

Dear Diary,

'Twas the night before pupillage and all around me was quiet and still. I took little notice of the quietness because my stomach churned with excitement and nervousness. Thoughts about preparation and what the following day and year ahead would bring, rambled around in my brain. I was about to step into an answered prayer. Tomorrow was the big day, the beginning of training for an exciting career at the bar.

A few weeks prior to the commencement of pupillage, Chambers invited my mum and I to visit. We met Ian Spencer and Nicole Luna who gave us a warm, welcoming tour of the Leeds branch of Chambers. The tour was filled with welcoming and supportive smiles and comments from staff and barristers. I met my pupil supervisor, Ashley Serr and Luke Heywood approximately a week later. These meetings with the Chambers Director of Leeds, the clerks and my pupil supervisor made me feel at ease and ready for the pupillage journey ahead. I knew that I was about to embark on phenomenal training in a supportive and spectacular set.

My supervisor provided me with pre-pupillage reading on seminal Disclosure and Barring Service (DBS) cases. My reading informed me that successful appeals against the DBS must satisfy the Upper Tribunal that the DBS made a mistake on any point of law or in any finding of fact which it has made and on which the decision was based upon. My supervisor also recommended two helpful employment law textbooks.

Day 1 of pupillage arrived with what felt like "within a blink of an eye." Before I knew it, I was in Chambers by 8:30am settling in at one of the desks in the hot desking room. By 9am Chambers was bustling with smiling barristers who were keen to meet and engage with me and remind me that no question is a silly question.

My supervisor provided me with the papers for an Employment Appeal Tribunal decision which was remitted to the Employment Tribunal. I shadowed him at a conference with the instructing solicitor. I listened keenly to them discuss the issues in the case and strategise for the remitted preliminary hearing. In this case, there was a definitive position that the introduction of new evidence, recalling of witnesses or re-hearing the matter should be opposed. While conferencing was taught on the Bar Course in the context of the lay client, I noted that the conference with the professional client placed an emphasis on tactical strategy.

On Tuesday and Wednesday, my supervisor and I attended a two-day Bar Tribunals & Adjudication Service (BTAS) trial in London. My supervisor sat on the Tribunal panel of Judges as a barrister member. I read the papers and witnessed excellent advocacy. The trial was about a barrister who was defending charges of recklessly misleading the court and the opposing party. It developed my understanding of ethical dilemmas in practice. Specifically, I understood that hearings can occur at a very fast pace. Barristers must be able to think quickly and effectively while upholding the Core Duties and maintaining the BSB Code of Conduct. Moreover, barristers have a duty to correct which includes self-reflection and self-assessment. Self-reflection should begin immediately after the case so that if there is an error one can immediately bring it to the Judge's attention.

I also observed Counsels' ability to internalise lengthy, complex information and convey it simply while navigating through voluminous evidence during the hearing. The quality of the advocacy demonstrated that an effective response to judicial intervention mandates that you pause and think before responding.

The rest of week 1 and the beginning of week 2 was spent reading papers for another employment matter in which wrongful and unfair dismissal along with discrimination arising from a disability was pleaded. I shadowed Simon Lewis who conducted a two-day conference due to the numerous supporting witnesses. Simon was sensitive to the fact that the witnesses never participated in an employment tribunal and were nervous about it. Simon helpfully explained their roles in the multi-day trial by discussing the structure of the trial. He used simple language when explaining the law, evidence, and the procedures.

On Monday afternoon, I shadowed Richard Wilcock in an application to set aside judgment. I benefitted from observing Richard's candid discussion of the merits and weaknesses of the case with the lay client. Richard also conversed with the opposing counsel to identify the main issues in the matter and potential contentious points. I learnt that a post-hearing conference should be conducted with the lay client to discuss the next steps.

On Tuesday, I shadowed Jonathan Lowe who was opposing an application to strike out and making an application to appoint a litigation friend. Through Jonathan's advocacy, I learnt that a good advocate must be able to identify the key points in a case. Although this was an application to strike out, that test was irrelevant because the real issue in the case was capacity. Jonathan highlighted the importance of distilling the real issues in a case especially for the purposes of litigation.

The rest of week 2 travelled by in a haste- from writing and discussing potential cost submissions (with William [Bill] Hanbury), attending Chambers' seminar on housing, management, property and procedure to drafting the beginning of a skeleton argument in an insolvency matter pursuant to paragraph 71 of Schedule B1 IA86 (with Ian Tucker) and preparing an attendance note for a conference in a matter of professional negligence (with Jodie Wildridge).

Wow! The first 2 weeks of pupillage flew by surprisingly quickly. As I conclude my first diary entry I'm left wondering: What lessons will the next few weeks bring? Only time will tell, but I eagerly await the upcoming weeks!

Yours truly,
Nia Marshall