

FOX SCHOLARSHIP REPORT

It does not seem so long ago that I received a letter from the Fox Fund. I remember feeling excited at the thought of living in London England but also trepidacious about the prospect of spending a year at the Inns of Court. Little did I know at the time how incredibly lucky I really was.

When we arrived in late September, Howard and I were greeted by Carolyn McCombe (the Chief Clerk at 4 Pump Court). Mrs. McCombe is an extremely efficient and welcoming administrator. Christa Richmond, the Middle Temple Under Deputy (Education), was also in attendance. Mrs. McCombe took time to explain how the year would unfold and what our responsibilities would be. Mrs. McCombe then released us into the custody of Mrs. Richmond who generously took us on an informal tour of Middle Temple Inn.

Middle Temple Inn

Ducking into a small unmarked door off of the Strand, we discovered a hidden world of cobblestone paths and narrow alley ways lit by gas lanterns. Middle Temple Inn is a magical place. Of the four Inns, it is the only one that still has its original Hall. Middle Temple Hall was built in the 16th century. It was the site where William Shakespeare's Twelfth Night premiered. It was in Middle Temple gardens that the phrase "war of the roses" was borne in William Shakespeare's Henry VI. It was at Fountain Court in Middle Temple where Ruth Pinch meets her lover in Charles Dickens' Pickwick Papers. It is truly an extraordinary place and I still revel at the thought that I had an opportunity to be part of a place so steeped in history.

4 Pump Court

I began my year sitting at the opposite end of Tony Temple QC's desk. Tony Temple is not only a distinguished member of the Bar; he is also one of the UK Fox Trustees. Having been part of the Fox Fund since its inception in 1985, Tony had considerable insight into the program and the former Scholars. He was both welcoming and helpful.

On my first day, Mr Temple took me for lunch at Inner Temple Hall. Sitting at a table with some of the most senior members of the Commercial bar, I listened to war stories and anecdotes of great trials gone by. I was in sheer awe of the depth of experience these Barristers carried. Most of them had been at the Bar longer than I was alive.

After lunch I was treated to a brisk walk around Inner Temple Gardens. Tony briefly pointed at a shield in the Dining Hall and then to the initials on one of the wrought iron gates in the gardens. I later found out that Tony Temple's father had been a very distinguished member of the Bar and the Treasurer of Inner Temple at one time.

We returned to Chambers and work continued. Although there were no trials scheduled for the fall, Tony was steeped in preparations for a large contractual dispute that was to be heard in March. There were also various motions and applications that were constantly springing up.

In addition to shadowing Tony, I was encouraged to follow other members of Chambers. I followed Clair Packman on a small trial in the Construction Courts. I also had an opportunity to see Christopher Moger QC (Head of Chambers) in front of the gaming tribunal. Mr Moger QC made closing submissions in a dispute over a casino license. The opposing counsel was very bombastic and vociferous in his submissions. Mr Moger QC responded with a tempered understated elegance. Watching Mr Moger QC taught me the importance of knowing one's audience. It was an extraordinary learning experience.

The culture at 4 Pump Court was a warm and collegial one. Barristers at all levels took great efforts to welcome me. There were numerous social events and dinner parties. Mrs McCombe was exceptionally kind to me. She went out of her way to plan a Chambers' drinks for my 30th birthday. Tony was also extremely kind and considerate. He continually went out of his way to ensure that I was making the best of my time in London. When he found out that I was interested in theatre and music, he inquired about operas and theatre on my behalf. Tony and his wife Susie also invited Howard and I into their home for dinner.

In November, I decided to take the Middle Temple Advocacy Course. The course was taught by senior members of Middle Temple Inn. The course was intended for pupils in anticipation of their "second six." Unlike Canada, the English pupillage system is divided into two parts: the first six and the second six. The first six is very similar to our year of articling; pupils sit with their Pupil Masters and assist them on legal research. In the second six, however, pupils have right of audience and are encouraged to take carriage of files on their own.

The course was an incredible learning experience. Each student had an opportunity to hone his or her witness-handling skills in front of seasoned barristers in a workshop format. The level of teaching was far above anything I had experienced in the various mooted exercises I had done in law school. Moreover the caliber of students was also far above anything I had encountered in Canada. I was immensely grateful and humbled to be able to participate in the course.

The Old Bailey

In December, I sat with Judge Gerald Gordon in the Old Bailey Central Criminal Court. I had an opportunity to see a murder trial in which a pair of 19 year-old twins were accused of murdering their 78 year-old grandmother for £100 in old Sterling notes. The twins were both convicted and sentenced to life in prison. It was a surreal experience to sit on the bench beside Judge Gordon and watch counsel make their submissions.

Judge Gordon was also a very welcoming and kind host. He invited me to the Judges' Christmas Carol Service at the Old Bailey Chapel. It was a beautiful service that ended in a reception with the Lord Mayor. As I was munching on a minced pie and sipping on mulled wine, I was presented to the Lord Mayor and his wife. I bowed politely. Everyone was dressed in ceremonial garb - bright colourful velvet robes and beautiful ornate medallions. It was a truly memorial evening.

My time at the Old Bailey rekindled my interest in Criminal law. The Barristers exercised a level of advocacy and witness handling that I'd never seen before. During the trial, I was invited to have lunch with the Prosecution in the Barristers' mess. The collegiality in the English Criminal Bar was quite amazing and something that we at the Ontario Criminal Bar could certainly learn from. Because Barristers are self-employed, it was quite common for a Barrister to oscillate between prosecution and defence. As a result, there was no friction between Prosecutors and Defence Counsel. In many ways, my time at the Old Bailey was a turning point in my year as I began to reevaluate my decision to practice commercial law.

Essex Court Chambers

After Christmas I began my second set at Essex Court Chambers with Paul Stanley. Essex Court Chambers is one of the leading Commercial Sets in England. And Paul Stanley is one of "the cleverest barristers at the Commercial Bar." Needless to say, I was quite grateful to have an opportunity to sit with Paul at Essex Court Chambers.

When I arrived Paul was in the midst of preparing for a 6 week trial that was to start at the end of February. The case involved allegations of fraud between Swiss investors, Nigerian government officials and the Russian Government. I spent the better part of my first month assisting in the preparations and reading up on the case. To my dismay the trial was adjourned for a year just 2 weeks before it was to commence.

6 King's Bench Walk

With little left to do, I explored the possibility of sitting in a Criminal Set for the remainder of the winter term. While I was at the Old Bailey, I had an opportunity to meet Barristers from 6 King's Bench Walk, a leading Criminal Set in London. I contacted Anthony Leonard QC about the possibility of sitting with him or another criminal barrister for a month and a half. I then met with Bruce Holder QC, head of the pupillage committee, and the other members of the pupillage committee. They graciously welcomed me and allowed me to follow one of their leading silks, David Fisher QC in a six week jury trial.

The trial involved the murder of a 4 month old baby, Ayesha. The accused were Ayesha's mother and Ayesha's mother's boyfriend. I had an opportunity to see the trial from beginning to end— from plea discussion to sentencing. Due to other unforeseen circumstances, the Crown Prosecution Service (the solicitors in our case) were unable to assist Mr Fisher QC throughout the trial. As the only licensed solicitor on the team, I happily assumed the role of solicitor throughout the trial. Both accused were convicted on all counts. Watching Mr Fisher QC was an extraordinary learning experience. While everything seemed so effortless in front of the judge and jury, Mr Fisher QC worked tirelessly behind the scenes throughout the trial. A seasoned barrister of 35 years, he taught me the importance of preparing well in advance and knowing one's case.

At the end of the trial, Judge Gordon organized a formal tour of the Old Bailey. Howard and I had an opportunity to spend the afternoon with a historian of the Old Bailey. Our guide explained the history of the Old Bailey. The Old Bailey was built

on the grounds of Newgate prison. Newgate prison was known as one of the most nefarious places in English history. We were guided through the cells in the basement, showed the original sentencing records where convicts were sentenced to Australia and led down the narrowing corridor of hangman's walk. It was a truly fascinating afternoon.

Fountain Court Chambers

After Easter I began my final set at Fountain Court Chambers. I had an opportunity to sit with an excellent barrister, Rosalind Phelps. Rosalind was a skilled advocate and a kind pupil mistress. She was considerate and respectful, taking great pains to ensure that I always had something interesting to do. While at Fountain Court, I had an opportunity to dabble in several areas of law: aviation law, employment law, contract law, conflicts law and commercial arbitration. I also had an opportunity to sit with Akhil Shah and Andrew Mitchell QC.

While sitting with Akhil Shah I assisted on an aviation trial for 10 days. The issue in the trial was the meaning of the term "engine maintenance" in an aviation leasing contract. Akhil was an exceptionally bright barrister and advocate. He always knew how to distill a complicated issue into a simple point. Observing Akhil, I learned the importance of making crisp submissions and the power of brevity.

I found my experience at Fountain Court Chambers to be the most stimulating and challenging of the three sets. I had an opportunity to really engage and learn about the common law. I found the culture to be very comfortable and respectful.

I ended my year sitting with Andrew Mitchell. Andrew was a very intelligent barrister. He was also very kind and extremely funny. Although I only sat with Andrew for two weeks, he taught me the importance of people skills and judgment. What makes a good barrister isn't just a mastery of the law but also an ability to exercise judgment and communicate effectively.

The Royal Courts of Justice

While sitting at Fountain Court, I had an opportunity to marshal with Justice McCombe and Justice Black. Justice McCombe sat in the Administrative Circuit dealing with matters of public administrative law. Justice McCombe was a very charming and kind man who warmly welcomed me into his Chambers for the week. As Justice McCombe was only sitting for 2 days he took great pains to find alternate arrangements for me. Justice Jill Black offered to take me on for the remainder of the week and some of the following week. Justice Black sat in the Family Circuit. Justice Black was an exceptional judge and a very distinguished member of the Family law Bar. She took the time to prepare copies of all the trial bundles for me. I had an opportunity to sit with her on a five day child custody order application. It was a fascinating case. Justice Black was incredibly patient and answered all of my rudimentary questions with genuine interest and concern. I very much enjoyed sitting with Justice Black.

Goodenough College

Another highlight of my year was my life at Goodenough College. The College has a long history. It was built for postgraduate students from the British Dominions studying in London. The residence is home to students from 30 or more countries around the world. Located in central London, admission is very competitive. As Fox Scholars we were guaranteed a place. I felt quite humbled to be around such accomplished and intelligent peers. It was a great place to meet people and a wonderful way to explore London. Because the residence is specifically built for students coming from abroad, there was a constant stream of social activities and cultural events designed to acquaint students with London. It was also nice to live in the same residence as my counterpart, Howard Krongold. As the year went on, we spent many nights exchanging stories and many days exploring London. When I look back on my year, my experience at Goodenough was a very memorable one. I cultivated many great friendships that I will no doubt carry on with me in life.

Conclusion

As I sit in my office here in Ontario, it's hard to believe that one year ago I was living in London England. As I look back on my year, I feel immensely lucky to have had an opportunity to learn from so many exceptionally bright and skilled members of the bar. More importantly, I feel immensely lucky to have had an opportunity to live in London and meet so many amazing people. It's hard to distill my year's experience into a single report but suffice to say it was a "smashingly" good time!