

Diversity at the Bar 2022

A summary of the latest available
diversity data for the Bar

Published January 2023

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I. Executive Summary

This report presents a summary of the latest available diversity data for the Bar (covering pupils, practising King's Counsel - KC - and practising non-KC barristers). The report assists the Bar Standards Board (BSB) in meeting its statutory duties under the Equality Act 2010 and sets out an evidence base from which relevant and targeted policy can be developed.

Overall, this year has seen the continuation of several longer term trends, including an increase in the proportion of practising barristers who are female; who are from a minority ethnic background; who have primary care of a child; and who are aged 55 or more.

The practising Bar

- The overall number of practitioners (including all pupils) at the Bar as of 1 December 2022 stood at 18,026: Of this number 488 were pupils, 2,016 were KCs, and 15,522 were non-KC barristers.
- This year has seen a small decrease in individuals currently undertaking pupillage. The number in the practising or non-practising stage of pupillage as of December 2022 was 488, which is 23 lower than that seen in December 2021, and around the average number of pupils each December from 2015-2019, which was 472 (the figure was much lower in 2020 due to COVID-19).
- The number of non-KC and KC barristers has increased year on year (an increase of 187 non-KCs and 88 KCs.) The increase in the number of non-KCs at the Bar is broadly in line with that seen in several previous years since 2015, whereas the increase seen for KCs is slightly larger.

Response Rates

- Response rates continue to increase across all categories except for gender, with a yearly increase in response rate of around 1-2 percentage points (pp) for the majority of the characteristics reported on (all except for gender, ethnicity and age, which already have a high response rate).¹ As per previous years, the response rate is highest for gender at 98.1 per cent and lowest for gender identity at 48.4 per cent.

Monitoring Category	2022 response rate (%)
Gender ²	98.1
Gender Identity ³	48.4

1. It is against the law to discriminate against someone because of a protected characteristic as defined by the 2010 Equality Act: at the time of publishing the protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

2. The monitoring question for this is: What best describes your gender?

3. The monitoring question for this is: Is the gender you identify with the same as your sex registered at birth?

Sex^{4 5 6}	27.9
Ethnicity	95.1
Disability	62.7
Age	88.9
Religion or Belief	58.3
Sexual orientation	60.4
Type of school attended from 11-18	61.1
First generation to attend university	57.4
Free school meals⁷	23.7
Caring responsibilities for children	60.9
Caring responsibilities for others	59.0

Gender

- When excluding non-responses, the proportion of women at the Bar has increased 0.4pp since December 2021. As of December 2022, women constituted 39.7 per cent of the Bar compared to an estimate of 50.2 per cent of the UK working age population.
- The proportion of female KCs has increased year on year, from 18.1 per cent to 19.2 per cent (when excluding non-responses). There is still a large disparity between the proportion of the Bar who are female and the proportion of KCs who are female (39.7% vs 19.2%). The difference between the two has narrowed slightly in 2022.
- As of December 2022, 59.9 per cent of pupils were female and 40.1 per cent were male (excluding those that have not provided information on gender). The proportion of pupils who were female is 3.3pp higher than in 2021. The proportion of female pupils is the highest proportion that the BSB has a record of.⁸

Ethnicity

- The percentage of barristers from minority ethnic backgrounds⁹ at the Bar has increased 0.5pp since December 2021 to 16.3 per cent when excluding non-responses. That compares to an estimate of 16.4 per cent of the working age population in England and Wales as of July-September 2022.

4. The monitoring question for this is: What is your sex?

5. We collect information on sex and gender to ensure that we hold data on the protected characteristic of sex, whilst still collecting data about gender identity. We started collecting information on Sex more recently than that of Gender and the response rate is far lower as a result. The low response rate means that we do not report on Sex any further in this report.

6. Sex and gender are different concepts that are often used interchangeably. The UK government refers to sex as being biologically defined, and gender as a social construct that is an internal sense of self, whether an individual sees themselves as a man or a woman, or another gender identity.

7. The low response rate for Free School Meals means we do not report on this category further in this report.

8. It is likely the highest proportion ever seen at the Bar in England and Wales, but the BSB's record of all pupils in a given year goes back to 1989, so we cannot say definitively.

9. "Minority ethnic backgrounds" includes those from Asian/Asian British; Black/Black/British; Mixed/Multiple ethnic; and those of Other minority ethnic backgrounds. Previous 'Diversity at the Bar' reports used the acronym 'BAME'.

- The percentage of barristers from minority ethnic backgrounds increased year on year (when excluding non-responses) by 0.6pp for non-KCs (from 16.3% to 16.9%); 0.4pp for KCs (from 10.1% to 10.5%); and by 2.2pp for pupils (from 20.5% to 22.7%).
- There remains a disparity between the overall percentage of barristers from minority ethnic backgrounds across the profession (16.3%), and the percentage of KCs (10.5%) from minority ethnic backgrounds (the disparity is lessening over time). This may reflect some previous trends, such as there having been a lower percentage of such barristers entering practice in the past, but may also suggest barriers to progression to KC status for those from minority ethnic backgrounds.
- There are some differences when further disaggregating by ethnic group. There was a year-on-year increase in the overall proportion of Asian/Asian British barristers of 0.1pp; Black/Black British barristers of 0.1pp; of Mixed/Multiple ethnic group barristers of 0.2pp; and a decrease year on year in the overall proportion of White barristers of 0.5pp.
- When excluding those that have not provided information, there is a greater proportion of Asian/Asian British practitioners at the Bar compared to the proportion of Asian/Asian British individuals in the UK working age population (7.9% vs 7.0%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.8% vs 1.9%). By contrast, there is a slightly smaller proportion of those from Black/Black British backgrounds (3.4% vs 3.8%), and a greater relative underrepresentation for those from other ethnic groups (1.2% vs 3.6%).
- There is also a disparity in the proportion of all non-KCs from Black/Black British backgrounds compared to the proportion of all KCs from the same background, with there being fewer Black/Black British KCs than would be expected, given the number of Black/Black British barristers at the Bar overall-The disparity is particularly high for those of Black/Black British – African ethnic backgrounds.

Disability

- As of December 2022, there was a 3.8pp increase in the proportion of pupils with a declared disability compared to December 2021 (from 8.7% to 12.5%).
- There still appears to be an underrepresentation of disabled practitioners at the Bar. Although there is a relatively low response rate of 62.7 per cent, 7.3 per cent of those who provided information on disability status disclosed a disability, representing a 0.5pp increase on 2021. Despite the increase, this is substantially lower than an estimate of 15.8 per cent for the percentage of the employed working age UK population with a declared disability as defined by the Equality Act 2010.

Age

- Those aged between 25 and 54 make up around 75.4 per cent of the Bar. This is a decrease compared to December 2021 of around 1.4 percentage points (76.8% vs 75.4%), with relatively more of the Bar in the 55-64 and 65+ age range in 2022 (23.4% of the Bar is aged 55+). This continues a general trend seen in the age profile of the Bar and compares to a figure for the proportion of the Bar aged 55+ of

14.8 per cent in the first Diversity at the Bar Report in 2015.

Religion and Belief

- Including those that have not provided information, the largest group at the Bar is Christians (25.2%) followed by those with no religion (21.2%), although for pupils this is reversed.

Sexual Orientation

- Excluding non-responses, 10.9 per cent of pupils, 6.9 per cent of non-KC barristers, and 5.4 per cent of KCs provided their sexual orientation as one of Bisexual, Gay or Lesbian; or another sexual orientation (not including heterosexual).

Socio-economic background

- The data suggest that a disproportionately high percentage of barristers attended a UK independent school between the ages of 11-18. Including non-respondents 19.5 per cent of the Bar had attended an independent school, compared to approximately 6 per cent of school children in England at any age, and 9.8 per cent of UK domiciled young full-time first degree entrants in the UK in 2020/21. Of those providing information on school attended, around one in three attended an independent school in the UK.
- When excluding non-responses, as of December 2022: 0.5 per cent of the Bar had not attended university; 57.2 per cent were not of the first generation to attend university; and 42.3 per cent were of the first generation to attend university.

Caring responsibilities

- When excluding non-responses, 29.5 per cent of the Bar have primary caring responsibilities for one or more children. Overall, the proportion of the Bar with primary caring responsibilities for one or more children has increased by around 7.6pp since 2015, 8.6pp since 2017 and 1.1pp since 2021. The increase in the proportion of barristers who provide primary care for a child is seen for both male and female barristers, although there is a large disparity in the proportions involved: overall, excluding non-responses, around 40.2 per cent of female barristers, and 20.7 per cent of male barristers provided primary care for a child.
- Figures produced by the UK Office of National Statistics suggest that around 36 per cent of employed males, and 40 per cent of employed females are a primary carer for one or more children. This would suggest that the proportion of male barristers with primary care of a child is substantially lower than that seen in the broader working age population, and the proportion seen for female barristers is more similar. It is worth noting that as response rates are relatively low for this question, such inferences may not be reliable.
- Regarding providing care for another, not including dependent children, of those that provided a Yes/No response, around 14.3 per cent of respondents provided care for another person for 1 or more hours per week. This is in line with the estimated proportion of those in work in the UK who are carers.

2. Introduction

The BSB is committed to providing clear and transparent statistical diversity data for every stage of a barrister's career. This diversity data report is published annually, in line with the Specific Duties Regulations of the Equality Act 2010 and the statutory guidance of the Legal Services Board. It is a summary of the diversity data on practising barristers available to the BSB as of 1 December 2022.¹⁰

This report provides an overview of diversity at the Bar,¹¹ and establishes evidence for both policy development and assessing the effectiveness of current BSB initiatives aimed at increasing equality and diversity at the Bar. All data are presented anonymously.

Unless stated otherwise, all analysis in this report is broken down by seniority. Table 1 (below) shows the simple breakdown of practising members of the profession.

Table 1. Total number of people at the Bar (numbers)

Seniority	Number	Year on year difference (compared to December 2021)
Pupil	488	-23
Non-King's Counsel (Non-KC) ¹²	15,522	187
King's Counsel (KC)	2,016	88
Total	18,026	252

There has been a year-on-year increase of 252 in the number at the Bar as of 1 December 2022. This is broadly in line with the increase seen in 2021 compared to 2020, and with that seen in 2019 compared to 2018, and suggests that recruitment and retention has returned to longer term trends following some disruption related to the COVID-19 pandemic.

The increase in the number of non-KCs at the Bar is broadly in line with that seen in several previous years, whereas that for KCs is above the year-on-year trends seen from 2017-2021, as shown in Table 2. The number of pupils is slightly lower in 2022 than in 2021, and in line with the numbers seen from 2016-2019 (which ranged between 471 and 499 each year).

10. The BSB published a report detailing longer term trends from 1990-2020 for several monitoring categories this year. The report, 'Trends in retention and demographics at the Bar – 1990-2020', can be found on the Research Reports section of our website: <https://www.barstandardsboard.org.uk/news-publications/research-and-statistics/bsb-research-reports.html>

11. Usage of the term 'the Bar' in this report refers only to practising barristers and pupils (including non-practising stage pupils) as of 1 December 2022.

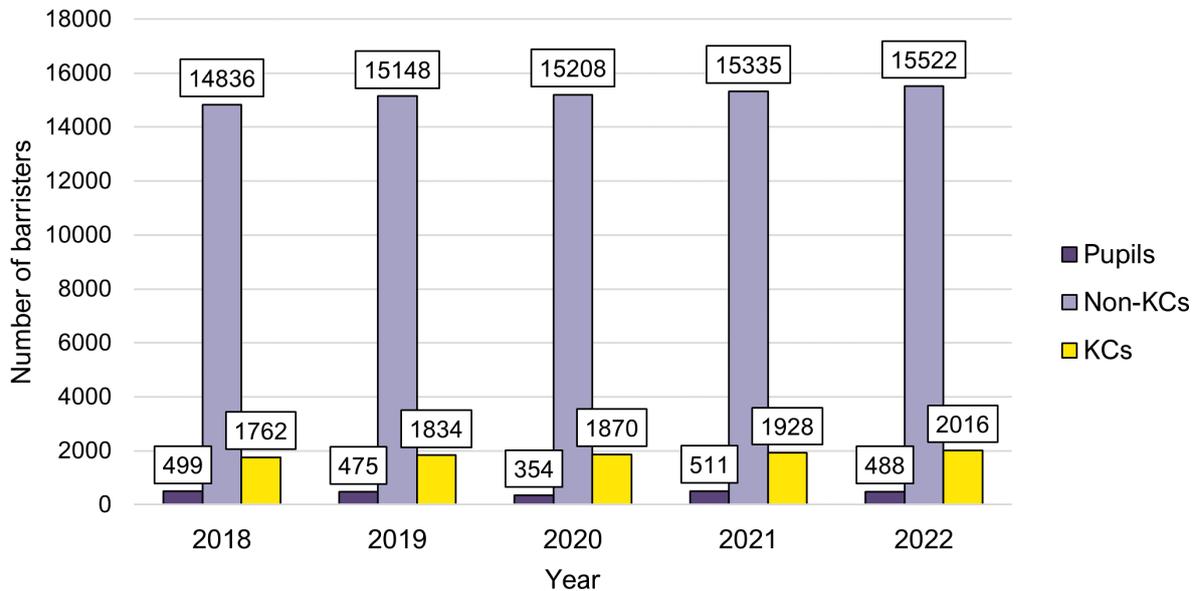
12. Usage of the term "non-KC" in this report refers to practising junior barristers; a barrister who has not taken silk

Table 2. Year on year change in the number of people at the Bar

Seniority	2017-2016	2018-2017	2019-2018	2020-2019	2021-2020	2022-2021
Pupils	23	5	-24	-121	157	-23
Non-KCs	269	132	312	60	127	187
KCs	57	31	72	36	58	88
Overall	349	168	360	-25	342	252

As of 1 December 2022, there were ten pupils undertaking pupillages that commenced more than one year ago. This is in line with 2015-2019 and considerably lower than the 39 such pupils seen for 1 December 2020. Pupils undertaking extended pupillages are not included in this report in order to avoid double counting pupils from one Diversity at the Bar Report to the next.

Chart 1: Number of pupils, Non-KC barristers and KC barristers at the Bar: December 2018-December 2022



There are three sections to this report: protected characteristics,¹³ socio-economic background, and caring responsibilities for dependent children and others.

13. It is against the law to discriminate against someone because of a protected characteristic as defined by the 2010 Equality Act: at the time of publishing the protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

3. Methodology

The data for practitioners¹⁴ in this report are from the BSB's records.

BSB Records

The BSB receives data on the profession via MyBar, the online "Authorisation to Practise" system. MyBar enables barristers to renew their practising certificates online and input or update their diversity monitoring data at any time.

The rate of completion varies for individual monitoring strands, as each question is voluntary and all can be left blank if desired.

Diversity data on pupils are collected through the Pupillage Registration Form, which must be completed before an individual commences pupillage. The data from this form are stored in the BSB's data warehouse.

The diversity monitoring information used in this report represents a snapshot of the profession on 1 December 2022.¹⁵

In general, percentages have been rounded to one decimal place, so in some cases the values may not total 100 per cent.

3.1. Response Rates

The response rate once again increased across all collected data in 2022 with the exception of gender.

The year on year increases from 2021 were around 1-2 percentage points for the majority of the monitoring categories, and considerably higher for gender identity, sex, and whether a barrister was entitled to free school meals. It is encouraging that response rates have increased year on year consistently for the majority of categories for every Diversity at the Bar report published, although this rate of increase appears to be slowing down for many monitoring categories.

Although the trend in response rates is positive, less than 60 per cent of the Bar has responded to four of the 11 questions monitored in this report.¹⁶

These monitoring questions relate to:

- Caring responsibilities for others
- First generation to attend university

14. Usage of the term "practitioners" in this report refers to pupils, junior barristers, and KCs practising at the Bar as of 1 December 2022.

15. Pupillage numbers for 2015-2019 are different to what was initially published in the relevant Diversity at the Bar Reports. This is because we refined the approach we take to calculating pupillage data to give a more accurate picture of the number of pupils at a given point in time. This also means that pupillage figures and comparisons to previous years' pupillage data have been recalculated as a result of using updated numbers.

16. Response rates for 'Sex' and 'Free School Meals' are both below 30%. Due to the particularly low response rate for these categories, they are not analysed further in this report.

- Gender identity
- Religion or belief

This is the second year in which we have collected data on sex¹⁷ and whether a barrister qualified for free school meals. The response rates for these questions were quite low, and so these categories are not included in this report.

Each question on both MyBar and the Pupillage Registration Form contains a 'prefer not to say' option, allowing individuals the option of giving a response without disclosing any information. 'Prefer not to say' is counted as a response in the rates listed below in Table 3.

Table 3. Response Rates in 2020 and 2021 (as a percentage of total barristers) and change in response rates over time

Category	2021 (%)	2022 (%)	2022-2021 pp. diff.	2022-2015 pp. diff.
Gender ¹⁸	99.7	98.1	-1.6	-1.9
Gender Identity ¹⁹	44.7	48.4	3.6	48.4
Sex ²⁰	18.5	27.9	9.5	27.9
Ethnicity	94.8	95.1	0.3	3.7
Disability	60.4	62.7	2.2	31.7
Age	88.1	88.9	0.8	2.5
Religion or Belief	56.1	58.3	2.2	30.5
Sexual orientation	58.3	60.4	2.0	32.8
Type of school attended from 11-18	59.5	61.1	1.6	34.2
First generation to attend university	55.7	57.4	1.7	30.6
Free school meals	15.4	23.7	8.4	23.7
Caring responsibilities for Children	59.2	60.9	1.7	33.4
Caring responsibilities for others	57.2	59.0	1.8	32.7

17. All previous Diversity at the Bar Reports have reported on Gender. Sex and gender are different concepts that are often used interchangeably. The UK Government (Office for National Statistics) defines sex as referring to the biological aspects of an individual as determined by their anatomy, generally male or female, something that is registered at birth. A person's gender identity may or may not correspond to the sex they were registered with at birth.

18. The monitoring question for this is: What best describes your gender? This question is designed to capture data on gender identity in an inclusive way, by inviting people to describe their gender in their own words. This monitoring category has been reported on since the first Diversity at the Bar Report.

19. The monitoring question for this is: Is your gender the same as the sex that you were registered at birth?

20. The monitoring question for this is: What is your sex?

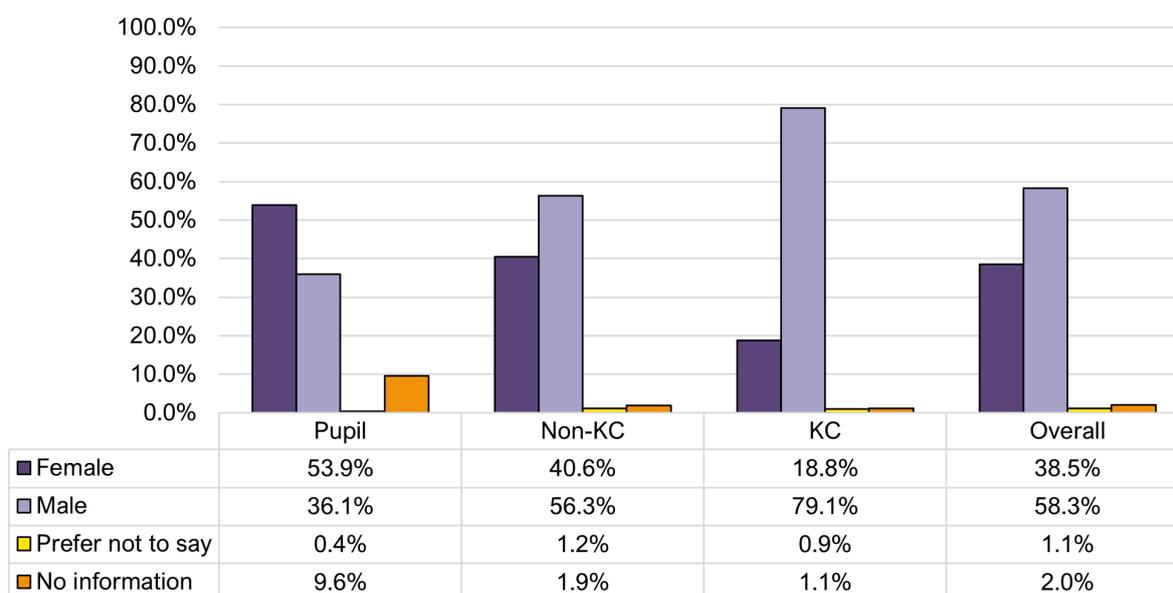
4. Protected Characteristics

4.1. Gender and Identity

Gender

Chart 2 shows the percentage of practitioners at the Bar by gender and level of seniority. The monitoring question for this on MyBar is: What best describes your gender?

Chart 2: Gender at the Bar (%)



- When excluding non-responses,²¹ the overall percentage of women at the Bar increased by 0.4pp from December 2021 to December 2022 to 39.7 per cent: This compares to an estimate of 50.2 per cent of the UK working age (16-64) population being female as of Q3 2022.²²
- The overall proportion of women at the Bar has increased every year since the first Diversity at the Bar Report in 2015 (when excluding non-responses). In absolute terms, the number of female barristers at the Bar has increased by 1,066 since 2015. The number of male barristers has increased by 53 over the same period.²³ The discrepancy is likely to be due largely to greater numbers of male barristers retiring: As of December 2022, when excluding non-responses, around 75 per cent of those aged 55+ at the Bar were male.

21. In previous Diversity at the Bar Reports, the first figure reported for gender was including non-responses. As the proportion on non-responses has increased, providing this comparison year on year would give a poor representation of overall trends.

22. Calculated from the 'Labour Force Survey: Population aged 16-64: Female: Thousands: SA', and 'Labour Force Survey: Population aged 16-64: UK: Male: Thousands: SA' datasets published by the Office for National Statistics on ons.gov.uk

23. Non-responses have increased however, so these figures are likely to be slightly different if everyone were to provide information on gender.

- When excluding non-responses, the proportion of female pupils increased by just over 3 percentage points, reaching 59.9 per cent. This is considerably higher than the proportion of pupils who were male, which stood at 40.1 per cent. The proportion of pupils who were female as of December 2022 is the highest seen since the first Diversity at the Bar Report in 2015, and most likely the highest proportion ever seen at the Bar in England and Wales.²⁴
- Except for 2021 (where the proportions involved were even), the proportion of pupils who were female has been higher than that seen for males in every Diversity at the Bar Report.
- When excluding non-responses, the proportion of non-KCs who are female has increased by around 0.4pp since 2021 and stands at 41.8 per cent.
- Excluding non-responses, the proportion of KCs who are female increased from 18.1 per cent in 2021 to 19.2 per cent in 2022, a 1.1pp increase. This is the same percentage point increase as that seen from 2020 to 2021. The number of female KCs increased by 34 from 2021 to 2022 compared to an increase of 31 from 2020 to 2021. The number of male KCs increased by 29 from 2021 to 2022.
- It is still noteworthy that the overall proportion of female KCs is low (19.2% excluding non-responses) in comparison to the percentage of female barristers at the Bar (39.7%). However, the difference between the two has narrowed over time (in 2015, 36% of the Bar were female compared to 13% of KCs). Of those for whom we have data, 48 per cent of the net addition of KCs since 2015 have been female, compared to 52 per cent who have been male. If this trend continues, the proportion of female KCs will continue to grow closer to the proportion of female non-KCs.
- The proportion of women at the Bar has increased by 3.8 percentage points overall since the 2015 Diversity at the Bar Report (when excluding non-responses). The increase overall has been 3.7pp for female non-KC barristers, and 6.2pp for female KC barristers.

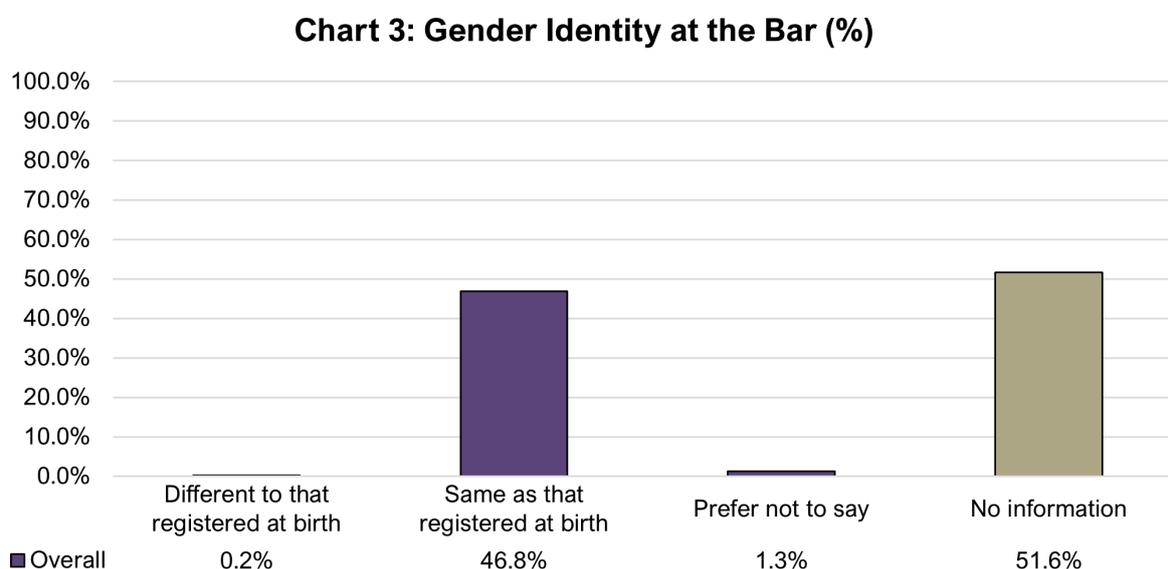
Table 4. Gender at the Bar (numbers)

	Pupils	Non-KC	KC	Total
Female	263	6,300	380	6,943
Male	176	8,740	1,594	10,510
Prefer not to say	2	184	19	205
No information	47	298	23	368
Total	488	15,522	2,016	18,026

24. The BSB's record of all pupils in a given year goes back to 1989, so we cannot say definitively.

Gender Identity

Chart 3 shows the percentage of practitioners at the Bar by response to the following question on MyBar: “Is your gender the same as the sex that you were registered at birth?”.



- Around 52 per cent of practitioners had not provided a response on gender identity on MyBar.
- When including non-respondents, around 0.2 per cent of practitioners had a different gender identity to the one they were registered with at birth.

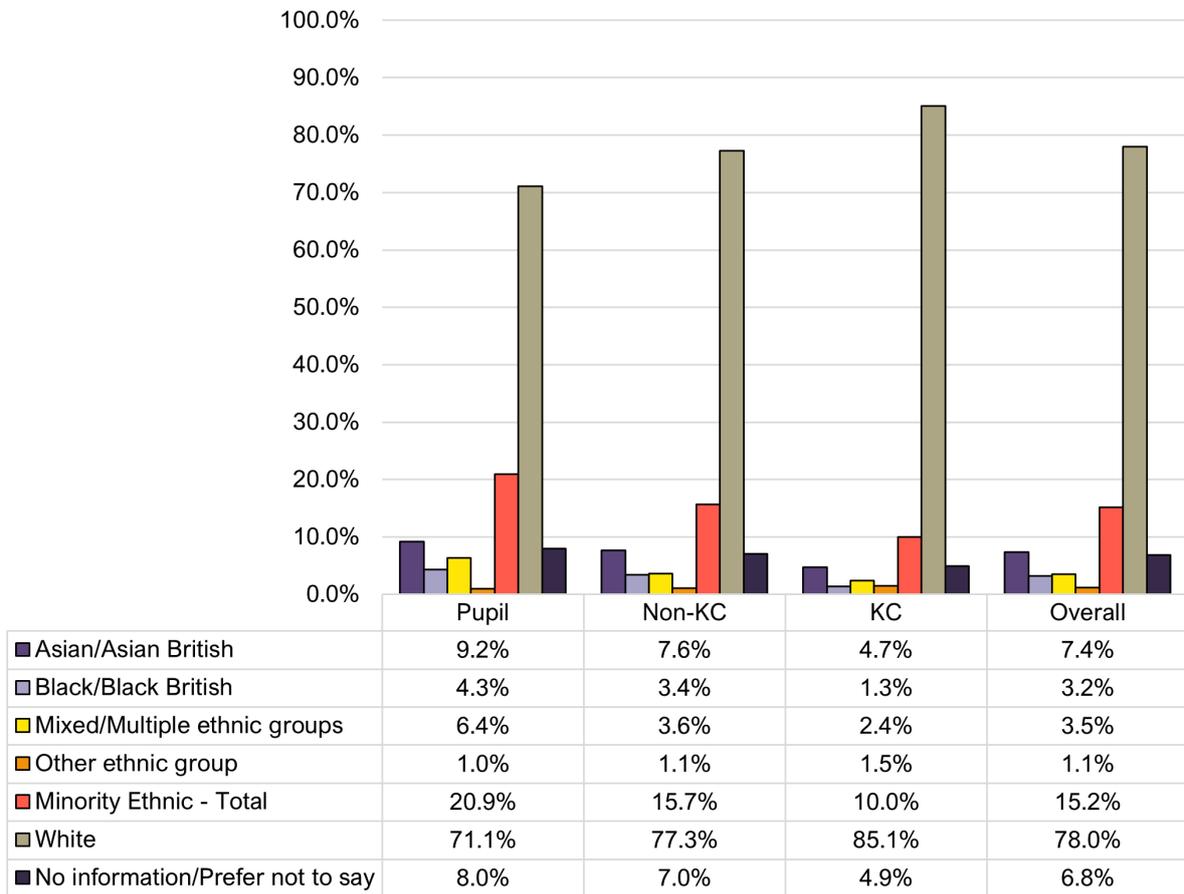
Table 5. Gender Identity at the Bar (numbers)

Gender Identity	Pupils	Non-KC	KC	Overall
same as that registered at birth				
No	1	34	5	40
Yes	82	7,334	1,025	8,441
Prefer not to say	-	222	16	238
No information	405	7,932	970	9,307
Total	488	15,522	2,016	18,026

4.2. Ethnicity

Chart 4 shows the percentage of practitioners at the Bar by ethnic background and level of seniority.

Chart 4: Ethnicity at the Bar (%)



- Including non-responses, the overall percentage of barristers from minority ethnic backgrounds at the Bar as of 1 December 2022 was 15.2 per cent. This figure has increased by 0.5pp compared to December 2021, and around 1.0pp compared to December 2020. This is in line with the average yearly percentage point increase of 0.5pp since the first Diversity at the Bar Report in 2015.
- When excluding those that have not provided information or have preferred not to disclose information, around 16.3 per cent of the Bar is from a minority ethnic background. This compares to around 16.4 per cent of the 16-64 working age population in England and Wales as of Q3 2022.²⁵
- The proportion of pupils from a minority ethnic background showed an increase of 2.2pp compared to December 2021 - from 20.5% to 22.7% when excluding non-responses (and from 19.6% to 20.9% when including non-responses). The 2022 figure is higher than that seen for 2015-2019 and that seen for 2021.

25. Calculated from adding together figures on the economically active and inactive 16-64 population by ethnicity from the Labour Force Survey: A09: Labour Market Status by ethnic group.

- The percentage of non-KC barristers from a minority ethnic background has increased by 0.6pp from 16.3% to 16.9% excluding non-responses (and from 15.1% to 15.7% when including non-responses).
- The percentage of KCs from minority ethnic backgrounds has increased by 0.4pp year on year from 10.1 per cent to 10.5 per cent when excluding non-responses (and from 9.6% to 10% when including non-responses). This also equates to an increase of 3.1pp compared to five years ago, and 4.0pp compared to the first Diversity at the Bar Report in December 2015.
- Since December 2015 there has been a net addition of 99 KCs from minority ethnic backgrounds compared to a net addition of 245 KCs from White ethnic backgrounds. Of those for whom we have data, around 29 per cent of the net addition of KCs since 2015 has been from a minority ethnic background. This is higher than the proportion of practitioners from minority ethnic backgrounds and may partly be explained by greater numbers of White KCs having retired since 2015, as the proportion of KCs who are White shows an increase alongside age.²⁶
- There is still a lower proportion of KCs from minority ethnic backgrounds than the proportion of non-KCs who are from such backgrounds, although the ratio between the two has narrowed over time. When excluding non-responses, in December 2015 the proportion of non-KC practitioners from a minority ethnic background was 2.1 times higher than the equivalent proportion of KCs; whereas in December 2022 the ratio between the two was 1.6 (the same as that seen in December 2021).

When looking at more disaggregated data by ethnic group, and when excluding those that have not provided information on ethnicity, some notable statistics emerge:

Asian/Asian British

- Around 7.9 per cent of the Bar, 10.0 per cent of pupils, 8.2 per cent of non-KCs, and 5.0 per cent of KCs are from an Asian/Asian British background. This compares to around 7.0 per cent of the UK working age population.
- The proportion of Asian/Asian British barristers at the Bar has increased by around 1.3pp since 2015 and by 0.1pp compared to December 2021.
- Of the 8.0% of non-KCs and 4.9% of KCs from Asian/Asian British backgrounds;
 - 0.8% of non-KCs and 0.3% of KCs are from an Asian/Asian British - Bangladeshi background;
 - 0.6% of non-KCs and 0.3% of KCs are from an Asian/Asian British - Chinese background;
 - 3.5% of non-KCs and 2.7% of KCs are from an Asian/Asian British - Indian background;

26. Excluding non-responses, as of December 2022; around 90.7 per cent of KCs aged 55+, and 87.5 per cent of KCs aged 45-54 were White, compared to 86.3 per cent, and 82.9 per cent of non-KCs in the same age range respectively (a difference of 4.4pp and 4.6pp between the groups in each age range). In comparison there is less of a difference between the proportion of White KCs and non-KCs aged 35-44 (82.1% compared to 83.4% respectively), although there are relatively few KCs in this age range.

- 2.1% of non-KCs and 1.1% of KCs are from an Asian/Asian British - Pakistani background; and
- 1.2% of non-KCs and 0.7% of KCs are from Other Asian backgrounds.

Black/Black British

- Around 3.4 per cent of the Bar, 4.7 per cent of pupils, 3.6 per cent of non-KCs, and 1.4 per cent of KCs are from a Black/Black British background. This compares to around 3.8 per cent of the UK working age population.
- The proportion of Black/Black British barristers at the Bar has increased by around 0.4pp since 2015 and by 0.1pp compared to December 2021.
- Of the 3.6% of non-KCs and 1.4% of KCs from a Black/Black British background;
 - 2.0% of non-KCs and 0.5% of KCs are from Black/Black British - African backgrounds;
 - 1.4% of non-KCs and 0.8% of KCs are from a Black/Black British - Caribbean background; and
 - 0.2% of non-KCs and 0.2% of KCs are from any other Black background.

Mixed/Multiple ethnic groups

- Around 3.8 per cent of the Bar, 6.9 per cent of pupils, 3.9 per cent of non-KCs, and 2.6 per cent of KCs are from a Mixed/Multiple ethnic background. This compares to around 1.9 per cent of the UK working age population.
- The proportion of Mixed/Multiple ethnic group barristers at the Bar has increased by around 1.3pp since 2015 and by 0.2pp compared to December 2021.
- Of the 3.9% of non-KCs and 2.6% of KCs from Mixed/Multiple ethnic group backgrounds;
 - 1.2% of non-KCs and 1.1% of KCs are from White and Asian mixed backgrounds;
 - 0.4% of non-KCs and 0.1% of KCs are from White and Black/Black British - African mixed backgrounds;
 - 0.5% of non-KCs and 0.3% of KCs are from White and Black/Black British - Caribbean mixed backgrounds;
 - 0.2% of non-KCs and 0.2% of KCs are from White and Chinese mixed backgrounds; and
 - 1.6% of non-KCs and 0.9% of KCs are from any Other Mixed/Multiple Ethnic Group background.

Other ethnic backgrounds

- Around 1.2 per cent of the Bar, 1.1 per cent of pupils, 1.6 per cent of non-KCs, and 1.2 per cent of KCs indicated that they were from another ethnic background. This compares to around 3.6 per cent of the UK working age population.
- The proportion of barristers in this group has not changed since 2015.
- 1.2% of non-KCs compared to 1.6% of KCs are in this group.

White

- Around 83.7 per cent of the Bar, 77.3 per cent of pupils, 83.1 per cent of non-KCs, and 89.5 per cent of KCs are from a White background. This compares to around 83.5 per cent of the UK working age population.
- The proportion of barristers from a White background has decreased by around 3.2pp since 2015 and by 0.5pp compared to December 2021.
- Of the 83.1% of non-KCs and 89.5% of KCs are from White ethnic groups overall;
 - 75.2% of non-KCs and 83.2% of KCs are from White British backgrounds;
 - 2.6% of non-KCs and 2.2% of KCs are from White Irish backgrounds; and
 - 5.3% of non-KCs and 4.1% of KCs are from any other White background.

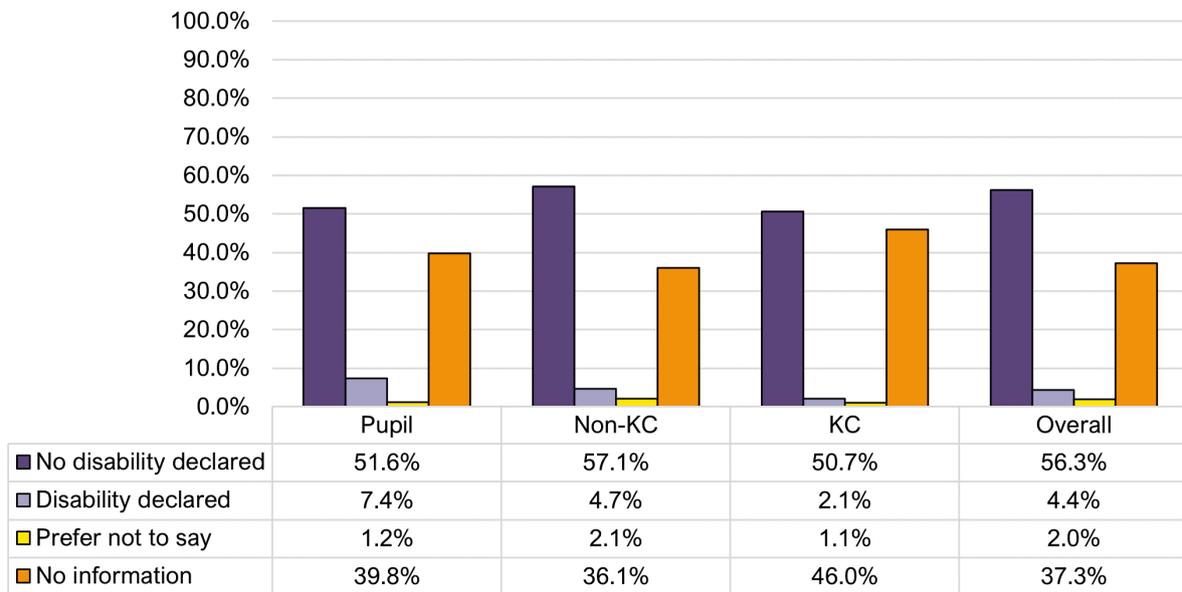
Table 6: Ethnicity at the Bar (numbers)

	Pupils	Non-KC	KC	Total
Asian/Asian British	45	1,185	95	1,325
Asian/Asian British - Bangladeshi	5	109	5	119
Asian/Asian British - Chinese	6	83	5	94
Asian/Asian British - Indian	13	510	51	574
Asian/Asian British - Pakistani	12	309	21	342
Another Asian background	9	174	13	196
Black/Black British	21	526	27	574
Black/Black British - African	14	288	9	311
Black/Black British - Caribbean	6	203	15	224
Another Black background	1	35	3	39
Mixed/Multiple ethnic groups	31	557	49	637
White and Asian	12	174	21	207
White and Black African	6	56	2	64
White and Black Caribbean	7	72	5	84
White and Chinese	-	26	4	30
Another mixed/multiple background	6	229	17	252
White	347	11,992	1,716	14,055
White - English/Welsh/Scottish/ Northern Irish/British	320	10,848	1,595	12,763
White - Gypsy or Irish Traveller	1	3	-	4
White - Irish	7	376	42	425
Another White background	19	765	79	863
Other ethnic group	5	172	30	207
Arab	2	22	1	25
Any other ethnic group	3	150	29	182
Prefer not to say	11	297	33	341
No information	28	793	66	887
Total	488	15,522	2,016	18,026

4.3. Disability

Chart 5 shows the percentage of practitioners at the Bar by declared disability status and level of seniority.

Chart 5: Disability declared at the Bar (%)



- Including those that have not provided information on disability, 4.4 per cent of the Bar; 7.4 per cent of pupils; 4.7 per cent of non-KC barristers; and 2.1 per cent of KCs had declared a disability as of December 2022. The overall year on year percentage point increase for those declaring a disability is 0.4pp (4.0% to 4.4%). The increase may be linked to an increase in response rates.
- When excluding those that had not provided information, 7.3 per cent of the Bar; 7.5 per cent of non-KC barristers; 12.5 per cent of pupils; and 4.0 per cent of KCs had declared a disability as of December 2022. The proportion of pupils declaring a disability was 3.8pp higher than in December 2021. The respective figure for non-KCs showed a year-on-year increase of 0.5pp, and there was a smaller increase of 0.1pp seen for KCs. In comparison to these figures, it is estimated that around 15.8 per cent of the UK employed working age population (those aged 16-64) has a declared disability as defined under the Equality Act 2010 as of Q3 2022,²⁷ and so the proportion seen for the Bar overall appears to be substantially lower.
- The figures also suggest that the percentage of those with a declared disability may decrease as level of seniority increases. The response rate for this question is now just over 60 per cent, and this is a trend that has remained present alongside an increase in response rates.

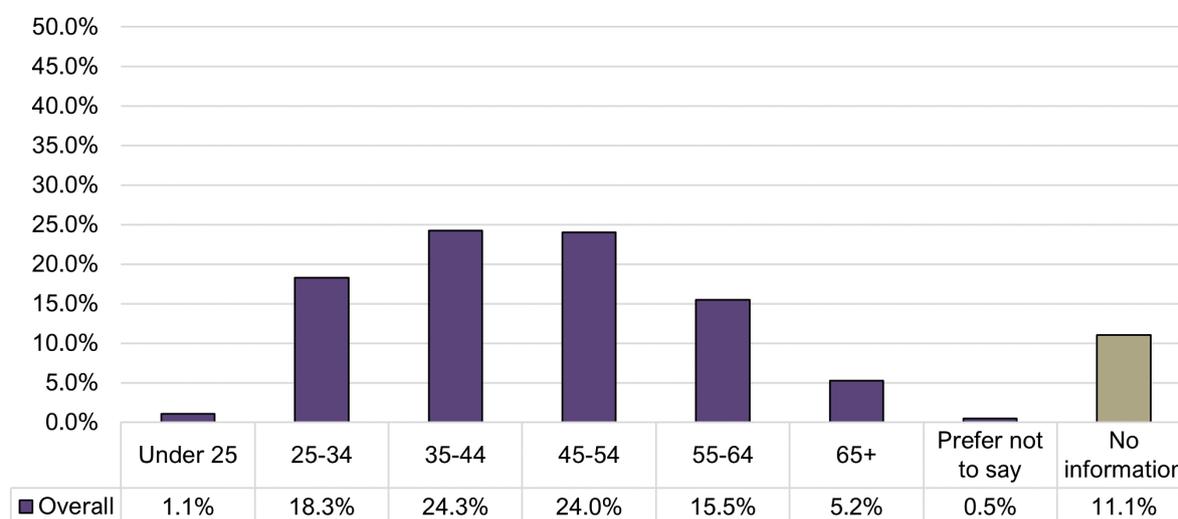
27. Calculated for Jul-Sep 2022 from Office for National Statistics datasets: A08: Labour market status of disabled people using Equality Act Levels (People).

Table 7. Disability at the Bar (numbers)

	Pupils	Non-KC	KC	Total
No disability declared	252	8,866	1,023	10,141
Disability declared	36	722	43	801
Prefer not to say	6	328	23	357
No information	194	5,606	927	6,727
Total	488	15,522	2,016	18,026

4.4. Age

Chart 6 shows the percentage of practitioners at the Bar by age band.

Chart 6: Age of the Bar (% of total for the Bar)

Of those that have provided information on age:

- Those aged between 25 and 54 make up around 75.4 per cent of the Bar. This is a decrease compared to December 2021 of around 1.4 percentage points (76.8% vs 75.4%), with relatively more of the Bar in the 55-64 and 65+ age ranges in 2022.
- 23.4 per cent of those who have provided information on age are aged 55+. This carries on a general trend in the age profile of the Bar and compares to figures of 22.4 per cent in 2021; and 14.8 per cent in the first Diversity at the Bar Report in 2015. 3,737 of those that had declared their age were in this group in December 2022, compared to 2,073 in December 2015 (the proportion of those not providing information on age has remained relatively stable over the same period).
- The two largest cohorts are those aged from 35-44 and those aged from 45-54. Around 27 per cent of barristers are in each of these age ranges.
- The proportion of those at the Bar aged under 25 stood at 1.2 per cent as of December 2022, when excluding non-responses. The proportion of pupils aged under 25 increased by almost 9pp compared to 2021.

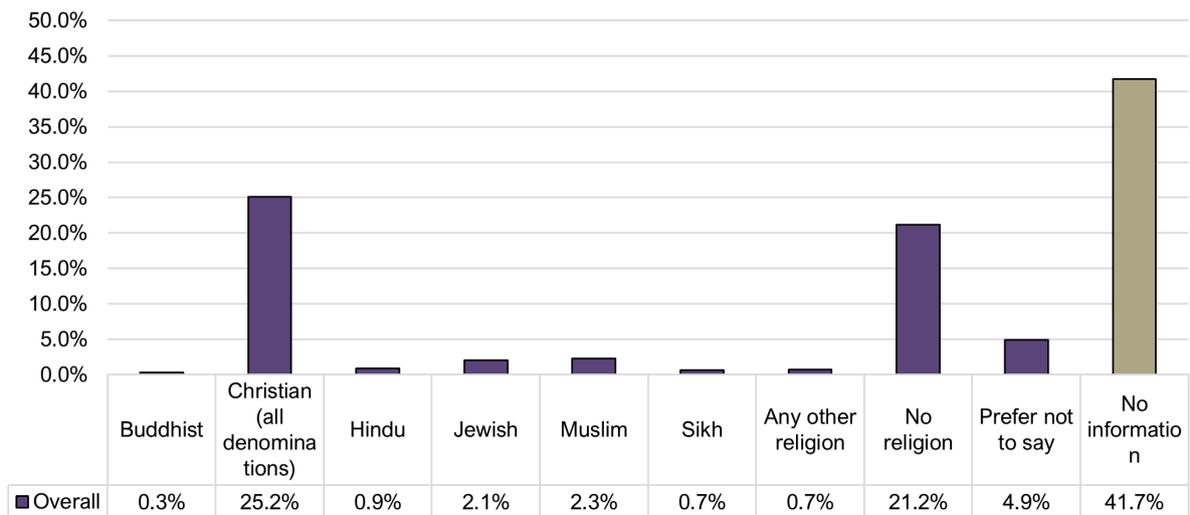
Table 8. Age at the Bar (numbers)

	Pupils	Non-KC	KC	Total
Under 25	132	58	-	190
25-34	306	2,998	-	3,304
35-44	33	4,252	94	4,379
45-54	4	3,614	713	4,331
55-64	-	2,266	526	2,792
65+	-	720	225	945
Prefer not to say	-	79	13	92
No information	13	1,535	445	1,993
Total	488	15,522	2,016	18,026

4.5. Religion and Belief

Chart 7 shows the religion or belief of practitioners at the Bar.

Chart 7: Religion/Belief of the Bar (% of total for the Bar)



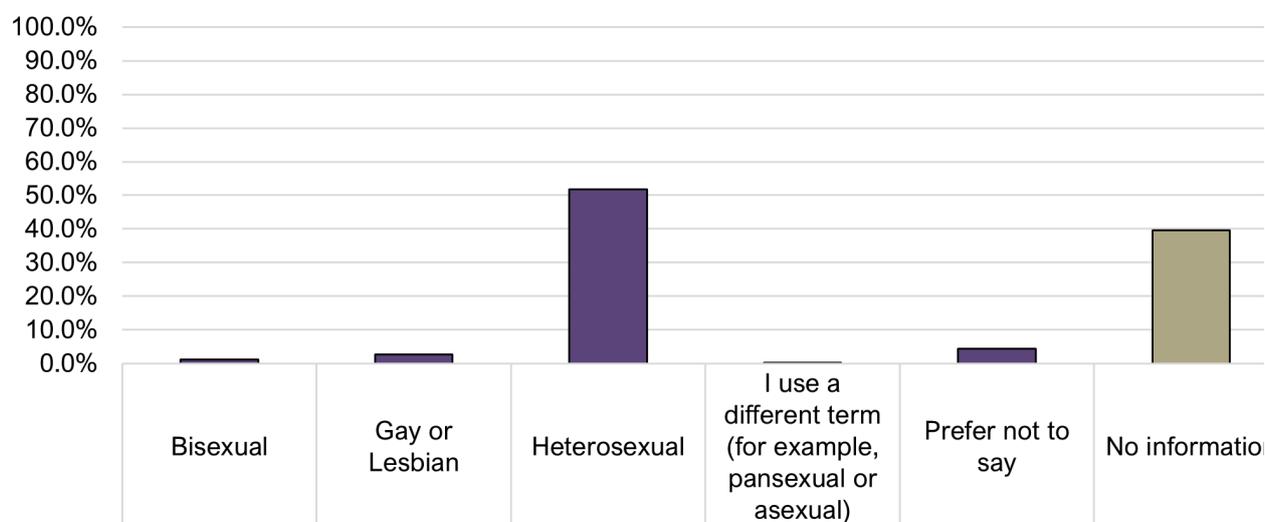
- Around 42 per cent of the Bar has not provided information on religion or belief through MyBar. The response rate for this question is up by around 2.2 percentage points year on year.
- Including those that have not provided information, the largest group at the Bar is Christians (25.2%) followed by those with no religion (21.2%), although for pupils this trend is reversed.

Table 9. Religion and Belief at the Bar (numbers)

	Pupils	Non-KC	KC	Total
Buddhist	1	59	2	62
Christian (all denominations)	64	4,007	464	4,535
Hindu	3	141	13	157
Jewish	6	280	90	376
Muslim	17	382	16	415
Sikh	3	108	12	123
Another religion	1	117	8	126
No religion	98	3,371	351	3,820
Prefer not to say	19	785	83	887
No information	276	6,272	977	7,525
Total	488	15,522	2,016	18,026

4.6. Sexual Orientation

Chart 8 shows the sexual orientation of practitioners at the Bar.

Chart 8: Sexual orientation of the Bar (% of total for the Bar)

- The response rate for sexual orientation has increased by around 2 percentage points in comparison to December 2021, a much smaller increase than that seen from December 2020 to December 2021 when it increased by around 8 percentage points.
- Excluding those that have not provided information, 10.9 per cent of pupils, 6.9 per cent of non-KCs, and 5.4 per cent of KCs provided their sexual orientation as one of Bisexual, Gay or Lesbian, or used another term for their sexual orientation (not including heterosexual). This compares to an estimate of 3.9 per cent of the UK population aged 16 and over identifying as one of Bisexual, Gay or Lesbian or

another sexual orientation as of 2020 when excluding non-responses.²⁸

Table 10. Sexual Orientation of the Bar (numbers)

	Pupils	Non-KC	KC	Total
Bisexual	16	199	10	225
Gay or Lesbian	6	427	45	478
Heterosexual	181	8,191	951	9,323
I use a different term (eg, pansexual)	2	38	3	43
Prefer not to say	16	727	67	810
No information	267	5,940	940	7,147
Total	488	15,522	2,016	18,026

28. Calculated from Table 1 in UK Office for National Statistics Bulletin: Sexual orientation, UK: 2020. The calculation involved excluding non-responses from the table and recalculating the percentages.

5. Socio-Economic Background

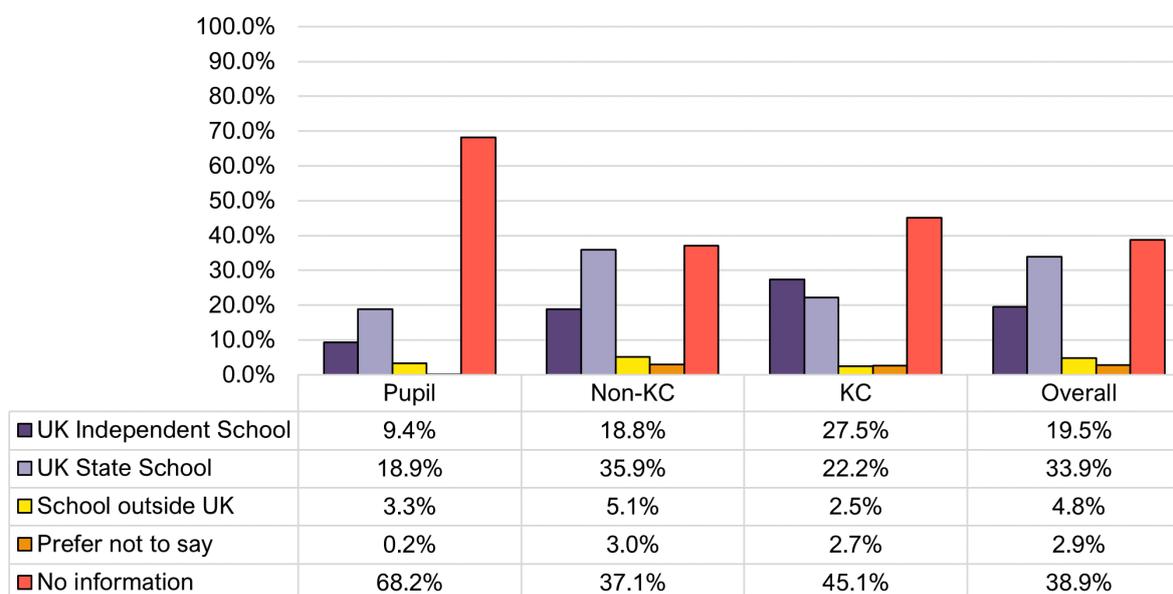
Socio-economic background is not a protected characteristic under the Equality Act 2010. However, a representative socio-economic profile may be one indicator of a more meritocratic profession.

Unfortunately, accurately measuring socio-economic background can be challenging, and there is no universal proxy for gathering such data. The BSB uses two socio-economic questions on the MyBar monitoring questionnaire and on the Pupillage Registration Form for which we have enough data to use in this report. These questions use educational background of the barrister, and of their parents, as a proxy for determining a barrister's social class. There is a strong correlation between a person's social background and a parent's level of educational attainment – particularly when choosing the type of school to attend, type of university, and career choice.²⁹

5.1. Type of School Attended

Chart 9 shows a summary of the type of school mainly attended between the ages of 11-18 for practitioners at the Bar.

Chart 9: Type of school attended (%)



29. Bukodi, E. and Goldthorpe, J.H., 2012. Decomposing 'social origins': The effects of parents' class, status, and education on the educational attainment of their children. *European Sociological Review*, 29(5), pp.1024-1039.

- Although there is a high percentage of non-responses (38.9%), the data suggest that a disproportionately high number of barristers attended a UK independent school. The figures show that even if all of the barristers who chose not to respond had gone to state schools, the proportion of barristers who went to independent schools would be higher than in the wider population: as of December 2022, 19.5 per cent of the Bar (including non-respondents) attended an independent school between 11-18, compared to approximately 6 per cent of school children in England at any age,³⁰ and 9.8 per cent of UK domiciled young full-time first degree entrants in the UK in 2020/21 attending a non-state school prior to university.³¹
- Of those that provided information on school attended, 33.5 per cent attended an independent school in the UK (this represents a small decrease of 0.4pp compared to December 2021). This is in line with those that enrolled on the Bar Professional Training Course (BPTC) from 2014-2019: Across the 2014/15-2019/20 academic years, there was an average of 33 per cent of UK domiciled students on the BPTC having attended an independent school.³² This suggests that the high percentage of those at the Bar who attended an independent school in the UK is influenced by factors prior to vocational study to become a barrister.
- It is worth noting that of those that provided information on school attended, the proportion of UK-schooled barristers who attended an independent school has been gradually trending downwards since 2015 from 39.6 per cent in December 2015 to 36.5 per cent in December 2022.
- The overall response rate for this information has increased by 1.6pp year on year.

Table 11. Type of School Attended from 11-18 by the Bar (numbers)

	Pupils	Non-KC	KC	Total
UK Independent School	46	2,922	554	3,522
UK State School	92	5,580	447	6,119
Attended school outside UK	16	792	51	859
Prefer not to say	1	466	55	522
No information	333	5,762	909	7,004
Total	488	15,522	2,016	18,026

30. Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 13 December 2022). We acknowledge that this comparison is not a direct one; we are lacking data on type of school mainly attended between the ages of 11-18 for England and Wales only.

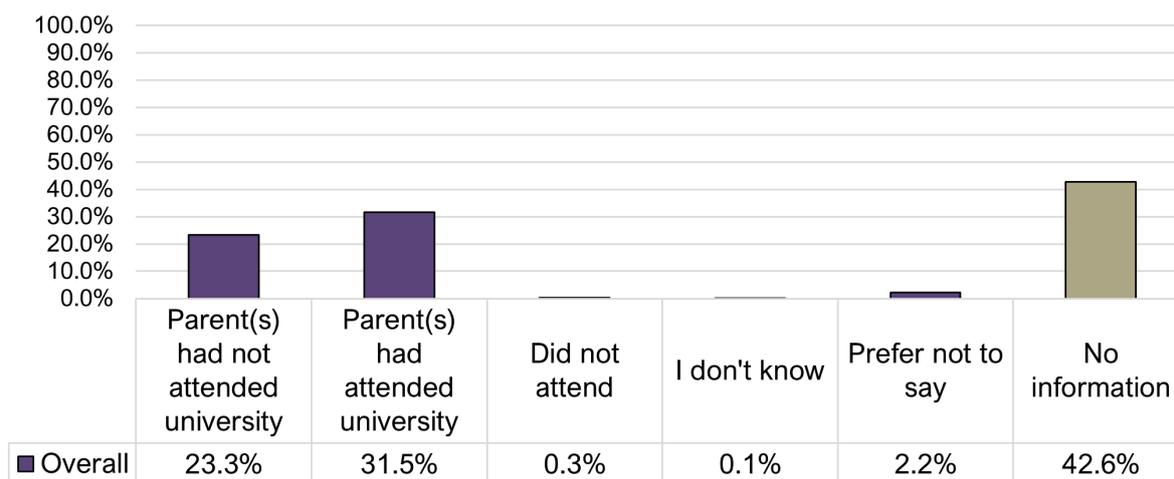
31. Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 13 December 2022).

32. Data calculated from monitoring question for the Bar Course Aptitude Test on school attendance between 11-18 and data provided to the BSB by BPTC providers.

5.2. Whether parent(s) attended university

Chart 10 shows whether members of the profession had a parent who attended university. On the MyBar monitoring questionnaire, the question asked is: “If you went to university (to study a BA, BSc or higher), had either (or both) of your parents or carers attended university by the time you were 18?”

Chart 10: Whether parent(s) attended university (% of total for the Bar)



- There has been an increase in the response rate to this question of around 1.7pp this year (to 57.4%).
- When excluding non-responses and those who prefer not to say, as of December 2022: 0.5 per cent of the Bar had not attended university; 57.2 per cent had parent(s) who attended university; and 42.3 per cent did not have parent(s) who attended university.

Table 12. Whether members of the Bar had parent(s) who attended university (numbers)

	Pupils	Non-KC	KC	Total
Parent(s) had not attended university	42	3,754	406	4,202
Parent(s) had attended university	48	4,987	650	5,685
Did not attend	1	40	13	54
Prefer not to say	1	357	31	389
No information	396	6,384	916	7,684
Total	488	15,522	2,016	18,026

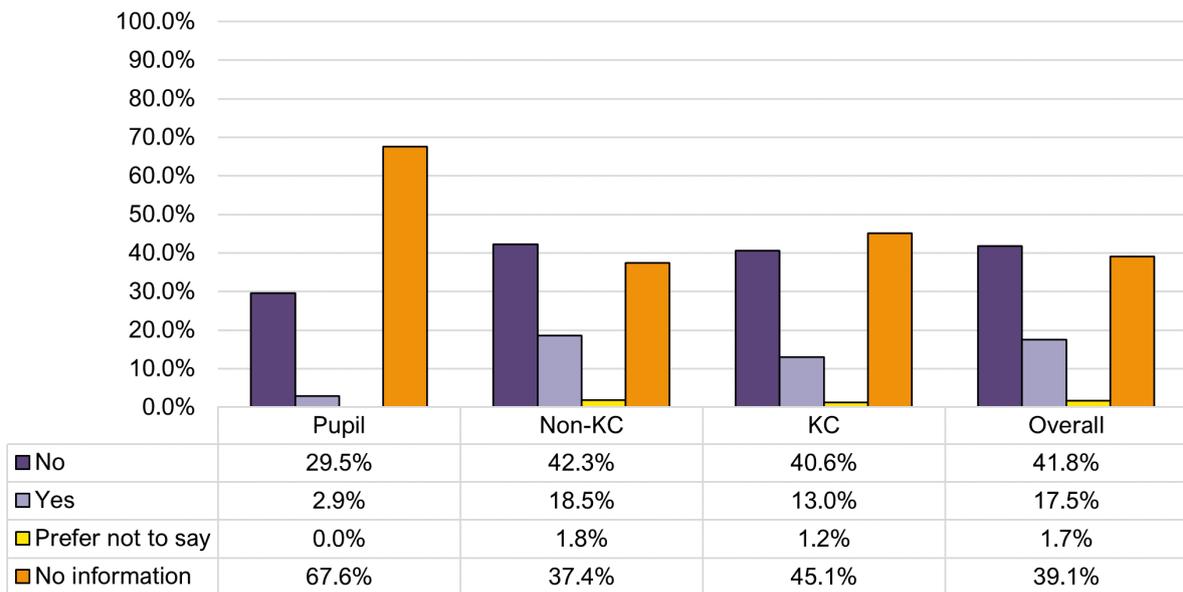
6. Caring Responsibilities

The caring responsibilities categories used in this report are aimed at ascertaining whether an individual has child or adult dependants.

6.1. Caring Responsibilities for Children

Chart 11 shows a summary of childcare responsibilities at the Bar. On the MyBar monitoring questionnaire, the question asked is: “Are you a primary carer for a child or children under 18?”

Chart 11: Primary caring responsibilities for children (%)



- The percentage of those providing a response to this question has increased 1.7pp year on year to 60.9 per cent.
- When excluding non-responses, 29.5 per cent of the Bar; 8.9 per cent of pupils; 30.4 per cent of non-KCs; and 24.3 per cent of KCs have primary caring responsibilities for one or more children.³³ Overall, the proportion of the Bar with primary caring responsibilities for one or more children has increased by around 7.6pp since 2015, 8.6pp since 2017 and 1.1pp since 2021.
- When further breaking these figures down by gender, it appears that the increase in the proportion of barristers with primary caring responsibilities for one or more children may be being driven in part by an increase in female representation at the Bar. The table below shows the proportion of barristers with primary caring responsibilities by gender and practising status, when excluding non-responses. For each figure, the percentage point difference compared to five years ago in December 2017 is shown.

33. There is a high non-response rate for pupils for this question, at around 68%.

Table 13. Percentage of gender/practising group with primary caring responsibilities for children, and percentage point change compared to five years ago - excluding non-responses

	Percentage of group with primary caring responsibly for one or more children, as of December 2022	Percentage point change compared to December 2017 (5 years ago)
Pupils		
Female	6.3%	2.2%
Male	13.3%	10.4%
Non-KCs		
Female	40.1%	7.3%
Male	21.8%	7.4%
KCs		
Female	55.1%	7.8%
Male	14.4%	4.6%
Overall		
Female	40.2%	8.8%
Male	20.7%	7.2%

- Overall, a far greater proportion of female barristers are primary carers for children (around 40 per cent of female barristers compared to around 21 per cent of male barristers), but the relative proportions involved appear to have increased for female and male barristers over time for both KCs and non-KCs. This suggests either that a greater proportion of those with children provided this information in 2022 compared to 2017, or that there has been a substantial increase in the proportion of the Bar who had primary care of a child even when controlling for gender.
- A comparison with the working age UK population may suggest that a far lower proportion of male barristers are the primary carer for a child. Figures produced by the UK Office of National Statistics suggest that around 36 per cent of employed males, and 40 per cent of employed females are a primary carer for one or more children. This compares to around 40 per cent of female barristers and 20 per cent of male barristers having primary care of one or more children.³⁴ The figure for the UK as a whole includes all ages from 16-64 grouped together, and so the proportion of those in the UK with primary care of a child is likely to be far higher for those aged 35-54, which constitutes the majority of the Bar, which means that the proportion seen for female barristers may also be lower than that seen in the UK population as a whole when controlling for age. It is worth noting that as response rates are relatively low for this question, such inferences may not be reliable.

34. Calculated from Table 1a in Families and the labour market, UK: main dataset using the Labour Force Survey and Annual Population Survey: main reference tables, 2022

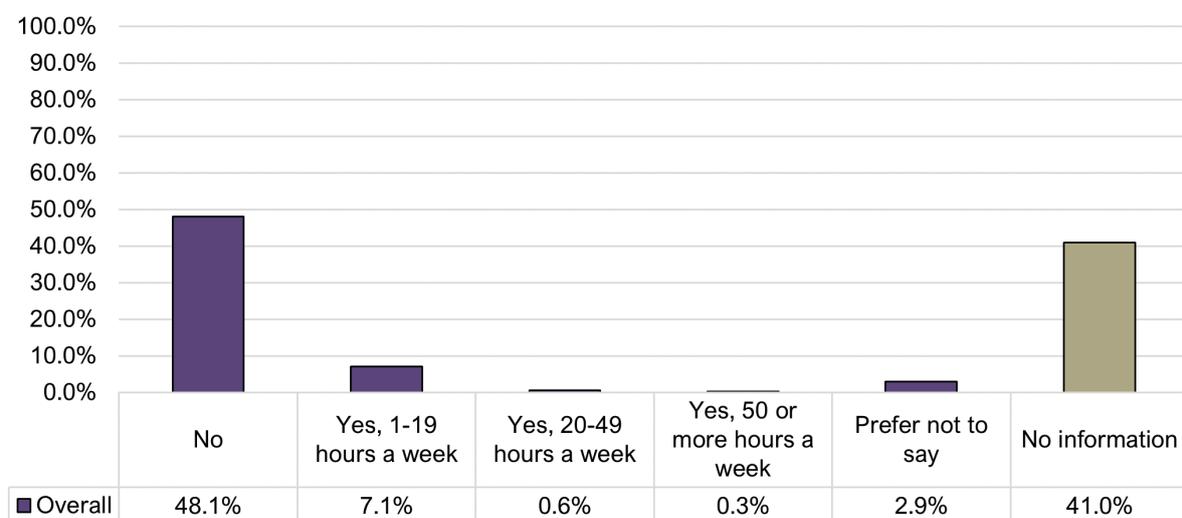
Table 14. Caring Responsibilities for children for those at the Bar (numbers)

	Pupils	Non-KC	KC	Total
Not a primary carer for one or more children	144	6,566	818	7,528
Is a primary carer for one or more children	14	2,874	263	3,151
Prefer not to say	-	279	25	304
No information	330	5,803	910	7,043
Total	488	15,522	2,016	18,026

6.2. Caring Responsibilities for Others

Chart 12 below shows practitioners at the Bar who have caring responsibilities for people other than children, as a percentage of the whole profession. On the MyBar monitoring questionnaire, the question asked is “Do you look after, or give any help or support to family members, friends, neighbours or others because of either long-term physical or mental ill-health/disability or problems related to old age (not as part of your paid employment)?”

Chart 12: Caring responsibilities for others (% of total for the Bar)



- The percentage of those providing a response to this question has increased 1.8pp year on year to 59.0 per cent.
- Including those that have not provided information for this question, 8.0 per cent of the Bar provides care for others for one hour a week or more.
- Of those that provided a Yes/No response, around 14.3 per cent of respondents provided care for another person for 1 or more hours per week as of December 2022. This is in line with the proportion of those in work in the UK who are carers according to figures published by Carers UK, which states that around one in seven (14.3% of) UK workers provide care for another, not including primary care of

children.³⁵ The figure seen for the Bar has been increasing over time.

- Of those at the Bar that do provide care for others, around nine in ten provide care for between 1-19 hours a week.
- Of those that have provided a response, the proportion that provide care for another increases with level of seniority, going from 11.4 per cent of pupils, to 13.8 per cent of non-KCs, and 18.8 per cent of KCs.

Table 15. Caring Responsibilities for others for those at the Bar (numbers)

	Pupils	Non-KC	KC	Total
No	132	7,719	823	8,674
Yes, 1-19 hours a week	17	1,087	179	1,283
Yes, 20-49 hours a week	-	91	9	100
Yes, 50 or more hours a week	-	59	3	62
Prefer not to say	4	477	42	523
No information	335	6,089	960	7,384
Total	488	15,522	2,016	18,026

35. See Carers UK (2019) Juggling work and care

7. Conclusions

Compared with 2021, there has been a relatively large increase in the overall number of KCs the proportion of female pupils; the proportion of pupils from minority ethnic backgrounds; the proportion of pupils aged under 25; and the proportion of pupils with a declared disability.

There has been an increase in the number of KC and non-KC barristers year on year. The increases for non-KC barristers are in line with those seen in several years since the Diversity at the Bar Report was started in 2015 and suggest that recruitment into the Bar has largely returned to longer terms trends following the disruption of the COVID-19 pandemic.³⁶ The increase in the number of KCs was slightly above that seen for all years since the first diversity at the Bar report.

Overall, for non-KC and KC barristers, with the exception of an increase in the number of KCs, there has been no substantial change in the reported profile of the Bar since last year. This is to be expected when monitoring demographic changes in a profession annually.

The most notable changes in percentage point terms are increases in the proportion of KCs who are female (and a corresponding decrease in the proportion of KCs who are male); the proportion of KCs aged 55-64; the proportion of the Bar with primary care of one or more children, and a decrease in the proportion of practitioners aged 25-54 (and corresponding increase in the proportion of the Bar aged 55+). All of the above represent a continuation of trends seen since the first Diversity at the Bar Report and trends seen over a longer period of time as detailed in BSB research on retention at the Bar.

Response rates continue to improve, albeit at a slower rate than that seen in previous years. There were increases of around 1-2pp seen in eight of the 11 categories monitored in this report: In previous years an increase of around 3-4pp or more has been more commonly seen. We will continue to encourage those at the Bar to provide us with information, particularly around characteristics that are under-reported. As the disclosure rate increases, so does the quality of the BSB's evidence base.

Overall, gender continues to move towards better reflecting the demographics of the UK population, with a continued increase in the proportion of practitioners who are female. In addition, the proportion of those from a minority ethnic background continues to increase. This year also shows the second greatest proportion of pupils from a minority ethnic background since we commenced reporting in 2015 (when excluding non-responses).

When excluding those that have not provided information, amongst those from a minority ethnic background there are some notable differences. There is a slightly greater proportion of Asian/Asian British practitioners at the Bar compared to the UK working age population (7.9% vs 7.0%), and also a higher proportion of those from Mixed/

36. For more information on longer term trends in demographics at the Bar, see: Bar Standards Board (2022). Trends in retention and demographics at the Bar: 1990-2021. Accessed online [here](#).

Multiple ethnic backgrounds (3.8% vs 1.9%). By contrast, there is a slightly smaller proportion of those at the Bar from Black/Black British backgrounds compared to the UK working age population, (3.4% vs 3.8%), and a greater relative underrepresentation for those from Other ethnic groups (1.2% vs 3.6%).

There is also a greater disparity in the proportion of non-KCs from Black/Black British backgrounds compared to the proportion of KCs from the same background. There are fewer Black/Black British KCs at the Bar than would be expected, given the overall number of practising Black/Black British barristers. The disparity is particularly high for those of Black/Black British – African ethnic backgrounds,.

There may be a lower proportion of disabled practitioners at the Bar in comparison to the UK working age population, and the proportion of those with a declared disability appears to differ by level of seniority. The response rate for this question is now around 60 per cent, and although drawing inferences based on this level of response may be unreliable, this is a trend that has remained present alongside an increase in response rates.

Based on the data we have (and relatively low response rates for these monitoring categories) the proportion of the Bar who identify as one of Bisexual, Gay or Lesbian, or use another term for their sexual orientation (not including heterosexual) appears to be higher than that seen in the UK population aged 16 and over. For religion, the largest group at the Bar is Christians followed by those with no religion, although for pupils this is reversed. Regarding type of school attended, it appears that a disproportionately high percentage of the Bar primarily attended an independent secondary school, although the proportion does appear to be gradually trending downwards over time.

The percentage of those at the Bar who provide care for another (not including primary care of a child under the age of 18) appears to be around that seen for workers across the UK. The same could be said for the proportion of female barristers who provide care for a child, as this is broadly in line with that seen for the employed UK population. In contrast, the percentage of male barristers who provide primary care for a child under the age of 18 appears to be substantially lower than that seen in the employed UK population.

The proportions of both male and female barristers who provide primary care for a child appears to be increasing over time, and to have done so quite substantially over the last five years, although drawing inferences based on the level of response seen for this may be unreliable.

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