

TECBAR

Chairman

Alexander Nissen QC
Keating Chambers
15 Essex Street
London
WC2R 3AA

anissen@keatingchambers.com

+44 (0) 20 7544 2600

Vice-Chairman

Rachel Ansell QC
4 Pump Court
Temple
London
EC4Y 7AN

ransell@4pumpcourt.com

+ 44 (0) 20 7842 5555

Secretary

Jessica Stephens
4 Pump Court
Temple
London
EC4Y 7AN

jstephens@4pumpcourt.com

+ 44 (0) 20 7842 5555

Treasurer

Peter Brogden
Keating Chambers
15 Essex Street
London
WC2R 3AA

pbrogden@keatingchambers.com

+44 (0) 20 7544 2600

10 October 2017

Dear Sir or Madam

TECBAR Marshalling Scheme 2017-2018

I write to invite applications for places on the TECBAR Marshalling Scheme for 2017-2018. The aim of the scheme is to enable junior barristers who are interested in developing a practice in technology or construction law to spend a week with a TCC Judge during pupillage or in the first few years of tenancy. Whilst the scheme was in the past aimed primarily at pupils, it is now recognised that the marshalling experience is at least as beneficial (if not more so) during the early years of practice. Applicants must be either TECBAR members or current or future pupils of a TECBAR member.

We are now able to offer marshalling in the Manchester TCC in addition to the London TCC.

Marshals spend up to a week in the London or Manchester TCC reading papers in the Judge's chambers, hearing submissions and evidence from the bench and discussing the matter with the Judge thereafter. Subject to timetabling, it is intended that each marshal will spend time with each of the Judges sitting in the TCC during their week.

The feedback we have received from previous marshals has been universally positive. For example:

"During my week in the TCC I saw a 3-day jurisdictional application in an international energy dispute and a CCMC in a high-value multi-party domestic construction dispute. I read the papers, observed the proceedings and then discussed the matters with the judges (Mr Justice Fraser and Mrs Justice Jefford). In both cases I witnessed the parties and their advocates marshalling their materials, working together, presenting their arguments and responding to the judges in remarkably different ways. Because as a marshal you get to witness so many ways of working in a relatively short time you can truly compare them and start to reflect on what you think might be more (or less) effective. And then the real insight comes: albeit briefly, you get the chance to discuss your comparisons and reflections with someone whom those various ways of working are designed to influence. Speaking as an advocate, getting any first-hand sense of how judges respond to different methods, different strategies and different temperaments is quite invaluable. For that alone I would heartily commend the

TECBAR marshalling scheme to anyone practising in technology and construction law.”

“... it was invaluable experience to gain insight into how the Judges approach high-value, complex cases. ... I observed the opening speeches and cross-examination of a key witness in ... a claim arising from a management contract and potential joint venture agreement. I discussed the key elements of the case with the Judge, and how Counsel approached them. By observing how the case progressed and the Judges’ consideration of different elements, I saw how the Judges analysed the strength of each parties’ submissions. The experience of marshalling during Interim Applications demonstrated the importance of focussed advocacy during short hearings. I had the opportunity to discuss Skeleton Arguments with Mr Justice Akenhead, and how to draft in an effective, persuasive way. I would highly recommended the TECBAR Marshalling Scheme ... marshalling provides an outstanding lesson in both advocacy and drafting.”

“...an unparalleled opportunity to gain a “judge’s eye view” of a wide range of experienced advocates delivering submissions in an equally varied range of styles. Not only does it provide the chance to observe and pick up advocacy techniques first-hand, it also provides an opportunity...to learn from the mistakes that can be made even by the very best! ... the scheme provides an experience that really cannot be recommended highly enough...”

I would be grateful if you would bring the Scheme to the attention of your pupils and junior tenants. I hope that they will be able to participate.

The scheme will run throughout the academic year 2017-2018, excluding Court vacations. The weeks currently being offered by the London TCC for TECBAR marshals are the weeks commencing:

- 23 October 2017
- 30 October 2017
- 20 November 2017
- 4 December 2017

I expect dates for 2018 to be released by the London TCC later this year. There are currently no specific weeks for the Manchester TCC.

Places will be allocated in the order in which applications are received, subject to an overriding concern to ensure a reasonable distribution of places across the sets from which applications are received.

Please note that the manner in which the Bar Standards Board has approached the Scheme so far has been to refuse to allow marshalling to count towards the first (non practising) six months of pupillage, but to permit it to count towards the second (practising) six months as a period of external training. It is likely therefore that pupils would prefer to participate in the Scheme after they have completed their first six.

Applications should be sent to me, preferably by email to winser@crownofficechambers.com, or alternatively by post or DX to Crown Office Chambers, 2 Crown Office Row, Temple, London EC4Y 7HJ (DX 80 London/Chancery Lane).

Applications should:

- confirm that the applicant is a member of TECBAR (or, if the applicant is a pupil, give the name of the TECBAR member who is or will be the applicant's pupil-supervisor);
- indicate whether the application is for London or Manchester;
- if the application is for London, indicate the weeks from the list above during which the applicant will be available to marshal (or that the applicant would like to be considered for a slot in 2018);
- if the application is for Manchester, indicate which weeks the applicant will be available to marshal;
- include a copy of the applicant's CV so that the Judges have some information about their marshals.

If you have any further questions, please email or telephone me on 020 7797 8100.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Crispin Winsor', with a stylized flourish at the end.

Crispin Winsor