

# Research Summary

## Differential Outcomes on the BPTC 2014-2020

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### Background

The Bar Standards Board (BSB) has a statutory duty to encourage an independent, strong, diverse, and effective legal profession. In 2022 the BSB published research on the analysis of differential outcomes related to different groups/characteristics (such as age, and ethnicity) on modules of the Bar Professional Training Course (BPTC) - the BPTC was the vocational stage of training for those training to become a barrister in England and Wales from 2011/12 to 2019/20.

The research follows on from a similar analysis published in 2017 and has a particular focus on results from the centralised assessments - three assessments set on behalf of the BSB: Civil Litigation, Criminal Litigation and Professional Ethics.

The format of the centralised assessments was different for the 2017-2020 sittings compared to the 2012-2016 sittings. This research aimed to better understand whether the reform to the assessments led to a change in the level of differential outcomes on the centralised assessments. It also aimed to better understand differences between modules in terms of any differences in outcome, and ascertain whether any other notable trends were present.

### Methodology

There were seven sittings in the data analysed for this research; these were the first sittings in each year from 2014 to 2020. The dataset only included those sitting each module for the first time, and there were around 1200-1500 such students at each sitting during the period.

Data were analysed using descriptive statistics, and with statistical testing using regression models. Regression models were developed to analyse results on each of the centralised assessments, and to look at differences between modules. These models enabled the impact of particular characteristics to be investigated, while controlling for other factors (such as prior educational results).

The analysis investigated the impact of each of the following variables on module scores: age range; disability status; domicile; English as a first language; ethnicity; first degree classification; gender; mode of BPTC study; parental degree status; type of school attended; and university attended.

### Key Findings - Descriptive statistics

The centralised assessments consistently displayed the lowest mean scores and highest failure rates for those sitting them for the first time compared to other modules. This was particularly the case for those with an upper second class or lower second class degree.

Following the introduction of the newer format examinations in 2017, there was a drop in mean scores for the centrally assessed modules for most sittings, particularly for those with a first class or upper second class degree.

The mean score for the centralised assessments also varied more widely between years than for other modules, as did the failure rate for those sitting the centrally assessed modules.

### Key findings - Regression models

In line with previous research on differential outcomes, ethnicity was found to be a statistically significant variable ( $p < 0.05$ ) with a relatively large relationship with score on the centralised assessments –

in addition to all other BPTC modules - with those from Black/Black British, Asian/Asian British, Mixed/Multiple ethnic groups, and other ethnic groups performing worse on the assessments in comparison to White students, on average.

First degree classification and first degree institution attended were also statistically significant variables with a relatively large relationship to module score, with:

- differences in outcome in line with the different prior levels of degree classification (1st > 2:1 > 2:2);
- those who attended Oxbridge performing better on average than former Russell Group attendees, who in turn performed better than those who attended other UK based universities.

Module score on the centralised assessments generally had a stronger relationship with ethnicity and academic history than any of the other variables analysed.

The newer format assessments did not appear to be linked to a consistent change in differential outcomes on the centralised assessments for the variables analysed.

Differences in outcomes by ethnicity were similar across centralised assessments and other BPTC modules, suggesting that the centralised assessments did not exacerbate differences between ethnic groups that were seen across modules. However, academic history (degree class and institution) showed a stronger relationship with the results on the centralised assessments than on other modules (with the exception of Resolution of Disputes out of Court).

### Overall

The differences by ethnicity in differential outcomes between the centralised assessments and other BPTC modules were broadly similar. However, as the centrally assessed modules were more difficult to pass on average, the differences in outcomes by ethnicity had a larger impact on pass rates for the centralised assessments than for other modules - with higher proportions of students from minority ethnic backgrounds failing to pass the centralised examinations than other modules on the course.

### How will the BSB use these findings?

Although the BPTC has now been replaced as part of reforms to Bar training, the findings of this research are still a concern to the BSB. The research informs our evaluation of the introduction of the new Bar Course and in our wider work on equality and diversity.

It should be noted that the outcome gap for people from minority ethnic backgrounds is not unique to the training for the Bar, nor to postgraduate education. There is a substantial body of research that highlights similar differences in other disciplines and academic stages. While this may be the case, we will seek to monitor the situation closely, and continue to take all steps that we can to minimise gaps in differential outcomes in training for the Bar.

### What do the findings mean for key stakeholders?

For prospective barristers, we will continue to monitor these trends and take all steps we can to ensure that Bar training is accessible, encourages diversity and promotes high standards within the profession.

The main report can be found at <https://www.barstandardsboard.org.uk/news-publications/research-and-statistics/bsb-research-reports>.