



The Bar Council

Barrister earnings by sex and practice area 20 year trends report

September 2021



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Introduction

In 2020 the Bar Council published [earnings data](#) which showed discrepancies in earnings between men and women at the Bar.

This year we have been able to undertake more analysis, which shows the differences in average earnings by practice area, and the trends for barristers' earnings over the last 20 years.

We are also able to publish charts which show earnings by sex for each practice area in 2020 in Appendix 1. While this data isn't detailed enough to show a pay-gap, it does show us that in many practice areas there continues to be a much higher proportion of men practicing, and men's proportion of income exceeds that of women.

The data in these reports should again act as a reminder to everyone that there is still a lot of work to do to achieve equality at the Bar.

Monitoring other protected characteristics

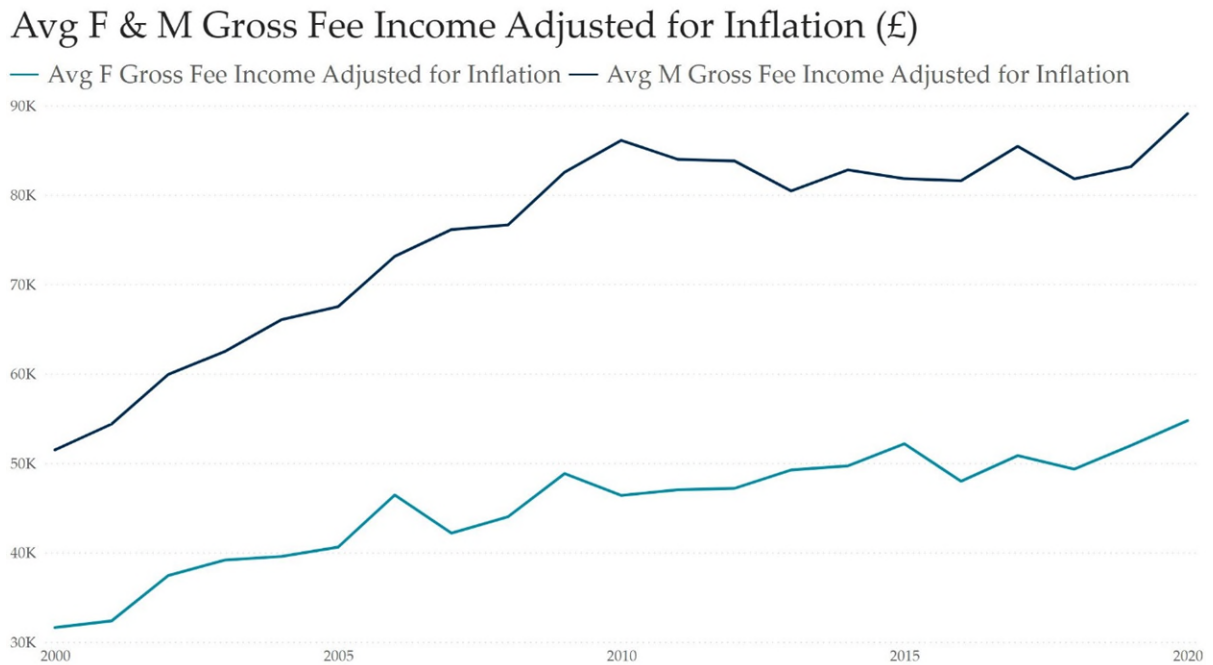
We are only able to analyse the BMIF data by sex as the BMIF don't have information on other protected characteristics. The Bar Council and Bar Standards Board have now put in place plans to gather and analyse earnings data for other protected characteristics, including race and disability.

In 2020 the Bar Standards Board published [data on income](#) cut by sex and ethnicity which showed that female barristers are likely to earn less than male barristers and that those from Black or Asian or other minority ethnic groups are likely to earn less than White barristers. In 2021, the Bar Council's [analysis of Criminal Legal Aid payments](#) also showed that Black women were paid less for the same work. This more granular analysis is something we are committed to doing more of in future to ensure conversations about diversity at the Bar move beyond just looking at the numbers of barristers from under-represented groups to how those barristers are doing, whatever their characteristics.

Key findings

Men's income is increasing faster than women's income in most practice areas and the gap between men's and women's earnings is widening

Fig 1: Bar of England and Wales

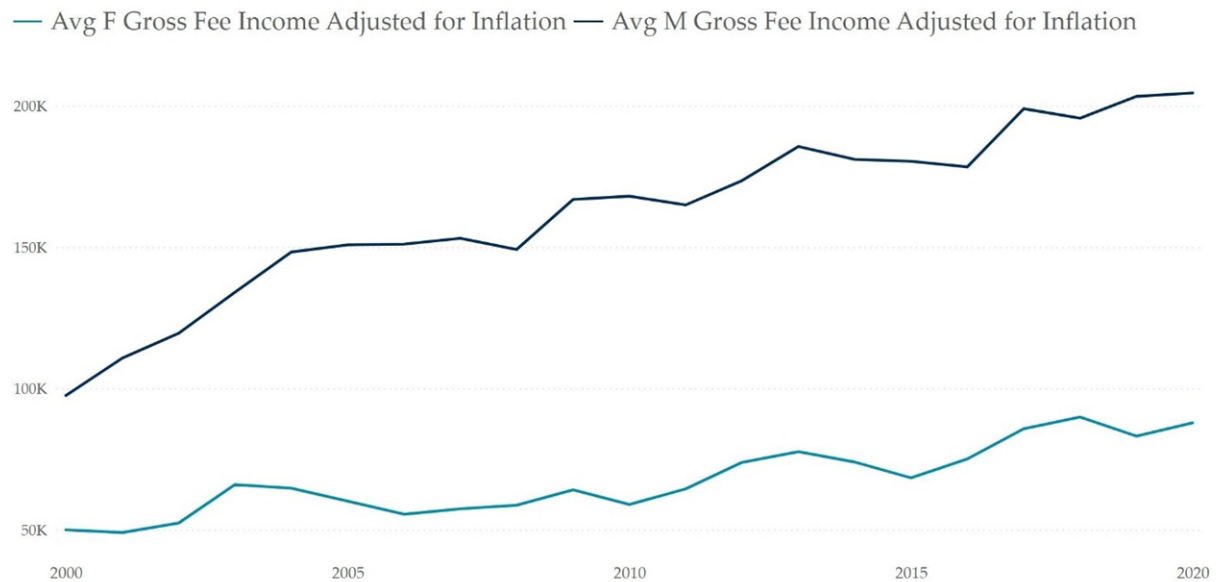


The above chart (Fig 1) shows there has been an increase in average gross fee income for both women and men at the Bar, and that the gap between men and women's average income has increased over the last 20 years.

The next chart (Fig 2) shows an increase in average earnings in Commercial and Financial Services practice area, with the gap between the income of male and female barristers increasing over the last 20 years - in 2000 female barristers earned on average 49% less than men, and in 2020 that difference increased to 57%.

Fig 2: Commercial and Financial Services

Avg F & M Gross Fee Income Adjusted for Inflation (£)

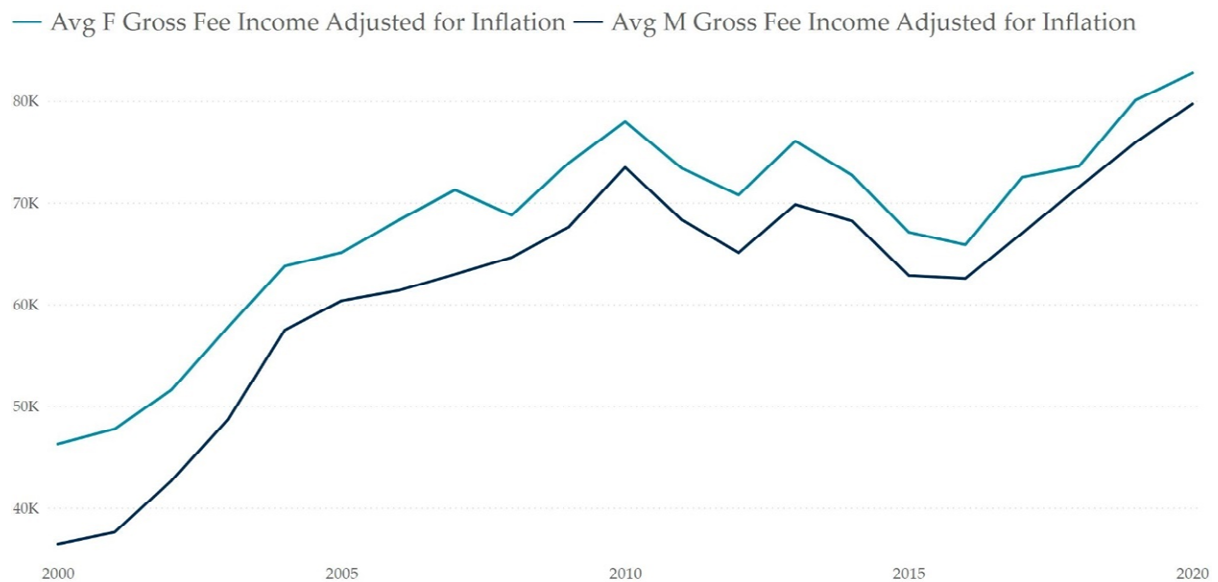


The same is true in other practice areas. In Employment, the gap between male and female earnings has increased from 8% in 2000 to 16% in 2020.

The reverse is true in practice areas where women dominate. There are more women than men in Family (children) (Fig 3) - 59% of the barristers in this practice area are women. And, with real-terms incomes increasing overall, women still earn more than men, but the gap in 2020 was 4%, down from 21% in 2000.

Fig 3: Family (Children)

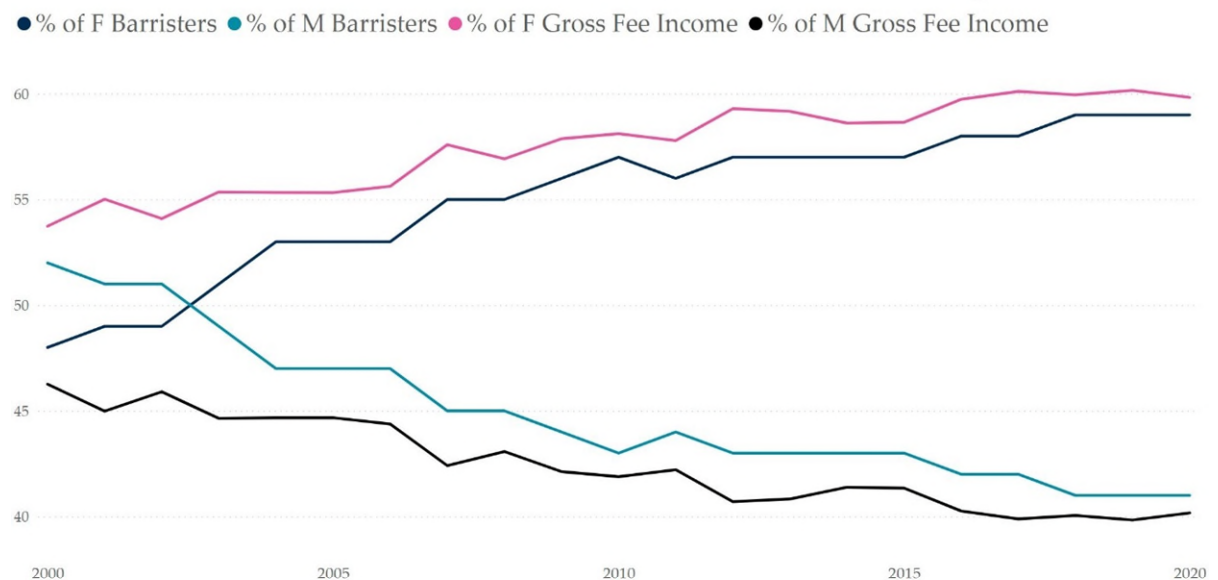
Avg F & M Gross Fee Income Adjusted for Inflation (£)



In Family (Other) (Fig 4), although there are more women than men, female barristers earned 43% less than men in 2020, compared to 19% less in 2020. Again, incomes have increased, but men's income has increased more quickly than women's income.

Fig 4: Family (other)

% of F & M Barristers and % of F & M Gross Fee Income by Year



Overall, there has been an increase in barristers' income, but there has been a real-terms decrease in income for criminal barristers

Fig 4: Criminal Practice



Adjusted for inflation, male criminal barristers have experienced a 33% decrease in earnings since their peak in 2006 (Fig 4). The gap remains between male and female criminal barristers but has decreased over the period, with women earning 38% less than male barristers in 2020, compared to 51% less in 2000.

There are more women working at the Bar

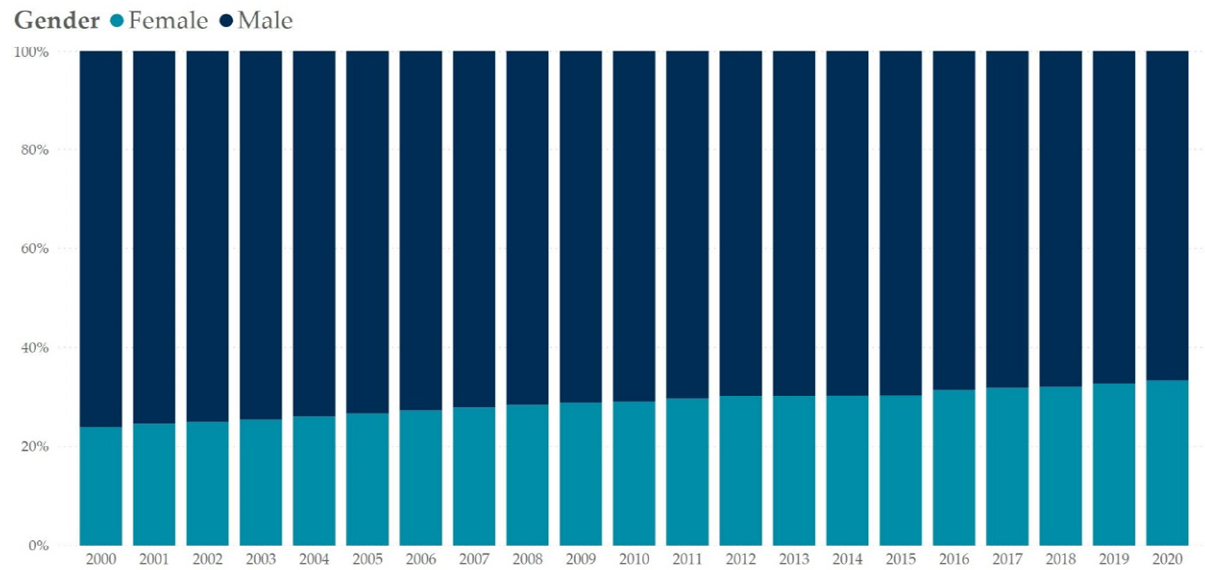
Overall, there has been an increase in the number of female barristers across all practice areas (from 8,382 in 2000 to 12,504 in 2020). Over the same period the number of male barristers declaring work in all practice areas has decreased from 26,833 in 2000 to 25,809 in 2020 (Note: these figures include barristers practicing in more than one area and is therefore more than the total number of barristers).

Many practice areas have seen an increase in the proportion of women. For example, in Criminal practice, 24% of the barristers were women in 2000 and this increased to 34% in 2020. Employment (increased from 22% to 31%), Competition (increased from 15% to 27%) and Planning (increased from 11% to 22%).

There were less significant increases in the proportion of women in some practice areas including Admiralty which was 14% women in 2000 and 2020, although there was a leap to 27% in 2014.

Fig 5: The Bar of England and Wales

% No of Barristers by Year and Sex



What this means for the Bar

These figures demonstrate that, although we are making progress in representation of women at the Bar, we have a long way to go to achieve equality. It's worrying that the gap between men and women is getting wider. Women have accounted for half of all new pupils for more than 20 years, so we have to ask difficult questions about why so many women leave the Bar and why men continue to out-earn women.

Over the last year the Bar Council and the Bar Standards Board have published more data than ever exploring differential earnings at the Bar. This analysis enables us to look more closely at where disparities persist, and better understand who is thriving and which barristers need more support to build and sustain their practice.

In 2019 the Bar Council initiated a programme of work aimed at [modernising the Bar](#), with a focus on women and under-represented groups. Using data on earnings, retention and progression, the programme has initiated work to tackle:

- Distribution of work – including briefing practices, marketing opportunities and monitoring;
- Practice management guidance – including support for new barristers, those returning to the bar and to support progression;
- Mentoring support to increase access to effective mentors and networks;
- Inclusive leadership – via the Bar Council's Leadership Programme; and
- Measures to tackle discrimination and inappropriate behaviours

Celebrating 100 years of women at the Bar seems like a long time ago, and these numbers show we still have an incredible amount of work to do. The Bar Council is collaborating with initiatives across the Bar - in Specialist Bar Associations, Circuits, Inns, individual chambers and networks - working together to ensure the speed of change increases.

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

Important note on the data

There are some important caveats regarding the data analysed which need to be understood. They are:

- The data shows the gross fee income for self-employed barristers in each practice area for that year. For every year before 2020 the actual income has been adjusted for inflation.
- Some barristers work in more than one practice area, and they will be represented in each practice area they earned fees in.
- The data shows the proportion of work men and women bill in each practice area, and therefore how work is distributed and remunerated. This doesn't reflect seniority or working patterns and so can't be interpreted as showing that women and men in comparable situations are necessarily being paid differently.
- Despite over half of new barristers being women, there are many more senior men, and this is reflected in average earnings.