



REGULATING BARRISTERS

# **Bar Barometer** Trends in the profile of the Bar

The General Council of the Bar of England and Wales June 2014

## Foreword

"By publishing this report, we are seeking to make widely available data on the Bar which can be used for the benefit both of the Bar and of consumers." We are pleased to present the third full edition of the annual Bar Barometer. This edition considers the Bar of England and Wales from 2007 to 2011/12. It provides a range of useful statistics about the demographics of the Bar and the profile of law students. We also want to take this opportunity to highlight the work which the profession has been doing to encourage access to and diversity within the Bar.

Reports like this provide important information which is relevant to both regulatory and representative activities. The information in this report will help us to reflect on the progress of our initiatives, to identify issues and to shape future policy. Others will also make use of this information. By publishing this report, we are seeking to make widely available data on the Bar which can be used for the benefit both of the Bar and of consumers.

As ever we are grateful for the contributions which so many have made to our research and encourage further participation when the opportunity arises. Together, we can present an accurate picture of the profession. We hope that you find this report as useful as we do.

Nicholas Lavender QC Chairman of the Bar Council Baroness Deech QC (Hon) Chairman of the Bar Standards Board

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## Introduction

The Bar Barometer provides statistics and trends on the Bar of England and Wales.

The Bar Barometer is intended to be a useful source of statistical information for those with an interest in the Bar. The Bar Barometer is also intended to be a resource that supports policy formulation, equality impact analyses and the development of evidence-based equality objectives.

This is the third edition of the annual Bar Barometer Report, and this edition charts and monitors trends over the period 2006/07-20011/12. It has been produced by the Research Department of the Bar Standards Board (BSB).

#### Sources of data

The Bar Barometer relies on anonymised statistical information from a number of different sources within the Bar Council and the BSB. Each data source has advantages and limitations.

The Bar Barometer primarily uses data from the secure core database maintained by the Bar Council and BSB. Data held in the core database relates to barristers from the beginning of their training, through to the different stages of their career at the Bar and largely originates from the Annual Chambers Return. A compulsory questionnaire is sent to all chambers requesting information about the barristers who practise in that set of chambers. Whilst the core database records the whole population of the Bar, current data completion rates are low for some demographic data, such as disclosure of disability.

The Bar Barometer also draws on information that is held in other areas of the Bar Council and the BSB. Other data sources include the Pupillage Supplementary Survey, which is administered annually by the BSB. It is completed by pupils upon registration of their pupillage.

Data from the Annual Monitoring Reports of the BSB's Bar Professional Training Course (BPTC) providers is also analysed. These reports contain anonymised course data relating to BPTC students.

In future years it should be possible for the BSB to report on a greater number of protected characteristics as the Bar Council and BSB data collection is enhanced through a rationalised, more strategic approach to evidence collection and analysis.

#### **Presentation of data**

Historically the Bar Council and BSB produced the official statistics for the profession at the end of each year, with some data collected mid-year. In this report, two reporting calendar formats are used: one for the majority of the practising profession, which follows the calendar year (January to December) and one for those in the training stages of the Bar that follows the academic year (October to September).

Percentages in the charts and tables of this report are presented to one decimal place (or as a whole number wherever this is more appropriate).

Information is also available on most of the protected characteristics as set out in the Equality Act 2010. The nine protected characteristics as set out in the Act are as follows:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Marriage and civil partnership, and
- Sexual orientation

In line with changes in legislation, information relating to the majority of the protected characteristics is now collected for all the main stages of training to practise at the Bar. The data presented in this report covers:

- Age
- Disability
- Race (ethnicity)
- Religion or belief
- Sex (gender), and
- Sexual orientation

A Glossary of Terms is provided at the end of this report.

#### Feedback

Feedback for past editions of the Bar Barometer has been gratefully received and incorporated in this year's edition where possible.

The Research department warmly welcomes all comments, suggestions and opinions on the content and format of this report. Please email your comments, suggestions or questions to Research@BarStandardsBoard.org.uk.

Media queries should be directed to the Press Office of either the BSB via bsbcontactus@ BarStandardsBoard.org.uk or the Bar Council via Press@BarCouncil.org.uk.

For additional information on the BSB and the Bar Council you may visit our websites, www.barstandardsboard.org.uk and www.barcouncil.org.uk, and follow us on Twitter @ barstandards or @thebarcouncil.

# **Summary: Key facts**

This report details the composition of the Bar illustrating and identifying trends.

The size and composition of the profession and those in the training stages are outlined here.

#### The Bar in 2012

- 15,585 barristers held practising certificates, an increase of 4 from 2011
- The practising profession has grown steadily over the past six years, averaging a growth rate of just over 3.7% during that period
- The largest annual increase in the last six years was between 2010 to 2011 when the practising profession grew by 1.26% (194) barristers
- The practising profession comprised 81.4% (12,680) of selfemployed barristers and 17.4% (2,780) of employed barristers
- The total practising profession consisted of 64.2% (10,012) men and 34.7% (5,412) women
- The total practising profession included 11% (1,716) barristers from a black and minority ethnic group (BME)
- 78.4% (12,226) were white barristers
- 10.5% (1,643) of barristers did not disclose their ethnicity
- The proportion of barristers with a disability at the practising Bar was 1% (161)
- 84.5% (13,175) of barristers did not disclose whether or not they had a disability

#### The self-employed Bar in 2012

- The self-employed Bar comprised 81.4% (12,680) of the whole practising profession
- The self-employed Bar comprised 66.4% (8,420) men and 32.5% (4,117) women
- The self-employed Bar consisted of 10.5% (1,332) BME barristers
- 80.6% (10,215) were white barristers
- 8.9% (1,133) barristers did not disclose their ethnicity
- There are 448 sole practitioners
- The proportion of self-employed barristers with a disability was 0.9%, (110 of 12,680)

#### The employed Bar in 2012

- The employed Bar comprised 17.4% (2,708) of the whole practising profession
- The employed Bar comprised 53.9% (1,461) were men and 45.5% (1,232) women
- The employed Bar consisted of 13.2% (357) BME barristers
- 69.2% (1,874) were white barristers
- 17.6% (477) barristers did not disclose their ethnicity

Because of the nature of the data, overlapping or missing, numbers do not necessarily add up to 100%.

## Key facts of BVC/BPTC students in 2011/12 and 2010/11

The key statistics in 2011/12 as well as the previous BVC/BPTC year 2010/11 (for comparison) are outlined on this page. Data relates to students' demographic information including their diversity data.

#### Students in 2010/11

- There were 3,099 applications to study for the BPTC commencing in 2010/11
- Total validated places were 1,684
- 84% of validated places were filled representing 16% underrecruitment by providers of the BPTC
- Total actual enrolled students were 1,682
- 52.2% (739) of all students were women
- 47.7% (675) of all students were men
- 42.4% (600) of all students were BME
- 43.7% (618) of all students were white
- 1.9% (196) of students did not disclose their ethnicity
- 5.3% (81) of students declared a disability

#### Students in 2011/12

- There were 3,017 applications to study for the BPTC commencing in 2011/12
- Total validated places were 2,142
- 80.9% of validated places were filled representing 19.1% underrecruitment by providers of the BPTC
- Total actual enrolled students were 1,732
- 50.1% (867) of all students were women
- 44% (762) of all students were men
- 41.6% (721) of all students were BME
- 45.8% (794) of all students were white
- 12.7% (217) of students did not disclose their ethnicity
- 7.4% (129) of students declared a disability

## Key facts of pupils in 2011/12 and 2010/11

The key statistics in 2011/12 and the previous pupillage year 2010/11 (for comparison) are outlined on this page. Data relating to pupils' demographic information including their diversity data is limited to pupils who registered for their First Six. The 2011/12 summary provides details on the composition of registered First Six pupils who participated in the Pupillage Supplementary Survey 2011/2012 (307 pupils).

#### Pupillage in 2010/11

- 446 First Six pupillages were registered in total (pupillage population)
- 477 Second Six pupillages were registered in total (pupillage population)
- 54% of (241) pupils were men
- 41% (181) of pupils were women
- 5% (22) of pupils did not disclose their gender
- 13% (58) of pupils were BME
- 79% (349) pupils were white
- 8% (37) of pupils did not disclose their ethnicity
- 1% (6) of pupils declared a disability

#### Pupillage in 2011/12

- 438 First Six pupillages were registered in total (pupillage population)
- 475 Second Six pupillages were registered in total (pupillage population)
- 45.6% (140) of pupils were men<sup>1</sup>
- 44% (135) of pupils were women
- 10.4% (32) of pupils did not disclose their gender
- 20.5% (63) of pupils were BME
- 67.4% (207) pupils were white
- 12.1% (37) of pupils did not disclose their ethnicity
- 2.6% (8) of pupils declared a disability

These statistics on pupillage are based on the Pupillage Supplementary Survey 2011/2012 (307 respondents out of 438 pupils).

#### Called to the Bar in 2011/12

- 1,469 barristers were Called to the Bar in 2011/12:
- 49.4% (726) were women
- **50.3% (739) were men**
- 42.9% (631) were BME barristers
- 54.2% (796) were white
- 2.9% (42) of barristers did not disclose their ethnicity

#### New Tenants 2011/12

- 335 new tenancies were registered in 2011/12, down 38.1% from 541 in 2010/11
- Prior to 2011/12, the average number of newly-registered tenancies in a given year was 499 for the period 2006/07 to 2010/11
- 56.4% (189) of new tenants were men
- 43.6% (146) of new tenants were women
- 11.3% (38) of new tenants were BME
- 87.2% (292) of new tenants were white
- 1.5% (5) of new tenants did not disclose their ethnicity

#### Queen's Counsel (QC) in 2012

- QCs constituted 10% (1,559) of the practising profession in 2012
- 97.4% (1,518) of QC's were selfemployed
- 1.7% (26) of QC's were classified as employed
- 1% (15) practised in a dual capacity
- 87.4% (1,327) were men (selfemployed)
- 12.3% (187) were women (selfemployed)
- 5.5% (83) were BME (selfemployed)
- 90.6% (1,376) were white (selfemployed)
- 88.5% (23) were men (employed)
- 11.5% (3) were women (employed)
- 3.8% (1) were BME (employed)
- 92.3% (24) were white (employed)

# The practising Bar

Barristers in England and Wales are specialist advocates and advisers who provide expert legal services when representing their lay and professional clients in courts and other legal contexts. Often, solicitors will refer work to a barrister but in some circumstances it is also possible for a member of the public to go directly to a barrister for advice or representation through the Public Access scheme. Please see the Bar Council and BSB websites for more details.<sup>2</sup>

Figure 1 shows the total number of barristers authorised to practise over the period 2007 to 2012. The total number of practising barristers has steadily risen since 2007. However as indicated in Figure 1, in 2011 the numbers begin to level out. In December 2012 the number of barristers in England and Wales authorised to practise was 15,585. This was an increase of just four barristers since 2011.



Figure 1: Total number of practising barristers (figures) The growth rate of barristers in practice throughout the period 2007 to 2012 is represented in Figure 2. The overall increase over the period 2007 to 2012 was 3.7%, with an average annual increase of 0.9%. The biggest annualised increase in the number of practising barristers over the last five years was between 2010 and 2011 when the profession grew by 1.3% (194) barristers. The smallest increase in the number of practising barristers over the same period was last year (2011 to 2012) when the profession grew by four people.

## The practising Bar by practice area

Barristers usually specialise in particular areas of the law, of which there are more than 90 different traditional classifications. A barrister can practise in any one or more of these areas throughout the life of their career.

Criminal law is the most common area of practice, with 25.1% of barristers (3,919 of 15,585) engaged primarily in this area. Barristers practising common law accounted for 18.2% (2,835), 14.9% (2,325) specialise in personal injury, and 14.3% (2,233) practise in family law. Figure 3 shows the top ten areas of practice based on concentration of barristers. Almost 40% (6,165) of barristers did not disclose their area of practice.



<sup>†</sup>Barristers may practise in more than one area concurrently, hence the total exceeds 100%.

**Percentage growth** 

## The practising Bar at five years' Call

Figure 4 looks at the number of barristers at five years' Call for the period 2007 to 2012 (please see the Glossary for explanation of 'Call to the Bar'). In some instances, the year of Call does not indicate experience of practising at the Bar as career breaks may have been taken.

The data shows that in 2007 there were 552 barristers at five years' Call and, for each of the three years following, there were approximately 500 barristers at five years' Call. In 2011, the number of barristers at five years' Call peaked at 553 and fell in 2012 when there were 499 barristers at five years' Call.



Figure 4: The practising Bar at five years' Call (figures)

## The practising Bar at 15+ years' Call

Figure 5 looks at the number of barristers at 15 years' Call over for the period 2007 to 2012. The overall increase over the period 2007 to 2012 was 24.8%. Over the period 2007 to 2010 there has been a steady annual increase of 4% to 5% in the number of barristers at 15+ years' Call – growing from 6,776 in 2007 to 7,720 in 2010. This was followed by a significant drop of 16% in the number of those at 15+ years' Call to 6,482 in 2011. However, there was a sharp increase by 30.4% to 8,456 in 2012.



Figure 5: The practising Bar at 15+ years' Call (figures)

#### Gender at the Bar

The gender composition at the Bar is depicted in Figure 6 and Figure 7. Since 2007, there have consistently been fewer female barristers than male barristers in the profession. The biggest increase in the percentage of female barristers practising at the Bar was between 2009 and 2010 when growth was 0.4 percentage points (95). In 2007, 66% of the Bar were male and 34% were female barristers. In 2011, the proportion of males in the profession was 64.9% with 35.1% being female; compared to 64.2% male and 34.7% female barristers in 2012.

70% 60% 50% 40% 30% 20% 10% 0% 2007 2008 2009 2010 2011 2012 Men 66% 65.9% 65.6% 65.2% 64.9% 64.2% Women 34.4% 34% 34.1% 34.8% 35.1% 34.7% 1.1% No data

Figure 6: Gender of practising barristers (%)<sup>†</sup>





<sup>†</sup>Previous editions did not report on missing data.

#### Figure 7: Gender of practising barristers (figures)<sup>†</sup>

## Age at the Bar

Figure 8 and Figure 9 show the ages of all practising barristers in 2012. The largest number of barristers (29.5%, 4,600 barristers) were in the 35 to 44 age category. Missing data relating to age for 2012 stands at 21.3% (3,324 barristers did not disclose this information).







#### Figure 9: Age of practising barristers (figures)

#### Ethnicity at the Bar

Figure 10 and Figure 11 depict the ethnic profile of the Bar between 2007 and 2012. The quality of ethnicity data has improved over the years with slightly better disclosure rates over time. In 2012, 89.5% of barristers disclosed their ethnicity compared to 85.7% in 2007.

In 2007, white barristers comprised 76% of the practising profession. The proportion of white barristers increased from 76% to 78.4% over the 2007-2012 period. There was also an increase in Black Minority Ethnic (BME) barristers with 11% recorded in 2012, up from 9.8% in 2007.





Figure 10: Ethnicity at the practising Bar (%)



## Disability at the Bar

Figure 12 and Figure 13 show the proportion of practising barristers who have disclosed to the Bar Council that they are disabled. The proportions of barristers who disclosed a disability were very similar for 2010 and 2011: 0.6% (88) in 2010 and 0.5% (84) in 2011. The proportion of barristers declaring themselves to have a disability at the practising Bar in 2012 was 1% (161).

In 2012, missing data remained very high 84.5% (13,175 barristers) although this does represent an improvement on the 2011 missing data figure of 99.5% (15,497).



### **Classification of barristers**

Practising barristers are largely classified in one of two categories: self-employed or employed. Some barristers also practise in a dual capacity: that is, they work from chambers as well as in an employed capacity. Other barristers are classified as Registered European Lawyers (please see the Glossary for a definition of a 'Registered European Lawyer').

Figure 14 and Figure 15 show barristers authorised to practise by classification over the period 2010 to 2012. In 2012, 81.4% (12,680) of barristers were self-employed, 17.4% (2,708) employed, 1.2% (188) were practising in a dual capacity, and 0.1% (9) were Registered European Lawyers.

The data shows that over the period 2010 to 2012 there has been a steady, albeit small, increase in the number of self-employed barristers and a decline in the number of employed barristers. The percentage of self-employed barristers grew from 80.4% in 2010 to 81.4% in 2012, compared to the percentage of employed barristers which fell from 19.2% in 2010 to 17.4% in 2012. Over the course of 2012 there has been a significant increase in the number of barristers practising in a dual capacity, from 69 barristers in 2011 to 188 in 2012.





#### Figure 14: Practising barristers by classification (%)

Figure 15: Practising barristers by classification (figures) Self-employed and employed barristers combined account for 98.7% of the practising Bar in 2012 (15,388 of 15,585 barristers). Chapter 3 of this report provides further details on the composition of the self-employed Bar, and Chapter 4 provides further details on the composition of the employed Bar.

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# Barristers at the selfemployed Bar

Figure 16 illustrates the number of practising self-employed barristers from 2007 to 2012. There has been a steady, albeit small (5.1% overall), increase in the number of barristers in self-employed practice: from 12,058 in 2007 to 12,680 in 2012. The largest increase was 2% (254) between 2010 and 2011.



Figure 16: The number of barristers at the self-employed Bar (figures) Figure 17 below illustrates the growth in the number of practising self-employed barristers as a percentage of the practising profession from 2007 to 2012. The proportion of barristers at the self-employed Bar has continued to increase slightly over the years. The largest increase in the proportion of self-employed barristers occurred between 2010 and 2011 when growth was 0.6 percentage points (254). In 2012, the self-employed Bar increased slightly by 0.1 percentage points. This is the smallest increase over the period 2008 to 2012. Self-employed barristers comprised 81.4% of the practising profession in 2012.



Figure 17: Self-employed barristers as a percentage of the practising Bar (%)

## Gender at the self-employed Bar

The self-employed Bar comprised 12,680 barristers in 2012. Figure 18 and Figure 19 show the proportions of male and female at the self-employed Bar between 2007 and 2012. During that time the proportion of female barristers has increased marginally, by 2.5% from 30.9% in 2007 to 32.5% in 2012.

While the actual number of self-employed male barristers has increased between 2007 and 2012, the percentage of male barristers at the self-employed Bar has declined slightly for the same five-year period. Figure 18 shows that in 2012 male barristers made up 66.4% of the profession, a decrease from 69.1% in 2007. However, Figure 19 shows that the number of male barristers increased slightly from 8,327 in 2007 to 8,420 in 2012.





Figure 18: Gender of practising self-employed barristers (%)

Figure 19: Gender of practising selfemployed barristers (figures)

### Age at the self-employed Bar

Figure 20 and Figure 21 show the age of practising barristers at the self-employed Bar in 2012. The largest number of self-employed barristers was in the 35 to 44 age category: 28.4% (3,602). Missing data for 2012 relating to age stands at 22.3% (2,828).



Figure 20: Age of practising self-employed barristers (%)



## Ethnicity at the self-employed Bar

Figure 22 and Figure 23 show the ethnic profile of the self-employed Bar over the period 2007 to 2012. Over this period, the number of white barristers increased, growing from 78.7% (9,489) in 2007 to 80.6% (10,215) in 2012. In 2007, BME barristers comprised 9.2% (1,109) of the self-employed Bar. Over the five years to 2012 that proportion grew by 1.3 percentage points, to 10.5% (1,332) in 2012.







Figure 23: Ethnicity at the self-employed Bar (figures)

### Disability at the self-employed Bar

Figure 24 shows the proportion of self-employed barristers who have disclosed that they are disabled compared with the total practising Bar. The proportion of practising barristers who disclosed that they were disabled in 2012 was 1% (161), compared to 1.3% in 2010 and 2011. In 2012, 0.9% of self-employed barristers disclosed that they were disabled (110 of the 12,680 self-employed barristers), compared to 0.4% in 2010 and 2011.

In 2012, missing data on disability remained very high: some 85.7% (10,867 of the 12,680 selfemployed barristers) did not disclose whether or not they had a disability.



Figure 24: Declaration of a disability among the self-employed Bar (%)

## **Classification of self-employed barristers**

Self-employed barristers usually practise either from a set of chambers as independent tenants, or as sole practitioners. Some self-employed barristers also practise as door tenants, working from premises outside their chambers.

In 2012, 93.6% (11,872) of self-employed barristers were tenants, 1.5% (192) were practising as door tenants, 3.5% (448) operated as sole practitioners, and 1.3% (168) were classified as other self-employed barristers.

#### Sole practitioners

Sole practitioners are self-employed barristers who have been in practice for at least three years following the completion of pupillage and then decide to practise independently of chambers in accordance with the requirements of the BSB Handbook.<sup>3</sup>

Figure 25 shows the number of sole practitioners authorised to practise over the period 2007 to 2012. The number of sole practitioners has increased steadily and significantly (by 44.9%) between 2007 and 2012: the numbers increased to 448 in 2012 which is up from 309 barristers in 2007, although the proportion of the Bar practising in this way is still quite small.



Figure 25: Number of selfemployed barristers practising as sole practitioners (figures)

Figure 26 shows sole practitioners as a proportion of the self-employed Bar between 2007 and 2012. Over the period 2007 to 2010, the number of sole practitioners has grown from year to year in both numbers and proportion. The data shows that between 2011 to 2012 the proportion of sole practitioners has been fairly constant, at around 3.4%. The percentage of sole practitioners as a proportion of the practising Bar increased by 0.1 percentage points (21 barristers) over the last year (from 3.4% in 2011 to 3.5% in 2012).



Figure 26: Sole practitioners as a proportion of the selfemployed Bar (%)

3 https://www.barstandardsboard.org.uk/regulatory-requirements/bsb-handbook/

#### Gender of sole practitioners

Figure 27 and Figure 28 show the proportions of men and women who practise as sole practitioners. In 2012, there was a significant improvement in the number of sole practitioners disclosing their gender. Only 0.4% (2 barristers) did not disclose their gender in 2012. In 2012, men made up 70.1% (314) of all sole practitioners, up from 62.3% (266) in 2011. Women made up 29.5% (132) of all sole practitioners, up from 25.8% (110) in 2011.





Figure 27: Gender of sole practitioners (%)

> Figure 28: Gender of sole practitioners (figures)

## Age of sole practitioners

Figure 29 and Figure 30 show the numbers and percentages of sole practitioners in each age category at the self-employed Bar in 2012. The largest number of sole practitioners was in the 45 to 54 age category: 26.1% (117 barristers). Missing data relating to age for 2012 stands at 19.9% (89 barristers did not disclose this information).







## Ethnicity of sole practitioners

Figure 31 and Figure 32 show the ethnic profile of sole practitioners for the period 2010 to 2013. In 2012, 60.7% (272) of sole practitioners were white compared to 59.8% (225) in 2010. In 2012, 24.8% (111) of sole practitioners were BME compared to 26.9% (101) in 2010.





Figure 31: Ethnicity of sole practitioners (%)

Figure 32: Ethnicity of sole practitioners (figures)

### Disability of sole practitioners

Figure 33 shows the proportion of sole practitioners who have disclosed that they are disabled compared to the total practising Bar. The proportion of practising barristers who disclosed that they were disabled in 2012 was 1% (161), compared to 4% of sole practitioners (18 of the 448 self-employed sole practitioners).

In 2012, missing data remains high at 76.6% (343 of the 448 self-employed sole practitioners).



Figure 33: Disabled practitioners as a proportion of sole practitioners and the practising Bar (%) Bar Barometer trends in the profile of the Bar | 2013

## Barristers at the employed Bar

Employed barristers practise in a wide range of organisations and sectors, from the public sector such as the Crown Prosecution Service to the financial services sector. Figure 34 illustrates the number of practising employed barristers from 2007 to 2012. There was a downward trend in the number of barristers registering as employed practitioners: down 11% from 3,046 in 2008 to 2,708 in 2012. The largest decrease (6.8%) of 199 employed barristers was between 2011 and 2012.



Figure 35 shows employed barristers as a percentage of the practising profession over the period 2007 to 2012. The proportion of barristers at the employed Bar has fallen by 2.4 percentage points over the period 2007 to 2012. Employed barristers comprised 19.8% of the practising profession in 2007, whereas the employed Bar in 2012 accounted for 17.4% of barristers. Last year the employed Bar decreased by 1.3 percentage points.



Figure 34: The number of barristers at the employed Bar

(figures)

#### Figure 35: Employed barristers

as a percentage of the practising Bar (%)

#### Gender at the employed Bar

The employed Bar comprised 2,708 barristers in 2012. There has been little variation in the proportion of men at the employed Bar over the period 2007 to 2012. Figure 36 below shows that over the period 2007 to 2012 men accounted for 53.7% of the employed Bar on average.

Figure 36 and Figure 37 below show that the proportion of women at the employed Bar grew slightly from 46.3% to 46.7% over the period 2007 to 2011. In 2012 however, the proportion of women at the employed Bar decreased slightly; from 46.7% to 45.5%.



Figure 36: Gender of practising employed barristers (%)<sup>†</sup>

<sup>†</sup>Previous editions did not account for 'no data' and used whatever data available as the whole population.



#### Figure 37: Gender of practising employed barristers (figures)
# Age at the employed Bar

Figure 38 and Figure 39 show the age of practising barristers at the employed Bar in 2012. The largest number of employed barristers was in the 35 to 44 age band: 34.7% (939 barristers).





Figure 38: Age of practising employed barristers (%)



# Ethnicity at the employed Bar

Figure 40 and Figure 41 depict the ethnic profile of the employed Bar over the period 2007 to 2012. White barristers made up over two thirds (69%) of the employed Bar in 2012, which represents an increase of 4.2 percentage points from 2007. However, the actual number of white barristers for the same period fell by 58. The proportion of BME barristers at the employed Bar increased from 12% in 2007 to 13.2% in 2012. The actual number of BME barristers was 357 in 2007 rising to a peak of 370 in 2009 before declining back to 357 in 2012.

The increase in percentages for both white and BME groups, albeit decreasing or stable in actual numbers, may be partially attributable to improved disclosure of ethnicity. Missing data in relation to ethnicity stood at 17.6% in 2012 down from 23% in 2007.





Figure 40: Ethnicity of the employed Bar (%)

> Figure 41: Ethnicity of the employed Bar (figures)

# Disability at the employed Bar

Figure 42 shows the proportion of employed barristers who have disclosed that they are disabled in comparison with the total practising Bar. The proportion of practising barristers who disclosed that they were disabled in 2012 was 1% (161), compared to 1.8% (48) of employed barristers.

In 2012, missing data on disability at the employed Bar remains high, with 79.1% (2,143 out of 2,708) of employed barristers not disclosing whether or not they were disabled.





Bar Barometer trends in the profile of the Bar | 2013

# Queen's Counsel

Barristers at the self-employed and employed Bar can apply to be appointed as Queen's Counsel (QC). They are considered as experts in their field, generally with a minimum of 15 years' practice. When a barrister is appointed as a QC this is known informally as 'taking silk' because of their entitlement to wear black silk gowns in court instead of standard court dress.

Over the period 2007 to 2012, QCs comprised between 8.1% and 10% of the practising profession. Figure 43 below shows the percentages of practising barristers who were appointed as QCs. QCs constituted 10% (1,559) of the practising profession in 2012.



Figure 43: QCs as a proportion of the practising Bar (%)

# QCs by practice area

There are more than 90 areas of law in which a barrister can practise and a QC may practise in more than one area of the law. The top three areas of practice among QCs in 2012 were professional negligence, commercial litigation, and crime. Approximately one third of QCs practised in each of these areas. Figure 44 shows the top 10 areas of practice by QCs (based on the concentration of QCs in each area).



Figure 44: QCs by area of practice (%)<sup>†</sup>

<sup>†</sup>QCs may practise in more than one area so the total exceeds 100%.

# Gender of QCs

Practising QCs in 2012 totalled 1,559 barristers. The proportion of male QCs far exceeded that of female QCs: approximately 7 to 1 respectively (1362 male to 193 female barristers). Four QCs did not disclose their gender.



Figure 45: Gender of practising QCs (%)

# Age of QCs

Figure 46 shows the age composition of QCs in 2012 compared to the whole practising Bar. Just over half of the QCs in 2012, 55.9% (872), did not disclose their age. All other QCs were 35 years or older: with 33.1% (515) aged between 35 and 54 years old and 11.1% (172) were 55+ years old.



Figure 46: 2012 Age of practising QCs (%)

# **Ethnicity of QCs**

Figure 47 shows the ethnicity composition of practising QCs in 2012 compared to the whole practising Bar. In 2012, 90.7% (1,414) of QCs self-classified as white, and 5.5% (85) self-classified as BME. BME practitioners are therefore under-represented at QC level (5.5%) in comparison to their representation at the practising Bar (11%). Some 3.8% (60) of QCs did not disclose their ethnicity.



Figure 48 shows the limited change in the ethnicity composition of QCs between 2007 and 2012.



practising QCs (%)

2012 Ethnicity of

Figure 47:



# **Disability of QCs**

Figure 49 shows the proportion of QCs who have disclosed that they are disabled. The proportion of disabled barristers at the practising Bar in 2012 was 1% (161 barristers), compared to 0.6% of QCs (9).



# Figure 49: 2012 Disclosure of

disability amongst QCs (%)

# **Classification of QCs**

As practising barristers, QCs are largely self-employed or employed. Some QCs also practise in a dual capacity: that is, they work both in a chambers and in an employed capacity.

Figure 50 below shows the total number of QCs by classification authorised to practise in 2012, compared to the total practising Bar in 2012. The data shows that in 2012 the majority of QCs were self-employed; 97.4% of QCs compared to 81.4% of the total practising Bar. In 2012, 97.4% (1,518) of QCs were self-employed, 1.7% (26) employed, and 1% (15) practised in dual capacity.



Figure 50: 2012 Total number of practising QCs by

classification (%)

# Gender of self-employed QCs

There were 1,518 QCs practising at the self-employed Bar in 2012.

There has been a steady increase over the period 2007 to 2012 in both the proportion and the actual number of female QCs at the self-employed Bar. Figure 51 below shows that in 2007 female barristers comprised 9.5% of all QCs, rising to 12.3% in 2012. Figure 51 and Figure 52 below show that, while the percentage of male QCs has been on the decline, the total number of male QCs at the self-employed Bar continues to rise as more QCs are appointed.



Figure 51: Gender of practising self-employed QCs (%)<sup>†</sup>

<sup>†</sup>Previous editions did not account for 'no data' and used whatever data available as the whole population.



<sup>†</sup>Previous editions did not account for 'no data' and used whatever data available as the whole population.

Figure 52: Gender of practising self-employed QCs (figures)<sup>†</sup>

200

100

2012

<25

\_

25-34

\_

35-44

158

45-54

344

55-64

108

65+

51

No data

857

# Age of self-employed QCs

Figure 53 and Figure 54 shows the age composition of self-employed QCs in 2012. Just over half of self-employed QCs in 2012, 56.5% (857), did not disclose their age. Of the self-employed QCs who declared their age, 33.1% (502) were aged between 35 and 54 years old, and 10.5% (159) were 55+ years old.



Figure 53: Age of practising self-employed QCs (%)



# Ethnicity of self-employed QCs

Figure 55 and Figure 56 depict the ethnic profile of self-employed QCs over the period 2007 to 2012. The data on the respective ethnic categories has shown little change over the period. For the period 2007 to 2012, on average, 91.2% of self-employed QCs were white. In 2007, BME barristers comprised 3.6% of QCs. That proportion grew to 5.5% in 2012.





Figure 55: Ethnicity of practising selfemployed QCs (%)

> Figure 56: Ethnicity of practising selfemployed QCs (figures)

# Gender of employed QCs

In 2012 there were 26 QCs practising at the employed Bar.

Figure 57 and Figure 58 shows the proportions of male and female QCs practising at the employed Bar over the period 2010 to 2012. Whilst the number of female QCs has remained the same (3 QCs) between 2010 and 2012, there has been an increase in their male counterparts, with 23 QCs in 2012 up from 16 QCs in 2010 and 2011.





Figure 57: Gender of practising employed QCs (%)

Figure 58: Gender of practising employed QCs (figures)

# Age of employed QCs

Figure 59 and Figure 60 shows the age composition of employed QCs in 2012. Just under one-third of self-employed QCs in 2012, 30.8% (8), did not disclose their age. The remaining 18 self-employed QCs were all 45 years or older: 30.8% (8) were between 45 and 54 years old and 38.4% (10) were 55+ years old.





Figure 60: Age of practising employed QCs (figures)

# Ethnicity of employed QCs

Figure 61 and Figure 62 depict the ethnic profile of employed QCs over the period 2010 to 2012. There was no change in the ethnic profile for the period 2010 to 2011.

Over the period 2010 to 2012, on average 93.9% of employed QCs were white and 4.8% of QCs were BME.



 $^{\dagger}\text{Previous}$  editions did not account for 'no data' and used whatever data available as the whole population.



### Figure 61: Ethnicity of practising employed QCs (%) <sup>†</sup>

Figure 62: Ethnicity of practising employed QCs (figures) Bar Barometer trends in the profile of the Bar | 2013

# Called to the Bar

'Call to the Bar' is the date from which a barrister is formally recognised to have passed the vocational or BPTC stage of training and has been admitted to the Bar by their Inn of Court. Barristers are often referred to by their 'year of Call' which is calculated from the same date.

Figure 63 shows the number of barristers Called to the Bar between 2006/07 and 2011/12 by their respective year of Call. In 2011/12, 1,469 barristers were Called to the Bar. Since 2009/10, there has been a downward trend in the number of barristers Called to the Bar: from 1,852 Called in 2009/10 to 1,469 in 2011/12. The largest decrease (358 barristers) was between 2009/10 and 2010/11.





The growth rate of barristers Called to the Bar over the period 2007 to 2012 is represented in Figure 64. Over the five years to 2011/12, the average annual number of people Called to the Bar decreased by 3.3%. The biggest annualised decrease in the number of practising barristers over the last five years was between 2010 and 2011 when the number of barristers Called fell by 19.3% (358). The largest increase in the number of newly Called barristers over the same period was in 2009/10 by 4.5%. During 2011/12, the number of people Called to the Bar decreased by 1.7% (25 barristers fewer than the year before).



### Figure 64: Percentage growth of those Called to the Bar (%)

# Gender of those Called to the Bar

In 2011/12, 1,469 barristers were Called to the Bar. The proportion of female barristers Called to the Bar in 2011/12 remains the same as the proportion of those Called the year before but has decreased steadily since 2007/2008 by 3%. Figure 65 and Figure 66 show that in 2011/12 female barristers comprised 49.4% (726) of those Called to the Bar. The proportion of males Called to the Bar in 2011/12 slipped by 1 percentage point (17 barristers) in 2011/12: 50% in 2011/12 compared to 51% in 2010/11.





Figure 65: Gender of those Called to the Bar (%)

> Figure 66: Gender of those Called to the Bar (figures)

# Age of those Called to the Bar

The largest number of barristers Called to the Bar in 2011/12 was in the 25 to 34 age category, 34% (500). Figure 67 and Figure 68 show the ages of all barristers Called to the Bar in 2011/12. Missing data relating to age for 2011/12 stands at 38.3% (563) barristers.





Figure 67: Age of those Called to the Bar (%)

Figure 68: Age of those Called to the Bar (figures)

# Ethnicity of those Called to the Bar

Figure 69 and Figure 70 show the ethnic profile of those Called to the Bar over the period 2006/07 to 2011/12. In 2011/12, 54.2% (796) of those Called to the Bar were white and 42.9% (631) were BME. The number of BME barristers Called to the Bar steadily rose over the period 2006/07 to 2009/10, followed by two consecutive years of decline: 0.5 percentage points in 2010/11 and 0.8 percentage points in 2011/12. Three quarters (74.6%) of those Called to the Bar in 2011/2012 were domiciled in the UK, an increase from about 66.3% in 2010/2011 and 67.8% in 2009/2010.





Figure 69: Ethnicity of those Called to the Bar (%)

Figure 70: Ethnicity of those Called to the Bar (figures)

# Disability of those Called to the Bar

Figure 71 shows the proportion of newly-Called barristers who have disclosed that they are disabled compared to the total practising Bar. The proportion of barristers with a disability at the practising Bar in 2011/12 was 1% (161), compared to 0.3% of barristers Called to the Bar in 2011/12 having a disability (4 of the 1,469 new Calls).



Figure 71: 2012 Disclosed disability of those Called to the Bar (%)

# Current classification of those Called to the Bar in 2011/12

In 2011/12, 57.5% (845) of barristers Called to the Bar were unregistered at the time of collating figures,<sup>4</sup> and 16.7% (245) had gone overseas. Figure 72 and Figure 73 show the cohort of barristers Called to the Bar in 2011/2012 by their current status: 16% (235) were self-employed, 1.9% (29) employed, and 0.1% (1) were practising in a dual capacity. In 2011/12, 5.7% (83) of newly-Called barristers were embarking on their pupillage training (please see Chapter 7 on Training for the Bar for explanation of pupillage training).





Figure 72: 2011/12 Calls to the Bar by current classification (%)

Figure 73: 2011/12 Calls to the Bar by current classification (figures)

# Newly-employed barristers

This has been a decrease in the number of employed barristers over the period 2006/07 to 2011/12 as shown in Figure 74, with a substantial decrease in 2011/12 when only 29 barristers Called to the Bar worked at the employed Bar. This is less than one-sixth of the total of 191 barristers who started at the employed Bar in 2010/11.



Figure 74:

Newly-employed barristers (figures)

# Tenancy

Securing tenancy means being accepted as a permanent member of chambers, traditionally upon completion of pupillage (please see the Glossary for further details). The number of tenancies at the self-employed Bar has fallen considerably over the 2011/2012 period as shown in Figure 75. Figures for 2012 include only new tenants, defined as those newly qualified taking up a position as a self-employed barrister for the first time. The data shows 335 newly-registered tenancies for 2011/12, down 38.1% from 541 in 2010/11. Prior to 2011/12, for the period 2006/7 to 2010/11 the average number of newly-registered tenancies in a given year was 499.



Figure 75: Newly-Called selfemployed tenants (figures)

# Gender of new tenants

Figure 76 compares the gender proportions of those securing tenancy positions as newly self-employed barristers for the period 2010 to 2012 while Figure 78 shows the numbers of men and women barristers securing tenancy positions as newly self-employed barristers for the same period.

Figure 76 and Figure 77 below show that between 2010 and 2011/12 newly-Called men and women tenant numbers have fluctuated from year to year.<sup>5</sup> Women accounted for 44.2% of those Called in 2010, increasing to 52.2% in 2011, and abruptly falling to 43.6% in 2011/12.





Figure 76: Gender composition of new tenants (%)

Figure 77: Gender composition of new tenants (figures)

5 While previous years' numbers included both new tenancies and those taking up a new position as an employed barrister, figures for 2012 include only new tenants, defined as those newly qualified taking up a position as a self-employed barrister for the first time.

# Age of tenants

In 2011/12, the largest number of newly Called self-employed tenants to the Bar was in the 25 to 34 age category, 76.1% (255). Figure 78 and Figure 79 show the ages of all new tenants Called to the Bar in 2011/12.<sup>6</sup> Missing data relating to age for 2011/12 stands at 4.8% (16) of new tenants.





Figure 79: Age of new tenants (figures)

> 6 While previous years' numbers included both new tenancies and those taking up a new position as an employed barrister, figures for 2012 include only new tenants, defined as those newly qualified taking up a position as a self-employed barrister for the first time.

# **Ethnicity of new tenants**

Figure 80 compares the ethnicity proportions of those securing tenancy positions as newly self-employed tenants for the period 2010 to 2012, and Figure 81 shows the ethnicity and numbers of those securing tenancy positions as newly self-employed tenants for the period 2010 to 2012.<sup>7</sup>

Figure 80 and Figure 81 below show that over the period 2010 to 2012 the ethnicity composition of newly-Called tenants has fluctuated from year to year. BME tenants accounted for 11% of those Called in 2010, growing slightly to 12% in 2011, and falling slightly to 11.3% in 2011/12. Disclosure has improved significantly in 2012 as missing data dropped to just 1.5%.





Figure 80: Ethnicity of tenants (%)



7 While previous years' numbers included both new tenancies and those taking up a new position as an employed barrister, figures for 2012 include only new tenants, defined as those newly qualified taking up a position as a self-employed barrister for the first time.

### Disability of new tenants

Figure 82 shows the proportion of newly Called tenants who have disclosed that they are disabled compared to the total practising Bar.<sup>8</sup> The proportion of practising barristers who advised of a disability in 2012 was 1% (161 barristers). None of the new tenants advised of a disability in 2012, while 0.9% of them preferred not to say (3 of the 335 new tenants). Disclosure has improved by almost 15 percentage points in 2012 but missing data remains high at 69.9%.



Figure 82: 2012 Declaration of a disability among self-employed tenants Called to the Bar (%)



# Training for the Bar

Three stages must be completed in order to qualify fully as a practising barrister in England and Wales. Figure 83 illustrates the stages in training for the Bar.



#### **Academic Stage**

The process of training for admission to the Bar begins with the Academic Stage. This requires successful completion of an undergraduate degree in law or an undergraduate degree in any other subject<sup>9</sup> with either the conversion course the Common Professional Examination (CPE) or an approved Graduate Diploma in Law (GDL) then completed.

#### Vocational Stage

The Bar Professional Training Course (BPTC)<sup>10</sup> is the second stage (the Vocational Stage) of training for the Bar. Entry to the BPTC is limited to students who have first completed the Academic Stage. The Vocational Stage requires successful completion of the BPTC over one year full-time or two years part-time. The BPTC follows the academic year format, September through to July of the following year. From September 2010 the BPTC was offered by nine different providers at eleven locations around England and Wales. The BPTC lasts 30 weeks for full-time students, and part-time students take the course over two academic years. It is compulsory during their BPTC for students to attend 12 qualifying sessions held by the Inn of Court<sup>11</sup> of which they are a member. Those who pass the BPTC are Called to the Bar by their respective Inn of Court, the twelfth qualifying session often being Call night for most students. The majority of those who pass the BPTC apply for pupillage (the third and final stage in training for the Bar) in the UK or in their region.<sup>12</sup>

#### **Pupillage Stage**

The third and final stage in training for the Bar is Pupillage. Generally, this is an overall period of 12 months split into two six month periods referred to as the First Six and the Second Six. The First Six and Second Six need not be completed in the same academic year. Pupillage is spent either in a set of chambers or in another Approved Training Organisation.<sup>13</sup>

Figure 83: Stages in training for the Bar

<sup>9</sup> A lower second class degree is the minimum standard of achievement at the Academic Stage in order to enrol for the BPTC. Graduates with a third class degree are excluded unless the regulator decides, in light of the individual's circumstances, to exercise discretion in his or her favour and allow him or her to register.

<sup>10</sup> Prior to 2010, the Bar Professional Training Course was Called the Bar Vocational Course (BVC).

<sup>11</sup> The Inns of Court are Lincoln's Inn, Inner Temple, Middle Temple, and Gray's Inn.

<sup>12</sup> Following closure of the Tier 1 post study work route in 2010, new rules apply to Non-European Economic Area (EEA) citizens who wish to apply for pupillage in England and Wales. 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 must 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 www.barcouncil.org.uk/for-the-bar/international/immigration-guidance-for-non-eea-lawyers/immigration-support-pupillage-and-chambers-placements/ for more information.

<sup>13</sup> Since 1 November 2006, a set of chambers or any other approved organisation may only take pupils if it is authorised by the Bar Standards Board as a Pupillage Training Organisation.

Chapter 8 of this report provides details on the composition of students who applied, enrolled, and passed the BPTC over the period 2006 to 2012. In some instances full time students have been analysed separately from those students taking the part-time course. Chapter 9 provides details on the number of pupils who registered for pupillage over the period 2006 to 2012, as well as the profile for a sample of pupils who registered in 2011/12.<sup>14</sup>

14 Data on pupillage is presented in line with the BSB registration period 1 October to 30 September each year.

# The Bar Professional Training Course

# Purpose of the Bar Professional Training Course (BPTC)

The BPTC Handbook specifies that "The purpose of the BPTC is to enable students, building on their knowledge, to acquire and develop the skills, knowledge and values to become effective members of the Bar. As part of the continuum of training, from the academic stage through to pupillage and continuing professional development of practising barristers, it acts as the bridge between the academic study of law and the practice of law, moving the student from the classroom to the courtroom. It is, therefore, different in its culture and the nature of its demands from those of the academic stage of training, the Qualifying Law Degree or Common Professional Examination. The BPTC must reflect the requirements of this stage of training in terms of the standards to be met by those who provide the course, and the standards that are to be attained by students before they can be recognised as having successfully completed the course."<sup>15</sup>

The following definitions are applied when assessing BPTC students. All assessments were graded as either 'Outstanding', 'Very Competent', 'Competent' or 'Not Competent'. In order to pass an assessment a student must have achieved a grade of 'Competent' or above. The grading boundaries for all assessments, with the exception of Professional Ethics and Conduct and multiple choice tests are as follows.<sup>16</sup> Figure 84 illustrates the assessment possibilities/ grades, and their respective descriptor.

# Figure 84: BPTC grade definition

Grading	Descriptor	% scale for all assessments including ALL MCQs	Code
Outstanding	Additionally to Very Competent, demonstrates very high level knowledge and skills – with imagination, originality or flair, based on proficiency in all the learning outcomes, and providing realistic professional advice or performance. Work is comprehensively and very well researched, and argued.	85-100%	0
Very Competent	Additionally to Competent, demonstrates high level awareness and understanding of the knowledge and skills required, such as the ability to identify and debate critical issues or problems, ability to solve non-routine problems, ability to adapt and apply ideas to new situations, and ability to invent and evaluate new ideas to a standard of competence such that a client could reasonably expect to rely on.	70-84%	VC
Competent	Work is satisfactory and accurate with few errors or omissions, and is of a standard that demonstrates an ability to perform the sort of tasks appropriate to pupillage. Has attained the specified outcomes of the course (in terms of knowledge of fundamental concepts and performance of skills). Demonstrates sufficient quality to be considered satisfactory and competent in terms of fitness to progress to the pupillage stage of training. Able, with the additional training and supervision in pupillage, to represent lay clients/members of the public.	60-69%	C
Not Competent	Does not satisfy the threshold requirements of the course. Work is inarticulate and of poor standard, faulty and badly expressed. The candidate is assessed as not capable of producing work on which a prospective client could rely.	0-59%	NC

The most recent wording of the criteria is set out in the 2013-14 BPTC Course specification requirements and guidance.

16 Bar Professional Training Course: Course specification requirements and guidance. August 2011, p.16

# Applications

Similar to the previous year, in 2011/12 the BPTC attracted more than 3,000 applicants, fulltime and part-time combined. In the 2011/12 academic year there were 3,017 applicants compared to 3,100 in 2010/11. This represents a small decrease in applications to the course for the period 2010-12 of 2.7%.

# **Enrolments**

As of September 2011 there were nine different providers at eleven locations around England and Wales, totalling 2,142 validated places. Some 80.9% of these places were successfully filled, representing 19.1% under-recruitment by providers of the BPTC.

A greater number of students enrolled in 2011/12 than in 2010/11. Some 1,732 pupils enrolled in 2011/12 which represents a 23.1% increase over the previous year's 1,407 enrolments. Prior to this, there had been a downward trend in the number of enrolments for the period 2007/8 to 2010/11: 1,837 students began the course in 2007/08 compared to 1,407 who enrolled in 2010/11.

# **Pass rates**

The pass rates here refer to all students who started the course in that year and includes those students who studied part-time and those who deferred from previous years. The highest pass rate was 93.6% in 2007/08. The pass rate for the period 2009/10 was 79.9%, and over the following three years the pass rate fell each year. The lowest of which is 72.7% in 2011/12. Nonetheless the average pass rate for the period 2006 to 2012 was 80.3%.

Figure 85 illustrates the number of applications, enrolments and passes of those students on the BVC/BPTC over the period 2007/08 to 2011/12.



Figure 85: BVC/BPTC student applications, enrolment and pass rates (figures)

Figure 86 illustrates the percentage change in applications over the years 2007/08 to 2011/12, and the percentage of enrolments and passes of those students on the BVC/BPTC.



Figure 86: BVC/BPTC student applications, enrolment and pass rates (%)

# **BVC/BPTC students' region**

Figure 87 shows enrolled students' region whilst they studied for the BPTC. In 2011/12, 43.8% (758) of BPTC students were categorised as Home students and domiciled in the UK, 29.5% (511) of the BPTC students were from International (non-EU) jurisdictions, and 20% (347) of the BPTC students enrolled as EU students. The area of domicile was unknown for 6.7% (116) of the students.



Figure 87: 2011/12 student domicile status during the BPTC (%)

# **BVC/BPTC** students' gender

The distribution of men and women on the BPTC is depicted in Figure 88 and Figure 89. Information on gender composition for 2011/12 BPTC students represents full-time and part-time students combined. The proportion of women enrolled on the BPTC continues to outnumber the proportion of men on the course in 2010/11. Women comprised 50.1% (867) and men comprised 44% (762) of all students, with no data available on the remaining students.



<sup>†</sup> Only full-time student data is shown for 2007/08 through to and 2010/11.



### Figure 89: BVC/BPTC gender (figures)
### BPTC students' age

The age distribution of BPTC students is depicted in Figure 90 and Figure 91. Comparison of the age composition for 2010/11 and 2011/12 BPTC students suggests an increase in the proportion of mature students (students aged 25+) who enrolled on the course in 2011/12. In 2010/11, 56.9% (957) of students were aged under 25 years and 27.2% (457) of students were aged 25 years or over, compared to 2011/12 where 59.8% (1,036) of students were aged under 25 years and 38.5% (666) of students were aged 25 years or over.







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### **BVC/BPTC students' ethnicity**

44.1%

37.5%

18.3%

Figure 92 and Figure 93 depict the ethnic profile of all BVC/BPTC students (Home and EU and International students) over the period 2007/8 to 2011/12.<sup>17</sup> In 2007/8, BME students comprised 44.1% of those on the BVC course, and this figure fell to 41.6% in 2011/12.

100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0% 2007/08 2008/09 2009/10 2010/11 2011/12

42.9%

48.2%

8.9%

42.4%

43.7%

13.9%

41.6%

45.8%

12.5%

44.1%

33.6%

22.4%



Figure 93: BVC/BPTC students' ethnicity (figures) BME

White

No data



17 It should be noted that between 20 to 35% of students on the BPTC are non-EU nationals; only full-time student data is shown for 2009/10 and 2010/11.

## **Disability among BPTC students**

Students were asked if they had a disability as described in 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.' Figure 94 shows disability status amongst enrolled students for 2011/12 compared to the previous year 2010/11.

In 2011/12, 7.4% (129) of BPTC students disclosed a disability, compared to 5.3% (81) of students in 2010/11. Of 2011/12 BVC/BPTC students, 80.1% (1,387) did not have a disability as defined by the Act, and 12.5% of students did not disclose their status.



<sup>†</sup> 2010/11 data is limited to the number of BPTC students who disclosed a disability.

Figure 94: Disability among BVC/BPTC students 2011/12 (%)<sup>†</sup> Bar Barometer trends in the profile of the Bar | 2013

# Pupillage

Pupillage is compulsory training that must be completed before a member of the Bar is authorised to practise in their own right. Pupillage is usually a 12-month training period spent in an Approved Training Organisation (either a barristers' chambers or another approved BSB approved legal environment).<sup>18</sup>

During the First Six months pupils may not supply any legal services except that they may, with the permission of their pupil supervisor or Head of Chambers, accept a noting brief. 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 their pupil supervisor or Head of Chambers.

There is intense competition for pupillage places. Each year BPTC graduates apply for pupillage but those graduates are joined by those who did not obtain pupillage in previous years. Graduates of the BPTC can apply for pupillage for up to five years from the date they pass the course.

## **Registered pupillages**

Over the past six years there has been a downward trend in the number of pupils registered for a First Six or Second Six. Figure 95 shows First Six and Second Six pupillages for 2006-12, in line with the BSB registration period 1 October to 30 September each year. Just about the same number of pupillages were registered for First Six and Second Six in 2011/12 as those in 2010/11. In 2011/12, 438 First Six pupils were registered with 475 Second Six pupils registered.



Figure 95: Registered pupillages 2006-12 (figures)

<sup>18</sup> The BSB designates an organisation as an Approved Training Organisation (ATO) if it is satisfied: "(a) that one or more registered pupil supervisors who are available to provide training practice in the organisation; and (b) that the organisation has made proper arrangements for dealing with pupils in accordance with the Code of Conduct".

## **Profile of pupillages**

The following represents the profile of registered pupils who participated in the last two annual Pupillage Supplementary Surveys, as defined in the Glossary.

## First Six pupils' route into pupillage

Figure 96 shows the route into pupillage for registered First Six pupils who participated in the 2011/12 survey.

Nearly 90% were BVC/BPTC graduates, while 6.5% (20) pupils had taken an alternative route into pupillage. Of the latter, 55% (11) were transferring solicitors, 30% were international lawyers, and 10% were legal academics. Some 3.6% of pupils did not disclose their route into pupillage.



<sup>†</sup>The pupils that responded to the surveys do not represent the full pupil population

### First Six pupils' BVC/BPTC enrolment status

The majority of BVC/BPTC graduates had enrolled for the BVC/BPTC full-time, 85.8% (237). 9.1% (25) of the BVC/BPTC graduates undertook their BVC/BPTC part-time, and 5.1% (14) of the BVC/BPTC graduates did not disclose their enrolment status. This is shown in Figure 97 below.



Figure 97: BVC/BPTC enrolment status of First Six pupils 2011/12 (%)

Figure 96: Route into pupillages 2011/12 (%)<sup>†</sup>

## First Six pupils domicile status during the BVC/BPTC

Figure 98 shows registered First Six pupils' region of domicile whilst they studied for the BVC/ BPTC. For both surveys, the vast majority of pupils were home students at the time of their BVC/BPTC. In 2011/12, 87.3% (241) of the pupils were categorised as Home students and domiciled in the UK while undertaking their BVC/BPTC, up from 86.5% for the previous year's respondents. In 2011/12, 4% (11) of the pupils were from International (non-EU) jurisdictions, and 2.5% (7) of the pupils enrolled as EU students. Some 6.2% (17) of the pupils did not disclose their status.



Figure 98: 2010-12 First Six pupils' domicile during BVC/BPTC (%)

## First Six pupils' BVC/BPTC cohort year

Figure 99 shows the timeline in which First Six pupils passed their BVC/BPTC. Most 2011/12 First Six pupils came from the 2011 BPTC cohort – 38.4% (106) – whilst 23.9% (66) of First Six pupils passed their BPTC in 2010, and 12.7% (35) of First Six pupils passed their BVC in 2009. Some 14.5% (40) passed their BVC prior to 2009, and 10.5% (29) did not disclose their graduation year.



Figure 99: 2011/12 First Six pupils' BVC/BPTC cohort year (%)

## First Six pupils' BVC/BPTC grades

There are three grading descriptors awarded to those who pass the BPTC:

- Outstanding pass rate of 85-100%,
- Very Competent pass rate of 70-84%, and
- Competent pass rate of 60-69%.

Figure 100 shows the BPTC grades of pupils who registered for their First Six in 2010/11, and pupils who registered for their First Six and participated in the Pupillage Supplementary Survey in 2011/2012. The distribution of the grades awarded generally remains the same for both periods. The majority of registered First Six pupils who completed the BPTC in 2010-12, 63.4% (175), achieved a "Very Competent" grade and 23.6% (65) of First Six pupils who completed the BPTC in 2010-12 achieved an "Outstanding" grade on the BPTC. The proportion of First Six pupils who completed the BPTC in 2010-12 and achieved a "Competent" grade was 7.6% (21). A small number of BPTC graduates, 5.4% (15), did not disclose their grade.



Figure 100: First Six pupils' BPTC grades (%)

## Pupillages gained prior to undertaking the BPTC

Figure 101 shows the proportion of registered First Six pupils in 2010/11, and registered First Six pupils who participated in the 2011/12 survey who gained pupillage prior to embarking on the BPTC.

There has been a slight decrease in the proportion of pupils who gained pupillage prior to the BPTC. In 2011/12, 68.5% (189) of the BPTC graduates had not secured pupillage prior to beginning their BPTC and 30.8% (85) of the graduates had secured pupillage prior to beginning their BPTC; compared to the previous year when 32.4% (144) of the graduates had secured pupillage prior to beginning their BPTC and 61% (271) of the graduates had not secured pupillage prior to beginning their BPTC.



Figure 101: 2010-12 pupillage gained prior to BVC/BPTC (%)

### Location of First Six pupillages

Figure 102 looks at the region (categorised as within London and outside London) in which those registered First Six pupils who participated in the 2010/11 survey and the 2011/12 survey would undertake their pupillage.

From the 2011/12 survey 71.7% (220) of pupils intend to undertake their pupillage in London, meanwhile there has been a slight increase in the proportion of pupils who will undertake their pupillage outside London: 28.3% (87) of pupils in 2011/12 compared to 24.3% for the previous survey.



Figure 102: Location of First Six pupillages by region 2010-12 (%)

Figure 103 compares the number of pupils who plan to take up pupillage in chambers with those taking up employment in another BSB ATO. In this regard, the distribution of the pupillages generally remains the same for the periods 2010/11 and 2011/12.

For the period 2011/12, the vast majority of pupils intended to undertake their pupillage in chambers, 95.4% (293) of pupils; compared to 3.9% (12) of pupils who will undertake their pupillage in employment with other ATOs. Data was not disclosed by 0.7% (2) pupils.



Figure 103: Location of pupillages 2010-12 (%)

## First Six Pupillages by practice area

It is difficult to classify pupillages according to practice area as many pupillages involve time spent in other chambers and various parts of the Bar. Pupils may have between one and six different pupil supervisors and each may specialise in a different area of law. Some chambers can also specialise in more than one area of law and therefore their pupils can complete their pupillage on a rotation basis and gain experience in many practice areas.

Nevertheless, pupils were asked to specify where the main practice area of their pupillage focused. Figure 104 shows in greater detail the distribution of 2010/11 and 2011/12 pupillages according to main practice area as specified by the First Six pupils themselves. The top three areas in 2010/11 were criminal law, commercial law, and common law, respectively; and the top three areas in 2011/12 were criminal law, other areas of civil law, and family law.

In 2011/12, crime constitutes the highest proportion of pupillages at 24.4% (75), compared to 28.6% in 2010/11. Family and commercial law pupillages each account for 13% (40) and 12.7% (39) of uptake, respectively. Other pupils' practice area was as follows:

- 7.5% (23) of pupils mainly practised in chancery law
- 3.6% (11) of pupils mainly practised in common law
- 23.1% (71) of pupils mainly practised in other areas of civil law
- 6.2% (19) of pupils mainly practised in another area of law
- 4.6% (14) of pupils equally practised across several areas of law
- 4.9% (15) of pupils did not disclose their main area of practice



Figure 104: Practice area of pupillages 2010-12 (%)

## First Six pupils' gender

Figure 105 and Figure 106 show the gender composition amongst registered First Six men and women who participated in the 2011/12 survey, in comparison to the gender composition of pupils who registered for their First Six over the period 2006/07 to 2010/11.

The averages for the period 2006-11 were 48.1% for men, 44.9% women, with 7.1% not disclosing their gender. In comparison, in 2011/12, 45.6% (140) of pupils were men and 44% (135) of pupils were women. For 2011/12, 10.4% (32) of pupils did not disclose their gender, representing a 5.7% increase in no data since 2006/2007.





Figure 105: Gender of pupils 2006-12 (%)

> Figure 106: Gender of pupils 2006-12

(figures)

## First Six pupils' age

Figure 107 and Figure 108 show the age groups of registered First Six pupils who participated in the survey in 2011/12, in comparison to pupils who registered for their First Six over the period 2006/07 to 2010/11.

The range of ages of pupils spanned from under 25 years to 64 years old. For both academic years, the largest number of pupils fell within the 25 and 34 age group: approximately 53% in each year. In 2011/12, 53.4% (164) were between 25 and 34 years old, 27% (83) of pupils were under 25 years of age, 6.2% (19) of pupils were between 35 and 44 years old, and 2.6% (8) of pupils were 45-64 years of age. Some 10.7% (33) of pupils did not disclose their age.





## First Six pupils' ethnicity

The ethnic profile of those registered to undertake First Six pupillage over the period 2006/07 to 2010/11, and registered First Six pupils who participated in the 2011/12 survey is shown in Figure 109 and Figure 110.

In 2011/12, 67.4% (207) of pupils were white, 20.5% (63) were BME – a proportion similar to 2006/07 – and 12.1% (37) of pupils did not disclose their ethnicity. The proportion of BME pupils fluctuated between 2007/08 and 2011/12, with no overall growth since 2006/07 – save for an increase from 13.1% in 2010/11 to 20.5% in 2011/12.





Figure 109: Ethnicity of pupils 2006-12 (%)

Figure 110: Ethnicity of pupils 2006-12 (figures)

Figure 111 shows a more detailed breakdown of First Six pupils by their ethnicity in 2009/10, 2010/11 and 2011/12.

#### Figure 111:

#### Detailed ethnicity breakdown of First Six pupils in 2009/10 and 2011/12 (figures, %)

	200	9/10	201	0/11	<b>20</b> 1	1/12
	No.	%	No.	%	No.	%
English/Welsh/Scottish/British/ Northern Irish	291	63.3	313	70.5	188	61.2
White Irish	16	3.5	17	3.8	7	2.3
Any other White background	26	5.7	19	4.3	12	3.9
White and Black Caribbean	3	0.7	1	0.2	2	0.7
White and Asian	5	1.1	6	1.4	6	2
Any other mixed background	9	2	11	2.5	4	1.3
Black Caribbean	6	1.3	7	1.6	7	2.3
Black African	7	1.5	6	1.4	7	2.3
Asian Indian	11	2.4	15	3.4	9	2.9
Asian Pakistani	8	1.7	5	1.1	3	1
Asian Bangladeshi	5	1.1	3	0.7	1	0.3
Chinese	4	0.9	3	0.7	2	0.7
Any other ethnic background	13	2.8	1	0.2	22	7.1
No data	56	12.2	37	8.3	37	12.1
Total	460	100	444	100.1	307	100.1

## **Disability among First Six pupils**

Pupils were asked if they had a disability as described in The Equality Act 2010.<sup>19</sup>

For every academic year over the period 2009-12, at least six new pupils reported having a disability each year. In 2009/10, 2% (9) of pupils reported a disability. In 2010/11, 1.4% (6) of pupils reported having a disability. In 2011/12, 2.6% (8) of pupils disclosed that they were disabled while 86% (264) of pupils did not have a disability as defined by the Act, and 11.4% (35) of pupils did not disclose their status.

### Secondary school attended by First Six pupils

Figure 112 shows the categories of schools attended by registered First Six pupils in 2010-12. For each academic year, more than 50% of the First Six pupils reportedly attended a non-fee paying school. In 2011/12, 55.4% (170) of pupils stated that they attended a state school between the ages of 11 and 18. On the other hand, 35.2% (108) of pupils had attended a fee paying school between the ages of 11 and 18. 9.4% (29) of pupils did not disclose their status.



Figure 112: Secondary school attended by First Six pupils (11 - 18 years old) 2010-12 (%)



## University attended by First Six pupils

Figure 113 shows the categories of universities attended for a first degree by registered First Six pupils in 2011/12 who participated in the Pupillage Supplementary Surveys.

Most pupils, 28.4% (87), attended either Oxford or Cambridge for their first degree, and 35.8% (110) of pupils attended another Russell Group University.<sup>20</sup> Some 25.1% (77) of pupils had attended some other university for their first degree and 10.7% (33) of pupils did not disclose their university.



Figure 114 shows a detailed breakdown of the 10 most frequently attended universities by pupils in 2010/11 and 2011/12, which also account for more than 50% of pupils each year.

	201	0/11	201 <sup>°</sup>	1/12
	No.	%	No.	%
University of Oxford	90	20.2	50	16.3
University of Cambridge	64	14.3	37	12.1
Durham University		3.1	10	3.3
University College, London		2.2	10	3.3
University of Bristol		3.6	10	3.3
University of Hull		1.1	8	2.6
King's College, London		2.2	8	2.6
University of Liverpool		1.6	8	2.6
University of Sheffield		2.2	7	2.3
University of Exeter		2	7	2.3
Sub total		52.5	155	50.7

<sup>+</sup> In 2011/12 49.5% (152) of registered First Six pupils had in fact studied for a qualifying law degree whilst reading for their first degree at university.

20 The Russell Group universities as per the 2011/2012 membership: University of Birmingham, University of Bristol, University of Cambridge, Cardiff University, Durham University, University of Edinburgh, University of Exeter, University of Glasgow, Imperial College London, King's College London, University of Leeds, University of Liverpool, London School of Economics & Political Science, University of Manchester, Newcastle University, University of Nottingham, University of Oxford, Queen Mary University of London, Queen's University Belfast, University of Sheffield, University of Southampton, University College London, University of Warwick, University of York. The Universities of Oxford and Cambridge were accounted for separately.

Figure 113: University attended by 2011/12 registered First Six pupils whilst reading for their first degree (%)

Figure 114: Top 10 Universities attended by 2010-12 registered First Six pupils whilst reading for their first degree (figures, %)<sup>†</sup>

## First Six pupils' university degree and CPE/GDL grades

Figure 115 shows First Six pupils' first degree classification. The distribution of degree classification is generally the same throughout 2010-12. The majority of pupils, 55% (169), obtained a Second Class degree: 32.6% (100) of pupils got a First Class degree; 1% (3) held some other classification; and 11.4% (35) of pupils did not disclose their degree classification.



Figure 116 shows the grades achieved by 2011/12 First Six pupil participants in the survey who do not hold a law degree as their first degree and chose to complete a law conversion course, either the GDL or the CPE. The largest proportion of CPE/ GDL graduates was awarded a Commendation, 59.1% (68); 25.2% (29) of CPE/GDL graduates were awarded a Distinction; and 15.7% (18) of CPE/GDL graduates gained a Pass.



Figure 116: 2010-12 First Six pupils' CPE/GDL grades (%)

Figure 115: 2010-12 First Six

pupils' CPE/GDL grades (%)

### First Six pupils' sexual orientation

Figure 117 shows First Six pupils' sexual orientation. There was a notable increase in nondisclosure of sexual orientation. In 2011/12, 13.7% (42) of First Six pupils did not disclose their sexual orientation compared to 1.2% in the previous year.

Against this background, in 2011/12, 80.1% (246) of First Six pupils declared that they were heterosexual/straight, down from 90.7% in 2010/11. Some 4.5% (14) of First Six pupils declared that they were gay, also down from 5.6% in the previous year. And 1.6% (5) of First Six pupils declared that they were bisexual, compared to 2.5% the year before.



Figure 117: Sexual orientation of First Six pupils 2010-12 (%)

## First Six pupils' caring responsibilities

Figure 118 and Figure 119 show the extent to which registered First Six pupils who participated in the survey had caring responsibilities.

Pupils who had a child under 18 years of age accounted for 6.5% (20) and 50% (10) of these pupils were the primary carer for the child/children.



Some 2.3% (7) pupils looked after another family member with ill health, a disability, or problems relating to old age. Of these pupils 42.8% (3) were the primary carer for the family member.



Figure 118: Child caring responsibilities of First Six pupils 2010-12 (figures) <sup>†</sup>

Figure 119: Other family member caring responsibilities of First Six pupils 2011/12 (figures)

## Anticipated level of debt among First Six pupils

Figure 120 shows the anticipated level of debt amongst First Six pupils upon completion of their pupillage in 2011/12. In 2010/11, 32% (143) of pupils had debts of £20,000 or over while in 2010-12, 32.2% (99) of pupils had debts of £20,000 or over.



	No debt	Less than £10,00	£10,00 - £19,999	£20,00 - £29,999	£30,00 - £39,999	£40,000+	No data
2010/11	22.5%	17.8%	21.7%	15.5%	10.6%	6.1%	5.9%
2011/12	19.9%	16.2%	19.2%	16%	8.1%	8.1%	12.4%

Figure 120: Anticipated level of debt among First Six pupils 2010-12 (%) Bar Barometer trends in the profile of the Bar | 2013

# Circuits

The Bar in England and Wales is divided into six regions, which are more commonly known as 'Circuits': Western Circuit, Northern Circuit, North Eastern Circuit, South Eastern Circuit, Midland Circuit, and the Wales & Chester Circuit. In addition, the Bar of England and Wales has established the European Circuit of the Bar of England and Wales. The European Circuit aims to bring together barristers working in Europe, whether in chambers or employed by European institutions or companies, barristers of England and Wales whose practice includes work in European and international law, and members of other European Bars who are practising in England and Wales under the provisions of the EU Establishment and Services Directives. The Circuits are important sources of support, advice and representation for barristers practising in those areas. They provide a range of services to the members in their respective geographical areas, maintain lines of communication with all parts of the legal system, including the courts, and are represented on the Bar Council through the Circuit Leaders. They liaise closely with the local court service, Crown Prosecution Service and other bodies as well as providing important training and social events for barristers. For additional information on the Circuits, please visit the Bar Council website at www.barcouncil.org.uk/ about-the-bar/what-is-the-bar/circuits/.

Figure 121 shows the total number of practising barristers by their Circuits. In 2012, the vast majority of practising barristers, 55.6% of barristers were members of the South Eastern Circuit (8,666 members). Some 8.1% of barristers were members of the Northern Circuit (1,268 members); 5.7% of barristers were members of the Midland Circuit and North Eastern Circuit (890 and 888 members respectively); 4.5% of barristers were members of the Western Circuit (705 members); 2.2% of barristers were members of the Wales & Chester Circuit (347 members); and 0.1% of barristers were members of the European Circuit (10 members). There were 2,811 (18%) of barristers whose Circuit membership was unknown at the time of writing.



1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,00010,000

	No data	European Circuit	Wales & Chester Circuit	Western Circuit	North Eastern Circuit	Midland Circuit	Northern Circuit	South Eastern Circuit
2011	7	15	319	658	871	934	1,287	8,329
2012	2,811	10	347	705	888	890	1,268	8,666

<sup>+</sup> Only data on the self-employed Bar is available for 2011, meanwhile 2012 data represents all practising barristers.

Figure 121: Total number of practising barristers by Circuit (figures)<sup>†</sup>

### Gender of Circuit members

Figure 122 shows the gender ratio of the practising barristers in 2012 by their Circuits. The distribution of men and women across the North Eastern Circuit is the closest to the profile of practising Bar overall: 33.6% and 65.8% for women barristers and men respectively compared to the practising Bar's 34.7% for women barristers and 64.2% for men. The distribution of men and women across the Northern Circuit, Midland Circuit, and the Wales & Chester Circuit each are generally within a plus or minus two percentage points difference of the overall practising Bar. And when compared to the overall practising Bar's 64.2% for men, membership for the South Eastern Circuit, Western Circuit and European Circuit are slightly more skewed towards men, 66.9%, 67% and 80% respectively.



Figure 122: 2012 Gender of Circuit members (%)

# Glossary

#### Bar Council

The Bar Council (more formally known as the General Council of the Bar) was founded in 1894 to represent the interests of barristers. The Bar Council represents barristers in England and Wales. It promotes:

- The Bar's high quality specialist advocacy and advisory services
- Fair access to justice for all
- The highest standards of ethics, equality and diversity across the profession, and
- The development of business opportunities for barristers at home and abroad

The General Council of the Bar is the Approved Regulator of the Bar of England and Wales.

It discharges its regulatory functions through the independent Bar Standards Board.

## Bar Professional Training Course (BPTC)

The Bar Professional Training Course (formerly known as the Bar Vocational Course) can be completed full-time over one year or part-time over two years. During the BPTC year a student is required to undertake 12 qualifying sessions (previously known as 'dining') with their Inn of Court. Once a student successfully completes the BPTC their Inn of Court Calls them to the Bar. Successful completion entitles a person to call themself a barrister in non-legal circumstances, but does not give them rights of audience.

#### **Bar Standards Board**

The Bar Standards Board (BSB) was established in January 2006 as a result of the Bar Council separating its regulatory and representative functions. The BSB provides specialist regulation of advocacy and legal advice in the public interest. The BSB is responsible for regulating barristers Called to the Bar in England and Wales. This involves:

- Setting the training requirements for becoming a barrister
- Setting continuous training requirements to ensure that barristers' skills are maintained throughout their careers
- Setting the standards of conduct for barristers
- Monitoring the service provided by barristers to assure quality
- Handling complaints against barristers, and
- Taking enforcement or other action where appropriate

#### **BPTC Online**

The application system through which applications to Bar school must be made.

## Black and minority ethnic (BME) barristers

BME refers to those people who do not self-classify as white. This category does not include white minority groups.

#### Call to the Bar

The date at which a barrister is formally recognised to have passed the vocational stage of training (Bar Professional Training Course) and has been admitted (Called) to the Bar by their Inn of Court. All barristers are members of one of the four Inns of Court (being 'at the Bar' is the term used to describe the profession of being a barrister).

#### Chambers

A place at, or from, which one or more self-employed barristers practise and also refers, where the context so requires, to all the barristers (excluding pupils) who for the time being carry on their practices at or from that place. Most self-employed barristers group together in sets of chambers, enabling them to share office space, staff costs and other overheads. Chambers will usually be headed by one or two experienced barristers. As well as their tenants (permanent members), some chambers will also allow 'squatters' (barristers without tenancy) to base themselves there on a temporary basis. Essentially, after completing their training, those barristers who want to work in selfemployed practice seek to secure tenancy at a set of chambers. 'Sets of chambers' are sometimes referred to as 'chambers' or 'sets'. Sets of chambers typically specialise in certain areas of law.

#### **BSB Handbook**

The BSB Handbook sets out the standards that the Bar Standards Board requires of the persons it regulates to comply with in order for them to be able to meet their regulatory objectives.

#### **Employed barrister**

A practising barrister who is employed other than by a Recognised Body either under a contract of employment or by virtue of an office under the Crown or in the institutions of the European Communities and who supplies legal services as a barrister in the course of their employment. The barrister is employed as an employee of a company/firm to give legal advice and advocacy services to their employer and/or clients of their employer.

#### **European lawyer**

- (a) A person who is a national of a Member State and who is authorised in any Member State to pursue professional activities under any of the professional titles appearing in article 2(2) of the European Communities (Lawyer's Practice) Order 1999, but who is not any of the following: a solicitor or barrister of England and Wales or Northern Ireland;
- (b) or (b) a solicitor or advocate under the law of Scotland.

#### General Council of the Bar of England and Wales see The Bar Council.

#### Inns of Court

There are four Inns of Court: Lincoln's Inn, Inner Temple, Middle Temple and Gray's Inn.

One of the formal functions of the Inns is to Call new barristers to the Bar, once their training is complete. Once Called by a particular Inn, barristers will have a relationship with that Inn for the rest of their career at the Bar or the judiciary, if they become a judge. The Inns are also one of the major sources of financial assistance to students who are training for the Bar. They also provide extensive library and IT facilities, support for barristers and student members and other forms of ongoing training, particularly extensive advocacy coaching, throughout their career.

## International practitioner with a practising certificate

A barrister who qualified in England and Wales and who practises overseas giving advice on English and Welsh law.

#### Mini-pupillage

Work experience at a set of chambers, normally lasting between one and five days.

## Non-practising/unregistered barrister

A barrister who does not hold a current practising certificate and so is not authorised to practise as a barrister.

#### Noting brief

The documents setting out case instructions for a barrister to argue a case in court.

#### **Practising certificate**

A certificate awarded to all barristers who meet the requirements to practise as a barrister in England and Wales upon payment of an annual Practising Certificate Fee (PCF).

#### **Public Access Scheme**

A scheme under which a member of the public may directly instruct a suitably qualified barrister, rather than going through a solicitor. Any barrister wishing to undertake public access work must have completed a training course and must have registered with the Bar Council. For further information please refer to:

www.barstandardsboard.org.uk and www.barcouncil.org.uk

#### **Pupil supervisor**

A barrister who has trained and is registered to train a pupil throughout a compulsory period of pupillage.

#### Pupillage

Pupils must be Called to the Bar, before commencing the practising period of pupillage. Pupillage is compulsory training which must be completed before a member of the Bar is eligible to practise in their own right. Pupillage is a 12 month training period spent in an Approved Training Organisation, either barristers' chambers or another approved legal environment.

#### Pupillage: First Six/Non-Practising Six

This must be undertaken in a continuous period of six months in England and Wales, in an Approved Training Organisation. During the First Six pupils may not undertake any legal services except that they may, with the permission of their pupil supervisor or head of chambers, accept a noting brief.

At the end of the First Six, pupils must submit to the Bar Standards Board (BSB) a certificate from their pupil supervisor certifying that the First Six has been satisfactorily completed. They will then be granted a Practising Certificate by the BSB. Unless exempted from the requirements, chambers must pay each pupil a minimum of £1,000 per month during the First Six (i.e. £6,000 total).<sup>21</sup>

<sup>21</sup> For details on exemptions please see: www.barstandardsboard.org.uk/qualifyingas-a-barrister/forms-and-guidelines/ pupillage-forms/

## Pupillage: Second Six /Practising Six

The practising period of pupillage (Second Six) must commence no later than 12 months after the completion of the non-practising period of pupillage (First Six) and be undertaken in a continuous period of six months or with only such intervals (each not exceeding one month) as to ensure that the practising period of pupillage is completed within an overall period of nine months.

A pupil is entitled to supply legal services and exercise rights of audience as a barrister during the Second Six, provided that they have the permission of their pupil supervisor or head of chambers. Unless exempted from these requirements, chambers must pay each pupil a minimum of £1,000 per month (i.e. £6,000 during second six months) either by way of an award or guaranteed receipts.<sup>22</sup>

At the end of the practising period of pupillage pupils must submit to the BSB a certificate of successful completion of the practising pupillage. Provided that the compulsory further training has also been completed, the pupil will be granted a full qualification certificate which will entitle them to change their status and commence practice as a barrister providing that they are in compliance with the relevant rules in the Code of Conduct.

#### Pupillage: Third Six

A pupil not invited to become a tenant may be offered a 'Third Six'; essentially another six months as a pupil in another set of chambers, usually with a view to gaining tenancy if completed satisfactorily.

In practice, the period may be more or less than six months, and in some cases it may be more than a third so-Called pupillage. Third Sixes are especially useful where the ex-pupil has been provisionally accepted as a tenant in new chambers but is transferring into an area of practice in which they have not yet been fully trained.<sup>23</sup>

#### Pupillage Supplementary Survey

The Pupillage Supplementary Survey is an annual survey which looks at the profile of pupils who register for their pupillage in a given year. Pupils complete the survey only once during any given pupillage year, 1 October to 30 September each year.

A link to the Survey is sent to pupils along with the registration form when taking up pupillage, and pupils primarily complete the survey online: 91.7% of pupils who participated in the 2011/12 Pupillage Supplementary Survey had done so online via Survey Monkey. Whilst the majority of pupils register at the beginning of the academic year, many pupils take up pupillage at different stages throughout the year. The survey usually remains open for one year. Whilst all pupils are encouraged to participate in the survey, they are not obliged to do so. Pupils also have the option of sending their completed paperbased questionnaire by post to the Bar Standards Board (BSB) and responses are then inputted manually.

#### **Pupillage Gateway**

The online application system for pupillage for applicants and Approved Training Organisations.

#### Queen's Counsel (QC)

The award of Queen's Counsel (QC) is for excellence in advocacy in the higher courts. It is made to experienced advocates, both barristers and solicitors who are successful in their application to the Queen's Counsel Appointments Panel. Awards are made if the Panel concludes that the candidate is judged to have achieved excellence in respect of each of the competencies. QCs are very experienced skilled senior advocates (at least ten years of practice) and are considered as experts in their field. When a barrister is confirmed as a QC this is known informally as 'taking silk'; they are then entitled to wear silk black gowns. For further information see: www.gcappointments.org

#### **Registered European Lawyer**

A European lawyer registered with the Solicitors Regulation Authority (SRA) under regulation 17 of the European Communities (Lawyer's Practice) Regulations 2000 (S.I. 2000 No. 1119) to permit practice in the UK; an REL is an authorised person under the Act.

#### **Rights of audience**

Entitlement to appear before a Court in a legal capacity and conduct proceedings on behalf of a party to the proceedings (subject to qualification and authorisation by the Bar Standards Board).

#### Self-employed barrister

Working either in chambers (a place from which one or more self-employed barristers carry on their practices) or alone as a sole practitioner.

22 Please see: www.barstandardsboard. org.uk/media/261792/pupillage\_ handbook20august202011lc.pdf

<sup>23</sup> Review of Pupillage, Report of the Working Group, Bar Standards Board, p. 97, 2010.

#### Sole practitioner

Sole practitioners are self-employed barristers who have been in practice for at least three years following the completion of pupillage from chambers or an Approved Training Organisation (ATO).<sup>24</sup>

#### Tenancy

Securing 'tenancy' means being accepted as a permanent member of a set of chambers.

Barristers normally secure tenancy in the set where they completed their pupillage, although it is also possible to apply elsewhere.

Sets of chambers normally decide whether to offer a candidate tenancy in accordance with their starter tenancy recruitment process. Some sets of chambers take on more pupils than they will offer tenancy to and others take on more or most of their pupils. Some sets of chambers widen their tenancy recruitment and invite pupils from other sets of chambers to apply whilst others only recruit their tenants from their own pupils.

<sup>24</sup> www.barstandardsboard.org.uk/codeguidance/becoming-a-sole-practitioner/



## Appendix A: Bar matrix

Bar matrix	2005	2006	2007	2008	2009	2010	2011	2012
Barristers in practice	14,623	14,890	15,030	15,182	15,270	15,387	15,581	15,585
Men in practice	9,808	9,920	9,924	9,999	10,011	10,033	10,117	10,012
Women in practice	4,814	4,970	5,106	5,183	5,259	5,354	5,463	5,412
The self-employed Bar	11,818	12,034	12,058	12,136	12,241	12,420	12,674	12,680
Men at the self-employed Bar	8,275	8,381	8,327	8,364	8,381	8,443	8,567	8,420
Women at the self-employed Bar	3,543	3,653	3,731	3,772	3,860	3,977	4,106	4,117
The employed Bar	2,805	2,856	2,972	3,046	3,029	2,967	2,907	2,708
Men at the employed Bar	1,534	1,539	1,597	1,635	1,630	1,590	1,550	1,461
Women at the employed Bar	1,271	1,317	1,375	1,411	1,399	1,377	1,357	1,232
Sole practitioners	281	298	309	351	391	419	427	448
Male sole practitioners	n/a	n/a	n/a	n/a	n/a	266	263	314
Female sole practitioners	n/a	n/a	n/a	n/a	n/a	110	113	132
QCs								1,559
Employed QCs						19	19	26
Employed male QCs						16	16	23
Employed female QCs						3	3	3
Self-employed QCs	1,143	1,278	1,223	1,273	1,318	1,379	1,486	1,518
Self-employed male QCs	1,051	1,160	1,107	1,146	1,179	1,245	1,310	1,327
Self-employed female QCs	92	118	116	127	139	152	176	187
Dual capacity QCs								15
Chambers	606	641	644	643	690	734	768	824
Chambers (London)	310	323	332	330	342	347	369	363
Chambers (out of London)	296	318	312	313	348	387	399	461

## **Appendix B: Bar ethnicity matrix**<sup>+</sup>

Bar ethnicity matrix	2005	2005	2006	2006	2007	2007	2008	2008	2009	2009	2010	2010	2011	2011	2012	2012
	BME	White														
Barristers in practice	9.4	76.3	9.6	76.2	9.8	76	9.8	76.3	10.1	76.8	10.2	77.2	10.2	77.3	11	78.4
Self-employed Bar	9	78.9	9.1	78.7	9.2	78.7	9.3	78.9	9.6	79.4	9.7	79.8	9.7	79.8	10.5	80.6
Employed Bar	11.4	65.3	11.7	65.6	12	65	11.9	65.9	12.2	65.9	12.2	66.7	12.3	66.2	13.2	69.2
Barristers in practice at five years' Call	N/A	N/A	9.2	63.6	9.7	57.3	8.2	56.8	6.9	62.7	7.7	62.7	10.3	74.5	9.8	77.3
Barristers in practice at 15+ years' Call	N/A	N/A	7.8	82.3	8	81.9	8.1	82.5	8.6	82.8	8.8	83.2	8.5	86.7	10.1	83.1
Sole practitioners	N/A	N/A	27	60	26.3	60.4	24.8	60.7								
Queen's Counsel (self- employed)	N/A	N/A	3.6	91.5	3.6	91.6	3.8	91.6	4.3	91.6	4.9	91.1	5.2	90.6	5.5	90.6
Queen's Counsel (employed)	N/A	N/A	5.3	94.7	5.3	94.7	3.8	92.3								
Pupils* * Levels of missing da	15.9	78.1	16.5	82.1	20.3	74.8	18.7	71.7	13.2	81.6	15.4	72.4	13.1	78.6	19.4	67.7

<sup>†</sup> Pupillage years are given in line with the academic year format, beginning with 2005 above.

## Appendix C: Bar gender and ethnicity matrix<sup>+</sup>

Bar gender and ethnicity matrix			20	11					<b>20</b> 1	12		
	Wor	nen	Me	en	Tot	al	Wor	nen	Me	n	Tot	al
English/Welsh/	n 3,858	% 68.2	n 7,560	% 76.17	n 11,418	% 73.3	n 3,714	% 68.6	n 7,658	% 76.5	n 11,468	% 73.6
Scottish/ Northern Irish/ British	3,000	00.2	7,500	70.17	11,410	13.3	3,714	00.0	7,000	70.5	11,400	73.0
White Irish	110	1.9	148	1.5	258	1.7	120	2.2	174	1.7	298	1.9
Any other White background	145	2.6	218	2.2	363	2.3	185	3.4	265	2.6	460	3
White + Black Caribbean	20	0.3	12	0.1	32	0.2	24	0.4	16	0.2	41	0.3
White + Black African	9	0.2	15	0.1	24	0.1	11	0.2	17	0.2	28	0.2
White + Asian	37	0.6	47	0.5	84	0.5	43	0.8	53	0.5	100	0.6
Any other mixed/multiple background	46	0.8	39	0.4	85	0.5	58	1.1	60	0.6	119	0.8
Caribbean	78	1.4	95	1	173	1.1	101	1.9	72	0.7	174	1.1
African	78	1.4	108	1.1	186	1.2	80	1.5	104	1	185	1.2
Any other Black background	28	0.5	20	0.2	48	0.3	29	0.5	21	0.2	50	0.3
Indian	165	2.9	209	2.1	374	2.4	176	3.3	209	2.1	389	2.5
Pakistan	66	1.2	119	1.2	185	1.2	73	1.3	130	1.3	204	1.3
Bangladeshi	21	0.4	37	0.4	58	0.4	26	0.5	44	0.4	71	0.5
Chinese	31	0.6	23	0.2	54	0.3	30	0.6	25	0.2	55	0.4
Any other Asian background	55	1	69	0.7	124	0.8	56	1	72	0.7	130	0.8
Any other	52	0.9	115	1.2	167	1.1	60	1.1	104	1	167	1.1
No information	857	15.1	1091	11	1948	12.5	626	11.5	984	9.9	1,646	10.6
Total	5,656	100	9,925	100	15,581	100	5,412	100	10,016	100	15,585	100
<sup>†</sup> Levels of missing da	ata are not ir	ncluded he	re but can b	e found in	the main boo	dy of the re	eport.					

## **Appendix D: Self-employed Bar gender and ethnicity matrix**<sup>+</sup>

Bar gender and ethnicity matrix			20	11					20	12		
	Won	nen	Me	en	Tot	al	Wor	nen	Me	en	Tot	al
	n	%	n	%	n	%	n	%	n	%	n	%
English/Welsh/ Scottish/ Northern Irish/ British	2,876	70	6,745	78.7	9,621	75.9	2,919	70.9	6,610	78.5	9,615	75.8
White Irish	83	2	116	1.3	199	1.6	92	2.2	141	1.7	236	1.9
Any other White background	116	2.8	178	2.1	294	2.3	142	3.4	213	2.5	364	2.9
White + Black Caribbean	15	0.4	9	0.1	24	0.2	20	0.5	9	0.1	30	0.2
White + Black African	5	0.1	12	0.1	17	0.1	8	0.2	12	0.1	20	0.2
White + Asian	29	0.7	36	0.4	65	0.5	32	0.8	42	0.5	78	0.6
Any other mixed/multiple background	37	0.9	31	0.4	68	0.5	45	1.1	48	0.6	93	0.7
Caribbean	67	1.6	64	0.7	131	1	68	1.7	63	0.7	132	1
African							54	1.3	85	1	140	1.1
Any other Black background	25	0.6	11	0.1	36	0.3	22	0.5	17	0.2	39	0.3
Indian	120	2.9	168	2	288	2.8	129	3.1	165	2	297	2.3
Pakistan	51	1.2	107	1.2	158	1.2	56	1.4	107	1.3	164	1.3
Bangladeshi	16	0.4	32	0.4	48	0.4	18	0.4	39	0.5	58	0.5
Chinese	23	0.6	11	0.1	34	0.3	24	0.6	62	0.7	41	0.3
Any other Asian background	35	0.8	55	0.6	90	0.7	36	0.9	17	0.2	100	0.8
Any other	42	1	99	1.2	141	1.1	43	1	94	1.1	140	1.1
No information	511	12.4	814	9.5	1,325	10.4	409		696	8.3	1,133	8.9
Total	4,107	100	8,567	100	12,674	100	4,117	100	8,420	100	12,680	100

## Appendix E: Employed Bar gender and ethnicity matrix<sup>+</sup>

Bar gender and ethnicity matrix			20	11				2012						
	Wor	men	M	en	То	tal	Wor	men	M	en	To	tal		
	n	%	n	%	n	%	n	%	n	%	n	%		
English/Welsh/ Scottish/ Northern Irish/ British	815	60.1	982	63.3	1,797	61.8	765	62.1	959	65.6	1,733	64		
White Irish	27	2	32	2.1	59	2	26	2.1	29	2	55	2		
Any other White background	29	2.1	40	2.6	69	2.4	37	3	48	3.3	86	3.2		
White + Black Caribbean	3	0.2	5	0.3	8	0.3	4	0.3	7	0.5	11	0.4		
White + Black African	4	0.3	3	0.2	7	0.2	3	0.2	5	0.3	8	0.3		
White + Asian	11	0.8	8	0.5	19	0.6	11	0.9	10	0.7	21	0.8		
Any other mixed/multiple background	9	0.7	8	0.5	17	0.6	12	1	12	0.8	25	0.9		
Caribbean	31	2.3	11	0.7	42	1.4	30	2.4	8	0.5	38	1.4		
African	29	2.1	22	1.4	51	1.7	24	1.9	19	1.3	43	1.6		
Any other Black background	9	0.7	3	0.2	12	0.4	7	0.6	3	0.2	10	0.4		
Indian	45	3.3	41	2.6	86	3	46	3.7	44	3	91	3.4		
Pakistan	15	1.1	12	0.8	27	0.9	14	1.1	16	1.1	30	1.1		
Bangladeshi	5	0.4	5	0.3	10	0.3	7	0.6	4	0.3	11	0.4		
Chinese	12	0.9	8	0.5	20	0.7	6	0.5	7	0.5	13	0.5		
Any other Asian background	20	1.5	14	0.9	34	1.2	20	1.6	10	0.7	30	1.1		
Any other	16	1.2	10	0.7	26	0.9	16	1.3	10	0.7	26	1		
No information	277	20.4	346	22.3	623	21.4	204	16.6	270	18.5	477	17.6		
Total	1,357	100	1,550	100	2,907	100	1,232	100	1,461	100	2,708	100		

## Appendix F: Bar entry matrix

Bar entry matrix	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12
Applications	2,883	2,917	2,870	2,864	2,540	2,657	3,099	3,017
BPTC student enrolment	1,665	1,745	1,932	1,837	1,749	1,793	1,422	1,687
BPTC successful students	1,392	1,480	1,560	1,720	1,330	1,432	1,375	1,260
Called to the Bar (UK nationals)	1,091	1,196	1,256	1,196	1,255	1,256	992	1,096
Called to the Bar (non-UK nationals)	385	444	520	546	517	596	502	373
Called to the Bar total	1,476	1,640	1,776	1,742	1,772	1,852	1,494	1,469
First Six pupillages	556	515	527	562	464	460	446	438
Second Six pupillages	598	567	563	555	518	495	477	475
Tenancy (self-employed Bar)	554	531	499	494	497	467	541	335
Barristers who entered employed practice	156	191	228	239	213	171	191	29

### Appendix G: Key facts of BPTC students in 2011/12 versus 2010/11

The key statistics in 2011/12 as well as the previous BVC/BPTC year 2010/11 (for comparison) are outlined on this page. Data relates to students' demographic information including their diversity data.

#### Students in 2010/11

- There were 3,099 applications to study for the BPTC commencing in 2010/11
- Total validated places were 1,684
- 84% of validated places were filled representing 16% underrecruitment by providers of the BPTC
- Total actual enrolled students were 1,422
- 52.2% (739) of all students were female
- 47.7% (675) of all students were male
- 42.4% (600) of all students were BME
- 43.7% (618) of all students were white
- 13.9% (196) of students did not disclose their ethnicity
- 5.3% (81) of students declared a disability
- 12.4% (175) of students held a First Class degree
- 50.1% (706) of students held an Upper Second Class degree
- 25.2% (355) of students held a Lower Second Class degree
- 0.2% (3) of students held a Third Class Degree<sup>25</sup>
- Degree classification is unknown for 12.4% of students (175).
- The (final 'second sit') pass rate was 79.1%

#### Students in 2011/12

- 475 Second Six pupillages were registered in total (pupillage population)
- 45.6% (140) of pupils were men
- 44% (135) of pupils were female
- 10.4% (32) of pupils did not disclose their gender
- 20.5% (63) of pupils were BME
- 67.4% (207) pupils were white
- 12.1% (37) of pupils did not disclose their ethnicity
- 2.6% (8) of pupils declared a disability
- 27% (83) of pupils were 24yrs of age or younger
- 53.4% (164) of pupils were between 25 and 34yrs of age
- 8.8% (27) of pupils were 35yrs of age or older
- 10.7% (33) of pupils did not disclose their age
- 6.5% (20) of pupils have a child
  - 32.6% (100) of pupils achieved a first class degree
  - 28.4% (87) of pupils attended Oxbridge
  - 35.8% (110) of pupils attended a Russell Group university
  - 4.3% (14) of pupils had a solicitor/ barrister/QC/judge as a parent/ guardian during their school years (age 11-18)
- 32.2% (99) of pupils had debts of £20,000 or over

<sup>25</sup> These statistics on pupillage are based on the Pupillage Supplementary Survey 2011/2012 (307 respondents out of 438 pupils).

## Appendix H: Key facts of pupils in 2011/12 versus 2010/11

The key statistics in 2011/12 as well as the previous pupillage year 2010/11 (for comparison) are outlined on this page. Data relating to pupils' demographic information including their diversity data is limited to pupils who registered for their First Six. The 2011/12 summary provides details on the composition of registered First Six pupils who participated in the Pupillage Supplementary Survey 2011/2012 (307 pupils).

#### Pupillage in 2010/11

- 446 First Six pupillages were registered in total (pupillage population)
- 477 Second Six pupillages were registered in total (pupillage population)
- 54% of (241) pupils were men
- 41% (181) of pupils were women
   5% (22) of pupils did not disclose their gender
- 13% (58) of pupils were BME
- 79% (349) pupils were white
- 8% (37) of pupils did not disclose their ethnicity
- 1% (6) of pupils declared a disability
- 34% (151) of pupils were 24yrs of age or younger
- 53.4% (237) of pupils were between 25 and 34yrs of age
- 8.2% (36) of pupils were 35yrs of age or older
- 4.5% (20) of pupils did not disclose their age
- 7.9% (35) of pupils have a child
- 34.9% (155) of pupils achieved a first class degree
- 34.5% (154) of pupils attended Oxbridge
- 64% (285) of pupils attended a Russell Group university
- 5% (23) of pupils had a parent/ guardian who is a lawyer
- 32% (143) of pupils had debts of £20,000 or over

#### Pupillage in 2011/12

- 438 First Six pupillages were registered in total (pupillage population)
- 475 Second Six pupillages were registered in total (pupillage population)
- 45.6% (140) of pupils were men<sup>26</sup>
- 44% (135) of pupils were women
- 10.4% (32) of pupils did not disclose their gender
- 20.5% (63) of pupils were BME
- 67.4% (207) pupils were white
- 12.1% (37) of pupils did not disclose their ethnicity
- 2.6% (8) of pupils declared a disability
- 27% (83) of pupils were 24yrs of age or younger
- 53.4% (164) of pupils were between 25 and 34yrs of age
- 8.8% (27) of pupils were 35yrs of age or older
- 10.7% (33) of pupils did not disclose their age
- 6.5% (20) of pupils have a child
- 32.6% (100) of pupils achieved a first class degree
- 28.4% (87) of pupils attended Oxbridge
- 35.8% (110) of pupils attended a Russell Group university
- 4.3% (14) of pupils had a solicitor/ barrister/QC/judge as a parent/ guardian during their school years (age 11-18)
- 32.2% (99) of pupils had debts of £20,000 or over

<sup>26</sup> These statistics on pupillage are based on the Pupillage Supplementary Survey 2011/2012 (307 respondents out of 438 pupils).





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