



The Bar Council

Gross earnings by sex and practice area at the self-employed Bar

November 2023



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Key findings

These key findings represent patterns found in the large data set we have on gross earnings at the self-employed Bar.

When considering these findings, it is important to bear in mind that there are many variables which lead to gross earning patterns – every self-employed barrister's practice is different and there are huge variations in the way barristers work around the Bar. This makes any comparison inherently difficult.

However, every time this analysis is done, whether it is on a small scale within an individual chambers, or a deep dive into a practice area, we find the same patterns, namely:

- 1. In every Call band and every area of practice, men's median gross earnings are higher than women's.**
- 2. The disparity in gross earnings between sexes is present at the very start of a 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%).**
- 3. Women silks earn on average 71% of their male colleague's median gross earnings.**
- 4. Whilst men's and women's gross earnings have both slightly increased over the last year, the difference in gross earnings between men and women has not narrowed.**
- 5. Male and female barristers both reach peak median gross earnings at around 25 years' Call.**

Recommendations

1. Regular monitoring

Monitoring differences in earnings is essential to understanding work distribution at the Bar. Because we collect the data annually, we can identify trends over time, and this is incredibly valuable to everyone working towards a fairer, and modern Bar.

2. Focus on the distribution of work

The findings show that disparities between men's and women's gross earnings persist, and it is reasonable to understand them as both a cause and a consequence of the retention and progression challenge faced by women at the self-employed Bar. The quantity and the quality of work a self-employed barrister does has an impact not just on their gross earnings, but also on whether they are able to build and sustain a thriving practice.

Gross earnings are a useful proxy for the wider issue of how work is distributed around the Bar, and this data supports conversations to move past whether disparities exist, and onto how to address them.

3. Promote monitoring of earnings in chambers

While the data in this report pertains to the self-employed Bar as a whole, detail is only available at a chambers level, and that is also where we will find most solutions.

The Bar Council has updated guidance for chambers on using earnings data to monitor work distribution and is working with chambers to improve monitoring and put in place interventions to address disparities.

You can find the updated toolkit on [the Bar Council's Ethics and Practice hub](#).

Introduction and methodology

This year we wanted to share more robust and detailed data on earnings than ever before. To do this we have looked at the data shared with us when barristers renew their practising certificate. We can do more with this Authorisation to Practise (AtP) earnings data as we know more about the barristers who share it with us - including their sex and practice area.

For 2023/24, 93% of the barrister data captured at AtP is rated as suitable for analysis based on various validation checks. This equates to 16,000 barristers across both the self-employed and employed bars. This report focuses on the self-employed Bar only.

In the previous three years, the Bar Council published data showing barristers' gross earnings split by sex and practice area. The reports used anonymous income data from self-employed barristers shared by the Bar Mutual Indemnity Fund (BMIF) and, because the data had been gathered consistently over 20 years, we were able to look at trends and patterns in gross earnings for men and women at the Bar.

The BMIF data¹ showed that, while there were more women than ever working at the Bar, the gap between men and women's gross earnings had widened over the period 2000-2020. It also showed that, although in real-terms (adjusted for inflation) gross earnings increased in most practice areas, some, most notably those in criminal practice, saw a decline in real-terms gross earnings over the same period.

There were issues with the data which we always made clear in the reports. These included:

- The data was shared by the Bar Mutual Indemnity Fund (BMIF) with the Bar Council on an anonymous basis. No personal or identifying information was shared about any individual barristers relating to seniority or working patterns and therefore it was not possible to dig deeper into the reasons behind disparities in gross earnings.
- BMIF did not collect monitoring data on barristers, therefore sex was inferred by coding according to the prefix used by a barrister (Mr, Ms, Mrs). Those barristers who use a gender-neutral prefix (Dr), or who do not include a prefix, were not included in the data.
- The data showed gross fee earnings for self-employed barristers in each practice area for that year. As many barristers work in more than one practice area, their gross earnings were represented in each practice area in which they earned fees.

¹ <https://www.barcouncil.org.uk/resource/earnings-data-by-sex-2021.html>

New methodology

Gross earnings

This report uses gross earnings data which are self-reported to the General Council of the Bar by self-employed barristers each year when they renew their Practising Certificate.

For self-employed barristers “gross earnings” is the total gross fees generated (excluding VAT) before they pay rent, expenses, professional insurance, and the other costs associated with being self-employed. These direct costs typically amount to between 20% to 40% of gross earnings. Gross earnings should not be confused with income, which is the taxable amount barristers earn, and is considerably less than the figures discussed in this report. It is also important to remember that self-employed barristers need to make their own provision for pension contributions and sick leave.

Median

Throughout this report we use median rather than mean gross earnings. The median is the middle value, with 50% of barristers earning less than this, and 50% earning more. The mean is easily skewed by barristers with very high gross earnings, and this happens for almost every data split we look at in this paper: the mean figure is above the median and does not reflect what a typical barrister could expect to earn.

Box and whisker charts

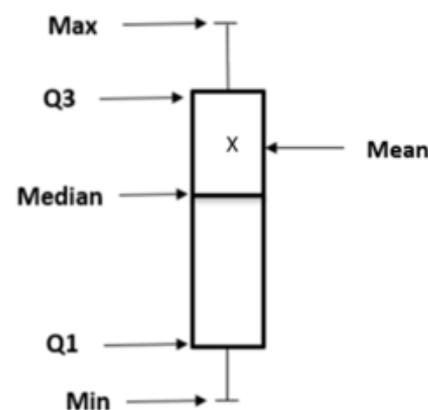
Throughout this report we use box and whisker charts to represent how the data is distributed.

The box 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 a **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.



Call or post-qualification experience (PQE)

Throughout the report we have split barristers into cohorts based on year of Call and status (Junior or Silk). We considered using PQE to identify cohorts, and assessed the data on this basis but, because the dataset is so large, we found it had no impact on the patterns which emerged. When chambers undertake a similar analysis, they may prefer to use PQE as a more accurate

indicator of experience, and if the method is consistent throughout the analysis, there is no reason not to do this.

Limitations

The data used in this report only analyses gross earnings with reference to sex, Call band and main practice area. It does not account for all the variables which determine a barrister's gross earnings, including but not limited to the type of cases they take on, the hours they work, their engagement in marketing activities and promotion, the pro bono work they do, where they work and the quality of their work. That information is only available at a chambers level, which is why doing this sort of analysis in chambers is so important.

We do know there are differences in working patterns between men and women at the Bar. According to our latest survey (2023)²:

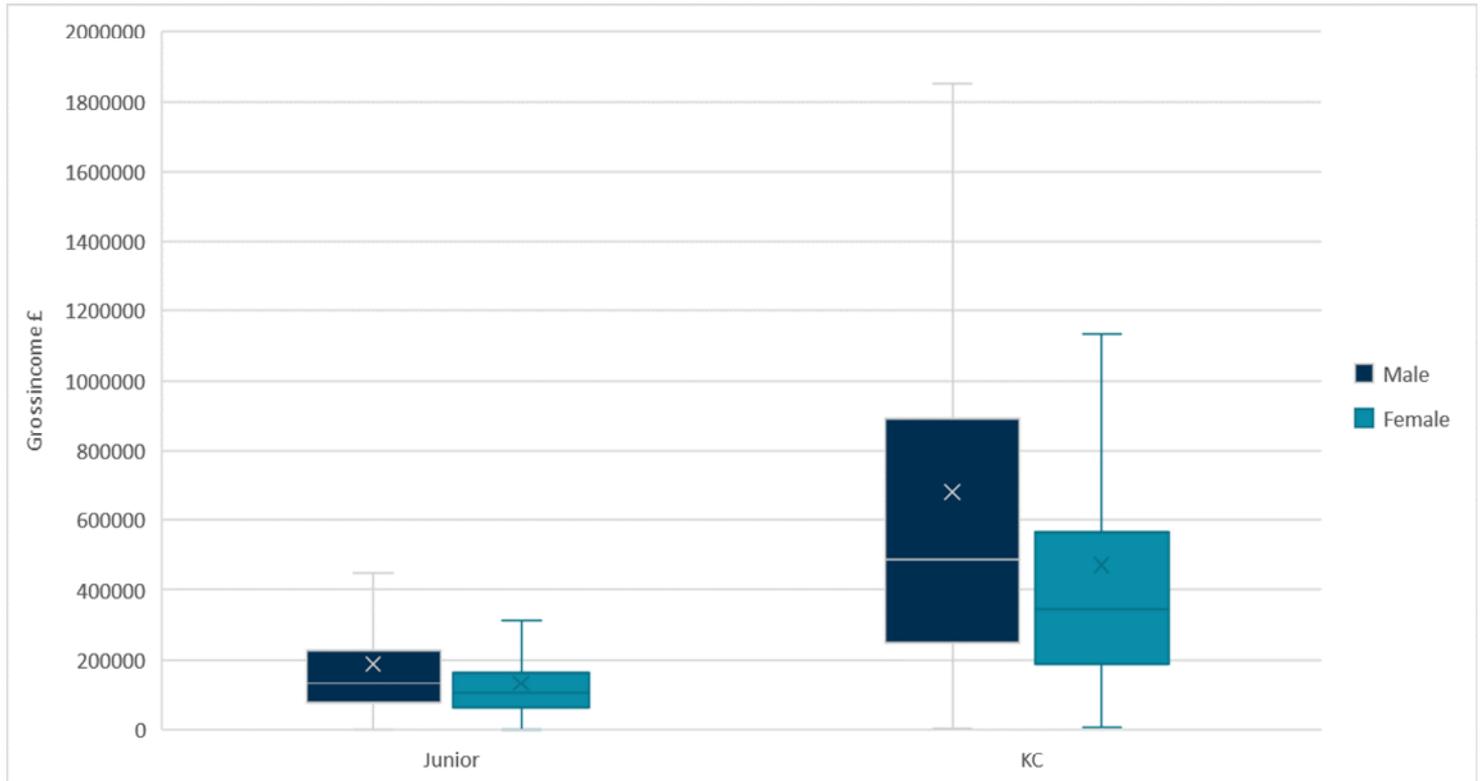
- 14% of female and 8% of male self-employed barristers describe themselves as working 'part-time'.
- 11% of women and 18% of men describe their working patterns as full-time with no extended hours.
- An equal number of men and women work extended hours, including over weekends.

These differences in working patterns are likely to explain some of the disparity in gross earnings between men and women but are not large enough to suggest that the full disparity in gross earnings can be explained by women working fewer hours than men.

² Barristers' Working Lives 2023 (unpublished as of October 2023)

Earnings by sex – whole self-employed Bar

Women earn less than men on average at the self-employed Bar.



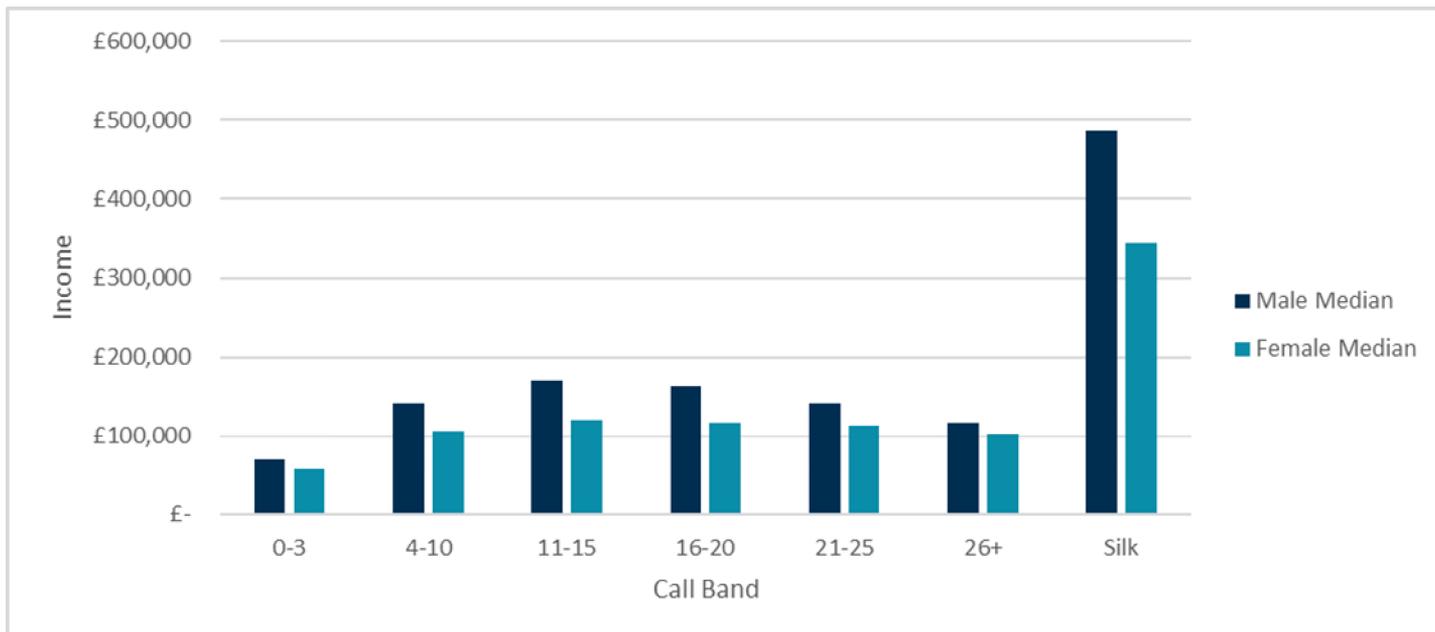
The above chart shows that women's mean and median gross earnings are less, and that the earnings of women in the top quartile (the highest 25% of earners) is significantly less than that of their male colleagues.

The figure for KCs shows that the typical range of gross earnings for female silks (the box) sits between around £200k and £600k. For male silks, the range starts higher at around £250k and extends to £900k. The maximum gross earnings for male barristers (the whisker line above the box) is considerably higher than the maximum for female barristers (excluding outliers³). The overlap of the boxes shows that not all male KCs earn more than female KCs, but their earning potential is visibly higher.

³ The data excludes outliers which are datapoints 1.5 times the inter-quartile range.

Earnings by sex and Call

With the AtP data we can look at average gross earnings by Call band.



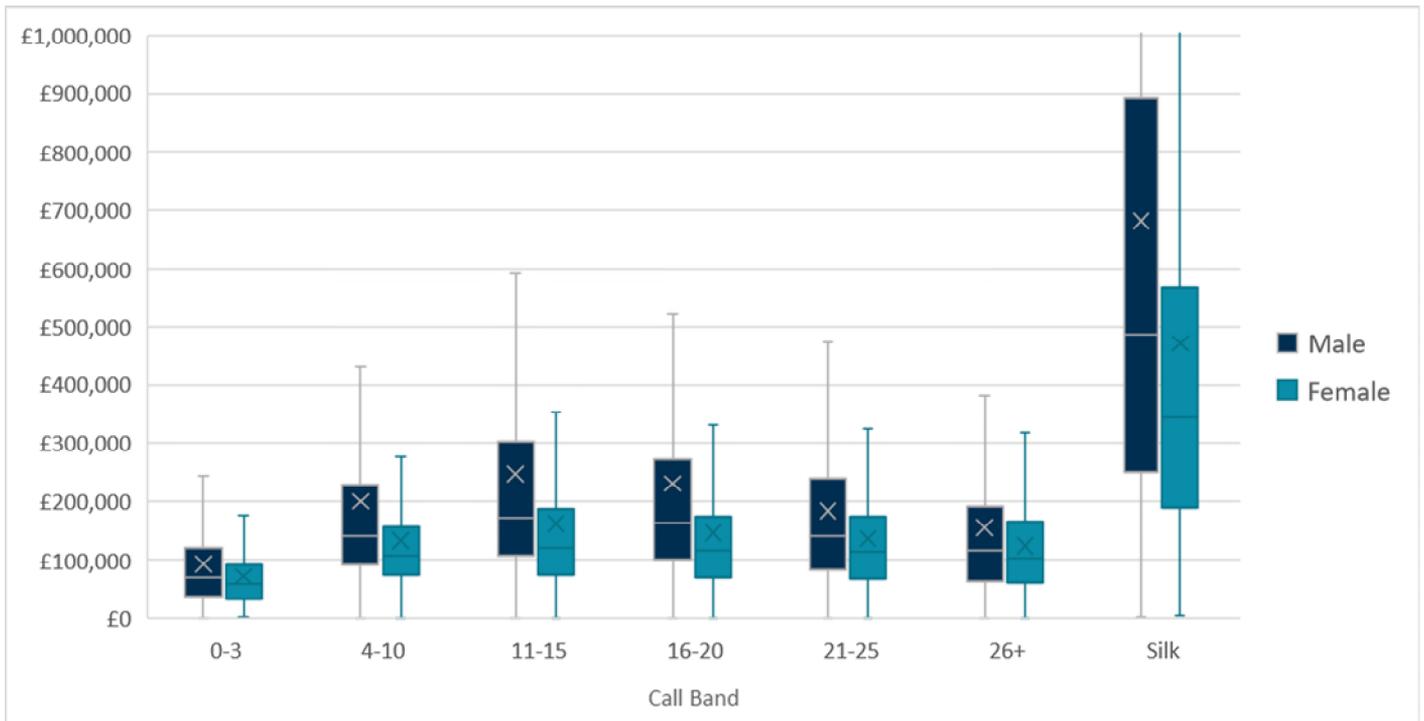
In every Call band, men's median gross earnings are higher than women's. Even for new barristers, where experience has much less bearing, women earn 17% less than men's median gross earnings.

The greatest disparity in gross earnings is at 11-15 years' Call, when women earn 30% less than male colleagues. After this the disparity reduces – by 26 + years' Call the disparity in gross earnings has been reduced to 11%.

Silks earn considerably more than juniors. However, the disparity in gross earnings is almost the same as the highest disparity among juniors. Women silks earn on average 29% less than their male colleagues.

The box and whisker chart gives more detail about the spread of gross earnings in different Call bands and in particular the spread of gross earnings for the top 25% group, where men reach higher gross earnings than their female colleagues.

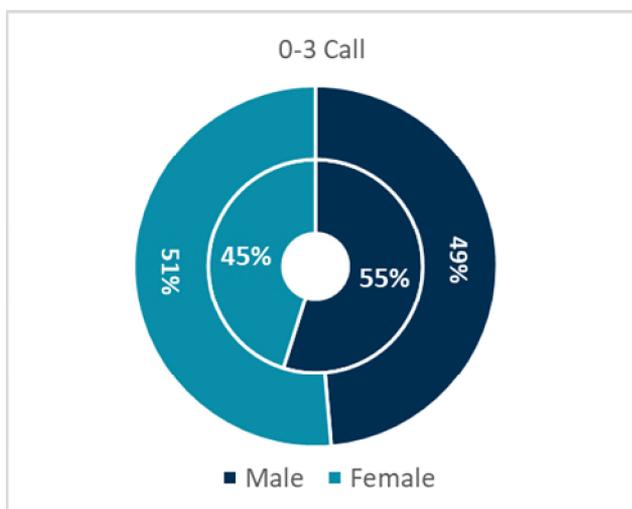
Self-employed barristers' gross earnings by Call band



The disparity in gross earnings does not appear to be a result of more men working at the self-employed Bar as the following donut charts show:

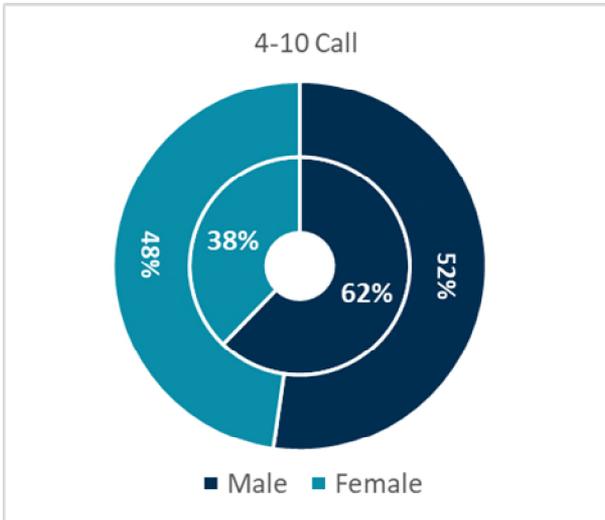
Outer ring: total number of barristers

Inner ring: total gross earnings



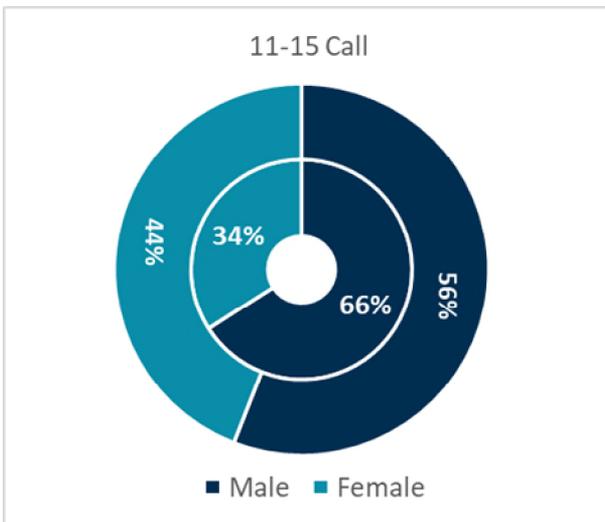
51% of barristers in the 0-3 years Call band are women. They account for 45% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 17%



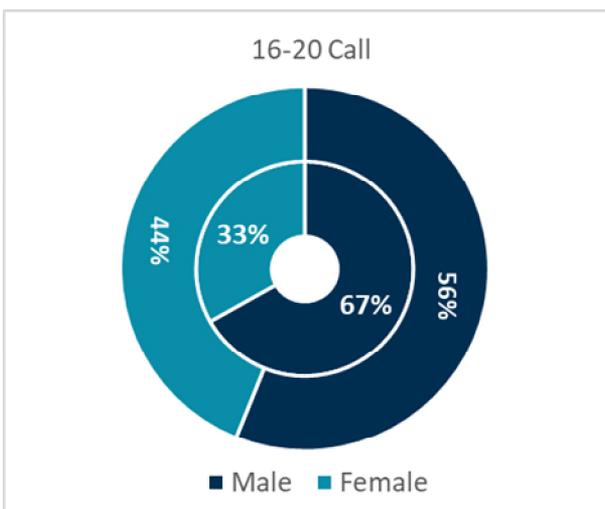
48% of barristers in the 4-10 years Call band are women. They account for 38% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 25%



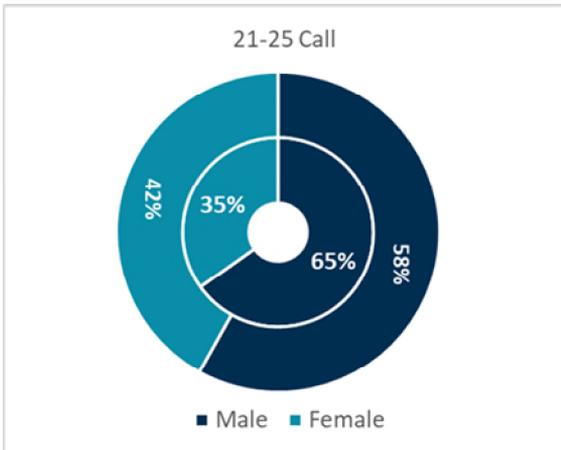
44% of barristers in the 11-15 years Call band are women. They account for 34% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 30%



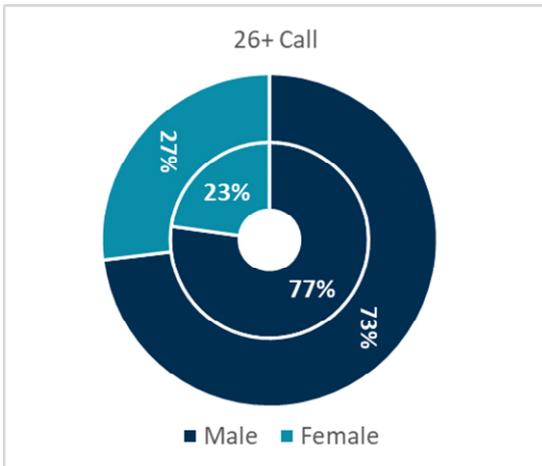
44% of barristers in the 16-20 years Call band are women. They account for 33% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 28%



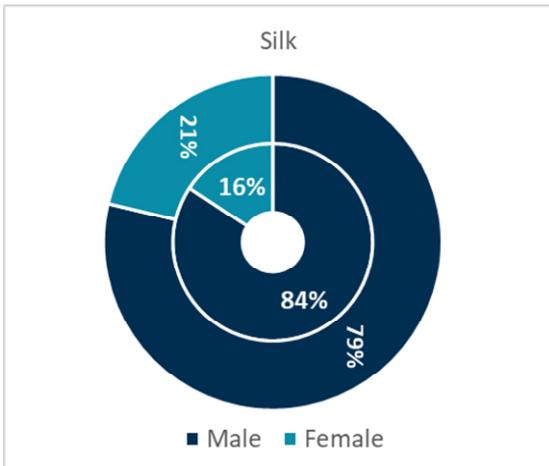
42% of barristers in the 21-25 years Call band are women. They account for 35% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 19%



27% of barristers in the 26+ years Call band are women. They account for 23% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 11%



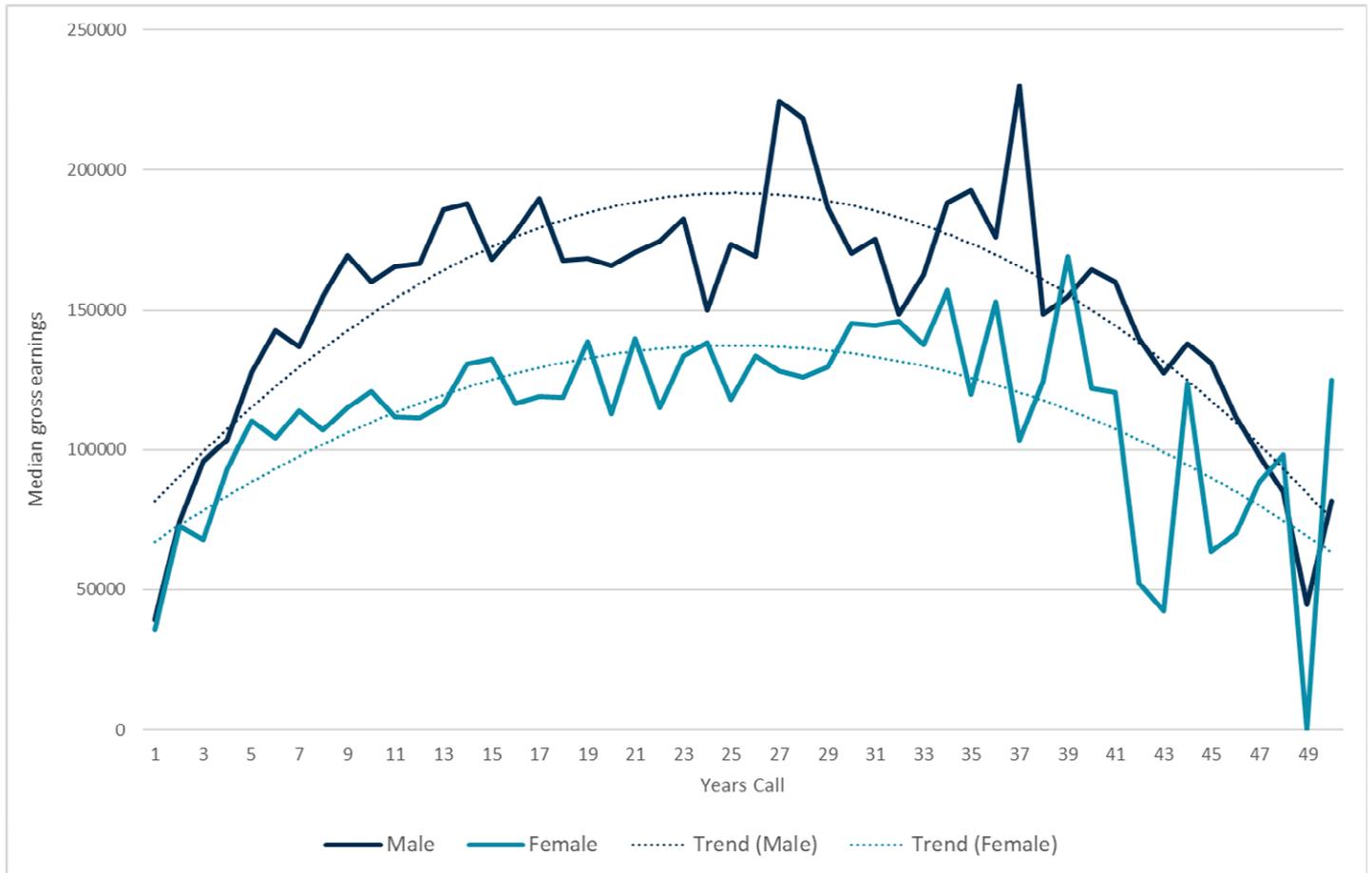
21% of KCs are women. They account for 16% of the gross earnings.

The gap between men's and women's median gross earnings in this Call band is 29%

The following line chart shows what the above disparities in gross earnings look like over time. It suggests that male and female barristers reach peak median gross earnings at around 25 years' Call.

All self-employed barristers are included in this analysis and at the older end the numbers are relatively small so anomalies may have a significant impact on the median.

Self-employed Bar median gross earnings by years Call



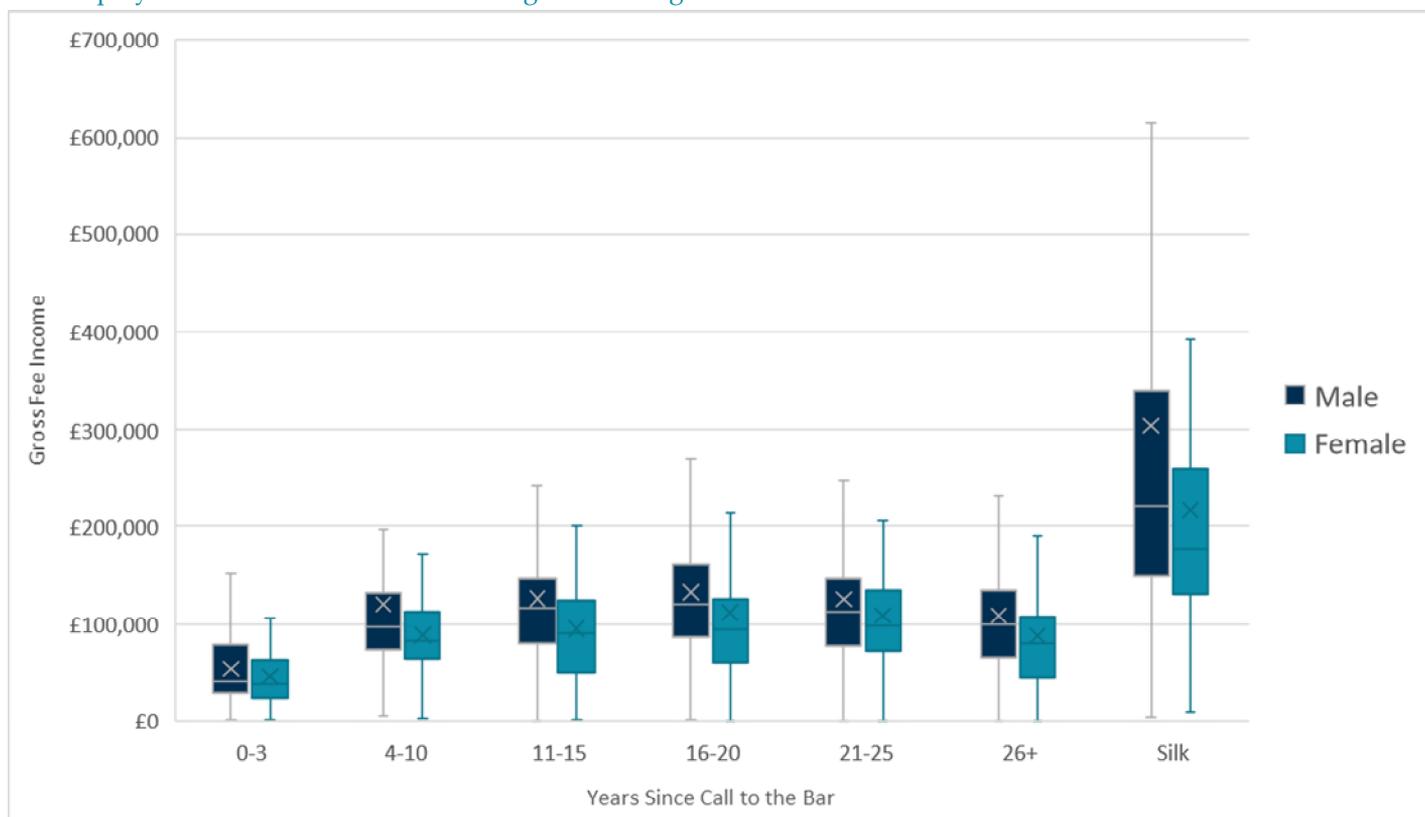
Earnings by practice area

Outside of crime and family, most barristers have a mixed practice in terms of the areas of practice we record, making it difficult to analyse a particular area in isolation. This means income declared in one area will impact the figures for other related areas, making it impossible to identify trends specific to a single area.

For the following charts, we have analysed the overall income of barristers **deriving at least 80% of their income from a single area**. In some cases, this greatly reduces the number of barristers analysed, but ensures that it reflects the income of barristers specialising in that area.

Crime

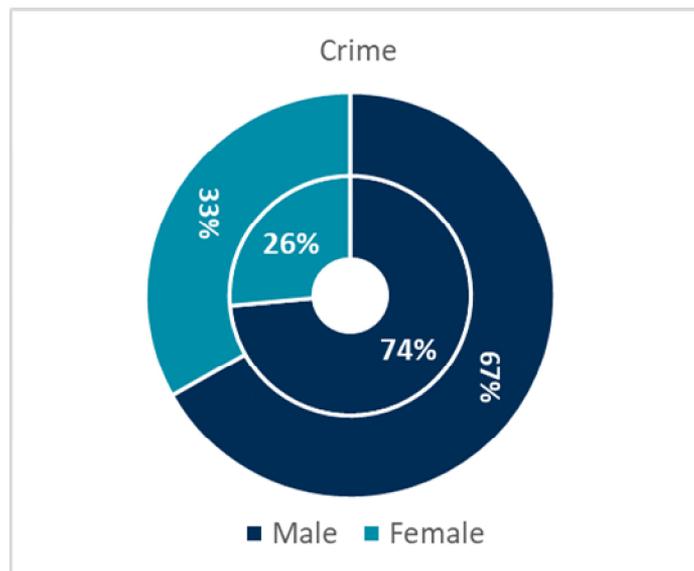
Self-employed barristers with 80% or more gross earnings from crime



Women's median and mean gross earnings is consistently slightly below men's in crime, with the largest differential coming in after 11 years' Call when there is a 22% difference in median gross earnings.

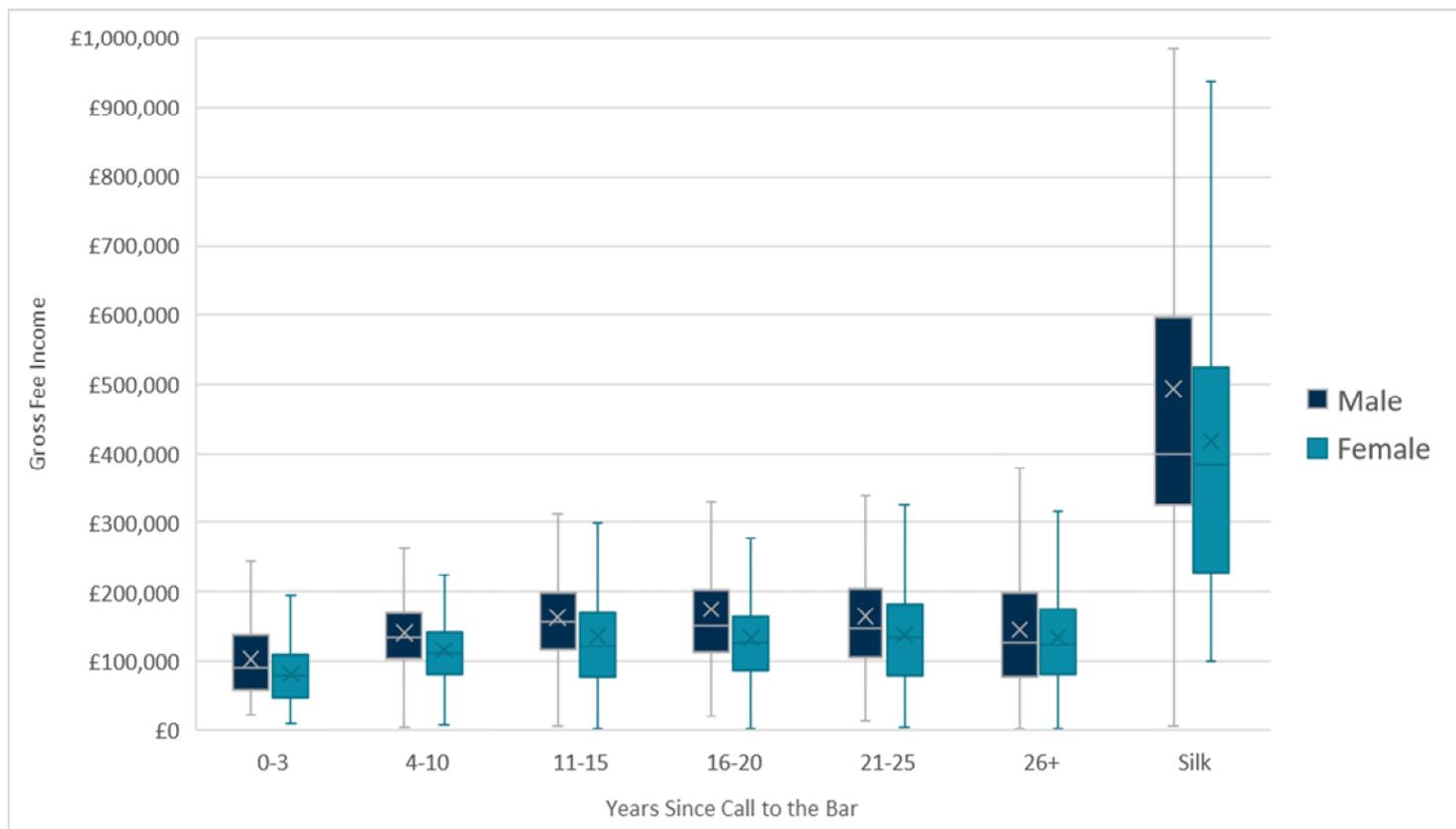
Women silks in crime earn on average 20% less than their male colleagues. The top 25% of women silks have a gross earnings range between £275k and £400k while the range for the top male silks is £340k to just over £600k.

Overall, women make up 33% of barristers with 80%+ of their practice in crime, and earn 26% of the earnings in that practice area.



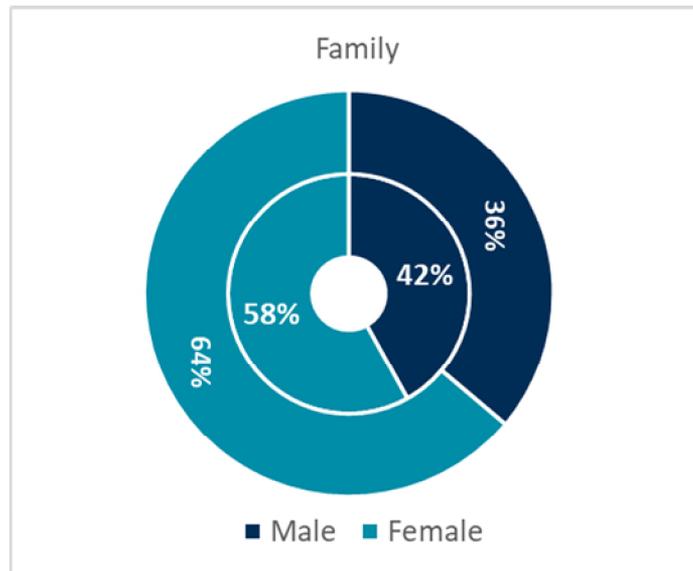
Family

Self-employed barristers with 80% or more gross earnings from family



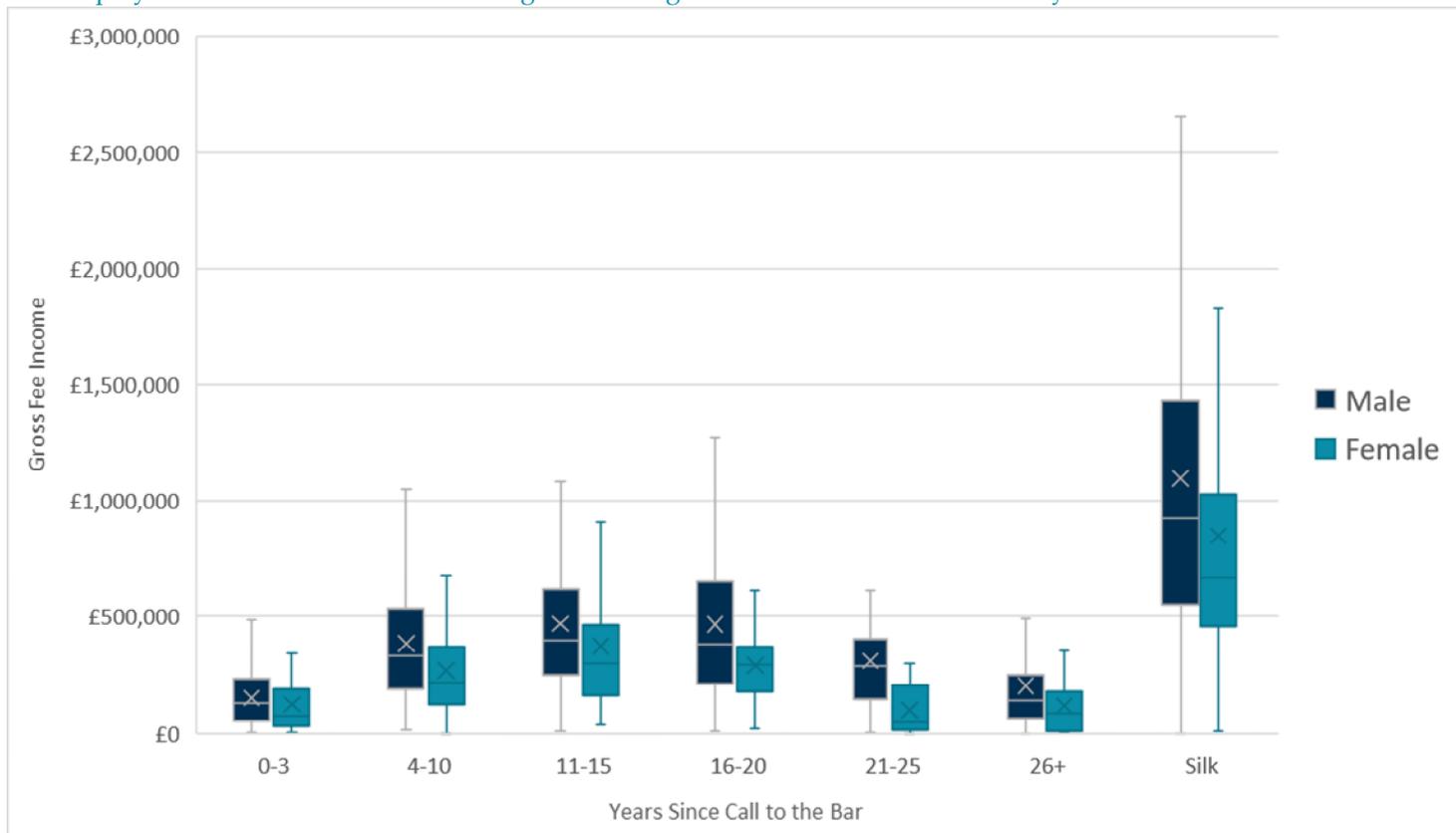
64% of the barristers whose main practice area is family are women. However, in every Call band men slightly out earn women on average and women earn 58% of the gross earnings in this practice area.

Like crime, the disparity in gross earnings peaks at 11-15 years' Call at 22%, but reduces after 21 years' Call.



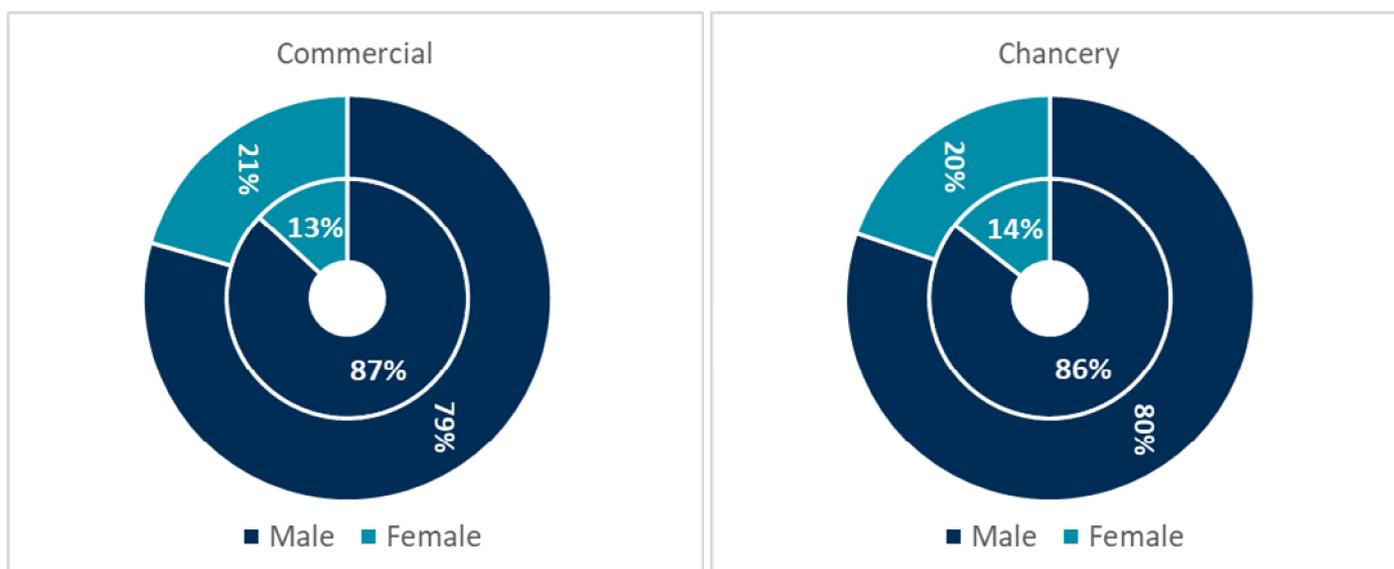
Commercial and chancery

Self-employed barristers with 80% or more gross earnings from commercial and chancery



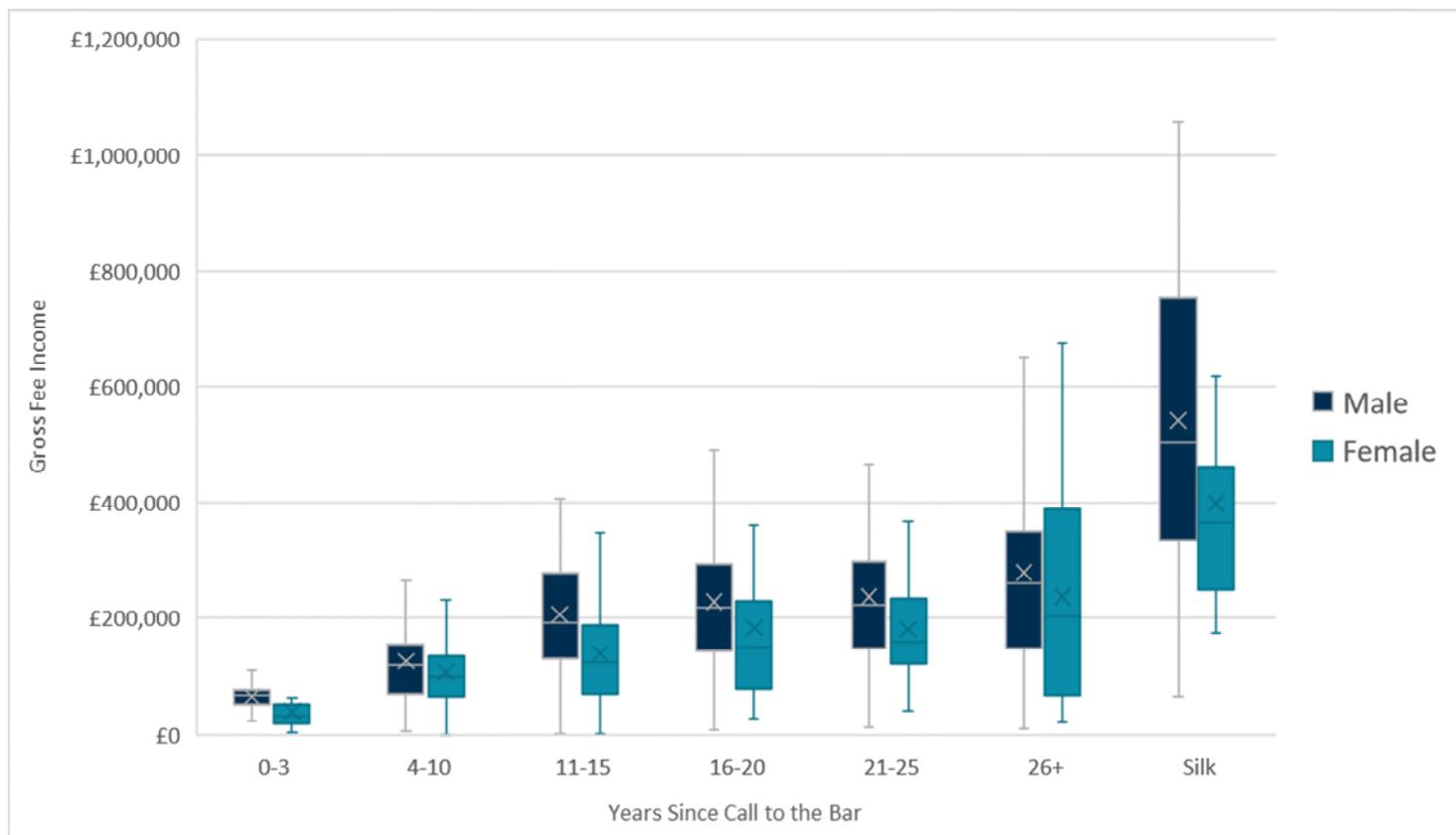
Men outearn women in every Call band, with the difference in gross earnings ranging from 26% for silks to over 80% in the 21-25 years' Call band.

Male barristers represent 79% of specialists in this practice area, and 90% of the silks are men.



Personal Injury

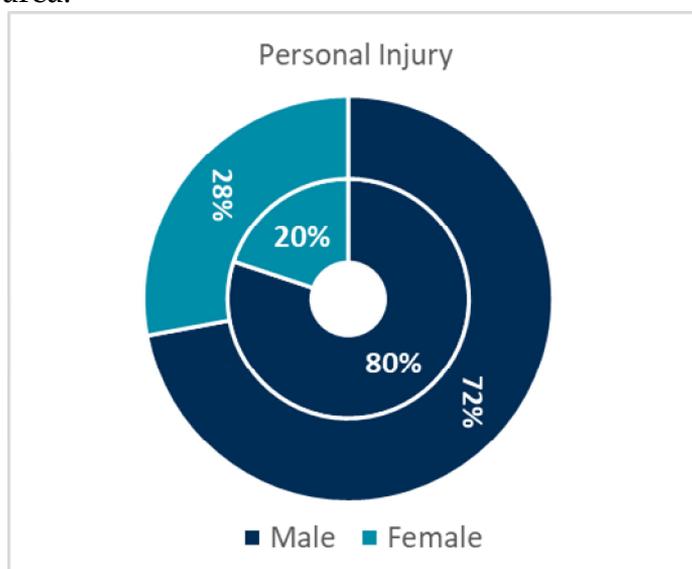
Self-employed barristers with 80% or more gross earnings from personal injury



Across the Call bands, women’s median gross earnings are around 30% less than men’s.

The gross earnings range for female silks falls well below that of male silks, 30% of whom earn more than the highest earning woman in the practice area.

Women represent 28% of the barristers specialising in personal injury and earn 20% of the earnings in this practice area.

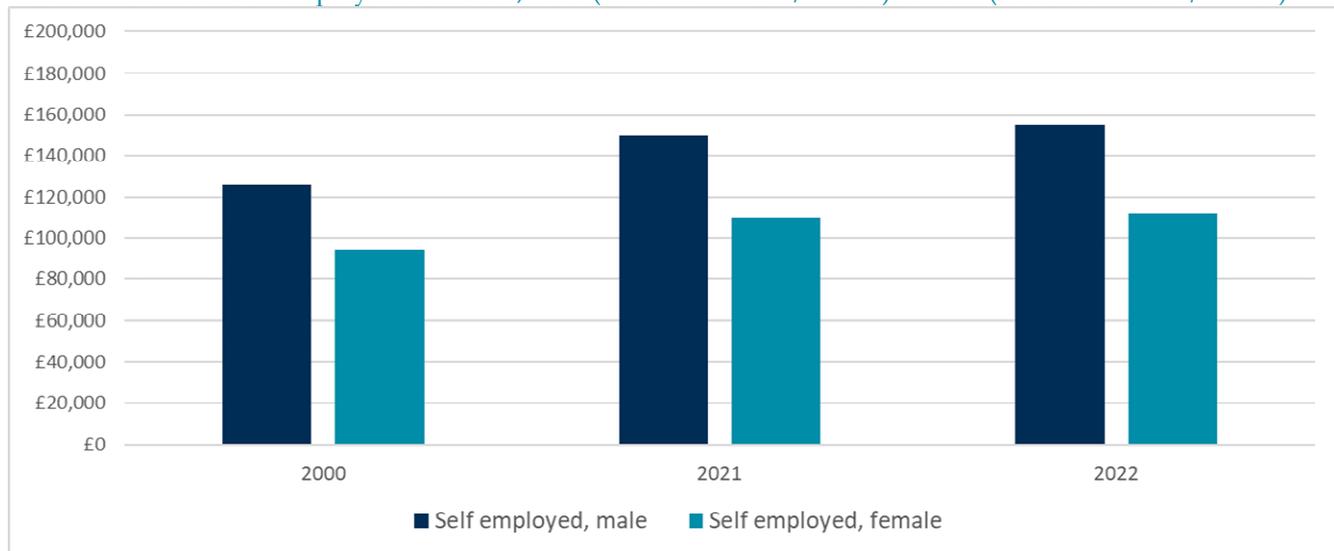


Earnings over the last three years

The BMIF data spread over 23 years and provided useful insights into trends in earnings⁴. The AtP earnings data only goes back 3 years, so we can start to look at trends, and in doing so we can start to track the impact of interventions.

Based on the data we have, we can see that men's and women's gross earnings increased slightly over the last over the last year, however disparity between men's and women's gross earnings has not narrowed.

Median income of self-employed barristers, 2000 (declared in 2021/22 AtP) to 2022 (declared in 2023/24 AtP)



⁴ <https://www.barcouncil.org.uk/resource/earnings-data-by-sex-2021.html>

What this means for the Bar

These figures show that there remain significant disparities between men's and women's gross earnings at the Bar.

In the higher earning practice areas of Personal Injury and Commercial & Chancery, men's gross earnings outstrip women's significantly, despite more women than ever practising in those areas. Monitoring this data over time will give us the opportunity to see emerging trends and identify where disparities persist.

Everyone at the Bar should be concerned that the disparities are so great, and are apparently not reducing. We need to do more work to understand the cause or causes of these striking differences. Some may be accounted for by differences in the number of hours worked per week, and we will be analysing what people have said about that in the Barristers' Working Lives 2023 responses. But it is a particular concern that these differences seem to emerge at such an early stage in practice, because the danger is that the patterns set in the early years of practice become self-perpetuating. We must keep our focus on how work is distributed across the Bar, as this has such a significant impact on who can build and sustain a thriving practice.

We use this and the other data we collect to inform our work supporting barristers, chambers, Specialist Bar Associations, Circuits, and the Inns.

To support chambers, we have updated our toolkit which contains the latest guidance on monitoring earnings to better understand the distribution of work and identify who needs more support to build and sustain their practice. The toolkit details the steps chambers can take to analyse their own data and suggests interventions to address disparities or tackle stubborn patterns. You can find the updated toolkit on [the Bar Council's ethics and practice hub](#).

This report has been compiled as part of the [modernising the Bar](#) programme which focuses on women and under-represented groups. Initially funded by the KCA and using data on earnings, retention and progression, the programme has initiated work to tackle inequalities at the Bar.

Projects include:

- Fair distribution of work – including briefing practices, marketing opportunities and monitoring.
- Improving practice management – including support for new barristers, those returning to the Bar and to support progression.
- Mentoring support to increase access to effective mentors and networks; and
- Measures to tackle discrimination and inappropriate behaviours (bullying and harassment)

For more information about the data and the modernising the Bar initiatives, please contact Sam Mercer or Rachel Kryz equality@barcouncil.org.uk