

THE GENERAL LEGAL COUNCIL (GLC)

GUIDELINES FOR PUPILLAGE

These Guidelines are made pursuant to section 8 of the Legal Profession Act, 1960 (Act32).

INTRODUCTION

Pupillage is a form of legal apprenticeship mandated under section 8 of the Legal Profession Act, 1960 (Act 32). A newly qualified lawyer shall not be issued with a solicitor's licence unless the General Legal Council (the "Council") is satisfied that since qualifying as a lawyer, that person has read for a period of not less than six (6) months in the Chambers (including law firms) of another lawyer approved by the Council; of not less than seven (7) years' standing.

Pupils are not employees of the Chambers. Pupillage offers an excellent opportunity to acquaint oneself with the procedural elements of the field of choice as well as the environment one would be expected to work in. It also serves as an exploratory exercise for new lawyers who may be uncertain which field of law they would like to specialize.

1.0 COMMENCEMENT OF PUPILLAGE

Newly qualified lawyers may commence their pupillage at any time after their enrolment to the bar. However, once commenced, it shall be continuous. If a break is necessary, it shall be with the consent of the Head of Chambers and the pupil shall continue from where the pupillage ended. In any case, a break may only be permitted on the basis of medical indisposition when the pupil has served more than half of the pupillage term.

The pupillage period shall not be split between two (2) Chambers.

2.0 APPLICATION

A newly qualified lawyer shall apply to any chambers approved by the Council to serve pupillage. Chambers are not obliged to accept lawyers as pupils. Pupils are not obliged to continue their legal practice with the same Chambers where they served their pupillage.

3.0 COMPLETION

Once the required duration for pupillage has been served, the pupil shall procure the signature of the Head of Chambers on a completion form confirming that the pupil has duly served the pupillage. A copy of this form shall be submitted to the office of the Judicial Secretary.

4.0 CODE OF CONDUCT

As lawyers, pupils are expected to conduct themselves with decorum. Pupils are bound by the code of ethics enshrined in the Legal Profession Act, 1960 (Act 32) and the Legal Profession (Professional Conduct and Etiquette) Rules, (LI 613). Pupils are advised to refer to both Act 32 and LI 613 as their guiding principle in all matters regarding ethics and good practice.

5.0 DRESSCODE

All pupils shall abide by the profession's traditional dress code. For the avoidance of doubt, all pupils shall conduct themselves in a manner that promotes respect for the legal profession as well as the Ghanaian Courts. All stakeholders including Judges, Heads of Chambers and the Ghana Bar Association are responsible for ensuring the proper appearance of pupils at all times.

6.0 CLIENT CONFIDENTIALITY

Pupils shall respect client confidentiality. They are bound by a duty of confidentiality and professional secrecy while dealing with their supervisor's clients. Any information that a pupil becomes privy to shall remain confidential, even after the pupillage has ended.

7.0 OBLIGATIONS OF PUPILS

Pupillage is a full-time endeavour. All pupils shall be accountable to their Heads of Chambers. In addition, all pupils shall:

- 7.1 Report at their Chambers daily throughout the working week and spend a minimum of eight (8) hours daily.
- 7.2 Be punctual in reporting to their Chambers.
- 7.3 Show industry, commitment and determination to succeed.
- 7.4 Perform every assignment given to them with a high sense of urgency, integrity, commitment and loyalty.
- 7.5 Not engage in any sexual relationship with staff and clients of the Chambers and shall not make any informal complimentary, abusive, provocative or prejudicial remark against any staff or client at the Chambers.

8.0 OTHER OBLIGATIONS OF PUPILS

- 8.1 A pupil who is absent from Chambers for a cumulative duration of five (5) working days without permission shall be considered to have terminated the pupillage.

8.2 A pupil who is absent from Chambers for a cumulative duration of three (3) weeks on grounds of medical indisposition certified by a qualified medical practitioner or who for any other reason becomes incapable of continuing with pupillage:

- (a) Shall have the pupillage suspended by the Head of Chambers until the pupil is fit to resume work where the pupil has served more than half of the pupillage term. In any case, pupillage shall only be suspended for a maximum cumulative duration of three (3) weeks.
- (b) Shall have the pupillage terminated where the pupil has served less than half of the pupillage term. The Pupil will be required to make a fresh application to any Chambers to restart the pupillage when the pupil is fit.

9.0 OBLIGATIONS OF HEADS OF CHAMBERS

Heads of Chambers shall:

- 9.1 Refrain from engaging pupils as employees or independent contractors.
- 9.2 Provide a pupil with a monthly allowance.
- 9.3 Adhere to the training areas attached to these Guidelines as Appendix “A”.
- 9.4 Serve as a role model and engage the pupil adequately in order to equip the pupil to perform competently during the early years of practice.
- 9.5 Ensure that there is sufficient volume of appropriate work available to provide suitable training.
- 9.6 Ensure that not more than two (2) pupils are assigned to a pupil Supervisor at a time.
- 9.7 Not engage in any sexual relationship with the pupils in the Chambers and shall not make any informal complimentary, abusive, provocative or prejudicial remark against any pupil.
- 9.8 Provide regular feedback to pupils on assigned tasks.
- 9.9 Undertake a competent assessment/formal appraisal of Pupils at least two (2) times before the completion of the pupillage. The appraisal shall be

carried out by the Head of Chambers together with two other Legal Practitioners of the Chambers, one of whom shall be appointed by the Pupil.

All documents relating to the appraisal of a Pupil shall be kept for a period of seven (7) years. A copy of the appraisal results shall be submitted to the office of the Judicial Secretary.

9.10 Treat all Pupils in the Chambers equally and avoid any form of bias or discrimination based on gender, race, disability, religion or age.

9.11 Ensure that pupils are free from all forms of threat or harassment, (including sexual harassment) molestation or any indecent behaviour in the Chambers.

9.12 Maintain a high sense of morality and decorum in dealing with Pupils of the opposite sex.

9.13 Not make any informal abusive, provocative or prejudicial remark against any pupil.

9.14 Put in place an internal complaint and grievances procedure for pupils and Pupils' Supervisors.

9.15 Ensure that all pupils undergo a rotational system in the Chambers. Small Chambers may devise a system of training that touches on both corporate and courtroom practices

10.0 NON-DISCLOSURE AGREEMENT

Heads of Chambers shall ensure that pupils sign a non-disclosure agreement before the commencement of their pupillage in order to protect the interests of their clients.

11.0 NON-COMPETITION

For a period of up to two years following the completion of pupillage, a pupil shall not directly or indirectly induce or poach the clients of his/her Heads of chambers.

12.0 EFFECT OF TERMINATION OF PUPILLAGE

Notwithstanding any other provision in these Guidelines, upon termination, a pupil shall be entitled to make a fresh application to any chambers to restart pupillage.

13.0 COMPLAINT PROCEDURE

Every attempt should be made to resolve all grievances at the Chambers using its internal grievances procedure. Failing this, any aggrieved party may lodge a complaint at the Secretariat of the General Legal Council for redress.



APPENDIX “A”

STRUCTURE OF PUPILLAGE PROGRAMME

Upon completion of pupillage, a pupil must have the following minimum core skill sets:

CHECKLIST OF SKILLS

CORE SKILLS	REMARKS
1. Conduct and etiquette (advocacy)	Witness handling during trials;
	Preparation for oral advocacy on motions; Narrative advocacy during trials or other hearings; Preparation for appeals and Competence in exercising rights of audience
2. Drafting and Legal Research	Drafting letters, pleadings, witness statements and affidavits that are clear, precise and achieve their purpose; Preparing accurate and concise opinions; Conveyancing practice; Corporate practice; and Ability to find solutions by investigating the factual and legal issues, analyzing problems and communicating the results of the research.
3. Conferences and negotiations	Relevant skills needed in conferences and negotiations; understand the processes involved in both contentious and non-contentious negotiations, appreciate the importance to the client of reaching an

	agreement or resolving a dispute
4. Communications skills	Ability to conduct a purposeful and appropriate oral and written communication.
5. Client care and practice support	Develop the skills required to manage time, effort, resources as well as the professional conduct and the integrity of the pupil.
6. Case and transaction management	Skills in competently managing and running a case or a transaction.
7. General Office/firm administration and management	Develop the skills for running the Chambers efficiently.

DATED IN ACCRA THIS 28TH DAY OF FEBRUARY, 2020