years, we had many applicants this year with extremely impressive first careers. We always welcome mature students – the professional and life experience gained can be invaluable in pupillage and beyond. No matter how dazzling the success achieved in a first career, it is, however, essential to demonstrate that you will also be a talented advocate, that your commitment to the law is genuine and that you are making an informed choice to change your career. We are looking for someone who will be a talented barrister and not, for example, a talented brain surgeon (no matter how good a brain surgeon they might be). Impressive credentials from an earlier career, without mini-pupillages, mooting, pro bono or other legal work experience will not be sufficient to achieve an interview.
54. Where a candidate's career trajectory has changed significantly – whether from academia or the solicitors' profession to the Bar or from another career altogether – we look for an explanation for this change of heart. Pupillage is a significant investment for chambers; we are looking to recruit pupils for the long-term so we want to understand that they are committed to this career and to see why they believe they will be fulfilled practising at the Bar. We are not looking for pupils who see pupillage as a stepping stone to doing something else or who are likely to change their minds in the short-term.
55. “*Less*” *mature students:* We are conscious that it can be more challenging for those at the start of their legal career (for instance, students on the GDL who will have had only a few months of legal experience or law undergraduates who do not yet have a final degree mark) to demonstrate legal ability. We encourage those in that category to disclose their marks to date or, where grades have been predicted, to disclose by whom they have been predicted and how. It is very difficult to be confident that a student who cannot demonstrate any legal academic credentials has a talent for the law: if there is evidence you can provide to assist us, please do give it.
56. *The good barrister:* By this point in the application form, you will have set out the evidence that supports your application. The question “Why do you believe



you will make a good barrister? In your answer, please identify any relevant experiences or skills that you believe may help you in your career” is your closing submission; your opportunity to draw the threads together.

57. The best answers were succinct whilst still being persuasive. The candidates selected for interview tended to approach the question in a structured way, either by way of numbered points, or setting out their starting premise and expanding on it through the answer.
58. Weaker answers were less thoughtful about the skills required to be a barrister, taking into account their experience or the type of skills that would be necessary in our areas of practice.
59. *Chambers' specific questions:* The “why our chambers” question is the assessed question that persuades us that you are genuinely interested in joining our chambers and you have thought carefully about devoting an application to us. Despite this, many candidates still use the “why our chambers” question to talk about their own achievements.
60. By this point on the form, candidates should have had ample opportunity to set out these achievements elsewhere and, in the preceding answer, a chance to highlight some key accomplishments. The “why our chambers” question is designed to give candidates the chance to talk about their preferred areas of practice and to show that they have researched chambers and really want to join us.
61. We were not impressed by the clichéd “You are the leading set in x, y, z” or by those who simply said, “I am applying to your chambers because you do the areas I want to practise”. Those who made generic reference to human rights or public law or police law, or who simply block copied information from our website or legal directories without more, did not score particularly highly.
62. Those who impressed explained why they were drawn to an area of practice and then showed that they understood the nature of the work and the ethos of chambers. This information is all readily available online for those who have not had an opportunity to speak to members of Chambers at pupillage events throughout the year or during a mini-pupillage. Those who have undertaken mini-pupillages with us should have an easier task answering this question but many did not mention anything that they had seen or learnt during their mini-pupillage. This was a wasted opportunity and could lead to being marked down.
63. In previous years, we have attached greater weight to candidates mentioning our police law practice. However, Chambers’ practice areas have expanded and diversified so that we now have a much broader field of coverage, particularly in public law. We therefore understood that some candidates did not choose to focus on police law. Nonetheless, police law remains a mainstay of our work and we looked favourably on those candidates who recognised this. We



understand that most candidates will not have any experience of police law but we do look for an understanding of what it entails and an enthusiasm to try it.

64. The most successful applicants were able to identify why they wished to practise in specific areas and why they were applying to 5 Essex Court in particular. We also compared the content of the rest of their application. Applicants who expressed a burning desire to practise human rights law, but who had only undertaken mini-pupillages in, for example, commercial sets, did not score highly.
65. *Other achievements:* Weight was given to other factors which demonstrated the applicant's potential as a pupil and, in due course, a member of Chambers. These included, for example, sporting or musical achievements which demonstrated the skills required for success at the Bar (e.g. determination, ability to perform under pressure, discipline, good time-management skills), or an understanding of the ethos and atmosphere of 5 Essex Court.

Data

66. This year we received 315 applications. It was a fairly even split of male and female candidates (44% and 50% respectively²). In terms of diversity of ethnicity, 54% of candidates selected a "white" subcategory, 8% of candidates selected a "black" subcategory (which was higher than the percentages recorded in the Bar Council Pupillage Gateways Monitoring report for General Civil Pupillages), 13% of candidates selected an "Asian" subcategory, and 8% of candidates selected a "mixed" subcategory. 10% of candidates declared a disability. The monitoring data is not available to markers. The majority of candidates appeared from the monitoring data to be reluctant to indicate their age, schooling background, and (save for caring for a child under 18) whether they have care responsibilities. We have reviewed the data after the completion of the pupillage process. It plays no part in our selection process. The data helps us to fully understand our ability to encourage a diverse group of applicants.

67. We do encourage candidates to complete the monitoring data.

Virtual Interviews: Presentation

68. It is necessary to mention at the outset that all interview candidates approached the virtual interviews well and as we expected them to.
69. All candidates had ensured that they were in a quiet space, on their own. We appreciated that people live in a variety of settings. We did not require nor expect candidates to have a totally plain backdrop. No candidates attempted a distracting virtual background, for which we were grateful. A candidate's chosen interview room played no part in our decision making.

² Some candidates preferred not to say or did not specify in the monitoring data.



70. We informed candidates in advance that we wanted them to feel comfortable during the interview and, given the unusual circumstances, we did not expect them to be in a suit during the interview, smart casual attire was suitable but of course all candidates were welcome to wear a suit. Candidates' attire played no role in our assessment of them.

First round interviews

71. Twenty-eight candidates were selected for first round interview. One candidate was unable to attend for personal reasons. The interviews took place on 3rd and 4th April 2020 by Skype, save for one which was planned to take place by telephone and another where we experienced technical difficulties and transferred to telephone. The interview panel consisted of Bilal Rawat, Beatrice Collier, Saara Idelbi and Remi Reichhold.
72. Candidates were emailed the legal problem 30 minutes before their interview was due to start so they could prepare before being brought into the virtual room. Each interview lasted about 15 minutes. We felt that 15 minutes was sufficient time. We informed candidates at the outset how long the interview was due to be, and the rough breakdown for each section. Our intention was to highlight to the candidate that they too were in charge of marshalling their time when they came to answer their questions.
73. Each candidate was asked the same questions:
- a. A general question about the content of their application form.
 - b. A legal problem. We asked candidates to advise in conference. The candidate could choose 1 question from a choice of 2. One question concerned the police investigation of a serial cat killer, resulting in the dismissal of the investigating officer and consequences of media publication of personal data. The other question concerned the requirement to make reasonable adjustments in the provision of a public service, stress at work arising from dealing with a particular caller and Article 10 ECHR.
 - c. A topical issue designed to show candidates' ability to argue different points of view: "*In an effort to combat the Coronavirus, the government has introduced regulations that make it a criminal offence to leave your home without a "reasonable excuse". Do you think this goes too far, or not far enough?* Candidates were asked to argue both sides of the debate.
 - d. A final question designed to enable candidates to tell us about their interests: "*You receive a phone call from the head of programming at Netflix. They desperately need a new show to keep the nation entertained during the lockdown. What is your proposal?*"
74. The first question served as an opportunity for the panel to get to know the candidate and to clarify any matters arising from their application forms. It was generally well answered. Where the candidate's experience tended to suggest an interest in practice outside our core areas, it was an opportunity to listen to



their reasons how they felt their experience was beneficial to a practice in chambers. The panel were particularly pleased when candidates were able to speak with clarity and enthusiasm about details mentioned on their applications.

75. The legal problem questions were designed to test candidates' legal reasoning and ability to give a structured answer. Some years candidates tend to prefer one of the two questions but this year, there was a greater balance of choice between the two questions.
76. We expected candidates would have a superficial knowledge of issues and potential pitfalls in the question. However, it was not necessary to have knowledge of any specific legislation or case law to answer the problem questions and the panel took account of the fact that some candidates were more advanced in their legal studies than others.
77. The legal question was treated as an opportunity to advise in conference, as barristers would. We chose the setting in order to elicit legal analysis with a practical assessment of risks.
78. The best answers to the legal problems:
 - a. Provided a well-structured analysis of the problem with appropriate emphasis on the types of legal issue that might arise.
 - b. Identified the critical features of the facts and the issues of law that arose.
 - c. Responded appropriately when challenged on aspects of the analysis.
79. Weaker answers to the legal problems:
 - a. Were too academic and theoretical.
 - b. Lacked structure.
 - c. Made factual errors, either by misunderstanding the facts or reading in facts that were not yet known.
 - d. Required prompting to address legally significant aspects of the scenarios or the need for practical advice.
 - e. Did not develop their analysis.
80. On the topical issue, candidates were generally able to address their own views well. Many candidates found the switch to arguing the opposing view to their own difficult. We noted that when the switch came, most candidates did not pause to regroup their thoughts before answering the question. The result was that the opposing argument (which was designed to be more challenging personally for the candidate) was less well formulated, repeated the same point but with a differing conclusion, or candidates were unable to develop their analysis.
81. The broadcasting question was included to give candidates the opportunity to talk about a topic that was less serious and non-legal and, perhaps, something that interested them. It enabled us to get to know them as individuals a little



better in the very short time available. We enjoyed hearing what interested our candidates but equally what they felt was important. No candidate gave an answer to this question which altered the panel's overall view of whether they should be offered a second round interview. In general, the best answers demonstrated breadth of interests and character.

82. Finally, each candidate was asked, "Do you have any questions for us or, more importantly, are there any questions which you wish we had asked you?"
83. As in previous years this question proved to be important. It gave several candidates an opportunity to update us on achievements that had arisen after they had submitted their application forms. It also allowed candidates to draw our attention to aspects of their previous experience that were especially relevant to Chambers' practice areas.
84. Of the 28 candidates that were interviewed, 10 were put through for a second round interview. The decision as to which candidates should go through to the next round was largely unanimous. 9 candidates were selected unanimously. There was some debate around two candidates who we felt were strong candidates but were concerned about their approach to the legal problem in terms of structure and presentation. Ultimately, we selected the candidate who stood out with their answer to the first question.

Second round interviews

85. The second round interviews took place on 22nd and 23rd April. They each lasted for about 25 minutes. The interviewing panel comprised Bilal Rawat, Jonathan Dixey, Robert Cohen and Emma Price.
86. Each candidate was assessed by reference to four criteria: legal knowledge; presentation; motivation; and communication and interpersonal skills.
87. The interview comprised:
 - (1) Questions from the application form.
 - (2) An advocacy exercise (opposing an application for an injunction to prevent the police arresting prospective attendees at an anti-lockdown protest).
 - (3) A topical question designed to show candidates' ability to argue different points of view. The question was "A petition has been launched calling on the Government to establish a public inquiry into the Government's handling of the coronavirus crisis. Do you think having such a public inquiry would be a good idea?"
 - (4) A question on the candidates' interest in chambers. The question was: "Chambers has recently introduced a programme of weekly online videos aimed at both current and prospective solicitors and clients. This is part of our ongoing marketing strategy. If you were asked to prepare



- and present a 20 minute presentation that would be of interest to current and prospective clients of Chambers, what subject would you chose?"
- (5) A final question designed to enable candidates to tell us about their aspirations: "In these uncertain times it is always good to have a plan for the future. Where do you see yourself in 10 years' time?"
88. The interviewing panel were impressed with the ability of all the candidates to adapt to the video format. They all came across as confident and coped well.
89. The candidates who performed best in the advocacy exercise were those who structured their submissions, signposting what they were going to say. They stood out for being calm, measured and thoughtful advocates. They responded well to questions and showed good judgement.
90. One point for candidates to be aware of when preparing and presenting the advocacy exercise is the need to ensure that they have read their instructions properly and not to go beyond those instructions when making submissions. In real life, we appreciate advocates will have time with the client to clarify the facts, but judges do ask questions that you may not have covered specifically with your client. Thus, for this exercise, it is vital that candidates are able to demonstrate that they can be persuasive within the confines of the facts and information known to them.
91. Some candidates were too discursive when responding to questions which meant they risked straying away from the point. This is important because courts will deal with many matters, sometimes within the same day. Ensuring that answers are focussed and to the point is likely to be more effective because it allows the listener to focus on the main thrust of the argument. It is important to avoid answers that are too academic - don't forget that part of being a barrister is giving practical advice.
92. Selection: We selected two candidates to whom we made offers of pupillage, with two reserves. Both first choice candidates accepted their offers.
93. Overall experience of virtual interviews: The technology worked well. One of the candidates that was offered pupillage had been the candidate that we had to switch to telephone in the first round because the technology did not function as hoped. We felt that this fortified our view that we were able to get the best out of the candidates despite the unusual circumstances.
94. We are conscious that all candidates were interviewed virtually thereby levelling out any disadvantage with dealing with interviews by Skype. Where we operate interviews in person, we remain of the view that we prefer to interview candidates directly, rather than by way of a mix virtually and in person. Nevertheless, we are prepared for 2021 pupillage interviews to take place by Skype again next year if it becomes necessary.



95. Once again, we commend all our candidates who came to interview without any prior precedent on virtual pupillage interviews. They set a high standard for future virtual interviews.

BILAL RAWAT
For the Pupillage Committee
13 NOVEMBER 2020

