



Pupillage Committee's 2023 Report on the Pupil Selection

12
King's Bench Walk



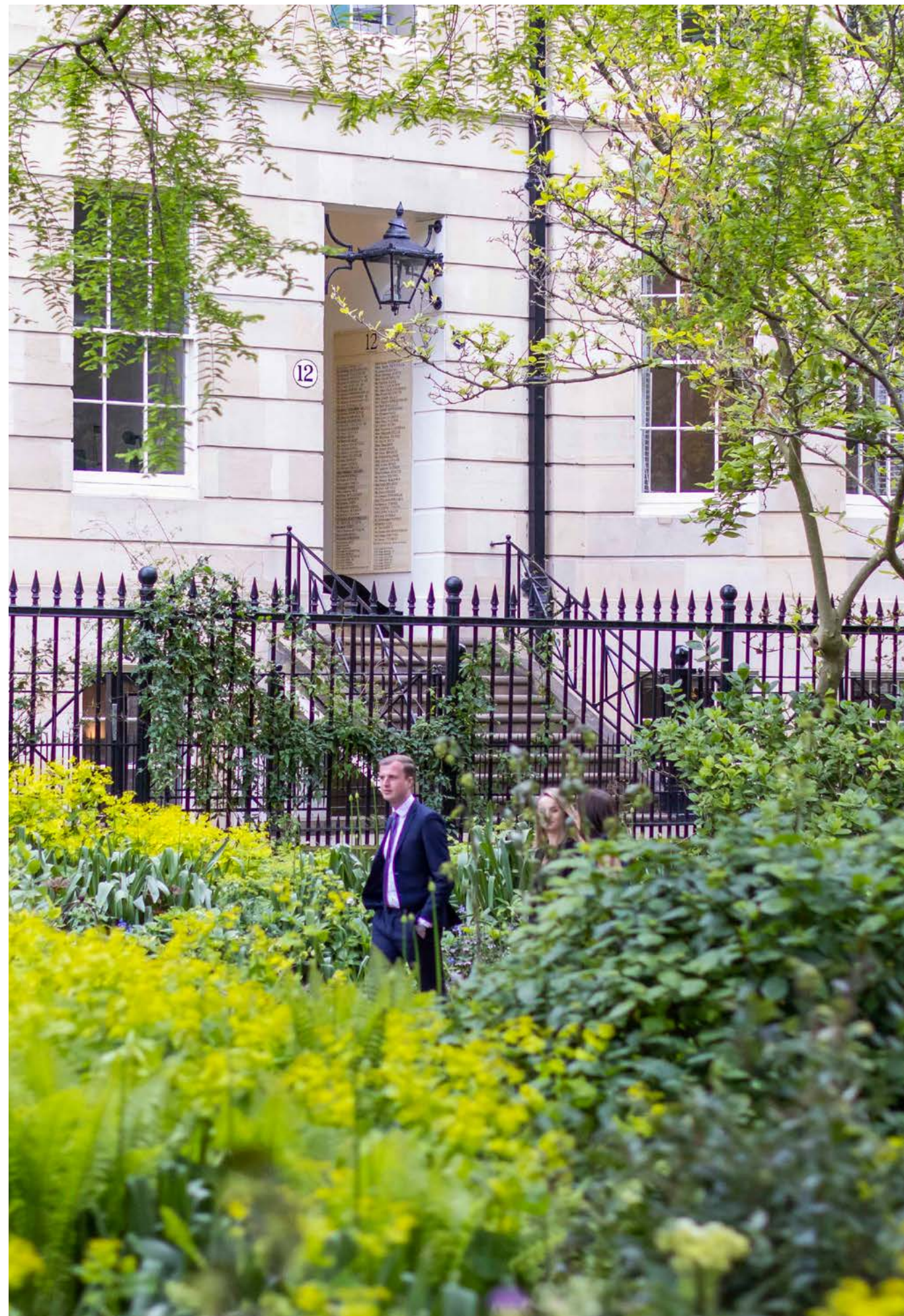
Pupillage Committee's 2023 Report on the Pupil Selection

This report, aimed at prospective pupils, reviews the 2022-2023 pupillage competition at 12KBW. We aim to recruit a diverse, inclusive and representative selection of the very highest calibre via a process which is reliable, valid, objective and transparent. It is hoped that this report helps ensure transparency of process.

12 King's Bench Walk is a leading civil set recognised as being outstanding in its specialist areas. Core areas of practice include Personal Injury, Industrial Disease, Clinical Negligence and Employment. Other areas of specialism include Sports law, International and Travel work, Costs, Abuse, Aviation, Group Litigation, Inquest and Inquiries, Human Rights, Military and Insurance. Members undertake many of the most complex and important cases in the UK and overseas in chambers areas of expertise.

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- [12KBW website](#)
- [12KBW: Legal 500](#)
- [12KBW: Chambers & Partners](#)
- [12KBW: Legal Cheek](#)



Executive summary

In the 2023 competition we received 105 applications, made three offers and two reserve offers. The process was, in the opinion of the Committee, a rigorous, objective and fair process. There process is under constant review. Any recommended changes made by the Committee will be implemented prior to the 2024 competition.

There were a number of changes in the 2023 competition. First, we moved from three to five narrative questions in the pupillage gateway. Second, we took advice on, and implemented changes to the way we mark pupillage applications at the 'sift' stage. Finally, instead of giving first round interviewees free choice as to a case from which they seek permission to appeal, the Committee selected three cases for interviewees to choose from.

We continued to integrate "Rare data" in the 12KBW pupillage process in the 2023 competition. The aim of using such data is to contextualise pupillage applications, where appropriate, so that achievements by those who are disadvantaged are given appropriate weighting. This had a tangible positive impact. We will be using Rare data again in the 2024 competition.

In July of 2022 12KBW published a Race Action Plan which sets targets to increase the number of Black applicants, to make offers of pupillage in line with the proportion of ethnic minority candidates (25%), to make at least one offer to a Black applicant in the next three years and for there to be a Black pupil within the next five years. The 2023 competition is the first year where we have data to test whether these targets are being met.



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1. Introduction

Obtaining pupillage at 12KBW is highly competitive. We hope this report will help applicants focus on the factors we take into account during pupillage competitions. By shining a light on those factors, (and it is only those factors, which we take into account during the pupillage competition), we hope to dispel any notion that we take into account any non-merit-based factors. Our process is designed to find the best candidates to ensure the continued success of 12KBW. We recognise that not all candidates have the same opportunities, and with this in mind, we used data provided by Rare recruitment to contextualise candidates achievements. We will set out in this report how we used this data and what effect it had on the 2023 competition.

12KBW is committed to equal opportunities, diversity and inclusion and we hope by demonstrating our focus on merit and merit alone we encourage applicants of all backgrounds, irrespective of social/economic disadvantage, disability, race, sex, sexual orientation, age or religion to apply for pupillage at 12KBW. We encourage applications from those with non-traditional backgrounds, ethnic minority candidates, and those who are currently under-represented at the bar.

This report provides diversity data in respect of the 2023 pupillage competition and assesses whether chambers is on course to meet the targets set, in respect of access and recruitment at 12KBW, see the **Race Action Plan**.

The 2023 pupillage competition was overseen by the pupillage committee who met (and continue to meet) regularly to consider matters relating to pupillage. At the time of the 2023 competition the committee comprised of **Andrew Roy KC** (Chair); **Claudia Winters**; **Henry King**; **Farhana Mukith**; **John-Paul Swoboda**.

At the end of each pupillage year the committee obtains detailed feedback from those who have just completed their pupillage in order to improve the pupillage experience.

Recent initiatives resulting from such feedback include:

- (1) setting the exact date for the tenancy decision (taken in July) towards the start of pupillage; and
- (2) implementing systematic training and support for first year tenants to ensure a smooth and successful transition from pupillage into tenancy.



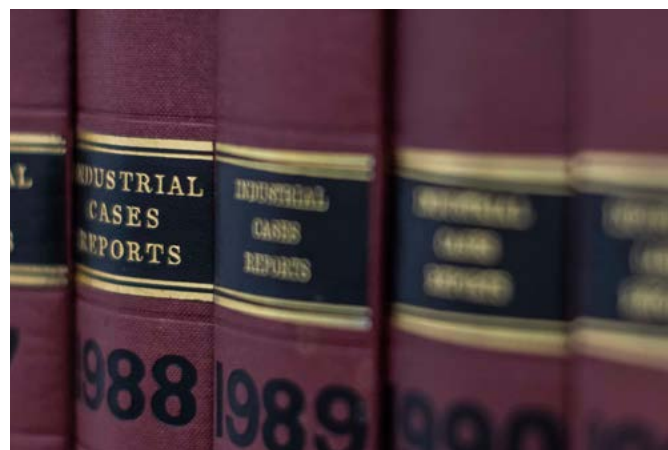
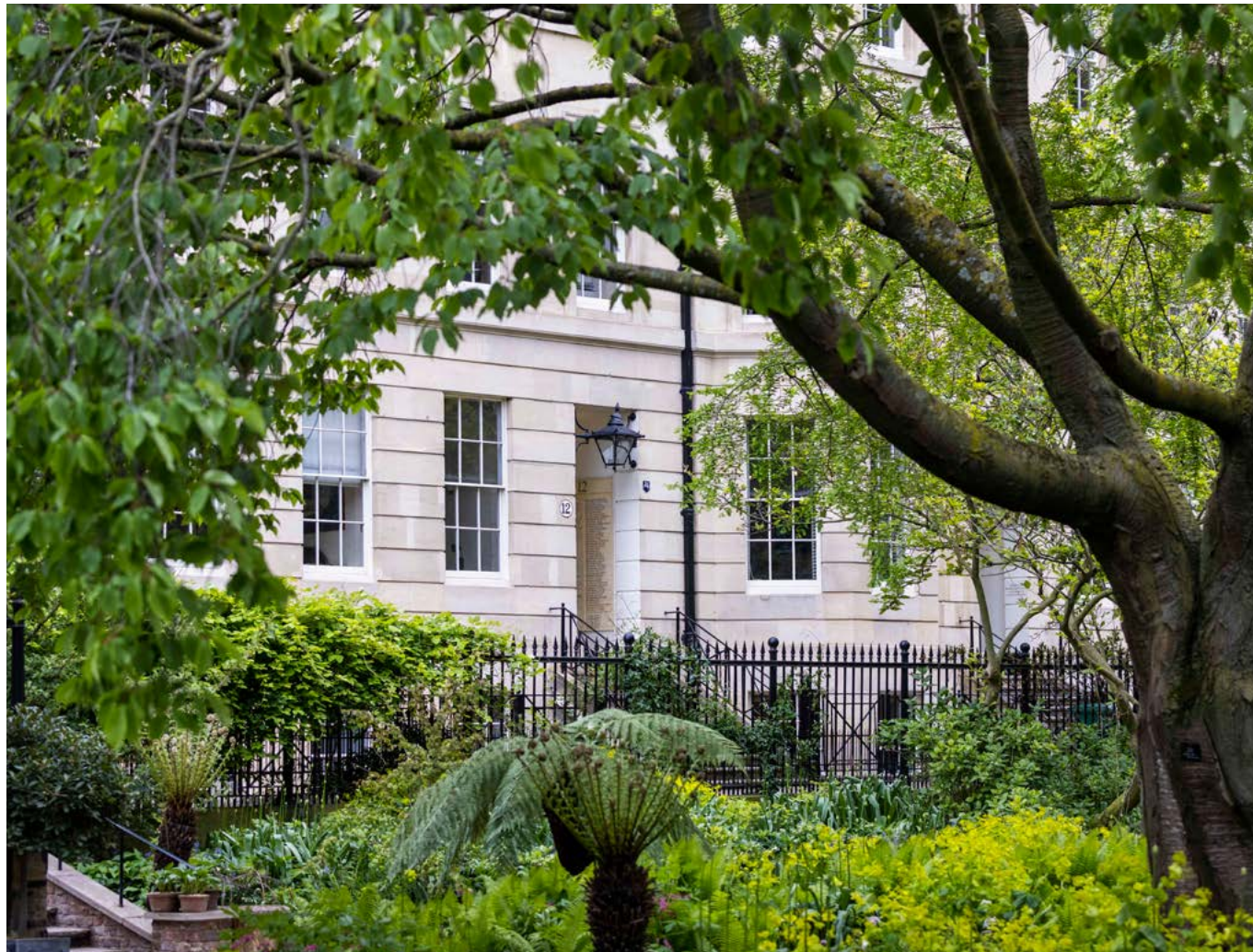


2. Selection process criteria and methodology

The selection process consists of three stages:

- (1) The paper sift: candidates are marked against the following criteria: (i) academic ability; (ii) written communication skills; (iii) legal experience/aptitude; (iv) other work/life experience and achievements; (v) reasons for applying to 12KBW; and (vi) general intellectual ability.
- (2) First round interviews: candidates were given a choice of between a selected personal injury, clinical negligence and employment case and asked to present an application for permission to appeal in their chosen case. The criteria are: (i) structure; (ii) content; and (iii) clarity.
- (3) Second round interviews: this is a more traditional interview, designed to give candidates the best opportunity to demonstrate why they should be selected. The criteria are: (i) resilience; (ii) analytical thinking; (iii) integrity; (iv) interest in and commitment to 12KBW; and (v) communication skills.

We normally expect to select three pupils in any given year. However, the precise number depends upon the quality of the candidates.



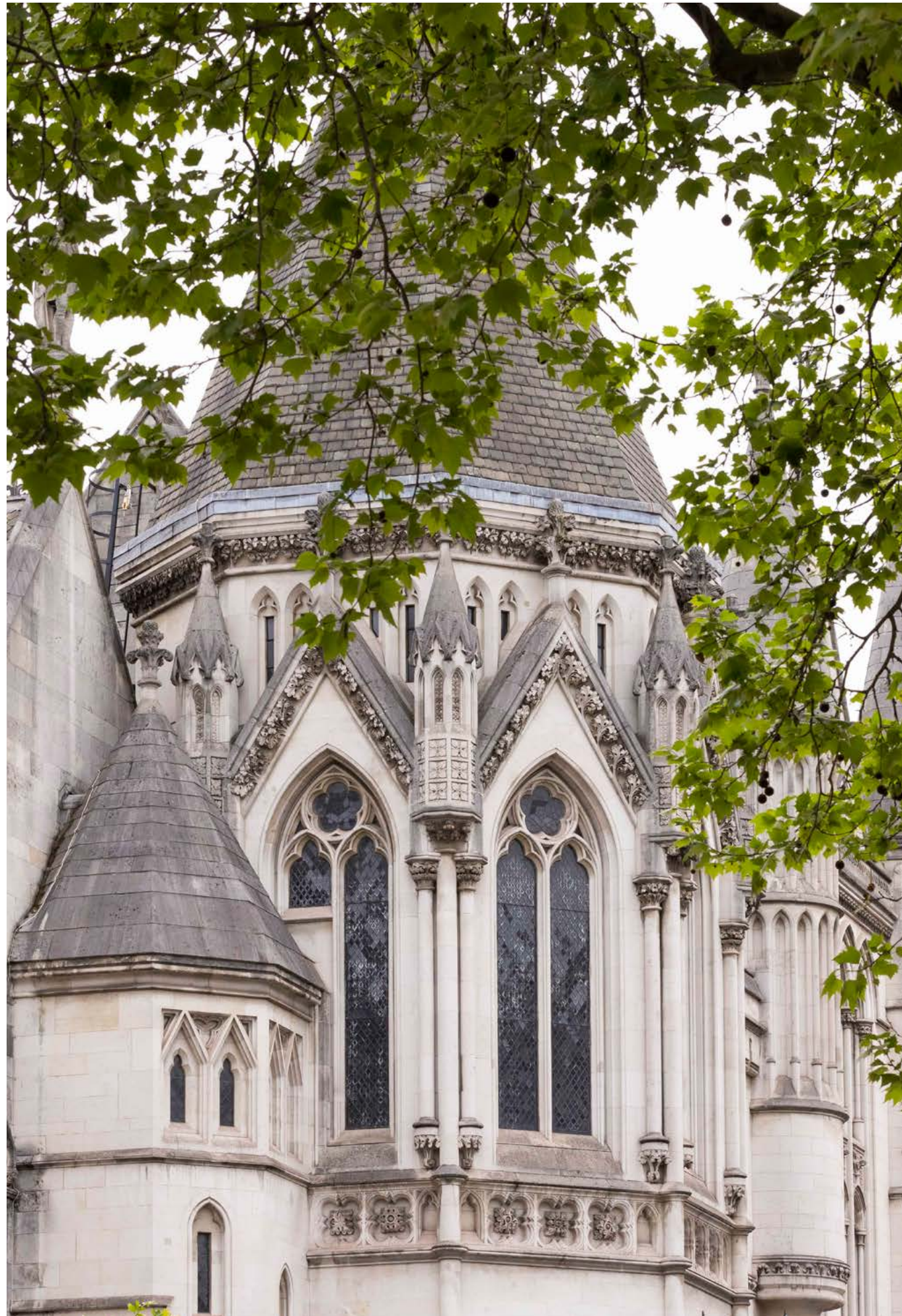
3. Use of Rare Data in the 2022 Competition

The Rare data

2023 was the second year where data from **Rare recruitment** was used to help put candidates' achievements in context. This is how Rare describe the data:

We measure candidates' achievements against datasets and classification systems we've developed over more than a decade. The first database contains the exam results of more than 4,000 secondary schools and sixth form colleges nationally; the second contains 2.5m residential postcodes; the third contains average grades for each university module. The CRS delivers two outputs to employers: social mobility flags to measure disadvantage and performance indices to measure outperformance compared to classmates in the same year.

The Rare data has been developed in collaboration with universities and global employers. Whilst I2KBW is an early adopter of this data we are not the first employers using this data range (to choose a few at random) others include: Leigh Day, Weightmans, The Bank of England, Civil Service Fast Stream, various universities, and other barristers chambers.



In practical terms the Rare data provided to 12KBW indicated whether candidates were disadvantaged by a) providing flags to highlight socio-economic, personal and educational disadvantage and b) giving an educational performance index (PI). The higher the number of flags the greater the disadvantage. A single flag represents statistically significant disadvantage. The greater the PI score the better the candidate has done academically when compared to their school's average. A score over 30% is considered significant. When candidates have one or more flags and/or a PI of more than 30%, Rare suggests this is statistically significant enough to be considered in the recruitment process.

Flags for socio-economic disadvantage are generated if the following applies: free school meals; first generation in their immediate household to attend university; home postcode at age 16; part time work during school or university term time (16+ p/w for 3 consecutive terms). A maximum of one flag may be generated.

Flags for personal disadvantage are generated if the following applies: refugee/asylum seeker; carer/parent; time spent in care. A maximum of two flags may be generated.

Flags for educational disadvantage are generated if the candidates' school is in the bottom 40% (one flag) or bottom 10% nationally (two flags).

The educational performance index is determined by assessing whether the candidates school results were above or below the school's average and by how much. A PI of over 30 is deemed significant.

Assimilation of Rare data into 12KBW's pupillage competition

We did not change how we used Rare data in the 2023 competition. 12KBW adopts a points system at each stage of the pupillage competition (as discussed below). The Committee take into account flags and the PI score at the moderation of each stage (sift, interview one and interview two). No candidate can be knocked out at moderation but candidates with flags and/or significant PI, close to the cut off points, can be put through. This does involve an element of discretion by the Committee but we consider this to be the fairest approach. This approach is not set in stone and may be changed in future years.

In the 2023 competition at sift 12 candidates went through before moderation and 10 additional candidates were put through after consideration of Rare data. Of the 10 additional candidates put through at sift, four made it through to the second round, one was made an offer of pupillage and another came just below the cut off for being offered pupillage.



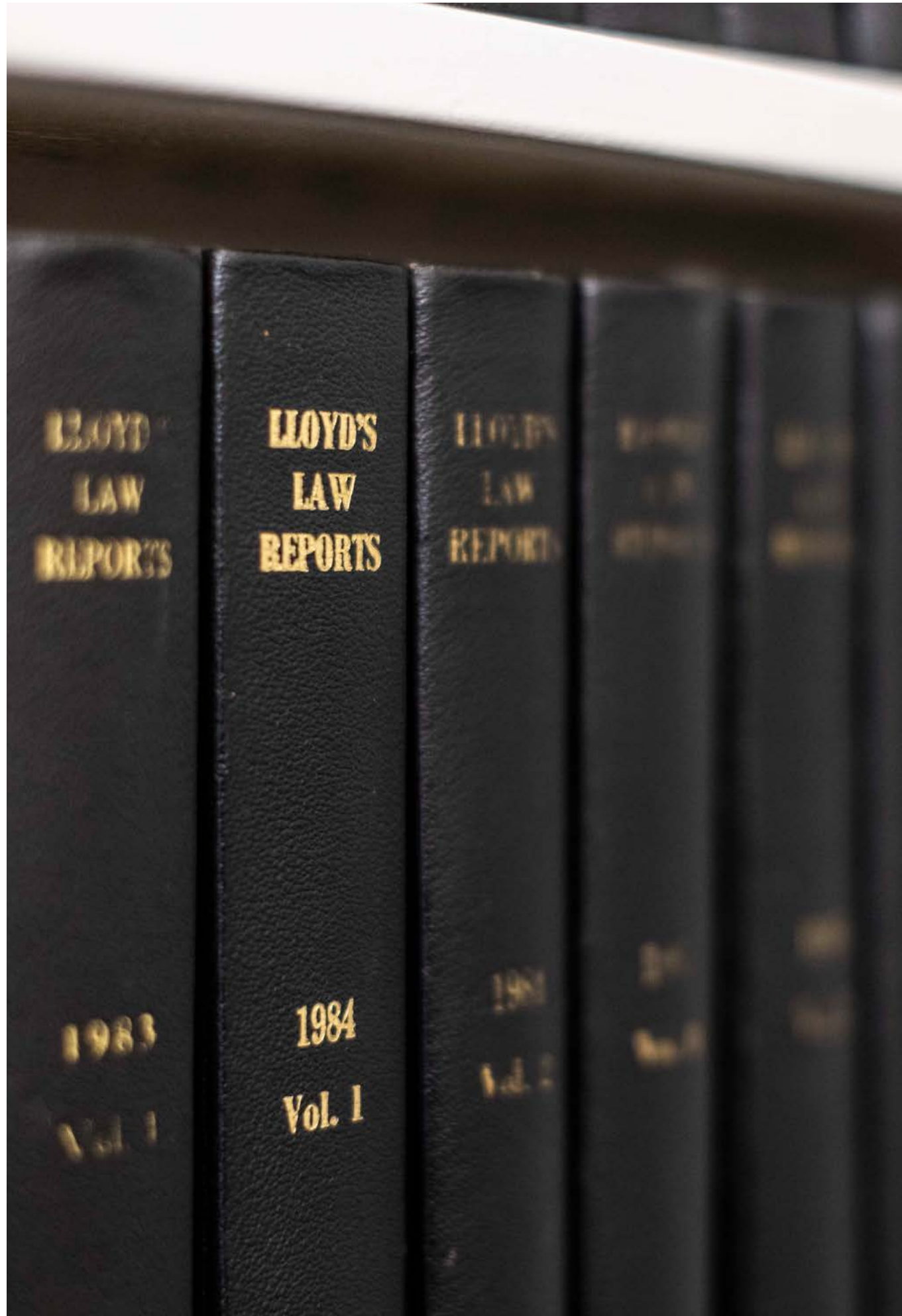
4. The 2023 Paper Sift

12KBW uses the pupillage gateway which has a standardised pupillage application form. The standardised application form allows for additional questions which can be asked. We increased the number of questions from three to five primarily to try to identify those with genuine interest in the areas of work we undertake. The paper sift (and every stage of the pupillage competition) is marked using a standard scale which has been discussed and refined internally and with the Bar Council. Candidates are identified by number, meaning the name of the candidate is unknown. Upon seeking professional advice we undertook a much more rigorous moderation session, which all markers of the sift were required to attend. Evidence suggests this, along with a clear marking scheme, ensure consistency between markers.

In the 2023 competition 12KBW awarded points for certain criteria to decide which applications made it through the sift to first round interviews. In line with our strong emphasis on academic performance we required at least a 2:1 and very competent in respect of University and BPTC unless extenuating circumstances existed. Whilst a BPTC grade of very competent or above was required, points were not awarded as not all candidates had the results of the BPTC at the time of the application. In addition, written communication, evidence of legal experience, evidence of other work/ life experience, reason/ motivation for applying to 12KBW, and intellectual aptitude were awarded points. Greatest weight was given to academic achievement, written communication, and reason/ motivation for applying to 12KBW. Middle weighting was given to intellectual aptitude and the lowest weighting given to evidence of legal experience and/or evidence of other work/ life experience.

In the 2023 competition there were 105 candidates. There were four teams of three barristers assigned to undertake marking of applications. The candidates' marks were provided to the Committee, who undertook a further check to ensure consistency of marking and for consideration of Rare data.

In the 2023 competition a total of 22 candidates were put through for interview at the first round after Rare moderation.



5. The 2023 first round interviews

First round interviews took place in March 2023. Each panel consisted of four barrister members (unless impossible due to ill-health). Panel selection was aimed at achieving a reasonable mix of sex, ethnicity and seniority on each panel. For the first round interview, candidates were asked to give a five to seven minute presentation where they would seek permission to appeal from one of three cases.

The three cases selected by the committee were: *Lewis-Ranwell v G4S Health Services (UK) Ltd & Ors* [2022] EWHC 1213 (QB) (personal injury); *CNZ (Suing by her father and litigation friend MNZ) v Royal Bath Hospitals NHS Foundation Trust & anor* [2023] EWHC 19 (KB) (clinical negligence); and *Rollett & Others v British Airways plc* [2022] (Employment). No technological aids were permitted, and candidates were told to expect interventions from the interview panel, who performed the role of the judges to whom the application was being made. Marks, with equal weighting, were based on structure, content and clarity.

11 candidates made it through to the second-round interview.



6. The 2023 second round interviews

In the 2023 competition the same five questions were asked of the 11 candidates interviewed. The Committee discussed and determined the questions beforehand. Answers to all questions were given equal weighting and points could also be obtained based on the panels assessment of communication skills. Questions were set to test for resilience, analytical thinking, integrity, interest in and commitment to 12KBW, and communication skills. The interview panel was selected to ensure a mix of male and female barristers, ethnic minorities, and barristers of different seniority.

After the second-round interview three offers and two reserve offer were made.

7.

Diversity data and 12KBW Race Action Plan targets

12KBW’s race action plan, published on 7 July 2022 stated:

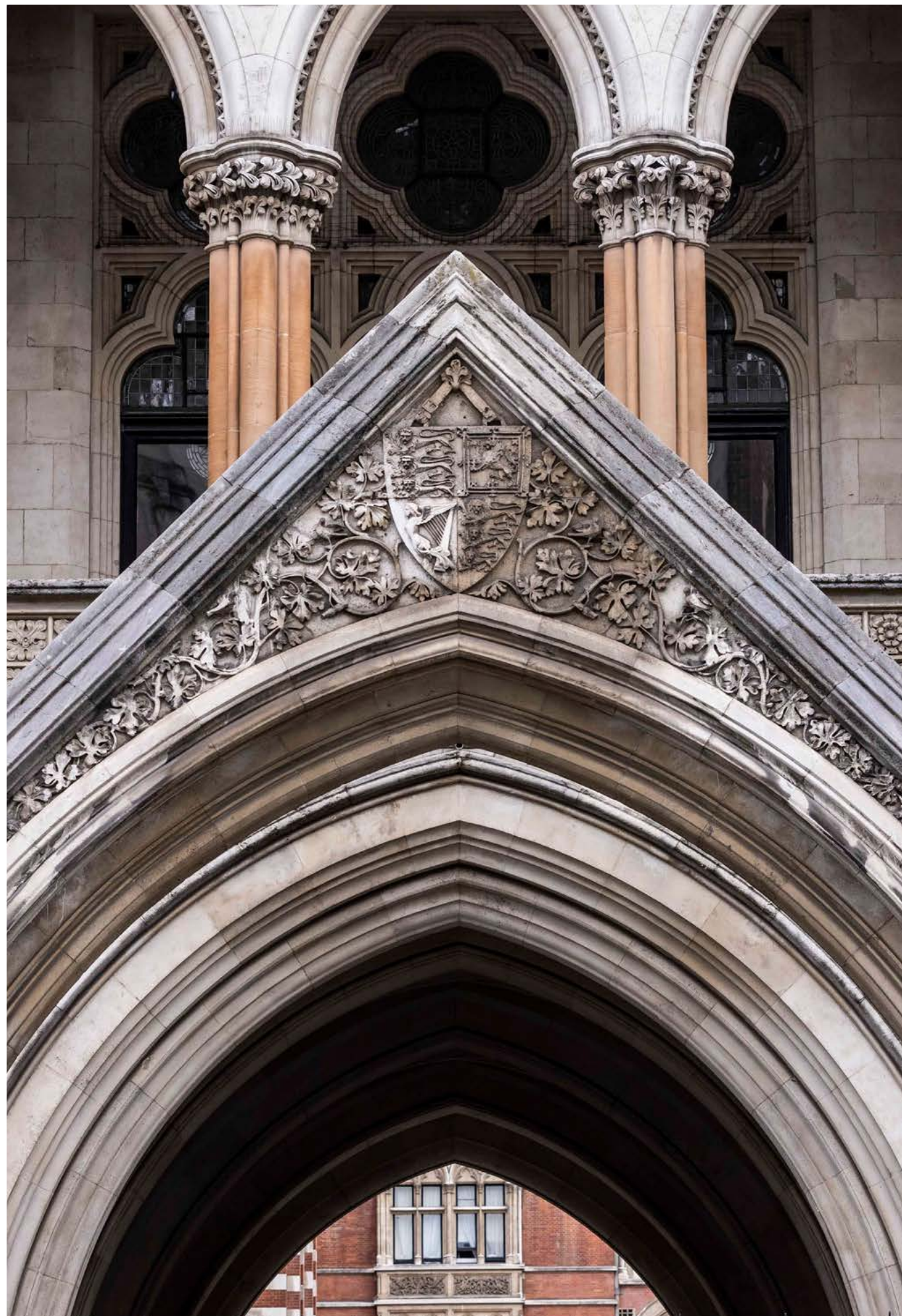
The Pupillage committee is to monitor and analyse diversity data for pupil selection and produce an annual report assessing whether chambers is on course to meet the targets set and if not recommending further changes to our systems.

The targets in the access and recruitment section of 12KBW’s race action plan are:

- In our race targets and under the principle of ‘intersectionality’, we aim to focus on ethnic minority individuals from underprivileged socioeconomic backgrounds.
- We aim to increase the proportion of Black applicants (the most under-represented group within chambers currently) for pupillage to 10% (from 6% currently).
- We aim to make at least one offer of pupillage or tenancy to a Black applicant within the next three years; and take on at least one Black pupil within the next five years.
- We aim to enable 25% of all pupillage offers to be made to ethnic minority candidates on average over the next five years.
- We aim to have initiated at least 100 mentorships (including mutual and/or reverse mentoring) by the end of 2023.



	2022	2023	COMMENT
Sex	50/50	43% male; 52% female and 5% prefer not to say	An increased proportion of female applicants
Ethnic origin	Just over 25% of applicants from ethnic minorities	63% identified as white; 8% preferred not to say; 7% identified as black; 29% from ethnic minorities	An increase in ethnic minority applications. A small increase in applications from those who identified as black



In respect of the 12KBW targets as they relate to the pupillage selection process:

- In 2021 the proportion of Black applicants was 6%. In 2022 the proportion was 6%. In 2023 the proportion was 7%. The target set by the Race Action Plan is 10%.
- Of the five offers made in 2023, including the two reserve offers, four candidates identified as White, and one candidate preferred not to say. This is the same proportion as in 2022. The target is for 25% of all offers over five years to be made to ethnic minorities at least one offer to be made to a Black applicant in the next three years and for there to be a Black pupil within the next five years.
- 80% of applicants did not consider themselves to have a disability as defined by the Equality Act 2010; 10% did and 10% preferred not to say.
- 73% of applicants identified as heterosexual; 12% preferred not to say; 11% as bi-sexual; 4% as gay men.

Narrative on the data

The use of Rare data has produced tangible results in levelling the playing field for those from underprivileged socioeconomic backgrounds; 10 additional applicants were put through at the sift stage on the basis of Rare data and one of those was offered pupillage. We have slightly increased the percentage of Black applicants but are still short of the target of 10% of applications being from Black applicants. We have not made progress in respect of pupillage offers matching the ethnic diversity of our applicants as whilst there was an increase in ethnic minority applicants in 2023 (25% to 29%) we made no offers to ethnic minority applicants. Indeed there were significant decreases in the proportion of ethnic minority applicants at the first round interview (three of the 22 applicants identified as ethnic minorities) and second round interview (none identified as an ethnic minority).

12KBW remains wholly committed to the Race Action Plan targets set out above. We are not yet on course to meet many of those targets. We will investigate what can be done whilst ensuring the pupillage competition remains selective by merit alone.



8. The future

12KBW is wholly committed to recruiting the best quality pupils from the widest pool of applicants. We aim to recruit a diverse, inclusive and representative selection of the very highest calibre via a process which is reliable, valid, objective and transparent.

The Committee will keep under review the pupillage selection process and implement any changes prior to the 2024 competition. 12KBW will be using Rare data to contextualise candidate achievements in the 2024 competition.



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