

# PRO BONO: A GUIDE FOR PUPILS AND SUPERVISORS

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The Bar has a long tradition of volunteering to provide free legal assistance to those in need. The altruistic reasons for supporting access to justice are matched by the benefits to young barristers in gaining experience and supporting their wellbeing. Many barristers' first cases are pro bono, such as the junior counsel in *Somerset v Stewart* (1772) who under writ of habeas corpus helped free a person who had been enslaved.

This guide explains how pupils can gain experience of pro bono work during pupillage, from assisting their supervisor with a pro bono case, through to undertaking pro bono work directly during their second-six. This guide is not regulatory or legal advice, and the BSB rules apply to pro bono work. For any additional points for employed pupils, see the [Guide to Pro Bono for Employed Barristers](#).

## Supervisors taking on a pro bono case

Prior to pupils taking on a pro bono case themselves, supervisors (or other barristers that the pupil is seconded to) are encouraged to take on a pro bono case that their pupil can shadow and assist with.

- The pupil will gain experience towards meeting the competencies in the Professional Statement, including research, drafting, client handling, and different areas of law.
- The supervising barrister may also benefit from assistance that is useful where there is no instructing solicitor, as the pupil could keep notes of client conferences or hearings.
- The pupil will also learn how to practically undertake pro bono work and understand their obligations when doing so.

## Routes by which supervisors can do pro bono work include:

### Across all areas of law:

- [Advocate](#), the Bar's national pro bono charity. Cases involve specific pieces of work such as drafting, advice or representation, at different levels of call, across England & Wales.
- Collaborating with a solicitor/law firm on a pro bono case, either through an existing relationship, or via [Pro Bono Connect](#) which connects barristers and law firms.

### Commercial and chancery:

- [Chancery Mediation Scheme](#) by which barristers volunteer as mediators.
- [CLIPs and similar duty schemes](#) to represent litigants "on the day" in chancery application lists in Birmingham, Bristol, Newcastle, Leeds, and London.
- [Commercial Court Pro Bono Scheme](#) to provide representation to LIPs before the Commercial Court and the London Circuit Commercial Court.

### Family (in addition to via Advocate):

- [Court of Protection](#) scheme to provide assistance to LIPs with cases in the Court of Protection and adjacent areas.
- Local family [law clinics](#) such as [Dad's House](#) and [Temple Legal Centre](#).

### Employment (in addition to via Advocate):

- [ELAAS](#) (Employment Law Appeal Advice Scheme) to provide representation in preliminary hearings in the EAT.
- [ELIPS](#) (Employment Tribunal Litigants in Person Support Scheme) to provide one-off advice on the day of the clinic to LIPs with employment tribunal cases.
- [Free Representation Unit](#) (FRU) to represent clients in the EAT.

## Pupils volunteering in the first-six / non-practising period

In addition to shadowing their supervisor doing a pro bono case, first six pupils may be able to volunteer with an access to justice charity, if this does not interfere with their education in the first six.

First six pupils are unregistered barristers, so may not exercise any reserved activities including rights of audience, nor hold themselves out as a barrister. Pupils should check with their supervisor before volunteering, and note that they will not be covered by their supervisor's insurance.

### The key routes for first-six pupils to volunteer are:

- Free Representation Unit to represent clients in social security and employment tribunals, Employment Appeal Tribunal and the Upper Tribunal.
- Law Centres or Citizens Advice which provide a range of advice e.g. social welfare, housing.
- LawWorks Clinics Network and University law school clinics across the jurisdiction.

## Pupils during the second-six / practising pupillage

Once they have a provisional practising certificate, pupil barristers can provide pro bono advice and representation by signing up to Advocate, which lists cases suitable for second-six pupils upwards, whether a piece of advice, drafting or a hearing. Advocate's licence permits barristers to directly assist clients, without an instructing solicitor or a direct access qualification. Advocate also run a successful case-based mentoring scheme, Collaborate, that pupils can avail of when working on an Advocate case.

Other schemes particularly suitable for second six pupils are:

- Free Representation Unit (see above).
- Bankruptcy Representation Scheme (Rolls Building).
- Local law clinics (see above links).

Pupils should check with their supervisor beforehand, given the work falls under their insurance, and remember to let the clerks know to help manage their diary.

### Why do pro bono during the second six?

- Many pupils find the **"giving back"** element to be one of the most rewarding things about doing pro bono work, by helping people who would otherwise not have access to justice.
- This can have the effect of supporting pupils' **wellbeing** during an intense year of training.
- Pro bono can provide **additional experience**, ranging from client handling to advocacy. Pupils can develop their professional skillset by taking on cases they may not usually be instructed on.
- This may be especially useful where advocacy opportunities are limited, such as chambers with 12 months non-practising pupillages, or in-house AETOs.
- This may in turn **help with tenancy applications** and making an impression during pupillage.
- Pro bono work can also connect pupils with experienced members of the Bar. If a pupil needs additional support on a pro bono case with Advocate (for example because the area of law is outside the supervisor's expertise), **experienced barristers** are available to provide mentorship.

### Pupil Pledge

Pupils who complete one piece of pro bono work through any scheme can be awarded the Pupil Pledge logo for their email signature and website bio, and be recognised on social media by Advocate



### More information & support

If you are a pupil or supervisor with any questions about pro bono work, or have suggestions on how to improve this guide, please contact the Advocate team at [enquiries@weareadvocate.org.uk](mailto:enquiries@weareadvocate.org.uk).