

LAW STUDENT

ISSUE 10



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your pupillage
applications

.....

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essay success

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LETTER FROM THE EDITOR

Welcome to the tenth issue of Law Student from Sweet & Maxwell. It may sound crazy, but eating the right food is proven to help boost your memory – exactly what you need with exams just around the corner. Check out the article on page 9 for some top food tips to help increase your brain power.

The first round of pupillage applications via the Pupillage Portal close on the 27th April and getting your application forms right is a must if you want to be in with a chance of making it to the interview stage. See pages 17-19 for advice on how to make the most of the process.

You'll find a number of articles relating to helping you with your everyday coursework and assignments. On pages 10-11 you'll find guidance on recording your research as well as essential advice on pages 22-23 on how to produce top-mark worthy essays. Plus, we detail how your Westlaw UK student representative can help you make the most of online legal research databases. If that's not enough, we also offer guidance on how you can utilise the feedback on your work to improve future marks.

On pages 6-7 we take a look at why you should consider undertaking pro-bono work and on pages 12-13 we have a look at the area of IP law.

We got such a good response from the competition in issue nine, that we are again giving you the chance to win a brand new Apple iPhone as well as a set of Nutcases and Nutshells in the seven core subjects. These essential revision aids will definitely help with your exam preparation. Turn to page 15 for details of how to enter.

On page 25 we highlight how to stay safe online. It may seem like common sense but with a number of recent cases making the headlines it's important to remember the risks and think about how we can all keep safe.

I hope you enjoy this issue as much as I do, until next time, be well.

Samantha Goosetree

Samantha Goosetree
Editor



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The prestigious Sweet & Maxwell Law Prize enables higher education institutions to award their highest achieving law students with the gift of books published by Sweet & Maxwell to the value of £150. The Sweet & Maxwell Law Prize is open to all law schools in the UK.

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Westlaw UK, the online service from Sweet & Maxwell, has a network of Student Representatives in universities across the UK. Within their role each Student Representative is available to help students with general or specific Westlaw UK search queries. We are currently looking to expand our network of Representatives. If you are interested in learning more about the role please contact Cheza Ross by email at cheza.ross@thomsonreuters.com. You could soon be a font of knowledge on all things Westlaw UK!



LEARN ON THE MOVE WITH OUR FREE PODCASTS!

We have added three new podcasts to our range of free podcasts. These bite sized updates provide thought provoking commentary for those of you starting a new subject and are perfect refreshers before your exams. We are adding new ones all the time so remember to regularly visit www.sweetandmaxwell.co.uk/lecturers-students/podcasts

The following podcasts are now available:

- **Robert Duxbury** – Contract Law
- **Penny Kent** – European Union Law
- **Maureen Spencer** – Constitutional and Administrative Law
- **Judith Masson & Rebecca Probert** – Family Law
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PRO BONO: FOR THE PUBLIC GOOD

Undertaking pro bono work whilst studying is not only beneficial to your CV, it's also a great way to make a difference. Georgina Wolfe and Alexander Robson, authors of *The Path to Pupillage: A Guide for the Aspiring Barrister* explain what opportunities are available.

WHAT IS PRO BONO?

Taken from the Latin term "pro bono publico" meaning "for the public good", pro bono is the name given to work that is done by a lawyer for free. There are opportunities for pro bono work throughout the legal profession and you will find practitioners of all levels who undertake pro bono work. There are even annual pro bono lawyers awards.

MAKING A DIFFERENCE

As a student of law you have the ability to make a difference to other people's life. There are many people in need of help in the UK and around the world. From workers in garment factories in India who need people to stand up for their fundamental rights, to families in the UK who need advice on their tenancy rights.

THE FREE REPRESENTATION UNIT

The Free Representation Unit (FRU) is a charity which was established in 1972 by a small group of Bar students. FRU provides free legal representation in social security, employment and immigration cases to help those who would not otherwise receive any legal assistance. Each year FRU trains 1,500 law students and professionals to work as representatives (reps).

The Social Security Tribunal is probably the best place to start because, unlike employment, cases are rarely contested. This means that you will be making your arguments to a tribunal without an opponent. It is also common practice for submissions to be written. This is a far less nerve-wracking experience than oral submissions and excellent practice in written advocacy. The law is, in general, relatively straightforward and the cases can be extremely rewarding as you often encounter clients in terrible situations who greatly appreciate your help. Social security cases tend to take less time to complete and can therefore be fitted around full-time work or study more easily.

Employment work is tougher and you must either have completed the academic stage of training or be on the GDL in order to qualify



as a rep. As well as being opposed, you will be required to make oral submissions and the law can be far more complicated.

For more information visit www.freerepresentationunit.org.uk

CITIZENS ADVICE BUREAUX AND LEGAL ADVICE CENTRES

Citizens Advice Bureaux (CAB) and Legal Advice Centres (LAC) provide an excellent chance to learn how to deal with clients and members of the public. Many law schools run their own legal

"Taking on my first case within months of starting my legal education was a pretty daunting idea and I was terrified. I visited a tribunal as part of my training and watched a couple of cases, including one without representation. This had a huge impact on me. I began to appreciate, inexperienced as I was, that I would still have a great deal to offer a client. A few weeks later, when I started working as a FRU Rep, I found that even before I started looking at the law I was able to help my clients in straightforward ways such as explaining to them what to expect. Tribunals, however friendly and

sympathetic, will always seem frightening and intimidating. I found that simply by sitting with my clients on their side of the table and guiding them through, I was able to provide enormous support. You don't need to be a legal expert to do that. In fact, the law is quite straightforward for early cases and I received all the help I needed from the caseworker. My advice to students considering FRU would be that even if you are only a couple of weeks into law school you can still make a huge difference to a client. Do not underestimate yourself."

A FRU Employment and Social Security Representative

advice clinics through which students can deal directly with clients and provide the legal advice themselves. This allows students to explore new areas of law as well as gaining valuable experience of client contact. In high street CAB and LAC, law students are often taken on as volunteers in administrative roles while trained volunteers and qualified solicitors provide the advice. In exchange for your clerical skills you may be allowed to sit in on some conferences with clients.

For more information visit
www.citizensadvice.org.uk

STREETLAW

Streetlaw is a programme whereby students go into the community to talk about law. They

"I worked at a CAB one morning a week during my BVC year. Some days I would be filing and organising case notes while others I would be interviewing clients. You meet a very wide range of people, many with mental health problems – everyone from the genuinely aggrieved to the most vexatious of litigants. I gained experience dealing with really difficult people (I once had to call security) and I discovered the right balance between professionalism and compassion. It gave me my first contact with solicitors which will be crucial for building up my practice. Sitting in on conferences taught me how to talk to clients and guide them through the process of litigation from the very beginning. This meant I was in an excellent position for my conference exam on the BVC and I was asked about it in every pupillage interview. At some centres, as well as the full-time caseworkers, solicitors from the major law firms volunteer on a monthly basis. This means you will get a chance to watch a variety of people at work with a variety of styles. You can witness ideas and techniques which you will then be able to adopt in your own practice. You can approach your local CAB or LAC directly or try to get involved through your law school."

A CAB Volunteer

visit such places as schools, prisons and youth centres and talk to audiences who usually have never considered a career in law and generally have given the subject of law itself little thought. The aim is to talk about some legal issues that affect people's everyday lives – anything from the obvious (crime) to areas that are a little less publicised (for example how intellectual property rights affect nightclub DJs).

Streetlaw is available through some law schools – check with your law department.

GET INVOLVED

The FRU, CAB and Streetlaw are just three ways in which you can get involved in pro bono work. There are many other ways in which you can get involved. The Bar Pro Bono Unit was established in 1996 by Peter Goldsmith QC and matches barristers with those that need help. LawWorks is a charity which provides free legal help to individuals and community groups who cannot afford to pay for it and who are unable to access legal aid. Both have opportunities for students to get involved and make a difference. Visit their websites at www.barprobono.org.uk and www.lawworks.org.uk respectively for details of how you can get involved.

So why not go out and see what pro bono opportunities are out there? Not only will undertaking pro bono work help towards you obtaining that elusive pupillage or training contract, it will also enable you to make a real difference.

DID YOU KNOW?

Contumacy is the refusal to obey the order of an ecclesiastical court

- Taken from the 11th edition of **Osborn's Concise Law Dictionary** [978-1-847-03308-6] available from all good booksellers priced £11.95

"I signed up and went to speak in an inner-city school in Nottingham. I took along various handouts and lesson plans I had carefully prepared for the sixth form general studies class I was going to be teaching. The students weren't impressed with my pretty handouts showing members of society's rights and duties. In fact they weren't impressed with much apart from their phones and iPods. I could feel disaster looming .

"I gave up on the plan pretty quickly and started to improvise. I reduced everything to fundamental questions about society and adapted it to be relevant to their lives. Slowly some students did start to come on board and express their views. As soon as a few had spoken, things snowballed and we had quite a lively debate. I was a sweaty mess at the end of the class but it was quite enjoyable with hindsight. If you want to practise thinking on your feet and experiencing advocacy in a (very!) different forum from court I'd recommend it. After you've faced 24 teenagers, pupillage interviews are a lot less daunting!"

A Streetlaw Volunteer



This article is adapted from the new second edition of **The Path to Pupillage: A Guide for the Aspiring Barrister** by Georgina Wolfe and Alexander Robson, which is available from amazon.co.uk, hammickslegal.com and all good booksellers priced £16.95 [978-0-414-04236-0]



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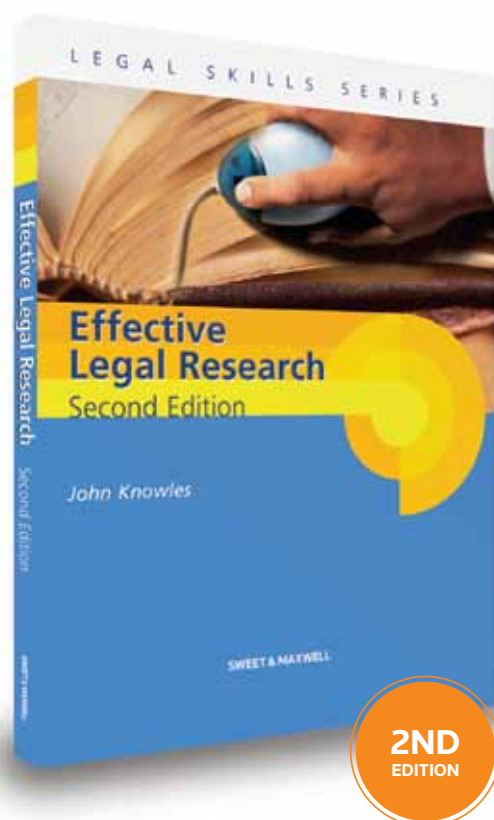


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- Contains shaded tip boxes highlighting important points to remember
- Includes web shots from key online sources including Westlaw UK, LexisNexis Professional, BAILII, Europa and TSO
- Appendices include Abbreviations list of Reports, Series and Journals, Summary of Sources for English Law, Online Sources of Scots and Northern Ireland Law

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FILL UP ON 'BRAIN FOOD'

Eating the right food really can make a difference to how well your brain works. Learndirect teamed up with top nutritionist, Fiona Hunter, and TV chef, Danny Boome, to come up with a number of brain food tips. Read on to see how you can increase your brain power this revision season.

It might sound bizarre but the food you eat can really make a difference to how well your brain works. If you eat a well-balanced diet that's rich in nutrients you'll find academic work far easier than if you're living off a diet of junk food. You will be able to think quicker, retain more information, be better coordinated and have improved concentration. You'll also see an improvement in your memory and problem-solving abilities. With the right foods, we can also increase our motivation, and this is vital when you face a stack of revision and assignments.

GET INTO THE BREAKFAST HABIT

Don't just rely on coffee to give you a kick start in the morning. Take the time to eat a proper breakfast and you'll reap the rewards throughout the day. For a balanced diet, choose a wholegrain low GI cereal like porridge, granola or muesli with semi skimmed milk or wholemeal toast with eggs. The sugars in these foods are released more slowly into the blood stream which means that they satisfy your hunger for longer and help your energy levels to increase.

FISH FOR BRAINS

Oil rich fish like salmon, sardines and fresh tuna contain Omega-3 fats which help the brain cells communicate with each other. As a guide, try to eat at least one portion of oil rich fish a week, but remember – although fresh tuna contains Omega-3 fat, canned tuna doesn't so opt for canned salmon instead.

WATER THE BRAIN

If your brain doesn't get enough fluid you'll feel tired and lethargic and will be more likely to suffer from headaches. Aim for 6-8 glasses of fluid a day. Water is the healthiest choice but other healthy drinks like fruit juice, fruit smoothies and milk also count towards your fluid intake.

UP THE IRON

To work at their optimum capacity brain cells require a good supply of oxygen. Lack of iron in the diet can reduce the oxygen carrying capacity of blood which in turn reduces the amount of oxygen delivered to brain cells. Not getting enough iron can also cause problems



such as poor concentration, lack of energy and lethargy. Lean red meat is an excellent source of iron. Good vegetarian sources of iron include egg yolks, pulses such as red kidney beans and lentils, dried apricots, fortified breakfast cereals, broccoli, wholegrain cereals and wholemeal bread.

EAT YOUR GREENS

In a study carried out by the University of Sydney, men and women who consumed the most vitamin C performed best in tests for recall, memory and attention. Everyone knows that we should be eating at least 5 portions of fruit and/or vegetables a day. But did you know that you need to eat a variety of different fruit and veg? When choosing your fruit and veg, pick out a rainbow of colours – not just because they look good, but because this is a guide to the good things inside.

EAT REGULARLY

To stabilise blood sugar levels and keep the brain supplied with fuel, aim for three small meals a day with a couple of healthy snacks

in between. Ideas for healthy snacks include low fat yogurt, oatcakes, fresh or dried fruit, fruit smoothies or low fat cereal bars.

DON'T EAT LATE AT NIGHT

A heavy meal late at night can interfere with sleep so try to eat your evening meal at least 3 hours before going to bed – this will enable your body to digest your food in plenty of time so that it gets a rest too!

AVOID HEAVY LUNCHES

Eating a large meal at lunch time can make you feel tired and lethargic during the afternoon. If you need to stay alert in the afternoon, keep lunches light. Healthy salads are perfect for lunchtime meals, and they fill you up.

GIVE IT A GO

Want to give brain food a go but stuck for recipe ideas? Fiona and Danny have created 14 simple recipe ideas for you to try out by visiting www.learndirect.co.uk/campaigns/brainfood. For more cooking tips visit www.beyondbakedbeans.com, follow them on twitter or join them on Facebook.

RECORDING YOUR RESEARCH

You are probably busy undertaking research for your exams and assignments but are you writing down accurately the sources that you find and wish to reference at a later date? It's important to remember that you will need to make full reference to anything you want to include in your work. Read on for guidance from the author team of *How to Study Law* on how to record your research effectively.

SAVING TIME IN THE LONG-RUN

Research can be very enjoyable and interesting, and it helps you discover the subject of law for yourself but you must remember that you are undertaking research for a reason. Illegible notes will result in wasted time trying to decipher what you've written or worst still, having to undertake the research again. Not recording accurately the sources you wish to reference will also result in wasted time as you'll have to go back and try to find the sources again – a tedious task and one that's easily avoided.

ALWAYS WRITE DOWN A FULL REFERENCE

Whenever you read something which you think might be useful, you should write down its full reference; this not only means you will be able to find it again quickly, it also means you have all the information you will need if you want to refer to it in a footnote and/or bibliography.

For a book, you will need the author, title, edition (if it is not the first edition), publisher, place of publication and date of publication. You may also like to make a note of the catalogue reference so that you can retrieve the item from the library easily; this will usually be a Dewey decimal reference number. Your reference should look something like this: Bradney et al. *How to Study Law* (3rd edition) Sweet & Maxwell, London, 1995. (340.07 HOW)

If you are recording a journal article, your reference will be something like this: Addison & Cownie "Overseas Law Students: Language Support and Responsible Recruitment" (1992) 19 JLS p467 (PER340 J6088)

It is important to write down references in such a way that you can easily distinguish between references to books, and references to articles. The system that has been used here is to italicise the titles of books, but put titles of articles inside inverted commas.

MAKE CONCISE NOTES

Always begin by asking yourself why you are taking notes. Refresh your memory as to the question you are trying to answer. Remember



that you can take different types of notes on different parts of a text – detailed notes on the directly relevant parts, outline notes on other parts, while sometimes you will be able to read through without taking any notes at all.

MAKE CLEAR NOTES

Your notes will be more use to you if they are reasonably neat. Try to develop a standard way of recording the source you are taking the notes from, perhaps always putting it at the top right-hand corner of the page, or in the margin. You can use this reference for your bibliography, or for footnotes, or for your own use if you need to clarify a point at some later stage. In order to make it even easier to find your way around the original text, you might like to make a note of the actual page you have read, either in the margin, or in brackets as you go along. Here is an example of some notes on the first few pages of a chapter of a book:

H Genn (1987)
Hard Bargaining
Oxford Uni. Press, Oxford.
(344.6 GEN)
Chapter 3 "Starting Positions"

Structural imbalance between the parties (p34).
One-shotter pl. v Repeat- player def. See Galanter 1974.

Repeat players – advance intelligence, expertise, access to specialists, economies of scale. See Ross 1980.

Distribution of personal injury work (p35)
Pls huge variety of firms.

Defs- insurance co/specialist firm
Defs solicitors allowed few mistakes (p36 top)
Defs solicitors nurture relationship w insurance co.
Contrast position of general practitioner.

The student who wrote these notes has not only noted the full reference to the book they are working on, and the main points made in chapter 3 of the book. He/she has included a couple of references to work by other researchers (Galanter and Ross) which can be followed up later to see if those experts have anything to say which is relevant to the essay the student is writing. The student has also been careful to note down the page number in Genn's book that contains the points which are important.

DO YOU NEED TO PHOTOCOPY THE BIBLIOGRAPHY?

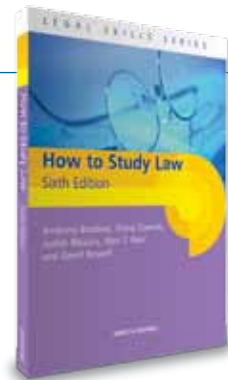
When you are taking notes, you will often note down references to other articles or books referred to in the text you are reading. You will have to decide later whether you need to look these up, but many people find that it disturbs their train of thought to look up the full reference for each of these as they occur in the text. If that is the case, it is important to photocopy the bibliography of your source, so that you have a copy of the full reference in case you need to refer to it later. In the example opposite, the student would need to photocopy the bibliography of "Hard Bargaining", otherwise they wouldn't know what they meant by references to "Galanter, 1974" or "Ross 1980".

KEEP NOTES AND COMMENTS SEPARATE

It is a good idea to think critically about the content of what you are reading. However, if you want to make comments, keep these separate in some way, on a different sheet of paper or in the margin. Otherwise, when you come back to the notes, you might find it impossible to distinguish your great thoughts from those of the original author.

GOOD PRESENTATION IS IMPORTANT

Remember that clear presentation of your notes is just as important when you are taking notes for revisions purposes, or for an essay or seminar as it is when you are taking lecture notes. Use headings and sub-headings, and remember that underlining and the use of different-coloured pens can direct your attention to particular points.



This article is adapted from the new sixth edition of *How to Study Law* by Anthony Bradney, Fiona Cownie, Judith Masson, Alan C Neal, and David Newell, which is available from amazon.co.uk, hammickslegal.com and all good booksellers priced £19.95 [978-0-414-04180-6]

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SPOTLIGHT ON IP LAW

From fake football shirts to music sharing software to company logos, the work of an IP lawyer is extremely diverse. If you're considering IP law as one of your modules, or even as a career option then read on. In the following article, David Llewelyn, a top IP lawyer and co-author of *Cornish & Llewelyn Intellectual Property: Patents, Copyrights, Trade Marks and Allied Rights* illuminates the world of IP.

Intellectual Property (IP): the most valuable asset of many businesses today. IP rights: the battlefield or the bank, depending on what you do with them. What you can't do is to ignore them. From patents on biotech inventions, through copyright in computer software, and on to the power of the brands and design; with stops on the way to consider confidential information (or know-how), copyright in books and TV programmes (perhaps even in *X Factor*), and protection for databases. These all present challenges for the IP lawyer (and student, who hopefully reads about them in *Cornish & Llewelyn Intellectual Property: Patents, Copyrights, Trade Marks and Allied Rights*).

At least IP is easier to appreciate than incorporeal hereditaments (try saying that after a BACARDI® and COKE®) or debentures. Walk along the street and all you see is IP (if you're a sad person), from the BP green of the

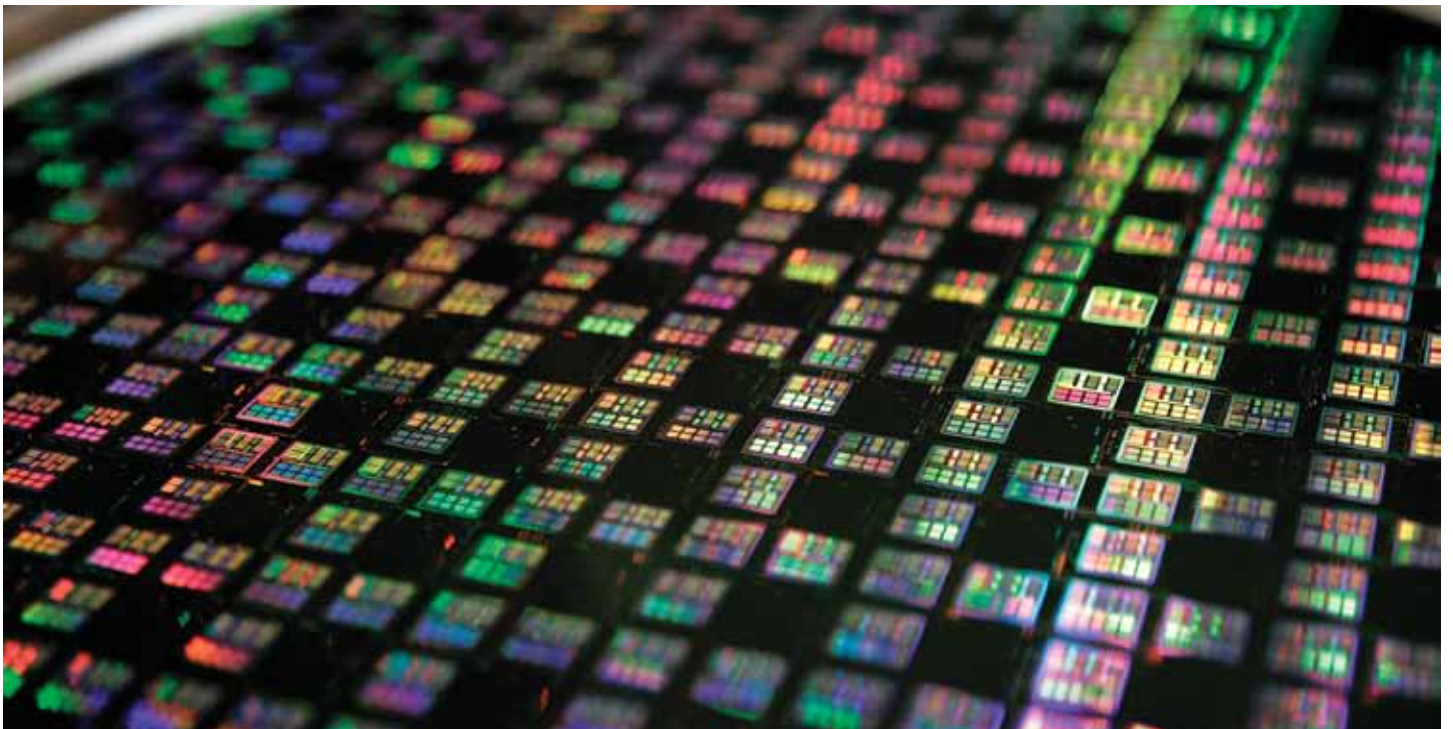
service station (a registered trade mark), the McDonald's Golden Arches (another one), the iPod® playing pirated copyright music, the pharmacy dispensing patented (and trade marked) pharmaceuticals (a little known fact: both HEROIN and ASPIRIN were trade marks belonging to Bayer at one point), and so on down to Charlie's Chocolate Factory (and its tale of stealing trade secrets).

A WORLD-WIDE AREA OF LAW

But one of the most satisfying aspects of this area of practice is that it's not just in the UK High Street: IP is at the top of the agenda all around the world, from the European Commission in Brussels to the Ministry of Culture in Beijing. At the IP Academy Singapore (of which I am the Director) we look at how IP is critical to the growth of Asia (the management gurus call it 'moving up the value chain'), including how companies must get to grips with the "Wild West" that is the IP

scene in China (remembering that it's only just over 20 years since the Chinese Government introduced its first modern IP law).

So, the IP lawyer must keep up to date with developments both on the domestic scene and further afield. But that's the attraction of a field of law which is ever-expanding and is a crucial part of most transactions dealt with in other areas practised by an international law firm, such as White & Case where I head up the London IP group. Like competition/antitrust (which needs to be borne in mind whenever IP is being exploited, as Microsoft discovered in their brushes with the Euro Commission), employment (that ex-employee who has taken to his new job the customer lists or the source code for your programs), projects (who owns the copyright in the software that controls the refinery), banking (how to get security over the IP), corporate (where in most cases the brands, the technology or the know-how of the people is what you are



REUTERS/RICHARD CHUNG



DAVID LLEWELYN – A 'LEADING INDIVIDUAL'

David Llewelyn is a Partner with White & Case, a Professor at King's College, University of London, and since December 2004 he has been Director of the IP Academy Singapore. He has been named by Chambers' *Guide to the Legal Profession* as one of the "Leading Individuals" in intellectual property and one of the top 50 trademark lawyers in the world, as chosen by Euromoney's *Managing Intellectual Property*. In his role as a Partner at White & Case he represents clients in all aspects of intellectual property protection and exploitation, as well as the resolution of disputes concerning intellectual property by negotiation, mediation, litigation and arbitration.

In addition, David has published and lectured extensively. He is co-author of *Kerly's Law of Trade Marks and Trade Names* (15th ed. 2010) the leading practitioners' textbook on the subject in the UK and EU, and co-author of *Cornish & Llewelyn Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights* (6th ed. 2010).

really buying or selling) and, of course, litigation, because IP is all about protection and if you don't protect it nobody else will.

KEEPING YOU ON YOUR TOES

The best thing about IP though, is that it's always changing. Almost by definition you are on the cutting edge: of marketing practices, of technology and even ways of doing business (which are protectible as patents in the US but not in Europe). And at the forefront of the law, which struggles to keep up but is still overwhelmed by the creativity of designers, innovators and of IP infringers. It means that my IP lectures to both undergrads and postgrads at King's College London are different every year, and sometimes are overtaken by events almost as soon as they are given.

After practising and teaching IP law for 25 years, I don't hesitate to recommend it

both as a field of specialisation in practice and for the student wanting an area which is interesting as well as challenging and relevant. It's certainly taken me from dingy factories in the Midlands making the proverbial widget to saunas in snowy Finland (home of telecomms products so geeky they make your head spin). Not many lawyers can say that!

DID YOU KNOW?

Devilling is where one counsel hands over a brief to another counsel

- Taken from the 11th edition of *Osborn's Concise Law Dictionary* [978-1-847-03308-6] available from all good booksellers priced £11.95



Inspired you to learn more? Check out *Intellectual Property: Patents, Copyrights, Trade Marks and Allied Rights* by William Cornish, David Llewelyn and Dr Tanya Aplin which is available from amazon.co.uk, hammickslegal.com and all good booksellers priced £38.95 [978-1-847-03923-1]



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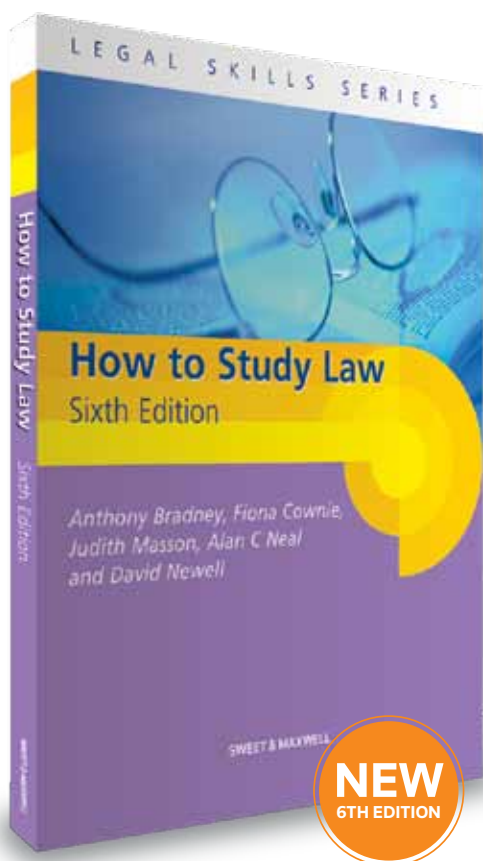


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APPLYING FOR PUPILLAGE

The Pupillage Portal (the Bar Council's online application system) is one of three ways in which you can apply for pupillage. The 2010 application process is well underway, with first-round applications closing 27th April 2010. In the following article, Georgina Wolfe and Alexander Robson, authors of *The Path to Pupillage: A Guide for the Aspiring Barrister* go through the process.

HOW MANY APPLICATIONS SHOULD YOU COMPLETE?

The Pupillage Portal gives you the opportunity to apply to 12 chambers and, if unsuccessful, to apply again to one chambers through a clearing process. First round applications close on the 27th April. The interview season stretches across the summer with offers being made from around the beginning of August. Clearing opens in October.

Send off as many applications as you can manage. Even if, initially, you think that there are only five chambers to which you would really like to go, it is worth applying to all 12. You may unexpectedly be impressed by a set during interviews or, equally, you may discover that you do not feel you fit in at your top choice. By

applying to all 12, you can keep your options open. Remember that this is a highly competitive application process. It is an achievement to be among those candidates who get an interview with any chambers, let alone your first choice.

Spread your applications over a spectrum of chambers in your field; do not simply apply for the top sets. Until you apply, you simply do not know how good you are. Theoretically, the more good applications you send out, the better your chances are of being invited for interview and thus your chances of getting pupillage.

Outside the Portal there is no limit to the number of applications that you can submit. You should send off as many as you can complete within the time constraints and without sacrificing quality. Make sure that

you can still invest the required amount of time in each form. It is better to send off ten immaculate and tightly focused applications than 20 poorly written forms that fail to demonstrate a genuine interest.

None of this is to suggest that you should waste chambers' time by applying where you have no interest in their specialisms. Not only do you run the risk of irritating the barristers, your application is a waste of your own time in the unlikely event that you are offered a pupillage that you do not actually want.

SELECTING YOUR CHAMBERS

Before you begin completing your application form, compile the list of the 12 chambers to which you intend to apply. You must research each set thoroughly and ensure that their



TOP TIPS

"I spent weeks honing my applications; I am glad that I did. You've got to take time over the form."

Richard Sear, 1 Hare Court

"Speak English: don't use eight syllable words if you don't need to."

Kevin Toomey, 2 Bedford Row

"If you say you have an interest, have something to say about it when asked."

Leila Benyounes, Park Lane Plowden, Leeds

"Chambers generally try to identify not simply the best candidates but more specifically the best candidates for the work undertaken by the particular chambers. If your stated interests lie in areas of work not undertaken by the chambers to which you have applied, your application may be wasted."

Colin Wynter QC, Devereux Chambers

"It is important for candidates to try and put themselves in the seat of the person who has got to read 200 forms; if you can, have something that makes you stand out."

Sara Mansoori, Ministry of Justice, formerly at 5 Raymond Buildings

"Reading back over my form I realised I had accidentally put one chambers' name into another's section. It was too late to change it. Whoops."

A Pupil

"With a mediocre 2:1, I thought it was unlikely that I was going to get a place in one of the best chambers. When it came to filling out my form I had a couple of spare places and applied to two chambers that I considered well out of my league – just on the off chance. My gamble paid off as, to my surprise, I was invited for interview. It was a huge boost to my confidence."

A Pupil



areas of practice match your experience so that you can demonstrate that your interest in them is genuine and informed. This process of researching chambers is surprisingly time-consuming.

One word of warning when you are researching chambers: beware the "puff" on the website. Remember that while chambers' websites are invaluable for you, they are really aimed at solicitors and lay clients. This means that while a set may claim to have a "budding practice in environmental law", in fact this may mean that they have just one barrister who does the occasional case. If you then say that your real passion is environmental law, you may be met with several blank faces and headed straight for the rejection heap. Be careful. You can spot the "puff" by checking in the legal directories or asking your sponsor.

LEAVE YOURSELF PLENTY OF TIME

With first round applications via the Pupillage Portal closing this month you should be spending your free time focusing on your application forms. With the constant stream of essays, coursework and exams, it is all too easy to put off an application form until the night before the deadline. Filling out applications for pupillage is one of the most important things you will do in the course of your legal studies so be sure to leave enough time to do yourself justice.

CRITERIA

Every chambers is now required by the Bar Code of Conduct to prepare "a document setting out generally its policies in relation to the choice and number of pupils" which must be made available to all applicants. Check each chambers' website for the selection criteria

before you start writing your applications. You should keep these criteria at the front of your mind as you are writing your applications.

COMPLETING THE FORM

The application form is designed so that you can show off your experience, your abilities, and your personality. Amongst others, it contains sections on: legal work experience; non-legal work experience; interests and recreational activities. In addition, it gives you the opportunity to state your preferred areas of law and your reasons for your choice of chambers. Your answer to the later is sent separately to each set to which you apply to so ensure you tailor your answer to each chamber. For full guidance on completing each section see chapter 21 of *The Path to Pupillage: A Guide for the Aspiring Barrister*.

QUESTIONS ABOUT YOUR MOTIVATION

This is a crucial section of the application form. Many pupillage committee members turn to this section first. So what's your motivation? Why do you wish to become a barrister? It's essential that you spend time on this section and produce a polished answer. Chambers are looking for:

- an understanding of the profession
- evidence that you have made a commitment to the Bar
- evidence of an ability and interest in advocacy
- interest in the law itself
- a desire to be self-employed

If your answer does not demonstrate some of the above criteria, your application is unlikely to make it through the first round.

'THE COVERING LETTER'

The Portal contains a section entitled "The Covering Letter". This section is designed to enable applicants to include any information which is not covered elsewhere on the form. If you feel that you have covered everything, do not feel obliged to use this opportunity.

CHECK, DOUBLE-CHECK

Ok, don't just check then double check – check, double-check, proofread, second opinion, edit and check again. Do not even think about sending off your applications unless you have done just that. Chambers receive literally hundreds of application forms each year and some chambers will automatically discard any application with even a single spelling mistake or grammatical error. After you have checked your application, leave it overnight (or longer if possible) and give it a thorough final check before you submit it; a night's sleep may give you a little more distance and thus objectivity with which to spot mistakes.

OTHER WAYS OF APPLYING

Numerous chambers have their own application forms and choose not to use the Portal. This can be for any number of reasons, from wanting to catch the top applicants before the Portal season begins, through to a desire to ask a different range of questions of their applicants. There should be no inferences drawn if a chambers in which you are interested does not subscribe to the Portal. In addition, some chambers just require you to send in your CV with a covering letter. If a chamber you are interested in isn't in the Pupillage Portal then check their website.

DON'T GIVE UP

Do not be too disheartened if you do not receive a single offer of interview after your first round of applications. This is not uncommon. Review your application strategy, identify your weaknesses and devote the next few months to improving your CV. Take heart: many candidates who eventually get pupillage are applying for the second, third or fourth time.



This article is adapted from the new second edition of *The Path to Pupillage: A Guide for the Aspiring Barrister* by Georgina Wolfe and Alexander Robson, which is available from amazon.co.uk, hammickslegal.com and all good booksellers priced £16.95 [978-0-414-04236-0]

DID YOU KNOW?

Allonge is a slip of paper annexed to a bill of exchange for endorsements when there is no room for them on the bill.

- Taken from the 11th edition of *Osborn's Concise Law Dictionary* [978-1-847-03308-6] available from all good booksellers priced £11.95

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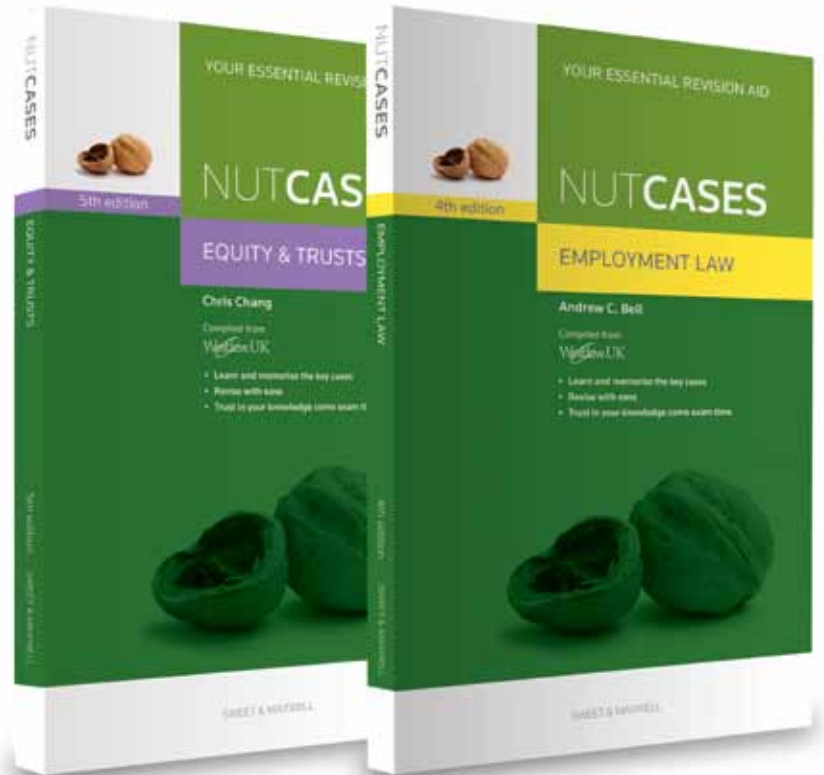
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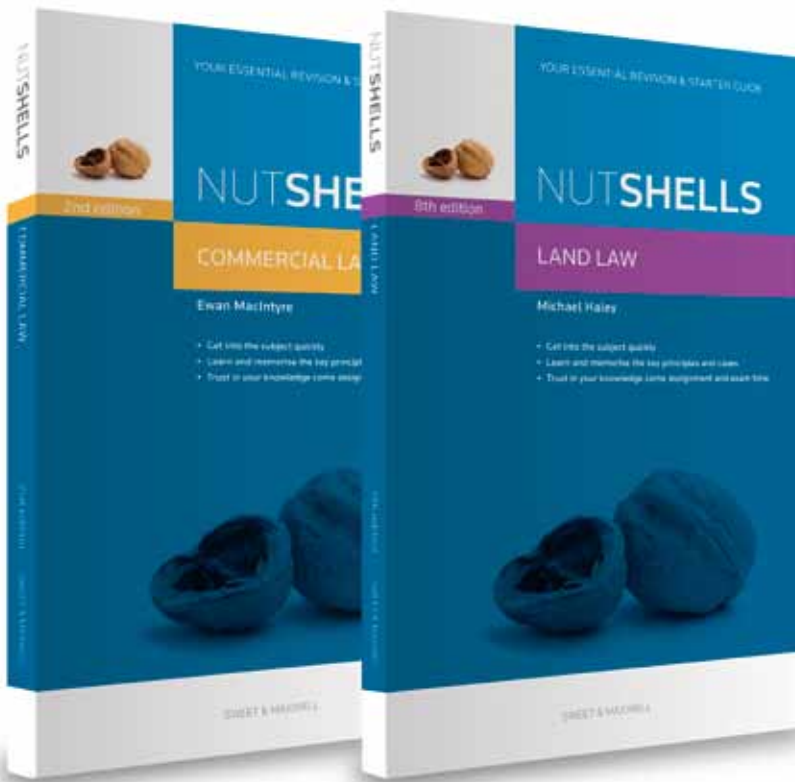
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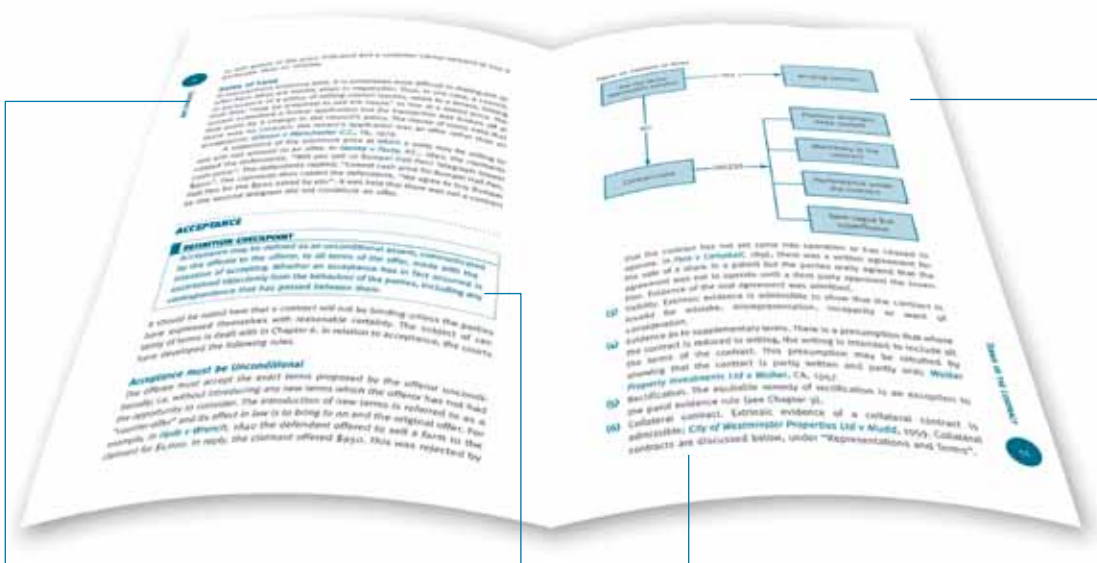
Redesigned layout includes colour to draw out parts of the text and distinguish cases and legislation from the narrative

AS YOU'VE GOT IT CRACKED



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Breaks the subject down into key topics and the topics down into bite size chunks

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NUTSHELLS GUIDE TO ESSAY SUCCESS

Nutshells are essential revision and starter guides. In the following article, Penny Darbyshire, author of Nutshells English Legal System, offers advice on writing essays.

IDENTIFY WHAT IS REQUIRED TO ANSWER THE QUESTION

There are likely to be several elements, each of which requires a response. Do not ignore any element, or you may lose substantial marks or fail. Make sure you have identified what is required of you. It may be fruitful to check with fellow students that you have correctly identified what is required of you, though of course the work that you produce for your assessment must be entirely your own.

RESEARCH, RESEARCH, RESEARCH

Research is crucial if you wish to produce a full and thorough essay. Below you will find eight tips on undertaking research effectively:

1. Start by reading the relevant chapters in the core course books that your lecturers/tutors have recommended.
2. It is highly unlikely that you will be able to answer a question by using only a textbook. Examine any further reading that appears to be relevant, that your lecturers/tutors have recommended, or that is referred to in your course text.
3. Examine any electronic or hard copy documents referred to or that are obviously related to the question or issue that you are researching.
4. Examine legal websites and databases, such as Westlaw UK. You may wish to download documents and save them to your own computer to read on screen rather than printing them out, which is expensive.
5. Do not start with an aimless Google search and do not even think about citing Wikipedia or similar websites in preference to your textbooks. Use a law dictionary or encyclopaedia such as Halsbury, which you can access electronically if you are a university student.
6. Remember that some subjects change rapidly – appreciate that the law, the issues and the circumstances may have changed since the sources you are using were published.
7. Make accurate notes about the sources of your information including an accurate reference so that you can footnote your sources properly and compile your bibliography.
8. If you are working from your own photocopies, printouts or books, then highlighting is much quicker than taking notes.



CONTENT OF YOUR ANSWER

Address the terms of the question. This is the most crucial part of the assessment. Those grading your work need to see that you have

understood the task and taken the correct approach, so do not “write all you know”. You will be assessed on:

- Your ability to identify the legal and policy issues raised by the question or problem
- Your knowledge of relevant law
- Your knowledge and understanding of policy issues, where relevant, including proposals for reform and background to the law
- Your ability to conduct careful, thorough, relevant and accurate research

- Your insight into and thoughtful approach to the issues.

“Discuss” means more than just describe the law or topic. It means explain the issues surrounding the topic and address them. For instance, if it is a legal change you are asked to discuss, look at the background to the change in the law. If it is a controversial issue you are asked to discuss, look at the “pros and cons” of the plans, as articulated by Government critics and defenders.

“Critically discuss” or “critically evaluate” does not mean you have to say something bad about the topic. The word “criticism” is used in the sense of theatre criticism. You should look at the pros and cons of the issue, citing relevant sources and, if possible, forming your own opinion.

STRUCTURE OF YOUR ANSWER

Ensure that there is a clear thread of argument running through your essay. Sub-headings may help you to organise the material and will provide “signposts” to the reader. If you form an opinion, make sure that you acknowledge that there may be different opinions on the subject and briefly address those different opinions.

Write a straightforward introduction and conclusion. It will be easiest to write the introduction once you have written the body of the essay. Be as brief as possible. Your introduction should be no more than a very short paragraph.

EXPRESSION, STYLE AND MECHANICS

Write in a style which is clear and fluent. Use short sentences. The longer your sentences and the more pretentious your language, the more likely you are to get into trouble. Be very concise. Stick to the word limit. You should read through every sentence many times, ensuring that you have expressed yourself in as few words as possible and not repeated yourself. Waffle is your enemy. Carefully proof read your work several times to avoid typographical and other technical errors. List

the material you have used in a bibliography and footnote your citations, making sure that you do not abuse footnotes by making substantive points that ought to have been made in the text.

USE OF LANGUAGE

Around half of first year undergraduates produce essays demonstrating weak use of English, especially those educated in England. Immaculate use of English is not only essential for obtaining a good grade in undergraduate assessments. It is an essential tool of the lawyer’s trade. The use of grammar and punctuation affects the meaning of the law and the meaning and quality of your work. Clumsily expressed work with bad grammar and spelling mistakes detracts enormously from the substance of what you are saying. Use a dictionary or a thesaurus but do not forget that the spellchecker on your computer must be set to English (UK). If possible, ask someone to read through your work. Below you will find details of six of the most common mistakes found in law students’ essays:

1. Do not use slang and elisions (don’t, won’t, can’t, etc.). You must write in formal English.
2. Capitals: pay attention to your textbooks to find out what words need to begin with a capital. For instance, Parliament and the present Government begin with a capital but not when referring to governments in general. There is one single High Court and one Crown Court but many magistrates’ courts and county courts. Nouns in general do not need a capital but titles do.
3. Sentence structure: students commonly use clauses as sentences. Sentences always contain a subject and a verb.
4. “However” is not a conjunction. It cannot be used in a place where “and”, “but” or “so” can be used. It should not appear at the beginning of a sentence. Shift it into the sentence and place a comma either side, eg “The Government, however, decided not to follow this recommendation”.

5. The Grocer’s “s”: “Cabbage’s on special offer today”. In this sentence, “cabbages” does not need an apostrophe “s”. The word is the plural of “cabbage”. “The judge’s robes” is a phrase requiring an apostrophe “s” to represent the possessive case and means “the robes of the judge”.

6. Paragraphing: choose one type of paragraph break, either an indentation or a line space. Do not mix the two.

If you are dyslexic, or think you may be, seek out the help of the dyslexia unit at your university. Remember to ensure that lecturers or tutors marking your work know that you are a dyslexic.

PLAGIARISM

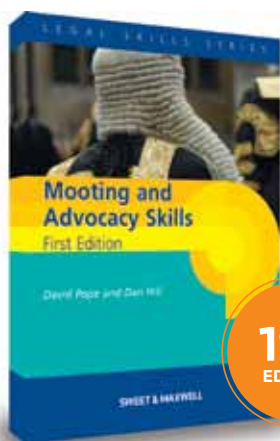
Plagiarism is a form of cheating. It means copying someone else’s work or ideas and passing them off as your own. If you join with a friend in preparing coursework, make sure the end product is all your own. Do not copy from one another. You may use a large number of sources, such as books, articles and websites but all must be meticulously cited. You will frequently use secondary sources, such as textbooks. Again, you must point this out.



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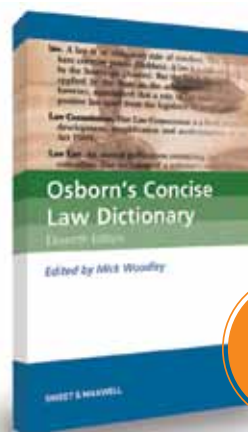
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SOCIAL-NETWORKING SITES – STAYING SAFE

With the explosion of social networking sites it's more important than ever to think about keeping safe whilst online, and even more so if you decide to meet up in person with someone you've never met. Here, in the following article we give advice on staying safe.

WHAT ARE THE RISKS?

On the 25th October 2009, 17 year old Ashleigh Hall was tricked into meeting Peter Chapman, a man she believed was a teenage boy whom she'd met and made friends with on Facebook. He went on to brutally rape then murder her.

Ashleigh's story is awful but unfortunately it isn't a one off. In December 2009, Anthony Stancl was convicted on two counts of sexual assault after posing as a teenage girl on the same site. He managed to get at least 31 of his male classmates to send him naked pictures and then used these photos to blackmail them into performing sex acts.

The above examples illustrate just how easy it is to be tricked into situations. So how do you keep safe?

STAY ANONYMOUS

If you can, set up an anonymous email address, one that you just use for your social networking. If setting up your details on a social-networking site for the first time try to keep your personal information, such as date of birth and town of residence, to a minimum. Many sites such as Facebook now have very strict privacy rules which you can make use of – it might be worth checking out how you are currently set-up and who can see what.

THINK ABOUT THE ITEMS YOU POST OF YOURSELF

Take a good look at the photos you post of yourself? What about your profile picture? Would you want your Mum to see your photos? If not then it's probably not a good idea for them to be posted online. Remember that there could be any number of people trawling the websites for any number of reasons.

DON'T BE A 'FRIEND-COLLECTOR'

Don't accept anyone on social networking sites that you don't know. Even if it's just to play a game with – it's really not worth the risk. Who cares if you only have 100 friends?

INSTANT CHAT

It's easy to get lured in to spilling a ton of personal details when talking to someone



on internet chat, or feeling like they are a real friend. Don't be fooled into telling all your personal information. You have no idea who you are really chatting with.

IF YOU DO DECIDE TO MEET SOMEONE

If you do decide to go ahead and meet someone you've never met before then arrange to meet up in a public, well lit, populated area. Best of all, arrange for your friends to be there. If you don't want to do that, definitely inform somebody of where you are going, who you are meeting and what time you think you'll be back.

Do stay sober, don't leave your drinks or food unattended and don't let them buy your drinks at a bar by themselves. Surprisingly, the most common date drug is alcohol. Victims are often unaware that extra shots of alcohol have been added to their drinks making them stronger.

Let them know that your meeting is not a secret and that people know where you are and who with. Let them think you have somewhere else to be afterwards or a call to make so they know that someone is expecting you. If possible, arrange for someone to call you mid-way through the evening so it shows that people are checking on you. Whatever you do, do not arrange to be given a lift home by the person you are meeting.

KEEP SAFE

University is a time of meeting people and making new friends and social-networking sites are now a part of that. But remember the risks and keep aware of what information you're revealing and to whom. After all, it's pretty easy to make an account on any number of sites with someone else's photo isn't it...

UTILISING FEEDBACK ON YOUR WORK

During the course of your studies you will receive feedback on your work. In some cases you may just learn the mark or grade allocated to your work, and on other occasions more extensive comments will be provided. In the following article, adapted from *Successful Legal Writing*, Edwina Higgins and Laura Tatham explain how you can use the feedback you receive to improve your work.

WHY SHOULD I SPEND TIME ON THE FEEDBACK?

Your tutor will be genuinely interested in what you have to say and their feedback has been designed to help you to understand why you were awarded the mark given and also as a tool to improve for the future. It is therefore really important to take time to interpret what the feedback means, and make a plan to act on it. You should resist the temptation to look only at the mark.

With these comments you have the chance to improve your writing for future assignments. Comments from your tutor are a valuable resource at your disposal. Taking these comments on board means that not only are you working hard but you will be 'working smart'.

TIP

Remember your tutors are not your only source of feedback. You can adopt a reflective attitude to your own performance as well as asking your fellow students how they did – if a colleague got a mark better than yours, and they are willing to show you their assignment, then carry out this same critical evaluation comparing their work to yours.

LETTING YOUR FEELINGS SETTLE

Unless you are exceptionally able, you will from time to time receive marks and/or feedback that is disappointing to you, especially in the light of the amount of time you spent working on any particular assignment. Unfortunately, the length of time spent on a piece of work does not necessarily equate to the mark awarded.

Leave the feedback to your work for a few days to let your feelings settle. To really make the most of your feedback, you need to work on separating your reaction to a mark from learning from that mark. Once you are ready to look at your feedback with more objective eyes, ask yourself:



- Do you understand the comments?
- Can you identify what they are specifically referring to?
- Do you agree with the comments? If not why? (remember 'but I worked really hard' isn't adequate evidence)
- What do you need to do to improve your performance?

From these questions, start to plan what you will do differently next time.

UNDERSTANDING THE FEEDBACK

You tutors may adopt many different kinds of marking styles and comments when marking papers. Naturally, this can make understanding your feedback confusing, particularly when you may be getting feedback from many different tutors and subjects.

'Translating' comments from tutors is a skill. Understanding what has been written is vital for your next piece of work so you will need to spend some time acquiring the necessary

skills to take this away from any feedback you are given.

THE DIFFERENT COMMENTS

Tutor comments can address a range of issues eg grammar, structure/layout, referencing, content, errors and can be positive reinforcement or be more negative and critical.

So, if you are wondering what to do with all those tutor comments on your work first read them carefully. Then, see if you can determine what kind of comments have been used by the marker, and then use the table opposite for suggestions.

TIP

Putting the feedback away for a few days and then coming back to it can help.

IF THE COMMENTS ARE... THEN YOU SHOULD...

Positive reinforcement	Feel good and accept any critical comments there are. If this refers to something in particular see if you can incorporate it into your next assignment.
Related to the bibliography	Be sure you are fully aware of any programme or discipline standard on this and use it!
Related to the range of sources	Try expanding and developing your research strategy. Either you have not read widely enough or you have just not created a sense of detailed understanding of the topic in your writing.
Structure/layout related	Follow the comments. If you are not sure what is expected check your lecture/tutorial notes when information may have been given.
Grammar/spelling/sentence structure problems	Read these comments carefully and try to work out where the problems are. Leave yourself enough time to proof-read carefully before you submit your next assignment.
Errors of law related	Learn your material and how to apply it. It is clear that if your work does have a lot of errors on the law your tutor will not be best pleased no matter how well it is written.
Content related	See what general lessons can be learnt from it. This is harder to categorise as these comments will be subject specific, but for example if the marker suggests that there is something s/he particularly liked in your assignment look at it carefully and try to work out if a similar strategy would work with other assignments.
Related to your referencing	This tends to involve a discipline or department specific norm and you need to learn what it is in your institution very early on in your legal academic career.
Indicating a lack of analysis	Work on developing the evaluative or analytical parts of your argument. This is a hard one to understand. Essentially it means that you have been too descriptive and have not adopted a style which challenges and evaluates the law on this matter. You need to adopt an improved questioning approach to your next assignment.
Presentation related	Work out what is wrong and fix it – this is easily done and as with referencing there is no excuse for poor presentation.
Fails to answer the question	Reconsider how you diagnose your task.
Related to a lack of authority	Remember every statement or assertion or proposition of law you make needs to be supported by authority or evidence ie primary or secondary sources.

TIP

Your tutors should always be happy to explain their feedback if you are having trouble 'translating' what they mean or even actually reading them. Go and see your tutor and ask for their help.

TIP

With the best will in the world it is sometimes impossible for your tutors to return work as fast as you – and they – would like. If the assignment feels remote by the time you receive the feedback, then get your copy out so as to make the most of the feedback you get on it. Don't just look at the mark!



This article is adapted from the first edition of *Successful Legal Writing* by Edwina Higgins and Laura Tatham, which is available from amazon.co.uk, hammickslegal.com and all good booksellers priced £19.95 [978-0-421-96120-3]

DID YOU KNOW?

Dubitante is used in law reports to signify that a judge cannot make up his mind as to the decision which he should give

- Taken from the 11th edition of *Osborn's Concise Law Dictionary* [978-1-847-03308-6] available from all good booksellers priced £11.95



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Nutshells present you with the essentials of law in clear, straightforward language, explaining the basic principles and highlighting key cases and statutes. They have been revamped to make your revision even easier. New features include colour throughout to help distinguish cases and legislation and aid ease of use as well as a model question and answer plan at the end of each and every chapter. There are Nutshells on all of the following areas:

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- Intellectual Property
- Tort
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- Company Law
- Consumer Law
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- Human Rights
- International Law
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NUTCASES

Another revision aid loved by students, Nutcases provide you with in-depth case analysis of the facts, principles and decision of the most important cases in an area of law. The Nutcases have also been completely revamped to make it even easier for you to get up to speed with the key cases in a subject and maximise your revision time. There are Nutcases on all the following subjects:

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- Human Rights
- Criminal Law
- Tort
- Constitutional & Administrative Law
- Employment Law
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- European Union Law
- Land Law
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DID YOU KNOW?

Beadle is a common law parish officer chosen by the vestry to hold office as its messenger and servant

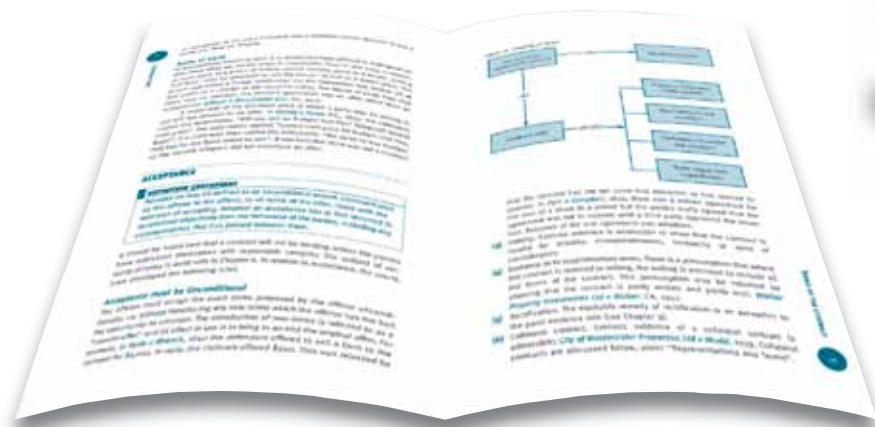
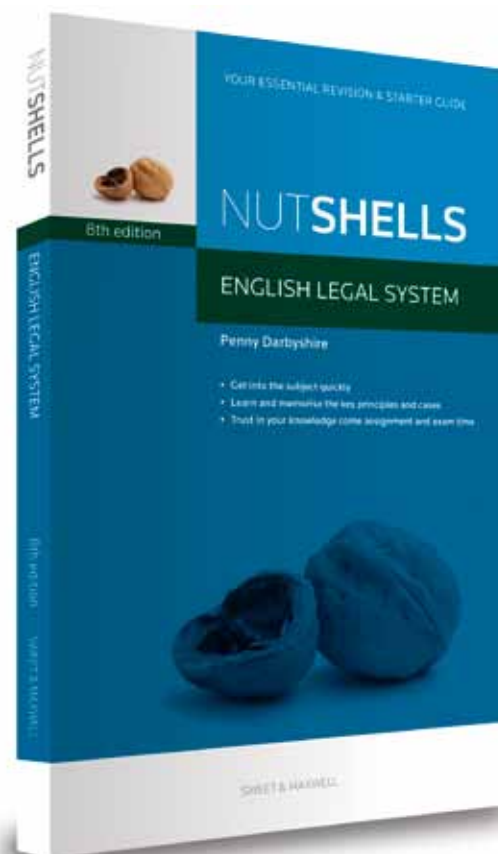
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- Places important key definitions and statutory provisions in boxes to help highlight the key points to remember
- Contains a host of useful tools including tables of cases and statutes, a list of examination tips, and a list of useful web resources



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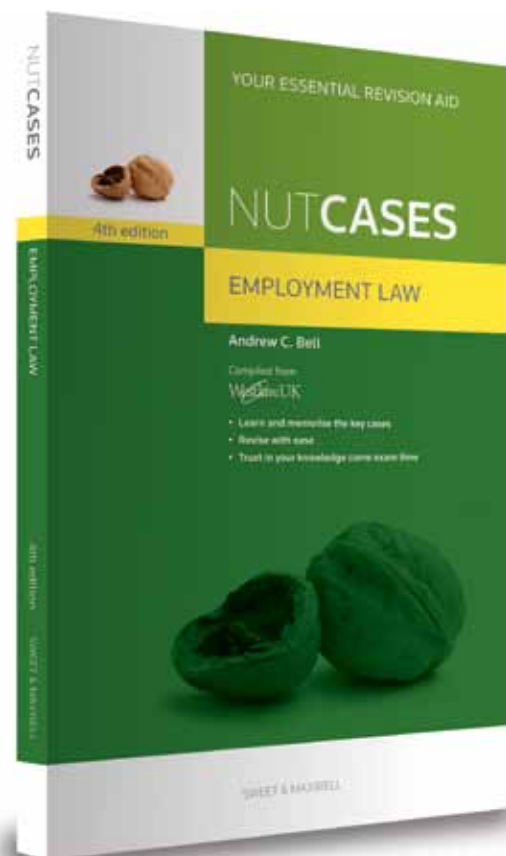
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