



The Bar Council

Young  
Barristers'  
Committee

MARKETING

BUILDING YOUR PRACTICE

WORKING WITH CLERKS

# The Inside Guide to Life at the Bar

EMPLOYED BAR

SELF-EMPLOYED

FINANCES

WELLBEING

ALLOCATION OF WORK

STAYING HUMAN



The Bar Council

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# Welcome

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Congratulations on gaining your practising certificate and welcome to the Bar from the Bar Council's Young Barristers' Committee (YBC).

The YBC represents all barristers in their first seven years of practice, internally within the Bar Council and externally with stakeholders including the judiciary, Ministry of Justice and the Bar Standards Board (BSB).

The first seven years of practice are crucial to building a thriving practice. We know that barristers who are able to develop an interesting and financially secure practice with a healthy work/life balance are more likely to remain at the Bar than those who do not.

We have put this guide together to provide answers to the questions we had when we joined the Bar, and to signpost you to the resources available to support you in the first seven years of practice. We wanted to give everyone joining the Bar the same access to the same information to promote early career advancement. It is written by young barristers for young barristers.

We hope it assists you as you build and strengthen your practice.

**Katherine Duncan**  
Chair 2020



**Joanne Kane**  
Chair 2021



**The Bar Council's Young Barristers' Committee**

## What this guide is for

This guide has been written by members of the YBC and Bar Council staff with input from solicitors, fellow barristers, pupil supervisors and clerks. It is designed for barristers in the early years of practice.

Experiences in the first seven years at the Bar shape a barrister's career. Without support or supervision it can be hard to get on top of practical difficulties like how to market a new practice or manage finances. The challenges of working in chambers, navigating relationships with clerks, colleagues and clients, tackling stretching cases, and juggling huge workloads can be overwhelming. We hope that this guide will point you in the right direction to meet those challenges.

Much of the content of this guide will be very familiar to you, but we hope that in bringing this essential information together it will support you in navigating the profession.

We want this to be a living document, updating it when necessary to make it a useful, practical guide for today's Bar. So, if there is more you still want to know or would like us to cover in future updates, or if you would like to comment on the material that is here, please email the YBC at [YBC@BarCouncil.org.uk](mailto:YBC@BarCouncil.org.uk).

# Establishing your network

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Whatever type of organisation or chambers you've ended up in, whichever practice area you've chosen, getting to know the culture and what is expected of you in the first few years of practice is vital. Finding allies in more senior practitioners, members of chambers or senior individuals in your organisation is essential, as is talking to people who are a few years down the line to find out the do's and don'ts.

Within your organisation or chambers, get to know the systems and how they work. Get to know everyone whether it be people who provide ancillary but essential services such as administrative staff and those who help your organisation run smoothly, to those individuals who are at the core of providing services in your organisation, such as other barristers or legal professionals. It is important for you to get to know those people who can help develop your practice and help you find your niche in your ideal practice area or even help you on a big case.

This initial networking with the people you will work with day-to-day seems obvious, but it's surprisingly easy to miss, as work starts landing on your desk and you're out of the office more often than not. Not only will this make it a more pleasant place to work as you know and are known to your colleagues, but it will give you a network of people who can support you and help you out as you build your practice.

All the contacts you've made through university and law school, through your Inn and during pupillage will become an essential part of your wider network. The people in these networks can support you, provide an essential sounding board, keep you on track, make sure you have balance in your life, cheer you up, be a mentor or sponsor and recommend you for work.

There are informal and formal networks across the Bar, all of which can be essential in helping you to build a thriving practice and enjoy your work. These networks include:

## Inns of Court

The [Inns of Court](#) provide support for barristers through a range of educational activities, lunching and dining facilities, access to common rooms and gardens, mentoring and counselling schemes. Activities and events at your Inn create ongoing opportunities to build your network.

Through Council of the Inns of Court (COIC), the Inns also have a role in administering disciplinary tribunals to deal with more serious complaints against barristers.



## Specialist Bar Associations

The 24 [Specialist Bar Associations](#) (SBAs) are dedicated to the interests of groups of barristers within specific practice areas and geographical regions. The SBAs can help to promote their members' interests, for example, by responding to proposals for changes to regulations, and offering support to their members through networking events and mentoring schemes.

## Circuits

The Bar in England and Wales is divided into six regions, which are more commonly known as "Circuits". The Circuits provide important sources of support, advice and representation for barristers practising in those areas. They provide a range of services to their members, maintain lines of communication with all parts of the legal system, including the courts, and are represented on the Bar Council through the Circuit Leaders. The Circuits also provide training and social events for barristers which are great networking opportunities.

Some of the Circuits have specialist forums for barristers in their region including:

- [Midlands Circuit Women's Forum](#)
- [Western Circuit Women's Forum](#)
- [Southeast Circuit Women's Forum](#)

## Specialist Interest Networks

There are lots of forums across the Bar which have been set up to support barristers and increase opportunities. Some are practice specific, others support under-represented groups. These forums provide support, raise issues and concerns on behalf of members, provide networking and socialising opportunities and some have mentoring schemes. Many barristers find these networks incredibly useful as they are a way of meeting people from different chambers, practice areas or with different experiences. Whether or not through a formal mentoring scheme, these forums are a way of finding mentors.

- [Black Barristers Network](#) – ‘promoting the growth of black barristers through support, visibility and community outreach’
- [Society of Asian Lawyers](#) – ‘representing the interests of ALL Asian Lawyers and the communities that they serve’.
- [Association of Women Barristers](#) – ‘monitoring and representing the interests of women at the English Bar’
- [Women in Criminal Law](#) – ‘Connecting, promoting, inspiring & supporting professional women working across the criminal justice system’
- [Themis](#) – ‘The Intersectional Women Barristers’ Alliance - a community for ALL women at the Bar’
- [FreeBar](#) – ‘a network aiming to foster inclusion and support for LGBT+ people working at and for the Bar’
- [BLAGG](#) – ‘Lesbians, gay men, bisexuals and transgender persons at all levels of the profession’.
- [Legally Disabled](#)– ‘Career experiences of disabled people in the legal profession’
- [Association of Muslim Lawyers](#) – ‘Empowering Muslim lawyers to eradicate injustice and deliver positive impacts to our communities and beyond’

These are just some of the networks and groups across the Bar – let us know if there are others which should be added to this list by emailing [YBC@BarCouncil.org.uk](mailto:YBC@BarCouncil.org.uk).



# Working at the employed Bar

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Almost a fifth of barristers in England and Wales are employed barristers. An employed barrister is simply someone who performs the legal activities reserved to barristers under the Legal Services Act 2007 ("**2007 Act**") and who is paid a salary agreed in an employment contract or another contract for the provision of services. Like self-employed barristers, employed barristers have full rights of audience and may be practising or non-practising. For example, a practising employed barrister will provide legal services to their employer whereas a non-practising employed barrister will be someone who has been called to the Bar of England or Wales but who is not providing legal services.

Employed barristers work in organisations ranging from central government departments through the [Government Legal Department](#) to solicitors firms and banks. The organisation for whom an employed barrister works dictates who they might provide legal services to, for example, where an employed barrister works for a government department, they may only provide legal services to that department, whereas, where they work for a criminal solicitors firm they would provide legal services to members of the public in a similar manner to members of the self-employed criminal bar.

The [BSB Handbook](#) defines an employed barrister as a barrister employed in either an authorised non-BSB body, a BSB authorised body or a non-authorised body "who supplies legal services as a barrister in the course of his employment." In all cases the definition encompasses both those who are employed under a contract of employment and those employed "under a written contract for services which is for a determinate period (subject to any provision for earlier termination on notice)". In other words, a barrister may become an 'employed barrister' for the purpose of the Rules even if not employed under a permanent contract of employment.

## **Building a practice as an employed barrister**

Like chambers, most organisations operate like an internal market. Senior members of staff or practitioners in an organisation will generally decide work allocation and as a result an employed barrister's progress, promotion and/or development in the organisation. It follows that, where possible, you will want to develop a clear understanding of how work is allocated, salary scales, promotion and training and development opportunities in your organisations. Building effective relationships with these senior individuals in your organisation to get the best exposure to internal and/or external clients is vital. You might do this through formal reverse or reciprocal mentoring schemes or else by simply asking questions and/or proactively reaching out to have an informal meeting.

Employed barristers work for a range of different types of organisations, including but not limited to:

- Government Legal Department, e.g. working for a central government body such as HM Treasury;
- Local authorities;
- Regulators such as the Nursing and Midwifery Council, the Financial Conduct Authority, the Pensions Regulator, the Health and Safety Executive, UK Athletics or the Financial Reporting Council;
- Solicitors firms;
- Litigation boutiques;
- Investment banks;
- Energy companies;
- Technology companies such as Facebook, Google and Amazon;
- Insurers;
- Pharmaceutical companies;
- Asset managers;
- Sports clubs and associations such as premier league football clubs and the Football Association; or
- Retailers, e.g. major supermarkets.

### **Dual practitioners**

Barristers can practice at both the self-employed and employed Bar. To do this they need a Dual Practising Certificate and to follow the [Dual Capacity Practice Protocol](#) and the BSB rules.

### **Secondments**

It is possible to move between the self-employed and employed Bar. An effective way of 'trying out' employed or self-employed practice is through secondments (short term placements with employers or chambers).

Secondments can provide opportunities to develop relationships with those instructing you, an on-the-ground understanding of the work and of the relationship between the in-house lawyers and their clients. Especially as a junior member of the self-employed Bar, undertaking a secondment is an opportunity to get access to good quality and varied work – you might get to work on cases you might not otherwise get instructed on at that stage in your practice, allowing you to either advise in a new area or develop your skills. But there are also things to think about – how do you continue building your practice whilst outside of chambers, and what about the regulatory, ethical and insurance issues? And, how do you keep on top of your advocacy whilst undertaking a secondment?

Secondments are as varied and interesting, but regardless of where you pick, it is worthwhile making clear from the start the applicable terms and the kind of work you will be undertaking.

### **Secondment from employed practice to chambers – a young barrister’s experience**

As a CPS barrister, my pupillage covered a broad spectrum of criminal law, but as an in-house prosecutor, I was only seeing part of the picture. I decided to do a secondment to chambers, a first for the CPS, in order to experience defence work. There are inevitably issues with a seconded prosecutor defending in cases brought by the same prosecution authority, so there were regulatory challenges which had to be settled with the BSB.

In chambers, I shadowed a junior barrister defending across the South-East. I learned about the additional considerations that arise from working for a single client who you must take instructions from, give advice to, and at times pacify. I was reminded that the system involves interacting with people at their lowest point – they are often vulnerable themselves. The experience helped me to appreciate why defence advocates are there to ensure that their client’s best interests are protected.

During two months in chambers, I experienced a wide variety of cases and I completely recommend the experience. All of my preconceptions were shattered and the opportunity helped me in becoming a more well-rounded criminal practitioner.

The framework that was created has since been formally adopted to facilitate similar secondments between the CPS and the self-employed Bar – with Crown Prosecutors now approved to accept defence instructions. Employed or self-employed, I would encourage you to take a chance and see how the other half lives.

### **More Information**

For more information about secondments see [Bar Mutual’s guide](#) to the insurance implications and the Bar Council’s Ethics Hub [guide to Retainers, Fee Arrangements and Non-Standard Work Arrangements](#). Counsel Magazine highlighted varied experiences of secondments in this [article](#).

There is more information about the [employed Bar](#) on the Bar Council website.

# Working in chambers

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Most self-employed barristers work in chambers, although some will be sole practitioners. The set-up of chambers varies enormously, and it's important to get to know the organisation you've joined and how you can thrive within it.

## Chambers constitutions and committees

Barristers' chambers are typically unincorporated associations. Even if chambers operate via a company, typically, the shares in that company are held by trustees on behalf of the membership of the unincorporated association. As an unincorporated association, the rights and liabilities of members as well as the governance of chambers is governed by the contract between the members. This will be in form of a written constitution. It is incredibly important that you ask to see and carefully review any chambers constitution before you join.

### The things to look out for are:

- **Members' rent or contributions**

Most chambers' constitutions will impose an obligation on members to make a regular payment to chambers as their contribution towards the operating costs of chambers. This is usually referred to as chambers "rent" or "contribution".

How rent is calculated will vary between sets of chambers. Some chambers charge a percentage on money received by that member (referred to as the member's receipts). Others charge a fixed monthly sum payable regardless of a member's receipts. Others may have a combination of the two. Many sets will charge members a percentage on their receipts in a given time period (typically a calendar month) and "room rent" i.e. a fixed sum that will be determined by the size and/or desirability of the room occupied by a member.

The constitution may not prescribe the details of any rent scheme. Usually it will leave that to be determined either by the members of chambers at a chambers meeting or by a committee or officer of chambers. You should ask for details of the chambers rent structure before accepting an offer of tenancy. Some chambers will also offer new members a "soft landing" in the form of a more generous rent structure for the first few months or years of membership. It is worth asking about this too.

- **Liabilities on dissolution**

The constitution will typically also set out the liabilities of members in the event that chambers dissolves. Chambers will typically have entered into long-term financial agreements with third parties – e.g. the lease of the premises occupied by chambers, contracts for access to electronic resources, contracts for the supply of photocopiers. If a chambers dissolves, sums due under these contracts will still need to be paid. The constitution will usually determine how much members are to pay in these circumstances. Some constitutions will provide a strictly equal division of liabilities. Others may divide liabilities on a sliding scale based on a member's receipts over a certain time period, and others may have a sliding scale of liability dependent upon the length of membership.

Often the constitution will provide that members remain liable for chambers' debts for a period after they have ceased to be a member.

Many constitutions will make it a term of membership that members will enter into an indemnity, by which they agree to indemnify those members of chambers that, for example, have taken out the lease of chambers premises or have agreed to guarantee that lease. It is important to carefully read any indemnity you are asked to sign and be sure that you understand the liability it imposes.

- **Notice period and notice monies**

Given that chambers will be required to enter into long term contracts, it is quite normal for chambers to require those who wish to terminate their membership of chambers to have to give notice of their intended departure. The length of notice members must give before they leave will usually be set out in the constitution. Typically, this will be about three to four months.

A lengthy notice period e.g. in excess of six months or more - may amount to an unlawful restraint on trade or possible breach the Code of Conduct. It is worth checking the financial obligations of departing members during any notice period.

**Questions to consider:**

- Are departing members obliged to work out their notice or can they leave chambers during their notice period?
- Do the financial obligations of departing members during their notice period vary depending upon whether the departing member works out their notice?
- What are the financial obligations of a departing member during their notice period?

Many chambers constitutions will require a parting member to work out their notice or to pay a sum equivalent to that which might have been paid to chambers if the member had worked out their notice. Some constitutions may also require a member that does not work out their notice to pay to chambers “rent” for work done at their new set. Because it is commonplace that chambers will place financial obligations on a departing member during their notice period it is worth speaking to any new set of chambers to which you are moving to see if they will give you a “soft landing” during your notice period and who will collect rent on work that is in your diary after you leave but which was booked before you leave your previous set.

The governance of chambers will be spelt out in the constitution too (or at least it should be). Historically, each set had a Head of Chambers who was responsible for making all of the decisions as to the running of chambers. Over the last 40 years the Bar has moved away from this model of governance. Albeit most chambers still have a Head of Chambers there is no regulatory requirement to have one and some chambers have removed that office altogether. Typically, a chambers will have:

- **Head of Chambers**

Their functions are usually spelt out in the constitution. In some chambers the Head of Chambers will function as a figure head and may chair the management committee but will have little executive authority. In others, they may be invested with powers and functions that make the role more akin to a chief executive.

- **Management Committee**

Most constitutions vest the supervision of the management of chambers in a management committee (often abbreviated to ManCom or MC). Most chambers will have regular elections for the management committee. Some constitutions allow the management committee to co-opt members. The management committee may include within its membership the chambers director or senior clerk, as well as other senior members of staff. In some chambers, some of the members of the management committee will each hold a portfolio – e.g. treasurer or chair of the pupillage committee.

- **Other chambers committees**

Chambers may, in addition to the management committee, have other committees – e.g. the pupillage committee, finance committee, marketing committee. The composition of these committees and their functions will differ between chambers and may not be spelt out in the constitution. This is especially so if they function or were established as sub-committees of the management committee.

- **Chambers meetings**

Most constitutions will provide for holding periodic meetings of all members. Typically, at these meetings the finances of chambers will be reviewed and important decisions affecting chambers will be made – e.g. moving premises or changes in the rent structure. The frequency and functions of a chambers meeting will, again, vary from chambers to chambers.

Traditionally, offers of tenancy would be determined by all members of chambers at a chambers meeting. In larger sets of chambers, this function is now often vested in the management committee with members having the right to trigger a chambers meeting to veto that decision if enough members disapprove.

In all chambers there will be a degree of “chambers politics”. There will be some members for whom chambers’ decision making is important and who want to be more involved in that decision making and, perhaps, want to hold office. There will be others who are content to concentrate their time solely on developing their practice and are happy to leave the management of chambers to others. In larger sets there even may be factions. On first joining chambers it is unlikely that you will immediately be aware of “chambers politics”. It may be sensible to take the opportunity to take stock, understand how chambers is governed and the personalities involved before getting stuck in.

## **Relationships with senior members**

In many ways, chambers can operate as an internal market, with senior members being a very important source of work for junior members. Not only this, but working with senior members gives you access to those senior members' contacts and experience, which can be invaluable. The same is true for employed barristers in organisations.

You may get junior work as a result of personal relationships (in particular, with your former supervisor), or simply because you are the one who's available when a junior is needed for a case. Your chambers and clerk or practice manager should be helping you find stretching and interesting led work, and if they don't its worth asking them why and how to make sure you're in the running.

In your first years, don't be frightened of asking QCs or senior juniors what they're working on and if you can help. This will expose you to higher calibre and more complex work and give you opportunities to junior in future. Also don't be afraid to ask questions and go to senior members if you have a difficult case. This can benefit you in three ways: by giving you support; by giving them an opportunity to see how you approach a case; and by giving you a chance to see how they would approach such a case.

### **The importance of building relationships – a young barrister’s experience**

Building relationships with senior members of chambers is important for a variety of reasons: it gives you the opportunity to draw on their experiences of being at the Bar, it potentially gives you access to their contacts and also creates opportunities to assist with higher profile and more complex work.

It is important to remember that building relationships and reaching the point where you feel comfortable enough to ask other members of chambers questions about their work can take time. Likewise, approaching QC’s and senior juniors in chambers to offer help can feel like a daunting task, particularly in the early stages of practice.

Professional relationships will often develop organically in chambers but there are certainly ways in which you can be proactive. Being in chambers regularly is helpful. This will give you the opportunity to see and to speak to more senior members in and around chambers. Taking an active interest in work that other members are doing is also important. If a member of chambers is discussing a case, they’re working on take the time to listen to them and try to engage in the conversation if possible. It is also good to regularly attend events that your chambers is running; a networking session or a seminar is not just a good opportunity to speak to solicitors but also other members of chambers who may be happy to introduce you to their contacts at the event.

Making your mark in chambers can be a difficult process but engaging with more senior members, being a present part of chambers life and taking an interest in the work of other members can all help. As your relationships in chambers develop it will feel more natural to offer to provide assistance to senior members and likewise, asking questions to senior members if you have a difficult case that you are working on. This in turn will lead to future opportunities, whether that be an introduction to a solicitor, an opportunity to act as a junior or even just feeling comfortable enough to approach a senior member of chambers to ask for advice.

Junior work may develop as a result of the relationships you build, particularly from people like your former supervisor. It is also important to speak to your clerks about opportunities to act as a junior; make it clear to them that you are available and interested in opportunities in chambers to be a junior. Senior members of the Bar are very happy to assist junior members in developing their practice and most will remember what it was like in their first few years. By being proactive you can really tap into the collegiality that the Bar is well known for.

## Working with clerks

Clerks and practice managers are a vital part of the chambers system, they liaise with solicitors and clients, are responsible for the work which comes into chambers, allocating work to barristers and managing members' diaries. Clerks often know everything that's going on in chambers, with the key clients, and they are the people who will be able to support you in making your new practice thrive.

Developing good, positive working relationships with your clerks is incredibly important and there are things you can do to make that more likely.

## Building rapport

- Ask early on who is your responsible for clerking your work and how best to liaise with your clerks. For example, are you clerked by just one person or a team? Do you email the whole team about something or a specific person if you need a listing?
- When you start as a new tenant, there may be a particular person who is responsible for clerking your work. It's very important to build and maintain a good relationship with this person.
- For some people, becoming comfortable in the clerk's room as a new tenant as opposed to a pupil can take a little bit of getting used to.
- It helps to remember that your clerks are usually under a lot of pressure and probably have many barristers to manage and cajole.
- Be respectful of the work clerks do and the contribution they make to chambers. They are often very experienced and know how much a piece of work is worth or how long it should take. Equally they may want to know from you how long a piece of work will take you and then use that to consider the brief fee.
- Most clerks would prefer you to liaise with your clerks in their hierarchical order. Going over your practice manager and communicating directly with the senior clerk for example could undermine your designated clerk. You should try and only do this if you have concerns about your clerk/practice manager.

## Being a team player

- Your clerks need you to be reliable and punctual. They also need reliable feedback and warning (in advance if possible) of any problems you may see coming up with your diary or workload. You should keep your clerks well informed. For example, when you finish in court you should inform your clerks of the outcome at the very earliest opportunity. The more they know, the better they can manage the immediate, future and prospective workload and expectations of the client/s.
- You can build your career by being helpful and available. If you put yourself out, your clerks will notice, and so will your clients. The juniors who are up for taking on work are the ones who will do well at the Bar. If your clerks ask

you to do a piece of work, and you have the time and ability, then do it. It's important to look at your diary and commitments to see if you have the capacity to take on the work when asked. It's much better to say no to taking on the work than not doing a good job or being late with deadlines because you can't manage your workload.

- Clerks are the ones who can recommend you for work, so they need to see that you have a presence and the ability to make a good impression on professional clients.

### **What you can/should expect from your clerk/s**

- Whilst your engagement with the clerks is very important, you should expect to be treated fairly and respectfully. If you have any concerns about the way you are being treated, spoken to or managed you should speak to your designated clerk/practice manager in the first instance. If your issue is with that clerk, then you should speak to the senior clerk. And if the issue is with the senior clerk you should speak to the head/s of chambers.
- Clerks should be managing your practice professionally and objectively. Your work allocation should be based on, but not limited to, availability, practice area and experience. Your clerks are required to make judgement calls based on their knowledge and naturally are not expected to put everyone forward at each instance; e.g. a barrister fresh out of pupillage would not be expected to be put forward for a serious offence in the crown court.

### **Allocation of work**

There are rules governing how work is allocated within chambers. Rule rC110 "allocation of unassigned work" means if unallocated briefs come into chambers they are supposed to be allocated in a way which is fair to barristers who are qualified and available to do the work. In theory this means all barristers should get a fair shot at interesting work, but it doesn't always work out like that. One of the reasons is much of the work is already allocated as solicitors and clients know who they want to use. That's why marketing your practice and getting known is so important. Another reason is that although clerks may add your name and biography to a list of available barristers, where you appear on the list, how you're described and what sort of work you've already done will have a big impact on whether you actually get the work.

There is a lot of work being done at the Bar to improve allocation of work and make it fairer. Lucy Barbet, Chair of the Institute of Barristers' Clerks, wrote in [Counsel](#) magazine about the changes needed and the work clerks can do to improve the situation for women and young barristers. Chambers should be monitoring how work, both allocated and unallocated is distributed throughout chambers, and supporting you to build your practice if you're not getting the quantity or quality of work you need.

### Practice reviews

If you're self-employed you should have regular practice review meetings. In the first couple of years of tenancy you probably need these meetings to happen quarterly, going down to one every six months/yearly after you're more established. Ideally, these meetings will include your clerk and a more senior clerk or practice manager. It depends on the chambers set up, but the key is to understand who within chambers can support or help you. If you're employed, you should be having these meetings with your line manager/supervisor. If these aren't happening, request them and be proactive in setting them up.

The practice review meetings are an opportunity to discuss how your practice is developing, whether you're getting the type and quantity of work you need, how you're managing the workload, developing relationships with clients, marketing opportunities and relationships. These meetings are an opportunity to discuss work allocation, junior briefs/led work opportunities and fees.

### Data protection

All self-employed barristers are data controllers for the purposes of General Data Protection Regulation (GDPR) and need to be registered with the [Information Commissioner's Office](#).



It is essential to take data protection issues seriously. It is all too easy to have a rucksack stolen from a pub, or to leave a briefcase on a train. Make sure you know the rules, follow your chambers' policies and look after personal information properly. The Information Commissioner has fined several barristers heavily for data protection breaches.

All of the information about rules barristers should follow is on [GDPR Bar Council Guide for Barristers and Chambers](#) on the Bar Council Ethics Hub.

# Equality and diversity

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Whether in employed or self-employed practice, all barristers are expected to take equality and diversity rules very seriously.

It can be easy to think that self-employed barristers are not subject to ‘normal’ workplace rules. This couldn’t be further from the truth. Barristers and their chambers are highly regulated. Everyone called to the Bar is expected to meet a high standard of conduct, and chambers are subject to the same rules on equality as any other workplace.

There is detailed information on the equality and diversity standards in the [BSB Handbook](#). The Core Duty not to discriminate unlawfully against any person (CD8) and Rules rC12 and 28 set out express rules on discrimination, which apply to all barristers, and Rules rC110-rC112 and the guidance at gC140-gC152, which prescribe the equality and diversity policies to be pursued in chambers. The BSB has guidance and supporting information in the [BSB Handbook Equality Rules](#).

Rule rC110 places a personal obligation on all self-employed barristers, however they practice, and on the managers of BSB-authorised bodies, as well as on the entity itself, to take reasonable steps to ensure that they have appropriate policies which are enforced. Breaches must be appropriately punished. As a minimum, your chambers must have a written statement of policy on equality and diversity, as well as policies dealing with anti-harassment, parental leave, flexible working and reasonable adjustments. It must appoint an Equality and Diversity Officer and Diversity Data Officer to conduct equality monitoring and collect and publish diversity data. The BSB prescribes selection and recruitment procedures in the [Fair Recruitment Guide](#)

Barristers employed by public bodies, including the Government Legal Profession, are also covered by the [Public Sector Equality Duty](#) which places a positive duty on them to consider or think about how their policies or decisions affect people who are protected under the Equality Act 2010.

## Disability

If you have a disability you have a right to be properly supported by your chambers or employer, and not to be discriminated against.

### **Talking about disability**

If you have a disability it is personal to you. This means you can expect your chambers, employer or colleagues to be sensitive to how you feel about your disability and issues that relate to it. A fundamental principle is that they should not assume, they should ask you what you want and need, and respect your position. Whether you're comfortable freely discussing your disability or not, that's your choice.

There is no requirement on you to disclose your disability. If you do, then your chambers or employer has a duty to make reasonable adjustments. You should also have the opportunity to speak directly to your chambers' Equality and Diversity Officer for advice and support and to contact the Bar Council's [EDSM Committee](#) directly for advice from its Panel of Disability Advisors.

### **Regulatory obligations – the BSB Handbook**

The Core anti-discrimination duty is set out in CD8 of the BSB handbook and prohibits discrimination, victimisation or harassment by a barrister directly or indirectly in relation to disability.

Chambers are required by the BSB Handbook rC110(3)(m) to have a reasonable adjustments policy covering all members, pupils, staff, mini-pupils, clients and visitors to chambers. A basic model policy is provided in the [BSB Handbook: Supporting Information](#).

### **Legal obligations – the Equality Act 2010**

Section 47 of the Equality Act 2010 prohibits discrimination in relation to:

- the arrangements chambers use to decide who to offer pupillage or tenancy, the terms offered or not offering a pupillage or tenancy.
- the terms on which someone is a pupil or tenant, in the way the pupil or tenant is afforded access to opportunities for training or gaining experience or for receiving any other benefit or service, by terminating the pupillage or pressuring a person to leave chambers or subjecting that person to any other detriment

It also prohibits a barrister from:

- harassing a pupil or tenant or anyone who has applied for pupillage or tenancy
- victimising another person in relation to recruitment to pupillage or tenancy or the terms on which this is offered or in not offering a pupillage or tenancy

## Reasonable adjustments

The Equality Act 2010 imposes a duty on a barrister to make reasonable adjustments. The legal duty to make reasonable adjustments comprises three requirements to make reasonable adjustments:

1. Where there is a provision, criterion or practice which puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled;
2. Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled;
3. Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison.

Where the provision of information is a requirement under 1) and 3) it must be provided in an accessible format.

A failure to comply with the duty to make reasonable adjustments is discrimination against the disabled person.

The Bar Council has a [checklist for chambers and employers](#) with more information about reasonable adjustments.

Further information on the types of reasonable adjustment that can be made can be found on the [Equality and Human Rights Commission \(EHRC\) website](#).

## Access to Work

Access to Work is a Department for Work and Pension's (DWP) programme, delivered by Jobcentre Plus, which covers either advice and/or potential financial support for practical measures to overcome work related barriers based on a disability. Access to Work is available to barristers with a disability who are in paid employment or self-employed.

Access to Work can help with things such as:

- Assistive technology;
- Travel costs;
- Support workers;
- Adaptation to buildings; and
- Training.

The Bar Council has more [information about Access to Work](#) on its Ethics Hub.

### **More information and support**

The Bar Council provides information, advice and guidance to barristers and chambers on handling equality and diversity issues and compliance with the BSB's Equality and Diversity rules. There is an Equality and Diversity Helpline available on 020 7611 1321 from 09:15 – 17:15 Monday to Friday.

If you have been discriminated against, bullied or treated unreasonably and you want to make a confidential report you can use [Talk to Spot](#).

# Finances and administration

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## Costs of practice

Whether you are self-employed, employed or a dual practitioner you will need to give careful thought to the practical costs of your practice as a barrister.

These are likely to include but are not limited to:

- Chambers fees;
- Insurance;
- Cost of annual renewal of your practising certificate;
- Equipment, clothing and software e.g. computer or laptop, software e.g. Adobe, ergonomic desk chair for work or home, work mobile telephone and clothing for court;
- High speed stable internet for home working;
- Income tax and national insurance;
- Specialist Bar Association fees e.g. the Criminal Bar Association, Commercial Bar Association or membership of your circuit;
- Training and professional development e.g. paying for courses on equality and diversity or alternative dispute resolution;
- Travel card for public transport or the costs of running a vehicle; and
- Accountant and/or financial advisor fees.

All the above mentioned costs of practice are applicable for self-employed practitioners. Where you are employed you will not have to pay chambers fees; more often than not your employer will pay for the cost of your practising certificate and professional indemnity insurance but you will also need to check as to the administration of these costs e.g. does your employer expect you to make arrangements to renew your practising certificate and for insurance cover and will they provide monies?

## Managing your money

The best way to manage your money is to start by and continue to keep your own detailed records so you can easily see how you're doing, how much you're owed and a rough idea of when money will come in, and what you owe (to chambers, tax etc). Getting a system in place from the start and devoting time to managing your money, even when there isn't very much coming in, will help you feel more in control. This guide does not provide financial advice and you are encouraged to seek specialist financial advice. Set out below is what contributors to this guide have learned from their own practice and may or may not be applicable to you.

Use an Excel spreadsheet or other similar and/or more sophisticated software to keep track of your income and outgoings. Some practitioners also find it useful to set

reminders six to eight weeks in advance of certain payments being due e.g. renewal of their practising certificates, so that they can organise their finances accordingly.

When you become a tenant or join a new set of chambers, it should be made clear to you how your clerks and fee clerks operate. If in doubt, speak to them or a junior tenant who has been in practice for a while, a former pupil supervisor or another member of chambers you feel happy to approach.

When a brief fee has been agreed for a piece of work you or your clerk should keep a written record of the date when that agreement was reached and who agreed that fee. Be clear about the terms on which the work has been agreed (see rC22.1 of the [BSB Handbook](#)) - you may need to refer to them later.

Generally speaking, your clerks will bill your work for you. Billing for work is dependent on you reporting your hours or the completion of a piece of work to the clerks. Some chambers have a form that you complete; in others it is incumbent on you to tell your clerks (either by email or in-person). It stands to reason that it's important to keep your clerks up to date so that they can bill work on your behalf. In any event, you must keep records supporting the fees that you are charging to comply with rC88 of the [BSB Handbook](#).

If (when) solicitors or other clients do not pay you promptly, your clerks are the ones who will chase the payments on your behalf. Chasing payments is usually the role of a specific fees clerk. They will contact the client at certain intervals to chase up payments.

If you have a problem with cash flow and aged debt, your fees clerk will be the person to speak to. You can discuss the current situation with them, and they will usually be happy to let you know what is going on – as long as you don't pester them too much. See also the resources available on Outstanding Fees on the Bar Council's [Ethics and Practice Hub](#).

Ensure that all your billing information is sent to the clerks in a timely fashion. The goal is for you to be paid for your hard work. If it can be helped, do not let billing build up as another task to deal with later down the line. Billing should ideally be sent after the piece of work or attendance is completed. Where possible, do it in the first instance.

Always check and familiarise yourself with the clerk's billing processes. There may be a central email billing inbox, while others rely heavily on time recording. Equally you may be working under graduated fee. Your clerks should inform you but if you are unsure, ask your clerks as this may guide you to the correct billing process.

Keep all bank details and relevant reference numbers (such as Legal Aid Agency, VAT Number) up to date. If chambers do not have up to date, or any bank details for you, it may result in a delay or no payment.

If/when you are VAT registered, if VAT is billed on a case and your VAT number is missing, some clients will refuse to discharge the fees. Similarly, if you work on publicly funded cases the Legal Aid Agency will not release the payment without the barrister's individual LAA number.

Different chambers manage their financial processes differently, as do professional and lay clients. Generally, fees are paid by BACS, however, there are still those who pay by cheque.

Some chambers take chambers contributions at source and pay you the difference, whereas others pay their barristers the full fees and invoice them for contributions at a recurring point (i.e. monthly). Ensure you have a full understanding of this early on to manage your own expectations.

You should not accept any payments from clients directly. If the clients insist for any reason you should contact your clerk/s immediately and explain.

### **Financial wellbeing**

Sometimes there can be financial stressors, particularly at the start of your career and it can impact on your practice and your wellbeing. When that is the case it is important to remember that you are not alone. There's lots more information about this on the [Wellbeing at the bar website](#)

Taking care of your financial health at the start of your practice can be daunting but there are some simple steps that you may be able to take which may assist, such as:

- **Know precisely what you have and what you don't have** – whatever your practice, employed, self-employed or dual practitioner be clear about: (i) what your outgoings are (ii) when said outgoings occur (iii) what income you receive (iv) when you will or have received income (v) what assets do you hold e.g. do you own a residential property, a car and (vi) what liabilities do you have e.g. student loan, personal loans, credit cards etc. The Money Advice Service, which is a free and impartial service set up by government, has tools on its website for budget planning and assessment of your income, outgoings, assets and liabilities see - <https://www.moneyadviceservice.org.uk/en>. Once you have a clear idea of where you stand you can make better informed choices about the best steps for you in light of your own personal circumstances.

- **Seek advice** – it is worth seeking advice for a financial services professional advisor at an early stage if possible. Such a professional will be able to give you advice about how to make your money work for you.
- **Clear your debt** – consider making a plan to clear outstanding debt that you owe. It is worthwhile seeking advice about how to do this.
- **Create a safety net** – there are likely to be times in your practice where you will struggle with cash flow. You may want to consider starting to save regularly so that you have an emergency fund at your disposal. Try and build up an emergency fund so that when the leaner months come you are able to pay your bills. Maximise your ISA as the interest is tax free. In the same way you insure your laptop and phone, you should consider ways to insure your income. Income protection insurance will, depending on the terms, pay out a sum of money every month should you become sick. This is particularly important if you are self-employed.
- **Take advantages of discounts** – in short, try to avoid spending money unnecessarily e.g think about whether you can save money on travel with a national rail card which gives you a third off certain fares. Look at the discounts on offer if you have paid the Bar Representation Fee, take advantage of the member discounts etc.
- **Ask for help** – if you are struggling it can be worthwhile speaking to your practice manager, clerks or employer. For example, sometimes an interest free bridging loan may be available to you or a grant maybe available from a benevolent association.

## Tax

Once you secure tenancy, it is important to keep on top of your tax returns and management of your finances. Tips on how best to manage life as a qualified barrister can be found [here](#).

Make sure you sign yourself up with an accountant in good time for your tax return (and VAT returns if you so choose). They can advise you on the best way to set up your bank accounts for your business.

Consider setting up a pension as soon as possible. It's understandably very difficult when you are starting out, and hard to see that far ahead, but investing in a pension now will help you build up resources for later in life and your pension contributions are tax deductible.

**NOTE: All the above points are for general information only and are not intended to constitute advice which you should seek independently.**

# Building your practice

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Day one of being a brilliant barrister will not be your first experience in chambers, at work or in court. You'll have done extensive on-the-job training during your pupillage, and you may have done one or more mini-pupillages and have a lot of other work experience. But now you're out on your own, here's what some barristers a bit further along in their careers said makes a really brilliant barrister.

## Working with solicitors

- Always acknowledge a piece of work as soon as you receive it and copy in your clerks when doing so. Your instructing solicitor will be glad to know you've picked up the papers – even if your message is simply to tell them you'll get back to them as soon as you've had time to read them. It ensures the solicitor is abreast of what's happening and enables them to speak with confidence to the client.
- Don't sit on papers. If you need longer to do a piece of work, make sure you let the solicitor know so they can manage the client's expectations. It's better to be realistic and deliver on time than over-promise and fail to deliver.
- Check the instructions on receipt of the papers and, if necessary, ask for further information or documents. If a conference is required let your instructing solicitor know this at the outset as there may be difficulty in arranging a convenient time for the client and/or the expert.
- If asked for your opinion, give your opinion. Try not to defer giving that opinion while further information is obtained (unless it is crucial). Remember that your instructing solicitor is having to assess the strength of any claim on an ongoing basis, usually with only partial information.
- After attending a hearing, drop the solicitor a quick email/text to give them the highlights. Once back at your desk give the solicitor a clear and concise report and attendance note which can be passed onto the client with minimal adaptation. Include action points in numbered paragraphs or bullet points. Depending on the area of law and the client they represent, they may not want lengthy advice on esoteric points of law (if they do, they'll usually ask for them).
- Think about proportionality and the costs which the solicitor will be able to charge or recover. If the case is a modest or fixed fee case a long shopping list of actions or items is unlikely to go down well. And remember, solicitors want practical solutions, and this is usually what the client wants too.

## Marketing your practice

Marketing is an essential part of building a thriving practice, but it doesn't come naturally to some people. Marketing is everything you do to promote the work you're doing, including social events with solicitors and colleagues, speaking at conferences and events, training sessions, blogs and vlogs, articles, books, and social media commentary.

## Chambers marketing opportunities

You might be in a chambers which is very good at marketing and your clerks and practice managers may be presenting you with lots of opportunities to promote yourself and your practice. If you're in this position take every opportunity you possibly can. Be present at every event, help out even if it means manning the cloakroom as your colleagues will be grateful and you will get the chance to speak to people. Better still, if asked to speak at an event, or take part in training, don't hesitate. The more you show up, be present and be useful, the more you will be asked and the more people you will meet. Don't be afraid to volunteer to speak at an event, even if you are starting out. You will have the opportunity to fully research and prepare a topic you are comfortable speaking on.

If your chambers have a marketing committee, try and join it or at least suggest ideas for events. Keep an eye out for issues which crop up in your work which you think might make good material for a seminar or talk and offer to organise one. Make sure your clerks or management committee know you are interested in assisting with marketing. Above all, be proactive.

### A senior clerk says:

"Turn up at events – whether you're speaking or involved or not. Go and listen. Offer to look after the registration desk. It is rare not to be able to make contacts at drinks receptions afterwards, and you will get your face and name known. If you go to an event, ask your clerks if they know anyone attending who is likely to be there and might be a useful contact.

This is also true for employed barristers. It's important to build your contacts and profile within and outside your organisation. Being known as a team player and reliable colleague is vital and having a reputation as a source of legal knowledge and advice will make you an asset in any organisation.

## **Making your own opportunities**

For many new barristers, marketing opportunities won't be handed to you on a plate and marketing your new practice will be a priority. The Specialist Bar Association (SBA) for your area of practice will run events which you should attend and make contacts at. Your Inn of Court and Circuit, YBC and other groups and forums around the Bar will also have an events programme. Once you have made contacts, you can start to put yourself forward as a speaker or propose event ideas. There is more information about the forums around the Bar on page 45. More senior members of chambers or colleagues may contribute to practitioner texts, law books or guides and you could take the opportunity to help them and impress them with your knowledge and commitment. Writing articles for your chambers' website or contributing to a newsletter is also a great way to get known.

## **Social media**

Whatever you do to market your practice, you can amplify it using social media. Some self-employed barristers have been able to build a significant social media profile commenting on legal news, cases they're working on or policy developments. For some of these commentators, their profile has transcended legal twitter (a reasonably big platform in itself) and they are regularly asked to comment on news events.

Finding your space and voice on social media can be very effective. Whatever your practice area, commenting on legal developments, and making the law understandable and accessible to non-lawyers is a great way to get noticed. Following other lawyers in your field, joining in conversations or debates will make your name more familiar to potential clients, could build your reputation with seniors who may be looking for juniors in the future, and would help with your SEO (search engine optimisation is responsible for where your name comes up in a Google search – tweets on relevant subjects can really help with that.)

There are of course significant challenges to achieving Twitter stardom. There's a lot of competition for attention, and it's hard to get your voice heard without being controversial. And being controversial can be tempting but as a newbie barrister you really need to think about the impact any strong or controversial opinions could have on your emerging practice. There's a fine line between outspoken and 'rent-a-gob', and one of the hallmarks of being a brilliant barrister is knowing when to speak out and when to remain silent. Some, like The Secret Barrister, have used anonymity to speak out, but while this might be satisfying, keeping your name a secret isn't an effective marketing strategy.

Employed barristers must consider their organisation's rules about social media, there may be strict restrictions in place which prevent you talking about your work. [And all barristers should understand and stick to the guidance on making comments to the media.](#)

### **Building relationships with colleagues, solicitors and clients**

There have been huge changes at the Bar in the last 20 years. Ask anyone over 10 years call and they will probably tell you that the workplace culture of the Bar is dramatically different. Where once chambers and circuits resembled a gentleman's club, now there are diversity and wellbeing initiatives, equality training and confidential helplines. This shift is the result of a lot of hard work by people across the Bar and its institutions to create a more inclusive and open workplace. The Bar has had to run to catch up with its counterparts in other areas of law and other professions which were quicker to modernise.

But while the above is true, it can't be denied that some of the old-fashioned cultures linger. And socialising with solicitors, clients and colleagues in bars and clubs is one of the hangovers from this bygone age. It remains true that building strong social ties with those in a position to give you work continues to be an essential part of your marketing strategy.

Some barristers still find this easier to do in the pub. A few drinks at the end of a tricky or long case, a meet up over drinks to discuss tactics. But for some, it isn't that easy. Lots of people don't feel comfortable combining drinking and working. Bars are not always safe, comfortable, familiar places. For many it blurs the lines between professional and social. For some it is simply inconsistent with their values or beliefs to drink alcohol or spend time in a pub or bar. Reports of harassment at the Bar Council's harassment reporting platform [Talk to Spot](#) include many incidents which have happened after hours and after one too many.

The focus has to be on finding alternatives to the pub. Coffee shops in the day, a catch up in chambers or office, a phone call after a successful case are all part of maintaining a working relationship. Being available for informal chats or even advice can lead to work, as can sharing interesting articles or events. "I saw this and thought of you..." followed up with "what did you think...?" or "Any good?" can be an effective way of maintaining a relationship and keeping your name front of mind.

Socialising at more formal or work-focused events is a lot less intimate than going to a bar alone, so making sure your contacts know where and when you'll be speaking at or attending a relevant meeting, seminar or event is great marketing.

### Top Tips

- Nothing beats doing a good job – it's the best marketing. Clients will come back if they have confidence in you. So, make sure you do the best job you can, and that they know about it.
- Talk to them. When you receive an instruction, give the solicitor or client a call. This gives them comfort that you have the information and are on top of it and strengthens your relationship with them.
- Talk to your clerks and other members of chambers or team. They will probably know more about the client or solicitor than you and can give you vital insight into how to work best with them. Gauging the level of formality to adopt how they like to be addressed can be tricky and others may be able to help you.

### Mentoring

There is a mentoring mindset at the Bar. It could be something to do with the pupillage model or the sharing out of work into led and junior briefs. It means there are many mentoring schemes across the Bar, meeting different needs across practice areas, circuits, career stage or life stage.

Good practice suggests that mentoring relationships should be time-limited, focused and mutually beneficial, which means both being mentored and mentoring someone can have a positive impact on your practice and wellbeing.

Your mentor might be your old pupil supervisor, someone who's led you on an early case or a colleague in chambers or your organisation. It is also worth looking at one of the mentoring schemes across the Bar to find a mentor outside of your existing network. There's nothing to stop you having more than one mentor at a time, supporting you with different aspects of your work or life.

### Mentoring schemes across the Bar

There are a number of mentoring schemes at the Bar, some focused on career stage, others are circuit based and some for specific groups. Many chambers run mentoring schemes, and most barristers are open to being a mentor if you ask them.

This is a list of some of the mentoring schemes across the Bar:

- The [Bar Council Mentoring Service](#) specifically assists: students seeking to join the Bar, parents who wish to stay in practice and barristers considering silk or judicial appointment.
- The [Middle Temple Mentoring Scheme](#)
- The [Gray's Inn Mentoring Scheme](#)
- The [Western Circuit Women's Forum Mentoring Scheme](#)

- The [Midland Circuit Women’s Forum Mentoring Scheme](#)
- The [Chancery Bar Association Mentoring Scheme](#)
- [Women in Family Law Mentoring Scheme](#)
- The [Black Barristers’ Network](#)
- [Women in Criminal Law Mentoring Scheme](#)
- The [Association of Women Barristers Mentoring Scheme](#)

If there are other schemes which should be on this list, please let us know by emailing us at [ybc@barcouncil.org.uk](mailto:ybc@barcouncil.org.uk)

### **Specialisation**

There are pros and cons to specialising your practice early, and you will be given many different opinions by the people you ask. Specialisation can allow you to develop expertise early and stand out. You may find you get to do more advanced and complex work sooner in your career. However, there may be disadvantages, like losing the opportunities of a wider practice or of being in practice in an area where there is less work.

A lot depends on the chambers or organisation you’re in. Some chambers with mixed practices require their most junior tenants to do a bit of everything. Others will have specialist teams and require pupils to work across different teams but juniors concentrate on one area of practice.

There is nothing wrong with wanting to maintain a more general practice. For some practitioners a mix of work presents more opportunities to hone their skills. Others develop a specialist practice through developing “cross-over” work between two or more areas of law.

For self-employed barristers one route to specialisation is a secondment at a firm of solicitors, regulator, or government agency which does the sort of work you want to do. Sometimes specialisation will occur naturally as your practice develops; if you enjoy and are good at an area of law, solicitors will want to reinstruct you. Find out if there is a specialist Bar or law association and go to its meetings. Engage in academic debate or write journal articles. If some members of chambers specialise in a particular area already, specialising could be as easy as getting to know those members of chambers and letting them and the clerks know that you would like to specialise in that area. This could lead to an opportunity of being led on a case involving that specialism. Remember that it can take a few years to develop a specialist practice.

If you find yourself in a set that does not support the specialism you want to pursue, consider whether to move to a different set. It is easier now than it used to be to move from one set to another, but remember that you will need to show a good track record (cases, financials, and solicitor support) and evidence of real interest in the area that you want to pursue, if you are to persuade a new set to take you on.

For employed barristers, there may be the opportunity to work in a variety of government departments or non-governmental organisations which help you find your niche and specialise or develop a broad range of experience which you can build on.

### **Pro-bono and volunteering**

Pro Bono work is one of the greatest traditions of the Bar. There are so many people who are not able to access legal aid. There are litigants in person who would benefit from early legal advice about the merits of their claim, or discrete representation at a hearing.

Pro-bono work and volunteering can also provide career benefits for a young barrister. If your practice is mainly paper based, you can gain advocacy experience in the courtroom. If you are looking to develop your practice in another area, undertaking pro bono work can be the first steps in gaining experience in that area. It can also lead to exposure to other solicitors. Sometimes a solicitor is helping a client pro bono and is looking for pro bono counsel, or you will meet other solicitors in court for the other side.

Young barristers are often asked to volunteer – by working for Advocate, at a legal advice or law centre, or by providing services free to charities or even friends and family. There is no reason why you shouldn't do this, and it can provide valuable experience.

[Advocate](#) is a national charity that offers opportunities for barristers to contribute to the community. It matches members of the public with deserving cases who can't get funded representation or access legal aid with barristers who are willing to donate their time and expertise for free. It also operates a trustee finding service for charities looking for legally qualified trustees.

[The Free Representation Unit](#) provides representation at tribunals in social security and employment cases. Applications are still welcome from junior barristers and would-be barristers at all stages of their legal training and early careers.

### **Pro-Bono - The Rules**

Barristers may supply legal services (as defined in the [BSB Handbook](#)) at a Legal Advice Centre on a voluntary or part-time basis so long as they observe the requirements of rS41-42 and gS9-11 of the Handbook. The BSB's definition of "legal services" specifically excludes "giving advice on legal matters free to a friend or relative or acting as unpaid or honorary legal adviser to any charity benevolent or philanthropic institution", so if you are acting in any of these capacities you need not hold a current practising certificate. The situation is different if you are employed by a legal advice centre.

# Wellbeing

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Although rewarding and exhilarating, the life and work of a barrister is demanding and often pressured. When pressure becomes chronic you may experience stress and your wellbeing will be at risk.

The Bar Council has worked with doctors, experts and barristers to bring together a website dedicated to [wellbeing at the bar](#) which provides information for barristers, clerks and chambers on staying well and tackling stress.

## Looking after yourself as well as your practice

If you do not have time to do a piece of work properly or you have too much work, tell the clerks or your manager. Equally, if you are quiet, let someone know. It may have gone unnoticed, but if you're floundering it's best to ask for help quickly.

If you encounter stresses, health problems or difficulties, it's best to involve your clerks or manager. If you're going to do your best work, they need you fighting fit, and your wellbeing is of paramount importance. Do not suffer in silence. There are some tips on how to go about this on the [Wellbeing at the Bar website](#).

Keeping your clerks or manager well informed will allow them to manage your workload appropriately. Good clerks and managers will quickly identify where you have been exposed to particularly stressful or complex work, taken on large volumes of work, or been travelling excessively in a short space of time.

## Managing your time

Training to become a barrister, through school, university, the Bar exams and pupillage is very ordered. There is a tremendous amount of work with immovable deadlines. Once you're on your feet and managing your own practice, things are a little different. The heavy workload is still very much there (most junior barristers work very long hours) but while some of the deadlines remain rigid – court dates, filing dates, client deadlines – others, particularly those relating to building your practice, can feel less of a priority.

Setting aside time to look after yourself is essential and not an optional extra. There are thousands of tips, articles and guides to time management online, and even more companies trying to sell you the tech which will organise your life and help you create more hours in the day.

### Time management – tips from young barristers

- **Actively manage your diary.** Keep regularly up-to-date with your chambers/work diary and make sure your workload for the coming month is manageable and you are aware of which days will be intense and which might be easier to handle well ahead of the date. That way you can plan your social life around when work might be easing off and give yourself extra spare time when the job might need a little more from you
- **Make “to do” lists.** Keep a note on your phone, or if you’re old-school a notebook, with tasks that need completing and an allocated timeframe for completing them. Everything from prepping for a trial and drafting paperwork to telephoning a solicitor or arranging a meeting with your clerk should be on your list. Working this way has the added satisfaction of ticking off or clearing the list and feeling incredibly productive.
- **Use spare or “dead” time wisely.** Being a barrister is hard work and can be intense but there also tends to be a lot of segments of wasted time within a day. Draft your attendance notes on your train journeys to and from court or answer e-mails or scan papers when you are sitting around waiting at court (only if you are done with client conferences etc. of course). Using those small pockets of time for work, rather than scrolling through Instagram or Facebook can clear up large tracks of your evening. Work smart!
- **Be aware of how you work best (and worst).** The Bar is unique as a profession in that your time is mostly your own and no one will have oversight over how much a little time you spend on a task. For some people this can be daunting and for others it is a perfect way of working. If you’re someone who struggles to get started or procrastinates, set yourself a timetable like you might have done at university or for Bar school revision. If your problem is knowing how long to spend on a task, ask a more senior member of chambers as to how long they think this type of work should take and try to stay reasonably close to that estimate. If you work better after a break in the evening, do that. If you’re an early bird, then try and keep your evenings a little freer.
- **Give yourself a break.** The biggest cause of people getting weighed down with too many things to do and not enough time is because they’re always playing catch up. Try to get ahead of work when you can but also make sure you give yourself time away from work. You will be much more effective and efficient if you do. It might seem counterintuitive but planning for fun/non-work time and sticking to it regardless of your load will lead to a more productive work session afterwards. A lot of junior barristers will give themselves Friday evenings and Saturdays completely off from work (save for in the most exceptional cases), but part of Sunday will be a prep day for the week. Work out a system or regime that works best for you and stick to it.

## Staying human

Being a brilliant barrister is hard work and most barristers work really long hours, especially in the early years while they're building a practice. Of course, this isn't great; it makes work-life balance hard. It makes finding time for friends and relationships challenging and it makes fitting in other commitments sometimes feel impossible. BUT...you still have to do those other things. They're the things which will help you stay human, connected and ultimately help you sustain a busy practice. It just takes a bit of practice.

### Top tips for staying human

- **Don't let work seep into every waking hour.** If you have a deadline or an important case you're going to be working late. But that shouldn't be the norm. Try and work normal working hours then do something else which isn't work. It will make you more focused during your working hours and less likely to burn out. It will probably make you a better barrister and will definitely make you a better human for your friends and family to be around.
- **Take holidays.** They don't have to be long (but two weeks is completely reasonable). Be considerate and plan your breaks – the more warning your clerks have, the better they can manage your diary around them. Think about school holidays – if you don't have school aged children take your holidays in term time – they're cheaper and your colleagues who are parents will thank you. A caveat to that is that August is a quiet month for some practice areas – if that's the case, take your holidays then.
- **Ask for help.** If you're struggling to get all the work done, if you feel overloaded or if you aren't confident in the work you're doing speak to someone about it. Your new colleagues, your mentor or supervisor, your clerks or practice managers have probably seen it before and can see if you're struggling. There is probably something which can be done, and if you don't ask for help they may be reluctant to offer it. But being self-employed doesn't mean having to do everything on your own.

## Nerves (& imposter syndrome)

All barristers have nerves. They are a normal part of the work and its possible they're a sign that you're working at your best. The trick is to get used to the nerves and getting them to work for you. In her book 'How to Own the Room', Viv Groskop describes how you can do this by managing your 'fight or flight' response and the adrenalin it generates to help you perform. The [How to Own the Room podcast](#) is a great source of inspiration.

Imposter syndrome is the feeling that you are not good enough, do not belong and will be found out as a fraud. It can be debilitating and affect anyone, even the very best barristers. Natasha Shotunde, barrister at Garden Court Chambers, a Bar Council Social Mobility Advocate and founder of the Black Barristers' Network wrote a brilliant [article](#) for Counsel Magazine on the impact of imposter syndrome and what she does to overcome it.

The [Wellbeing at the Bar](#) website looks in depth at the different causes of nerves including perfectionism, stress and excessive workload.

### Handling criticism

The Bar can be a critical place. Barristers are a competitive bunch and so much of the work is a matter of opinion. It is not unusual for barristers, especially those who are inexperienced, to be subjected to unwarranted criticism. And everyone's a critic when things go wrong. Most cases result in one side winning and the other side losing – that doesn't mean the barrister on the losing side did anything wrong, it's just how it is.

#### A barrister says:

"Don't fall for robing room games. Some barristers positively enjoy trying to put off their opponents by ostracising or intimidating them. It isn't you. They're just playing games. Ignore them, as you would any other bully."

The best way to protect yourself from this is by doing as careful and competent a job as you possibly can. It might be helpful to keep a detailed record of all the work you do on a case: the people you consult, the instructions you take, the conversations you have, the drafting you do, the advice you give – so that in the event the case has to be returned there is a clear record of the professionalism with which you've approached your handling of it.

Don't be afraid to admit you are struggling. You need to be able to recognise if you have a problem so you can seek help and do something about it.

If you are experiencing criticism which feels more like bullying, there is help out there. You could report your experiences on [Talk to Spot](#), get support from the [Wellbeing at the Bar](#) website or call the Bar Council's Equality and Diversity Line on 020 7611 1426. There is more information about help and support on page 43.

# Parenting at the Bar

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There are a lot of parents working at the Bar. They are in every practice area and many have thriving practices. But it has to be said that the Bar is behind other institutions in designing really effective flexible working models. It has been left to individuals to work it out for themselves, often juggling maternity leave and part-time working and having to negotiate with chambers on rent breaks and payment holidays.

Now chambers have more sophisticated parental leave and flexible working policies, and there are rules which ensure new parents can take proper leave (up to one year) have rent holidays (at a minimum, some chambers go a lot further) and ways to help you 'keep your hand in' while on leave.



All of the information about the rules covering [family career breaks](#) is on the Bar Council's Ethics Hub.

There is also information about working and balancing your family life on the Bar's [Wellbeing at the Bar website](#).

The [Bar Council's New Parent Mentoring scheme](#) is for any barrister thinking about starting a family, on maternity or paternity leave or trying to balance working with bringing up a family. The scheme will put you in touch with a mentor who has made it work and is happy to share their secrets, while supporting you with your new challenges. Where possible they will try and match barristers from the same practice areas or circuits.

The Bar Council has special arrangements for barristers with the [Smithfield Nursery](#) in London and [Tiny Tree Day Nursery](#) in Leeds. Both offer barristers special rates and more flexible opening hours to accommodate barrister parents' schedules.

### Preparing for starting a family – tips from a young barrister

- Be curious about your chambers parental leave policy and the support provided to tenants who have been on parental leave both during their leave and on returning to work. If you begin your career before you have children and perhaps consider that having children is a way off still, consider the parental leave policy. This is your opportunity to shape your chambers provision before being faced with parental leave without the support you need. Don't think of parental leave support as something that doesn't apply to you but as an integral part of how you can ensure your chambers will continue to nurture your career and your talent. If your chambers will not offer this support, then don't be afraid to take your talents elsewhere.
- Be honest about the impact that having children will have on your ability to work as a barrister – particularly if your work is heavily court based. The quality of the work you do should not diminish but the quantity may have to be sacrificed for a time. Supportive clerking is essential to this and without this there is a real risk that you will feel overwhelmed and your work and wellbeing will suffer.
- Find a parenting mentor. You may have been fortunate enough to be mentored as a law student, you will have pupil supervisors, as a junior you will have colleagues in chambers ready to answer questions and offer you help – you need the same thing as a parent at the Bar. Choose your mentor wisely. Try to find someone whose personal circumstances mirror your own.
- It takes a village to raise children and that is especially true at the Bar. Work out your support network and be realistic about the amount of childcare you need and the amount of childcare you can afford.
- Don't ignore the benefits of the Bar when it comes to having a fulfilled family life. If your chambers policy is up to scratch, you have the support of your clerks and you can manage your caseload then you can maintain control and be there for your children in a way that other professions can't necessarily accommodate.

# Handling complaints

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You are probably an excellent barrister. You've done all the training, made it through pupillage and been taken on by a chambers or employer. Nonetheless, being an excellent barrister does not mean you will never face a complaint, and it certainly does not mean you will never get things wrong.

Complaints may take many forms. A minor gripe or forgotten attendance note may be sorted out by you, the client or solicitor and your clerks and should not need to involve formal procedures. But if it is more serious approaching it with transparency and a willingness to sort it out will always be the best way. Your chambers will have a complaint handling procedure, with strict timetables for procedure. You must comply with it. Every complaint must be treated seriously. If a complaint comes direct to you, inform your senior clerk or Head of Chambers immediately so the complaints procedure can be complied with.

- Don't sit on a complaint or put your head in the sand and hope it will go away. Engage and respond, even if it is painful or infuriating. Speak to someone in chambers – another barrister and/or your clerk as soon as possible.
- You will need to speak to your Head of Chambers if the matter is serious (and you may want to even if it is not).
- Inform the [Bar Mutual Indemnity Fund](#) ('BMIF') as soon as possible. If a complaint is going to a tribunal, they should pay for your representation. If for any reason it won't, ask a more senior member of chambers for help.
- Always respond to letters and emails from the BSB, as failure to do so could be a separate offence.

There is helpful [guidance for the operation of the complaints procedure](#) on the BSB website. It is also worth looking at the regulatory and ethical guidance on the Bar Council [Ethics and Practice Hub](#).

You must know the rules that govern your professional conduct, not only for your benefit but so you can recognise if others fall below the standards expected of a barrister. **You will be guilty of serious misconduct yourself if you fail to report a barrister who has committed serious misconduct to the BSB (see [BSB Handbook, rC66-69](#), where there is guidance as to what constitutes “serious misconduct”).** If you need to make a report or wish to talk to the BSB about a possible reporting situation, contact the BSB Professional Conduct Department on **020 7611 1445**.

# Training and professional development

You're never a finished product as a barrister. There is always something new to learn, case-law to understand, new and emerging issues to grapple with and skills to hone.

The [New Practitioner Programme](#) requires all barristers under three years practice to complete 45 hours of Continuous Professional Development (CPD) in their first three calendar years. This must include at least nine hours on advocacy and three hours on ethics.

Barristers with over three years practice also need to complete CPD requirements set out in the [Established Practitioner Programme](#).

Training and CPD courses across the Bar:

- [The Bar Council](#) offers a range of conferences, seminars, workshops and training courses to help barristers fulfil their professional development requirements and build their practice.
- The Inns of Court all offer a range of education, training and professional development
  - [Gray's Inn](#)
  - [Lincoln's Inn](#)
  - [Middle Temple](#)
  - [Inner Temple](#)



# The Rules

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You must know the rules that govern your professional conduct, not only for your benefit but so you can recognise if others fall below the standards expected of a barrister. The [BSB Handbook](#) contains all the rules about how barristers must behave and work. It also contains the [Code of Conduct](#) for barristers. The Handbook is regularly updated and all barristers are expected to keep up to date on the rules.

There's lots of information on the [Bar Council](#) and [Bar Standards Board](#) websites. The Bar Council also has a dedicated [Ethics Hub](#) which is well worth searching for ethical and regulatory guidance, as well as helpful documents relating to all sorts of practice issues and areas.

## The First Years of Practice – Regulatory Requirements

- **The Professional Statement.** The BSB has set out the knowledge, skills and attributes all barristers need on their first day of practice in a [Professional Statement](#).
- **Supplying legal services.** All barristers in their first three years of practice following pupillage must work either from chambers or from “an office of an organisation” where there is someone qualified and willing to provide them with guidance.
- **Qualified person.** Barristers with fewer than three years standing need a ‘qualified person’ to provide guidance on supplying legal services to the public, the exercise of a right of audience and, where relevant, conducting litigation. The same person may fill all three roles, provided he or she is suitably qualified. (See rules S16-22 of the [BSB Handbook](#))
- **Practising Certificate.** All barristers have to hold an [Authorisation to Practise](#) certificate which is provided by the BSB. There is a lot of information about the practising certificate rules on the BSB website. For certain types of secondment, you may have to consider the need for a dual qualification practising certificate (see rS18 of the [BSB Handbook](#))
- **Professional indemnity insurance.** All self-employed barristers must be a member of the [Bar Mutual Indemnity Fund \(BMIF\)](#) which provides professional indemnity insurance.
- **Public access (or ‘direct access’).** Barristers wishing to take public access instructions must undertake [public access training](#). The BSB provides guidance on [registering for public access](#) work. See the regulatory provisions in section D2.1 of the [BSB Handbook](#) (rules C119-131) for barristers undertaking public access work.

- **Conducting litigation.** You will need a practising certificate, and you will need to satisfy the BSB that you have appropriate systems in your place of practice to enable you to conduct litigation: that you have the requisite skills and knowledge of litigation procedure to enable you to provide a competent service to clients; and that you have adequate insurance. [Information and an application form](#) are available on the BSB website.

### **Dress codes**

The rules covering what clothing will generally be expected and acceptable are in place to reflect the seriousness of the function barristers play in court and have become the uniform of the profession. Outside of court barristers, whether in chambers or employed, are generally expected to wear business attire. This will usually mean a black, dark grey or dark blue suit with tie for men, and, for women, a similarly coloured jacket and either skirt or trousers. This is not prescriptive and dress codes (written and informal) vary between organisations, chambers and practice areas.

Some but not all courts require counsel to wear 'Court Dress' which includes wigs, gowns, wing-collars and bands or collarettes.

The Bar Counsel Ethics Hub has a handy guide to the [dress codes of the different courts](#).

### **Reporting obligation**

Barristers can be found guilty of serious misconduct if they fail to report a barrister who has committed serious misconduct to the BSB (see [BSB Handbook](#), rC66-69, where there is guidance as to what constitutes "serious misconduct").

If you need to make a report or wish to talk to the BSB about a possible reporting situation, contact the BSB Professional Conduct Department on **020 7611 1445**.

### **The rules explained**

The [Ethics & Practice Hub](#) is the Bar Council's dedicated online library of ethics documentation. Visit the hub to search and view material that can help you find answers to your professional ethics questions and problems.

The Bar Council provides a confidential [Ethical Enquiries Service](#) to assist barristers to identify, interpret and comply with their professional obligations under the BSB Handbook.

Call the Ethical Enquiries line on 020 7611 1307. Lines are open 09:15-17:15 Monday-Friday. Email: [Ethics@BarCouncil.org.uk](mailto:Ethics@BarCouncil.org.uk).

Please note: this service does not give legal advice.

# Further information and support

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## Equality and diversity

The Bar Council offers a confidential equality and diversity helpline to all pupils and members of the Bar.

[www.barcouncil.org.uk/support-for-barristers/wellbeing-personal-career-support/helplines.html](http://www.barcouncil.org.uk/support-for-barristers/wellbeing-personal-career-support/helplines.html)

E: [equality@barcouncil.org.uk](mailto:equality@barcouncil.org.uk)

T: 020 7611 1426

## Ethics

The Bar Council provides a confidential Ethical Enquiries Service to assist barristers to identify, interpret and comply with their professional obligations under the BSB Handbook. The Ethics Hub contains guides to assist barristers on matters of conduct and ethics in particular types of situation.

[www.barcouncilethics.co.uk](http://www.barcouncilethics.co.uk)

E: [ethics@barcouncil.org.uk](mailto:ethics@barcouncil.org.uk)

T: 020 7611 1307

## Reporting bullying, harassment and inappropriate behaviour

Talk to Spot is an online tool for the Bar to confidentially report inappropriate behaviour.

[www.barcouncil.org.uk/support-for-barristers/equality-diversity-and-inclusion/talk-to-spot.html](http://www.barcouncil.org.uk/support-for-barristers/equality-diversity-and-inclusion/talk-to-spot.html)

## Wellbeing

The Wellbeing at the Bar website provides mental health and wellbeing support and resources for barristers, clerks and staff. The Bar Council Assistance Programme provides confidential telephone support, counselling services and online resources.

[www.wellbeingatthebar.org.uk](http://www.wellbeingatthebar.org.uk)

T: 0800 169 2040

## Pupils

The Bar Council Pupils' Helpline gives confidential advice and support to pupils by putting them in touch with an experienced and independent barrister who can help with problems encountered during pupillage.

E: [pupilhelpline@barcouncil.org.uk](mailto:pupilhelpline@barcouncil.org.uk).

T: 020 7611 1415

### **Barristers' Benevolent Fund**

The BBA supports and helps members of the Bar in England and Wales and their dependants who are in need, in distress or in difficulties.

[www.the-bba.com](http://www.the-bba.com)

T: 020 7242 4761

### **The Bar Council's Young Barristers' Committee (YBC)**

The YBC represents barristers under seven years call.

[www.barcouncil.org.uk/support-for-barristers/young-bar.html](http://www.barcouncil.org.uk/support-for-barristers/young-bar.html)

E: [YBC@BarCouncil.org.uk](mailto:YBC@BarCouncil.org.uk)

### **Bar Standards Board**

If you need to make a report or wish to talk to the BSB about a possible reporting situation, you can contact the BSB Professional Conduct Department

[www.barstandardsboard.org.uk/for-the-public/reporting-concerns.html](http://www.barstandardsboard.org.uk/for-the-public/reporting-concerns.html)

T: 020 7611 1445

### **Inns of Court**

The Inns of Court provide support for barristers through a range of educational activities, lunching and dining facilities, access to common rooms and gardens and the provision of various grants and scholarships.

- [Gray's Inn](#)
- [Inner Temple](#)
- [Lincoln's Inn](#)
- [Middle Temple](#)

### **Circuits**

The Circuits provide important sources of support, advice and representation for barristers practising in those areas:

- [Midland](#)
- [Northern](#)
- [North Eastern](#)
- [Western](#)
- [South Eastern](#)
- [Wales and Chester](#)
- [European](#)

Some of the Circuits have specialist forums for barristers in their region including:

- [Midlands Circuit Women's Forum](#)
- [Western Circuit Women's Forum](#)
- [Southeast Circuit Women's Forum](#)

## Specialist Interest Networks

These networks can provide support, networking and mentoring for barristers across the Bar:

- [Black Barristers' Network](#) – 'promoting the growth of black barristers through support, visibility and community outreach'
- [Society of Asian Lawyers](#) – 'representing the interests of ALL Asian Lawyers and the communities that they serve'.
- [Association of Women Barristers](#) – 'monitoring and representing the interests of women at the English Bar'
- [Women in Criminal Law](#) – 'Connecting, promoting, inspiring & supporting professional women working across the criminal justice system'
- [Themis](#) – 'The Intersectional Women Barristers' Alliance - a community for ALL women at the Bar'
- [FreeBar](#) – 'a network aiming to foster inclusion and support for LGBT+ people working at and for the Bar'
- [BLAGG](#) – 'Lesbians, gay men, bisexuals and transgender persons at all levels of the profession'.
- [Legally Disabled](#)– 'Career experiences of disabled people in the legal profession'
- [Association of Muslim Lawyers](#) – 'Empowering Muslim lawyers to eradicate injustice and deliver positive impacts to our communities and beyond'

## Acknowledgements

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This guide will be updated regularly. Please get in touch with any comments or amendments by emailing [ybc@barcouncil.org.uk](mailto:ybc@barcouncil.org.uk)

**The Bar Council 2020**