

BSB approach to racial terminology 2022

In March 2022 we consulted with our Race Equality Taskforce to consider whether the language we have been using to describe ethnicity properly takes into consideration the nuances of race and ethnic diversity.

This consultation was prompted by a need to establish more granular and appropriate language that would allow us to use our research and data more effectively to understand the challenges and experiences of people from a range of ethnicities at the Bar.

We are keen as the regulator of the profession to be clear about what we consider to be good practice when discussing race and to encourage chambers and entities to do the same, especially as we are aware that uncertainty about the kinds of language to use may deter people from engaging in the necessary discussions.

We acknowledge that language to describe ethnicity and race is deeply subjective and personal, and one size does *not* fit all. In fact, the sensitivity of these terms makes language of this nature unlikely to be universally accepted. Despite this, we seek to do our best to capture as much of the nuance of race and ethnicity through language as possible.

We have now adopted the below approach, to be kept under review, inspired by a consultation report from the NHS race observatory [The Power of Language](#), which we have reflected on to inform this paper. This is the approach we will now be adopting in our future communications.

We will be specific where possible

- We know how unhelpful and insensitive it can be to use collective terms to describe different ethnicities. As a risk-based regulator we acknowledge that using the right language is key to understanding the experiences of people from a range of ethnic and racial groups at the Bar. We will, where possible, disaggregate data into specific ethnic and racial groups, particularly when conducting research or drafting reports.

We will not use acronyms

- Acronyms like BAME or BME can be vague and unrelatable and are generally not associated with diverse White ethnicities. These acronyms do not help us to understand the individual challenges faced by specific ethnic or racial groups, creating ambiguity about the needs of each community. We will not use acronyms to describe ethnicity and race in our

communications and, in particular, we will not use the acronyms BME/BAME. Where the grouping together of ethnicities is unavoidable, we will spell out the acronym or initialism.

We will not use unacceptable terms or negatives

- We will not use terms that are offensive or unacceptable (for example 'coloured' is a term that has been unacceptable for some time, but we have been made aware may still sometimes be used at the Bar.) We will also not use terms that define people in a negative way, such as 'non-white' or 'non-traditional background'. These terms can be deeply offensive suggesting that people do not belong by 'othering' them. Rather than using cross cutting terms like 'non-traditional background', where intersectionality exists, we will spell it out. We may instead refer to some groups as underrepresented at the Bar.

We will be guided by context, using differing terms interchangeably

- Where it is impossible to avoid collective language, we will be guided by the context and content of the text. For example, if we are discussing the experience of a large community of different ethnic groups, we might use the term racially minoritised¹.

Other terms we may adopt where more specific language is not applicable:

- Racialised communities
- Black and minoritised
- Minoritised communities
- Marginalised by race
- Communities experiencing racial inequality

We will be clear about our choice of language²

- In publications, we will explain why we have chosen our language to describe ethnicity and race. We recognise the importance of being unambiguous and transparent with our language and will refer to this document to further explain our approach.

We will remain flexible

- Language is ever evolving, particularly when discussing issues of race and ethnicity. We are aware that terms can become outdated and what may be acceptable can change over time. We will continue to review our approach and change our language where appropriate.

¹ When we use the term racially minoritised we are referring to communities that have been marginalised through the differential allocation of status and power, identified by their racial or ethnic group.

² In some statistical publications we may use alternative language/definitions in order to align with nationally representative data and enable accurate comparisons.

