

Diversity at the Bar 2019

A summary of the latest available diversity data for the Bar

Published January 2020

If you would like this report in an alternative format, please contact the BSB
Research Team on 020 7611 1467

BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Contents

Executive Summary	3
Response Rates	3
Gender	3
Ethnicity	3
Disability	4
Other	4
Introduction	6
Response Rates	8
Protected Characteristics	10
Gender and identity	10
Gender	10
Gender Identity	12
Ethnicity	13
Disability	17
Age	18
Religion and Belief	20
Sexual Orientation	21
Socio-Economic Background	23
Type of School Attended	23
First Generation to Attend University	25
Caring Responsibilities	26
Caring Responsibilities for Children	26
Caring Responsibilities for Others	27
Conclusions	29
List of charts and tables	31
Figures	31
Tables	31

Executive Summary

This report presents a summary of the latest available diversity data for the Bar. 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.

Response Rates

- Response rates continue to increase across all categories except for gender (see Table 2 for a comparison to 2018), with an increase in response rate of around 4-5 percentage points (pp) for all of the 11 characteristics reported on except for gender, ethnicity and age, which already have a high response rate.¹ The response rate is highest for gender at 99.9 per cent and lowest for gender identity at 35.2 per cent.

Gender

- The proportion of women at the Bar (covering pupils, practising Queen’s Counsel - QC - and practising non-QC barristers) has increased 0.6 percentage points (pp) since the snapshot taken in December 2018. As of December 2019, women constituted 38.0 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, from 15.8 per cent in December 2018 to 16.2 per cent in December 2019. There is still a disparity between the proportion of the Bar who are female and the proportion of QCs who are female (38.0% vs 16.2%, and the difference between the two has widened slightly in 2019 compared to 2018).
- As observed in 2016, 2017 and 2018, there is a greater proportion of female pupils in comparison to male pupils (54.8% vs 45.2%).

Ethnicity

- The percentage of Black, Asian and Minority Ethnic (BAME)² barristers at the Bar has increased 0.6pp since December 2018 to 13.6 per cent, the biggest year on year increase seen since the Diversity at the Bar Report began in 2015. The proportion of BAME barristers at the Bar, compares to an estimate of 14.4 per

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. “BAME” stands for Black, Asian and Minority Ethnic. The term is widely used by government departments, public bodies, the media and others. However, we appreciate that the term, and similar terms, are debated and that no single term is universally accepted.

cent of the working age population in England and Wales as of July-September 2019.

- The percentage of those from BAME backgrounds increased by 0.6pp for non-QCs (to 14.1%); 0.3pp for QCs (to 8.1%); and by 2.7 pp for pupils year on year (to 19.0%).
- There is still a disparity between the overall percentage of BAME barristers across the profession (13.6%), and the percentage of BAME QCs (8.1%). This may reflect the lower percentage of BAME barristers entering the profession in past years but may also suggest there may be an issue in the progression of BAME practitioners at the Bar.
- Within the overall category of BAME there are some notable differences. 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 (7.2% vs 6.2%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.2% vs 1.3%). The opposite pattern is found for those from Black/Black British backgrounds (3.2% vs 3.7%), and 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

- There still appears to be an underrepresentation of disabled practitioners at the Bar. Although there is a relatively low response rate of 53.7 per cent, of those that have provided information on disability status to us, 6 per cent of the Bar disclosed a disability. This is substantially lower than the percentage of disabled people in the employed working age UK population estimated at 13.4 per cent.

Other

- Despite a relatively low response rate (52.0%) to this question, the data suggest that a disproportionate number of barristers attended a UK independent school between the ages of 11-18. Even if all of the barristers who chose not to respond to this question had gone to state schools, the proportion of barristers who went to independent schools is higher than in the wider population; with 17 per cent (including non-respondents) having attended an independent school between 11-18, compared to approximately 7 per cent of school children in England at any age, and 10.1 per cent of UK domiciled young full-time first degree entrants in the UK in 2017/18. Of those that provided information on school attended, just over one in three attended an independent school in the UK.
- The available data would suggest that a lower proportion of those at the Bar are the primary carer for a child in comparison to the wider UK working age population. When excluding non-responses, 26.5 per cent of the overall Bar;

7.5 per cent of pupils; 27.4 per cent of non-QCs; and 22.5 per cent of QCs have primary caring responsibilities for one or more children. This compares to around 36 per cent of economically active males, and 39 per cent of economically active females for the working age population of the UK. 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.

Introduction

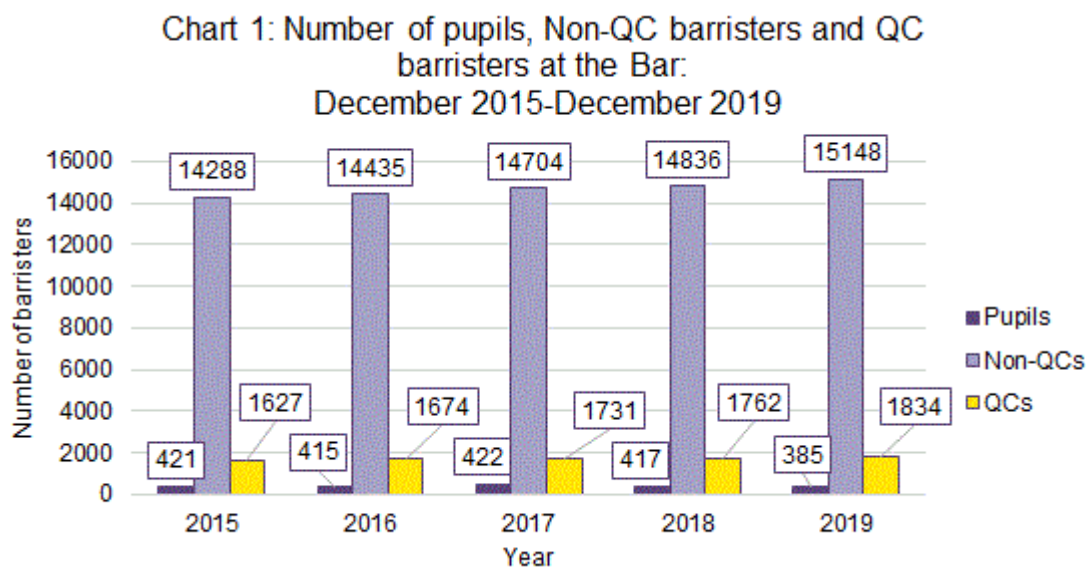
The BSB is committed to providing clear and transparent statistical diversity data at every stage of a barrister's career. This diversity data report is published annually, in line with the Specific Duties Regulations of the Equality Act 2010 and the statutory guidance of the Legal Services Board. It is a summary of the diversity data on practising barristers available to the BSB, as at 1 December 2019.

This report provides an overview of diversity at the Bar³, 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)⁴

Seniority	Numbers
Pupil	385
Non-Queen's Counsel (Non-QC)	15,148
Queen's Counsel (QC)	1,834
Total	17,367



3. 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 2019.

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

There are three sections to the diversity analysis of the profession: protected characteristics⁵, socio-economic background, and responsibilities regarding caring for children and others.

5. 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

Methodology

The data for practitioners⁶ in this report are from the BSB's records.

BSB Records

The Bar Council Records Department receives data on the profession via the online "Authorisation to Practise" system, MyBar, which was introduced in 2018 and superseded the previous system, Barrister Connect. 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 (PRF), which must be completed before an individual commences their pupillage. The data from this form are stored in the BSB's data warehouse.

The diversity monitoring information used in this report was extracted from our database on 1 December 2019 and represents a snapshot of the profession on this date.

In general, all 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 2019, except for a very small decrease for gender. The year on year increases from 2018 were around 4-5 percentage points for the majority of the monitoring categories. This is less than that seen from 2017 to 2018, although increases in 2018 coincided with the introduction of MyBar, which may have led to a bigger jump in response due to the ease of filling in this section on the platform compared to the previous system.

A response rate of 50 per cent or more was seen for the first time for questions on disability; type of school attended between 11-18; caring responsibilities for children; and caring responsibilities for others. There is currently only one category where response rates are less than 40 per cent of the Bar, which is gender identity.

However, while the trend in response rates is positive, less than 50 per cent of the Bar have responded to four of the 11 questions monitored in this report, so there is still some improvement to be made. These four monitoring questions are:

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

- Gender identity – collected since 2018
- Religion or belief
- Sexual orientation
- First generation to attend university

Each question on both MyBar and the PRF 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.

Table 2: Response Rates in 2018 and 2019 (as a percentage of total barristers)

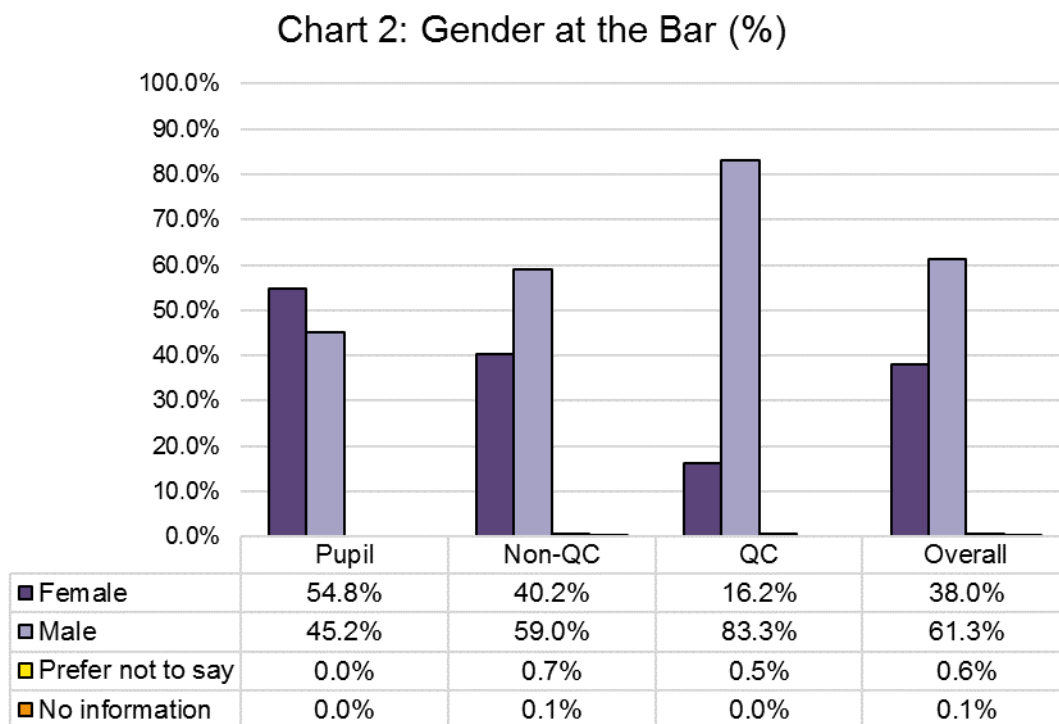
Category	2018 (%)	2019 (%)	Percentage point (pp.) difference	Avg. yearly pp. change in response rate since 2015
Gender	99.94	99.90	-0.03	-0.02
Gender identity	30.1	35.2	5.1	5.1
Ethnicity	93.4	94.0	0.5	0.6
Disability	49.0	53.7	4.6	5.7
Age	84.7	86.3	1.5	-0.03
Religion or belief	43.7	48.5	4.8	5.2
Sexual orientation	43.1	47.4	4.3	5.0
Type of school attended	47.0	52.0	5.0	6.3
First generation to attend university	45.0	49.2	4.1	5.6
Caring responsibilities for children	46.9	51.8	4.8	5.8
Caring responsibilities for others	45.4	50.0	4.6	5.4

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 percentage of women at the Bar overall increased by 0.6pp from December 2018 to December 2019 to 38 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 2019.⁷ The increase in the proportion of women at the Bar is 0.2pp higher than the increase seen from December 2017 to December 2018.
- The greatest percentage point increase for female representation at the Bar across the groups has been amongst pupils. As of December 2019 54.8 per cent

⁷ 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

of pupils were female, compared to 50.4 per cent in December 2018, representing a 4.4 percentage point increase, albeit with a reduction in the number of pupils overall year on year. This is the highest proportion female pupils seen since the first Diversity at the Bar Report in 2015. In line with 2016, 2017 and 2018, the percentage of female pupils is greater than that of male pupils

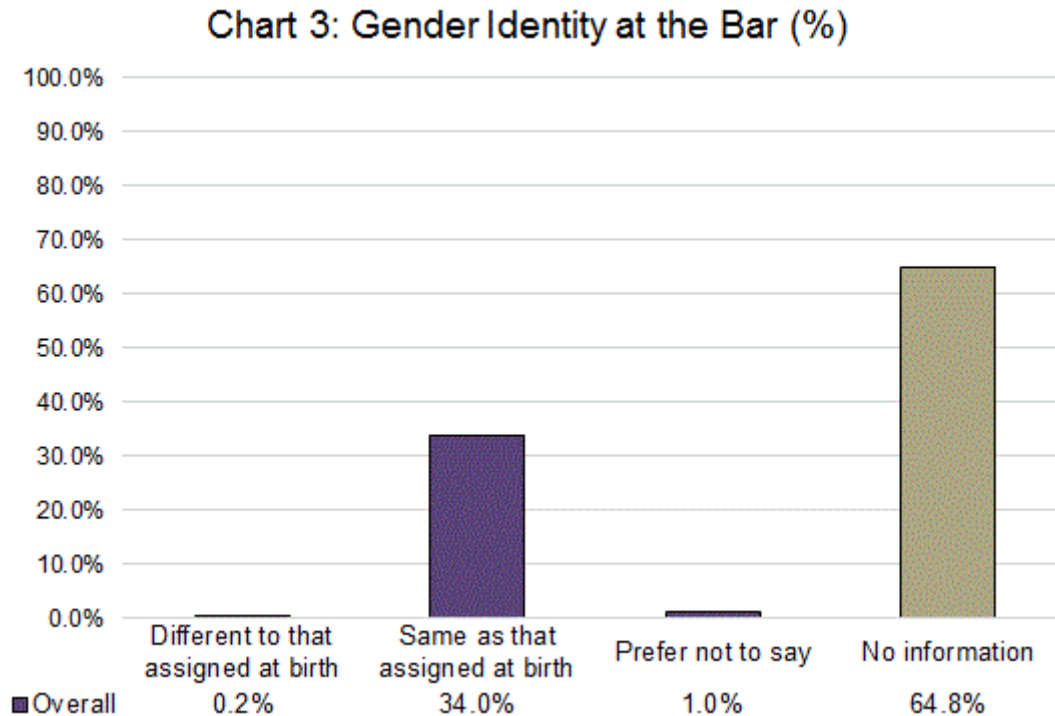
- The proportion of QCs who are female increased from 15.8 per cent in 2018 to 16.2 per cent in 2019, a 0.4pp increase. This is a smaller percentage point increase than that seen from 2017 to 2018 (14.8% to 15.8%; a difference of 1.0pp). The raw numbers in Table 3 show that the number of female QCs increased by 20 from 2018 to 2019 compared to an increase of 21 from 2017 to 2018, and so the lower percentage point increase seen from 2018 to 2019 was largely due to relatively more males gaining QC status year on year. Since December 2015 there has been a net addition of 112 male QCs compared to 86 female QCs.
- It is still noteworthy that the overall proportion of female QCs is low (16.2%) in comparison to the percentage of female barristers at the Bar overall (38.0%), and the difference between the two has slightly widened by 0.2pp in comparison to the difference in 2018.
- For female non-QC barristers, the year on year increase is 0.6pp (39.6% to 40.2%).
- The proportion of women at the Bar has increased by 2.1 percentage points overall over the past five years (since the 2015 Diversity at the Bar Report). When only looking at practitioners (ie not including pupils), the increase overall has been 2pp for female non-QC barristers, and 3.2pp for female QC barristers.

Table 3: Gender at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Female	211	6,091	298	6,600
Male	174	8,938	1,527	10,639
Prefer not to say	-	102	9	111
No information	-	17	-	17
Total	385	15,148	1,834	17,367

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?”.



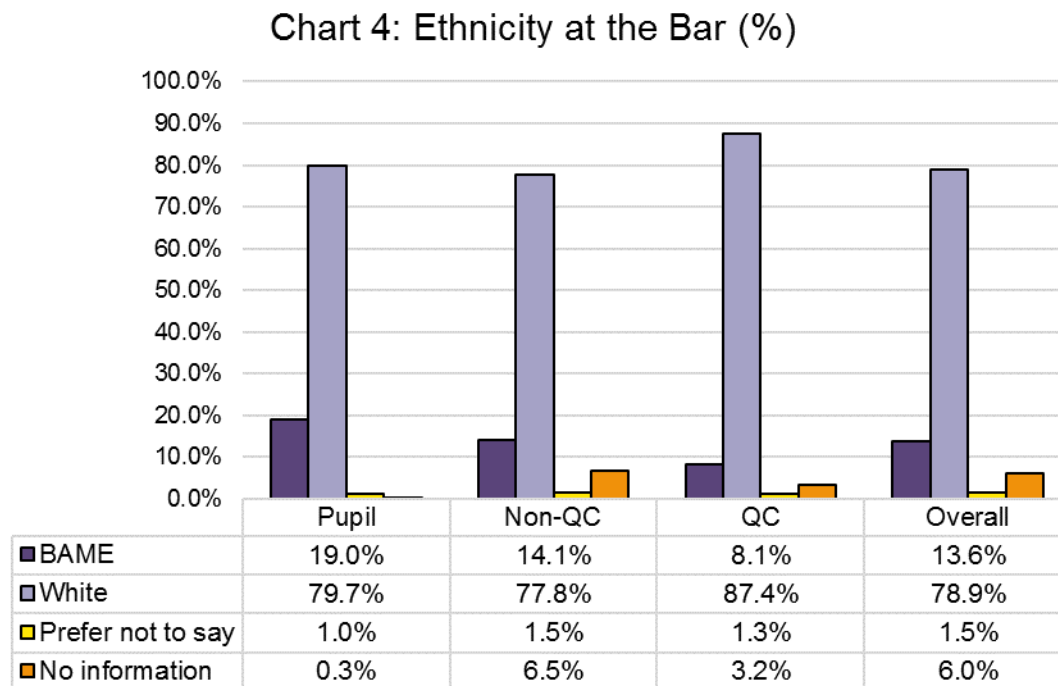
- 64.8 per cent of practitioners had not provided a response on gender identity on MyBar. When including non-respondents, around 0.2 per cent of practitioners had a different gender identity to the one they were assigned at birth.

Table 4 Gender Identity at the Bar (numbers)

Gender Identity	Pupils	Non-QC	QC	Overall
Yes	-	26	6	32
No	10	5,242	647	5,899
Prefer not to say	-	159	17	176
No information	375	9,721	1,164	11,260
Total	385	15,148	1,834	17,367

4.2. Ethnicity

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



- The overall percentage of BAME barristers at the Bar has increased by 0.6pp compared to December 2018, and 0.9pp compared to December 2017, to 13.6 per cent. This represents the biggest overall yearly percentage point increase in the proportion of BAME barristers at the Bar since the first Diversity at the Bar Report in 2015.
- The percentage of BAME QCs has increased by 0.3pp from December 2018 to 8.1 per cent (which equates to an increase of 0.9pp compared to December 2017, and 1.9pp compared to December 2015). There is still a far lower proportion of QCs who are from BAME backgrounds, than the proportion of practitioners who are from BAME backgrounds overall, although the ratio between the two has narrowed slightly since 2015. When excluding non-responses, in 2015 the proportion of BAME practitioners at the Bar was two times higher than the proportion of BAME QCs; in 2019 the proportion of BAME practitioners at the Bar was 1.72 times higher than the proportion of BAME QCs.⁸
- The percentage of BAME barristers has increased by 0.6pp for non-QC barristers (to 14.1%).
- The proportion of BAME pupils showed an increase of 2.7pp compared to December 2018, giving 19.0 per cent of pupils from BAME backgrounds. This is the highest proportion of pupils from BAME backgrounds, and largest year on year

increase in this statistic seen 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 14.7 per cent of the Bar overall are from a BAME background. This compares to around 14.4 per cent of the 16-64 working age population in England and Wales as of Q3 2019.⁸
- When looking at more disaggregated data on those from a minority ethnic group at the Bar, some notable statistics emerge. When excluding those that have not provided information of ethnicity:
- **Asian/Asian British:**
 - Around 7.2 per cent of the Bar, 9.0 per cent of pupils, 7.5 per cent of non-QCs and 4.1 per cent of QCs are from an Asian/Asian British ethnic group. This compares to around 6.2 per cent of the UK working age population.
 - The proportion of Asian/Asian British barristers at the Bar has increased by around 0.7pp since 2015.
 - 7.50% of non-QCs compared to 4.05% of QCs are from Asian/Asian British backgrounds; 0.64% of non-QCs compared to 0.23% of QCs are from an Asian/Asian British - Bangladeshi background; 0.50% of non-QCs compared to 0.29% of QCs are from an Asian/Asian British - Chinese background; 3.25% of non-QCs compared to 2.17% of QCs are from an Asian/Asian British - Indian background; 1.98% of non-QCs compared to 0.97% of QCs are from an Asian/Asian British - Pakistani background; and 1.13% of non-QCs compared to 0.40% of QCs are from Other Asian backgrounds.
- **Black/Black British:**
 - Around 3.2 per cent of the Bar, 3.4 per cent of pupils, 3.4 per cent of non-QCs and 1.1 per cent of QCs are from a Black/Black British ethnic group. This compares to around 3.7 per cent of the UK working age population.
 - The proportion of Black/Black British barristers at the Bar has increased by around 0.2pp since 2015.
 - 3.44% of non-QCs compared to 1.14% of QCs are from a Black/Black British backgrounds; 0.64% of non-QCs compared to 0.23% of QCs are from a Black/Black British - African background; 1.37% of all non-QCs compared to 0.63% of all QCs are from a Black/Black British - Caribbean background; and 0.29% of all non-QCs compared to 0.17% of all QCs are from any other Black background.
- **Mixed/Multiple ethnic groups:**
 - Around 3.2 per cent of the Bar, 5.3 per cent of pupils, 3.3 per cent of non-QCs and 1.8 per cent of QCs are from a Mixed/Multiple ethnic group background. This compares to around 1.3 per cent of the UK working age population.
 - The proportion of Mixed/Multiple ethnic group barristers at the Bar has

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

increased by around 0.7pp since 2015.

- 3.25% of non-QCs compared to 1.83% of QCs are from Mixed/Multiple ethnic group backgrounds; 0.87% of non-QCs compared to 0.86% of QCs are from White and Asian mixed backgrounds; 0.41% of non-QCs compared to 0.17% of QCs are from White and Black/Black British - Caribbean mixed backgrounds; 0.22% of non-QCs compared to 0.17% of QCs are from White and Chinese mixed backgrounds; and 1.41% of non-QCs compared to 0.63% of QCs are from any Other Mixed/Multiple Ethnic Group background.
- **Other ethnic group:**
 - Around 1.2 per cent of the Bar, 1.6 per cent of pupils, 1.2 per cent of non-QCs and 1.5 per cent of QCs are from an ethnic group classed as 'Other'. This compares to around 3.2 per cent of the UK working age population.
 - The proportion of barristers from an ethnic group classed as 'Other' at the Bar has not shown any change since 2015.
 - 1.18% of non-QCs compared to 1.48% of QCs are from Other ethnic groups overall.
- **White**
 - Around 85.3 per cent of the Bar, 80.8 per cent of pupils, 84.6 per cent of non-QCs and 91.5 per cent of QCs are from a White ethnic group. This compares to around 85.6 per cent of the UK working age population.
 - The proportion of barristers from a White ethnic group at the Bar has decreased by around 1.6pp since 2015.
 - 84.63% of non-QCs compared to 91.50% of QCs are from White ethnic groups overall; 77.10% of non-QCs compared to 86.19% of QCs are from White British backgrounds; 2.64% of non-QCs compared to 1.83% of QCs are from White Irish backgrounds; and 4.87% of non-QCs compared to 3.48% of QCs are from any Other White background.

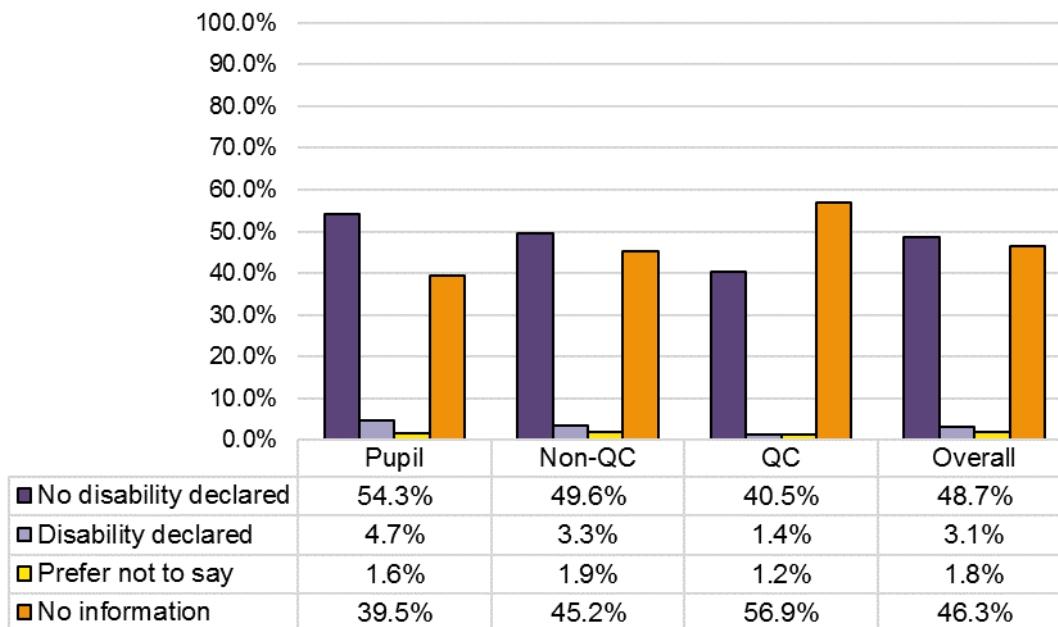
Table 5: Ethnicity at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Asian/Asian British	34	1,044	71	1,149
– Asian/Asian British - Bangladeshi	4	89	4	97
– Asian/Asian British - Chinese	6	70	5	81
– Asian/Asian British - Indian	9	452	38	499
– Asian/Asian British - Pakistani	8	275	17	300
– Any other Asian background	7	158	7	172
Black/Black British	13	479	20	512
– Black/Black British - African	8	248	6	262
– Black/Black British - Caribbean	3	191	11	205
– Any other Black background	2	40	3	45
Mixed/multiple ethnic groups	20	453	32	505
– White and Asian	9	121	15	145
– White and Black African	4	49	-	53
– White and Black Caribbean	1	57	3	61
– White and Chinese	1	30	3	34
– Other mixed/multiple background	5	196	11	212
White	307	11,784	1,603	13,694
– White - English/Welsh/Scottish/ Northern Irish/British	270	10,736	1,510	12,516
– White - Gypsy or Irish Traveller	-	3	-	3
– White - Irish	4	367	32	403
– Any other white background	33	678	61	772
– Other ethnic group	6	164	26	196
– Arab	2	15	-	17
Any other ethnic group	4	149	26	179
– Prefer not to say	4	234	23	261
– No information	1	990	59	1,050
Total	385	15,148	1,834	17,367

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, 3.1 per cent of the Bar; 4.7 per cent of pupils; 3.3 per cent of non-QC barristers; and 1.4 per cent of QCs had declared a disability as of December 2019. The overall year on year percentage point increase for those declaring a disability is 0.3pp (2.8% to 3.1%). Much of the increase is possibly due to an increase in response rates: Notably, the response rate for pupils is around 20pp higher than that seen in December 2018, although is still lower than that seen from 2015-2017.
- When excluding those that had not provided information, 6 per cent of the overall Bar; 6.2 per cent of non-QC barristers; 7.9 per cent of pupils; and 3.4 per cent of QCs had declared a disability as of December 2019. These figures all show a slight year on year increase (of between 0.1-0.4 percentage points). However, in comparison, it is estimated that around 13.4 per cent of the employed working age population (those aged 16-64) has a declared disability as of July-September 2019⁹, and so the proportion seen for the Bar appears to be substantially lower.
- The figures also suggest that the percentage of those with a declared disability may decrease by level of seniority. However, the overall disclosure rate is low at 53.7 per cent, meaning these statistics may not be reliable.

9. Calculated for Jul-Sep 2019 from Office for National Statistics datasets: A08: Labour market status of disabled people using GSS Standard Levels (People).

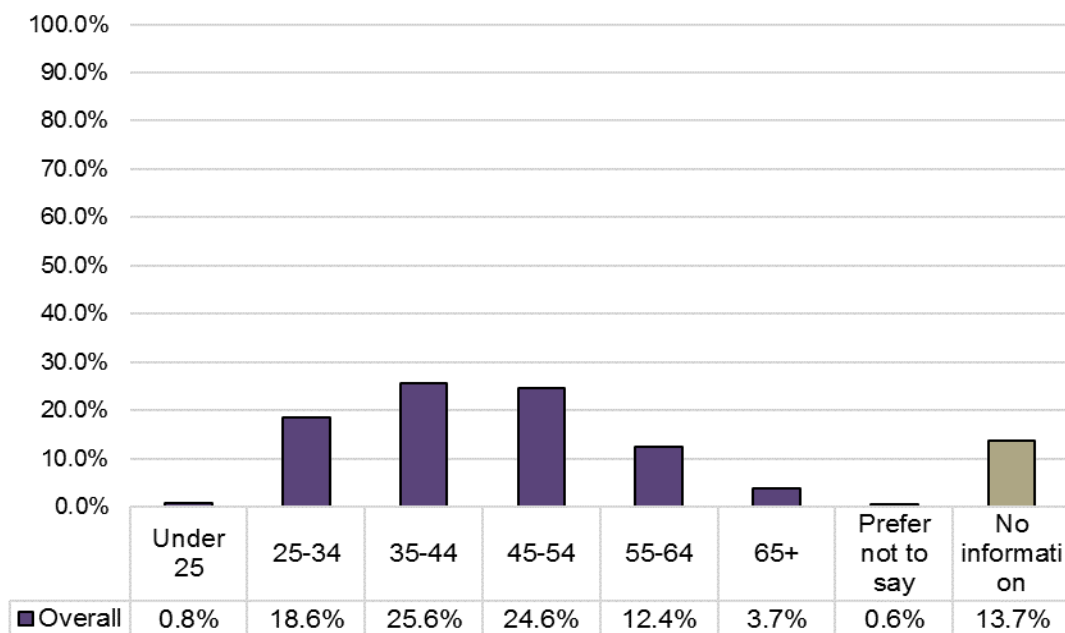
Table 6 Disability at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No disability declared	209	7,514	742	8,465
Disability declared	18	500	26	544
Prefer not to say	6	283	22	311
No information	152	6,851	1,044	8,047
Total	385	15,148	1,834	17,367

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 80 per cent of the Bar. This is a decrease compared to December 2018 of around 2 percentage points (80.3% vs 82.1%), with relatively more of the Bar in the 55-64 and 65+ age range in 2019.
- 18.8 per cent of the Bar that 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 16.9 per cent in 2018 and 14.8 per cent in 2015.

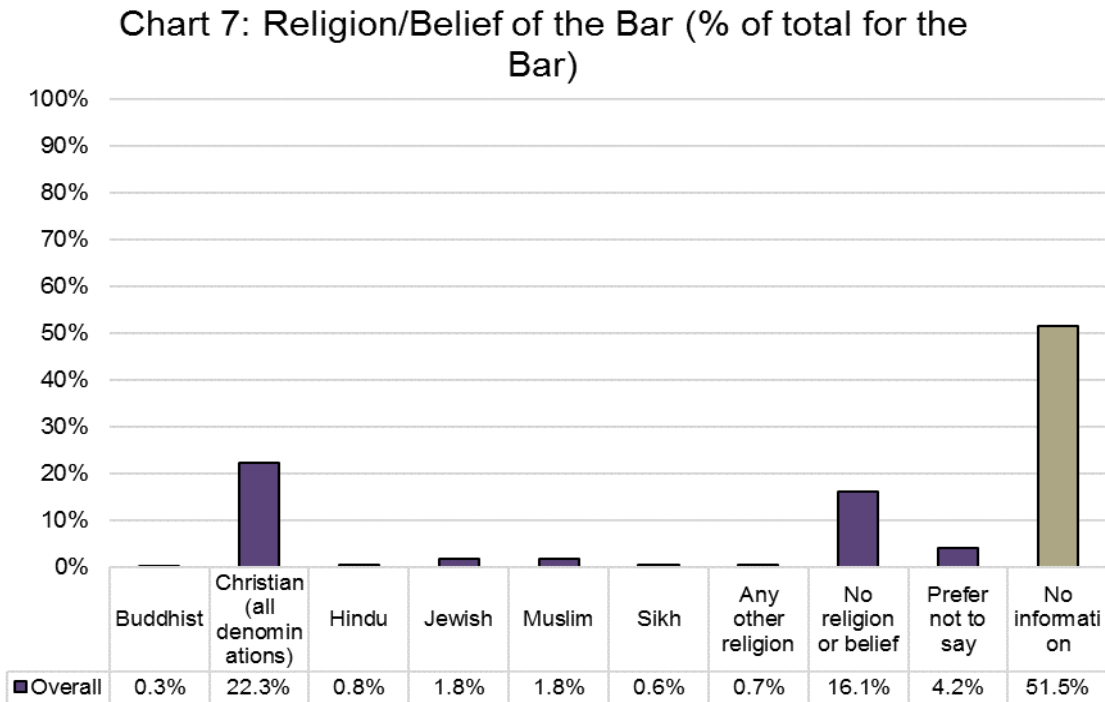
- The two largest cohorts are those aged from 35-44 and those aged from 44-54. Around 30 per cent of barristers are in the 35-44 age range, and around 29 per cent are in the 45-54 age range.
- There is no real change in the proportion of those at the Bar aged under 25: Around 1 per cent are in this cohort.

Table 7: Age at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Under 25	84	49	-	133
25-34	258	2,972	-	3,230
35-44	33	4,326	92	4,451
45-54	4	3,610	655	4,269
55-64	3	1,774	370	2,147
65+	-	498	147	645
Prefer not to say	-	97	12	109
No information	3	1,822	558	2,383
Total	385	15,148	1,834	17,367

4.5. Religion and Belief

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



- Around 51.5 per cent of the Bar have not yet provided information on religion or belief through MyBar. The response rate for this question is up by almost 5 percentage points year on year.
- Including those that have not provided information, the largest group at the Bar overall by religion or belief is Christian (22.3%) followed by those with no religion or belief (15.9%), although for pupils this trend is reversed.

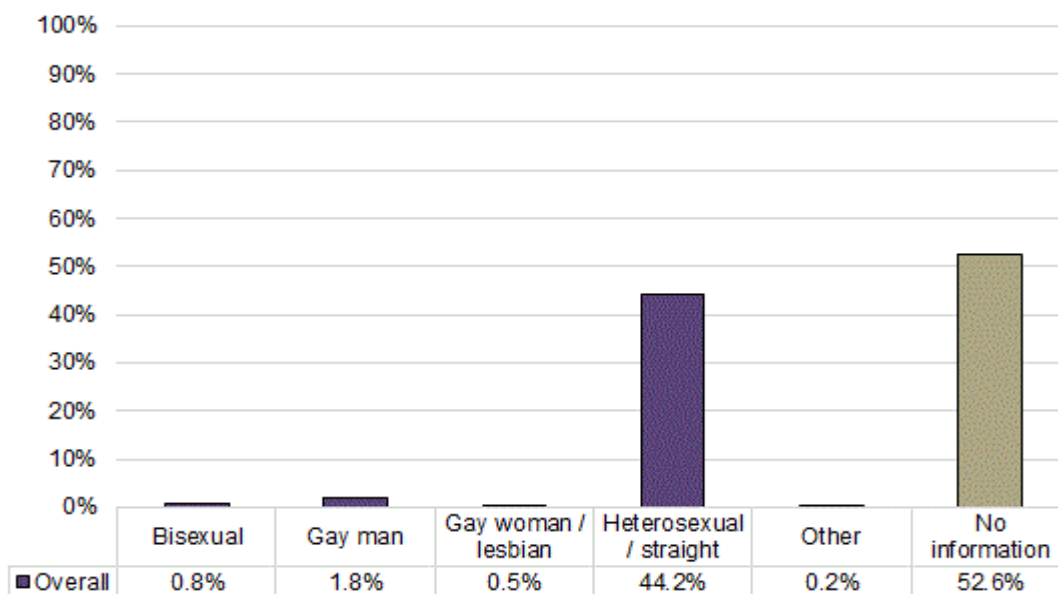
Table 8: Religion and Belief at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Buddhist	1	46	3	50
Christian (all denominations)	75	3,440	351	3,866
Hindu	2	122	7	131
Jewish	3	244	67	314
Muslim	8	304	9	321
Sikh	-	89	8	97
Other religion/belief	-	110	6	116
No religion/belief	97	2,491	216	2,804
Prefer not to say	16	647	65	728
No information	183	7,655	1,102	8,940
Grand Total	385	15,148	1,834	17,367

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 4 per cent in comparison to December 2018. It is the monitoring category with the second lowest response rate, with 47.4 per cent providing some information.
- Excluding those that have not provided information, 7.6 per cent of pupils, 7.0 per cent of non-QCs, and 4.8 per cent of QCs provided their sexual orientation as one of Bisexual; Gay man; Gay woman/Lesbian; or Other.

Table 9: Sexual Orientation of the Bar (numbers)

	Pupils	Non-QC	QC	Total
Bisexual	7	124	6	137
Gay man	6	289	17	312
Gay woman/ Lesbian	2	72	7	81
Heterosexual	182	6,819	668	7,669
Other	-	26	4	30
Prefer not to say	-	-	-	-
No information	188	7,818	1,132	9,138
Total	385	15,148	1,834	17,367

5. Socio-Economic Background

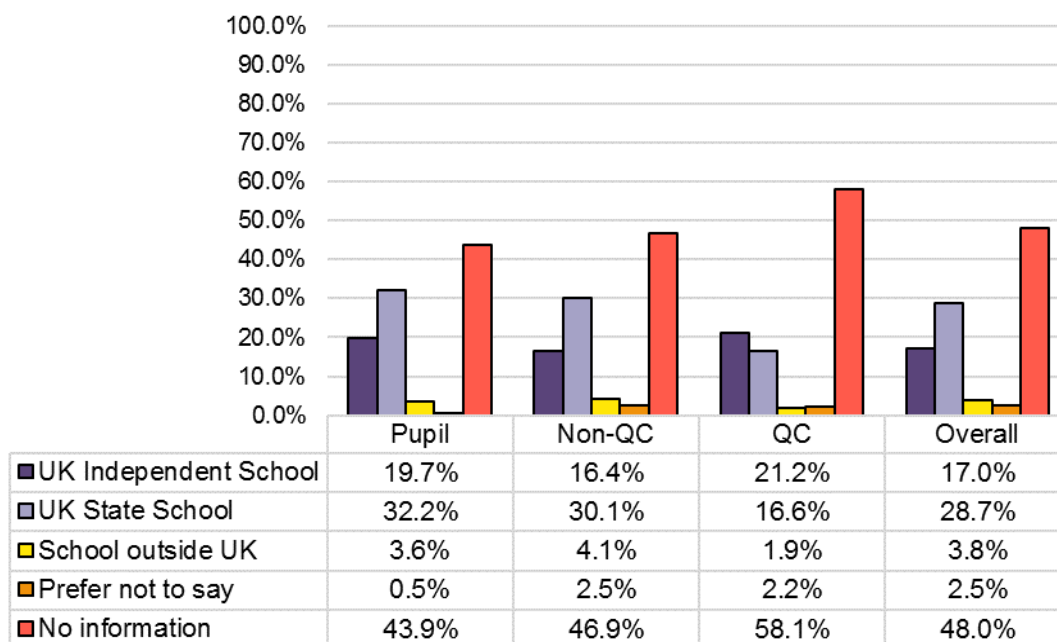
Socio-economic background is not a protected characteristic under the Equality Act 2010. However, it is included as a possible indicator of meritocracy in the profession.

Unfortunately, accurately measuring socio-economic background can be challenging, and there is no universal proxy for gathering such data. The BSB uses the socio-economic questions recommended by the Legal Services Board, which are included on the MyBar monitoring questionnaire and on the PRF. 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.¹⁰

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 (%)



10. 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 still a high percentage of non-responses (48%), the data suggest that a disproportionate amount of the Bar 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: 17 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,¹¹ and 10.1 per cent of UK domiciled young full-time first degree entrants in the UK in 2017/18 attending a non-state school prior to university.¹²
- Of those that provided information on school attended, 34.3 per cent attended an independent school in the UK. This represents a 0.5pp decrease compared to December 2018. This is in line with those that enrolled on the Bar Professional Training Course (BPTC) from 2013-2018: Across the 2013/14-2018/19 academic years, there was an average of 32 per cent of UK domiciled students on the BPTC having attended an independent school.¹³ This suggests that the high percentage of those at the Bar who attended an independent school in the UK is generally due to the influence of 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 37.2 per cent in December 2019.
- The overall response rate for this information has increased 5pp year on year (to 52.0%).

Table 10: Type of School Attended from 11-18 by the Bar (numbers)

	Pupils	Non-QC	QC	Total
UK Independent School	76	2,491	388	2,955
UK State School	124	4,556	304	4,984
School outside UK	14	616	35	665
Prefer not to say	2	386	41	429
No information	169	7,099	1,066	8,334
Total	385	15,148	1,834	17,367

11. Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 10 January 2018). 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.

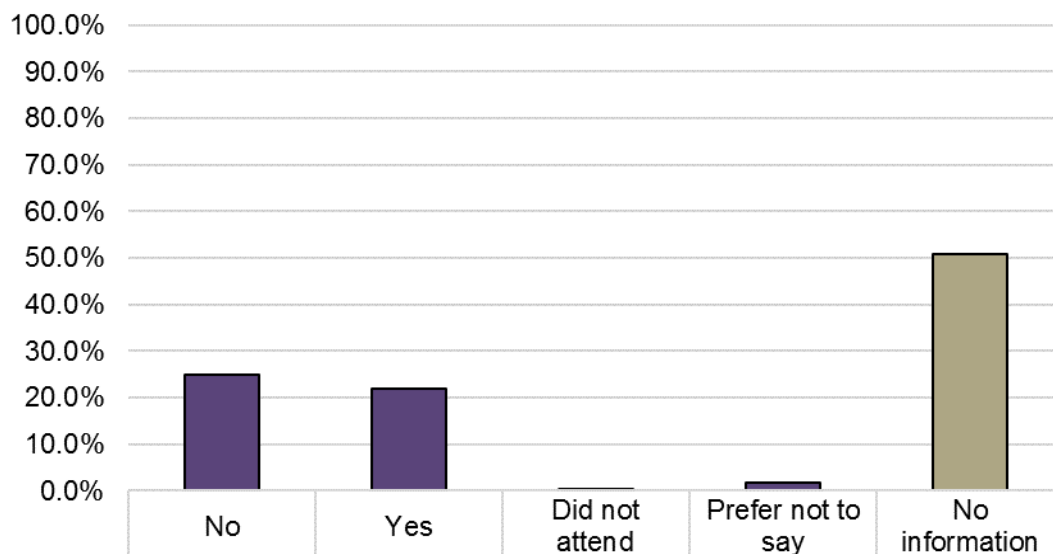
12. Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators 2015/16. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 12 January 2018)

13. 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 course or higher), were you part of the first generation of your family to do so?”

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 4pp this year (to 49.2%).
- When excluding non-responses and prefer not to says, 0.7 per cent of the Bar had not attended university as of December 2019, 52.5 per cent were not of the first generation to attend university, and 46.8 per cent were of the first generation to attend university.

Table 11: First Generation to Attend University at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No	36	3,908	376	4,320
Yes	18	3,463	352	3,833
Did not attend	1	46	10	57
Prefer not to say	1	296	30	327
No Information	329	7,435	1,066	8,830
Total	385	15,148	1,834	17,367

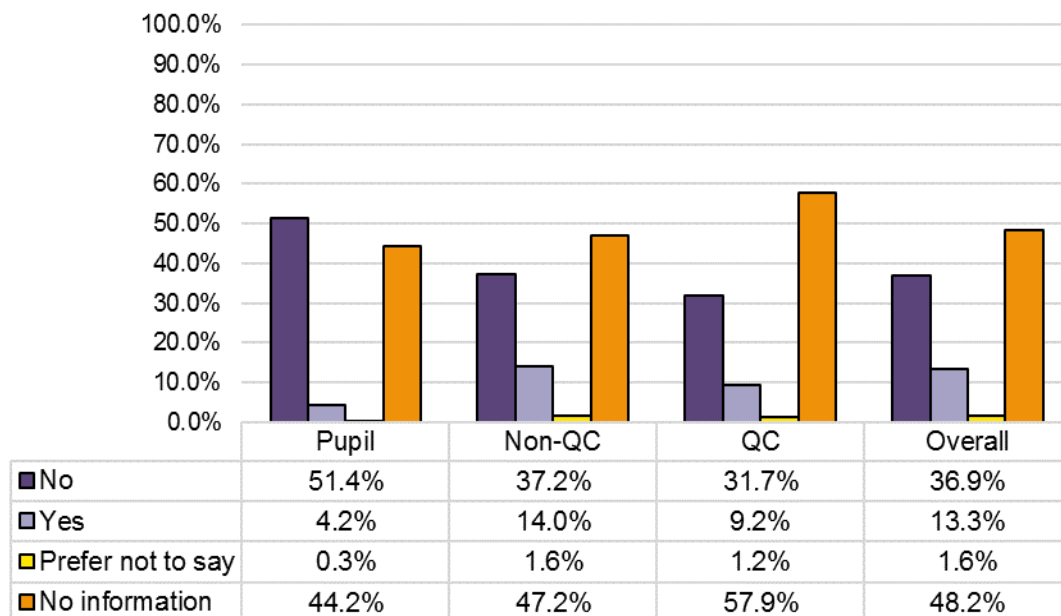
6. Caring Responsibilities

The caring responsibilities categories used in this report are those provided to the BSB by the Legal Services Board. These questions 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 4.8pp year on year.
- When excluding non-responses, 26.5 per cent (just over one in four) of the overall Bar; 7.5 per cent of pupils; 27.4 per cent of non-QCs; and 22.5 per cent of QCs have primary caring responsibilities for one or more children. Of the working age population in the UK as a whole, figures produced by the UK Office of National Statistics suggest that around 36 per cent of economically active males, and 39 per cent of economically active females are a primary carer for one or more children.¹⁴ This includes all ages from 16-64 grouped together, and the proportion of those in the UK with primary care of a child is likely to be far higher for those

14. Calculated from Table 3 in Families and the labour market, UK: main dataset using the Labour Force Survey and Annual Population Survey: main reference tables, 2019

aged 35-54, which constitutes the majority of the Bar. These statistics would suggest that a far lower proportion of those at the Bar are the primary carer for a child in comparison to the wider UK working age population, but as response rates are relatively low for this category, such inferences may not be reliable.

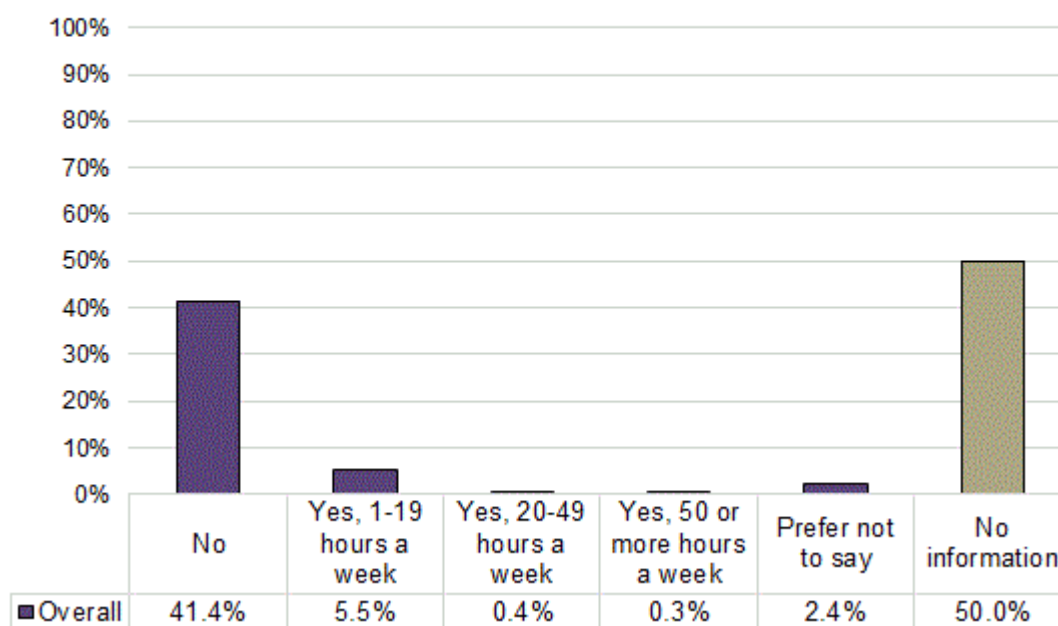
Table 12: Caring Responsibilities for Children for those at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No	198	5,633	582	6,413
Yes	16	2,124	169	2,309
Prefer not to say	1	248	22	271
No information	170	7,143	1,061	8,374
Total	385	15,148	1,834	17,367

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)



- Including those that have not provided information for this question, 6.1 per cent of the Bar provide care for others for one hour a week or more.

- Of those that provided a Yes/No response around 13 per cent of respondents at the Bar provided care for another person for 1 or more hours per week as of December 2019. This is in line with the proportion of those in work in the UK who are carers according to figures published by the Carers Trust, which state that around one in eight (12.5%) UK workers provide care for another, not including primary care of children.¹⁵
- Of those 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 around four per cent of pupils to around 13 per cent of non-QCs, and around 17 per cent of QCs.

Table 13: Caring Responsibilities for Others for those at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No	199	6,415	583	7,197
Yes, 1-19 hours a week	8	836	111	955
Yes, 20-49 hours a week	-	55	7	62
Yes, 50 or more hours a week	1	43	3	47
Prefer not to say	5	385	33	423
No information	172	7,414	1,097	8,683
Total	385	15,148	1,834	17,367

15. See Key facts about carers and the people they care for. <https://carers.org/key-facts-about-carers-and-people-they-care>

7. Conclusions

Compared with 2018, there has been no substantial change in the reported profile of the Bar this year. This is to be expected when monitoring demographic changes in a profession on an annual basis.

Response rates continue to improve, with increases of more than 4pp 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.

Overall, both gender and BAME representation at the Bar continue to move towards better reflecting the demographics of the UK population, with a continued increase in the proportion of female and BAME barristers at QC level and overall across the Bar, and the greatest proportion of BAME pupils seen since we commenced reporting in 2015.

Within the overall category of BAME there are some notable differences. 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 (7.2% vs 6.2%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.2% vs 1.3%). The opposite pattern is found for those from Black/Black British backgrounds (3.2% vs 3.7%), and for those from Other ethnic groups (1.2% vs 3.2%).

There is still a disparity between the overall percentage of BAME barristers across the profession (13.6%), and the percentage of BAME QCs (8.1%). In particular, there is 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. These figures may reflect the lower percentage of BAME barristers entering the profession in past years but may also suggest there may be an issue in the progression of BAME practitioners at the Bar.

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, although the response rate (at 53.7%) is too low to draw reliable conclusions.

The response rates for questions on socio-economic background are too low to provide a reliable barometer of the profession in this area. However, available data indicate 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 primary care for one or more children appears to be lower than that seen for the UK working age economically active population; and the percentage of those at the Bar who provide care for another appears to be around that seen for workers across the UK.

List of charts and tables

Figures

- Chart 1: Gender at the Bar (%)
- Chart 2: Gender Identity at the Bar (%)
- Chart 3: Ethnicity at the Bar (%)
- Chart 4: Disability declared at the Bar (%)
- Chart 5: Age of the Bar (% of total for the Bar)
- Chart 6: Religion/belief of the Bar (% of total for the Bar)
- Chart 7: Sexual orientation of the Bar (% of total for the Bar)
- Chart 8: Type of school attended (%)
- Chart 9: First generation to attend university (%)
- Chart 10: Primary caring responsibilities for children (%)
- Chart 11: Caring responsibilities for others (% of total for the Bar)

Tables

- Table 1: Total number of people at the Bar (numbers)
- Table 2: Response Rates in 2018 and 2019 (as a percentage of total barristers)
- Table 3: Gender at the Bar (numbers)
- Table 4: Gender Identity at the Bar (numbers)
- Table 5: Ethnicity at the Bar (numbers)
- Table 6: Disability at the Bar (numbers)
- Table 7: Age at the Bar (numbers)
- Table 8: Religion and Belief at the Bar (numbers)
- Table 9: Sexual Orientation of the Bar (numbers)
- Table 10: Type of School Attended from 11-18 by the Bar (numbers)
- Table 11: First Generation to Attend University at the Bar (numbers)
- Table 12: Caring Responsibilities for Children for those at the Bar (numbers)
- Table 13: Caring Responsibilities for Others for those at the Bar (numbers)

Contact us:

Bar Standards Board
289-293 High Holborn
London WC1V 7HZ

Tel: 020 7611 1444

Email: Research@BarStandardsBoard.org.uk

Twitter: [@BarStandards](https://twitter.com/BarStandards)

Facebook: [/barstandardsboard](https://www.facebook.com/barstandardsboard)

LinkedIn: [/thebarstandardsboard](https://www.linkedin.com/company/thebarstandardsboard)

