

# **Barristers' Working Lives 2021**

**A report for The Bar Council**

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# Institute for Employment Studies

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## Acknowledgements

The authors are indebted to Rose Holmes and colleagues at the Bar Council for their oversight and assistance in getting the survey out as widely as possible across the Bar, and for the expert assistance provided by Robin Mellors-Bourne at CRAC and Darren Van Laar at the University of Portsmouth in relation to the Young Bar, and the questions on wellbeing respectively.

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## Executive summary

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The 2021 survey of the Bar profession is the latest in the series of surveys of barristers' working lives undertaken by the Institute for Employment Studies and Employment Research Ltd for the Bar Council, building on previous surveys carried out in 2011, 2013 and 2017. The survey was designed to explore the lived experience of working as a barrister in 2021, and asked questions about the impact of the pandemic, their views on aspects of wellbeing and work-life balance, working hours and patterns, experiences of bullying, harassment or discrimination, practice development and working practices, and Bar Council services.

The full results to the survey are presented within the report (and deeper explorations into wellbeing and issues facing the Young Bar will be published in separate reports). Three key themes emerge from the latest results, which are summarised below:

### Experiences of bullying, harassment, and discrimination

Reports of bullying, harassment, and discrimination have continued to increase since the previous survey of barristers' working lives in 2017. In the most recent survey, nearly one in three respondents (30%) reported personal experience of bullying, harassment and/or discrimination within the previous two years.

This is a substantial increase on the figure of 21 per cent in 2017 (in the 2013 survey, 13% of respondents reported personal experiences of bullying, harassment, or discrimination). The questions in the current survey mentioned online bullying, harassment, and discrimination as a separate category from experiences in person, and it may be the case that some respondents may have considered negative experiences online as bullying or discrimination in the current survey who would not have considered it in the previous survey. However, the difference in reported incidences between 2017 and 2021 is so large that it is unlikely to be due solely to changes in the wording of the question.

In previous surveys, employed barristers were more likely than self-employed barristers to report experiences of bullying, harassment, and discrimination. In the current survey, self-employed barristers in chambers were just as likely as employed barristers to report personal experiences, and sole practitioner barristers and those undertaking both employed and self-employed work were most likely to report bullying, harassment, and discrimination (37% and 44% respectively).

- Female barristers were three times as likely as male barristers to have experienced bullying, harassment, and discrimination in person. Considering online bullying,

harassment, and discrimination as well, 43 per cent of female barristers experienced some form of bullying, harassment, and discrimination compared with 17 per cent of male barristers.

- Barristers in certain broad areas of practice were more likely to have experienced bullying, harassment, and discrimination, with those in criminal and family practice most likely (37% and 36% respectively). However, even in the area with the lowest incidence, personal injury/professional negligence, one in five barristers reported experiencing bullying or discrimination.
- More than half of female barristers in criminal practice (54%) had experienced bullying, harassment and discrimination in person or online.
- Barristers from non-white backgrounds were around twice as likely as white barristers to have experienced bullying, harassment, and discrimination (53% of Black barristers, 47% of Asian barristers, and 46% of barristers from Mixed backgrounds, compared with 26% of white barristers).
- There is a compounding effect of sex and ethnicity, with female barristers from non-white backgrounds being four times as likely to experience bullying, harassment, and discrimination as white male barristers (58% and 15% respectively). Nearly two thirds of female barristers from Black and Mixed backgrounds reported bullying, harassment, and discrimination (63% and 64% respectively).
- Nearly half (45%) of barristers who reported they have a long-term disability said they have experienced bullying, harassment, and discrimination, compared with 27 per cent of those with no disability

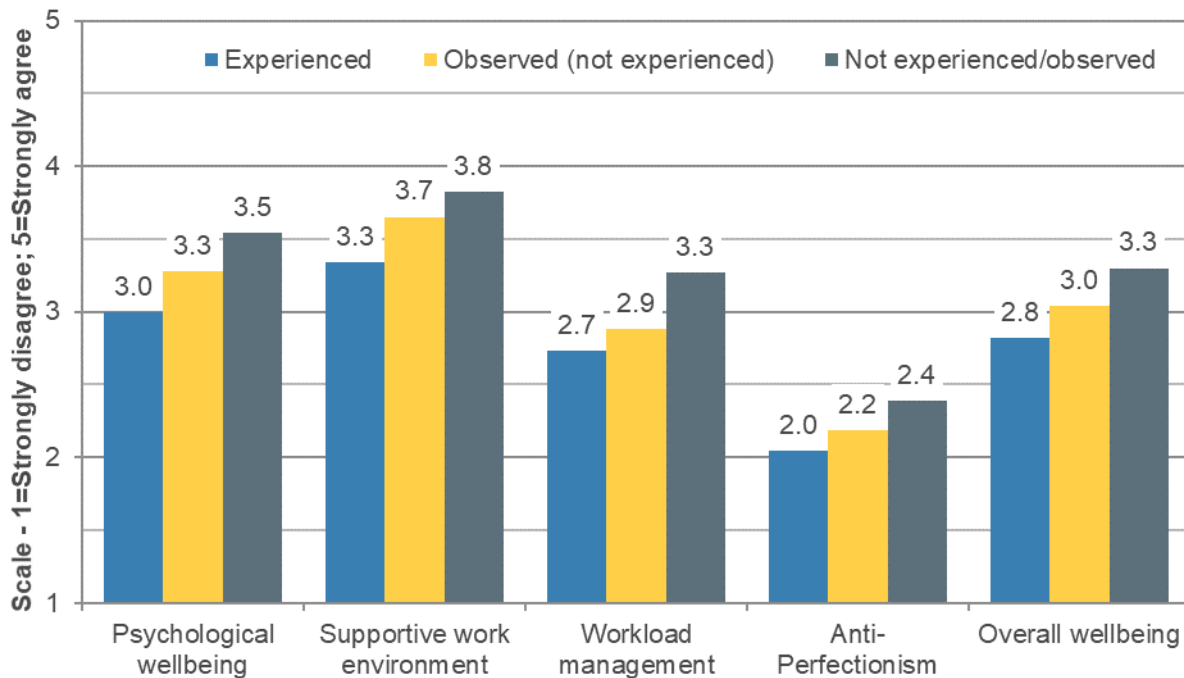
When asked what the bullying, harassment or discrimination related to, gender was the most common response (43%), while race and age were also frequently mentioned (20% reporting each factor). Despite the high incidence of bullying, harassment, and discrimination among disabled barristers, only five per cent reported that the negative behaviour related to disability.

Other barristers, and members of the judiciary, were most cited as the individuals responsible for the bullying, harassment and discrimination (48% and 45% respectively). Within criminal practice, bullying was most likely to come from a member of the judiciary (62%, compared with 42% reporting another barrister), and in family law the proportions were broadly equal (48% reporting a member of the judiciary, and 52% reporting another barrister), while in all other broad practice areas, other barristers were the most cited individuals responsible for bullying, harassment, and discrimination. There are reporting mechanisms for bullying, harassment, and discrimination to the Bar Standards Board (BSB), and the Bar Council's Talk to Spot app, although these were very rarely used by barristers; reporting to another barrister, or their chamber/employer, was much more common, and led to more satisfactory outcomes than reporting to the BSB or Talk to Spot app.

The negative impact of bullying, harassment and discrimination on barristers' working lives is demonstrated through much lower scores on the wellbeing factors for those with personal experiences, and even observing, but not experiencing, bullying, harassment

and discrimination was associated with lower wellbeing than among barristers who had not experienced or observed bullying, harassment, and discrimination (see Figure 1). This suggests that a culture in which bullying, harassment or discrimination is present can become toxic for everyone, not just the individual on the receiving end of the negative treatment.

**Figure 1: Factors of wellbeing by observing and experiencing bullying, harassment or discrimination in person or online (score: higher score more positive)**



Source: Barristers' Working Lives survey 2021

## Impact of Covid-19 on the Bar

The survey asked a number of questions to explore the impact that changes to working brought about by the Covid-19 pandemic has had on barristers.

The overall impact has been mostly negative, although just under one in three (30%) reported a positive impact on them overall, and eight per cent reported no impact. However, nearly one third (31%) reported that the pandemic had a significant negative impact on them, and a similar proportion (32%) reported that it had a small negative impact.

There was significant variation by practice area, with barristers in criminal practice most likely to report negative impacts overall (79%), and those in family practice least likely to report negative impacts (49%).

Impacts on work-life balance were neutral across the whole of the Bar (45% reported a positive impact and 43% reported a negative impact), while working relationships with colleagues was the area most affected negatively (70% reported a negative impact here).

Just over a quarter of barristers (28%) reported experiencing financial hardship as a result of the pandemic, with barristers in criminal practice (51%) and sole practitioner self-employed barristers (48%) most likely to report financial hardship. There was significant variation by ethnicity, with 44 per cent of Asian barristers, 32 per cent of Mixed barristers, and 30 per cent of Black barristers experiencing hardship. Very few employed barristers were made redundant or put on furlough.

The majority of barristers (86%) had attended court in the three months before the survey, but only half (51%) had attended in person (35% had attended court remotely but not in person). Of those who had attended in person, around three quarters had experienced problems in the court system, compared with just over half of those that had attended remotely only. Technical problems with video platforms were the most commonly experienced problem, among those attending in person as well as remotely, followed by backlogs of cases.

Barristers who reported that the pandemic had a negative impact overall on their working lives gave significantly lower scores to the wellbeing factors. This suggests that a negative impact of the pandemic on barristers has fed through to their views on their working lives, but alternatively it may be the case that barristers who were least supported by colleagues and had less control of their workload were more likely to experience negative impacts of the pandemic. Barristers who experienced financial hardship were also much more negative about wellbeing factors.

## Future ways of working

The lockdowns as a result of the Covid-19 pandemic brought into sharp focus issues around flexible working and working practices.

One in five barristers (19%) reported having a flexible working arrangement in place at the time of the survey, although there was substantial variation by work and personal characteristics. Employed barristers, and those working in civil, family, and international/other practice areas, were more likely to have a flexible working arrangement, as were those who worked part-time, and female barristers (Black female barristers and female barristers from Other ethnic backgrounds were particularly likely to have a flexible working arrangement). Barristers with a flexible working arrangement had higher wellbeing scores to many of the wellbeing factors than those without one.

One in four barristers reported that they were happy with their working arrangements and there was nothing they would like to change. Among those who did want to make changes, more remote working was the most commonly mentioned future change (60% of those who wanted to make changes), followed by more flexible working (42%), leaving the Bar (21%), working part-time (17%) and doing less legal aid work (17%). Doing less legal aid work was mainly mentioned by barristers in criminal practice, and leaving intentions were highest among sole practitioner self-employed barristers. New Practitioner



barristers (less than 3 years since call) commonly mentioned wanting to move practice area, suggesting that for many new barristers it may take a few years before settling on the most suitable area of practice.

There was a low level of support for Extended Operating Hours in courts, with only one in ten barristers (9%) supporting this, and this proportion was much lower among criminal and family barristers (6%).

# 1 Introduction

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In January 2020 the Bar Council commissioned the Institute for Employment Studies (IES) to undertake the fourth working lives survey of the Bar. These surveys, first conducted in 2011 by IES in partnership with Employment Research Ltd, provide a wealth of data and insight into the profession. In 2020 the Covid-19 pandemic forced a delay to the survey, which was put back just over a year, to April 2021.

The impact of the pandemic inevitably led to changes in the focus of the survey which needed to address the twin objectives of examining the longer-term trends and developments in the profession, comparing results with those from previous surveys, and examining the short-term impact of the pandemic on the profession.

The objectives of the 2021 survey and report included:

- Providing demographic and employment data and information on the profile of the Bar, including information on equality and diversity issues within the Bar for different areas of practice, Silk and sectors of the Bar (ie employed and self-employed, both within chambers and sole practitioners).
- Gathering data and insights into the impact of the Covid-19 pandemic on the working lives, financial situation, and wellbeing of barristers, investigating variation in experience between different groups.
- Examining the current wellbeing and work-life balance of barristers.
- Exploring current workload and working hours, distribution of work, level of pro-bono work provided and views of how barristers would like to see their working lives change.
- Investigating the degree of bullying and harassment and discrimination at the Bar, both experienced in person or online and witnessed and views of the sources and how it has been dealt with by employers and the profession.
- Collating information on the fees and earnings of barristers, the contributions made to chambers, proportion of fees from publicly funded work and international instructions and time spent on pro bono and charitable work.
- Data are also presented on working practices and practice development, international instructions, and level of public access work. Data on the use of mentors and practice reviews is also presented.
- Where possible comparisons are made with data and findings from previous surveys of the Bar in 2013 and 2017.

## 1.1 The survey

The survey in 2021 followed a very similar approach to that adopted in 2017 being entirely online and marketed through a variety of communication channels. The survey was entirely anonymous, so it was not possible to follow up non-respondents.

### 1.1.1 Questionnaire design

Much of the content of the survey was predetermined to provide some continuity with previous versions and in addition there were questions developed at the University of Portsmouth concerning work life balance and wellbeing (see Chapter 3) and a series of questions that explored the impact of the pandemic on working lives. The Bar Council were also interested in examining the extent of bullying, harassment, and discrimination at the Bar, and comparing these figures with 2017. In places there are caveats to some conclusions drawn from these comparisons, as the pandemic resulted in significant changes to working lives which necessitated consideration of online forms of communication.

Most questions were formulated by the Bar Council in conjunction with IES and discussed in a series of steering group project meetings including representatives from the University of Portsmouth, Careers Advisory and Research Centre (CRAC), the Bar Council and IES.

The final survey was redrafted several times to incorporate suggestions from the Bar Council and was finalised in early April 2021 for emailing on 17 April.

## 1.2 Sample

In order to provide sufficient responses from important sub-groups of barristers it was decided to survey the whole population, who had previously agreed to be contacted by the Bar Council.

The total population of barristers contains around 17,000 barristers. Approximately 16,900 barristers are on the Bar Council circulation list, and it is this sub population which forms the sample on which we can base the response rates to the survey. Barristers who were not on the email database were likely to have received the opportunity to take part through social media communications, mailing of the Bar Council Newsletter and other channels but they will not have received a specific communication inviting them to take part.

### 1.2.1 Survey process

The first email was distributed on 17 April 2021 and the survey remained open for six weeks, during which time three reminders were sent out, as well as further communications from different professional practice groups within the Bar, the Circuits, and Inns. The survey was finally closed on 27 May.

## 1.3 Response information

After removing identifiable duplicates, and insufficiently completed questionnaires this response included a total of 3,479 returns (including usable partial returns). Approximately 16,900 barristers received emails or messages to participate in the survey, giving a response rate of 20.6 per cent. For an online survey of this type, not targeted to individuals, this response is excellent and shows little change from 2017, during which time there has been a general deterioration in response rates for online surveys.

Before presenting the main substantive analysis and commentary it is useful to show the distribution of respondents comparing these figures with the Bar population data. This gives an indication of where there may be some bias in the respondent profile. Tables 1.1 to 1.4 show the aggregate response information across some key variables of interest.

Tables 1.1 and 1.2 show that across the main areas of practice (where barristers spend at least 70% of their working time) the respondent profile is broadly similar to the Bar population. Table 1.1 shows the broad areas of practice that are used in most of the analysis by area of practice and Table 1.2 presents the broad categories in which each individual area of practice was grouped.

**Table 1.1: Area of practice: respondents to the survey and Bar population**

<b>Main area of practice</b>	<b>Respondents N=</b>	<b>Percent in survey</b>	<b>Percent across the whole Bar</b>	<b>Main groups for analysis</b>
Admiralty	3	0.1	0.1	Civil
Arbitrator or Umpire or Mediator	16	0.5	1.1	Civil
Chancery (Contentious)	175	5.0	3.8	Commercial
Chancery (Non-Contentious)	10	0.3	0.5	Commercial
Commercial & Financial	329	9.5	11.1 <sup>1</sup>	Commercial
Competition	21	0.6	0.7	Commercial
Construction	47	1.4	1.4	Civil
Crime	921	26.5	28.1	Criminal
Defamation	20	0.6	0.3	Civil
Employment	152	4.4	3.5	Civil
European	7	0.2	0.4	Other/Int'l
Family (Children)	553	15.9	13.5	Family
Family (Other)	146	4.2	3.5	Family
Immigration	69	2.0	2.6	Civil
Insolvency	36	1.0	1.0	Commercial
Intellectual Property	25	0.7	1.1	Civil
International	31	0.9	1.7	Other/Int'l
Landlord & Tenant (Non-Residential)	20	0.6	0.6	Civil
Landlord & Tenant (Residential)	57	1.6	1.4	Civil
Licensing	3	0.1	0.2	Civil
Other Common Law	99	2.8	2	Civil
Personal Injury	328	9.4	8.7	PI/PN
Planning	47	1.4	1.3	Civil
Professional Discipline	46	1.3	1.6	PI/PN
Professional Negligence	46	1.3	0.8	PI/PN
Public Law	166	4.8	5.6	Civil
Revenue	52	1.5	1.3	Civil
Other	39	1.1	1.6	Other/Int'l
Mixed	11	0.3	0.6	Other/Int'l
Total	3,475	99.9	100	
Did not answer	4	0.1		
All responses	3,479	100.0		

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

<sup>1</sup> Commercial and Financial Services are combined.

**Table 1.2: Sector of the bar: respondents to the survey and Bar population**

Section of the Bar	Survey respondents	Percentage respondents	Percentage Bar Population
Criminal	921	26.5	28.1
Civil	776	22.4	22.4
Personal Injury/Professional Discipline & Negligence	420	12.1	11.1
Commercial	571	16.4	17.1
Family	699	20.1	17.0
Other/International	88	2.5	4.3
All responses	3,479	100.0	100.0

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

The one area of the Bar that is significantly under-represented in the respondent profile is the employed bar. Despite strenuous efforts to try and ensure that the views and experiences of 'employed' barristers are catered for in the survey, it remains the case that this group appear to see the survey as mainly relevant to the majority, self-employed bar, and so are less inclined to respond. Table 1.3 highlights this disparity, with just 10.8 per cent of respondents working in the employed bar compared with 17.8 per cent of the whole Bar and 1.8 per cent work in both the self-employed and employed bar, compared with 3.1 per cent of the population.

**Table 1.3: Sector of the bar: respondents to the survey and Bar population**

Section of the Bar	Survey respondents	Percentage respondents	Percentage Bar Population
Employed Practice only	375	10.8	17.8
Self-Employed practice (in Chambers)	2,930	84.2	75.5
Self-Employed Practice (Sole Practitioner)	111	3.2	3.6
Both (Self-Employed AND Employed Practice)	63	1.8	3.1
All responses	3,479	100.0	100.0

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

This difference in response rate between self-employed and employed barristers points to a possible need to weight the data so that the aggregate response profile is representative of the population and employed barristers are represented in the data set in the same or similar proportions as across the whole Bar. However, analysis of key variables demonstrated that there was no need, as aggregate results showed little difference between the weighted and unweighted data – partly because the Bar is predominantly formed of self-employed barristers. Where relevant though, differences between employed and self-employed barristers are reported in the tables and

commentary that follow and in Appendix Table 8.1 can be found the demographic profiles of each section of the Bar. In summary, employed barristers were slightly more likely to be state school educated but the main demographic differences were between sole practitioners and those who were both employed and self-employed, compared with the employed bar and those working from chambers.

The only other areas where there was a significant difference in the respondent profile compared with the population was in ‘stage of career’ as indicated by ‘year of call’ and sex. To simplify the analysis and presentation of results a number of variables are conflated into broad groups, including time since call. This has been grouped into six broad categories:

1. The Young Bar (new entrants) (0–2 years into their careers)
2. The Young Bar (3–7 years’ since ‘Called to the Bar’)
3. Middle Practice (8–12 years)
4. Middle Practice (13–17 years)
5. Middle Practice (18–22 years)
6. Later Practice (More than 22 years).

It is important to note though that the length of time since Call is not necessarily commensurate with length of service, as some respondents may well have taken career breaks. The age of barristers has also been conflated into five broad groups, under-25s, 25–34, 35–44, 45–54, 55–64 and 65-plus. It is interesting to note that there are a small number of barristers among respondents aged 65-plus who are in the Young Bar (n=12).

**Table 1.4: Time since Call: respondents to the survey and Bar population**

Stage of career	No. respondents 2021	Percentage respondents 2021	Percentage respondents 2017	2021 Bar Population
Young Bar New Practitioners (0-2 years)	77	2.2	3.6	3.3
Young Bar (3-7 years)	471	13.5	11.0	10.7
Middle Practice (8-12 years)	515	14.8	14.9	11.5
Middle Practice (13-17 years)	484	13.9	28.7 <sup>2</sup>	12.5
Middle Practice (18-22) years	551	15.8		14.8
Later Practice (23 years or more)	1,380	39.7	41.9	47.2
All	3,478	100.0	100.0	100.0

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Four in ten (40%) respondents were from the later stages of their careers, compared with 47 per cent of the population. There was also a difference in response patterns by sex with 48 per cent of all respondents being female compared with 38 per cent of the Bar

<sup>2</sup> In 2021 Middle Practice (13-21 years category) was split into two; 13-17 years and 18-22 years.

population. The split of the whole Bar by sex has changed little in the last 10 years. In 2011 female barristers made up 37 per cent of the whole Bar.

Again, some analysis of the impact of these disparities was conducted and there was little evidence that weighting the data altered the results significantly when compared with the unweighted data. We decided that the data should not be weighted as this provides for more transparent reporting as well as more easily interpreted data but, again, differences by stage of career and sex will be highlighted in the analysis in the following chapters where necessary. For age, region, and society there were no significant differences in response patterns.

The other main equality and diversity variables (ie ethnicity, sexuality and religious affiliation) have also been collapsed into broad groups, as the numbers of barristers in the minority groups are mostly not sufficient to enable further analysis. However, where there are large statistical differences in specific smaller groups, in particular specific ethnic groups, these will be reported in the commentary.

In summary, the data are broadly representative of the population but where differences in the data are reported by sector (employed/self-employed), stage of career and sex, there will be a marginal impact on the aggregate results for these particular questions.

The following chapters report on the substantive sections of the questionnaire, highlighting differences between key employment break variables including, area of practice, type of work (employed/self-employed), Junior/QC status, income banding, reliance on publicly funded work. In addition, differences in response within key demographic variables (age, sex, ethnicity) and others including disability, sexuality and caring responsibilities and region will also be explored.

The report is divided into the following chapters:

- Chapter 2: Employment and demographic profile of respondents.
- Chapter 3: Views on working lives.
- Chapter 4: Impact of Covid-19 on barristers' working lives.
- Chapter 5: Working hours and patterns.
- Chapter 6: Bullying, harassment, and discrimination.
- Chapter 7: Bar Council services.



## 2 Respondents to the survey

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This chapter summarises the respondents to the survey, presenting correlations between different employment and demographic variables to help understand the patterns of response to the main substantive sections of the survey. First, we look at the key correlations between the key demographic variables used in the survey.

### 2.1 Demographic Profile

The data here are presented as summaries for each variable.

#### 2.1.1 Sex

As shown above, female barristers were more likely to have responded to the survey than male barristers. Just under a half of all respondents (48%) were female barristers (2% did not want to say). In 2017 the equivalent figure was 40 per cent.

The key demographic differences between male and female barristers are:

- Female barristers were more likely to be in the younger age groups. Just 15 per cent were aged over 54, compared with 34 per cent of male barristers in the same age group. Conversely, 25 per cent were aged under 35, compared with 15 per cent of male respondents.
- Fewer female barristers were in their 'Later Practice' (23 or more years since call – 29% compared with 50% of male barristers).
- Partly reflecting the above age profile, and partly societal norms, four in ten female barristers (41%) were the main carer for children under the age of 18, compared with one in four male barristers (25%).
- In addition, despite more male barristers being of an age that might suggest they were more likely to have elderly relatives to care for, more female barristers reported having regular caring responsibilities for elderly relatives or other adults with care needs (17%, compared with 13% of male barristers).
- More male barristers reported having been educated at independent schools than female barristers (43% and 29% respectively).
- There is no difference between male and female barristers in terms of the level of parental education achieved.
- There are no differences between male and female barristers in sexuality and religious affiliation.

Of all those who answered the question fewer than one per cent reported that the gender they identify with is not the same as the sex registered at birth. Three per cent did not want to say.

### 2.1.2 Ethnic and religious composition of the Bar

This sub-section summarises the key demographic differences for the main broad ethnic groups. Of those who answered the question nine in ten respondents identified as white (88%), four per cent from Mixed backgrounds, four per cent as Asian/Asian British, two per cent Black or Black British and two per cent as from Other ethnic origins (three per cent did not want to report their ethnic origin). The largest minority group was Indian, which accounted for two per cent of all respondents. These figures are almost identical to those reported in 2017.

- More Black and Black British barristers were female than across the whole profession (70%, compared with 47% of white barristers). Across all barristers from black and minority ethnic origins, 57 per cent were female.
- Slightly fewer barristers from black and minority ethnic origins were aged 55-plus (18% compared with 26% of white barristers responding to the survey).
- Similarly, just 33 per cent of black and minority ethnic origin barristers were in their 'Later Practice' compared with 41 per cent of white barristers. However similar proportions were in the Young Bar (16%).
- There is no significant difference between different ethnic groups in their likelihood to report being a main carer for a child under-18. However, many more Asian or Asian British respondents reported having adult caring responsibilities (26%) and 21 per cent of all barristers from minority ethnic backgrounds had caring responsibilities for adults, compared with 14 per cent of barristers from white origins.
- Many more barristers from white backgrounds reported having no religious affiliation (47%, compared with 31% of barristers responding to the survey with Black and other minority ethnic backgrounds).
- In terms of education the main difference by ethnic origin was that more barristers from Black and minority ethnic backgrounds reported being educated abroad or in international schools (14% compared with 6% of white barristers). Among those who were educated in the UK, there is little difference in numbers being educated in state or independent schools.
- Barristers from black and minority ethnic backgrounds are slightly more likely to have come from families where at least one parent achieved a higher education (57% compared with 53% of white barristers). However more parents of minority ethnic origin barristers held no formal qualifications (22%, compared with 16% of white barristers).

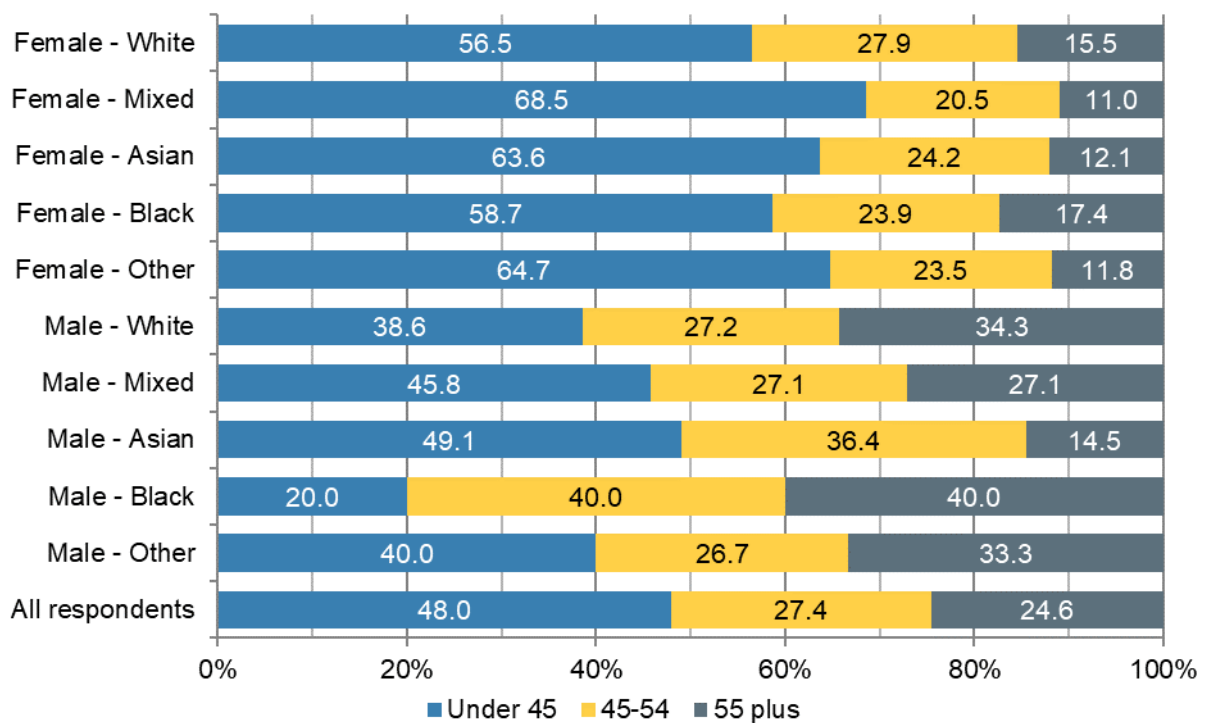
Looking at responses to the religious affiliation question, nearly a half (45%) said they do not identify with any religion. This represents an increase on the figure reported in 2017 when 40 per cent said they do not identify with any religion, and results from the higher proportion of younger respondents who did not report any religious affiliation (57% of

those aged under-35). A similar proportion (47%) said they were Christian, with the next largest groups Jewish (4%) and Muslim (2%). Taken together, Buddhist, Hindu and Sikh amount to two per cent of the total.

The intersectionality of ethnicity and sex is an important differentiating characteristic at the Bar, and to this end a composite variable has been created that incorporates both variables. Appendix Table 8.10 summarises the key demographics of this composite variable.

Looking at the age of respondents Figure 2.1 highlights the broad age profiles of male and female barristers of different ethnic groups, demonstrating that male barristers, and white males in particular, had an older age profile than female barristers.

**Figure 2.1 Sex and ethnicity: age profiles (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

### 2.1.3 Age and the Bar

This section presents a brief summary of the demographic differences between the age bands included in the survey (under-35, 35–44, 45–54, 55–64 and 65-plus). Across all respondents one in five (20%) were aged under-35, one in four (27%) were aged 35–44, the same proportion as aged 45–54, 18 per cent were between the ages of 55 and 64 and seven per cent are aged 65-plus. Comparing with the Bar Council records these figures were more or less the same as across whole Bar. There were slightly more younger respondents (aged under-35) than was the case in 2017 (19% compared with 16%).

- Female barristers made up just 39 per cent of barristers responding to the survey aged 45-plus (47% of respondents aged 45–54, 35% of those aged 55–64 and 16% of those

aged 65-plus). Given that female barristers have made up relatively higher proportions of the younger age groups in the Bar in previous surveys as well as this one, it would seem that attrition from the Bar in middle and later practice is significantly higher among women than it is among men.

- One in four (26%) of white respondents were aged 55-plus, compared with 18 per cent of those from mixed origins, 13 per cent from Asian/Asian British backgrounds and 24 per cent of those from Black or Black British backgrounds and 21 per cent of those from 'other' backgrounds.
- Older barristers in the survey were more likely to declare that they have a religious affiliation (70% of those aged 65-plus compared with 48% of those aged under-45).
- More barristers aged under-35 reported being lesbian, gay or bisexual (16% compared with declining proportions among the older age groups and just 2% of the 65-plus age group).
- Older barristers responding to the survey were more likely to have attended independent schools 39 per cent of those aged 45-plus compared with 33 per cent of those aged under-45, and among those aged 65-plus 50 per cent went to independent schools.
- One in five (21%) respondents aged 45-plus had adult caring responsibilities compared with 8 per cent of those aged under-45.
- Barristers aged 35–44 were most likely to have childcare responsibilities (54%) and 49 per cent of those aged 45–54 compared with 33 per cent across all respondents and just 11 per cent of those aged 55-plus and 10 per cent of those aged under-35.
- Not surprisingly older barristers were less likely to have come from homes where one or more parents/carers hold a degree level qualification – 45 per cent of those aged 45-plus compared with 62 per cent of barristers aged under-45.

The demographics of respondents by age group are summarised in Appendix Table 8.5.

#### 2.1.4 Other characteristics

Nine in ten (91%) respondents to the question on **sexuality** indicated they were straight or heterosexual, five per cent gay man, one per cent gay woman/lesbian and one per cent 'other'. Seven per cent preferred to not say. Again, there has been a gradual increase in numbers reporting they were not heterosexual, driven by increases in numbers from younger age groups who were more inclined to report that they were not straight/heterosexual.

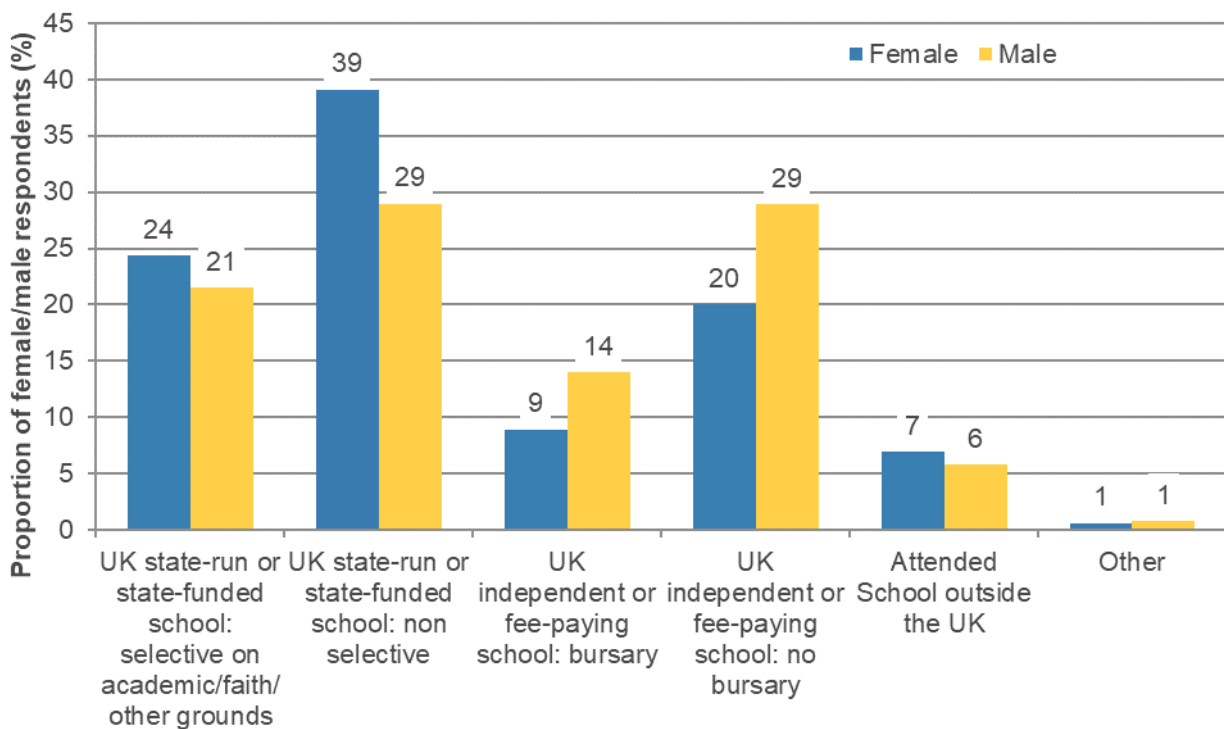
This year the question on **schooling** was altered to differentiate between respondents who had been to selective schools and those who went to independent schools on a bursary compared, respectively, to all those attending state and independent schools. It is worth noting here that female barristers included in the survey were more likely to have attended state schools than male barristers (64%, compared with 51% of male barristers).

One in five (22%) of those who provided an answer said they went to a selective (on academic, faith or other grounds) UK state school, a third (32%) went to non-selective UK

state schools, 11 per cent went to a UK independent school with a bursary, and one in four (24%) went to a UK independent school with no bursary. Seven per cent went to other schools, including outside the UK, and four per cent preferred to not say.

There are correlations with stage of practice/age. Fewer Young Bar (29%) went to independent state schools, compared with 40 per cent of those in Later Practice. Also, female barristers were less likely to have attended independent schools.

**Figure 2.2: Secondary school background by sex (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Turning to **parental education**, more than half of all respondents (53%) came from families where at least one parent/guardian held a degree or equivalent. Three in ten (29%) reported that the highest qualifications of their parent(s)/guardians were below degree level, and 17 per cent said their parents or guardians did not hold any formal qualifications. Three per cent did not know or preferred to not say.

One in ten respondents had a **disability**. Those with a disability were more likely to have identified as gay/lesbian (16%) than those without (9%). In addition, barristers with a disability were more likely to have adult caring responsibilities (24%) than those without (14%).

A third of respondents were the **primary carer for a child** aged under-18 and 15 per cent had regular caring responsibilities for adults. The demographic profile of different sections of the Bar are summarised in the tables contained in the Appendix.

## 2.2 Employment Profile

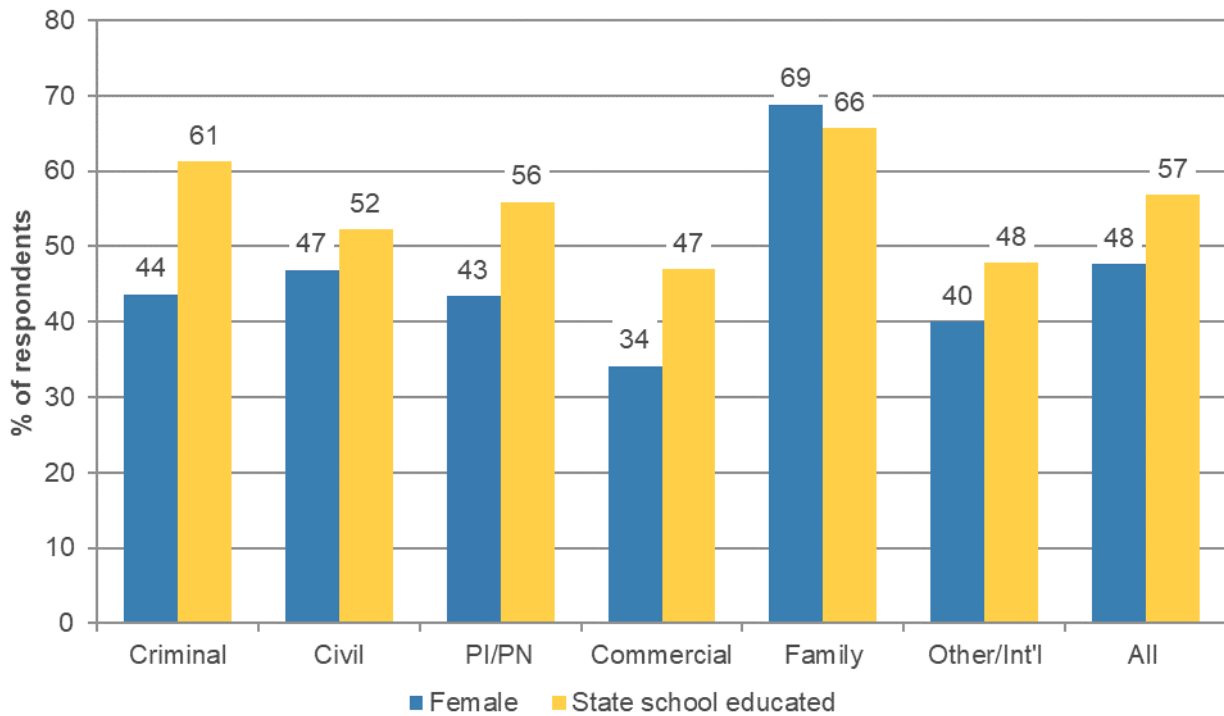
This section looks first at the main employment variables then at demographic differences in where and how barristers are employed and the correlations between them. This helps to provide a biographical context to underpin the findings from the more substantive sections of the survey. Appendix Tables 8.1–8.3 contain summaries of the demographic distributions across the main areas of practice.

### 2.2.1 Area of practice

One in four (27%) respondents worked in criminal practice, the largest area of practice. One in five (22%) worked in civil practice (including admiralty, arbitration, construction, defamation, employment, immigration, intellectual property, landlord and tenant, licensing, other common law, planning, public law and revenue). One in five (20%) worked in family practice (children and other). Sixteen per cent worked in commercial (including chancery, competition, and insolvency) and 12 per cent worked in personal injury or professional discipline/negligence. A further three per cent worked in other or international fields of practice.

Difference between respondents in where they worked was correlated most strongly with sex and schooling. Female barristers were much less likely to work in commercial areas of practice, just a third (34%) of respondents in this area are female, compared with 48 per cent of all respondents – and were much more likely to work in family practice, where 69 per cent of respondents are female. Female respondents were represented in civil (47%), criminal (44%), personal injury/professional discipline & negligence (PI/PN) (43%) areas of practice in similar proportions to the average across respondents from whole the Bar.

**Figure 2.3: Area of practice (female and state school educated: percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Four in ten barristers (42%) who worked in commercial practice were educated in independent schools, compared with a third of those respondents who worked in criminal (33%) and family practice (30%). State school educated barristers were more likely to be working in criminal and family practice than barristers from independent schools. Barristers working in these areas of practice were also more likely to be from families where they were the first generation to have attended higher education. Respondents who worked in civil practices were more likely to have disabilities (16%) than barristers who worked in all other areas of practice (8%). Finally, partly because more commercial barristers were male, barristers who worked in this area of practice were less likely to have the main childcare responsibility than barristers who worked in other areas. Further detail is provided in Appendix Table 8.2 and Table 8.3.

There is little difference in where the ‘Young Bar’ are employed, being fairly evenly distributed across all the main areas of practice.

### 2.2.2 Type of employment

Barristers were classified as ‘Employed’ or ‘Self-Employed – Chambers’ or ‘Self-Employed – Sole Practitioner’. A minority of barristers (2%) worked in both Employed and Self-Employed roles. Overall, 11 per cent of respondents said they worked at the Employed Bar, 84 per cent Self-Employed (Chambers), three per cent Self-Employed (Sole Practitioners), and two per cent were both Employed and Self-Employed.

**Table 2.1: Broad area of practice by type of work**

Area of practice	Employed	Self-Employed (Chambers)	Self-Employed (Sole Practitioner)	Both Employed/ Self-Employed	Base N=
Criminal	12.6%	81.1%	3.9%	2.4%	921
Civil	14.8%	79.0%	3.9%	2.3%	776
PI/PN	6.9%	90.5%	1.9%	0.7%	420
Commercial	12.3%	84.2%	1.4%	2.1%	571
Family	2.3%	93.7%	3.6%	0.4%	699
Other/International	33.0%	56.8%	4.5%	5.7%	88
All respondents	10.8%	84.2%	3.2%	1.8%	3,475

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

There were fewer barristers who worked in family practice and personal injury/professional negligence at the Employed Bar but otherwise the distribution of respondents between the different types of employment was similar by area of practice.

Fewer barristers early in their careers the 'Young Bar' were Self-Employed working as Sole Practitioners – just five per cent compared with 16 per cent across the whole Bar being at this stage of career. Working independently as a Sole Practitioner would seem to be a later stage career move with 54 per cent of Sole Practitioners being in 'Later Practice' (23 years into their careers or more). Sole Practitioners were also more likely to have reported having a disability than other respondents (20% compared with 8% of barristers working in Chambers and 15% of those in Employed Practice). There was a higher likelihood of female barristers working in Employed Practice (51%), while more male barristers worked as Sole Practitioners or both Employed and Self-Employed.

Barristers from minority ethnic origins were more likely to be working as Sole Practitioners or both Self-Employed and Employed.

Among the Employed Bar, one in four (26%) respondents were working in solicitors' firms. One in five (18%) were working for the Crown Prosecution Service (CPS), 14 per cent for the Government Legal Service (GLS) and 15 per cent elsewhere in the Public Sector. Just four per cent were working for professional, membership or regulatory bodies, the same proportion as in BSB regulated entities (including ABS), and three per cent were employed in charitable, voluntary or third sector organisations.

Employed barristers at the Young Bar were more likely to be working in solicitors' firms (47%) while those in later Practice were more likely to be at the CPS (26%). More than half (57%) of barristers employed in criminal practice are working at the CPS, while 29 per cent of those in civil practice are employed at the GLS. Barristers who worked in family or PI/PN practice are most likely to be employed in solicitors' firms (37% and 44% respectively). One in four of those in family practice are employed at the GLS.



### 2.2.3 Region and Circuits

Respondents were asked to indicate which region their practice was MOSTLY based in. There was a lot of missing data to this question, which we have recoded assuming it was difficult for respondents to indicate one region because their practice is national or pan-regional.

**Table 2.2: Region of practice by area of practice (percentages)**

Region	Criminal	Civil	PI/PN	Commercial	Family	Other/ Int'l	All respondents
Wales	1.9%	1.6%	0.7%	0.7%	4.0%	0%	1.9%
North East	3.2%	1.3%	3.6%	0.7%	3.9%	0%	2.5%
North West	5.5%	3.8%	11.5%	3.0%	6.2%	1.3%	5.5%
Y&H	1.6%	1.6%	2.6%	0.7%	2.4%	0%	1.7%
West Midlands	3.0%	2.1%	5.3%	3.7%	5.3%	2.7%	3.6%
East Midlands	3.3%	0.6%	3.8%	0.5%	5.6%	1.3%	2.7%
South West	4.2%	1.9%	4.8%	3.9%	7.5%	5.3%	4.4%
South East	25.2%	13.5%	12.2%	6.3%	15.9%	12.0%	15.7%
East of England	1.3%	0.6%	0%	0.7%	1.3%	0%	0.9%
Greater London	18.6%	53.3%	34.2%	63.3%	20.2%	53.3%	36.7%
Multiple/National	32.4%	19.8%	21.3%	16.4%	27.7%	24.0%	24.4%
Base N=	914	773	418	567	697	75	3,444

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Barristers working at the Criminal or Family Bar were most likely to be based in more than one region (32% and 28%) respectively. More barristers in these two areas of practice also said they worked in the South East, possibly as this allowed for a wider definition and including London.

It is also the case that sole practitioners, and barristers who worked both self-employed and employed, were more likely to say they were based in more than one region (32% and 34% respectively).

More barristers who worked in commercial and civil practice were based in Greater London than was the case among those from other areas of practice.

Data on Circuits and Inns respondents held membership for are included in Appendix Table 8.8.

### 2.2.4 Queen's Counsel (QC) - Silk

Across all barristers who responded to the survey 14 per cent were Queen's Counsel having obtained Silk. A further five per cent were not QCs but hope to be in the next two years and four in five (81%) were not QCs. Three in ten (29%) respondents in Later Practice (23 years or more) were Silks compared with 11 per cent of those in Middle

Practice 18–22 years and 2% of those in Middle Practice (13–17 years) and among those 12 years or less into their careers, fewer than one per cent had obtained Silk. One in five of those respondents in commercial practice (20%) were Silks compared with 17 per cent of those in civil practice, 12 per cent in criminal, and 14 per cent of those in PI/PN, and just six per cent of barristers who worked in family practices.

The low proportion of barristers achieving Silk in family practice was not connected with stage of career, as 45 per cent of barristers in family practices had been in the profession for 18 years or more, similar to the other areas of practice. It may, however, be connected with sex, as just eight per cent of female barristers had achieved silk, compared with 20 per cent of male barristers, and female barristers were more likely than male barristers to be employed in family practice. However, female barristers were on average younger than male barristers, but even controlling for age, it was noticeable that female barristers were still disadvantaged; twice as many male barristers aged 45-plus were QCs (30%), compared with female barristers in the same age bracket (15%). This disparity between male and female barristers was the same across all the age groups.

There was no difference in the distribution of Silks by ethnicity, religious affiliation, or sexuality. However, twice as many barristers educated at independent schools had achieved Silk, compared with those educated at state school (20% compared with 10%). There was no difference in achievement of Silk by the measure of social class used in the survey, ie whether or not respondents were a first-generation university graduate.

### 2.2.5 Income bands

Respondents were asked to provide details, as per their declaration at their Practice Certificate fee renewal (authorisation to practice) in 2021, of their income bands. These figures represented gross income. For self-employed barristers this means their total fee income before paying expenses, chambers rent, tax/national insurance, pension contributions etc. Barristers would typically need to deduct around 20–40 per cent of this fee income in expenses before paying tax, national insurance, and making provision for retirement, sickness, parental leave etc. For employed barristers this means their gross salary income before tax, national insurance etc. The income bands are categorised as: up to £30k; £30–60k; £60–90k; £90–150k; £150–240k; £240–500k; £500k–£1m; and more than £1m.

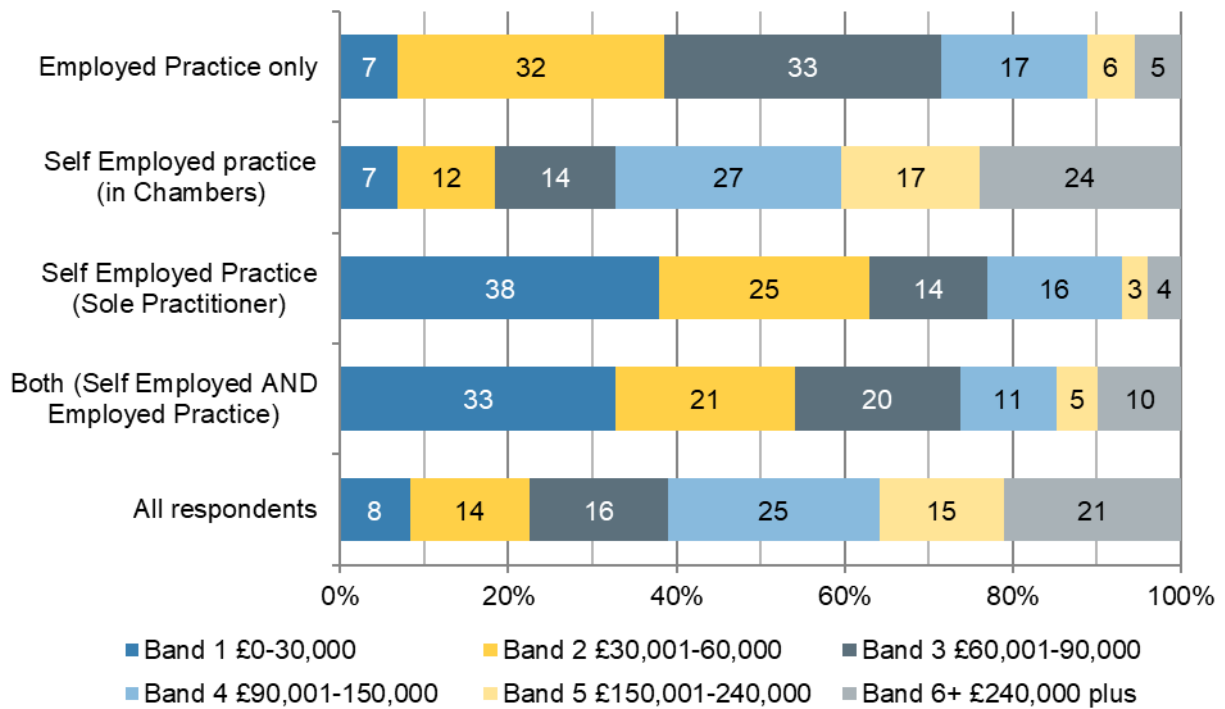
One in twelve (8%) of respondents earned up to £30,000 per annum, 14 per cent declared their income in the £30–60k bracket, 16 per cent £60–90k, one in four (25%) £90–250k, 15 per cent £150–240k, 13 per cent £240–500k and 8 per cent more than £500k. Summary tables for area of practice, stage of practice and area of work are in Appendix Tables 8.11–8.13.

The main variables that were correlated with income band were area of practice, years in practice, sex, and schooling. All these variables were correlated strongly with income band, even when controlling for years in practice. For example, in commercial practice looking only at those in later practice, 47 per cent of female barristers earned more than £240,000 compared with 58 per cent of male, and among male barristers only, 44 per cent of those who were educated in state schools earned more than £240,000, compared

with 63 per cent of those who went to independent schools. It was noticeable that secondary education appears to have more impact on incomes for male barristers than it does for female barristers.

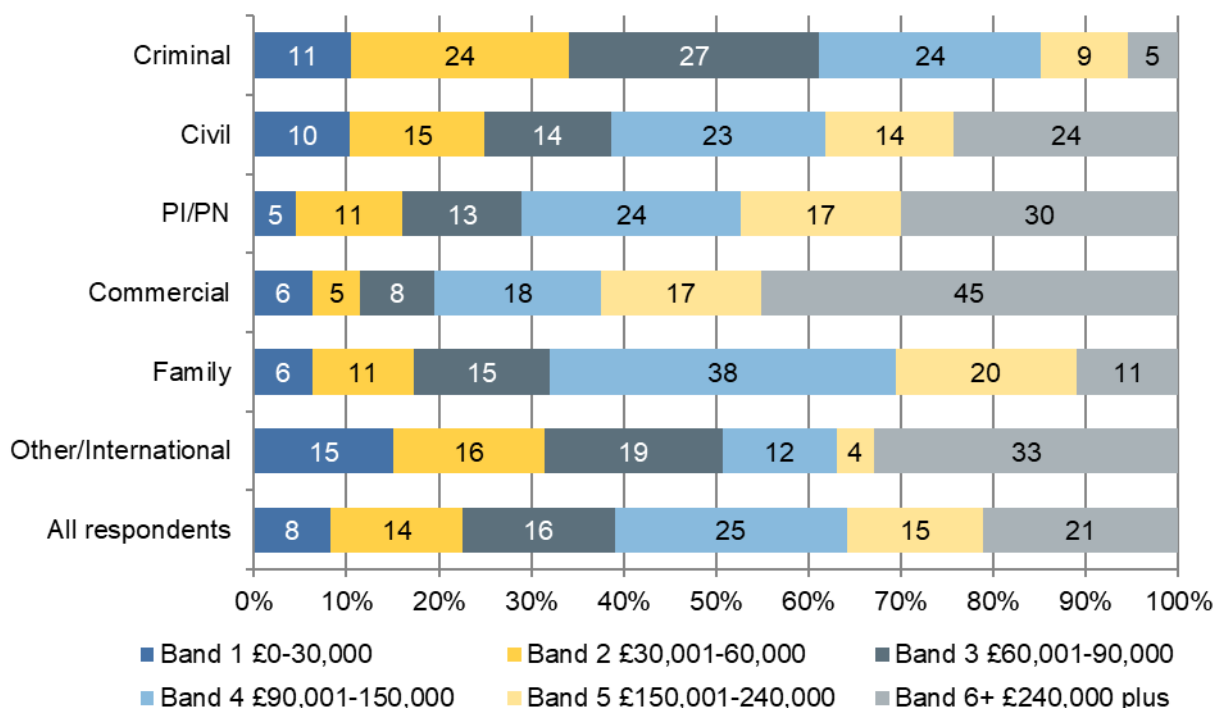
Figure 2.4 summarise the income data by type of employment and Figure 2.5 summarises them by broad area of practice.

**Figure 2.4: Income bands by type of employment (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Figure 2.4: Income bands by area of practice (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Public access work was accepted by 40 per cent of all respondents to the survey. For three in ten it amounted to less than 10 per cent of their total work time. For six per cent, it amounted to between 10–30 per cent of their time and for the rest (4%) it accounted for more than 30 per cent of their working time. Type of work and area of practice were most strongly associated with acceptance of public access work, with Self-Employed Sole Practitioners most likely to have indicated they accept this type of work (69%) and four in ten (41%) spent more than 30 per cent of their time on this type of work.

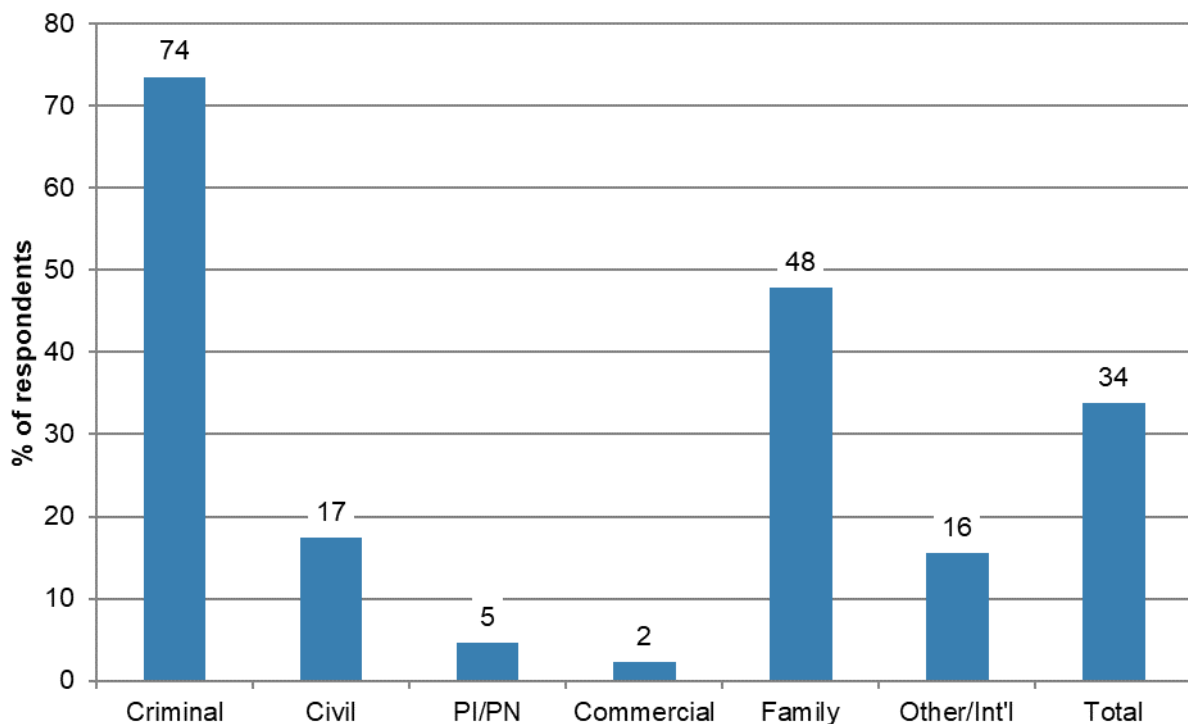
Although there was some correlation with sex, disability, age and whether respondents have achieved Silk status, this was largely explained by the associations with area of practice and type of practice. The Young Bar were less likely to be engaged on public access work (12%), as were those with Silk status.

**Table 2.3: Amount of time spent on Public Access work by broad area of practice and type of work (percentages)**

		None	< 10% of time	10-30%	> 30% of time	Base N=
Type of practice	Employed	93%	3%	1%	3%	344
	Self-Employed (Chambers)	57%	34%	6%	3%	2,752
	Self-Employed (Sole Practitioner)	31%	24%	4%	41%	102
	Both Self-Employed and Employed	53%	21%	14%	12%	57
Area of practice	Criminal	65%	30%	2%	2%	855
	Civil	50%	35%	8%	7%	723
	PI/PN	72%	24%	3%	1%	403
	Commercial	62%	25%	7%	6%	544
	Family	52%	34%	9%	5%	644
	Other/International	68%	15%	10%	7%	71
	All respondents	60%	30%	6%	4%	3,255

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Figure 2.5: Income from publicly funded work by area of practice (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Looking now at the percentage of income that was derived from publicly funded work across all respondents, just over a third of individual income was derived from public

funds (34%) However, there were large differences by area of practice, with three quarters (74%) of all income among those working at the Criminal Bar derived from publicly funded work, and around half (48%) of the income of those in family practice. In all other areas only a small proportion of total income derived from publicly funded work. And, as might be expected, this form of income was concentrated among barristers in the lower income bands. Approximately 44 per cent of the income of all barristers earning up to £90k per year was from publicly funded work, compared with 36 per cent of the income of those who earned £90–240k, and nine per cent of the income among those with income levels above £240k per year.

## 3 Views on working lives

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This chapter presents key findings on the views of barristers towards their working lives. A full analysis of barristers' views is presented in a separate report.

The Bar Council worked with Darren Van Lar from the University of Portsmouth's Quality of Working Life Research Group to incorporate the Barrister Wellbeing (BWB) scale into the survey. The BWB scale has an overall wellbeing score, made up of sub scales assessing a person's Psychological Wellbeing (PWB), Perfectionism (PER), Workload Management (WLM) and Supportive Work Environment (SWE). The scale has been developed in barrister populations in England and Wales, and in Australia. In the survey, barristers were asked to indicate the degree to which they agreed or disagreed with the statements in question on a five-point scale ranging from 'strongly disagree' to 'strongly agree'. The statements were as follows:

1. Within the environment in which I work, there is generally a sense of co-operation and collaboration.
2. I have significant control over the content and pace of my work.
3. I am able to integrate the things that are most important to my life and work.
4. I tend to feel down or low in spirits.
5. I experience little interest or pleasure in doing things.
6. A case going badly has an impact on my confidence.
7. Overall, I find my workload manageable.
8. I tend to dwell on my mistakes.
9. My current mood is good.
10. I tend to be very critical of myself.
11. My relationships with other colleagues are as good as I would want them to be.
12. Within the environment in which I work, I feel comfortable to express my opinions, thoughts and ideas.
13. I am able to confide in work colleagues regarding challenges experienced with my cases.
14. Overall, taking everything into consideration, I am satisfied with my job as a whole.

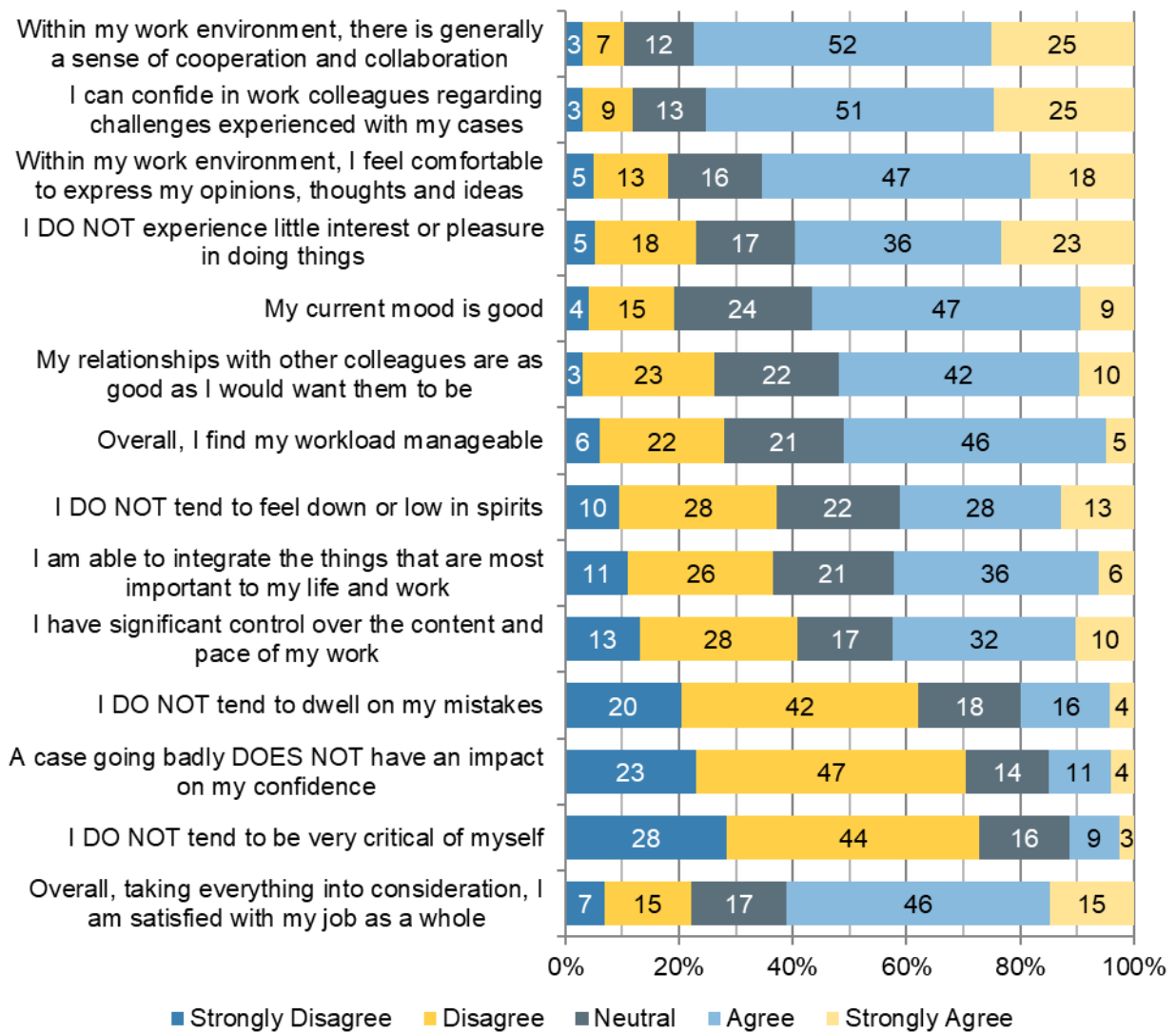
### 3.1 Views about individual statements

Some of the statements were negatively worded (eg 'I tend to feel down or low in spirits,' where agreement represents a negative view rather than a positive view), and these have been reversed so that all of the items are scaled in the same direction, with disagreement being negative, and agreement positive.

Figure 3.1 shows the responses to the individual statements. Key points to note are:

- There was widespread agreement that there is a sense of co-operation and collaboration in barristers' workplaces, and that they can confide in work colleagues about challenges in their cases, with three-quarters of respondents agreeing with these statements.
- Views were also positive about feeling comfortable about sharing ideas at work, having a good current mood, and experiencing interest and pleasure in doing things, with fewer than one in four barristers disagreeing with these statements.
- Views were fairly positive about relationships, with colleagues being as respondents would want them, and having manageable workloads.

**Figure 3.1 Responses to the wellbeing questions**



Source: Barristers' Working Lives survey 2021



- Barristers were neutral regarding not feeling down or low in spirits, being able to integrate important things in life with work, and having significant control over the content and pace of their work.
- Views were negative about not dwelling on mistakes, cases going badly not having an impact on barristers' confidence, and not being very critical of themselves.
- Overall, barristers were satisfied with their job as a whole, taking everything into account, with 61 per cent agreeing, and only 22 per cent disagreeing.

## 3.2 Work-life themes

The first 13 statements (ie excluding the final statement about overall job satisfaction) reflect four underlying themes about working lives:

### Supportive work environment

1. Within the environment in which I work, there is generally a sense of co-operation and collaboration.
11. My relationships with other colleagues are as good as I would want them to be.
12. Within the environment in which I work, I feel comfortable to express my opinions, thoughts, and ideas.
13. I am able to confide in work colleagues regarding challenges experienced with my cases.

### Workload management

2. I have significant control over the content and pace of my work.
3. I am able to integrate the things that are most important to my life and work.
7. Overall, I find my workload manageable.

### Psychological wellbeing

4. I DO NOT tend to feel down or low in spirits.
5. I DO NOT experience little interest or pleasure in doing things.
9. My current mood is good.

**Anti-Perfectionism (this is reversed so the scale runs in the same direction as other factors)**

- 6. A case going badly DOES NOT have an impact on my confidence.
- 8. I DO NOT tend to dwell on my mistakes.
- 10. I DO NOT tend to be very critical of myself.

There were significant differences in views on the themes by barristers' characteristics. The separate report on wellbeing presents full details of these, although we have picked out some of the key breakdowns here, and the relationship between the work characteristics presented later in this report, and views on these themes, are summarised within each chapter.

Figure 3.2 shows variation in views on the four working lives themes by area of practice. Barristers in criminal practice were less positive about all four themes than barristers working in other practice areas. The difference was particularly marked for workload management, where criminal barristers were negative overall about this theme, while barristers in all other practice areas are positive, although family barristers are only just positive overall about this. Barristers in international/other practice are most positive about workload management, psychological wellbeing, and anti-perfectionism.

**Figure 3.2 Views on work-life themes by area of practice**

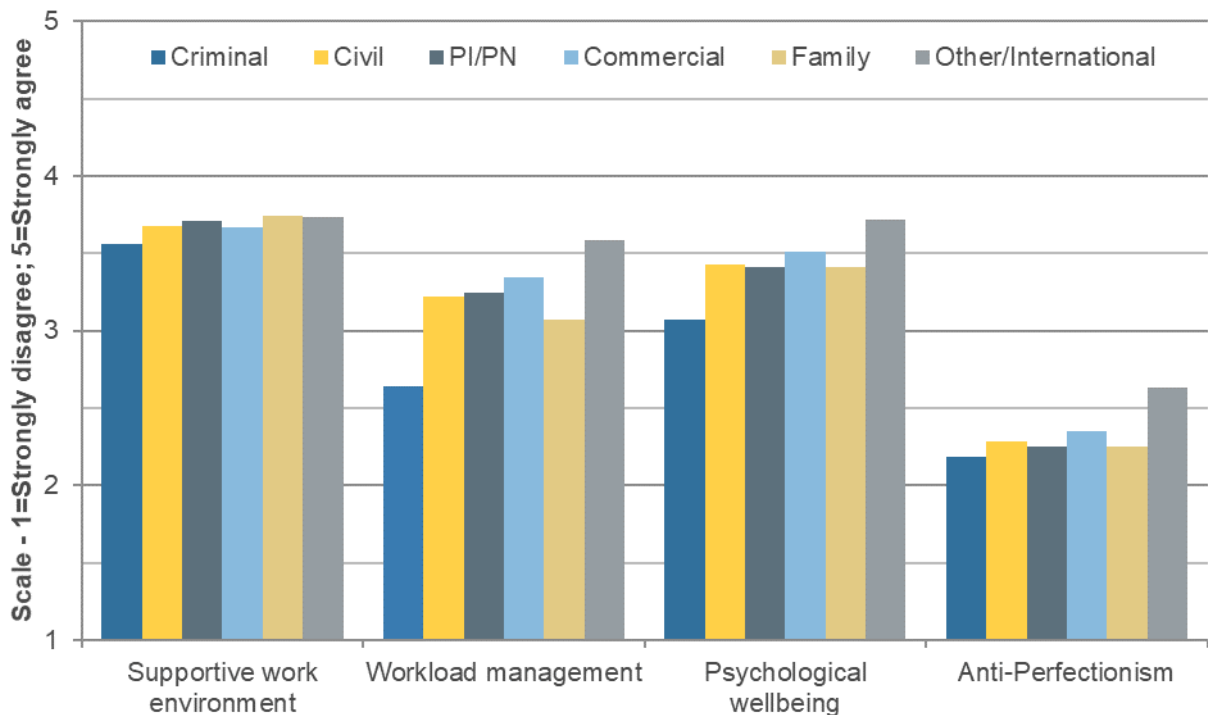
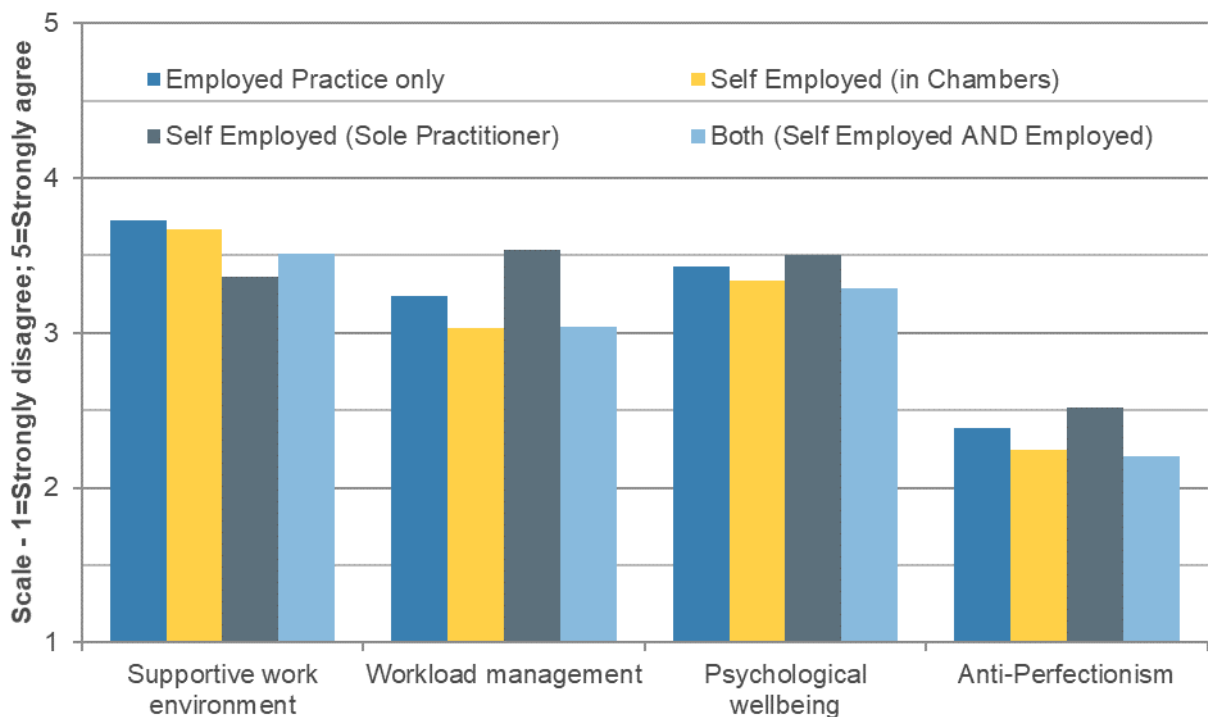


Figure 3.3 shows how views on the themes vary by barristers' employment status. The patterns vary by theme, with sole practitioner barristers reporting the least positive views about supportive work environment, but the most positive views about the other three themes. Employed barristers report the most positive views about supportive work environment, while self-employed barristers in chambers, and barristers undertaking both employed and self-employed work, are the least positive about workload management and anti-perfectionism.

**Figure 3.3 Views on work-life themes by employment status**

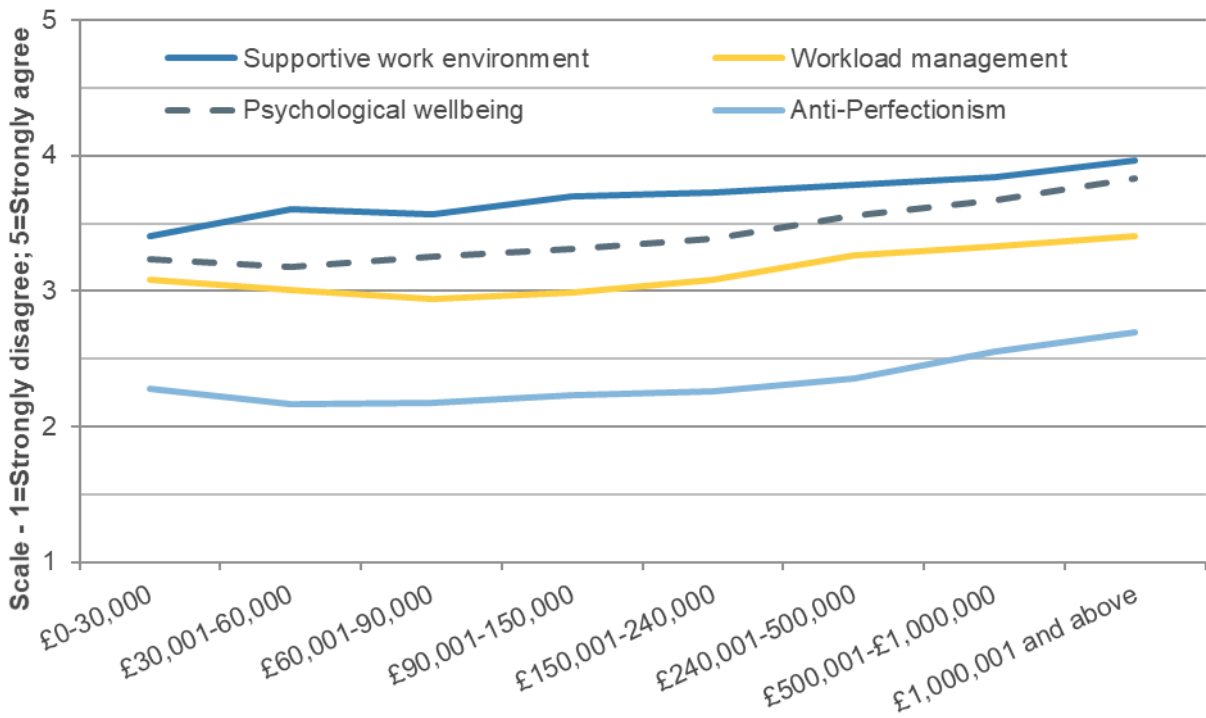


Source: Barristers' Working Lives survey 2021

The highest earning barristers were the most positive about all working life themes, as Figure 3.4 shows. Views on supportive work environment increase as income rises, although for the other three themes there is little variation in views in the lower income bands (below £240,001), and barristers in the lowest income band are slightly more positive than those in the next bands up.

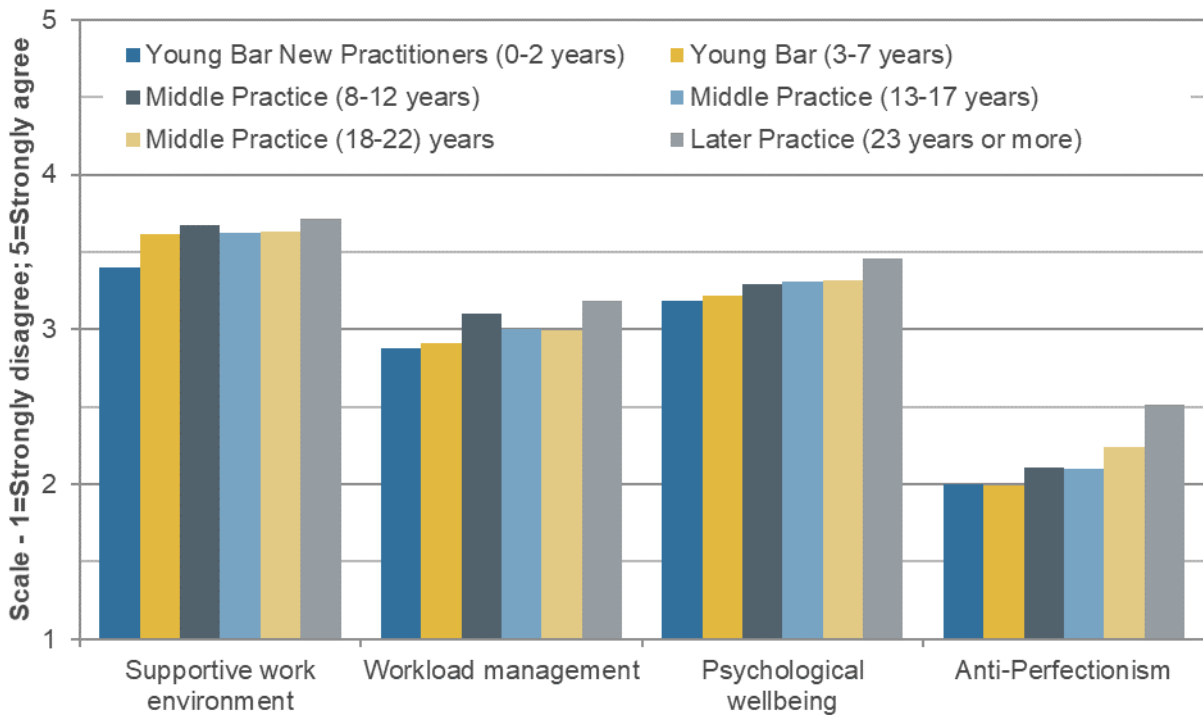
Figure 3.5 shows that views tend to become more positive as time since call increases, and that New Practitioners (less than 3 years since call) have the least positive views. Barristers in the Young Bar are negative overall about workload management and have very negative views about anti-perfectionism.

**Figure 3.4 Views on work-life themes by income band**



Source: Barristers' Working Lives survey 2021

**Figure 3.5 Views on work-life themes by time since call**



Source: Barristers' Working Lives survey 2021

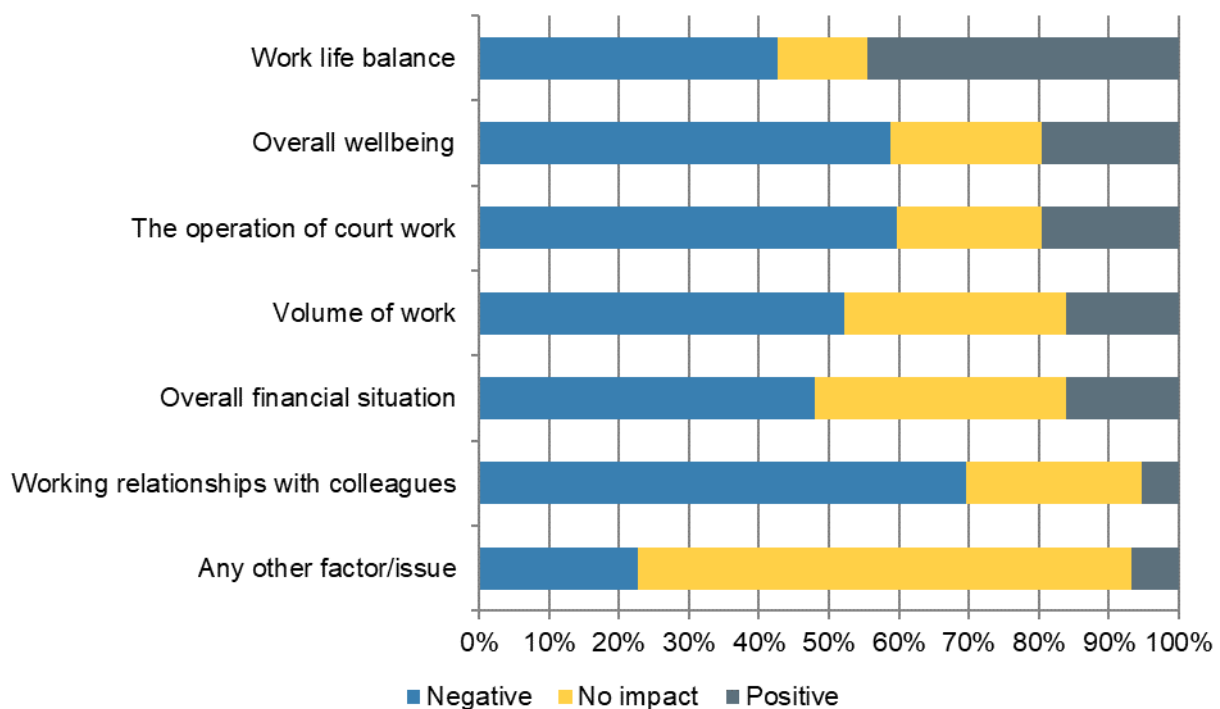
## 4 Impact of Covid-19 on barristers' working lives

This chapter presents the responses of barristers to questions regarding the impact of the Covid-19 pandemic on their working lives.

### 4.1 Impact of Covid-19 on aspects of working life

Figure 4.1 shows the extent to which Covid-19 had a positive or negative impact on various aspects of barristers' working lives and wellbeing. Views on the impact on work-life balance were broadly neutral, with 45 per cent of barristers reporting a positive impact on work-life balance and 43 per cent reporting a negative impact (13% reported no impact). However, the impact on all other aspects was negative overall; one in five barristers reported positive impacts on overall wellbeing and the operation of court work, while nearly 60 per cent reported negative impacts on these aspects, and even smaller proportions reported positive impacts of Covid-19 on the volume of work, their overall financial situation, and their relationship with colleagues.

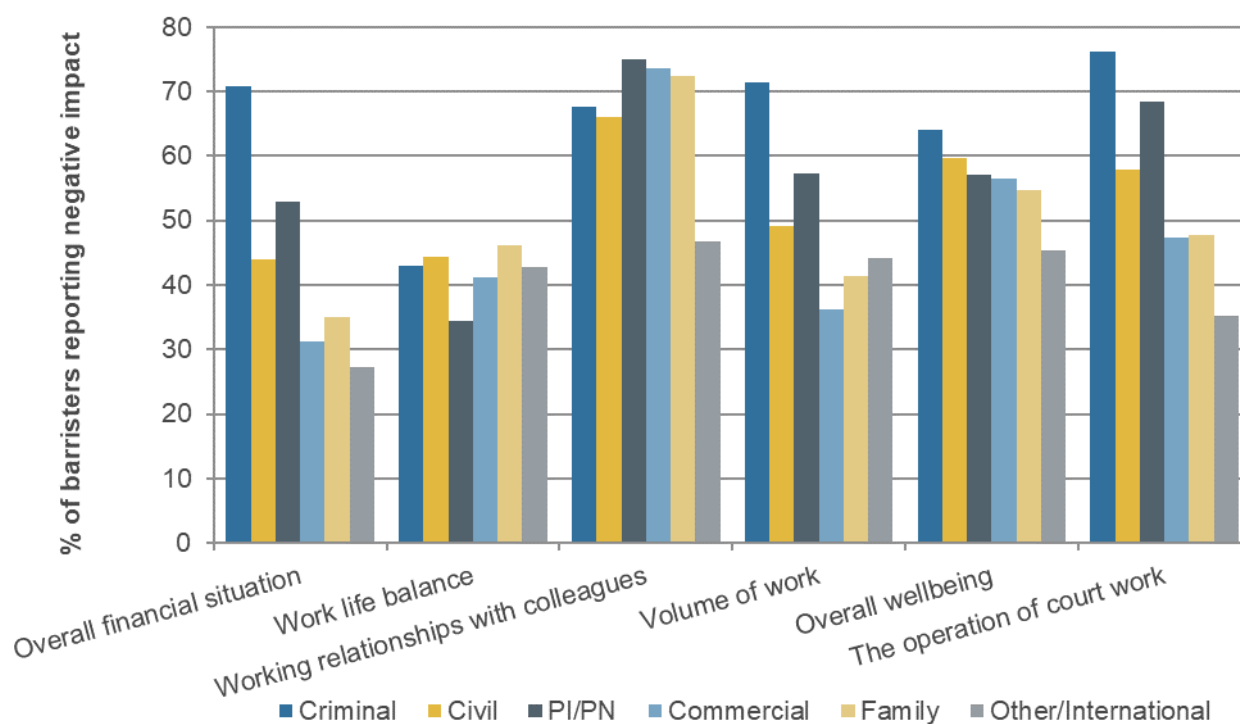
**Figure 4.1 Views on the impact of the Covid-19 pandemic on aspects of working lives**



### 4.1.1 Variation by area of practice

Criminal barristers were significantly more likely than those in other practice areas to report that Covid-19 had a negative impact on their overall financial situation, their volume of work, their overall wellbeing, and the operation of court work, as Figure 4.2 shows. There was relatively little variation by practice area in the proportions reporting negative impacts of Covid-19 on work-life balance, or on working relationships with colleagues.

**Figure 4.2 Proportion of barristers reporting negative impacts of the pandemic, by broad practice area (%)**



Source: Barristers' Working Lives survey 2021

### 4.1.2 Variation by employed/self-employed

Employed barristers were largely neutral about the impact of the pandemic on their overall financial situation, with 22 per cent reporting a positive impact, 17 per cent reporting a negative impact, and 61 per cent reporting no impact. Self-employed barristers however were very negative about this – 51 per cent of self-employed barristers in chambers, and 66 per cent of sole practitioners reported that the pandemic had a negative impact on their financial situation.

Self-employed barristers in chambers were very negative about the impact of the pandemic on working relationships with colleagues, with 73 per cent reporting a negative impact, and only four per cent reporting a positive impact. This contrasts with sole practitioner barristers who were much less negative – 36 per cent reported a negative impact, while 56 per cent reported no impact. Employed barristers' views were also less

negative than those of self-employed barristers in chambers, with 54 per cent reporting a negative impact and 34 per cent reporting no impact.

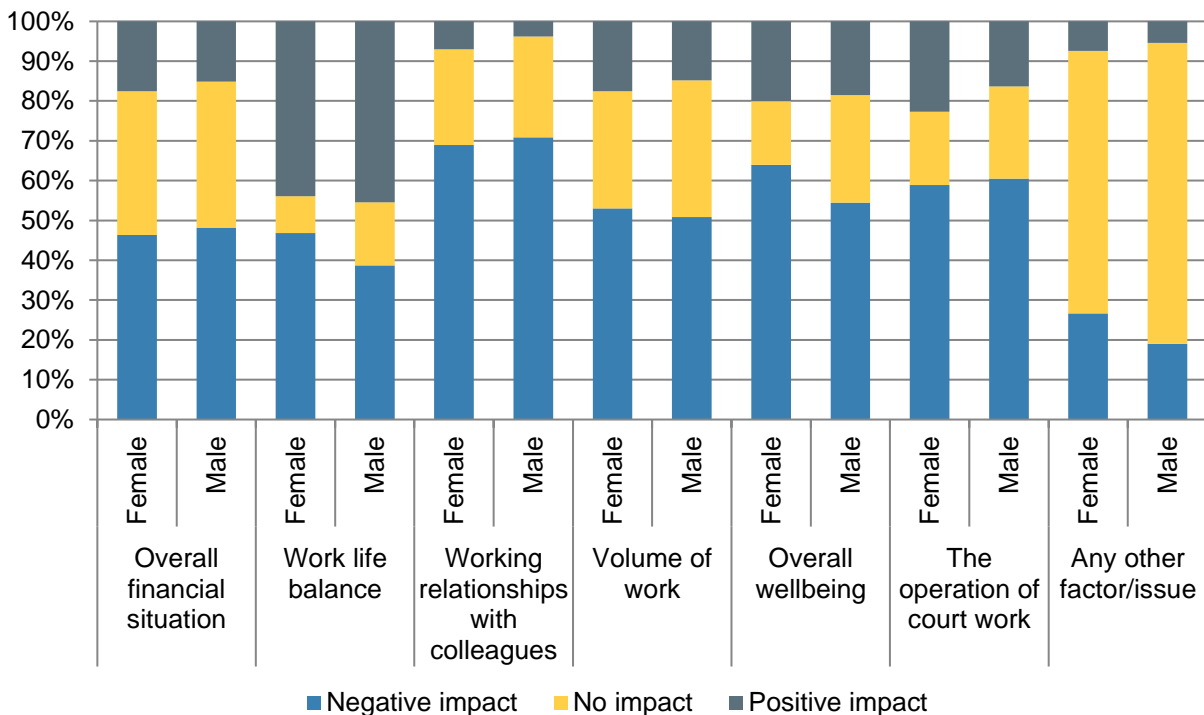
### 4.1.3 Variation by time since call

New practitioner barristers, with less than three years' experience, were much more negative than longer service barristers about the impact of the pandemic on work-life balance, working relationships with colleagues, and overall wellbeing. However, new practitioners were more positive than longer serving barristers about the impact of the pandemic on the operation of court work.

### 4.1.4 Variation by sex and ethnicity

Female barristers were more negative than male barristers about the impact of the pandemic on work-life balance, and on overall wellbeing, but were less negative than male barristers about the impact on working relationships with colleagues, and on the operation of court work (see Figure 4.3).

**Figure 4.3 Views on the impact of the Covid-19 pandemic on aspects of working lives, by sex**

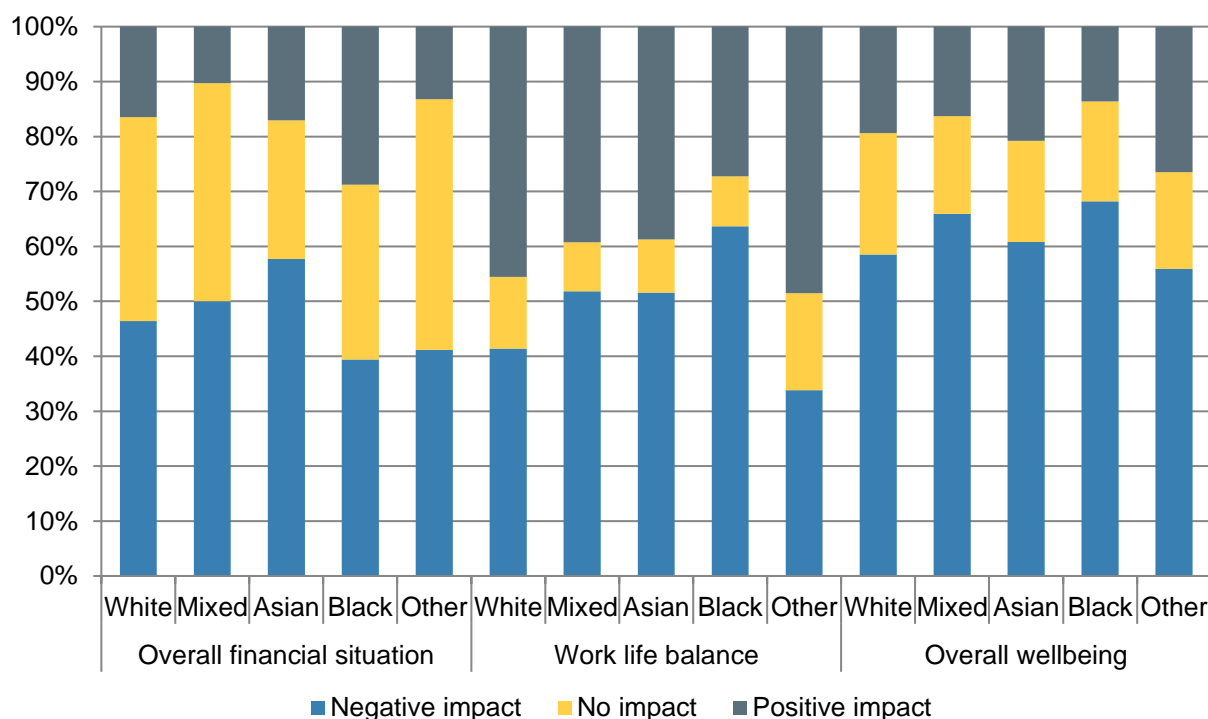


Source: Barristers' Working Lives survey 2021

Barristers from Other ethnic groups were generally most positive (least negative) about the impact of Covid-19 on the various aspects of their working lives, followed by white barristers. Black barristers were the most positive about the impact on their overall

financial situation, but Black male barristers were the most negative by far about the impact on their work-life balance, and on their overall wellbeing (see Figure 4.4).

**Figure 4.4 Views on the impact of the Covid-19 pandemic on aspects of working lives, by ethnicity**



Source: Barristers' Working Lives survey 2021

#### 4.1.5 Variation by caring responsibilities

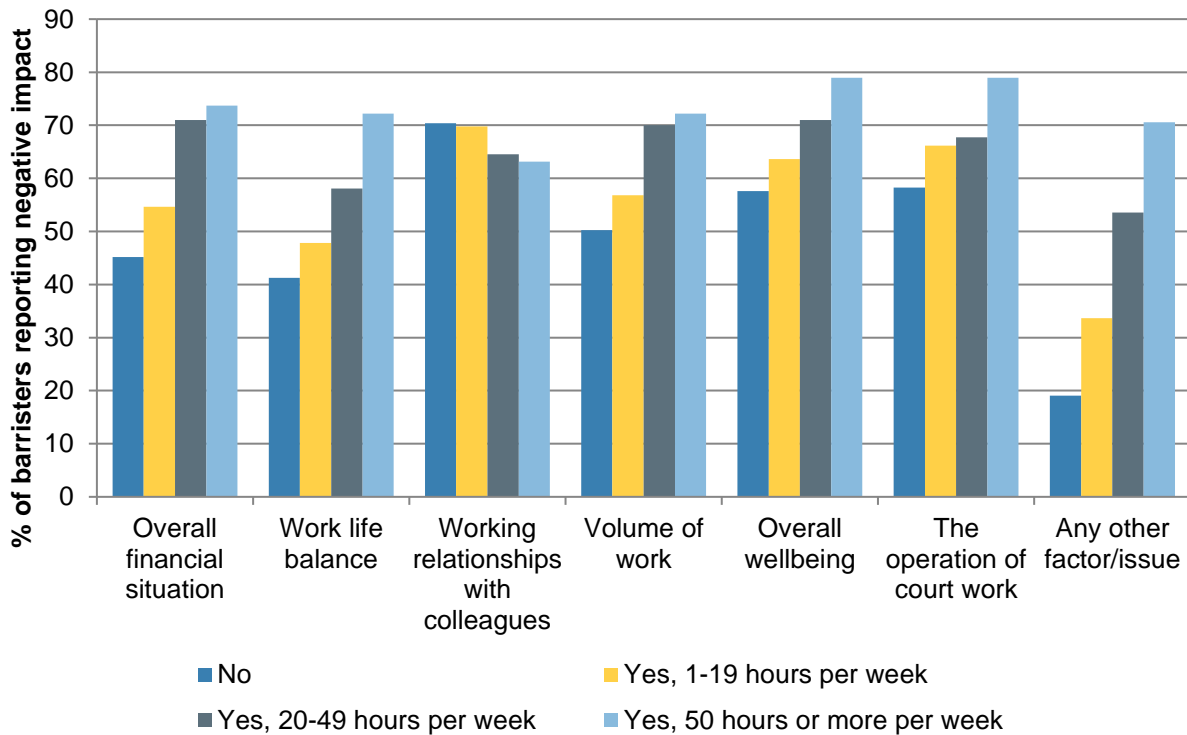
There was very little variation in views on the impact of Covid-19 by whether or not respondents were the primary carer for a child under-18. Respondents who were primary carers for children under-18 were more likely than other respondents to say that there was no impact on their work-life balance (14%, compared with 10% of those without care responsibilities for children), and on their overall wellbeing (24%, compared with 18% of those without care responsibilities for children).

There was substantial variation by caring responsibilities for adults with care needs, however, as Figure 4.5 shows. For all potential impacts except working relationships with colleagues, a higher proportion of respondents with adult caring responsibilities reported that the pandemic had a negative impact on them compared with respondents with no adult caring responsibility, and the proportion reporting negative impacts increased with the amount of time needed to provide care. The difference was greatest for work-life balance, where 41 per cent of those without adult care responsibilities reported a negative impact, compared with 72 per cent of those who provided 50 or more hours of care per



week, closely followed by overall financial situation (45% of those without adult care responsibilities, and 74% of those providing 50-plus hours per week).

**Figure 4.5 Views on the impact of the Covid-19 pandemic on aspects of working lives, by time spent on caring for adults with care needs**

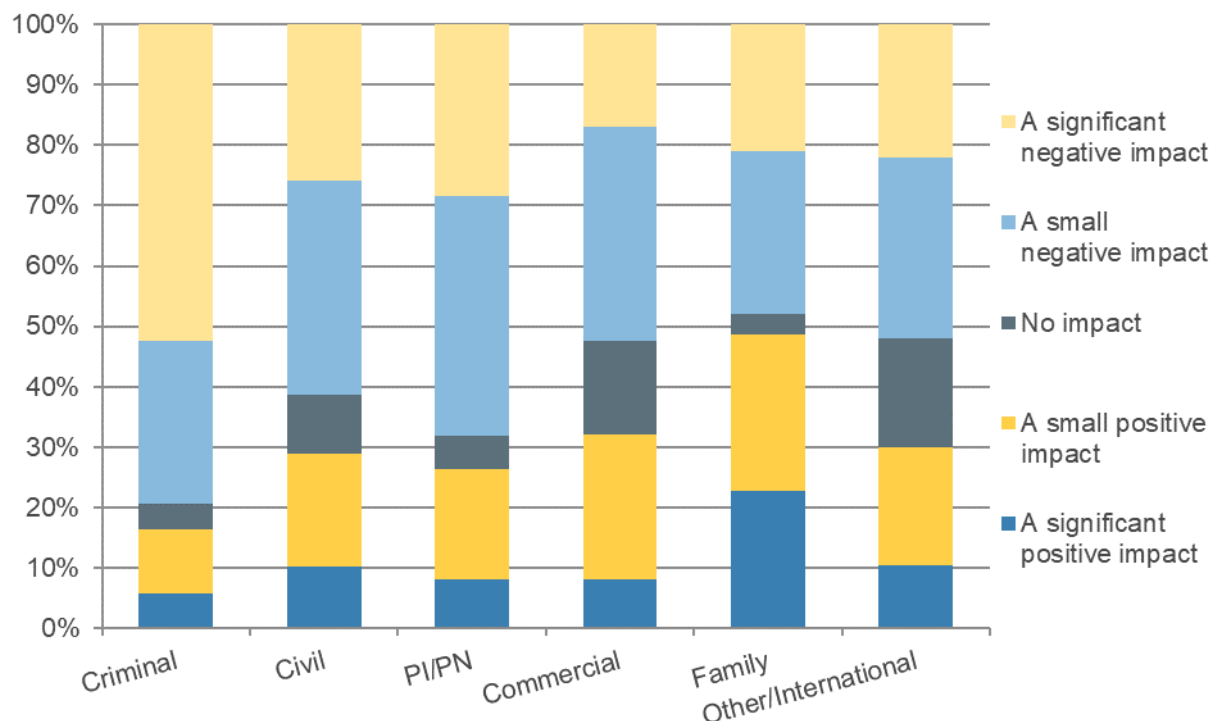


Source: Barristers' Working Lives survey 2021

## 4.2 Overall impact of pandemic on work

Barristers were also asked to indicate the impact of the Covid-19 pandemic on their practice or work overall. Just under one in three barristers (30%) reported that the pandemic had a positive impact on their practice/work overall (11% reported a significant positive impact, and 19% a small positive impact), while twice as many (63%) reported that it had a negative impact (31% reported a significant negative impact, and 32% reported a small negative impact); eight per cent of barristers felt that the pandemic had no impact on their practice/work overall.

There are stark differences by practice area, as shown in Figure 4.6. Barristers in family practice were neutral overall about the impact of the pandemic, with equal proportions reporting positive and negative impacts. By contrast, more than half of criminal barristers (53%) felt that the pandemic had a significant negative impact on their practice/work overall, and a further 27 per cent felt it had a small negative impact. Barristers in personal injury/professional negligence were most likely after criminal barristers to report negative impacts of the pandemic.

**Figure 4.6 Views on the overall impact of the pandemic, by area of practice**

Source: Barristers' Working Lives survey 2021

There was little difference in views between employed barristers, and self-employed barristers in chambers, although sole practitioners were much more likely than other barristers to report significant negative impacts (44%).

There was little consistent variation in views by time since call, although young practitioners (less than 3 years) were least likely to report negative impacts (58%), and later practice barristers (23 years or more) were least likely to report positive impacts (28%).

There was no significant variation by sex, ethnicity, or caring responsibilities for children, although there was by adult caring responsibilities – 28 per cent of those without adult caring responsibilities reported that the pandemic had a significant negative impact on their overall work/practice, compared with 40 per cent of those who spent less than 20 hours a week caring for an adult, and 60 per cent of those who spent 20 or more hours per week caring for an adult.

### 4.3 Experiencing financial hardship

Just over one in four barristers (28%) reported that they had experienced financial hardship as a result of Covid-19, while two thirds (68%) said that they had not experienced financial hardship, and four per cent did not know. Barristers who reported the pandemic having a significant negative impact on their practice/work overall were

most likely to report experiencing financial hardship (61%, compared with 18% of those who reported the pandemic having a small negative impact, and 10% of those who felt the pandemic had a positive impact, or no impact, on their practice/work overall). There were also associations between views on the impact of Covid-19 on various work aspects and experiences of financial hardship:

- 55 per cent of those who reported that the pandemic had a negative impact on their overall financial situation experienced financial hardship, compared with three per cent of those who felt the pandemic had no impact, or a positive impact, on their financial situation.
- 45 per cent of those who reported the pandemic had a negative impact on their volume of work experienced financial hardship, compared with nine per cent of those who felt the pandemic had no impact, or a positive impact, on their volume of work.
- 37 per cent of those who reported the pandemic had a negative impact on the operation of court work experienced financial hardship, compared with 11 per cent of those who reported no impact on the operation of court work, and 19 per cent of those who reported a positive impact.
- 35 per cent of those who reported the pandemic had a negative impact on their overall wellbeing experienced financial hardship, compared with 16 per cent of those who reported no impact on their overall wellbeing, and 21 per cent of those who reported a positive impact.

Criminal barristers were most likely to report experiencing financial hardship (51%), as were sole practitioner barristers (48%), while barristers in commercial and chancery (14%) and employed barristers (10%) were least likely. There was significant variation by ethnic background, with 44 per cent of Asian barristers reporting financial hardship, compared with 32 per cent of Mixed barristers, 30 per cent of Black barristers, 26 per cent of white barristers, and 19 per cent of those from Other ethnic backgrounds. Female barristers from Mixed backgrounds were much more likely than male barristers from Mixed backgrounds to experience financial hardship (39% and 25% respectively).

## 4.4 Redundancies and furlough among employed barristers

Employed barristers were asked if they had been made redundant, or been furloughed, as a result of Covid-19. Only three per cent reported that they had been made redundant, and four per cent reported that they had been furloughed, so overall there was little impact of the pandemic on employed barristers' employment situation.

## 4.5 Attending court

All respondents were asked whether they had attended court or not in the last three months, and if they had attended, whether this was in person, or remotely.

Just over half (51%) reported that they had attended court in person in the last three months, with 33 per cent attending both in person and remotely, and 18 per cent

attending in person only. Just over one in three (35%) had attended court remotely, but not in person in the last three months, while 14 per cent had not attended court at all.

Criminal barristers were most likely to report that they had attended court in person (85%, with 46% attending both in person and remotely, and 40% attending in person only), followed by family barristers (51% attending in person) and those in personal injury/professional negligence (50% attending in person). Around one in five barristers in civil, and commercial and chancery, had not attended court, and those that had attended were most likely to have done so remotely only (45% of civil barristers, and 59% of commercial and chancery barristers). Nearly half of barristers in international/other practice areas (47%) had not attended court in the last three months.

Over half of employed barristers (52%) had not attended court at all, compared with 33 per cent of sole practitioner barristers, and eight per cent of self-employed barristers in chambers, while 55 per cent of self-employed barristers in chambers had attended court in person, compared with 36 per cent of sole practitioners, and 25 per cent of employed barristers.

Around two thirds of barristers in the Young Bar (less than eight years since call) had attended court in person, and only eight per cent had not attended court at all.

There was little variation in court attendance by sex, although barristers from Black and Other ethnic backgrounds were less like to have attended court than other barristers (21% had not attended court, compared with 14% of Mixed barristers, 13% of white barristers, and 10% of Asian barristers).

#### **4.5.1 Problems in the court system**

Barristers who had attended court within the last three months were asked if they had experienced any problems in the court system. Two-thirds (67%) reported that they had experienced some problems, and one-third of these (22% of all who had attended court) reported that these problems were significant, rather than minor. Those who had attended court in person were much more likely to report significant problems, as Table 4.1 shows, and nearly half of those who had only attended remotely (45%) said that there had been no problems.

**Table 4.1: Proportion of barristers reporting problems in the court system by attendance in previous three months**

	Attended court IN PERSON and REMOTELY	Attended court IN PERSON ONLY	Attended court REMOTELY ONLY	Total
Yes, significant problems	29.0	33.3	9.4	21.9
Yes, minor problems	47.8	37.0	45.9	44.8
No	23.2	29.7	44.7	33.3
N=	1,131	622	1,213	2,966

Source: *Barristers' Working Lives survey 2021*

More than four-fifths of criminal barristers (82%) who had attended court in the last three months reported problems in the court system, with just over half of these saying the problems were significant rather than minor. It should be borne in mind, though, that criminal barristers were also more likely than other barristers to have attended court in person rather than remotely, and Table 4.1 shows those who attended in person were more likely to report significant problems. However, even among barristers who had attended court in person, criminal barristers were significantly more likely than others to report problems, and particularly to report significant problems (46% of criminal barristers who attended both in person and remotely, and 43% of those who attended in person only, reported significant problems in the court system).

There was little difference in the proportion reporting problems by barristers' employment status, although sole practitioners were most likely to report significant problems (33%, compared with 22% of self-employed barristers in chambers, and 15% of employed barristers). Barristers in the Young Bar, with between three and seven years since their call to the Bar, were most likely to report significant problems (30%), although there was very little variation in responses among barristers with more, or fewer, years since call.

Female barristers were more likely to report problems in the court system than male barristers. Just under one in four female barristers who attended court (23%) reported significant problems, compared with 21 per cent of male barristers, and 47 per cent of female barristers reported minor problems, compared with 43 per cent of male barristers. Black barristers were most likely to report problems in the court system (85% reported significant or minor problems), while white barristers and those from Other ethnic backgrounds were least likely (65% and 63% respectively; 71% of Mixed and Asian barristers reported problems).

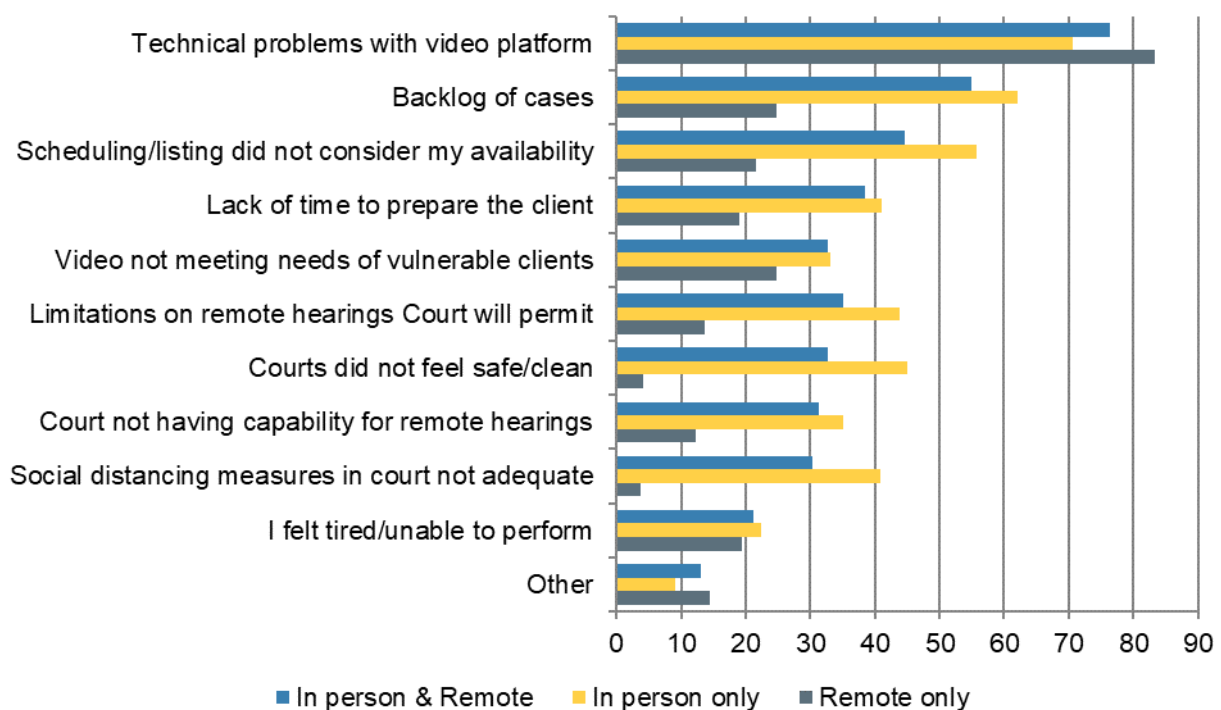
Technical problems with video platforms for court were the most commonly experienced problem, with just over three quarters (78%) of barristers who had experienced problems with the court system reporting this issue. This was followed by:

- Backlog of cases, mentioned by 46% of respondents.
- Scheduling/listing did not consider my availability, mentioned by 39% of respondents.

- Lack of time to prepare the client, mentioned by 33% of respondents.
- Video platform not meeting the needs of vulnerable clients, mentioned by 30% of respondents.
- Limitations on the types of remote hearings that Court will permit, mentioned by 30% of respondents.

Figure 4.7 shows the variation in response by whether barristers had attended court in person, or remotely. The most commonly mentioned problem was technical problems with video platforms, and this was the most common problem for all barristers, whether they had attended court in person or remotely, suggesting that even when barristers attend court in person, other individuals are attending remotely via video platforms and technical difficulties arise. Most other problems were more commonly mentioned by those who attended in person, particularly courts not feeling safe or clean, and social distancing measures in court not being adequate, and more than half of those attending court in person reported backlogs of cases causing problems.

**Figure 4.7 Prevalence of problems in court system by attendance in previous three months**



Source: Barristers' Working Lives survey 2021

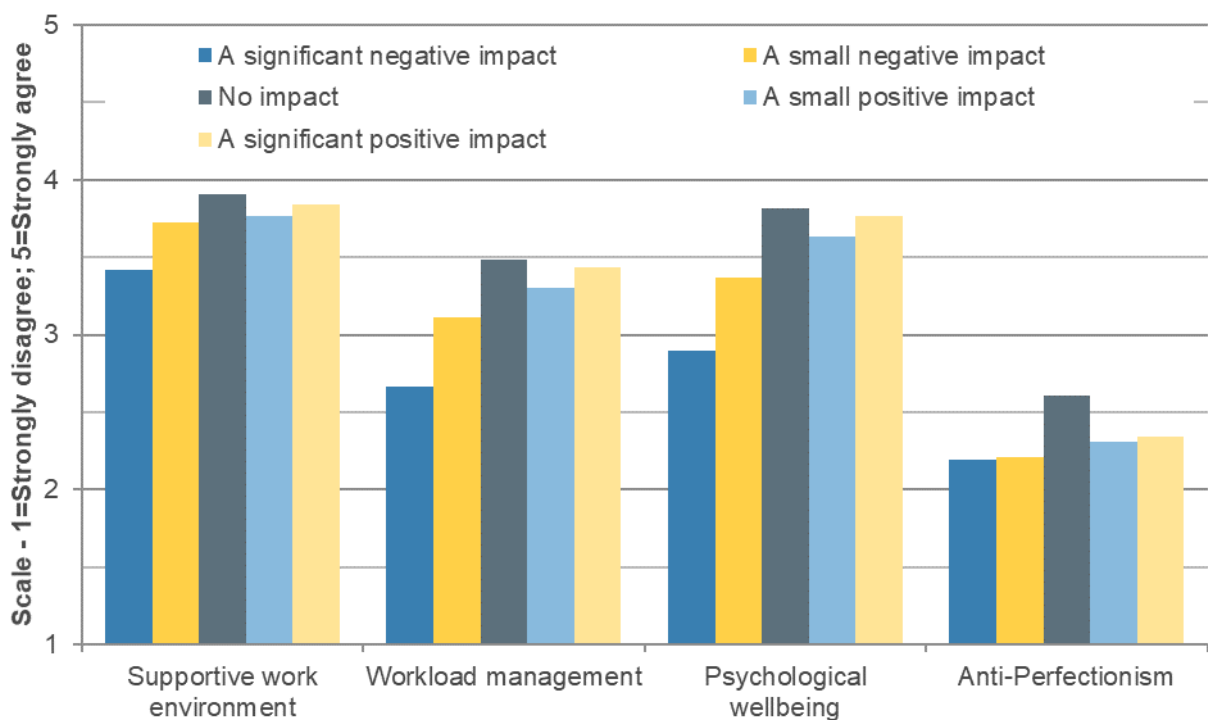
## 4.6 Relationship between impacts of the pandemic and views on wellbeing

Figure 4.8 shows the relationship between views on the overall impact of the pandemic on their practice/work overall, and their views on the wellbeing and work-life themes. Barristers who reported that the pandemic had a significant negative impact on their

practice/work overall were least positive about all four work-life themes, although it is difficult to know the causality here. It may be that a negative impact of the pandemic on barristers has fed through to their views on their working lives, or alternatively, barristers who were least supported by colleagues and had less control of their workload were more likely to experience negative impacts of the pandemic. Barristers who reported no impact of the pandemic on their working lives had the most positive views on the work-life themes, even more positive than barristers who said that the pandemic had a significant positive impact on them.

Barristers who said that they had experienced financial hardship as a result of the pandemic were much more negative about all four work-life themes than those who had not experienced financial hardship, and were negative overall about psychological wellbeing (mean of 2.92, compared with 3.53 for those who did not experience financial hardship).

**Figure 4.8 Views on wellbeing by overall impact of the pandemic on barristers**



Source: Barristers' Working Lives survey 2021

## 5 Working hours and patterns

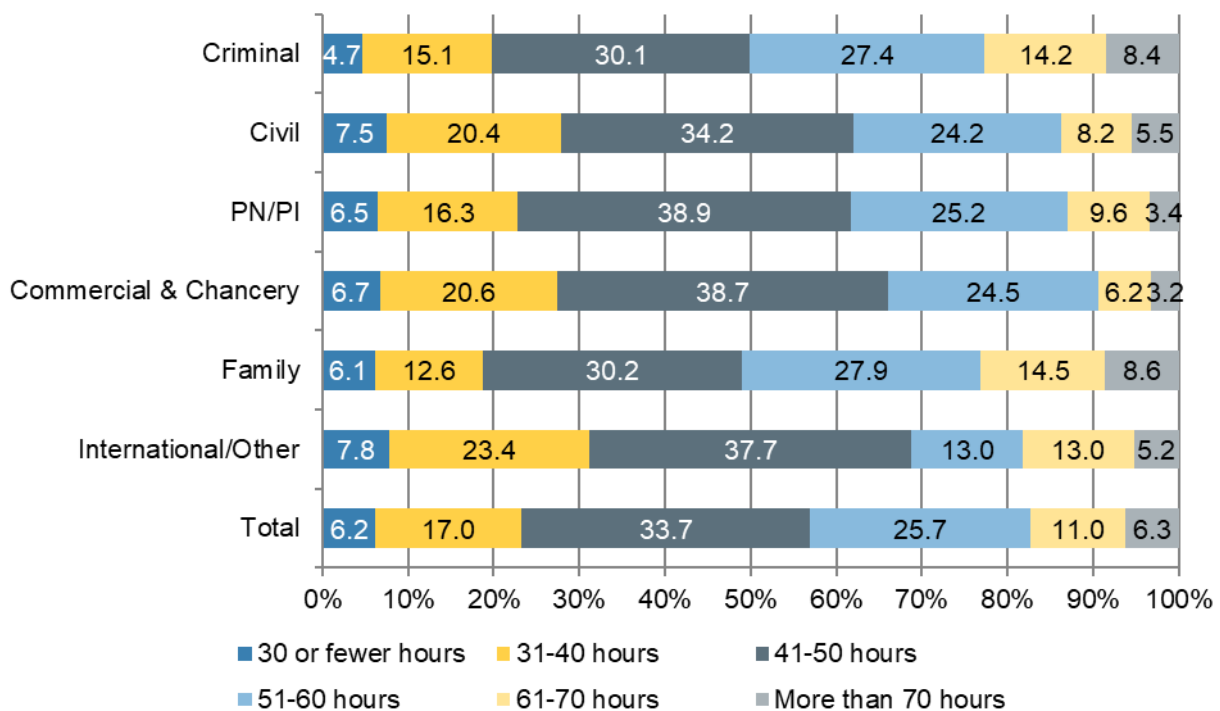
This section explores issues around barristers' working hours, working patterns, and work practices

### 5.1 Working hours

Barristers' typical working hours were between 41 and 50 hours a week, with one in three barristers (34%) reporting that this was the number of hours they worked in a typical week before the pandemic. Around one in four (23%) worked fewer than 40 hours, while 43 per cent typically worked more than 50 hours a week. In comparison with the findings from the 2017 survey, there were fewer barristers working long hours of more than 50 a week (48% in 2017), although fewer worked very short hours of 30 or fewer per week (6%, compared with 8% in 2017).

Barristers in criminal and family practice were most likely to have long typical working hours of 60 hours or more (23% of barristers in each practice area), while there was little variation by practice area in the proportion working short weeks of 30 or fewer hours (Figure 5.1).

**Figure 5.1 Working hours by practice area**





More than three quarters of employed barristers (76%) typically worked between 31 and 50 hours per week before the pandemic, compared with just under half (48%) of self-employed barristers. Nearly half of self-employed barristers in chambers (47%) worked more than 50 hours per week, while sole practitioner barristers were most likely to work short weeks of 30 hours or fewer (25%).

Barristers were also asked how many hours they had worked in their most recent week, to investigate the impact of the pandemic on working hours. In comparison with barristers' typical working hours, there were more working shorter hours and longer hours, with only 22 per cent working between 41 and 50 hours in their most recent week, compared with 34 per cent who typically worked this number of hours. One in five barristers (21%) worked 30 hours or fewer in their most recent week (compared with 6% typically working this number of hours), while a further one in five (21%) worked more than 60 hours in their most recent week (compared with 17% typically working this number of hours). Patterns by practice area and employment status were similar to those for typical hours, with criminal and family barristers, and self-employed barristers in chambers most likely to be working long hours, and sole practitioner barristers most likely to be working short hours.

Overall, 38 per cent of barristers worked fewer hours in their most recent work than they typically worked, 35 per cent worked the same hours, and 27 per cent worked more hours than they typically worked. There was only minor variation by practice area, with barristers in professional negligence/personal injury most likely to work fewer hours (45%), which may reflect fewer accidents due to lockdowns and less socialising, while only 18 per cent of employed barristers worked fewer hours than they normally worked, compared with 40 per cent of self-employed barristers in chambers, and 49 per cent of sole practitioners. New practitioner barristers (less than 3 years since call) were most likely to working more hours than they typically worked (49%), followed by barristers in the Young Bar with between three and seven years since call (36%).

### 5.1.1 Full or part-time working

Respondents were asked to describe their typical working hours as full-time or part-time, based on the following distinction:

- Full-time (you are available to work all day in office hours on each working day).
- Full-time extended hours (you regularly work weekday evenings and/or early mornings but try not to work weekends).
- Full-time extended but including weekends (you regularly work on one or both weekend days).
- Part-time (there are working days where you do not or try not to work as a barrister).

Nine out of ten barristers (90%) reported that they worked full-time, with nearly half (49%) working full-time including weekends, while 21 per cent worked in the evening but not at weekends, and 20 per cent worked full-time hours during the working week. Women barristers were twice as likely as men to work part-time (13% and 7% respectively) but were also more likely to work at weekends (51% compared with 46% of men).

The patterns of working hours by practice area are also reflected in full and part-time working, with criminal and family barristers most likely to work full-time including weekends (64% and 60% respectively). Employed barristers were most likely to work full-time during office hours only (36%), and only 17 per cent of employed barristers regularly worked at weekends, while more than half of self-employed barristers in chambers (54%) regularly worked weekends. Sole practitioner barristers were most likely to work part-time (27%). Barristers in the Young Bar were most likely to regularly work weekends (55% of New Practitioners with less than 3 years since call, and 60% of longer service Young barristers), while those with 12 years since call were most likely to work part-time.

### 5.1.2 Unpaid hours

Nine out of ten barristers (89%) reported that they worked additional hours for which they were not paid, with 22 per cent working for up to five hours per week unpaid, 35 per cent working six to 10 hours unpaid, 20 per cent working 11 to 20 hours unpaid, and 13 per cent working more than 20 hours per week unpaid.

Doing unpaid work was associated with working patterns, with full-time workers who regularly worked weekends being most likely to do any unpaid hours (93%), and particularly long unpaid hours of more than 10 per week (47%), while those who worked full-time but during office hours only or part-time were least likely to do unpaid hours (17% and 15% respectively did no unpaid hours).

Criminal and family barristers, self-employed barristers in chambers, and those in the Young Bar (less than 8 years since call) were most likely to work unpaid hours. Female barristers were more likely than male barristers to work unpaid hours (92% worked any, and 34% worked more than 10 unpaid hours, while among male barristers the proportions were 87% and 30% respectively).

## 5.2 Pro Bono work

The proportion of barristers that had undertaken Pro Bono work in the previous 12 months was, at 43 per cent, slightly lower than the proportion in the 2017 survey of 48 per cent, although it was above the proportion in 2013 (39%). Just under one in three barristers (29%) had provided five or less days of Pro Bono work in the last 12 months, while nine per cent had provided between six and 10, and six per cent had provided more than 10.

Criminal barristers were the least likely to undertake Pro Bono work, with less than one in three (31%) undertaking any Pro Bono days in the last year. This contrasts with civil barristers, those in international/other practice areas, and those in commercial and chancery, where more than half provided Pro Bono days (57%, 55% and 51% respectively).

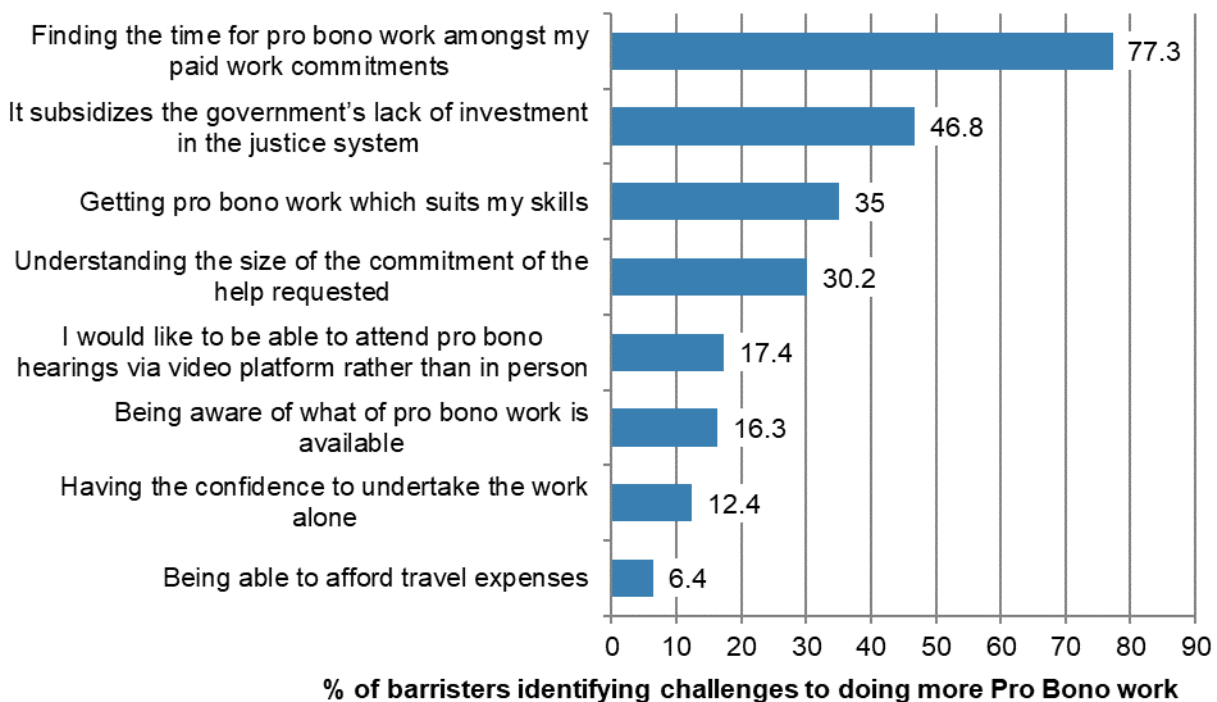
Fewer than one in four employed barristers (23%) provided Pro Bono days, compared with 51 per cent of sole practitioner barristers. The likelihood of providing Pro Bono days decreased with time since call – 55 per cent of New Practitioner barristers (less than 3 years since call) provided Pro Bono days, compared with 48 per cent of barristers in the Young Bar with between three and seven years since call, 46 per cent of Middle Practice

barristers with between eight and 12 years since call, and 41 per cent of barristers who had been practising for more than 12 years.

Barristers working long hours were more likely to provide Pro Bono days – 51 per cent of those who worked more than 60 hours in their most recent working week had provided Pro Bono days in the last 12 months, compared with around 40 per cent of those who had worked between 19 and 50 hours in their most recent working week.

Nearly nine out of ten respondents identified challenges to undertaking any, or more Pro Bono work, and the most mentioned challenge was finding the time for Pro Bono work amongst their paid work commitments, mentioned by just over three quarters of those identifying challenges (see Figure 5.2). Other commonly mentioned challenges were a concern that Pro Bono work subsidises the government’s lack of investment in the justice system (47% of those identifying challenges), finding Pro Bono work that suits respondents’ skills (35%) and understanding the size of the commitment of the help requested (30%).

**Figure 5.2 Challenges to undertaking any/more Pro Bono work**



Source: Barristers’ Working Lives survey 2021

The patterns of responses were broadly similar across areas of practice, although barristers in commercial and chancery were less concerned about Pro Bono work subsidising government’s lack of investment (31% of those identifying challenges), and more concerned with finding Pro Bono work that matched their skills (43%). Pro Bono working subsidising government’s lack of investment was the most mentioned challenge by sole practitioners, while employed barristers were quite concerned about being aware

of what type of Pro Bono work is available. For barristers in the Young Bar, having the confidence to undertake Pro Bono work alone was a commonly mentioned challenge.

## 5.3 Flexible working arrangements and future changes to working patterns

One in five barristers (19%) reported that they had a flexible working arrangement in place – a formal agreement with their chambers or employer that allows them to work in a way that suits their needs, for example working part-time, job sharing, flexible start and finish times, or compressed hours. There was substantial variation by respondents' work and personal characteristics:

- Half of employed barristers had a flexible working arrangement, compared with 14 per cent of self-employed barristers in chambers.
- One in four barristers in international/other practice areas had a flexible working arrangement, as did 22 per cent of those in civil and family, compared with 17 per cent of criminal barristers and 15 per cent of those in commercial and chancery.
- Barristers in the Young Bar were less likely than longer service barristers to have a flexible working arrangement, only 10 per cent of New Practitioner barristers (less than 3 years since call), and 12 per cent of other barristers in the Young Bar (3 to 7 years since call) had a flexible working arrangement.
- Half of barristers who typically worked less than 30 hours per week reported having a flexible working arrangement, compared with eight per cent of those who typically worked more than 60 hours per week. Similarly, 60 per cent of those who worked part-time said that they had a flexible working arrangement, compared with 11 per cent of those who regularly worked weekends.
- Nearly one in four female barristers (22%) had a flexible working arrangement, compared with 16 per cent of male barristers, and the proportion was much higher among Black female barristers (30%) and female barristers from Other ethnic backgrounds (46%).

### 5.3.1 Future changes to practice/working patterns

Barristers were asked whether there was anything about their practice or working patterns they would like to change in the future. Just under one in four (23%) said that there was nothing they would like to change, with barristers in commercial and chancery, and international/other practice areas, being most satisfied with their situation (40% and 43% respectively said that there was nothing they would like to change), while criminal and family barristers most likely to want to change aspects of their working practice or patterns (only 11% and 16% respectively did not want to change anything). Barristers who were between three and 12 years since call were more likely than shorter serving, or longer service barristers, to want to change aspects of their working practice or patterns.

Among those who did want to make changes, more remote working was the most mentioned change, with 60 per cent of barristers who did want to make changes reporting

this, followed by more flexible working (42%), leaving the Bar (21%), working part time (17%) and doing less legal aid work (17%).

There were only minor variations in responses by practice area, with more remote working, and more flexible working, the two most mentioned changes by barristers in all practice areas. Doing less legal aid work was the third most mentioned change by criminal barristers (mentioned by 36% of those wanted to make changes), while leaving the Bar was a lower priority for civil barristers and those in international/other practice areas.

More than one in three sole practitioner barristers who wanted a change (36%) said that they wanted to leave the Bar, three times the proportion of employed barristers (12%). Working part-time was the third most mentioned change among employed barristers (mentioned by 21% of those who wanted to make a change).

Moving area of practice was the third most mentioned change among New Practitioner barristers (less than 3 years since call), with 28 per cent of those who wanted to make a change mentioning this, suggesting that it may take some newly called barristers a few years to find their feet in terms of most suitable practice area. But New Practitioners were least likely to report wanting to leave the Bar (10%).

Working hours was the most cited factor causing barristers concern about remaining at the Bar among barristers who were considering leaving, mentioned by 72 per cent, followed by mental health consequences of working (67%), unpredictability of work (60%), working unpaid (58%), fees (52%), and cash flow (45%).

Among self-employed barristers in chambers, more opportunities for personal and professional training and development was the area chambers could most improve upon to better support the day-to-day management and overall development of barristers' practice, with 38 per cent of self-employed barristers in chambers reporting this change. This was followed by use of space, including opportunities for flexible working and hot-desking (mentioned by 34%), use of legal technology (28%), staffing structures and management (27%) and flexibility of chambers' charging structure (27%).

## 5.4 Distribution of work and extended court hours

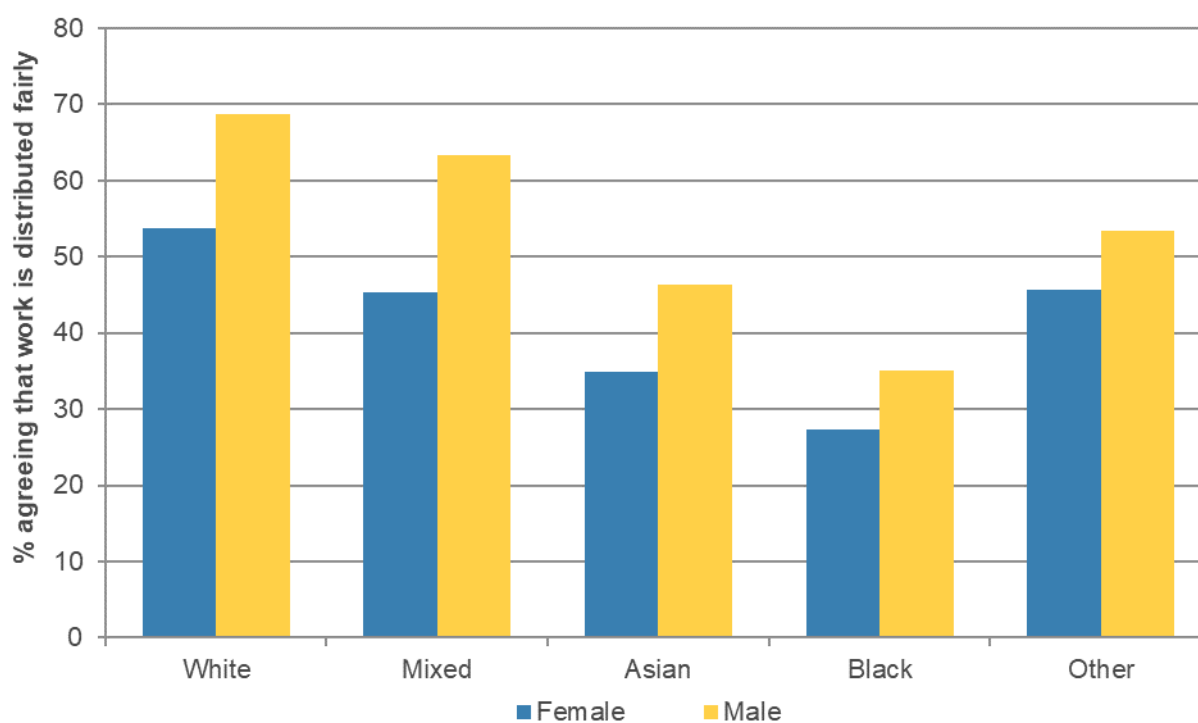
Barristers were asked if they thought work was distributed fairly in their practice area. Three fifths (59%) responded that it was distributed fairly, 17 per cent respondent that it was not distributed fairly, and the remaining 24 per cent did not know.

Family barristers were most likely to respond that it was distributed fairly (65%), and criminal barristers, and those in international/other practice areas, were least likely (53% and 52% respectively).

The likelihood of feeling that work was distributed fairly increased with time since call, from 45 per cent of New Practitioners (less than 3 years since call), to 63 per cent of barristers in Later Practice (23 or more years since call).

Two thirds of male barristers (67%) felt that work was distributed fairly, compared with only half (51%) of female barristers. White barristers were most likely to feel that work was distributed fairly, with 62 per cent saying that it was, compared with 53 per cent of Mixed barristers, 49 per cent of those from Other ethnic backgrounds, 40 per cent of Asian barristers, and 30 per cent of Black barristers. These patterns by ethnic background were common among both male and female barristers – in all ethnic groups, male barristers were more likely than female barristers to feel that work was distributed fairly, and in each sex, white barristers were most likely to feel that work was distributed fairly, and Black barristers were least likely. Figure 5.3 shows that 69 per cent of white male barristers and 54 per cent of white female barristers felt that work was distributed fairly, compared with 35 per cent of Black male barristers and 27 per cent of Black female barristers.

**Figure 5.3 Views on fairness of work distribution by sex and ethnicity**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Only one in ten barristers (9%) supported the introduction of Extended Operating Hours in courts, while four fifths (79%) did not support it, and 12 per cent did not know.

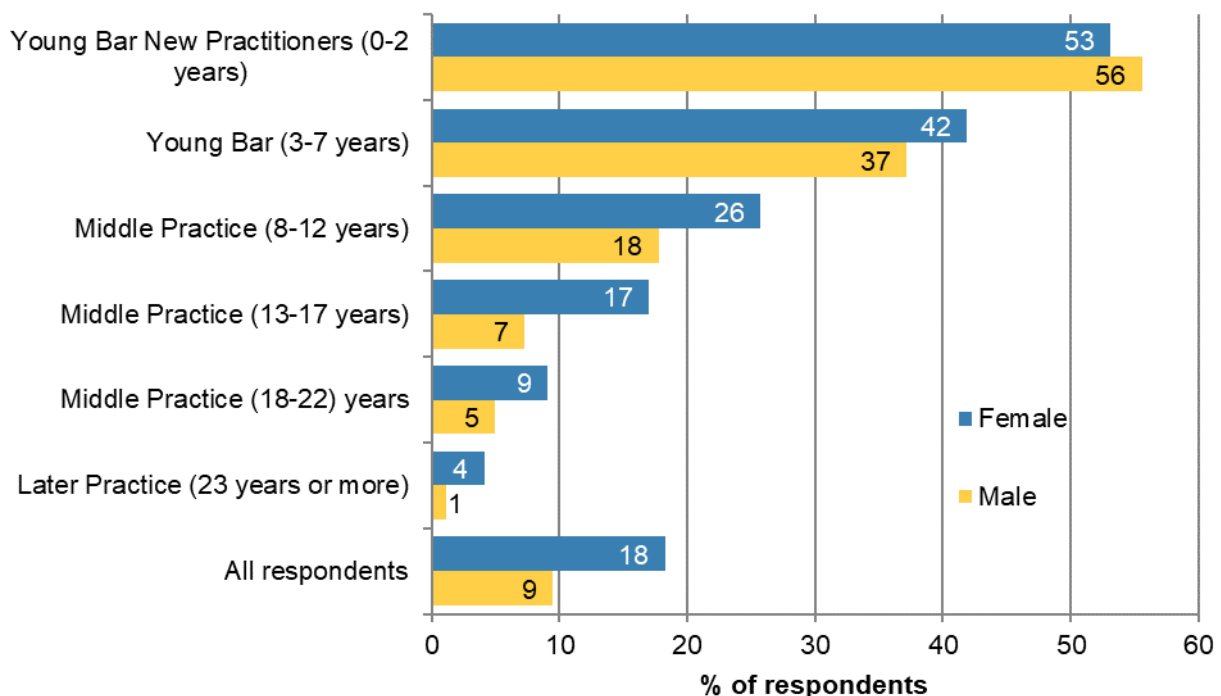
Support for Extended Operating Hours was lowest among criminal and family barristers (6%), and among self-employed barristers in chambers (8%). Twelve per cent of male barristers supported Extended Operating Hours, compared with seven per cent of female barristers, while by ethnicity, Asian barristers showed the highest level of support (17%) and Mixed barristers the lowest (7%).

## 5.5 Mentoring

Just under a half of all respondents to the survey indicated that they act as a mentor for other barristers, and there was relatively little variation by employment status or area of practice. Barristers working as employees are more likely to report that they act as mentors than self-employed barristers (50%, compared with 44% of self-employed barristers in chambers). Looking at variation by area of practice, barristers working in family practice were least likely to be acting as a mentor, (37%) while those in commercial (49%) and other/international (50%) were most likely. However, there was greater variation by income band. Nearly two-thirds (62%) of those barristers earning £240k or more were acting as a mentor compared with a third (36%) of those earning less than £90k per year and 45 per cent of those earning £90–240k.

Conversely, just 14 per cent of respondents said that they have a barrister mentor. Two key variables seem to be at play here. As might be expected younger barristers, those early in their career, are much more likely to have a barrister mentor, 54 per cent of all those up to two years since they were called to the Bar, 39 per cent of those 3-7 years since call, 22 per cent of Middle Practice (8–12 years since call, and then a steadily reducing proportion indicating they have a barrister mentor down to just two per cent of those in Later Practice (23 years or more since call).

**Figure 5.4 Having a Barrister Mentor by time since Call and sex (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

In addition to this predictable link there is a sex correlation too, and among barristers more than two years since call, female barristers were more likely to have a mentor than male barristers, as Figure 5.4 shows. This is particularly the case among the more

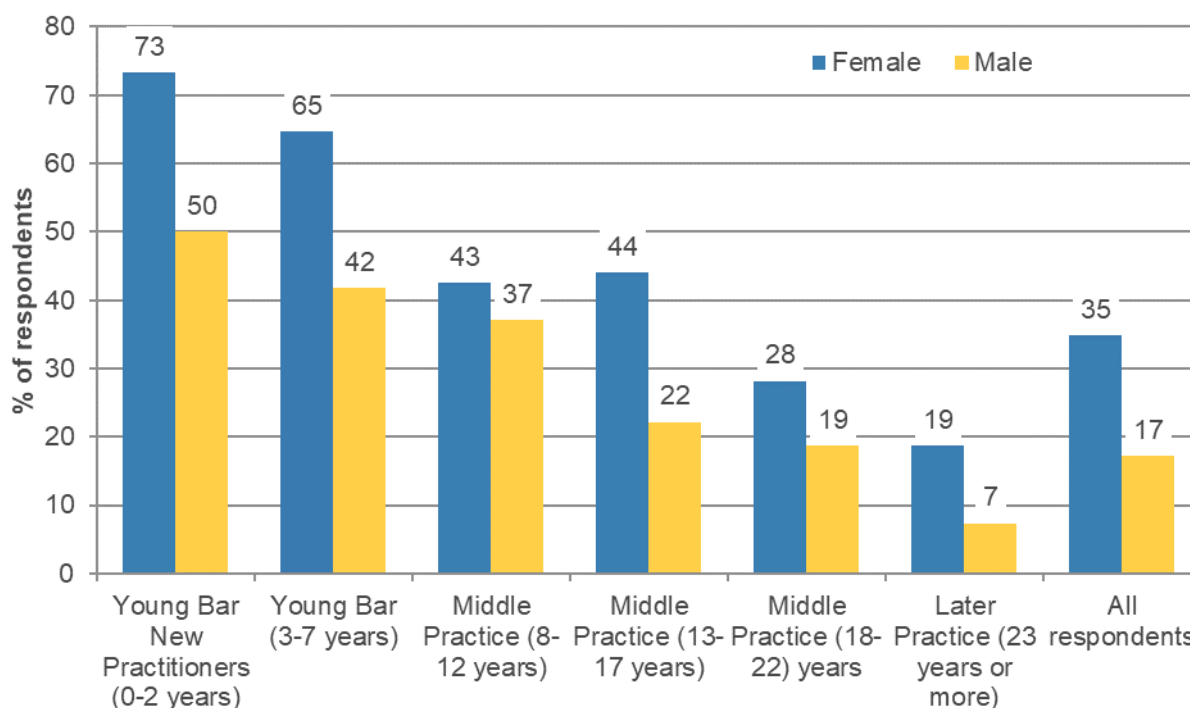
experienced barristers (13 years-plus) where more than twice as many female barristers as male barristers have barrister mentors. This suggests that female barristers are more likely to feel they need additional support to progress their careers, or perhaps are more inclined to see the benefits that can be accrued through having barrister mentors. There was also some difference in relation to disability – 19 per cent of those with a disability reported having a barrister mentor compared with 13 per cent of those with no disability.

There is little variation between other subgroups of respondents in their responses to this question, that is not largely explained by sex and experience.

Half of all respondents (51%) who have a barrister mentor indicated that it is 'very valuable' to them. A third (34%) see it as 'quite valuable', 11 per cent 'not very valuable' and four per cent 'not at all valuable'. Nearly three quarters (71%) of those with a disability see it as 'very valuable' compared with 49 per cent of those with no disability.

Of those respondents who, at the time of the survey, did not have a mentor, one in four (25%) said they would like one, while just over half (53%) said that they would not want one, and a fifth (22%) did not have an opinion one way or the other.

**Figure 5.5 Would like a barrister mentor by time since call and sex (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

More than twice as many female barristers who currently do not have a mentor said they would like one (35%, compared with 17% of male barristers), and the significant difference between male and female barristers holds true across all bands of experience (see Figure 5.5). More than half (57%) of the Young Bar said they would like a mentor contrasting with 32 per cent of those in Middle Practice and 11 per cent of respondents in Later Practice.



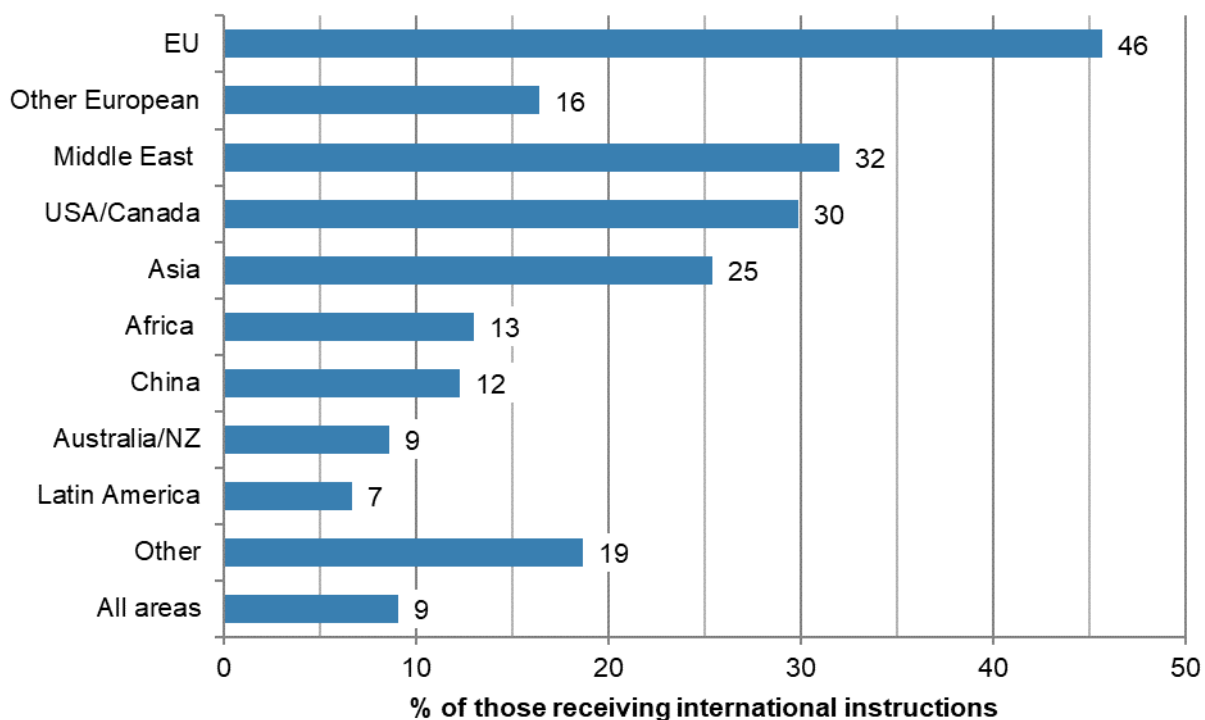
## 5.6 Practice Reviews

Just under half (48%) of all respondents indicated that they have practice reviews at least annually, while 29 per cent said they have them but less frequently than annually, and 23 per cent said they never have practice reviews. Overall, employed barristers were most likely to say they have practice reviews at least once per year (73%), and sole practitioners were most likely to never have practice reviews, as one might expect, while just under half of self-employed barristers in chambers (46%) indicated they have practice reviews at least once a year, and 33 per cent have them less frequently than once per year.

Looking only at those working in chambers, barristers in criminal practice (32%) were much more likely to report never having practice reviews than those in commercial, civil, and personal injury/professional negligence (all 13%). One in four (25%) of barristers working in family practice said they never have practice reviews. Among barristers working in Chambers, it is those earning the highest incomes, £240k or more, that were most likely to have practice reviews (64%, compared with 35% of those earning less than £90k and 45% of those earning £90–240k).

## 5.7 International Instructions

One in five (22%) barristers responding to the question indicated that they receive international instructions. Although this type of work is the primarily the domain of commercial practice barristers (57%) and those working in other/international practice area (57%), it is still the case that within these areas of practice international instructions appear to be taken primarily by the highest income earners. Looking only at those respondents working in commercial or international/other practice, 81 per cent of those earning in excess of £240k per year received international instructions, compared with just 30 per cent of those earning less than £90k and 45 per cent of those earning £90–240k per year.

**Figure 5.6 International Instructions: countries/regions (percentages)**

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

The EU is the primary source with just under half (46%) of all respondents receiving international instructions indicating they come from this region. A third (32%) cited the Middle East, and a similar proportion said USA/Canada were a source of this type of instruction.

## 5.8 Relationship between working patterns and views on working lives

Views on the work-life themes varied significantly by working hours typically worked before the pandemic, in the following ways:

- Views on supportive work environment were lowest among those working the shortest and longest working weeks, below 19 hours or above 70 hours (means of 3.49 and 3.43 respectively), with little variation in views among those working between 19 and 70 hours (3.64-3.70).
- Views on workload management became more negative as working hours increased. Barristers who typically worked under 19 hours had a mean score of 3.54, and this fell steadily as hours increased, reaching 2.43 for those working more than 70 hours.
- Views on psychological wellbeing showed little variation among those working 50 hours or less per week (3.43–3.48), but fell for those working longer hours, to 3.29 for those working 51 to 60 hours, 3.18 for those working 61 to 70 hours, and 3.02 for those working more than 70 hours.

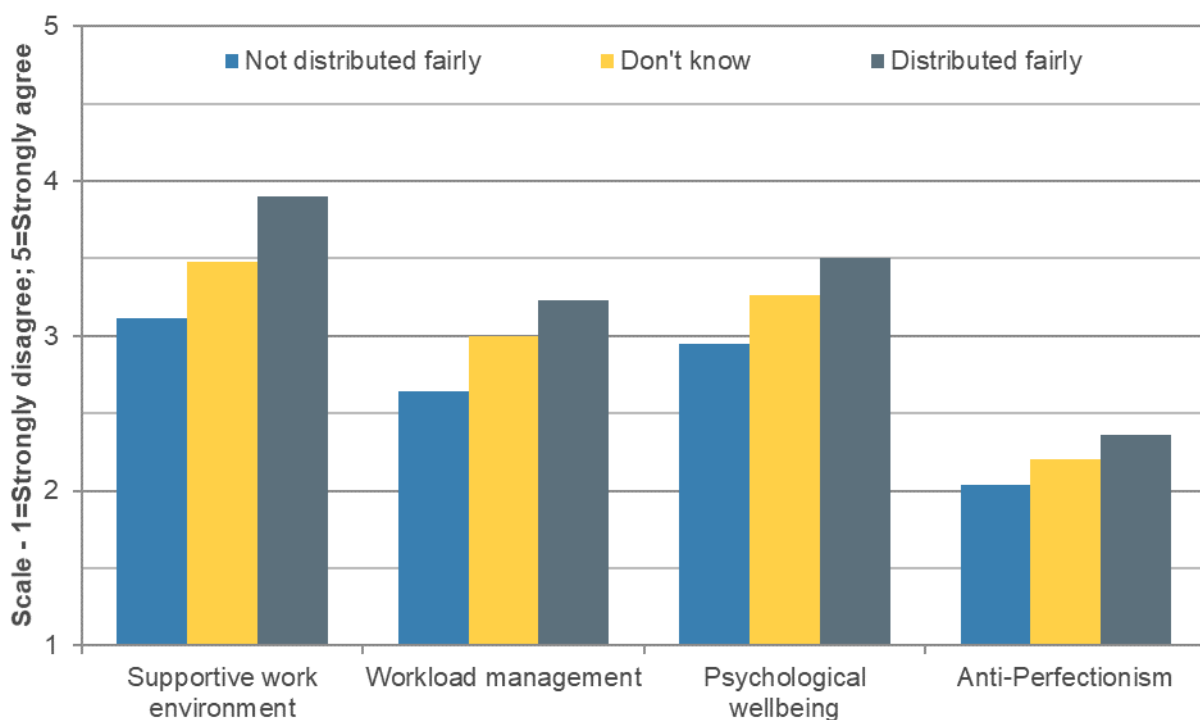
- Barristers working 18 or fewer hours per week were least negative about anti-perfectionism (2.52), and views became more negative as working hours increased, reaching a mean of 2.18 for those working more than 70 hours per week.

These patterns were somewhat reflected when looking at variation by full-time working, with barristers who said that they worked full-time extended hours including weekends reported the most negative views about all four themes. However, barristers working part-time were also very negative about anti-perfectionism.

Barristers with a flexible working arrangement were much more positive than those without about supportive working environment (3.76 compared with 3.65), workload management (3.39 compared with 3.00) and psychological wellbeing (3.49 compared with 3.32). However, there was no variation in views about anti-perfectionism by whether barristers had a flexible working arrangement.

Whether or not barristers felt work was distributed fairly in their practice area had a substantial influence on views about the work-life themes, as Figure 5.7 shows.

**Figure 5.7 Views on work-life themes by views on fairness of distribution of work**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

## 6 Bullying, harassment, and discrimination

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In this section we explore the prevalence and nature of bullying, harassment, and discrimination in the workplace, and who was responsible. The question formats were altered this year to accommodate issues surrounding online bullying and harassment resulting from the widespread use of online communications during the pandemic. As a result, the figures presented here are not directly comparable with previous years' data. It is also the case that in the last four years there is greater public awareness of what constitutes bullying and harassment. The questions posed in the survey were presented as below with a simple yes/no option to each.

During the **past two years**, have you:

- a) Personally experienced bullying or harassment **in person** at work?
- b) Personally experienced bullying or harassment **while working online** (via email, CVP, videoconferencing, networking or other online space)?
- c) Observed bullying or harassment in your workplace, **either in person at work or while working online**?
- d) Personally experienced discrimination **in person** at work?
- e) Personally experienced discrimination **while working online** (via email, CVP, videoconferencing, networking or other online space)?
- f) Observed discrimination in your workplace, **either in person at work or while working online**?

### 6.1 Prevalence

One in five (20%) of all barristers responding to the survey indicated that they have *personally experienced* bullying, harassment and/or discrimination at work **in person**. Thirteen per cent said they have experienced it **while working online**, 21 per cent said they have *observed* bullying, harassment, or discrimination **in person** or **online**. Fourteen per cent said they have *personally experienced* discrimination **in person** at work, six per cent said they have experienced discrimination **online**, and finally 15 per cent said they have *observed* discrimination **in person** or **online** at work.

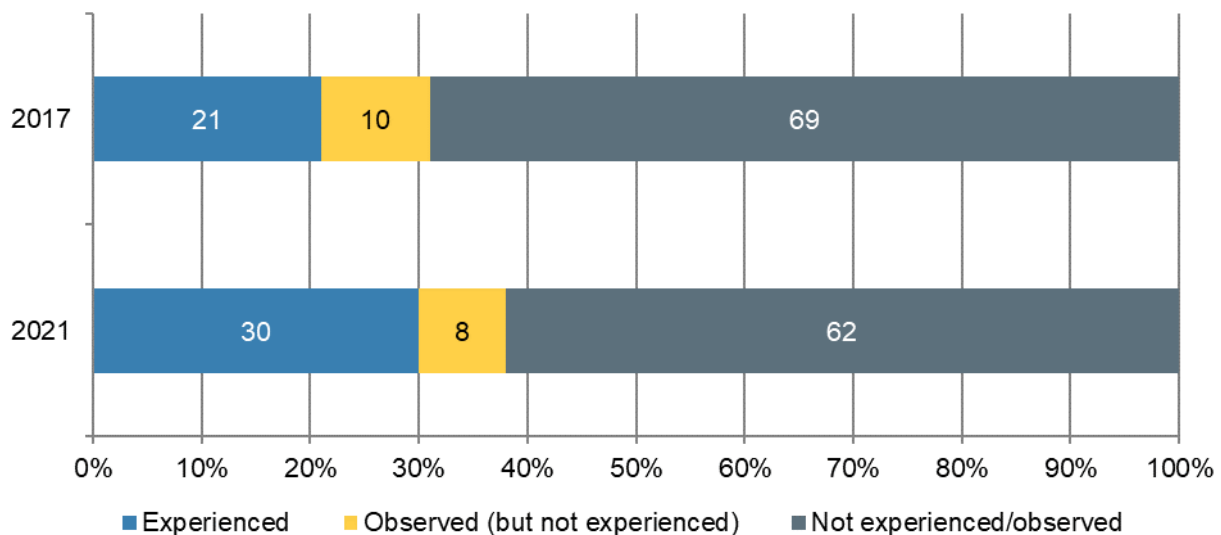
Taking these figures together three in ten (30%) of all barristers completing the question had **personally experienced** bullying, harassment, or discrimination at work (either in person or online). One in four (26%) reported that they had **observed** it (in person or online) at work. Of those observing it some will have personally experienced it *and* observed it. To avoid double counting, if a respondent indicated that they have observed

and experienced bullying and harassment or discrimination they are counted as having personally experienced it. Only if they have observed it but NOT experienced it are they counted as having observed it. This ensures each respondent is only counted once.

Following on from this, four in ten (38%) had personally experienced *and/or* observed bullying, harassment or discrimination at work, either in person or while working online.

It is worth noting that in 2017, notwithstanding changes in the question wording, the equivalent figure was 31 per cent (although online experience was not explicitly covered in 2017). Figure 6.1 summarises this.

**Figure 6.1 Personal experience and Observation of bullying, harassment or discrimination in person or online 2021 and 2017 (percentages)**



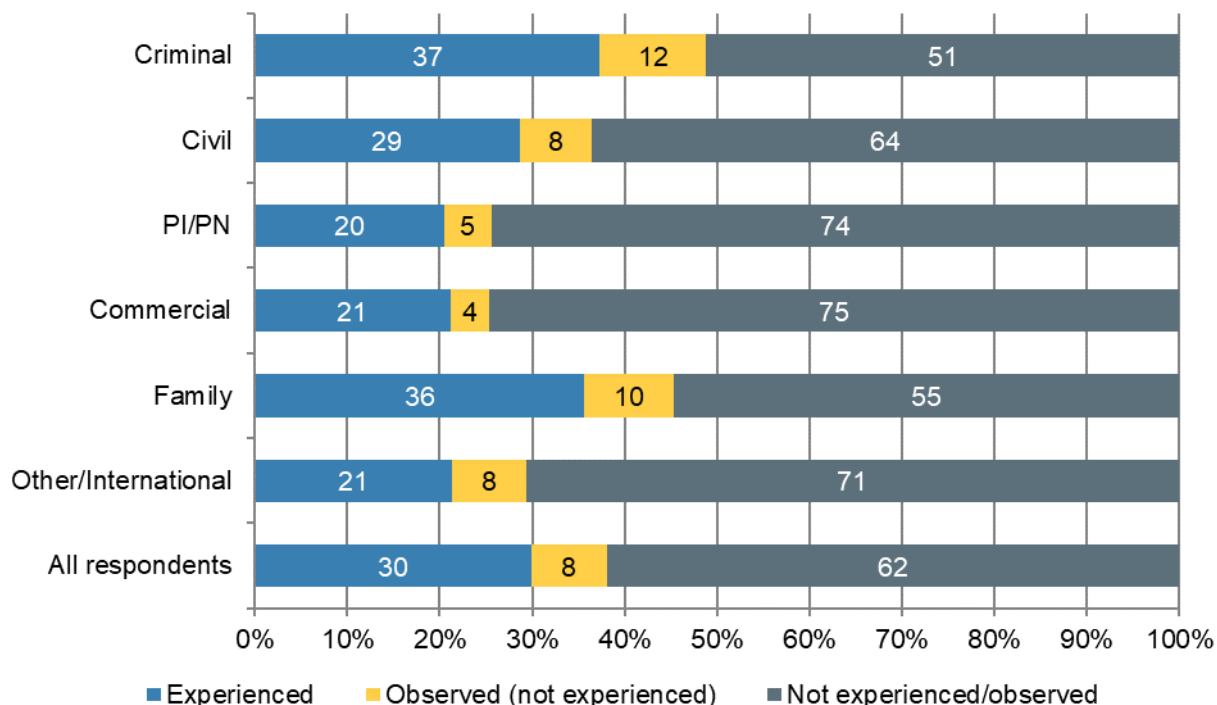
Source: IES/Bar Council: Barristers Working Lives Survey, 2021

In previous surveys there has been a difference in experience by barristers’ employment status, with employed barristers more likely to report having experienced bullying, harassment, or discrimination than self-employed barristers (either in chambers or sole practitioners).

This seems to be less the case this year with little discernible difference between types of work, or at least between employed barristers and those working in chambers (29% of each group), although sole practitioners and those working as both employed and self-employed reported higher levels of bullying and harassment (37% and 44% respectively).

Figure 6.2 shows the variation in personal experience and observation of bullying, harassment, and discrimination by broad area of practice. In the Criminal Bar nearly four in ten of all respondents (37%) reported having experienced bullying harassment or discrimination and a further 12 per cent say they have observed it – nearly a half of all respondents indicated that they have experienced or witnessed this behaviour at work. A similar result is apparent in the Family Bar. Among barristers in commercial practice, just one in four (25%) reported having witnessed or experienced this type of behaviour at work.

**Figure 6.2 Personal experience and observation of bullying, harassment or discrimination in person or online by broad area of practice (percentages)**

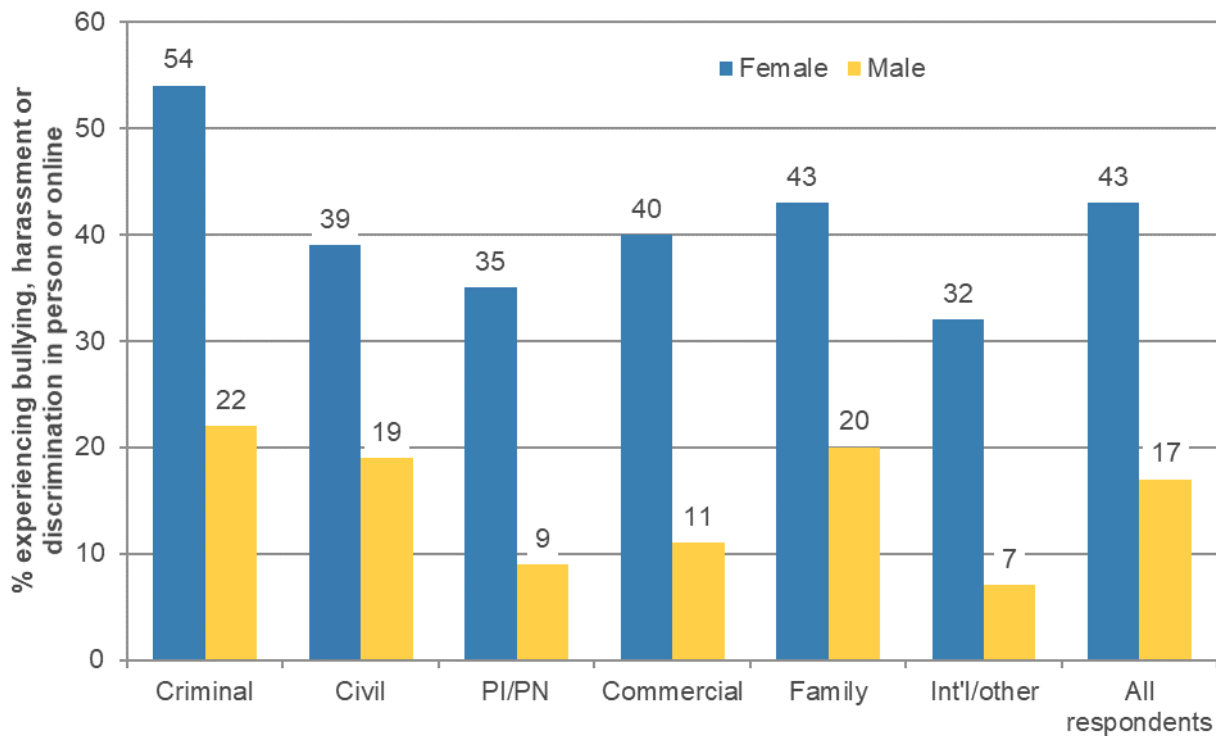


Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Three in ten female barristers have experienced bullying and harassment at work **in person** compared with 11 per cent of male barristers, and three times as many female barristers have experienced discrimination at work (21%, compared with 7% of male barristers).

Figure 6.3 presents the data on personal experiences by sex and broad area of practice. Multivariate analysis was undertaken to explore the demographic and employment characteristics of barristers that are personally experiencing bullying and harassment and/or discrimination. Sex was most strongly correlated with personal experience of bullying and harassment and discrimination – 43 per cent of female barristers responding to the survey reported that they have **personally** experienced bullying, harassment, or discrimination at work, either in person or online, compared with 17 per cent of male barristers. If we include witnessing bullying, harassment, and discrimination the numbers increase to more than half of all female barristers (51%), more than twice the figure for male barristers reporting the same (25%).

**Figure 6.3 Personal experience of bullying, harassment or discrimination in person or online by broad area of practice and sex (percentages)**

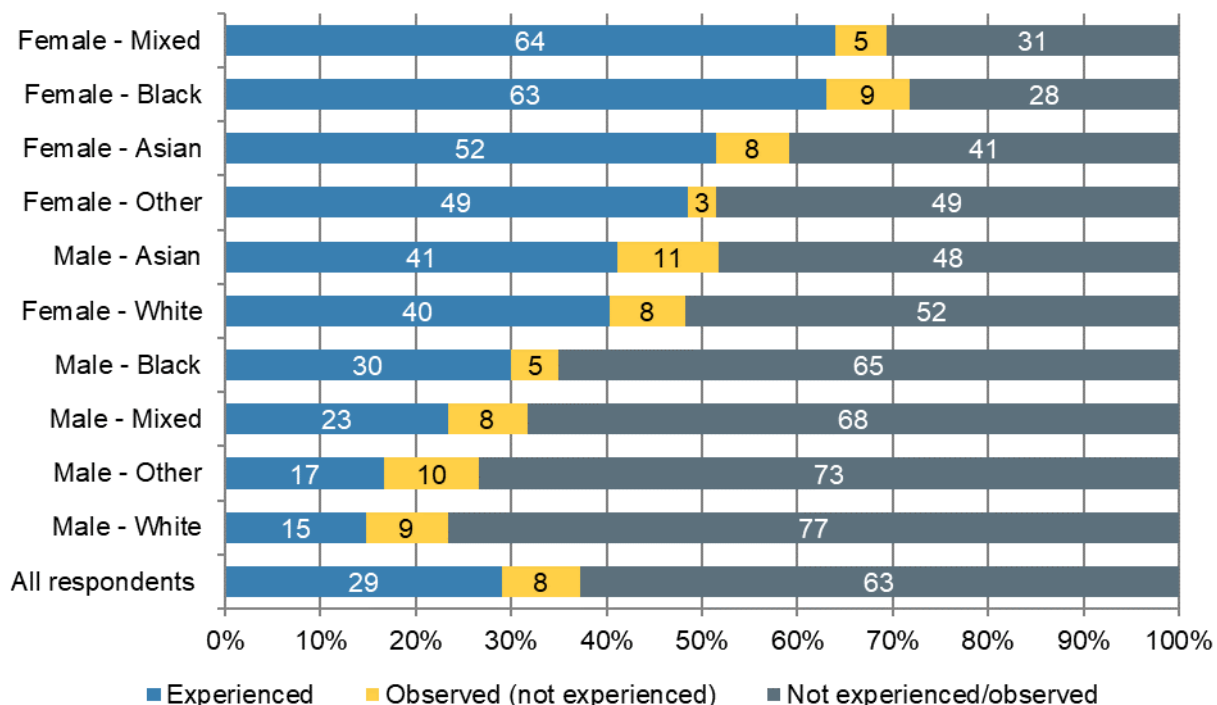


Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Additionally, ethnicity is a strong correlate with bullying, harassment, and discrimination with more than a half (53%) of all barristers with Black/Black British, African and Caribbean backgrounds reporting that they have personally experienced it while working at the Bar. The equivalent figures for Asian/Asian British, mixed origin and white respondents are 47 per cent, 46 per cent and 26 per cent respectively.

As well as highlighting the differences in experiences between barristers from different backgrounds, Figure 6.4 highlights the compounding effect of sex and ethnicity on the likelihood of barrister experiencing bullying and harassment. Nearly six in ten (58%) female, black and minority ethnic barristers have personally experienced bullying and harassment at work or online compared with 15 per cent of white male barristers, almost four times the likelihood. It is clear that sex is the key driver of this association with only Asian male barristers reporting in higher numbers than any group of female barristers, and even then, the differences are not statistically significant.

**Figure 6.4 Observing and experiencing bullying, harassment or discrimination in person or online by ethnicity and sex (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

In addition, there is a significant correlation between disability and experiences of bullying and harassment and discrimination, with 45 per cent of all barristers who report they have a long-term disability saying they have experienced bullying, harassment, and discrimination, compared with just 27 per cent of those with no disability.

There was little difference in responses to these questions by religion or sexuality. However, barristers who were educated in state schools were more likely to indicate experience of bullying, harassment and/or discrimination than those from independent schools (32% compared with 24% respectively). However, most of this difference is accounted for by differences by sex already mentioned. Differences by age are largely accounted for by stage of practice, reported above, but nevertheless a third (34%) of barristers aged under-45 reported personal experience of bullying, harassment or discrimination compared with 24 per cent of those aged 45-plus.

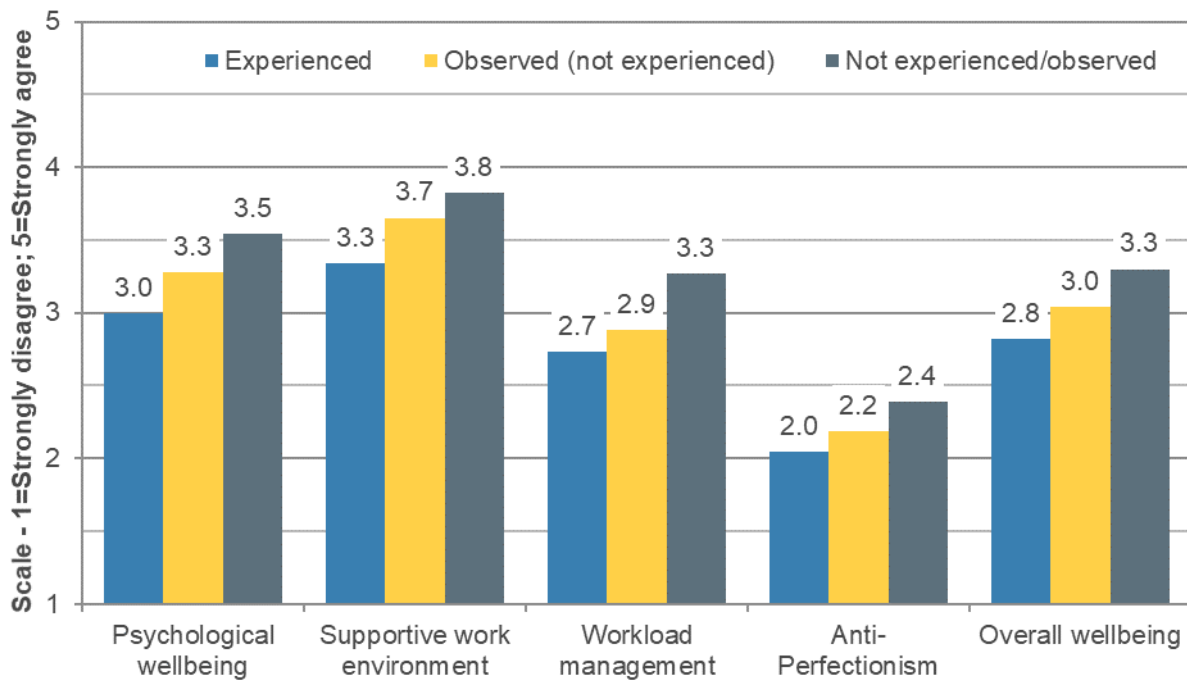
### 6.1.1 Wellbeing and bullying, harassment and discrimination

The wellbeing of barristers was reported on in Chapter 3 and showed that there was significant variation by some of the demographic variables, in particular stage of career, sex, and area of practice. It is also the case that there is a strong correlation between the experience of bullying, harassment and discrimination and wellbeing at the Bar. It is worth noting that the questions concerning wellbeing were asked before the questions concerning bullying, harassment, and discrimination. The correlation between these two variables is stronger than for any other variable and overall wellbeing. Figure 6.5



highlights this disparity in wellbeing by experience of bullying, harassment, and discrimination.

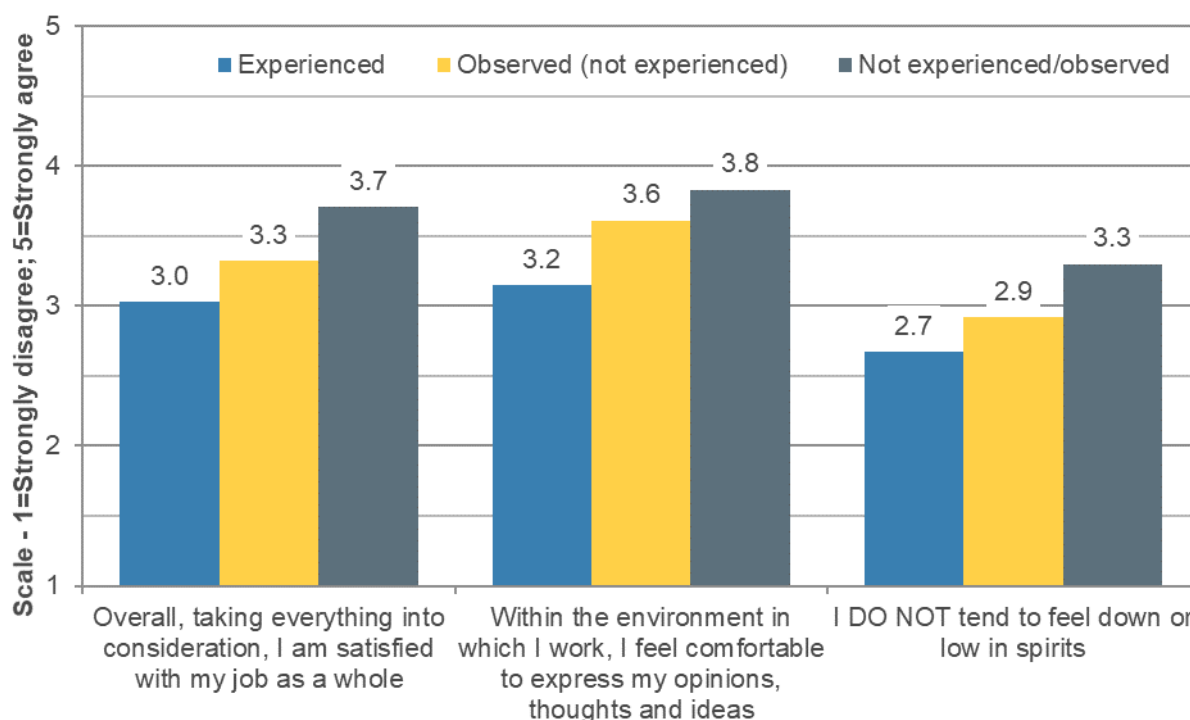
**Figure 6.5 Factors of wellbeing by observing and experiencing bullying, harassment or discrimination in person or online (score: higher score more positive)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Looking at each of the factors underpinning overall wellbeing ie psychological wellbeing, perfectionism, supportive working environment and workload management, it is noticeable that exposure of respondents to bullying, harassment and discrimination is correlated with all aspects of wellbeing, resulting in lower scores on the wellbeing factors. This is particularly the case in relation to ‘supportive working environment’ (or lack of) and ‘workload management’ (Figure 6.5 above).

**Figure 6.6 Items most affected by exposure to bullying, harassment or discrimination *in person or online* (score: higher score more positive)**



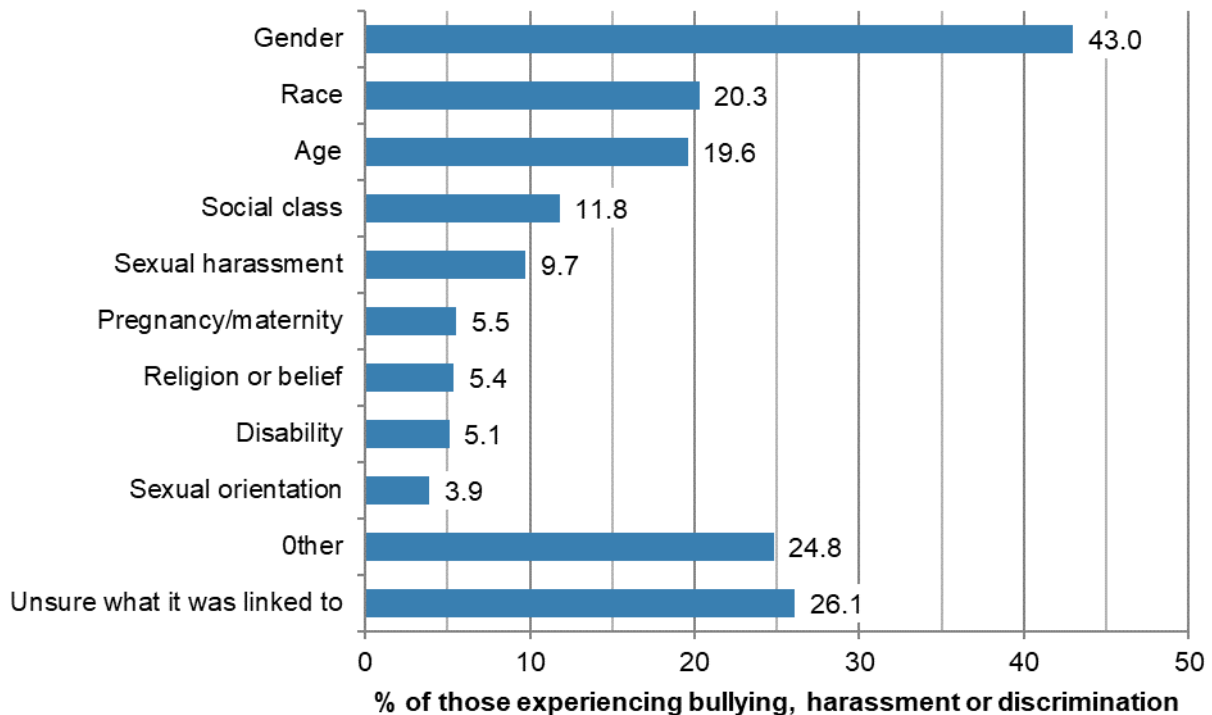
Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Although there is a significant relationship between exposure to bullying, harassment and discrimination and all of the wellbeing items and factors, the three items with the strongest links are highlighted in Figure 6.6. The most significant impacts of experiencing this type of negative behaviour are that barristers report lower overall job satisfaction, and feel less *comfortable to express their opinions, thoughts and ideas* at work, a key feature of a 'supportive working environment'. Also, barristers are more likely to score negatively *I DO NOT tend to feel down or low in spirits*, a key component of psychological wellbeing. These are the three aspects of wellbeing that barristers report being most affected by experiences of bullying, harassment, or discrimination.

## 6.2 Focus of bullying, harassment, and discrimination

Respondents who had indicated that they had experienced or witnessed bullying, harassment or discrimination were asked to indicate what they saw as the nature of what they had experienced or observed. As might be expected given the figures above, gender was seen as the most common link. Four in ten respondents said what they saw or experienced was linked to gender. One in four (26%) said they were unsure what it was linked to and a similar number (25%) said it was linked to 'other' issues. One in five (20%) said it was linked to race and the same proportion said it was linked to age. Twelve per cent mentioned social class and 10 per cent said sexual harassment. Five per cent or fewer said pregnancy, maternity, religion, disability, or sexual orientation.

**Figure 6.7 Nature of experience of bullying, harassment or discrimination in person or online (percentages) ... it related to ...**



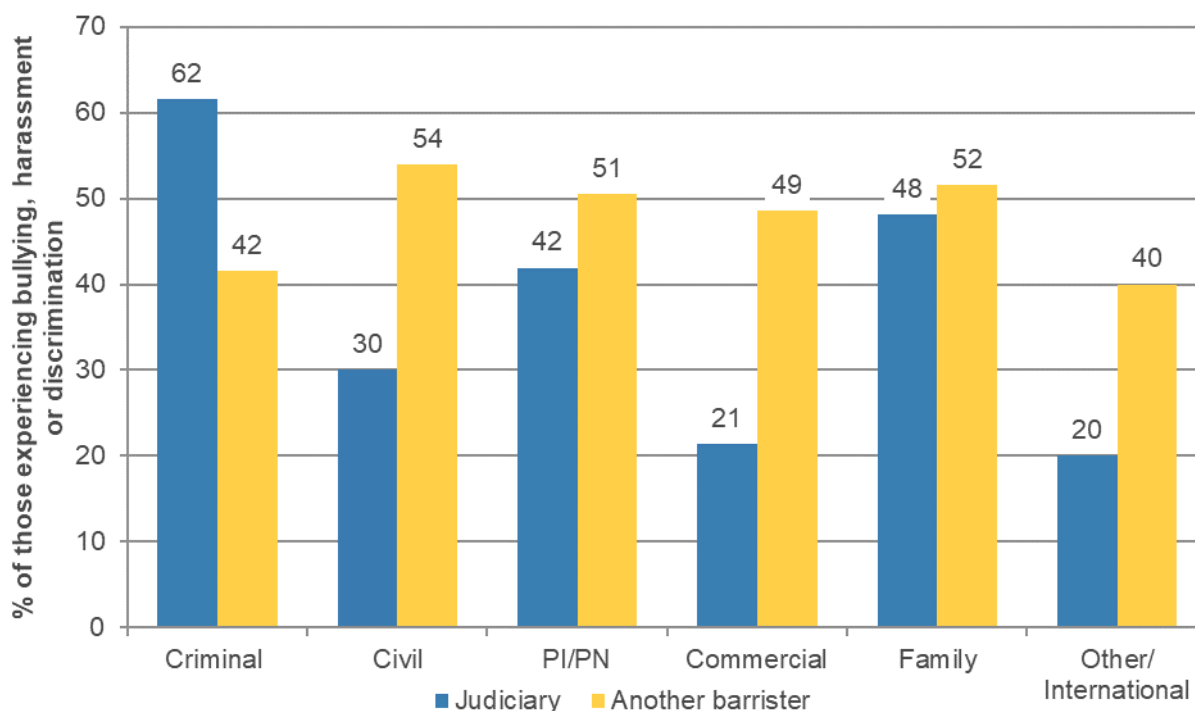
Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Of those who mentioned ‘other’ factors judicial behaviour was the most often cited (29% of all other factors mentioned). Non-specific bullying was reported by 17 per cent and non-specific leaders/seniors were the perpetrators. Other links all mentioned by fewer than 10 per cent of respondents to the question were: opponent counsel (9%), chambers general (5%), and others, fewer than one per cent in each case, included solicitors, clients, witnesses, coroners. Some respondents gave other types of links including ability/intellect (5%) and appearance, medical condition, pregnancy, experience, not drinking, region and personality all cited by fewer than one per cent.

### 6.3 Who was responsible?

The next set of questions asked respondents to indicate who they saw as responsible for the bullying, harassment, or discrimination. In summary, the most frequent mentions were ‘a member of the judiciary’ (45%) and ‘another barrister’ (48%). Looking at these two sources of bullying and discrimination it is apparent that when a member of the judiciary is cited, it is most likely to be from barristers working in criminal and family practice areas (62% and 48% respectively from these two areas of practice, compared with 21% and 30% of those experiencing bullying/discrimination in civil and commercial practice).

**Figure 6.8 Judicial and Barrister responsibility for bullying/discrimination by broad area of practice (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

When another barrister is cited as the source of bullying/discrimination then the variable most strongly associated with this response is stage of practice. Six in ten (62%) barristers in the Young Bar who have experienced bullying/discrimination mention another barrister as the source compared with 49 per cent of those in Middle Practice and 38 per cent of those in Later Practice. Barristers indicating their income to be less than £90k are also more likely to cite members of the judiciary as a source of bullying, harassment, and discrimination but this is likely to be more a function of area of practice and experience.

Female barristers were also more likely to cite another barrister as the source of their negative experience (52% compared with 41% of male barristers). Where other types of individuals are cited, there is no difference between male and female barristers.

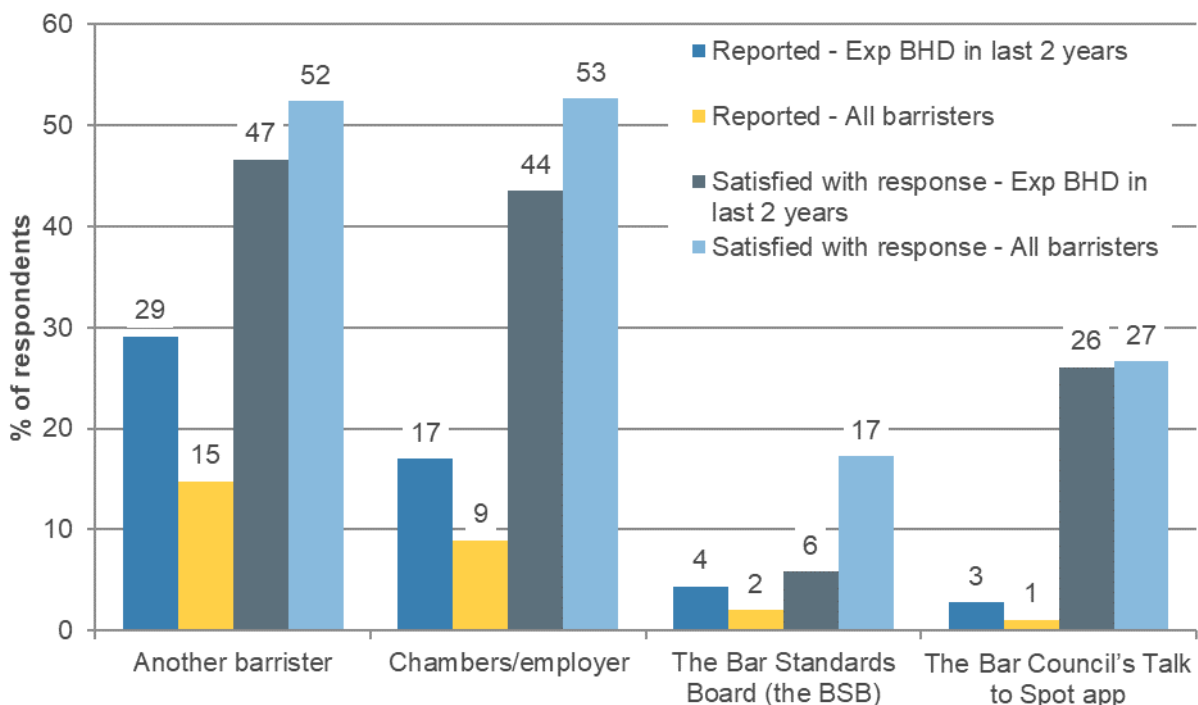
Among those reporting incidents of bullying, harassment and discrimination. Employed barristers were much less likely to indicate that members of the judiciary are responsible (16% compared with 49% among the self-employed barristers). Finally, there are several regions where the judiciary are more likely to be cited as sources of bullying, harassment and discrimination; the North West, West Midlands, Yorkshire and Humberside and the South West where 60 per cent or more of respondents who had experienced this behaviour cited the judiciary as the source of it.

## 6.4 Policies and reporting procedures

Four fifths (81%) of all respondents reported that their workplace has a policy relating to bullying/harassment, just two per cent said there was no policy and 17 per cent said they were not aware of a policy. Of those indicating that there is a policy in place nine in ten respondents (92%) said that it was ‘fit for purpose’. If we ignore those working as sole practitioners, those working in criminal and family practice were more likely to indicate that they were not aware whether or not their employer/chambers had a policy (19% and 22%).

Barristers were next asked to indicate if they have ever reported an incident of harassment or bullying at the Bar. Only 23 per cent of all barristers responding to the question have ever reported an incident, and in most of these cases it was just to another barrister (15%), nine per cent have reported an incident to their chambers or employer, two per cent to the Bar Standards Board and just one per cent have used the Bar Council’s Talk to Spot app (Figure 6.9). Among barristers who had experienced bullying, harassment, or discrimination in the last two years, 43 per cent had reported an incident, although few had reported one to the BSB or the Talk to Spot app.

**Figure 6.9 Reporting incidents of bullying/discrimination and satisfaction that it was dealt with appropriately (percentages)**



Source: IES/Bar Council: Barristers Working Lives Survey, 2021

In terms of whether the incident was dealt with appropriately (and excluding barristers who reported that the investigation was still ongoing), just over half of those who had reported to their employer/chambers or to another barrister said that yes, they were satisfied. But just 15 per cent of those who had reported to the Bar Standards Board and

23 per cent of the 35 respondents who had used the Talk to Spot app said they were satisfied. For all reporting mechanisms except the Talk to Spot app, satisfaction among those who had experienced bullying, harassment, or discrimination in the last two years was lower than among all barristers.

Respondents were next asked to indicate if they had *ever* disclosed an incident of harassment at the Bar to another barrister, either to seek a resolution of the problem or to ask for guidance. Six in ten (61%) said they have never experienced or witnessed an incident of this kind at the Bar, one in four (24%) said they have disclosed an incident to another barrister and 15 per cent said they had chosen to not disclose an incident.

Following this up, those who had chosen to not disclose were asked if the reason they had not done so was influenced by the duty to report serious misconduct in the BSB Handbook. Four in five (81%) said this had had no influence on their decision, five per cent had said it was a major influence, eight per cent a moderate influence, and six per cent a minor influence. The numbers of respondents here are too small to produce any meaningful disaggregation.

## 7 Bar Council Services

This section looks at the services that the Bar Council offers and respondent reports of whether they have made use of any services and what additional services (paid/unpaid) they would like to see offered.

Figure 7.1 shows that the most frequently accessed service is the Ethical Enquiries Service (41%) and Bar Council Training followed by Pupillage Gateway, Wellbeing at the Bar website and the Practice and Ethics hub, all mentioned by a fifth or more of respondents.

**Figure 7.1 Bar Council Services used (percentages)**



Note: only services used by at least 5% of respondents are included in the figure

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

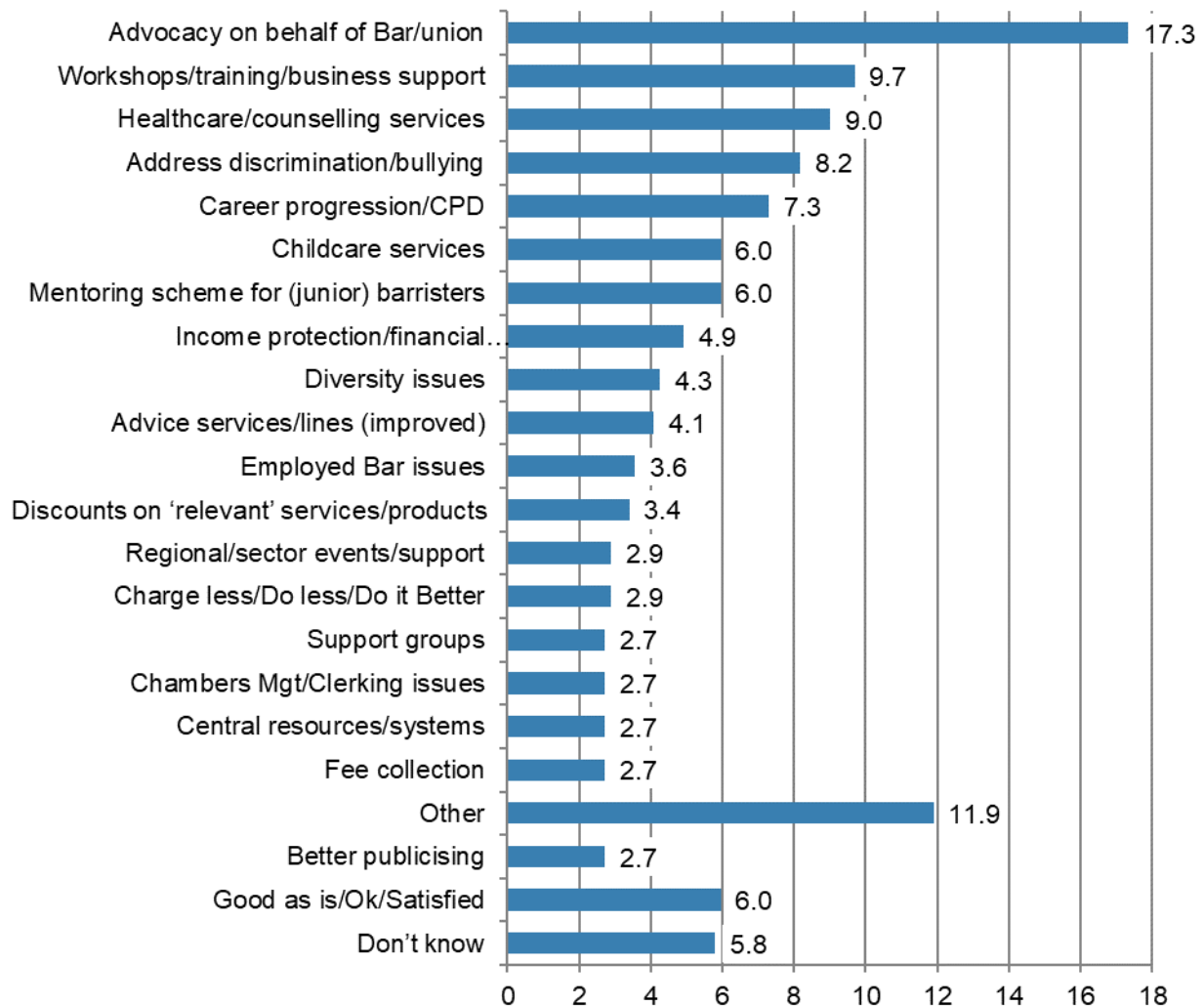
Self-employed barristers (Chambers, 43% and Sole Practitioners 36%) are more likely to have used the Ethical Enquiries Service than Employed barristers (22%). More than half (52%) of those who are both Self-Employed and Employed used this service. Sole Practitioners on the other hand are more likely to have used the Bar Council Training services (44%) when compared with Employed barristers (19%) and Chambers based Self-Employed (32%).

It is worth noting that respondents who have used the 'wellbeing at the bar website and resources' score significantly lower in psychological wellbeing, as well as overall wellbeing, than those who have not, suggesting that the resource is proving useful to those who need it. Furthermore, 30 per cent of barristers who have experienced bullying, harassment or discrimination have used the wellbeing resources, compared with 26 per cent of those who have observed this behaviour, and 19 per cent of respondents who have not experienced or observed it.

Also, those who have experienced bullying and harassment, or discrimination, either online or in person, are more likely to have used the Ethical Enquiries Service than those who have not (45% compared with 39%). The same is true in relation to use of Practice and Ethics Hub and Resources (26% of those who have experienced bullying, harassment or discrimination have used this, compared with 20% of those who have not experienced this behaviour).

By and large Employed barristers are less likely to have used most of the services listed, or there is no statistical difference in use. The largest difference in take up is in the Direct Access Portal, where 32 per cent of Sole Practitioners have used it, compared with five per cent of the Employed Bar and 15 per cent of Chambers based Self-Employed barristers.



**Figure 7.2 Bar Council Services wanted (percentages)**

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

Figure 7.2 summarises the types of services wanted in a free text response. 588 respondents offered suggestions, and all these were coded and summarised into themes. Inevitably there is some overlap in the response categories, but the list below covers the main comments and themes and provides a flavour of the range of comments offered by respondents.

1. **Improved advocacy on behalf of the profession** was the most often cited need (17%). This was sometimes referred to in the context of acting more like a union, standing up to the government, including in relation to issues around: the Criminal Bar; standing up to populist messaging around legal aid etc; addressing judicial behaviour; reducing regulation/administration; promoting remote working; and running more effective representation/campaigns on various issues and lobbying. Also, respondents expressed feelings that the Bar could have been better represented during lockdowns, and many respondents reported that they would like to see the Bar Council take a lead

on promoting or introducing policies and procedures to encourage the desired change among employers and chambers.

2. **Workshops, training business support** was the second most common need (10%), with a wide range of training needs mentioned. A large number of respondents mentioned general skills, such as equality and diversity, business, IT, and finance skills. Some respondents wanted cheaper training and workshops/seminars, as they saw current courses as too expensive, and in a similar vein some said they wanted more remote/online training sessions.
3. **Healthcare and counselling services** (9%) – in particular mental health services, from professionally qualified practitioners, that is easy to access and convenient. Some respondents felt that colleagues were not accessing a service when it needed attendance during working hours.
4. **Address discrimination and bullying** (8%) – the need for improved bullying, harassment and discrimination behaviour and anti-racism policies and procedures, particularly regarding bullying by the judiciary. The need to address sexual discrimination and provide independent crisis support, confidential whistleblowing, and better follow up of reports. Also a need to recruit more minorities so that the Bar better represents the population it serves.
5. **Career progression/CPD** (7%) – a range of services such as assistance with taking secondments, return to practice assistance, facilitator/coaching/advice about moving chambers or practice areas, and provision of a support hub.
6. **Childcare services** (6%) – including assistance with fees for childcare, support with providing creche facilities, and assisting working parents and those returning to work after maternity/paternity leave or from caring for other adults. Also maternity/parental leave/rights and advocating for flexible working practices.
7. **Mentoring scheme for junior barristers** (6%) – providing or co-ordinating mentors from other chambers in all areas of work and levels of experience and demographics.
8. **Income protection, insurance, pension advice** (5%) – including support for barristers with low incomes, support with data security cover, tax advice, advice on directors and officers (D&O) liability insurance, and advice on private health insurance.
9. **Support on diversity issues** (4%) – more effort and assistance to help people from less-represented backgrounds (women, disabled people, people from ethnic minority backgrounds, LGBTQ people, and those from socially disadvantaged backgrounds) to join, remain and progress in the Bar.
10. **Improve advice lines/services** (4%) – including: affecting chambers structures for dealing with for example CPS, ABS, Pupillage etc; addressing financial and ethical issues; help and advice with VAT and lower income services; and support/advice with mobility issues.

## 8 Appendix

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**Table 8.1: Sector of the Bar: key demographics<sup>3</sup>**

Area of the Bar	Female	BAME <sup>4</sup>	Young Bar <sup>5</sup>	No religion <sup>6</sup>	LGB <sup>7</sup>	State school <sup>8</sup>	First generation HE <sup>9</sup>	Disability <sup>10</sup>	Main child carer <sup>11</sup>	Adult carer <sup>12</sup>	Base N=
Employed Practice	50.6%	13.9%	13.3%	46.3%	10.7%	64.8%	46.7%	15.4%	38.1%	13.6%	375
Self-Employed Practice (Chambers)	47.8%	11.9%	16.3%	45.2%	9.1%	55.9%	46.5%	8.4%	32.2%	15.0%	2,930
Self-Employed Practice (Sole Practitioner)	42.3%	22.6%	5.4%	31.8%	9.0%	53.2%	58.7%	19.8%	24.2%	20.7%	111
Both (Self-Employed AND Employed)	36.8%	26.8%	22.2%	34.0%	15.4%	56.1%	45.5%	19.6%	30.2%	23.6%	63
All respondents	47.7%	12.7%	15.8%	44.8%	9.3%	56.8%	46.8%	9.7%	32.6%	15.2%	3,479

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

<sup>3</sup> Percentages of key demographics listed. All the subsequent tables use the same categories. The data here serve the purpose both of quantifying the demographic and employment composition of respondents as well as pointing to variables that are correlated to inform subsequent analysis of differences between groups of respondents.

<sup>4</sup> BAME Black and Minority Ethnic origin. See Table 8.10 for more detail on this broad group and its constituent demographics.

<sup>5</sup> Young Bar defined as barristers with up to seven years' practice experience.

<sup>6</sup> Barristers identifying as not having a religious affiliation.

<sup>7</sup> Only includes sexual orientation, not transgender.

<sup>8</sup> Respondents indicating they were state school educated (selective and comprehensive) at secondary level as opposed to independent school educated.

<sup>9</sup> Respondents indicating that their parents/guardians were not educated to degree level.

<sup>10</sup> Respondents reporting that they have a disability according to the definition of the Equality Act 2010.

<sup>11</sup> Barristers that report being the primary carer for a child/children under the age of 18.

<sup>12</sup> Barristers indicating that they have a caring responsibility of at least an hour a week for an adult (or relative) with long term physical or mental health needs.

**Table 8.2: Sector of the Bar: key demographics**

Area of practice	Female	BAME	Young Bar	No religion	LGB	State school	First gen HE	Disability	Child carer	Adult carer	Base N=
Admiralty	66.7%	0%	33.3%	66.7%	0%	0%	33.3%	0%	33.3%	0%	3
Arbitrator or Umpire or Mediator	46.2%	0%	0.0%	15.4%	7.1%	35.7%	42.9%	0%	21.4%	21.4%	16
Chancery (Contentious)	34.1%	12.0%	16.6%	45.1%	9.4%	50.6%	44.3%	8.1%	23.9%	9.3%	175
Chancery (Non-Contentious)	50.0%	20.0%	40.0%	30.0%	0%	44.4%	22.2%	10.0%	33.3%	11.1%	10
Commercial	27.7%	22.6%	28.8%	44.2%	6.7%	43.0%	34.0%	5.7%	23.6%	13.6%	288
Competition	57.1%	9.5%	14.3%	45.0%	11.1%	31.6%	20.0%	0%	38.1%	9.5%	21
Construction	45.0%	6.4%	17.0%	41.0%	7.7%	48.8%	38.1%	2.4%	19.0%	7.3%	47
Crime	43.7%	15.7%	19.8%	47.1%	8.4%	61.3%	52.0%	9.7%	33.5%	17.0%	921
Defamation	38.9%	5.3%	10.5%	41.2%	18.8%	38.9%	16.7%	23.5%	35.3%	37.5%	20
Employment	52.8%	15.8%	22.4%	46.6%	6.7%	59.1%	40.7%	25.7%	39.7%	18.1%	152
European	16.7%	28.6%	28.6%	25.0%	40.0%	75.0%	40.0%	0%	50.0%	0%	7
Family (Children)	72.1%	17.9%	26.2%	39.1%	12.0%	69.9%	55.7%	7.1%	34.3%	16.9%	553
Family (Other)	56.5%	13.7%	17.1%	36.3%	6.6%	49.6%	48.4%	6.2%	36.5%	16.0%	146
Financial Services	55.3%	4.9%	9.8%	31.6%	13.2%	62.2%	43.2%	15.4%	35.1%	12.8%	41
Immigration	57.6%	14.5%	23.2%	44.6%	15.4%	44.6%	33.3%	13.5%	33.9%	10.7%	69
Insolvency	43.8%	13.9%	25.0%	61.3%	6.7%	53.1%	43.8%	9.4%	35.5%	3.1%	36
Intellectual Property	25.0%	8.0%	20.0%	47.4%	25.0%	52.6%	40.0%	11.8%	21.1%	0%	25
International	37.9%	16.1%	19.4%	46.2%	14.8%	25.9%	25.0%	10.3%	32.1%	7.1%	31

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Area of practice	Female	BAME	Young Bar	No religion	LGB	State school	First gen HE	Disability	Child carer	Adult carer	Base N=
Landlord & Tenant (Non-Res)	27.8%	15.0%	20.0%	33.3%	10.5%	50.0%	57.9%	10.5%	26.3%	15.8%	20
Landlord & Tenant (Res)	38.9%	24.6%	35.1%	58.0%	18.4%	66.7%	53.7%	11.5%	26.4%	7.7%	57
Licensing	0%	0%	0%	0%	0%	33.3%	66.7%	33.3%	33.3%	33.3%	3
Other Common Law	45.7%	21.2%	31.3%	47.1%	7.1%	55.7%	53.5%	14.0%	33.0%	14.8%	99
Personal Injury	43.2%	6.5%	15.5%	50.3%	6.6%	55.3%	45.6%	5.2%	37.3%	15.6%	328
Planning	34.1%	4.4%	4.3%	46.5%	12.2%	47.7%	41.9%	11.1%	26.7%	18.6%	47
Professional Discipline	51.1%	18.6%	4.3%	34.1%	7.1%	74.4%	50.0%	16.3%	36.4%	11.4%	46
Professional Negligence	37.2%	11.6%	8.7%	52.4%	10.0%	41.9%	38.1%	9.5%	34.9%	16.3%	46
Public Law	56.5%	13.8%	15.7%	53.6%	13.2%	52.8%	39.9%	16.2%	41.1%	17.7%	166
Revenue	32.6%	28.9%	25.0%	40.9%	7.7%	39.1%	44.4%	19.6%	21.3%	8.7%	52
Other	45.7%	16.7%	7.7%	37.1%	12.1%	60.5%	55.6%	15.8%	26.3%	16.7%	39
Mixed practice	54.5%	18.2%	9.1%	0%	0%	45.5%	27.3%	0%	9.1%	18.2%	11
All respondents	47.8%	12.7%	15.8%	44.8%	9.4%	56.8%	46.8%	9.7%	32.6%	15.2%	3,475

**Table 8.3: Broad area of practice: key demographics**

<b>Area of practice</b>	<b>Female</b>	<b>BAME</b>	<b>Young Bar</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen HE</b>	<b>Disability</b>	<b>Child carer</b>	<b>Adult carer</b>	<b>Base N=</b>
Criminal	43.7%	11.2%	15.7%	47.1%	8.4%	61.3%	52.0%	9.7%	33.5%	17.0%	921
Civil	46.9%	17.9%	15.4%	46.9%	11.0%	52.3%	42.6%	15.9%	32.8%	14.9%	776
PI/PN	43.4%	8.3%	13.6%	48.8%	7.0%	55.9%	45.3%	6.9%	37.0%	15.2%	420
Commercial	34.2%	11.6%	17.0%	44.3%	8.1%	47.0%	37.7%	7.3%	26.0%	11.4%	571
Family	68.8%	11.9%	17.0%	38.5%	10.9%	65.8%	54.2%	6.9%	34.7%	16.7%	699
Other/International	42.0%	17.5%	13.0%	34.2%	13.2%	47.5%	40.0%	11.0%	27.7%	12.7%	77
All respondents	47.8%	12.7%	15.8%	44.8%	9.4%	56.8%	46.8%	9.7%	32.6%	15.2%	3,464

*Source: IES/Bar Council: Barristers Working Lives Survey, 2021*

**Table 8.4: Stage of practice: key demographics**

<b>Stage of practice</b>	<b>Female</b>	<b>BAME</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen. HE</b>	<b>Disability</b>	<b>Child care</b>	<b>Adult carer</b>	<b>Base N=</b>
Young Bar (0-2 years)	47.1%	21.7%	48.4%	27.0%	48.5%	36.5%	17.5%	7.8%	7.7%	77
Young Bar (3-7 years)	59.6%	10.9%	58.8%	15.6%	58.5%	40.7%	10.7%	10.9%	7.9%	471
Middle (8-12 years)	54.3%	15.0%	52.7%	10.6%	58.8%	37.3%	9.0%	30.0%	8.8%	515
Middle (13-17 years)	53.9%	14.4%	46.1%	8.7%	59.5%	42.8%	10.0%	53.0%	9.4%	484
Middle (18-22) years	58.8%	14.4%	37.8%	7.3%	59.9%	47.9%	7.4%	56.0%	17.8%	551
Later (23 years or more)	34.7%	10.7%	39.0%	6.8%	53.7%	54.2%	10.1%	26.1%	21.5%	1,380
All respondents	47.7%	12.7%	44.8%	9.3%	56.8%	46.8%	9.7%	32.6%	15.2%	3,478

*Source: IES/Bar Council: Barristers Working Lives Survey, 2021*



**Table 8.5: Age band: key demographics**

<b>Age band</b>	<b>Female</b>	<b>BAME</b>	<b>Young Bar</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen. HE</b>	<b>Disability</b>	<b>Child carer</b>	<b>Adult carer</b>	<b>Base N=</b>
Under-35	59.6%	12.4%	62.4%	57.1%	16.3%	61.2%	36.6%	9.6%	9.7%	5.0%	622
35 - 44	56.0%	16.2%	7.3%	47.7%	8.9%	57.8%	39.2%	8.7%	53.7%	9.9%	872
45 - 54	47.1%	12.2%	4.1%	40.1%	7.0%	54.5%	53.1%	8.5%	48.6%	21.8%	869
55 - 64	34.5%	10.7%	2.1%	40.0%	9.0%	57.3%	55.6%	11.6%	11.8%	23.4%	571
65-plus	16.3%	5.4%	0.9%	29.3%	1.5%	45.1%	60.1%	12.3%	5.9%	13.7%	212
All respondents	47.8%	12.7%	15.7%	44.8%	9.3%	56.8%	46.8%	9.7%	32.7%	15.1%	3,230

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Table 8.6: Region of practice: key demographics**

Region	Female	BAME	Young Bar	No religion	LGB	State school	First gen. HE	Disability	Child care	Adult carer	Base N=
Wales	51.7%	5.1%	10.9%	42.6%	7.3%	82.8%	61.0%	9.8%	42.6%	20.0%	64
North East	59.7%	9.3%	17.4%	54.1%	8.7%	66.7%	54.7%	5.2%	42.7%	16.9%	86
North West	51.4%	8.0%	19.6%	39.4%	12.2%	69.5%	59.1%	13.6%	33.0%	19.6%	189
Yorkshire and The Humber	56.9%	10.3%	26.2%	49.1%	3.6%	79.3%	62.5%	12.3%	42.9%	21.8%	61
West Midlands	51.7%	17.1%	18.4%	39.5%	11.4%	74.1%	55.3%	7.7%	32.5%	13.6%	125
East Midlands	60.5%	9.5%	21.3%	39.3%	4.8%	65.9%	61.6%	3.6%	48.8%	22.6%	94
South West	52.2%	3.0%	17.1%	41.7%	4.5%	54.1%	50.0%	11.1%	30.1%	10.4%	152
South East	47.7%	12.9%	14.9%	43.6%	9.1%	57.5%	51.6%	10.0%	31.6%	16.7%	542
East of England	53.6%	3.8%	16.7%	40.7%	11.1%	66.7%	40.7%	15.4%	28.6%	10.7%	30
Greater London	46.1%	14.3%	18.7%	48.2%	10.0%	47.9%	37.9%	8.5%	29.6%	10.6%	1,271
Multiple/National	44.5%	14.2%	9.1%	42.4%	9.5%	59.3%	48.5%	11.4%	34.3%	19.5%	845
All respondents	47.8%	12.7%	15.8%	44.7%	9.3%	56.9%	46.9%	9.7%	32.7%	15.1%	3,459

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Table 8.7: Queen’s Counsel: key demographics**

<b>Silk status</b>	<b>Female</b>	<b>BAME</b>	<b>Later practice</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen. HE</b>	<b>Disability</b>	<b>Child care</b>	<b>Adult carer</b>	<b>Base N=</b>
Yes	25.7%	11.7%	84.0%	41.2%	6.2%	41.9%	45.9%	6.3%	25.2%	17.8%	470
No	51.5%	12.6%	31.5%	45.4%	9.9%	59.4%	46.9%	10.1%	33.2%	14.1%	2,815
Hope to in next 2 years	44.4%	15.4%	51.5%	43.8%	9.0%	54.6%	48.0%	11.6%	43.5%	23.7%	167
All respondents	47.6%	12.7%	39.6%	44.8%	9.3%	56.8%	46.8%	9.7%	32.6%	15.1%	3,452

*Source: IES/Bar Council: Barristers Working Lives Survey, 2021*

**Table 8.8: Income Band: key demographics**

<b>Income Band</b>	<b>Female</b>	<b>BAME</b>	<b>Young Bar</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen. HE</b>	<b>Disability</b>	<b>Child care</b>	<b>Adult carer</b>	<b>Base N=</b>
Band 1 £0-30,000	50.9%	21.1%	37.8%	41.2%	14.0%	59.4%	53.8%	21.6%	26.6%	13.0%	270
Band 2 £30,001-60,000	58.3%	11.1%	29.0%	47.1%	9.9%	61.2%	50.0%	13.2%	30.1%	14.8%	465
Band 3 £60,001-90,000	51.2%	12.1%	17.8%	44.7%	9.4%	65.6%	46.6%	11.3%	36.0%	15.3%	533
Band 4 £90,001-150,000	53.1%	12.4%	15.5%	45.6%	9.6%	58.8%	48.4%	9.6%	32.0%	16.4%	821
Band 5 £150,001-240,000	50.2%	13.6%	8.6%	46.9%	9.2%	54.7%	43.0%	6.1%	39.4%	14.4%	479
Band 6 £240,001-500,000	33.7%	9.6%	4.6%	43.6%	8.8%	45.5%	41.6%	5.4%	34.1%	12.9%	436
Band 7 £500,001-£1m	18.8%	12.1%	1.2%	45.1%	7.6%	37.3%	35.9%	1.3%	25.2%	13.6%	165
Band 8 £1m-plus	15.8%	9.2%	0%	34.2%	4.1%	38.7%	46.7%	7.9%	19.7%	18.7%	84
All respondents	47.5%	12.5%	16.0%	44.9%	9.5%	56.3%	46.3%	9.7%	32.7%	14.9%	3,253

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Table 8.9: Circuits and Inns: key demographics**

<b>Circuit/Inn</b>	<b>Female</b>	<b>BAME</b>	<b>Young Bar</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First gen. HE</b>	<b>Disability</b>	<b>Child care</b>	<b>Adult carer</b>	<b>Base N=</b>
Midland Circuit	45.9%	12.3%	11.8%	39.0%	8.5%	67.6%	58.0%	6.1%	33.5%	19.6%	306
Northern Circuit	52.4%	8.9%	14.5%	43.1%	7.9%	69.4%	56.1%	12.1%	34.5%	19.3%	242
North Eastern Circuit	54.7%	7.0%	22.7%	47.6%	11.0%	69.8%	56.8%	11.4%	38.1%	16.7%	185
South Eastern Circuit	45.0%	14.3%	10.0%	44.1%	9.4%	54.2%	46.0%	8.9%	32.3%	19.1%	771
Wales and Chester Circuit	47.6%	2.4%	8.4%	41.0%	2.6%	75.0%	59.5%	10.7%	44.2%	17.4%	95
Western Circuit	45.8%	6.3%	12.3%	40.8%	6.4%	52.8%	48.0%	10.3%	27.6%	14.3%	252
European Circuit	36.1%	19.4%	2.6%	31.3%	3.1%	35.3%	23.5%	9.4%	25.7%	14.7%	38
Gray's Inn	42.9%	12.6%	15.2%	45.1%	10.3%	56.9%	43.0%	11.4%	31.8%	13.8%	552
Lincoln's Inn	45.6%	13.3%	20.6%	45.7%	9.7%	53.9%	44.9%	7.9%	30.1%	11.0%	700
Inner Temple	45.6%	14.0%	18.1%	45.0%	10.9%	55.4%	46.8%	8.6%	30.4%	16.6%	736
Middle Temple	51.0%	13.0%	13.4%	41.7%	8.1%	54.4%	46.8%	11.0%	33.5%	14.8%	837
All respondents	47.8%	12.7%	16.0%	44.7%	9.3%	56.9%	46.9%	9.7%	32.7%	15.1%	3,459

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Table 8.10: Intersection of gender and ethnic origin: key demographics**

<b>Income Band</b>	<b>Young Bar</b>	<b>No religion</b>	<b>LGB</b>	<b>State school</b>	<b>First generation HE</b>	<b>Disability</b>	<b>Child care</b>	<b>Adult carer</b>	<b>Base N=</b>
Female - white	19.8%	46.6%	8.2%	63.9%	46.8%	9.5%	41.3%	16.0%	1,257
Female - Mixed	18.7%	43.1%	5.9%	55.4%	38.9%	13.7%	47.3%	16.4%	75
Female - Asian	18.2%	23.8%	4.8%	61.5%	43.1%	9.1%	45.3%	23.0%	66
Female - Black	13.0%	14.0%	4.5%	81.4%	57.1%	11.4%	33.3%	22.7%	46
Female - Other	17.1%	34.4%	0.0%	45.5%	31.3%	3.3%	40.6%	30.0%	35
Male - white	13.0%	47.2%	10.6%	51.1%	47.6%	8.9%	24.6%	12.0%	1,438
Male - Mixed	18.3%	41.1%	8.8%	44.8%	30.5%	13.8%	18.3%	18.3%	60
Male - Asian	10.7%	26.4%	17.3%	50.0%	50.0%	16.1%	33.3%	29.1%	56
Male - Black	0.0%	15.0%	25.0%	47.4%	55.0%	5.0%	16.7%	11.1%	20
Male - Other	16.7%	41.4%	6.9%	25.0%	50.0%	13.3%	33.3%	13.8%	30
All respondents	16.1%	45.0%	9.4%	56.6%	46.7%	9.5%	32.8%	14.8%	3,083

Source: IES/Bar Council: Barristers Working Lives Survey, 2021

**Table 8.11: Income Bands: type of work**

Income Band	Employed	SE (Chambers)	SE (Sole Practitioner)	Both	All respondents
Band 1 £0-30,000	6.9%	6.9%	38.0%	32.8%	8.3%
Band 2 £30,001-60,000	31.6%	11.6%	25.0%	21.3%	14.3%
Band 3 £60,001-90,000	33.0%	14.3%	14.0%	19.7%	16.4%
Band 4 £90,001-150,000	17.2%	26.9%	16.0%	11.5%	25.2%
Band 5 £150,001-240,000	5.7%	16.5%	3.0%	4.9%	14.7%
Band 6 £240,001-500,000	3.4%	15.2%	2.0%	8.2%	13.4%
Band 7/8 £500,000-plus	2.0%	8.7%	2.0%	1.6%	7.7%
<i>Base N=100%</i>	348	2,744	100	61	3,253

**Table 8.12: Income Bands: area of practice**

Income Band	Criminal	Civil	PI/PN	Comm- ercial	Family	Other/ Int'l	All resp- ondents
Band 1 £0-30,000	10.5%	10.4%	4.6%	6.4%	6.3%	15.1%	8.3%
Band 2 £30,001-60,000	23.6%	14.6%	11.5%	5.1%	11.0%	16.4%	14.3%
Band 3 £60,001-90,000	27.0%	13.6%	13.0%	8.0%	14.7%	19.2%	16.4%
Band 4 £90,001-150,000	24.1%	23.2%	23.7%	17.9%	37.5%	12.3%	25.2%
Band 5 £150,001-240,000	9.4%	13.9%	17.3%	17.4%	19.6%	4.1%	14.6%
Band 6 £240,001-500,000	4.0%	14.1%	22.1%	24.5%	9.6%	20.5%	13.4%
Band 7 £500,001-plus	1.4%	10.3%	7.9%	20.7%	1.4%	12.3%	7.7%
<i>Base N=100%</i>	844	733	393	547	648	73	3,238

*Source: IES/Bar Council: Barristers Working Lives Survey, 2021*

**Table 8.13: Income Bands: stage of practice**

<b>Income Band</b>	<b>Young Bar New Practitioners (0-2 years)</b>	<b>Young Bar (3-7 years)</b>	<b>Middle Practice (8-12 years)</b>	<b>Middle Practice (13-17 years)</b>	<b>Middle Practice (18-22 years)</b>	<b>Later Practice (23 years- plus)</b>	<b>All resp- ondents</b>
Band 1 £0-30,000	52.8%	14.2%	4.3%	6.0%	5.0%	7.4%	8.3%
Band 2 £30,001-60,000	22.2%	26.4%	14.7%	11.9%	11.6%	11.3%	14.3%
Band 3 £60,001-90,000	11.1%	19.3%	22.0%	17.7%	13.9%	14.0%	16.4%
Band 4 £90,001-150,000	9.7%	26.7%	31.6%	27.4%	25.5%	22.3%	25.2%
Band 5 £150,001-240,000	4.2%	8.4%	13.6%	15.7%	23.4%	14.1%	14.7%
Band 6 £240,001-500,000	0%	4.4%	10.0%	14.8%	13.5%	18.1%	13.4%
Band 7 £500,001- plus	0%	0.4%	3.9%	6.4%	6.9%	12.8%	7.7%
<i>Base N=100%</i>	<i>72</i>	<i>450</i>	<i>491</i>	<i>452</i>	<i>517</i>	<i>1,271</i>	<i>3,253</i>

Source: IES/Bar Council: Barristers Working Lives Survey, 2021