



The Bar Council

Barrister earnings by sex and practice area - 2022 update

October 2022



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Introduction

In 2021 the Bar Council published a [report](#) showing trends in barristers' earnings over the last 20 years, split by sex and practice area. The report, which used anonymous income data from self-employed barristers shared by Bar Mutual Indemnity Fund (BMIF) showed that, while there were more women than ever working at the Bar, the gap between men's and women's earnings had widened over the period 2000-2020. We were also able to show that although in real-terms (adjusted for inflation) earnings had increased in most practice areas, some, most notably those in Criminal practice, had seen a decline in actual earnings over the same period.

This year we can share an update on what's happened to earnings at the self-employed Bar over the last year and show where differences between men's and women's earnings have reduced, and where the differences have grown.

Key findings include:

- Men's average gross fee earnings across all practice areas declined by 5% in 2021, while women's increased by 6%.
- The gap between men's and women's earnings remains, or is getting wider, in some practice areas including Immigration, Chancery (Contentious) and Personal Injury.
- Women are closing the gap in other practice areas including Commercial & Financial Services, Criminal and Employment, although there is still a long way to go.
- Women's earnings in Defamation have now overtaken men's earnings.

Instead of re-producing the charts for every practice area, this year we are inviting everyone who is interested in earnings data, or would like to see the most recent data for their practice area, to contact us at equality@barcouncil.org.uk and we can generate the most up to date statistics and charts for you.

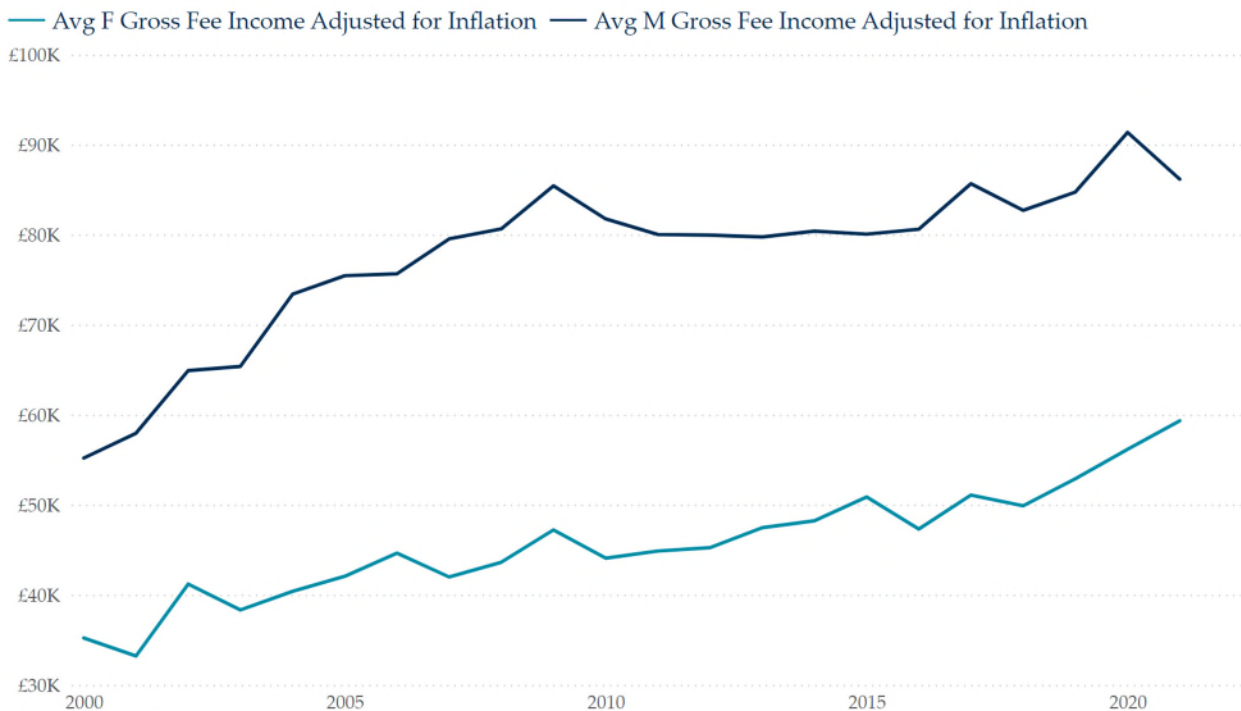
Key findings

Men's average gross fee earnings across all practice areas declined in 2021, while women's increased slightly.

This has resulted in a slightly reduced disparity, although over all practice areas women continue to earn 34% less than their male colleagues (compared to 39% less in 2020)

Fig 1: Bar of England and Wales

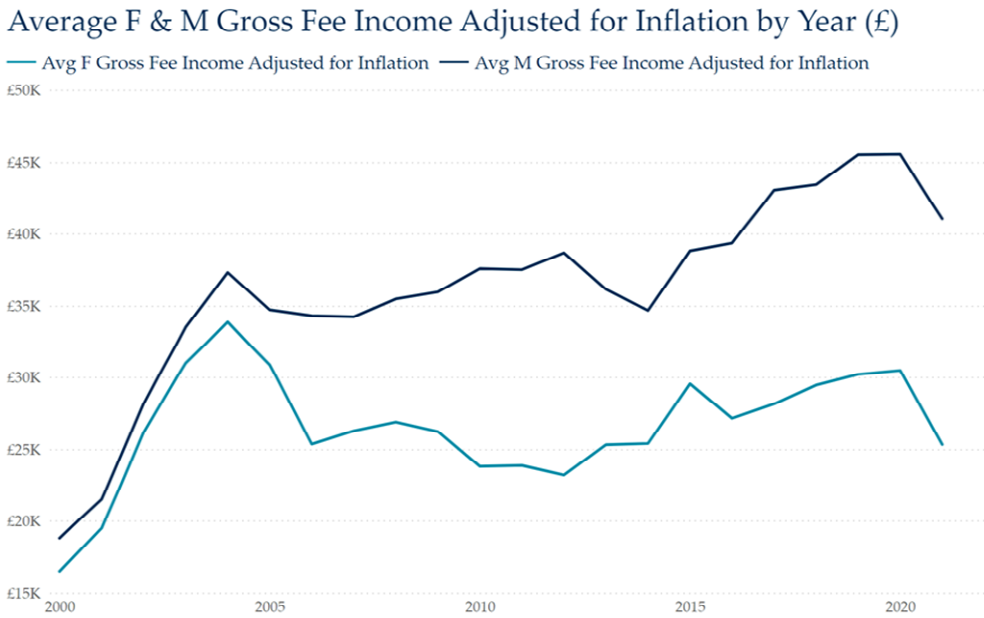
Average F & M Gross Fee Income Adjusted for Inflation by Year (£)



Because of the pandemic and the impact court closures and working patterns had on earnings during this period, these figures must be treated with caution. It is not possible to say whether declining earnings for men is a trend or an anomaly, based on one year's data.

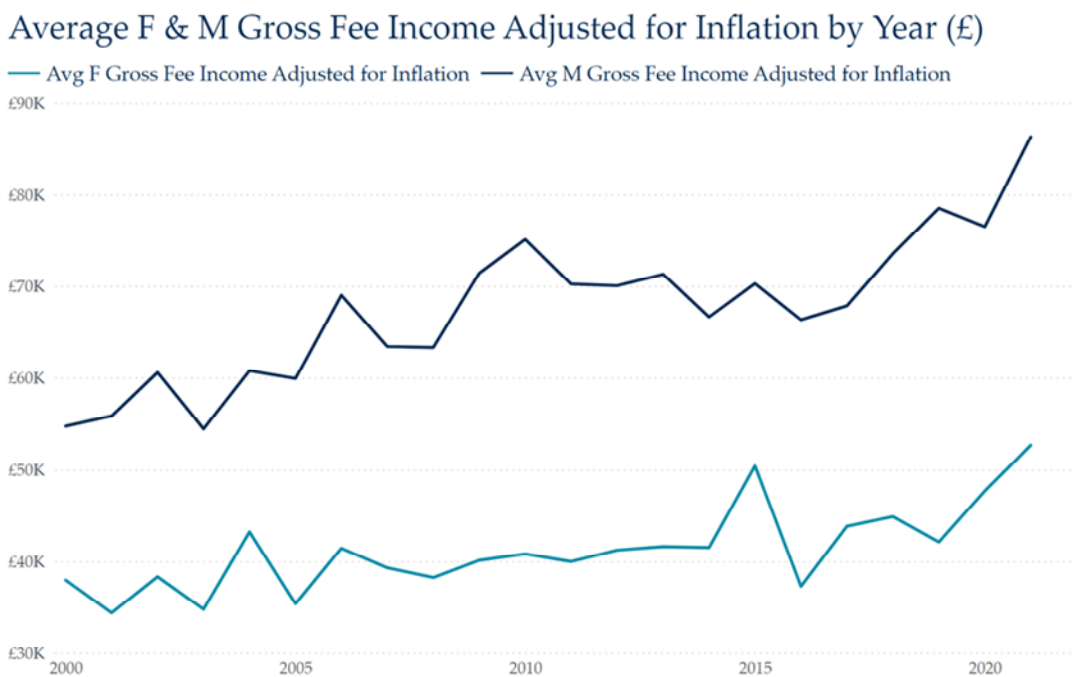
The gap between men’s and women’s earnings remains, or is getting wider, in some practice areas.

Fig. 2: Immigration



In **Immigration**, earnings decreased for both men and women between 2020 and 2021. During this period the gap between men’s and women’s earnings increased from 33% to 38%.

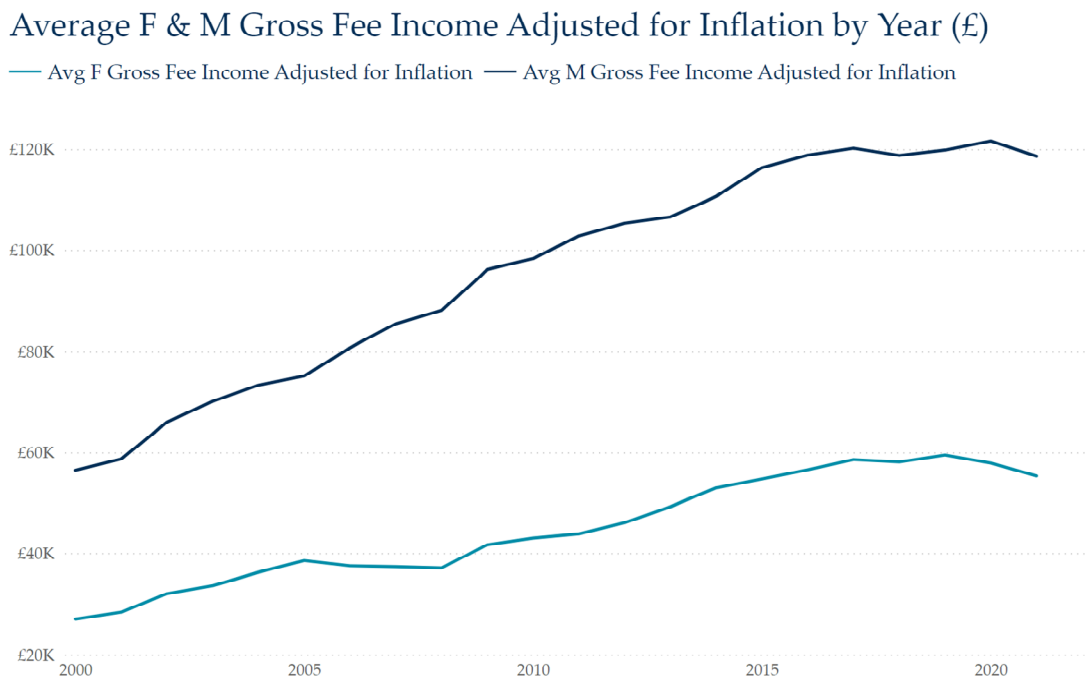
Fig. 3: Chancery (Contentious)



Barristers in **Chancery (Contentious)** have seen an increase in average fee income (fig.3), but women continue to earn 39% less than men in this practice area.

Overall fee income in **Personal Injury** slightly reduced in 2021 (fig. 4). Women earn 53% less than men in 2021.

Fig. 4: Personal Injury



Family (Children) and **Family (Other)** provide an interesting comparison. Women have always out-earned men in Family (Children) (fig.5), but the gap closed to 3% in 2021. While in Family (Other) (fig.6), men out-earn women by 43%. Real-terms earnings saw a decline for both areas and for men and women.

Fig. 5: Family (Children)



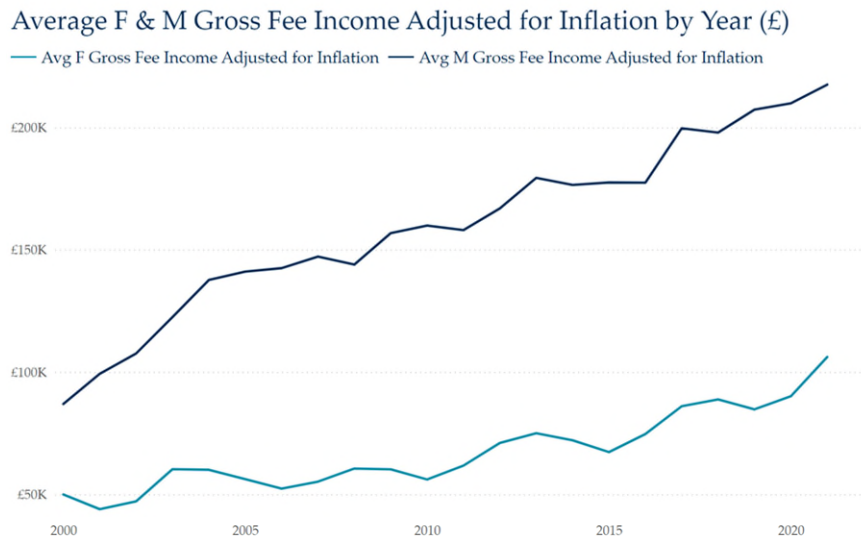
Fig. 6: Family (Other)



Women are closing the gap in some practice areas, although there remains a long way to go

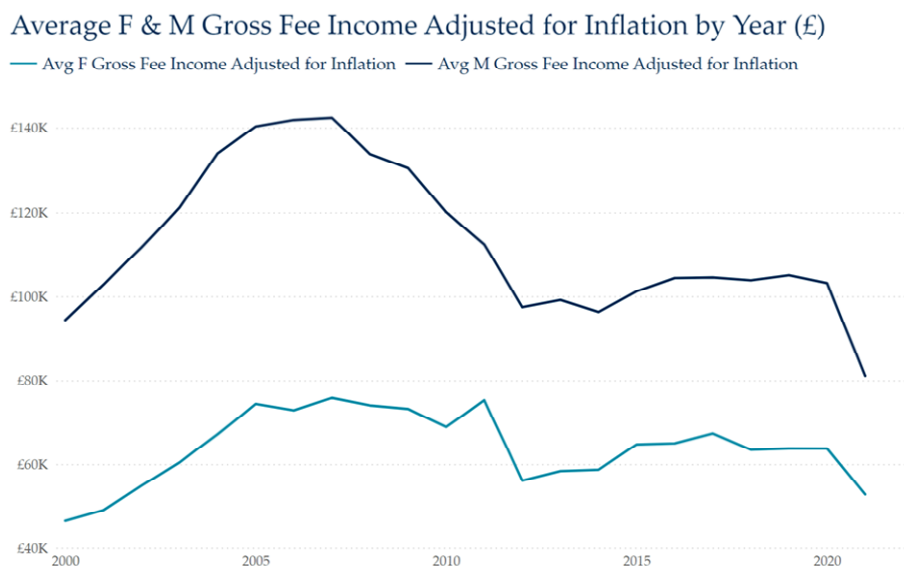
Women earned 51% less on average than men in **Commercial and Financial Services** in 2021 (fig. 7), compared to 57% less in 2020. But this is still a very wide gap in one of the higher-earning practice areas.

Fig. 7: Commercial & Financial Services



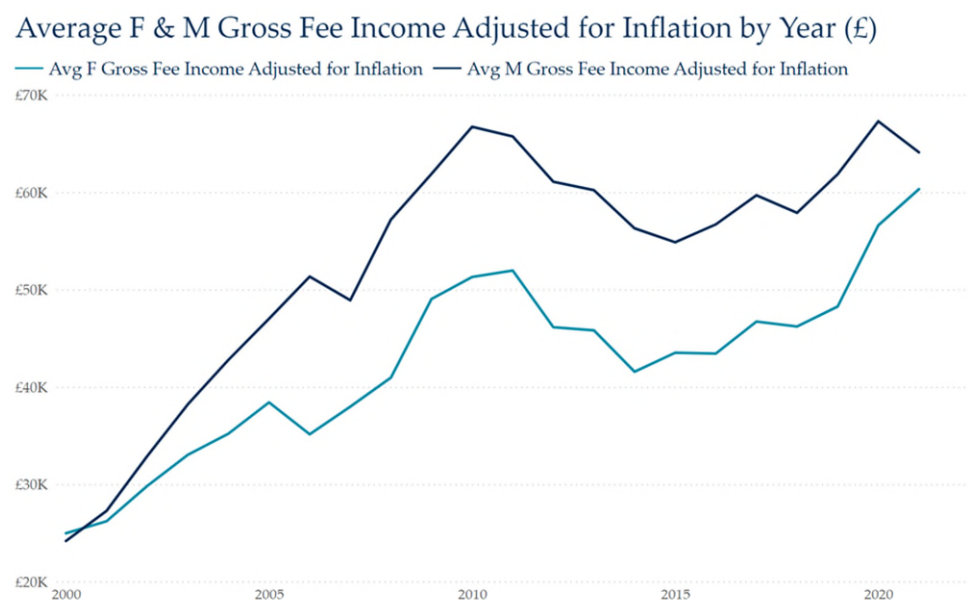
Criminal barristers saw a sharp drop in fee income of 19% between 2020 and 2021 (fig. 8), and the gap between men's and women's earnings reduced by 3% (from 38% in 2020 to 35% in 2021)

Fig 8: Criminal



Women **Employment** barristers earned 6% less than men in 2021, compared to 16% less in 2020 (fig.9)

Fig 9: Employment



Women working in Defamation have overtaken men – out-earning them by 36% in 2021

Fig. 10: Defamation



What this means for the Bar

These figures show that there may have been a small degree of progress in some practice areas where the gap between men's and women's earnings is reducing, but that there is still a long way to go.

In the higher earning, and larger practice areas of Personal Injury and Commercial & Financial Services, men's fee-income is more than double that of women's, despite more women than ever practising in those areas.

Monitoring this data over time gives us the opportunity to see emerging trends and identify where disparities persist. This year's data has shown that it's right to keep our focus on how work is distributed across the Bar, as this has such a big impact on who can build and sustain a thriving practice.

We use this and the other data we collect to inform our work supporting barristers, chambers, Specialist Bar Associations, Circuits and the Inns. Because the BMIF returns are completed by all barristers practising in England and Wales, it is a big data set which makes it possible to create detailed charts for every practice area. We encourage anyone working in and around the Bar to get in touch if you would like graphs or data from a specific practice area for presentations or reports.

This report has been compiled as part of the [modernising the Bar](#) programme which focuses on women and under-represented groups. Initially funded by the KCA and using data on earnings, retention and progression, the programme has initiated work to tackle inequalities at the Bar. Projects include:

- Fair distribution of work – including briefing practices, marketing opportunities and monitoring;
- Improving practice management – including support for new barristers, those returning to the Bar and to support progression;
- Mentoring support to increase access to effective mentors and networks;
- Inclusive leadership – via the Bar Council's Leadership Programme; and
- Measures to tackle discrimination and inappropriate behaviours (bullying and harassment)

For more information about the data or the modernising the Bar initiatives, please contact Sam Mercer or Rachel Krys equality@barcouncil.org.uk

Important note on the data

There are some important caveats regarding the data analysed which need to be understood. They are:

- The data was shared by Bar Mutual Indemnity Fund (BMIF) with Bar Council on an anonymous basis. No personal or identifying information was shared about any individual barristers.
- The data was collected by BMIF as part of the annual process for barristers to renew, or obtain for the first time, their professional insurance.
- BMIF does not collect monitoring data on barristers, but sex is inferred by coding according to the prefix used by a barrister (Mr, Ms, Mrs, and so on). Those barristers who use a gender-neutral prefix (Dr), or who make no reference to sex, are therefore not included in this data.
- The data shows the gross fee income for self-employed barristers in each practice area for that year. For every year before 2020 the actual income has been adjusted for inflation.
- Some barristers work in more than one practice area, and they will be represented in each practice area they earned fees in.
- This doesn't reflect seniority or working patterns so can't be interpreted as showing that women and men in comparable situations are necessarily being paid differently. Despite over half of new barristers being women, there are many more senior men.
- The way areas of practice have been defined has changed over the last 20 years:
 - From 2001 to 2007 Arbitrator, Umpire or Mediator was called Arbitrator or Umpire.
 - Commercial and Financial Services merged in 2017. The two areas of practice (AoPs) have been merged to cover the last 20 years.
 - Competition and Construction were introduced in 2006.
 - Revenue Crown Instructions Contentious and Non-Contentious were introduced in 2010.
 - Professional Discipline was introduced in 2010.
 - Parliamentary & Local Government, T&CC (Official Referees) and Restrictive Practices are no longer AoPs under BMIF which is why they have not been included in the document and pie charts were not created for them. Parliamentary & Local Government was no longer an AoP in 2016. For T&CC (Official Referees) and Restrictive Practices, we only have data from 2000 to 2005.