

A career at the Bar: the journey from pupillage to practice



ASHLEY THOMPSON
explains the typical
journey to becoming
a fully qualified barrister.

Becoming a barrister is a mystery to most. That is no surprise when the day job requires you to dress up in a wig and gown...

The purpose of this article is to explain “pupillage” and the beginnings of a career at the Bar.

Simply put, pupillage is on-the-job training in a set of barristers’ chambers for (usually) one year. It is also a year-long job interview for a permanent place in chambers.

It is, in fact, the penultimate stage in the lengthy process to qualification. Before that, most pupil barristers will have completed a three or four year law degree, or a non-law degree and the one-year Graduate Diploma in Law, and the Bar course (another year-long course which aims to provide the skills necessary to succeed as a barrister). After pupillage comes tenancy, which is a permanent place as a practising barrister in chambers.

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There is no guarantee that pupils will secure tenancy at the end of pupillage and there is a significant difference in approach across the Bar. Some ‘sets’ recruit a small number of pupils with a view to giving each of those pupils an offer of tenancy; others (now, thankfully, only few) offer no such security, taking on several pupils for only one or two coveted spots.

The first step post-degree or Bar course is actually *securing* pupillage. The latest figures show that 2,979 no doubt very capable

students, graduates and career changers descended upon the Pupillage Gateway to apply for a pupillage in 2022/2023. There were, however, only 638 pupillages on offer. Many see securing pupillage as being the most important step, and they are right: whether or not you are offered tenancy at the end, you are a qualified barrister (provided your supervisor(s) sign you off).

Once secured, typically the pupillage year is split in two six-month stints: the “*first six*” or “*non-practising six*”, and the “*second six*” or “*practising six*”. Throughout, a pupil can have any number of supervisors. The idea is that you gain an overview of different areas of law, personal/professional styles and practices. At Landmark Chambers, whilst we retain the traditional split, pupillage is further divided into four “*seats*”. This means you spend three months in each of chambers’ core practice areas (property law, public law

and planning law), before returning to your preferred area for the last three months.

In your first six, pupils follow around their supervisor(s), learning as much as possible and assisting them with live cases (e.g., with research or drafting). Given that pupillage is both

to prepare and to assess, there is usually a smattering of formal assessments, ensuring that pupils have reached the requisite level of competence to thrive at the Bar. In second six, pupils can take on their own cases. They are said to be “*on their feet*”. Again, experiences between pupils will vary greatly. Criminal pupils are likely to be on their feet from the outset; whereas, pupils at commercial sets are unlikely to take on any cases of their own. Landmark Chambers is the happy medium. Pupils usually start taking

on their own cases in their last three months of pupillage, which may include, for example, first possession hearings, directions hearings or liability order proceedings in the magistrates’ courts.

There is a particular emphasis at Landmark Chambers on rating law and practice. Each pupil takes time out of the seat system to spend time exclusively with Luke Wilcox. This allows them to delve into the world of rating, an area often overlooked by most sets. In fact, a few weeks ago, I was acting for a local authority seeking a liability order for unpaid business rates, and my opposing counsel expressed their surprise at rating law being one of my “*specialisms*”. I am sure they regretted their remark when I proceeded to lecture them on the difference between possession and rateable occupation, before the magistrates re-entered and found for my client.

If everything goes to plan, pupils are offered tenancy. If not, pupils will usually seek out a “*third six*” or “probationary tenancy” at another set. The transition to tenancy can be quite substantial. You are, for all intents and purposes, on your own: i.e., you are self-employed and the buck stops with you. Solicitors instruct **you**. They ask for **your** opinion. You no longer have a supervisor. But that is where Landmark Chambers sets itself apart. Doors are always open for support and guidance, no matter when or how complex.

This article concerns your “*average*” barrister. I was not one of those. I first qualified as a solicitor in commercial, banking and private client litigation at Herbert Smith Freehills Kramer LLP. I later transitioned exclusively to high value commercial and residential property litigation at Mishcon de Reya LLP, before transferring to the Bar and undertaking pupillage.