

Challenges in the world of a junior barrister: accommodation

By Nicholas Smith, Blackstone Chambers

Junior barristers face many challenges, with one of the most significant being accommodation. From the beginning of readership and, for many barristers, years afterwards, practice is accompanied by a ticking clock, counting down until the day when they are kicked out of their accommodation, licence or annex and/or be presented with the ultimatum of 'buy in or leave'. While the bar can be a meritocratic profession, life can be made significantly easier if accommodation that is pleasant, close to supportive colleagues, and reasonably priced can be found.

With these issues in mind the New Barristers Committee presented a seminar focussed on navigating accommodation issues for junior barristers, targeted at new readers and junior barristers, with clerks Michelle Kearns (Martin Place Chambers) and Nicholas Tiffen (7 Wentworth Selborne) and junior barristers Jeff Rose (Level 22 Chambers), Graham Connolly (Blackstone Chambers), and Theresa Dinh (6 Selborne Wentworth) providing attendees with the benefit of their experiences. While the seminar was replete with practical information about the challenges of moving chambers, buying in and licensing, the key conclusion reached by most of the participants was that finding accommodation is not simply a question of bricks and mortar. Rather success can be found by taking active steps to meet people and market oneself in order to create a space to practise as a barrister successfully. Unless a junior barrister is particularly fortunate, clients, mentors, colleagues and accommodation don't come by sitting at a desk, they come by actively seeking those opportunities out.

All moves between chambers involve three steps. They are:

- finding accommodation;
- moving to new accommodation; and
- making that accommodation work for you.

Finding accommodation

One of the key points that came out of the seminar was that when looking for accommodation, it pays to do more than simply look on the Bar Association website or ask friends. It is always worthwhile to speak with clerks in particular chambers to see if there is a vacancy and/or ask to be notified if a room becomes available. When talking to a clerk, ask about how



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the chambers operates in terms of overheads, buying in and support to junior barristers. Clerks may also know about possible licensing options, both in their chambers and other chambers, and whether there is likely to be competition for any upcoming vacancy. It is also worthwhile talking to barristers in a desired chambers for the same reasons.

It is equally important to ensure that the chambers fits the barrister. A wrong decision about which chambers to move into can cost a barrister time and momentum as they attempt to build their career from a secure base. Does the chambers have fellow barristers that are agreeable? Does it contain

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barristers who you would want to work with or are doing similar work? Is it a specialist chamber and if so does that speciality appeal? Equally it is important to work out what commercial arrangement is being entered into. What are the terms of the licence? How does the annex operate? Is there an expectation that the incoming licensee will be required to buy into the chambers at a particular time and what price?

These issues are magnified if a barrister is considering buying into the chambers, which in some cases can involve an investment of several hundred thousand dollars. When a barrister buys into a chambers the first question is 'what are they buying?' Is s/he buying into an entity that owns the floor the chambers is located in or one that is renting office space? What is the level of clerk's fees and if low, does that mean that the chambers has underinvested and/or has potential financial liabilities? Is the chambers likely to need costly renovations, necessitating a levy on members?

Equally before buying, a barrister must consider their personal circumstances. Are they able to finance a purchase of a share of the chambers? As noted in the seminar, it may be easier to obtain finance secured against the shares of a chambers when the chambers, such as the ones located in the Selbourne/Wentworth building, owns the bricks and mortar, compared to a chambers that is renting office space from a landlord. A clerk may be able to advise a prospective member about the best way of finding finance. It also should be noted that when buying into a chambers a barrister is accepting an obligation to make the required floor fee payment. If the barrister is contemplating taking a break from the bar (parental leave or otherwise), what are the prospects of finding a licensee who is willing to cover their obligations?

Making the move

When making the move it is important to not lose touch with clients and colleagues. Obviously it is important to keep clients notified of the change in address, but simple things like ensuring that e-mail to the previous chambers' address is forwarded to the new address and that the previous chambers has the new chambers' contact details should be in place before the move to ensure a smooth transition. Equally it is advantageous to not lose contact with colleagues from your existing chambers, be

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it inviting them to your drinks in your new venue, staying in touch with them over lunch or a few coffees or trying including them in your matters. If a barrister knows that further moves are likely (i.e. the new accommodation is temporary), then it may be worthwhile developing a personal brand that is separate from the chambers, such as personalised e-mail account, or personal website, to ease future transitions.

Making the move work

Moving chambers is both a risk and an opportunity. What a barrister may lose in not staying in chambers with colleagues who are aware of his or her skills, they may gain by the opportunity to work with new colleagues and a new clerk in developing their practice. While moving chambers can lead to uncertainty and be a distraction from building one's practice, it can also be an opportunity. A barrister who has moved chambers has the opportunity to demonstrate their skills and market themselves to different barristers and potentially different clients. He or she can also seek how different chambers operate and make a clear-eyed decision as to whether the chambers is a good fit over the long term.

Ultimately while accommodation issues can be an enormous distraction and are of great concern to many junior barristers, properly managed, the challenges of moving chambers and picking chambers can also be of benefit to a barrister's practice.