

## What more could be done by the Inns to promote a more diverse Bar?

### Key messages

- We do not wish to denigrate or detract in any way from the existing work of the Inns in relation to social mobility and diversity. Our concern is that the Inns, prompted by the Burton report, are proposing to spend large sums of money on expanding the number of pupillages, at least partly in the name of diversity at the Bar, without consideration about whether and how that money might be more usefully targeted to achieve that goal.
- Issues of social mobility and diversity are complex and deeply rooted. Following IT's example, the Inns need to professionalise their response, if they are to have any hope of making real change. Well-meant barrister suggestions (including those from the Chancery Bar) are no substitute for detailed consideration of research into what has worked elsewhere and the need for hard evidence to evaluate the worth of particular programmes. Working with experienced outside organisations such as Pathways to Law or the SMF is a way of getting the benefit of such professionalism without bringing it entirely in-house, but where the Inns work with outside organisations they need to be alive to their limitations, for example geographical reach or number of students served. Some outside organisations serve very small cohorts of students and link-ups with them can result in a disproportionate allocation of resources.
- Early intervention is very important. There is a limit to what the Inns can reasonably be expected to do: however compelling the arguments that pre-school experience is vital to later life chances, for example, the Bar and the Inns cannot be expected to provide assistance at the pre-school stage. But because those from non-traditional backgrounds who have the talent to succeed at the Bar are disadvantaged at every step along their journey, the

earlier the Inns can intervene, and the more prolonged the contact between able students and the Bar, the better.

- With a view to the greatest efficiency, the Inns need to work together and should try as far as possible to build on existing programmes and share resources rather than inefficiently starting competing ones of their own. Different Inns might sensibly take the lead on particular aspects of the promotion of diversity on behalf of all of them: for example, IT stands out in relation to social mobility; MT has started to take the lead on gender issues with the Women's Forum: perhaps Lincoln's Inn's longstanding links with Commonwealth countries puts it in an ideal position to champion racial diversity, and Gray's Inn could take on the mantle of disability issues?
- We fundamentally disagree with the view expressed in your letter that it is not "fair" or "kind" to go out to schools and encourage those from disadvantaged backgrounds to aspire to a career at the Bar when there are so few pupillages available. That wrongly assumes that the current cohort of pupils/junior tenants, who are heavily drawn from privileged backgrounds and private schools, represents the best the country has to offer the Bar. If the Bar is to continue to thrive, it must recruit the best – that might well mean recruiting a more able pupil from a disadvantaged background over a less able pupil from a privileged one. The problem with the current system is that the student from the disadvantaged background is likely to fall by the wayside, leaving the way open only for his or her less talented, but privileged, peer.

### **Programmes for 11-14 year olds**

At this stage, most pupils are not ready for formal careers advice, but there is important work to be done engaging them in understanding the role of lawyers in society and building the aspiration for a career at the Bar. We understand that there is currently little done by the Inns which is focused on this age group.

Programmes would build on the schools' citizenship programmes and could involve, for example a visit to the Houses of Parliament, the Supreme Court and the opportunity to discuss difficult moral/topical issues (e.g. is murder ever justified? What are the limits on free speech in an age of social media?) and/or engage in a debate or mock trial. Meeting barristers as part of such a programme would help to break down misconceptions and provide role models. Visiting the Inns would help familiarise pupils with the architectural context of the Inns, which will be alien for many of those not attending public schools.

The Inns could help to channel the places available on such programmes to those most likely to be suited to the intellectual challenge of the Bar by offering them as "prizes" for essay competitions or debates taking place within schools and judged by their teachers.

### **Programmes for 14-18 year olds**

At this stage, important exam choices start to be made which will influence students' future career choices. Traditional careers advice can be combined with more innovative programmes which help students to understand both the opportunities offered by the modern Bar and the challenges involved in choosing that career.

There is some existing provision, mostly aimed at sixth-formers, in the form of

- the SMF Bar Placement Week run by the Bar Council, with the Inns assisting by rotating the launch event
- the Bar Mock Trial competition
- Inner Temple Schools Project.

However, none of these projects are sufficiently large-scale to reach all those who might be assisted by them. The Inns could provide accommodation for events/barrister speakers/administrative assistance/encouragement to Chambers to participate so as to significantly extend the reach of these three schemes, or replicate them with other outside organisations. For example, although the SMF Bar Placement Week is very successful, one of the limitations of that scheme is that it is only open to students from very disadvantaged backgrounds. Children from homes with an average income are as likely to think that the Bar is “not for the likes of them”, but to be unable to access places through schemes like SMF. SMF is itself geographically limited, with very little reach into the provinces. The Inns, the Bar Council and the circuits could combine to provide similar opportunities for sixth formers outside of London.

The Inns could link up with Universities’ outreach programmes, for example offering a “law in action” aspect to summer schools designed for would-be law students and helping them to understand the ways in which law is important in real life.

The Inns could help with mentoring programmes designed to give students one-to-one support and guidance about career choices (the SMF mentoring scheme being a potential model).

The Inns could support the Bar Council’s “Speak up for others: a career as a barrister” by encouraging participation by their members (including offering to reimburse reasonable travel expenses for young barristers participating – the audience are more likely to relate to young barristers, but travel costs could well be a deterrent to volunteering); providing training for speakers and assisting with materials such as booklets and powerpoint presentations, alternatively offer their own programme of school visits.

Thought could also be given as to whether interested sixth formers might participate in the Inns’ Advocacy Training Programmes playing the roles of witnesses. Such participation would serve a useful purpose for those being trained, whether as

advocates or trainers, and would afford the student an invaluable insight into the work of the Bar. Such places could be offered by way of competition or school selection, in order to ensure both the quality and interest of the student in the programme; and in order to ensure that participation in the programme was available to those from all socio- economic backgrounds, the Inns could offer reasonable accommodation, travel and subsistence costs. In addition, assuming that accommodation could not be provided directly by the Inns, for those training courses which coincide with London University vacations the Inns could explore making arrangements with those establishments for participating students to use their accommodation at reduced cost.

### **University/GDL Students**

Whilst there is much excellent work done by the Inns with Universities (in terms of attending law fairs, organising tours and lunches, support for student societies etc), we feel that there could be a greater focus on supporting those students from non-traditional backgrounds to consider a career at the Bar.

For example, GI and LI could follow IT and MT's examples in providing mini-pupillages specifically for those from disadvantaged backgrounds. Bursaries could be offered to disadvantaged students, particularly from outside London, to enable them to meet the travel/accommodation costs of mini-pupillage, whether or not such mini-pupillage has been secured through the Inn. Moreover, the existence of such bursaries should then be widely publicised (both directly to students, via the Bar Council website and through chambers offering mini-pupillages) to encourage relevant candidates to apply for mini-pupillages at sets of chambers outside of their geographical base.

We would suggest that the Inns might like to consider an "Inns of Court Scholarship Scheme", aimed at supporting able law students from deprived backgrounds, taking the lead from programmes like the Warwick University Multi-Cultural Scholars Programme. The Inns could provide some financial support, together with (a)

mentoring by barristers as the student progresses through their career (b) opportunities to experience the life of the Bar through Court visits, workshops, trips to the Inns etc and (c) guaranteed mini-pupillage.

The Inns have a great history of mentoring, through their sponsorship schemes. The difficulty is that this scheme is only effectively publicised once students are on their BPTC course. If it were more widely advertised, it could have a greater effect on social mobility/diversity at the Bar (as could the provision of loans for student entry fees). Members of the ChBA who are sponsors, for example, have said to us that they feel that the Inns' sponsorship programmes come too late to be really effective. Either the sponsee already has pupillage, in which case they may not feel they need support from a sponsor, or their prospects of obtaining a pupillage are already so diminished that the sponsor can do little to influence their chances. A mentoring/sponsorship programme through University/GDL might be more effective.

The Inns might also consider "CV workshops" for disadvantaged students, which would help them focus on, and redress, any weaknesses in their CVs before it is too late. Earlier this year the Chancery Bar Association and Society of Black Lawyers organised a "CV Masterclass" for students, which was attended by a number of specialist Bar Associations, and which we believe was very well received.

### **Pupillage Applicants/BPTC Students**

We recognise the important work the Inns already do in terms of supporting BPTC students, financially, educationally and through the sponsorship systems. To more actively promote the cause of social mobility/diversity at this stage, the Inns could consider (a) greater means-testing of their scholarship awards and (b) scholarships aimed specifically at those who have overcome challenges in their personal life.

The glut of BPTC students is, as we all know, scandalous. In the long term, the ChBA would favour structural reform of the BPTC and pupillage to address this problem,

and in the short term it would favour moving the date for pupillage offers forward to a date before students have to commit to the BPTC (as is commonplace for Chancery pupillages in any event), so that students know for sure whether or not they have a pupillage before spending thousands of pounds on the BPTC. We recognise, however that the Inns do not have control over either aspect and have to work with the current system, however deficient.

We do think that there are ways in which the Inns can help dissuade those who are unlikely to find a place at the Bar from starting the BPTC. We understand, for example, that there is generally a close correlation between those who get an Inn scholarship and those who get pupillage. Ensuring that scholarship awards are made before a student has to decide whether or not to take up a place on the BPTC, coupled with widespread publicity about the data showing such correlation would mean that students who did not have either (a) a pupillage place or (b) an Inn scholarship before committing to the BPTC would recognise how unlikely they were to succeed in a career at the Bar. If early decision-making is to be effective and not to work against the cause of social mobility and diversity, however, it must be coupled with an effective programme of information in students' earlier years. By the time they make the choice to commit to the BPTC course, students must have all the information they need, including having completed mini-pupillage, to make that a meaningful choice.

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