

Pupillage Portal Survey 2010



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An analysis of the backgrounds of pupil portal applicants in 2010

The General Council of the Bar of England and Wales

Pupillage portal applicants' statistical report

May 2011

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Research Department

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Introduction

This paper presents the profile of pupillage applicants who have applied through the 'Pupillage Portal' (OLPAS) online system in 2010. This will include the profile of applicants' equality and diversity strands, including information on their socio-economic and educational backgrounds.

The analysis includes missing data and/or non responses when reporting on the equality strands monitored at pupillage application. This is to ensure that the equality and diversity data is represented clearly and that data cannot be misinterpreted because monitoring equality and diversity in the profession is the primary aim of this paper. However missing data was excluded when bivariate analysis was undertaken (as it cannot be used in this type of analysis).

Where possible, the characteristics monitored were compared to those recorded in the UK Labour Force Survey (LFS) for October to December 2010.¹ The LFS was used in order to provide a means to compare the demographics of the population applying for pupillage with that of the general population of working age. In order for these to be comparable, those outside of England and Wales and those aged younger than 21 years and more than 75 years were excluded from the analysis. All references to the general population in this report refer to that of England and Wales aged between 21 and 75 as measured by the LFS. This was due to the jurisdiction of the Bar Council being England and Wales and the age range of applicants was 21 years to 71 years. Where possible, applicants were also compared to total barristers in practice for 2009/10 as reported in the 2011 publication '*Bar Barometer Trends in the Profile of the Bar*'.

1.2 Pupillage

Pupillage is the final stage in becoming a practising barrister; it consists of practical training in chambers or in employment supervised by an experienced barrister. Overall pupillage is a 12 month period. The first six months is called the 'Non – Practising Six Months or the 'First Six'. This must be completed in a continuous six month period, in this time a pupil can only shadow

¹ Please see appendix1 for an explanation of the LFS methodology and sampling techniques.

their supervisor. They may not accept any instructions except for noting briefs where they have permission from their supervisor or head of chambers to do so.

Once this is satisfactorily completed, pupils gain a certificate from their supervisors and after submission of this to the Bar Standards Board, they can acquire a Provisional Qualification Certificate. A pupil can then continue with their second six months of pupillage. This period is known as the Practising Six Months or 'Second Six'. Pupils cannot undertake their Second Six without having been Called to the Bar, which is formal recognition of having passed the academic stage of training, the Bar Professional Training Course (the BPTC).² They must also commence their Second Six no later than 12 months after completing the First Six months. The Second Six can be completed over a nine month period provided that they do not take a break exceeding one month at one time. Pupils can now provide legal services and rights of audience. Upon satisfactory completion of their second six, pupils gain a Full Qualification certificate. Throughout both First Six and Second Six, pupils must be paid a minimum of £833.33 per month (£10,000 per annum).

1.3 The Pupillage Portal

The pupillage portal was initiated as an online application system in 2009; it provides a centralised service for pupillage applications. In 2010, applications could be made between 30th of March and 27th of April; offers were then made between 2nd of August and 6th of September. The pupillage portal consists of an application form on the basis of which the chambers applied to may decide to invite prospective pupils for interviews as part of their selection process. It also includes a separate and anonymised equality and diversity monitoring form for the Bar Council. The data derived from this form for 2010 was the basis of this paper. Applicants can apply for pupillage outside of the online Pupillage Portal system and the equality and diversity data of these applicants goes unmonitored and the Bar Council does not possess any records of these applicants.

² The BPTC was introduced in the 2010/11 academic year; prior to this the academic stage of training was referred to as, the Bar Vocational Course (the BVC).

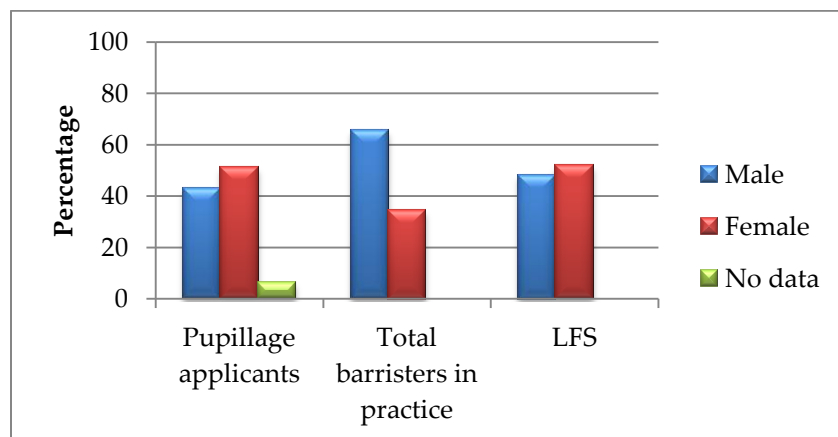
2. Equality and Diversity Strands

This section describes the profile of pupillage applicants by the equality and diversity strands monitored in the application process. These include the protected characteristics of gender and ethnicity, disability and sexual orientation as well as religion and age. The nationality of applicants is also discussed in this section. The profile of pupillage applicants was compared to that of the general working age population as measured by the LFS for gender and ethnicity, disability and religion. Their profile was also compared to that of all practising barristers as recorded in *Bar Barometer Trends in the Profile of the Bar* for gender and ethnicity.

2.1 Gender

Of the 2,841 online applications for pupillage; the majority of applicants were female. Female applicants accounted for 1,452 (51.1%) of applicants in comparison to 1,214 (42.7%) male applicants. There were 175 (6.2%) missing cases in this category. As shown on Figure 1. below, there were a slightly larger proportion of women applying for pupillage than was present in the general working age population as measured by the LFS and was substantially higher than in the profile of the profession as a whole.

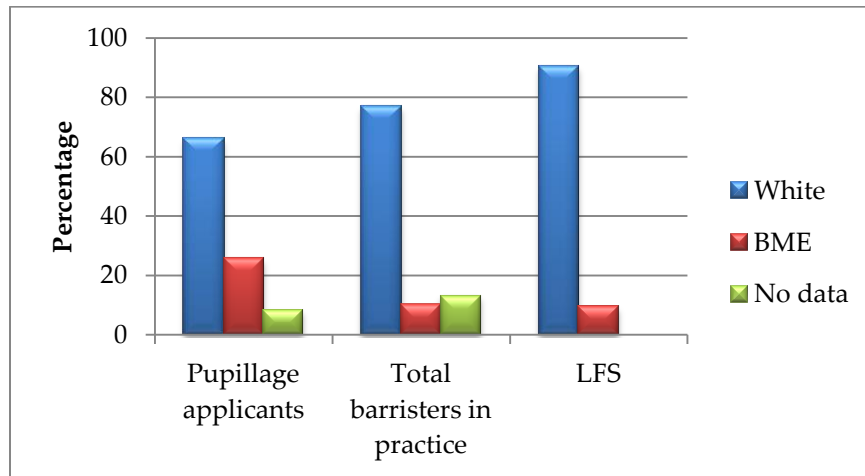
Figure 1 Pupillage applicants gender composition



2.2 Ethnicity

The pupillage portal received 732 (25.8%) applications from Black or Minority Ethnic (BME) applicants compared to 1,874 (66%) from white applicants. However 235 (8.2%) did not declare their ethnicity. In comparison to this; in the general working age population according to the LFS 9.6% are BME and 90.4% are white. The proportion of pupillage applicants from a BME background was also higher than that of total barristers currently in practice. This is displayed on Figure 2 below.

Figure 2 Pupillage applicants' ethnic composition



The majority of BME pupillage applicants, 330 (45.1%), were from an Asian background. Applicants from a black ethnic background comprised 194 (26.5%) of applicants and applicants from a mixed ethnic background comprised 160 (21.9%). A small minority, 18 (2.5%) were from 'other' ethnic groups and 30 (4.1%) were Chinese.

This is broadly similar to levels monitored at population level by the LFS. The most apparent difference between the ethnic profile of BME applicants for pupillage and at population level was between those of a mixed ethnic background and those from 'any other ethnic group'. This disparity may also be related to respondents in both surveys considering the questions differently. This is illustrated in figures 3 and 4 below.

Figure 3 BME pupillage applicant's ethnic composition

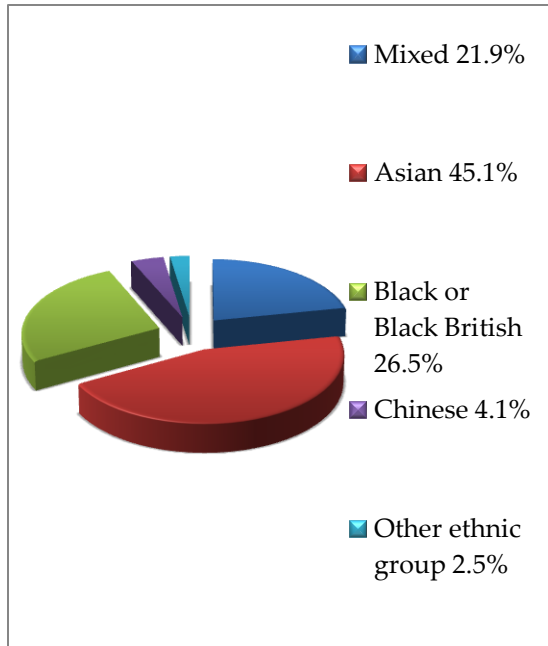
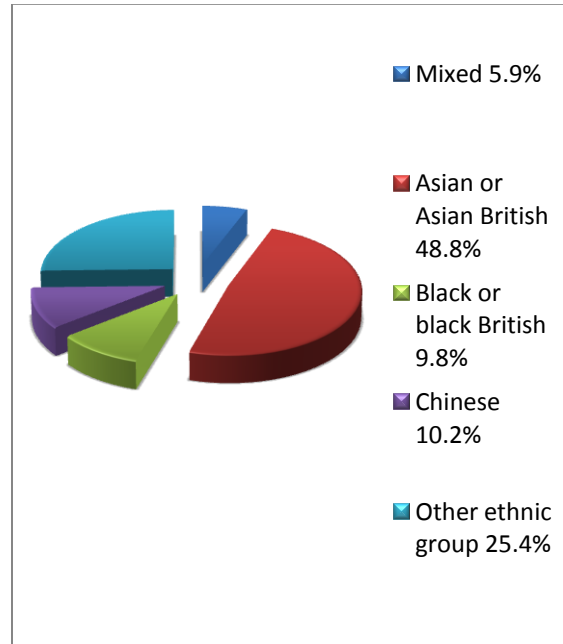
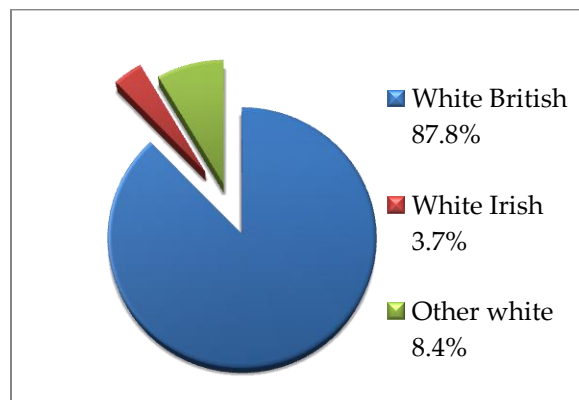


Figure 4 BME population in LFS's ethnic composition



The majority of white applicants, 1,646 (87.8%) were white British, white Irish accounted for 70 (3.7%) of applicants and the remaining 158 (8.4%) were from 'other white' ethnic backgrounds. This is shown on Figure 5. below.

Figure 5 White pupillage applicants ethnic composition



The LFS categorised white ethnicity as 'British' and 'another white background', in the LFS 94.5% were British and the remaining 5.5% were of 'another white background'.

2.3 Sexual Orientation

The majority of pupillage applicants, 2,458 (86.5%) were heterosexual, 64 (2.3%) were gay and a minority of 16 (0.6%) were bisexual. There were also 303 (10.6%) missing cases for this question.

2.4 Disability

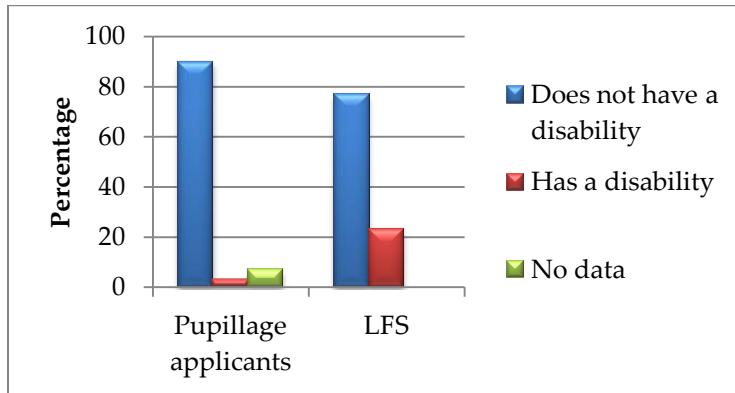
In the pupillage portal survey 85 (3%) applicants declared themselves as having a disability and 2,556 (90%) said that they did not have a disability. There were 200 (7%) non responses to this question. The pupillage portal refers specifically to whether applicants consider themselves to have a disability as defined by the Disability Discrimination Act (DAA).³

The LFS provides respondents with three definitions of disability; whether they have a disability as defined by the DAA; whether they have a disability as defined by the DAA and are limited in their ability to work; and if they are limited in their ability to work but are not disabled under the DAA. In order to make a valid comparison between the two surveys, the 3% who categorised themselves as being limited in their ability to work but not disabled as defined by the DAA were categorised as 'not having a disability' as the pupillage portal makes specific reference to disability as defined by the DAA.

The LFS records a greater proportion of the general population, 23.1%, as having a disability. This is shown on Figure 6 below.

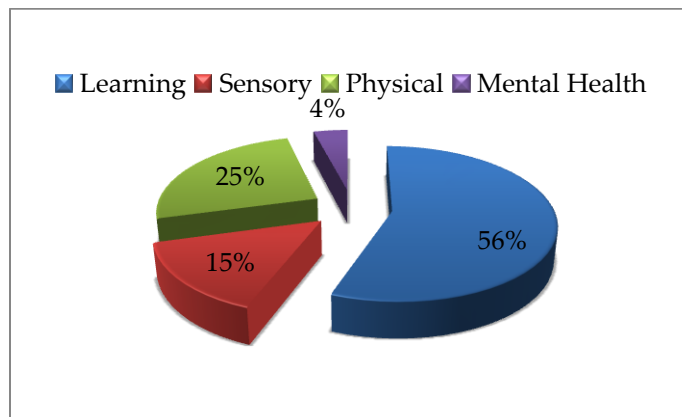
³ The Disability Discrimination Act defines a person as having a disability if he or she has a physical or mental impairment, which has a substantial long term, adverse effect on your ability to carry out normal day-to-day activities. Long term means 12 months or more. This has been replaced with The Equality Act 2010.

Figure 6 Pupillage applicants by disability



As illustrated in Figure 7 below, out of all of the 85 disabled applicants, the majority cited having a learning difficulty, a quarter had a physical disability and 15% had a sensory disability. A small minority (4%) cited having a mental health issue.

Figure 7 Disabled pupillage applicants by type of disability



2.5 Religion

The majority of applicants 1,159 (40.8%) described themselves as Christian. Muslims accounted for 193 (6.8%) applicants. There were a number of small groups in this category, Buddhists constituted 20 (0.7%) of applicants, there were 39 (1.4%) Jewish applicants and 44 (1.5%) Sikhs.

There were 709 (25%) applicants with no religion, 218 (7.6%) who described themselves as agnostic and 49 (1.7%) who cited 'other' as a religion. In order to compare this with the LFS, the category of agnostic was combined with 'none' and 'other' and as agnostic was not monitored in the LFS, respondents may have chosen 'other' or 'none' as an alternative. However these are not directly comparable. Additionally 350 (12.3%) applicants did not respond to this query.

The proportions of the population within each religious category were broadly similar between the two surveys, although the Christian population was larger in the general population as measured by the LFS and those who were 'none', 'other' or 'agnostic' formed a larger proportion of the pupillage applicant population. This comparison is shown on Figures 8 and 9 below.

Figure 8 Pupillage applicants' religion

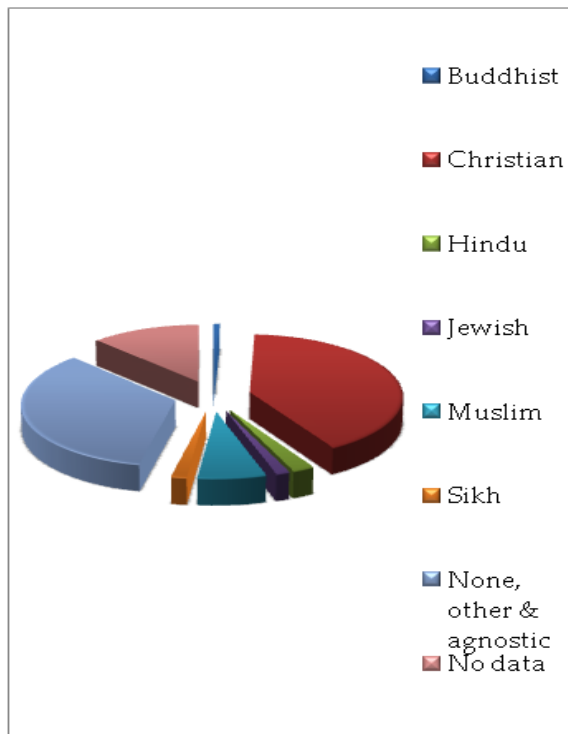
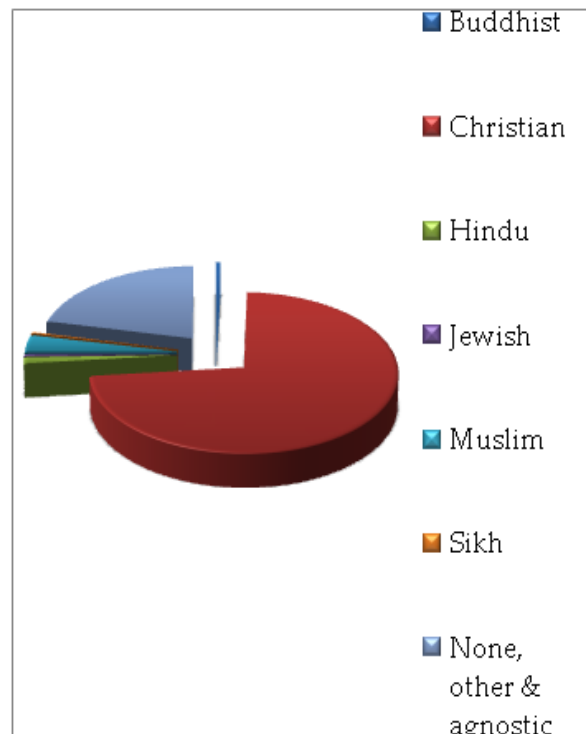


Figure 9 LFS Religion

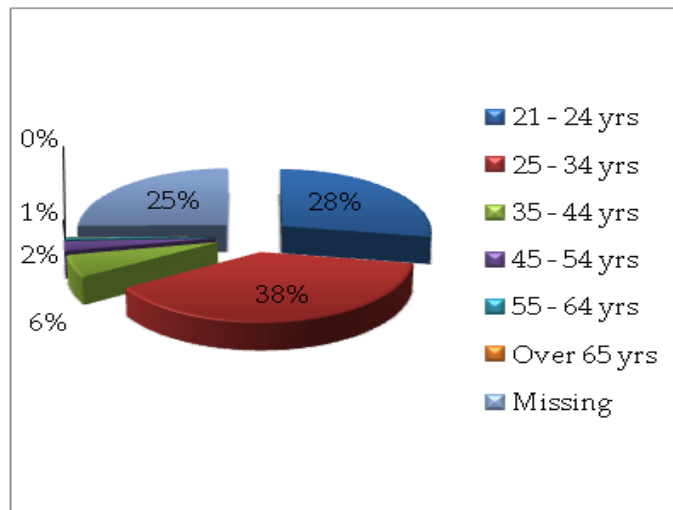


2.6 Age ⁴

The ages of applicants ranged from 21 years to 71 years, however the majority (75% of applicants) were under 30 years. The most common age of applicants or the mode response was 25 years. The average age of applicants was 27 years; the average age was higher than that of the majority of applicants because there were people aged up to 71 years of age in the pupillage applications which skewed the average.

There were 788 (27.7%) pupillage applicants aged between 21 years and 24 years and 1,092 (38.4%) were aged between 25 years and 34 years. There was a very high amount of non responses in regards to measuring age, 714 (25.2%).

Figure 10 Pupillage applicants' age



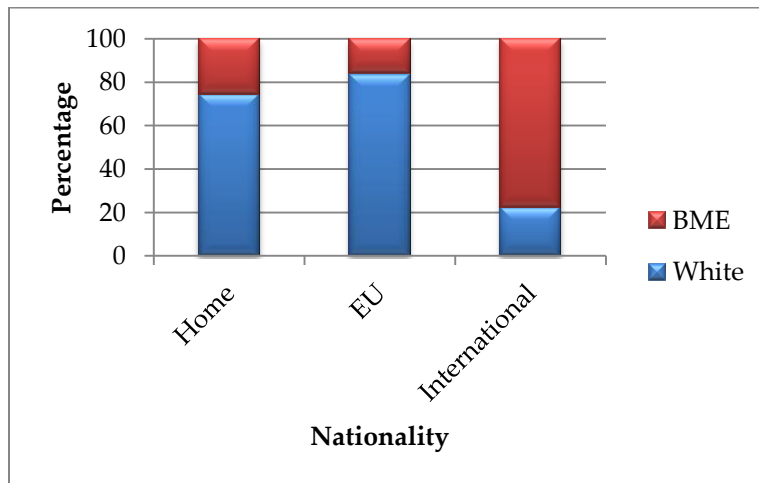
⁴ There was an exceptionally large amount of missing cases for this response. The data for age was initially collected in the format of date of birth. This query had a disproportionately high rate of missing responses at 550 (19.4%). The rate of missing cases also increased due to misinterpretation of the question and the removal of outliers. Upon making this data anonymous (converting date of birth to age) it became apparent that there was misinterpretation of the question and this further reduced the number of usable responses. Additionally, in order to effectively analysis the data, extreme outliers were removed from the dataset. Overall this resulted in 714 (25.1%) of applicants ages not being available.

2.7 Nationality

The majority of pupillage applicants, 2,440 (85.9%), were UK nationals, 80 (2.8%) were EU nationals and 125 (4.4%) were international. There were 196 (6.9%) missing responses to this query. This was broadly similar to levels monitored by the LFS which reported that 89.4% were UK nationals and 10.5% were EU or international.

Amongst international applicants, the majority, 94 (13.1%) were BME in comparison to 27 (1.4%) of white students. There were 260 (9.2%) missing from this response category.

Figure 11 Pupillage applicants nationality by ethnic composition



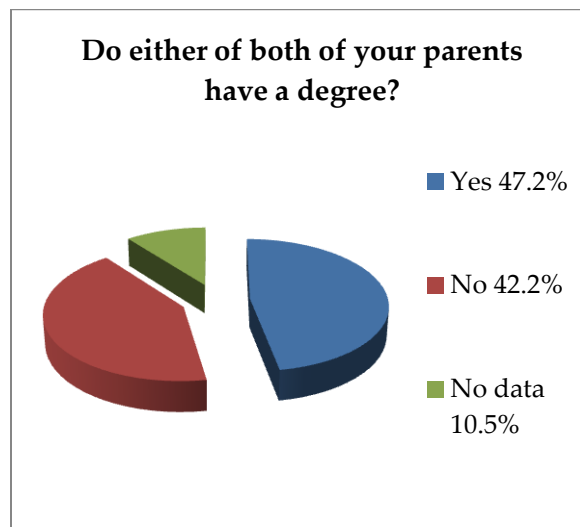
3. Socio – economic background

This section presents some indicators of the socio-economic back ground of pupillage applicants; none of these measures are effective as a standalone measure of socio-economic background but in this context give a limited indication of this. This section discusses level of parental education and applicant’s educational background as well as how applicants funded their BVC and their expected level of debt.

3.1 Parental Education

Applicants were asked if one of both of their parents had obtained a degree, a majority of 1,342 (47.2%) applicants responded positively. However a large number of applicants did not respond to the question resulting in 299 (10.5%) missing cases. This is shown on Figure 11. The parents of pupillage applicants were more likely to have obtained a university degree than the general population; the LFS reported that 22.8% of population had obtained a university degree. This may indicate that pupillage applicants came from backgrounds with a higher level of educational attainment than present in the general working age population.

Figure 12 Pupillage applicants parental education

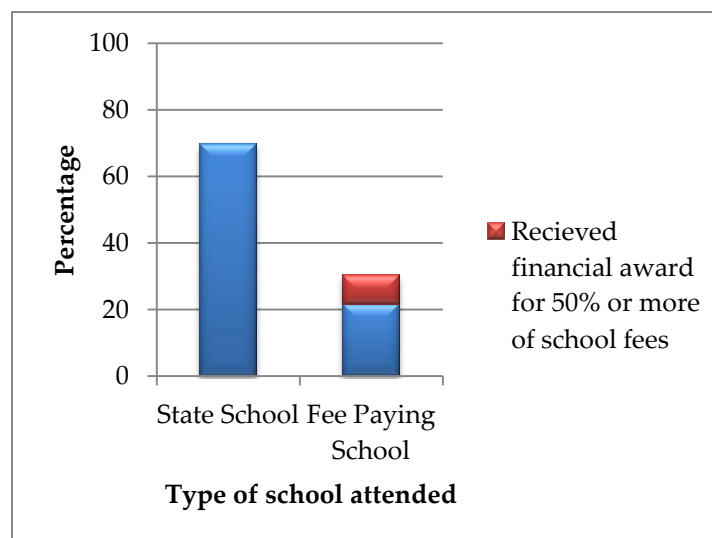


3.2 Applicants educational background

3.2.1 Type of school attended

The majority of pupillage applicants 1,731 (69.7%) attended state schools in comparison to fee paying schools 753 (30.3%). No data was obtained for 357 (12.6%) of applicants. This is illustrated on Figure 12. below. Amongst applicants who attended a fee paying school, 216 (28.7%) received a financial award to pay for 50% or more of their school fees. There is a wide range of financial award schemes each with differing criteria, overall academic and extra-curricular achievements may be considered as well as financial means.

Figure 13 Pupillage applicants by type of school attended

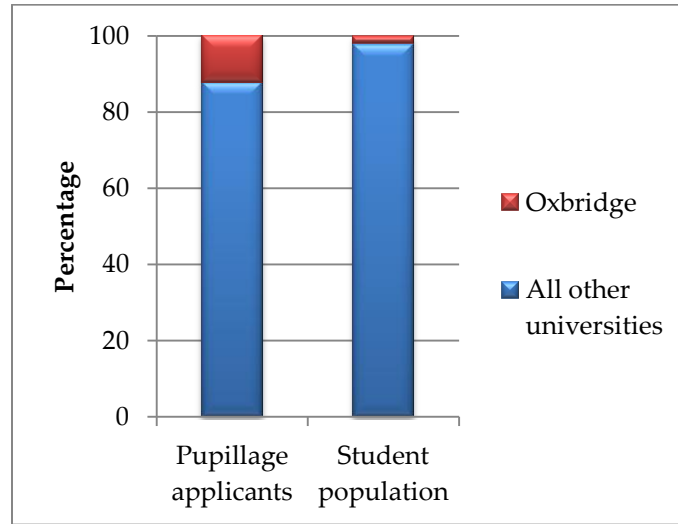


3.2.2 University attended

Amongst pupillage applicants, 294 (12.6%) attended Oxbridge universities compared to 2,091 (87.7%) who attended other universities. There was no response to this query from 456 (16.1%) applicants. Attendance of Oxbridge can signify outstanding academic achievement as well as a higher socio-economic due to the tendency of Oxbridge to over represent fee paying school students in its student body. Amongst the student population of England and Wales in the

2009/10 academic year 1.9% of students attended Oxbridge universities.⁵ The comparison between pupillage applicants and the student population is shown on Figure 13. below.

Figure 14 Pupillage applicants attending Oxbridge university



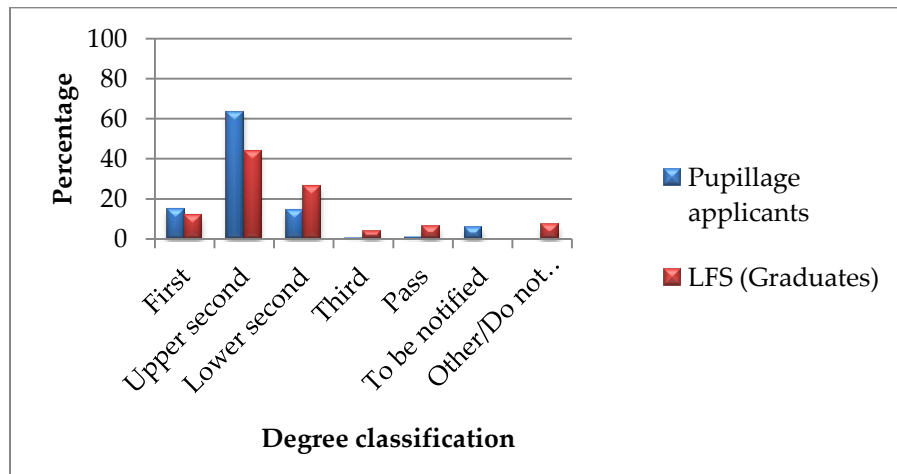
3.2.3 Degree classification

Competition for pupillage is very strong, of the 2,841 applicants approximately 460 can expect to gain pupillage. Previous research (Zimdars and Sauboorah, 2009) has shown that in the population obtaining pupillage, a higher proportion has obtained first class honours degrees than the general graduate population and law graduates; obtaining a first class honours degree, in particular a first class honours from Oxbridge, has been found to be a predictor of obtaining pupillage. Undergraduate degree results for pupillage applicants are shown on the chart below, a majority of 1,637 (63.5%) achieved upper second class honours with 383 (14.9%) and 377 (14.6%) obtaining first class honours and lower second class honours respectively. A negligible amount of pupillage applicants obtained a third honours and a pass 12 (0.5%) and 20 (0.8%) respectively. Additionally 149 (5.7%) were awaiting their results. It should be taken into account that there were 263 (9.3%) missing cases which can in part be attributed to respondents citing

⁵ Higher Education Statistics Authority <http://www.hesa.ac.uk/index.php/content/view/1973/239/>

degree results outside of the British degree classification system which could not be reliably interpreted. In comparison to the population who have obtained a degree as measured by the LFS, a greater proportion of pupillage applicants obtained a first class honours or upper second honours degree; this is shown on Figure 14.

Figure 15 Pupillage applicants by degree classification

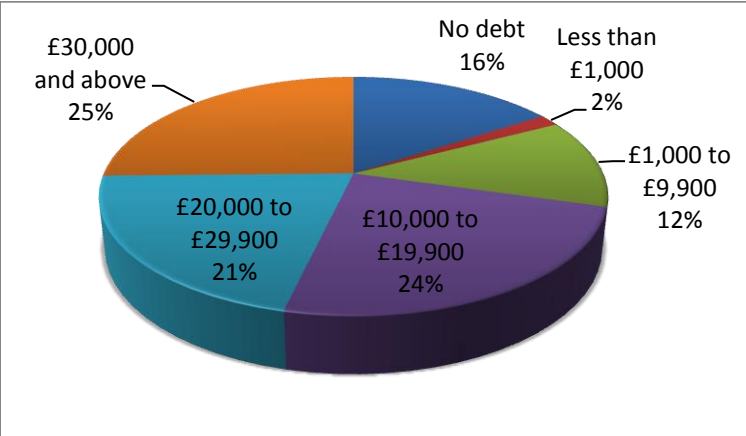


3.3 Estimated level of debt on completion of pupillage

Applicants were asked to estimate their expected level of debt on completion of pupillage; this gave an indication of the costs of academic and practical training for pupils as well as giving an indication of their socio-economic background. While 450 (15.8%) did not respond to this query, amongst those who did reply the overall the majority expected to be in some form of debt, 605 (25.3%) expected to have £30,000 of debt or above, 503 (21%) cited expecting £20,000 to £29,900 of debt and 579 (24.2%) expected £10,000 to £19,900 of debt. There were 290 (12.1%) applicants expecting between £1,000 and £9,900 of debt. Comparatively only 38 (1.6%) expected to complete pupillage with less than £1,000 while 376 (15.7%) expected to have no debt when completing pupillage.

Applicants expecting to have no debt were significantly⁶ more likely to have attended Oxbridge, for one or both parents to have attended university and to have gone to a fee paying school suggesting that there was possibly a relationship between level of debt and other indicators of socio-economic background.

Figure 16 Pupillage applicants expected level of debt



3.3 BVC Funding

This survey recorded the various sources that applicants use to fund their BVC. As applicants used numerous sources of funding, none of the responses to these give a clear indication of socio-economic background but they do provide a limited insight into this. Additionally this also provides insight into the financial situation of BVC students. This section will consider what proportion of applicant’s use the various types of funding cited. Having a scholarship, bursary or entrance award from the Inns as a source of BVC funding was considered in more detail.

⁶ ‘Significant’ when used in this paper refers to statistical significance; this means that the difference perceived between the two i.e. those completing pupillage with debt and those completing pupillage without debt, did not occur by chance.

3.3.1 Local Authority Grant

A clear indication of having a disadvantaged socio-economic background was having one's BVC funded by a Local Authority Grant. Amongst pupillage applicants 119 (4.2%) funded their BVC in this way.

3.3.2 Funding BVC through Loans

A large proportion of applicants, 1,840 (64.8%) claimed that they did not have a bank loan or any 'other' type of loan to fund their BVC, while 262 (9.2%) cited having a bank loan, 467 (16.8%) cited having an 'other' type of loan and 263 (9.3%) had both bank and other loans. However responses to this query may be seen as contradicting data on applicants expected level of debt. For instance amongst, 376 (15.7%) of applicants who expect to complete pupillage without debt, 156 (41.5%) had a loan of some form while 1,231 (61.1%) of those who expect to have debt do not currently have a loan. This anomaly in the data may be a result of people considering that they will have acquired debt by the time they complete pupillage or have repaid by this time. Additionally people may consider loans from family members or other informal arrangements in different ways.

3.3.3 Part time work and support

A large proportion, 1,052 (37%) of applicants also cited working part time as a source of funding for their BVC. Support from their partners or parents as a source of BVC funding was cited by 42 (1.5%) and 40 (1.4%) applicants respectively.

3.3.4 Inns bursary, scholarship and grant

Applicants cited the receipt of charitable trust grants and Inns bursaries, scholarships and entrance awards as sources of BVC funding. Inns bursaries were received by 387 applicants, inns scholarships by 45 applicants and entrance awards were received by 16 applicants; additionally 74 applicants received funding from multiple Inns grants. This paper considers applicants who have received any one or more of these as having received funding from the Inns and in total, these applicants constitute 522 (18.4%) of the sample.

4. Relationship between BVC funding from the Inns and applicants characteristics

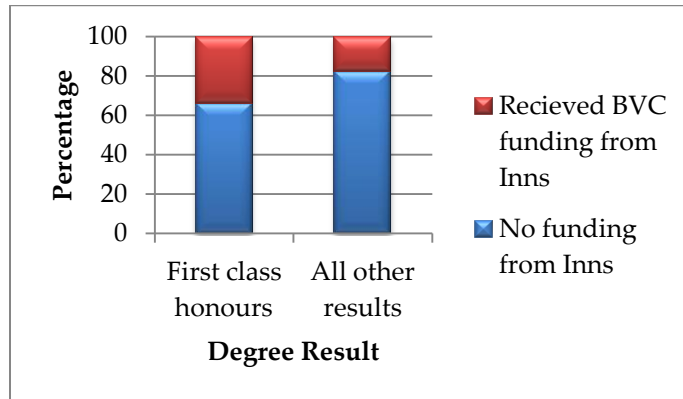
This section will consider the relationship between receiving funding from the Inns and the characteristics monitored in the application process. However the criteria for awarding these vary with each Inn, they mainly are based on merit while financial need is also taken into consideration. However it should be noted that this paper is unable to measure which of applicants applied for funding from the Inns.

The results from this analysis are only discussed where there was a significant difference between applicants who received funding from the Inns and those who did not. While there were differences between applicants in regards to some characteristics, these differences were not statistically significant meaning that the differences could have been caused by chance and they could not be used as an indication of a relationship between the characteristics and likelihood of receiving funding. Applicants' degree classification had the strongest relationship with likelihood of receiving BVC funding from the Inns followed by type of university attended and nationality. There was no significant difference between those who obtained funding or not in relation to the equality and diversity strands monitored.

4.1 Receipt of financial support from an Inn by degree classification

Applicants who received a first class honours degree were significantly more likely to have received funding from the Inns. Of the 383 applicants who received a first, 129 (33.7%) received some form of funding from the Inns. In comparison, amongst the 2,195 applicants who did not receive a first, 388 (17.7%) received funding from the Inns. This is shown on Figure 16. There was 263 (9.3%) missing applicants from this query.

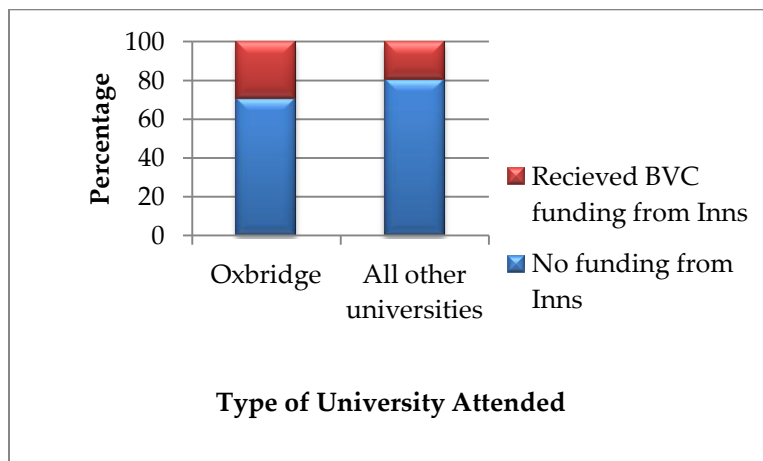
Figure 17 Receipt of financial support from an Inn by degree classification



4.2 Receipt of financial support from Inns by type of university attended

Applicants who attended an Oxbridge university were significantly more likely to have received funding from an Inn. Amongst the 294 applicants who attended an Oxbridge university, 86 (29.3%) received some form of funding from the Inns in comparison to 401 (19.2%) of those who did not attend Oxbridge. This is shown on Figure 17. below. There were 456 (16.1%) missing applicants from this query.

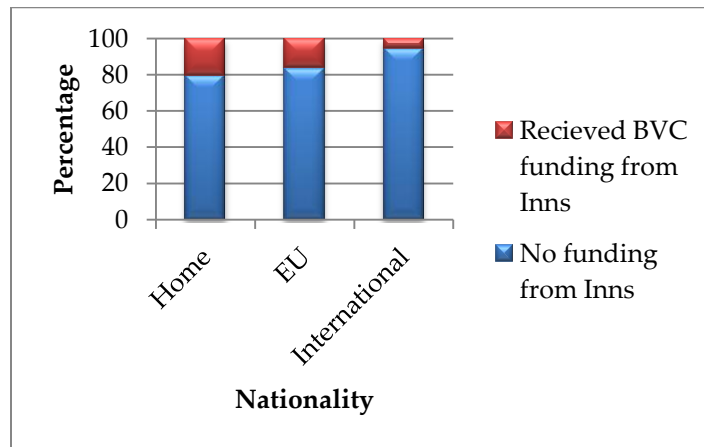
Figure 18 Receipt of financial support from an Inn by degree classification



4.3 Receipt of financial support from Inns by Nationality

'Home' students were significantly more likely to get funding from the Inns for their BVC than EU and international students, international students were the least likely to gain funding. A minority of 7 (6%) international students gained funding from the Inns in comparison to 13 (16.3%) of EU students and 497 (20.4%) of UK students. This is shown on Figure 18. below. There were 196 (6.9%) applicants missing from this query.

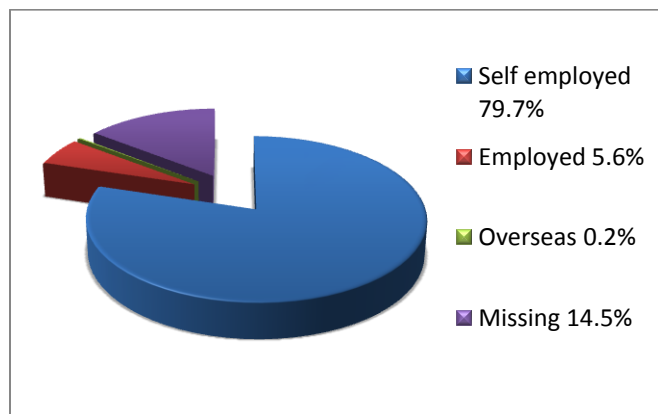
Figure 19 Receipt of financial support from Inns by Nationality



5. Intended employment

The majority of applicants 2,265 (79.7%) for pupillage stated that they intended to work at the self employed Bar in comparison to 159 (5.6%) who stated that they intend to work at the employed Bar. A negligible minority of applicants 6 (0.2%) stated that they intend to work overseas. Amongst applicants, 411 (14.5%) did not respond to this query. This is shown on Figure 19 below.

Figure 20 Intended employment of pupillage applicants



Appendix 1. Methodology and Sampling Frame of the LFS

The Labour Force Survey (LFS)⁷ is a quarterly sample survey of households living at private addresses in Great Britain. The questionnaire design, sample selection, and interviewing are carried out by the Social and Vital Statistics Division of the Office for National Statistics (ONS) on behalf of the Statistical Outputs Group of the ONS.

Private households account for 99% of the sample. The list of households is based on the Postcode Address File (PAF), which is a computer list, prepared by the Post Office, of all the addresses (delivery points) which receive fewer than 25 articles of mail a day. The PAF is sorted by postcode so the sample is effectively stratified geographically.

ONS estimates this sample to cover 97% of all private households; because the area north of the Caledonian Canal is sparsely populated a random sample is drawn from the published telephone directory.

Two groups are sampled separately: Information on students living in halls of residence is collected via their parent's household and people living in NHS accommodation are sampled using a separate list of such accommodation. The sampling frame for persons living in NHS accommodation is supplied by the NHS.

The LFS is based on a systematic random sample design which makes it representative of the whole of Great Britain. Each quarter's LFS sample of 60,000 private households is made up of 5 'waves', each of approximately 12,000 households. Each wave is interviewed in 5 successive quarters, such that in any one quarter, one wave will be receiving their first interview, one wave their second, and so on, with one wave receiving their fifth and final interview.

⁷ <http://www.statistics.gov.uk/STATBASE/Source.asp?vlnk=358&More=Y>