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## **A comparison between the backgrounds of Pupillage Portal applicants in 2009 and registered pupils in 2011**

The General Council of the Bar of England and Wales

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Statistical report  
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## 1. Summary

		No. Applicants	% Applicants	No. Pupils	% Pupils
<b>Gender</b>	Male	1,221	46	241	57
	Female	1,426	54	181	43
<b>Ethnicity</b>	White	1,918	74	349	86
	BME	675	26	56	14
<b>Has a disability</b>	Yes	78	3	6	1.5
	No	2,538	97	389	98.5
<b>Age</b>	Less than 25 years	829	30	151	34
	25 to 34 years	406	15	237	53
	35 years or more	144	5	36	8
	Missing	1,423	51	20	5
<b>Nationality</b>	UK	2,427	93	384	95
	EU	83	3	12	3
	International	111	4	9	2
<b>Has a child or children</b>	Yes	275	11	35	9
	No	2,538	89	389	91
<b>Degree result</b>	First	311	11	155	33
	Other	1,954	89	265	67
<b>Type of school attended</b>	Fee-paying school	737	31	176	42
	State school	1,607	69	247	58
<b>Parental education</b>	Educated to degree level	1,151	52	120	71
	Not educated to degree level	1,227	48	295	29
<b>Expected level of debt on completion of pupillage</b>	No debt	370	16	100	26
	Up to £30,000 of expected debt	1,402	62	244	62
	Above £30,000 in expected debt	484	22	47	12
<b>University attended</b>	Oxbridge	264	12	154	35
	Russell Group	573	26	127	29
	Other university	1,406	63	163	37
<b>TOTAL</b>		<b>N= 2,802</b>		<b>N=444</b>	

## 2. Introduction

This paper is one in a series of research papers carried out by the Bar Council research team<sup>1</sup>. It was commissioned by the Bar Council Equality and Diversity department to find out whether there were any disparities between the profile of pupillage applicants and those who were successful in gaining pupillages. The paper compares the profile of pupillage applicants who have completed an equality and diversity monitoring form when applying for pupillage through the 'Pupillage Portal' online application system in 2009 with the profile of pupils who were successful in gaining pupillage who completed a 'pupillage supplementary survey' in 2010/11.

The applicant monitoring form is available to all pupillage applicants who submit a pupillage application via the Pupillage Portal. The supplementary survey is administered to all pupils who register their pupillage. These are both monitoring surveys and therefore a sample was not used, however those completing the applicant monitoring form in 2009 will predominately be from the same cohort as those completing the pupillage supplementary survey in 2010/11. While applicants can apply for up to 12 different pupillages through the Pupillage Portal, each applicant can only complete the monitoring form once. Analysis is carried out on applicants' and pupils' equality and diversity data as well as their socio-economic and educational backgrounds.

The research team also publishes individual papers on an annual basis on the profile of pupillage applicants and of those gaining pupillage, however this is the first paper where a 'before and after' analysis of the same cohort has been compared. The percentages referred to in this paper exclude missing response categories (except where it is exceptionally high), and so may differ slightly to percentages represented in other monitoring papers where missing responses are included to prevent the misinterpretation of the data.

It should also be taken into account that some pupils may have applied in a previous year, may have deferred their offer of pupillage or may not have submitted an application via the Pupillage Portal. Data on individual applicants and pupils cannot be matched between the two datasets as this data is collected anonymously which prevented carrying out a multivariate analysis of the predictive factors of pupillage. This paper is a simple comparison of the characteristics of pupillage applicants with those who are successful in gaining a pupillage.

The characteristics for which comparison was possible were:

- Gender,
- Ethnicity,
- Disability,
- Age,
- Nationality,
- Having a child or children aged under the age of 18,
- Type of school attended,
- Parental education,
- Expected level of debt upon completion of pupillage,
- University attended, and Degree classification.

For each of these characteristics, the proportions within the 2009 applicant and 2010/11 pupil populations are shown on graphs where appropriate and discussed.

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<sup>1</sup> [Bar Council research reports](#) and [BSB research reports](#)

## 2.1 Applicants

The Pupillage Portal is a voluntary online application system set up in 2009 to provide chambers with a centralised service for pupillage applications. The Portal consists of an application form on the basis of which individual chambers may decide to invite prospective pupils for interviews as part of their selection process. It also includes a separate and anonymised equality and diversity monitoring form for the Bar Council which is the source of data on applicants for the basis of this paper.

Applicants can also apply for pupillages without using the Pupillage Portal by directly applying to those chambers which have not opted into the Portal. The equality and diversity data of these applicants is not monitored and the Bar Council does not as yet have any records of the equality and diversity data of these applicants.

## 2.2 Pupils

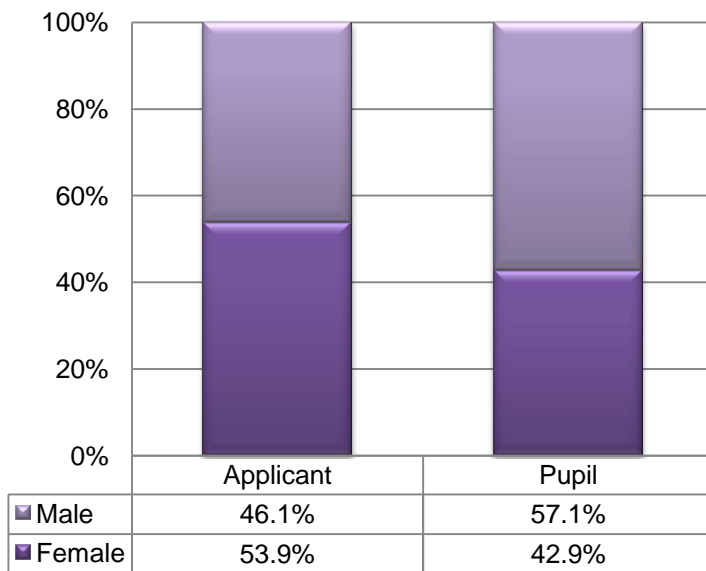
Pupillage is the final stage of training required to become a practising barrister. It consists of practical training in chambers or in employment supervised by a pupillage supervisor over a 12-month period. The Pupillage Supplementary Survey is administered annually and this paper refers to those who completed the survey and registered their pupillage during the period 1 October 2010 to 30 September 2011. There were 444 respondents to the survey from a total pupil population of 446; this is a response rate of 99.5%.

### 3. Differences between pupillage applicants and pupils

#### 3.1 Gender

In the applicant population, women accounted for a larger proportion of applicants than men. However men were overrepresented in the pupil population. Women constituted 1,426 (53.9%) applicants in comparison to 181 (42.9%) pupils. This is shown in Figure 1 below.

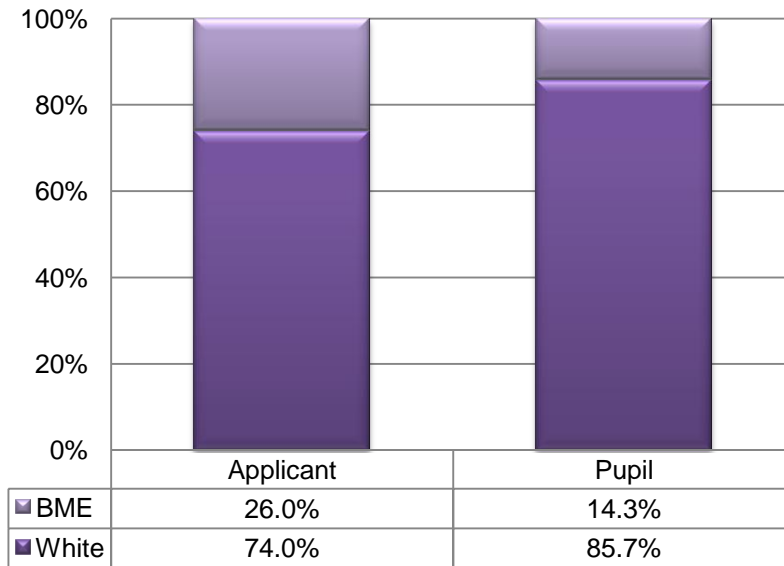
**Figure 1 – Applicants and pupils gender composition**



### 3.2 Ethnicity

The Pupillage Portal received 675 (26%) applications from Black or Minority Ethnic (BME) applicants in 2009 compared to 1,918 (74%) from white applicants. However among registered pupils in 2010/11, 58 (14.3%) were BME and 349 (85.7%) were white, as displayed in Figure 2 below.

Figure 2 – Applicants and pupils ethnic composition



### 3.3 Disability

A small proportion of applicants, 78 (3%), reported that they had a disability. In 2009, the Pupillage Portal referred specifically to whether applicants considered themselves to have a disability as defined by the Disability Discrimination Act (DDA).<sup>2</sup> The proportion of pupils with a disability was even smaller. There were six (1.5%) pupils in 2010/11 who declared a disability.

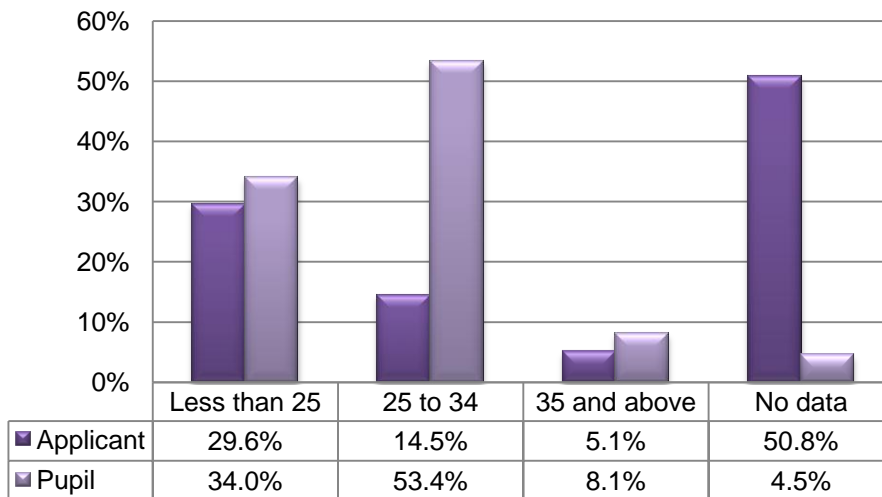
<sup>2</sup> The Disability Discrimination Act defines a person as having a disability if they have a physical or mental impairment, which has a substantial long-term, adverse effect on their ability to carry out normal day-to-day activities. 'Long term' means 12 months or more. This has now been replaced by The Equality Act 2010.

### 3.4 Age

The ages of applicants ranged from 18 years to 69 years. The most common (mode) age of applicants was 23 years. The median age was 24 years, meaning that 50% of applicants were either aged 25 years or were younger than 25 years. The average (mean) age of applicants was 26 years; the mean age being higher than that of the majority of applicants because there were applicants aged up to 70 years of age which raised the average.

The largest categorical response was the 25 to 34 age range for pupils. It should be taken into consideration that there is usually a two year gap between applying for pupillage and registering their pupillage if successful. Many of those who were aged at the upper end of the 'less than 25' category when applying would have aged into the '25 to 34' category by the time they registered their pupillage. The high level of non responses in age amongst applicants makes interpretation of age distribution difficult: 1,419 (50.8%) applicants did not supply their age. The age profile of applicants and pupils is shown in the Figure 3 below.

**Figure 3 – Pupillage applicants age profile**

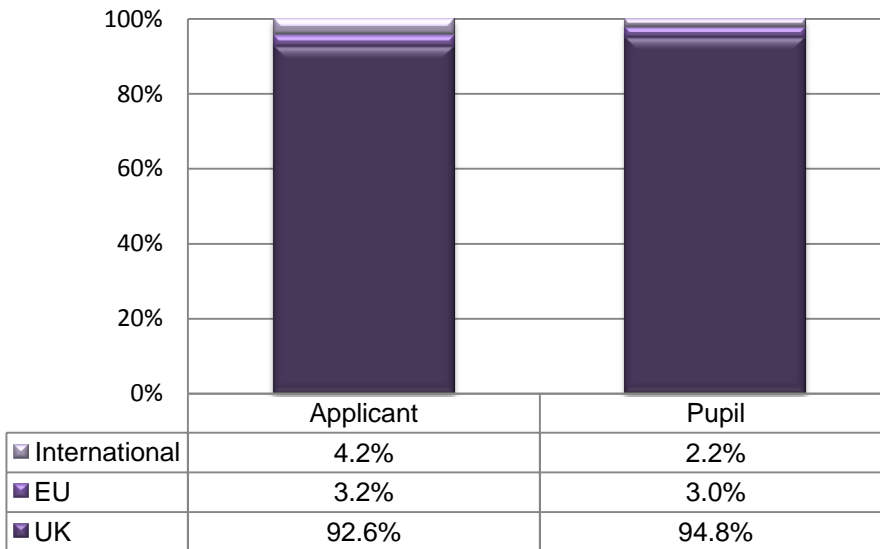




### 3.5 Nationality

The majority 2,427 (92.6%) of pupillage applicants in 2009 were UK nationals, 83 (3.2%) were EU nationals and 111 (4.2%) were international. This was broadly similar to nationality amongst pupils where 384 (94.8%) were UK nationals, 12 (3%) were EU nationals and nine (2.2%) were international. This is shown in Figure 4 below.

**Figure 4 – Applicants and pupils by nationality**



### 3.6 Children

A small proportion, 275 (11%) applicants, reported having a child or children. A similar proportion of pupils, 35 (9%), reported having a child or children.

#### 4. Socio-economic indicators

Applicants and pupils were asked a variety of questions to provide an insight into their socio-economic background. These questions included:

- the type of school they attended,
- parental education, and
- expected level of debt upon completion of pupillage.

Parental education and employment are commonly used indicators of socio-economic background; however the format in which parental education was collected from applicants prevented direct comparison with pupils. Whether a state school or fee-paying school was attended is also a commonly used indicator of socio-economic background. Expected level of debt upon completion of pupillage as an indicator of socio-economic group is only relevant to the experience of becoming a barrister.

In order to consider how effective expected level of debt is as a measure of socio-economic background, it has been considered in relation to the other socio-economic indicators on previous equality and diversity monitoring surveys (Pupillage Portal monitoring form and Pupillage Supplementary Survey for various years). Expecting to be in debt and being in higher levels of debt were related to attending a state school, parents not being educated to degree level and parents not working in the professions or managerial roles, suggesting that expected level of debt provides an indication of socio-economic background.

#### 4.1 Type of school attended

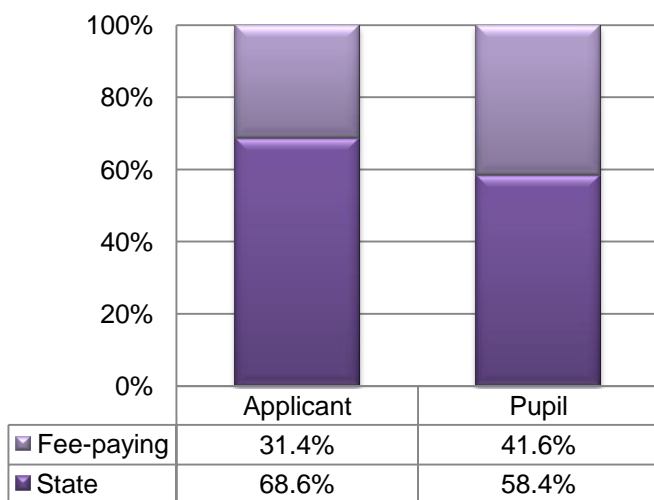
There were 737 (31.4%) applicants in 2009 who had attended a fee-paying school and 1,607 (68.6%) applicants who had attended a state school.

The proportion of registered pupils in 2010/11 from fee-paying schools was much higher than amongst applicants; there were 176 (41.6%) pupils from fee paying schools and 247 (58%) pupils from state schools. This is shown in Figure 5.

Similar proportions of applicants and pupils who attended a fee-paying school received a financial award for 50% or more of their school fees, 71 (26%) and 26 (32%) respectively. There is a wide range of financial award schemes each with differing criteria; overall academic and extra-curricular achievements may be considered as well as financial means.

There is a general under-representation of state-school educated pupillage applicants and new pupils compared to the national population: 89.4% of full-time first degree entrants (excluding mature undergraduates) to the university population of the United Kingdom in 2009/10 were from state schools.<sup>3</sup>

**Figure 5 – Applicants and pupils by type of school attended**



<sup>3</sup> [http://www.hesa.ac.uk/index.php?option=com\\_content&task=view&id=2060&Itemid=141](http://www.hesa.ac.uk/index.php?option=com_content&task=view&id=2060&Itemid=141)

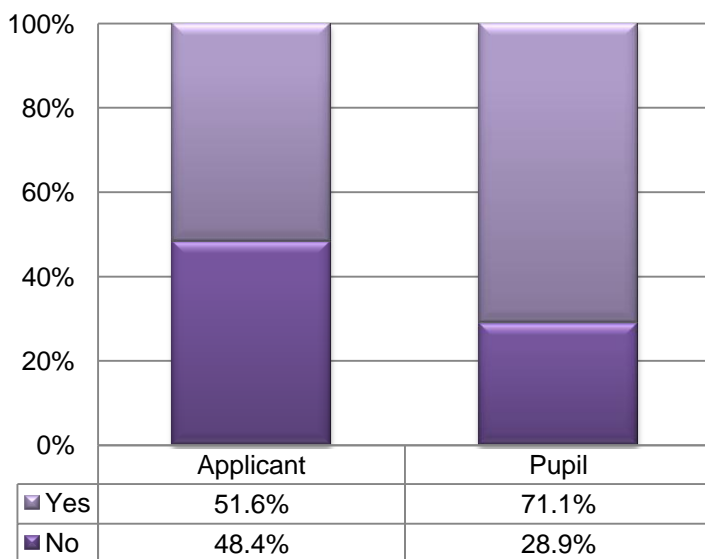
## 4.2 Parental education

Applicants were asked whether either or both parents had been educated to degree level. There were 1,227 (51.6%) 2009 applicants who responded that one or both parent(s) had a degree.

In comparison to this, 295 (71.1%) pupils in 2010/11 reported that one or both of their parents were educated to the degree level. This is shown in Figure 6 below.

For both applicants and pupils, the level of education of their parents is considerably higher than the level of education in the general population level. The quarterly national Labour Force Survey (LFS) reports that 24% of the population of England and Wales has been educated to degree level. The level of education among both applicants and pupils' parents is substantially higher.<sup>4</sup>

**Figure 6 – Applicants and pupils by parental degree education**



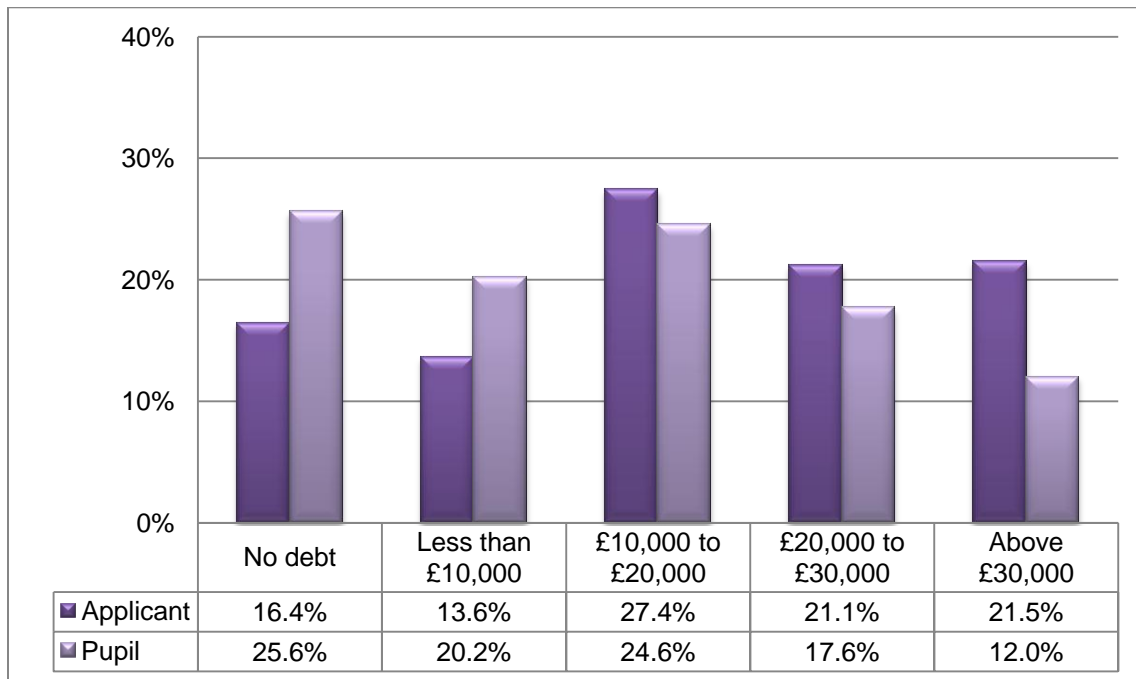
<sup>4</sup> Please see appendix1 for an explanation of the LFS methodology and sampling techniques.

### 4.3 Expected level of debt upon completion of pupillage

Registered pupils in 2010/11 had a lower level of expected debt than those applying in 2009. There were 370 (16.4%) 2009 applicants who expected not to have any debt upon completion of pupillage. However, the majority of applicants expected to be in some level of debt, including 484 (21.5%) expecting over £30,000 of debt.

In comparison to this, a quarter of 2010/11 pupils (100) expected to have no debt and 47 (12%) expected £30,000 or more of debt. Levels of expected debt are shown on Figure 7.

**Figure 7 – Applicants and pupils by expected level of debt**



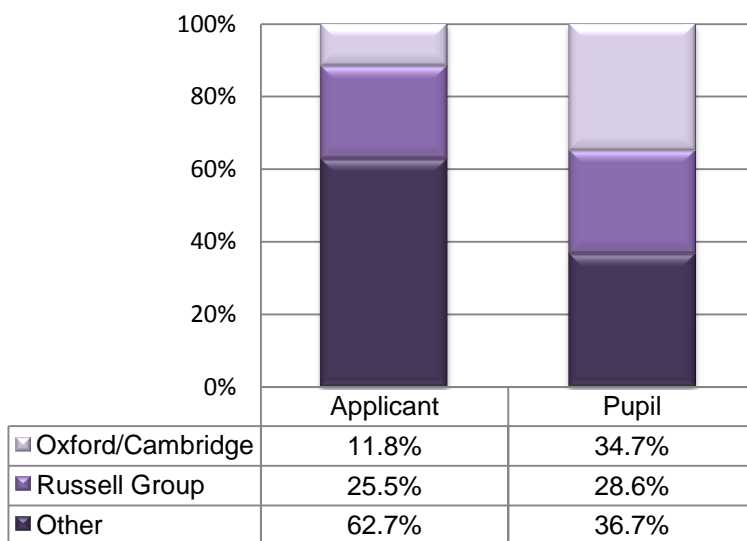
## 5. Educational background

### 5.1 University attended

Among 2009 applicants, 264 (11.8%) were educated at either Oxford or Cambridge universities (Oxbridge), 573 (25.5%) attended Russell Group universities and 1,406 (62.7%) attended other universities in either the UK or internationally. More 2010/11 pupils reported having attended Oxbridge than applicants. A similar proportion of pupils had attended Russell Group universities in comparison to their corresponding applicant cohort, but they were less inclined to have attended 'other' universities. This is shown on Figure 8 below. In comparison, among the student population of England and Wales in the 2009/10 academic year, just 1.9% of students went to Oxbridge.

Attendance of Oxbridge can signify outstanding academic achievement, as well as a higher socio-economic background due to the tendency of fee-paying students to be over represented at Oxbridge compared with the general population.<sup>5</sup>

Figure 8 – Applicants and pupils by university attended



<sup>5</sup> Amongst full time degree entrants (excluding mature entrants) in the UK, 89.4% are from state schools, however in the University of Oxford 54.3% are from state schools and in the University of Cambridge 59.3% are from state schools.

[http://www.hesa.ac.uk/index.php?option=com\\_content&task=view&id=2060&Itemid=141](http://www.hesa.ac.uk/index.php?option=com_content&task=view&id=2060&Itemid=141),

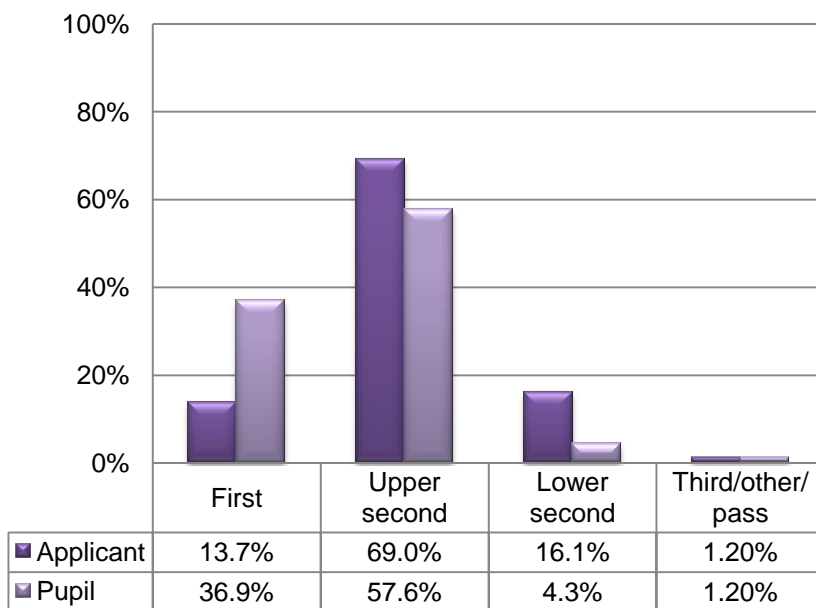
## 5.2 Degree classification

The majority, 1,563 (69%), of 2009 applicants obtained an upper second-class honours degree. There were 311 (13.7%) who obtained a first-class honours and 364 (16.1%) who obtained a lower second-class honours. Negligible proportions of applicants obtained a third, 'other' or pass.

In comparison to applicants, pupils were more likely to have obtained a first class honours degree, 155 (36.9%) of pupils did so. A similar proportion of pupils, 242 (57.6%), in comparison to applicants obtained upper second-class honours, while a lower proportion of pupils obtained lower second-class honours, 18 (4.3%). This is shown on Figure 9.

In comparison to the general population who have obtained a degree (as measured by the LFS), a greater proportion of pupillage applicants and pupils obtained a first-class honours or upper second-class honours degree, with 11% gaining a first and 45% gaining an upper second respectively.

**Figure 9 – Applicants and pupils by degree classification**



## 6. Conclusions

The aim of this report was to compare the profile of Pupillage Portal applicants with pupils. The majority of successful applicants from 2009 would undertake their pupillage in 2010/11.

In comparing applicants and pupils, it was found that pupils were more inclined to be male.

In terms of ethnicity, pupils were more inclined than applicants to be white.

Pupils were more likely than applicants to have attended a fee-paying school.

The 2010/11 cohort of pupils was more likely than the pool of applicants to have parent(s) who were educated to degree level.

Pupils were more likely than applicants to have attended an Oxbridge university.

It was also found that pupils were more likely than applicants to have a first class honours degree.

It would be wrong to conclude that the typical pupil is a white male who took a first-class honours degree, attended a fee-paying school and an Oxbridge university and has university-educated parents, but rather that each of these individual characteristics considered on their own is more prevalent in the pupillage population in comparison to the applicant population.

The limits to the conclusions that can be drawn from this report are that the full cohort of applicants was not identifiable due to data on those applying outside of the Pupillage Portal not being available. Another reason for the datasets not matching is that some chambers recruit earlier than others and pupils may defer a placement and register a year later.

In order for a comprehensive comparison to be made between applicants and pupils, it would be necessary to be able to match successful pupils from the pool of applicants. This would allow statistical testing to explore what characteristics increase the likelihood of gaining pupillage. This was undertaken with 2011 pupillage applicants where approximately half of those who were successful in applying for pupillage could be selected from the pool of applicants.<sup>6</sup>

Allowing all pupillage applicants to complete an equality and diversity monitoring form or at least register as an applicant to ensure the full number of applicants can be counted would improve the reliability of pupillage equality and diversity monitoring data. In addition to this, requiring all chambers to identify which applicants were offered a pupillage regardless of whether chambers are a member of the Pupillage Portal or not would allow effective monitoring of equal access to and social mobility entering the Bar.

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<sup>6</sup> Please see '*An analysis of the backgrounds of pupillage portal applicants in 2011*' which includes a multivariate analysis of predictive characteristics of obtaining pupillage:  
<http://www.barcouncil.org.uk/media/62529/ppa2011cc.pdf><http://www.barcouncil.org.uk/media/62529/ppa2011cc.pdf>



## Appendix 1: Methodology and sampling frame of the LFS

The LFS January to March 2011 was used in order to provide a means to compare applicants and pupils with the general population of working age. In order for these to be comparable, those outside England and Wales; and those aged younger than 20 years and more than 70 years were excluded from this analysis. All references to the general population in this report refer to that of England and Wales aged between 20 and 70 as measured by the LFS. This matches the jurisdiction of the Bar Council (England and Wales), and also the age range of applicants.

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

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

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

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

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

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

## Appendix 2: Bar Council response

This comparison shows considerable apparent disparities between the profile of pupillage applicants and pupils in relation to diversity and socio-economic background. The Bar Council actively promotes the collection and publication of transparent data on the profile of the Bar, which is used to inform the Bar Council's policy, the profession and wider society. The Neuberger Report recommended the desirability of having definitive evidence of the extent to which different groups in the population proceeded through the different stages of entry to the Bar, and recommended that the Bar Council should monitor and evaluate itself in regard to these matters. This comparison of backgrounds between pupillage applicants and pupils is one in a series of data analyses that aims to achieve this recommendation.

The Bar Council is committed to widening access to the profession, and considerable efforts have been made to address the ongoing challenges in this area, particularly since the publication of the Neuberger Report on Entry to the Bar in 2007. Diversity and inclusivity are essential if a modern profession is to maintain the highest standards of excellence and contribute to a fairer and more effective society. The work of many universities to widen access is welcome and has important implications for improving access to the Bar. The Bar Council, the Inns of Court, Circuits and Specialist Bar Associations organise talks, careers days, court visits, mock trials, workshops and placements for students at schools, universities and law schools, and for mature prospective entrants to the Bar. The Bar works with organisations such as the Social Mobility Foundation, the Citizenship Foundation, Pathways to Law, and the National Education Trust to promote access to the profession, and to improve the opportunities of students from lower socio-economic backgrounds to engage with and join the professions.

The Bar Council is offering training to chambers so that they are better able to identify potential in candidates from diverse backgrounds, and will be publishing an online guide on fair recruitment methods that will become an obligatory training guide for all members of chambers involved in selecting pupils. The Bar Council is a member of Professions for Good, a cross-professional organisation set up to improve access to the professions, and supports the Social Mobility Toolkit which provides some excellent best practice guidance for professionals involved in recruitment and selection. Please [click here](#) for more information.

*Pam Bhalla, Equality and Diversity Adviser and Amelia Aspden, Policy Officer for Social Mobility, April 2012*