



# Income at the Bar - by Gender and Ethnicity Research report

February 2022

If you would like this report in an alternative format, please contact the BSB Research Team at [research@barstandardsboard.org.uk](mailto:research@barstandardsboard.org.uk)



BAR  
STANDARDS  
BOARD

REGULATING BARRISTERS

# Contents

Executive Summary .....4

1 Introduction .....6

2 Methodology.....7

3 Research findings .....10

4 Summary and Conclusions .....34

# List of figures

|   |    |
|---|----|
| Chart 1: Income by Gender                             | 10 |
| Chart 2: Income by Gender & Year                      | 11 |
| Chart 3: Income by Ethnicity                          | 12 |
| Chart 4: Income by Ethnicity & Year                   | 13 |
| Chart 5: Income by Gender and Ethnicity               | 14 |
| Chart 6: Income by Gender - under 15 Years of Call    | 17 |
| Chart 7: Income by Ethnicity - under 15 Years of Call | 18 |
| Chart 8: Income by Gender - QC                        | 19 |
| Chart 9: Income by Ethnicity - QC                     | 20 |
| Chart 10: Income by Gender - Employed Bar             | 22 |
| Chart 11: Income by Ethnicity - Employed Bar          | 22 |
| Chart 12: Income by Gender - Self-employed Bar        | 23 |
| Chart 13: Income by Ethnicity - Self-employed Bar     | 24 |
| Chart 14: Income by Gender - London                   | 26 |
| Chart 15: Income by Gender - Outside London           | 26 |
| Chart 16: Income by Ethnicity - London                | 27 |
| Chart 17: Income by Ethnicity - Outside London        | 29 |

# List of tables

|   |    |
|---|----|
| Table 1: Income Bands                           | 7  |
| Table 2: Average Income by Gender and Ethnicity | 15 |
| Table 3: Average Income by Ethnic Group         | 15 |
| Table 4: Lowest Earning Ethnic Groups           | 16 |
| Table 5: Mean Income by Practice Area           | 30 |
| Table 6: Median Income by Practice Area         | 31 |
| Table 7: Income Band by Practice Area           | 33 |

# Executive Summary

- In September 2021 the Bar Council published a report entitled “Barrister earnings by sex & practice area 20 year trends report”<sup>1</sup> which used data from the Bar Mutual Indemnity Fund (BMIF) to look at the differences in the average earnings for men and women at the Bar by practice area, and the trends for barristers’ earnings over the last 20 years. Their subsequent “Race at the Bar” report<sup>2</sup> also included important findings about the difference in barristers incomes by ethnicity and sex and looked in more detail at how sex, race and seniority affect pre-tax profit at the self-employed criminal Bar.
- Complementing the Bar Council’s important work in this area, this report by the Bar Standards Board follows our own research report “Income at the Bar by Gender & Ethnicity” published in November 2020<sup>3</sup> and seeks to look more specifically at what has happened to barristers’ incomes over the last two financial years (using income declarations from the annual Authorisation to Practise process). It examines differences in the earnings of barristers by ethnicity and gender, and by their seniority, status, region, and practice area. It also draws comparisons between pre and post pandemic incomes.
- This report examines the gross income of barristers and is based entirely on income figures from the 2019-20 and 2020-21 financial years. For the one fifth of barristers who are employed, “income” refers to their gross income before tax and national insurance etc. For the four fifths of barristers who are self-employed, their “income” is their total fee income (excluding VAT) before they pay the costs of their chambers, which is estimated to typically take between 20 and 40 per cent of their income, and other costs such as clerking and pensions.

## Key Findings

- The analysis of income data held by the BSB shows that female barristers and barristers from minority ethnic backgrounds are likely to earn less than White and male barristers respectively. This holds true when looking at employed barristers, self-employed barristers, QCs, barristers based both inside and outside London, and barristers with similar seniority by year of Call.
- Female barristers from minority ethnic backgrounds are the lowest earning group, whereas White male barristers are the highest earning group. There are also differences in the income of barristers from minority ethnic backgrounds once ethnicity is looked at in more detail, with Black and Black British barristers earning less than Asian and Asian British barristers overall.
- When barristers are grouped by their main area of practice and seniority by year of Call, female barristers and barristers from minority ethnic backgrounds earn less on

1. [Barrister Earnings Data by Sex and Practice Area \(Bar Council, 2021\)](#)
2. [Race at the Bar Report \(Bar Council, 2021\)](#)
3. [Income at the Bar by Gender and Ethnicity \(BSB, 2020\)](#)



average than equivalent male and White barristers. This suggests that differences in income by gender and ethnicity cannot be explained solely by practising area or experience.

- Differences in average income are larger when comparing male and female barristers than when comparing White and minority ethnic barristers. Looking at the Bar as a whole, average incomes for women are 52% of those of men, whereas average incomes for barristers from minority ethnic backgrounds are 68% of those of White barristers.
- Female barristers from minority ethnic backgrounds are the lowest earning group, with average incomes 41% of those of White male barristers when looking at the profession as a whole.
- Comparing incomes in 2020 with those in 2019, it seems clear that the pandemic did have an impact on incomes at the Bar, with most groups facing falls in income. The largest falls in income were for male barristers from minority ethnic backgrounds, and barristers based outside of London.
- Female barristers seemed to see smaller falls in income overall than male barristers, and barristers from minority ethnic backgrounds saw larger falls than White barristers. The Employed Bar seems to have experienced the smallest fall in incomes.
- The proportion of barristers in the lowest two income bands has increased, often markedly, for most groups of barristers. However, for many groups there has been almost no change in the proportion in the highest income bands – indeed, for some groups (female barristers from White or minority ethnic backgrounds) the proportion in the highest income bands increased from 2019 to 2020.
- Falls in income have been larger for certain areas of practice than others. When looking at the four most common areas of practice at the Bar, criminal law saw the largest fall in incomes, while family and personal injury law saw smaller decreases. In commercial and financial law, incomes actually increased.

# 1 Introduction

- 1.1. The Bar Standards Board (BSB) collects data on the income of the practising Bar as part of our Authorisation to Practise process (ATP). This is an annual process in which members of the profession renew their Practising Certificate and provide information covering demographic and background characteristics, as well as information on their practice (such as whether they are in Employed or Self-employed practice, or the proportion of their income from particular areas of legal practice). As part of this process, barristers must provide information on their gross income over the previous year (for self-employed barristers, this is calculated by calendar year, and for employed barristers by tax year). This declared figure is used both to set the level of fees they must pay for their Practising Certificate, and to provide information valuable to the BSB as part of its monitoring and research activities.
- 1.2. This report examines the impact of gender and ethnicity on the income levels of barristers. The focus on gender and ethnicity is dictated by the quality of data held by the BSB – for most demographic characteristics (beyond gender, ethnicity and age) the data held by the BSB have relatively low response rates (around 50% in most cases). As a result, any analysis of income by (for example) sexual orientation, or religion, would be less reliable due to the lower response rates. We have also not analysed income by age, as in most cases this will effectively be a proxy for years of experience, and thus there would be an expected relationship between age and income as older barristers as are likely to be more experienced (although this will also be impacted by other factors such as area of law).
- 1.3. This research repeats the analysis of barrister income we undertook in 2020.<sup>4</sup> Due to concern over the impact of the coronavirus pandemic on barristers' earnings - particularly in lower earning, publicly funded areas of practice – the BSB felt it was important to revisit the earlier analysis. This would enable us to understand the extent to which the pandemic may have exacerbated existing income disparities at the Bar by gender and ethnicity.

4. [Income at the Bar by Gender and Ethnicity \(BSB 2020\)](#)

## 2 Methodology

- 2.1. Income data has historically been collected by the BSB as one of eight income bands rather than a specific numerical value. Since the 2021 ATP round the BSB has also collected total income as a numerical value. The income bands are illustrated in the table below.

**Table 1**

| Band | Gross Income          |
|------|-----------------------|
| 1    | £0 - £30,000          |
| 2    | £30,001 - £60,000     |
| 3    | £60,001- £90,000      |
| 4    | £90,001 - £150,000    |
| 5    | £150,001 - £240,000   |
| 6    | £240,001 - £500,000   |
| 7    | £500,001 - £1,000,000 |
| 8    | £1,000,000 and above  |

- 2.2. The income declarations used for this research are based on barrister's declarations for the 2019 and 2020 calendar/financial year (calendar year for self-employed barristers, financial year for employed barristers) and use the practising Bar as of 1/12/19 and 1/12/20 in line with our regular Diversity at the Bar reports.<sup>5</sup>
- 2.3. It is important that the use of the word "income" in this report is not misunderstood. Employed barristers use their gross salary when declaring an income band. Self-employed barristers declare a band based on the total turnover of their small business (excluding VAT). From that figure, the barrister has to fund their office (chambers) and staffing (clerks) costs. We do not have definitive figures for the proportion of barrister's income taken up by chambers rent, fees and other expenses, but it is estimated that they range from 20<sup>6</sup> to 40<sup>7</sup> per cent of fee income. Of the fees that remain, there is no provision for sick pay, annual leave, or employer pension. It is clear therefore that there is a difference between fees received, which in this report we refer to as "income" and "earnings" and actual net income for the self-employed Bar. It should also be noted that those barristers in the higher bands tend to be those whose fees are privately funded; barristers who

5. [Diversity at the Bar \(BSB, 2021\)](#)

6. [www.chambersstudent.co.uk/where-to-start/newsletter/how-much-do-barristers-earn](http://www.chambersstudent.co.uk/where-to-start/newsletter/how-much-do-barristers-earn)

7. <https://lawyerwatch.blog/2017/02/10/gross-earnings-at-the-bar/>

undertake legal aid work are more likely to appear in the lower bands.

- 2.4. This report has used two approaches to analysing income data. The first is looking at the eight income bands as described in the table above. This gives the most nuanced picture of how barrister income varies across gender and ethnicity, as it shows precisely how differences manifest (e.g. proportions of each group within each of the eight income bands).
- 2.5. However, for the purposes of simplicity, this report has also used average income band as a measure – while providing a more simplistic approach (and potentially masking differences in distribution among the income bands) it is sufficient to give a broad picture of whether (on average) barristers in a certain group are likely to have a lower income than those in another group. Where this measure has been used, this paper uses mean values for income band. The use of mean values as a central measure for ordinal data<sup>8</sup> can be problematic. This is because the values ascribed to ordinal data are often arbitrary and do not have equal distances between values. As a result, the value of a mean for ordinal data can be misleading. However, mean values for ordinal variables are often used in applied research to provide an indication of the differences between certain groups, as they are used here.
- 2.6. As a result, where average income band is used, the key measure is the differences between values for different groups rather than the value itself (in particular, as the different income bands do not have a consistent range – there is a distance of 30K between bands for income bands 1-3, but between £60k and £500k between other bands). A lower average value for income band indicates that barristers from one group are more likely to declare a lower income than those of another group, and the size of the difference effectively indicates how likely they are to have a lower income (i.e. the larger the difference in average income, the larger the income disparity between groups).
- 2.7. This research has also used mean and median income as another measure, distinct from mean income band. This measure was not available when the BSB undertook the 2020 research, as prior to the 2021 ATP round the BSB only requested barristers to provide information on the income band they fell into in the previous year, rather than make a declaration of their actual income. It represents a better measure of average income than those calculated from income band as it does not suffer from issues of arbitrary values and unequal ranges as described above. However, we have continued to use mean and median income band in this research in order to provide a comparison to the research undertaken in 2020.
- 2.8. As there are a number of factors that are likely to influence a barrister's income (such as the nature of their practice, their years of Call/years of experience, the areas of law in which they practise, etc.) this report has also included a number of

8. Ordinal data are data that have ordered values, but the distance between consecutive values is not (or may not) be equal. Barristers income band is therefore ordinal data, as the distances between bands vary from 30K at the lower end of the scale to 500k at the higher end.



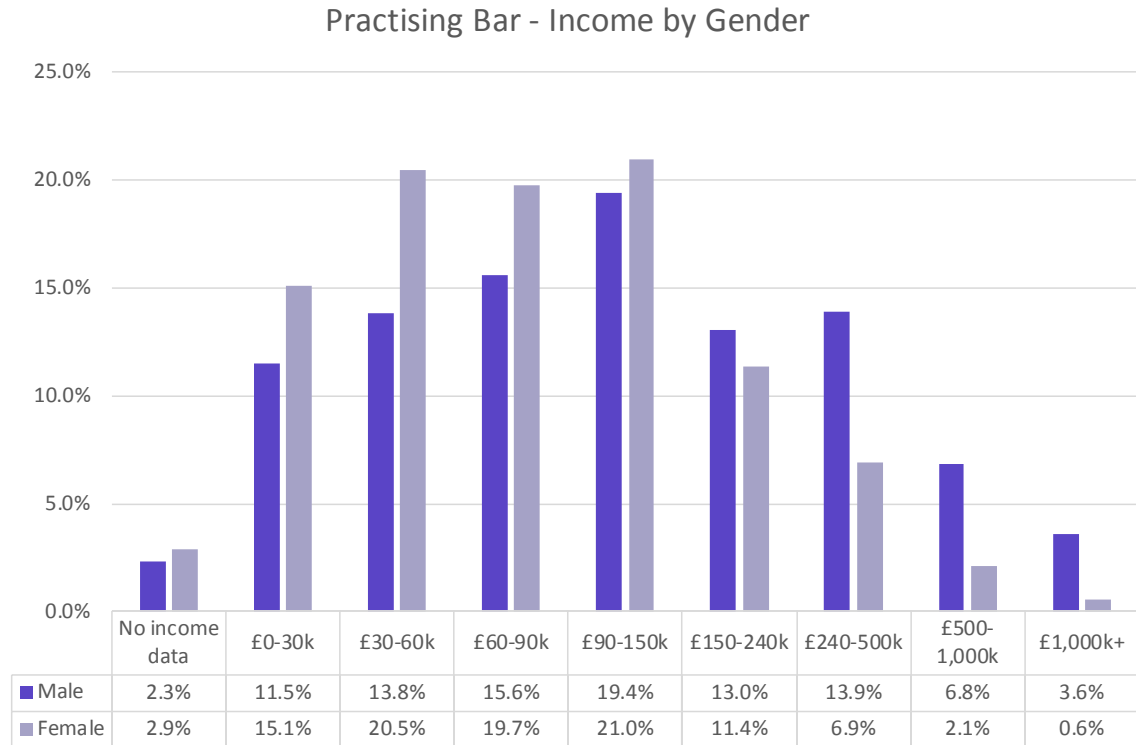
other variables in the analysis of income, to investigate whether any differences in income by gender or ethnicity can be explained by the nature of their practice, seniority, or other factors.

## Research limitations

- 2.9. It is important to note (as described in paragraph 2.3) that the income figures provided to the BSB represent gross income, and for self-employed barristers do not take into account deductions for chambers fees and contributions. Estimates as to the proportion of barrister's income taken up by chambers fees and other expenses range from 20 to 40 per cent, and this can vary significantly due to chambers constitutions, areas of law, and barristers' income levels. As such, the gross figures given will be (often significantly) higher than barristers' net income.
- 2.10. As discussed in the 'methodology' section above, in several places this analysis uses mean values for income band to investigate differences in income. As previously discussed, these values should merely be treated as an indication of differences between groups, rather than actually representing an 'average' value (as the different income bands do not have a consistent range).
- 2.11. Finally, while this analysis controls for a number of factors that are likely to be associated with income, such as seniority, area of practice, and employed and self-employed status, the research was not able to assess the impact of other factors, such as working patterns or hours worked, due to the nature of the data held by the BSB. In addition, this analysis uses year of Call as a measure of seniority, which does not precisely correspond to years of experience as it does not take into account time taken to obtain pupillage after being Called to the Bar, or any time out of practice a barrister may have taken.

# 3 Research Findings

**Chart 1**

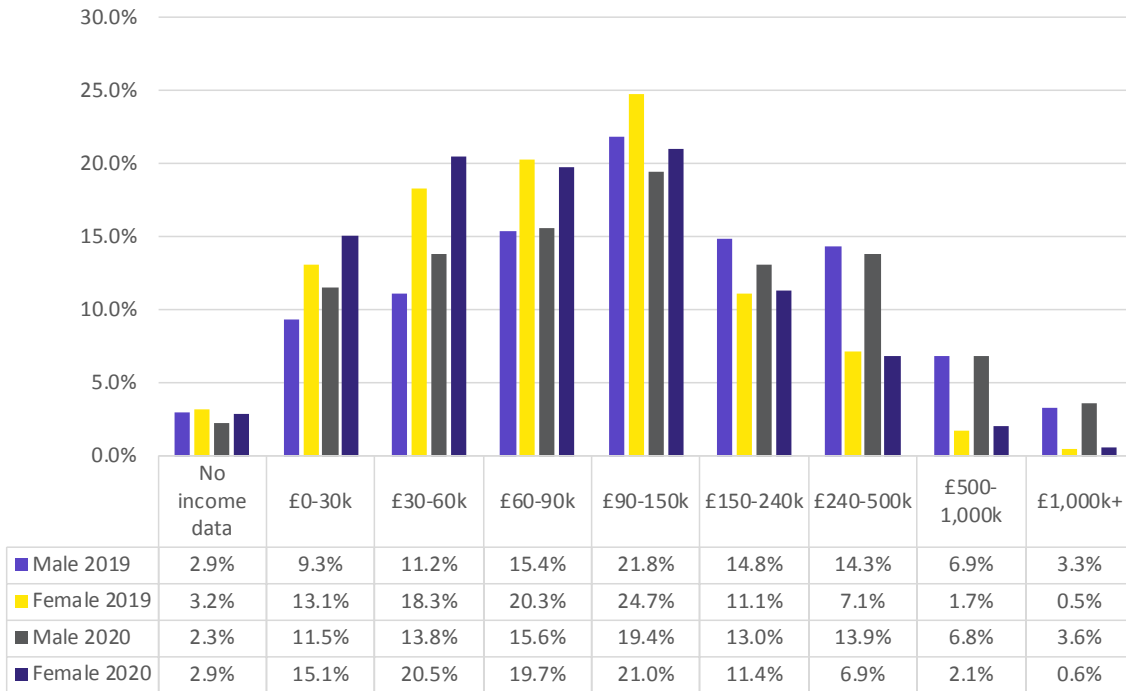


- 3.1. As shown by chart 1 above, a notably higher proportion of female barristers are in the lowest two income bands than male barristers, and a lower proportion are in the highest four income bands. For the highest income bands the difference is particularly stark – less than half the proportion in the 240-500k income band, and slightly over a quarter the proportion in the £500-£1 million and £1m+ income bands. Of particular note is the higher proportion of female barristers who are in the two lowest income bands – more than one in three (35.6%) female barristers had an income of £60k or less, compared to slightly over one in four (25.3%) of male barristers.
- 3.2. Comparing this to the situation in 2019, while the proportion of both men and women in the lowest two income bands has increased, this has been a proportionately higher increase for men than for women. In 2020, 25.3% of male barristers declared incomes of less than 60k in 2020 compared to 20.5% in 2019 (an increase of 23.4% ). For female barristers, 35.4% declared incomes of £60k or less in 2020 compared to 31.4% in 2019 (an increase of 12.7%). The proportion of barristers in the highest two income bands (with incomes of £500k and above) increased for both male and female barristers between 2019 and 2020, with the proportion of male barristers declaring incomes of £550k and above increasing from 10.2% to 10.4%, and the proportion of female barristers in the same income bands increasing from 2.2% to 2.7%. This is a proportionately higher increase for female barristers than for male barristers, as the proportion earning £500k and over

has increased by 22.7%, compared to an increase of 1.9% for male barristers.

**Chart 2**

Practising Bar - Income by Gender



- 3.3. A more straightforward illustration of the differences in income by gender is given by looking at the difference in average income between male and female barristers. The mean value for declared income was significantly lower for female barristers than male barristers in 2020, the first year for which actual income data (rather than simply income band) is available – the mean income for female barristers was £121,598, while the equivalent value for male barristers was £229,578, meaning the average declared income for female barristers was 53% of that of their male counterparts. However, median values are often seen as a better measure for income comparisons, as they represent the middle value<sup>9</sup>, and thus can be seen as a better representation of ‘typical’ incomes rather than mean values which can be skewed by outliers at the high and low ends of the distribution. For female barristers in 2020, the median declared income was £78,847, whereas for male barristers it was £110,340.
- 3.4. For 2019, only income band data are available. For female barristers, the mean value for income band was 3.25 in 2020, whereas the equivalent value for male barristers was 3.98. This represents a decrease in mean income band for both female and male barristers from the equivalent value in 2019 (from 3.34 to 3.25 for female barristers, and from 4.12 to 3.98 for male barristers). This represents a slightly larger fall in mean income band for male barristers than it does for female barristers (0.09 for female barristers compared to 0.14 for male barristers).

9. In that half of values fall above, and half below, the median value

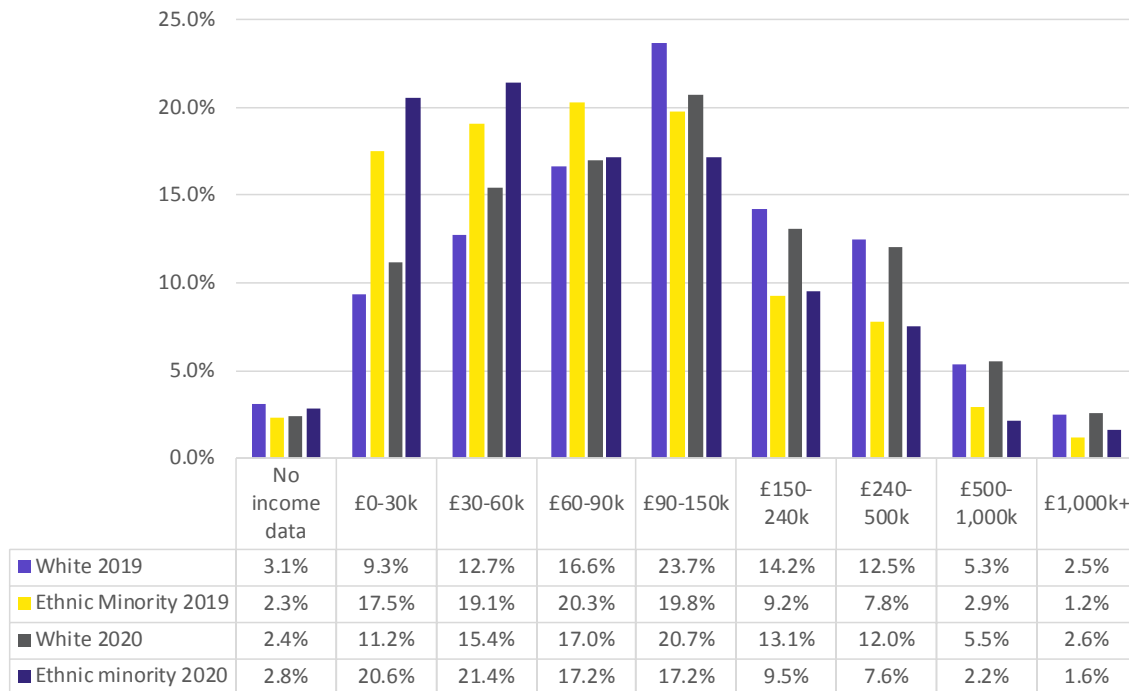
3.5. In a similar pattern to those noted above in relation to gender, a notably higher proportion of barristers from minority ethnic backgrounds are in the lowest two income bands compared to White barristers, and a lower proportion are in the highest five income bands. For the highest income bands the difference is less notable than that for gender, although still reflects a notable difference – around half the proportion of barristers from minority ethnic backgrounds are in the £500-£1 million and £1m+ income bands when compared to White barristers (3.8% of ethnic minority barristers compared to 8.1% of White barristers). As with gender, of particular note is the minority ethnic barristers who are in the two lowest income bands – over two in five (42%) of minority ethnic barristers had an income of £60k or less, compared to just over one in four (26.6%) White barristers.

**Chart 3**

Practising Bar - Income by Ethnicity



3.6. Comparing this to the situation in 2019 (see chart 4), a higher proportion of both White and minority ethnic barristers declared incomes of £60k or less in 2020 compared to 2019. Among White barristers, 26.6% declared incomes of £60k or less in 2020 (compared to 22% in 2019) – an increase of 20.9%. For minority ethnic barristers the equivalent figures were 42% (2020) and 36.6% (2019) – an increase of 14.7%. The proportion of barristers in the highest two income bands (with incomes of £500k and above) increased for White barristers between 2019 and 2020, but fell for minority ethnic barristers, with the proportion of White barristers declaring incomes of £500k and above increasing from 7.8% to 8.1%, and the proportion of minority ethnic barristers in the same income bands decreasing from 4.1% to 3.8%. For White barristers, this means the proportion earning £500k and over has increased by 3.8%, compared to a decrease of 7.3% for minority ethnic barristers.

**Chart 4****Practising Bar - Income by Ethnicity**

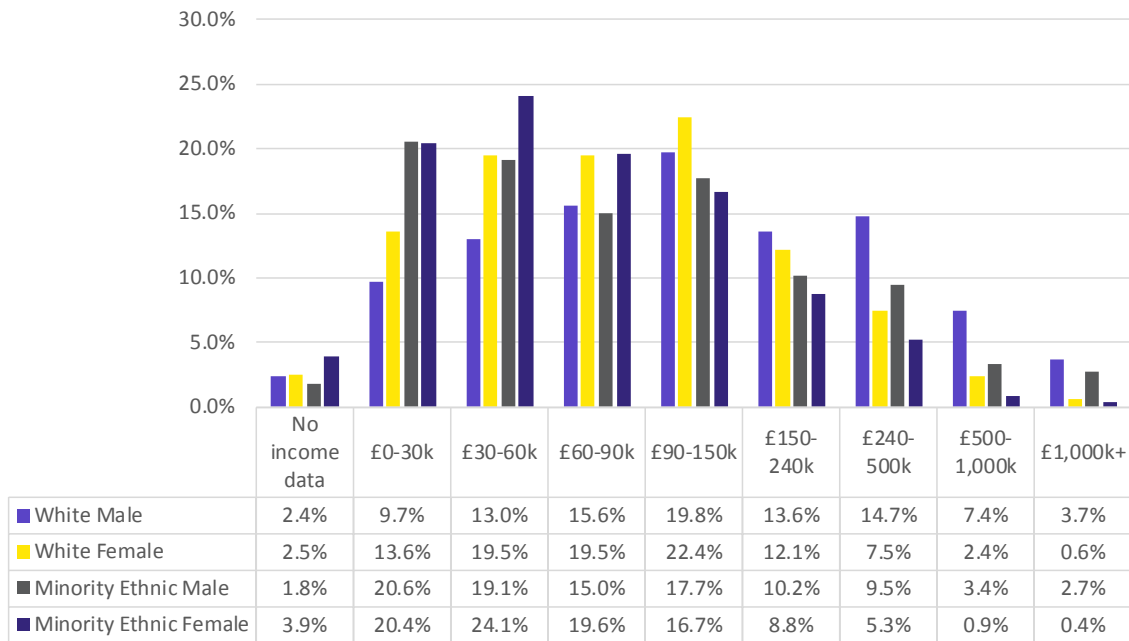
- 3.7. A more straightforward illustration of the differences in income by ethnicity is given by looking at the difference in average income between White barristers and those from minority ethnic backgrounds. The mean value for declared income was significantly lower for minority ethnic barristers than White barristers in 2020 – the mean income for minority ethnic barristers was £135,132, while the equivalent value for White barristers was £197,834, meaning the average declared income for minority ethnic barristers was 68.3% of that of their White counterparts. This represents a smaller income differential between White and minority ethnic barristers than that observed between male and female barristers. For minority ethnic barristers in 2020, the median declared income was £71,000, whereas for White barristers it was £102,095.
- 3.8. For 2019, only income band data are available. For minority ethnic barristers, the mean value for income band was 3.13 in 2020, whereas the equivalent value for White barristers was 3.82. This represents a small decrease in mean income band for both White and minority ethnic barristers between 2019 to 2020 (from 3.25 to 3.13 for minority ethnic barristers, and from 3.94 to 3.82 for White barristers). This represents a similar fall in mean income band for minority ethnic barristers than it does for white barristers (0.12 for both minority ethnic barristers and white barristers).
- 3.9. The differences between groups are starker if gender and ethnicity are examined together. Chart 5 shows that for female barristers from minority ethnic backgrounds, 44.5% are in the lowest two income bands – this is nearly double the proportion of White male barristers (22.7%). Conversely, less than one in fifteen female barristers from minority ethnic backgrounds (6.6%) earn £240k and over, compared to one in four (25.8%) White male barristers, 15.6% of minority ethnic



male barristers, and 10.5% of White female barristers.

**Chart 5**

Income by Gender and Ethnicity



3.10. This represents an increase in representation in the higher income bands for both White female and minority ethnic female barristers on the situation in 2019. Between 2019 and 2020, the proportion of minority ethnic female barristers earning £240k and above increased from 5.9% to 6.6%, an increase of 11.8%. The proportion of White female barristers earning £240k and above increased from 10.3% to 10.5%, an increase of 1.9%. In contrast, the proportion of male barristers in these income bands fell between 2019 and 2020 (from 26% to 25.8% for White male barristers – a fall of 1.8% - and from 17.3% to 15.6% for minority ethnic male barristers – a fall of 9.8%).

3.11. However, the increase in representation in the higher income bands across the profession is matched by an increase in the proportion of those in the lowest two income bands. The percentage of barristers in the lowest two income bands has increased proportionately more for male barristers than for female barristers. In 2019, 41.6% of female minority ethnic barristers declared incomes of £60K or less, compared to 44.5% in 2020 – an increase of 6.9%. For White female barristers, 28.4% declared incomes of £60K or less in 2019, compared to 33.1% in 2020 – an increase of 16.5%. Among White male barristers, 22.7% declared incomes of £60k or less in 2020 compared to 18.4% in 2019 (an increase of 23.4%), with the equivalent figures for male minority ethnic barristers being 39.7% in 2020 and 32.2% in 2019 (an increase of 23.3%).

3.12. Looking at mean income band, income for all four groups fell between 2019 and 2020 – from 4.23 to 4.10 for White male barristers, from 3.46 to 3.36 for White female barristers, from 3.53 to 3.34 for male barristers from minority ethnic backgrounds, and from 2.95 to 2.89 for female barristers from minority ethnic

backgrounds. This means that male barristers from ethnic minority backgrounds had the largest fall in mean income band (a fall of 0.19, compared to 0.13 for White male barristers, 0.1 for White female barristers, and 0.06 for female minority ethnic barristers.

**Table 2**

|                        | Mean income (£) | Median Income (£) |
|------------------------|-----------------|-------------------|
| White Male             | 238,241         | 118,700           |
| Minority Ethnic Male   | 166,728         | 78,931            |
| White Female           | 128,078         | 83,467            |
| Minority Ethnic Female | 98,324          | 65,001            |
| Whole Bar              | 188,641         | 97,844            |

3.13. Table two looks at mean and median income values. White male barristers have the highest mean value, followed by male barristers from minority ethnic backgrounds. Female barristers from minority ethnic backgrounds have the lowest mean incomes. Looking at median values, White male barristers again have the highest value, although in this case White female barristers have a higher median income than male minority ethnic barristers. This table, in conjunction with chart 5, also illustrates the differences in mean and median measures – while male minority ethnic barristers have a higher mean income than White female barristers, they have a lower median income value. This is likely to reflect the higher proportions of male minority ethnic barristers in the highest income bands (pulling up the mean income value in comparison to White female barristers) whereas the higher proportion of male minority ethnic barristers in the lowest income band compared to White female barristers leads to a lower median value.

**Table 3**

|                                       | Mean income (£) | Median income (£) |
|---------------------------------------|-----------------|-------------------|
| Other ethnic group                    | 206,298         | 85,000            |
| White                                 | 197,833         | 102,095           |
| Mixed/multiple ethnic groups          | 143,907         | 80,000            |
| Asian/Asian British                   | 141,566         | 70,000            |
| Black/African/Caribbean/Black British | 83,901          | 60,000            |
| Whole Bar                             | 188,641         | 97,844            |

3.14. Table three looks at mean and median income by ethnicity, breaking down into more detail rather than simply grouping all minority ethnic barristers together. The highest mean value is for 'other ethnic group' barristers, while the highest median value is for White barristers. However, breaking down ethnicity in more detail displays notable differences by ethnic group. Barristers from mixed ethnic backgrounds have higher mean and median values than Asian and Asian British barristers, while the lowest mean value is for Black/African/Caribbean/Black British

barristers. However, aggregating between Asian/Black/Mixed and Other ethnic groups masks notable differences in mean value between different groups of barristers. Table 4, for example, gives the mean and median incomes of the ethnic groups with the lowest mean or median income values.

**Table 4<sup>10</sup>**

| Ethnic Group                      | Mean income | Ethnic Group                      | Median income |
|-----------------------------------|-------------|-----------------------------------|---------------|
| Black/Black British - African     | £127,657    | Arab                              | £65,000       |
| White and Black African           | £126,688    | Asian/Asian British - Pakistani   | £58,398       |
| White and Black Caribbean         | £102,293    | Black/Black British - African     | £52,500       |
| Asian/Asian British - Bangladeshi | £80,292     | Asian/Asian British - Bangladeshi | £47,500       |
| White - Gypsy or Irish Traveller  | -           | White - Gypsy or Irish Traveller  | -             |

3.15. Table four shows that barristers from White – Gypsy or Irish Traveller backgrounds have the lowest mean incomes (although it is important to caveat that this group makes up less than 0.1% of the practising Bar), followed by barristers from Asian/Asian British – Bangladeshi backgrounds. The same groups have the lowest median incomes, although it is worth noting that beyond the lowest two the ranking of lowest median incomes differs from the ranking of mean incomes.

## Seniority

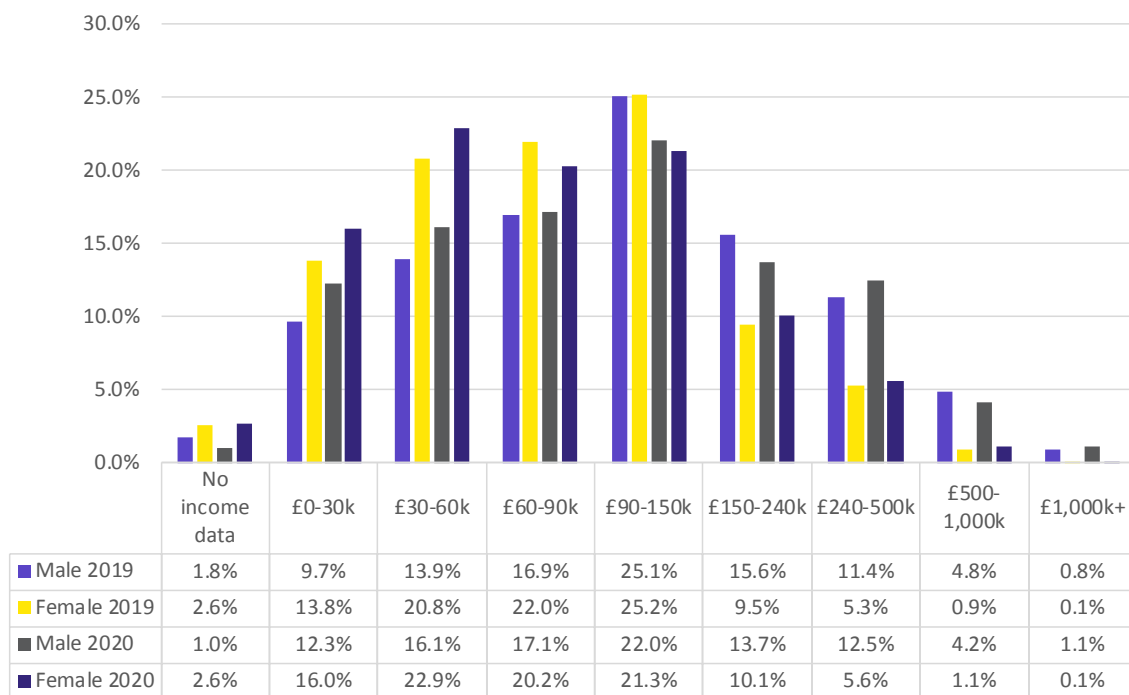
3.16. The previous sections of this report have looked at income by gender and ethnicity over the Bar as a whole. However, this may give a misleading picture of income disparities at the Bar, as the makeup of the Bar by gender and ethnicity differs substantially by seniority, area of practice, and practising status. For example, in 2020 women made up 38.1% of the practising Bar, but made up 33.4% of barristers of 15 or more years of Call, and 46% of barristers under 15 years of Call. Differences also exist for ethnicity, although these are not as notable as those for gender – minority ethnic barristers made up 14% of the Bar as a whole in 2020, with 13.1% of barristers of 15 or more years of Call and 15.4% of barristers under 15 years of Call being from minority ethnic backgrounds. QC status also differs by gender and ethnicity – 4.8% of female barristers have QC status, and 6.9% of minority ethnic barristers, compared to 14.8% of male barristers and 12% of White barristers. In order to determine if income disparities still exist once seniority is taken into account, it is important to compare like with like – so looking at groups of barristers with similar levels of seniority and determining whether income still shows disparities by gender and ethnicity.

10. White – Gypsy or Irish Traveller barristers have the lowest mean and median incomes, but this report has not given the actual values due to the small number of barristers from these backgrounds.

3.17. As can be seen from chart 6, analysing barristers under 15 years of Call shows a similar pattern in relation to income disparities by gender as was seen when looking at the Bar as a whole. In 2020, higher proportions of women have incomes in the lowest two bands (38.9% compared to 28.4% of male barristers), and substantially lower proportions have incomes in the top four income bands (16.9% compared to 31.5% of male barristers). As when looking at the Bar as a whole, the proportion of both men and women in the lowest two income bands has increased from 2019 to 2020, but the proportion of male barristers in these income bands has increased by a proportionally larger amount. The proportion of male barristers declaring incomes of £60k or less has increased from 23.6% to 28.4% (a 20.3% increase), whereas for female barristers the equivalent proportions are 34.6% to 38.9% (a 12.4% increase). Similarly, while the proportion of male barristers with incomes of £150k and above has declined (from 32.6% to 31.5%) the proportion of female barristers with incomes above £150k has actually increased (from 15.8% to 16.9%).

**Chart 6**

Income by Gender - Under 15 YOC



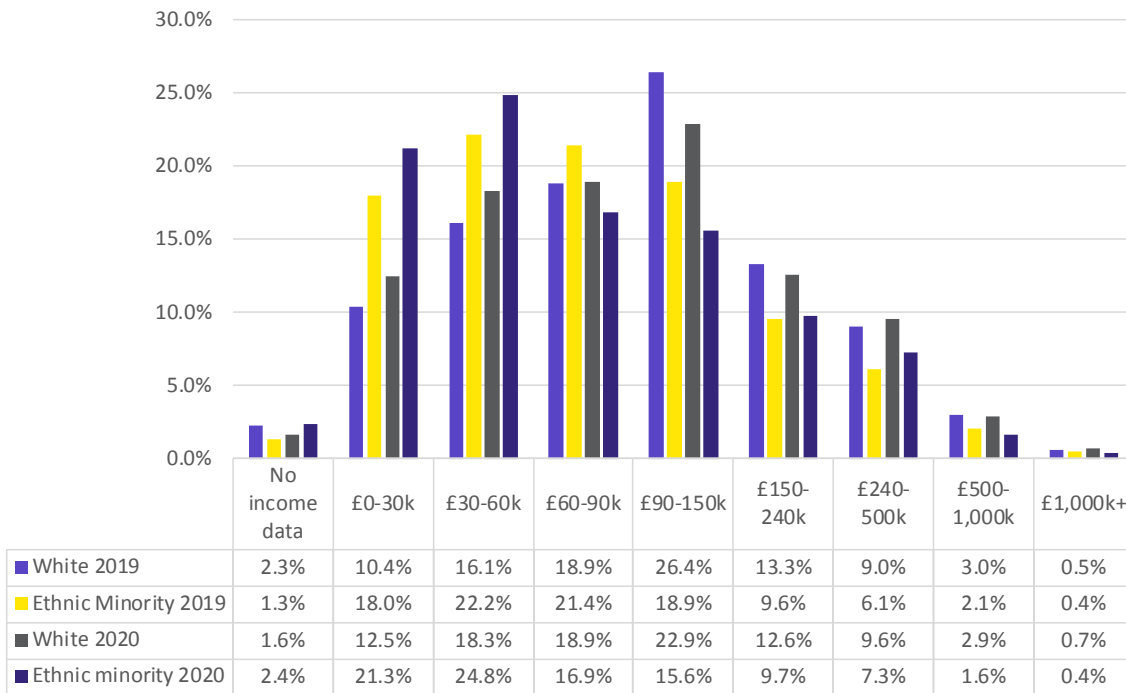
3.18. Comparing mean income band across 2019 and 2020, there was a fall in mean income band for both female and male barristers of less than 15 years of Call from the equivalent value in 2019 (from 3.16 to 3.08 for female barristers, and from 3.82 to 3.69 for male barristers). This represents a slightly larger fall for male barristers when compared to female barristers (a fall of 0.13 compared to 0.08).

3.19. Looking at the difference in average income band between male and female barristers also illustrates the differences in income by gender. For female

barristers under 15 years of Call, the mean value for income was £102,074, whereas the equivalent value for male barristers was £165,326. The median salary values were £75,000 for female barristers and £100,551 for male barristers. Similarly, the mean income for barristers of 15 or more years of Call was also lower for female barristers, with female barristers having a mean income of £137,409, compared to £260,377 for male barristers (the equivalent median values were £118,990 for male barristers and £82,569 for female barristers).

**Chart 7**

Income by Ethnicity - Under 15 YoC



3.20. As with gender, restricting the analysis to barristers of less than 15 years of Call also revealed notable income differences by ethnicity. Higher proportions of minority ethnic barristers were in the lower income bands, and lower proportions in the higher income bands. In 2020, 46.1% of minority ethnic barristers earned £60k or less, compared to 30.8% of White barristers, whereas 19% earned £150k or more, compared to 25.8% of White barristers.

3.21. As when looking at the Bar as a whole, the proportion of both White and minority ethnic barristers in the lowest two income bands has increased from 2019 to 2020. The proportion of White barristers declaring incomes of £60k or less has increased from 26.5% to 30.8% (a 16.2% increase), whereas for minority ethnic barristers the equivalent proportions are 40.2% to 46.1% (a 14.7% increase). While the proportion of White barristers of under 15 years of Call with incomes of £150k and above has slightly declined (from 25.9% to 25.8%) the proportion of minority ethnic barristers with incomes above £150k has actually increased (from 18.2% to 19%). Mean income band fell from 2019 to 2020 for both White and minority ethnic barristers under 15 years of Call – from 3.09 to 2.98 for barristers from minority ethnic backgrounds, and from 3.59 to 3.49 for white barristers – this represents

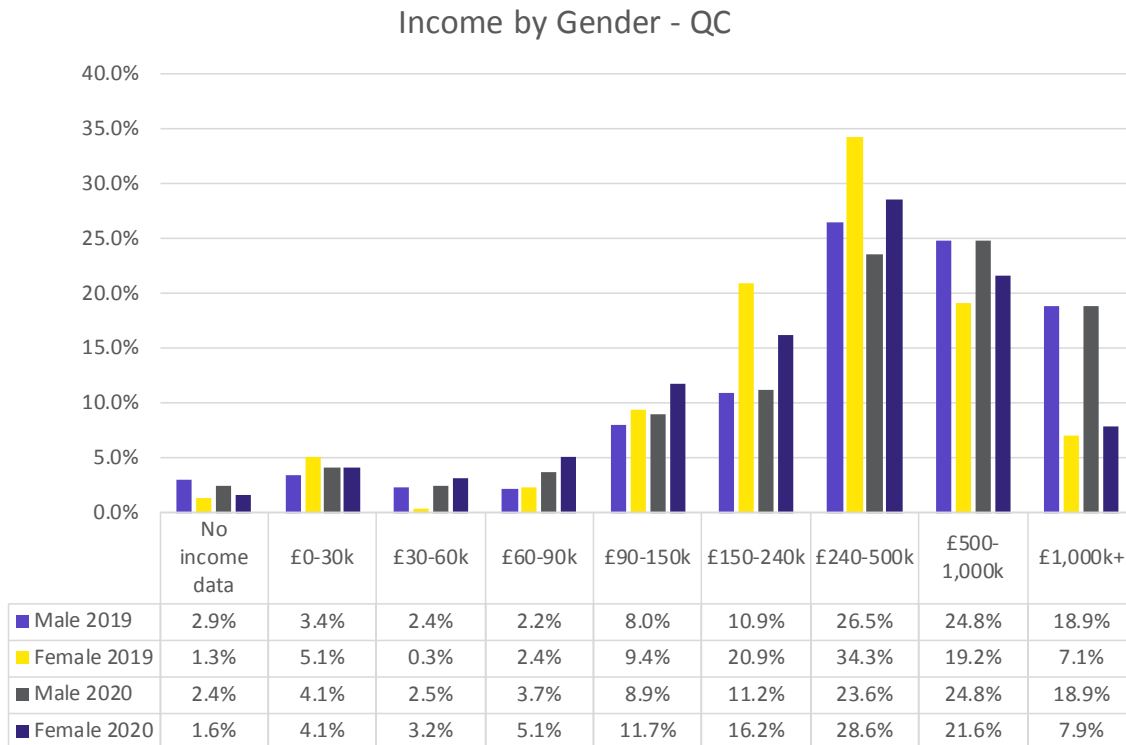


similar decline for both groups (of 0.11 for barristers from minority ethnic groups and 0.10 for White barristers).

3.22. The mean value for declared income was significantly lower for minority ethnic barristers of less than 15 years of Call than it was for equivalent White barristers in 2020 – the mean income for minority ethnic barristers was £111,750, while the equivalent value for White barristers was £140,618. The average declared income for minority ethnic barristers was therefore 79.5% of that of their White counterparts. Looking at median income for those under 15 years of Call, the value for minority ethnic barristers was £67,500 compare to £91,000 for White barristers. Similarly, the mean income for barristers of 15 or more years of Call was also lower for barristers from ethnic minority backgrounds, with minority ethnic barristers having a mean income of £151,536, compared to £233,099 for White barristers (the equivalent median values were £75,000 for minority ethnic barristers and £112,100 for White barristers).

3.23. Queen’s Counsel (QC) status represents another measure of seniority at the Bar – QCs are appointed by the independent Queen’s Counsel Appointments, and are considered as experts in their field, generally with a minimum of 15 years’ practice. QCs are appointed from advocates who have rights of audience in the higher courts of England and Wales, and have demonstrated ‘a standard of excellence’ in their practice.<sup>11</sup>

**Chart 8**



3.24. When looking at QC income by gender in 2020, there is little observable pattern

11. QC status is used as an indicator for the senior Bar due to the wide spread of seniority by year of Call over 15 years

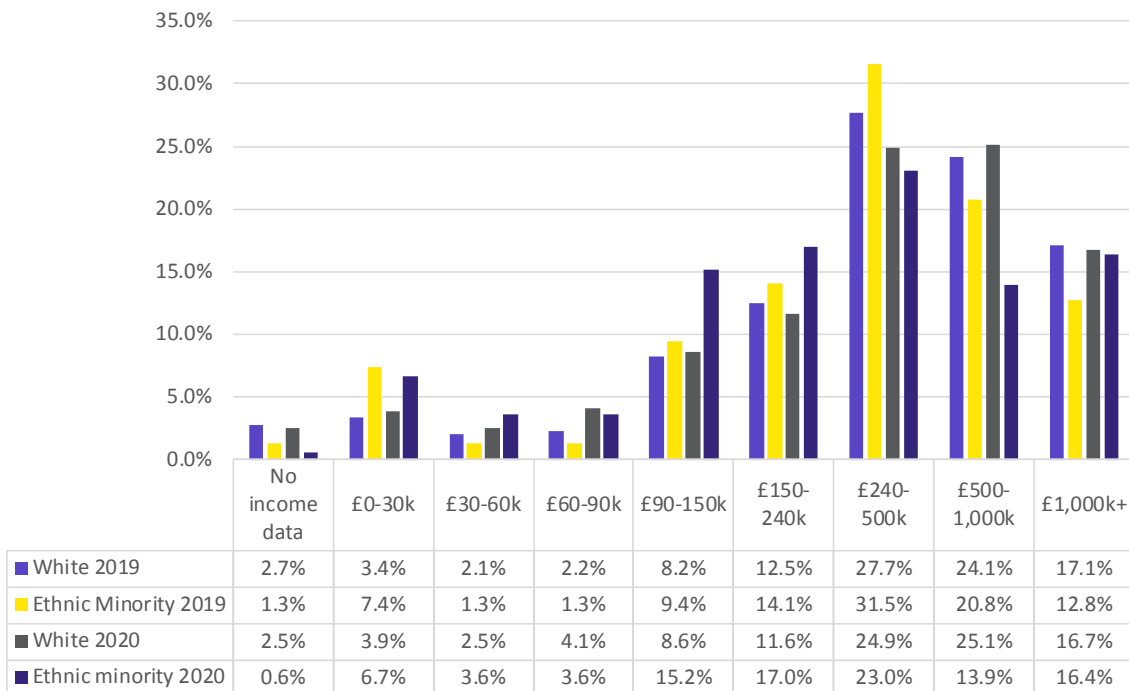
for the lowest three income bands, although a slightly higher proportion of female QCs declared incomes in these bands than male QCs (12.5% compared to 10.2%). However, for higher income bands (£90k and above) there are notable differences between male and female QCs – 56.5% of female QCs earn between £90k and £500k, whereas 43.7% of male QCs have earnings in this range. In contrast, 43.7% of male QCs have earnings of £500k and above, compared to 29.5% of female QCs.

3.25. Interestingly, looking at changes between 2019 and 2020, the proportion of male QCs with earnings over £500k has not changed (standing at 43.7% in both 2019 and 2020) whereas the proportion of female QCs with £500k+ earnings has increased from 26.3% to 29.5% (an increase of 12.2%). There was also an increase in the proportion of both male and female QCs with earnings of less than £90k between 2019 and 2020 (from 7.7% to 10.2% of male QCs, and from 7.7 to 12.4% of female QCs). Mean income band fell from 2019 to 2020 for both male and female QCs – from 6.03 to 5.92 for male QCs and from 5.59 to 5.48 for female QCs. This represents the same fall in mean income band for both male and female QCs – a fall of 0.11.

3.26. Once again, mean and median income values provide a more straightforward representation of differences in income. In 2020, the mean income for female QCs was £442,417, while the equivalent value for male QCs was £657,432, meaning an average declared income for female QCs that was 67.3% that of male QCs. The equivalent median values were 303,976 for female QCs and £446,212 for male QCs.

**Chart 9**

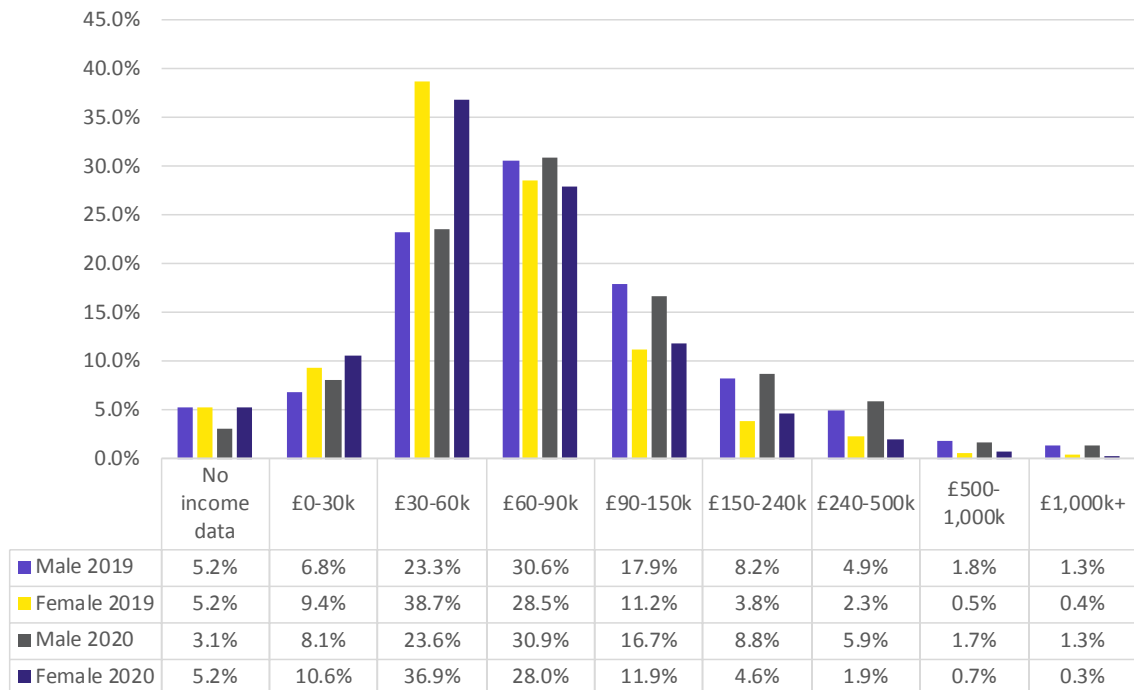
Income by Ethnicity - QC



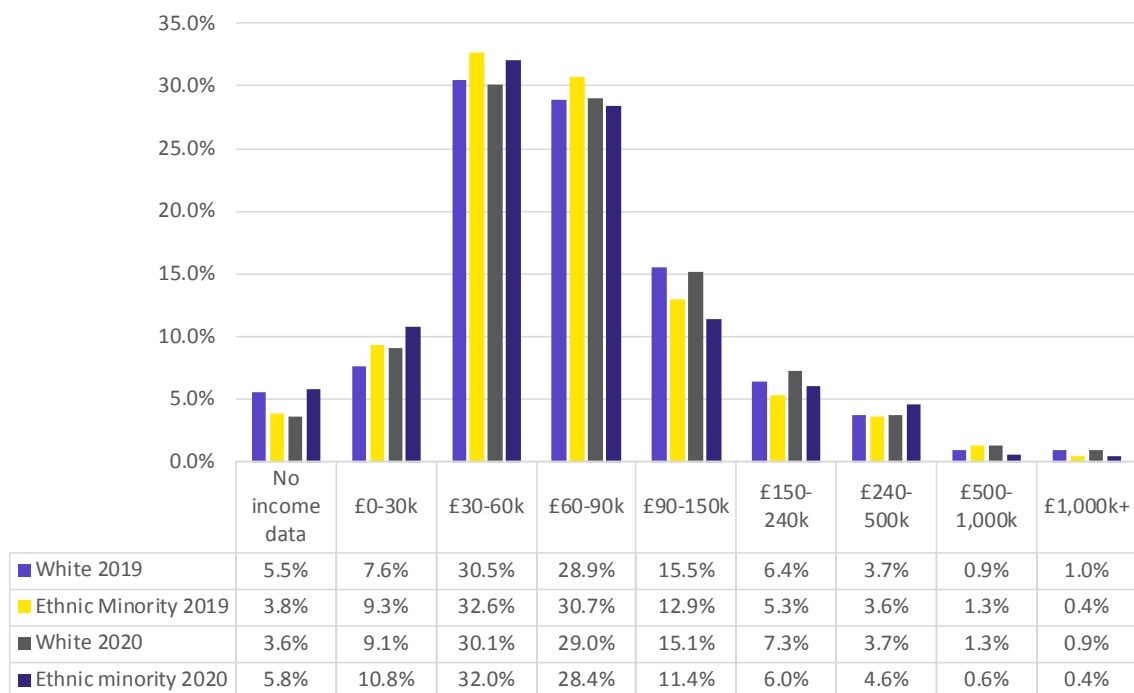
- 3.27. When looking at income breakdowns by ethnicity for QCs in 2020, there is a higher representation of QCs from minority ethnic backgrounds in the lower income bands, with 13.9% of minority ethnic QCs having incomes below 90K compared to 10.5% of White QCs. A higher proportion of White QCs have incomes in the highest income bands – 41.8% of White QCs had earnings of £500k and above in 2020, compared to 30.3% of minority ethnic QCs (although this difference by ethnicity is notably lower than the difference between proportions of male and female QCs in the highest income bands as described in paragraph 3.24).
- 3.28. Looking at changes between 2019 and 2020, the proportion of White QCs with earnings over £500,000 has increased slightly (from 41.2% in 2019 to 41.8% in 2020) whereas the proportion of minority ethnic QCs with £500k+ earnings has decreased from 33.6% to 30.3%. There was also an increase in the proportion of both White and minority ethnic QCs with earnings of less than £90k between 2019 and 2020 (from 7.7% to 10.5% of White QCs, and from 10.1% to 13.9% of QCs from minority ethnic backgrounds). Mean income band fell from 2019 to 2020 for both White and minority ethnic QCs – from 5.66 to 5.40 for barristers from minority ethnic backgrounds, and from 5.98 to 5.88 for White barristers – this represents a noticeably larger decline in mean income group for barristers from minority ethnic groups (0.26) than that observed for White barristers (0.1).
- 3.29. Looking at mean income values, the difference between minority ethnic and White QCs is lower than that between male and female QCs, with an average income of £539,067 for QCs from minority ethnic backgrounds, compared to £609,297 for White QCs, notably lower than the difference observed for gender. The equivalent median values were £266,000 for minority ethnic QCs and £429,142 for White QCs.

## Employed and Self-employed Bar

- 3.30. It is also valuable to investigate whether differences in income also exist when employed and self-employed barristers are looked at separately. Both female and minority ethnic barristers are over-represented at the employed bar compared to the profession as a whole, so this may be a factor that contributes to differences in income.
- 3.31. As can be seen in chart 10, in 2020 employed female barristers had a slightly higher proportion in the lowest income band, and a significantly higher proportion in the second income band than male barristers. In contrast, male barristers had higher proportions with earnings in all income bands above £60k, with more than double the proportions of male barristers with income in bands 6, 7 and 8. Looking at differences between 2019 and 2020, employed barristers seem to have seen much smaller changes in income distribution than the Bar as a whole – for example, the proportion of male employed barristers with incomes of £60k and below increased from 30.1% to 31.7%, whereas the proportion of female employed barristers in these income bands decreased from 48.1% to 47.4%. Mean income band fell slightly from 2019 to 2020 for male employed barristers (from 3.27 to 3.26) but actually increased slightly for female employed barristers – from 2.70 to 2.71.

**Chart 10****Income by Gender - Employed Bar**

3.32. The mean income of female employed barristers in 2020 was £80,881, compared to £125,679 for male employed barristers, meaning that female employed barristers earned on average 64.4% of their male equivalents. The median income values for employed barristers were £60,134 for women and £73,999 for men.

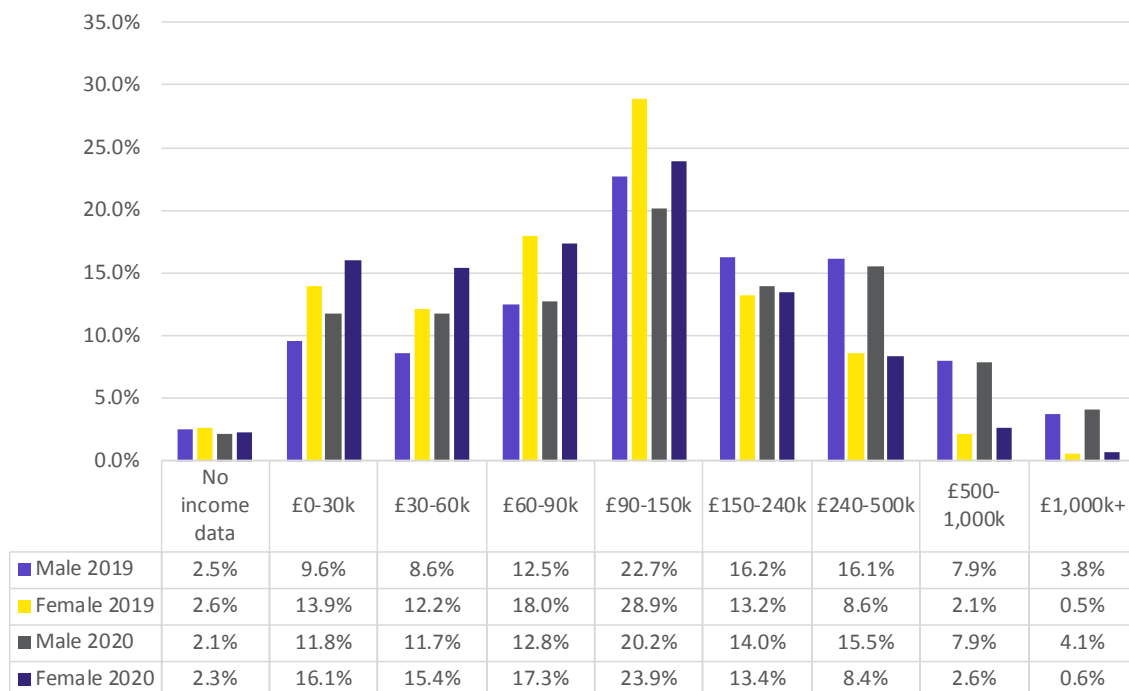
**Chart 11****Income by Ethnicity - Employed Bar**

3.33. In contrast to the differences observed for gender, the differences in income by ethnicity among the employed Bar are less pronounced. Nonetheless, barristers from minority ethnic backgrounds have higher proportions in the lowest two income bands in 2020 (42.8% compared to 39.1% of White barristers), and higher proportions of White barristers have earnings in income bands above £60k (57.3% compared to 51.4% of barristers from minority ethnic backgrounds). As when looking at the income distribution of employed barristers by gender, differences between 2019 and 2020 suggest that employed barristers have seen much smaller changes in income distribution than the Bar as a whole, with relatively minor changes in the proportions of White and minority ethnic barristers in each of the income bands year on year. Mean income band fell from 2019 to 2020 for both White and minority ethnic employed barristers – from 3.03 to 3.02 for White employed barristers and from 2.90 to 2.87 for employed barristers from minority ethnic backgrounds. This represents a slightly larger fall for barristers from minority ethnic backgrounds than for White barristers.

3.34. The mean income of minority ethnic employed barristers in 2020 was £93,111, compared to £106,169 for White employed barristers, meaning that employed barristers from minority ethnic backgrounds earned on average 93.4% of their White equivalents, a much smaller income differential than observed when comparing employed barrister incomes by gender. The median income values for employed barristers were £60,134 for minority ethnic barristers and £73,999 for White barristers.

**Chart 12**

Income by Gender - Self Employed Bar



3.35. As can be seen by chart 12, in 2020 there were higher proportions of female self-employed female barristers in all of the first four income bands, and lower proportions in all of the top four income bands. For the highest income bands the



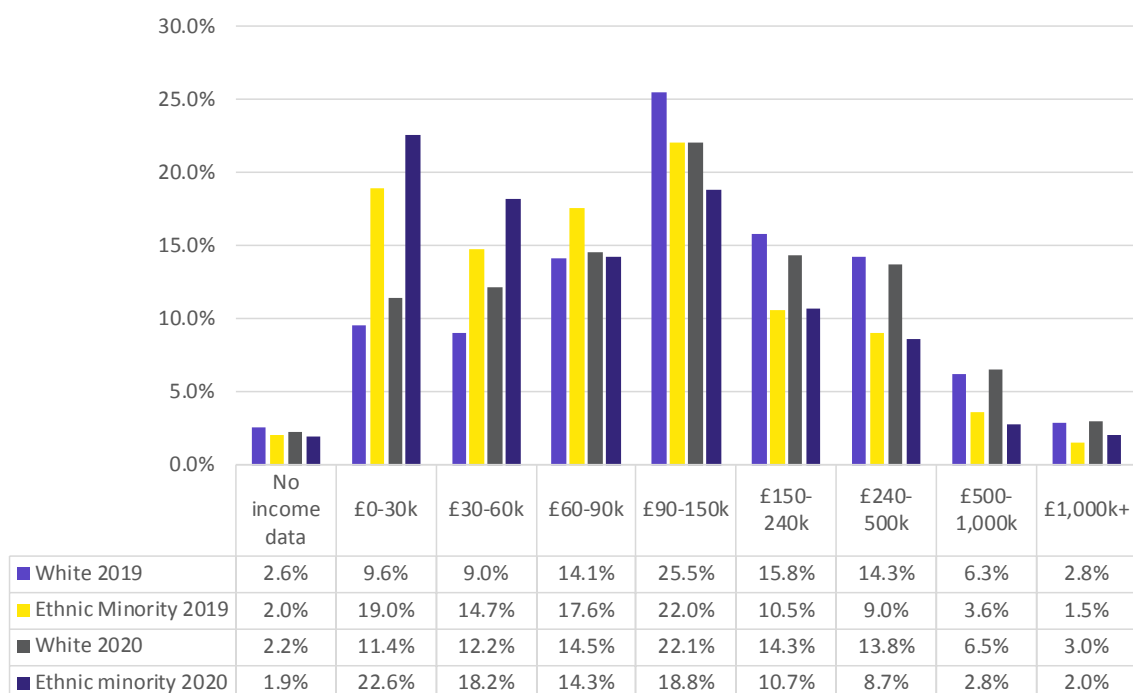
difference is particularly stark – 3.2% of self-employed female barristers earned £500k or over in 2020, compared to 12% of male barristers. Close to one in three (31.5%) of the self-employed female Bar had an income of £60k or less, compared to close to one in four (23.5%) male barristers.

3.36. As when looking at the Bar as a whole, the proportions of both male barristers and female barristers in the lowest income bands increased between 2019 and 2020, from 18.2% to 23.5% for men and from 25.1% to 27.5% for women – this represents a proportionately larger increase of barristers in the lowest two bands for men than it did for women. At the other end of the income scale, the proportion in the top two bands actually increased for both female and male self-employed barristers between 2019 and 2020, with a proportionately larger increase for women. Mean income band fell slightly from 2019 to 2020 for both male and female self-employed barristers - from 4.30 to 4.12 for men, and from 3.54 to 3.43 for women. This suggests that overall, incomes fell less for women (a change in mean income band of 0.11) than they did for men (a change of 0.18).

3.37. The mean income of female self-employed barristers in 2020 was £134,369, compared to £251,994 for male self-employed barristers, meaning that female self-employed barristers earned on average 53.3% of their male equivalents. While average incomes were significantly higher for both male and female self-employed barristers in 2020 when compared to employed barristers (although this also reflects the differences in income declarations for self-employed and employed barristers as described in paragraph 2.3), the difference in average incomes between men and women were significantly larger. The median income values for self-employed barristers were £91,271 for women and £124,209 for men.

### Chart 13

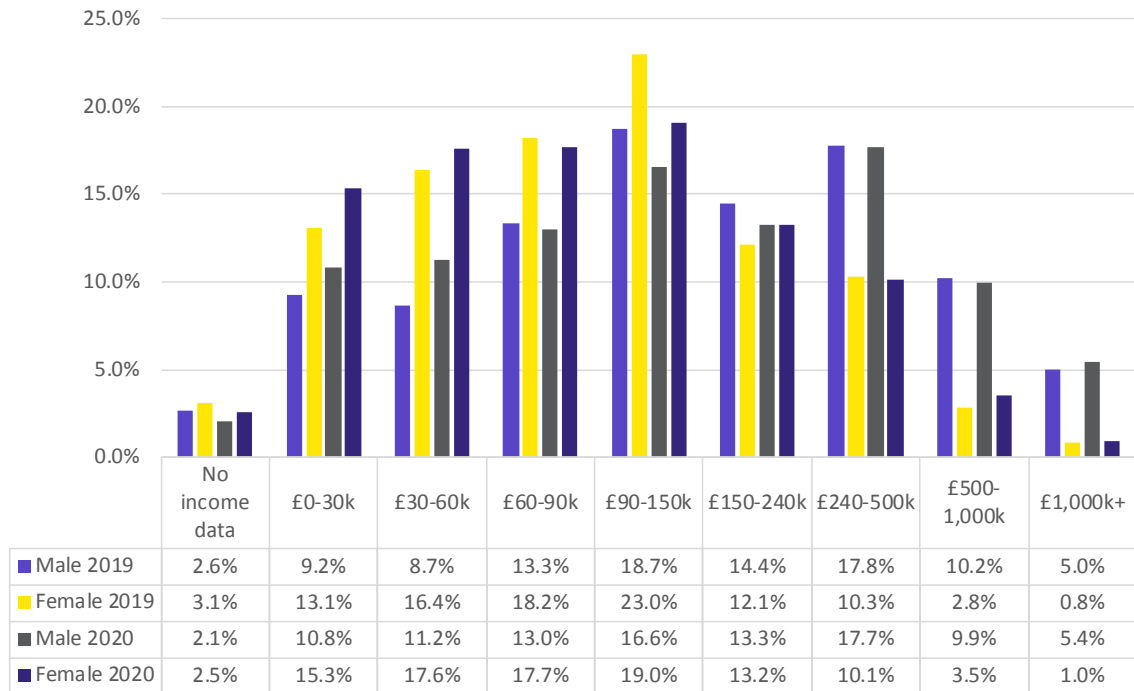
Income by Ethnicity - Self Employed Bar



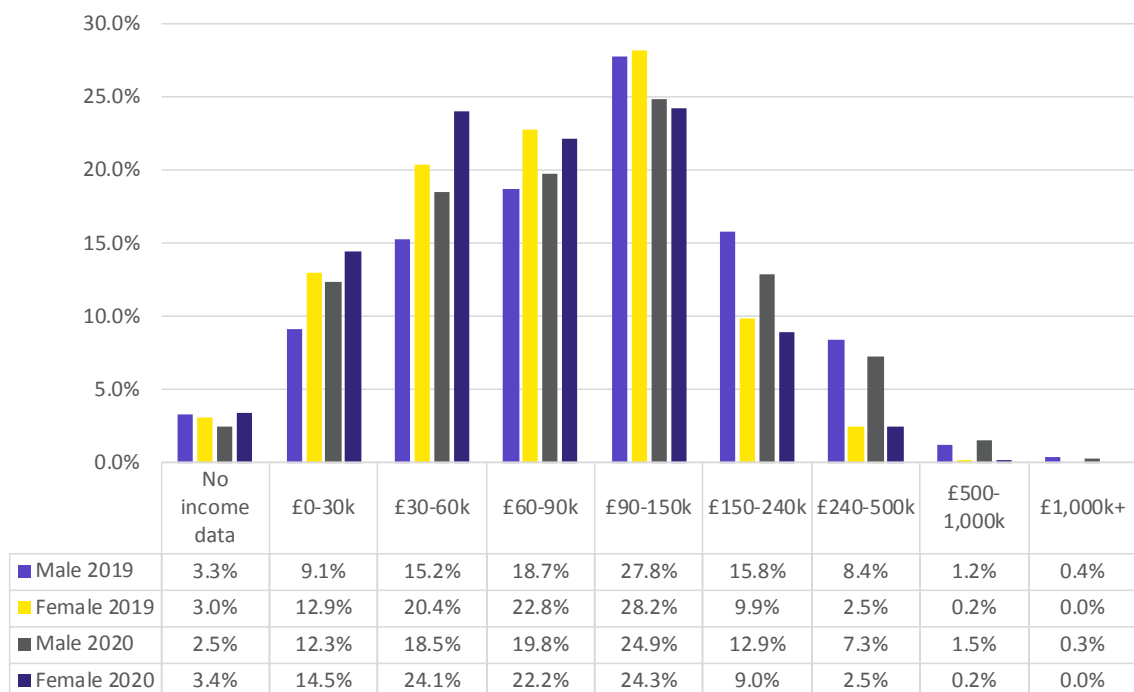
- 3.38. The differences in income by ethnicity among the self-employed Bar follow a slightly different pattern than that observed for gender. While the differences for gender display higher proportions of women in the bottom four income bands, and lower in the top four, for ethnicity there are lower proportions of minority ethnic barristers in the top six income bands, with higher representation in the bottom two. In 2020, 40.8% of self-employed minority ethnic barristers had earnings under £60k, compared to 23.6% of White barristers. However, differences at the higher earning end of the profession appear to be less pronounced than for gender – 9.5% of self-employed White barristers earned £500k and over in 2020 compared to 4.8% of minority ethnic barristers (this compares to 12% and 3.2% when looking at the differences between men and women).
- 3.39. The proportions of self-employed barristers in the lowest income bands increased between 2019 and 2020, from 18.6% to 23.6% for White barristers and from 33.7% to 40.8% for barristers from minority ethnic backgrounds – this represents an increase of 26.7% for White barristers and an increase of 21.1% for minority ethnic barristers. The proportion of White barristers earning over £500k actually increased between 2019 and 2020 (from 9.1% to 9.5%) whereas for minority ethnic barristers it fell slightly from 5.1% to 4.8%. Mean income band fell from 2019 to 2020 for both White and minority ethnic self-employed barristers – from 4.14 to 4.00 for White barristers and from 3.40 to 3.24 for barristers from minority ethnic backgrounds. This represents a slightly larger fall for barristers from minority ethnic backgrounds than for White barristers.
- 3.40. The mean income of minority ethnic self-employed barristers in 2020 was £149,997, compared to £218,102 for White self-employed barristers, meaning that employed barristers from minority ethnic backgrounds earned on average 68.8% of their White equivalents, a smaller income differential than observed when comparing self-employed barrister incomes by gender, but a significantly larger income differential than that observed by ethnicity among the employed Bar. The median income values for self-employed barristers were £78,442 for barristers from minority ethnic backgrounds and £115,748 for White barristers.

## Region of Practice

- 3.41. There are also variations in barrister income by region – barrister's whose primary practice address is in London are more likely to declare higher incomes than those based outside London. However, when breaking down income for barristers based both within and outside London, there remain notable differences in income observed between Male and Female barristers (see chart 14). When looking at London-based barristers by gender, in 2020 there were higher proportions of female barristers in each of the lowest four income bands, and higher proportions of male barristers in each of the highest four income bands. Nearly one in three female barristers earned under £60k (32.9%) compared to less than one in four male barristers (22%), whereas nearly one in three male barristers (33%) earned over £240k compared to 14.6% of female barristers.

**Chart 14****Income by Gender - London**

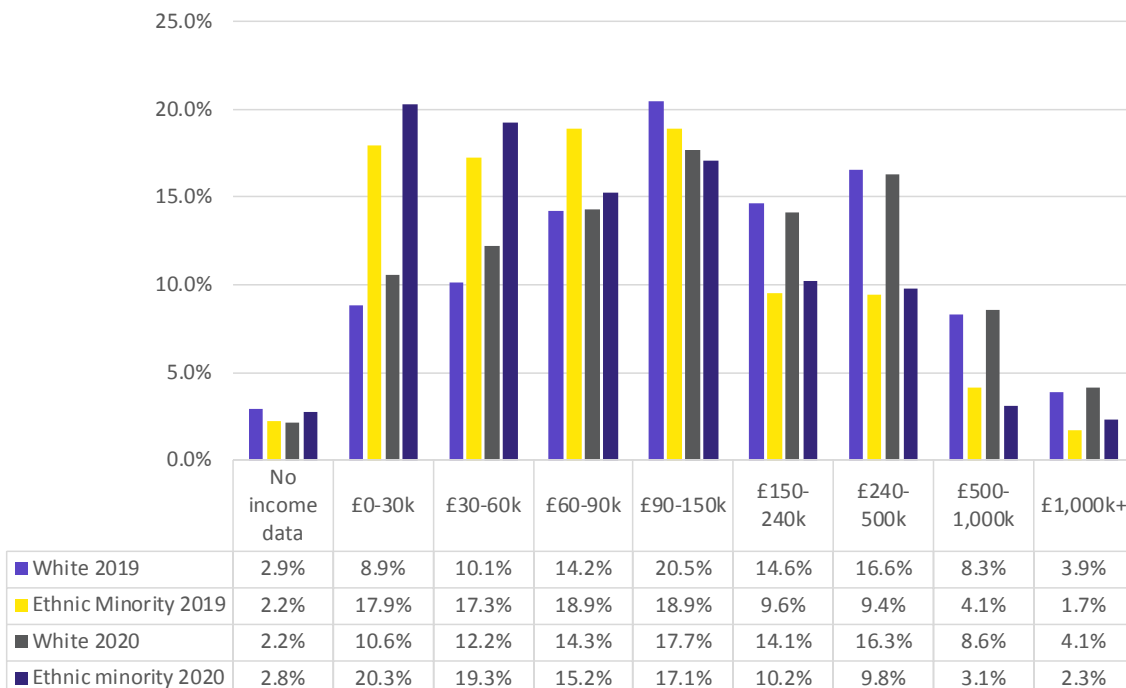
3.42. The 2020 mean income of female barristers in London was £148,608, compared to £293,363 for male barristers in London, meaning that London-based female barristers earned on average 50.6% of their male equivalents, a similar difference in average incomes to that observed for the self-employed Bar by gender. The median income values for London-based barristers were £88,000 for women and £140,135 for men.

**Chart 15****Income by Gender - Outside London**

- 3.43. Declared incomes for barristers outside London are generally lower than those declared for London. However, as can be seen by chart 15, while there are differences in income between male and female barristers for those based outside London, they are not as stark as those observed for London-based barristers, other than at the higher end of the income distribution. Among female barristers based outside London in 2020, 38.6% earned under £60k compared to 30.8% of male barristers. Close to one in ten male barristers outside London earned 240k and over (9.1%), compared to 2.7% of female barristers.
- 3.44. Comparing 2019 and 2020 for barristers based outside London, there was also an increase in the proportion in the lowest income bands, with a proportionally larger increase for barristers based outside London when compared to London-based barristers. The proportion of barristers in the lowest income bands increased from 24.5% to 30.3% for men and from 33.3% to 38.6% for women between 2019 and 2020. This represents an increase of 24.2% in the proportion of men in the lowest two income bands, and an increase of 15.9% in the proportions of women – compared to 22.9% and 11.5% increases respectively for male and female barristers based in London. Mean income band fell from 2019 to 2020 for both male and female barristers outside London – from 3.60 to 3.38 for male barristers and from 3.10 to 2.97 for female barristers. This represents a slightly larger fall for male barristers from than for female barristers (0.22 compared to 0.13) and a larger fall than that observed for both men and women in London (paragraph 3.41).
- 3.45. The 2020 mean income of female barristers outside London was £85,807, compared to £118,795 for male barristers outside London, meaning that female barristers outside London earned on average 72.2% of their male equivalents, a markedly smaller difference in average income than that observed for barristers in London. The median income values for barristers based outside London were £71,941 for women and £87,382 for men.

**Chart 16**

Income by Ethnicity - London

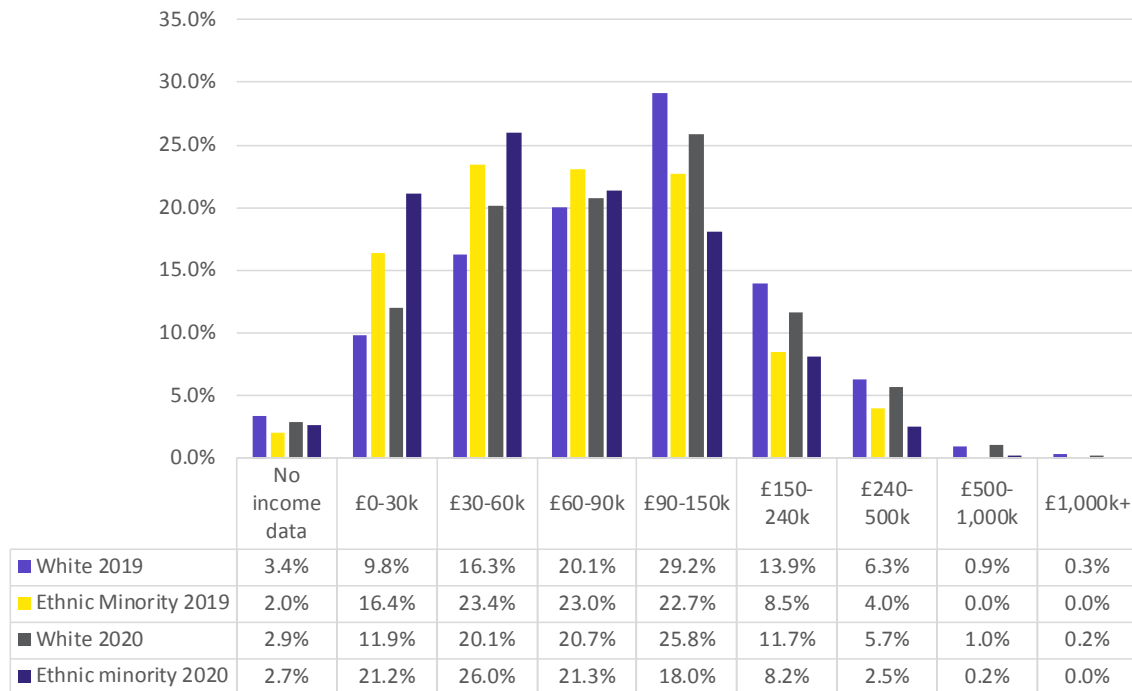


- 3.46. When looking at London-based barristers by ethnicity, in 2020 there were higher proportions of minority ethnic barristers in the lowest three income bands when compared to White barristers, and lower proportions in the higher five bands. In 2020, 39.6% of barristers from minority ethnic backgrounds earned under £60k compared to 22.8% of White barristers. This suggests that in London being from a minority ethnic background has a stronger association with lower earnings than gender, given that the proportion of female London-based barristers with incomes below £60k is 32.9%. However, there was a smaller difference by ethnicity than by gender in terms of the proportion of London-based barristers in the highest income bands. In London, 15.2% of minority ethnic barristers earned over £240k compared to 29% of White barristers, whereas the equivalent proportions when looking at the difference by gender were 33% of male barristers and 14.6% of female barristers.
- 3.47. Between 2019 and 2020 there were notable increases in the proportions of both London-based White and minority ethnic barristers in the lowest two income bands. The percentage of White barristers in the lowest two bands increased by proportionately more between 2019 and 2020 (19% to 22.8%, an increase of 20%) than the percentage of barristers from minority ethnic backgrounds in these bands (35.2% to 39.3%, an increase of 11.6%). At the higher end of the income scale there was almost no change, with the proportion of White barristers earning £240k and over increasing from 28.8% to 29%, and the proportion of minority ethnic barristers earning over £240k remaining constant at 15.2%. Mean income band fell from 2019 to 2020 for both White and minority barristers in London – from 4.28 to 4.19 for White barristers and from 3.39 to 3.32 for barristers from minority ethnic backgrounds. This represents a slightly larger fall for White barristers from than for barristers from minority ethnic backgrounds (0.09 compared to 0.07).
- 3.48. The 2020 mean income for minority ethnic barristers in London was £160,434, compared to £257,046 for White barristers, meaning that London-based minority ethnic barristers earned on average 62.2% of their White equivalents. This represents a larger difference in incomes by ethnicity than observed when looking at the Bar as a whole, QCs, barristers under 15 years of Call, or employed or self-employed barristers. However, this was smaller than the difference in average incomes observed for the London-based Bar by gender. The median income values for London-based barristers were £78,000 for those from minority ethnic backgrounds and £128,890 for White barristers.
- 3.49. When looking at differences in income by ethnicity for barristers outside London, there is a similar pattern to that observed for London based barristers, although incomes tend to be lower. Among barristers from a minority ethnic background based outside London in 2020, 47.2% earned under £60k compared to 32% of White barristers. As with London earnings, it appears ethnicity is a stronger predictor of lower earnings than gender - in 2020, 38.6% of female barristers based outside London earned under £60k compared to 30.8% of White barristers. At the higher end of the income scale, 6.9% of White barristers outside London earned 240k and over, compared to 2.7% of minority ethnic barristers.



Chart 17

## Income by Ethnicity - Outside London



3.50. Comparing 2019 and 2020 for barristers based outside London, there was also an increase in the proportion of both White and minority ethnic barristers in the lowest income bands. The proportion in the lowest income bands increased from 26.1% to 32% for White barristers and from 39.8% to 47.2% for minority ethnic barristers between 2019 and 2020. This represents a larger increase in the proportions of barristers in the lowest income bands when compared to London-based barristers. There was an increase of 26.1% in the proportion of White barristers in the lowest two income bands, and an increase of 18.5% in the proportions of minority ethnic barristers – compared to 22.8% and 11.6% increases respectively for White and minority ethnic barristers based in London. Mean income band fell from 2019 to 2020 for both White and minority ethnic barristers in London – from 3.46 to 3.28 for White barristers and from 2.96 to 2.73 for barristers from minority ethnic backgrounds. This represents a larger fall for barristers from minority ethnic backgrounds than for White barristers (0.23 compared to 0.18) and a larger fall in incomes than observed in London as per paragraph 3.47.

3.51. The 2020 mean income for minority ethnic barristers outside London was £77,973, compared to £108,939 for White barristers, meaning that minority ethnic barristers outside of London earned on average 71.1% of their White equivalents. However, this was smaller than the difference in average incomes to that observed for the London-based Bar by ethnicity. The median income values for barristers outside London were £62,464 for those from minority ethnic backgrounds and £83,427 for White barristers.

## Practice Area

- 3.52. Another key area where barrister status is likely to impact on earnings is the area of law that they generally practise in. Areas of law which are largely publicly funded (largely now restricted to Criminal law) will typically attract lower fees, as will areas of law such as family (which also can qualify for legal aid in certain situations). In contrast, areas such as commercial law will generally attract larger fees. As with seniority and QC status, barristers' main area of practice varies considerably by gender and ethnicity. For example, 26.8% of female barristers' main area of practice is family law, compared to 10.4% of male barristers, whereas 13.1% of male barristers primarily practise in commercial and financial services compared to 7.0% of female barristers. Differences also exist for ethnicity: 9.1% of barristers from a minority ethnic background primarily practise in immigration, for example, compared to 1.7% of White barristers, while 5.5% of barristers from a minority ethnic background primarily practise in personal injury compared to 9.7% of White barristers.
- 3.53. As a result of these differences in main area of practice, it is important to analyse the extent to which income disparities by gender and ethnicity are still apparent for barristers who are working in the same areas of law.

**Table 5**

| Mean Income (£)            |                         |         |
|----------------------------|-------------------------|---------|
|                            | <15 Years of Call (YOC) | 15+ YOC |
| Crime                      |                         |         |
| Male                       | 79,121                  | 117,288 |
| Female                     | 63,735                  | 81,396  |
| White                      | 73,358                  | 111,652 |
| Minority Ethnic Background | 63,420                  | 86,762  |
| Family                     |                         |         |
| Male                       | 119,968                 | 171,750 |
| Female                     | 100,681                 | 127,491 |
| White                      | 110,721                 | 154,322 |
| Minority Ethnic Background | 92,702                  | 106,886 |
| Commercial and financial   |                         |         |
| Male                       | 328,386                 | 599,558 |
| Female                     | 195,942                 | 277,178 |
| White                      | 300,999                 | 536,923 |
| Minority Ethnic Background | 197,867                 | 453,557 |
| Personal Injury            |                         |         |
| Male                       | 133,690                 | 272,194 |
| Female                     | 94,624                  | 167,607 |
| White                      | 118,710                 | 257,329 |
| Minority Ethnic Background | 100,323                 | 184,384 |

- 3.54. Table 5 looks at mean income band for the four most common primary areas of practice. Given that years of Call also impacts on mean income band, barristers

have also been grouped by year of Call, for under and over 15 years. The table shows that for every area of practice, and for each of the two year of Call bands, female barristers have a lower mean income band than male barristers and minority ethnic barristers have a lower mean income band than white barristers.

3.55. The largest differences in average income are for female barristers when compared to male barristers, with the largest observable difference being for barristers over 15 years of Call practising in commercial and financial law, where female barristers have an average income of 46.2% of equivalent male barristers (the second largest difference in incomes by gender is also in commercial and financial law, where the average earnings of women under 15 years of Call is 59.7% of that of male barristers). The largest observed difference by ethnicity is in personal injury law, where minority ethnic barristers under 15 years of Call earn 65.7% of the earnings of equivalent White barristers. For female barristers, the closest to equivalence in average incomes is for barristers under 15 years of Call in family law, where women earn on average 83.9% of the salary of men. For barristers from minority ethnic backgrounds, the closest to equivalence is for barristers under 15 years of Call in criminal law, where average incomes for those from minority ethnic backgrounds are 86.4% of those of White barristers. This indicates that even for barristers working in the same area of law and with the similar seniority by year of Call, barristers from minority ethnic backgrounds and female barristers earn less than equivalent White and male barristers, with notable differences in mean income band observed for all of the groups analysed above.

**Table 6**

| Median Income (£)          |         |         |
|----------------------------|---------|---------|
|                            | <15 YOC | 15+ YOC |
| Crime                      |         |         |
| Male                       | 65,000  | 78,760  |
| Female                     | 53,623  | 62,552  |
| White                      | 60,045  | 74,812  |
| Minority Ethnic Background | 50,495  | 64,000  |
| Family                     |         |         |
| Male                       | 115,487 | 125,238 |
| Female                     | 92,442  | 110,720 |
| White                      | 102,493 | 120,329 |
| Minority Ethnic Background | 82,305  | 92,751  |
| Commercial and financial   |         |         |
| Male                       | 230,865 | 330,625 |
| Female                     | 142,635 | 132,936 |
| White                      | 209,158 | 305,660 |
| Minority Ethnic Background | 162,680 | 189,393 |
| Personal Injury            |         |         |
| Male                       | 109,791 | 212,686 |
| Female                     | 80,650  | 132,471 |
| White                      | 95,708  | 199,989 |
| Minority Ethnic Background | 73,616  | 143,198 |

- 3.56. Table 6 looks at median income for the four most common primary areas of practice, and as with table 5, groups barristers by year of Call, for under and over 15 years. While median values are lower than mean values, the table shows a similar pattern to table 5 - for every area of practice, and for each of the two year of Call bands, female barristers have a lower median income than male barristers and barristers from minority ethnic backgrounds have a lower median income than White barristers.
- 3.57. While absolute differences are smaller than in table 5 due to the lower values for median income, the relative differences are similar across all four areas of practice analysed. The largest differences in median income are once again between female barristers and male barristers, with commercial and financial law again displaying the largest income disparities. For barristers over 15 years of Call practising in commercial and financial law, female barristers have a median income that is 40.2% of equivalent male barristers, even larger than the difference observed when looking at mean income (46.2%). As when looking at mean income, the difference between female and male barristers under 15 years of Call in commercial and financial law is the second largest income disparity, with median earnings of women equalling 61.8% of that of male barristers. In contrast to when looking at mean incomes (where the largest difference observed was in personal injury law), the largest observed difference by ethnicity is also in commercial and financial law, where the median income of minority ethnic barristers over 15 years of Call is 62% of equivalent White barristers, a significantly larger income disparity than observed when comparing median incomes in other areas (the next largest disparity is for barristers over 15 years of Call in personal injury law, where the median income of barristers from minority ethnic backgrounds is 71.6% of comparable White barristers).
- 3.58. Given the differences in incomes between 2019 and 2020, some areas of law might be expected to have seen larger falls than others (as some areas of law may have been more impacted by court closures as a result of the pandemic, for example). Table 7 shows mean income bands for the 2019-20 and 2020-21 financial years, split both by the four areas of practice analysed above, and by gender and ethnicity. The table also displays the difference between the two years.
- 3.59. Overall, for three of the four practice areas mean income band fell between the two years, with the largest change being seen in criminal law with a fall of 0.26. Smaller falls were seen in family law and personal injury law, both of which fell by a similar amount. In contrast, for commercial and financial law mean income band increased slightly. There were also differences by gender and ethnicity in terms of the size of the impact – male barristers saw larger falls in mean income band than female barristers in both crime and family law, whereas female barristers saw larger falls in income in personal injury law. In contrast to gender, falls in mean income band display little difference for barristers from minority ethnic backgrounds when compared to White barristers across criminal, family and personal injury law. Commercial and financial law differs from the other three areas of practice, in that – other than female barristers, who saw a fall in incomes – all other groups saw an increase in mean income band, with barristers from minority ethnic backgrounds

seeing a larger increase than White or male barristers.

**Table 7**

| Mean Income Band           |         |         |            |
|----------------------------|---------|---------|------------|
|                            | 2019-20 | 2020-21 | Difference |
| Crime                      |         |         |            |
| Overall                    | 3.21    | 2.95    | -0.26      |
| Male                       | 3.44    | 3.15    | -0.29      |
| Female                     | 2.79    | 2.61    | -0.18      |
| White                      | 3.27    | 3.02    | -0.25      |
| Minority Ethnic Background | 2.90    | 2.66    | -0.24      |
| Family                     |         |         |            |
| Overall                    | 3.80    | 3.67    | -0.13      |
| Male                       | 4.11    | 3.91    | -0.20      |
| Female                     | 3.61    | 3.52    | -0.09      |
| White                      | 3.89    | 3.76    | -0.13      |
| Minority Ethnic Background | 3.33    | 3.21    | -0.12      |
| Commercial and financial   |         |         |            |
| Overall                    | 4.99    | 5.02    | 0.03       |
| Male                       | 5.25    | 5.30    | 0.05       |
| Female                     | 4.19    | 4.16    | -0.03      |
| White                      | 5.12    | 5.14    | 0.02       |
| Minority Ethnic Background | 4.45    | 4.51    | 0.06       |
| Personal Injury            |         |         |            |
| Overall                    | 4.37    | 4.22    | -0.15      |
| Male                       | 4.63    | 4.53    | -0.10      |
| Female                     | 3.77    | 3.53    | -0.24      |
| White                      | 4.44    | 4.30    | -0.14      |
| Minority Ethnic Background | 3.83    | 3.71    | -0.12      |

# 4 Summary and Conclusions

- 4.1. The analysis of income data held by the BSB shows that female barristers and barristers from minority ethnic backgrounds are likely to earn less than White and male barristers respectively. This holds true when looking at employed barristers, self-employed barristers, QCs, barristers based both inside and outside London, and barristers with similar seniority by year of Call.
- 4.2. Female barristers from minority ethnic backgrounds are the lowest earning group, whereas White male barristers are the highest earning group. There are also differences in the income of barristers from minority ethnic backgrounds once ethnicity is looked at in more detail, with Black and Black British barristers earning less than Asian and Asian British barristers overall.
- 4.3. Even when comparing barristers with the same main area of practice and seniority by year of Call, female barristers and barristers from minority ethnic backgrounds still earn less on average than equivalent male and White barristers. This suggests that (while there are notable differences in the proportions of those practising in particular areas of law by both ethnicity and gender) even when you look at barristers of similar experience and working in the same areas, there remain differences in income by both gender and ethnicity. These are often significant – for example, women over 15 years of Call working in Financial and Commercial Law earn less than half their male equivalents' earnings on average.
- 4.4. Generally, differences in average income are larger when comparing male and female barristers than when comparing White and minority ethnic barristers. Looking at the Bar as a whole, average incomes for women are 52% of those of men, whereas average incomes for barristers from minority ethnic backgrounds are 68% of those of White barristers. Given this, it is unsurprising that female barristers from minority ethnic backgrounds are the lowest earning group, with average incomes 41% of those of White male barristers when looking at the profession as a whole.
- 4.5. Comparing incomes in 2020 with 2019, it seems clear that the pandemic has impacted on incomes at the Bar, with most groups analysed facing falls in income. This analysis suggests the largest falls in income have been for male barristers from minority ethnic backgrounds, and barristers based outside of London. In general, female barristers seem to have seen smaller falls in income overall than male barristers, and minority ethnic barristers have seen larger falls than White barristers. The Employed Bar seems to have experienced the smallest fall in incomes.



- 4.6. However, falls in income have not been distributed equally. For most groups examined in this analysis, the proportion of those in the lowest two income bands has increased, often markedly. However, for many groups there has been almost no change in the proportion in the highest income bands – indeed, for some groups (female barristers from White or minority ethnic backgrounds) the proportion in the highest income bands increased from 2019 to 2020. This suggests that the pandemic has had more of an impact on incomes at the lower earning end of the profession than it has at the higher earning end, which has seen relatively little change.
- 4.7. In addition, falls in income have been larger for certain areas of practice than others. When looking at the four most common areas of practice at the Bar, criminal law saw the largest fall in incomes, while family and personal injury law saw smaller decreases. In commercial and financial law, incomes actually increased between 2019-20 and 2020-21 (except for female barristers) suggesting that the pandemic had a relatively minor impact on incomes for barristers practising in this area.
- 4.8. The reasons for the disparities in income may be many. However, some possible explanations have been highlighted in past research undertaken by the BSB. Our Women at the Bar research in 2016<sup>12</sup> found that some respondents felt there was favouritism around work allocation, with male barristers more likely to be promoted to potential clients and allocated work within chambers. In addition, some respondents flagged a drop off in work allocated to them if they attempted to work flexibly to care for children, or when they returned from maternity leave. Finally, some respondents felt female barristers were more likely to be expected (both within and outside chambers) to specialise in lower earning, often publicly funded, areas of law than male barristers and that this impacted on the type of work they were offered or allocated. All of these factors may well contribute to female barristers being more likely to have lower earnings than male barristers.
- 4.9. Other research has highlighted that female barristers are more likely to work part time than male barristers, with the result that although there is little variation at the Bar in working hours between men and women who work full time, or between men and women who work part time, the higher proportion of women working part-time results in their mean hours worked (47 per week) being slightly lower than the equivalent figure for men (50 per week).<sup>13</sup> That research did not reveal any difference in hours worked between minority ethnic and White barristers.
- 4.10. A report looking at racial disadvantage in the profession<sup>14</sup> highlighted the fact that barristers from minority ethnic backgrounds are more likely to be working at the Employed Bar or as sole practitioners, which may well impact on their earnings. This report also mentioned perceived bias in the way work was allocated, which led to barristers from minority ethnic backgrounds having less opportunity to progress

12. [Women at the Bar \(BSB, 2016\)](#)

13. [Barrister's Working Lives \(BSB, 2013\)](#)

14. [Heads Above the Parapet \(BSB, 2018\)](#)

their career – this is likely to impact on the earnings of these barristers both in the short and long term.

- 4.11. These research findings will be used to inform the BSB’s three-year strategy, shape recommendations about our approach to Equality and Diversity at the Bar, and will contribute to the review of the BSB’s Equality Rules. In the light of these findings, the BSB will work with the profession to consider what can be done to reduce the income disparities identified. Chambers are already expected to monitor work allocation, and may wish to consider the Bar Council’s guidance on good practice for work allocation around sex<sup>15</sup> and race<sup>16</sup>. If this monitoring identifies disparities in the allocation of work, chambers should develop plans to address the issue and help ensure equality in work allocation. Similarly, chambers and employers may consider analysing and publishing their income pay gap data by ethnicity and gender.

15. <https://www.barcouncilethics.co.uk/documents/monitoring-work-distribution-toolkit-part-1-sex/>

16. <https://www.barcouncilethics.co.uk/documents/monitoring-work-distribution-toolkit-part-2-race/>