Crucible – Annual Pupillage Recruitment Report - 2022

Introduction

Crucible chambers opened its doors in 2020. We were given AETO status in February 2021 and welcomed our first pupil a month later. Despite a wealth of experience amongst our practitioners, we made a conscious decision to adopt a new and modern way of approaching our recruitment process of future pupils. We are advocates for inclusion and diversity at the criminal Bar. We are ever conscious of the need for the face of the Bar to reflect the community it serves, and collectively decided that recruitment of pupils was an essential place to reinforce our commitment to change.

With that modern and forward thinking ethos in mind, we began our recruitment process for 2022 pupils via the pupillage gateway. We made a conscious decision to recruit in the same year that we advertised, which in turn sought to subvert the status quo of recruiting 18 months in advance. The pupillage committee met after the advert for pupillage went onto the gateway and determined the criteria that we would mark against the applications we received.

Criteria

We settled upon the following essential criteria for our prospective pupils:

1. Excellent academic background, without placing a great emphasis on either the university the candidate obtained their degree or the level of degree (unless it was demonstrative of overcoming great adversity/challenge in obtaining the qualifications they had). We were interested in the candidate's own life experience, *as well as* academic achievements.
2. Their legal/non-legal experience again allowing for those candidates that had not secured much experience owing to a lack of personal network at the Bar.

3. Their own life experiences, legal or non-legal, demonstrating resilience, strong work ethic, collaborative working and empathy.
4. We agreed to anonymise all the application forms so that no names, ages, ethnicities, or schools would be visible to those marking the application forms.

Marking

We received 169 applications. Each of our members were recruited to mark the anonymised forms with the marking criteria. Every candidate was marked by two members of Chambers who were randomly paired using a random number generator. This was followed by manual checks to ensure that no marker assessed the same form twice.

Any candidate that scored a mean mark of 81 or above was guaranteed an interview. This boundary was set in response to the number of applications and the number of interview slots available. The applications were uniformly exceptional, and we had to create a high threshold for a pass into the first-round interviews, as there was a real temptation to simply interview everyone, which was neither practical or realistic.

First Round

First round interviews were divided between 6 members of Chambers over one Saturday in March. We shortlisted 33 candidates and provided each with an advocacy exercise in advance of the first-round interview. We also designed three topical questions that would be chosen at random for a candidate to answer. Our final part of the first-round interview was to speak generally about the candidate's application form and field any questions they had of Chambers.

For each of the three parts of the interview we asked each pair of interviewers to score a prospective pupil a mark out of 10 for their advocacy exercise and then a further mark out of 10 for their general performance. We reminded each pair of interviewers of the type of candidate that we were looking for (as above), and encouraged each pair to shortlist their

top three candidates at the end of the first round. This was an entirely subjective exercise with no prescribed marking criteria.

Following the first-round interviews, 9 applicants were shortlisted for a further, final interview.

Second Round

In the second round we created a new advocacy exercise that was provided to each candidate in advance of the interview; an ethical question that was provided on the day of the interview allowing for 15 minutes reading time (or more if the candidate had additional needs that required more time to digest) and a general conversation about their application form.

We did not have marking criteria for the second round, but again emphasised the type of candidate we were looking for to those on the panel. We also did not give candidates a mark out of 10 for any part of their performance on the day.

As there were fewer candidates to interview, and all candidates were assessed by the same panel, a full discussion was able to take place between the panel members as to what stood out in relation to each candidate and any general comments on their performance.

Following all the interviews, the panel considered each candidate and took a vote on their preferred first and second choices. The panel were unanimous in the ultimate choices and were entirely agreed on the candidates that we would offer a reserve place to.

We were all impressed with the standard of candidature this year and found the process challenging and invigorating. Challenging on the basis that we had very difficult decisions to make but invigorating as the future of the independent Bar appears to be bright and full of energy and promise.

Statistics

In order to assess the success (or otherwise) of our approach we retained anonymised details of each of our initial applicants, and then each of our 33 first round interviewees. We have not retained details relating to the final nine second round interviewees as the sample size was too small to allow useful analysis, and there would be a real risk of candidates being personally identified.

We retained anonymised data relating to five areas: Age, Sex, Ethnic Background, School Type and University Type. None of our candidates disclosed that they identified as a gender other than that assigned at birth.

Although candidates could choose from a number of categories in various questions, in our data collection exercise we have intentionally combined certain categories to allow us better to test for our success in attracting candidates from backgrounds who are currently under-represented at the Bar. The use of "white" and "non-white" is not used as a way of centering people of white backgrounds in our analysis. Instead, we recognise that those of minority ethnicities in the UK are under-represented at the Bar.

Since commencing this process, a number of candidates have chosen to delete their accounts from the Gateway system, or obfuscate their data in some way. These candidates therefore do not appear in the data below.

(see overleaf)

All applicants

Age

25 or under – 39%

26-35 – 44%

Over 35 – 14%

Prefer not to Say – 3%

Sex

Female – 54%

Male – 42%

Prefer not to say – 4%

Ethnic background

White background – 51%

Non-white background – 44%

Prefer not to say – 5%

School Type

Fee-paying school – 18%

Non fee-paying school – 61%

Outside of UK – 15%

Prefer not to say – 6%

University Type

Oxbridge – 5%

Non-Oxbridge – 89%

No answer – 6%

First Round Interviewees

Age

25 or under – 29%

26-36 – 55%

Over 35 – 16%

Ethnic background

White background – 58%

Non-white background – 39%

Prefer not to say – 3%

Sex

Female – 62%

Male – 35%

Prefer not to say – 3%

School Type

Fee-paying school – 39%

Non fee-paying school – 39%

Outside of UK – 6%

Prefer not to say – 16%

University Type

Oxbridge – 10%

Non-Oxbridge – 90%

Analysis and Improvements for the Future

We are delighted to have attracted so many applications from under-represented backgrounds and consider this to be a positive indication of the future face of our profession. We have analysed the data and realise and accept that there is a significant increase in those short-listed who were educated at fee-paying schools and those that attended Oxbridge universities.

We will consider the best way of reducing these advantages before the next application round, but an early suggestion is that we may "de-anonymise" the identity of the university attended by an applicant as well as whether the applicant attended a fee-paying or non-fee-paying school. We are acutely aware of the head starts that are given to those who pay for their education and those that attend an Oxbridge university. The ability to be trained to

interview, complete forms and exposure to network in circles relevant to an intended profession are all available to those that have paid for their education, which is in stark contrast to those that attend state schools. This is an imbalance that must be met with action by us to ensure a level playing field in any future assessment of a candidate on paper. We will consider our approach carefully over the coming months (including by redrafting our current mark scheme) to ensure that high achievers from non-privileged and under-represented backgrounds are properly rewarded when considering which candidates to shortlist for interview.

Feedback on successful and unsuccessful candidates

Application forms

The highest scoring candidates in the first round were all persuasive written advocates. Regardless of their background and experience, there was a strong correlation between first round interview offers, and candidates who could clearly and persuasively articulate why they wished to pursue a career at the criminal bar and why they wished to apply to Crucible.

We appreciate that it is very difficult for some to take time away from paid employment in order to undertake unpaid legal work experience. Our most successful candidates were not necessarily those who had managed to undertake a dozen mini pupillages. Instead, candidates were marked more highly for clearly explaining what they found useful and interesting about whatever legal work experience they had. In other words, a form with one or two mini pupillages with real insight is far more impressive than a lengthy series of mini pupillages which simply repeated the dates and location.

Crucible actively seeks to promote candidates from backgrounds which are currently under-represented at the Bar. We also seek to advance the careers of those who perhaps did not perform as well academically as they might have liked, and whose personal circumstances clearly prevented them from doing so. The most important thing to us is the potential that a candidate displays, not necessarily their black and white academic grades. Therefore, if candidates do have a genuine mitigating factor we urge them in strong terms to make sure it is recorded somehow on their application form. If a candidate feels able to explain, they

should include details not just of the mitigating circumstance, but also what impact it had (as such matters are not always obvious to those marking forms).

Do not be afraid to show a little of your character in your application forms. If you are truly passionate about some kind of hobby or activity, please feel free to tell us so, and show us why it is important to you. We hope to be in chambers with our successful candidates for decades to come, so do not be afraid to show us who you really are.

Less successful candidates used the form to tell us what they wanted to say, as opposed to answering the questions we were actually asking. More than one candidate used sections such as "why do you want to be a barrister?" to give further details of previous academic accomplishments, or boast about other achievements. We are of course interested in what candidates have to say, but in the application process we are testing for those who will be successful at the Bar – understanding the point of a question, responding to it, and focusing on topic are all important qualities of the profession.

A number of candidates clearly rushed their applications and copied and pasted answers from one form to another. Multiple candidates gave long convincing answers about why they wanted to join other sets in the "Why do you want to join Crucible?" section. None were offered interview.

Conversely, 10 minutes spent on our website, picking out key themes of our approach and practices, and setting out what you have learned about us, and what you found interesting, went a very long way.

First round

The first round interview was in three parts:

1) An advocacy exercise candidates received in advance
2) A topical question about law or recent news, chosen randomly
3) A general chat, time permitting

Candidates shortlisted for a second round interview performed well across all three of these areas, but especially the first.

The advocacy exercise was a bail application. The Crown opposed bail and our interviewees, acting as defence, were asked to respond. We intentionally included two good submissions from the Crown and one poor submission to test candidates' judgement in responding. The best candidates prioritised which of these submissions to address in full, and which did not require too much scrutiny.

The very best candidates addressed the legal test in the Bail Act, and used that as a foundation upon which to attack the Crown's opposition with targeted, structured submissions. As candidates received the papers three days ahead of the interview, we were glad to see that many had used this time well. The highest performing candidates also performed well with judicial intervention. Less successful candidates were derailed or distracted by judicial intervention – or ignored questions altogether and simply continued with their planned submissions.

The topical questions were on the whole answered well. We were surprised that some candidates were not aware (at that time) of the impending No Returns action that the criminal bar was considering. Other candidates appeared to have shown little awareness of recent news developments. The topical questions were used as a means to assess a person's ability to express an opinion on a current affairs topic, and potentially defend a position they took in relation to it.

In the final section of the interview, candidates who were unafraid to be themselves and actually engaged with interviewers for a bit of a chat, scored most highly. We recognise however that everyone reacts to the pressures of interviews differently, and have had different advantages in preparing, so this section was not weighted heavily.