



## LSB CONSULTATION:

### INCREASING DIVERSITY AND SOCIAL MOBILITY IN THE LEGAL WORKFORCE: TRANSPARENCY AND EVIDENCE

#### RESPONSE ON BEHALF OF THE

#### BAR COUNCIL'S EQUALITY AND DIVERSITY COMMITTEE

### **Introduction**

The Bar Council's Equality and Diversity Committee welcomes the opportunity to respond to this consultation from the LSB on proposals in relation to increasing diversity and social mobility at all levels of the legal workforce. We support the Board's priorities to gather an evidence base about the composition of the legal workforce, evaluate the effectiveness and impact of diversity initiatives and promote transparency about workforce diversity at entity level. We value the emphasis the LSB is giving to promoting social mobility within the legal workforce as this is a well established priority, too, for the Bar Council despite its absence from the equality legislation. Also, The Bar Council has as a priority strengthening and retaining diversity within the profession.

The Bar Council, as AR, is subject to the general equality duty, as is the LSB and in addition the specific equality duties. We are working towards publication of diversity evidence and analyses about the profession as required by July 2011 and to develop our equality objectives by April 2012. During the last year we have created a Research Department to serve both the regulatory and representative functions of the Bar Council and have approved a significant upgrade to our database which will be complete by the middle of the year. While we hold already comprehensive data covering the strands of sex, age, and race, the addition of a Research Department and expanded database will further extend our ability to collect and analyse diversity information on the profession and evaluate diversity initiatives.

We welcome the LSB's commitment to promote a diverse legal profession. However, given the different circumstances of ARs and those they regulate and the possible range of different approaches to achieving the priorities, we doubt that the best approach will be the same for all ARs. We do not consider that it is either necessary or proportionate, in terms of better regulation principles or effectiveness, for the LSB, as overarching regulator, to prescribe how each AR should achieve these aims.

*Question 1*

**What are your views on our assessment of what diversity data is currently collected? Are there any other sources of data that we should be aware of?**

See Bar Council Research Department's summary of data collection at Annexe 1.

Data, on socio economic background and all the protected characteristics except for gender reassignment, is collected from applicants to the Bar Professional Training Course. This data on students called to the Bar will be transferred to the new database. We have been collecting age, race, sex and disability information through the Practising Certificate Fee (PCF) renewal process for many years. An extended range of diversity data plus main practice area will be collected from barristers through a new online renewal process for the PCF. The precise characteristics to be collected will be determined during the process of developing our statutorily required equality objectives but, as a minimum, will include race, sex, age and disability. The new database will enable us to incorporate our exit monitoring of barristers leaving the Bar or changing their practising status.

*Question 2*

**What are your views on our assessment of what the available diversity data tells us?**

We wish to point out the bar charts on page 13 of the Consultation that illustrate gender and ethnicity splits of barristers at various career level stages include, at the Call to the Bar stage, overseas students of between 20-30%. Most overseas students do not intend to practise at the Bar of England and Wales and therefore Call to the Bar figures do not equate with the applicant pool for pupillage.

Paragraph 48 of the consultation refers to insufficient data being available to enable a reliable assessment of other aspects of diversity – including disability, sexual orientation, religion or belief, caring responsibilities, gender reassignment and socio-economic background. We agree that we need to build our evidence base. The LSB's proposed solution is to collect this information through chambers/entities. We

suggest that more reliable information can be collected on some strands such as disability, sexual orientation and gender reassignment by anonymous survey, qualitative studies, consultation and engagement. For example, through the 2007 anonymous Bar survey 7% of self-employed barristers declared a disability. The proportion of disabled barristers declaring a disability through our annual returns associated with the collection of the PCF is much lower. We endorse the LSB's proposed focus on building an evidence base but do not agree that more reliable data in respect of all the protected characteristics can necessarily best be collected as proposed from chambers.

This year our Research Department is introducing a biennial bar wide survey which will collect data by main practice area and diversity strand. The Department will be publishing in March an annual statistical report on trends in the profession, the Bar Barometer, which includes data collected from BPTC students, pupils and practitioners.

*Question 3*

**Is there other diversity research we should be aware of, that we did not take account of in our review of existing literature?**

None (other research)

*Question 4*

**Are there any other existing diversity initiatives run by approved regulators which are not reflected in our outline of current initiatives?**

The tabulated information in Annexe B of the Consultation has quite a few significant errors. For example, the Social mobility Foundation is not 'an initiative' and 'Links with Bristol Law Society' is then glossed as 'Leeds University...'. We note that 'Benevolent Funds' have been included by some ARs as an example of a diversity initiative. There is a Bar Benevolent Association but we do not consider this to be a diversity initiative. We have sent corrections previously to this chart of diversity initiatives run by ARs. We suggest that the LSB defines 'diversity initiative' for the purposes of this chart, so that there is at least, a common and shared understanding of this term.

*Question 5*

**What are your views on the immediate priorities for 2011 we have identified? If you disagree with our priorities in relation to equality and diversity, what should**

**they be (bearing in mind the regulatory objectives, the Equality Act obligations and the Better Regulation principles)?**

We endorse the 3 priorities identified and would give the highest priority to the further development of the evidence base. This is essential for ARs to meet their statutory equality duties and to measure the equality impacts of new and existing policies. Promoting transparency of workforce diversity at entity level is desirable but we do not consider that this will be the best method of gathering an evidence base or that it should be accorded equal priority.

Transparency is better achieved through a gradual process of information and persuasion and even then we doubt that voluntary monitoring completion rates across all the protected characteristics will be high. The collection and analysis of data at entity level will be burdensome for small and medium sized chambers and such a requirement goes much further than current equality legislation expects of small organisations. We are not convinced that small and medium sized chambers could publish diversity information on their members and staff across all protected characteristics by seniority level without risking breach of the Data Protection Act.

We note that paragraph 28 of the consultation refers to the Board finding it difficult to see how it and approved ARs can meet their statutory duty under the LSA 2007 without an understanding of the existing make up of the legal workforce in relation to the protected characteristics. It is not necessary to require collection of data and transparency at entity level, with the burden that this entails, to achieve a better understanding of the legal workforce. As referred to above, alternatives include collection through subscription renewal processes, anonymous surveys and qualitative studies. It would be feasible to extend data collection through an authorisation to practise process and surveys of clerks and other chambers' staff.

Also, we question the LSB's focus on chambers headcount diversity data as a means of achieving change to diversity representation. Chambers are small employers and turnover of membership is low. A focus on recruitment monitoring would be more helpful in identifying any unfair barriers and provide better evidence of changes in representational trends.

### *Question 6*

**Do you agree that a more comprehensive evidence base is needed about the diversity make-up of the legal workforce?**

We agree that a more comprehensive evidence base is needed about the diversity of the legal workforce but do not believe that this is best achieved by requiring collection, transparency and reporting of headcount data by chambers. In respect of self-employed practitioners an important indicator is information about main practice area, not simply the chambers in which a practitioner is based, and we intend to collect this information through the new authorisation to practise process and in surveys of the profession.

Sole practitioners will be excluded if chambers, as proposed by the LSB, are to be the source for the diversity evidence base.

### *Question 7*

**What are your views on our proposal that in principle approved regulators should impose regulatory requirements on the entities they regulate, requiring them to publish data about the diversity make-up of their workforce?**

We are aware of the government's focus in its equality strategy on promoting transparency but, as referred to in answer to earlier questions, we think the right approach in respect of chambers is to encourage transparency in respect of some of the protected characteristics. For this reason we welcomed the BSN Diversity League Table and chambers participation in it. However, we consider that mandating publication would be requiring significantly more of small/medium sized sets than is expected of most similar sized bodies in other sectors.

The public equality duty requires bodies to give "due regard" to the need to eliminate discrimination, promote equality and foster good relations. The extent of evidence collection and publication and the development of realistic equality objectives should be linked to both the level of disadvantage in relation to each protected characteristic and the capacity of the public body. We do not support the proposed blanket approach requiring chambers/entities to publish data on all protected characteristics and socio-economic status, and we do not consider it will result necessarily in improved diversity performance by chambers or the strengthening of the diversity evidence base. Chambers that have members who prosecute for the CPS or are members of the AG's civil panels provide a range of diversity information direct. Publication of headcount data is not necessarily the best means of meeting corporate users differing requirements for diversity information.

By pressing ARs to require the collection and publication by entities of all protected characteristics defined in the Equality Act 2010 and socio-economic status, the LSB is extending the legislative duty. The EHRC's guidance (Essential Guide to the Public Sector Equality Duty) anticipates that while organisations may be familiar with the collection of data on race, sex, disability and age, other information can be more sensitive or difficult to collect and suggest that other means of identifying the issues

are considered until a culture of trust can be engendered. We strongly align ourselves with this approach.

We propose that transparency should first be encouraged in relation to established diversity priorities such as ethnicity, gender, age and disability until there is evidence indicating publication of other protected characteristics would strengthen diversity. We have consulted the Bar Lesbian and Gay Group (BLAGG) on the LSB's proposals and the response of their Chair is: "The view which we've given before (including in a paper I wrote for the Bar Council before monitoring across the profession was introduced) is that chambers are generally too small for people to feel comfortable giving the information." We refer the LSB to an article in the February edition of Counsel by the chair of BLAGG on "the right to be open at the Bar".

#### *Question 8*

**What form should the evaluation of existing initiatives take? Should there be a standard evaluation framework to enable comparison between initiatives?**

Evaluation of initiatives is important in order that we focus limited resources on what is effective. Also the sharing of this information will help in the effective use of limited resources. We doubt that a framework could be devised that is sufficiently wide to meet ARs' different circumstances. We would need to see the framework before commenting further.

#### *Question 9*

**What are your views on our position that regulatory requirements on entities to take specific action to improve performance (including targets) are not appropriate at this stage?**

We agree. First steps should be to encourage chambers to analyse recruitment and headcount data and to identify and remove any unjustifiable barriers to widening diversity. We think that this is more important than simply publishing data although we support encouraging transparency.

#### *Question 10*

**Do you think we should issue statutory guidance to approved regulators about diversity data collection and transparency?**

As stated above, the ARs already have the same, independently accountable, public equality duties as does the LSB. We do not consider it a proportionate function of the overarching regulator to prescribe the method by which diversity objectives are reached.

#### *Question 11*

**What are your views on our proposal to agree standard data categories with approved regulators, to ensure comparability of diversity data within the legal workforce and with other external datasets?**

We can see a strong case for the collection of diversity data using standard categories so that data can be compared across the profession. We agree that it would be useful for the LSB, after consultation, to promote standard categories for use by ARs. We recommend that as far as possible that the categories are based on ONS categories so that data can be compared with data from other sectors. So long as data can be aggregated into the standard categories, ARs should have the flexibility to expand data categories where necessary.

*Question 12*

**Do you have any comments about our proposals in relation to the individuals the data collection and transparency requirements should cover?**

Data on staff such as clerks supporting barristers would be useful. Clerks play a pivotal role in the development of a barrister's career and we would support encouragement to collect some diversity (minimum of race, sex and disability) information on chambers' clerks and practice managers. Again, we would advise flexibility of collection methods so that the most effective and least burdensome can be identified.

*Question 13*

**Should the framework include the collection of information on in-house lawyers?**

We do consider some diversity data should be collected (currently it is race, sex, age and disability) on employed barristers through the authorisation to practise process. In addition, the Bar Council will continue to collect information on employed barristers through snapshot surveys.

*Question 14*

**What impact do you consider these new regulatory requirements will have on regulated entities?**

We consider diversity data, at least by race, sex, disability and age, and by practice area should be collected by the method deemed most appropriate and effective by the regulators of ABSs. It is essential, that there is a diversity evidence base that extends to ABSs so that the diversity impacts of the major structural changes that the profession is undergoing can be assessed.

*Question 15*

**What are your views on our proposal that in general firms and chambers should be required to collect data from their workforce annually, while smaller firms and chambers (fewer than 20 people) should only be required to collect the data every three years?**

As stated above, we do not consider chambers are the most effective route to the collection of a comprehensive data base at the Bar.

What is proposed would be burdensome for chambers of less than 50.

*Question 16*

**What are your views on our proposal that data should be collected about all the protected characteristics listed above, plus socio-economic background? If not, on what basis can the exclusion of one or more these characteristics be justified?**

As already stated, we do not consider chambers are the most efficient route for building a diversity evidence base. We have argued for flexibility in the methods of collecting data across the different protected characteristics. We have had advice from the MOJ in respect of our record's database that we should not keep any information about previous gender before reassignment and the Gender Trust advises anonymous monitoring only of gender reassignment. We have asked the EHRC to provide further guidance on the collection of this protected characteristic. We note that individual data controllers are personally liable for a fine of up to £5,000 for data leaks and consider seeking data on gender reassignment places an unjustifiably high burden on chambers and their small staff complement given other recommended options for collecting this information. We consider the collection of information on religion or belief more appropriate by anonymous survey.

Given Bar Council priorities on social mobility and retention of diversity we are committed to examining the best methods for collection of data in respect of socio-economic background and caring responsibilities. Information on both is collected already from BPTC applicants.

*Question 17*

**Do you think that data should be collected anonymously or enable individuals to be identified (please explain the reason for your answer)?**

As already stated, we recommend a range of diversity information is collected through the authorisation to practise process and supplemented by anonymous surveys, consultation and engagement.



### *Question 18*

**Is there a way of integrating data collection with the practising certificate renewal process that still achieves our objective of transparency at entity level?**

Information collected through the authorisation to practise process can be linked to chambers and practice area. As stated before, practice area is essential relevant information for considering impacts on practitioners, legal service provision and the impacts of policy and structural changes across the profession.

While centrally collected information can be linked to chambers this does not overcome all problems linked to transparency at chambers level such as sensitive data considerations. We are concerned that publication at chambers level could have the negative effect of discouraging completion of monitoring questions.

### *Question 19*

**Do you have any suggestions on how to improve the model questionnaire?**

Sexual identity: We recommend that there are separate categories for Gay woman/ Lesbian and Gay man.

Religion: this should be described as religion or belief.

Gender reassignment: we recommend that this question is not asked at chambers' level and should be asked only by anonymous survey.

Socio-economic background: in addition to the questions proposed we intend to add the questions at Annexe one (page 13) to our monitoring forms. This is a change to the question we piloted last year on BPTC applicants. It is a widely used format in Social Science and was used in the recent Wood review of pupillage for the BSB. (Heath, A. F., J. Martin and Beerten (1998) 'A comparison of Registrar General's Social Class with an approximation derived from the long version of the new National Statistics socio-economic classification and the 8 categories derived from The National Statistics and Socio-Economic Classification (NS-SEC).'  
Workshop of Validation, Essex University.)

### *Question 20*

**What are your views on the proposed categorisation of status in the model questionnaire?**

We recommend that each AR develops status categories that are relevant to those they regulate.

### *Question 21*

**What are your views on the proposed questions about job role as set out in the model questionnaire? Do you have suggestions about additional/better measures of seniority? Do you have suggestions on a category of measure to encompass a non-partner senior member of staff i.e. CEO who holds an influential or key role in decision-making of an organisation?**

The section should be prefaced by the instruction that 'job role' applies to self-employed as well as employed persons. It is the role of clerks and practice managers to secure new business.

Again we recommend that ARs develop roles or positions that apply to those they regulate

*Question 22*

**Do you have any suggestions about how to measure seniority in the context of an ABS?**

None.

*Question 23*

**Should we collect any additional information, such as that suggested in paragraph 129?**

We do not recommend increasing the burden on chambers by adding to the range of data collected. Some of this data will be available from Bar Council central databases such as practice area.

*Question 24*

**Do you have any views on our proposed approach to collecting data on disability?**

We agree the LSB approach.

*Question 25*

**What are your views on our proposed approach to collecting data on sexual identity?**

See answer to questions 7 and 19 above.

*Question 26*

**Do you think we should follow the Census approach to collecting data on religion and belief? If not, what alternative approach do you suggest?**

Yes, follow the census approach. See answer to question 19 above.

*Question 27*

**Do you think a question should be included in the model questionnaire about gender reassignment? If not, what other means should be used to build an evidence base in relation to gender reassignment issues in the legal workforce?**

No. See answer to question 19 above.

*Question 28*

**If a question is included on gender reassignment, do you agree with our proposed question?**

Yes.

*Question 29*

**What are your views on our proposed approach to include a question on caring responsibilities?**

From the evidence of our exit survey we consider the impact of pregnancy and maternity on retention at the Bar is greater than the impact from other caring responsibilities. We recommend that data collection is focused on the former. This reflects the statutory requirement and the particular protection afforded to pregnancy and maternity in the legislation.

*Question 30*

**What are your views on our proposed approach to measuring socio-economic background?**

See answer to question 19 above.

*Question 31*

**Do you have any comments about our proposed approach to publication requirements?**

As stated in answer to earlier questions we do not consider that there is justification for requiring transparency at chambers level. The concept of transparency to stakeholders is embedded in the Equality Act Public Duty but this is designed to be applied to public bodies. If this is not accepted we recommend that a staged approach is taken to provide time for guidance to chambers and to gain commitment to the purpose. We consider that it will not be possible without risking DPA

breaches to publish much of the proposed diversity data broken down by seniority. The EHRC's guidance for Public Authorities, volume 5 advises caution in use of sensitive data where particular groups of staff or service users are less than ten in a department as this may lead to individuals being identified.

*Question 32*

**Do you have any views on special arrangements that should be considered for firms and chambers of all sizes when publicising sensitive information at different levels of seniority?**

See above.

*Question 33*

**What are the main impacts likely to be on approved regulators when implementing this framework?**

Managing reporting arrangements from chambers is likely to be more resource intensive than collecting data from the PCF renewal process. It is not clear precisely how the proposed framework will impact on ARs.

*Ingrid Simler QC*  
*Chair, Bar Council Equality and Diversity Committee*  
*March 2011*



# Bar Council Response to LSB Consultation

Collection of Data

Research Department  
2/1/2011

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## The BPTC Applicants from BPTC Online system 2010/2011

Do you have a disability?	Frequency	Percentage
Yes	131	4.2
No	2,863	92.4
Missing	105	3.4

**N= 3,099**

What is your sexual orientation?	Frequency	Percentage
Bisexual	61	2
Gay Man	30	1
Gay Woman/ Lesbian	6	0.2
Heterosexual/Straight	2729	88
Other	17	0.5
Missing	256	8.3

**N= 3,099**

Do you have a Child	Frequency	Percentage
Yes	322	10.4
No	2,710	87.4
Missing	67	2.2

**N= 3,099**

What is your religion or belief?	Frequency	Percentage
Agnostic	135	4.4
Buddhist	178	5.7
Christian	1,037	33.5
Hindu	160	5.2
Jewish	22	0.7
Muslim	748	24.1
Sikh	33	1.1
Other	39	1.3
Not Religious	459	14.8
Missing	288	9.2

**N= 3,099**

What is your ethnic background	Frequency	Percentage
White	1,140	36.8
BME	1,862	60.1
Missing	97	3.1
<b>N= 3,099</b>		

What is your gender?	Frequency	Percentage
Male	1,467	47.3
Female	1,458	47
Missing	174	5.7
<b>N= 3,099</b>		

What is your Age?	Frequency	Percentage
Average Age		26 years <sup>1</sup>
Missing		1 (0%)
<b>N= 3,099</b>		

## Summary

The second stage of training to become a barrister is the Vocational Stage. This is the Bar Professional Training Course (BPTC), which can be taken either as a one year full-time course, or two years part-time. The purpose of the BPTC is to give barristers the skills and knowledge to prepare for working as a barrister. It is primarily a practical course. The BPTC replaced the Bar Vocational Course (BVC) in 2010/2011 academic year.

The emergence of equality and diversity monitoring on the BVC was influenced by the recommendations of 'The Barrow Report' (Final Report of the Committee of Inquiry into Equal Opportunities on the Bar Vocational Course, April 1994', and is being accessible on the Bar Council website for the years 2001 to 2008. The tables above display the equality and diversity information collected for the 2010/2011 academic year.

In regards to the measure of age in this table, this figure will be updated with further analysis to reflect the 'under 25 years old' and 'over 25 years old' categories used elsewhere in the presentation of data on the Bar.

<sup>1</sup> This result is based upon preliminary analysis of this dataset



## Bar Professional Training Course Data: 2008/2009

Do you have a disability?	Frequency	Percentage
Yes	55	3
No	1442	80.4
Missing	296	16.5

**N= 1,793**

What is your ethnic background	Frequency	Percentage
White	790	44
BME	602	34
Missing	401	22

**N= 1,793**

What is your gender?	Frequency	Percentage
Male	858	48
Female	935	52

**N= 1,793**

What is your Age?	Frequency	Percentage
Under 25	968	53.9
Over 25	346	19.3
Missing	1,314	26.8

**N= 1,793**

### Summary

(BPTC) was formerly called the Bar Vocational Course (BVC). The Professional Training Course stage of training for the Bar requires successful completion of the Bar Professional Training Course<sup>2</sup> (BPTC) over one year full-time or two years part-time. During the BPTC there are twelve compulsory qualifying sessions (previously known as 'dining') that the Inns hold for their members.

The monitoring information from the Bar Professional Training Course (BPTC) is collected by the providers of the BPTC. This information is given to the Bar Standards Board (BSB) Education Department on an annual basis. The tables above show the equality and diversity strands monitored by the providers of the BPTC for 2008/2009 and is published on the website.

## The Pupillage Portal 2010/2011

Do you	Frequency	Percentage
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<sup>2</sup> The Bar Professional Training Course prior to 2010 was called the Bar Vocational Course.

consider yourself disabled?	Yes	85	3
	No	2,556	90
	Missing	200	7
<b>N= 2,841</b>			

What is your sexual orientation?		Frequency	Percentage
<b>N= 2,841</b>	Bisexual	16	0.6
	Gay Man	52	1.8
	Gay Woman/ Lesbian	12	0.4
	Heterosexual/Straight	2,458	86.5
	Other	2	0.1
	Missing	301	10.6

Do you have a Child		Frequency	Percentage
<b>N= 2,841</b>	Yes	244	8.6
	No	2,407	84.7
	Missing	190	6.7

What is your gender?		Frequency	Percentage
<b>N= 2,841</b>	Male	1,214	51.1
	Female	1,452	42.7
	Missing	175	6.2

What is your religion or belief?		Frequency	Percentage
<b>N= 2,841</b>	Agnostic	215	7.6
	Buddhist	20	0.7
	Christian	1,159	40.8
	Hindu	63	2.2
	Jewish	39	1.4
	Muslim	193	6.8
	Sikh	44	1.5

What is your ethnic background		Frequency	Percentage
<b>N= 2,841</b>	Other	49	1.7
	White	1,874	66
	BME Missing	732	25.7
	Missing	235	8.3

What is your Age <sup>3</sup> ?		Frequency	Percentage
<b>N= 2,841</b>	Under 25	1,130	39.8
	Over 25	996	35.1
	Missing	715	25.2

<sup>3</sup> This is the result of preliminary analysis

## Summary

The final stage of training to become a barrister is pupillage. Students who have completed the BPTC can apply for pupillage with chambers online through the pupillage portal however this system does not capture a minority of applicants as in rare cases applications are not done through the pupillage portal.

The pupillage portal was established to monitor pupillage applications and to allow equality and diversity monitoring of pupillage applications. The tables above display the equality and diversity information collected for the 2010/2011 academic year.

## Pupils from the 2008/2009 Pupillage Survey

Do you have a disability?		Frequency	Percentage
<b>N= 490</b>	Yes	9	1.8
	No	465	94.9
	Missing	16	3.3

What is your sexual orientation?		Frequency	Percentage
<b>N= 490</b>	Bisexual	8	1.6
	Gay Man	17	3.5
	Gay Woman/ Lesbian	2	0.4
	Heterosexual/Straight	425	86.7
	Other	3	0.6
	Missing	35	7.2

Do you have a Child		Frequency	Percentage
<b>N= 490</b>	Yes	51	10.4
	No	429	87.6
	Missing	10	2

What is your ethnic background		Frequency	Percentage
<b>N= 490</b>	White	363	74.1
	BME	126	25.7
	Missing	1	0.2

What is your gender?		Frequency	Percentage
<b>N= 490</b>	Male	280	57.1
	Female	210	42.9

What is your Age?	Frequency	Percentage
<b>N= 490</b> Under 25	218	44.5
Over 25	272	55.5

Social Economic Status <b>N= 490</b>	Frequency	Percentage
Modern Professional Occupations	205	41.8
Clerical & Intermediate Occupations	41	8.4
Senior Managers or Administrators	11	2.2
Technical and Craft Occupations	12	2.4
Semi-routine & manual service occupations	5	1
Routine & manual service occupations	8	1.6
Middle or Junior Managers	9	1.8
Traditional Professional Occupations	168	34.1
Unknown	31	6.3

The social class categories listed above is used by the Research Department in collecting and analysing data. This method is widely used in social science and the reference below<sup>4</sup> is used as a standard measure in all surveys and reports.

## Summary

The pupillage supplementary survey is completed with registration by pupils who have been accepted to undertake pupillage. This is the final stage of training to become a barrister and competition is strong to secure pupillage. The survey is undertaken when registering for First Six of

<sup>4</sup> Heath, A. F., J. Martin and Beerten (1998) 'A comparison of Registrar General's Social Class with an approximation derived from the long version of the new National Statistics socio-economic classification and the 8 categories derived from The National Statistics and Socio-Economic Classification (NS-SEC).' Workshop of Validation, Essex University.

pupillage. Pupillage consists of twelve months spent in chambers undertaking practical training. This is divided into two six month periods.

The tables above show the equality and diversity strands monitored in the pupillage supplementary survey for 2008/2009. Data for 2007/2008 is published on the Bar Standards Board website and will be updated once this data is fully analysed.

## The Exit Survey 2010

Gender	Frequency	Percentage	
<b>N= 233</b>	Male	128	55
	Female	105	45
	Missing		

Ethnic Origin	Frequency	Percentage	
<b>N= 233</b>	White	219	94
	BME	13	6
	Missing	1	0

Disability	Frequency	Percentage	
<b>N= 233</b>	Yes	15	6
	No	212	91
	Missing	6	3

### Summary

The exit survey was originally commissioned in 2005 and examined barristers changing practice from 2001 to 2005, the survey was repeated in 2007 and annually since then. The above tables provide data on barristers leaving the profession based upon the 2010 survey; this refers to barristers who left the profession in 2009. Currently 'The Exit for Barristers Changing Practice' is published on the Bar Council website for the years 2001 to 2008 as an aggregate report. The Electoral Reform Services was commissioned by The General Council of the Bar to conduct the survey and prepared a summary report.

The tables above provide a breakdown on barristers changing practice on the basis of gender, race and disability from the 2010 Exit Survey. These are the only equality and diversity strands measured in this survey. In responding to 'Ethnic Origin', one respondent did not choose a category and in responding to 'Do you consider yourself to be disabled?' 6 (3%) of respondents did not answer.

## The Employed Bar Survey 2007

Gender	Frequency	Percentage	
<b>N= 383</b>	Male	214	56
	Female	169	44
	Missing		

Ethnic Origin	Frequency	Percentage	
<b>N= 383</b>	White	356	93
	BME	27	7
	Missing		0

Disability	Frequency	Percentage	
<b>N= 383</b>	Yes	13	3.5
	No	370	96.5
	Missing		

## Summary

At the end of November 2007 the Employed Barristers' Committee (EBC) of the Bar Council undertook a 'Survey of the Employed Bar' to find out more about the profile of employed barristers, their backgrounds and interests, the issues that affected employed practitioners and the matters that they thought the EBC - as their representatives - should prioritise in 2008. The results of this Survey are not representative of the employed Bar as a whole but they give some indication of practitioners' concerns and provide the EBC with important feedback.

The EBC received 383 responses to the Survey (13% of all practising employed barristers).

- 56% of respondents were male and a corresponding 44% were female;
- 93% described their ethnic group as 'White'. The remaining 7% described themselves as being of other non-White ethnic groups;
- less than 4% considered themselves to be disabled.
- the average Call date of those responding to the Survey was 1991(= 17 years' Call);



- respondents worked in a variety of employment sectors, with 56% employed in the public sector and 44% in the private sector or other areas of employment;
- 88% of respondents were working full-time at the time of the Survey, with a corresponding 12% working part-time;
- over three-quarters (77%) of respondents had undertaken pupillage, of whom the majority (88%) had completed pupillage in Chambers;
- only 37% of respondents worked for organisations which were registered Pupillage Training Organisations;
- almost 90% of respondents anticipated remaining at the employed Bar. Of these, 35% would actively consider applying for Queen's Counsel and 64% would consider applying for judicial office.

82. Please tick the appropriate box to show which best describes the main occupation of your mother/female guardian and your father/male guardian respectively. If they are not working now, please tick the box to show their last main occupation. Please tick one box only for your mother/female guardian and one box only for your father/male guardian.

	Mother/ female guardian	Father/ male guardian
<p><b>Modern professional occupations</b> Such as: teacher, nurse, physiotherapist, social worker, welfare officer, artist, musician, police officer (sergeant or above), software designer</p>	<input type="checkbox"/> (1)	<input type="checkbox"/> (1)
<p><b>Clerical and intermediate occupations</b> Such as: secretary, personal assistant, clerical worker, office clerk, call centre agent, nursing auxiliary, nursery nurse</p>	<input type="checkbox"/> (2)	<input type="checkbox"/> (2)
<p><b>Senior managers or administrators</b> (usually responsible for planning, organising and co-ordinating work and for finance) such as: finance manager, chief executive</p>	<input type="checkbox"/> (3)	<input type="checkbox"/> (3)
<p><b>Technical and craft occupations</b> Such as: motor mechanic, fitter, inspector, plumber, printer, tool maker, electrician, gardener, train driver</p>	<input type="checkbox"/> (4)	<input type="checkbox"/> (4)
<p><b>Semi-routine manual and service occupations</b> Such as: postal worker, machine operative, security guard, caretaker, farm worker, catering assistant, receptionist, sales assistant</p>	<input type="checkbox"/> (5)	<input type="checkbox"/> (5)
<p><b>Routine manual and service occupations</b> Such as: HGV driver, van driver, cleaner, porter, packer, sewing machinist, messenger, labourer, waiter/waitress, bar staff</p>	<input type="checkbox"/> (6)	<input type="checkbox"/> (6)
<p><b>Middle or junior managers</b> Such as: office manager, retail manager, bank manager, restaurant manager, warehouse manager, publican</p>	<input type="checkbox"/> (7)	<input type="checkbox"/> (7)
<p><b>Traditional professional occupations</b> Such as: accountant, solicitor, medical practitioner, scientist, civil/mechanical engineer,</p>	<input type="checkbox"/> (8)	<input type="checkbox"/> (8)
<b>Don't know</b>	<input type="checkbox"/> (9)	<input type="checkbox"/> (9)
<b>Not applicable</b>	<input type="checkbox"/> (10)	<input type="checkbox"/> (10)

82 a  
and  
82 b

