



**MINISTERIAL STATEMENT
To the Senate**

By

**Senator the Hon. Kathy L. Simmons, JP
Attorney-General and Minister of Legal Affairs**

Ministry of Legal Affairs' Pupillage Programme

Wednesday, 4 December, 2019

Madame President, it was just over a year ago that I shared with this honourable Senate that the Ministry of Legal Affairs had renewed its commitment to revive the Ministry's Pupillage Programme, which had fallen dormant under past administrations. Today, I am pleased to provide an update to Members and the public about the successes of the Ministry of Legal Affairs' 2018-2019 Pupillage Programme.

Madame President, the principal objective of the Pupillage Programme is to train up future Bermudian barristers and attorneys by providing a comprehensive and rigorous professional training opportunity within the Ministry of Legal Affairs' departments and sections. As Attorney-General and Minister of Legal Affairs, I recognise the unofficial stewardship of this title to be mindful of the state of the legal profession, including ensuring that there are sufficient opportunities for Bermudians to access a career at the

Bermuda Bar. I recall being approached by several young, talented and tenacious young Bermudians with law qualifications (and their parents) lamenting that pupil training places were not available within government. In fact, pupil places within the private sector had also dried up—all, unfortunately, due to budget constraints and fiscal conservatism.

Madame President, I must emphasise that for a person to be admitted to the Bermuda Bar to practice as a barrister and attorney within Bermuda, they must satisfy the requirements of section 51 of the Supreme Court Act 1905. One of those requirements is that such persons must undergo and complete a period of lawful pupillage of not less than 12 months. Thus, if across Bermuda's legal profession there are very few pupil places, otherwise qualified Bermudians will be barred from entering the legal profession. Yet, at the same time, foreign lawyers are able to obtain work permits to practice law in Bermuda. Such a barrier to entry into the legal profession for Bermudians is unsustainable. Not to mention, in the longer term, it discourages Bermudian's interest in pursuing a career in law and impacts families who sacrifice so much to send their children overseas to the UK, Canada or the Caribbean to obtain their legal qualifications.

Madame President, I pause here for a snippet of history. None other than Bermuda's National Hero, former Attorney-General, and Bermuda's first female lawyer, Dame Lois Brown-Evans, created the first formalised Ministry of Legal Affairs pupillage training programme. It is through Dame Lois' vision, foresight and legacy, that the Ministry of Legal Affairs can take credit for developing many of the finest legal minds in

government and beyond. Notable formal pupils are the current Deputy Solicitor General, Shakira Dill-Francois and the Deputy Director of Public Prosecutions, Cindy Clarke.

Madame President, there are many advantages of a pupillage with the Ministry of Legal Affairs, including exposure to several different departments and legal areas under the Ministry's umbrella:

- in the Department of Public Prosecutions and the Legal Aid Office, pupils get exposure to the full range of criminal law advocacy;
- within the Civil Advisory Section of the Attorney-General's Chambers, pupils gain experience in advising government departments on a range of administrative law and civil law matters as well as judicial review proceedings and civil advocacy;
- the pupils' time in the Legislative Drafting Section of the Attorney-General's Chambers allows them to provide support and assistance to Parliamentary Counsel whose role is to translate the policies of the Government into legislative provisions.

Madame President, the pupils gain hands-on experience in all these areas, building up a breadth of knowledge of Bermuda law and practice over the 12 months' programme. A unique feature of the Ministry's pupillage programme is that each pupil has input to divide their placements based on their individual interests and future career paths. They also have an edge over pupils in private practice, because of the invaluable insights they gain into the inner workings of government. Pupils, like their supervising

Counsel, work right alongside senior government officials contributing to the operational and administrative aspects of the public service.

Madame President, I am overjoyed to announce that our most recent cohort of four (4) pupils, have successfully completed the programme. Each were confirmed by their Pupil Masters to be exemplary in their competencies and fit and proper to enter the legal profession. They are all now called to the Bermuda Bar as Barristers and Attorneys, Notaries Public and Commissioners for Oaths.

I encourage this honourable Chamber to take note of: Janae Nesbitt, Shi-Vaughn Lee, Jason Outerbridge and Tiné Tucker. Four barristers with exciting and storied futures ahead of them at the Bermuda Bar. I want to publically praise each one of them for having excelled during their pupillages; for the impact and quality of their contributions to each area they matriculated through; and for pushing themselves past their comfort zones, thereby refining their skills and competencies. Furthermore, they have all conveyed an interest in remaining in Bermuda to launch their professional careers and a commitment to public service. The pupils start the programme with no expectation of future employment, however we are actively working with each of them to find suitable posts across government within existing budget allocations.

Madame President, when canvassed for their feedback, pupils attest to the unmatched wealth of experience that pupillage with the Ministry provides. Acknowledgement is given of the rich range of exposure as previously detailed, over pupillage within private sector law firms. Additionally, pupils highlight the value of the abundance of advocacy opportunities and their involvement in litigation, drafting and advocacy with tremendous

public impact and/or of national importance. The former pupils attest to feeling confident that the programme has sufficiently equipped them to enter practice and prepared them for the rigors of criminal and civil advocacy.

Madame President, the feedback from our outgoing pupils has informed improvements for the next intake of pupils. Currently, the Ministry has received eight requests for pupillage; and has obtained approval to hire three (3) new pupils. The cost per pupil is about \$78,200 (not including benefits). We anticipate our next cohort will commence training in January 2020. That recruitment process is pending.

Madame President, it is anticipated that continued success of the pupillage program will provide a route to the legal profession for the most qualified Bermudian applicants, and over time ultimately reduce the government's need to recruit foreign lawyers. Cultivating a culture of legal expertise requires planning toward domestically meeting the demand for legal services, notwithstanding perennial budgetary constraints.

Madame President, I wish to close by thanking Counsel within the Ministry of Legal Affairs who served as Pupil Masters and provided the pupils with an opportunity to work under their supervision and guidance throughout the programme. The Pupil Masters for the 2018-2019 Pupillage Program were Deputy Solicitor General (Shakira Dill-Francois); Crown Counsel (Lauren Sadler-Best); former Crown Counsel Specialist (Larissa Burgess); Crown Counsel (Maria Sofianos) and Acting Senior Legal Aid Counsel (Charles Richardson). Although Pupil Masters had ultimate supervision of the pupils, all

Counsel within the Ministry generously volunteered their time, instruction, advice and words of encouragement to the pupils. They, too, deserve recognition.

Finally, training highly skilled Bermudians and investing in Bermuda's future is my priority. In a climate where well educated Bermudians have found it difficult to get their foot in the door, and the hiring of non-Bermudian lawyers continues to grow, this is a vital programme which must continue. I look forward to updating the Senate regarding future programme developments and successes.

Thank you, **Madame President**.