

# Pupillage Policy

## Information for Applicants



### **Introduction**

Garden Court North Chambers was set up in 1996 by Ian Macdonald QC, who was at the time one of the joint heads of chambers at 2 Garden Court Chambers in London and 7 other barristers. Chambers continues to have a formal association with Garden Court Chambers. The ethos of these chambers is exemplified by a strong commitment to publicly funded work and to offering legal representation to those disadvantaged by poverty and discrimination. This underpins our emphasis upon criminal defence and civil rights based work in all the areas in which we practice.

Chambers operates an equal opportunities selection policy for both pupils and tenants.

In selecting pupils we aim to treat all applicants fairly, irrespective of race, religion, gender, sexual orientation, marital status, disability and age.

Chambers takes up to two pupils a year, each for twelve months. Within the twelve months all pupils will gain experience in a variety of areas of practice.

### **Applications, Short listing and Interviews**

We ask applicants to apply to Garden Court North through the OLPAS scheme administered by the Bar Council. We aim to notify those who have been short listed as soon as possible after we receive their applications.

As far as possible, short listing and interviewing will be carried out by the same group of people. Each applicant will be assessed against our selection criteria by at least two people. We hold one round of interviews, and at interview all applicants will be asked the same questions and will be marked on the same basis. The interview will include a short advocacy exercise.

We will keep written records of the decision making and interview stage.

## **Selection Criteria**

Our criteria for selecting pupils will be as follows:

1. Excellent academic achievement
2. Intellectual aptitude
3. Ability to grasp complex issues and concepts and think on his or her feet. Ability to present clear, concise and logical arguments and express himself or herself confidently and articulately.
4. Evidence of interest in and commitment to working in civil liberties and human rights law, e.g. work in advice centres and law centres, work with solicitors, involvement in campaigning organisations, work for FRU, relevant research.
5. Commitment to Chamber's founding principles and in particular to working with and for those who are disadvantaged by poverty and discrimination.
6. Ability to communicate with a wide range of people from different backgrounds.
7. Diligence and a high level of motivation.
8. An indication that an applicant has given thought to the future of the Bar and to the likely problems for intending barristers.

We look forward to receiving your application. We hope that those applicants who are successful will enjoy their time as pupils at Garden Court North. We aim to provide all our pupils with a good training, and believe that we are friendly and approachable, at the same time as striving for excellence in all the work that we do.

## **Finance**

All pupils will receive an award of £14,000 over twelve months plus all earnings during their second six months. The first £7,000 of the award will be payable during the first six months with the remaining £7,000 being paid in the second. Fees actually received in the second six months for work done during pupillage are subject to the payment of chambers expenses at half of the variable rate then in force. However fees which are not received until after the conclusion of the second six months will be charged at the usual chambers rate then in force. Chambers will also pay for all reasonable travelling

expenses incurred which relate to pupillage and for compulsory pupillage courses. This does not apply to travel expenses incurred whilst conducting cases for which you will be paid a fee.

### **Appraisal of Progress.**

We carry out a formal appraisal of each pupil's progress at 3, 6 and 9 months through pupillage and a written report will go to the Pupillage and Training Committee.

### **Work for Pupils in Their Second Six**

We aim to provide pupils in their second six months with as much court work as possible, in order to provide them with plenty of advocacy experience and also in order that they can start earning money. Our aim is to ensure that pupils in their second six months are usually in court several times a week. We monitor the work given to pupils in their second six months, and endeavour to ensure that there is a fair distribution of work.

### **Payment to pupils in their second six months for completing paperwork in the name of a barrister member**

Where a pupil in their second six months completes a piece of paperwork which came into chambers in the name of a barrister member the pupil should be paid as follows:-

1. It shall be for the barrister member in whose name the paperwork is to go out to determine which of the following categories applies;
2. Where the work is sent out by the barrister member with no or only minimal amendment the pupil shall be entitled to receive 50% of the fee payable;
3. Where the work is sent out with moderate amendment the pupil shall be entitled to receive 25% of the fee payable;
4. Where in the opinion of the barrister member in whose name the work is to go out the work done by the pupil requires such a degree of amendment that the work done can properly be described as of no value, the pupil shall not be entitled to receive any part off the fee payable.

## **Complaints and Grievance procedure**

1. Where any member of Chambers has a grievance against another member of Chambers, that grievance shall be notified forthwith to the Head of Chambers, (the Chair of Chambers or the Deputy Chair of Chambers).
2. Where the Head of chambers notified is unable to resolve the grievance to the complainant's satisfaction forthwith, a committee of three persons shall be appointed to investigate and report on the grievance.
3. The composition of the committee shall be selected by the Head of Chambers but shall have regard to the nature of the complaint, fairness to the complainant and the person complained of in selecting the committee. In particular, account shall be taken of race, sexuality or gender.
4. The grievance committee shall report within 14 days of its appointment to the Head of Chambers on its findings and recommendations unless it is not practicable to do so, when it must report as soon as practicable.
5. Upon receipt of the report, the Head of Chambers shall notify the complainant and the persons complained against of its conclusions and shall endeavour to reconcile the parties.
6. Where there is no reconciliation and either party wishes the matter referred to a full Chambers meeting, the Head of Chambers shall ensure that a Chambers meeting shall be convened within 28 days of the notification and that the report of the Grievance Committee and a report from the Head of Chambers are before the meeting.
7. Where a pupil has a complaint, it shall first be raised with the pupil supervisor or the Chair of the Pupillage and Training Committee, but thereafter reference to a member of Chambers above shall include pupil.
8. A copy of this grievance procedure shall be given to each pupil in Chambers and explained to them by their pupil supervisor

## **Areas of Practice**

We encourage pupils to gain experience in a number of areas of our work during the first six months although we will consider preferences expressed for work in a particular area. We will try to allocate pupils to supervisors who practice in the areas in which that pupil wants to specialise in or gain experience in.

### **Community Care**

Members of chambers deal with a broad range of community care work for individuals, mainly in the Administrative Court, but also in proceedings before the Court of Protection. We regularly deal with matters as diverse as the provision of accommodation for destitute asylum seekers, challenges to the content of care plans, and disputes over the closure of care homes. The experience of our members in (in particular) housing and immigration work complements this area of practice.

### **Human Rights**

GCN headlines that fact that it specialises in Human Rights law, and has been involved in many leading cases both domestically and in Europe. GCN is certainly the leading human rights set outside London, and is well regarded in this area. Some of our most notable cases include; **Ezeh and Connors v UK** (regarding **Art 6** in respect to representation at prison adjudications), **R (Middleton) v HM Coroner** (the application of **Art 2** to Inquest verdicts), **R (F and Thompson) v SSHD [2010]** (the incompatibility of sexual offender notification requirement provisions with **Article 8**). Members have also been involved in a wide number of cases where human rights violations have been central to the issues particularly in the Immigration and Asylum fields, as well as international miscarriages of justice. Further, members of Chambers have recently been involved in death penalty work in the US, and on human rights missions to Bahrain and Colombia.

### **Public Law**

Since its inception GCN has striven to be a leader in the field of public law, and a wide compass of our members are regularly involved in public law challenges and in particular judicial review. We regularly undertake JRs in immigration and asylum, housing and community care, prison, inquest and criminal law. Our involvement in these areas has been assisted by and has assisted the development of the Administrative Court in Manchester, Liverpool and Leeds in particular. Chambers

has long recognised that public law challenges are a key method of upholding and furthering the rights of the citizen against the State.

### **Prison Law**

GCN has one of the largest teams of prison law experts in the country. Our members have regularly appeared in adjudications and particularly undertake parole board hearings at prisons throughout the country. We provide written advice on all aspects of prison law. We also have a substantial body of expertise in undertaking judicial reviews in this area. Our members have been involved in some of the highest profile prison law cases in recent times including *Noone v. SSJ* [2010] UKSC 30 (calculation of release dates and HDC entitlement); *R (Guittard) v. SSJ* [2009] EWHC 2951 (discretion to transfer to open prison without a hearing); *R.v. Round & Dunn* [2009] EWCA Crim 2667; *R. (Mohammed Ali) v. SSJ* [2009] EWHC 1732 (reasons for escape risk classification to be provided); *R (Lowe) v. Governor of Liverpool Prison* [2008] EWHC 2167 (re-categorisation decisions); *R.(James) v. SSJ* [2009] 2 W.L.R. 1149 (release of IPP prisoners and provision of course).

### **Criminal Law**

Chambers has a number of criminal advocates with experience at all levels. We cover the whole gamut of work from youth courts to the Supreme Court and European Court and offences of all types of seriousness. Members of chambers have been involved in many ground-breaking trials and appeals from the 1970s onwards. We have extensive experience of major criminal trials including terrorism, murder, organised crime and very serious drug cases.

We take a particular interest in cases with implications for civil liberties and the right to protest and have represented defendants from the Miners' strike in the 1980s to animal rights, climate change and anti-road widening protesters in more recent times. Further details of cases members have been involved in can be found on our website.

Each member of our criminal group shares a common determination to pursue vigorously the interests of every client through the achievement of forensic excellence and we take a particular pride in our proven ability to provide skilled and committed representation at each stage of the criminal process.

The current climate in criminal work means that there are fewer opportunities for pupils and very junior barristers to undertake such work and those with an interest

in this area will need to consider combining it with work in another area of law but we will continue to provide opportunities for pupils to gain experience in this area wherever possible.

### **Housing Law**

Chambers has developed one of the leading teams of specialist housing law practitioners outside of London. Areas covered are security of tenure (public and private), defending possession proceedings for all occupiers including mortgagors and squatters, disrepair including Environmental Protection Act proceedings, unlawful eviction, harassment and racial harassment, judicial review (especially homelessness), travellers and mobile homes, housing benefit and other housing-related administrative law cases (especially community care). Members of the housing team specialise in acting for the consumers (as opposed to the suppliers) of housing. Their clients are often vulnerable, whether as a result of disability, addiction, age or homelessness; often speak little or no English; and often have significant mental health problems.

Members of the team have been involved in some of the most important cases in this field in the appellate courts in recent years – most notably *Manchester City Council v Pinnock* [2010] UKSC 45. They are however just as dedicated to the kind of casework which does not make the law reports, but which nonetheless has a real and significant effect on the life of their individual clients. They regularly contribute articles and case reports to publications such as *Legal Action* and play an active part in the North West Housing Law Practitioners Group, and regularly lecture and give seminars at a range of legal training events nationwide

### **Immigration Law**

Chambers is recognised as one of the leading sets in the country for its provision of specialist advice on all aspects of asylum, immigration and nationality law. There has been a specialist Immigration team in Chambers from the outset. Our head of Chambers, Ian Macdonald QC is an acknowledged leader in the field and the co-author of Macdonald's 'Immigration Law & Practice' to which other members of the team also contribute. Practitioners regularly appear before the Upper-Tier Tribunal, the Administrative Court and the Court of Appeal.

The list which follows, while not exhaustive, gives an indication of the areas of the team's expertise : Asylum; welfare support and benefits; detention and bail; extradition; human rights applications and appeals; judicial review; entry clearance;

family reunion; work permits; business applications; immigration-related family and child matters (including care, inter-country adoption and abduction); illegal entry; association agreements; European Union rights of free movement; deportation and removal; marriage applications; dependant relatives; students and working holiday-makers; visitor appeals; immigration-related criminal matters; discretionary / exceptional cases; bail and prisoners who are subject to immigration control.

## **Employment**

Chambers has built a strong reputation for expertise in employment and discrimination work and members of the team have been involved in cases covering the broad range of issues within the field. We are fully committed to applicant based work within the Employment Tribunal process and higher courts and are regularly instructed by solicitors acting on behalf of trade unions. Between 2002 and 2004 Chambers fulfilled a contract to provide specialist advice on all aspects of employment law for the LSC Specialist Support Pilot Project in Employment Law for the North West region.

Members of the team have experience in teaching and/or training in employment law within the voluntary sector, the EHRC, solicitors' firms, further and higher education and at various levels within the trade union movement.

## **Mini Pupillage**

We do offer mini-pupillages. Please see the mini-pupillage page for details.

## **Enquiries**

Please address all enquires to The Senior Clerk at Garden Court North, 22 Oxford Court, Manchester M2 3WQ.

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