

# Pupillage Survey 2009/10

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BAR  
STANDARDS  
BOARD

REGULATING BARRISTERS

## An analysis of the backgrounds of pupils registered in 2009/10

The General Council of the Bar of England and Wales

Pupillage statistical report

June 2011

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# Introduction

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- 1.1 The *Pupillage Supplementary Survey* is administered on an annual basis in order to enable monitoring of the various equality, diversity and fair access objectives of the Bar Council and Bar Standards Board.
- 1.2 This report presents an analysis of the backgrounds of those registered by the Bar Standards Board to undertake pupillage during the period 1 October 2009 to 30 September 2010.
- 1.3 The data contained within this report is supplied by pupils who completed the *Pupillage Supplementary Survey*. This is an annual survey which pupils are asked to complete upon submission of their pupillage registration documents to the Bar Standards Board. The survey is collated in-line with confidential Bar Council data protection procedures and analysed anonymously with no identifying data.
- 1.4 The completion rate for 2009/10 is 88.5%. This is comparable to previous years where the completion rate has been just a few percentage points higher, averaging at just over 90%. Pupils are strongly encouraged to complete the survey and most pupils do as this survey has always had a very high level of completion.
- 1.5 Percentages are usually represented to one decimal place or the nearest whole number, (where appropriate) in the charts and tables presented in the course of the report. Where previous years' data was readily available it has been included, for example when discussing ethnicity and gender.
- 1.6 The dates used to conduct the *Pupillage Supplementary Survey* align with the pupillage registration year which follows broadly the academic year format and the dates of the legal year. Where missing data is listed in the report no data was received.

# Summary: Key Facts of Pupils in 2009/10

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## The Bar of England and Wales: Profile 2009/10

This report provides details on the composition of pupils who registered pupillages in 2009/10 and illustrates and identifies trends relating to pupils' demographic information. The key statistics for 2009/10 and the previous pupillage year (for comparison) 2008/09 are outlined below:

### Pupillage in 2009/10

- a. 460 First Six pupillages were registered;
- b. 495 Second Six pupillages were registered;
- c. 40% of (184) pupils were men;
- d. 48% (223) of pupils were women;
- e. 11% (53) of pupils did not disclose their gender;
- f. 15% (71) of pupils were BME;
- g. 72% (333) pupils were white;
- h. 12% (56) of pupils did not disclose their ethnicity;
- i. 2% (9) of pupils declared a disability;
- j. 76% (353) of pupils were 34yrs of age or younger;
- k. 59% (272) of pupils declared themselves as heterosexual;
- l. 8% (41) of pupils have a child;
- m. 23% (105) of pupils achieved a first class degree;
- n. 23% (109) of pupils attended Oxbridge;
- o. 46% (212) of pupils attended a Russell Group university;
- p. 7% (33) of pupils had a parent/guardian who is a lawyer;
- q. 55% (256) of pupils came from a professional background; and
- r. 27% (201) of pupils had debts of £20,000 or over.

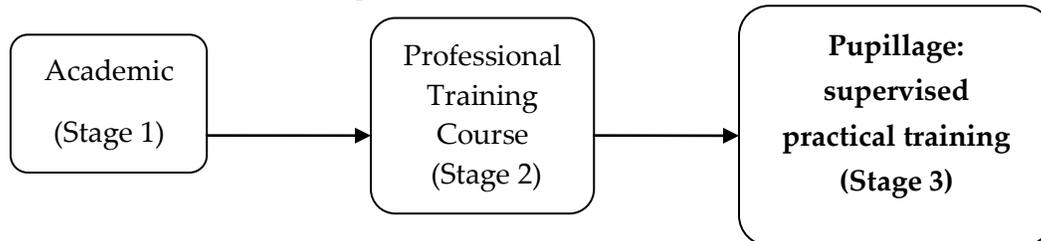
### Pupillage in 2008/09

- a. 464 First Six pupillages were registered;
- b. 518 Second Six pupillages were registered;
- c. 54% (280) pupils were men;
- d. 40% (210) of pupils were women;
- e. 5% (25) of pupils did not disclose their gender;
- f. 13% (68) of pupils were BME;
- g. 82% (420) pupils were white;
- h. 5% (27) of pupils did not disclose their ethnicity;
- i. 1% (9) of pupils declared a disability;
- j. 84% (433) of pupils were 34yrs of age or younger;
- k. 86% (425) of pupils declared themselves as heterosexual;
- l. 10.4% (51) of pupils have a child;
- m. 32% (160) of pupils achieved a first class degree;
- n. 32% (157) of pupils attended Oxbridge;
- o. 65% (321) of pupils attended a Russell Group university;
- p. 15% (75) of pupils had a parent/guardian who is a lawyer;
- q. 75% (372) of pupils came from a professional background; and
- r. 60% (294) of pupils hold a law degree.

# 1 Pupillage: The Final Stage of Training for the Bar

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- 1.1 There are three stages that must be completed in order to qualify as a practising barrister in England and Wales. Pupillage is the third stage in training for the Bar and it is undertaken in an approved pupillage training organisation (either barristers' chambers or another approved legal environment). This is an overall period of 12 months which is divided into two six month periods referred to as First Six and Second Six.<sup>1</sup>



- 1.2 The pass rate for the Bar Professional Training Course for 2009/2010 was 80%. Securing pupillage is very competitive and over the last few years that competition has increased. The majority of those who pass the Bar Professional Training Course (BPTC, formerly the Bar Vocational Course, (BVC)) apply for pupillage in the UK or in their home jurisdiction if they are a non-UK or EU citizen.<sup>2</sup>
- 1.3 Pupillage is compulsory training that must be completed before a member of the Bar is eligible to have a practising certificate. Pupillage is a one-year training period spent in an authorised training organisation (either barristers' chambers or another approved legal environment).
- 1.4 The First Six month period of pupillage is also referred to as the Non-Practising part of pupillage and the Second Six months is referred to as the Practising period. During the First Six months pupils may not accept any instructions, except for noting briefs, where they have the permission of their pupil supervisor or head of chambers. A pupil is entitled to supply legal services and exercise Rights of Audience as a barrister during the Second Six months, provided that they have the permission of his or her pupil supervisor or head of chambers.

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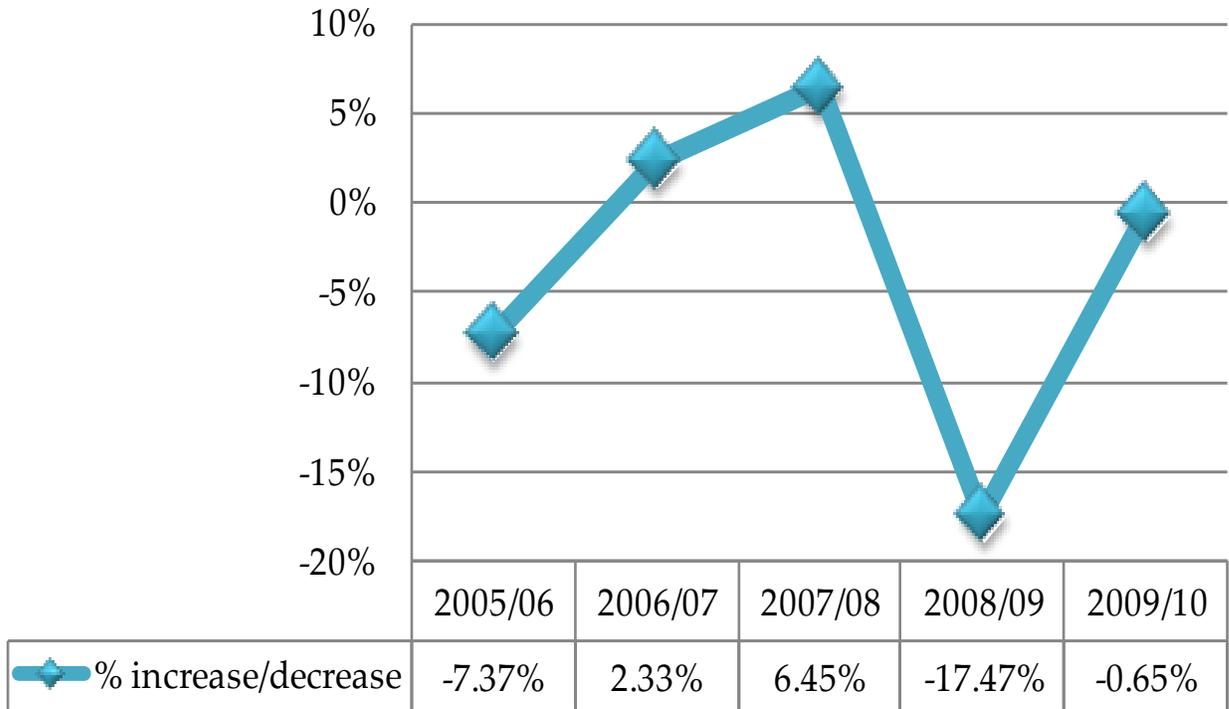
<sup>1</sup> First Six and Second Six do not have to be completed in a full calendar year.

<sup>2</sup> Following restrictions of the immigration rules in 2011 new rules apply to Non-EU citizens who wish to apply for pupillage in the UK. Immigration support for non-European Economic Area (EEA) pupils and mini pupils  
Under the UK Border Agency's points based system, all non-EEA individuals who intend to enter the UK to undertake pupillage or mini pupillage should obtain their leave to enter under Tier 5 (Government Approved Exchange), having first successfully applied to the Bar Council for a Certificate of Sponsorship. Please visit the Bar Council website for more information.

## 2 Pupillage Registration Figures

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2.1 Figure 1 illustrates a recovery from the huge drop in the growth of pupillages in seen in 2008/09 (-17.47%).



**Figure 1: Annual % Change in First Six Pupillages**

2.2 Figure 2 shows the number of registered pupillages over the period 1988-2010.<sup>3</sup> The Bar Council ruled that in 2002/03 all pupillages would be subject to compulsory funding of £10,000 per annum. The Bar Standards Board increased that amount to £12,000 in 2010.

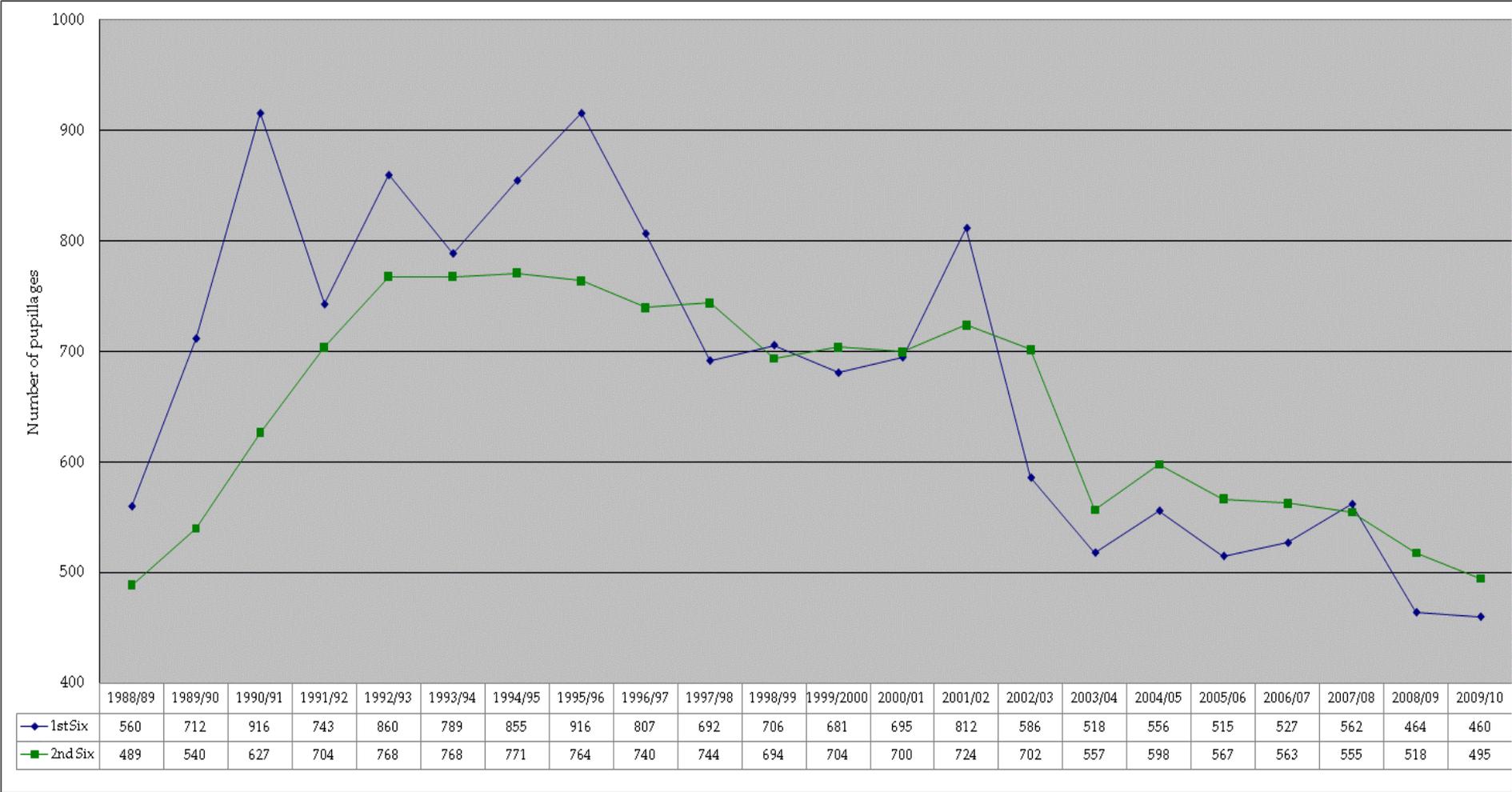
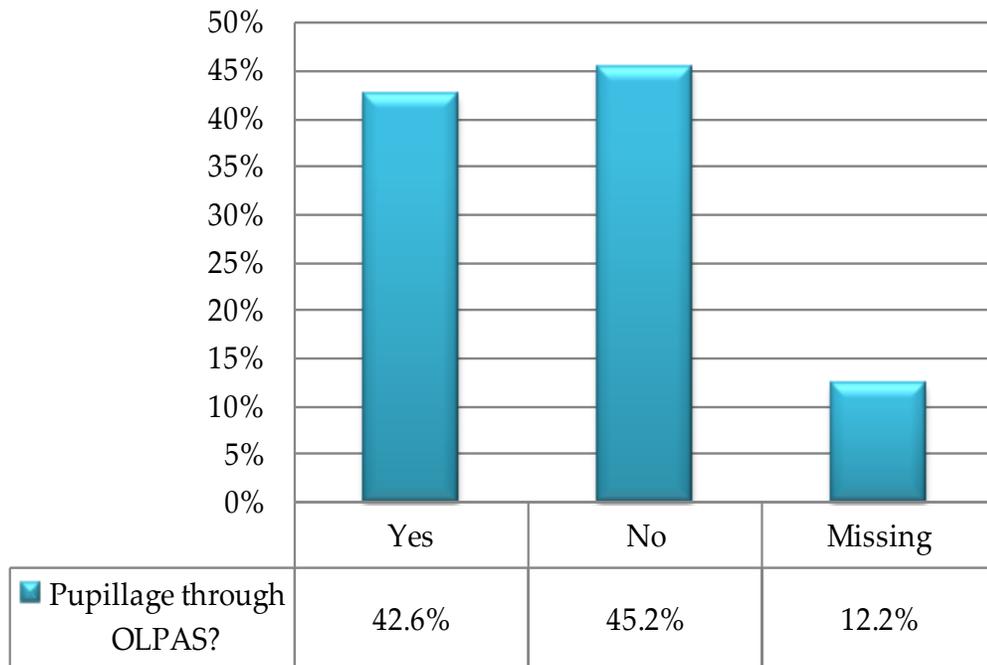


Figure 2: Registered Pupillages 1988-2010

<sup>3</sup> The 2011 pupillage registration period will not be available until the end of 2011.

- 2.3 In 2009 there were 2,981 on-line applications for pupillage through the Pupillage Portal ([www.pupillageportal.com](http://www.pupillageportal.com)).<sup>4</sup> The total number of pupillage application numbers included those unsuccessful pupillage applicants from up to five years previous.<sup>5</sup> Applications for pupillages can also be made independently of the on-line application system by following chambers' own recruitment processes.<sup>6</sup>
- 2.4 Figure 3 shows how many pupils secured pupillage through the pupillage on-line application system. 42.6% (196) pupils were successful through the on-line application system and 45.2% (208) were successful in applying for pupillage directly with the chambers or employer.



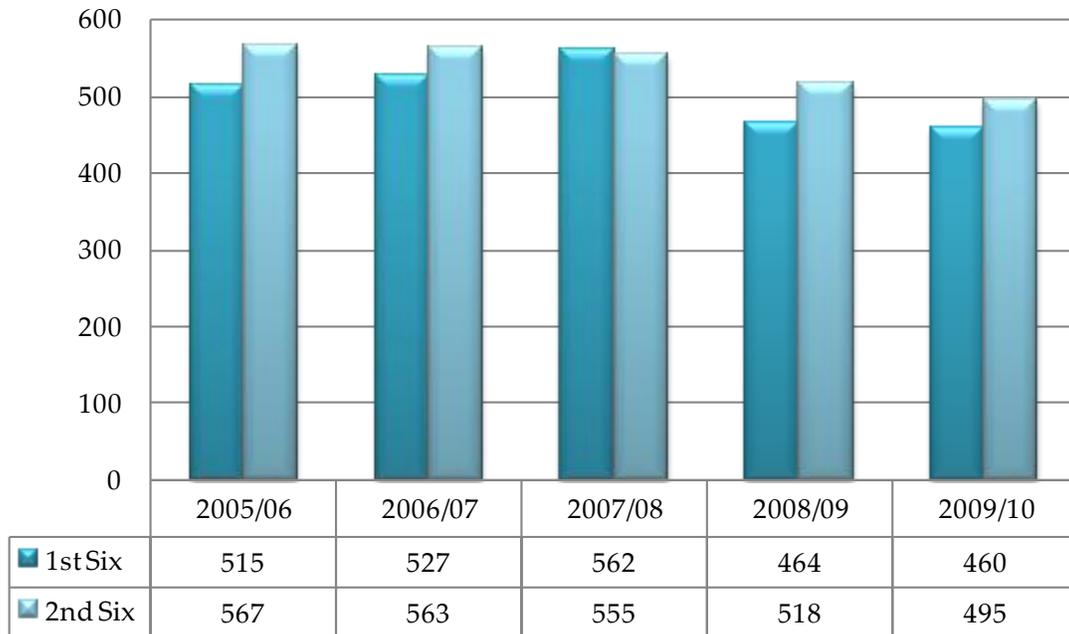
**Figure 3: Pupils who applied through OLPAS**

<sup>4</sup> The Pupillage Portal was previously called the On-Line Pupillage Application System (OLPAS).

<sup>5</sup> Graduates of the BPTC can apply for pupillage for up to five years from when they pass.

<sup>6</sup> For further detailed information on application made through the Pupillage Portal please see: Carney, Caroline *An Analysis of Pupillage Applicants, 2010*; (internal report) Research Department, The General Council of the Bar of England and Wales, 2011.

2.5 Figure 4 shows that 460 first six pupillages were registered in 2009/10 which was a decrease of 0.6% from the previous year (464 in 2008/09). 495 second six pupillages were registered which was a decrease of 4.4% (518 in 2008/09).



**Figure 4: Registered pupillages: 2005-10**

### 3 Equality and Diversity Monitoring Data

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- 3.1 The Bar Council and Bar Standards Board have a commitment to ensuring that their public sector equality duties are met and that potential applicants have fair and equal access to the profession.
- 3.2 Pupillage is an essential and therefore very important part of training for the Bar. The information obtained from this survey will be used to monitor effectively this final stage of training for the profession with particular regard to progression into practice and drop-out rates. This is in accordance with Bar Council and BSB legislative duties and good equal opportunities practice.
- 3.3 Advancement of equality of opportunity amongst those who come to the Bar (irrespective of whether they share protected characteristics) is a fundamental objective and is central to policy planning and formulation. Due regard is paid to eliminating discrimination and associated behaviour, as stated in Section 149 of the Public Sector Equality Duty. The eight protected characteristics in as stated in Section 149 of the Public Sector Equality Duty are as follows:
1. age
  2. disability
  3. gender reassignment
  4. pregnancy and maternity;
  5. race;
  6. religion or belief;
  7. sex; and
  8. sexual orientation.
- 3.4 To reflect changes in legislation, information relating to all eight protected characteristics are now collected for the current (on-going) pupillage registration year, 2010/11. Gender reassignment, religion and pregnancy and maternity data were not collected for 2009/10.<sup>7</sup>

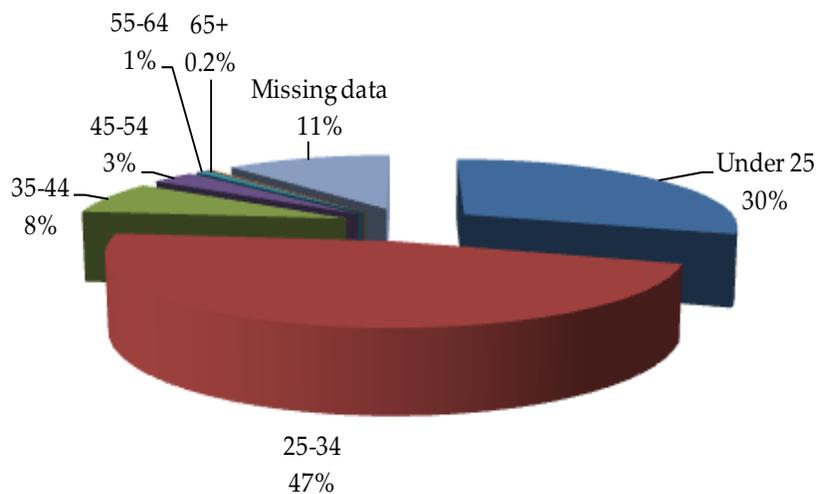
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<sup>7</sup> Data on whether or not pupils had children however, was collected.

## 4 Age

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- 4.1 Pupils' age varied from under 25 years of age to over 65 years (there was only one pupil over 65 years old).
- 4.2 The majority of pupils, 47% (216) identified themselves as being in the 25-34 years age category.



**Figure 5: Age Distribution**

- 4.3 There were 30% (137) pupils under the age of 25 years of age and 12% (54) pupils over the age of 35 years of age.
- 4.4 11% (53) pupils failed to provide a response and this is broadly representative of the non-responses to the survey overall.

## 5 Disability

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- 5.1 Pupils were asked if they had a disability as stated in the Disability Discrimination Act (which has since been replaced with the Equality Act 2010). The Act defines a person as having a disability if he or she 'has a physical or mental impairment, which has a substantial long term, adverse effect on [their] ability to carry out normal day-to-day activities. Long term means 12 months or more.'
- 5.2 2% (9) of pupils reported disability with the most reported condition being listed as dyslexia.

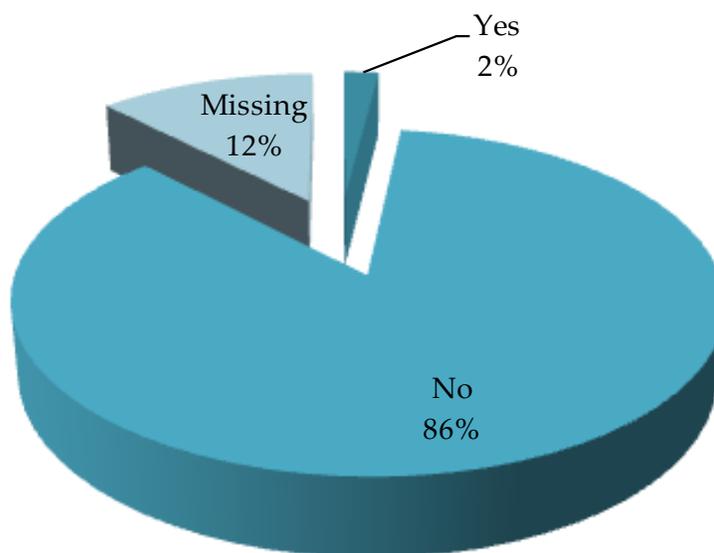
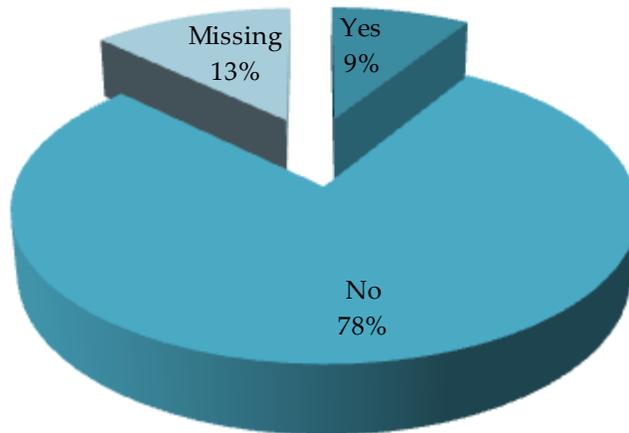


Figure 6: Disability

## 6 Children

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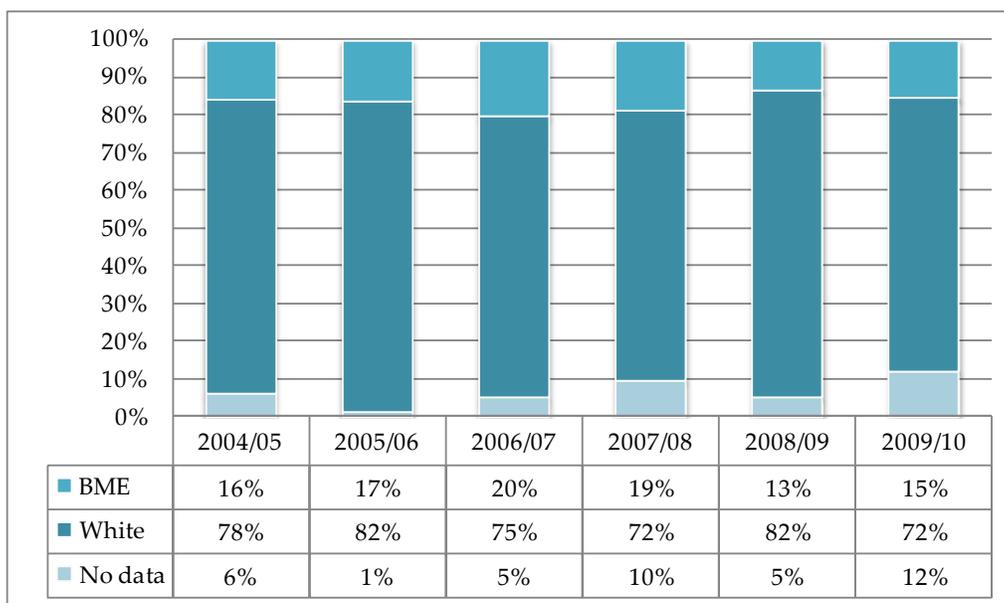
- 6.1 Pupils were asked whether or not they had children. 9% (41) pupils said that they had children. 78% (360) of pupils stated that they did not.
- 6.2 The level of missing data is typical of the missing data across the survey.



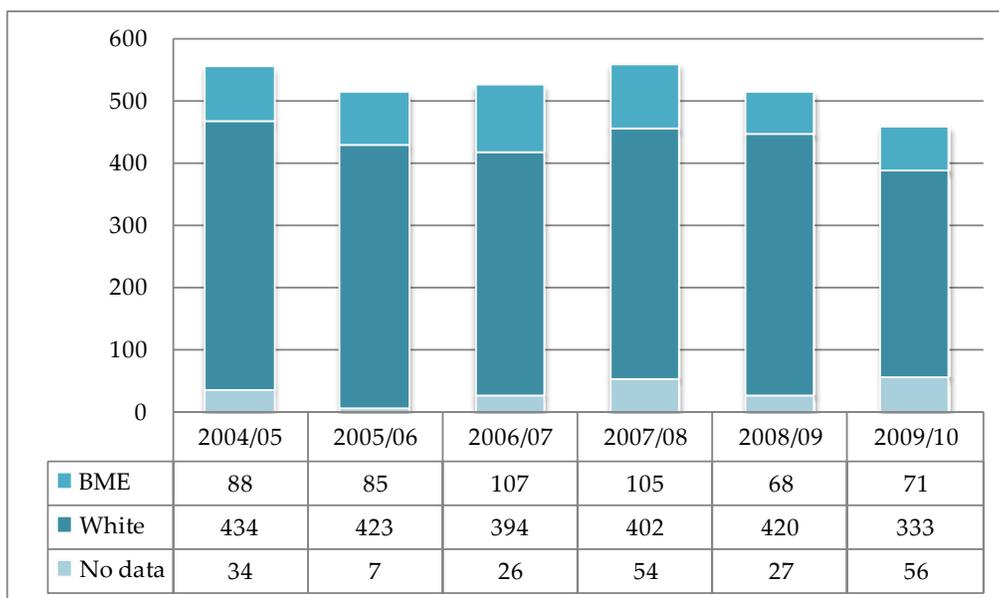
**Figure 7: Pupils with Children**

## 7 Ethnicity

- 7.1 Figures 8 and 9 below illustrate how the ethnic composition of those in pupillage has varied over the period to 2009/10.
- 7.2 The proportion of BME pupils in 2009/10 rose by 2%, from 13% in 2008/09 to 15%. 2008/09 saw the lowest proportion of BME pupils over the period outline below at 13% (68). 2006/07 saw the highest proportion of BME pupils at 20% (107).



**Figure 8: Ethnicity composition (%)**



**Figure 9: Ethnicity composition (figures)**

7.3 Figure 10 shows a detailed breakdown of the 15 % (71) BME category for pupillage in 2009/10 (shown previously in the BME category in Figures 8 and 9).

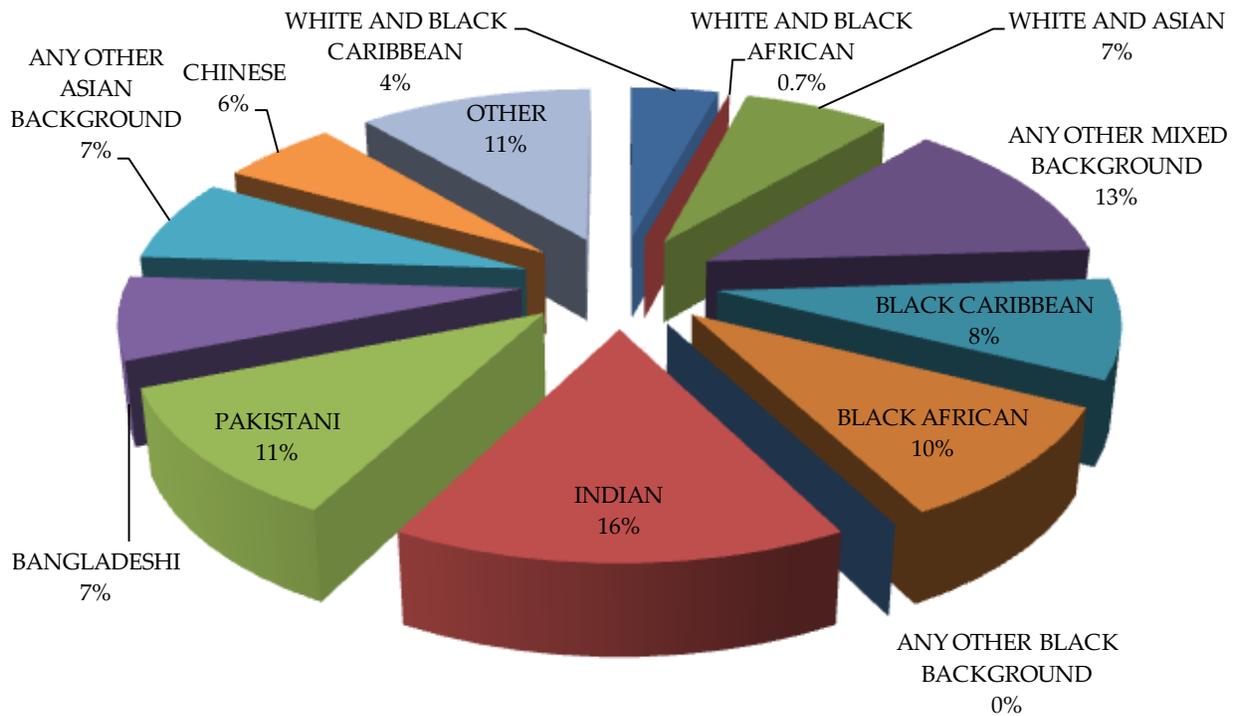


Figure 10: BME Composition

7.4 Figure 11 shows that of White pupils who declared their ethnicity, 5% stated that they are White Irish thus comprising 3.5% (16) of pupils overall.

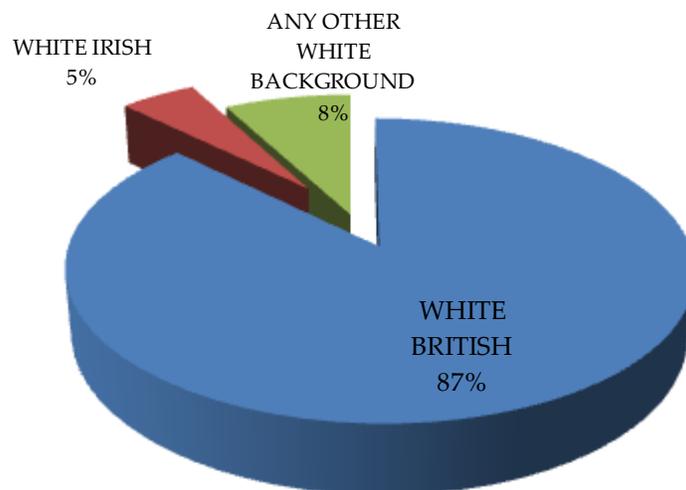


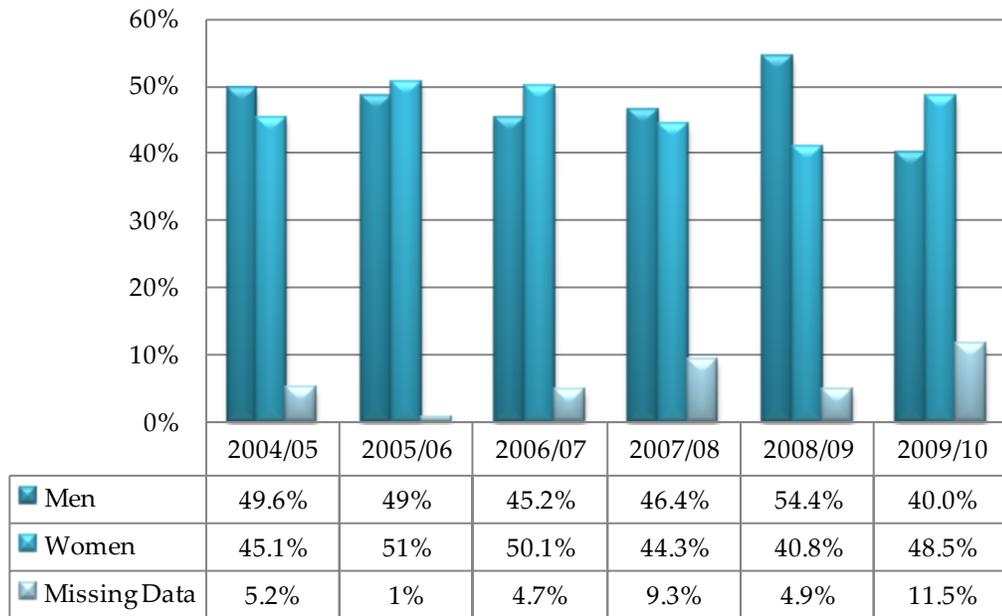
Figure 11: White Ethnicity Composition

<b>Ethnicity of pupils 2009/10</b>		
	<b>No.</b>	<b>%</b>
WHITE BRITISH	291	63.3%
WHITE IRISH	16	3.5%
ANY OTHER WHITE BACKGROUND	26	5.7%
WHITE AND BLACK CARIBBEAN	3	0.7%
WHITE AND BLACK AFRICAN	0	0.0%
WHITE AND ASIAN	5	1.1%
ANY OTHER MIXED BACKGROUND	9	2.0%
BLACK CARIBBEAN	6	1.3%
BLACK AFRICAN	7	1.5%
ANY OTHER BLACK BACKGROUND	0	0.0%
INDIAN	11	2.4%
PAKISTANI	8	1.7%
BANGLADESHI	5	1.1%
ANY OTHER ASIAN BACKGROUND	5	1.1%
CHINESE	4	0.9%
OTHER	8	1.7%
<b>NO DATA HELD</b>	<b>56</b>	<b>12.2%</b>
<b>TOTALS</b>	<b>460</b>	<b>100%</b>

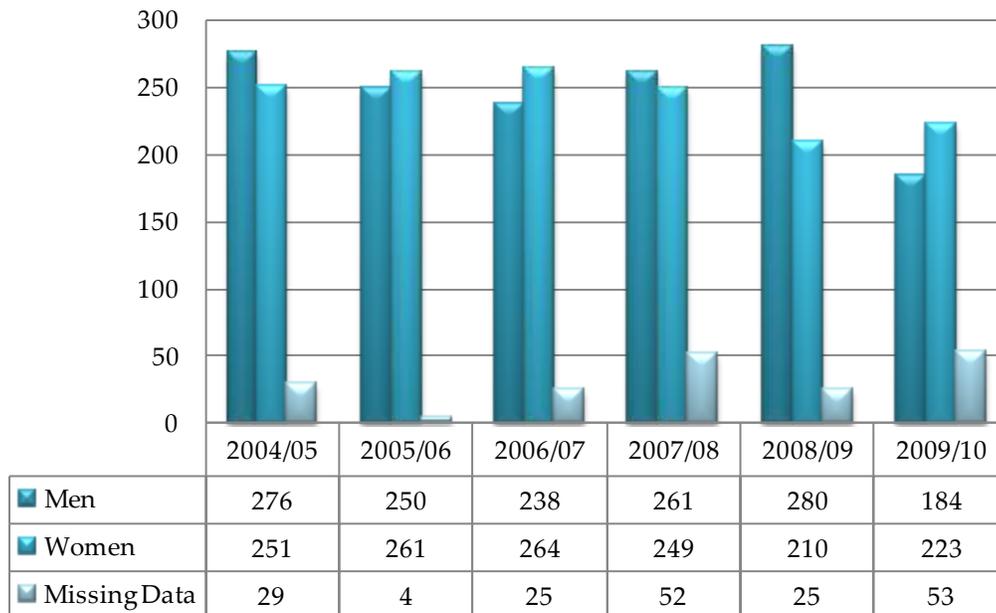
**Figure 12: Ethnicity Breakdown**

## 8 Gender

8.1 The gender composition of men and women undertaking pupillage since 2004 is illustrated in Figures 13 and 14 below. The biggest difference in gender composition was in 2008/09 with men outnumbering women by 13.6% and the smallest difference was in 2005/06 when women outnumbered men by 2%.



**Figure 13: Gender composition (%)**



**Figure 14: Gender composition (figures)**

## 9 Sexual Orientation

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- 9.1 The response rate was quite low given the sensitive nature of the question with 38% declining to answer, either indicating that they preferred not to answer or providing no answer. The majority (59%) of pupils declared that they are heterosexual/straight and 3% declared that they were either bisexual or gay.

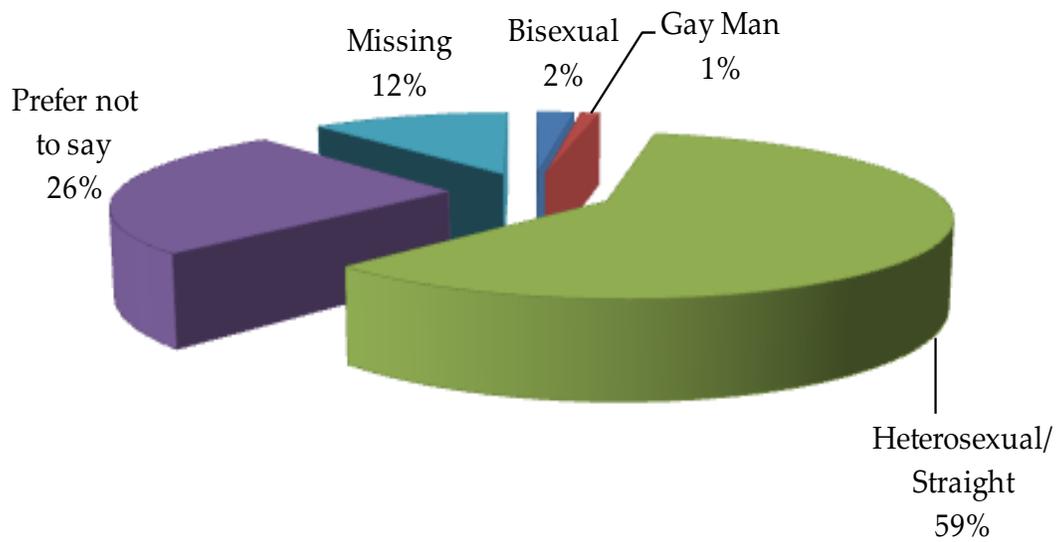


Figure 15: Sexual Orientation

## 10 Socio-Economic Background

10.1 Pupils were asked particular questions about their socio-economic background. Pupils were asked to state the occupation of the highest earner of their parents (and/or guardian(s)). The occupations were then categorised into various groups and further analysis was conducted as can be seen in Figures 16-23.

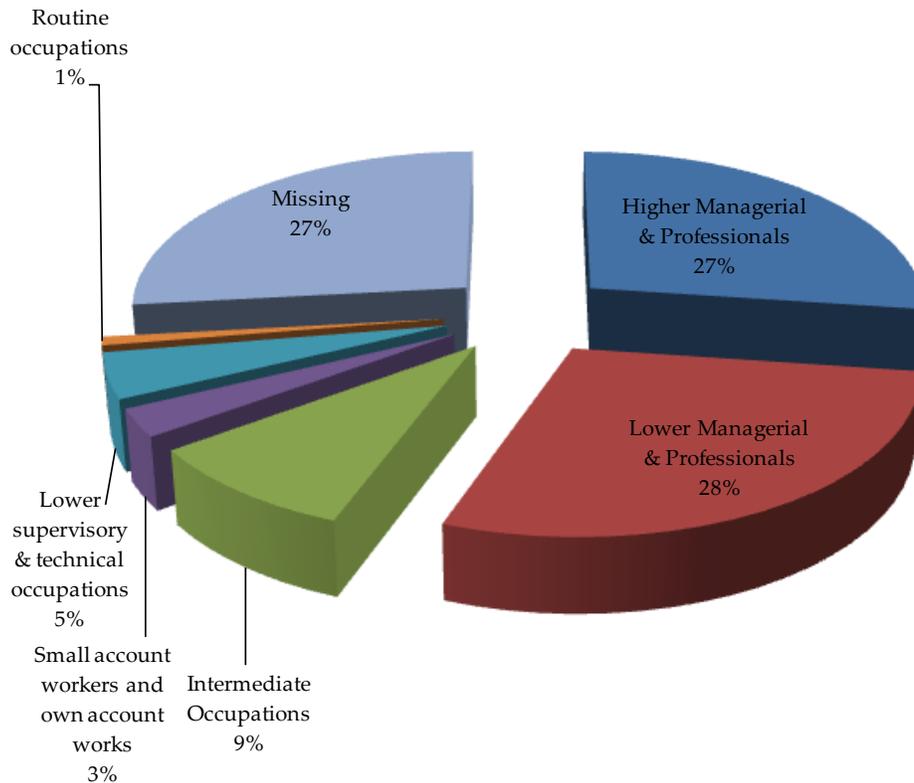


Figure 16: Socio-Economic Background (a)

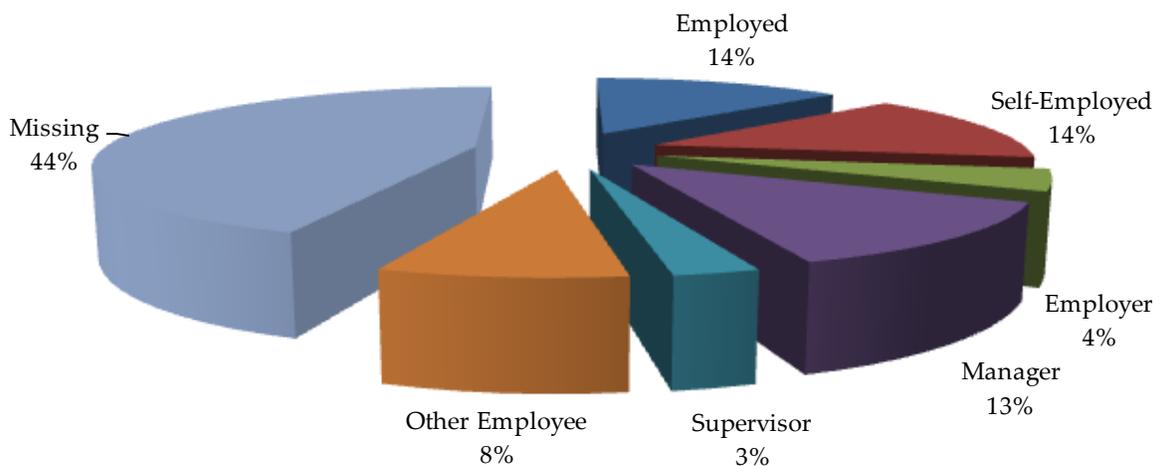


Figure 17: Social Economic Background (b)

## 11 Job Categories of Pupils' Parents/Guardians

11.1 The occupations of pupils' parents (and / or guardians) have also been classified according to social class categories used in the *Review of Pupillage* by The Bar Standards Board in 2010.<sup>8</sup>

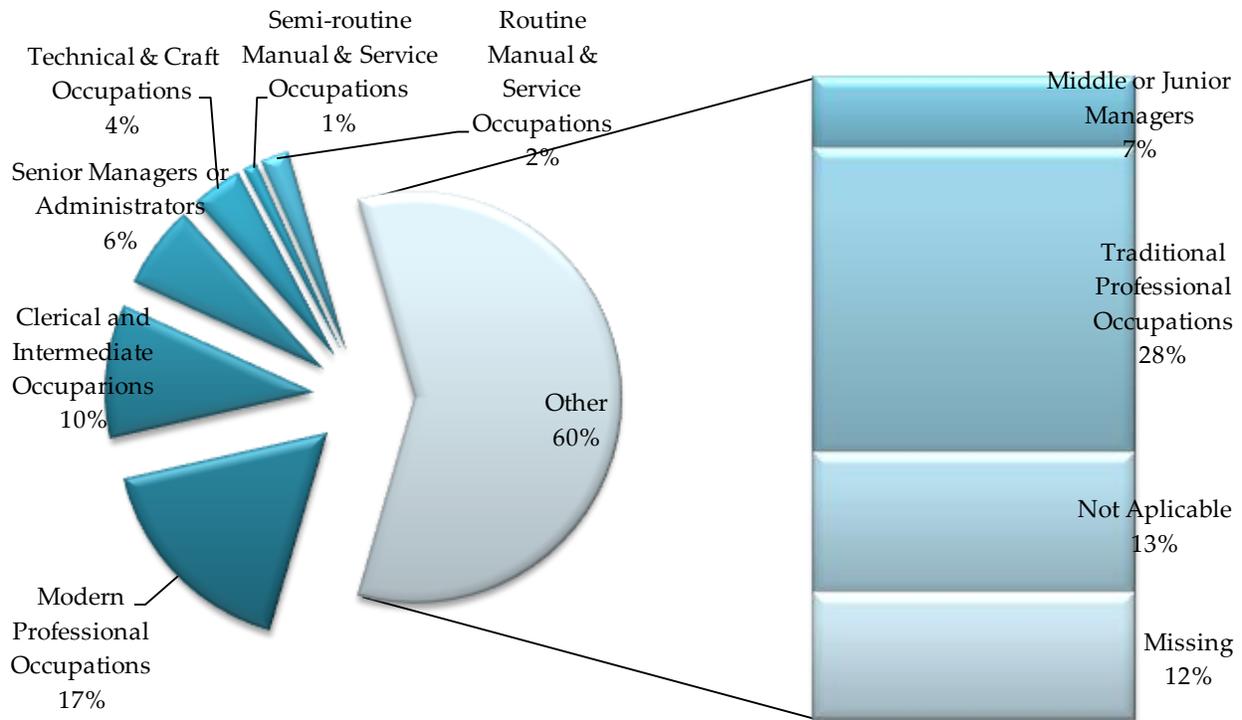


Figure 18: Job Category of Pupils Parents/Guardians

<sup>8</sup> The social class categories were modelled on Heath, A. F., J. Martin and Beerten (1998) 'A comparison of Registrar General's Social Class with an approximation derived from the long version of the new National Statistics socio-economic classification and the 8 categories derived from The National Statistics and Socio-Economic Classification (NS-SEC).' Workshop of Validation, Essex University.

## 12 Pupils with Parents/Guardians in the Law Profession

12.1 Further analysis was able to establish whether or not pupils' parents/guardians were legal professionals and the results are presented below in Figure 19. 7% (33) pupils had parental links with the law profession. The majority of pupils however, did not, 68% (317) did not.

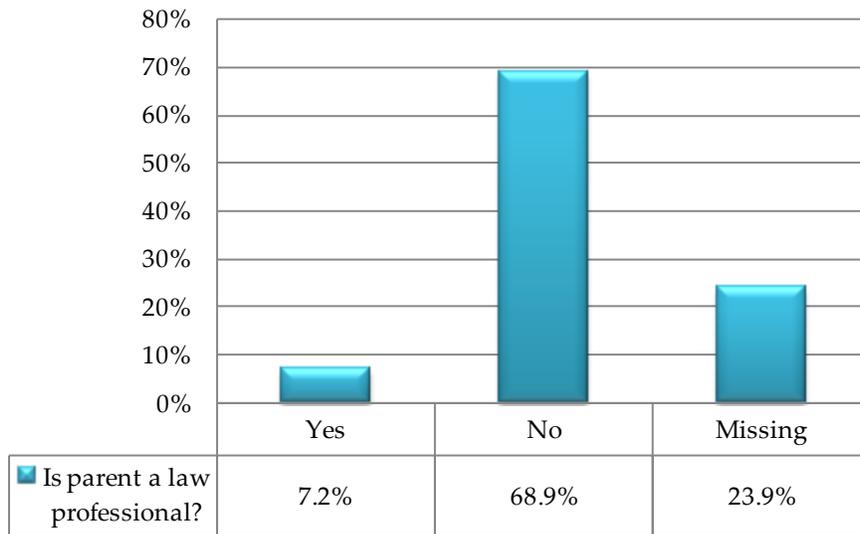


Figure 19: Pupils with Parents in the Legal Profession Type of Law Professional

12.2 Upon further investigation it was possible to reveal the breakdown of the occupations held by many of pupils with parents or guardians working in the law profession. This can be seen in Figure 20. 1.3% (6) of pupils stated that their parent is a barrister, 1% (7) pupils stated that their parent is a judge, 2.4% (11%) worked as a solicitor and 0.2% (1) pupil stated that their parent is a paralegal.

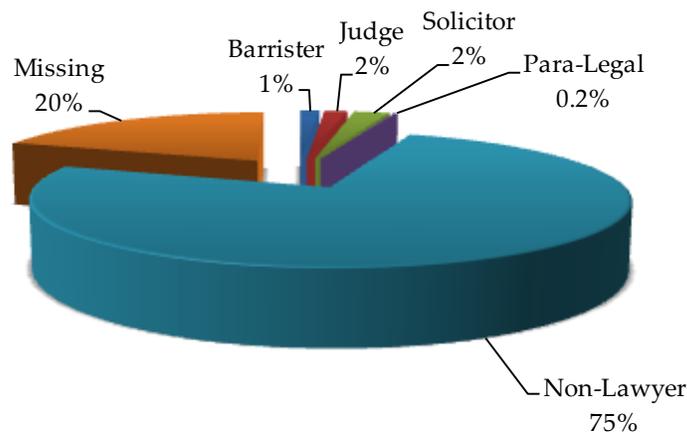
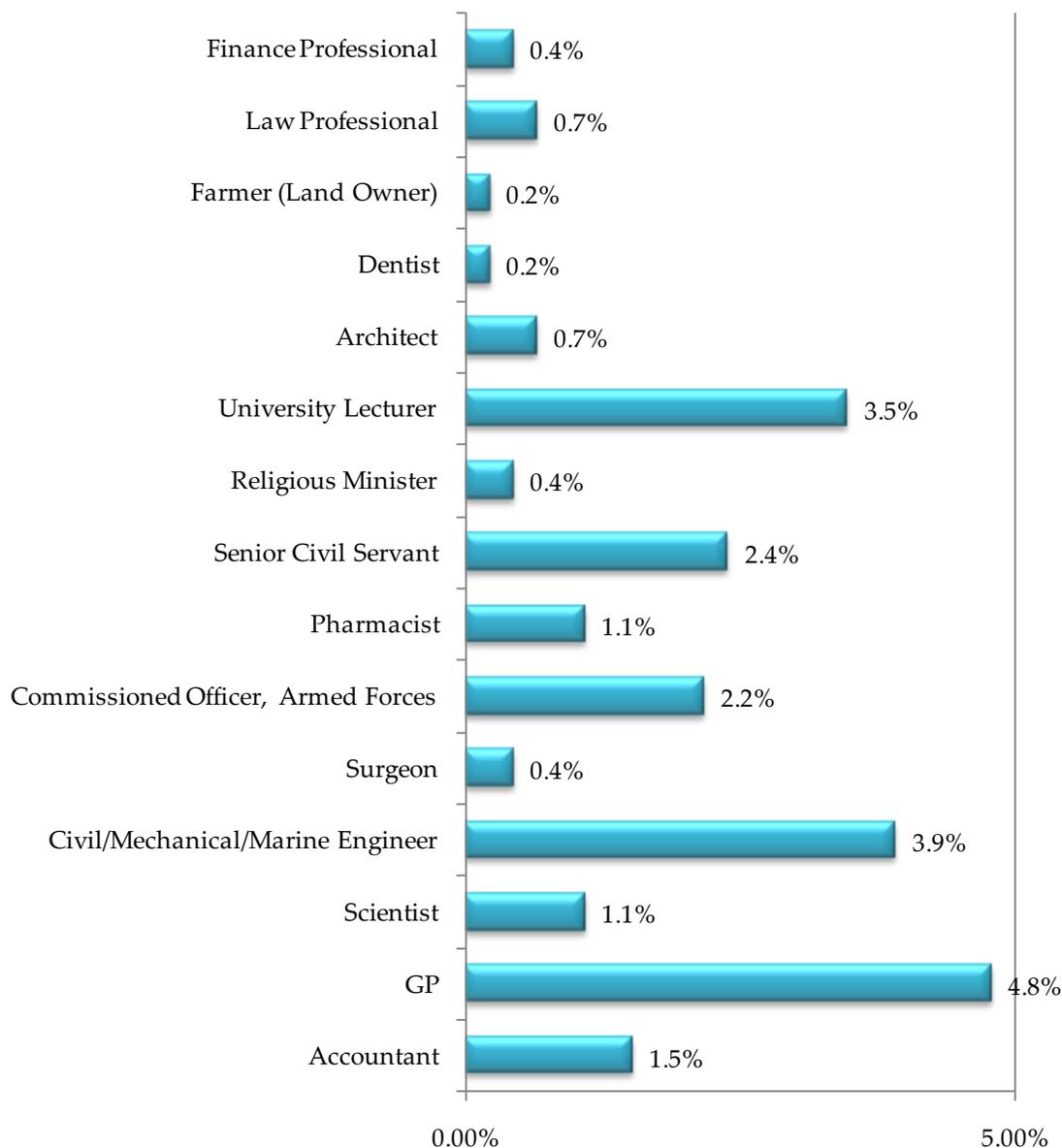


Figure 20: Type of Lawyer of Parent of Pupils

12.3 Figure 21 shows the distribution of those pupils who stated that their parent/guardian was from an occupation that was classed as a traditional profession. The largest category of parents/guardians from a traditional occupation was that of General Practitioner or 'GP' at 4.8% (22). The second largest category is that of engineer at 3.9% (18) and third was university lecturer at 3.5% (16). Non-traditional professions accounted for 41.4% (189) and the proportion of missing data is 35.4% (163).



**Figure 21: Pupils with Parents from Traditional Professions**

## 13 Type of School Attended

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13.1 Figure 22 shows that most pupils 52% (241) who answered the survey stated that they attended at state school (non-fee-paying). 35% (160) pupils attended fee-paying schools.



Figure 22: Type of School Attended

### Pupils with School Fee Assistance

13.2 Figure 23 shows that 11% (45) pupils received a financial award that covered at least 50% of their school fees. 32% (128) did not receive any kind of financial assistance.

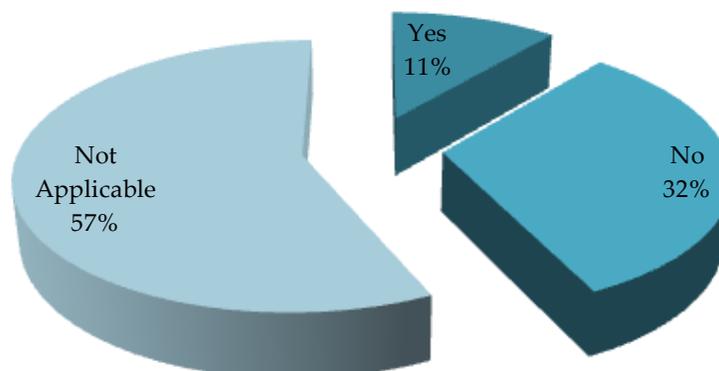
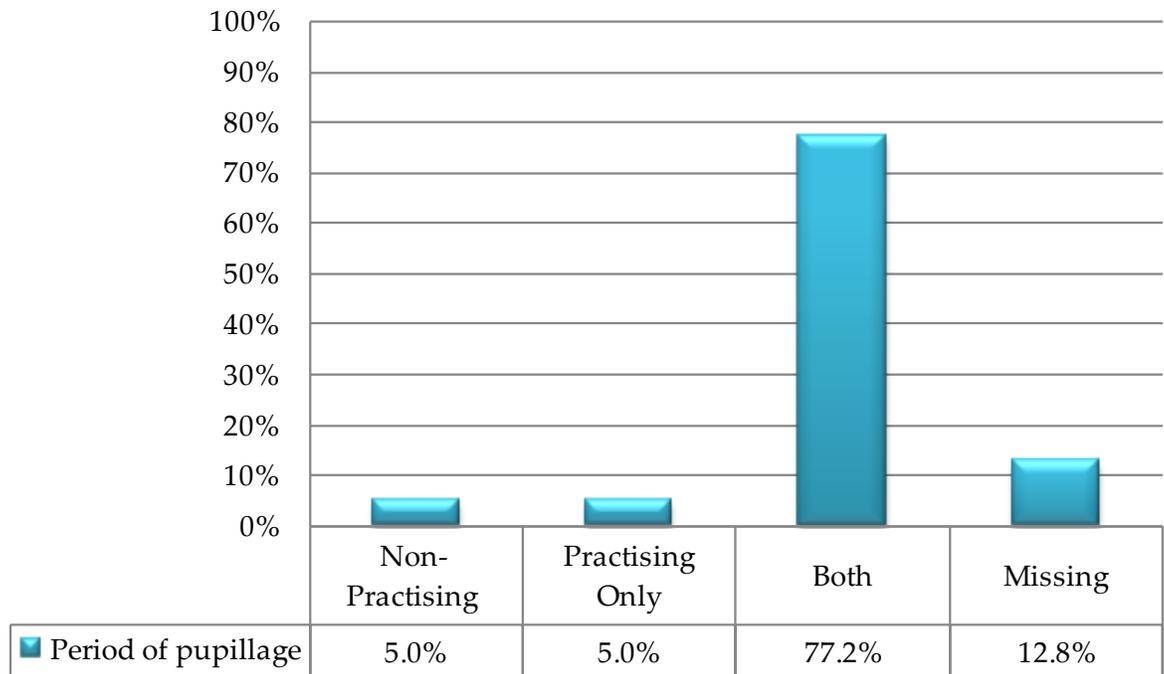


Figure 23: Pupils with School Fee Assistance

## 14 Pupils' Route to Pupillage

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14.1 Figure 24 shows that the majority of pupils who completed the survey were registering to undertake both periods of pupillage, First and Second Six.



**Figure 24: Period of Practice**

# 15 Location of pupillage

15.1 Figure 25 shows that the majority 59.8% (275) of pupils registered a pupillage that was based in London and 28% (129) outside of London. 12.2% (56) represents missing data.

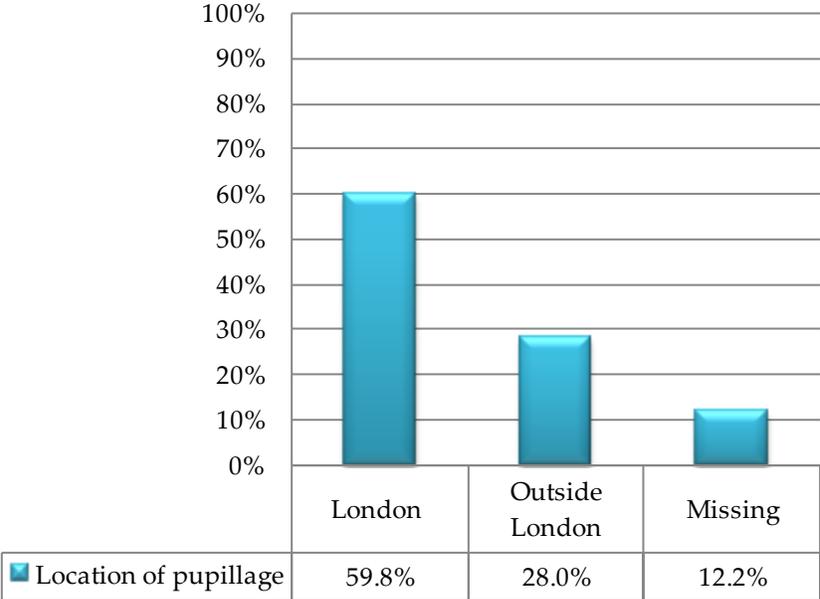
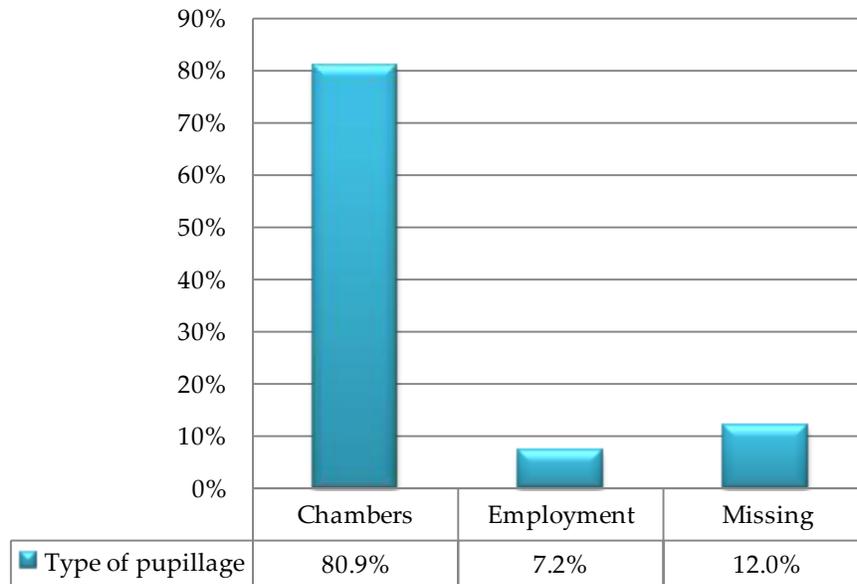


Figure 25: Location of Pupillage

## 16 Type of pupillage

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16.1 Figure 26 shows that the majority 80.9% (372) of pupils undertook their pupillage in chambers (self-employed Bar) and 7.2% (33) in employment, (the employed Bar).



**Figure 26: Type of Pupillage**

## 17 Main area of practice

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17.1 It can be difficult to classify pupillages according to practice area as many pupillages involve time spent in other chambers and various parts of the Bar. Pupils were asked to specify as best they could, where the main practice area of their pupillage focussed. Figure 27 shows the distribution of pupillages according to main practice area.

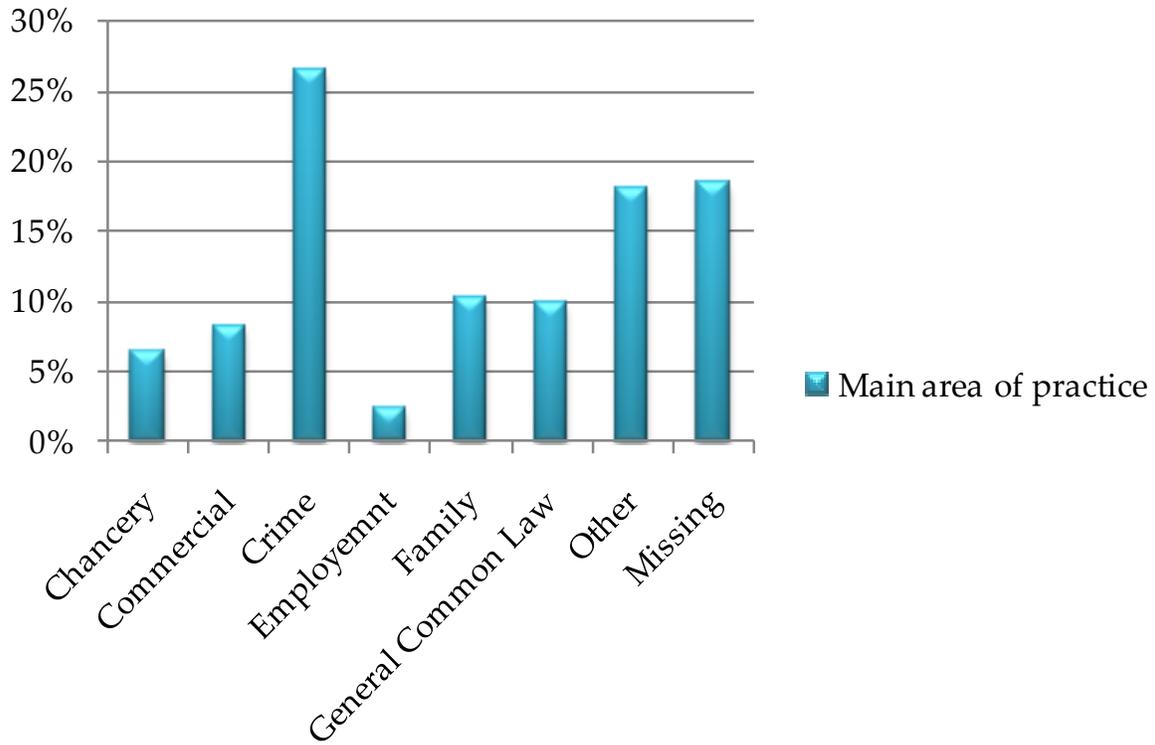
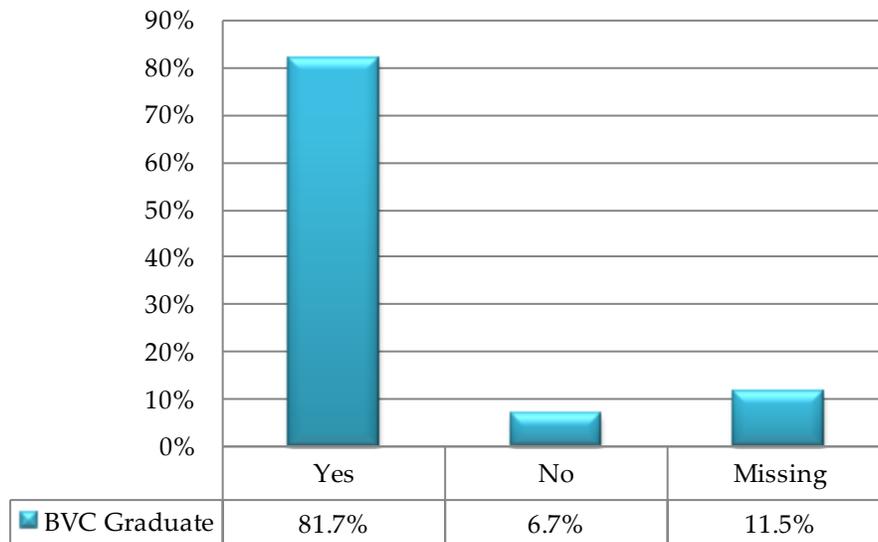


Figure 27: Main Area of Practice

## 18 BVC Graduates

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18.1 The vast majority of pupils 81.7% (376) are graduates of the Bar Vocational Course (now called the Bar Professional Training Course).<sup>9</sup> Pupils who are not BVC graduates 6.7% (31) are most likely to have transferred to the Bar from another branch of the legal profession.



**Figure 28: BVC Graduate**

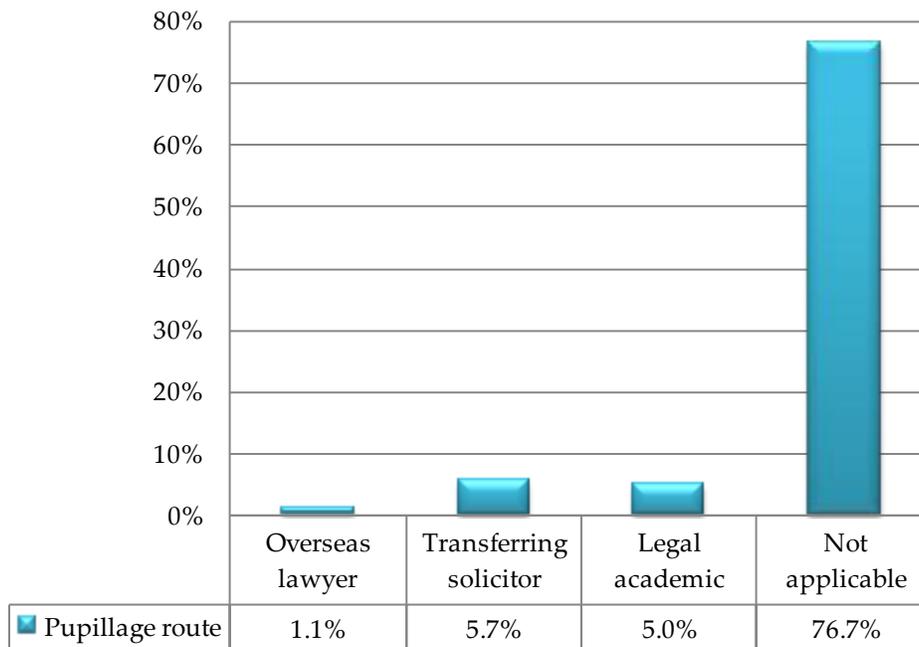
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<sup>9</sup> The Bar Vocational Course was renamed the Bar Professional Training Course in Autumn 2010.

## 19 Route to Pupillage

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19.1 Figure 29 shows that 5.7% (26) of pupils transferred from the solicitor profession; 5% (23) are legal academics and 1.1% (5) are overseas lawyers. The 'Not Applicable' category relates to those who either successfully completed the BVC or obtained pupillage via another route.

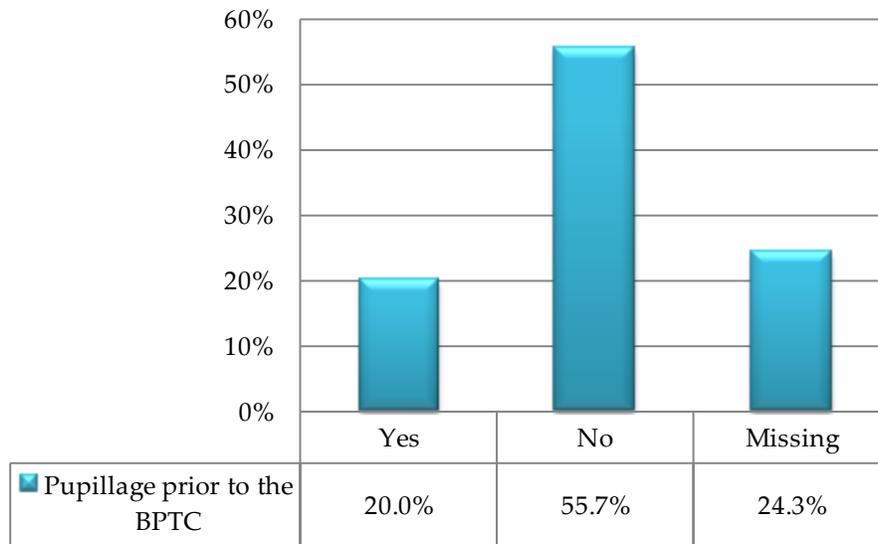


**Figure 29: BVC Graduate**

## 20 Pupillage Secured Prior to BVC

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20.1 Figure 30 shows that 20% (92) of pupils were able to secure pupillage prior to beginning their BVC and 55% did not.



**Figure 30: Pupillage Secured Prior to BVC**

## 21 Bar Vocational Course Provider

21.1 Figure 31 shows the breakdown of where pupils studied their Bar Vocational Course. The largest proportion of pupils attended BPP London (24.1%). All BVC providers have taught students who then became pupils.<sup>10</sup>

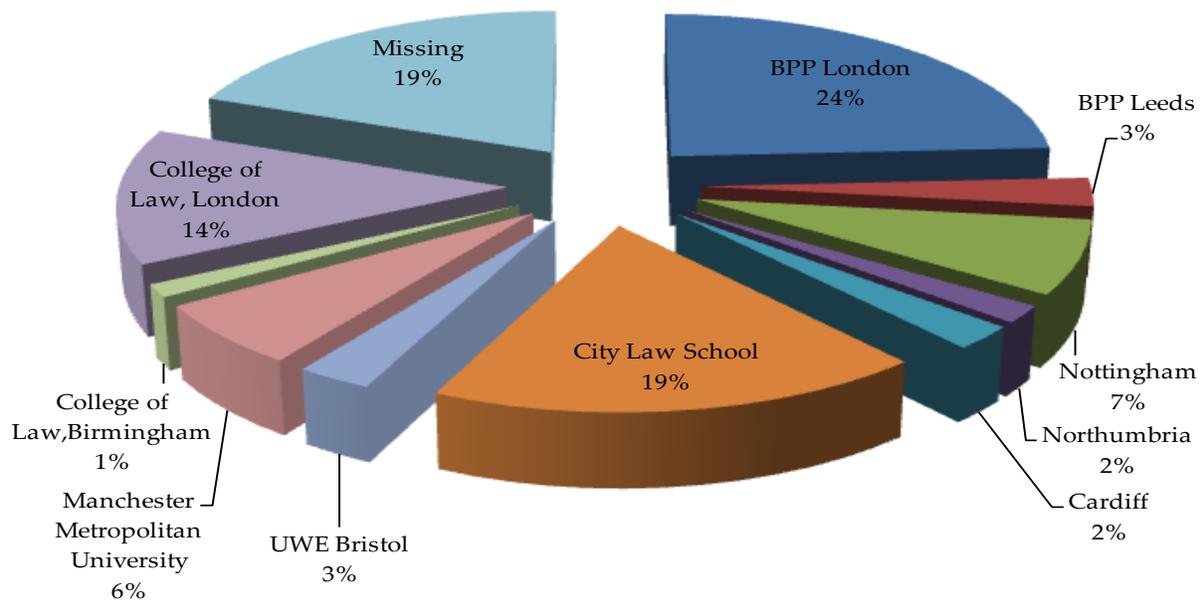


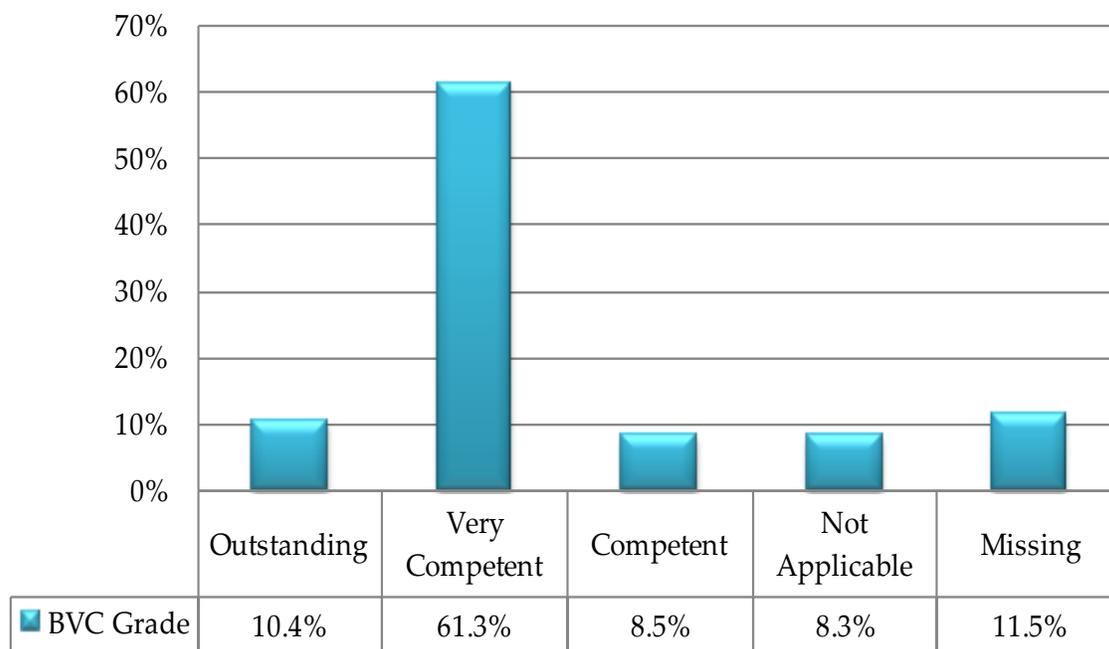
Figure 31: BVC Provider

<sup>10</sup> Kaplan Law School was validated by the Bar Standards Board to deliver the Nottingham Law School (NLS) BPTC course in London as from September 2010 so will not appear in Figure 31.

## 22 Bar Vocational Course Grade

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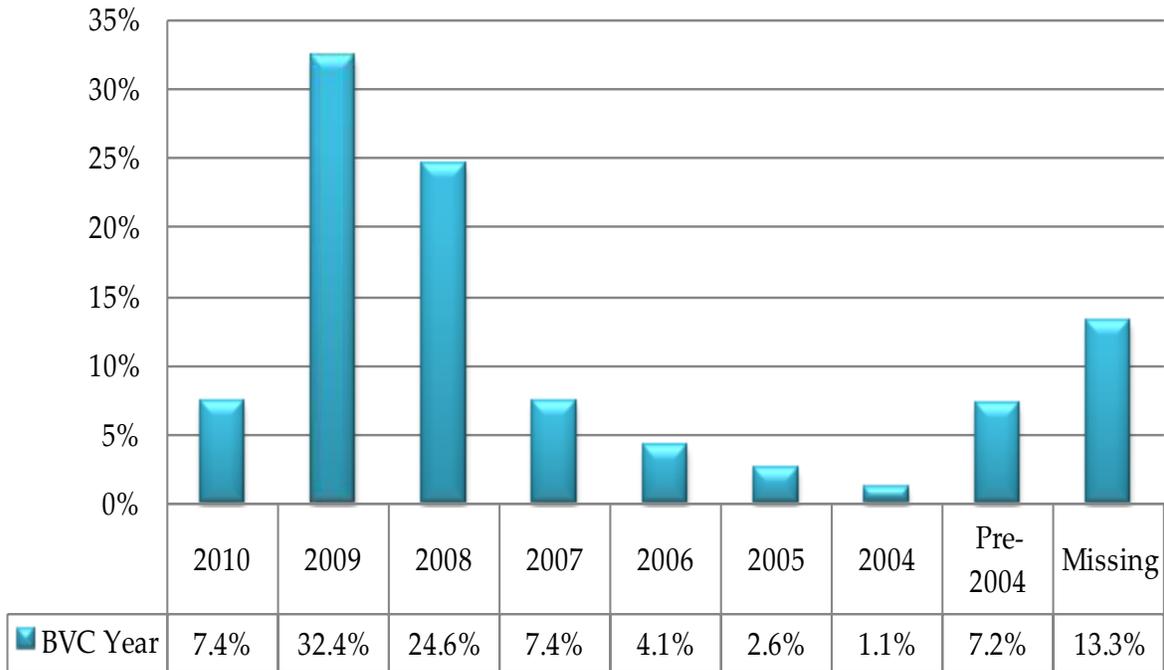
22.1 Figure 32 shows how the majority of pupils 61.3% (282) achieved a Very Competent grade at BVC. The smallest proportion of pupils stated that they attained a Competent grade.



**Figure 32: BVC Grade**

## 23 BVC Year

23.1 Figure 33 shows the distribution of years of when pupils studied for their BVC. The largest proportion of pupils in 2009/10 had just finished the BVC 32.4% (149) and progressed straight into pupillage. There were however, BVC graduates from as far back as 2004 among those who secured pupillage for 2009/10.

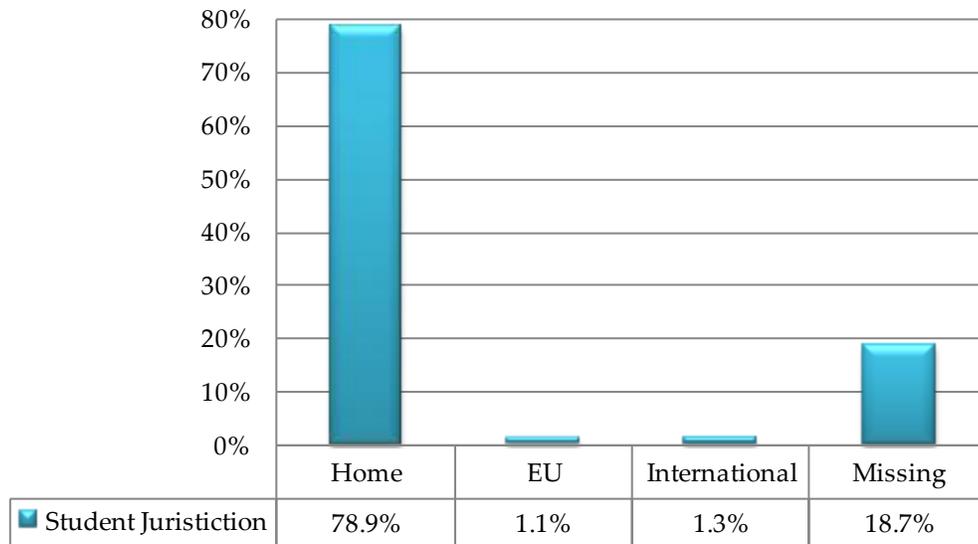


**Figure 33: BVC Year**

## 24 Student Jurisdiction

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24.1 Figure 34 depicts that the majority of pupils were categorised as Home students and domiciled in the UK.

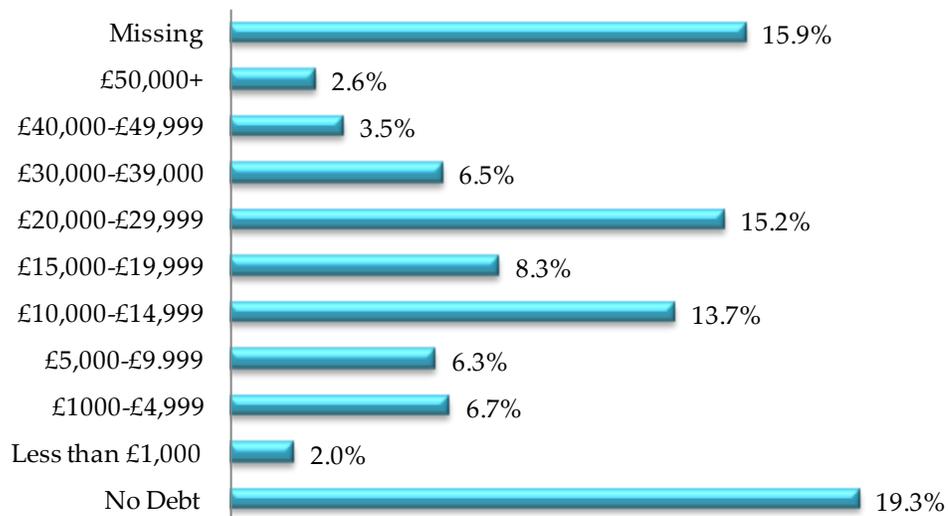


**Figure 34: Student Jurisdiction**

## 25 Level of Debt Amongst Pupils

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25.1 Figure 35 shows the level of debt amongst pupils. The largest category represents pupils with no debt, 19.3% (89). A large proportion of pupils stated that they had between £20,000 and £29,999 of debts. 2.6% (12) pupils had at least £50,000 worth of debts.



**Figure 35: Level of Debt Amongst Pupils**

## 26 Most Popular Universities Attended by Pupils

26.1 Figure 36 shows the 23 most frequent universities attended by pupils when they read for their first degree. The University of Oxford was most frequently attended and had the largest proportion of pupils, 13.5% (62). The University of Cambridge was second with 10.2% (47).

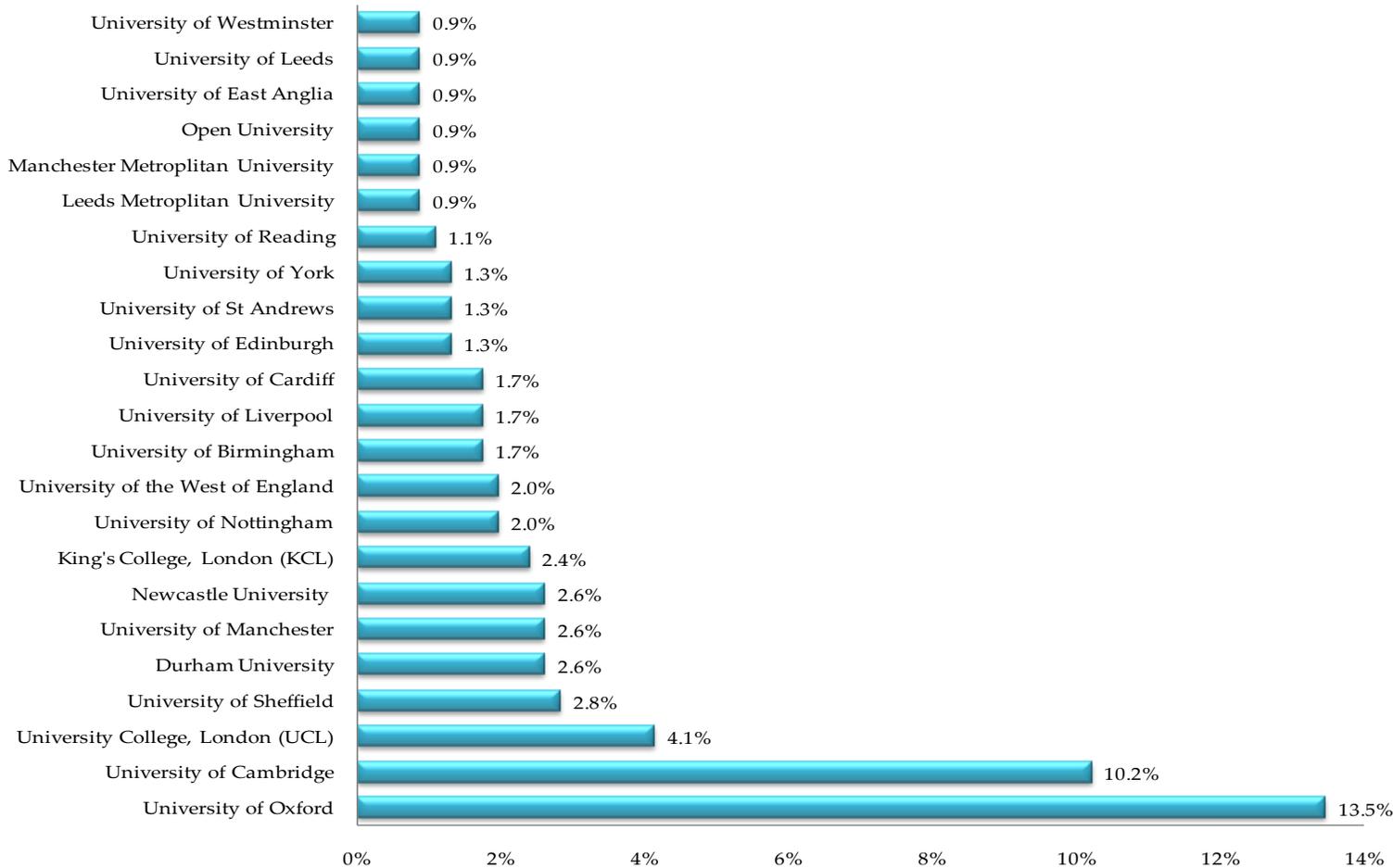
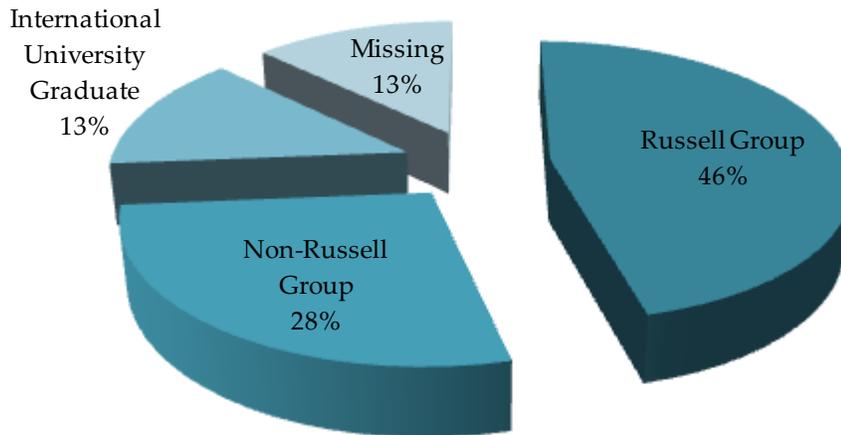


Figure 36: Most Frequent Universities Attended by Pupils

## 27 Type of University Attended

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27.1 Figure 37 shows the universities pupils attended to read their first degree categorised by Russell Group status. The Russell Group represents 20 leading UK universities that are committed to maintaining the very best research, an outstanding teaching and learning experience and unrivalled links with business and the public sector.



**Figure 37: Type of University Attended**

27.2 The Russell Group are as follows (in no particular order):

University of Birmingham  
University of Bristol  
University of Cambridge  
Cardiff University  
University of Edinburgh  
University of Glasgow  
Imperial College London  
King's College London  
University of Leeds  
University of Liverpool  
University College London

University of Warwick  
University of Manchester  
Newcastle University  
University of Nottingham  
University of Oxford  
Queen's University Belfast  
University of Sheffield  
University of Southampton  
London School of Economics &  
Political Science

## 28 Oxbridge or Other University

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28.1 Figure 38 reveals that 23.7% (109) pupils attended either the University of Oxford or the University of Cambridge, (Oxbridge). 'Other' universities covers all other universities attended by pupils.

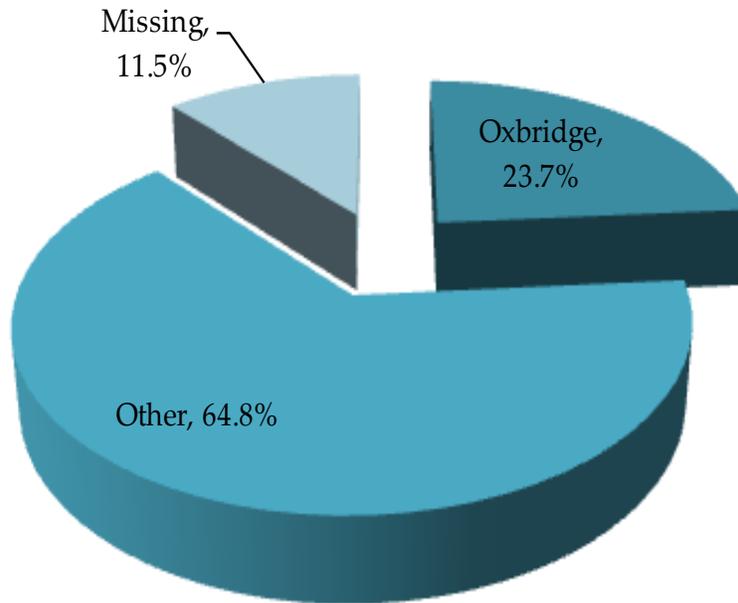
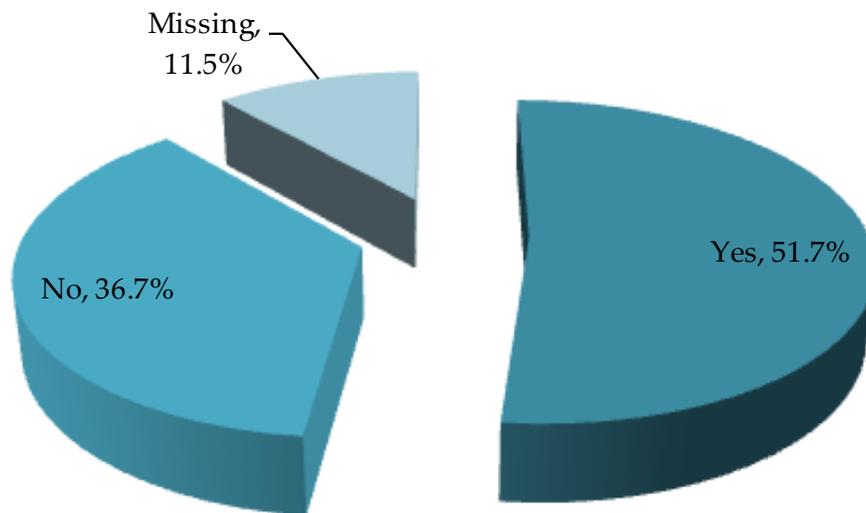


Figure 38: Oxbridge or Other University

## 29 Pupils with a Law Degree

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- 29.1 A law degree from a qualifying institution (known as a Qualifying Law Degree, QLD) is not a prerequisite for becoming a pupil.
- 29.2 If a law degree is not held then a degree in another subject must be held and must be supplemented by the Common Professional Examination (CPE) or an approved Graduate Diploma in Law (GDL) course, (commonly referred to as a law conversion course).



**Figure 39: Pupils with a Law Degree**

Figure 39 shows that just over half of pupils, 51.7% (238) pupils read law, 36.7% (169) did not.

## 30 Pupils Degree Classifications

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30.1 Figure 40 shows the breakdown of pupils' degree classifications. The largest proportion was an upper second degree classification (2i) with 52.8% (243) pupils achieving this. The smallest proportion was 0.4% (2) where pupils achieved a third class degree.

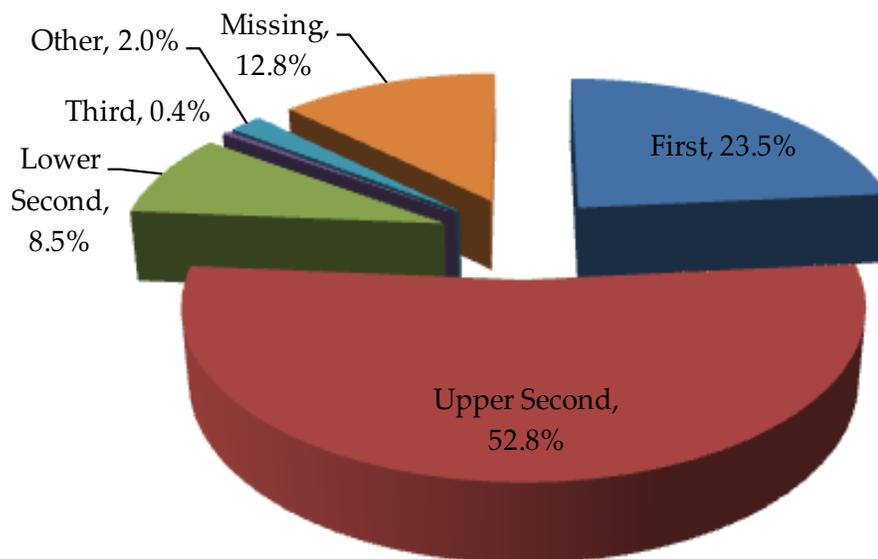
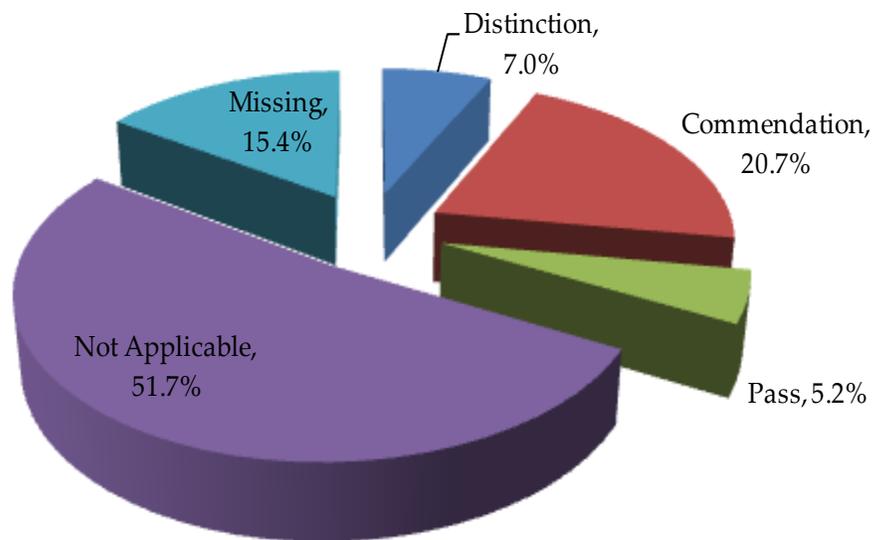


Figure 40: Pupils Degree Classifications

## 31 Pupils Law Conversion Course Grades

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31.1 Figure 41 shows the grades achieved by pupils who do not hold a law degree as their first degree and chose to complete a law conversion course to supplement their first degree.



**Figure 41: Pupils Law Conversion Course Grades**