

Challenges facing the Junior Bar

By Christopher Wood & Kylie Day

In the early years of practice, barristers face a variety of practical challenges and decisions. Foremost among these are acquiring good accommodation, building good relationships and a self-sufficient practice, and managing one's practice effectively and efficiently. At a time when the number of practising barristers is in flux, with some reassessing or reinventing their practices in light of the effect of recent legislative reform, what has been the perceived wisdom on some of these matters in the past may be ripe for review.

A room of one's own

The question whether to license or purchase a room on a floor, and if so, where and when, can be a vexed one. Moreover, it may need to be answered swiftly when an opportunity presents itself. And how does one find out about such opportunities, if one is interested? Although the Bar Association web site includes a page listing chambers for sale or license, and sometimes flyers are sent to members directly, it seems that many opportunities to license or buy a room arise by word of mouth or invitation only. So, should one take the initiative and express interest in a particular room or floor? And if so, how?

If there is a particular floor you are interested in joining, you can approach the clerk. There is no reason not to express an interest in a floor, and ask to be notified if a room is likely to become available.

Whether any particular choice of accommodation is a long term one or a short term one, what the nature of the barrister's commitment is, and what the implications may be for a barrister's practice, are also matters of speculation and concern. In particular, you need to decide whether the arrangement being offered, be it leasing, buying, licensing or floating, meets the current needs of your practice and that what is on offer (including non-obvious costs) meets your budget.

Understandably, there is a desire among new barristers to be as informed as possible about the range of accommodation options, and their advantages and disadvantages. The New Barristers Committee recently organised an evening seminar, in which Mary Walker SC and Geoff Hull, the clerk of 8th Floor Wentworth Chambers, addressed frequently asked questions in relation to licensing and purchasing chambers. One of the key points that emerged from this seminar is the need to research the right questions to ask, and the factors that will affect the level of overheads in the short and medium term.

Building relationships in and out of court

One of the challenges in the early years of practice is to move from devilling for others, to having an independent practice supported by relationships with solicitors, barristers, clerks and others, from whom work flows to the barrister in his or her own right. Many of the contacts a barrister will initially have are with regional practitioners and small firms. One of the toughest challenges facing young barristers is developing a relationship with the larger or specialist firms. These contacts may be sought after for a number of reasons, including access to larger and more lucrative cases, and an improved ability to build a practice in a specialised area.

Equally important to a new barrister's practice is getting into court regularly, so as to become comfortable in the role of advocate, and to learn those things only experience can teach. It is also the best way to develop relationships of trust with the Bench and court staff, and with practitioners acting for other parties.

At a recent CPD seminar on 'Marketing your practice', Paul Daley, the clerk of Eleventh Floor Wentworth/Selborne Chambers and Fifth Floor St James' Hall Chambers, commented that one source of new work may well be those on the other side of a matter. So getting into court regularly may also be one way of meeting the challenge of expanding and improving sources of work.

Practice management

For many, commencing practice at the Bar coincides with a transition from being an employee to running one's own practice. That may involve dealing directly with matters such as accounting, billing, GST, professional liability insurance, and recovery of fees, for the first time. While presentations are given on some of those topics to readers during the Bar Practice Course, and there are now available software packages tailored specifically to barristers, matters relating to practice management remain of concern to new barristers, as is reflected in some of the projects being undertaken by the New Barristers Committee.

Other challenges

Like any other modern workplace, the junior bar faces the challenge of balancing work and family commitments, while maintaining one's health. Being in control of your diary and the work you accept (to some extent), has the potential to allow greater flexibility in this regard than many other fields of work.

Taking up the challenge

By Louise Byrne

The challenges faced by women coming to the Bar are to a large extent the same challenges faced by men coming to the Bar. Those challenges were aptly summed up by Christine Adamson SC in her address to the 2004 Bench and Bar dinner:

I regard the Bar as a good place to practice law, whether one is male or female, if one has a certain temperament and intellect, and doesn't mind anxiety attacks, insomnia, working on Sundays and irregular cashflow.¹

It is salutary for new barristers to bear in mind the downsides while not being discouraged, because, on balance, the Bar is to be highly recommended as a good place to practice law. It can even be fun at times.