

FRANCIS BURT CHAMBERS

B A R R I S T E R S

PUPILLAGE POLICY

Requirements for pupillage

1. The pupillage scheme (**Pupillage Scheme**) at Francis Burt Chambers facilitated by WA Bar Chambers Ltd (**WABCL**) is open to all legal practitioners admitted to practice in Western Australia who have ceased to be a “Restricted Practitioner” but have been admitted for no more than 7 years in total in any jurisdiction.
2. In the case of a practitioner admitted for more than 7 years the board of WABCL may in its absolute discretion make an exception to the requirement in paragraph 1 and allow such practitioner to apply for acceptance under the Pupillage Scheme.
3. A practitioner who meets the eligibility criteria may apply to WABCL to join Francis Burt Chambers as a member under the Pupillage Scheme. Application is to be made by letter, setting out the practitioner’s proposed Pupil Leader and Cell, together with the usual application forms and references. The application is to be supported by a comprehensive curriculum vitae detailing the practitioner’s relevant legal experience together with any other material relevant to consideration of the practitioner’s aptitude for practising as a barrister.
4. The application is to be made not less than 2 months before the date the practitioner wishes to commence practice under the Pupillage Scheme. However, ordinarily:
 - (1) WABCL will limit the accepted applicants for pupillage under the Pupillage Scheme to four persons in each six-month period commencing 1 February and 1 August; and
 - (2) WABCL’s expectation is that the accepted applicants for pupillage under the Pupillage Scheme will commence on, or as soon as possible after, 1 February or 1 August.
5. The board of WABCL may, if it considers fit, require that the practitioner attend an interview with one or more members of the board. The interview will be taken into account in determining whether the practitioner’s application to join Francis Burt Chambers as a member under the Pupillage Scheme is accepted.
6. Applications to join Francis Burt Chambers as a member under the Pupillage Scheme will only be considered at an ordinary meeting of the board of WABCL.
7. The board of WABCL will decide in its absolute discretion whether to accept a practitioner’s application to join Francis Burt Chambers as a member under the Pupillage Scheme.
8. A practitioner who is accepted under the Pupillage Scheme (**Pupil**) is required to become a shareholder in WABCL on the ordinary terms and conditions at the commencement of his or her pupillage. However, the WABCL usual joining fee is instead payable by 4 equal instalments spread over 2 years, the first instalment falling due at the end of the first 6 months of pupillage with subsequent instalments being payable each 6

months thereafter. The Pupil should confirm the amount of the joining fee with WABCL prior to commencing pupillage.

9. The Pupil should become familiar with the conduct rules of the Western Australian Bar Association (Inc) from the commencement of his or her pupillage.

Terms of pupillage

10. The Pupil is required to either select, or be assigned to, a Cell consisting of at least 1 Queens Counsel or Senior Counsel and at least 2 other barristers who are members of WABCL.
11. The Queens Counsel or Senior Counsel in the Cell or the senior thereof if there is more than one will be the Pupil Leader, and will be directly responsible for the Pupil. The Pupil Leader may seek assistance from other members to provide work or other assistance to the Pupil.
12. A practitioner contemplating pupillage under the Pupillage Scheme may make arrangements directly with any particular members of WABCL to form a Cell, or part of a Cell. Alternatively, the Pupil may contact WABCL, through its Executive Officer, to obtain details of a Queens Counsel or Senior Counsel who is prepared to be assigned as the Pupil's Pupil Leader, and the Pupil Leader may then contact other members of WABCL who are prepared to form a Cell.
13. The period of pupillage will be 12 months.
14. Subject to any agreement to the contrary between the Pupil and his or her Pupil Leader, and in all cases to the absolute discretion of the board of WABCL, during the first 3 months of the pupillage the Pupil will not be permitted to accept any briefs on his or her own account without the prior permission of his or her Pupil Leader. The Pupil Leader would ordinarily not refuse such permission if the proposed brief is within the Pupil's competence, but that is a matter within the absolute discretion of the Pupil Leader.
15. The Pupil Leader and the other members of the Cell should assist the Pupil to develop his or her practice by engaging the Pupil to carry out research work or referring appropriate briefs to the Pupil.
16. The relationship between the Pupil and his or her Pupil Leader and members of the Cell will not give rise to legal relations; and in no circumstance is it to be regarded as giving rise to a contract or relationship of employment.

Instruction and training

17. The Pupil Leader will, as far as it may be necessary and appropriate, and either personally or through other members of the Cell where appropriate, seek to:
 - (1) instruct the Pupil in:
 - (a) advocacy;
 - (b) barristers' work;

- (c) the proper conduct of a barrister's practice; and
 - (d) the ethical standards required of a barrister;
- (2) set aside sufficient time to meet and speak with the Pupil from time to time;
 - (3) make arrangements for the Pupil to attend the Pupil Leader in chambers to be shown and to assist in chambers work from time to time;
 - (4) make arrangements for the Pupil to appear with the Pupil Leader in court as an observer;
 - (5) ensure that the Pupil is attending all necessary or appropriate course of instruction; and
 - (6) introduce the Pupil to the Pupil Leader's colleagues and instructing solicitors.
18. The Pupil will be required to participate in the Francis Burt Further Training Program (**Program**) upon commencement of the Pupillage. The requirements of the Program are set out under the Francis Burt Further Training Program section of the Francis Burt Chambers website.

Undertaking to take room and payment of rent and outgoings

19. The Pupil will not be required to pay any rent, Chambers fees or other WABCL subscriptions during the first six months of pupillage (other than telephone charges and other consumables incurred by the Pupil).
20. During that first 6 month period the Pupil will be accommodated in whatever internal office accommodation is then available and designated by WABCL as being available and suitable for the purpose, and will have no security of tenure in respect of any particular room. However, should the room in which the Pupil is then accommodated be required by any other member or proposed member of WABCL who is prepared to pay the full rent with respect to that room, the Pupil will, in addition to being able to move to another internal office which might then be vacant and designated by WABCL as being available and suitable for the purpose, have a right of first refusal over the first room upon agreeing to pay half of the normal rent with respect to that room for the balance of the first six month period of pupillage.
21. During the second six months of pupillage the Pupil will take a licence of and be required to pay half of the normal rent in respect of the room, and all normal outgoings associated with the room and WABC subscriptions, as well as the joining fee in accordance with clause 8.
22. After the pupillage period of 12 months is completed, the Pupil will be required to vacate the internal room and take a licence in respect of another external room. WABC makes no representation or otherwise that the new room will be located on the same floor as the pupil's original room.