

Diversity at the Bar 2020

A summary of the latest available diversity data for the Bar

Published January 2021

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Executive Summary

This report presents a summary of the latest available diversity data for the Bar (covering pupils, practising Queen's Counsel - QC - and practising non-QC barristers). The report assists the Bar Standards Board (BSB) in meeting its statutory duties under the Equality Act 2010 and sets out an evidence base from which relevant and targeted policy can be developed.

Overall number of those at the Bar

- The overall number of practitioners at the Bar as of 1 December 2020 stood at 17,432, of this number 354 were pupils, 1,870 were QCs, and 15,208 were non-QC barristers.
- This year has seen a large reduction in the number of those currently undertaking pupillage. The number of those in the practising or non-practising stage of pupillage as of December 2020 was 354, which is substantially lower than the average number of pupils each December from 2015-2019, which was 472.
- The number of non-QC and QC barristers has increased by a small amount year on year (an increase of 60 non-QCs and 36 QCs. The increase in the number of non-QCs (an increase of 60 non-QCs) is much lower than the average year on year increase seen from 2015-2019, which was 215. This may suggest that there has been a greater number of non-QCs leaving the Bar this year, and/or that those that undertook pupillage in 2020 have not entered practice in the same numbers

Response Rates

- Response rates continue to increase across all categories except for gender, with a yearly increase in response rate of three or more percentage points (pp) for the characteristics reported on (except for gender, ethnicity and age, which already have a high response rate).¹ As per previous years, the response rate is highest for gender at 99.7 per cent and lowest for gender identity at 39.1 per cent.

Gender

- The proportion of women at the Bar has increased 0.2pp since December 2019. As of December 2020, women constituted 38.2 per cent of the Bar compared to an estimate of 50.2 per cent of the UK working age population.

1. It is against the law to discriminate against someone because of a protected characteristic as defined by the 2010 Equality Act: at the time of publishing the protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

- The proportion of female QCs has increased year on year, from 16.2 per cent to 16.8 per cent. There is still a large disparity between the proportion of the Bar who are female and the proportion of QCs who are female (38.2% vs 16.8%). The difference between the two has narrowed slightly in 2020.
- The proportion of female pupils and male pupils as of December 2020 was equal.

Ethnicity

- The percentage of barristers from Minority Ethnic groups² at the Bar has increased 0.5pp since December 2018 to 14.1 per cent. The proportion of barristers from Minority Ethnic groups at the Bar, compares to an estimate of 13.3 per cent of the working age population in England and Wales as of July-September 2020.
- The percentage of barristers from minority ethnic backgrounds increased year on year by 0.5pp for non-QCs (to 14.6%); 0.7pp for QCs (to 8.8%); and by 3.7pp for pupils (to 22.9%).
- There is still a disparity between the overall percentage of barristers from minority ethnic backgrounds across the profession (14.1%), and the percentage of QCs (8.8%) from minority ethnic backgrounds. This may reflect the historically lower percentage of such barristers entering the profession but may also suggest barriers to progression for practitioners from minority ethnic backgrounds.
- There are some notable differences when further disaggregating by ethnic group. There was a year on year increase in the overall proportion of Asian/Asian British barristers of 0.3pp; Black/Black British barristers of 0.05pp; of Mixed/Multiple ethnic group barristers of 0.2pp; and a decrease year on year in the overall proportion of White barristers of 0.5pp.
- When excluding those that have not provided information, there is a slightly greater proportion of Asian/Asian British practitioners at the Bar compared to the proportion of Asian/Asian British individuals in the UK working age population (7.5% vs 5.6%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.3% vs 1.5%). By contrast, there is a slightly smaller proportion of those from Black/Black British backgrounds (3.2% vs 3.4%), and a greater relative underrepresentation for those from other ethnic groups (1.2% vs 2.8%).
- There is also a greater disparity in the proportion of all non-QCs from Black/Black British backgrounds compared to the proportion of all QCs from the same background, with the disparity being particularly high for those of Black/Black British – African ethnic backgrounds.

2. “Minority ethnic backgrounds” includes those from Asian/Asian British; Black/Black/British; Mixed/Multiple ethnic; and those of Other minority ethnic backgrounds. Previous ‘Diversity at the Bar’ reports used the acronym ‘BAME’.

Disability

- There was a 4.5pp decrease in the proportion of pupils with a declared disability compared to December 2019.
- There still appears to be an underrepresentation of disabled practitioners at the Bar. Although there is a relatively low response rate of 56.9 per cent, 6.3 per cent of those who provided information on disability status disclosed a disability. This is substantially lower than the percentage of disabled people in the employed working age UK population estimated at 11.3 per cent

Age

- Those aged between 25 and 54 make up around 78.6 per cent of the Bar. This is a decrease compared to December 2019 of around 1.7 percentage points (80.3% vs 78.6%), with relatively more of the Bar in the 55-64 and 65+ age range in 2020 (20.8% of the Bar are aged 55+). This carries on a general trend seen in the age profile of the Bar and compares to figures for the proportion of the Bar aged 55+ of 16.1 per cent five years ago in 2016, and 14.8 per cent in the first Diversity at the Bar Report in 2015.

Religion and Belief

- Including those that have not provided information, the largest group at the Bar is Christians (23.4%) followed by those with no religion (17.8%), although for pupils this trend is reversed.

Sexual Orientation

- Sexual orientation is the monitoring category with the second lowest response rate, with 50.3 per cent providing some information.
- Excluding those that have not provided information, 14.5 per cent of pupils, 7.2 per cent of non-QC barristers, and 5.4 per cent of QCs provided their sexual orientation as one of Bisexual, Gay man, Gay woman/Lesbian, or Other.

Socio-economic background

- Despite a relatively low response rate (55.6%) to this question, the data suggest that a disproportionately high number of barristers attended a UK independent school between the ages of 11-18. Including non-respondents 18.1 per cent of the Bar had attended an independent school, compared to approximately 7 per cent of school children in England at any age, and 10.1 per cent of UK domiciled young full-time first degree entrants in the UK in 2018/19. Of those providing information on school attended, just over one in three attended an independent school in the UK.
- When excluding non-responses and those who prefer not to say, as of December

2020: 0.6 per cent of the Bar had not attended university; 52.2 per cent were not of the first generation to attend university; and 47.2 per cent were of the first generation to attend university.

Caring responsibilities

- When excluding non-responses, 27.0 per cent (just over one in four) of the Bar have primary caring responsibilities for one or more children. Overall, the proportion of the Bar with primary caring responsibilities for one or more children has increased by around 4.9pp since 2015, 5.6pp since 2016 and 0.7pp since 2019. It is not clear whether this is a general trend, or the increase in response rate for this question is being driven disproportionately by those with caring responsibilities.
 - A comparison with the working age population in England may suggest that a far lower proportion of those at the Bar are the primary carer for a child. Figures produced by the UK Office of National Statistics suggest that around 36 per cent of economically active males, and 39 per cent of economically active females are a primary carer for one or more children. It is worth noting that as response rates are relatively low for this question, such inferences may not be reliable.
 - Regarding providing care for another, not including dependent children, of those that provided a Yes/No response, around 13 per cent of respondents provided care for another person for 1 or more hours per week. This is in line with the estimated proportion of those in work in the UK who are carers.
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Introduction

The BSB is committed to providing clear and transparent statistical diversity data for every stage of a barrister's career. This diversity data report is published annually, in line with the Specific Duties Regulations of the Equality Act 2010 and the statutory guidance of the Legal Services Board. It is a summary of the diversity data on practising barristers available to the BSB, as at 1 December 2020.

This report provides an overview of diversity at the Bar³, and establishes evidence for both policy development and assessing the effectiveness of current BSB initiatives aimed at increasing equality and diversity at the Bar. All data are presented anonymously.

Unless stated otherwise, all analysis in this report is broken down by seniority. Table 1 (below) shows the simple breakdown of practising members of the profession.

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

Seniority	Numbers	Year on year difference (compared to December 2019) ⁴
Pupil	354	-121
Non-Queen's Counsel (Non-QC) ⁵	15208	+60
Queen's Counsel (QC)	1870	+36
Total	17432	-25

This has been the first year since the Diversity at the Bar Reports commenced that has seen a year on year decrease in the total number at the Bar. This is driven by a reduction in the number of pupils, which is likely to be largely due to the disruption caused to the Bar this year by the COVID-19 pandemic. There are 121 fewer pupils compared to December 2019, and 119 fewer pupils than the average number of pupils each December from 2015-2019, which was 473.⁶ The number of QCs and non-QCs has increased by a small amount.

There were also a greater number of pupils undertaking extended pupillages this year. As of 1 December 2020, there were 39 pupils undertaking pupillages that commenced more than one year ago. The equivalent average figure from 2015-2019 was around

3. Usage of the term 'the Bar' in this report refers only to practising barristers and pupils (including non-practising first six pupils) as of 1 December 2020.

4. Pupillage numbers for previous years have been revised upwards in this report, resulting in a change in the total at the Bar for 2019 compared to that published in the 2019 Diversity at the Bar Report. For more information see footnote 9.

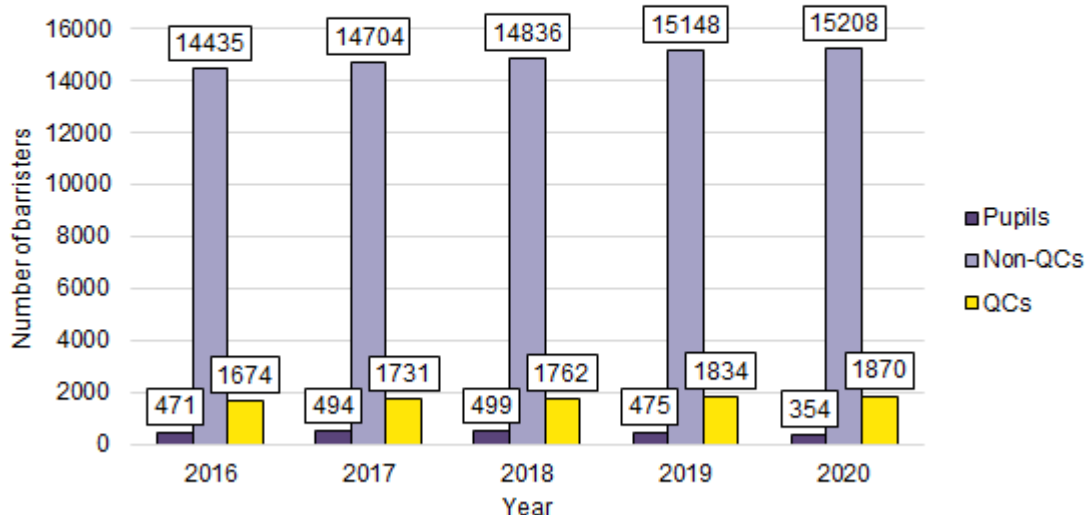
5. Usage of the term "non-QC" in this report refers to practising junior barristers; a barrister who has not taken silk

6. These figures are calculated when not including those undertaking extended pupillages.

eight such pupils. Pupils undertaking extended pupillages are not included in this report in order to avoid double counting pupils from one Diversity at the Bar Report to the next.

The increase in the number of non-QCs (an increase of 60 non-QCs) is much lower than the increase seen in the same group from December 2018 to December 2019 when there was an increase of 312 barristers in this group. The average year on year increase from 2015-2019 for the number of barristers in the non-QC group was 215. This may suggest that there has been a greater number of non-QCs leaving the Bar this year, and/or those that undertook pupillage in 2020 have not entered practice in the same numbers as that seen in previous years: Such trends are also likely to be due to the impact of the COVID-19 pandemic on the Bar.

Chart 1: Number of pupils, Non-QC barristers and QC barristers at the Bar:
December 2016-December 2020



There are three sections to the diversity analysis of the profession: protected characteristics⁷, socio-economic background, and responsibilities regarding caring for children and others.

7. It is against the law to discriminate against someone because of a protected characteristic as defined by the 2010 Equality Act: at the time of publishing the protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Methodology

The data for practitioners⁸ in this report are from the BSB's records.

BSB Records

The Bar Council Records Department receives data on the profession via the online "Authorisation to Practise" system, MyBar, which was introduced in 2018 and superseded the previous system, Barrister Connect. MyBar enables barristers to renew their practising certificates online and input or update their diversity monitoring data at any time.

The rate of completion varies for individual monitoring strands, as each question is voluntary and all can be left blank if desired.

Diversity data on pupils are collected through the Pupillage Registration Form (PRF), which must be completed before an individual commences pupillage. The data from this form are stored in the BSB's data warehouse.

The diversity monitoring information used in this report was extracted from our database on 1 December 2020 and represents a snapshot of the profession on this date.⁹

In general, percentages have been rounded to one decimal place, so in some cases the values may not total 100 per cent.

3.1. Response Rates

The response rate once again increased across all collected data in 2020, except for a very small decrease for gender. The year on year increases from 2019 were around 3-4 percentage points for the majority of the monitoring categories. It is encouraging that response rates have increased year on year consistently for the majority of categories for every Diversity at the Bar report published.

A response rate of 50 per cent or more was seen for the first time for questions on religion or belief, sexual orientation, and whether a barrister was of the first generation in their immediate family to attend university. The only category where response rates are less than 40 per cent of the Bar is gender identity, which the BSB only began collecting in 2018.

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

9. Pupillage numbers for previous years have been revised upwards in this report. This is because we refined the approach we take to calculating pupillage data to give a more accurate picture of the number of pupils at a given point in time. This also means that pupillage figures and comparisons to previous years pupillage data have been recalculated as a result of using updated numbers.

Although the trend in response rates is positive, less than 60 per cent of the Bar has responded to eight of the 11 questions monitored in this report.

These monitoring questions are:

- Caring responsibilities for Children
- Caring responsibilities for others
- Disability
- First generation to attend university
- Gender identity
- Religion or belief
- Sexual orientation
- Type of school attended from 11-18

Each question on both MyBar and the PRF contains a 'prefer not to say' option, allowing individuals the option of giving a response without disclosing any information. 'Prefer not to say' is counted as a response in the rates listed below in Table 2.

Table 2: Response Rates in 2019 and 2020 (as a percentage of total barristers) and change in response rates over time

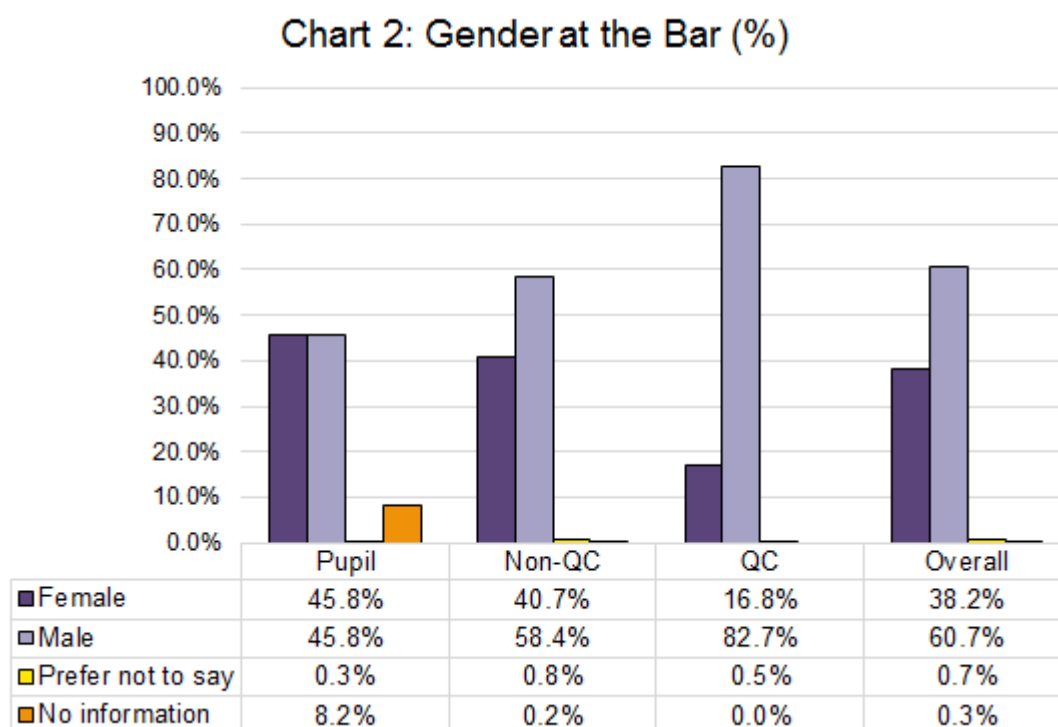
Category	2019 (%)	2020 (%)	2020-2019 pp. diff.	2020-2015 pp. diff.
Gender	99.90	99.69	-0.21%	-0.3
Gender Identity	35.2	39.1	3.9	39.1
Ethnicity	94.0	94.2	0.3	2.8
Disability	53.7	56.9	3.2	25.9
Age	86.3	87.2	0.9	0.8
Religion or Belief	48.5	52.0	3.5	24.2
Sexual orientation	47.4	50.3	2.9	22.8
Type of school attended from 11-18	52.0	55.6	3.6	28.7
First generation to attend university	49.2	52.2	3.0	25.4
Caring responsibilities for Children	51.8	55.3	3.6	27.8
Caring responsibilities for others	50.0	53.4	3.4	27.0

4 Protected Characteristics

4.1. Gender and Identity

Gender

Chart 2 shows the percentage of practitioners at the Bar by gender and level of seniority.



- The overall percentage of women at the Bar increased by 0.2pp from December 2019 to December 2020 to 38.2 per cent: This compares to an estimate of 50.2 per cent of the UK working age (16-64) population being female as of Q3 2020.¹⁰ The increase in the proportion of women at the Bar is 0.5pp lower than the increase seen from December 2018 to December 2019.
- The overall proportion of women at the Bar has increased every year since the first publication of the Diversity at the Bar Report in 2015. In absolute terms, the number of female barristers at the Bar has increased by 790 since 2015. The number of male barristers has increased by 129 over the same period. The discrepancy is likely to be due largely to greater numbers of male barristers retiring: As of 1 December 2020 just over 75 per cent of those aged 55+ at the Bar

10. Calculated from the 'Labour Force Survey: Population aged 16-64: Female: Thousands: SA', and 'Labour Force Survey: Population aged 16-64: UK: Male: Thousands: SA' datasets published by the Office for National Statistics on ons.gov.uk

were male.

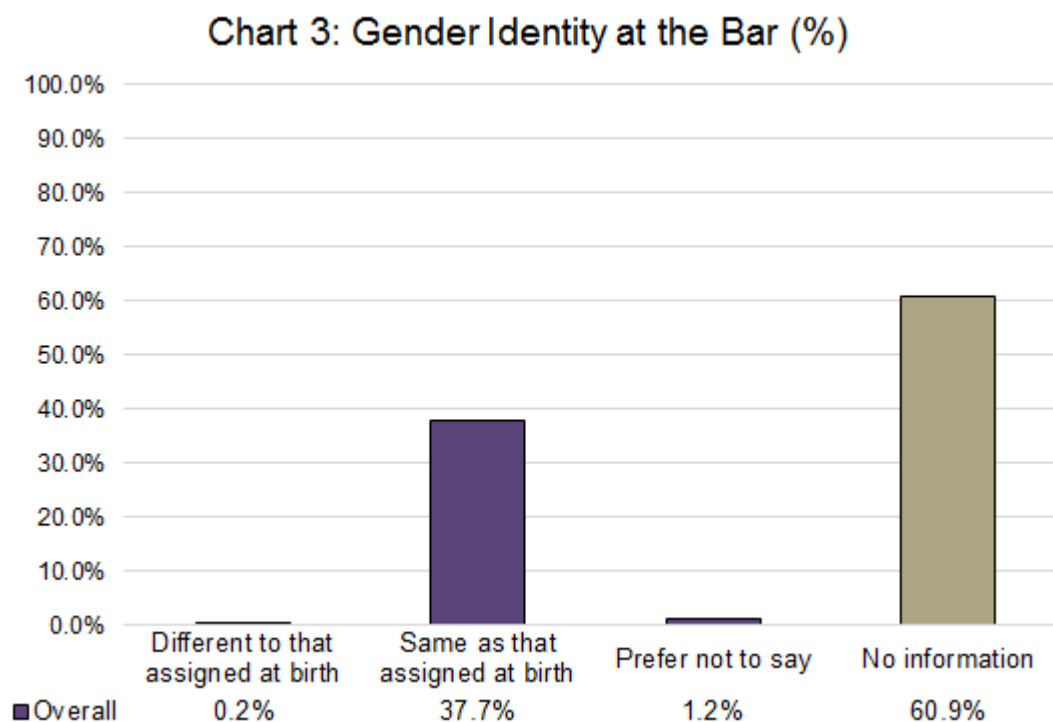
- When excluding non-responses, the proportion of female pupils has fallen since 2019 by around 4 percentage points, but as it is an exceptional year regarding pupillage numbers, this may be an anomaly. When not including non-responses, the proportion of female and male pupils as of December 2020 was the same, at 50.0 per cent. This is the first year since 2015 where the percentage of female pupils has not been greater than that of male pupils.
- The proportion of non-QCs who are female has increased year on year. As of December 2020, 40.7 per cent of non-QCs were female, compared to 40.2 per cent in December 2019, representing a 0.5 percentage point increase. The number of female non-QC barristers increased by 93 compared to December 2019, whereas the number of male non-QC barristers fell by 58.
- The proportion of QCs who are female increased from 16.2 per cent in 2019 to 16.8 per cent in 2020, a 0.6pp increase. This is a larger percentage point increase than that seen from 2018 to 2019 (15.8% to 16.2%; a difference of 0.4pp). The number of female QCs increased by 17 from 2019 to 2020 compared to an increase of 20 from 2018 to 2019, and so the greater percentage point increase seen from 2019 to 2020 was largely due to relatively fewer males gaining QC status year on year.
- It is still noteworthy that the overall proportion of female QCs is low (16.8%) in comparison to the percentage of female barristers at the Bar (38.2%). However, the difference between the two has slightly narrowed by 0.4pp in comparison to the difference seen in 2019. Since December 2015 there has been a net addition of 131 male QCs compared to 103 female QCs. Of those for whom we have data, 44 per cent of the net addition of QCs since 2015 have been female, compared to 56 per cent who have been male. If such trends continue, the proportion of female QCs would continue to grow closer to the proportion of female non-QCs.
- The proportion of women at the Bar has increased by 2.3 percentage points overall since the 2015 Diversity at the Bar Report. The increase overall has been 2.6pp for female non-QC barristers, and 3.8pp for female QC barristers.

Table 3: Gender at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Female	162	6184	315	6661
Male	162	8880	1546	10588
Prefer not to say	1	119	9	129
No information	29	25		54
Total	354	15208	1870	17432

Gender Identity

Chart 3 shows the percentage of practitioners at the Bar by response to the following question on MyBar: “Is your gender identity the same as that which you were assigned at birth?”.



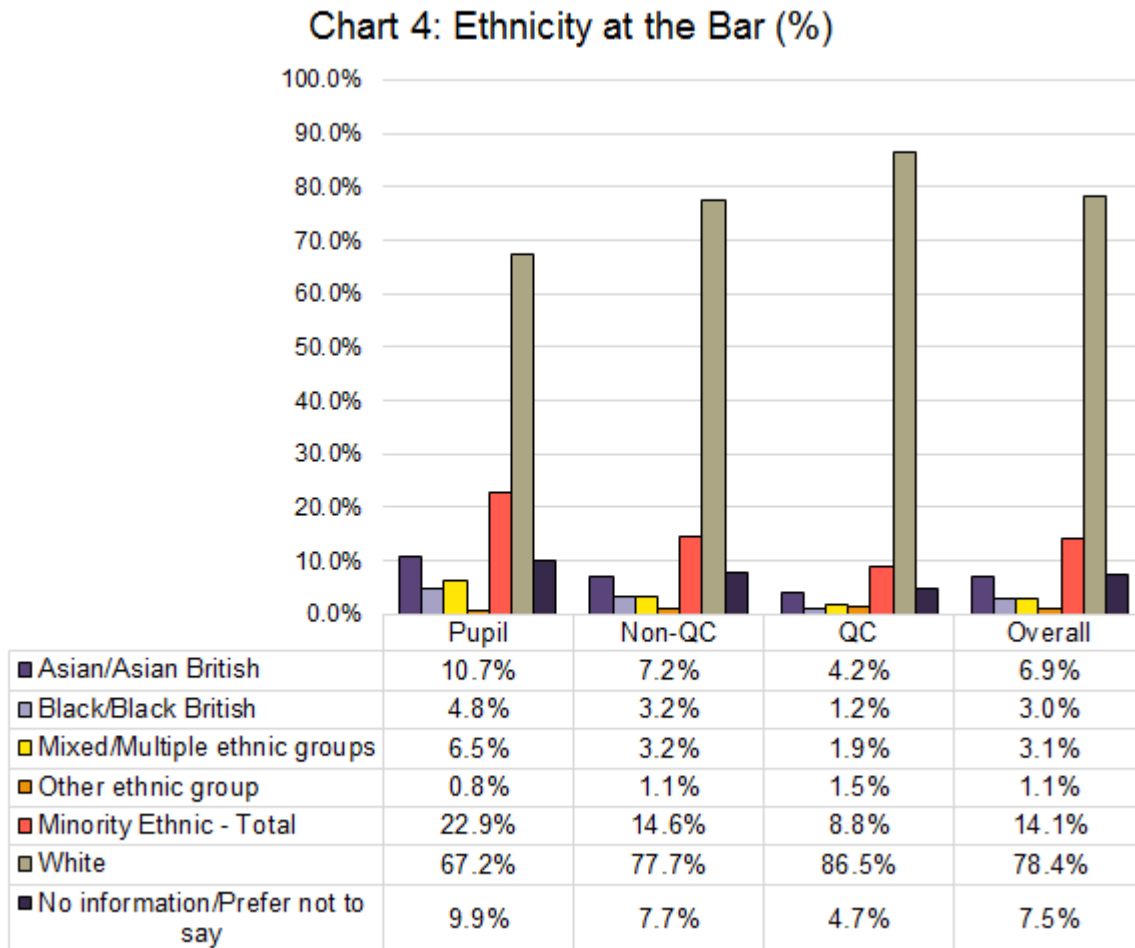
- 60.9 per cent of practitioners had not provided a response on gender identity on MyBar.
- When including non-respondents, around 0.2 per cent of practitioners had a different gender identity to the one they were assigned at birth.

Table 4 Gender Identity at the Bar (numbers)

Gender Identity same as that assigned at birth	Pupils	Non-QC	QC	Overall
No	-	29	7	36
Yes	21	5798	748	6567
Prefer not to say	1	192	17	210
No information	332	9189	1098	10619
Total	354	15208	1870	17432

4.2. Ethnicity

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



- Including non-responses, the overall percentage of barristers from minority ethnic backgrounds at the Bar as of 1 December 2020 was 14.1 per cent. This figure has increased by 0.5pp compared to December 2019, and 1.1pp compared to December 2018. This is slightly above the average yearly percentage point increase of 0.4pp since the first Diversity at the Bar Report in 2015.
- The percentage of QCs from minority ethnic backgrounds has increased by 0.7pp from December 2019 to 8.8 per cent (which equates to an increase of 1.0pp compared to December 2018, and 2.6pp compared to the first Diversity at the Bar Report in December 2015).
- Since December 2015 there has been a net addition of 63 QCs from minority ethnic backgrounds compared to 146 White QCs. Of those for whom we have data, 30 per cent of the net addition of QCs since 2015 has been from a minority ethnic background: This is higher than the proportion of practitioners from minority ethnic backgrounds and may partly be explained by greater numbers of White QCs having retired since 2015, as the proportion of White QCs shows a

general increase alongside age. Excluding non-responses; around 92.4% of QCs aged 55+ are white, compared to 88.0% of non-QCs in the same age range, a difference of 4.4pp between the two. In comparison there is less of a difference between the proportion of White QCs and non-QCs aged 45-54 (89.1% compared to 88.0% respectively), and aged 35-44 (83.3% compared to 83.1% respectively).

- There is still a far lower proportion of QCs who are from minority ethnic backgrounds than the proportion of non-QC barristers who are from such backgrounds, although the ratio between the two has narrowed slightly over time. When excluding non-responses, in December 2015 the proportion of non-QC practitioners from a minority ethnic background was 2.1 times higher than the equivalent proportion of QCs; in December 2020 the ratio between the two was 1.71.
- The percentage of non-QC barristers from a minority ethnic background has increased by 0.5pp (to 14.6%).
- The proportion of pupils from a minority ethnic background showed an increase of 3.7pp compared to December 2019 (to 22.9 per cent) when including non-responses. This is the highest proportion of pupils from minority ethnic backgrounds, and the largest year on year increase in this statistic, seen since the first Diversity at the Bar Report in 2015.
- When excluding those that have not provided information or have preferred not to disclose information, around 15.3 per cent of the Bar is from a minority ethnic background. This compares to around 13.3 per cent of the 16-64 working age population in England and Wales as of Q3 2020.¹¹

When looking at more disaggregated data by ethnic group, and when excluding those that have not provided information on ethnicity, some notable statistics emerge:

Asian/Asian British:

- Around 7.5 per cent of the Bar, 11.9 per cent of pupils, 7.8 per cent of non-QCs, and 4.4 per cent of QCs are from an Asian/Asian British background. This compares to around 5.6 per cent of the UK working age population.
- The proportion of Asian/Asian British barristers at the Bar has increased by around 1.1pp since 2015 and by 0.3pp compared to December 2019.
- Of the 7.8% of non-QCs and 4.4% of QCs from Asian/Asian British backgrounds;
 - 0.68% of non-QCs and 0.22% of QCs are from an Asian/Asian British - Bangladeshi background;
 - 0.54% of non-QCs and 0.28% of QCs are from an Asian/Asian British - Chinese background;
 - 3.34% of non-QCs and 2.41% of QCs are from an Asian/Asian British -

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

Indian background;

- 2.07% of non-QCs and 1.01% of QCs are from an Asian/Asian British - Pakistani background; and
- 1.18% of non-QCs and 0.45% of QCs are from Other Asian backgrounds.

Black/Black British:

- Around 3.2 per cent of the Bar, 5.3 per cent of pupils, 3.4 per cent of non-QCs, and 1.3 per cent of QCs are from a Black/Black British background. This compares to around 3.4 per cent of the UK working age population.
- The proportion of Black/Black British barristers at the Bar has increased by around 0.3pp since 2015 and by 0.05pp compared to December 2019.
- Of the 3.43% of non-QCs and 1.29% of QCs from a Black/Black British background;
 - 1.84% of non-QCs and 0.45% of QCs are from Black/Black British - African backgrounds;
 - 1.32% of all non-QCs and 0.62% of all QCs are from a Black/Black British - Caribbean background; and
 - 0.27% of all non-QCs and 0.22% of all QCs are from any other Black background.

Mixed/Multiple ethnic groups:

- Around 3.3 per cent of the Bar, 7.2 per cent of pupils, 3.4 per cent of non-QCs, and 2.0 per cent of QCs are from a Mixed/Multiple ethnic background. This compares to around 1.5 per cent of the UK working age population.
- The proportion of Mixed/Multiple ethnic group barristers at the Bar has increased by around 0.9pp since 2015 and by 0.2pp compared to December 2019.
- Of the 3.43% of non-QCs and 2.02% of QCs from Mixed/Multiple ethnic group backgrounds;
 - 0.97% of non-QCs and 0.73% of QCs are from White and Asian mixed backgrounds;
 - 0.37% of non-QCs and 0.06% of QCs are from White and Black/Black British - African mixed backgrounds;
 - 0.41% of non-QCs and 0.28% of QCs are from White and Black/Black British - Caribbean mixed backgrounds;
 - 0.19% of non-QCs and 0.22% of QCs are from White and Chinese mixed backgrounds; and
 - 1.49% of non-QCs and 0.73% of QCs are from any Other Mixed/Multiple Ethnic Group background.

Other ethnic group:

- Around 1.2 per cent of the Bar, 0.9 per cent of pupils, 1.2 per cent of non-QCs, and 1.6 per cent of QCs indicated that they were from another ethnic background.

This compares to around 2.8 per cent of the UK working age population.

- The proportion of barristers from an ethnic group classed as ‘Other’ at the Bar has not shown any change since 2015.
- 1.15% of non-QCs compared to 1.57% of QCs are from Other ethnic groups overall.

White:

- Around 84.7 per cent of the Bar, 74.6 per cent of pupils, 84.2 per cent of non-QCs, and 90.7 per cent of QCs are from a White background. This compares to around 86.7 per cent of the UK working age population.
- The proportion of barristers from a White ethnic group at the Bar has decreased by around 2.3pp since 2015 and by 0.5pp compared to December 2019.
- Of the 84.19% of non-QCs and 90.74% of QCs are from White ethnic groups overall;
 - 76.56% of non-QCs and 84.90% of QCs are from White British backgrounds;
 - 2.59% of non-QCs and 2.13% of QCs are from White Irish backgrounds; and
 - 5.02% of non-QCs and 3.70% of QCs are from any Other White background.

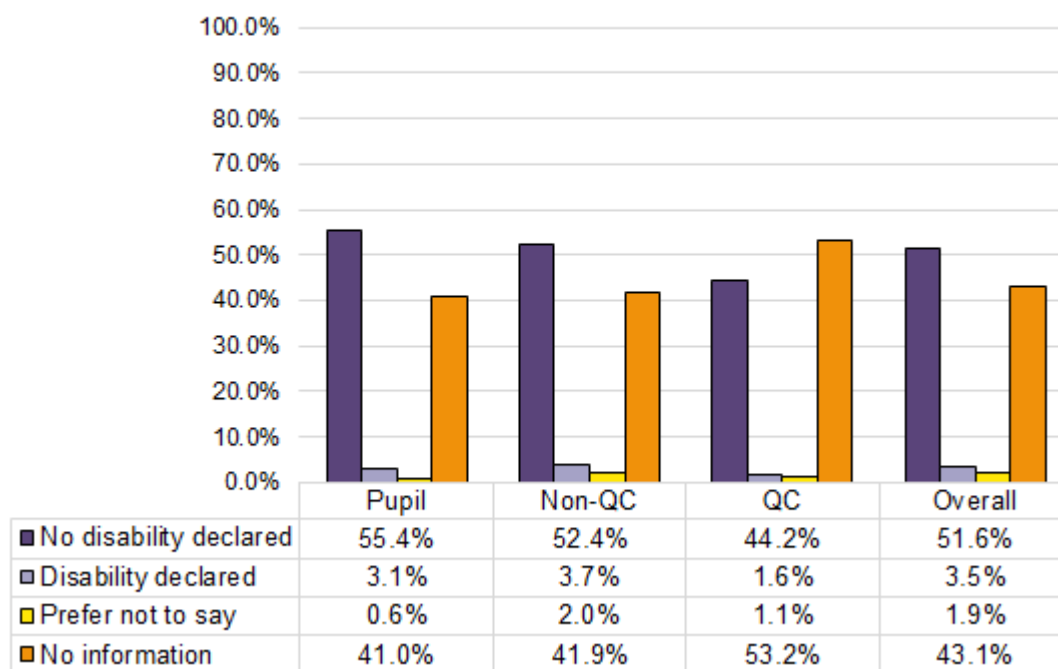
Table 5: Ethnicity at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Asian/Asian British	38	1095	78	1211
Asian/Asian British - Bangladeshi	1	95	4	100
Asian/Asian British - Chinese	4	76	5	85
Asian/Asian British - Indian	16	468	43	527
Asian/Asian British - Pakistani	14	290	18	322
Any other Asian background	3	166	8	177
Black/Black British	17	481	23	521
Black/Black British - African	9	258	8	275
Black/Black British - Caribbean	8	185	11	204
Any other Black background	-	38	4	42
Mixed/Multiple ethnic groups	23	481	36	540
White and Asian	10	136	13	159
White and Black African	1	52	1	54
White and Black Caribbean	4	57	5	66
White and Chinese	1	27	4	32
Any other mixed/multiple background	7	209	13	229
White	238	11812	1617	13667
White - English/Welsh/Scottish/Northern Irish/British	214	10742	1513	12469
White - Gypsy or Irish Traveller	1	3	-	4
White - Irish	6	363	38	407
Any other White background	17	704	66	787
Other ethnic group	3	162	28	193
Arab	-	19	-	19
Any other ethnic group	3	143	28	174
Prefer not to say	4	259	29	292
No information	31	918	59	1008
Total	354	15208	1870	17432

4.3. Disability

Chart 5 shows the percentage of practitioners at the Bar by declared disability status and level of seniority.

Chart 5: Disability declared at the Bar (%)



- Including those that have not provided information on disability, 3.5 per cent of the Bar; 3.1 per cent of pupils; 3.7 per cent of non-QC barristers; and 1.6 per cent of QCs had declared a disability as of December 2020. The overall year on year percentage point increase for those declaring a disability is 0.3pp (3.1% to 3.5%). The increase may be linked to an increase in response rates.
- When excluding those that had not provided information, 6.3 per cent of the Bar; 6.6 per cent of non-QC barristers; 5.3 per cent of pupils; and 3.4 per cent of QCs had declared a disability as of December 2020. These proportion of pupils declaring a disability was 4.5pp lower than that seen in December 2019; whereas the respective figure for non-QCs showed a year on year increase of 0.4pp, and there was no change for QCs. In comparison to these figures, it is estimated that around 11.3 per cent of the employed working age population (those aged 16-64) has a declared disability as of July-September 2020¹², and so the proportion seen for the Bar overall appears to be substantially lower.
- The figures also suggest that the percentage of those with a declared disability may decrease as level of seniority increases. However, the overall disclosure rate is low at 57.0 per cent, meaning these statistics may not be reliable.

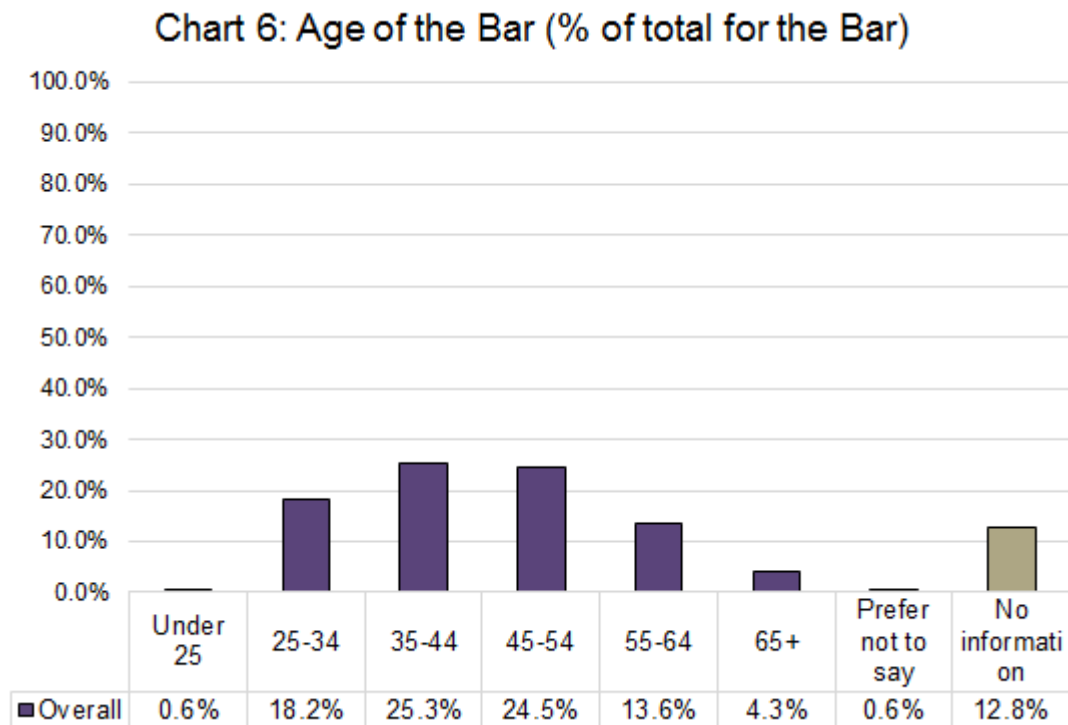
12. Calculated for Jul-Sep 2020 from Office for National Statistics datasets: A08: Labour market status of disabled people using Equality Act Levels (People).

Table 6 Disability at the Bar (numbers)

	Pupils	Non-QC	QC	Total
No disability declared	196	7967	826	8989
Disability declared	11	564	29	604
Prefer not to say	2	305	21	328
No information	145	6372	994	7511
Total	354	15208	1870	17432

4.4. Age

Chart 6 shows the percentage of practitioners at the Bar by age band.



Of those that have provided information on age:

- Those aged between 25 and 54 make up around 78.6 per cent of the Bar. This is a decrease compared to December 2019 of around 1.7 percentage points (80.3% vs 78.6%), with relatively more of the Bar in the 55-64 and 65+ age range in 2020.
- 20.6 per cent of those who have provided information on age are aged 55+. This carries on a general trend in the age profile of the Bar and compares to figures of 16.9 per cent in 2018; 16.1 per cent five years ago in 2016; and 14.8 per cent in the first Diversity at the Bar Report in 2015. Around 3,100 of those that had declared their age were in this group in December 2020, compared to around 2,100 in December 2015 (the proportion of those not providing information on age has remained relatively stable over the same period).

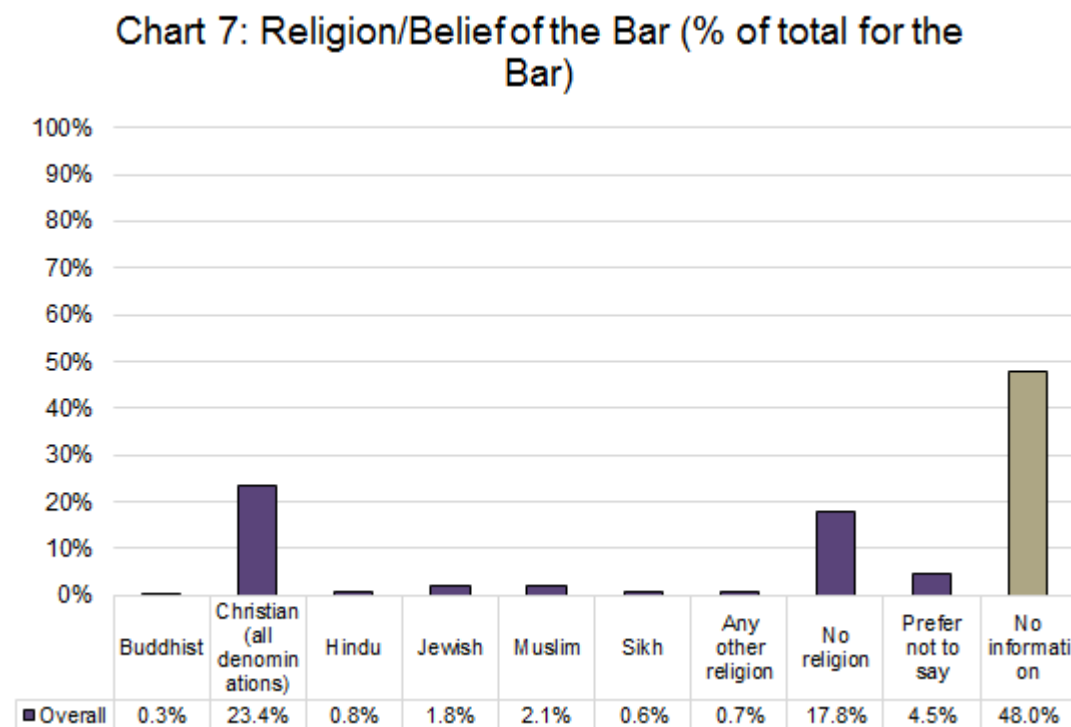
- The two largest cohorts are those aged from 35-44 and those aged from 44-54. Around 29 per cent of barristers are in the 35-44 age range, and around 28 per cent are in the 45-54 age range.
- There is a slight decrease in the proportion of those at the Bar aged under 25: Around 0.8 per cent are in this cohort, compared to 1.1 per cent in 2019. This is largely due to the reduction in the number of pupils.

Table 7: Age at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Under 25	55	58	-	113
25-34	231	2946	-	3177
35-44	30	4290	90	4410
45-54	5	3591	682	4278
55-64	2	1957	407	2366
65+	-	566	176	742
Prefer not to say	-	95	12	107
No information	31	1705	503	2239
Total	354	15208	1870	17432

4.5. Religion and Belief

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



- Around 48.0 per cent of the Bar have not provided information on religion or belief through MyBar. The response rate for this question is up by around 3.5

percentage points year on year.

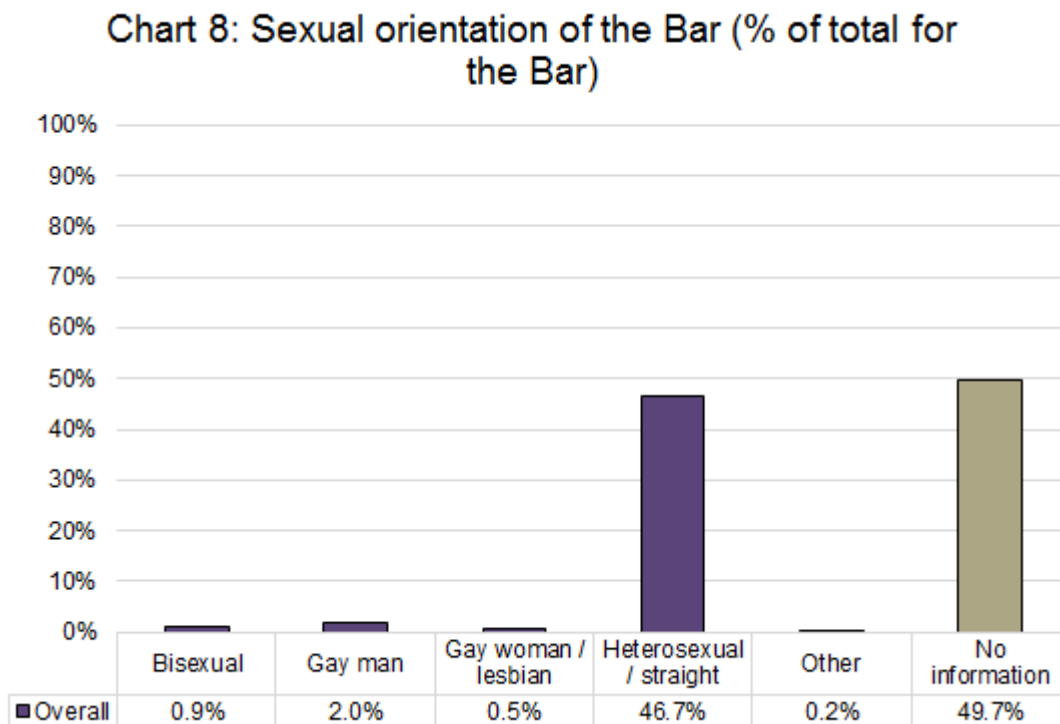
- Including those that have not provided information, the largest group at the Bar is Christians (23.4%) followed by those with no religion (17.8%), although for pupils this trend is reversed.

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

	Pupils	Non-QC	QC	Total
Buddhist	1	44	2	47
Christian (all denominations)	64	3640	375	4079
Hindu	4	129	9	142
Jewish	-	250	72	322
Muslim	12	338	11	361
Sikh	4	93	10	107
Other religion/Belief	2	112	5	119
No religion	91	2750	258	3099
Prefer not to say	15	700	71	786
No information	161	7152	1057	8370
Total	354	15208	1870	17432

4.6. Sexual Orientation

Chart 8 shows the sexual orientation of practitioners at the Bar.



- The response rate for sexual orientation has increased by almost 3 percentage points in comparison to December 2019. It is the monitoring category with the second lowest response rate, with 50.3 per cent providing some information.
- Excluding those that have not provided information, 14.5 per cent of pupils, 7.2 per cent of non-QCs, and 5.4 per cent of QCs provided their sexual orientation as one of Bisexual; Gay man; Gay woman/Lesbian; or Other. This compares to an estimate of 3 per cent of the UK population aged 16 and over identifying as one of Bisexual, Gay man, Gay woman/Lesbian or another sexual orientation as of 2018 when excluding non-responses.¹³

Table 9: Sexual Orientation of the Bar (numbers)

	Pupils	Non-QC	QC	Total
Bisexual	10	149	6	165
Gay man	14	304	22	340
Gay woman / lesbian	2	76	10	88
Heterosexual / straight	153	7242	748	8143
Other	-	33	5	38
No information	175	7404	1079	8658
Total	354	15208	1870	17432

13. Calculated from Table 1 in UK Office for National Statistics Bulletin: Sexual orientation, UK: 2018. The calculation involved excluding non-responses from the table and recalculating the percentages

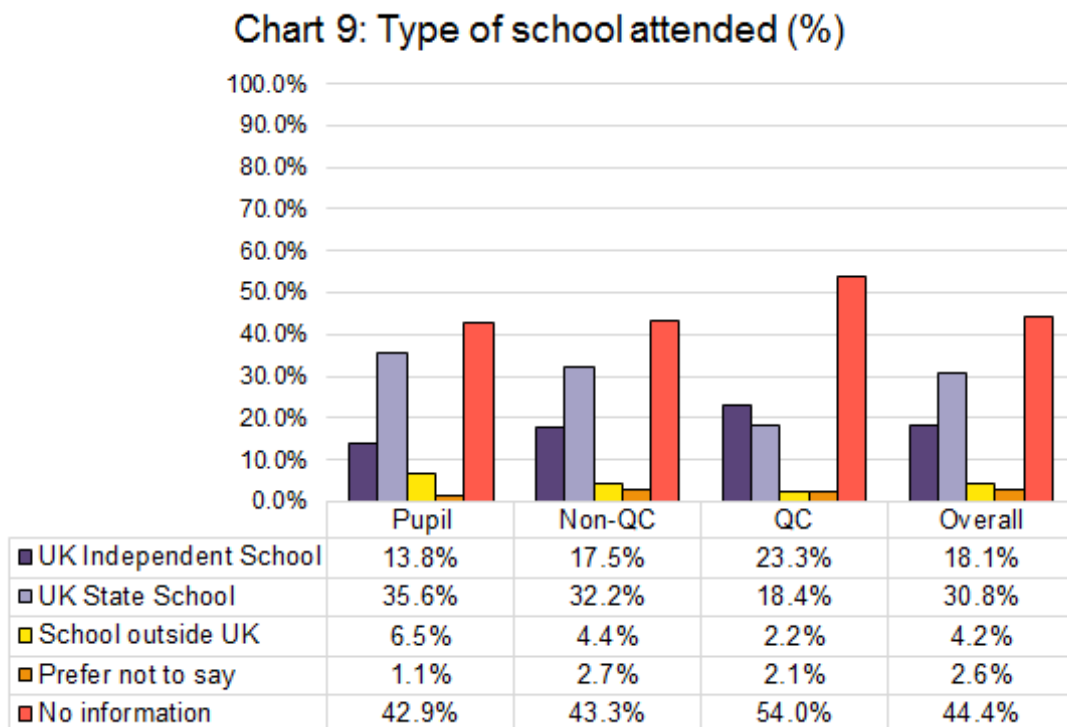
5. Socio-Economic Background

Socio-economic background is not a protected characteristic under the Equality Act 2010. However, a representative socio-economic profile may be one indicator of a more meritocratic profession.

Unfortunately, accurately measuring socio-economic background can be challenging, and there is no universal proxy for gathering such data. The BSB uses two socio-economic questions which are included on the MyBar monitoring questionnaire and on the PRF. These questions use educational background of the barrister, and of their parents, as a proxy for determining a barrister’s social class. There is a strong correlation between a person’s social background and a parent’s level of educational attainment – particularly when choosing the type of school to attend, type of university, and career choice.¹⁴

5.1 Type of School Attended

Chart 9 shows a summary of the type of school mainly attended between the ages of 11-18 for practitioners at the Bar.



14. Bukodi, E. and Goldthorpe, J.H., 2012. Decomposing ‘social origins’: The effects of parents’ class, status, and education on the educational attainment of their children. *European Sociological Review*, 29(5), pp.1024-1039.

- Although there is still a high percentage of non-responses (44.4%), the data suggest that a disproportionate amount of the Bar attended a UK independent school. The figures show that even if all of the barristers who chose not to respond had gone to state schools, the proportion of barristers who went to independent schools would be higher than in the wider population: 18.1 per cent of the Bar (including non-respondents) attended an independent school between 11-18, compared to approximately 7 per cent of school children in England at any age,¹⁵ and 10.1 per cent of UK domiciled young full-time first degree entrants in the UK in 2018/19 attending a non-state school prior to university.¹⁶
- Of those that provided information on school attended, 34.1 per cent attended an independent school in the UK (this represents a small decrease of 0.2pp compared to December 2019). This is in line with those that enrolled on the Bar Professional Training Course (BPTC) from 2013-2018: Across the 2013/14-2018/19 academic years, there was an average of 32 per cent of UK domiciled students on the BPTC having attended an independent school.¹⁷ This suggests that the high percentage of those at the Bar who attended an independent school in the UK is generally due to the influence of factors prior to vocational study to become a barrister.
- It is worth noting that of those that provided information on school attended, the proportion of UK-schooled barristers who attended an independent school has been gradually trending downwards since 2015 from 39.6 per cent in December 2015 to 37.0 per cent in December 2020.
- The overall response rate for this information has increased 3.6pp year on year (to 55.6%).

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

	Pupils	Non-QC	QC	Total
UK Independent School	49	2666	435	3150
UK State School	126	4894	344	5364
Attended School outside UK	23	662	41	726
Prefer not to say	4	407	40	451
No information	152	6579	1010	7741
Total	354	15208	1870	17432

15. Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 14 December 2020). We acknowledge that this comparison is not a direct one; we are lacking data on type of school mainly attended between the ages of 11-18 for England and Wales only.

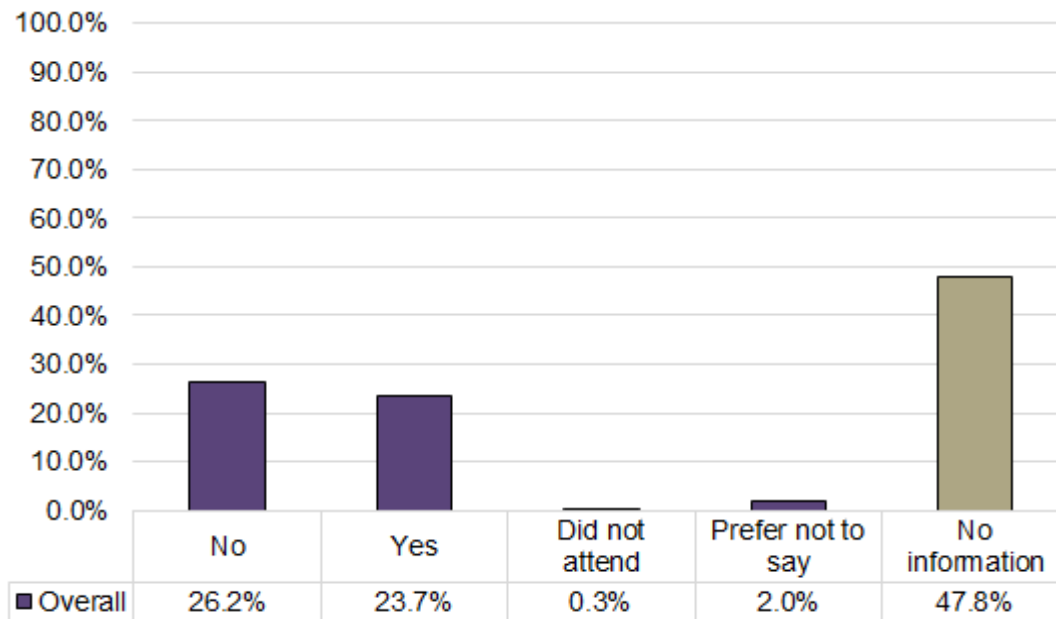
16. Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators 2018/19. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 14 December 2020)

17. Data calculated from monitoring question for the Bar Course Aptitude Test on school attendance between 11-18 and data provided to the BSB by BPTC providers.

5.2 First Generation to Attend University

Chart 10 shows whether members of the profession were the first generation to attend university or not. On the MyBar monitoring questionnaire, the question asked is: “If you went to university (to study a BA, BSc course or higher), were you part of the first generation of your family to do so?”

Chart 10: First generation to attend university (% of total for the Bar)



- There has been an increase in the response rate to this question of around 3.0pp this year (to 52.2%).
- When excluding non-responses and those who prefer not to say, as of December 2020: 0.6 per cent of the Bar had not attended university; 52.2 per cent were not of the first generation to attend university; and 47.2 per cent were of the first generation to attend university.

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

	Pupils	Non-QC	QC	Total
No	38	4106	426	4570
Yes	19	3709	397	4125
Did not attend	-	43	10	53
Prefer not to say	4	311	29	344
No information	293	7039	1008	8340
Total	354	15208	1870	17432

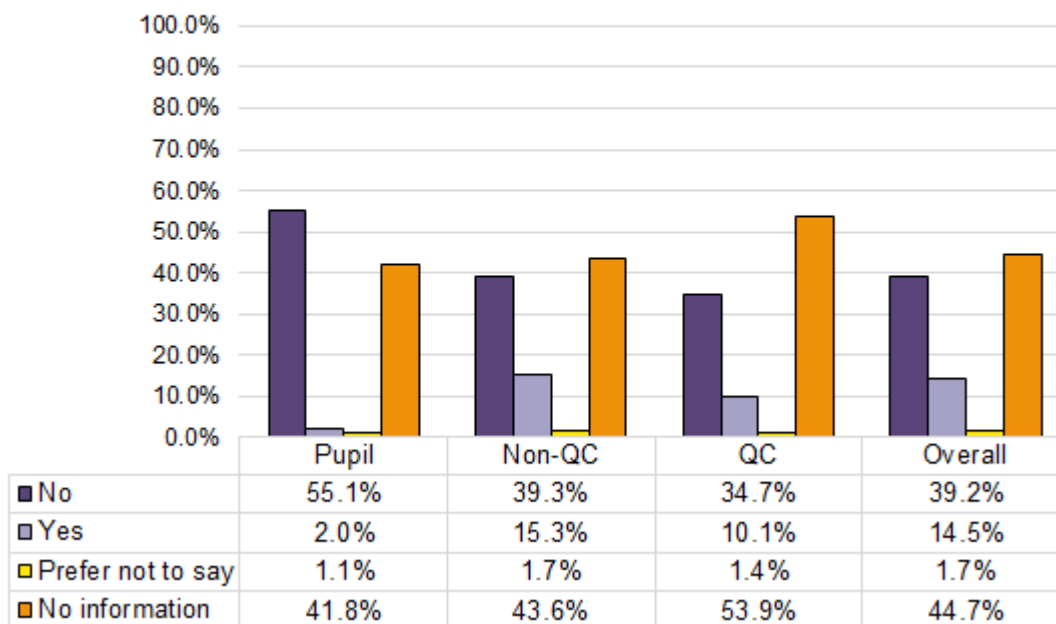
6. Caring Responsibilities

The caring responsibilities categories used in this report are aimed at ascertaining whether an individual has child or adult dependants.

6.1 Caring Responsibilities for Children

Chart 11 shows a summary of childcare responsibilities at the Bar. On the MyBar monitoring questionnaire, the question asked is: “Are you a primary carer for a child or children under 18?”

Chart 11: Primary caring responsibilities for children (%)



- The percentage of those providing a response to this question has increased 3.5pp year on year to 55.3 per cent.
- When excluding non-responses, 27.0 per cent (just over one in four) of the Bar; 3.5 per cent of pupils; 28.0 per cent of non-QCs; and 22.5 per cent of QCs have primary caring responsibilities for one or more children. Overall, the proportion of the Bar with primary caring responsibilities for one or more children has increased by around 4.9pp since 2015, 5.6pp since 2016 and 0.7pp since 2019. It is not clear whether this is a general trend, or the increase in response rate for this question is being driven disproportionately by those with caring responsibilities.
- A comparison with the working age population in England may suggest that a far lower proportion of those at the Bar are the primary carer for a child. Figures produced by the UK Office of National Statistics suggest that around 36 per cent of economically active males, and 39 per cent of economically active females

are a primary carer for one or more children.¹⁸ This includes all ages from 16-64 grouped together, and so the proportion of those in the UK with primary care of a child is likely to be far higher for those aged 35-54, which constitutes the majority of the Bar. It is worth noting that as response rates are relatively low for this question, such inferences may not be reliable.

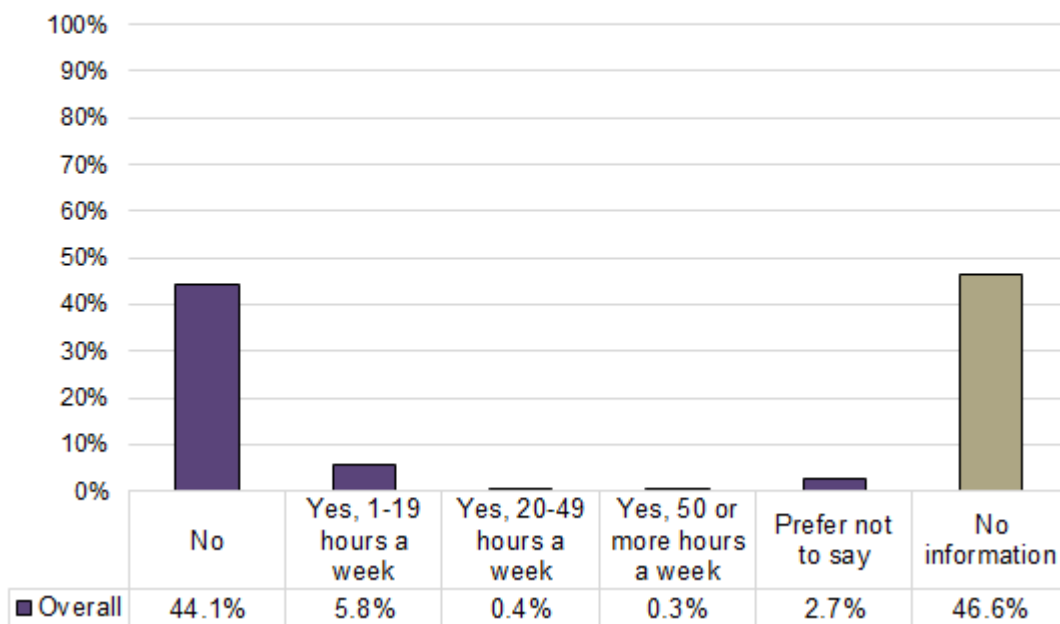
Table 12: Caring Responsibilities for Children for those at the Bar (numbers)

	Pupils	Non-QC	QC	Total
Not a primary carer for one or more children	195	5984	649	6828
Is a primary carer for one or more children	7	2328	188	2523
Prefer not to say	4	265	26	295
No information	148	6631	1007	7786
Total	354	15208	1870	17432

6.2 Caring Responsibilities for Others

Chart 12 below shows practitioners at the Bar who have caring responsibilities for people other than children, as a percentage of the whole profession. On the MyBar monitoring questionnaire, the question asked is “Do you look after, or give any help or support to family members, friends, neighbours or others because of either long-term physical or mental ill-health/disability or problems related to old age (not as part of your paid employment)?”

Chart 12: Caring responsibilities for others (% of total for the Bar)



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

- The percentage of those providing a response to this question has increased 3.4pp year on year to 53.4 per cent.
- Including those that have not provided information for this question, 6.5 per cent of the Bar provides care for others for one hour a week or more.
- Of those that provided a Yes/No response, around 12.9 per cent of respondents provided care for another person for 1 or more hours per week as of December 2020. This is in line with the proportion of those in work in the UK who are carers according to figures published by Carers UK, which states that around one in seven (14.3% of) UK workers provide care for another, not including primary care of children.¹⁹
- Of those at the Bar that do provide care for others, around nine in ten provide care for between 1-19 hours a week.
- Of those that have provided a response, the proportion that provide care for another increases with level of seniority, going from 6.7 per cent of pupils to 12.6 per cent of non-QCs, and 17.2 per cent of QCs.

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

	Pupils	Non-QC	QC	Total
No	182	6858	653	7693
Yes, 1-19 hours a week	12	870	124	1006
Yes, 20-49 hours a week	1	66	7	74
Yes, 50 or more hours a week	-	54	5	59
Prefer not to say	7	429	33	469
No information	152	6931	1048	8131
Total	354	15208	1870	17432

19. See Facts and Figures, Carers UK. Accessed online at: <https://www.carersuk.org/news-and-campaigns/press-releases/facts-and-figures>

7. Conclusions

Compared with 2019, there has been a relatively large change compared to previous years in the overall number of pupils; the proportion of female pupils; the proportion of pupils from minority ethnic backgrounds; and the proportion of pupils with a declared disability.

For non-QC and QC barristers, there has been no substantial change in the reported profile of the Bar, which is to be expected when monitoring demographic changes in a profession annually. However, there has been a continuation of several trends seen since the first Diversity at the Bar Report in 2015; notably, a continuing increase in the proportion of female practitioners; the proportion of practitioners from a minority ethnic background; the proportion of practitioners at the Bar aged 55+; and the proportion of the Bar with primary caring responsibilities for one or more children.

Response rates continue to improve, with increases of around 3pp or more seen in eight of the 11 categories monitored in this report, which is a very positive development. As the disclosure rate increases, so does the quality of the BSB's evidence base. We will continue to encourage those at the Bar to provide us with information, particularly around characteristics that are under-reported.

Overall, both gender and ethnicity at the Bar continue to move towards better reflecting the demographics of the UK population, with a continued increase in the proportion of barristers (including at QC level) who are female or from a minority ethnic background. This year shows the greatest proportion of pupils from a minority ethnic background since we commenced reporting in 2015.

When excluding those that have not provided information, amongst those from a minority ethnic background there are some notable differences. There is a slightly greater proportion of Asian/Asian British practitioners at the Bar compared to the UK working age population (7.5% vs 5.6%), and the same can be said for those from Mixed/Multiple ethnic backgrounds (3.3% vs 1.5%). By contrast, there is a slightly smaller proportion of those at the Bar from Black/Black British backgrounds compared to the UK working age population, (3.2% vs 3.4%), and a greater relative underrepresentation for those from Other ethnic groups (1.2% vs 2.8%).

There is also a greater disparity in the proportion of all non-QCs from Black/Black British backgrounds compared to the proportion of all QCs from the same background, with the disparity being particularly high for those of Black/Black British – African ethnic backgrounds.

There may be a lower proportion of disabled practitioners at the Bar in comparison to the UK working age population, and the proportion of those with a declared disability appears to differ by level of seniority, although the response rate (at 56.9%) is too low to draw reliable conclusions.

The response rates for questions on religion and belief, sexual orientation, socio-economic background and caring responsibilities are also too low to be able to draw reliable conclusions.

Based on the data we have, the proportion of the Bar who identify as one of Bisexual; Gay man; Gay woman/Lesbian; or Other appears to be higher than that seen in the UK population aged 16 and over. For religion, the largest group at the Bar is Christians followed by those with no religion, although for pupils this trend is reversed.

Regarding type of school attended, it appears that a disproportionately high percentage of the Bar primarily attended an independent secondary school, although the proportion does appear to be gradually trending downwards over time.

The percentage of those at the Bar who provide care for another (not including primary care of a child under the age of 18) appears to be around that seen for workers across the UK, while the percentage of those at the Bar who provide primary care for a child under the age of 18 appears to be lower than that seen in the economically active UK population, but also appears to be increasing over time.

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