



BAR BAROMETER TRENDS IN THE PROFILE OF THE BAR

BAR
STANDARDS
BOARD

REGULATING BARRISTERS

The General Council of the Bar of England and Wales
Prepared by Dr Jennifer Sauboorah, Research Department
December 2011

Tenancy

A

Pupilage

%

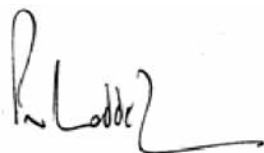
Gender

FOREWORD

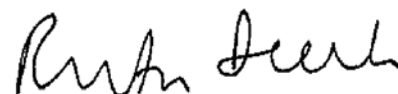
'The Bar has been doing much to encourage access to, and diversity within, the profession and welcomes all people of ability whatever their background.'

We are delighted to share with you the first full edition of the annual *Bar Barometer*, following the publication of the pilot edition in March this year. This edition considers the Bar of England and Wales over the period 2006-11, focusing in particular on the statistics and information relating to those who were successful in gaining pupillage.

The Bar has been doing much to encourage access to, and diversity within, the profession and welcomes all people of ability whatever their background. We are pleased to publish reports like the *Bar Barometer*, which provide opportunities for us to reflect on the progress of our initiatives and will help to shape future policy in this area.



Peter Lodder QC
Chairman of the Bar



Baroness Ruth Deech
*Chairman of the
Bar Standards Board*

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INTRODUCTION

This is the first complete *Bar Barometer* report following the pilot issued in March 2011. It has been produced by the Research department and is authored by Dr Jennifer Sauboorah.

This edition provides comprehensive statistics and trends about the Bar of England and Wales over the period 2006-2011; this year pupillage is given particular focus.

Bar Barometer presents data for the main stages of training for the Bar and for those in practice. As well as using data from the Bar Council's membership records, this report also uses data from the Bar Standards Board's Bar Professional Training Course (BPTC) providers' monitoring data and the Pupillage Supplementary Survey.

The Research department

The Research department provides research and information support to the regulatory, representative and corporate functions of the General Council of the Bar of England and Wales (the Bar Council).

The Research department monitors, assesses and evaluates any changes to the profession through the design, conduct and commissioning of studies for the Bar Council. To date a significant amount of research has been conducted and commissioned by the Research department covering many aspects of the Bar such as international relations, complaints and those leaving the Bar.

Bar Barometer is intended to be a useful source of statistical information for those with an interest in the Bar, such as potential and current students, those at the Bar and the wider legal services market. *Bar Barometer* is also intended to be a resource that supports policy formulation, equality impact analyses and the development of evidence-based equality objectives.

In future years it will be possible for *Bar Barometer* to report on a greater number of protected characteristics as Bar Council and BSB data collection methods are enhanced in line with recent statutory requirements. Part of these developments will include the provision of an online facility allowing barristers to update their own details, including diversity data.

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Sources of data

Bar Barometer relies on anonymised statistical information from the secure database maintained by the Bar Council's Records department for the majority of the information presented in this report. Data held in the Bar Council's records relates to barristers from the beginning of their training, through the different stages of their career at the Bar and largely originates from the Annual Chambers Return. This is a compulsory questionnaire sent to all chambers requesting information about the barristers who practise in that set of chambers. *Bar Barometer* uses data from the Bar Council's secure database and analyses information that is held in other areas of the Bar Council and the Bar Standards Board.

Current data completion rates are low for some demographic data, such as declaration of disability; however it is expected that rates will improve considerably when barristers are able to log-on to access their Bar Council record and update their personal details themselves. This will also have the effect of providing the Bar Council and BSB with a better profile of the profession they represent and regulate.

Other data sources include the Pupillage Registration Survey which is administered by the BSB. It is completed by pupils upon registration of their pupillage. Response rates since the survey began in 2004 have averaged over 90%. Data is also analysed from the Annual Monitoring

Reports of the BPTC providers. These reports contain anonymised course data relating to BPTC students.

Percentages are usually represented to one decimal place (where appropriate) in the tables presented in the course of this report. Where more information has become available since the publication of the pilot report in March 2011 the data has been amended to reflect this.

The Bar Council and BSB produce the official statistics for the profession generally at the end of each year, with some data collected mid-year. In a change to the pilot version of this report earlier in 2011, two reporting date formats are now used; one for the majority of the practising profession, which is the calendar year and one for those in the training stages of the Bar that follows the academic year date format (October-September).

Feedback

Feedback was invited on the pilot edition of *Bar Barometer* and many of the comments are incorporated in this edition where possible. The Research department warmly welcomes all comments, suggestions and opinions on the content and format of this report. Please email Dr Jennifer Sauboorah with your comments: JSauboorah@BarCouncil.org.uk or telephone 020 7611 1302. Media queries should be directed to the Communications teams of the Bar Council or BSB.

SUMMARY: KEY FACTS

The Bar of England and Wales: profile 2010

This report details the composition of the barrister profession illustrating and identifying trends with a *Glossary of Terms* provided at the end.

The size and composition of the profession and those in the training stages are outlined here:

The practising profession in 2010

- 15,387 barristers held practising certificates, an increase of 0.7% (117) from 2009
- the practising profession has grown steadily over the past five years, averaging a growth rate of just over 0.8% during that period
- the largest annual increase in practising barristers in the last five years was between 2006 and 2007 when the practising profession grew by 1.8% (267)
- the practising profession constituted 12,420 (80.7%) self-employed barristers and 2,967 (19.3%) employed barristers
- the total practising profession consisted of 65.2% (10,033) men and 34.8% (5,354) women
- the total practising profession included 10.1% (1,564) barristers from a black and minority ethnic group (BME)
- 77.2% (11,885) were white barristers
- 12.6% (1,938) of barristers did not disclose their ethnicity, and
- the proportion of barristers with a disability at the practising Bar was 0.5% (88); 99.5% did not disclose whether or not they had a disability.

The self-employed Bar in 2010

- The self-employed Bar comprised 80.7% (12,420) of the practising profession
- the self-employed Bar comprised 68% (8,443) men and 32% (3,977) women
- the self-employed Bar consisted of 9.6% (1,203) BME barristers
- 79.7% (9,907) were white barristers
- 10.5% (1,310) barristers did not disclose their ethnicity
- self-employed barristers were members of 330 chambers
- there were 419 sole practitioners, and
- the proportion of barristers with a disability was 0.4% (48).

The employed Bar in 2010

- The employed Bar comprised 19.3% (2,967) of the practising profession
- the employed Bar comprised 53.6% (1,590) men and 46.4% (1,377) women
- the employed Bar consisted of 12.1% (361) BME barristers
- 66.6% (1,978) were white barristers
- 21.1% (628) of barristers did not disclose their ethnicity, and
- the proportion of barristers with a disability was 1.3% (40).

The Bar Professional Training Course in 2010/11

- 1,618 students were enrolled on the BPTC (full and part-time), and
- there were 3,100 applications to study the BPTC.

The Bar Professional Training Course in 2009/10

- 1,509 students were enrolled on the full-time BPTC
- 87% (1,318) of students passed the full-time course
- There were 2,540 applications to study on the BPTC
- 59.4% of applicants secured a place to study the BPTC
- 66% (997) of students were domiciled in the UK
- 34% (512) of students were from EU and International jurisdictions
- there were 47% (704) men and 53% (805) women
- 42.8% (647) were BME
- 48.1% (727) were white
- 26% of UK domiciled students were BME
- 68% (681) of UK domiciled students were white
- 8.9% (135) of students did not disclose their ethnicity, and
- 6.2% (94) of all students reported a disability.

Pupillage in 2010/11

- 446 First Six pupillages were registered in 2010/11, a decrease of 3% (460 in 2009/10), and
- 477 Second Six pupillages were registered, a decrease of 3.6% (495 in 2009/10).

Pupillage in 2009/10

- 460 First Six pupillages were registered in 2009/10, a decrease of 0.6% (463 in 2008/09)
- 495 Second Six pupillages were registered, a decrease of 4.4% (518 in 2008/09)
- 40% (184) of First Six pupils were men
- 48.5% (223) of First Six pupils were women
- 1.5% (53) of pupils did not state their gender
- 15.4% (71) of pupils were BME
- 72% (333) of pupils were white, and
- 12% (56) of pupils did not disclose their ethnicity.

Called to the Bar in 2009/10

- 1,852 barristers were Called to the Bar
- 70% (1,256) were British
- 30% (596) were non-UK nationals
- 47% (876) were men
- 53% (976) were women
- 44.2% (819) were BME
- 54.3% (1,006) were white, and
- 1.5% (28) of barristers did not disclose their ethnicity.

New tenants and newly employed barristers in 2009/10

- 497 tenancies were registered, an increase of 0.6% on the previous year (494 in 2008)
- in 2009, 213 barristers began work as newly employed barristers, a decrease of 10.8% on the previous year (239 in 2008)
- 56% (356) of tenants and newly employed barristers were men
- 44% (282) were women
- 11% (70) of tenants and newly employed barristers were BME
- 78% (496) were white, and
- 11% (72) did not disclose their ethnicity.

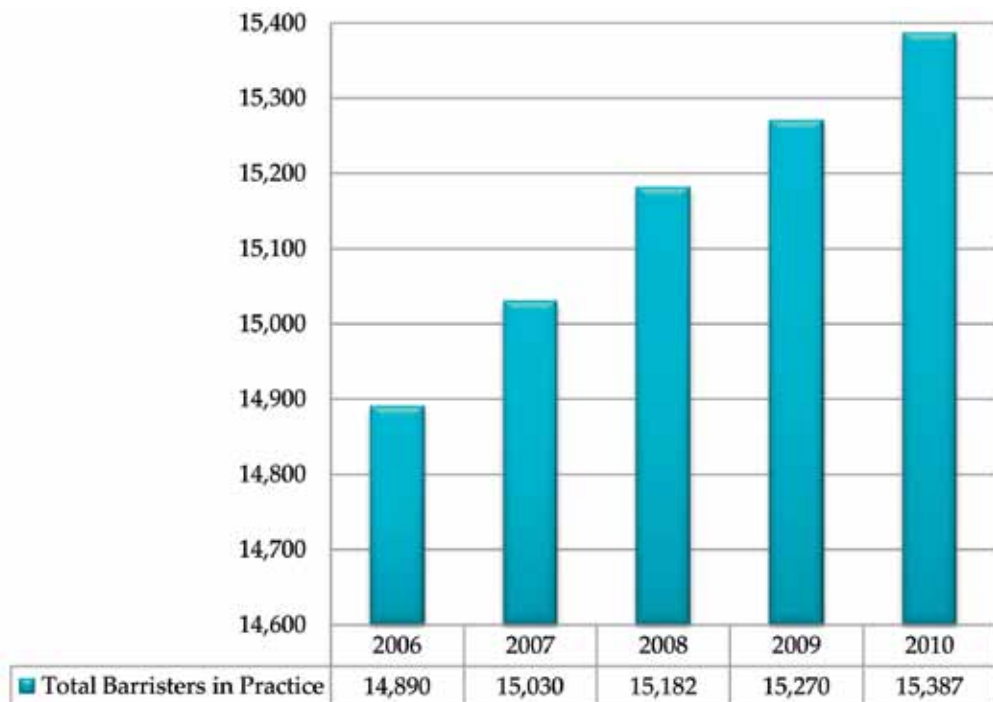
Queen's Counsel (QC) in 2010

- QCs constituted 9% of the practising profession
- At the self-employed Bar there were 1,397 QCs
- 89.1% (1,245) were men
- 10.9% (152) were women
- 4.8% (68) were BME
- 91.1% (1,273) were white, and
- 4% (56) of barristers did not disclose their ethnicity.
- At the employed Bar there were 19 QCs
- 84.2% (16) men
- 15.8% (3) women
- 5.3% (1) BME barrister, and
- 94.7% (18) white barristers.

1 THE PRACTISING BAR

- 1.1 Barristers in England and Wales are specialists in advocacy and provide expert legal advice when representing their lay and professional clients in courts and other legal contexts. Often, solicitors will refer work to a barrister but it is also possible for a member of the public to go directly to a barrister for advice or representation through the Public Access scheme (see BSB and Bar Council websites for more details). Barristers usually specialise in particular areas of the law such as commercial, civil, criminal and family law.
- 1.2 In December 2010 the number of barristers in England and Wales authorised to practise was 15,387. This was an increase of 0.8% from 2009.
- 1.3 Practising barristers are largely classified in one of two categories: self-employed or employed. In 2010, 80.7% (12,420) of barristers comprised the self-employed Bar and 19.3% (2,967) the employed Bar. There are 61 barristers who practise in a dual capacity; they work from chambers and also in an employed legal position. Seven of those barristers are dual capacity managers meaning they hold a management position in employed practice.
- 1.4 The total number of barristers in practice over the period 2006 to 2010 is represented in Figure 1. The total number of practising barristers has been rising; the an average annual increase was 0.8% over the period 2006-2010.

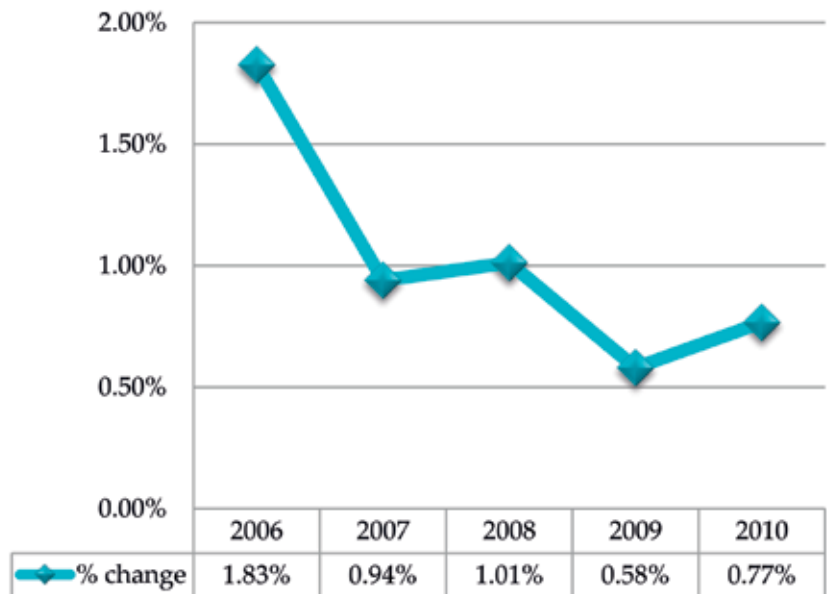
Figure 1: total number of practising barristers



1.5 The smallest annualised increase in the number of practising barristers was in 2009 when the profession grew by 0.5% (88). The biggest increase in the number of practising barristers was in 2006 when the profession grew by 1.8% (267).

1.6 Figure 2 shows that although the number of practising barristers is increasing, 2006-2010 has seen that growth rate decline, slowing from a rate of 1.8% in 2006 to just 0.77% in 2010. In the last 12 months the growth rate of the profession increased by almost 0.2% in comparison with the previous year.

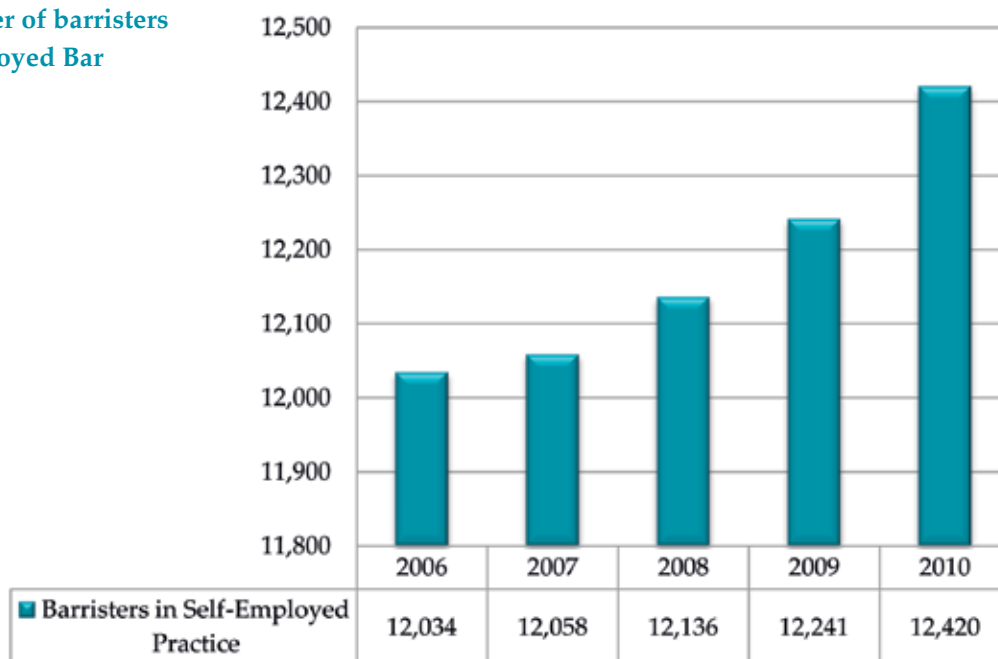
Figure 2: percentage growth of practising barristers



2 BARRISTERS AT THE SELF-EMPLOYED BAR

- 2.1 Self-employed barristers operate from sets of chambers. They comprise 80.7% of the practising profession, currently 12,420 barristers.
- 2.2 Figure 3 below illustrates the growth in the number of practising self-employed barristers from 2006 to 2010.

Figure 3: number of barristers at the self-employed Bar



- 2.3 The smallest increase in the number of self-employed barristers occurred between 2006 and 2007 when growth was 0.2% (24) barristers.
- 2.4 The average annualised percentage change increase over the period 2006-2010 was 0.79%. The corresponding average annualised percentage increase for the employed Bar was 0.96%.
- 2.5 In the last year the self-employed Bar grew by 1.4% (179) and the employed Bar decreased in size by 2% (62).

Sole practitioners

2.6 Sole practitioners are self-employed barristers who have been in practice for at least three years following the completion of pupillage and then decide to practise independently of chambers in accordance with the requirements of the *Code of Conduct of the Bar of England and Wales*.

2.7 Figure 4 shows the number of sole practitioners authorised to practise. Numbers have increased steadily between 2006-2010.

2.8 Figure 5 shows sole practitioners as a proportion of the self-employed Bar between 2006 and 2010. The percentage of sole practitioners as a proportion of the practising Bar fell by 0.5% (28) over the last year.

Figure 4:
sole practitioners

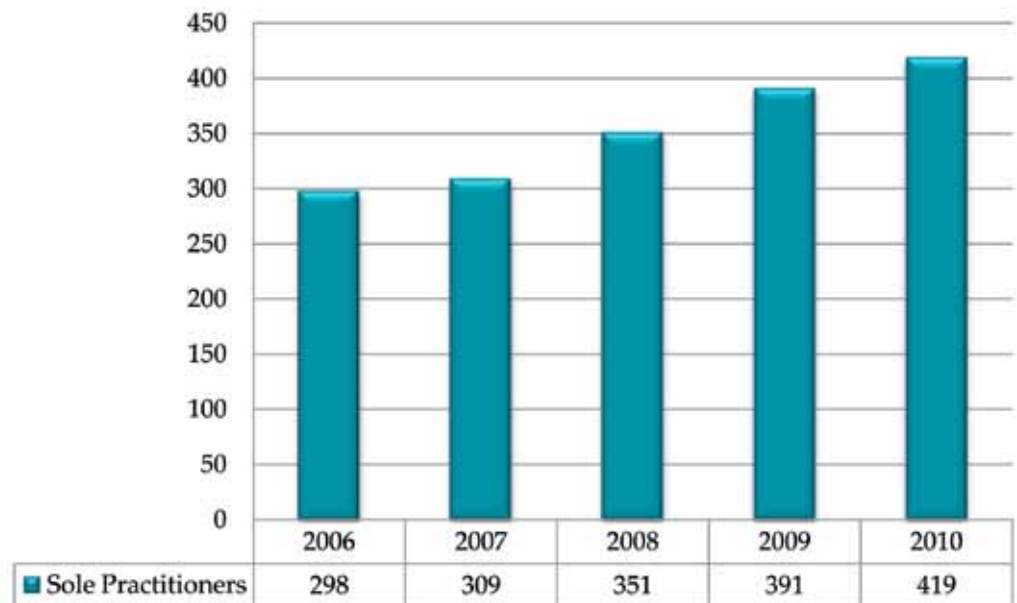
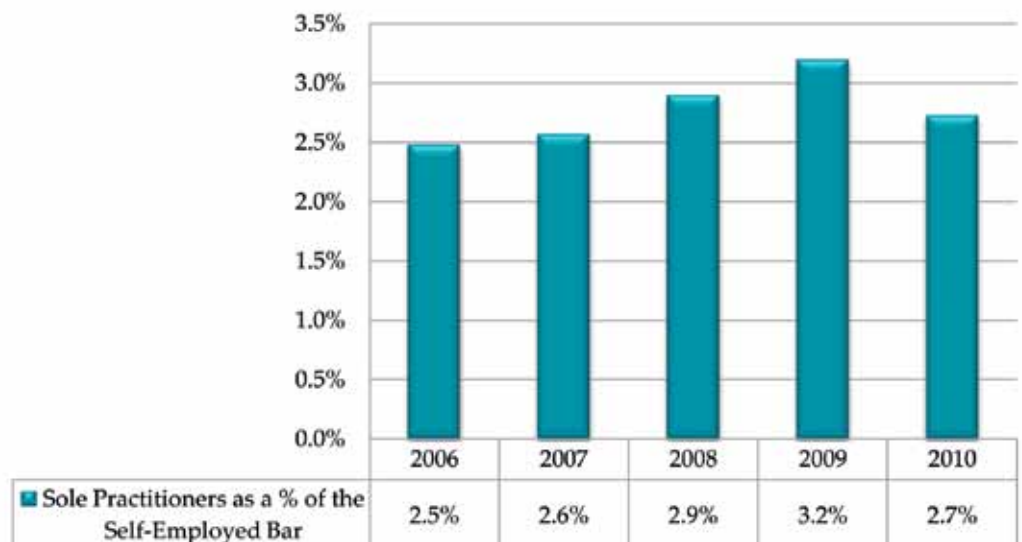


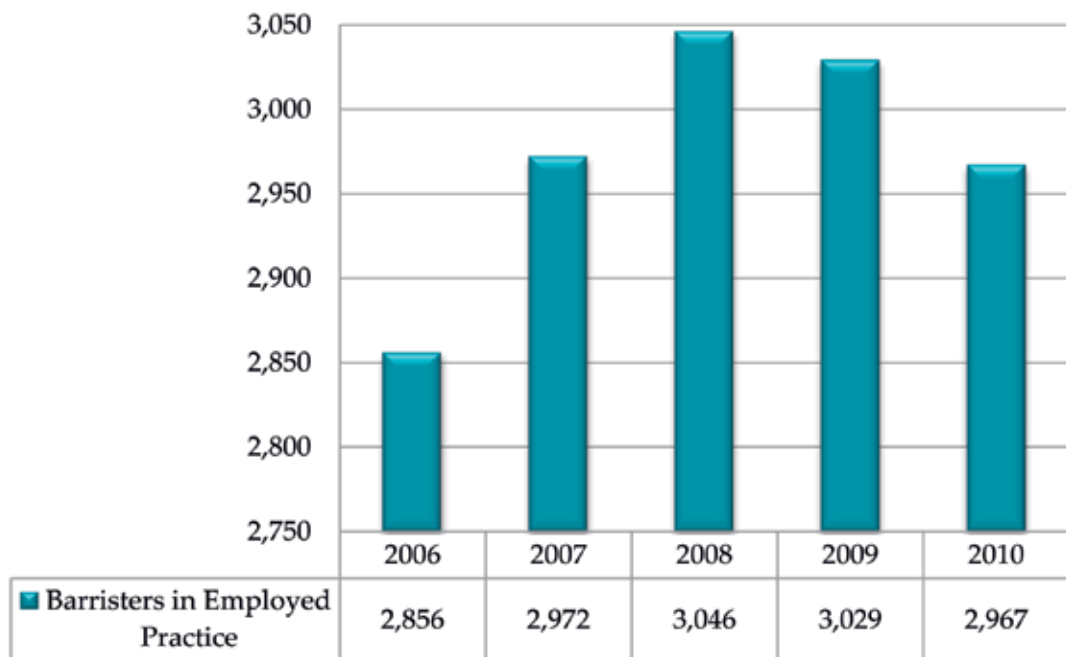
Figure 5:
sole practitioners
as a proportion of the
self-employed Bar



3 THE EMPLOYED BAR

3.1 Employed barristers practise in a number of organisations and sectors from the Crown Prosecution Service to the financial and service sectors. They comprise 19.3% of the practising profession, totalling 2,967 barristers in 2010. Figure 6 illustrates the number of practising employed barristers from 2006 to 2010.

Figure 6:
barristers at the
employed Bar



3.2 The number of barristers at the employed Bar has grown by an average annual rate of 0.9% over the period 2006 to 2010. The largest increase of 4% (116) was between 2007 and 2008. Last year the employed Bar decreased in size by 2% (62) barristers whereas the self-employed Bar grew by 1.4% (179).

4 GENDER COMPOSITION AT THE BAR

- 4.1 The composition of men and women at the Bar is depicted in Figures 7 and 8. Over the last five years women have come to comprise an increasingly large part of the practising profession. In 2006 there were 66.6% men and 33.4% women practising as barristers. In 2010 the proportion of men in the profession was 65.2% and women, 34.8%. The average growth rate over the last five year period was 1.8% for women and for men it decreased by 0.2%.
- 4.2 The biggest increase in the number of women practising at the Bar was between 2006 and 2007 when growth was 2.7% (136). The smallest increase in women practising at the Bar was seen between the years 2009 and 2010 when growth was 1.8% (95).

Figure 7: gender composition at the Bar (%)

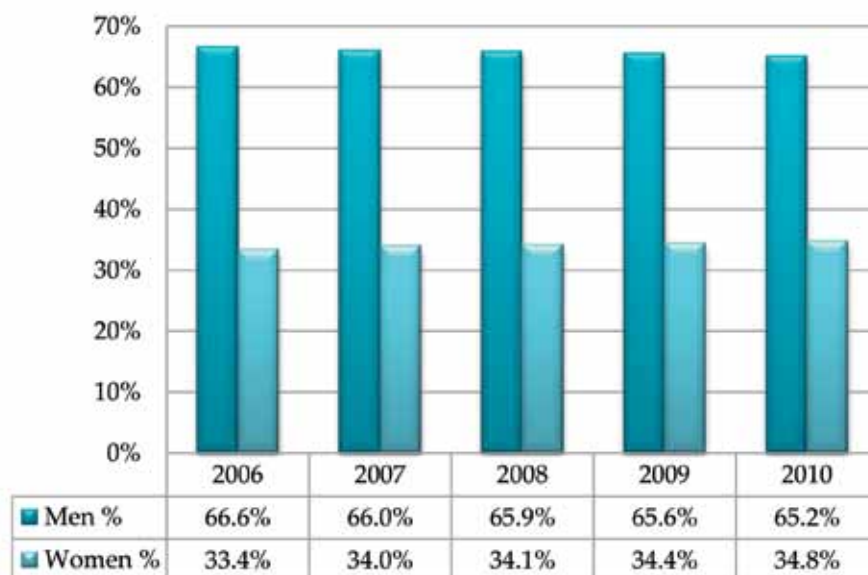
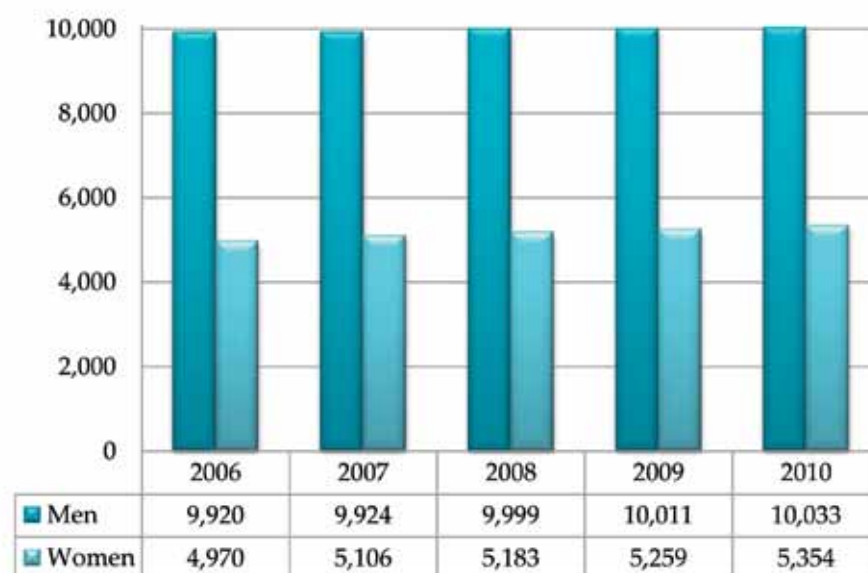


Figure 8: gender composition at the Bar (figures)



Gender composition: the self-employed Bar

- 4.3** Figures 9 and 10 show the proportions of men and women at the self-employed Bar between 2006 and 2010. During that time women have increased as a proportion of the profession, growing to almost one third of the 12,420 barristers practising in 2010.
- 4.4** Figure 9 below shows that in 2006 women comprised 30.4% of the profession and this rose to 32% in 2010. The average percentage increase over the five year period was 2.1%.
- 4.5** The proportion of men at the self-employed Bar has declined slightly for the five year period 2006 to 2010. Figure 9 shows that in 2006 men comprised 69.6% of the profession decreasing to 68% in 2010, a drop of 1.6%.

Figure 9:
self-employed Bar
gender composition (%)

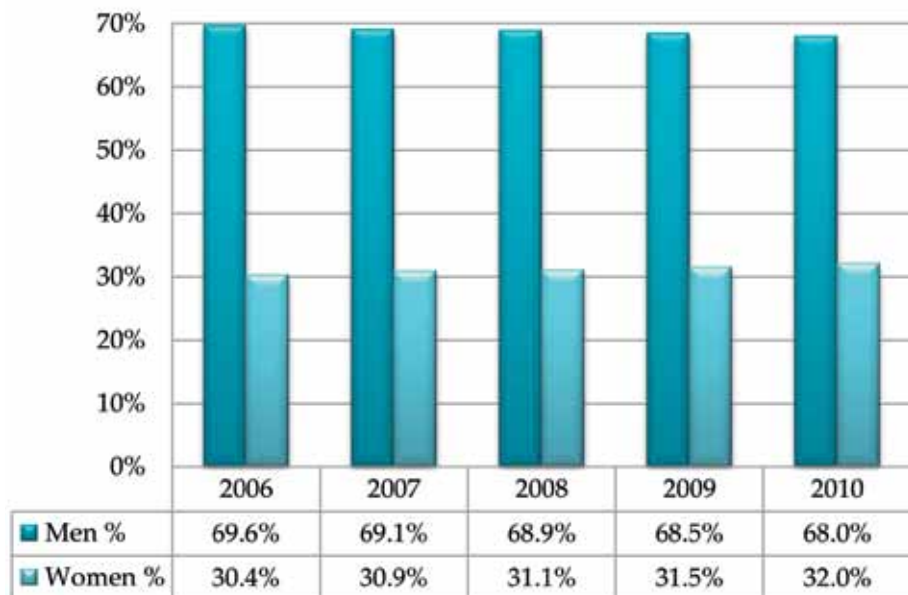
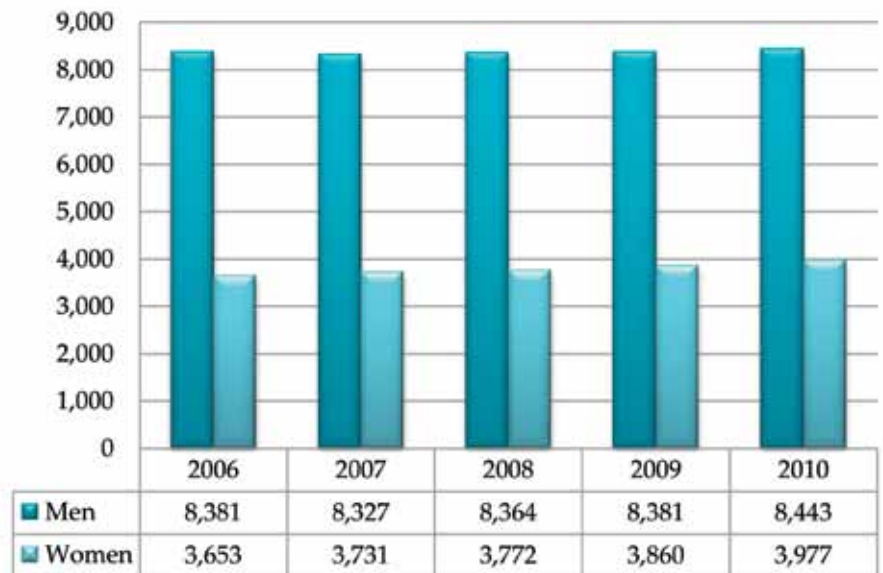


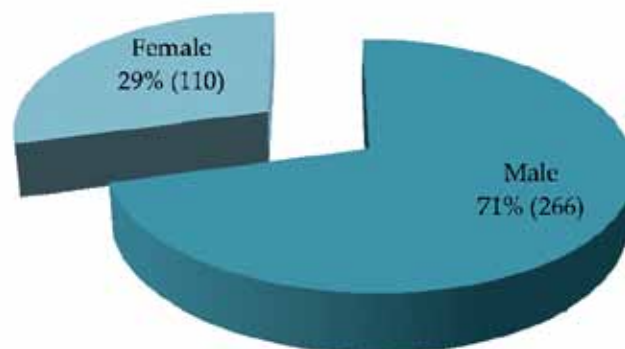
Figure 10:
self-employed Bar
gender composition (figures)



Gender composition: sole practitioners

- 4.6 Figure 11 shows the proportions of men and women practising as sole practitioners in 2011 (only data for 2011 is available). Men comprised 71% (266) of all sole practitioners, and women 29% (110).

Figure 11: gender composition
sole practitioners



Gender composition: the employed Bar

- 4.7 The number of women at the employed Bar has increased slightly as a proportion of the employed Bar, growing to over 46% over the period 2006 to 2010. Figure 12 below shows that in 2006 women comprised 46.1% of the employed Bar, rising to 46.4% in 2010. The average percentage increase over the period was 1.1% as shown in Figure 13.
- 4.8 There has been little variation in the proportion of men at the employed Bar over the period 2006 to 2010. Figure 13 below shows that in 2006 men comprised 53.9% of the employed Bar, decreasing by 0.3% to 53.6% in 2010.

Figure 12:
employed Bar
gender composition
(%)

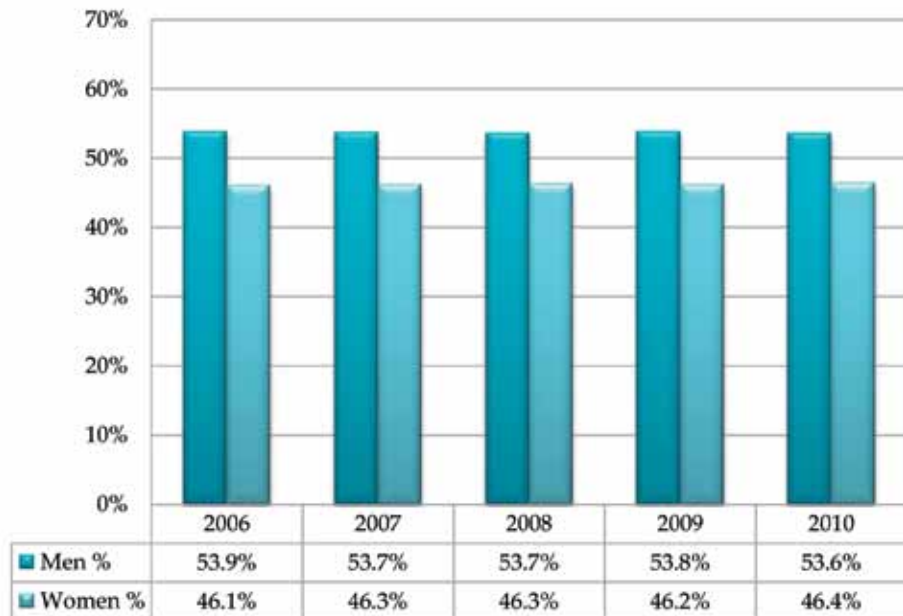
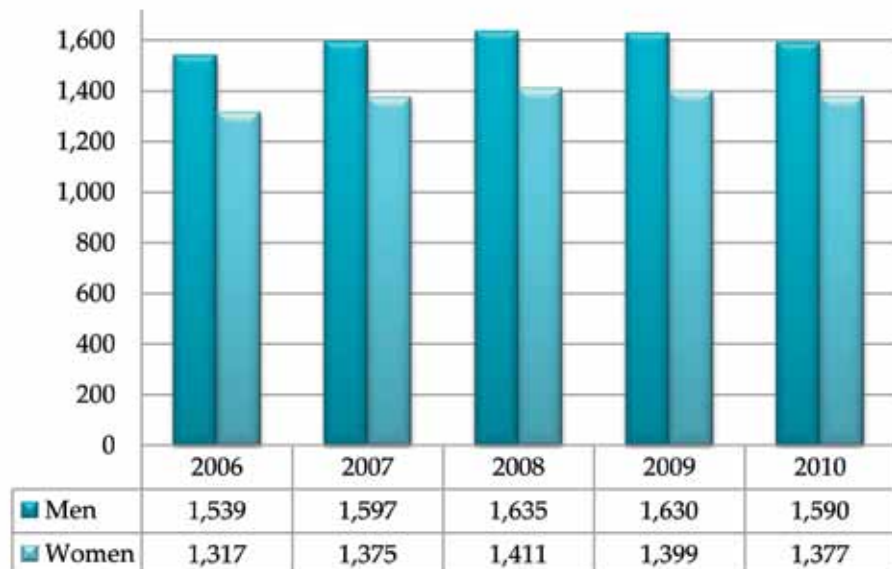


Figure 13:
employed Bar
gender composition
(figures)



5 ETHNICITY AT THE BAR

5.1 Figures 14 and 15 depict the ethnic profile of the Bar between 2006 and 2010. In 2006 BME barristers comprised 9.6% of the practising profession. The proportion of BME barristers increased from 9.6% to 10.2% over that period. This represents an average annualised increase of 2.2% in BME barristers when looking at increases over the period 2006-2010.

Figure 14:
practising Bar
ethnicity composition (%)

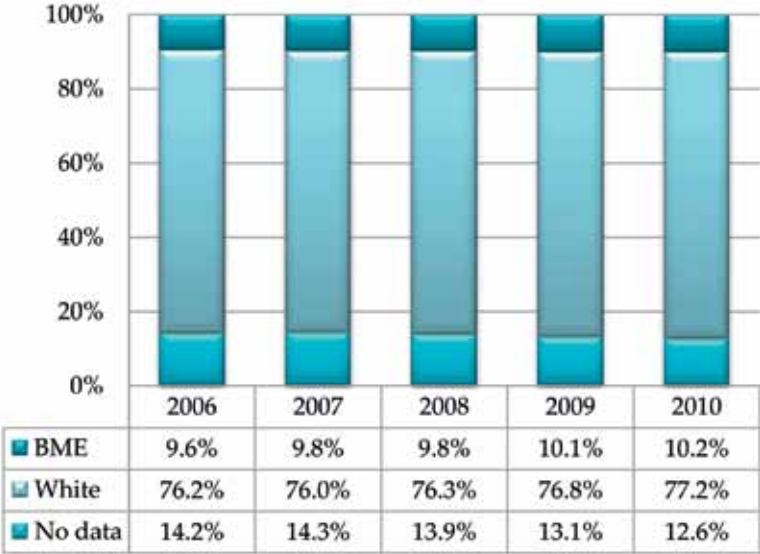
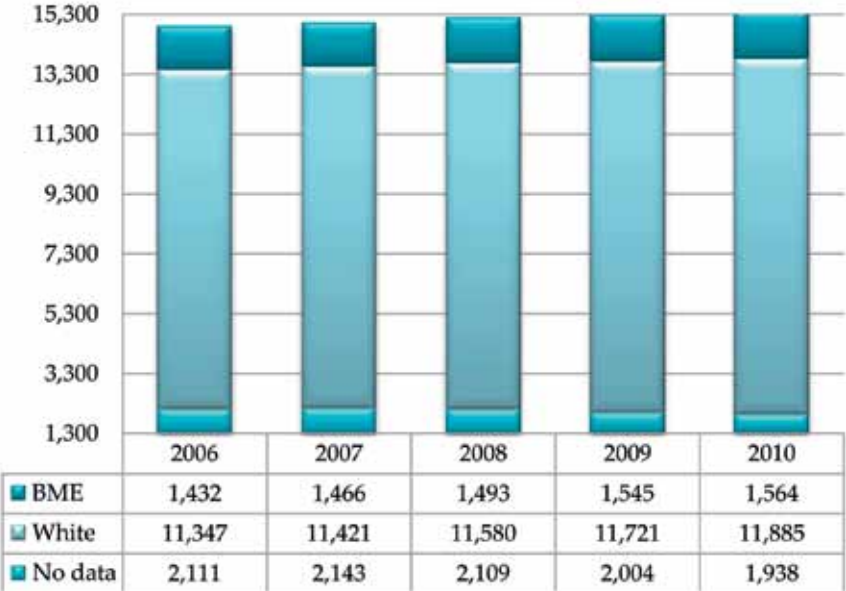


Figure 15:
practising Bar
ethnicity composition (figures)



Ethnicity: the practising Bar at five years' Call

5.2 The following Figures look at the ethnicity of barristers at five years' and 15 years' Call and over, (see *Glossary* for explanation of Call to the Bar). Figures 16 and 17 show the ethnic profile of the Bar when barristers reach five years' Call where information was given (about one third of barristers at five years' Call did not disclose their ethnicity). In 2006, 9.2% of barristers at five years' Call disclosed their ethnicity as BME. This decreased from 9.4% to 7.7% between 2006 and 2010. In 2006, white barristers comprised 63.6% of those at five years' Call in 2006; in 2010 the percentage of white barristers fell to 62.7% of those practising at the Bar.

Figure 16:
Bar ethnicity composition
five years' Call (%)

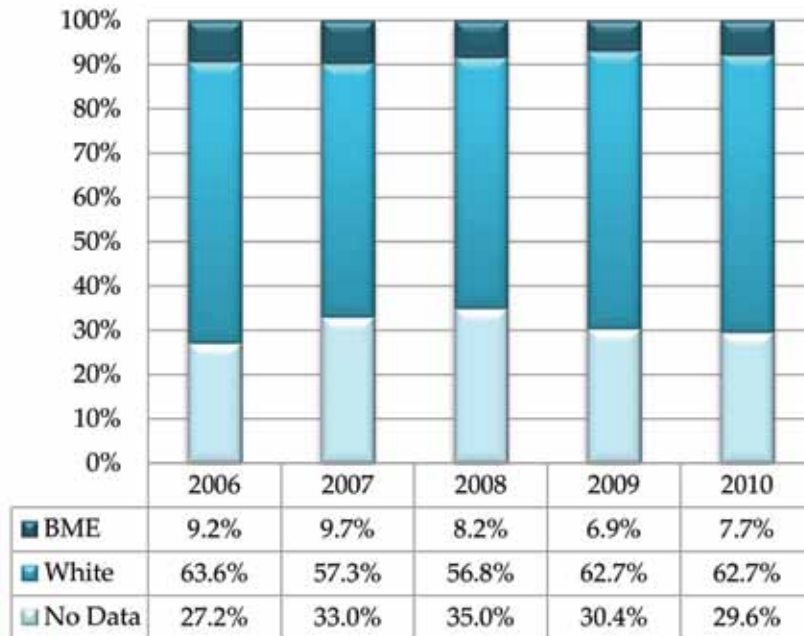
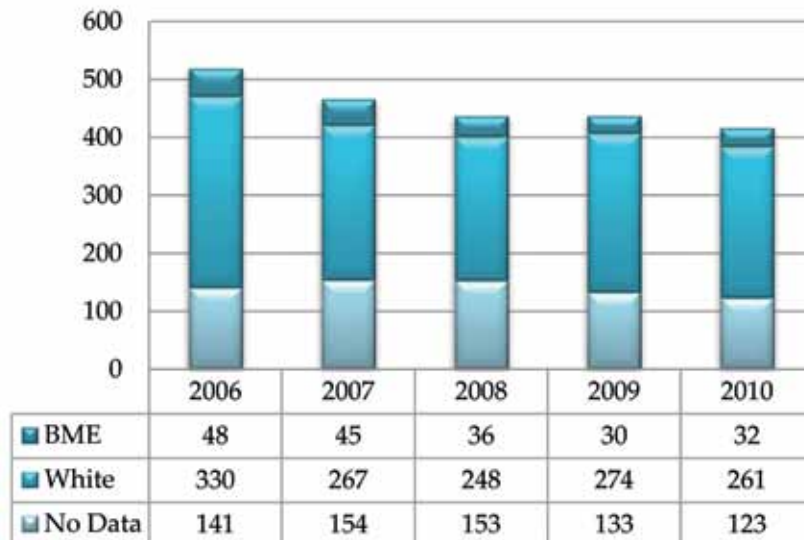


Figure 17:
Bar ethnicity composition
five years' Call (figures)



Ethnicity: the practising Bar at 15 years' Call and over

- 5.3 Figures 18 and 19 show the ethnicity of barristers at 15 years' Call and over. Just over 40% of barristers authorised to practise are of 15 years' Call and over. In some instances year of Call does not indicate experience of practising at the Bar as a career break(s) may have been taken.
- 5.4 In 2006, 7.8% of barristers of 15 years' Call and over disclosed their ethnicity as BME. This increased to 8.8% between 2006 and 2010. In 2006 white barristers comprised 82.3% of those at 15 years' Call increasing to 83.2% in 2010.

Figure 18:
Bar ethnicity composition
15 years' Call (%)

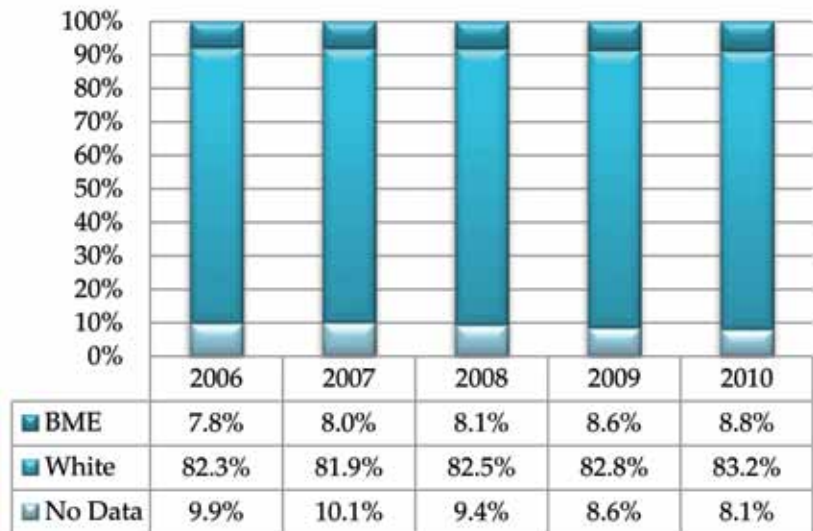
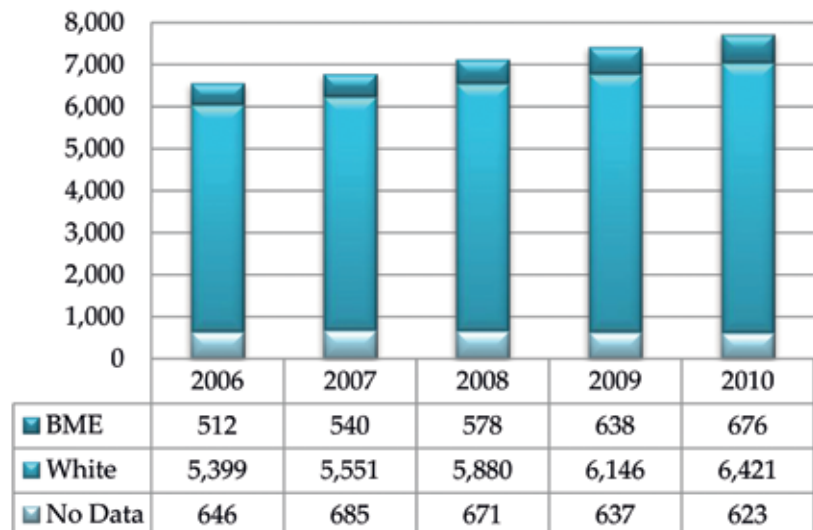


Figure 19:
Bar ethnicity composition
15 years' Call (figures)



Ethnicity: the self-employed Bar

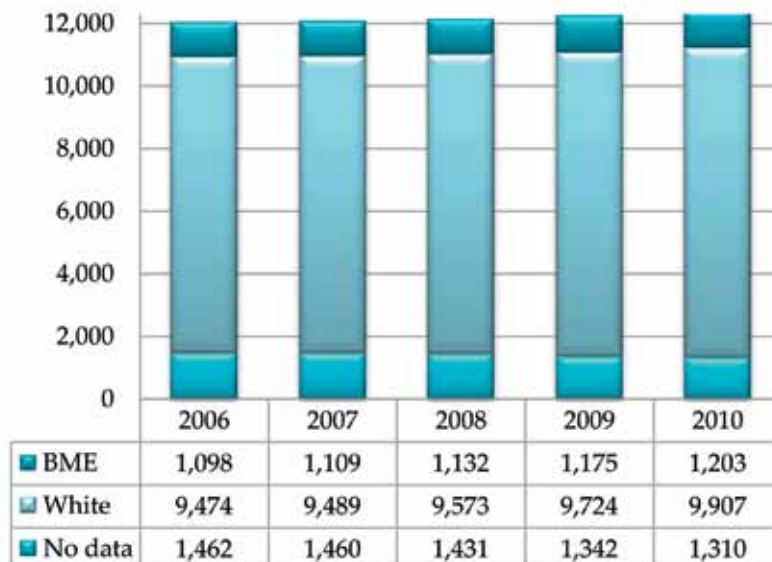
5.5 Figures 20 and 21 show the ethnic profile of the self-employed Bar over the period 2006 to 2010. In 2006 BME barristers comprised 9.1% of the self-employed Bar. Over the five years to 2010 that number grew by 0.6%. The annualised average percentage increase over the period 2006-2010 was 2.6%.

5.6 In the period 2006 to 2010 the smallest increase in the BME category was between 2006 and 2007. During 2006 to 2007 growth in the number of BMEs was 1.1% as a proportionate difference in the annual growth of BMEs over the period 2006 to 2010. The largest increase was between 2009 and 2010 when annual growth in BME numbers was 3.8% (43).

Figure 20:
self-employed Bar
ethnicity composition (%)



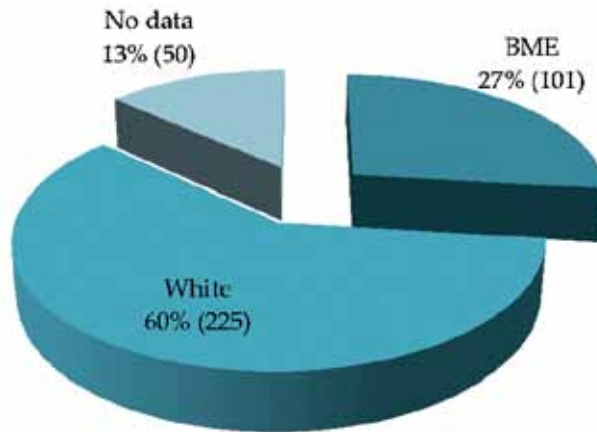
Figure 21:
self-employed Bar
ethnicity composition (figures)



Ethnicity: sole practitioners

- 5.7 Figure 22 depicts the ethnic profile of sole practitioners at the self-employed Bar for 2011 (only 2011 data is available). BME barristers comprised 27% of sole practitioners; white barristers 60% (225) and 13% (50) did not provide data.

Figure 22:
sole practitioner
ethnicity composition



Ethnicity: the employed Bar

5.8 Figures 23 and 24 depict the ethnic profile of the employed Bar over the period 2006 to 2010. In 2006 BME barristers comprised 11.7% of the employed Bar. Over the five years to 2010 that percentage grew to 12.2%. The average annualised increase in BME barristers over that period was 1.9%.

5.9 The percentage of BME barristers at the employed Bar in 2010 showed no change from 2009, the actual number of BME barristers fell by nine. The largest increase in BME barristers was between 2006 and 2007 when annualised growth was 6.8%.

Figure 23:
employed Bar
ethnicity composition (%)

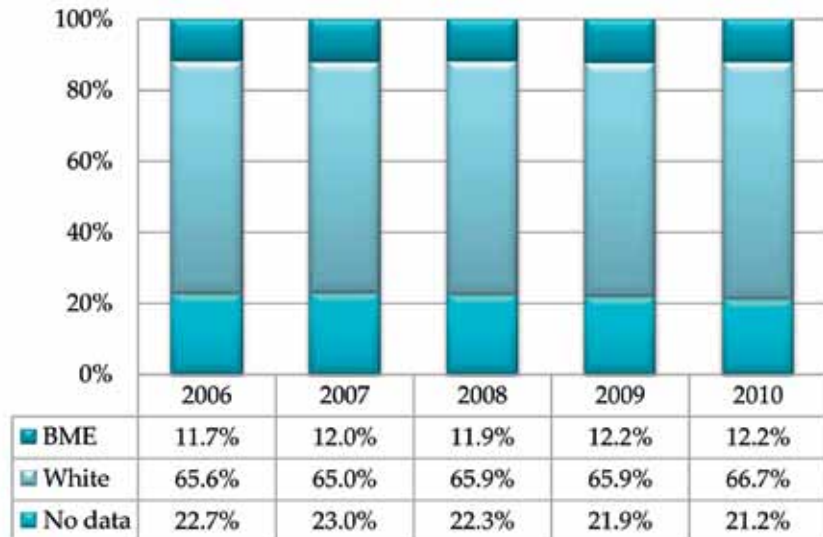
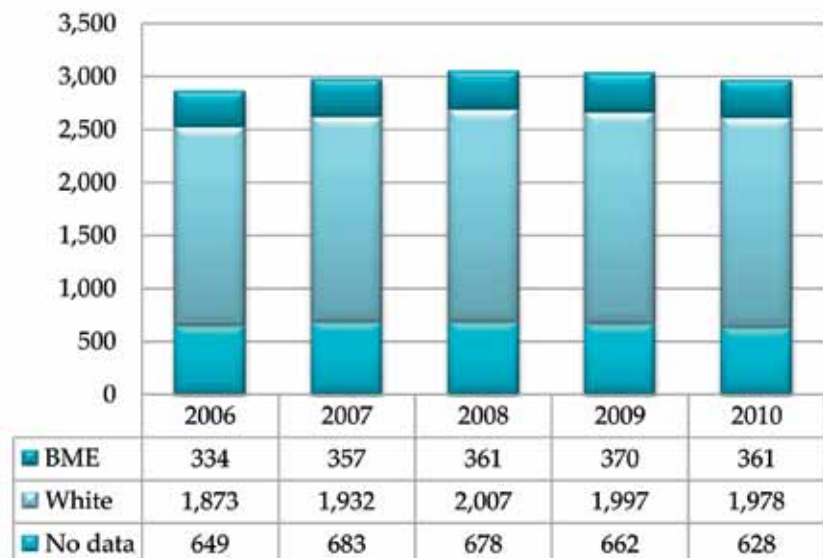


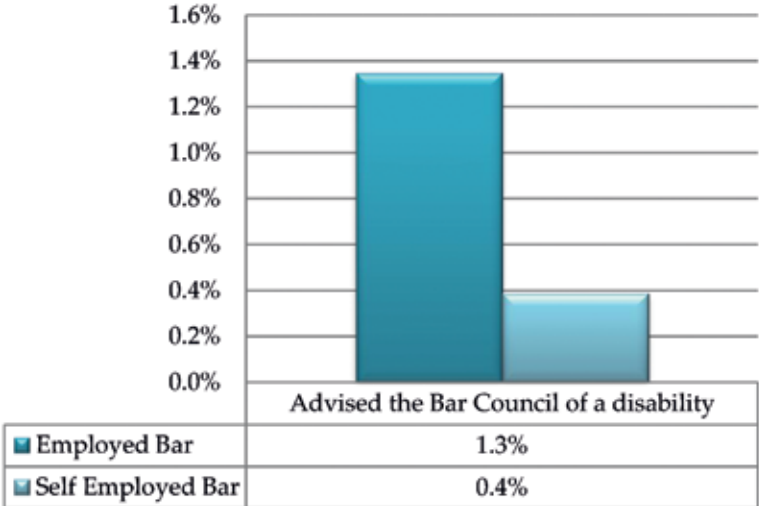
Figure 24:
employed Bar
ethnicity composition (figures)



6 DISABILITY AT THE BAR

- 6.1 Figure 25 shows the number of practising barristers with a disability. Levels of disability are collected through the Annual Chambers Return which has very high levels of missing data. The proportion of barristers at the Bar disclosing a disability was 0.57% (88).
- 6.2 The employed Bar has proportionally more barristers who disclosed a disability than the self-employed Bar. At the employed Bar 1.3% of barristers disclosed a disability and at the self-employed Bar 0.4% (48) barristers disclosed a disability.

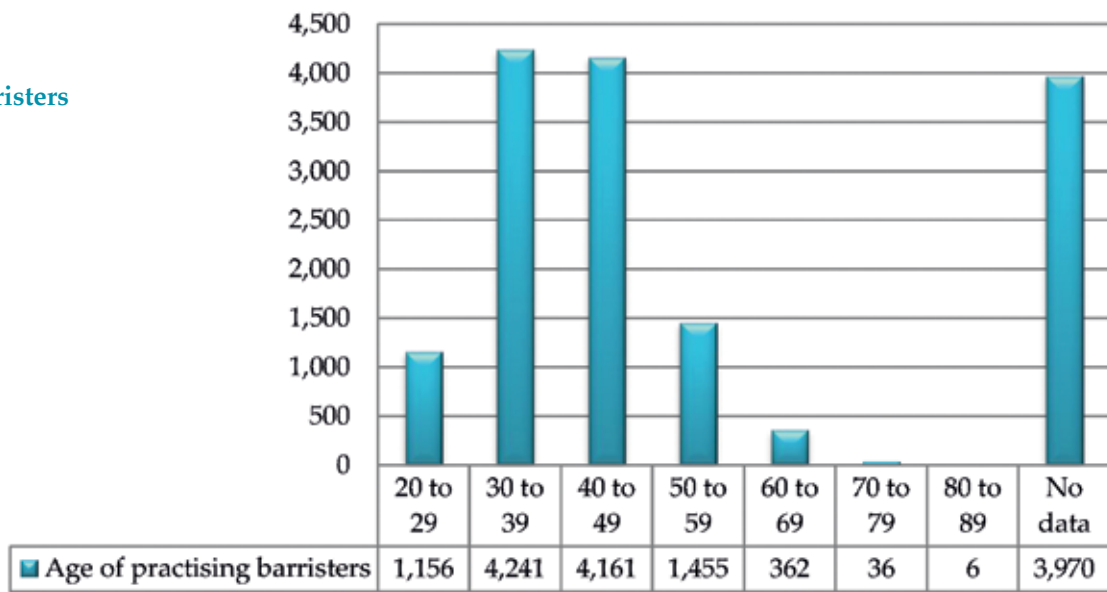
Figure 25:
disability at the Bar



7 AGE AT THE BAR

7.1 Figure 26 below shows the age profile of practising barristers. Most practising barristers are within the 30-39 years of age category, closely followed by the 40-49 years category.

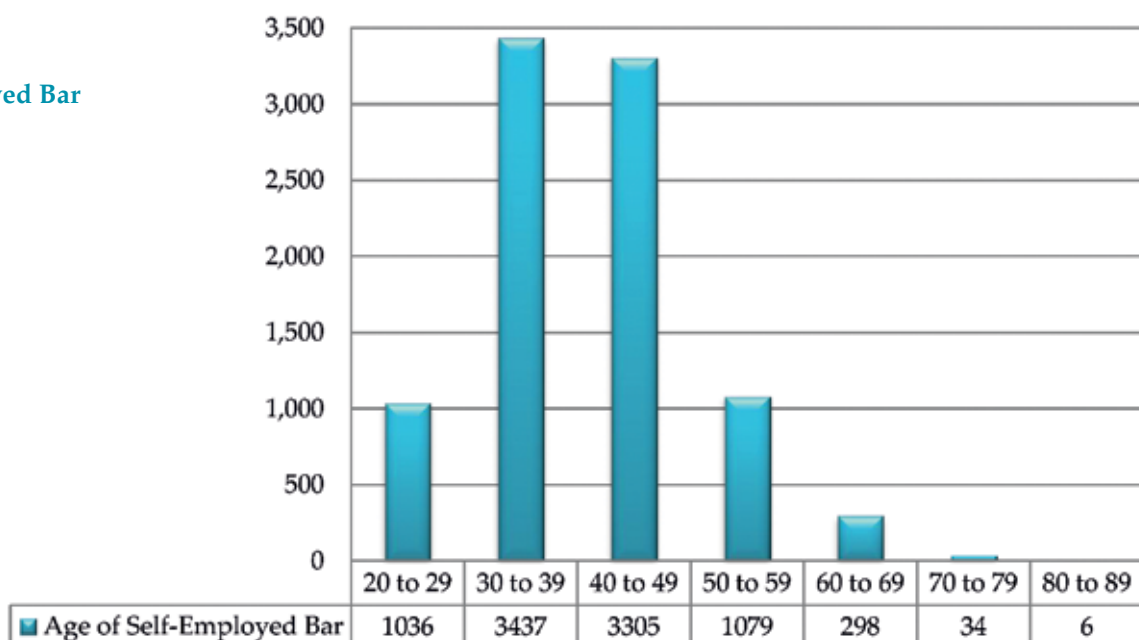
Figure 26:
age of
practising barristers



Age: the self-employed Bar

7.2 Figure 27 below shows the age profile of barristers at the self-employed Bar (omitting missing data). Most self-employed barristers are within the 30-39 years of age category, closely followed by the 40-49 years of age category. The average age of a self-employed barrister is 40 years.

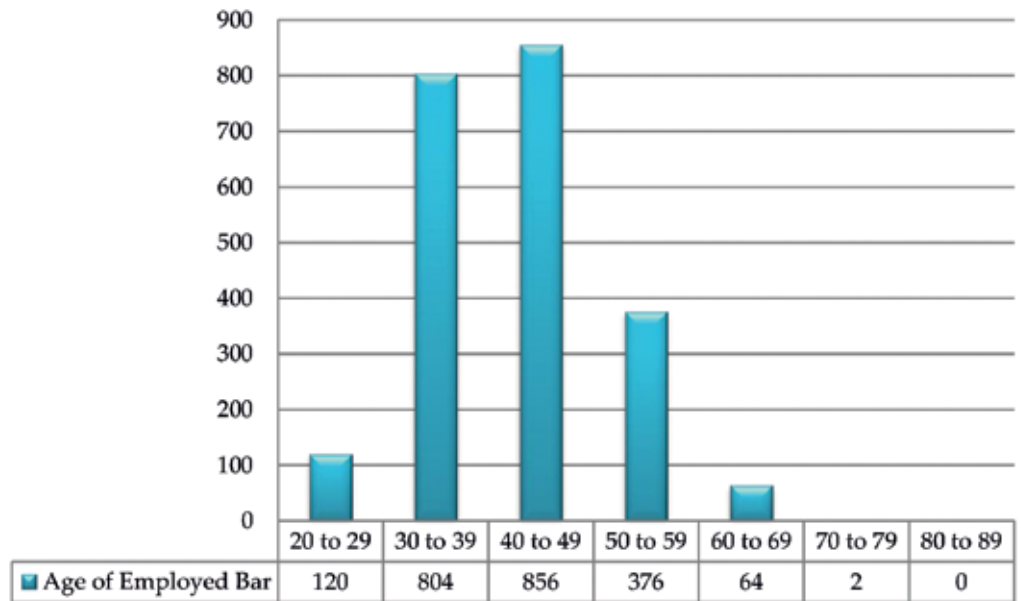
Figure 27:
age of
self-employed Bar



Age: the employed Bar

- 7.3 Figure 28 below shows the age profile of barristers at the employed Bar, (omitting missing data). Most barristers are within the 40-49 years of age category, closely followed by the 30-39 years of age category. The average age of an employed barrister is 48 years.

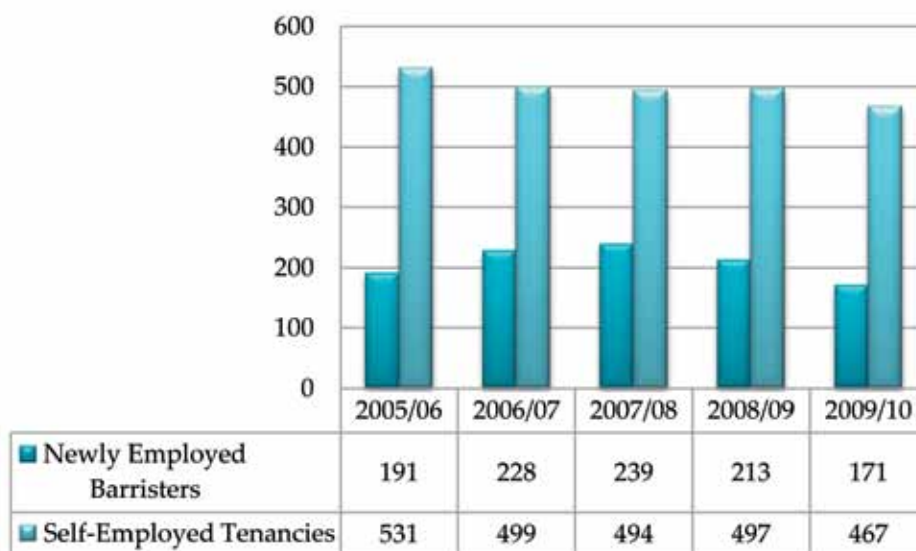
Figure 28:
age of employed Bar



8 TENANCY AND NEWLY EMPLOYED BARRISTERS

- 8.1** Securing 'tenancy' means being accepted as a permanent member of chambers (see *Glossary*).
- 8.2** The number of tenancies and new starter positions at the employed Bar have fluctuated as depicted in Figure 29. Over the period 2005/06 to 2009/10 the average annualised change in registered tenancies was a decrease of 3.1%. The largest increase was between 2007/08 and 2008/09 when tenancies grew by just 0.6% (3). The biggest decrease was 6% (32) during the period 2005/06 and 2006/07.

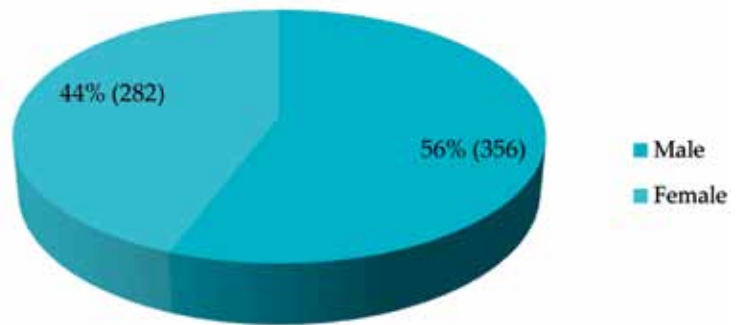
Figure 29:
tenancies and newly
employed barristers



Gender distribution: tenancy and newly employed barristers

- 8.3 Figure 30 shows that in 2010 the gender composition of those securing tenancy and positions as newly employed barristers was: 56% (356) men and 44% (282) women.¹

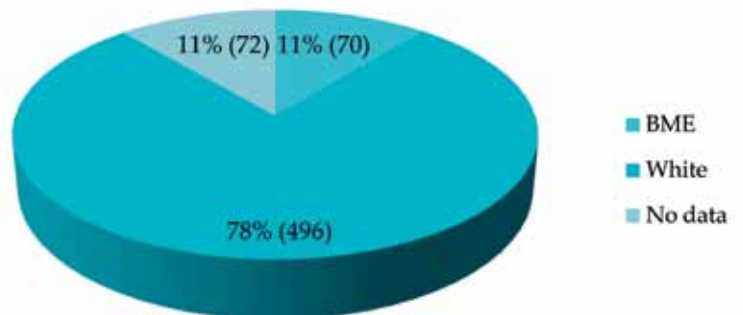
Figure 30:
tenancy gender composition



Ethnicity distribution: tenancy and newly employed barristers

- 8.4 Figure 31 shows that in 2010 the ethnic composition of those securing tenancy and newly employed positions was 11% (70) BME barristers; 78% (469) white barristers and 11% (72) of barristers did not disclose their ethnicity.

Figure 31:
tenancy ethnicity composition



¹Only 2010 monitoring data is available at the present time.

9 QUEEN'S COUNSEL

- 9.1 Barristers from the self-employed and employed Bar can apply for consideration to be appointed as Queen's Counsel (QC). Once appointed they are considered as experts in their field, generally with a minimum of ten years' practice. When barristers are confirmed as Queen's Counsel this is known informally as 'taking silk' due to their entitlement to wear black silk gowns in court instead of the standard court dress.
- 9.2 Over the period 2006 to 2010 QCs comprised between 7% and 9% of the practising profession.

Self-employed Bar: gender composition: Queen's Counsel

- 9.3 The number of QCs at the self-employed Bar has slightly increased over the period, 2006 to 2010. Figures 32 and 33 below show that in 2006 women comprised 9.2% of all QCs, rising to 10.9% in 2010.

Figure 32: self-employed Bar QC gender composition (%)

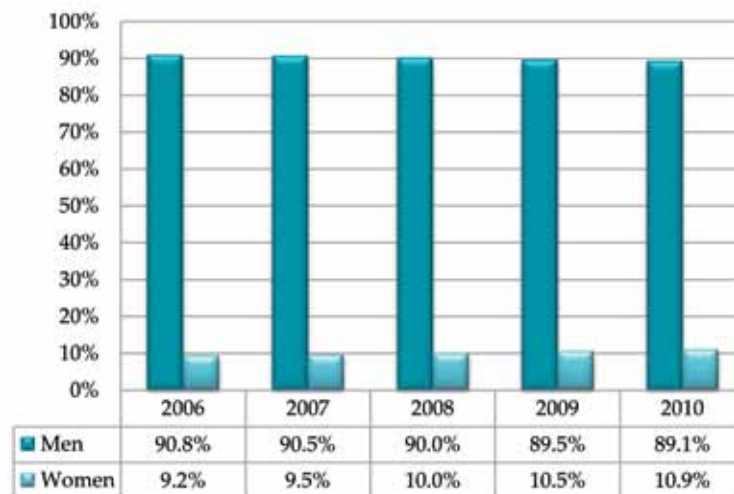
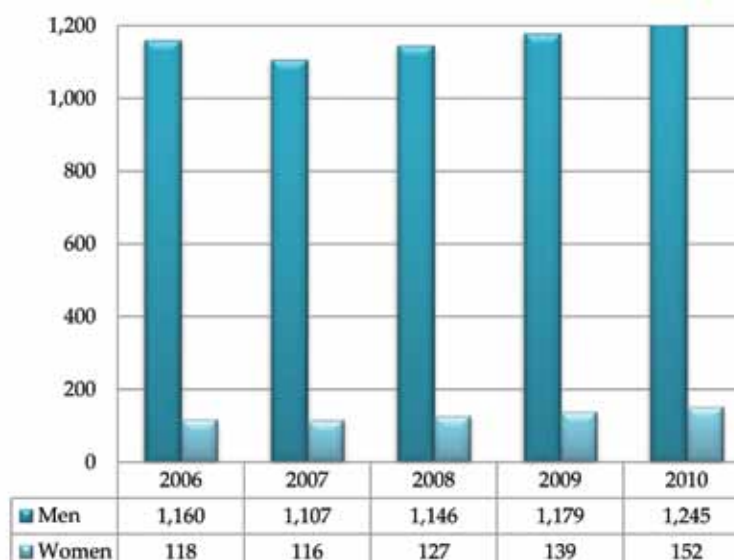


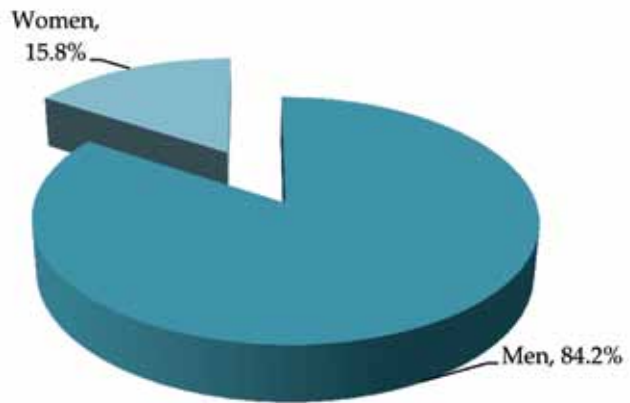
Figure 33: self-employed Bar QC gender composition (figures)



Employed Bar: gender composition: Queen's Counsel

9.4 Figure 34 below shows the gender proportions of QCs practising at the employed Bar for 2011; there are 19 QCs in total (only data for 2011 is available). QCs comprise 0.6% of the employed Bar.

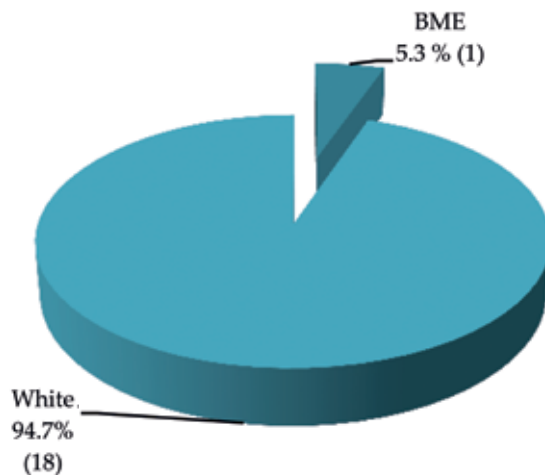
Figure 34: employed Bar QC gender composition



Employed Bar: ethnicity composition: Queen's Counsel

9.5 Figure 35 shows that the proportion of BME QCs at the employed Bar is 5.3% (1). 94.7% (18) barristers comprise white employed QCs.

Figure 35: employed Bar QC ethnicity composition



Self-employed Bar ethnicity composition: Queen's Counsel

9.6 Figures 36 and 37 depict the ethnic profile of Queen's Counsel over the period 2006 to 2010. The data on the respective ethnic categories has shown little change over the period. In 2006 BME barristers comprised 3.6% of Queen's Counsel. Over the years to 2010 that proportion grew to 4.9%. Growth as an annual percentage among BMEs was 10.2% over the period 2006 to 2010.

Figure 36: self-employed Bar QC ethnicity composition (%)

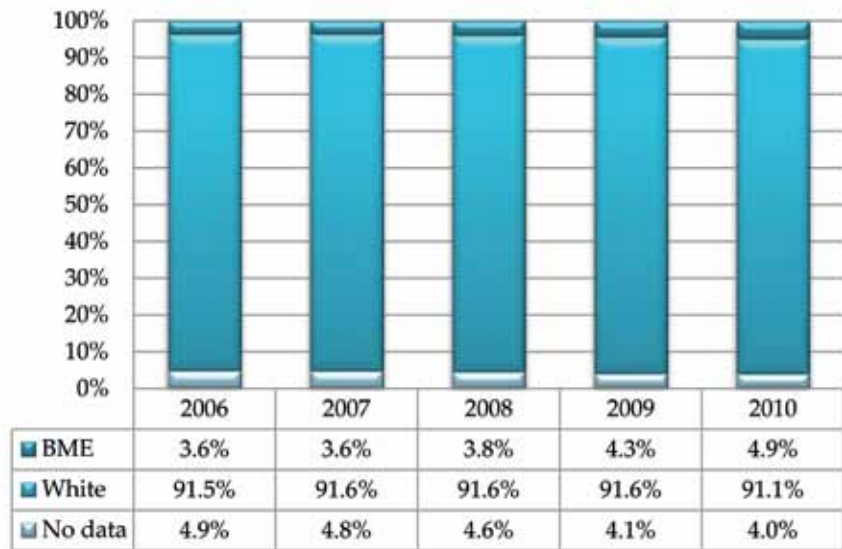
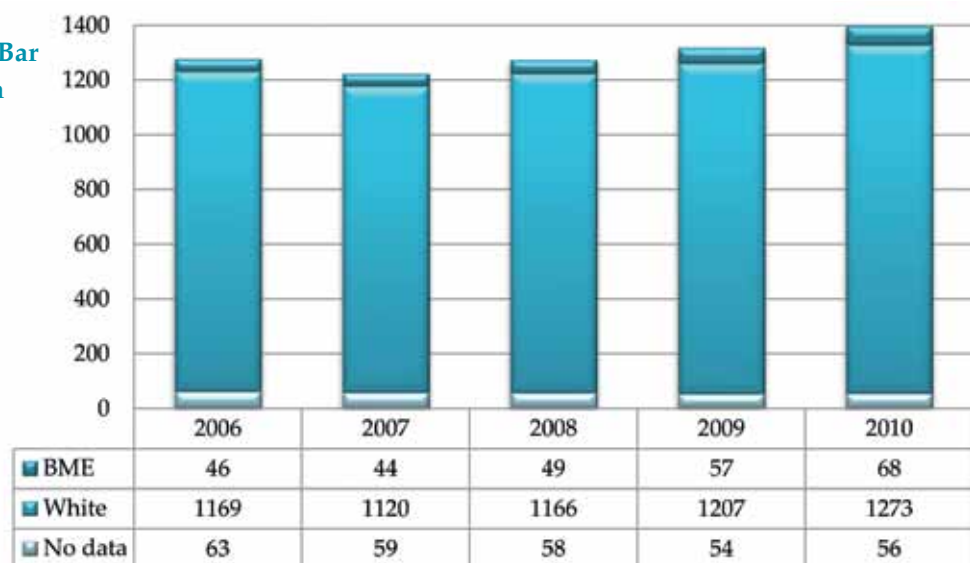
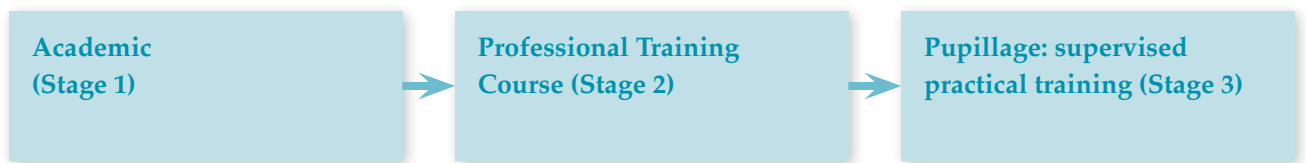


Figure 37: self-employed Bar QC ethnicity composition (figures)



10 TRAINING FOR THE BAR

- 10.1** There are three stages that must be completed in order to be authorised to practise as a barrister in England and Wales.



- 10.2** The Academic Stage requires successful completion of an undergraduate degree in law or an undergraduate degree in any other subject and a one year conversion course, either the Common Professional Examination (CPE) or an Approved Graduate Diploma in Law (GDL) course.²
- 10.3** The Professional Training Course Stage requires successful completion of the Bar Professional Training Course (BPTC) over one year full-time or two years part-time.³ During the BPTC there are 12 compulsory qualifying sessions that the Inns hold for their members. Those who pass the BPTC are called to the Bar by their respective Inn of Court.⁴
- 10.4** The third stage in training for the Bar is pupillage. This is an overall period of 12 months split into two six month periods referred to as First Six and Second Six.⁵ Pupillage is spent in an Approved Training Organisation (either a barristers' chambers or another approved legal environment).
- 10.5** The BPTC attracted between 2,500 and 3,000 applicants each year for the period 2005-2010. Of those applicants, between 1,700 and 2,000 students were enrolled. Between 2005-2010, between 1,400 and 1,800 passed. There are between 20-30% International students enrolled on the BPTC. Please see Chapter 17 for a summary of Key Facts BPTC of Student Data in 2009/10.

² The standard requirement for completion of the Academic Stage is a 2ii UK Honours Degree.

³ Prior to Autumn 2010 the Bar Professional Training Course was called the Bar Vocational Course (BVC).

⁴ The Inns of Court are Lincoln's Inn, Inner Temple, Middle Temple and Gray's Inn.

⁵ First Six and Second Six do not have to be completed in a full calendar year.

11 THE BAR PROFESSIONAL TRAINING COURSE

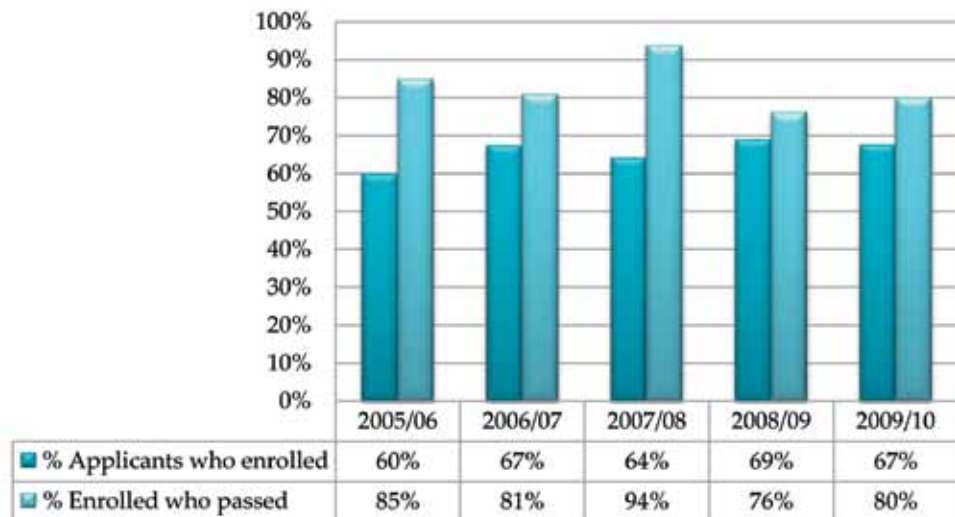
11.1 The purpose of the BPTC (formerly the BVC) as outlined in the *Bar Professional Training Course, Course Specification and Guidance*⁶ is:

To enable students, building on their prior learning, to acquire and develop the skills, knowledge and values to become effective members of the Bar of England and Wales. As part of the continuum of training, from the academic stage through to pupillage and continuing professional development of practising barristers, it acts as the bridge between the academic study of law and the practice of law. It aims to move the student from the classroom to the courtroom. It is, therefore, different in its culture and the nature of its demands from that of the academic stage of training, the Qualifying Law Degree [QLD] or [Common Professional Examination] (CPE).

Statistics

11.2 Figures 38 and 39 illustrate the percentage of applicants who enrolled as students on the BPTC and those who subsequently passed the course. The pass rates here refer to all students who started the course in that year so includes those students who studied part-time and those who deferred from previous years.

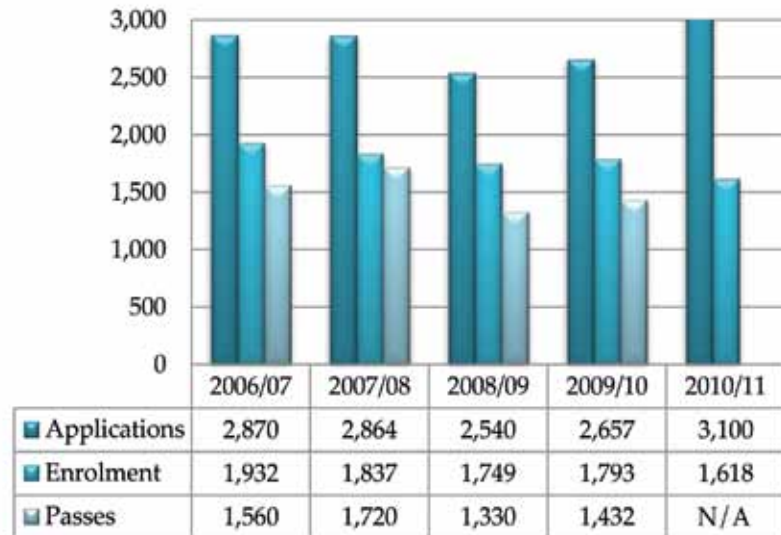
Figure 38:
student statistics
for the BPTC (%)



⁶ www.barstandardsboard.org.uk/media/28049/bptc_final_pdf.pdf

11.3 Figure 39 illustrates applications, enrolment and passes of those students on the BPTC.

Figure 39:
Student statistics
for the BPTC (figures)



Applications

11.4 The Bar Professional Training Course has seen an overall drop in application numbers for the period 2005/06-2009/10, declining by 2.2%. The biggest fall in the application rate was between 2007/08 and 2008/09 when applications fell by 11.3%. Between 2009/10 and 2010/11 applications rose by 1.9%.

Enrolments

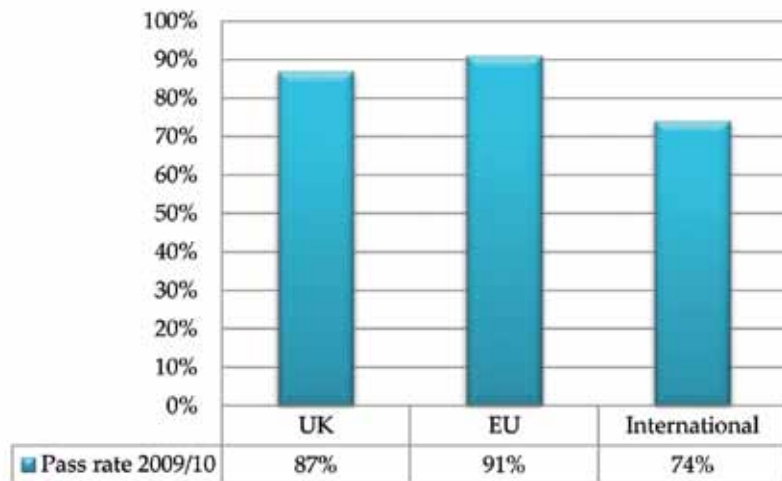
11.5 For the period 2005/06 to 2009/10 enrolments declined; the annualised percentage change for the period was 3.4%. The biggest increase in enrolments was between 2008/09 and 2009/10 when 2.5% (44) more students began the course. The biggest decline in enrolment was between 2009/10 and 2010/11 when 6.9% (111) fewer students enrolled. 1,618 students enrolled in the course in 2010/11.

11.6 Typically in any given year there are between 20-30% of students enrolled on the BPTC who are international students. In 2009/10, 34% of students were from EU and other countries.

Pass rates

- 11.7 The average pass rate for the period 2006 to 2010 was 83%. The highest pass rate was 94% in 2007/08 and the lowest pass rate was 76% in 2008/09. In 2009/10, 87% of full-time students passed the BPTC (formerly the BVC).
- 11.8 In 2009/10 the pass rate for students broken down by jurisdiction (where details of jurisdiction were provided) is detailed in Figure 40 below. 87% of UK students passed (879); 91% (61) of EU students passed (61) and 74% of international students (388) passed the BPTC.

Figure 40:
BPTC pass rate by region
of domicile



Gender: BPTC

- 11.9 The distribution of men and women on the BPTC is depicted in Figures 41 and 42. The gender balance is almost even. Women have comprised an increasingly large part of the BPTC in the last three years and have started to outnumber men at this stage.

Figure 41:
BPTC gender
composition (%)

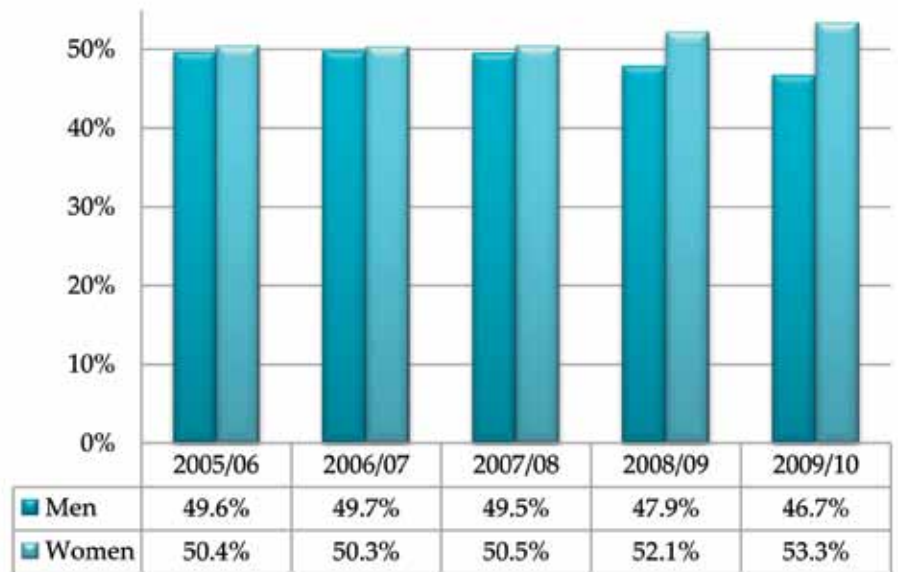
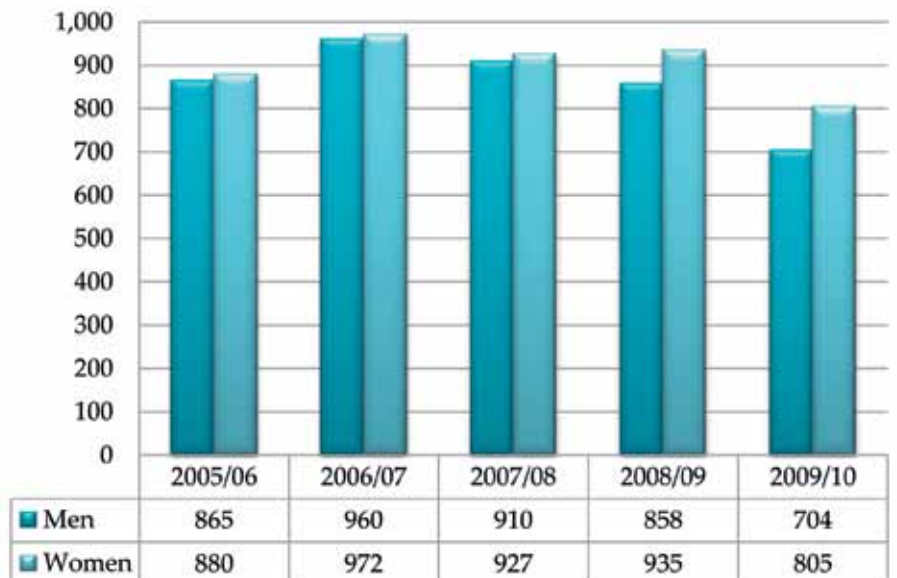


Figure 42:
BPTC gender
composition (figures)



Ethnicity: BPTC

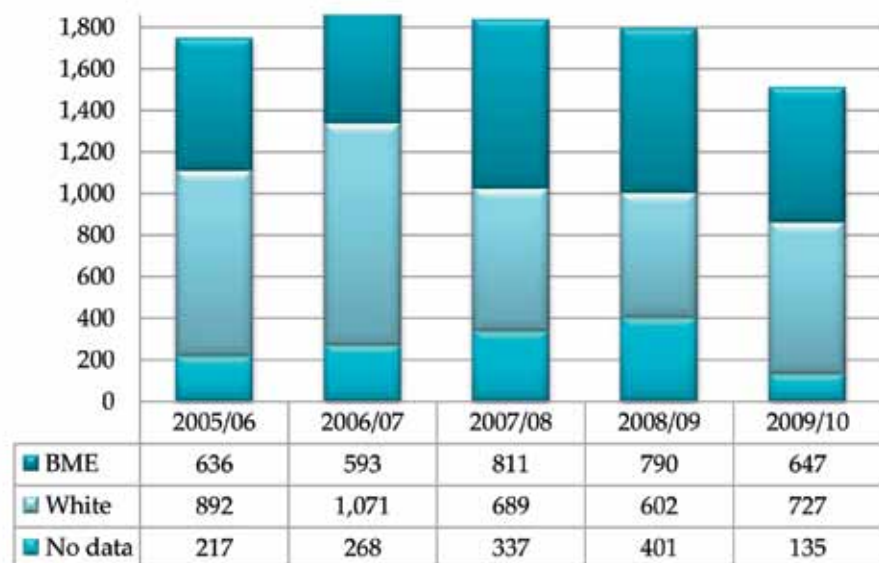
11.10 In 2004/05 BME students comprised 35% of those on the BPTC and this grew to 44% in 2009/10. Between 20% and 30% of students on the BPTC are international students.

11.11 Figures 43 and 44 depict the ethnic profile of those students on the BPTC over the period 2006 to 2010.

Figure 43:
ethnicity composition
(%)



Figure 44:
ethnicity composition
(figures)



12 CALLED TO THE BAR

Gender: called to the Bar

- 12.1 “Call to the Bar” is the date from which a barrister is formally recognised to have passed the professional stage of training and has been admitted to the Bar by their Inn of Court. This is referred to as being “called to the Bar”. Barristers are often referred to by reference to their “Call to the Bar” or their “year of Call” which is calculated from the same date. Over the five years to 2009/10 the average annual percentage growth in the number of people called to the Bar was 3%.
- 12.2 The number of women called to the Bar increased to 53% over the period 2005/06 to 2009/10. Figure 45 shows that in 2005/06 women comprised 52% of those called to the Bar, rising to 53% in 2009/10. The average annualised percentage increase over the period was 6%. The number of men called to the Bar decreased over the period 2005/06 to 2009/10. In 2005/06 men comprised 48% of those called to the Bar, decreasing to 47% in 2009/10.

Figure 45:
called to the Bar:
gender composition (%)

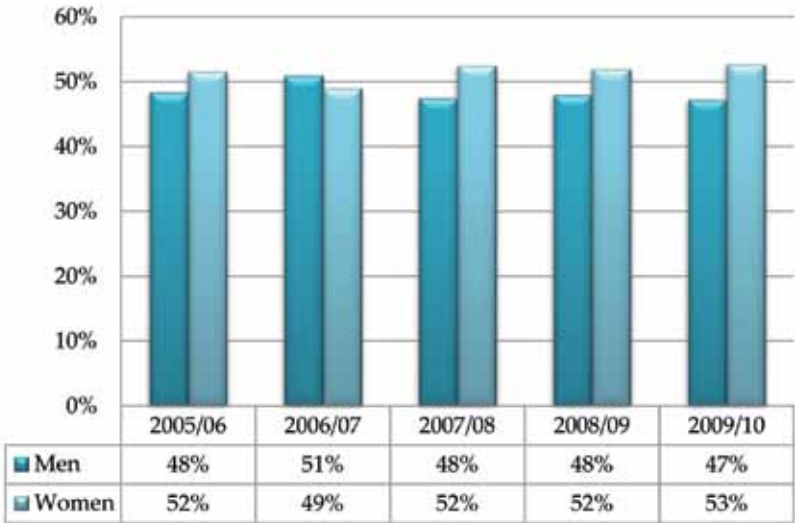
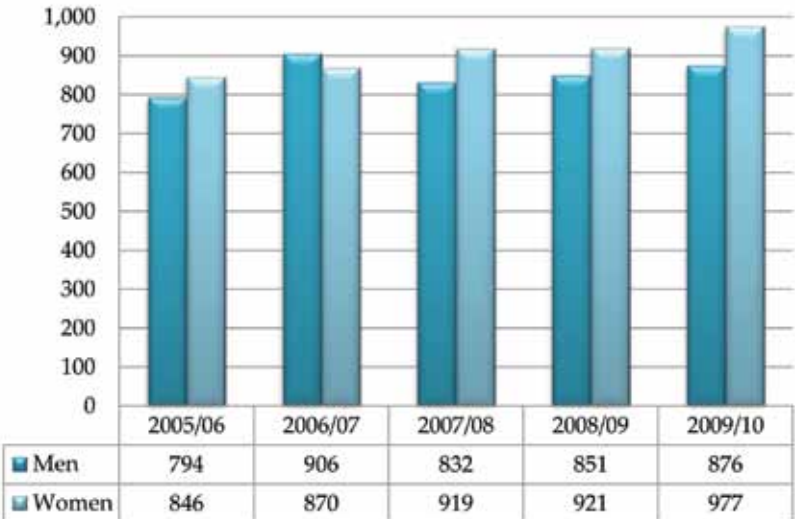


Figure 46:
called to the Bar:
gender composition
(figures)



Ethnicity: called to the Bar

12.3 Figures 47 and 48 show the ethnic profile of those called to the Bar over the period 2005/06 to 2009/10.

12.4 The increase in the BME barristers called to the Bar steadily rose over the period 2005/06 to 2009/10. 20-30% of those called to the Bar are international students.

Figure 47:
called to the Bar:
ethnicity composition (%)

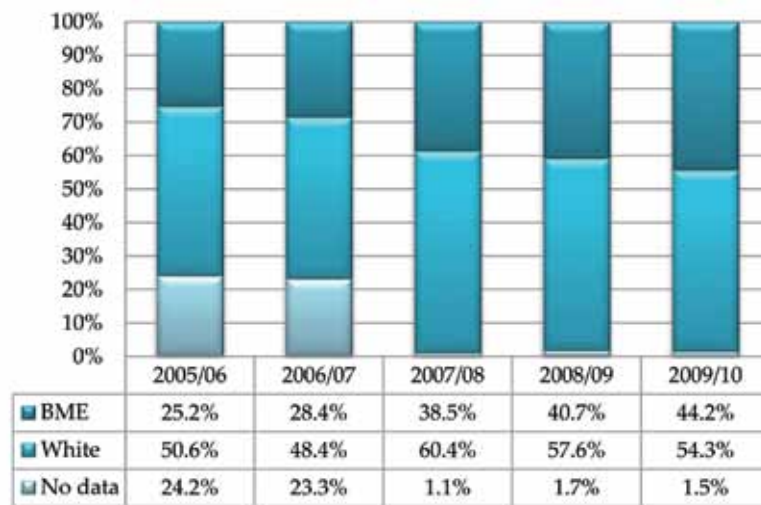
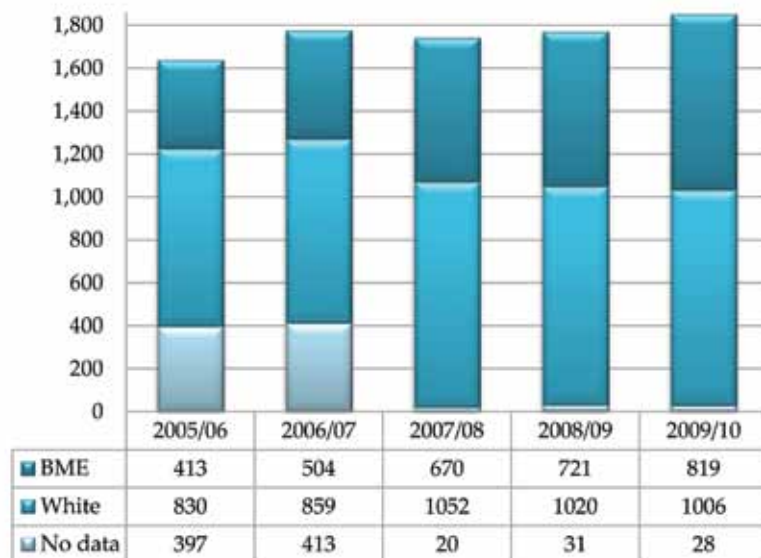


Figure 48:
called to the Bar:
ethnicity composition
(figures)



13 PUPILLAGE

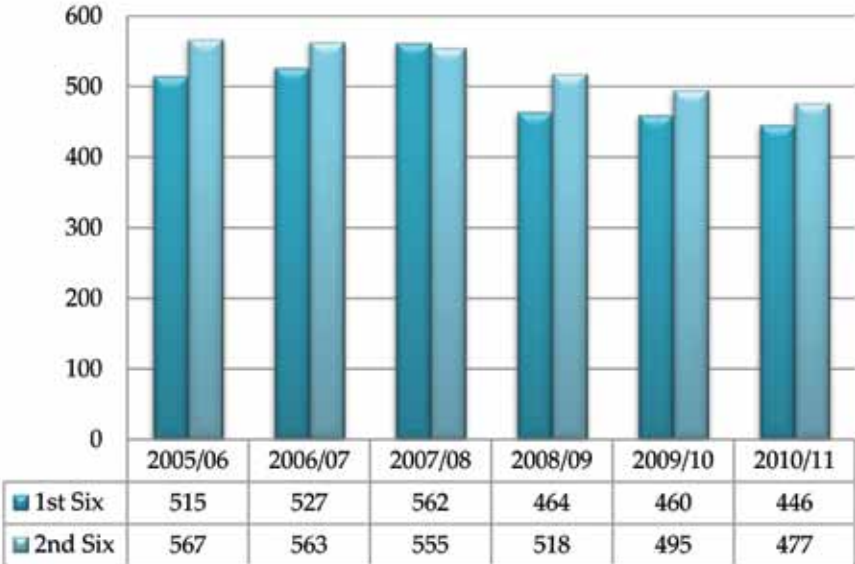
13.1 Pupillage is compulsory training that must be completed before a member of the Bar is authorised to practise in their own right. Pupillage is a 12 month training period spent in an Authorised Training Organisation (either a barristers’ chambers or another BSB approved legal environment).

13.2 Pupillage is split into two six month periods: First Six months (Non-Practising) and the Second Six months (Practising). During the First Six months pupils may not supply any legal services except that they may, with the permission of their pupil supervisor or head of chambers, accept a noting brief. A pupil is entitled to supply legal services and exercise rights of audience as a barrister during the Second Six months, provided that they have the permission of their pupil supervisor or head of chambers.

13.3 There is very strong competition for pupillage places each year. Each year BPTC graduates apply for pupillage but additionally those graduates are joined by those who did not obtain pupillage the year before. Graduates of the BPTC can apply for pupillage for up to five years from the date they pass the course.

13.4 Figure 49 shows First Six and Second Six pupillages in line with the BSB registration period, 1 October - 30 September each year.

Figure 49:
registered pupillages:
2005-10



Gender: pupillage

- 13.5 The gender composition of men and women undertaking pupillage over the period 2005/06 to 2009/10 is illustrated in Figures 50 and 51 below. There has been some variation in the gender profile of pupils with men outnumbering women in 2008/09 by 13.6% and in 2009/10 women outnumbering men by 8.5%.

Figure 50:
gender composition (%)

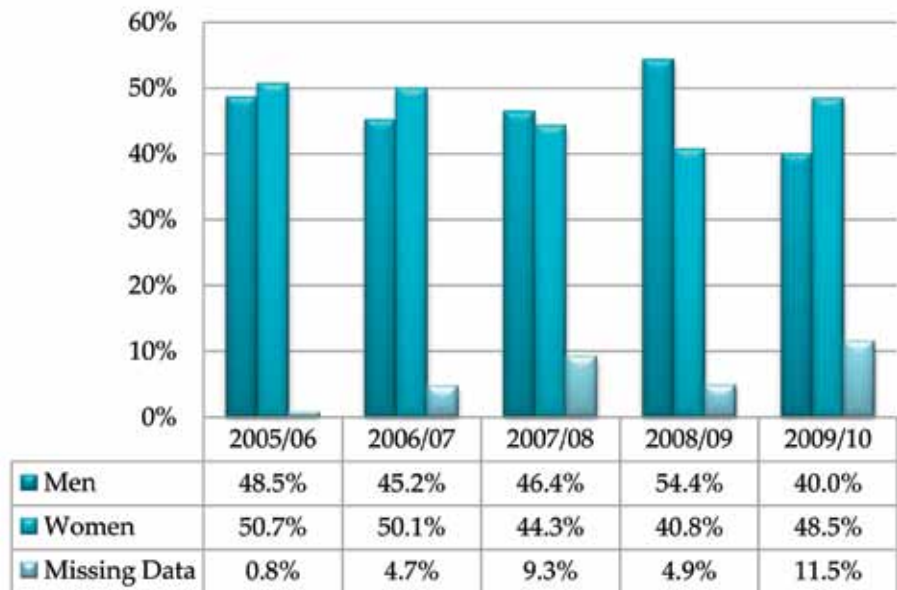
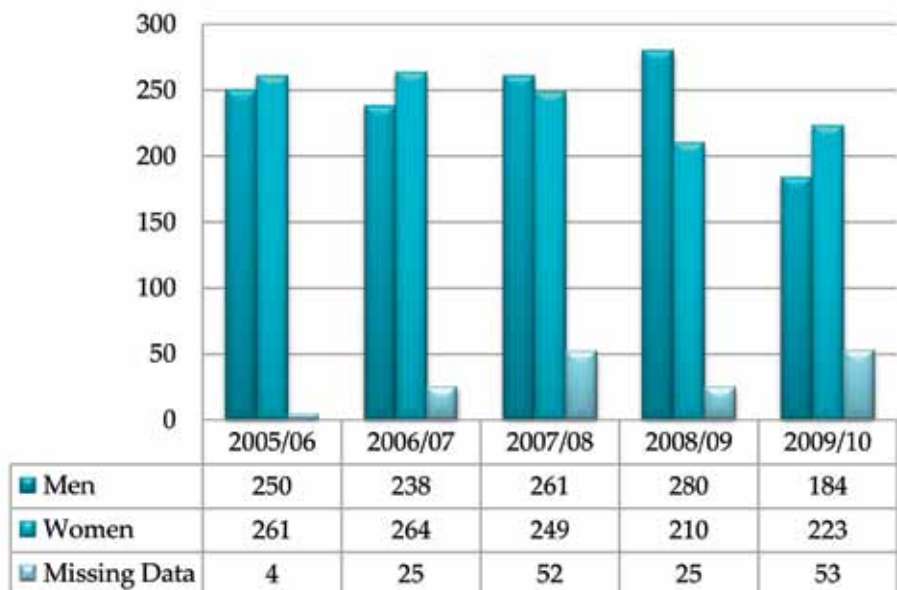


Figure 51:
gender composition
(figures)



Ethnicity: pupillage

- 13.6 Figures 52 and 53 below illustrate the ethnic composition of pupils over the period 2005/06 to 2009/10. The ethnic profile of those undertaking pupillage has varied; 2008/09 saw the lowest proportion of pupils who classified themselves as BME at 13.2% (68). 2006/07 saw the highest proportion of BME pupils at 20.3% (107).

Figure 52:
ethnicity composition (%)

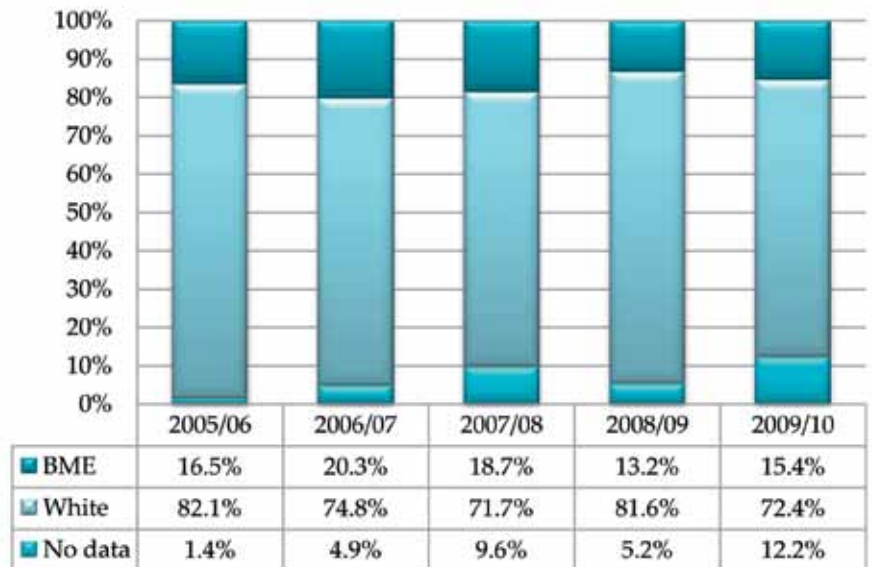
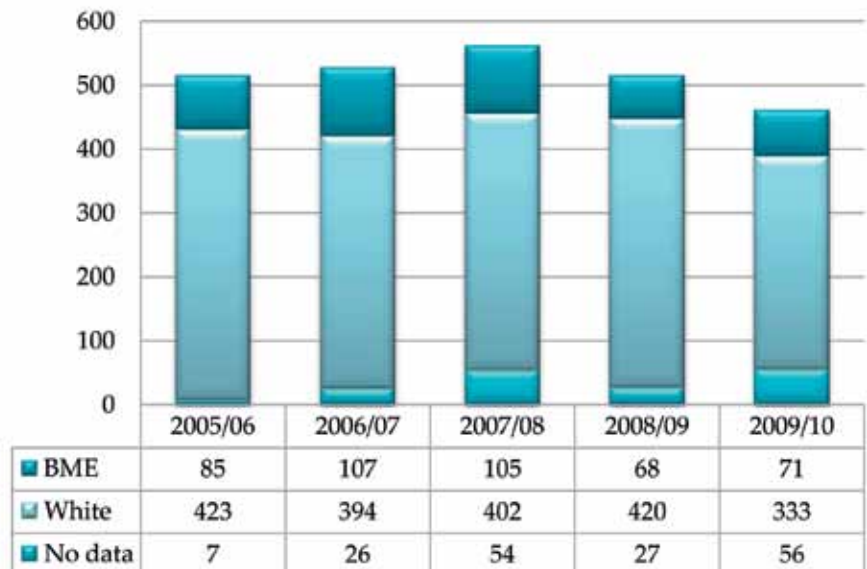


Figure 53:
ethnicity composition (figures)



13.7 Figure 54 shows the full breakdown of pupils by their ethnicity in 2009/10.

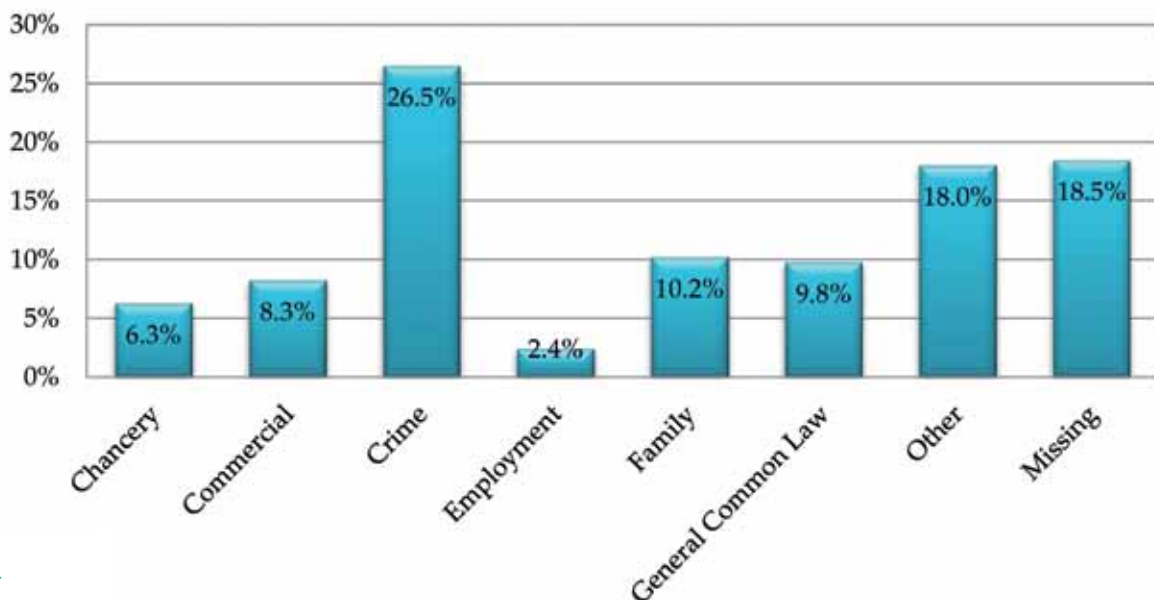
Figure 54: pupillage BME breakdown

	No.	%
White British	291	63.3%
White Irish	16	3.5%
Any other white background	26	5.7%
White and black Caribbean	3	0.7%
White and black African	0	0.0%
White and Asian	5	1.1%
Any other mixed background	9	2.0%
Black Caribbean	6	1.3%
Black African	7	1.5%
Any other black background	0	0.0%
Indian	11	2.4%
Pakistani	8	1.7%
Bangladeshi	5	1.1%
Any other Asian background	5	1.1%
Chinese	4	0.9%
Other	8	1.7%
No data held	56	12.2%
Totals	460	100%

Practice area for pupillages in 2009/10

13.8 Figure 55 shows the distribution of pupillages according to main practice area. It can be difficult to classify pupillages according to practice area as many pupils gain wide-ranging experience during their pupillages. Pupils were asked to specify as best they could, where the main practice area of their pupillage focussed.

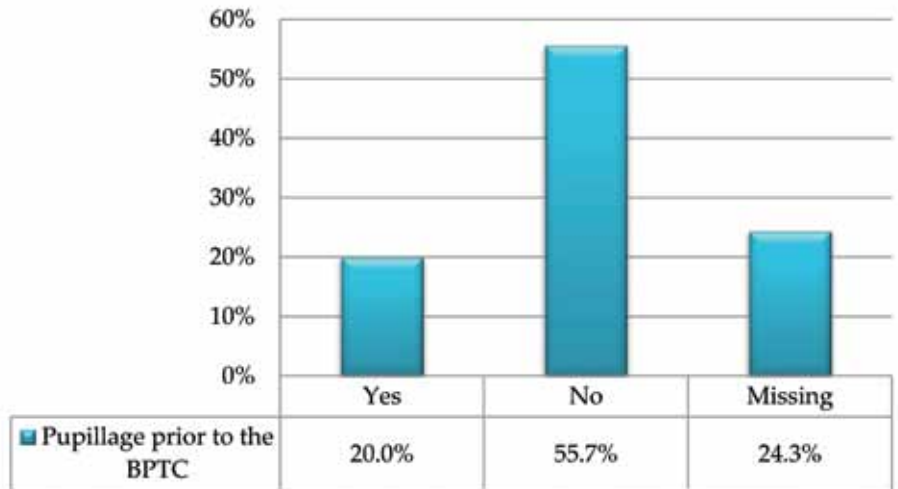
Figure 55: pupillage practice area



Pupillage gained prior to commencing the BPTC

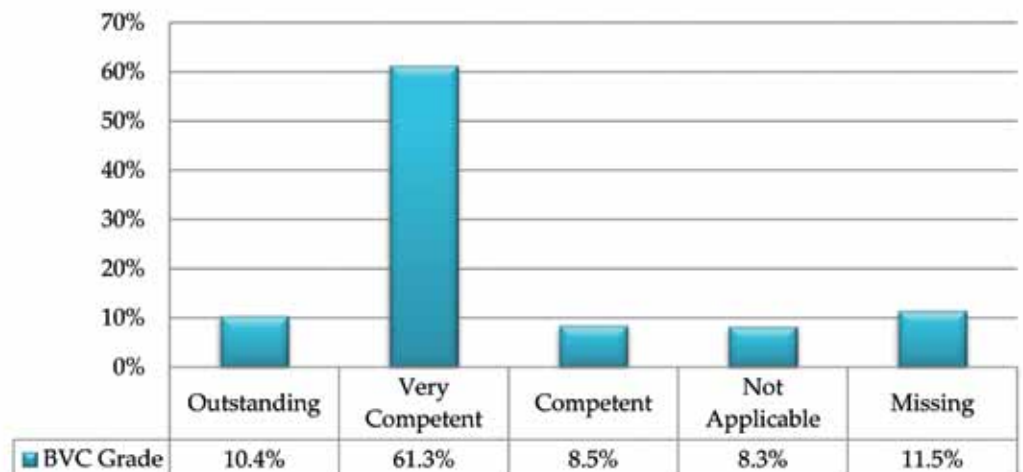
- 13.9 Figure 56 shows that in 2009/10 20% (92) of pupils were able to secure pupillage prior to beginning their BPTC (formerly the BVC) and 55% did not.

Figure 56: pupillage gained prior to BPTC



- 13.10 Figure 57 shows the BPTC grades of those who were successful in gaining pupillage in 2009/10. 10.4% of pupils declared that they achieved an “Outstanding” grade at BPTC with 61.3% achieving “Very Competent” and “Competent” grades. Those pupils who are listed as “Not Applicable” did not complete the BPTC due to being either an international practitioner or transferring solicitor.
- 13.11 In 2009/10 23.5% (108) of pupils achieved a First Class degree; 52.8% (243) of pupils achieved an Upper Second Class degree (2i) and 8.5% (39) of pupils achieved a Lower Second Class degree (2ii). The smallest proportion was 0.4% (2) where pupils achieved a third class degree.

Figure 57: Pupils’ BPTC grades



13.12 Figure 58 shows the debt levels of pupils in 2009/10. Of those pupils who declared that they had accumulated debts, almost 50% of pupils had debts of £10,000 or more and over 6% had debts in excess of £40,000.

Figure 58: pupils' levels of debt

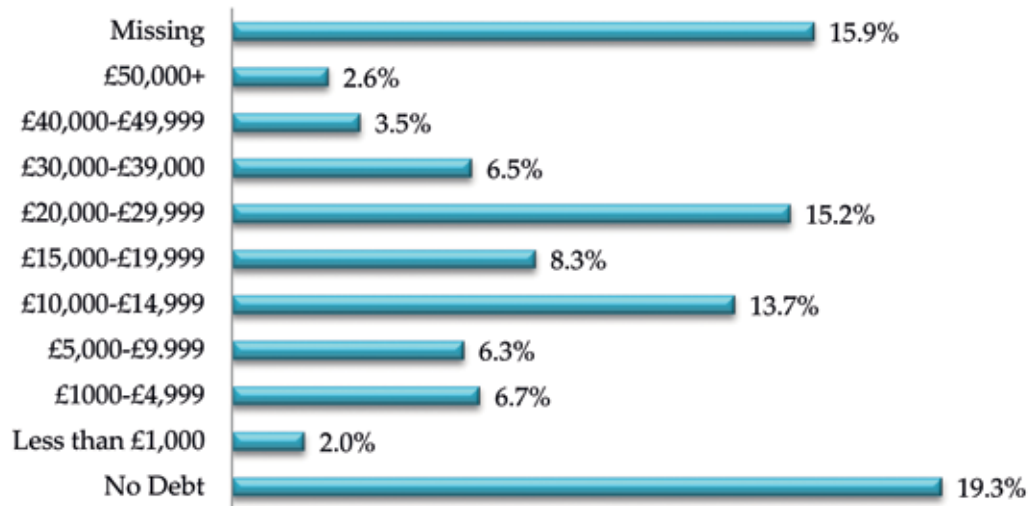
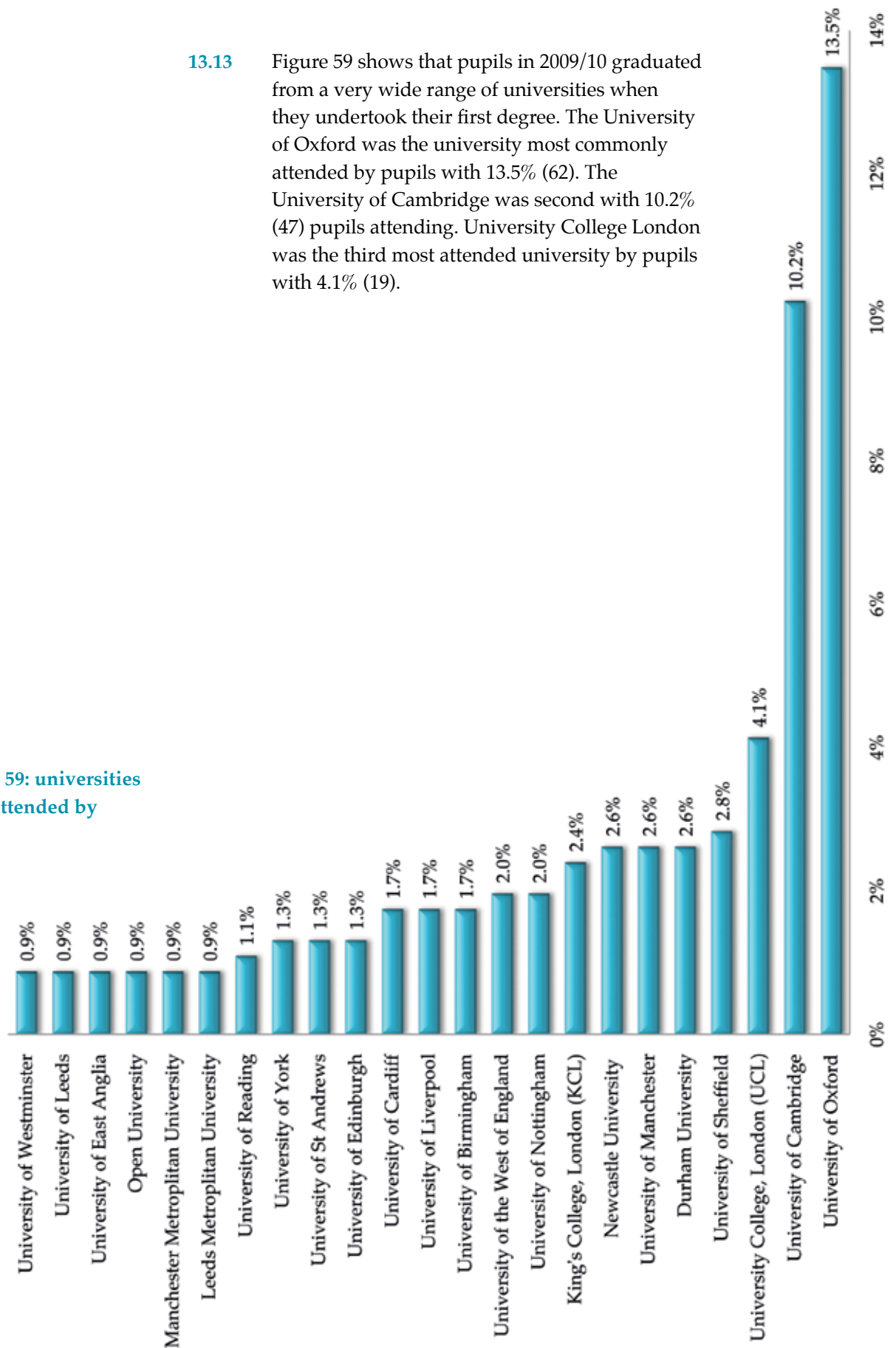


Figure 59: universities most attended by pupils



13.13 Figure 59 shows that pupils in 2009/10 graduated from a very wide range of universities when they undertook their first degree. The University of Oxford was the university most commonly attended by pupils with 13.5% (62). The University of Cambridge was second with 10.2% (47) pupils attending. University College London was the third most attended university by pupils with 4.1% (19).

Pupillage monitoring data in 2009/10

Age of pupils

- 13.14** Pupils' ages varied from under 25 years of age to over 65 years of age. 47% pupils identified themselves as being in the 25-34 years age category.
- 13.15** There were 30% of pupils under the age of 25 years; 8% were between 35-44 years; 3% were between 45-54 years; 1% were between 55-64 years and 0.2% were over 65 years of age. 11% of pupils did not disclose their age in the survey.

Disability among pupils

- 13.16** Pupils were asked if they had a disability as defined in the Equality Act 2010. The 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 [their] ability to carry out normal day-to-day activities. Long term means 12 months or more.' 2% (9) of pupils reported having a disability with the most reported impairment being dyslexia.

Pupils with children

- 13.17** Pupils were asked whether or not they had children. 9% (41) of pupils said that they had children. 78% (360) of pupils stated that they did not and 13% did not disclose any information.

Pupils' sexual orientation

- 13.18** The response rate was quite low with 38% declining to answer, either indicating that they preferred not to answer or providing no answer. The majority (59%) of pupils who did answer declared that they were heterosexual/straight; 2% declared that they were bisexual and 1% identified themselves as gay men.

Schools attended by pupils

- 13.19** Pupils were asked about their educational background. Of those who responded 52% of pupils attended a state school; 35% pupils attended fee-paying schools and 13% did not disclose information.
- 13.20** 11% of those attending fee-paying schools received a financial award that covered at least 50% of their school fees; 32% did not receive any kind of financial assistance.

14 BAR MATRIX

	2005	2006	2007	2008	2009	2010
Barristers in practice	14,623	14,890	15,030	15,182	15,270	15,387
Men in practice	9,808	9,920	9,924	9,999	10,011	10,033
Women in practice	4,814	4,970	5,106	5,183	5,259	5,354
The self-employed Bar	11,818	12,034	12,058	12,136	12,241	12,420
Men at the self-employed Bar	8,275	8,381	8,327	8,364	8,381	8,443
Women at the self-employed Bar	3,543	3,653	3,731	3,772	3,860	3,977
The employed Bar	2,805	2,856	2,972	3,046	3,029	2,967
Men at the employed Bar	1,534	1,539	1,597	1,635	1,630	1,590
Women at the employed Bar	1,271	1,317	1,375	1,411	1,399	1,377
Sole practitioners	281	298	309	351	391	419
Male sole practitioners	n/a	n/a	n/a	n/a	n/a	266
Female sole practitioners	n/a	n/a	n/a	n/a	n/a	110
QC (self-employed)	1,143	1,278	1,223	1,273	1,318	1,379
QC male (self-employed)	1,051	1,160	1,107	1,146	1,179	1,245
QC female (self-employed)	92	118	116	127	139	152
Chambers (London)	310	323	332	330	342	347
Chambers (out of London)	296	318	312	313	348	387
Total number of chambers (London and outside London)	606	641	644	643	690	734

15 BAR ETHNICITY MATRIX

%*	2005		2006		2007		2008		2009		2010	
	BME	White	BME	White	BME	White	BME	White	BME	White	BME	White
Barristers in practice	9.4	76.3	9.6	76.2	9.8	76.0	9.8	76.3	10.1	76.8	10.2	77.2
Self-employed Bar	9.0	78.9	9.1	78.7	9.2	78.7	9.3	78.9	9.6	79.4	9.7	79.8
Employed Bar	11.4	65.3	11.7	65.6	12.0	65.0	11.9	65.9	12.2	65.9	12.2	66.7
Barristers in practice at five years' Call	N/A	N/A	9.2	63.6	9.7	57.3	8.2	56.8	6.9	62.7	7.7	62.7
Barristers in practice at 15 years' Call	N/A	N/A	7.8	82.3	8.0	81.9	8.1	82.5	8.6	82.8	8.8	83.2
Sole practitioners	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	27.0	60.0
Queen's Counsel (self-employed)	N/A	N/A	3.6	91.5	3.6	91.6	3.8	91.6	4.3	91.6	4.9	91.1
Queen's Counsel (employed)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5.3	94.7
Pupils**	15.9	78.1	16.5	82.1	20.3	74.8	18.7	71.7	13.2	81.6	15.4	72.4

*Levels of missing data are not included here but can be found in the main body of the report.

** Pupillage years are given in line with the academic year format, beginning with 2004/05 above.

16 BAR ENTRY MATRIX

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
Applications	2,883	2,917	2,870	2,864	2,540	2,657
BPTC student enrolment	1,665	1,745	1,932	1,837	1,749	1,793
BPTC successful students	1,392	1,480	1,560	1,720	1,330	1,432
Called to the Bar (UK nationals)	1,091	1,196	1,256	1,196	1,255	1,256
Called to the Bar (non-UK nationals)	385	444	520	546	517	596
Called to the Bar total	1,476	1,640	1,776	1,742	1,772	1,852
First Six pupillages	556	515	527	562	464	460
Second Six pupillages	598	567	563	555	518	495
Tenancy (self-employed Bar)	554	531	499	494	497	467
Barristers who entered employed practice	156	191	228	239	213	171

17 KEY FACTS OF BPTC STUDENTS IN 2009/10

The Bar Professional Training Course profile of full-time students 2009/10

This summary provides details on the composition of full-time students who enrolled in 2009/10 on the BPTC (formerly the BVC) and identifies key facts relating to student enrolment, examination and demographic information. The key statistics for 2009/10 are outlined below:

Students in 2009/10

- There were 2,540 applications to study for the BPTC (BVC) commencing in 2009/10
- total validated places available to study were 2,162
- total actual enrolled students were 1,509
- 59% of applicants secured a place
- 83% of validated places were filled representing 17% under-recruitment by providers of the BVC
- 53% (805) of students were women
- 47% (704) of students were men
- 42% (647) of all students were BME
- 48% (727) of all students were white
- 8% (135) of students did not disclose their ethnicity
- 26% (258) of UK domiciled students were BME
- 68% (681) of UK domiciled students were white
- 6% (94) of students declared a disability
- 25% (386) of students were aged 25 years or over
- 10% (165) of students held a First Class degree
- 52% (798) of students held an Upper Second Class degree
- 23% (361) of students held a Lower Second Class degree
- 0.3% (5) of students held a Third Class Degree
- the 'second sit' (final) pass rate was 87%
- the 'first sit' pass rate was 68%
- the pass rate for UK domiciled students was 87%
- the pass rate for EU domiciled students was 91%
- the pass rate for non-EU domiciled students was 74%
- the pass rate for men and women was the same, 87%, and
- 9% of men achieved 'Outstanding', women, 6%.

18 KEY FACTS OF PUPILS IN 2009/10

Pupils at the Bar of England and Wales: Profile 2009/10

This summary provides details on the composition of pupils who registered pupillages in 2009/10 and identifies key facts relating to pupils' backgrounds. The key statistics for 2009/10 and the previous pupillage year (for comparison) 2008/09 are outlined below:

Pupillage in 2009/10

- 460 First Six pupillages were registered
- 495 Second Six pupillages were registered
- 40% of (184) pupils were men
- 48% (223) of pupils were women
- 11% (53) of pupils did not disclose their gender
- 15% (71) of pupils were BME
- 72% (333) pupils were white
- 12% (56) of pupils did not disclose their ethnicity
- 2% (9) of pupils declared a disability
- 76% (353) of pupils were 34 years of age or younger
- 59% (272) of pupils declared as heterosexual
- 8% (41) of pupils have a child
- 23% (105) of pupils achieved a first class degree
- 23% (109) of pupils attended Oxbridge
- 46% (212) of pupils attended a Russell Group university
- 7% (33) of pupils had a lawyer parent/guardian
- 55% (256) of pupils came from a professional background
- 27% (201) of pupils had debts of £20,000 or over, and
- 51% (238) of pupils hold a law degree.

Pupillage in 2008/09

- 464 First Six pupillages were registered
- 518 Second Six pupillages were registered
- 54% (280) pupils were men
- 40% (210) of pupils were women
- 5% (25) of pupils did not disclose their gender
- 13% (68) of pupils were BME
- 82% (420) pupils were white
- 5% (27) of pupils did not disclose their ethnicity
- 1% (9) of pupils declared a disability
- 84% (433) of pupils were 34 years of age or younger
- 86% (425) of pupils declared as heterosexual
- 10.4% (51) of pupils have a child
- 32% (160) of pupils achieved a first class degree
- 32% (157) of pupils attended Oxbridge
- 65% (321) of pupils attended a Russell Group university
- 15% (75) of pupils had a lawyer parent/guardian
- 75% (372) of pupils came from a professional background
- 23.3% (114) of pupils had debts of £20,000 or over, and
- 60% (294) of pupils hold a law degree.

19 GLOSSARY OF TERMS

Bar Professional Training Course (BPTC)

The Bar Professional Training Course (formerly known as the Bar Vocational Course) can be completed full-time over one year or part-time over two.

During the BPTC year a student is required to undertake 12 qualifying sessions with their Inn of Court. Once a student successfully completes the BPTC their Inn of Court calls them to the Bar.

Black and minority ethnic barristers (BME)

BME refers to those people who do not self-classify as white. This category does not include white minority groups.

Call to the Bar

Date at which a barrister is formally recognised to have passed the vocational stage of training and has been admitted (Called) to the Bar by their Inn of Court of which all barristers are members (being 'at the Bar' is the term used to describe the profession of being a barrister).

Chambers

A place at or from which one or more self-employed barristers carry on their practices and also refers where the context so requires to all the barristers (excluding pupils) who for the time being carry on their practices at or from that place.⁷

Essentially, therefore, after completing their training, those barristers who want to work in self-employed practice secure tenancy at a set of chambers. "Sets of chambers" are sometimes referred to as "chambers" and sometimes "sets". Barristers who work together in sets of chambers share administrative teams, office costs and so on. Each barrister therefore pays a share towards the cost of running the chambers. Sets of chambers typically specialise in certain areas of law.

Employed barrister

A practising barrister who is employed other than by a Recognised Body either under a contract of employment or by virtue of an office under the Crown or in the institutions of the European Communities and who supplies legal services as a barrister in the course of their employment.⁸ The barrister is employed as an employee of a company / firm to give legal advice and advocacy services to their employer and / or clients of their employer.

International practitioner with a practising certificate

A barrister who qualified in England and Wales who practises overseas giving advice on English and Welsh law.

Non-practising / unregistered barrister

A barrister who does not hold a current practising certificate and so is not authorised to practise as a barrister.

⁷ Code of Conduct for the Bar of England and Wales:

www.barstandardsboard.org.uk/regulatory-requirements/the-code-of-conduct/the-code-of-conduct/part-x-definitions/

⁸ *Ibid.*

Public Access

A scheme under which a member of the public may directly instruct a suitably qualified barrister, rather than going through a solicitor. Any barrister wishing to undertake public access work must have completed a training course and must have registered with the Bar Council. For further information please refer to: www.barstandardsboard.org.uk

For the purposes of the Barristers Register, some barristers are listed as not undertaking public access work when they are eligible to do so because they are not permitted to advertise the fact that they can undertake such work. If you are unsure about whether or not a barrister is a legitimate public access practitioner, please contact the Bar Council Records Office on 020 7242 0934.

Pupil supervisor

A barrister who has trained and is registered to train a pupil throughout a compulsory period of pupillage is called a pupil supervisor.

Pupillage

Pupillage is compulsory training that must be completed before a member of the Bar is eligible to practise in their own right. Pupillage is a 12 month training period spent in an Authorised Training Organisation (either barristers' chambers or another approved legal environment.)

Pupillage: First Six / Non-Practising Six

This must be undertaken in a continuous period of six months in England and Wales, in an Authorised Training Organisation. During the First Six pupils may not undertake any legal services except that they may, with the permission of their pupil supervisor or head of chambers, accept a noting brief. A pupil is entitled to supply legal services and exercise rights of audience as a barrister during the Second Six, provided that they have the permission of their pupil supervisor or head of chambers.

At the end of the First Six, pupils must submit to the Bar Standards Board a certificate from their pupil supervisor certifying that the First Six has been satisfactorily completed. They will then be granted a Practising Certificate by the Bar Standards Board. Unless exempted from the requirements, chambers must pay each pupil a minimum of £1,000 per month during the First Six (i.e. £6,000 total).⁹

⁹ For details on exemptions please see: www.barstandardsboard.org.uk/qualifying-as-a-barrister/forms-and-guidelines/pupillage-forms/

Pupillage: Second Six / Practising Six

The practising period of pupillage (second six) must commence no later than 12 months after the completion of the non-practising period of pupillage (First Six) and be undertaken in a continuous period of six months or with only such intervals (each not exceeding one month) as to ensure that the practising period of pupillage is completed within an overall period of nine months.

Pupils must be called to the Bar, before commencing the practising period of pupillage, during this time a pupil is entitled to supply legal services and exercise rights of audience as a barrister, provided that they have the permission of their pupil supervisor or head of chambers. Unless exempted from these requirements, chambers must pay each pupil by way of an award or guaranteed receipts.¹⁰

At the end of the practising period of pupillage pupils must submit to the Bar Standards Board a certificate of successful completion of the practising pupillage. Provided that the compulsory further training has also been completed, the pupil will be granted a full qualification certificate which will entitle them to change their status and commence practise as a barrister providing that they are in compliance with the relevant rules in the Code of Conduct.

Pupillage: Third Six

Commonly this is where ex-pupils are invited to come into chambers where they have not previously worked, on a probationary basis with a view to a tenancy. During the probationary period the barrister will undergo further training and supervision from a member of chambers, as if they were a pupil. This is commonly called a 'Third Six'.

In practice, the period may be more or less than six months, and in some cases it may be more than a third so-called pupillage. Third Sixes are especially useful where the ex-pupil has been provisionally accepted as a tenant in new chambers but is transferring into an area of practice in which they have not yet been fully trained.¹¹

¹⁰ Please see: www.barstandardsboard.org.uk/media/261792/pupillage_handbook20august202011c.pdf

¹¹ *Review of Pupillage, Report of the Working Group, Bar Standards Board, p. 97, 2010.*

Queen's Counsel (QC)

The award of Queen's Counsel (QC) is for excellence in advocacy in the higher courts. It is made to experienced advocates, both barristers and solicitors who are successful in their application to the Queen's Counsel Appointments Panel. Awards are made if the Panel concludes that the candidate is judged to have achieved excellence in respect of each of the competencies. QCs are very experienced skilled senior advocates (at least ten years of practice) and are considered as experts in their field. When a barrister is confirmed as a QC this is known informally as 'taking silk'; they are then entitled to wear silk black gowns. For further information please see: www.qcappointments.org

Rights of audience

Entitlement to appear before a Court in a legal capacity and conduct proceedings on behalf of a party to the proceedings (subject to qualification and authorisation by the Bar Standards Board).

Self-employed

Working either in chambers (a place from which one or more self-employed barristers carry on their practices) or alone as a sole practitioner.

Sole practitioner

Sole practitioners are barristers who have been in practice for at least three years following the completion of pupillage from chambers or an Approved Training Organisation (ATO).¹²

Tenancy

Securing "tenancy" means being accepted as a permanent member of a set of chambers. Barristers normally secure tenancy in the set where they completed their pupillage, although it is also possible to apply elsewhere.

Sets of chambers normally decide whether to offer a candidate tenancy in accordance with their starter tenancy recruitment process. Some sets of chambers take on more pupils than they will offer tenancy to and others take on more or most of their pupils. Some sets of chambers widen their tenancy recruitment and invite pupils from other sets of chambers to apply whilst others only recruit their tenants from their own pupils.

¹² www.barstandardsboard.org.uk/code-guidance/becoming-a-sole-practitioner/

The Bar Council

The Bar Council represents barristers in England and Wales. It promotes:

- The Bar's high quality specialist advocacy and advisory services
- Fair access to justice for all
- The highest standards of ethics, equality and diversity across the profession, and
- The development of business opportunities for barristers at home and abroad.

The General Council of the Bar is the Approved Regulator of the Bar of England and Wales. It discharges its regulatory functions through the independent Bar Standards Board.

The Bar Standards Board

The Bar Standards Board (BSB) was established in January 2006 as a result of the Bar Council separating its regulatory and representative functions. The BSB provides specialist regulation of advocacy and legal advice in the public interest. The BSB is responsible for regulating barristers called to the Bar in England and Wales. This involves setting the training requirements for becoming a barrister; setting continuous training requirements to ensure that barristers' skills are maintained throughout their careers; setting the standards of conduct for barristers; monitoring the service provided by barristers to assure quality; handling complaints against barristers and taking disciplinary or other action where appropriate.