



REGULATING BARRISTERS

**Report on Diversity at the Bar
December 2015**

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1. Executive Summary

This report presents a summary of the latest diversity data available on the Bar. The report assists the Bar Standards Board (BSB) in meeting our statutory duties under the Equality Act 2010 and sets out an evidence base from which relevant and targeted policy can be developed.

Two distinct data sets were used to compile the findings: the Core Database 2015 and the Pupillage Registration Survey 2014-2015.

Key points from the report are outlined below;

- Response rates have increased across all categories since 2014 (see Table 2 below for a breakdown of increases). The response rate is highest for Gender at 99.5% and lowest for Caring Responsibilities for Others at 26.3%.
- There has been a significant increase in response rates since 2012 when the BSB began collecting diversity data from individual barristers through the online *Barrister Connect* portal. In 2012 there were very low levels of data in a number of areas such as disability (5% response rate), sexual orientation (4.7% response rate) and Caring Responsibilities for Children (3% response rate).
- Gender representation in the profession still remains an issue as women account for 35.9% (an increase of 0.9% since 2014) of the practising Bar while men account for 64% (an increase of 1% since 2014). In addition, women account for just 13% of QCs while men account for 87%.
- There appears to be an underrepresentation of disabled practitioners at the Bar. Completion rates (31% in 2015) for this question have reached a level from where conclusions can begin to be drawn, and only 1.5% of the Bar disclosed a disability, compared with the percentage of disabled people in the UK population (approximately 19%¹).
- There remains an issue in relation to the progression of Black and Minority Ethnic (BME) practitioners at the Bar, with only 6% of QCs declaring that they are BME and 90% declaring that they are white. There is no change in these figures since 2014.
- “Prefer not to say” responses are minimal across all categories; the highest rates of prefer not to say are in relation to disclosure of religion or belief (2.1%) and sexual orientation (1.8%).

2. Introduction

This Diversity Data Report summarises available data on the diversity of the barrister profession as of December 2015. The data is presented in an anonymised and aggregated format. This report is published annually to meet the requirements of equality legislation, namely the Equality Act 2010 Specific Duties Regulations and the statutory guidance of the Legal Services Board. It gives a snapshot overview of diversity at the Bar and establishes evidence for both policy development and assessing the effectiveness of current initiatives aimed at increasing equality and diversity. The BSB is committed to providing clear and transparent statistical diversity data across every stage of a barrister’s career.

In total there are 16,336 practitioners at the Bar. Table 1 below shows how many people are at each level of the profession and that have been analysed in this report:

¹ *People with Disabilities in the Labour Market 2011*, Office for National Statistics, www.ons.gov.uk

Table 1: Total number of people at the Bar (numbers)

Seniority	Numbers
Pupil	421
Practising Bar	14,288
Queen's Counsel (QC)	1,627

The main body of the report is in three sections, showing diversity data for each of the following areas: protected characteristics, socio-economic background and caring responsibilities.

3. Methodology

The data sources used in this report are:

- Data contained in the Bar Council's membership records (The Core Database);
- the Pupillage Registration Survey 2014-15.

The Core Database

The Bar Council's Core Database receives data on the profession via the online "Authorisation to Practise" system, *Barrister Connect*, which was introduced in 2012. When renewing their practising certificate, the online portal includes a section which allows barristers to input their diversity monitoring data which automatically populates the Core Database. The rate of completion varies for individual monitoring strands, as each question is voluntary and some can be left blank if desired. Barristers can access the *Barrister Connect* portal at any time and update their diversity monitoring information. The diversity monitoring information used in this report was extracted from the Core Database on 1st December 2015.

Data on gender, ethnicity, age and disability that prior to 2012 had been collected by the Bar Council Records Department was transferred to the Core Database to supplement the new monitoring data. This data includes gaps referred to as 'unknown data' where respondents' left fields unanswered.

All numbers have been rounded to one decimal place, so in some cases the figures may not total 100%.

The Pupillage Registration Survey (PRS)

The Pupillage Registration Survey is administered on an annual basis to enable diversity monitoring of pupils, as they do not register via *Barrister Connect*. The data in this report was supplied by pupils who completed the voluntary survey during the BSB pupillage registration process. The data was analysed anonymously and covers the period 2014-15.

Response Rates

Although rates of response have improved this year, in comparison with the 2014 statistics, there is still a large proportion of the Bar that did not disclose their diversity information in relation to certain characteristics:

- **Disability:** 69% of the profession did not disclose their disability status.
- **Religion or belief:** 72.2% of the profession did not disclose their religion or belief.
- **Sexual orientation:** 72.4% of the profession did not disclose their sexual orientation.
- **Caring responsibility information:** 72.5% of the profession did not disclose whether they had caring responsibilities for children. 73.7% of the profession did not disclose whether they had caring responsibilities for family members, friends, neighbours or others.
- **Socio Economic Background:** 73.1% of the profession did not disclose the type of school they attended and 73.3% did not disclose whether they were part of the first generation of their family to go to University.

It should be noted that each question on both Barrister Connect and the PRS contains a 'prefer not to say' option, allowing each individual the option of giving a response without disclosing any information. 'Prefer not to say' responses are minimal in general, with the highest rate of 'prefer not to say' responses being in relation to questions on religion or belief (2.1%) and sexual orientation (1.8%). Due to the generally low response rates, the use of these two datasets together cannot provide an in-depth understanding of the diversity of the Bar.

Table 2: Response Rates in 2014 and 2015 (percentages)

Category	2014	2015	% difference
Gender	98%	99.9%	+ 1.9%
Ethnicity	89%	91.4%	+2.4%
Age	79%	86.4%	+7.4%
Disability	24%	31%	+7%
Religion or belief	20%	27.8%	+7.8%
Sexual orientation	20%	27.6%	+7.6%
Type of school attended	20%	26.9%	+6.9%
First generation to attend university	19%	26.7%	+7.7%
Care of children	21%	27.5%	+6.5%
Care for others	19%	26.3%	+7.3%

4. Protected Characteristics

Gender

Graph 1 below shows a summary of gender at the Bar, broken down by seniority. There has been a slight increase since 2014 in the percentage of women at the Bar overall (35.9% up from 35% in 2014). The number of men at the Bar has increased by 1% (64% up from 63% in 2014). The gender breakdown of QCs has remained the same since 2014.

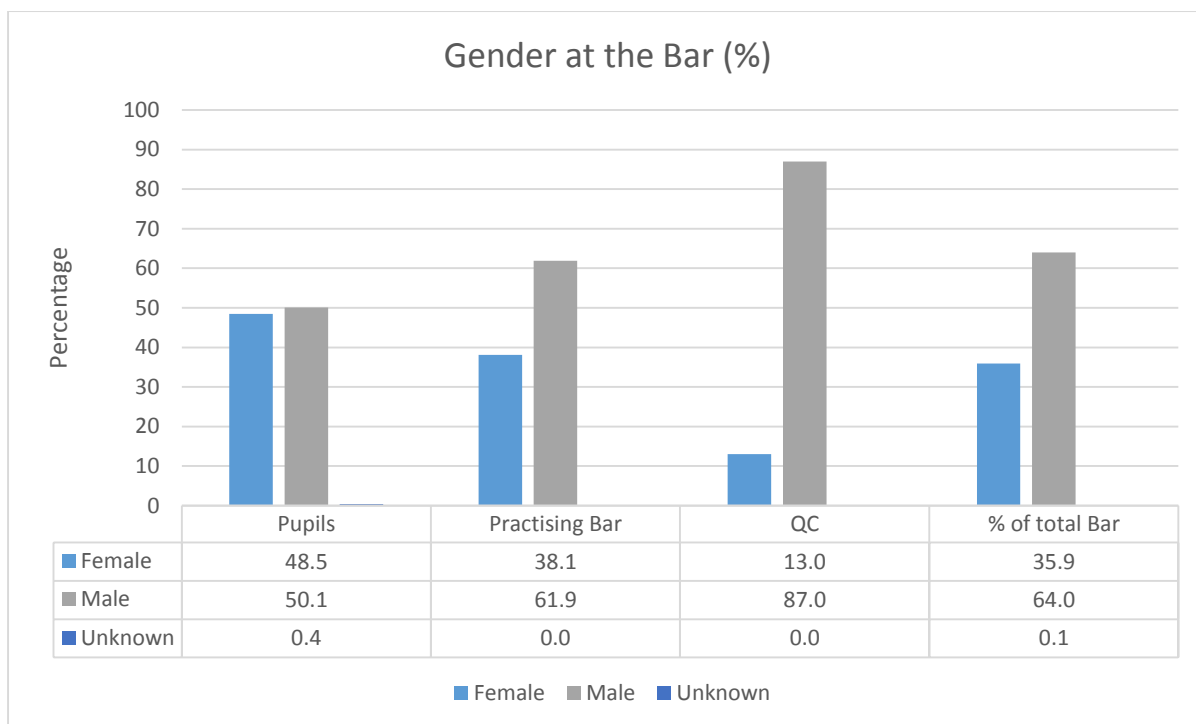


Table 3: Gender at the Bar (numbers)

	Female	Male	Unknown	Total
Practising Bar	5,455	8,833	0	14,288
QC	212	1,415	0	1,627
Pupils	204	211	6	421
Totals	5,871	10,459	6	16,336

Ethnicity

Graph 2 below shows a summary of ethnicity at the Bar, broken down by seniority. The number of BME practitioners have increased by 1% since 2014 (12% up from 11% in 2014). The number of BME QCs have increased by 0.3% since 2014 (6.3% up from 6% in 2014).

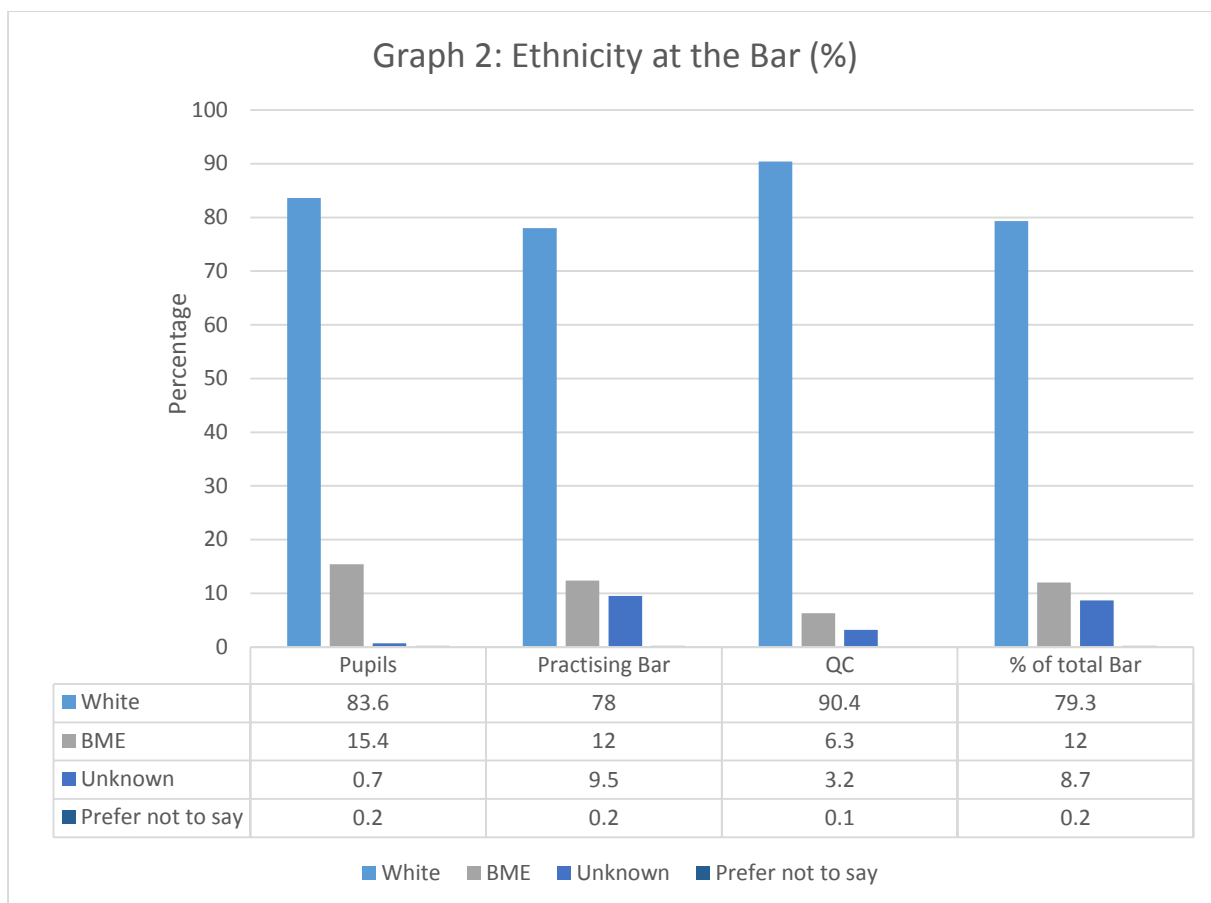


Table 4: Ethnicity at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals
White - English/Welsh/Scottish/Northern Irish/British	10,302	1,413	322	12,037
White - Irish	317	22	11	350
Any other White background	517	36	19	572
White - Gypsy or Irish Traveller	2	0	0	2
White and Black Caribbean	46	1	0	47
White and Black African	33	0	3	36
White and Chinese	100	7	3	110
Any other mixed/multiple background	153	6	6	165
White and Asian	2	0	3	5

Black/Black British - Caribbean	169	10	5	184
Black/Black British - African	203	5	8	216
Any other Black background	41	4	0	45
Asian/Asian British - Indian	395	24	15	434
Asian/Asian British - Pakistani	214	13	9	236
Asian/Asian British - Bangladeshi	75	3	3	81
Any other Asian background	141	3	6	150
Asian/Asian British - Chinese	59	3	2	64
Any other ethnic group	141	23	2	166
Arab	5	0	0	5
No Information	1,338	52	0	1,390
Prefer not to say	22	2	1	25
Unknown	13	0	3	16
Total	14,288	1,627	421	16,336

Disability

Graph 3 below shows a summary of disability at the Bar, broken down by seniority. There has been little change in the disability status of the whole Bar, with 1.5% of the Bar disclosing a disability in 2015 compared with 1% in 2014.

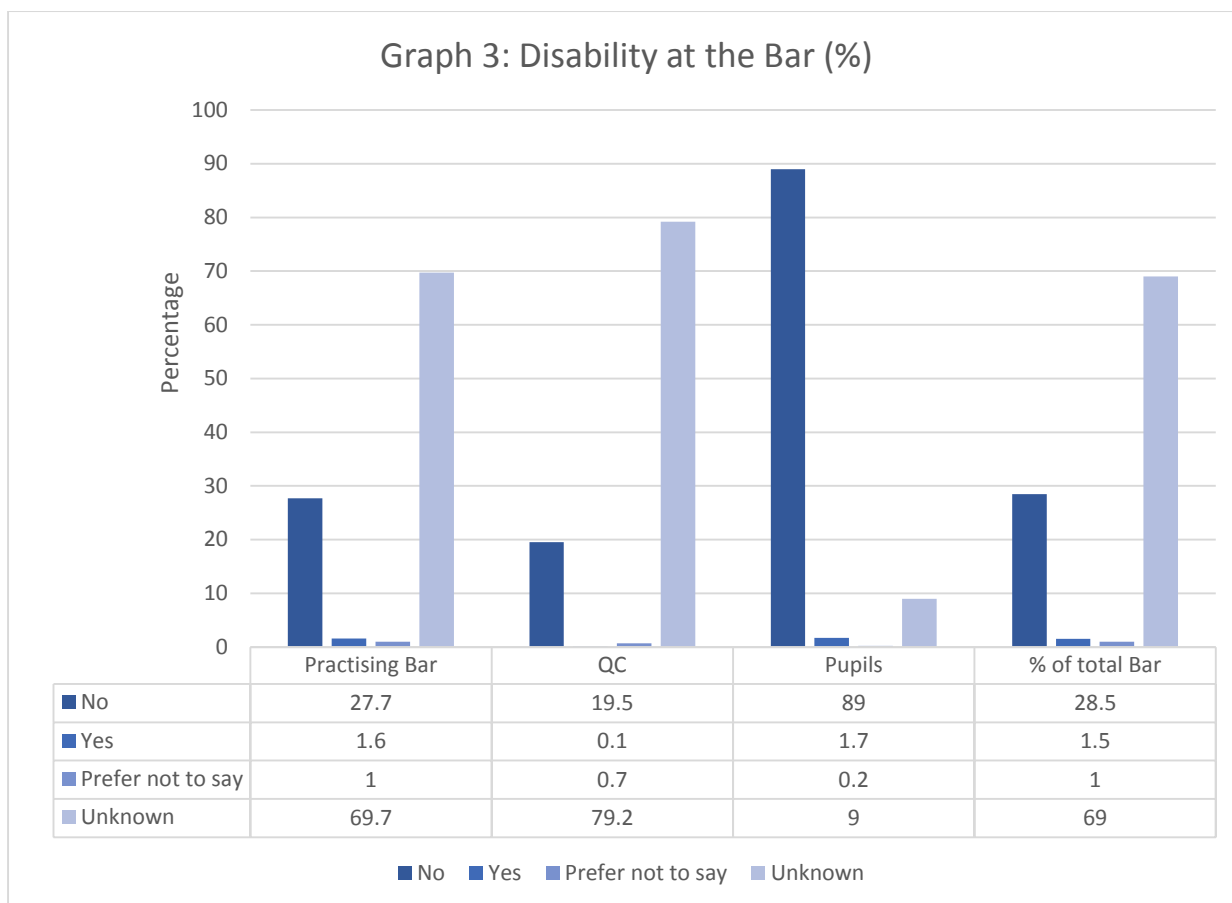


Table 5: Disability at the Bar (numbers)

	No	Yes	Prefer not to say	Unknown	Totals
Practising Bar	3,962	232	145	9,949	14,288
QC	317	8	14	1,288	1,627
Pupils	375	7	1	38	421
Totals	4,654	247	160	11,275	16,336

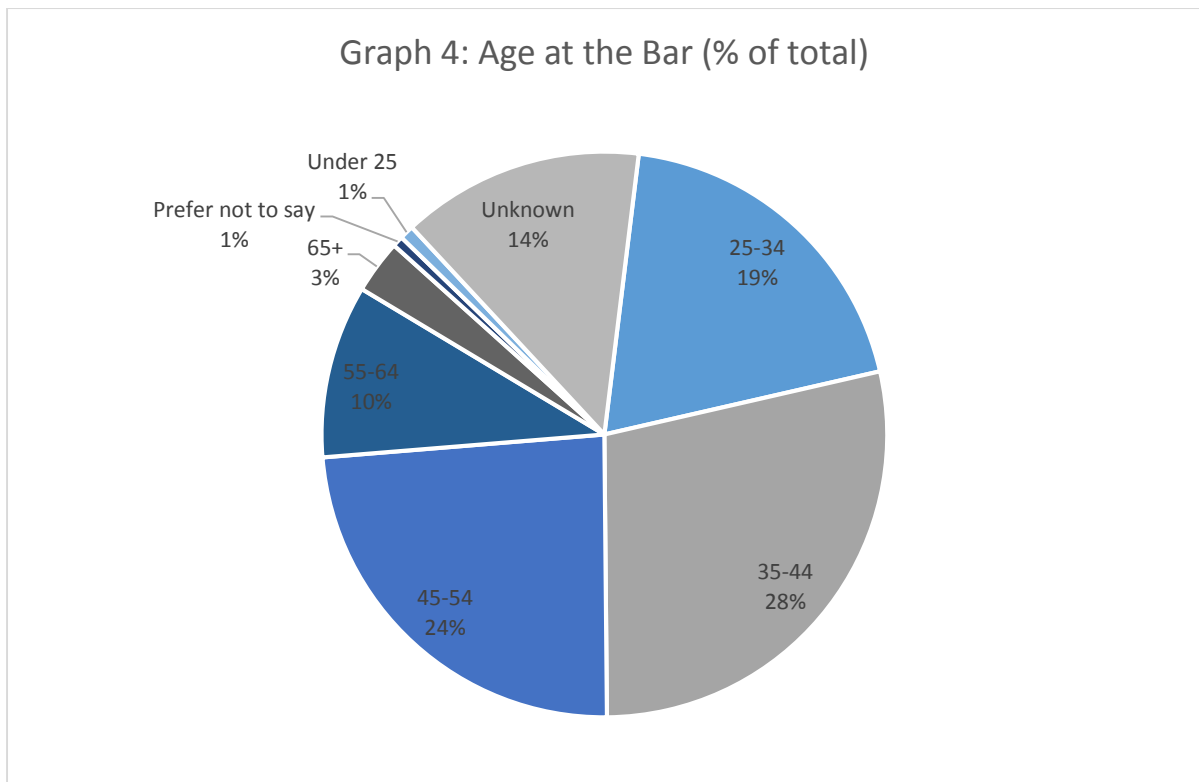
Age

As Table 6 and Graph 4 show, age is fairly evenly distributed at the Bar as a whole. There has been little change in the statistics since 2014.

Table 6: Age at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of the total Bar
Under 25	30	0	94	124	0.8%
25-34	3,122	0	281	3,403	20.8%
35-44	4,450	102	31	4,583	28.1%
45-54	3,321	500	9	3,830	23.4%
55-64	1,341	237	2	1,580	9.7%
65+	374	117	2	493	3.0%
Prefer not to say	91	11	0	102	0.6%
Unknown	1,559	660	2	2,221	13.6%

Graph 4 below shows a summary of the age of practitioners at the Bar, as a total of the whole profession.



Religion and Belief

Graph 5 below shows a summary of the religion or belief of practitioners at the Bar, as a total of the whole profession. The statistics remain largely similar to 2014, with the largest change being for practitioners who identify as 'Christian (all denominations)', an increase of 1.2% since 2014.

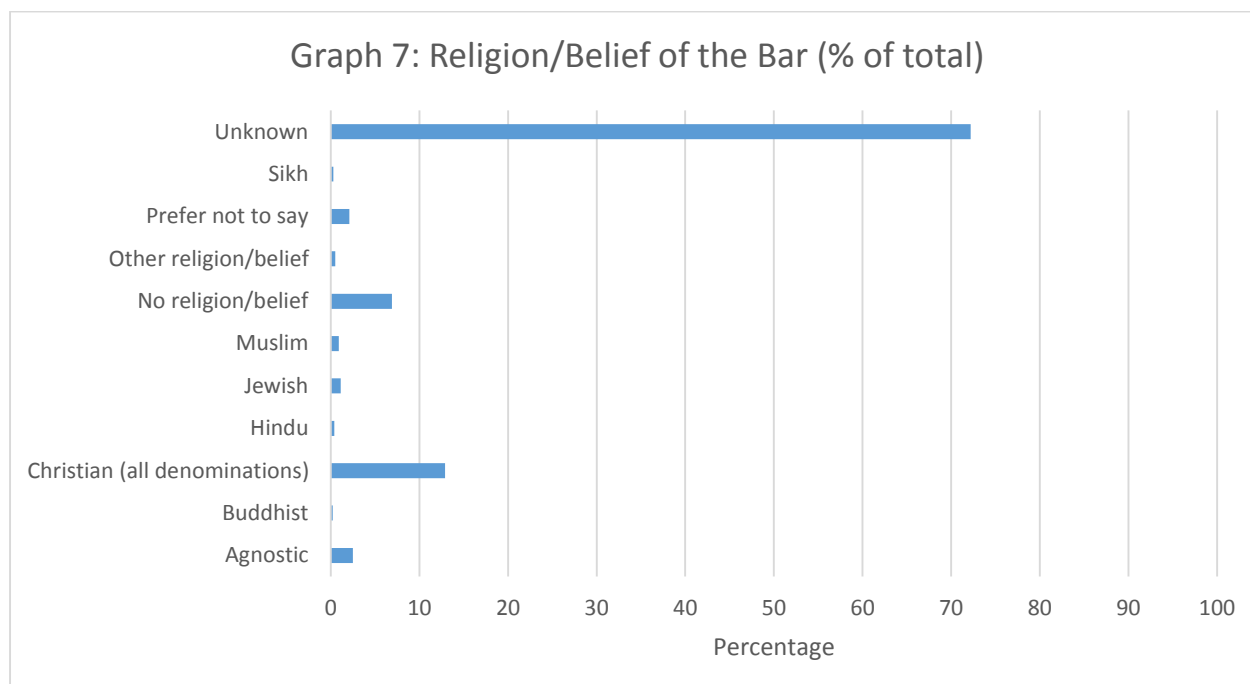


Table 7: Religion and Belief at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of total Bar
Agnostic	379	26	3	408	2.5%
Buddhist	28	1	0	29	0.2%
Christian (all denominations)	1,822	152	140	2,114	12.9%
Hindu	67	2	3	72	0.4%
Jewish	136	28	11	175	1.1%
Muslim	132	5	13	150	0.9%
No religion/belief	900	62	166	1,128	6.9%

Other religion/belief	73	2	2	77	0.5%
Prefer not to say	296	33	14	343	2.1%
Sikh	39	3	4	46	0.3%
Unknown	10,416	1,313	65	11,794	72.2

Sexual Orientation

Graph 6 below shows a summary of the sexual orientation of practitioners at the Bar, as a total of the whole profession. The statistics remain largely similar to 2014, with the largest change being for practitioners who identify as 'Heterosexual/Straight', an increase of 5.2% since 2014.

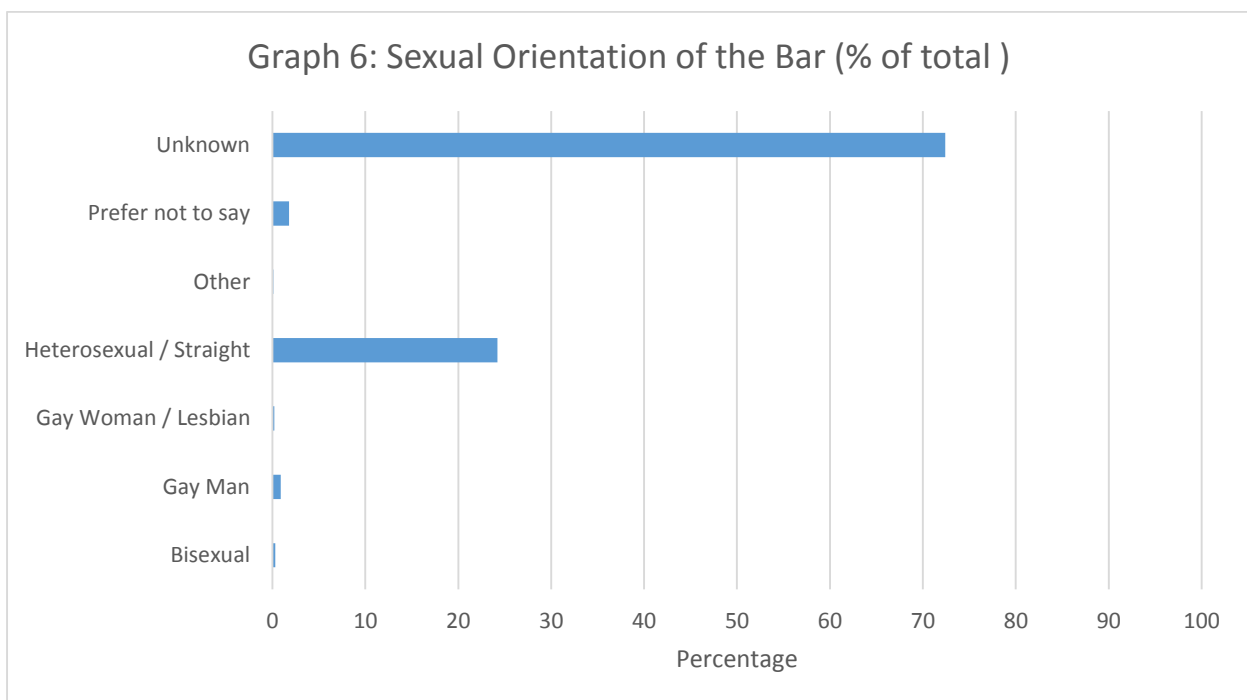


Table 8: Sexual Orientation of the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of Total Bar
Bisexual	50	1	4	55	0.3%
Gay Man	131	5	10	146	0.9%
Gay Woman / Lesbian	26	0	7	33	0.2%

Heterosexual / Straight	3,349	277	329	3,955	24.2%
Other	16	2	0	18	0.1%
Prefer not to say	257	22	15	294	1.8%
Unknown	10,459	1,320	56	11,835	72.4%

5. Socio-Economic Background

There is no universally recommended way of gathering data on socio-economic background. Methods vary depending on the type of profession and traditional entry routes into a given profession. The socio economic questions provided to the BSB by the Legal Services Board are used on the *Barrister Connect* monitoring questionnaire, and hence are used in this report. Educational background is used as one of the main ways of determining a barrister's social class. There is also a strong correlation between a person's social background and a parent's level of educational attainment – particularly when choosing the type of school to attend, type of university, and career choice.

Type of School Attended

Graph 7 below shows a summary of the type of school attended by practitioners at the Bar, as a total of the whole profession. On the *Barrister Connect* monitoring questionnaire, the question 'Did you mainly attend a state or fee-paying school between the ages 11-18?' is asked. The spread of these statistics remains largely unchanged from 2014.

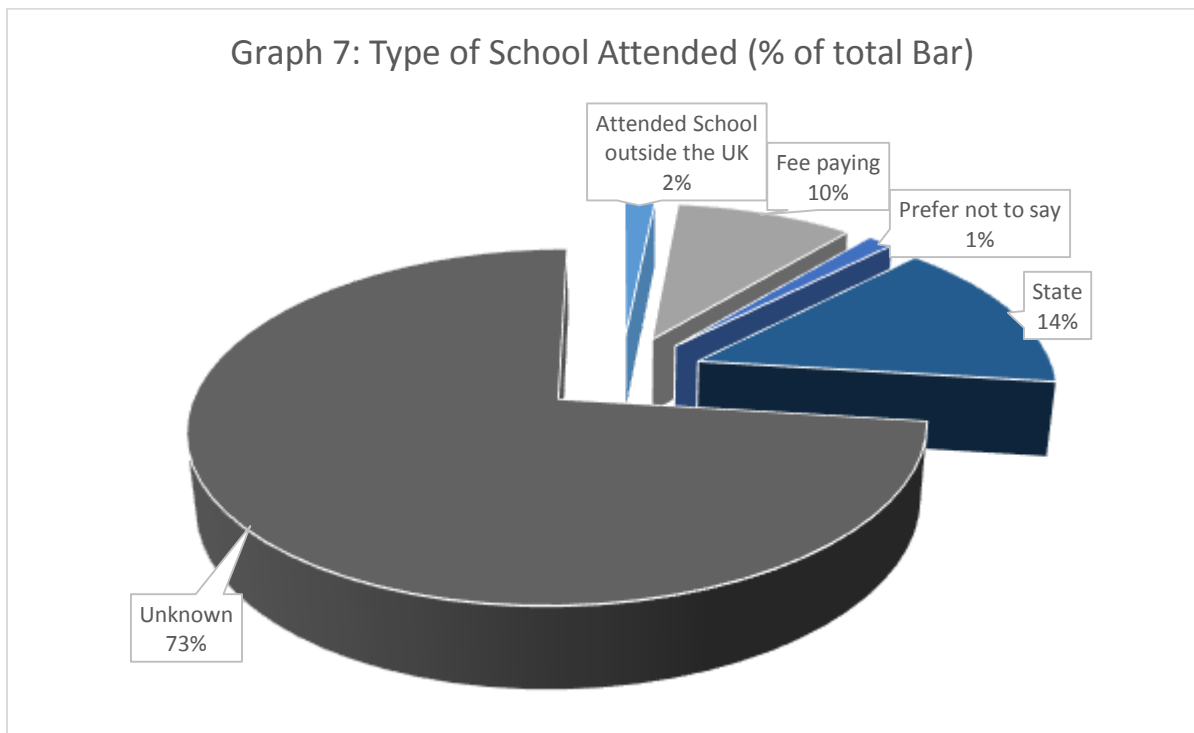


Table 9: Type of School Attended by the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of Total Bar
Attended School outside the UK	208	8	39	255	1.6%
Fee paying	1,253	168	131	1,552	9.5%
Prefer not to say	195	21	6	222	1.4%
State	2,066	106	198	2,370	14.5%
Unknown	10,566	1,324	47	11,937	73.1%

First Generation to Attend University

Graph 8 below shows a summary of the type of school attended by practitioners at the Bar, as a percentage of the whole profession. On the *Barrister Connect* monitoring questionnaire, the question 'If you went to university (to study a BA, BSc course or higher), were you part of the first generation of your family to do so?' is asked. The spread of statistics remains largely similar to 2014, but the percentage of practitioners stating that they were part of the first generation of their family to attend university has increased from 9% in 2014 to 12% in 2015.

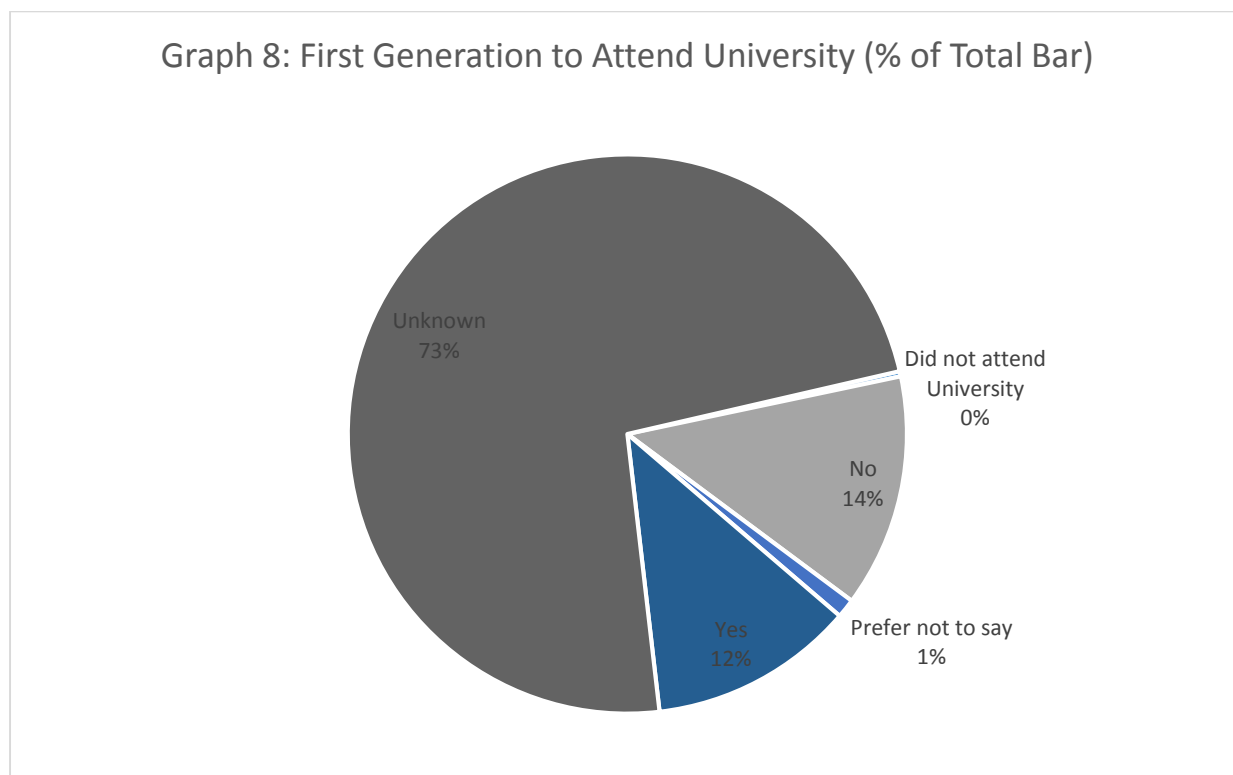


Table 10: First Generation to Attend University at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of Total Bar
Did not attend University	34	12	1	47	0.3%
No	1,816	126	257	2,199	13.5%
Prefer not to say	159	18	2	179	1.1%
Yes	1,687	139	118	1,944	11.9%
Unknown	10,592	1,332	42	11,966	73.3%

6. Caring Responsibilities

The caring responsibilities categories used in this report are those provided to the BSB by the Legal Services Board. These questions are aimed at ascertaining whether or not an individual has child or adult dependants for whom they care.

Caring Responsibilities for Children

Graph 9 below shows a summary of childcare responsibility at the Bar, broken down by seniority. On the *Barrister Connect* monitoring questionnaire, the question 'Are you a primary carer for a child or children under 18?' is asked. The spread of statistics remains largely the same since 2014, with the biggest change being for practitioners who declare they do not have caring responsibilities for children (20.8% of the total Bar compared with 16% in 2014).

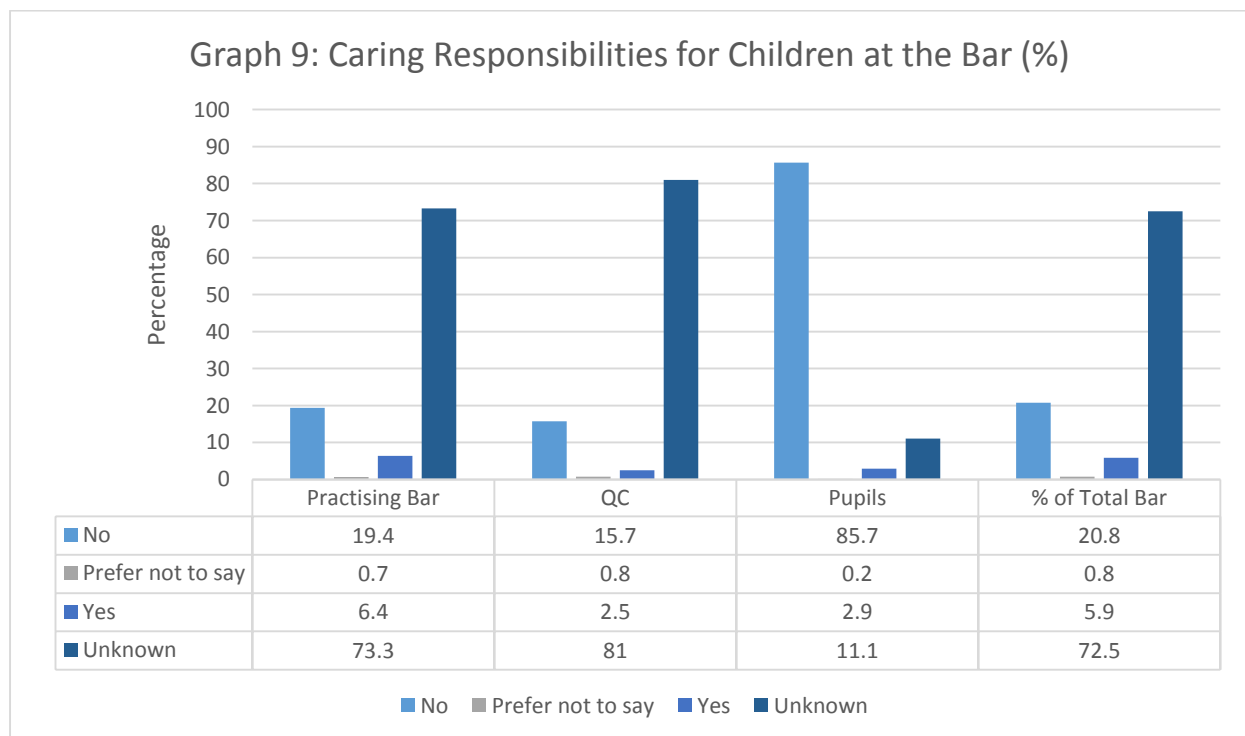


Table 11: Caring Responsibilities for Children at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals
No	2,778	255	361	3,394
Prefer not to say	124	13	1	138
Yes	909	41	12	962
Unknown	10,477	1,318	47	11,842

Caring Responsibilities for Others

Graph 10 below shows a summary of practitioners at the Bar who have caring responsibilities for people other than children, as a percentage of the whole profession. On the *Barrister Connect* monitoring questionnaire, the question 'Do you look after, or give any help or support to family members, friends, neighbours or others because of either long-term physical or mental ill-health/disability or problems related to old age (not as part of your paid employment)?' is asked. The spread of statistics has remained largely the same since 2014, with the biggest change being for practitioners who stated they had no caring responsibilities for others (16% in 2014 to 21.8% in 2015).

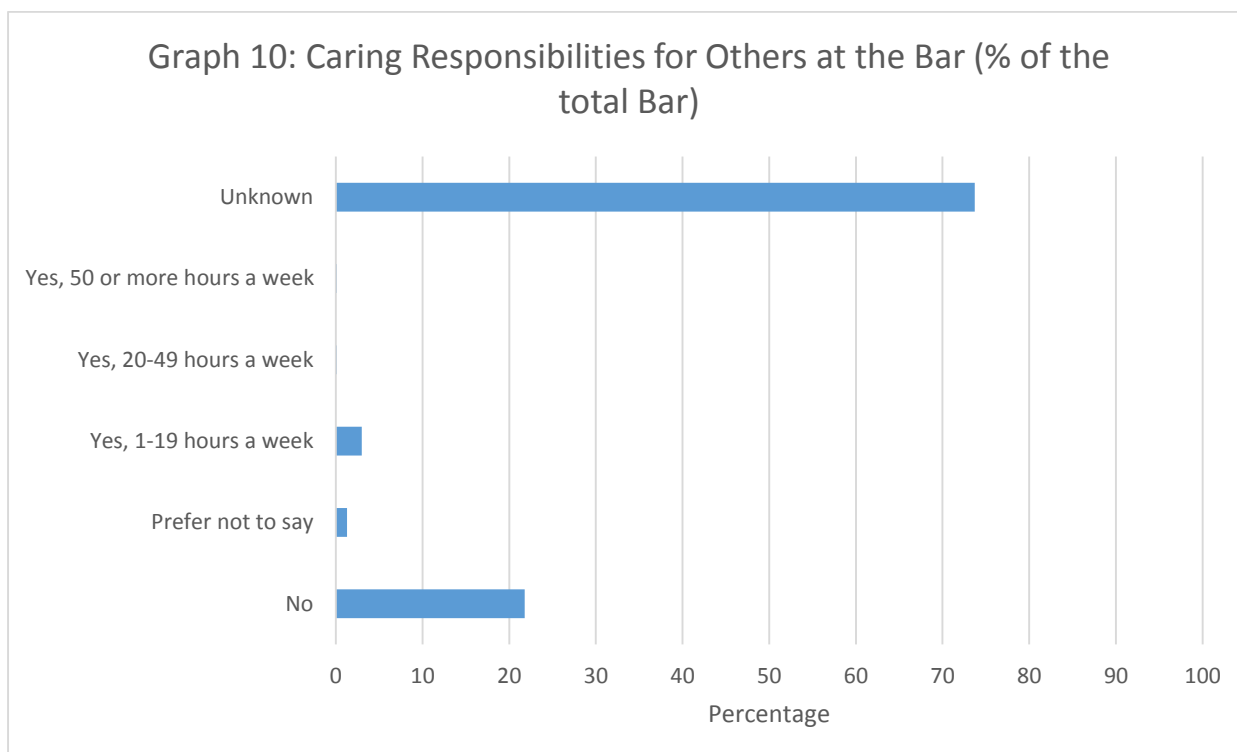


Table 12: Caring Responsibilities for Others at the Bar (numbers)

	Practising Bar	QC	Pupils	Totals	% of total Bar
No	2,962	243	358	3,563	21.8%
Prefer not to say	186	14	5	205	1.3%
Yes, 1-19 hours a week	438	41	11	490	3%
Yes, 20-49 hours a week	23	1	0	24	0.1%
Yes, 50 or more hours a week	17	2	0	19	0.1%
Unknown	10,662	1,326	47	12,035	73.7%

7. Conclusions

There has been little or no change in the profile of the Bar since 2014 across all categories, based upon the data collected. This is to be expected when monitoring demographic changes in a profession on an annual basis.

The disclosure of diversity data has improved across all categories since 2014 but remains significantly low in some areas. In those categories where disclosure rates remain below approximately one third of the whole profession, it is not possible to form reliable statistical conclusions. The category with the highest completion rate is Gender with 99.5% and the lowest completion rate is Caring Responsibilities for Others with 26.3%.

“Prefer not to say” responses are minimal across all categories; the highest rates of prefer not to say are in relation to disclosure of religion or belief (2.1%) and sexual orientation (1.8%).

Gender underrepresentation in the profession still remains an issue as women account for 35.9% (an increase of 0.9% since 2014) of the practising Bar while men account for 64% (an increase of 1% since 2014). In addition, women account for just 13% of QCs while men account for 87%.

There remains an issue in relation to the progression of Black and Minority Ethnic (BME) practitioners at the Bar, with only 6% of QCs declaring that they are BME (compared with 12% of the practising Bar) and 90% declaring that they are white. There is no change in these figures since 2014.

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