

Discussions on Pupillage: An Interview With Mentor Siân Mirchandani QC of 4 New Square



On 11 April 2021, I, Denise Osei, had a Zoom call with my mentor, Siân Mirchandani QC of 4 New Square (a leading commercial set). The purpose of the call was to have a general catch up with each other, which we do every 2-3 weeks, but it also provided me with an opportunity to ask her a few questions about her own experiences at the Bar of England and Wales and more specifically applying for and undertaking pupillage.

Transcribed below is only a snapshot of our discussion (and how talented my mentor is). It also provides some candid advice and encouragement for aspiring barristers, such as myself, and those applying for pupillage to keep on going!

For those of us applying for pupillage now, myself being 'pre-Bar course', would you recommend applying for pupillage before you have undertaken the Bar course? Why or why not?

I think this decision is really about how confident you feel to be competing with others. You would be competing as someone who has done three years of Law (or one year on conversion course), against others who have done that plus the Bar course. If you feel ready for it, then do it.

How long did it take you to get pupillage?

I had a strange experience going into pupillage. I had had a previous and very different career as a vet, so I was applying for the Bar after my first degrees and having worked as a vet. I was aged 30. I learned about the set where I did pupillage from a friend on the Bar Course. He had done a mini-pupillage there. He had not thought it was the place for him, but he thought I would like it. I applied for an 'assessed mini-pupillage' as it was then called for sets that were not using the central 'Gateway'. I went to do the mini-pupillage (which was a week in Chambers), and I was told that if I was going to be interviewed for pupillage I would be told midweek. As it turned out, they did tell me I would be getting an interview for pupillage. The interview was on the Friday with 3 members of Chambers.

I remark that this is very different to how pupillage works now and that she was very lucky in her circumstances. Anyone who has completed pupillage applications will know that it is truly a test of character. Churning out applications and working full time for me was not easy, for example.

I am very aware of how lucky I was. At least I am now. At the time, when I received an offer a short time after that interview, I did nothing. I had not appreciated what the offer actually meant. I thought about how I would manage financially, since at the time the levels of award differed significantly to what they are today. I would not have been able to live off the award, so I thought I would have to work as a vet during the pupillage. It happened very early on in my Bar course year, and I thought 'great', it was a real confidence boost, but I was not sure I was going to take it. I did not mention this to anyone, no one on my Bar course knew at the time. Then the friend who had told me about the set in the first place happened to ask how it went and was shocked that I had not responded to the offer. It was after this encounter I realised my good fortune and with alacrity accepted the pupillage offer. It had not even occurred to me that this meant I would not have to do the application process for pupillage, as I was not really thinking about that – only whether I could afford to accept the offer.

Just wow!

When I sat down with the offer, I thought about how the week with Chambers had been – as a mini-pupil you do not really know about what a set of barristers' Chambers is really like, but I remembered thinking how I really liked the set.

What I liked was that they were very intelligent but also very normal people. They were 'workmanlike', there was no arrogance and posturing – they were supremely professional in

everything they did and driven by wanting to do the best for the client. I also really enjoyed the company of the barristers I worked with, and I thought I could see myself in this set – I would feel happy there.

How was your week spent on the mini-pupillage?

The week itself was pretty hard work. I was balancing my money-earning work at weekends as a vet with family obligations which happened to land that same week. I was burning the midnight oil so that I could submit an assessed piece of work during the week (by mid-week) so that they could assess whether to offer me an interview. Fortunately, they were sufficiently impressed to offer me an interview. I had the interview on the Friday afternoon, the same week as the mini-pupillage.

What do you remember of the interview?

The people interviewing were very welcoming and openly fascinated by my CV. I think this was as a result of my being a vet and because, as a vet student and subsequently, I had done wild animal related overseas work (in Sudan and Malaysia) prior to coming to the Bar. I also used to play rugby for my university, and I had done a lot more other stuff. In fact, I decided to trim some of my experiences out of my CV and exert some “editorial control” in order to tailor my CV to present me in the best way possible for the Bar. I felt that if they saw all the extra-curricular activities I had done, they would not think I was a hard worker. I realise now that perhaps this was a misplaced concern as really it showed a lot of good time management skills, and most sets like to have applicants who do more than just work.

The set was keen enough on me to make me an offer. Happily (if a little belatedly) I accepted. I still feel the same way about the set I joined as a pupil – it was definitely the right place for me. I have gained experience, a supportive clerks’ room and great friendships, and it is where I have also taken silk.

What about pupillage itself?

It was much less structured than it is today. I had two pupillage supervisors in the first six months, and then sat with one supervisor for the second six. I also did pieces of work for various other barristers in Chambers – they were able to just ask me, and it was less controlled than it is now. There was lots of camaraderie – I had a lot of fun with my supervisors – perhaps more so because I was nearer to them in age. It was hard work, but I remember it being very engrossing, and enjoyable. There were two other pupils during my time on pupillage, both of which the set did not take on in the end. I did however end up with tenancy.

Do you have any advice on making pupillage applications?

I think it is important to think of your applications as a piece of professional work. Get started as soon as you can and get a first draft done. All you can do with anything like this (and any piece of work) is just start. You don’t have to finish! You can get a first draft done, and if you do it early enough you can leave it and come back to it.

Following the instructions or guidance in the application forms TO THE LETTER – is essential as applicants are assessed at their ability to ‘read the brief – answer the brief’. It’s not hard – you just keep checking and asking, “have I answered the question asked?”.

It is also important to try to take the significance out of the application: do not think of it like your life depends on it. Designify the application and just tell yourself it will be fine and maintain a workmanlike approach to your drafting, and you will find a way through – and get a lot of practice at drafting. It is only in pupillage that a heightened feeling of significance should arise - since this is where all your work (and all your behaviour) is assessed. At this time, every piece of work will feel like your future career and life depends on it.

How can you stay motivated during the preparation time?

It is important to think of making applications and actually undertaking pupillage as a small slice of your whole life. It means pace yourself; it is a marathon not a sprint. It is a long game to gain scholarships, pupillage and tenancy, and you just need to keep going.

I learned to use the ‘deadtime’ during pupillage. That is usually time travelling to court on the train and back again, when you are shadowing your supervisor. I would spend the time going through notes – also training myself out of travel sickness when reading!

When I became a tenant, I carried on the same practice. I would have most, if not all of the work done for a hearing, but I would review my notes for submissions and annotate things as the train took me to court for the hearing. It requires discipline to work on a train and you have to ensure that everything remains confidential – so I would pack up my papers if someone sat next to me and think or work without papers being visible.

On the journey back (which tends not to be charged to the case), I would make sure that I had taken with me the papers for the next piece of work so that I do a “light” review of the instructions and start thinking about the case. I would also check and respond to the day’s emails. Doing this made me more efficient as it meant the next day, I could start knowing something about the next case, and having cleared the previous day’s emails. When I had run out of work and done all my emails – I would relax. Using the train journey time meant I would not have to do this when I get home – so again I could relax.

It is important to not overwork yourself. The temptation is to do this in the early years, but if you pack your work schedule with too much then when you need the energy you have nothing to give. Try to have a five-day week and two days off. This can mean different things for different people – some people are motivated by their time abroad. I prefer doing yoga twice a week or doing training once or twice a week. It varies. It also might mean having time with friend’s mid-week and working at the weekend. It is true that sometimes you can get the balance wrong, and you can get desperate, and feel overwhelmed. Avoid it by making sure that you give yourself time to do the work and time away from work. Still, it will sometimes happen, and all you can do is just start work – it won’t resolve the cause any other way, but it does happen less as you get to know that you can do it (i.e., the job).

Remember also that the machine (your body) has to eat and sleep, and most machines like to have company. Do something for yourself! If in doubt, have chocolate!

I really like the sound of that and agree wholeheartedly! Chocolate fixes many problems – I can testify. So, what happens when it does not go to plan? Any advice on dealing with rejections?

There is only one first rejection, afterwards they are easier, and each rejection is the same as any other. In my view, each rejection can help you build a layer of resilience. You build resilience by going through difficult experiences – there's no other way. Think of it as another coat of paint to protect you from bad weather. If you can turn it around in your head from something horrible that is happening to you, into an opportunity that is being offered to you, from which you can benefit, then you will be able to cope with it, and you will be able to deal with it better. Try to think of it as you are creating a physiological pathway in your brain to deal with these issues. Your brain is like plastic, you can deal with these things by learning techniques – just like you learn to play piano or ride a bike. Once you have cracked this technique, it gets easier and easier to turn it around.

Think of the pupillage interviews as a challenge. It is the same with starting pupillage, or your first day in a new court – don't let yourself be overwhelmed. Each case you do, each experience you get through for the first time builds resilience and also settles your worries – you learn to know you can do it because you already have before. Learn to control your viewpoint. Recognise the challenge you are faced with and then step yourself up a gear, deal with it and know that you can. Try to view anything negative or potentially overwhelming as an opportunity to challenge yourself, to gain a new skill point in your CV!

That's fantastic advice, Siân. To conclude our interview, what are your top tips for pupillage?

1. Do not be put off by other candidates' apparently relaxed approach, or if they mention they know somebody in the set, or even that they are related to such and such a judge or well-known barrister. These are attempts to undermine you. Try to think: if someone has the need to do this, this is them demonstrating their own insecurity and weakness, you do not need to respond by feeling insecure or undermined.
2. Do not assume that everybody can do it / understands something and that you are the only one that can't / does not understand. Ask – better to know than to struggle on with everyone believing you understand.
3. Do not overfocus on other people's success. Your own experience is your own experience.
4. Have a good night's sleep for the interview! Work out what it takes for you to do well and do it.
5. On the day of the interview, really engage with the whole experience. Focus and give your whole to it so that you feel there was nothing more you could have done.
6. Remember you only need one place and not every place is the right one for you. Good luck to everyone preparing for interviews or applications!

Interview conducted by: Denise Osei

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