



The Bar Council

# New practitioner earnings differentials at the self-employed Bar

April 2024



# Foreword

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We need to get better at talking about money. There is an earnings gap between men and women in the 0-3 years' post qualification experience (PQE) group which is not readily explained. This concerns us in that we want to ensure women are retained at the Bar, and have the same opportunity to progress as men, if they wish. This research aimed to understand some of the reasons for this gap in order to establish if there is anything Bar Council or chambers (or others) should do to address this.

A focus on equalising earnings is not the driving factor in this work. Instead, it is about ensuring every barrister has the practice they want and that they have the talent to achieve. In other words, that their protected characteristics, be it sex or race or any other, do not limit their earnings or opportunity to do great work.

Being a self-employed barrister may be a profession and calling, but it is also a business. If you love being a barrister, then you need to make sure you are supported in doing so as far as possible. Our experience over the last few years shows that looking at earnings is useful to spark conversations about how we can better support all barristers more effectively, and our recommendations are based on this premise.

It is important that you recognise your practice is in your hands as much as it is in the hands of your clerks and others in chambers. We hope this report helps you in shaping your practice and in working effectively with your chambers to achieve this.

**Sam Townend KC**  
**Chair of the Bar**

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**Chair of the Young Barristers' Committee**

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# Executive summary

## Data shows:

- In the 0-3 years post qualification experience (PQE) band, the earnings gap between men and women has been between 9 and 13% each year for the last three years.
- In each practice area and at each PQE band (0-1, 1-2, 2-3) an earnings gap is always present, with no exception.
- The gap is present right away at 0-3 years, widens and then peaks around 11-15 years PQE, before narrowing again among juniors. It is extremely pronounced among silks.
- The earnings gap remains present among both barristers who have caring responsibilities and those who do not.
- Women are more reliant on legally aided work than men but, even among all those who rely on this work for more than three quarters of their earnings, women at 0-3 years PQE earn 13% less than men.

## Discussions with chambers suggest:

- Most chambers believe they can account for any earnings gaps based on their knowledge of the decisions individual barristers have made about their practice.
- Any limitations due to, for example, other responsibilities/earlier choices can easily lead to a barrister being pigeonholed into a specific type of work. This can be career-limiting.
- Where barristers take up regular practice reviews, and there are policies to ensure the fair allocation of led work, then earnings gaps are reduced.
- Gaps can emerge between contemporaries when barristers turn down work (or don't 'over book' their diaries), undercharge for their work, or underestimate the time required to complete work. A lack of confidence can contribute to cautious time management/billing.
- Unconscious bias may be a factor in the early identification of 'rising stars'.

# Recommendations

This report looked for patterns that might account for the earning differences found in every practice area in the 0-3 years PQE group. However, we recognise each chambers and every individual barrister is different, and that not all our recommendations apply to everyone. There will always be an easily identifiable exception to patterns we have observed while undertaking this research.

The following recommendations are designed to support barristers to have the practice that they want. They are designed to help chambers, clerks, and practice managers equally, including by confirming that an approach may have been tried and tested by others, and found to be helpful.

## Recommendations for chambers

1. Ensure clerks and chambers staff can collect and analyse [earnings data](#) and are supported to discuss this data with members.
2. Discuss the patterns found in analysis of earnings at Management Committee level. This may require a shift in culture in chambers allowing for slightly more transparency around members' practices. There are clear benefits to this.
3. Offer more structured and comprehensive [practice reviews](#) to members – supporting these conversations with earnings data – to ensure that every barrister has an opportunity to understand both opportunities to increase earnings, for example by diversifying/doing different types of work, and the implications of decisions they may be making about their practice, whilst still respecting boundaries (work/life balance) that they set.
4. Avoid pigeonholing barristers due to limitations based on caring/other responsibilities, work and life choices.
5. Have a 'led work policy' and monitor led work opportunities. Where this has been done women have benefited.
6. Consider introducing internal time monitoring (even for a limited period) to help barristers who may be underestimating time required for work, under-billing, undertaking a significant amount of pro bono/unpaid work or taking an overly cautious approach to diary management. Explain the purpose is to support the barrister in designing a practice that works for them.

7. Recognise the potential for unconscious bias including, for example, in favour of those who may appear more confident than others. Monitor who is identified as a/the 'star at the Bar' over an extended period – if you identify one gender is more likely to be your 'star' try to understand why this might be happening.
8. Support and train clerks/practice managers to recognise different styles of clerking may be required dependent on the needs of the barrister.

## Recommendations for barristers

1. Ask to see relevant earnings data (your own and your position in relation to comparators in your practice area/of similar PQE) and feel empowered to discuss your earning aspirations with your clerks and practice managers. Consider setting yourself targets.
2. Take up the offer of [practice reviews](#) to ensure you understand the impact of decisions you are making about your practice. Do not confuse a practice review with anything other than a positive opportunity to actively shape your career and practice.
3. Regularly explore options and opportunities with your clerks/practice managers/colleagues to diversify your practice to increase your earnings.
4. Recognise the value of monitoring led work and support any allocation policy to ensure equality of opportunity for those in early years of practice.
5. Consider working with your clerks to monitor your time spent on cases/non-paying work to help you to bill accurately and better manage your diary.

### Acknowledgements

The Bar Council would like to thank all those who volunteered their time to be interviewed as part of this research.

# Earnings at the self-employed Bar

Since 1990, we have gradually seen the proportion of women at the Bar almost double – from 21.6 per cent in 1990 to 38.7 per cent in 2023.<sup>1</sup> Male/Female representation on pupillage intake was roughly 50:50 from 2000, and was, by 2022/23, majority (57 per cent) women.<sup>2</sup> However, it is by no means a given that improvements seen in access to the Bar translate into women’s retention and progression. Nor that demographic change automatically results in cultural change and earnings equality.

Approximately four fifths of barristers are self-employed and work in chambers, where they make decisions around their practice and career trajectory supported by colleagues and chambers professionals. Each barrister’s practice is unique, and the type of work they do is likely to evolve over time due to various factors including the choices they make, the nature of work available, the way they are clerked/guided in chambers, and their personal circumstances.

It has been irrefutably established that there are substantial differences between men’s and women’s experiences of working life at the Bar in England and Wales. Reports from the Bar Council, the Bar Standards Board, and stakeholders have identified obstacles to women developing sustainable and rewarding careers which can be linked to:

- work distribution (including clerking and led work)
- client briefing practices
- difficulties returning to practice after maternity leave
- retention – women leave practice at a higher rate than men
- bullying, harassment, and discrimination
- barriers in progressing to silk
- male dominated power structures
- sexist, prejudicial, or outdated marketing practices and non-inclusive networking.<sup>3</sup>

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<sup>1</sup> Bar Standards Board (July 2021) [Trends in Retention and Demographics at the Bar, 1990-2020](#). See also GCB’s internal data warehouse for data 2020-2023.

<sup>2</sup> Bar Council (2015) [Snapshot: The experience of self-employed women at the Bar](#). Supplemented by GCB internal data warehouse. Women were the majority of those who declared their sex. In 2022/23 10 per cent of pupil barristers did not declare their sex.

<sup>3</sup> Bar Council (2015) [Snapshot: The experience of self-employed women at the Bar](#); Bar Standards Board (July 2016) [Women at the Bar](#); Western Circuit Women’s Forum (2018) [Back to the Bar](#); Chancery Bar Association (2020) [Voices of Women at the Chancery Bar](#); HHJ Emma Nott (2017-2021) *Counsel* series on [Gender and Fair Access to Work](#)

The above are often inter-related.

The challenge for us (as the representative body) has been in identifying ways that we can support career progression and development in a majority self-employed profession, and within the chambers model. The only real metrics we can use to assess this objectively are gross fee income differences between men and women at similar career stages and areas of practice (if all else is equal), retention rates, and progression in the form of attainment of KC status or judicial appointment.

### **Data collection and monitoring**

A key policy priority for us has therefore been to improve monitoring and data collection around differences in earnings, with the understanding that this provides a regular, comparable, and replicable source of data for all those within the profession seeking to reduce disparities. By comparing earnings differences, we have been able to identify where there may be obstacles to women accessing the best-paying work.

We have developed this policy work with the expectation that it will support and encourage Bar stakeholders to take evidence-based action at a practice and chambers level to tackle the structural disadvantages experienced by women at the Bar. We have published data (even when it paints a challenging picture of life at the Bar for women and others) to provide an evidence base for the changes that are needed.

For the purposes of this report, the data is only sufficient to allow us to look at differences by sex, rather than also including race or any other protected characteristic. There are approximately 1,500 barristers in the 0-3 years post qualification experience (PQE) band, and when we cut the data by sex and area of practice plus a further characteristic, the numbers of individuals in each group quickly become too small to be statistically significant. The recommendations in this report will, however, be relevant to all at the Bar as they will inform the next iteration of our [earnings monitoring toolkit](#), which can be used by chambers to support individuals from all groups in analysing and refining their practice.

### **Building on earlier research**

In 2020 and 2021, the Bar Council published analyses of Bar Mutual Indemnity Fund data showing comparative representation and income share by sex and practice area. The 2021 data showed longitudinal data from 2020-2022. Both reports demonstrated that women earned less than men in all except one area of practice [that area being family – children]. The 2021 report also found that, “there has been an increase in

average gross fee income for both women and men at the Bar, and that the gap between men and women’s average income has increased over the last 20 years.”<sup>4</sup>

Further, in detailed examination undertaken as part of the Independent Review of Criminal Legal Aid, we looked at the gross fee incomes of self-employed publicly funded criminal barristers. We found that women earned on average at least 27 per cent less than male colleagues, even when all else was equal.<sup>5</sup> This held true for KCs as well as for juniors. Women barristers tended to work fewer cases on average than men each year. However, the difference in work volume only accounted for 10.5 per cent of the difference in earnings. Ethnicity compounded the effect of sex, and we found that Black and Asian women earned the least of all groups at the Bar.

We noted as part of this report that, “Criminal barristers all work under the same fee schemes, so these stark variations in fee income and profit support an observation that there are systemic issues with equitable briefing practices and access to work in the legal sector. Factors include client briefing practices and panel selection, the distribution of work within sets, and distribution of better-remunerated work.”

This finding was replicated in the Bar Council’s analysis work as part of the Review of Civil Legal Aid (RoCLA) in 2023/24, where we created a dataset of 8 years of legal aid payments to civil and family legal aid practitioners. We found that, “Groups of advocates have different levels of reliance on civil legal aid and are not remunerated equally.”<sup>6</sup> This found both that women were more reliant on legal aid than men and that, even among those equally reliant on legal aid, women would earn a median 15.4 per cent less than men.

In 2023 we updated our methodology on reporting gross fee income by sex to take advantage of the fact our own data now allowed us to report on barrister fee income (due to the fact our Authorisation to Practise process in 2021 began to ask barristers to report exact fee income in addition to banded income). Our report found that in every call band and every area of practice, men’s average (mean and median) gross fee income was higher than women’s. The disparity in gross earnings between sexes is present at the very start of a barrister’s career and quickly increases. The gap between men’s and women’s median gross earnings is greatest at the 11-15 years’ call band (30 per cent).<sup>7</sup>

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<sup>4</sup> Bar Council (November 2020) [Gender Pay Gap Table](#); Bar Council (September 2021) [Barrister earnings data by sex and practice area](#)

<sup>5</sup> We controlled for seniority, region, year of call

<sup>6</sup> Bar Council (February 2024) [Review of Civil Legal Aid – Call for Evidence Response](#)

<sup>7</sup> Bar Council (November 2023) [Gross earnings by sex and practice area at the self-employed Bar](#)

We have successfully worked with some publicly funded clients of the Bar, in particular the Crown Prosecution Service (CPS), to identify patterns and disparities in briefing practices and interventions to improve outcomes.<sup>8</sup> The CPS has been very supportive in this regard, but more work could be done by other publicly funded clients of the Bar to gather the data and better understand their role in creating better outcomes for women and other groups.<sup>9</sup>

### Current initiatives on earnings

We provide an [Earnings Monitoring Toolkit](#) for chambers to use to calculate work distribution in their set.<sup>10</sup> The Toolkit provides chambers with guidance for monitoring earnings and demonstrates how earnings can be used to assess the distribution of work. It provides practical guidance on different monitoring methods and steps to take if any issues are identified. We additionally provide consultancy support to chambers in doing this work.

The Bar Standards Board shares our policy interest in earnings monitoring and has published two detailed pieces of analysis on earnings by sex, which similarly found, “Female barristers and barristers from an ethnic minority background are likely to earn less than male and White barristers, respectively.” This holds true even when looking at employed barristers, self-employed barristers, KCs, barristers based both inside and outside London, and barristers with similar seniority by year of call. These findings have corroborated and informed our own work.<sup>11</sup>

As part of the wider workstream around providing data on earnings differentials and support for monitoring, it has become apparent from the data that we should place a particular policy focus on barristers in the 0-3 years PQE band.

While earnings differentials may be more readily understandable at a later point in a barrister’s career, especially if caring responsibilities are taken into consideration, there seems no clear reason why differences in earnings between men and women should be apparent right at the start of practice.

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<sup>8</sup> Bar Council guest blog by Rebecca Lawrence, CEO CPS [Working together to improve diversity, inclusion and progression for those who prosecute for the CPS](#)

<sup>9</sup> For example, the Bar Council has requested information from the Cabinet Office on the allocation of Inquiry work, as inquiries have been identified as an important source of work for barristers needing more predictable working hours, including those sustaining their practice while looking after young children. We have been told repeatedly that this data is not collected. This is information only the Government can collect, and if made available to us, it would support our endeavours to improve equality.

<sup>10</sup> Bar Council (October 2023) [Calculating Work Distribution in Chambers: Earnings Monitoring Toolkit](#)

<sup>11</sup> Bar Standards Board (November 2020) [Income at the Bar – by gender and ethnicity](#); Bar Standards Board (February 2022) [Income at the Bar – by gender and ethnicity](#)

We see from our most recent report (November 2023) that 51 per cent of barristers in the 0-3 years call band are women. Women account for 45 per cent of this call band's gross fee earnings. The gap between men's and women's median gross fee earnings in this call band is 17 per cent.<sup>12</sup> The data presented in this report differs slightly from that finding. We find here that the pay gap between men and women at 0-3 years PQE is 9-13 per cent.

The reason for the slightly different median figure is a refinement in our data analysis methodology. We have refined our analysis in two ways:

1. We focus on PQE rather than call band as that allows us to focus on the time since an individual started practising, rather than when they were called to the Bar, so gives a more precise point of comparison.
2. When analysing the 0-3 years PQE band only (as opposed to the 0-3 years band in the context of the whole Bar), we exclude those lawyers who have transferred in, who are more likely to be male and command higher fees from the outset due to previous experience. This is relevant only in charts 1-3. Other charts in the report include transferring lawyers.

### **Focusing on 0-3 years PQE**

A focus on supporting practice management at the Young Bar has long been a central component of our policy work. We understand that, if barristers are supported while they are building their practice, it sets them on a positive trajectory that can be developed over the course of a career.<sup>13</sup> We are also conscious that women's position on earnings relative to men gets worse as they become more senior.

We anticipate that targeting policy analysis and intervention right at the start of a barrister's career will be the most effective instrument for change. It is important to note here that exactly equal pay between all groups, regardless of personal circumstance or choice, is neither realistic nor the desired outcome. We are instead seeking to support barristers and chambers in sharing best practice around how to support people in developing a career that suits every individual barrister.

The research basis for this report was split into two sections – the quantitative and the qualitative. For both components our central research questions were:

- What are the patterns of earnings at 0-3 years call differentiated by sex?

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<sup>12</sup> Bar Council (November 2023) [Gross earnings by sex and practice area at the self-employed Bar](#) p.9.

<sup>13</sup> For more information see our [Young Bar webpages](#)

- Is this different by practice area and for those with caring responsibilities?
- What do practice managers/clerks consider to be the reasons for this pattern?
- Can we discern any reasons why men's and women's careers at the self-employed Bar are established on a different basis?

See Annexes I and II for a fuller discussion of the methodology used.

# Data analysis: earnings patterns by sex at the newly practising Bar

All the earnings figures in this section of the report relate to self-declared gross fee income, which means the earnings stated are not equivalent to the salary (or “income”) of an employed individual. We use the terms “gross fee income” and “earnings” interchangeably throughout this report. Gross fee income is total fee income (excluding VAT) before barristers pay the costs of their chambers, which includes clerking and typically takes a (mean) average of 29 per cent of gross fee income (slightly higher for more junior barristers, and for those in London), and also before the deduction of other costs more typically associated with self-employment such as tax, professional insurances, provision for periods of leave, and pension provision.

Please note that the data is presented for the financial year covered by a barrister’s practising certificate for earnings during the previous calendar year. Barristers renewing their practising certificate during the annual Authorisation to Practise (AtP) process for the financial year 2023/24 are declaring their earnings for the calendar year 2022. Barristers not renewing their practising certificate are not required to declare their earnings, so will be missing from the data.

## 0-3 Years Earnings

Based on earnings from 2022 (declared at AtP 2023/24). Excludes transferring lawyers.

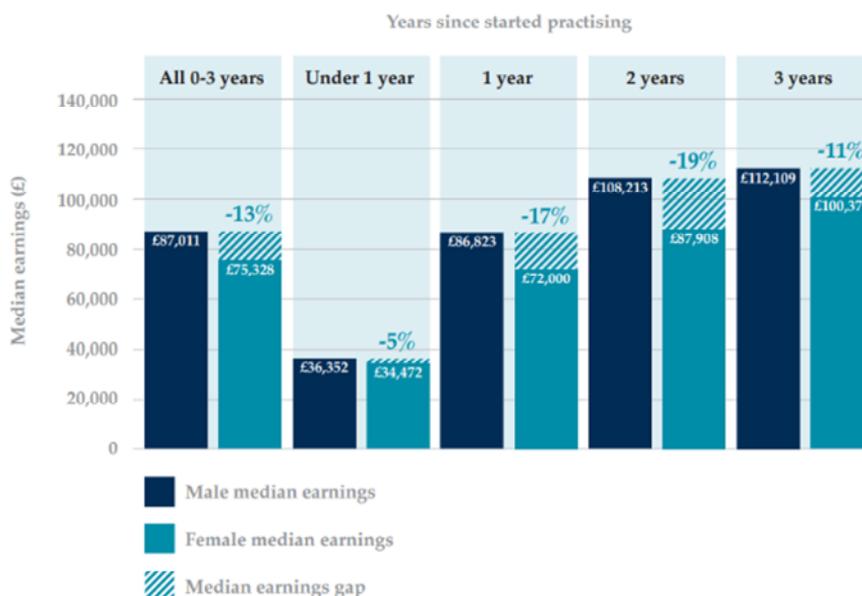


Chart 1: A cohort analysis of the m/f earnings of the 0-3 years PQE cohort in 2022

## 0-3 Years Earnings

Based on earnings from 2021 (declared at AtP 2022/23). Excludes transferring lawyers.

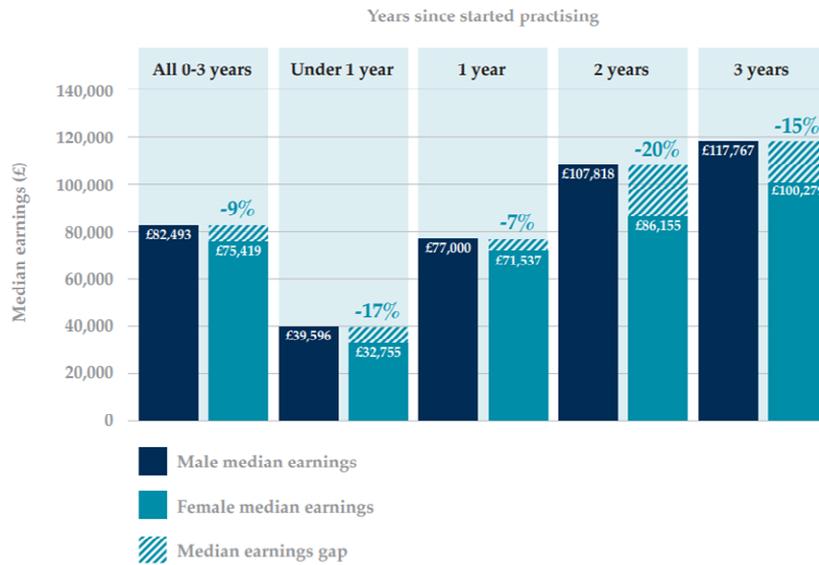


Chart 2: A cohort analysis of the m/f earnings of the 0-3 years PQE cohort in 2021

## 0-3 Years Earnings

Based on earnings from 2020 (declared at AtP 2021/22). Excludes transferring lawyers.

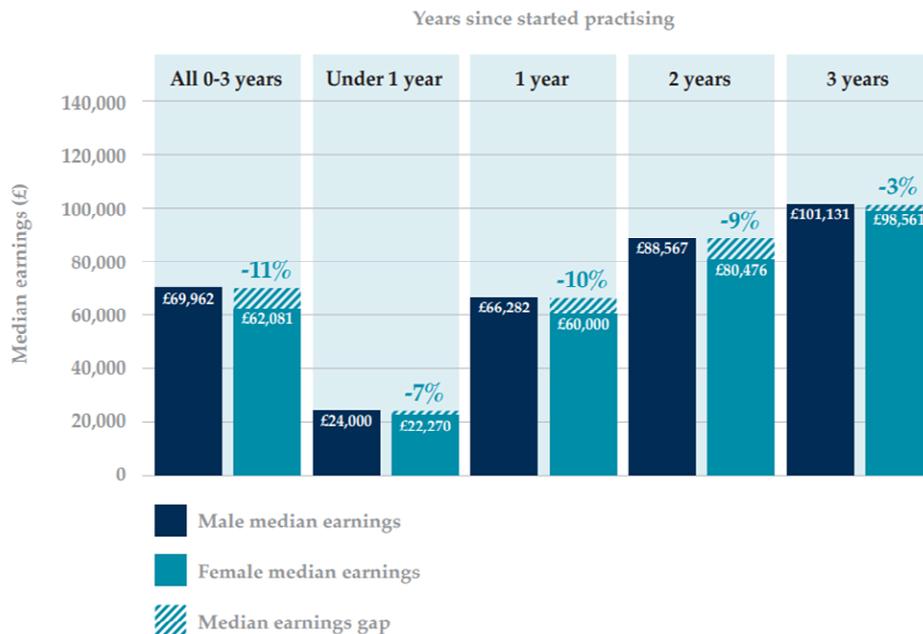


Chart 3: A cohort analysis of the m/f earnings of the 0-3 years PQE cohort in 2020

## Cohort analysis for 2020, 2021 and 2022

We hold data on exact self-reported gross fee income for each of the three financial years since 2021/22 (so the calendar years 2020, 2021, 2022). We wanted to see whether there was any trend within the three years, or any trend within the 0-3 years groups (i.e. did barristers at under 1-year PQE see a different pattern to those at 1, 2, or 3 years?).

Charts 1-3 show that the only pattern is that there is a persistent gap in median gross fee income between men and women, with women always earning less than men. The figures fluctuate somewhat between both the PQE year and financial year variables, and range between 3 per cent and 20 percent, but are always present.

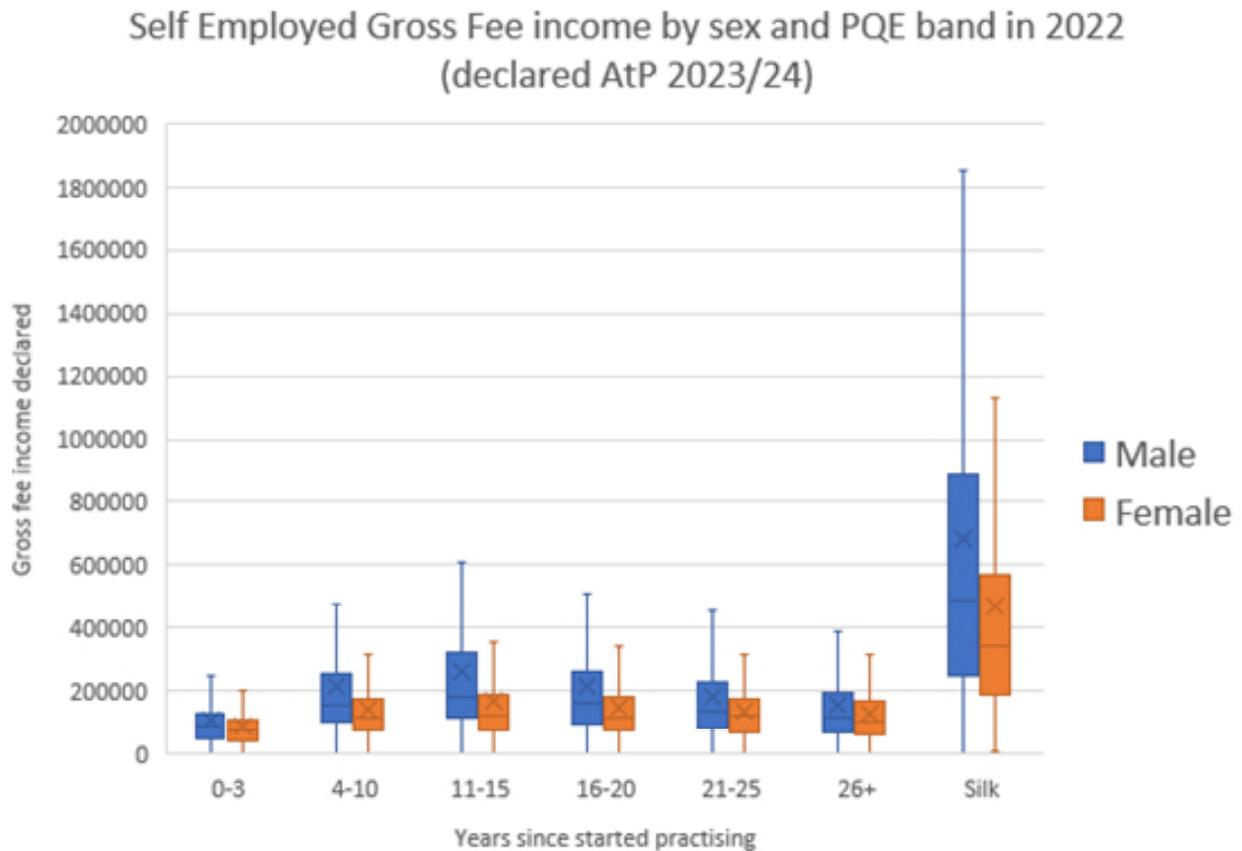
The overall median earnings gap in the 0-3 years PQE band was 11.3 per cent in 2020, 8.6 per cent in 2021, and 13.4 per cent in 2022, so consistently between 9 and 13 per cent rounded. The analysis is of over 700 barristers each year, so the median figures are reliable.

We can see in chart 4 below the pattern established right at the start of a barrister's career continues and grows as a barrister moves through the early years of their career, peaking at 11-15 years, before narrowing again in the higher junior PQE bands. It's then high again among silks.

The box in chart 4 represents the range of gross earnings if you exclude the top 25% and bottom 25% of earners. Those highest and lowest earners are represented by a line (whisker) extending above and below the box.

The mean is represented by an X and the median is the line in the box. The whiskers exclude outliers, which are datapoints 1.5 times the inter-quartile range. This means the length of the whisker can be up to 1.5 times the height of the box. Using this method ensures most barristers are counted and focuses attention on the typical range of gross earnings for a particular group.

In the 0-3 years band, a median gap of 13 per cent between men and women rises to 31 per cent in the 11-15 years band before narrowing gradually back to 12 per cent for juniors above 26 years' PQE. Silks see a considerable financial premium on their work compared to juniors and are at the top of their professional field. This makes it particularly stark that women silks have a gross fee income of 29 per cent less than male silks.



**Chart 4: Self-employed median gross fee income in barristers by sex and PQE band in 2022 (declared at AtP 2023/24)**

It's possible to clearly see the gap in median earnings widen then narrow in juniors, and widen again if a barrister takes silk, but persist through a barrister's career.

### Earnings analysis by practice area

Charts 5-12 below explore the earnings gap by practice area. The earning differentials and internal patterns vary between areas of practice, although **it is important to note that there is, in all PQE bands, and in all areas of practice, a consistent earnings gap between men and women starting right at the beginning of their careers.** The gap at 0-3 years PQE ranges between 4 per cent (in family) and 17 per cent (in crime and in PI/PN). Since there is no uniform pattern, it seems likely that there are in different practice areas:

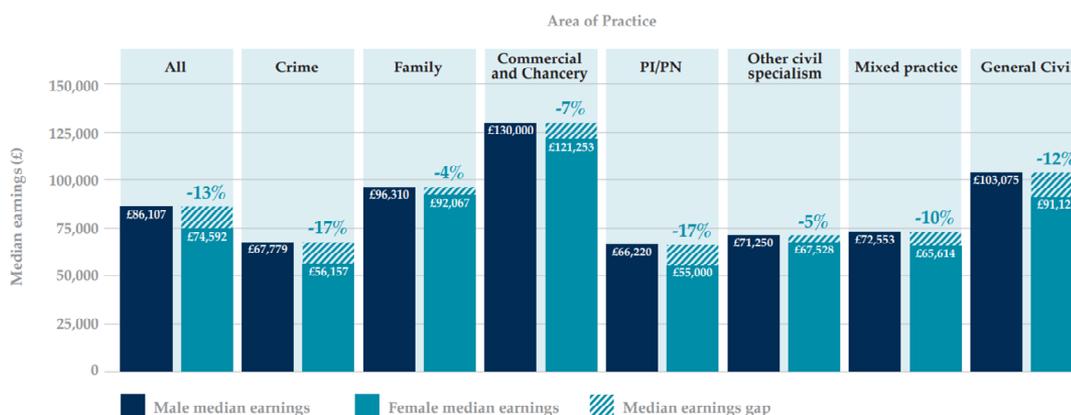
- a. different fee structures in place which may benefit groups or individuals.
- b. different cultural practices around work distribution.
- c. potential learning points for other areas of the Bar.

The practice areas are defined as follows (each barrister can fall into only one practice area).

- Chart 6: Crime. Barristers declaring 80% or more of their gross fee income from criminal law.
- Chart 7: Family. Barristers declaring 80% or more of their gross fee income from family law.
- Chart 8: Commercial and Chancery. Barristers declaring 80% or more of their gross fee income from commercial and Chancery law. Please note that the column for 21-25 years call in this chart is statistically unreliable due to small numbers of barristers in this category.
- Chart 9: PI PN. Barristers declaring 80% or more of their gross fee income from personal injury/professional negligence law.
- Chart 10: Other civil. Barristers declaring 80% or more of their gross fee income from a single civil area not covered by PI/PN.
- Chart 11. Mixed practice. Barristers declaring a mixed practice from two or more of crime, family, civil.
- Chart 12. General civil. Barristers with no specific civil specialism (i.e. those who do not declare over 80% of their gross fee income in any one civil area).

### Median earnings 0-3 years PQE by area of practice

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



**Chart 5: Median earnings of men and women in each main area of practice, 2022**

The chart series 6-12 explores the earnings gap by broad practice area. The barristers have mostly been grouped into practice area by those who declare 80 per cent or more of their gross fee income in that practice area. So, for example, the family (chart 7) grouping is barristers who earn 80 or more percent of their gross fee income by

doing family work. An individual barrister can only fall into one table. The numbers of barristers in all these groupings is sufficient to make the results statistically significant, apart from female barristers at 21-25 PQE in commercial and Chancery (chart 8), as the number is very small.



Chart 6: Median earnings of men and women in each PQE band, 2022: Crime<sup>14</sup>



Chart 7: Median earnings of men and women in each PQE band, 2022: Family<sup>15</sup>

<sup>14</sup> Barristers declaring 80% or more of their income from criminal law.

<sup>15</sup> Barristers declaring 80% or more of their income from family law.

## Commercial and Chancery

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



Chart 8: Median earnings of men and women in each PQE band, 2022: Commercial and Chancery<sup>16</sup>

## PI/PN

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).

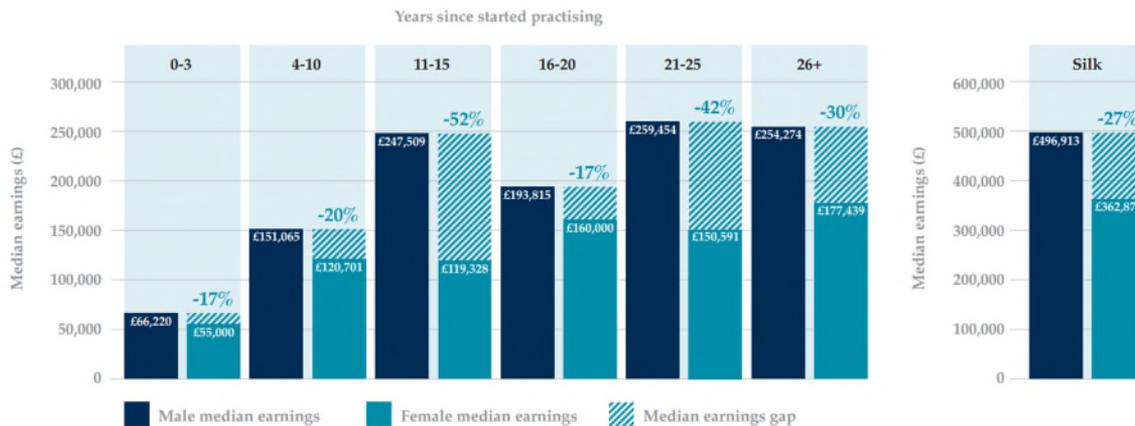


Chart 9: Median earnings of men and women in each PQE band, 2022: PI/PN<sup>17</sup>

<sup>16</sup> Barristers declaring 80% or more of their income from commercial and Chancery law. Please note that the number of barristers in the 21-25 years PQE band for commercial and Chancery is very small so the data for this column should be regarded as statistically unreliable.

<sup>17</sup> Barristers declaring 80% or more of their income from personal injury/professional negligence law.

## Other Civil

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



Chart 10: Median earnings of men and women in each PQE band, 2022: Other civil specialism<sup>18</sup>

## Mixed Practice

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



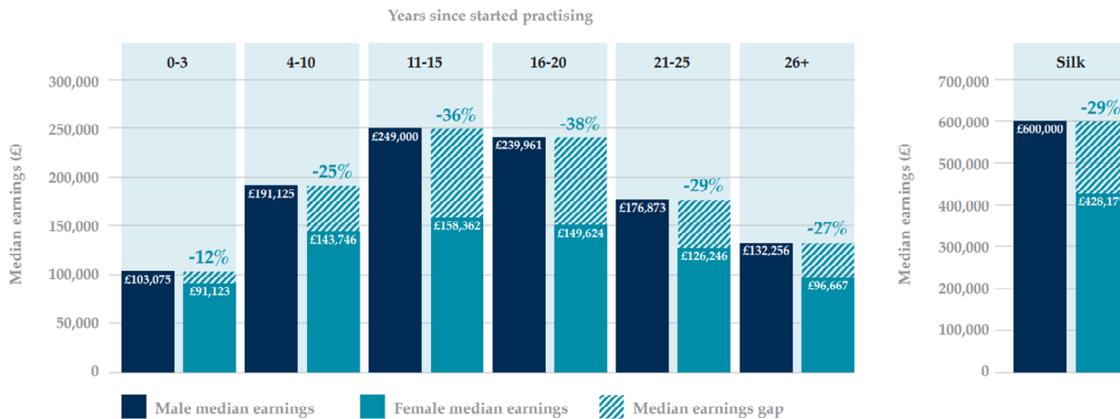
Chart 11: Median earnings of men and women in each PQE band, 2022: Mixed practice<sup>19</sup>

<sup>18</sup> Barristers declaring 80% or more of their income from a single civil area not covered by PI/PN.

<sup>19</sup> Barristers declaring a mixed practice from two or more of crime, family, civil.

## General Civil

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



**Chart 12: Median earnings of men and women in each PQE band, 2022: General civil<sup>20</sup>**

We can see in this series two consistent trends. **First, in each practice area and at each PQE band, the gross fee income gap is always present, with no exception.** It is more pronounced in some practice areas and in certain PQE bands. For example, in family (chart 7) the median earnings gap starts off small at 4 per cent in the 0-3 years PQE band. However, it then widens quickly, peaking at 22 per cent in the 4-10 years band before narrowing again among juniors. This is despite family being the only area of practice where women outnumber men. In the family silk category, however, the gap is only 4 per cent, by far the lowest of all practice areas.

**Second, the pattern of the earnings gap being present from the start, widening, and then narrowing again among juniors before widening between silks is broadly consistent across practice area.** The significant exception is crime (chart 6), where the median earnings gap is consistently in the region of 15-20 per cent in all PQE bands, including among silks.

In personal injury/professional negligence (chart 9) we see a median earnings gap of 17 per cent in the 0-3 years call band. This then widens to 52 per cent in the 11-15 years PQE band and briefly drops before, unusually, widening again among senior juniors.

<sup>20</sup> Barristers with no specific civil specialism (i.e. those who do not declare over 80% of their income in any one civil area).

In commercial and Chancery (chart 8), the gap, at 7 per cent, is relatively low in the 0-3 years PQE band, but jumps to 34 per cent in the 4-10 years band, and dips slightly but remains high throughout the rest of the PQE bands.

There does not appear to be a correlation between a higher initial gap at 0-3 years PQE and a higher subsequent gap. It seems more that there are slightly different patterns in career trajectory in each broad practice area, while the overall trend of persistent earnings gaps remains.

### Earnings analysis in relation to caring responsibilities

It has been offered as an explanation that women’s lower fee earnings can be linked to a decision to work less due to caring responsibilities, primarily of small children. In this context, it is suggested, the presence of caring responsibilities becomes a proxy for individual barristers who are less fully engaged in their practice. We wanted, therefore, to look at the extent to which women did in fact have more caring responsibility at different PQE bands, and whether the presence or absence of caring responsibility was linked to earnings gaps. Caring responsibilities are self-declared by barristers and relate to any familial caring responsibility, whether it is for children, or elderly or disabled relatives.

### With Caring Responsibilities

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



Chart 13: Median earnings of barristers with caring responsibilities by PQE band, 2022

## No Caring Responsibilities

Based on earnings from 2022 (declared A1P 2023/24). Includes transferring lawyers (no pupillage).



**Chart 14: Median earnings of barristers with no caring responsibilities by PQE band, 2022**

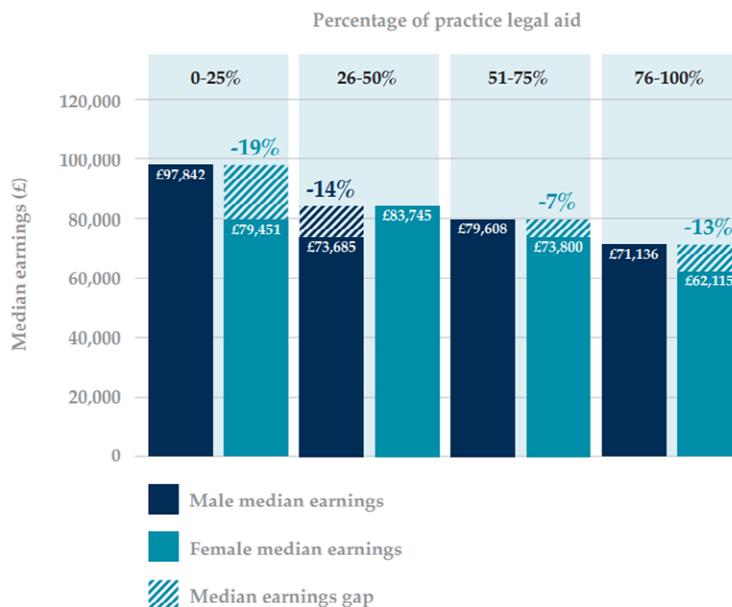
In charts 13 and 14, we can see that, whether barristers in the 0-3 years PQE band have caring responsibilities or not, the earnings gap persists to a substantial degree. Among men and women who do have caring responsibilities, the earnings gap at 22 per cent is wider than among those who do not at 16 per cent, suggesting that perhaps for women with caring responsibilities this may contribute in a small way to the earnings gap.

Chart 14 is relevant in this context. It consists exclusively of male and female barristers who declare that they have no caring responsibilities. It shows a median earnings gap of 16 per cent between these barristers exists right at the start of a barrister's career for the 0-3 years PQE band and additionally at all PQE bands higher than 0-3 (with the exception of band 26+) and supports the finding that caring responsibilities are not the sole, or even a primary, factor in the median earnings difference.

## Earnings analysis in relation to legal aid

### Legal Aid

Based on earnings from 2022 (declared AtP 2023/24). Includes transferring lawyers (no pupillage).



**Chart 15: Median earnings of men and women by proportion of total earnings from legal aid work, 2022**

Chart 15 shows that the earnings gap persists within each reliance on legal aid grouping. Among those who earn less than a quarter of their gross fee income from legal aid, there is a 19 per cent earnings gap in the 0-3-year PQE band. In those who have a 51-75 per cent reliance on legal aid there is a 7 per cent earnings gap at 0-3 years PQE. Among barristers who have a heavy reliance of 76 per cent or over on legal aid, there is a 13 per cent gap at 0-3 years PQE.

The outlier is among barristers who earn 26-50 per cent of their gross fee income from legal aid. Women in this group earn 14 per cent more in the 0-3 years PQE band, and then again at over 21 years PQE.

Barristers doing 76-100 per cent legal aid work have a consistent median earnings gap where female barristers (all on the same fixed fee schemes) have median earnings of 10-15 per cent lower than male barristers.

So, we cannot look to a gendered reliance on legal aid to explain away the persistent gap in earnings between men and women.

# Chambers' experience of supporting the newly practising Bar

In our interviews with chambers, we found that certain points emerged repeatedly. We present below 11 key themes relating to the way that chambers are able to manage and support barristers at 0-3 years PQE in relation specifically to earnings, and also more broadly in relation to developing their practice.

The themes are summarised as follows:

1. Collecting and interrogating data to identify issues
2. Regular practice reviews
3. Generational shift regarding wellbeing and work/life balance
4. Support 'real' choices
5. Allocation of led work
6. Tolerance of risk
7. Underbilling
8. Communication and trust in clerking
9. Exceptionalism
10. Particular circumstances in criminal work
11. Transferring lawyers

## 1. Collecting and interrogating data to identify issues

Many sets are now using earnings data analysis as a tool to support their members. Analysing and sharing data on earnings gives the clerks and practice managers an opportunity to start a dialogue with a barrister about their practice, their work volume and type, and their aspirations for earnings and practice development. Some sets have wider transparency around earnings among members and others do not.

Data on earnings is most helpful when it:

- Is produced regularly.
- Is shared from right at the start of a barrister's career.
- Shows a barrister their anonymised earnings compared with other colleagues (if outliers are removed and data is broken down by small call bands (i.e. 0-3, 4-8, 8-12 and so on)).

- Is shared with individual barristers as part of a wider formal review process and conversation around their practice.

Some sets use earnings targets, but this is more about supporting business planning by chambers, than about the career development of individual members.

While developing the expertise and finding the time to carry out data analysis can be challenging, it was consistently cited as a helpful way of getting insight into any patterns/trends in earnings that existed.

The challenges with this type of analysis were described by one practice director:

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“At chambers level it is really tricky to come up with reliable statistics because the sample size is so small. It makes a massive difference if someone is working 3 days a week or a third of the year, or in a different practice area. And the anomalies make it hard to find common trends and see patterns.”

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Whilst this is true, we found when people persist with the analysis, they did tend to find it helpful.

Often, experienced clerks/practice managers were easily able to explain the patterns they saw based on their knowledge of an individual’s practices.

Presenting earnings data back to members was felt to be a positive way of initiating a conversation about aspiration, particularly for practitioners who might not generally be comfortable talking about money. Clerks and practice managers used this data to ask the following as part of any discussion:

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“Is this the amount of money you would want?”

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Data analysis can therefore underpin a collaboration between chambers and members on practice development. It was noted this is increasingly being asked for by juniors and could be a useful recruitment tool for chambers seeking to attract the best pupils. One interviewee observed:

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“The mood is changing on this. Juniors are hotter on what they are being paid for and how.”

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## 2. Regular practice reviews

The majority of sets we spoke to have regular practice reviews with all members which are more formal and structured than discussions that may have taken place in the past. Many are using data to underpin these reviews. All of those interviewed agreed that it was important to begin having these conversations early in a barrister's career to ensure barristers understood the earnings/other trajectories their career was on based on the decisions they were making about their practice.

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“It is crucial to have these conversations early on so you can see trajectories.”

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Sets were more or less formal in the way they did practice reviews – for some it was a regular informal conversation with a senior clerk, for others it was a formal process with documentation involving practice directors. Frequency ranged between monthly and annually.

Most sets offered practice reviews but there was not always full take-up by members. Of those we interviewed uptake ranged from between a third and 60 per cent. Everyone noted that those who did take up practice reviews found them helpful, sometimes to their surprise, and particularly when they were underpinned by individual level data on performance and earnings.

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“It is good to have some transparency and to feel comfortable talking about earnings. It is how to make sure we are giving the right message; we are proud of the fact you can have the practice you want.”

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When it came to full internal transparency of earnings as part of practice review, i.e. showing barristers how they were performing financially compared to their peers, this was still only in place in a minority of sets.

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“We have no transparency of earnings and until we have a generational shift there won't be full transparency. There are a lot of members for it, but a few seniors are against it.”

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For the chambers, benefits of practice reviews included having an oversight of capacity, up to date communication with members about the way they wanted to

work, supporting longevity and retention of members, and more positive communication.

### 3. Generational shift regarding wellbeing and work/life balance

Respondents frequently remarked, “ten years ago new tenants/juniors kept their heads down and did what they were told. Now there is much more pushback.” Or something similar. Others spoke about people no longer wanting to work at the weekends, being less subservient to seniors, and being firmer about blocking out time in their diaries during the week.

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“Wellbeing is much higher on the agenda. We have got complaints from leaders as juniors do not want to work as hard. They are smarter, more switched on and more willing to say no, there is a less master-servant relationship.”

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This suggests a generational shift around wellbeing and managing work/life balance. It was notable that this generational shift, while present among many juniors, was considered to be more prevalent among women.

Among some practice managers there is a perception that women and men have different working patterns around leave and out of hours working. One practice manager noted that the median amount of leave taken was approximately the same between men and women, but that men would take instructions while on leave. Another noted that women were less likely to want to work at the weekends. Where there is no objective evidence to support this, this perception may be having an impact on how men and women are clerked.

Some respondents spoke about the challenge of senior members of chambers working from home most of the time. Noting this can make it harder for those in the 0-3 years bracket to make contacts within chambers, and to get the training and support, and develop the professional relationships they need when senior colleagues are remote. There wasn't an implication that men and women struggled differently with the lack of contact with seniors, but it was raised as a new challenge for all new tenants in chambers.<sup>21</sup>

The pushback by junior members around protecting their wellbeing seems symptomatic of a changing culture in the workplace but it may also be creating tensions within chambers. Clerks want to support barristers, but they also need to

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<sup>21</sup> In a parallel piece of work to this report, the Bar Council Young Barristers' Committee has produced some guidance and tips for barristers and chambers on working remotely: [Tips for working remotely](#)

get the work done. This is particularly stark where demand exceeds supply e.g. currently in crime.

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“The resilience of juniors is significantly less, and they do not have the same attitude. I had the expectation to work late and sleep less. I presumed this was part of the deal if I wanted to be successful, but this is not there anymore. I am proud they are recognising their wellbeing but also frustrated too.”

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There may of course be a tendency to view past ways of working as better, noting circumstances are not always necessarily comparable.

It is inevitable that if any individual frequently turns down work or is less available than colleagues to take on cases, they will earn less money. Chambers cannot be expected to mitigate for this. It should however be made clear to members that there are consequences resulting from decisions to turn down work with respect to earnings and career development, whilst still supporting barristers to work in any way that they choose.

Holistic conversations around practice development that include a level of discussion about wellbeing can be useful in establishing boundaries and expectations from everyone.

#### **4. Support ‘real’ choices**

The issue around choice came up frequently in conversations around earnings and is a loaded term.

It can be used as a perfectly sensible way to explain why one individual has made certain decisions around work type, work/life balance etc. that means they may be earning less than a contemporary. But it can also be used to dismiss out of hand any concerns about structural challenges faced by certain groups.

Choice of course does not happen within a vacuum. It can be difficult to ascertain whether someone decides to, for example, do more government work or more pro bono work because they genuinely want to and do not care about the financial implications, because they are not fully aware, because they have been subtly or less subtly steered in that direction, or simply given that type of work. There could be differences between the likelihood of men and women turning down less lucrative work, and differences in chambers’ response to individuals declining that work.

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“There should be an understanding that different practice areas have better earning opportunities. The real problem becomes if people are not given the opportunity to do that area.”

“We have a woman silk on the same level of a man. She is representing the public sector and individuals whereas he is representing a private firm. He earns a lot more than her.”

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Ensuring that individuals have the information available to them so they can make informed choices about their practice and earnings is a policy and approach that some sets have found helpful:

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“We try and keep it constructive. We would say you could earn more if you did this type of work. We are always encouraging them not to pigeonhole themselves.”

“We do have a conversation explaining if they want, they could earn more. We try not to turn them into something different. We manage expectations and have an honest conversation. We will push the barristers sometimes, in instances where people are not earning what I think they should be.”

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## **5. Allocation of led work**

There is a divergence in policy on managing led work. Some sets do absolutely no monitoring or directing at all, as they either feel there is no need, it’s just “potluck” as to who gets what, or that a natural balance is reached where barristers make connections and build professional relationships that work for them. Other sets handle led work carefully, including giving opportunities to those returning from a career break, or ensuring that all new tenants are given equal opportunities.

When opportunities come from outside chambers, at times people are rewarded for being competent on past cases:

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“There is more work allocated to people who make the contacts and people know them – we work in the service-based industry, and it is not always fair... solicitors often don’t want to try someone new.”

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Our interviewees raised the point that sometimes difficult conversations need to be had with seniors always using the same juniors, while others were not getting chances. Sometimes it is just a question of habit and familiarity, and sometimes positive working relationships are rewarded:

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“You’re a leader and you’ve had a really good, diligent junior who has worked tremendously hard. Why wouldn’t you want to have them again and recommend them to your solicitor and so forth?”

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The impact of building positive relationships is why it is important that those at 0-3 years PQE get a fair chance to impress both internally and externally.

Where monitoring and assigning led work is undertaken, it tends to be partly based on checking to ensure opportunities are distributed reasonably fairly, and partly based on individual capacity and suitability.

Balancing the quality and quantity of work given to any individual member, with the need of chambers to do all the work that comes in, is a constant juggling act. Sometimes individual members do need to act as part of the team and take their share of work they don’t particularly want to do. At other times, chambers steering on led work can be helpful in levelling the playing field.

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“We have started monitoring led work. It has helped and now we monitor all opportunities that come through and they are monitored and reviewed a couple of times a month and then reported into management meetings... Women have benefitted from this monitoring.”

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## 6. Tolerance of risk

Respondents observed some small behavioural differences between men and women in day-to-day workload management level that could, over time, add up to different work volumes and types (and, linked to this, earnings).

Some had noticed different attitudes to diary management, where women were more likely to prefer to have their schedules arranged in a manner where they knew they would have time to do all their work, whereas men were more likely to be relaxed about being able to cope with a degree of overbooking. Whilst everyone is entitled to arrange their practice in the way they prefer, some of those interviewed

noted that managing women's diaries successfully can involve a slightly different approach to discussions about an ability to complete work to schedule.

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"Women appear to be more conscious of not taking on work which is going to overwhelm their weekends while men appear more likely to say yes and make it work somehow."

"It is sometimes good quality over quantity with women."

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Issues around confidence were mentioned in a number of interviews. In some instances, it was perceived that women were less confident in putting themselves forward or pushing for what they really wanted, although not everyone agreed with this. And others said that it was more normal for men to have a particularly confident and assertive attitude that could lead to them gaining ground when compared to their contemporaries. There may be a wider point here around separating this perception from a greater challenge around the different way men and women's confidence at work is understood and responded to.

## 7. Underbilling

A point that came up several times was around women undercharging for their work. This is not necessarily primarily relevant to those in the 0-3 years band, but rather to their more senior colleagues.

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"... junior female barristers [...] were not time recording all their time as they were worried that they might be taking too long to do the work, or were worried that the work might not be acceptable. Our female barristers tend to be more nervous about billing than our male barristers."

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Some women were mentioned as undercharging by half what they could/should be billing and being more likely to do additional work outside of billing hours.

Others said women were more likely to do unpaid work:

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"We are conscious women are more willing to volunteer for free work e.g. mock employment tribunals."

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Sometimes underbilling was related to underestimating and sometimes to reluctance to charge the full amount. Some sets had found that introducing time monitoring internally, especially with early career barristers to “teach” them how to bill correctly had helped with producing more accurate estimates for billing purposes.

## 8. Communication and trust in clerking

Interviewees described a perception in communications about work distribution and earnings in chambers, where clerks are made to feel as though they are being blamed for structural issues around women’s access to work. As one interviewee expressed it:

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“The suggestion that women earn less than men often seems to be levied at clerks as a criticism of their allocation of work.”

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A culture of blame will not be a culture that can change for the better.

At the same time, others feel that clerks can be agents of positive change within chambers, and/or that some problems with work distribution do have their origins in the clerks’ room:

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“I think there are plenty of clerks who need their eyes opening and need pushing and to be asked questions and have to justify decisions about work distribution. I support questioning and challenging clerks and senior members on how counsel are selected.”

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A wider point that kept coming up was around trust and communication. Barristers need to feel that they can trust clerks to have their best interests at heart when supporting their practice, while clerks need to have a relationship with barristers so they know what they want from their practice, whether this is to maximise earnings, take time out for another project, look to move area of practice, or anything else.

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“[We need] regular communication and open trusting relationships between staff and barristers. Constant conversations help a lot.”

“It is a clerk’s job to find ways to get communication involved in everyday practices.”

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## 9. Exceptionalism

In a high-achieving and competitive workplace, some are identified by colleagues and peers as being exceptional. These ‘stars at the Bar’ are described as being capable, popular with clients, hardworking, willing to go above and beyond, charismatic. Everyone wants to work with them. They tend to quickly establish themselves as having access to the best and most profitable work within chambers.

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*“As soon as a star at the Bar is found, everyone wants them.”*

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There are also exceptional ‘unicorn cases’ that come into chambers. Those that are lucrative, interesting, potentially career-defining.

The ‘stars’ inevitably often get access to this lucrative ‘unicorn’ work.

It was notable in interviews that when ‘stars’ were discussed the majority were men.

Being mindful of who is identified as a ‘star’ and who gets access to the ‘unicorn cases’ can ensure a more equitable distribution of opportunity. This isn’t to imply that outstanding performance should not be identified and rewarded, but more that some forms of excellence are less immediately obvious than others, and some people perform better in different circumstances. Recent Harvard research suggests men and women may be judged differently because of bias rather than excellence.<sup>22</sup>

## 10. Particular circumstances in criminal work

Those sets who did criminal work agreed on two things: there is currently far more work available than the number of barristers available to do it, and this is having an impact on the practices of those who work in that area.

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*“In crime we are having to ask more of everyone.”*

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On one level this is good news for criminal practitioners – after years of stagnant pay there is the opportunity to do as much work as possible to maximise earnings, and earnings for all seem to be increasing. As supply of barristers is short, there is also the chance to progress to more senior (and lucrative) cases more quickly. However, there is also a tension around work distribution at times when chambers needs to get

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<sup>22</sup> Harvard Business Review (2017) [A study used sensors to show that men and women are treated differently at work](#)

some of the lower paid, more junior work assigned. Women may well be more willing to take on less lucrative work to assist chambers.

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“In crime we are turning down 75 per cent of work. It is so busy.”

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A set which is having to turn down millions of pounds worth of work annually because they do not have enough criminal barristers to do the work is also likely to be a set in which everyone is frantically overworked and firefighting, so not necessarily able to take the time to evaluate and make change a priority.

There are particular issues with the gendered split of the types of criminal work under the AGFS fee scheme.<sup>23</sup> Chambers felt that men tended to get more of the serious crime work which paid better. There is also an issue for the 0-3 years band about the significance of the first junior prosecution brief and how it can set someone on a pre-determined trajectory.

## **11. Transferring lawyers**

Those lawyers who transfer into the Bar as mature pupils with previous professional experience (often but not always solicitors) are more likely to be male. Their experience can mean that they can command higher rates at an earlier stage of their careers.

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“A barrister joined the chambers as a mature pupil. He has specific knowledge and is the only junior in the region with this expertise. In year one or two in practice, we can manipulate rates from this.”

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<sup>23</sup> AGFS stands for the Advocates’ Graduated Fee Scheme. It is the fee scheme under which barristers who provide legal aid representation on behalf of a client are paid.

# Conclusions

The Bar is a place where hard work and professional competence should be, and often is, rewarded financially. Individuals at the self-employed Bar have a great deal of professional freedom to shape the working lives they wish to pursue, and many people make choices that are not necessarily about earning the most amount of money.

There are areas, though, where the level of independence enjoyed at the Bar can mask cultural and structural problems, including bias that can limit the career options available to some groups.

The analysis of data presented in this report shows comprehensively that, across all areas of practice and dependence on legal aid, and whether or not someone has caring responsibilities, women are consistently earning less than men from the very start of their working lives (0-3 years PQE) to the most senior levels (silk).

This is a serious structural and cultural problem and presents a collective challenge for the Bar to reconsider the ways in which we speak about money, work/life balance, choice, and what success looks like. The recommendations presented in this report are a starting point for discussion about how to consider redressing the balance, not so that everyone earns the same – which is neither possible nor desirable – but so that everyone is supported in developing the practice they want.

The real solutions, though, will need to come at a local level where barristers and chambers staff meet to talk about the ways they wish to work. All the evidence here suggests that positive and evidence-based conversations need to happen right from the start of a barrister's career to support the development of a thriving practice.

# Annex I: Quantitative methodology

The data which underpins the evidence basis for this report is sourced from the General Council of the Bar's barrister demographics database (the CRM). This database contains an individual record on each of the ~18,000 practising barristers in England and Wales. The data is collected initially when a barrister registers with the Bar Standards Board (the regulator) on commencement of pupillage. It is then updated annually when the barrister completes the mandatory Authorisation to Practise process in the Spring of each year.

There are approximately 30 fields for each barrister, including information on their practice (including employment status, place of work, KC status, area[s] of practice, earnings); demographic information [sex, age, ethnicity and so on]; and regulatory information (rights of audience, Youth Court registration etc).

The data is shared between the regulator (the Bar Standards Board) and the representative body (the Bar Council). Both organisations can use the data for analysis that assists them in their respective roles.

For the purposes of this report, we focused primarily on gross fee income data cut by sex, post qualification experience (PQE) time, and area of practice. It's important to note that the data here will slightly differ from previously published data due to using PQE rather than call as the time metric. Another analytic difference is that when analysing the 0-3 years group only (although not when analysing the whole Bar), we excluded barristers who had not taken the pupillage route into the Bar as these will be transferring qualified lawyers with greater earning power in their first years of practice. We want to compare male and female barristers starting from the same position. When analysing the whole Bar, we included transferring lawyers as the data was not available to separate out those who had transferred in.

We have only been asking barristers to report their precise gross fee income since 2021 (before this we asked for banded earnings data), so we have provided this analysis for the last three calendar years. Each gross fee income declaration is for the calendar year before the financial year in which the question is asked (so if the data is collected for the financial year 2022/23, the earnings declaration will be for the calendar year 2021).

In analysing this data, we:

- looked to interrogate our existing understanding that differences in gross fee income start right at the beginning of a barrister's career,

- contextualised the 0-3 years' experience by looking at the pattern in all practice bands, and
- attempted to deepen our understanding by looking to see whether patterns emerged by other key variables (area of practice, caring responsibility, and level of public funding).

# Annex II: Qualitative research methodology

The quantitative analysis was supplemented by a qualitative interviewing exercise. The aim of these interviews was to ascertain the reasons for disparities in earnings between men and women at a local level. We are conscious that the situation in chambers can be complex and highly personal, and we felt that those most directly concerned with these issues on a day-to-day basis would be the best placed to offer considered explanations.

We therefore secured short (60 minute) interviews with individuals – mostly practice managers and Equality and Diversity Officers (EDOs) – from 15 medium/large sets. We needed those from larger sets who were more likely to have the numbers and the data to support internal analysis of sex differentials in earnings. We invited interviewees personally, considering the following factors:

- A range of areas of practice
- Some who had previously engaged with this workstream and some who had not
- A range of locations

All prospective participants were contacted by email with an invitation to interview with a representative from the Bar Council.

The interview was not recorded, but notes were taken by another ‘listener’ member of Bar Council staff. The interview questions and the Bar Council’s data were shared in advance, and participants were encouraged to consider the questions and look up any data. If participants wished, they could email a written response in lieu of an interview. (See Annex III for the template interview questions and invitation to interview).

Notes from the interview were shared and agreed with the participant in advance of the written analysis being carried out. All participants were anonymous, and they were assured that they or their chambers would not be identifiable in this or any other publication resulting from the interview.

We used this qualitative data to match to patterns identified in the quantitative data and begin to offer explanations for differences in gross fee income by sex, and potential solutions at a local level.

# Annex III: Template interview questions and invitation to interview

Note, these questions were not a script, but were rather used as a basis for preparation by the interviewee, and a conversation guide by the interviewer.

- What is your role in chambers?
- How closely are you linked to fees monitoring?
- Do you have a disparity in your set with earnings between men and women?
- If so, what is the extent of the disparity (if it's possible to say)?
- At what point in a barrister's career does this disparity begin?
- Do you see a difference in barristers 0-3 years call/PQE to those later in their career?
- Is this something barristers in your set are aware of/discuss?
- To what do you attribute this disparity? (It may well be a range of factors.)
- Do you see any disparity as a problem for your set? If so, how? If not, why not?
- Have you seen a change over time in men's and women's earnings and/or barristers' attitudes to their earnings?
- Has your set taken any measures to address this? If so, has anything been successful?
- Do you think there would be any other measures that may work to address any earnings disparity?
- Do you observe any other patterns in differences between men's and women's practices or the way that men and women prefer to work?

## Invitation to interview

Dear XXX

I hope that this email finds you well. I am contacting you in relation to a new project The Bar Council is about to embark on that focuses on understanding the discrepancies in earnings between men and women at the Bar in the 0-3 years post qualification experience (PQE) cohort. Having carefully reviewed the size, disciplinaries, locations and otherwise of some 200+ sets, we are hoping that XXX chambers might be interested in participating. I have set out further information about the project below and would ask that you respond by **close of business** next

**Friday (2 February)** to confirm whether you, or someone else in your chambers, would be happy to assist us with this important piece of work.

With kind regards,

### **Purpose and Aim**

A key policy priority for The Bar Council in recent years has been improving monitoring and data collection around income, with the understanding that this provides a regular, comparable, and replicable source of data for all those within the profession seeking to reduce disparities. By comparing income differences, we have been able to identify where there are obstacles to women's retention and progression. We provide an [Earnings Monitoring Toolkit](#) for chambers to support them in analysing data on earnings, along with [regular training sessions](#).

We see from [our most recent report](#) that 51 per cent of barristers in the 0-3 years call band are women. Women account for 45 per cent of the gross earnings. The gap between men's and women's median gross earnings in this call band is 17 per cent.

As part of the wider workstream around providing data on income differentials and support for income monitoring, it has become apparent from the data that we should dig a little deeper into barristers in the 0-3 years PQE band. While income differentials may be more readily understandable at a later point in a barrister's career, especially if caring responsibilities are taken into consideration, there seems no clear reason why differences in income between men and women should be apparent right at the start of practice.

The findings from this project will inform our wider policy workstreams on barrister earnings and support for the Young Bar. We anticipate findings to be embedded in the next iteration of the [Earnings Monitoring Toolkit](#) and be included in our training, advice and bespoke support offerings. We will also publish a standalone report exploring reasons behind differences in income at 0-3 years PQE and giving recommendations to individuals and chambers looking to address this discrepancy in their own practice/workplace.

### **Your involvement**

**Phase 1** - If you are able to agree to an interview, we will send you a list of prospective questions in advance, so you have time to consider and prepare. We will schedule a one-hour interview with a representative of the Bar Council at a mutually convenient time.

**Phase 2** - The interview will be conducted in a relaxed, conversational style between you and the interviewer. It can be online or in person according to your preference

and will not be recorded. One additional member of Bar Council staff will be present to take notes.

**Phase 3** - Following the interview, we will be in touch with a draft of the resultant publication/output pre-publication.

### **Confidentiality**

We recognise that income data and information about your set's practices relating to income monitoring is likely to be commercially sensitive and we are therefore happy to sign a document confirming that it will not be shared externally or with anyone else within The General Council of the Bar (which includes the Bar Council, Bar Standards Board, and the organisations' shared Resources Group) other than the researchers on this project.

We will not include any direct quotes from our meetings or any verbatim extracts from any document(s) that you may choose to share with us in any of the project's written outputs and will share the relevant drafts with you before releasing them to the profession.<sup>24</sup>

If you have any other concerns then we are more than happy to discuss them and ensure that they are addressed to your satisfaction, particularly as we are eager to include XXX chambers in the project.

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<sup>24</sup> Given the richness of the interviews we subsequently elected to use unattributed direct quotes. Approval of the resulting copy was sought from each participant chambers before publication.