



The Bar - Public Awareness and Confidence Research report

September 2024

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BAR
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BOARD

REGULATING BARRISTERS

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Executive Summary

- In exercising its functions, the BSB is committed to understanding the needs of consumers and to targeting its regulatory intervention where there is evidence of the need to do so. In this context, the BSB wishes to develop an improved understanding of public awareness of, and confidence in, the profession, as well as understanding and awareness of barristers' regulatory status and the role of the BSB. This will help to inform our work around our regulatory objectives, particularly around protecting and promoting the public interest, and improving public understanding of their legal rights and duties.
- In order to improve our evidence base around public awareness and confidence of the Bar, the BSB commissioned a survey of the general public in March 2024. The survey covered questions on awareness, impressions of, and attitudes towards, barristers among the adult population in England and Wales, including some additional questions around use of a barrister. The BSB commissioned Ipsos Mori to collect the data from a representative sample of GB adults aged 16-75, along with a booster sample of 200 responses specifically for Wales.

Key Findings

- The vast majority of respondents had heard of barristers, at a similar level to other high-profile roles within the legal system, with 97% stating they had heard of barristers. The proportion who stated they knew something about barristers was slightly lower, with 85% of respondents stating they knew something about barristers. Among respondents as a whole, 85% thought that the Bar was regulated, and 8% thought that it was not regulated.
- A much lower proportion of respondents had heard of the BSB – half had not heard of the BSB, and only 18% stated they knew something about the organisation. Awareness of whether the BSB was independent of the Bar Council was even lower, with 71% of respondents stating that they did not know.
- Overall, confidence in the profession was high, with the majority of respondents stating they had confidence in each of the four areas covered in the survey (acting in their clients' interests, providing a competent standard of service to their clients, acting with integrity, and treating everyone fairly and without discrimination). However, confidence in the two questions relating service to clients was higher than the other two areas, with confidence that barristers treated everyone fairly and without discrimination lowest across the four areas.
- Responses to the questions on confidence differed considerably by certain characteristics of respondents. Confidence was higher than average among those who had used a barrister personally, among those with higher incomes or from a higher social grade, or who knew someone who worked in the legal sector.

- In contrast, confidence was lower than average among those from a lower social grade, those who did not think the Bar was regulated, and among those from a minority ethnic background. Confidence in the Bar also varied by region, with levels of confidence highest in Wales, and lowest in the North-East.
- Among those who had used a barrister personally, the majority were satisfied both with the service they received and with the outcome of their legal matter, although satisfaction was slightly higher with service received than it was for outcome.
- There were some variations in satisfaction levels across different groups of respondents. Satisfaction was higher among those who had used a barrister to represent them in court compared to those who had used them for other legal advice. Satisfaction was also higher among those with higher incomes or from a higher social grade, and higher among those from a minority ethnic background.

1 Introduction

1.1. The Bar Standards Board (BSB) is the regulator for barristers in England and Wales. The BSB is responsible for:

- Setting the education and training requirements for becoming a barrister;
- Setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers;
- Setting standards of conduct for barristers;
- Authorising organisations that focus on advocacy, litigation, and specialist legal advice;
- Monitoring the service provided by barristers and the organisations we authorise to assure quality;
- Responding to concerns about barristers and the organisations we authorise and taking disciplinary or other action where appropriate.

1.2. Our regulatory objectives are laid down in the Legal Services Act 2007 and are:

- Protecting and promoting the public interest;
- Supporting the constitutional principle of the rule of law;
- Improving access to justice;
- Protecting and promoting the interests of clients;
- Promoting competition in the provision of services;
- Encouraging an independent, strong, diverse and effective legal profession;
- Increasing public understanding of citizens' legal rights and duties;
- Promoting and maintaining adherence to the professional principles;¹ and
- Promoting the prevention and detection of economic crime.

1.3. The Legal Services Act 2007 requires the BSB to regulate in a transparent, accountable, proportionate, consistent and targeted way. We also have a responsibility to base our regulatory activities on risk and take an evidence-based approach to determine the priority risks. To achieve this, we allocate our resources where we think they would be most effective in addressing these priority risks and constantly monitor the market for barristers' and advocacy services.

Background

1.4. In exercising its functions, the BSB is committed to understanding the needs of

1. As defined in the Legal Services Act (2007), the "professional principles" are (a) that authorised persons should act with independence and integrity, (b) that authorised persons should maintain proper standards of work, (c) that authorised persons should act in the best interests of their clients, (d) that persons who exercise before any court a right of audience, or conduct litigation in relation to proceedings in any court, by virtue of being authorised persons should comply with their duty to the court to act with independence in the interests of justice, and that the affairs of clients should be kept confidential.

consumers and to targeting its regulatory intervention where there is evidence of the need to do so. In this context, the BSB wishes to develop an improved understanding of public awareness of, and confidence in, the profession, as well as understanding and awareness of barristers' regulatory status and the role of the BSB. This will help to inform our work around our regulatory objectives, particularly around protecting and promoting the public interest, and improving public understanding of their legal rights and duties.

Research Objectives

- 1.5. In order to improve our evidence base in this area, the BSB commissioned a survey of the general public in March 2024. The survey covered questions on awareness, impressions of, and attitudes towards, the Bar and barristers among the adult population in England and Wales, including some additional questions around use of a barrister.

2 Methodology

2.1. The research focussed on answering the following key questions:

- To what extent are the public aware of the barrister profession and its regulatory status?
- To what extent are the public aware of the BSB and its role?
- To what extent do the public have confidence in the barrister profession?
- If they have used a barrister before, were members of the public satisfied with the service they received and the outcome of their legal issue?
- Are there any key differences in responses to the above questions related to the characteristics of those responding?

2.2. The research used a quantitative approach. The BSB commissioned Ipsos Mori to collect the data from a representative sample of GB adults aged 16-75, along with a booster sample of 200 responses specifically for Wales. To ensure representativeness, quotas were set on age within gender, region, and working status. Overall results were then weighted according to these demographic variables as well as social grade to reflect the proportions of the overall population.

2.3. The data was collected using the Ipsos online panel, with fieldwork taking place in March 2024. The survey received a total of 2047 responses. The survey questions are included in Appendix 1.

Research limitations

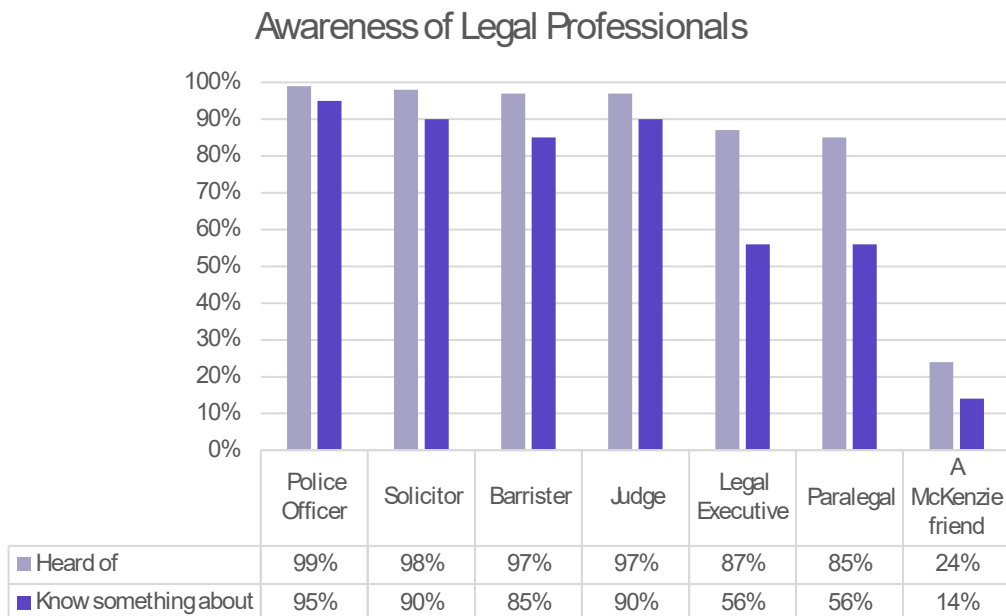
2.4. While the results from this survey that cover the population as a whole are based of a large sample which is weighted to be representative, responses to some questions have been broken down by sub-groups, such as by region or by income. These results are based on a smaller subsection of the sample that is not weighted to be representative of that group within the wider population. As such, these results are less reliable than those covering all respondents.

3 Research Findings

Public Awareness

3.1. Chart 1 looks at levels of awareness of different legal professionals. For all types of legal professionals, the proportion of respondents who have heard of them is higher than those who know something about them. Police Officer and Solicitor are the types of professionals that most respondents have heard of (99% and 98%, respectively), followed by Barrister and Judge (both 97%). The roles that most respondents know something about are Police Officer (95%), Solicitor (90%), and Judge (90%). Although 97% of respondents have heard of Barristers, only 85% know something about them. The roles that the fewest respondents have heard of or know something about are Legal Executive, Paralegal, and McKenzie Friend. There is a significant difference between those who have heard of Legal Executives (87%) and Paralegals (85%) and those who know something about these professionals (both 56%).

Chart 1

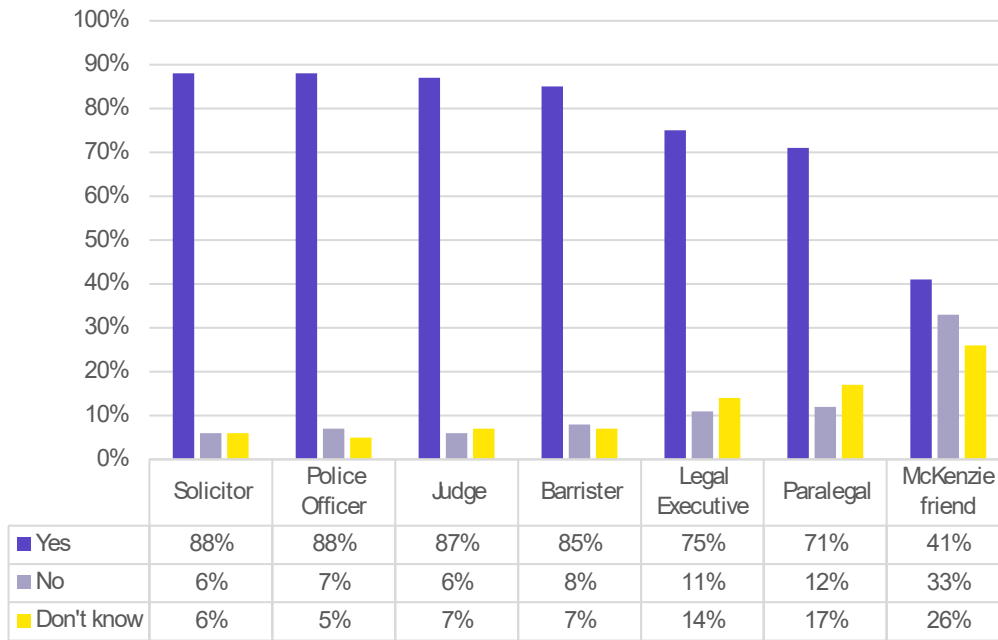


3.2. Chart 2 illustrates the percentage of respondents who think which professions are regulated, which are not, and those who don't know. Over 85% of respondents think that Barristers, Judges, Police Officers, and Solicitors are regulated, while 75% think that Legal Executives are regulated, 71% that Paralegals are regulated, and only 41% think that a McKenzie Friend is regulated. Some respondents are unsure whether a McKenzie Friend, Paralegal, and Legal Executive are regulated, with proportions of 26%, 17%, and 14%, respectively. This figure illustrates how, for those professions with a lower proportion of respondents who know something about or have heard of them, a higher proportion of respondents don't know if they

are regulated or not. Regarding the barrister profession, 85% of respondents think they are regulated, 8% said they are not regulated, and 7% don't know if barristers are regulated.

Chart 2

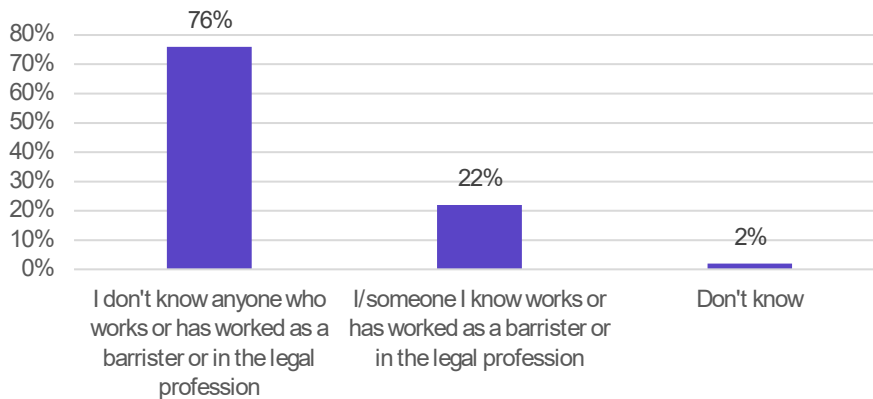
Which of the following professions do you think are regulated?



3.3. Chart 3 shows the proportion of respondents who don't know anyone who works or has worked as a barrister or in the legal profession (76%), and those who know someone who works or has worked as a barrister or in the legal profession (22%). Over three quarters of respondents don't know anyone who works in the legal profession.

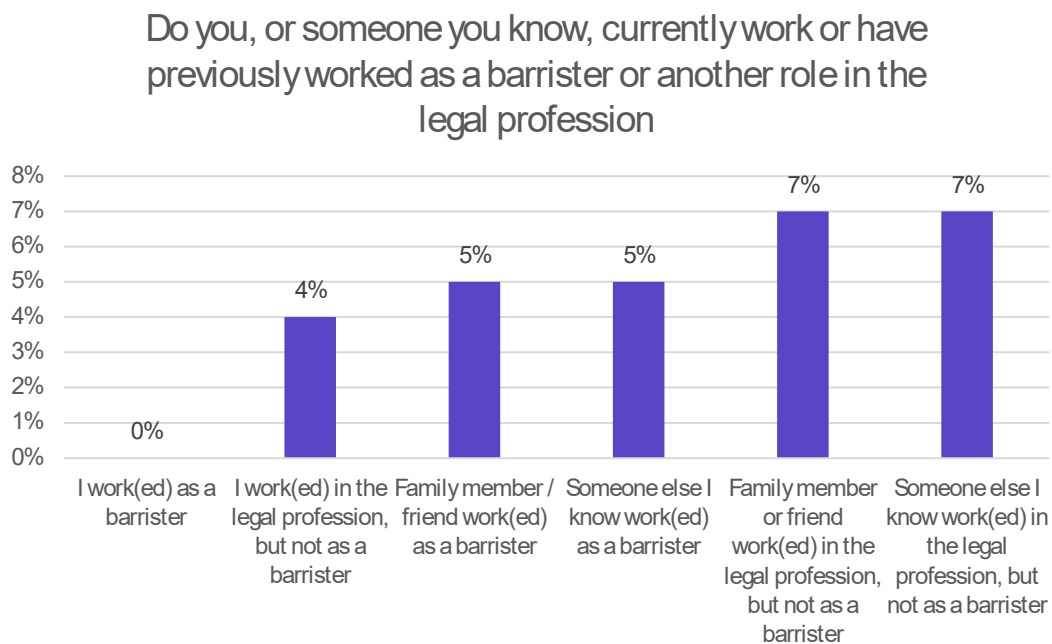
Chart 3

Do you, or someone you know, currently work or have previously worked as a barrister or another role in the legal profession



3.4. Chart 4 shows the different responses from those who work or know someone who works in the legal profession. 4% of them said that they worked in the legal profession themselves, but not as barristers; 5% responded that a family member or friend worked as a barrister; 5% said that someone else they know worked as a barrister; 7% mentioned that a family member or friend worked in the legal profession but not as a barrister; and the remaining 7% said that someone else they know worked in the legal profession but not as a barrister.² Over the sample as a whole, 9% of total respondents know someone who worked as a barrister, and none of them worked as a barrister.

Chart 4



3.5. Survey respondents were also asked if they had any previous experience with a barrister in a professional context. Table 1 shows different situations that apply to respondents regarding their previous experience with barristers. The largest proportion of respondents (74%) said that they have never had any personal experience dealing with a barrister, followed by 10% who said that a barrister has either represented them or given them legal advice (combined). Additionally, 6% said that a barrister has given them legal advice, and 5% mentioned that a barrister has personally represented them in court. Only 1% of respondents mentioned that they had contact with a barrister for a legal matter in another way, and the same percentage preferred not to say.

2. The percentages given here do not sum up to 22% (i.e. the proportion who had worked or knew someone who had worked in the legal profession) because respondents could choose more than one response.

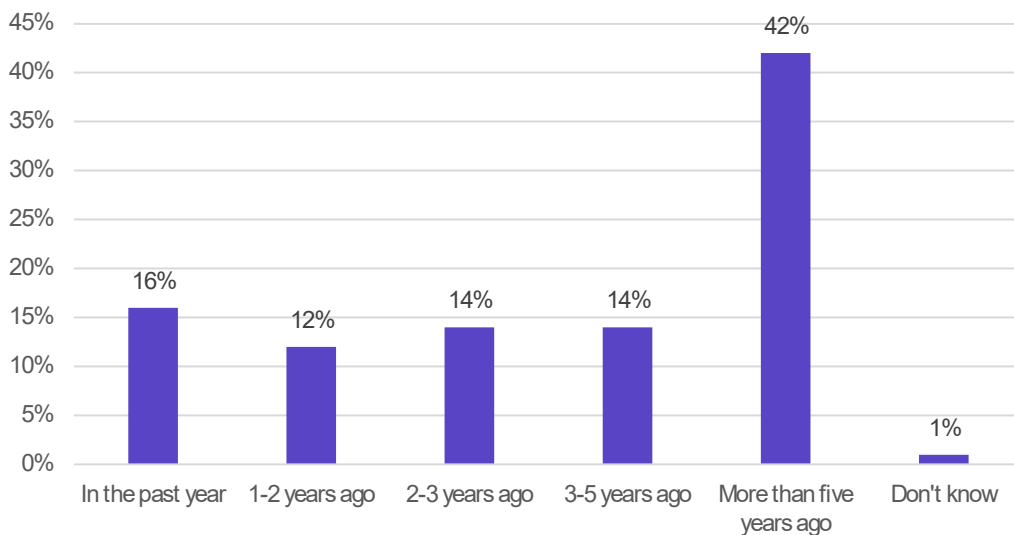
Table 1

Previous Experience with Barristers	
I have never had any personal experience dealing with a barrister	74.0%
A barrister has represented me or gave me legal advice (Combined)	10.0%
A barrister has given me legal advice for a matter which did not go to court	6.0%
A barrister has represented me personally in court	5.0%
I have been a witness in a court and a barrister cross-examined me as a witness	5.0%
I have worked in a job which involved working with barristers	5.0%
Don't know	5.0%
I had a legal matter which didn't go to court and a barrister was representing someone else	4.0%
I have been to court for my own legal matter and a barrister was representing someone else	3.0%
I had contact with a barrister for a legal matter (either in or out court) in another way	1.0%
Prefer not to say	1.0%

3.6. Chart 5 suggests that for most respondents (42%) who have been involved with barristers, the most recent experience was more than five years ago. 16% of respondents said it was last year, 28% said it was between 2-5 years ago, and 12% said it was 1-2 years ago.

Chart 5

When was your most recent experience employing a barrister?



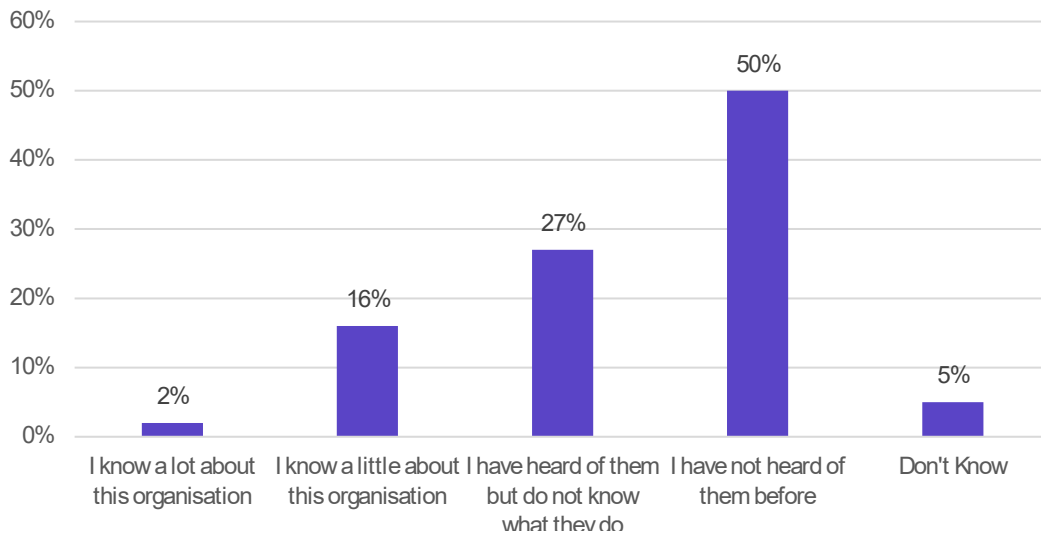
Public Awareness - BSB

3.7. Chart 6 shows public awareness about the Bar Standards Board (BSB). 50% of respondents said they have not heard of the BSB before, 27% mentioned that they have heard of the BSB but do not know what they do, 16% said they know little about this organisation, and only 2% said they know a lot about it. This figure suggests that half of the respondents don't know anything about the BSB, and only

a small proportion of them are truly familiar with it.

Chart 6

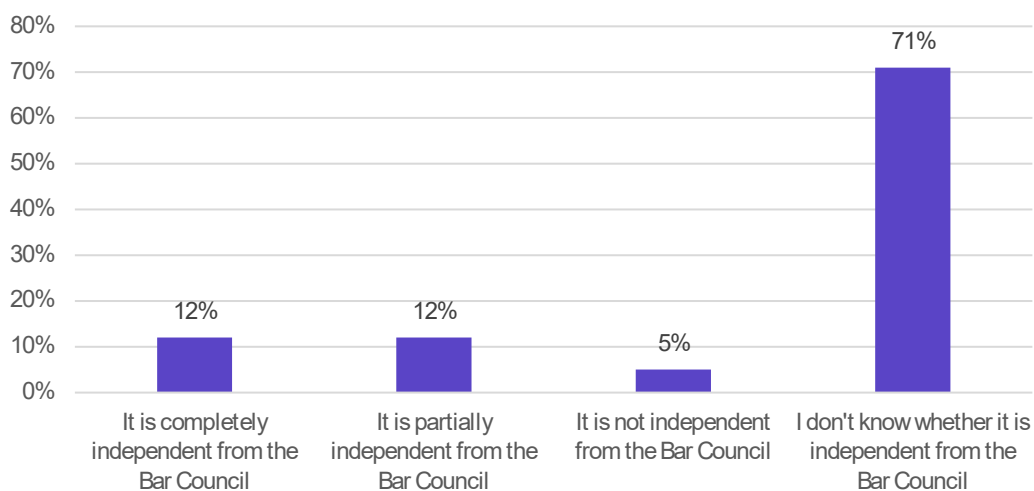
Before completing this survey, how much did you know about the Bar Standards Board?



- 3.8. Respondents were also asked if they thought the BSB was independent from the Bar Council.³ A large majority of respondents (71%) said they don't know whether it is independent from the Bar Council. Meanwhile, 12% thought that it is completely independent, and 12% thought it is partially independent from the Bar Council. Only 5% of respondents think that the BSB is not independent from the Bar Council.

Chart 7

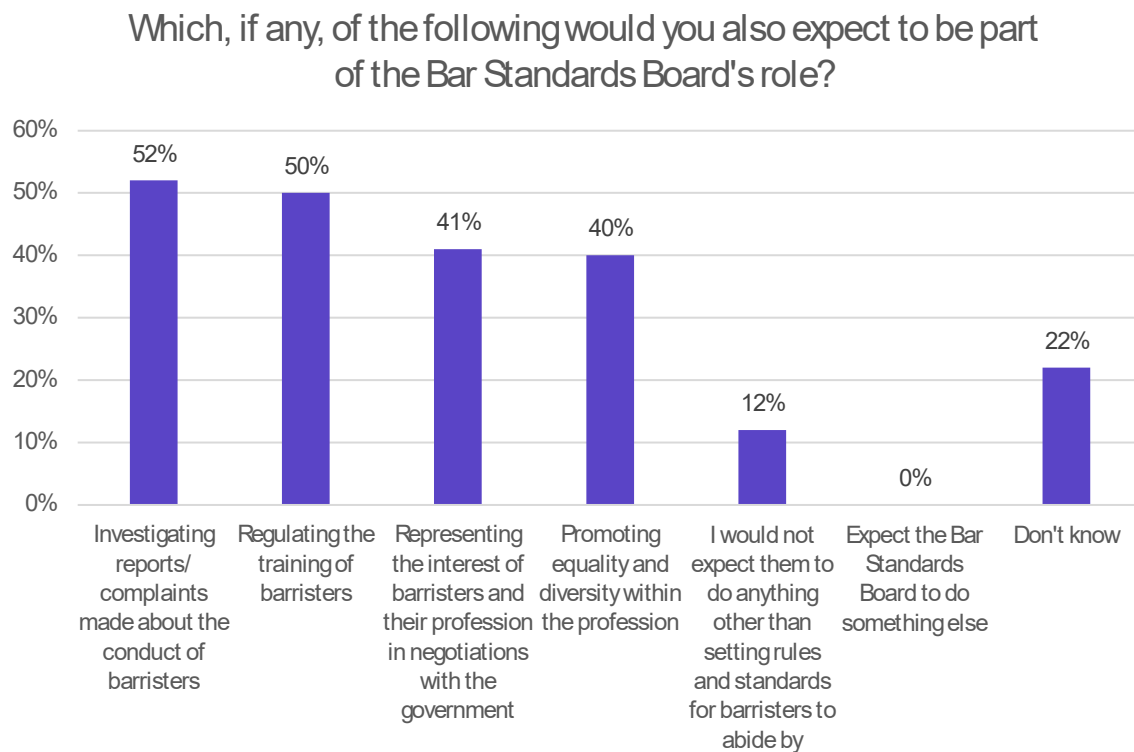
Is the Bar Standards Board independent from the Bar Council?



3. The BSB and the Bar Council are legally the same entity ('the General Council of the Bar') – however, the BSB operates the GCB's regulatory function independently of the Bar Council

3.9. Chart 8 shows what respondents think should be covered by the BSB's role. 52% of respondents would expect investigating reports and complaints made about the conduct of barristers to be part of the BSB's role, followed by 50% who expect the BSB to regulate the training of barristers. Additionally, 41% said that representing the interests of barristers and their profession in negotiations with the government should be included, while 40% think that promoting equality and diversity within the profession should be a part of the BSB's role. Furthermore, 22% admitted they don't know the role of the BSB, and 12% would not expect the BSB to do anything other than setting rules and standards for barristers to abide by. None of the respondents expect the BSB to have other responsibilities.⁴

Chart 8



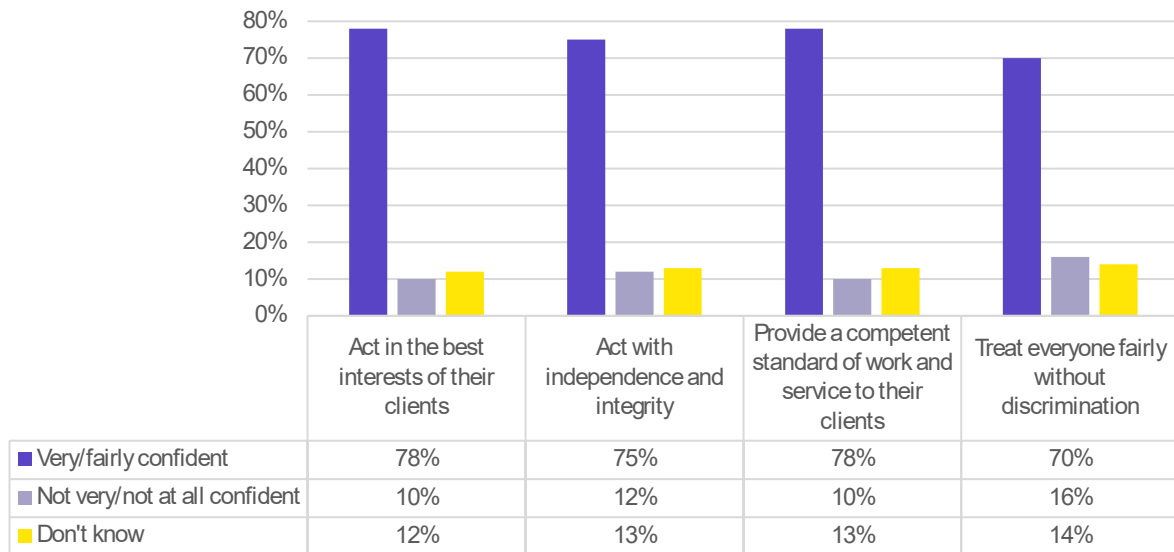
Public Confidence

3.10. Chart 9 compares respondents' confidence regarding aspects of barristers' role and responsibilities when undertaking their work. 78% of respondents are very/fairly confident that barristers act in the best interest of their clients, compared to 10% who are not very/not at all confident about this. Additionally, 12% of respondents indicated they don't know. These proportions of responses are the same for those who think that barristers provide a competent standard of work and service to their clients, except for respondents who are unsure about this (13%).

4. The percentages given here do not sum up to 100% because respondents could choose more than one response.

Chart 9

When working as a barrister, how confident, if at all, are you that barristers:

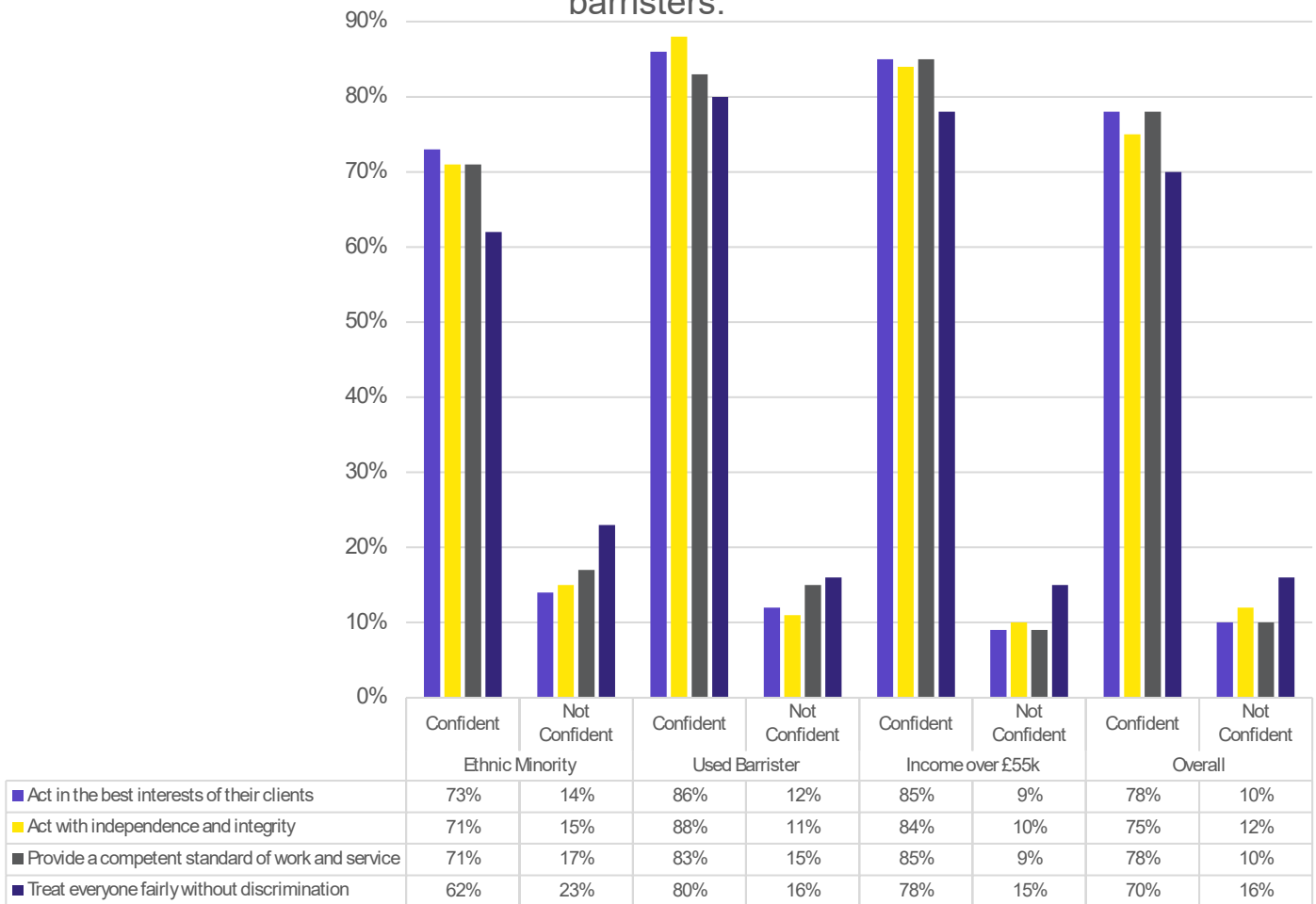


3.11. 75% of respondents feel very/fairly confident that barristers act with independence and integrity, while 12% are not very/not at all confident about it. Moreover, 12% responded that they don't know. This contrasts with 70% of respondents who are very/fairly confident that barristers treat everyone fairly without discrimination, while 16% are not very/not at all confident about it. Additionally, 14% of respondents said they don't know. This suggests the general public may have slightly higher confidence around barristers' provision of services to clients than they do about aspects that relate to their ethical responsibilities.

3.12. Chart 10 looks at some notable group differences in responses to the questions about confidence in the profession. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents who have used barristers personally. Respondents from an ethnic minority background have lower levels of confidence in the profession than those from a white background (with confidence being between 5-9% lower depending on the question).

Chart 10

When working as a barrister, how confident, if at all, are you that barristers:



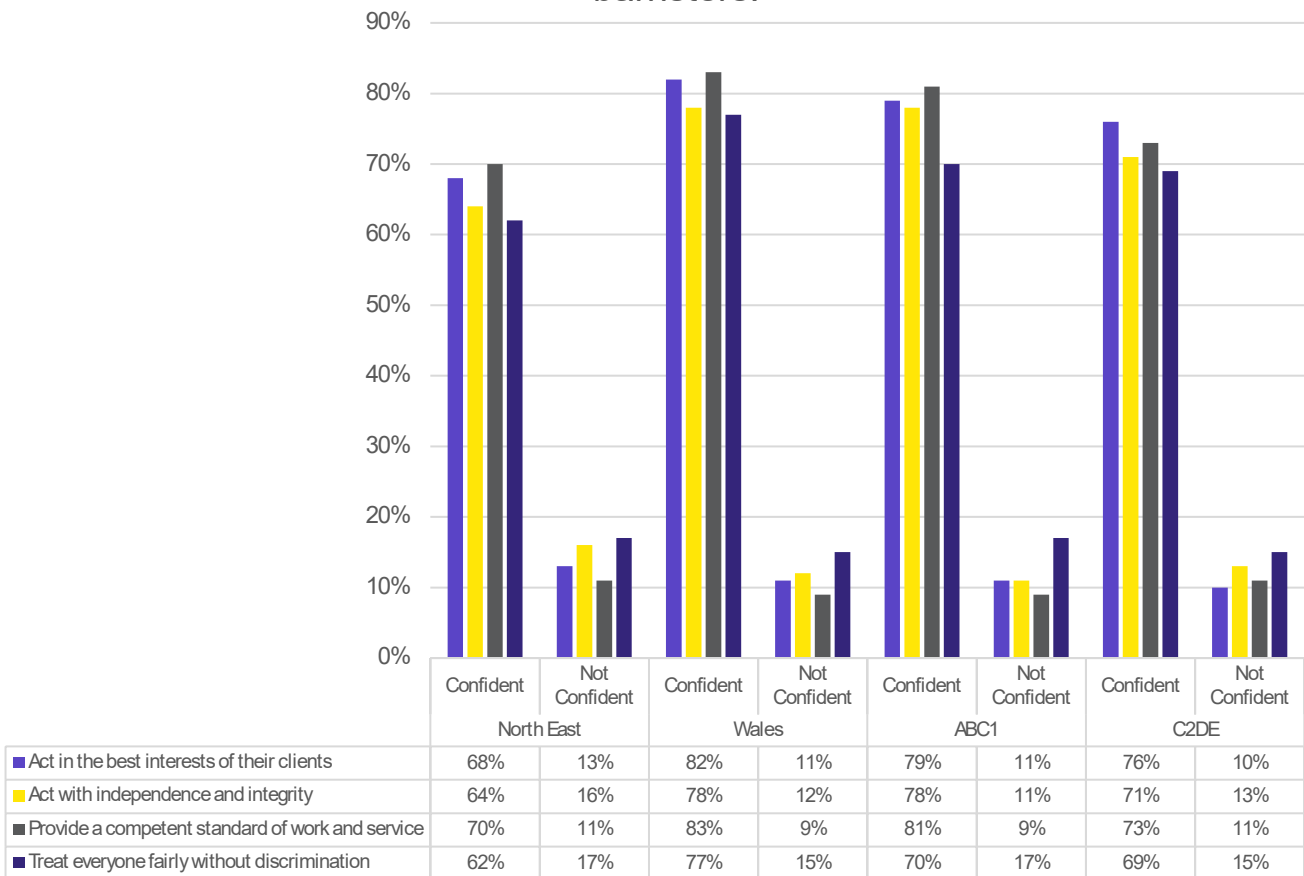
3.13. In all groups, the proportion of respondents who are confident that barristers treat everyone fairly without discrimination is lower than for the other confidence questions. This is specifically significant for those from an ethnic minority background, with only 62% of respondents agreeing with this statement, while 23% of them are not confident about this statement. This compares to 80% of respondents who have used a barrister and are confident about this statement, and with 16% of this group who are not confident with the statement.

3.14. There is a common trend in Chart 10, which suggests that more respondents, except for those who have used barristers, are confident that barristers act in the best interest of their clients, followed by those who are confident that barristers provide a competent standard of work and service to their clients, followed by those who are confident that barristers act with independence and integrity, and finally, those who are confident that barristers treat everyone fairly without discrimination. This differs for respondents who have used barristers, where the order of confidence is: barristers act with independence and integrity; act in the best interest of their clients; provide a competent standard of work and service to their clients; treat everyone fairly without discrimination.

3.15. Overall, 16% of respondents are not confident that barristers treat everyone fairly without discrimination, which compares to 10% of respondents who are not confident that barristers either act in the best interest of their clients or provide a competent standard of work and service to their clients.

Chart 11

When working as a barrister, how confident, if at all, are you that barristers:



3.16. Chart 11 compares group differences in responses to the questions about confidence in the profession. Wales was the region with the highest levels of confidence in the profession, whereas the North East was the region where confidence was lowest. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents from Wales (3-7% higher than average depending on the question) than for those from North East (8-11% lower than average depending on the question). Confidence was also higher for those from a higher NRS social grade (0-3% higher than average depending on the question) than for those from a lower NRS social grade (1-

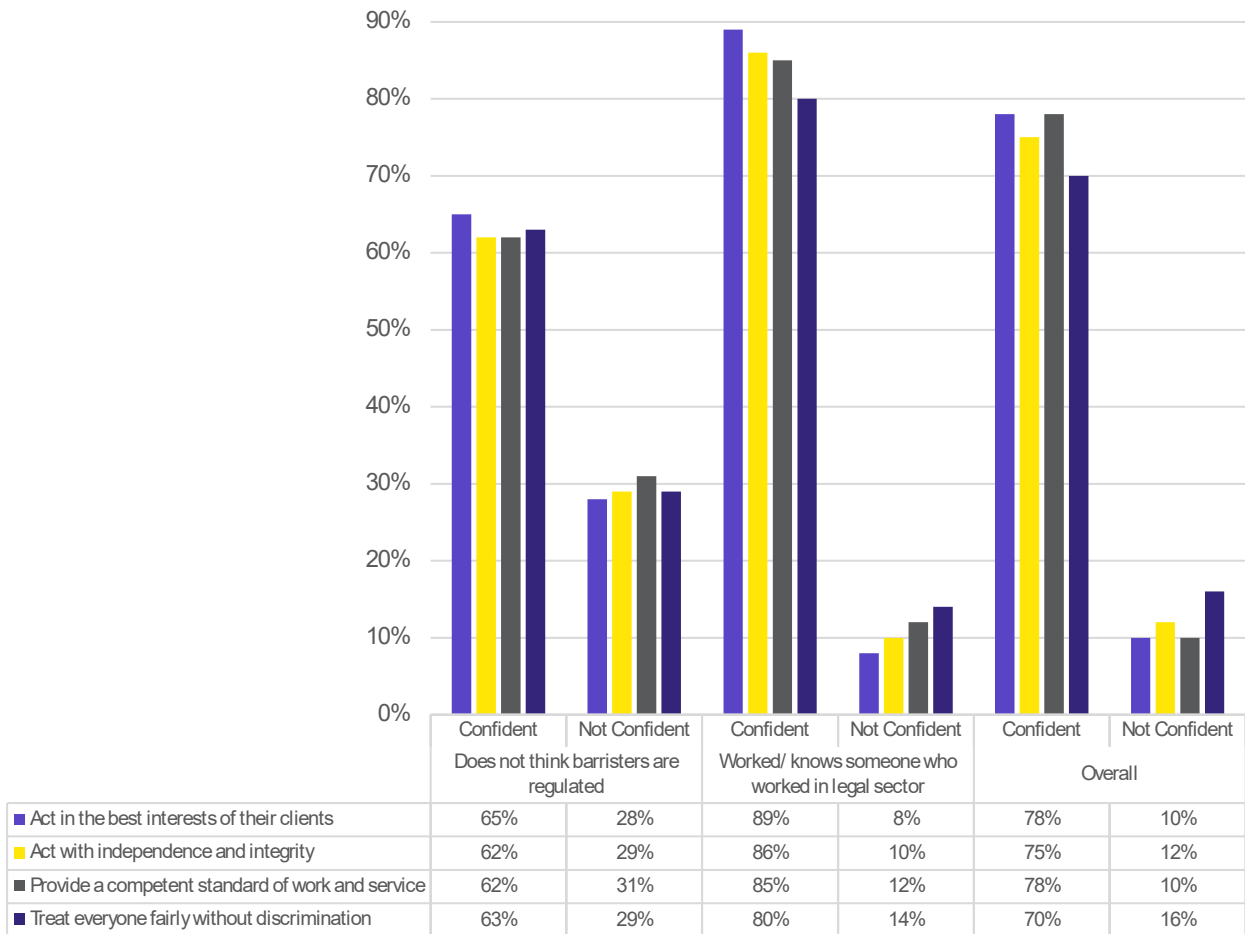
5% lower than the average depending on the question).⁵

- 3.17. In all groups, the proportion of respondents who are confident that barristers treat everyone fairly without discrimination is lower than for the other confidence questions. This is specifically significant for those from the North East, with only 62% of respondents agreeing with this statement, while 17% of them are not confident about this statement. This compares to 77% of respondents from Wales who are confident about this statement, and with 15% of this group who are not confident with the statement.
- 3.18. There is a common trend in Figure 11, which suggests that more respondents, except for those from C2DE background, are confident that barristers provide a competent standard of work and service to their clients, followed by those who are confident that barristers act in the best interest of their clients, followed by those who are confident that barristers act with independence and integrity, and finally, those who are confident that barristers treat everyone fairly without discrimination. This differs for respondents from C2DE background, where the order of confidence is: barristers act in the best interest of their clients; barristers provide a competent standard of work and service to their clients; barristers act with independence and integrity; barristers treat everyone fairly without discrimination.
- 3.19. In all groups the proportion of responses who are not confident that barristers treat everyone fairly without discrimination, is higher than for other confidence questions. 17% of respondents from North East are not confident about this statement; 17% from ABC1 background are not confident about the statement; 15% of respondents from Wales are not confident about this statement; and finally 15% of those from C2DE background are not confident that barristers treat everyone fairly without discrimination.
- 3.20. Chart 12 compares those respondents who don't think that barristers are regulated and those who worked or know someone who worked in the legal sector, in responses to the questions about confidence in the profession. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents who worked or know someone who worked in the legal sector than for those who don't think that barristers are regulated (17-24% higher depending on the question).

5. The NRS Social Grade classification is based on the occupation of the head of household. ABC1 represents those who work in professional, managerial and other office-based occupations, whereas C2DE represents those working in skilled and unskilled manual occupations, as well as those who are unemployed or in receipt of the state pension.

Chart 12

When working as a barrister, how confident, if at all, are you that barristers:



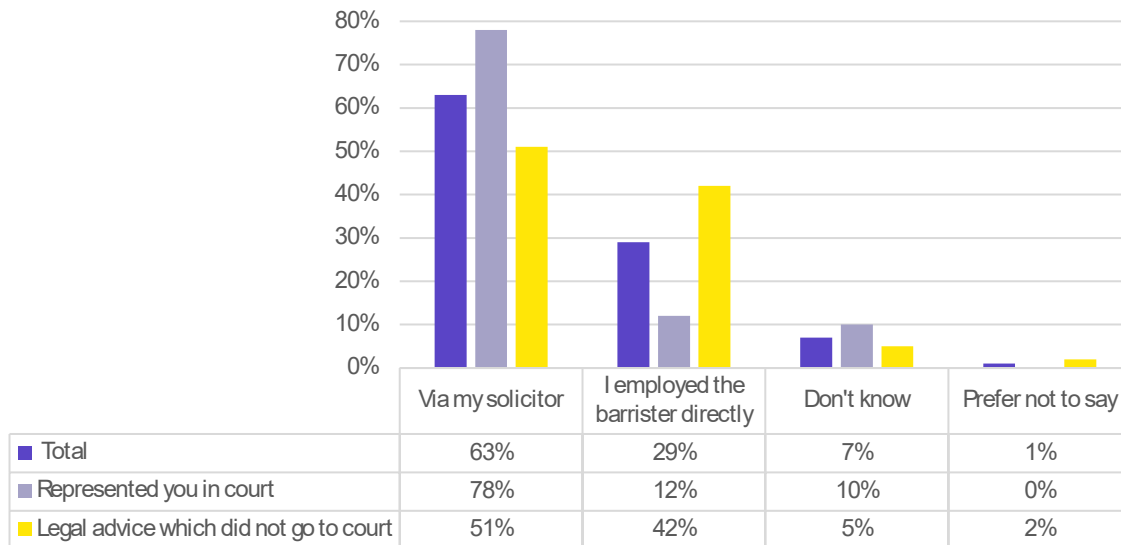
3.21. In both groups, the proportion of respondents who are confident that barristers act in the best interest of their clients is higher than for the other confidence questions. For those who don't think that barristers are regulated, 65% of respondents agreed with this statement, while 28% of them are not confident about this statement. This compares to 89% of respondents who worked or know someone who worked in the legal sector and are confident about this statement, and with 8% of this group who are not confident with the statement.

Barristers Clients

3.22. For the 10% of the sample who had employed a barrister personally, the survey asked several additional questions about their use of a barrister. It is worth highlighting that the results for these questions are based on a smaller sample (only 195 of the overall sample had used a barrister personally) and therefore some caution should be taken in drawing generalisable conclusions about barrister's clients.

Chart 13

Was your barrister employed via your solicitor or did you employ your barrister directly?

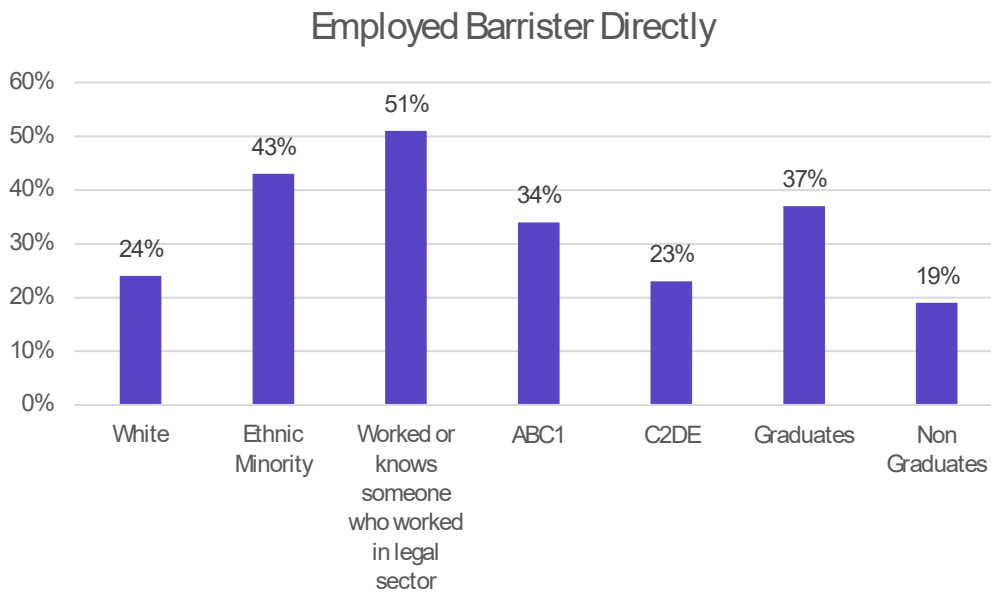


3.23. Chart 13 compares responses from those who have used a barrister before regarding how the barrister was employed, either directly by the respondents or via solicitors. The proportion of respondents who employed barristers via solicitors is higher (63%) than the proportion of those who employed barristers directly (29%), with 7% of respondents not knowing how they employed barristers. This suggests that most barristers' clients employed their barrister via their solicitor.

3.24. 78% of respondents employed a barrister via their solicitor for representation in court, while 51% did so for legal advice that did not go to court. This compares to 12% of respondents who employed a barrister directly for representation in court, while 42% did so for legal advice without going to court. 10% of respondents mentioned that they don't know how they employed the barrister for representation in court, while 5% said the same for legal advice without going to court. This suggests that the proportion of respondents who employed their barrister directly for representation in court is significantly lower (12%) than the proportion of respondents who employed the barrister via solicitor for representation in court (78%).

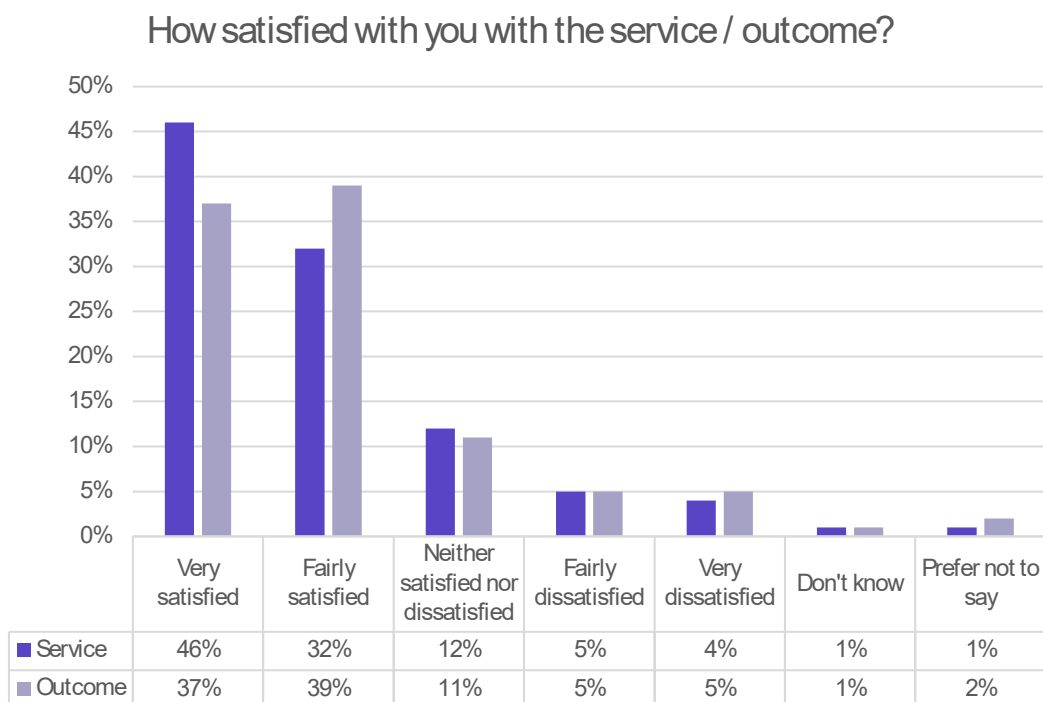
3.25. Chart 14 compares key differences between groups in terms of employing a barrister directly in the past. It shows that 51% of those who have worked or know someone who worked in the legal sector employed their barrister directly; and 43% of those from an ethnic minority background did so compared to 24% from a white background. Employing a barrister directly was also more common among those from a higher NRS social grade, and more common among graduates.

Chart 14



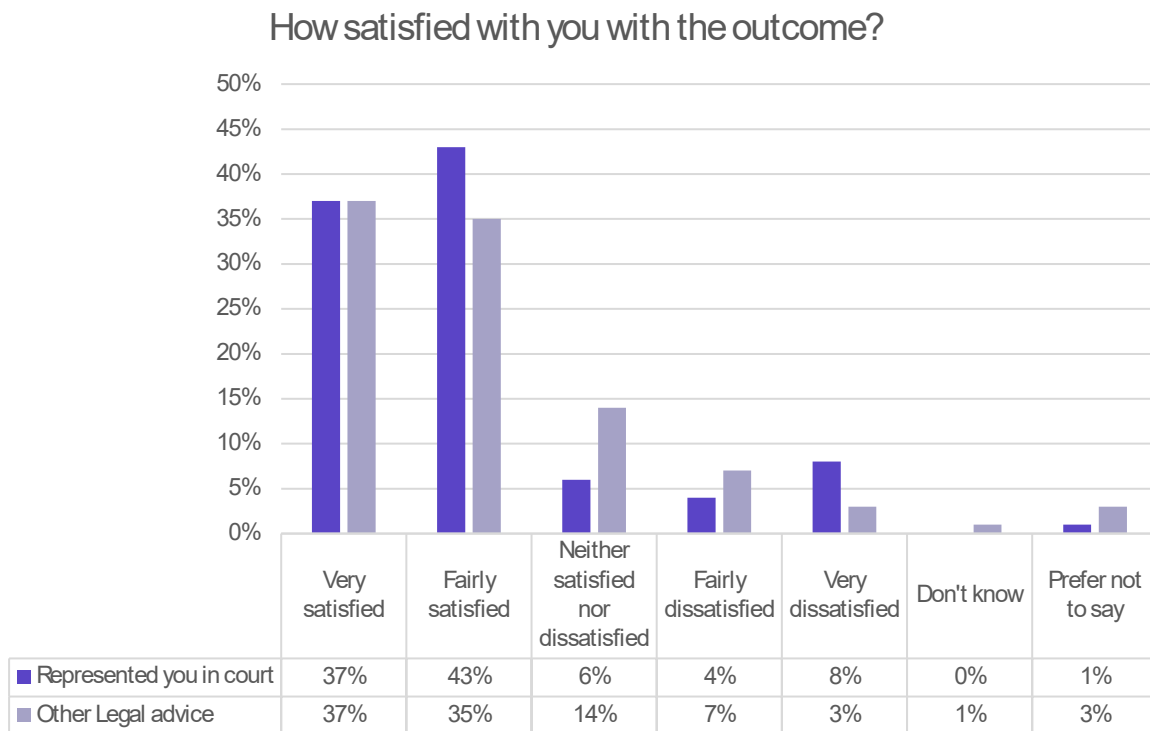
3.26. Chart 15 compares the degree of satisfaction of respondents with the service offered by the barrister and the outcomes of this service. Overall, 78% of respondents said that they were fairly/very satisfied with the service, 12% said they were neither satisfied nor dissatisfied with it, and 9% said they were fairly/very dissatisfied with the service. Regarding the outcome, 76% of respondents said they were fairly/very satisfied, 11% were neither satisfied nor dissatisfied with it, and 10% were fairly/very dissatisfied with the outcome.

Chart 15



3.27. Chart 16 compares the satisfaction with the outcome of their experience with a barrister between respondents who were represented at court and those who accessed other legal advice. It shows that 80% of those who were represented at court were fairly/very satisfied with the outcome, and 12% were fairly/very dissatisfied with it. This compares with 72% and 10%, respectively, for those who accessed other legal advice. This figure suggests that those who were represented by a barrister at court are more satisfied with the outcome than those who only received legal advice.

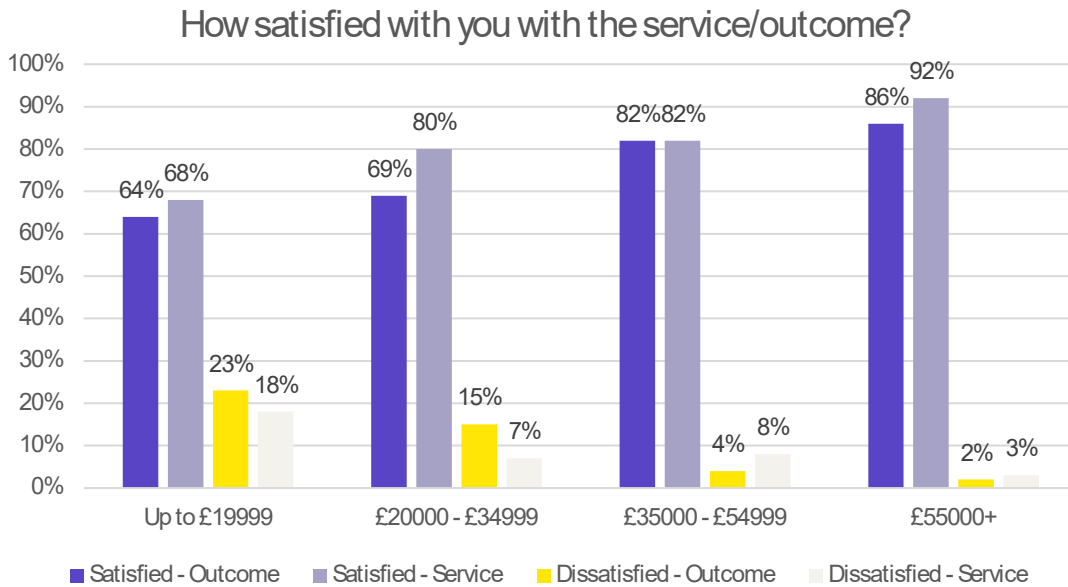
Chart 16



3.28. Chart 17 compares the satisfaction with the service/outcome among respondents by yearly earnings. It shows that 92% of respondents earning £55,000+/year were satisfied with the service and 86% were satisfied with the outcome. This compares with 68% and 64% for those earning up to £19,999/year. This figure suggests that those with higher yearly earnings are more satisfied with the service/outcome than those with lower yearly earnings.

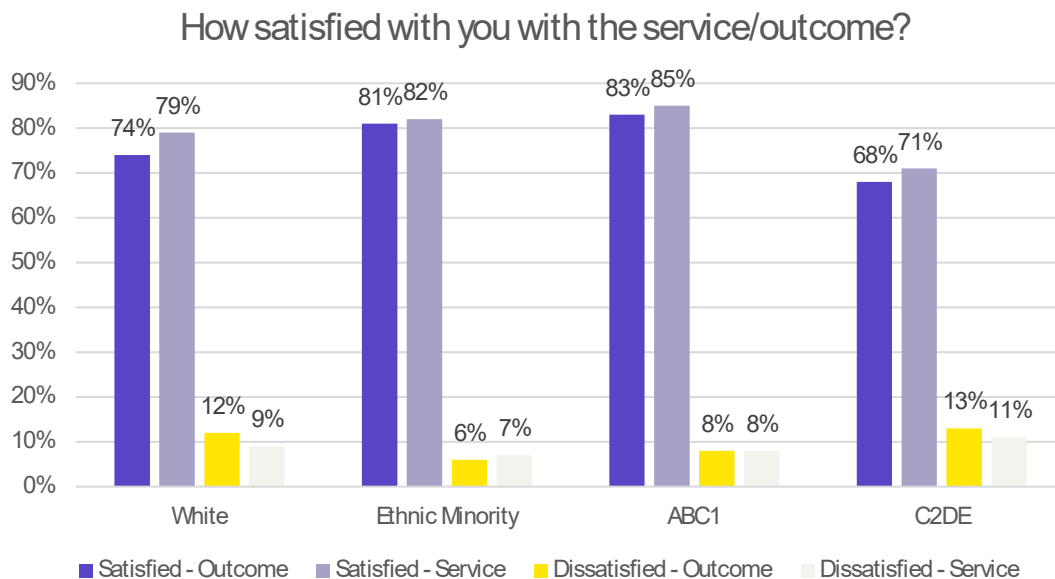
3.29. Only 3% of respondents earning £55,000+/year were dissatisfied with the service and 2% were dissatisfied with the outcome. This compares with 18% and 23% for those earning up to £19,999/year. This figure suggests that those with lower yearly earnings are more dissatisfied with the service/outcome than those with higher yearly earnings.

Chart 17



3.30. Chart 18 looks at the most notable differences between groups around satisfaction with the service/outcome. 85% of respondents from ABC1 backgrounds are satisfied with the service, and 83% of them are satisfied with the outcome. For those respondents from an ethnic minority background, the percentages are 82% and 81%, respectively; 79% and 74%, respectively, for those from a white background; and 71% and 68% for those from C2DE backgrounds. This figure suggests that those who are most satisfied with the outcomes/service are those from higher social grades, followed by those from ethnic minority backgrounds.

Chart 18



3.31. On the other hand, 11% of respondents from C2DE backgrounds were dissatisfied with the service, and 13% of them were dissatisfied with the outcome. For those

respondents from a white background, the percentages are 9% and 12%, respectively; 8% and 8%, respectively, for those from ABC1 backgrounds; and 7% and 6% for those from ethnic minority backgrounds. This figure suggests that those who are most dissatisfied with the outcomes/service are those from lower socioeconomic backgrounds, followed by those from a white background.

4 Summary and Conclusions

- 4.1. Overall, the vast majority (of respondents had heard of barristers, at a similar level to other high-profile roles within the legal system such as police officers, solicitors and judges (and higher than other legal roles such as paralegal or legal executive). The proportion who stated they knew something about barristers was slightly lower, with 85% of respondents stating they knew something about barristers, compared to 90% who knew something about solicitors or judges. Among respondents as a whole, 85% thought that the Bar was regulated, and 8% thought that it was not regulated.
- 4.2. A much lower proportion of respondents had heard of the BSB – half had not heard of the BSB, and only 18% stated they knew something about the organisation. Awareness of whether the BSB was independent of the Bar Council was even lower, with 71% of respondents stating that they did not know. When asked what they expected to be part of the BSB's role (other than setting rules and standards for barristers) around half of respondents thought the BSB was responsible for investigating complaints about barristers and/or setting training requirements, and 40% thought it was responsible for promoting equality and diversity within the profession (all of which are parts of the BSB's role). However, 40% felt it was responsible for representing the profession in negotiations with the government (which is part of the role of the Bar Council as the representative body).
- 4.3. Overall, confidence in the profession was high, with the majority of respondents stating they had confidence in each of the four areas covered in the survey (acting in their clients' interests, providing a competent standard of service to their clients, acting with integrity, and treating everyone fairly and without discrimination). However, confidence in the two questions relating service to clients was higher (at 78% for both questions) than the other two areas, with confidence that barristers treated everyone fairly and without discrimination lowest across the four areas (at 70%).
- 4.4. Responses to the questions on confidence in the profession were one of the parts of the survey where responses differed considerably by certain characteristics of respondents. Confidence was higher than average among those who had used a barrister personally, among those with higher incomes or from a higher social grade, or who knew someone who worked in the legal sector. In contrast, confidence was lower than average among those from a lower social grade, those who did not think the Bar was regulated, and among those from a minority ethnic background. Confidence in the Bar also varied by region, with levels of confidence highest in Wales, and lowest in the North-East.
- 4.5. Among those who had used a barrister personally, the majority were satisfied both with the service they received and with the outcome of their legal matter, although satisfaction was slightly higher with service received than it was for outcome (at 78% compared to 76%, and with 46% 'very satisfied' with the service received compared to 37% who were 'very satisfied' with the outcome). As with questions

on confidence in the Bar, there were some variations in satisfaction levels across different groups of respondents. Satisfaction was higher among those who had used a barrister to represent them in court compared to those who had used them for other legal advice. Satisfaction was also higher among those with higher incomes or from a higher social grade, and higher among those from a minority ethnic background.