

Diversity at the Bar 2021

**A summary of the latest available
diversity data for the Bar**

Published January 2022

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1. Executive Summary

This report presents a summary of the latest available diversity data for the Bar (covering pupils, practising Queen’s Counsel - QC - and practising non-QC 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. There has also been a rebound in the number of pupils compared to 2020.

The practising Bar

- The overall number of practitioners (including all pupils) at the Bar as of 1 December 2021 stood at 17,774: Of this number 511 were pupils, 1,928 were QCs, and 15,335 were non-QC barristers.
- This year has seen a large increase in individuals currently undertaking pupillage. The number in the practising or non-practising stage of pupillage as of December 2021 was 511, which is 157 more than in December 2020, and slightly higher than the average number of pupils each December from 2015-2019, which was 472.
- The number of non-QC and QC barristers has increased by a small amount year on year (an increase of 127 non-QCs and 58 QCs.) The increase in the number of non-QCs at the Bar is broadly in line with that seen in several previous years since 2015, as is that seen for QCs.

Response Rates

- Response rates continue to increase across all categories except for gender, with a yearly increase in response rate of three or more percentage points (pp) for the majority of the characteristics reported on (all except gender, ethnicity and age, which already have high response rates).¹ The response rate for the characteristics detailed in this report is highest for gender at 99.7 per cent and lowest for gender identity at 44.8 per cent.

Monitoring Category	2021 response rate (%)
Gender ²	99.72
Gender Identity ³	44.7

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 your gender identity the same as the sex with which you were assigned at birth?

Sex⁴	18.5
Ethnicity	94.8
Disability	60.4
Age	88.1
Religion or Belief	56.1
Sexual orientation	58.3
Type of school attended from 11-18	59.5
First generation to attend university	55.7
Free school meals	15.4
Caring responsibilities for children	59.2
Caring responsibilities for others	57.2

Gender

- The proportion of women at the Bar has increased 0.6pp since December 2020. As of December 2021, women constituted 38.8 per cent of the Bar compared to an estimate of 50.2 per cent of the UK working age population.
- The proportion of female QCs has increased year on year, from 16.8 per cent to 17.9 per cent. There is still a large disparity between the proportion of the Bar who are female and the proportion of QCs who are female (38.8% vs 17.9%). The difference between the two has narrowed slightly in 2021.
- As of December 2021, 56.6 per cent of pupils were female and 43.4 were male (when excluding those that have not provided information on gender). The proportion of female pupils is broadly in line with that seen in 2019, and is almost 7 percentage points higher than in 2020.

Ethnicity

- The percentage of barristers from minority ethnic backgrounds⁵ at the Bar has increased 0.5pp since December 2020 to 14.7 per cent. That compares to an estimate of 14.7 per cent of the working age population in England and Wales as of July-September 2021.
- The percentage of barristers from minority ethnic backgrounds increased year on year by 0.5pp for non-QCs (to 15.1%); 0.8pp for QCs (to 9.6%); and decreased by 3.2pp for pupils (to 19.8%). Despite the drop for pupils, the 2021 figure is higher than that seen for 2015-2019.
- There is still a disparity between the overall percentage of barristers from minority ethnic backgrounds across the profession (14.7%), and the percentage of QCs (9.6%) from minority ethnic backgrounds (although the disparity is lessening over time). This may reflect some previous trends, and there having been a lower

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

5. Minority ethnic backgrounds" includes those from Asian/Asian British; Black/Black/British; Mixed/Multiple ethnic; and those of Other minority ethnic backgrounds. 'Diversity at the Bar' reports published prior to the 2020 one used the acronym 'BAME'.

percentage of such barristers entering the profession in the past, but may also suggest barriers to progression for practitioners from minority ethnic backgrounds.⁶

- There are some notable differences when further disaggregating by ethnic group. There was a year-on-year increase in the overall proportion of Asian/Asian British barristers of 0.2pp; Black/Black British barristers of 0.04pp; 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 slightly 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 (7.8% vs 6.4%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.6% vs 1.7%). By contrast, there is a slightly smaller proportion of those from Black/Black British backgrounds (3.3% vs 3.6%), and a greater relative underrepresentation for those from other ethnic groups (1.2% vs 3.2%).
- There is also a greater disparity in the proportion of all non-QCs from Black/Black British backgrounds compared to the proportion of all QCs from the same background, with the disparity being particularly high for those of Black/Black British – African ethnic backgrounds.

Disability

- As of December 2021, there was a 3.4pp increase in the proportion of pupils with a declared disability compared to December 2020, putting this figure more in line with that seen in December 2019.
- There still appears to be an underrepresentation of disabled practitioners at the Bar. Although there is a relatively low response rate of 60.2 per cent, 6.8 per cent of those who provided information on disability status disclosed a disability, representing a 0.5pp increase on 2020. Despite the increase, this is substantially lower than an estimate of 16.4 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 76.8 per cent of the Bar. This is a decrease compared to December 2020 of around 1.8 percentage points (78.6% vs 76.8%), with relatively more of the Bar in the 55-64 and 65+ age range in 2021 (22.4% of the Bar are 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

6. This issue is covered in the Bar Council's 2021 "Race at the Bar: A Snapshot Report". Accessed online here: <https://www.barcouncil.org.uk/uploads/assets/d821c952-ec38-41b2-a41ebee362b28e5/Race-at-the-Bar-Report-2021.pdf>

Christians (24.7%) followed by those with no religion (20.0%), although for pupils this is reversed.

Sexual Orientation

- There has been a large increase in the response rate for this monitoring question this year, of over 8pp.
- Excluding those that have not provided information, 11.5 per cent of pupils, 7.3 per cent of non-QC barristers, and 5.7 per cent of QCs 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 number of barristers attended a UK independent school between the ages of 11-18. Including non-respondents 19.3 per cent of the Bar had attended an independent school, compared to approximately 7 per cent of school children in England at any age, and 9.9 per cent of UK domiciled young full-time first degree entrants in the UK in 2019/20. Of those providing information on school attended, just over one in three attended an independent school in the UK.
- When excluding non-responses and those who prefer not to say, as of December 2021: 0.5 per cent of the Bar had not attended university; 53.1 per cent were not of the first generation to attend university; and 46.3 per cent were of the first generation to attend university.

Caring responsibilities

- When excluding non-responses, 28.4 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 6.3pp since 2015, 7.3pp since 2017 and 1.4pp since 2020. 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 per cent of female barristers, and 20 per cent of male barristers provided primary care for a child.
- Figures produced by the UK Office of National Statistics suggest that around 37 per cent of economically active males, and 40 per cent of economically active 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 far 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 13.7 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 at 1 December 2021.⁷

This report provides an overview of diversity at the Bar,⁸ 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	Numbers	Year on year difference (compared to December 2020)
Pupil	511	+157
Non-Queen’s Counsel (Non-QC) ⁹	15,335	+127
Queen’s Counsel (QC)	1,928	+58
Total	17,774	+342

There has been a year-on-year increase of 342 in the number at the Bar as of 1 December 2021. This is in line with the increase seen in 2019 compared to 2018, and contrasts with 2020, where the size of the Bar decreased slightly compared to 2019 as a result of a decrease in numbers of pupils, most likely due to the effects of the COVID-19 pandemic.

The increase in the number of non-QCs at the Bar is broadly in line with that seen in several previous years, as is that seen for QCs. The number of pupils is far higher in 2021 than in 2020.

7. 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>

8. Usage of the term ‘the Bar’ in this report refers only to practising barristers and pupils (including non-practising first six pupils) as of 1 December 2021.

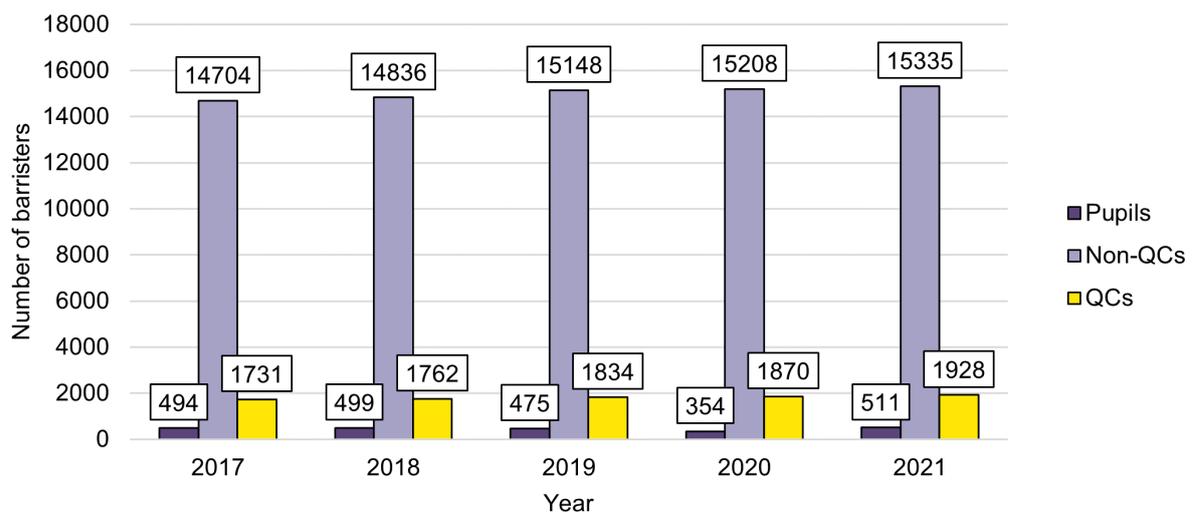
9. Usage of the term “non-QC” in this report refers to practising junior barristers; a barrister who has not taken silk

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

Seniority	2016-2015	2017-2016	2018-2017	2019-2018	2020-2019	2021-2020
Pupils	+47	+23	+5	-24	-121	+157
Non-QCs	+147	+269	+132	+312	+60	+127
QCs	+47	+57	+31	+72	+36	+58
Overall	+241	+349	+168	+360	-25	+342

There were far fewer pupils undertaking extended pupillages this year compared to the same point in 2020. As of 1 December 2021, there were five 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-QC barristers and QC barristers at the Bar:
December 2016-December 2020



There are three sections to this report: protected characteristics¹⁰, socio-economic background, and caring responsibilities for dependent children and others.

10. 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 practitioners¹¹ in this report are from the BSB's records.

BSB Records

The Bar Council Records Department receives data on the profession via MyBar, the online "Authorisation to Practise" system. MyBar enables barristers to renew their practising certificates 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 as at 1 December 2021.¹²

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 2021. The year on year increases from 2020 were around 3-4 percentage points for the majority of the monitoring categories, and considerably higher for gender identity and sexual orientation. 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 the trend in response rates is positive, less than 60 per cent of the Bar has responded to seven of the 11 questions monitored in this report.

These monitoring questions relate to:

- Caring responsibilities for Children
- Caring responsibilities for others
- First generation to attend university
- Gender identity
- Religion or belief
- Sexual orientation

11. Usage of the term "practitioners" in this report refers to pupils, junior barristers, and QCs practising at the Bar as of 1 December 2019.

12. 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.

- Type of school attended from 11-18

This is also the first year in which we have collected data on sex¹³ 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 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 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	2020 (%)	2021 (%)	2021-2020 pp. diff.	2021-2015 pp. diff.
Gender ¹⁴	99.69	99.72	0.03	-0.24
Gender Identity ¹⁵	39.1	44.7	5.7	44.8
Sex ¹⁶	-	18.5	18.5	-
Ethnicity	94.2	94.8	0.6	3.4
Disability	56.9	60.4	3.5	29.5
Age	87.2	88.1	1.0	1.7
Religion or Belief	52.0	56.1	4.1	28.3
Sexual orientation	50.3	58.3	8.0	30.8
Type of school attended from 11-18	55.6	59.5	3.9	32.6
First generation to attend university	52.2	55.7	3.5	28.9
Free school meals	-	15.4	15.4	-
Caring responsibilities for Children	55.3	59.2	3.9	31.7
Caring responsibilities for others	53.4	57.2	3.9	30.9

13. All previous Diversity at the Bar Reports have reported on Gender. We recently started collecting data on sex in addition to asking barristers what gender they identify with. 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 assigned at birth. A person's gender identity may or may not correspond to the sex they were assigned at birth.

14. 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.

15. The monitoring question for this is: Is your gender identity the same as the sex with which you were assigned at birth?

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

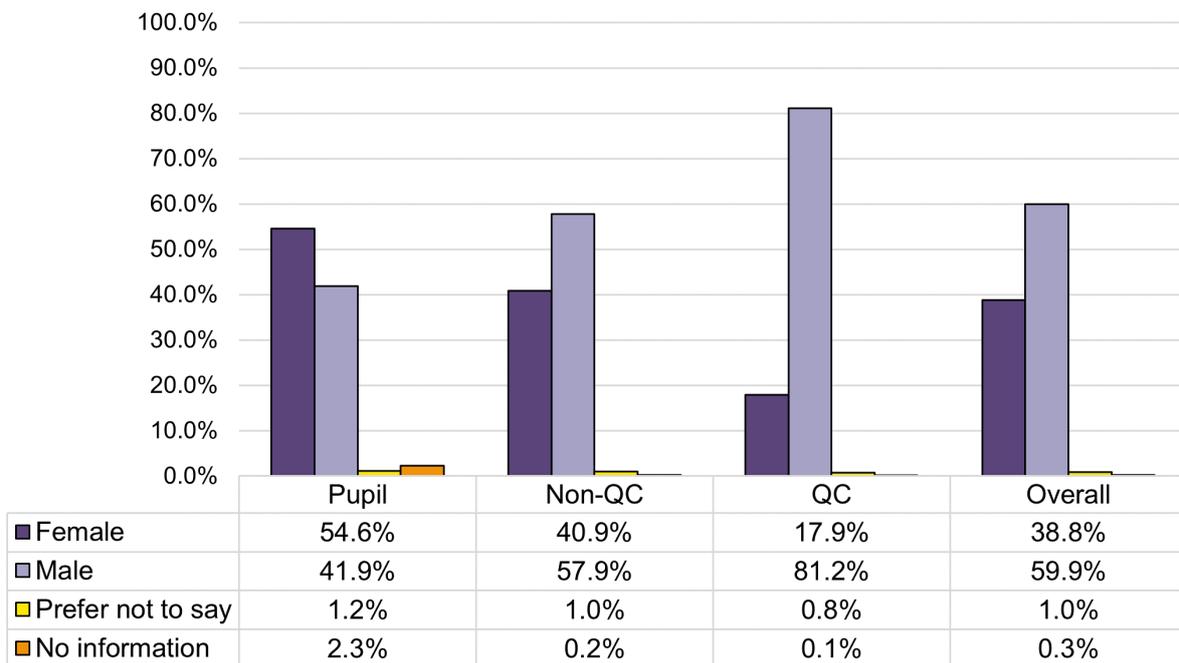
4. Protected Characteristics

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 (%)



- The overall percentage of women at the Bar increased by 0.6pp from December 2020 to December 2021 to 38.8 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 2021.¹⁷ The increase in the proportion of women at the Bar is 0.4pp higher than the increase seen from December 2019 to December 2020.
- The overall proportion of women at the Bar has increased every year since the first publication of the Diversity at the Bar Report in 2015. In absolute terms, the number of female barristers at the Bar has increased by 1,026 since 2015. The number of male barristers has increased by 194 over the same period. The discrepancy is likely to be due largely to greater numbers of male barristers retiring: As of December 2021 just over 75 per cent of those aged 55+ at the Bar

17. 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

were male.¹⁸

- When excluding non-responses, the proportion of female pupils increased by almost 7 percentage points. When not including non-responses, the proportion of female and pupils as of December 2021 was 56.6 per cent; considerably higher than the proportion of pupils who were male, which stood at 43.4 per cent. Except for 2020 (where the proportions involved were even), the proportion of pupils who were female has been higher than that seen for males in every year since the first Diversity at the Bar Report in 2015: The difference in the proportion of pupils by gender in 2021 is the biggest seen during the period, however.
- The proportion of non-QCs who are female has increased slightly year on year. As of December 2021, 40.9 per cent of non-QCs were female, compared to 40.7 per cent in December 2020, representing a 0.2 percentage point increase. The number of female non-QC barristers increased by 94 compared to December 2021, whereas the number of male non-QC barristers fell by 8.
- The proportion of QCs who are female increased from 16.8 per cent in 2020 to 17.9 per cent in 2021, a 1.1pp increase. This is the largest percentage point increase for this measure since 2016 to 2017 (which was a 1.2pp increase). The number of female QCs increased by 31 from 2020 to 2021 compared to an increase of 17 from 2019 to 2020. The number of male QCs increased by 19 in both 2021 and 2020 compared to the previous year.
- It is still noteworthy that the overall proportion of female QCs is low (17.9%) in comparison to the percentage of female barristers at the Bar (38.8%). However, the difference between the two has slightly narrowed by 0.5pp in comparison to the difference seen in 2020. Since December 2015 there has been a net addition of 150 male QCs compared to 134 female QCs. Of those for whom we have data, 47 per cent of the net addition of QCs since 2015 have been female, compared to 53 per cent who have been male. If this trend continues, the proportion of female QCs will continue to grow closer to the proportion of female non-QCs.
- The proportion of women at the Bar has increased by 2.9 percentage points overall since the 2015 Diversity at the Bar Report. The increase overall has been 2.8pp for female non-QC barristers, and 4.9pp for female QC barristers.

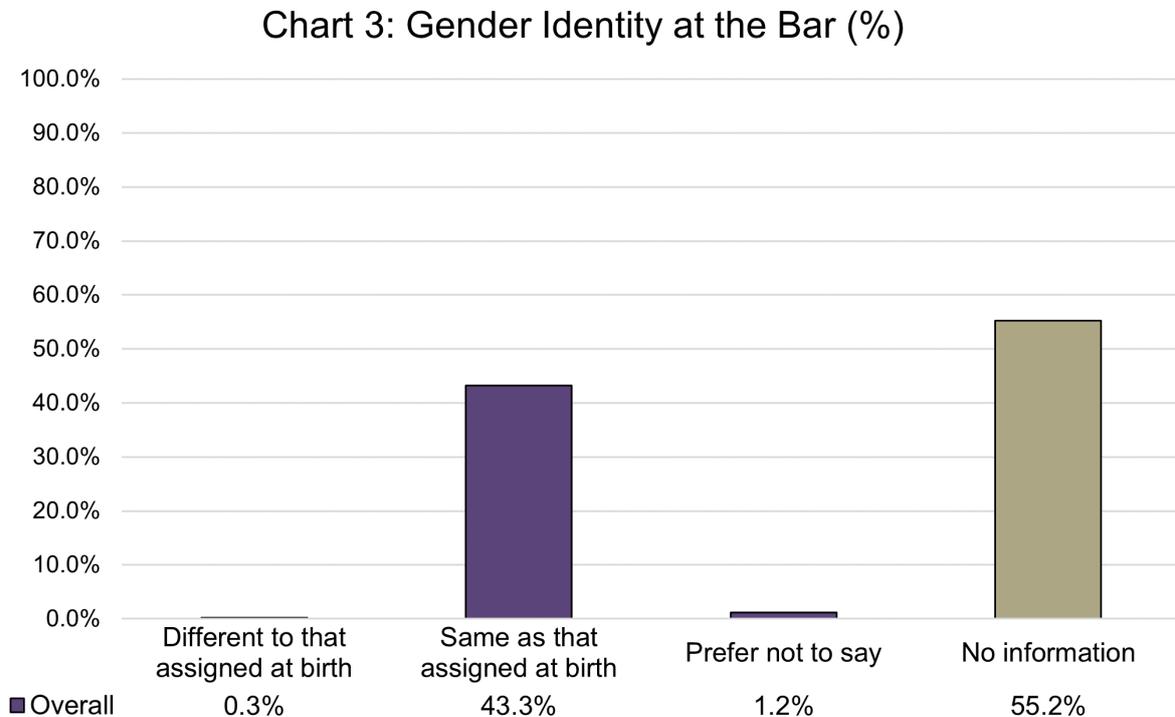
Table 4. Gender at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Female	279	6,278	346	6,903
Male	214	8,872	1,565	10,651
Prefer not to say	6	150	15	171
No information	12	35	2	49
Total	511	15,335	1,928	17,774

18. Of those who have provided information on age.

Gender Identity

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



- Around 55 per cent of practitioners had not provided a response on gender identity on MyBar.
- When including non-respondents, around 0.3 per cent of practitioners had a different gender identity to the one they were assigned at birth.

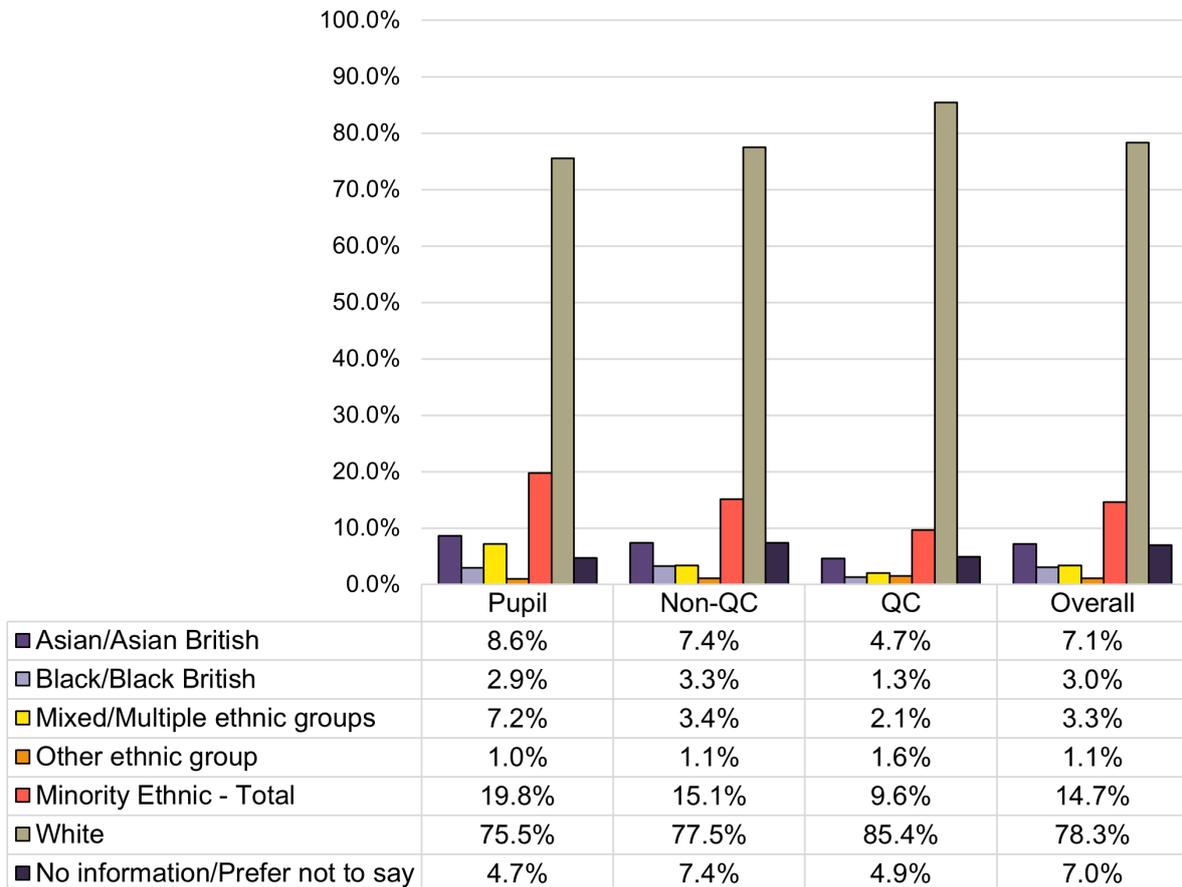
Table 5. Gender Identity at the Bar (numbers)

Gender Identity same as that assigned at birth	Pupils	Non-QC	QC	Overall
No	-	39	6	45
Yes	50	6,743	900	7,693
Prefer not to say	-	203	13	216
No information	461	8,350	1,009	9,820
Total	511	15,335	1,928	17,774

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 2021 was 14.7 per cent. This figure has increased by 0.5pp compared to December 2020, and around 1.0pp compared to December 2019. 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 15.8 per cent of the Bar is from a minority ethnic background. This compares to around 14.7 per cent of the 16-64 working age population in England and Wales as of Q3 2021.¹⁹
- The percentage of QCs from minority ethnic backgrounds has increased by 0.8pp from December 2019 to 9.6 per cent, which also equates to an increase of 1.5pp compared to December 2018, and 3.4pp compared to the first Diversity at the Bar

19. 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.

Report in December 2015.

- Since December 2015 there has been a net addition of 84 QCs from minority ethnic backgrounds compared to a net addition of 176 QCs from White ethnic backgrounds. Of those for whom we have data, around 32 per cent of the net addition of QCs 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 QCs having retired since 2015, as the proportion of QCs who are White shows a general increase alongside age. Excluding non-responses, as of December 2021; around 91.8 per cent of QCs aged 55+, and 87.6 per cent of QCs aged 45-54 were White, compared to 87.3 per cent, and 83.6 per cent of non-QCs in the same age range respectively (a difference of 4.5pp and 4.0pp between the groups in each age range). In comparison there is less of a difference between the proportion of White QCs and non-QCs aged 35-44 (83.5% compared to 83.3% respectively), although there are relatively few QCs in this age range.
- There is still a lower proportion of QCs from minority ethnic backgrounds than the proportion of non-QCs 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-QC practitioners from a minority ethnic background was 2.1 times higher than the equivalent proportion of QCs; in December 2021 the ratio between the two was 1.6 (it was 1.7 in December 2020).
- The percentage of non-QC barristers from a minority ethnic background has increased by 0.5pp (to 15.1%).
- The proportion of pupils from a minority ethnic background showed a decrease of 3.2pp compared to December 2020 (to 19.8 per cent) when including non-responses. Despite the drop, 2021 figure is higher than that seen for 2015-2019.

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 7.8 per cent of the Bar, 9.0 per cent of pupils, 8.0 per cent of non-QCs, and 4.9 per cent of QCs are from an Asian/Asian British background. This compares to around 6.4 per cent of the UK working age population.
- The proportion of Asian/Asian British barristers at the Bar has increased by around 1.2pp since 2015 and by 0.2pp compared to December 2020.
- Of the 8.0% of non-QCs and 4.9% of QCs from Asian/Asian British backgrounds;
 - 0.72% of non-QCs and 0.22% of QCs are from an Asian/Asian British - Bangladeshi background;
 - 0.56% of non-QCs and 0.27% of QCs are from an Asian/Asian British - Chinese background;
 - 3.44% of non-QCs and 2.56% of QCs are from an Asian/Asian British - Indian background;

- 2.10% of non-QCs and 1.15% of QCs are from an Asian/Asian British - Pakistani background; and
- 1.18% of non-QCs and 0.71% of QCs are from Other Asian backgrounds.

Black/Black British

- Around 3.3 per cent of the Bar, 3.1 per cent of pupils, 3.5 per cent of non-QCs, and 1.4 per cent of QCs are from a Black/Black British background. This compares to around 3.6 per cent of the UK working age population.
- The proportion of Black/Black British barristers at the Bar has increased by around 0.3pp since 2015 and by 0.04pp compared to December 2020.
- Of the 3.5% of non-QCs and 1.4% of QCs from a Black/Black British background;
 - 1.89% of non-QCs and 0.44% of QCs are from Black/Black British - African backgrounds;
 - 1.37% of non-QCs and 0.82% of QCs are from a Black/Black British - Caribbean background; and
 - 0.25% of non-QCs and 0.16% of QCs are from any other Black background.

Mixed/Multiple ethnic groups

- Around 3.6 per cent of the Bar, 7.6 per cent of pupils, 3.6 per cent of non-QCs, and 2.2 per cent of QCs are from a Mixed/Multiple ethnic background. This compares to around 1.7 per cent of the UK working age population.
- The proportion of Mixed/Multiple ethnic group barristers at the Bar has increased by around 1.1pp since 2015 and by 0.2pp compared to December 2020.
- Of the 3.6% of non-QCs and 2.2% of QCs from Mixed/Multiple ethnic group backgrounds;
 - 1.11% of non-QCs and 0.82% of QCs are from White and Asian mixed backgrounds;
 - 0.38% of non-QCs and 0.05% of QCs are from White and Black/Black British - African mixed backgrounds;
 - 0.44% of non-QCs and 0.27% of QCs are from White and Black/Black British - Caribbean mixed backgrounds;
 - 0.17% of non-QCs and 0.22% of QCs are from White and Chinese mixed backgrounds; and
 - 1.53% of non-QCs and 0.82% of QCs are from any Other Mixed/Multiple Ethnic Group background.

Other ethnic group

- Around 1.2 per cent of the Bar, 1.0 per cent of pupils, 1.2 per cent of non-QCs, and 1.6 per cent of QCs indicated that they were from another ethnic background. This compares to around 3.2 per cent of the UK working age population.
- The proportion of barristers in this group has not changed since 2015.

- 1.19% of non-QCs compared to 1.64% of QCs are in this group.

White

- Around 84.2 per cent of the Bar, 79.3 per cent of pupils, 83.7 per cent of non-QCs, and 89.9 per cent of QCs are from a White background. This compares to around 85.1 per cent of the UK working age population.
- The proportion of barristers from a White background has decreased by around 2.7pp since 2015 and by 0.5pp compared to December 2020.
- Of the 84.19% of non-QCs and 90.74% of QCs are from White ethnic groups overall;
 - 75.83% of non-QCs and 83.80% of QCs are from White British backgrounds;
 - 2.64% of non-QCs and 2.13% of QCs are from White Irish backgrounds; and
 - 5.19% of non-QCs and 3.93% of QCs are from any other White background.

Table 6: Ethnicity at the Bar (numbers)

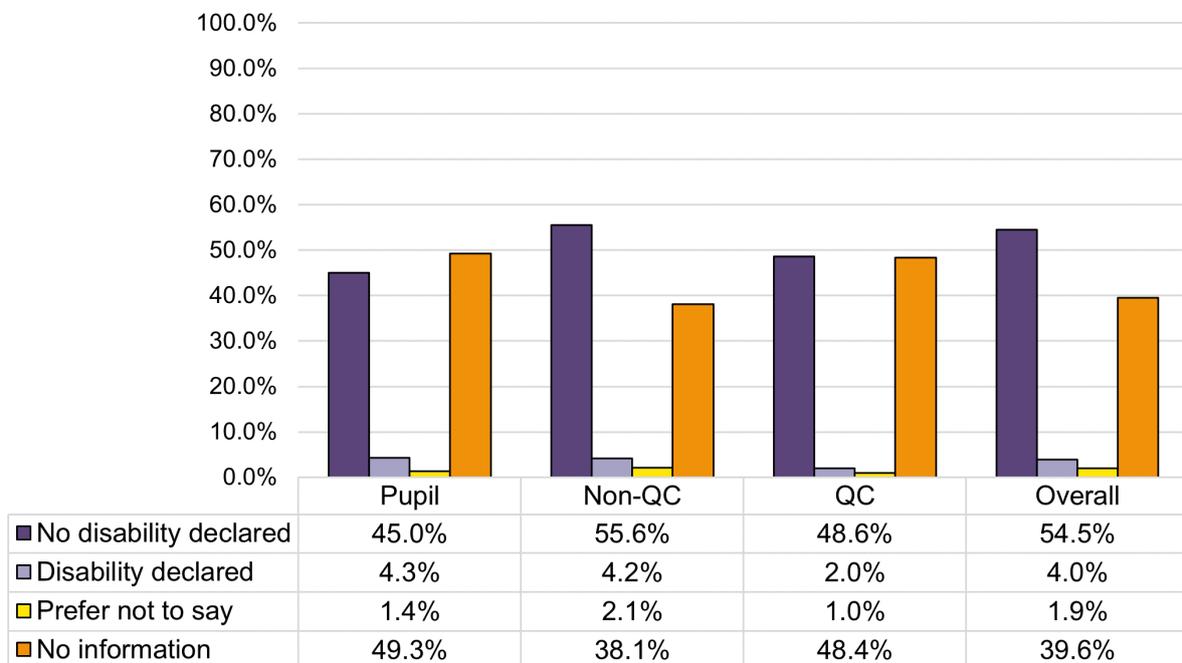
	Pupils	Non-QC	QC	Total
Asian/Asian British	44	1,136	90	1,270
Asian/Asian British - Bangladeshi	4	102	4	110
Asian/Asian British - Chinese	2	79	5	86
Asian/Asian British - Indian	23	489	47	559
Asian/Asian British - Pakistani	10	299	21	330
Another Asian background	5	167	13	185
Black/Black British	15	499	26	540
Black/Black British - African	8	269	8	285
Black/Black British - Caribbean	6	195	15	216
Another Black background	1	35	3	39
Mixed/Multiple ethnic groups	37	516	40	593
White and Asian	19	157	15	191
White and Black African	1	54	1	56
White and Black Caribbean	10	63	5	78
White and Chinese		24	4	28
Another mixed/multiple background	7	218	15	240
White	386	11,887	1,647	13,920
White - English/Welsh/Scottish/Northern Irish/British	345	10,773	1,536	12,654
White - Gypsy or Irish Traveller		2	-	2
White - Irish	12	375	39	426
Another White background	29	737	72	838
Other ethnic group	5	169	30	204

	Pupils	Non-QC	QC	Total
Arab	2	18	1	21
Any other ethnic group	3	151	29	183
Prefer not to say	12	277	32	321
No information	12	851	63	926
Total	511	15,335	1,928	17,774

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, 4.0 per cent of the Bar; 4.3 per cent of pupils; 4.2 per cent of non-QC barristers; and 2.0 per cent of QCs had declared a disability as of December 2021. The overall year on year percentage point increase for those declaring a disability is 0.5pp (3.5% to 4.0%). The increase may be linked to an increase in response rates.
- When excluding those that had not provided information, 6.8 per cent of the Bar; 7.0 per cent of non-QC barristers; 8.7 per cent of pupils; and 3.9 per cent of QCs had declared a disability as of December 2021. The proportion of pupils declaring a disability was 3.4pp higher than in December 2020; while the respective figure for non-QCs showed a year on year increase of 0.4pp), and there was a smaller increase of 0.2pp seen for QCs. In comparison to these figures, it is estimated that around 16.4 per cent of the employed working age population (those aged 16-64) has a declared disability as defined under the Equality Act 2010 as of July-

September 2021²⁰, 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 around 60 per cent, and this is a trend that has remained present alongside an increase in response rates.

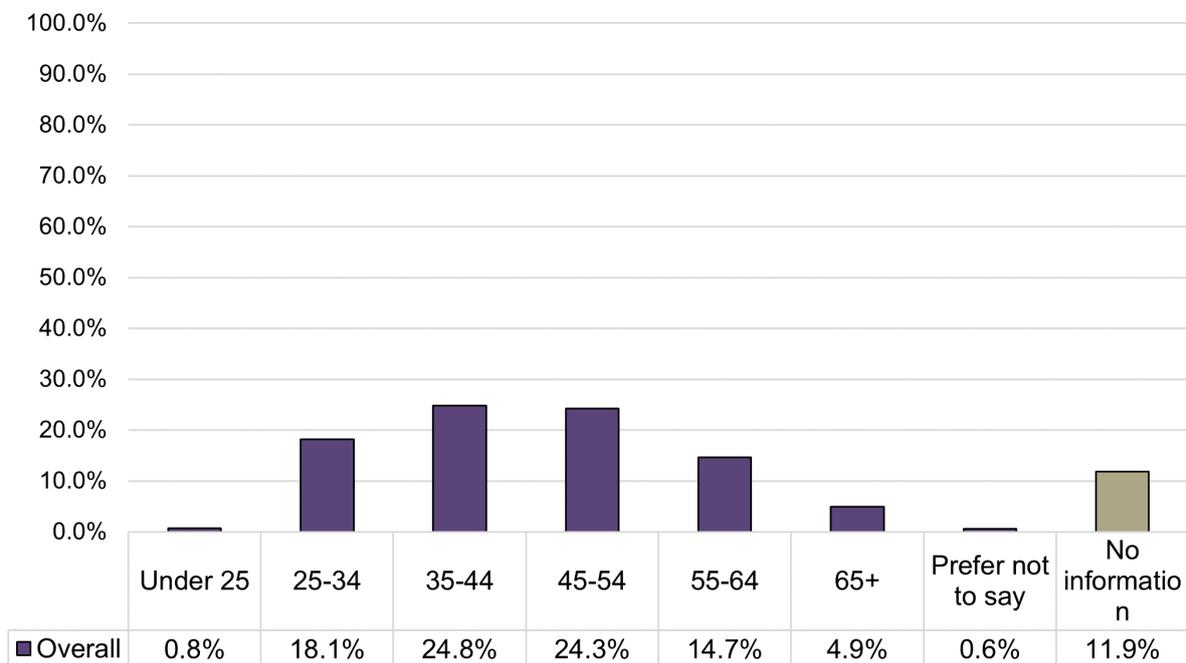
Table 7. Disability at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No disability declared	230	8,523	937	9,690
Disability declared	22	646	38	706
Prefer not to say	7	320	19	346
No information	252	5,846	934	7,032
Total	511	15,335	1,928	17,774

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)



20. Calculated for Jul-Sep 2021 from Office for National Statistics datasets: A08: Labour market status of disabled people using Equality Act Levels (People).

Of those that have provided information on age:

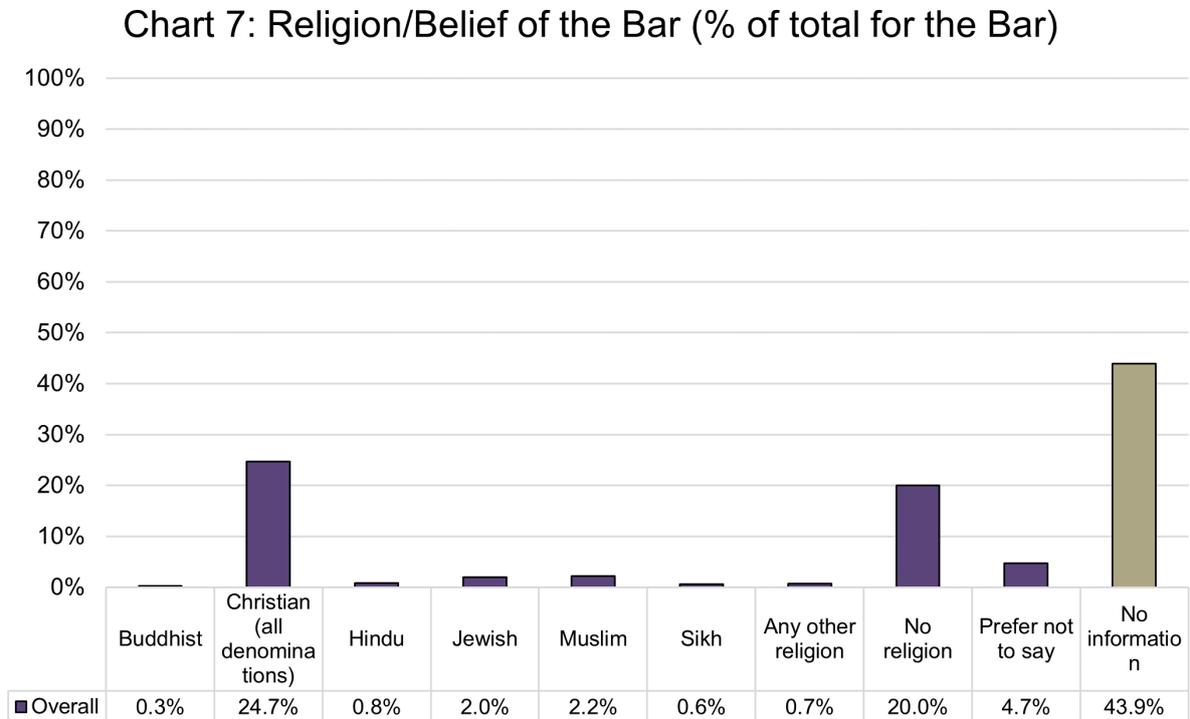
- Those aged between 25 and 54 make up around 76.8 per cent of the Bar. This is a decrease compared to December 2020 of around 1.8 percentage points (78.6% vs 76.8), with relatively more of the Bar in the 55-64 and 65+ age range in 2021.
- 22.4 per cent of those who have provided information on age are aged 55+. This carries on a general trend in the age profile of the Bar and compares to figures of 18.7 per cent in 2019; and 14.8 per cent in the first Diversity at the Bar Report in 2015. 3,482 of those that had declared their age were in this group in December 2021, 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 44-54. Around 28 per cent of barristers are in each of these age ranges.
- There is a slight increase in the proportion of those at the Bar aged under 25: This is largely due to the increase in the number of pupils. Around 0.9 per cent are in this cohort in 2021, compared to 0.8 per cent in 2020.

Table 8. Age at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Under 25	93	42	-	135
25-34	350	2,874	-	3,224
35-44	40	4,283	81	4,404
45-54	7	3,603	706	4,316
55-64	3	2,154	456	2,613
65+	1	664	204	869
Prefer not to say	2	86	13	101
No information	15	1,629	468	2,112
Total	511	15,335	1,928	17,774

4.5. Religion and Belief

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



- Around 44 per cent of the Bar have not provided information on religion or belief through MyBar. The response rate for this question is up by around 4.1 percentage points year on year.
- Including those that have not provided information, the largest group at the Bar is Christians (24.7%) followed by those with no religion (20.0%), although for pupils this is reversed.

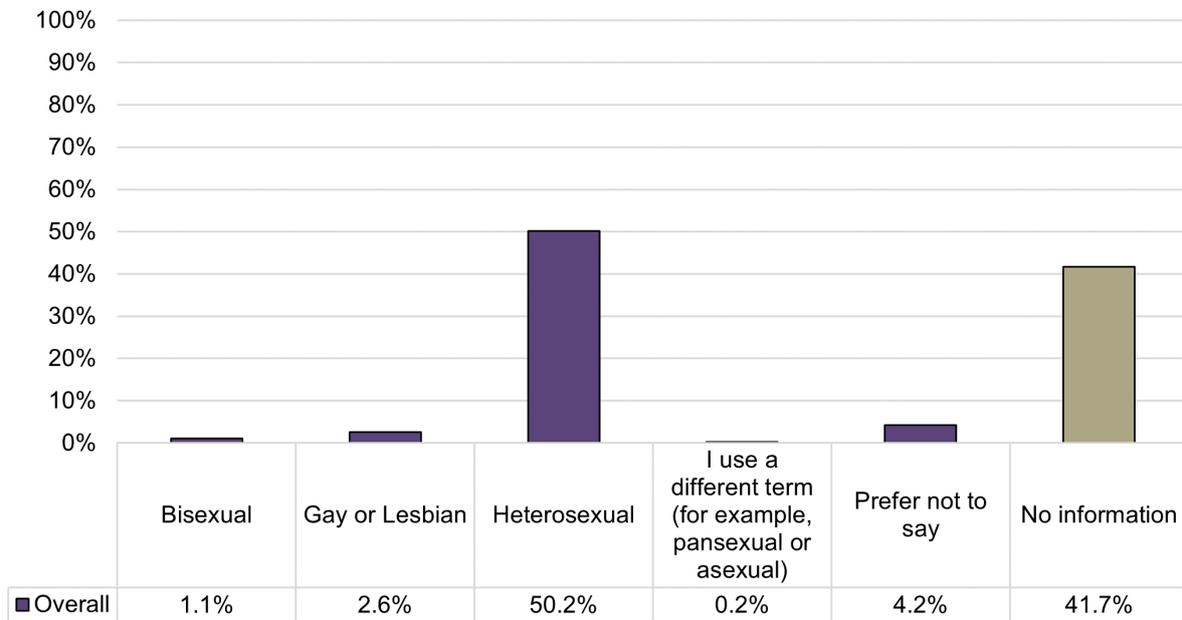
Table 9. Religion and Belief at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Buddhist	2	53	1	56
Christian (all denominations)	64	3,893	431	4,388
Hindu	1	139	11	151
Jewish	8	271	80	359
Muslim	13	359	16	388
Sikh	3	98	11	112
Another religion	3	118	7	128
No religion	116	3,135	304	3,555
Prefer not to say	18	735	81	834
No information	283	6,534	986	7,803
Total	511	15,335	1,928	17,774

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 8 percentage points in comparison to December 2020.
- Excluding those that have not provided information, 11.5 per cent of pupils, 7.3 per cent of non-QCs, and 5.7 per cent of QCs provided their sexual orientation as one of Bisexual; Gay; Lesbian; or used another term for their sexual orientation (not including heterosexual). This compares to an estimate of 3.5 per cent of the UK population aged 16 and over identifying as one of Bisexual, Gay or Lesbian or another sexual orientation as of 2019 when excluding non-responses.²¹

Table 10. Sexual Orientation of the Bar (numbers)

	Pupils	Non-QC	QC	Total
Bisexual	16	176	9	201
Gay or Lesbian	7	409	39	455
Heterosexual	184	7,879	866	8,929
I use a different term (for example, pansexual or asexual)	1	33	4	38
Prefer not to say	24	664	59	747
No information	279	6,174	951	7,404
Total	511	15,335	1,928	17,774

21. Calculated from Table 1 in UK Office for National Statistics Bulletin: Sexual orientation, UK: 2019. The calculation involved excluding non-responses from the table and recalculating the percentages.

5. Socio-Economic Background

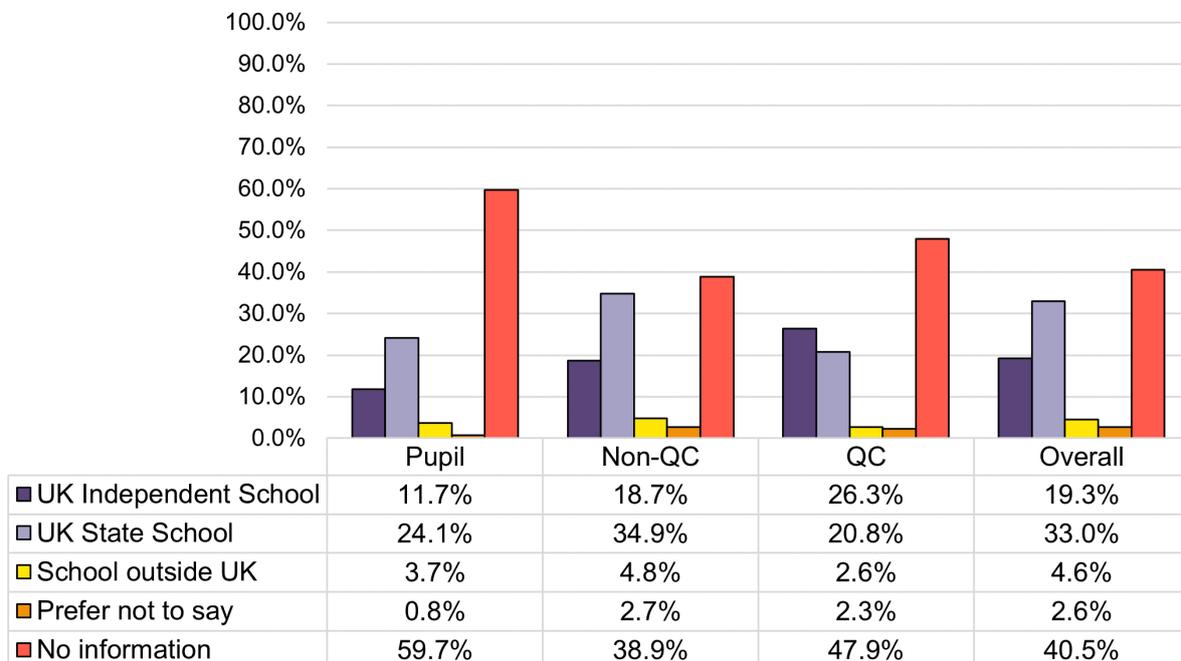
Socio-economic background is not a protected characteristic under the Equality Act 2010. However, a representative socio-economic profile may be one indicator of a more meritocratic profession.

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 which are included on the MyBar monitoring questionnaire and on the Pupillage Registration Form. 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.²²

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 (%)



22. 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 (40.5%), 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 2021, 19.3 per cent of the Bar (including non-respondents) attended an independent school between 11-18, compared to approximately 7 per cent of school children in England at any age,²³ and 9.9 per cent of UK domiciled young full-time first degree entrants in the UK in 2019/20 attending a non-state school prior to university.²⁴
- Of those that provided information on school attended, 33.9 per cent attended an independent school in the UK (this represents a small decrease of 0.2pp compared to December 2020). 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.²⁵ This suggests that factors acting prior to vocational study to become a barrister may have a relatively large influence in determining the high proportion of those at the Bar who attended an independent school in the UK.
- 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 36.9 per cent in December 2021.
- The overall response rate for this information has increased 3.9pp year on year.

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

	Pupils	Non-QC	QC	Total
UK Independent School	60	2,861	508	3,429
UK State School	123	5,345	401	5,869
Attended school outside UK	19	741	51	811
Prefer not to say	4	420	44	468
No information	305	5,968	924	7,197
Total	511	15,335	1,928	17,774

23. Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 10 December 2021). 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.

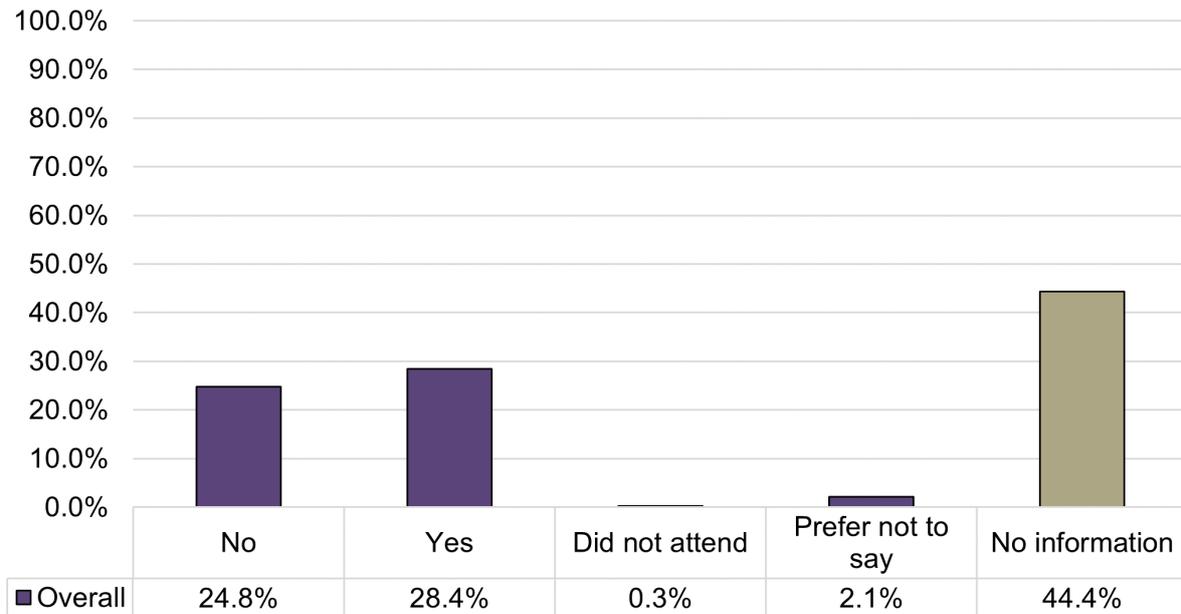
24. Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 8 December 2021)

25. 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. First Generation to Attend University

Chart 10 shows whether members of the profession were the first generation to attend university or not. 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?”²⁶

Chart 10: First generation to attend university (% of total for the Bar)



- There has been an increase in the response rate to this question of around 3.5pp this year (to 55.7%).
- When excluding non-responses and those who prefer not to say, as of December 2021: 0.5 per cent of the Bar had not attended university; 53.1 per cent were not of the first generation to attend university; and 46.3 per cent were of the first generation to attend university.

Table 12. First Generation to Attend University at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No	42	3,939	427	4,408
Yes	28	4,491	536	5,055
Did not attend	-	41	11	52
Prefer not to say	4	341	27	372
No information	437	6,523	927	7,887
Total	511	15,335	1,928	17,774

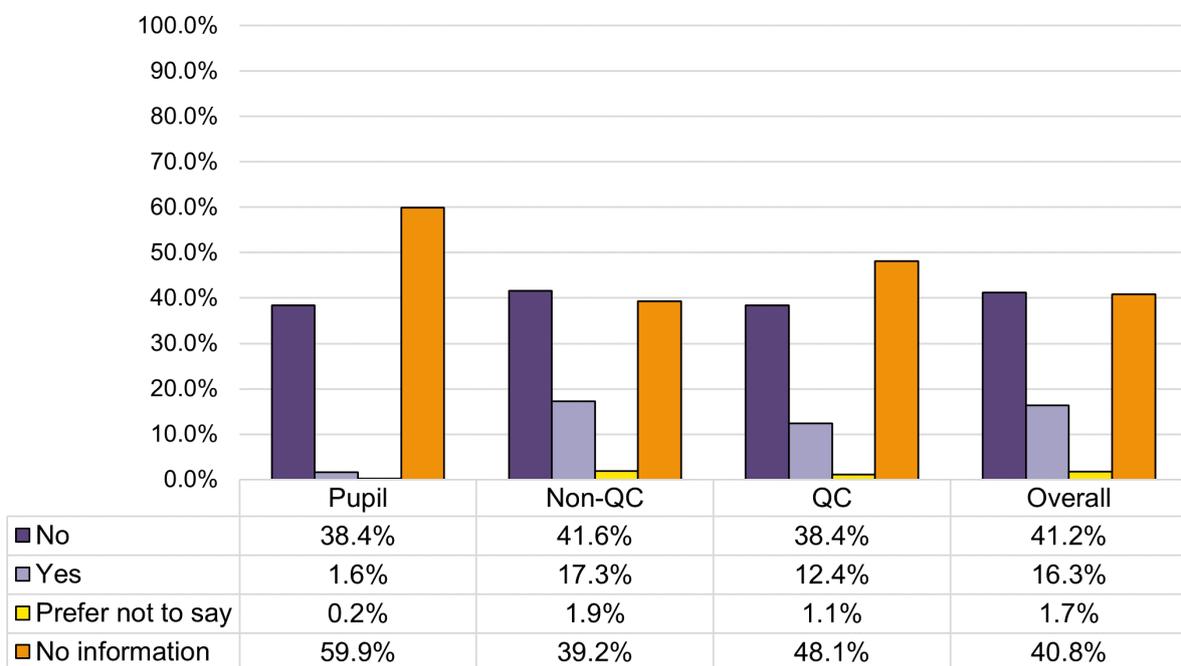
6. Caring Responsibilities

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 3.9pp year on year to 59.2 per cent.
- When excluding non-responses, 28.4 per cent (just over one in four) of the Bar; 3.9 per cent of pupils; 29.4 per cent of non-QCs; and 24.4 per cent of QCs 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 6.3pp since 2015, 7.3pp since 2017 and 1.4pp since 2020.
- 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 by both an increase in female representation at the Bar as well as other factors. The table below shows the proportion of

26. The wording of this question has changed. The wording was previously: If you went to University (to study a BA, BSc course or higher), were you part of the first generation of your family to do so?

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.

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 responsibilities for one or more children, as of December 2021	Percentage point change compared to December 2017
Pupils	3.5%	-0.1%
Female	5.1%	+1.0%
Male	1.2%	-1.8%
Non-QCs	29.3%	+6.8%
Female	39.8%	+7.1%
Male	20.5%	+6.0%
QCs	24.5%	+9.3%
Female	56.7%	+9.4%
Male	14.9%	+5.2%
Overall	28.4 %	+7.2%
Female	39.76%	+8.3%
Male	19.47%	+5.9%

- Overall, a far greater proportion of female barristers are primary carers for children (around 40% of female barristers compared to around 20% of male barristers), but the relative proportions involved appear to have increased for female and male barristers over time for both QCs and non-QCs. This suggests either that a greater proportion of those with children provided this information in 2021 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 37 per cent of economically active males, and 40 per cent of economically active 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.²⁷ 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

27. 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, 2020

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.

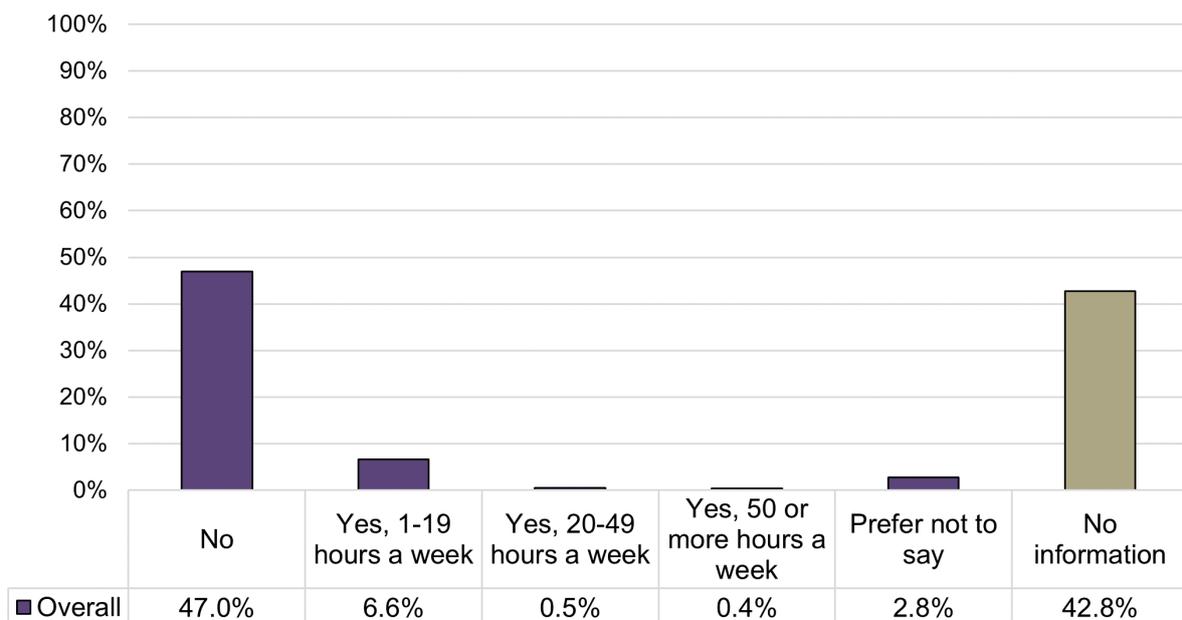
Table 14. Caring Responsibilities for Children for those at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Not a primary carer for one or more children	196	6,380	740	7,316
Is a primary carer for one or more children	8	2,654	239	2,901
Prefer not to say	1	284	22	307
No information	306	6,017	927	7,250
Total	511	15,335	1,928	17,774

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 3.9pp year on year to 57.2 per cent.

- Including those that have not provided information for this question, 7.4 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 13.7 per cent of respondents provided care for another person for 1 or more hours per week as of December 2021. 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.²⁸
- 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 7.7 per cent of pupils, to 13.3 per cent of non-QCs, and 18.4 per cent of QCs.

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

	Pupils	Non-QC	QC	Total
No	181	7,423	752	8,356
Yes, 1-19 hours a week	13	1,001	157	1,171
Yes, 20-49 hours a week	2	78	9	89
Yes, 50 or more hours a week		60	4	64
Prefer not to say	8	451	34	493
No information	307	6,322	972	7,601
Total	511	15,335	1,928	17,774

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

7. Conclusions

Compared with 2020, there has been a relatively large change in the overall number of pupils, the proportion of female pupils, and the proportion of pupils with a declared disability (all of which increased); as well as the proportion of pupils from minority ethnic backgrounds (which decreased). The numbers and proportions involved are more similar to that seen in 2019, and suggest that 2020 was a relatively anomalous year for pupillages due to the COVID-19 pandemic.

There has been an increase in the number of QC and non-QC barristers year on year. The increases are in line with those seen in several years since the Diversity at the Bar Report was started in 2015. Overall, for non-QC and QC barristers, there has been no substantial change in the reported profile of the Bar, which 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 QCs who are female; the proportion of QCs from minority ethnic backgrounds; and 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, as well as trends seen over a longer period of time as detailed in BSB research on retention at the Bar.²⁹

Response rates continue to improve, with increases of around 3pp or more seen in eight of the 11 categories monitored in this report, which is a very positive development. As the disclosure rate increases, so does the quality of the BSB's evidence base. We will continue to encourage those at the Bar to provide us with information, particularly around characteristics that are under-reported. It is also the first year in which we have collected information on two further categories, qualification for free school meals, and sex (a new category monitored in addition to gender, which we already collected information on). As the response rates for these categories continues to improve, we should be able to provide information on these in future reports.

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 (although the proportion has decreased since 2020).

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 (7.8% vs 6.4%), and the same can be said for those from Mixed/Multiple

29. Bar Standards Board (2021). Trends in retention and demographics at the Bar: 1990-2020. Accessed online here: <https://www.barstandardsboard.org.uk/uploads/assets/12aaca1f-4d21-4f5a-b213641c63dae406/Trends-in-demographics-and-retention-at-the-Bar-1990-2020-Full-version.pdf>

ethnic backgrounds (3.6% vs 1.7%). 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, (3.3% vs 3.6%), and a greater relative underrepresentation for those from Other ethnic groups (1.2% vs 3.2%).

There is also a greater disparity in the proportion of non-QCs from Black/Black British backgrounds compared to the proportion of QCs from the same background, with the disparity being 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.

The response rates for questions on religion and belief, sexual orientation, socio-economic background and caring responsibilities are also too low to be able to draw reliable conclusions.

Based on the data we have, 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 economically active 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 economically active 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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