

SUMMARY INFORMATION ON PUBLICLY FUNDED CRIMINAL LEGAL SERVICES

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Introduction

Background

1. In December 2018, the Ministry of Justice (MOJ) announced a comprehensive review of criminal legal aid fee schemes. The review will consider criminal legal aid throughout the life cycle of a criminal case. The review will also consider wider changes to the justice, social, economic, business and technological landscape that are impacting on the criminal legal aid system.
2. One key objective of the [Criminal Legal Aid Review](#) (CLAR) is to obtain a complete picture of the legal services provider base (advocacy and litigation) for the publicly funded criminal justice system in England and Wales. The final aim is to build a more modern Criminal Legal Aid System that can adapt to the changing needs of defendants, practitioners and the criminal justice system of which it is an integral part.
3. To help inform decisions, the Law Society (LS), the Bar Council (BC), the Legal Aid Agency (LAA), the Crown Prosecution Service (CPS) and the Ministry of Justice (MoJ) worked together to combine some of their key datasets. For this, two separate data sharing agreements were signed: one between the MoJ, BC and the CPS relating to barristers undertaking criminal work, and another between the MoJ and the LS relating to solicitors and solicitor firms undertaking criminal defence work.
4. These data sharing agreements have allowed us, for the first time, to combine publicly funded legal aid case payments with information on the characteristics of law firms, their solicitors, and barristers that received those payments. Furthermore, this has been done over several years, which enables us to assess changes over time. Therefore, the dataset allows a richer analysis of the publicly funded criminal legal system than has previously been possible.

Purpose of this publication

5. The aim of this data compendium is to summarise some of the key descriptive information that can be derived from this newly matched data for England and Wales. It is intended to form one of the key initial sources of evidence to feed into the Criminal Legal Aid Independent Review of Criminal Legal Aid (CLAIR).
6. It is important to note that this is the first publication using this data and, therefore, it presents a broad overview of the main features of the provider base from the data shares. It is likely that more detailed analysis will be carried in line with the interests of the Independent Review team.
7. This document has been produced with the CLAIR in mind. Therefore, it is not intended for the lay reader. As such, it does not provide in depth commentary on the data presented.
8. This document is published in line with the data sharing agreements.

Coverage and limitation of data sources

9. LAA data includes billing information on cases from Crime Lower and Crime Higher. Crime Lower comprises legal advice provided to suspects before and after they have been charged, advice and representation for defendants in magistrates' courts, and prison law. Crime Higher consists of legal advice and representation in the Crown Court and higher courts provided by solicitors and advocates. The latter includes the following fee schemes: Litigators' Graduated Fee Scheme (LGFS), Advocates' Graduated Fee Scheme (AGFS) and Very High Cost Cases (VHCC). They cover the period April 2014 – March

2015 to April 2018 – March 2019 when it refers to fee income paid for the work undertaken by solicitors and April 2015 – March 2016 to April 2019 – March 2020 for fee income paid to barristers.¹ LAA data also includes information on individual solicitors in the Duty Solicitor Rota from 2017 to 2019. The different yearly coverage of the data stems from a slight difference in this respect in the data sharing agreements and some data quality problems.

10. The CPS data includes information on fee income paid to criminal barristers by the CPS over the period April 2015 – March 2016 to April 2019 – March 2020. It was important to have this information from the CPS as criminal barristers not only carry out defence but also prosecution work.
11. The LS data contains separate sets of information on legal firms, individual solicitors, and trainees. This is gathered by the Solicitors Regulation Authority (SRA) and covers the period August 2013- July14 to August 2018-July 19. The data provided by the LS is a snapshot of the SRA data as per July of the relevant year. The firm datasets provide information on, among other things, the firm constitution, number of partners and solicitors, and turnover. The individual solicitors datasets contain information on age, gender, year of admission to the roll and either the firm or type of employer they worked for or both. Finally, the LS also provided a separate dataset on trainees, which includes information on year their training course commenced and the firm where they trained.
12. Solicitors' ethnicity and disability information was not included in the data sharing agreement between the LS and MoJ. Instead as part of the DSA it was agreed that the LS would provide aggregated tables on solicitors' ethnicity and disability, which have been included in this data compendium.
13. BC data on barristers is gathered by the BC and the Bar Standards Board and predominately covers the period April 2015- March 2016 to April 2019- March 2020. It includes information on barristers' characteristics and practising details. The characteristics include the barristers' age, gender, ethnicity, sexual orientation, religion, disability, socio-economic background, and whether they are a QC or junior. The barristers' practising details include length of practise, declared total income band, declared proportion of total income which came from crime, and whether they belong to a Chambers or another organisation type.
14. It is important to note that some barristers and solicitors who engaged in criminal legal aid work may have also engaged in non-criminal legal aid and private work. However, this work is not captured in this analysis. Also, barristers analysis in this compendium covers self-employed barristers only. Other criminal advocacy services are provided by employed barristers (Crown Prosecution Service or in firms of solicitors) and by solicitors with Higher Rights.
15. The figures reported here relate to Crime Lower, LGFS, AGFS, CPS and VHCC payments, which accounts for the vast majority of criminal legal aid spend. In respect of prosecution, the CPS is responsible for the most criminal prosecutions. However, there are a number of other prosecuting authorities including the Serious Fraud Office (SFO), the Services Prosecuting Authority (SPA) and the Civil Aviation Authority, amongst others, which are not

¹ Fee income for solicitors includes disbursements and VAT, whereas the fee income for barristers includes disbursements but excludes VAT. More information is provided in the relevant sections.

included. The CLAR process does not consider the private defence market and so that is also excluded here.

16. The tables shown in this compendium refer, unless stated otherwise, to data that was matched across the various datasets. The matching rates between LS, BC, CPS and LAA datasets were high, ranging from around 85% to 99% depending on the datasets. Representative checks were carried out for those datasets with matching rates on the lower end of the range to ensure that the matched data was representative of the whole population. Therefore, given the high matching rates and the representative analysis that was undertaken, we are confident that the following tables show an accurate and robust picture of the criminal legal aid providers and workforce.
17. When matching the data, some pragmatic decisions were made. For instance, the data matching showed that a small number of solicitors' firms had changed its constitution type (and, therefore, its SRA registration number) but its characteristics had remained largely unchanged. In these cases, for analytical purposes, these providers were treated as being the same throughout the period. It was also assumed that all providers' self-reported financial information in the LS datasets refer to the same time period, however, it is possible that some providers' financial information might refer to slightly a different period of time. This might help explain some of the small time-inconsistencies between the LAA and the LS data. As a result, care must be taken when interpreting the analysis in this data compendium.
18. Figures presented throughout this data compendium may not add up precisely to the totals provided and percentages may not precisely reflect the absolute figures due to rounding. All counts have been rounded to the nearest 10. Counts below 10 and percentages based on counts below 10 have been suppressed and are shown as '~'. In addition, to make sure the suppressed figure cannot be derived by subtraction, secondary suppression has been applied whereby the next smallest figure has been suppressed and is also marked as '~'. There are some exceptions to this. Firstly, where the only suppressed value relates to a missing or undisclosed information category. As no sensitive information about individuals can potentially be linked to these individuals, secondary suppression is not applied. Secondly, where applying the secondary suppression would lead to too much data being omitted. In these cases, alternative approaches have been used to avoid disclosure and these are explained in the relevant tables.
19. Figures on individual barristers' fee income are rounded to the nearest £100, otherwise financial values below £100K have been rounded to the nearest £10K, and those £100K or above have been rounded to the nearest £100k.

Chapter 1: Solicitor firms

Overview

21. This section of the data compendium focuses on the characteristics of solicitor firms in the criminal legal aid (CLA) market. The analysis presented here covers a wider range of areas, including:
- the number of firms and their CLA fee income and workload over a period of years;
 - an assessment of firm size in terms of CLA fee income, overall turnover and number of partners;
 - extent to which firms specialise in criminal work based on turnover;
 - proportion of CLA fee income generated from the Crime Lower and Crime Higher work areas;
 - geographical variation in firms; and
 - a brief assessment of firms completing advocacy work in the higher courts.
22. It is important to note that the CLA fee income shown in the following tables includes disbursements and VAT when applicable. Total disbursements make up a small proportion of the total CLA fee income.
23. It is worth reiterating that the coverage of the LAA data does not align perfectly with the LS data. The LAA data is on a financial year basis and as such covers the period April – March, whereas the LS data cover the period August – July with the data extracted as at July. MoJ and LS agreed the best approach to use when combining these datasets. Taking the year 2015/16 as an example, it was decided that the LAA April 15 - March 16 yearly file would be best aligned with the LS August 2015 – July 2016 yearly file. A key reason for this is because in the LS datasets, turnover is most likely to be reported in October as part of the annual renewal process. Thus for 2015/16, the turnover in the LS datasets would be as reported in Oct 2015. It was assumed that the turnover would be that of the financial year in which it was reported, which would be the same as the LAA data – April to March. However, this alignment is not exact as some providers financial information in the LS datasets might refer to a slightly different period of time. This might help explain some of the small time-inconsistencies between the LAA and the LS data. As a result, care must be taken when interpreting this analysis.
24. Finally, as mentioned in the Introduction ‘~’ denotes a count below 10, percentages based on counts below 10, or secondary suppression where the next smallest figure has also been suppressed. Please refer to the Introduction for full details.

Analysis of criminal legal aid solicitor firms

25. The table below sets out the total number of CLA firms and their CLA fee income and case volumes, over the period 2014-15 to 2019-20². This is based on published LAA data, before matching to LS information on firms, which is explained in further detail below. The number of CLA firms presented will not directly correspond to those CLA firms that held a legal aid crime contract in the year in question. This is due to a variety of reasons including timing differences between operational activity and billing activity.

² The underlying data can be sourced at the link: <https://www.gov.uk/government/statistics/legal-aid-statistics-january-to-march-2020>. The numbers of CLA firms are based on the provider type ‘Solicitor Office’ and the unique ‘Firm Code’ which is used for legal aid billing purposes. The accompanying CLA fee income and case volume figures include solicitor advocate work.

Table 1.1: CLA firms and their CLA fee income and workload, over the period 2014-15 to 2019-20

CLA firms	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Number of CLA firms	1,510	1,470	1,420	1,440	1,310	1,220
Year on year change (%)		-3%	-3%	2%	-9%	-7%
CLA fee income (£m)	731.8	695.8	673.6	679.6	678.5	616.9
Year on year change (%)		-5%	-3%	1%	0%	-9%
CLA workload ('000s)	1,200.4	1,107.0	1,047.8	988.8	948.4	922.0
Year on year change (%)		-8%	-5%	-6%	-4%	-3%

26. Table 1.2 below sets out the number of CLA firms overall and the number and proportion that were successfully matched to the firm data obtained from the LS, over the period 2014-15 to 2018-19. There were two forms of matching; 1) CLA firms that were successfully matched across any of the LS data years, for instance, a CLA firm that could only be matched to a specific year would still be counted across all the other years so long as it was active from a legal aid billing perspective; and 2) CLA firms that were only counted in the relevant year if successfully matched to the LS data for that year, which ensured where possible a complete set of data.

27. The data from the LS extended to only 2018-19 and therefore 2019-20 has been excluded from the more detailed analysis in order to ensure consistency, but the overall number of CLA firms in 2019-20 is presented below for the sake of completeness.

Table 1.2: CLA firms, over the period 2014-15 to 2019-20

CLA firms	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Number of CLA firms	1,510	1,470	1,420	1,440	1,310	1,220
CLA firms matched with the LS data - any year (1)	1,370	1,350	1,310	1,340	1,220	
Proportion of CLA firms (%)	90%	92%	93%	93%	93%	
CLA firms matched with the LS data - specific year (2)	1,270	1,250	1,240	1,230	1,150	
Proportion of CLA firms (%)	84%	85%	87%	85%	88%	

28. As can be seen in Table 1.2, the match rates were 90% or above when counting CLA firms that were successfully matched across any of the LS data years (for example, when a firm in the 2014/15 LAA was matched to a firm in any of the LS data years, i.e., to any of the LS datasets from 2014/15 to 2018/19). The match rates are slightly lower when only counting those CLA firms that were successfully matched to the specific years of the LS data (for example, when a firm that appeared in the 2014/15 LAA datasets was matched to a firm in the 2014/15 LS dataset). In the subsequent sections, where the analysis does not utilise data from the LS, firm numbers are based on CLA firms that were successfully matched across any of the LS data years. However, where the LS data has been utilised CLA firm

numbers are only counted in the relevant year if successfully matched to the LS data. This ensures as much as possible a complete picture of CLA firms in the relevant analytical areas.

29. The tables below provide comparisons of CLA firm size in terms of CLA fee income, turnover and number of partners, between 2014-15 and 2018-19. The CLA fee income bands were selected to provide the most meaningful breakdown.

Tables 1.3: CLA firms by total fee income, 2014-15

CLA fee income	Number of CLA firms	Percentage of total CLA firms	CLA fee income, £m	Percentage of total CLA fee income
< £100k	330	24%	14.8	2%
£100k < £250k	290	21%	49.5	7%
£250k < £500k	320	24%	114.3	17%
£500k < £1m	270	20%	187.3	28%
£1m < £5m	~	~	259.1	39%
£5m plus	~	~	39.2	6%
All	1,370	100%	664.2	100%
Average fee income per firm (£m)			0.49	

Tables 1.4: CLA firms by total fee income, 2018-19

CLA fee income	Number of CLA firms	Percentage of total CLA firms	CLA fee income, £m	Percentage of total CLA fee income
< £100k	290	24%	12.5	2%
£100k < £250k	250	20%	42.2	7%
£250k < £500k	280	23%	100.0	16%
£500k < £1m	260	22%	181.1	29%
£1m < £5m	~	~	245.0	39%
£5m plus	~	~	52.6	8%
All	1,220	100%	633.4	100%
Average fee income per firm (£m)			0.52	

30. Around a quarter of CLA firms had CLA fee income of less than £100k and these firms accounted for around 2% of total CLA fee income, in both 2014-15 and 2018-19.
31. In 2018-19, around 34% of CLA firms with CLA fee income of over £500k accounted for around 76% of total CLA fee income. This was broadly unchanged from 2014-15.
32. Tables 1.5 - 1.6 below show CLA firms grouped by their overall turnover from all areas of law as recorded in the LS data. Where applicable turnover includes any non-criminal (e.g. civil) and/or non-legal aid (e.g. private) work.

Tables 1.5: CLA firms by overall turnover, 2014-15

Overall turnover	Number of CLA firms	Total CLA fee income, £m	Percentage of total CLA firms	Percentage of total CLA fee income
Blank or zero	40	14.5	3%	2%
< £600k	610	152.3	48%	24%
£600k < £1m	210	108.1	16%	17%
£1m < £10m	390	338.3	30%	54%
£10m plus	20	17.7	2%	3%
All	1,270	630.9	100%	100%

Tables 1.6: CLA firms by overall turnover, 2018-19

Overall turnover	Number of CLA firms	Total CLA fee income, £m	Percentage of total CLA firms	Percentage of total CLA fee income
Blank or zero	40	15.0	4%	2%
< £600k	570	163.3	50%	27%
£600k < £1m	180	98.4	16%	16%
£1m < £10m	340	300.3	30%	49%
£10m plus	20	35.6	2%	6%
All	1,150	612.7	100%	100%

33. In 2014-15, around half of CLA firms had turnover of less than £600k and these firms accounted for just over a quarter of total CLA fee income – these proportions were slightly higher in 2018-19.

34. Tables 1.7 – 1.8 below show CLA firms grouped by the number of partners in the firm. The groupings have been informed by the distribution of the data (i.e. number of partners in each firm) and the LS's categorisation of firm size by the number of partners.

Tables 1.7: CLA firms by number of partners, 2014-15

Number of partners	Number of CLA firms	Total CLA fee income, £m	Percentage of total CLA firms	Percentage of total CLA fee income
Very small (0-1 partner)	390	117.9	31%	19%
Small (2-4 partners)	640	322.0	51%	51%
Medium (5-25 partners)	220	182.1	17%	29%
Large (26+ partners)	10	9.1	1%	1%
All	1,270	630.9	100%	100%

Tables 1.8: CLA firms by number of partners, 2018-19

Number of partners	Number of CLA firms	Total CLA fee income, £m	Percentage of total CLA firms	Percentage of total CLA fee income
Very small (0-1 partner)	380	136.6	33%	22%
Small (2-4 partners)	590	343.1	51%	56%
Medium (5-25 partners)	170	125.5	15%	20%
Large (26+ partners)	10	7.6	1%	1%
All	1,150	612.7	100%	100%

35. In 2014-15, just under a third of CLA firms had 0-1 partners and these firms accounted for around 19% of total CLA fee income – these proportions were slightly higher in 2018-19.
36. The table below provides a breakdown of CLA firms based on proportion of CLA fee income from the Crime Lower and Crime Higher work areas. Crime Lower comprises legal advice provided to suspects before and after they have been charged, advice and representation for defendants in magistrates' courts, and prison law. Crime Higher consists of legal advice and representation in the Crown Court and higher courts and in this table covers solicitor and solicitor advocate work only.

Table 1.9: CLA firms by proportion of CLA fee income from Crime Lower and Crime Higher, in 2014/15 and 2018/19

Proportion of CLA fee income from:		Number of CLA firms		Percentage of total CLA firms	
Crime Lower	Crime Higher	2014-15	2018-19	2014-15	2018-19
0%	100%	60	50	4%	4%
< 20%	80% < 100%	110	190	8%	16%
20% < 40%	60% < 80%	210	320	15%	26%
40% < 60%	40% < 60%	470	350	34%	29%
60% < 80%	20% < 40%	420	230	31%	19%
80% < 100%	< 20%	80	50	6%	4%
100%	0%	20	30	2%	2%
All		1,370	1,220	100%	100%

37. A sizeable proportion of CLA firms completed both Crime Lower and Crime Higher work in broadly equal terms based on CLA fee income (40% < 60% fee income band).
38. The table below sets out the number of CLA firms by the location of the CLA's firms head office.

Table 1.10: CLA firms by region, in 2014-15 and 2018-19

Region	2014-15	2018-19
Number of CLA firms	1,270	1,150
East Midlands	5%	5%
East of England	7%	6%
London	24%	26%
North East	5%	5%
North West	14%	14%
South East	10%	9%
South West	7%	6%
Wales	7%	6%
West Midlands	10%	11%
Yorkshire and The Humber	10%	11%
All	100%	100%

39. As can be seen, the largest proportion of CLA firms were head quartered in London and the proportion of these firms increased slightly between 2014-15 and 2018-19.
40. The next set of tables shows the total number of solicitors working for CLA firms by what is referred to as 'specialisation' for the purpose of this compendium. The definition of specialisation is based on turnover from the LS firm files and criminal legal aid payments, and classified as follows:
- Mainly criminal work: it was considered that the CLA firm did mainly criminal work when it reported that the percentage of turnover coming from crime work was 80% or above;
 - Some criminal work:
 - When it reported that the percentage of turnover coming from criminal work was less than 80% but more than zero, it was considered that the firm did some criminal work;
 - In a relatively small number of cases, CLA firms reported no turnover coming from criminal work, even though they appeared in the LAA data as having received criminal legal aid payments that year. When their total criminal legal aid payments were £40,000 or above in a particular year, they were included in the 'Some criminal work' category;
 - No or little criminal work: When CLA firms reported no turnover coming from criminal work and their total criminal legal aid payments for that year were less than £40,000, it was considered that the firm did not carry out substantial criminal work ('No or little criminal work').
41. These categories apply to all subsequent tables by specialisation.
42. As it was set out in the Introduction section, the misalignment of some firms reporting zero criminal turnover in the LS dataset but appearing in the LAA criminal datasets might stem from the assumption that financial information included in a LS dataset refers to the same time period for each firm. It is possible that this was not the case for all firms.

Tables 1.11: CLA firms by criminal specialisation, over the period 2014-15 to 2018-19

Criminal specialisation	2014-15	2015-16	2016-17	2017-18	2018-19
Number of CLA firms	1,270	1,250	1,240	1,230	1,150
No or little criminal work	2%	3%	3%	2%	2%
Some criminal work	55%	55%	56%	54%	52%
Mainly criminal work	43%	42%	42%	44%	46%
All	100%	100%	100%	100%	100%

43. The tables below provide an additional fee income split of CLA firms according to criminal specialisation – this is both in terms of firm numbers and CLA fee income.

Tables 1.12: CLA firms by fee income and criminal specialisation, 2014-15

CLA fee income	No or little criminal work	Some criminal work	Mainly criminal work	Total
Number of CLA firms	20	700	550	1,270
< £100k	100%	32%	~	24%
£100k < £250k	0%	23%	18%	21%
£250k < £500k	0%	22%	26%	23%
£500k < £1m	0%	16%	26%	20%
£1m < £5m	0%	~	17%	~
£5m plus	0%	~	~	~
All	100%	100%	100%	100%

Tables 1.13: CLA firms by fee income and criminal specialisation, 2018-19

CLA fee income	No or little criminal work	Some criminal work	Mainly criminal work	Total
Number of CLA firms	20	600	530	1,150
< £100k	100%	29%	~	22%
£100k < £250k	0%	24%	16%	20%
£250k < £500k	0%	20%	28%	23%
£500k < £1m	0%	18%	27%	22%
£1m < £5m	0%	~	16%	~
£5m plus	0%	~	~	~
All	100%	100%	100%	100%

44. The majority of CLA firms completed some or mainly criminal work. There is a spread of CLA firms across all the CLA fee income bands in the some and mainly criminal work specialisation categories. In terms of total CLA fee income, (tables below), the number of CLA firms were largely concentrated in the £500k < £1m and £1m < £5m CLA fee income bands across the some and mainly criminal work specialisation categories.

Tables 1.14: CLA firms by criminal specialisation and CLA fee income, 2014-15

CLA fee income	No or little criminal work	Some criminal work	Mainly criminal work	Total
Total CLA fee income (£m)	0.3	258.3	372.4	630.9
< £100k	100%	4%	1%	2%
£100k < £250k	0%	11%	5%	7%
£250k < £500k	0%	20%	14%	17%
£500k < £1m	0%	30%	27%	28%
£1m < £5m	0%	34%	44%	40%
£5m plus	0%	2%	9%	6%
All	100%	100%	100%	100%

Tables 1.15: CLA firms by criminal specialisation and CLA fee income, 2018-19

CLA fee income	No or little criminal work	Some criminal work	Mainly criminal work	Total
Total CLA fee income (£m)	0.2	252.4	360.1	612.7
< £100k	100%	3%	1%	2%
£100k < £250k	0%	9%	4%	6%
£250k < £500k	0%	17%	15%	16%
£500k < £1m	0%	29%	29%	29%
£1m < £5m	0%	37%	40%	39%
£5m plus	0%	5%	11%	9%
All	100%	100%	100%	100%

Criminal legal aid solicitor firms completing advocacy work in the higher courts

45. In this part of the section we describe firms that have completed criminal legal aid advocacy work in the higher courts namely work that qualified for the Advocates' Graduated Fee Scheme (AGFS). This covers all firms that had CLA fee income from solicitor advocate (AGFS) work over the period 2014-15 to 2018-19.

Table 1.16: CLA AGFS firms, over the period 2014-15 to 2018-19

CLA AGFS firms	2014-15	2015-16	2016-17	2017-18	2018-19
Number of CLA AGFS firms	700	660	620	580	590
% change		-5%	-6%	-7%	1%
CLA AGFS fee income, £m	45.2	45.7	37.8	32.8	29.6
% change		1%	-17%	-13%	-10%

Tables 1.17: CLA AGFS firms by CLA AGFS fee income, 2014-15

CLA AGFS fee income	Number of CLA AGFS firms	Percentage of total CLA AGFS firms	Total CLA AGFS fee income, £m	Percentage of total CLA AGFS fee income
< £100k	570	81%	14.7	32%
£100k < £250k	100	14%	15.2	34%
£250k < £500k	30	4%	8.1	18%
£500k < £1m	~	~	5.7	13%
£1m < £5m	~	~	1.4	3%
£5m plus				
All	700	100%	45.2	100%
Average fee income per firm (£m)			0.06	

Tables 1.18: CLA AGFS firms by CLA AGFS fee income, 2018-19

CLA AGFS fee income	Number of CLA AGFS firms	Percentage of total CLA AGFS firms	Total CLA AGFS fee income, £m	Percentage of total CLA AGFS fee income
< £100k	520	88%	12.1	41%
£100k < £250k	60	10%	8.8	30%
£250k < £500k	10	2%	3.4	11%
£500k < £1m	~	~	3.0	10%
£1m < £5m	~	~	2.3	8%
£5m plus				
All	590	100%	29.6	100%
Average fee income per firm (£m)			0.05	

CLA firm joiners and leavers

46. This section looks at the characteristics of firms that join, leave and return to the criminal legal aid (CLA) market over the period of 2014-15 to 2018-19. From the overall stock of matched CLA firms covered previously, the firms joining and leaving the market can be determined.
47. This analysis uses the firms that were matched across any year to the LS data. This means that all the firms included in this analysis have been active from a legal aid billing perspective in that year but have not necessarily matched to characteristics data in that same year. As a result, firms characteristics are not available in some instances.
48. The billing data is on a closed cased basis, meaning that billing for work may be assigned to a different period to which the bulk of the work was carried out. For example, if a case was spread over a few months including two different financial years, the full cost of the

case would be assigned to the financial year in which the case closed even though work was completed in the previous year.

49. The analysis in this joiners and leavers subsection considers CLA firms that have not consistently been receiving CLA payments between 2014-15 and 2018-19. The status of any awarded contracts is not considered.
50. Joiners are defined as firms that have become active and received CLA payments for the first time or after a period of not receiving CLA payments (returning firms). Returners are not disaggregated from the joiners due to low volumes. Leavers are defined as firms that become inactive and stop receiving CLA payments.
51. The analysis in this section includes:
 - The number of firms leaving and joining the market;
 - An assessment of their size based on fee income, turnover, number of partners;
 - The extent to which these firms specialise in criminal work; and the geographical variation in firms.

CLA firm joiners

52. This section looks at the characteristics of firms joining the legal aid provider market. These are firms that received CLA income for the first time during the period or start to receive payments following an inactive period. The firm's characteristics are those in the year they first received legal aid payments.
53. Table 1.19 shows the number of firms joining each year between 2015-16 and 2018-19. These numbers include any firms returning to the market.
54. The number of joiners may not reflect genuine new CLA firms to the market but firms that begin to receive CLA payments in the given year.

Table 1.19: Number of firms that have joined the market, over the period 2015-16 to 2018-19

	2015-16	2016-17	2017-18*	2018-19
Number of firms	50	50	110	10

*The new legal aid crime contracts started in 2017

55. The new legal aid contracts started in 2017 resulting in an increased number of firms joining. The data generally suggests that at the start of the new contract we see a substantial increase in the number of firms joining the market.
56. Table 1.20 shows the firms that have joined the market split by their CLA fee income in the first year after joining. The legal aid income is the payment received by the firm from the LAA.
57. The majority of joining firms received less than £100k in their first year.

Table 1.20: Proportion of firms that have joined the market by CLA fee income

	2015-16	2016-17	2017-18	2018-19
Number of firms	50	50	110	10
< £100k	98%	90%	65%	~
£100k < £250k	~	~	28%	~
£250k < £500k	~	~	~	0%
£500k < £1m	0%	0%	~	~
£1m < £5m	0%	0%	0%	0%
£5m plus	0%	0%	0%	0%
All	100%	100%	100%	100%

58. Table 1.21 shows the firms that have joined the market split by their turnover. The turnover is self-reported by firms and includes all work the firm does.

Table 1.21: Proportion of firms that have joined the market by turnover

	2015-16	2016-17	2017-18	2018-19
Number of firms	50	50	110	10
£0*	~	~	~	0%
< £600k	71%	64%	81%	~
£600k < £1m	0%	~	0%	~
£1m < £10m	0%	~	~	~
£10m plus	~	0%	~	0%
Unknown**	~	~	~	~
All	100%	100%	100%	100%

*Firms in the £0 turnover row are firms that submitted their turnover as £0 for that financial year

**Firms that have an unknown turnover have not submitted their turnover for that financial year

59. Table 1.22 shows the proportion of firms that have joined the market by the number of partners the firm has.

Table 1.22: Proportion of firms that have joined the market split by number of partners

	2015-16	2016-17	2017-18	2018-19
Number of firms	50	50	110	10
0-1	52%	46%	60%	~
2-4	40%	36%	29%	~
5-25	~	~	~	~
26+	0%	0%	~	0%
Unknown	~	~	~	~
All	100%	100%	100%	100%

60. Table 1.23 shows the proportion of firms that have joined the market split by the firm's criminal specialisation.

61. The criminal specialisation categorisation is based on the proportion of firm turnover, which was reported to the LS, as relating to criminal work. In the tables below, the 'no or little criminal work' category represents CLA firms that reported that none of their turnover originating from criminal work and its CLA fee income was less than £40,000 in that year. The 'some criminal work' category represents CLA firms that have up to 80% of their turnover originating from criminal work or reported 0% of their turnover coming from criminal work but they had criminal legal aid payments of £40,000 or above that year. The 'mainly criminal work' category represents CLA firms that have 80-100% of their turnover originating from criminal work.

Table 1.23: Proportion of firms that have joined the market split by criminal specialisation

	2015-16	2016-17	2017-18	2018-19
Number of firms	50	50	110	10
No or little criminal work	35%	~	~	~
Some criminal work	35%	58%	38%	~
Mainly criminal work	~	20%	50%	~
Unknown	~	~	~	~
All	100%	100%	100%	100%

62. Table 1.24 shows the proportion of firms that have joined the market split by the region the firm is registered to. The region is determined by using the postcode of the firm's head office.

Table 1.24: Proportion of firms that have joined the market split by region

	2015-16	2016-17	2017-18	2018-19
Number of firms	50	50	110	10
East of England	~	~	0%	0%
East Midlands	~	~	~	0%
London	40%	40%	35%	~
North East	~	0%	~	0%
North West	~	~	~	~
South East	~	0%	10%	0%
South West	~	~	~	~
Wales	0%	~	~	0%
West Midlands	~	~	16%	0%
Yorkshire and Humberside	~	~	11%	0%
Unknown	~	~	~	~
All	100%	100%	100%	100%

CLA firm leavers

63. This section presents the characteristics of CLA firms that left the criminal legal aid provider market between 2014-15 and 2018-19. The characteristics are those in the last year that the firm received CLA payments.
64. Table 1.25 shows the number of firms that left the market between 2014-15 and 2018-19. These numbers include any firms that have left and then returned to the market.
65. The new legal aid contracts started in 2017 resulting in an increase of CLA firms leaving the market in the following year. The 2018-19 leavers will have been last active in 2017-18 and therefore finishing off contracts and billing. The data generally suggests that at the start of the new contract we see a substantial increase in the number of firms leaving the market.

Table 1.25: Number of solicitor firms that left the market each year

	2015-16	2016-17	2017-18	2018-19
Number of firms (LAA matched)	70	80	80	130

66. Table 1.26 shows the proportion of firms that left the market by CLA fee income.

Table 1.26: Proportion of firms that have left the market by CLA fee income

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
< £100k	85%	89%	89%	90%
£100k < £250k	~	~	~	~
£250k < £500k	~	~	~	~
£500k < £1m	~	~	~	~
£1m < £5m	0%	0%	0%	0%
£5m plus	0%	0%	0%	0%
All	100%	100%	100%	100%

67. Tables 1.27 and 1.28 show the proportion of CLA firms that have left the market split by their turnover. Table 1.27 uses the turnover reported for the firm's last year receiving CLA payments. Table 1.28 uses the turnover for the year preceding the firm's last year receiving CLA payments.

Table 1.27: Proportion of firms that have left the market by their turnover in the final year of receiving payments

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
£0*	~	14%	~	~
< £600k	26%	22%	23%	39%
£600k < £1m	15%	~	~	9%
£1m < £10m	21%	18%	18%	11%
£10m plus	~	~	~	~
Unknown**	29%	34%	45%	40%
All	100%	100%	100%	100%

Table 1.28: Proportion of firms that have left the market by their turnover in the year preceding their final year of receiving payments

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
£0*	~	~	~	~
< £600k	33%	36%	35%	52%
£600k < £1m	18%	12%	~	8%
£1m < £10m	25%	25%	19%	15%
£10m plus	~	0%	13%	~
Unknown**	~	22%	13%	21%
All	100%	100%	100%	100%

*Firms in the £0 turnover row are firms that submitted their turnover as £0 for that financial year

**Firms that have an unknown turnover have not submitted their turnover for that financial year

68. Table 1.29 shows the proportion of firms that have left the market split by the number of partners the firm has.
69. A small number of very large firms left the CLA market in 2015-16, which might explain the larger number of solicitors leaving in 2015-16 (see in chapter 2, table 2.41).

Table 1.29: Proportion of firms that have left the market by number of partners in the firm

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
0-1 partners	29%	33%	50%	34%
2-4 partners	29%	25%	23%	28%
5-25 partners	~	~	13%	~
26+ partners	~	~	~	~
Unknown	19%	34%	~	31%
All	100%	100%	100%	100%

70. Table 1.30 shows the proportion of firms that have left the market by the criminal specialisation of the firms.

Table 1.30: Proportion of firms that have left the market split by criminal specialisation

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
No criminal work	29%	~	27%	11%
Some criminal work	66%	48%	54%	47%
Mainly criminal work	~	~	~	11%
Unknown	~	34%	~	31%
All	100%	100%	100%	100%

71. Table 1.31 shows the proportion of firms that left the market by the region in which the firm was registered.

Table 1.31: Proportion of firms that have left the market by region

	2015-16	2016-17	2017-18	2018-19
Number of firms	70	80	80	130
East Midlands	~	~	~	~
East of England	~	~	~	~
London	22%	13%	17%	25%
North East	~	~	~	~
North West	18%	~	~	~
South East	~	~	12%	~
South West	~	~	~	~
Wales	~	~	~	8%
West Midlands	~	~	~	8%
Yorkshire and The Humber	~	~	~	~
Unknown	19%	34%	13%	31%
All	100%	100%	100%	100%

Chapter 2: Solicitors

Key definitions and notes relevant to this section

72. This section focuses on solicitors who worked for firms that were identified, through the data matching, as receiving criminal legal aid payments the year the solicitor reported as working for them. Hereafter, these firms are referred to as CLA firms. As in the previous chapter, the CLA fee income shown in the following tables includes disbursements and VAT when applicable.
73. This section includes all matched solicitors in England and Wales who reported working for these firms regardless of whether they worked on the cases that received criminal legal aid funding, as the data does not allow for this distinction.
74. '~' denotes a count below 10, percentages based on counts below 10, or secondary suppression where the next smallest figure has also been suppressed. Please refer to the Introduction for full details.
75. The section starts by looking at the solicitors' characteristics and the CLA firms they worked for. It then looks at the joiners and leavers, again considering their characteristics as well as those of the CLA firms they joined and left.

Solicitors characteristics

76. The first table below shows the total number of Practising Certificate (PC) holders per year and the number of solicitors who worked for CLA firms.

Table 2.1: Total number of Practising Certificate holders

	2014-15	2015-16	2016-17	2017-18	2018-19
PC holders	133,370	136,190	139,620	143,170	145,530
Solicitors who worked for CLA firm*	14,790	12,710	12,530	13,140	11,760

* A very small proportion of these (<1%) were not reported as being a PC holder, however as they were identified as working for a CLA firm they are included.

77. The next set of tables show the total number of solicitors working for CLA firms by personal characteristics, their route to qualification, years since admission to the profession and their position in the firm. Some tables show the breakdown based on a single variable for the period 2014-15 to 2018-19, whereas other tables show the breakdown based on two variables for a particular year (usually 2014-15 and 2018-19).

Table 2.2: Solicitors working for CLA firms by gender

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Female	47%	48%	49%	49%	51%
Male	52%	51%	50%	50%	49%
Unknown	1%	0%	1%	1%	1%
All	100%	100%	100%	100%	100%

Table 2.3: Solicitors working for CLA firms by age

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Under 25	~	~	~	~	~
25-34	25%	22%	22%	22%	20%
35-44	29%	30%	29%	29%	30%
45-54	24%	25%	25%	25%	25%
55-64	16%	17%	17%	16%	17%
65+	~	~	~	~	~
All	100%	100%	100%	100%	100%

Table 2.4: Solicitors working for CLA firms by age and gender, 2014-15

	Number of solicitors	Female	Male	Unknown
Under 25	~	~	~	~
25-34	3,720	66%	32%	2%
35-44	4,350	55%	44%	1%
45-54	3,600	40%	59%	1%
55-64	2,290	26%	74%	~
65+	810	10%	90%	~
All	14,790	47%	52%	1%

Table 2.5: Solicitors working for CLA firms by age and gender, 2018-19

	Number of solicitors	Female	Male	Unknown
Under 25	~	~	~	~
25-34	2,360	69%	28%	3%
35-44	3,500	62%	38%	~
45-54	2,980	45%	55%	~
55-64	2,060	33%	67%	~
65+	860	14%	86%	~
All	11,760	51%	49%	1%

78. The table below shows solicitors working for CLA firms by ethnicity, and the proportion of Black, Asian, and Minority Ethnic (BAME) solicitors.

Table 2.6: Solicitors working for CLA firms by ethnicity

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
African-Caribbean	1%	1%	1%	1%	1%
Asian	10%	11%	12%	11%	12%
Chinese	0%	0%	0%	1%	0%
African	2%	2%	2%	2%	2%
Other ethnic origin	2%	2%	2%	2%	2%
White European	74%	73%	70%	68%	67%
Unknown	10%	10%	12%	15%	15%
All	100%	100%	100%	100%	100%
BAME solicitors as a percentage of all solicitors working for CLA firms	16%	17%	18%	17%	18%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	18%	19%	20%	20%	22%

79. According to the LS 2019 Statistical report,³ 17.5% of all PC holders with known ethnicity were BAME.
80. Table 2.7 shows the proportion of solicitors with disabilities. Please note it is difficult to draw firm conclusions from this as the solicitor data is based on the number of solicitors who chose to share that they consider themselves as having a disability (there is no field for prefer not to say).

Table 2.7: Solicitors working for CLA firms by disability

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Yes	1%	1%	1%	1%	1%
No	99%	99%	99%	99%	99%
All	100%	100%	100%	100%	100%

³ <https://www.lawsociety.org.uk/topics/research/annual-statistics-report-2019>

Table 2.8: Solicitors working CLA firms by route to qualification

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Qualifying Law Degree	44%	44%	44%	43%	43%
Conversion Course	16%	15%	15%	15%	14%
Barrister of England and Wales via QLTT/QLTS*	3%	3%	3%	3%	3%
Legal Practice Course	2%	3%	5%	9%	10%
ILEX routes**	2%	2%	2%	2%	3%
Qualified Lawyers Transfer Scheme and Transfer Test	2%	2%	2%	2%	2%
Unknown/other	31%	30%	29%	26%	25%
All	100%	100%	100%	100%	100%

* Qualified Lawyers Transfer Scheme (QLTS) and transfer test (QLTT)

** Institute of Legal Executives (ILEX), non-graduated route

Table 2.9: Solicitors working for CLA firms by years since admission to the profession

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
5 or under	26%	23%	22%	23%	21%
6 to 10	19%	19%	19%	18%	17%
11 to 20	26%	28%	29%	29%	29%
21 to 30	15%	16%	16%	17%	18%
31 to 40	10%	11%	11%	10%	10%
41 or over	2%	3%	3%	3%	4%
Unknown	1%	~	0%	1%	0%
All	100%	100%	100%	100%	100%

Table 2.10: Solicitors working on CLA firms by route to qualification and years since admission, 2014-15

	Number of solicitors	Years since admission						
		5 or under	6 to 10	11 to 20	21 to 30	31 to 40	41 or over	Unknown
Qualifying Law Degree	3,780	36%	30%	35%	~	~	~	~
Conversion Course	2,860	36%	26%	38%	~	~	~	~
Barrister of England and Wales via QLTT/QLTS*	3,900	46%	28%	26%	~	~	~	~
Legal Practice Course	2,250	77%	~	20%	~	~	~	~
ILEX routes**	1,490	25%	26%	49%	~	~	~	~
Qualified Lawyers Transfer Scheme and Transfer Test	350	34%	34%	33%	~	~	~	~
Unknown/other	150	~	~	7%	49%	33%	8%	3%
All	14,790	26%	19%	26%	15%	10%	2%	1%

* Qualified Lawyers Transfer Scheme (QLTS) and transfer test (QLTT)

** Institute of Legal Executives (ILEX), non-graduated route

Table 2.11: Solicitors working on CLA firms by route to qualification and years since admission, 2018-19

	Number of solicitors	Years since admission						
		5 or under	6 to 10	11 to 20	21 to 30	31 to 40	41 or over	Unknown
Qualifying Law Degree	5,030	18%	26%	46%	10%	~	~	~
Conversion Course	1,670	14%	27%	46%	13%	~	~	~
Barrister of England and Wales via QLTT/QLTS	350	10%	42%	40%	8%	~	~	~
Legal Practice Course	1,200	96%	~	2%	2%	~	~	~
ILEX routes	310	35%	15%	38%	12%	~	~	~
Qualified Lawyers Transfer Scheme and Transfer Test	220	15%	32%	47%	6%	~	~	~
Unknown/other	2,990	~	~	1%	44%	40%	14%	1%
All	11,760	21%	17%	29%	18%	10%	4%	0%

Table 2.12: Solicitors working for CLA firms by position in the firm

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Partners	32%	31%	30%	30%	30%
Others	68%	69%	70%	70%	70%
All	100%	100%	100%	100%	100%

Table 2.13: Solicitors working for CLA firms by position in the firm and gender 2014-15

	Number of solicitors	Female	Male	Unknown
Partners	4,700	28%	71%	1%
Others	10,090	56%	43%	1%
All	14,790	47%	52%	1%

Table 2.14: Solicitors working for CLA firms by position in the firm and gender, 2018-19

	Number of solicitors	Female	Male	Unknown
Partners	3,520	32%	67%	~
Others	8,250	58%	41%	1%
All	11,760	51%	49%	1%

Table 2.15: Solicitors working for CLA firms by ethnicity and position in the firm, 2014-15

	Number of solicitors	Partners	Other
African-Caribbean	180	25%	75%
Asian	1,510	25%	75%
Chinese	70	16%	84%
African	290	24%	76%
Other ethnic origin	310	21%	79%
White European	10,970	33%	67%
Unknown	1,460	35%	65%
All	14,790	32%	68%

Table 2.16: Percentage of BAME solicitors by position in the firm, 2014-15

	Average	Partners	Other
BAME solicitors as a percentage of all solicitors working for CLA firms	16%	12%	18%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	18%	14%	20%

Table 2.17: Solicitors working for CLA firms by ethnicity and position in the firm, 2018-19

	Number of solicitors	Partners	Other
African-Caribbean	140	24%	76%
Asian	1,420	30%	70%
Chinese	50	22%	78%
African	260	28%	72%
Other ethnic origin	270	19%	81%
White European	7,830	33%	67%
Unknown	1,790	16%	84%
All	11,760	30%	70%

Table 2.18: Percentage of BAME solicitors by position in the firm, 2018-19

	Average	Partners	Other
BAME solicitors as a percentage of all solicitors working for CLA firms	18%	17%	19%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	22%	19%	23%

81. The next set of tables report on size of firm alone or combined with ethnicity of solicitors. Number of solicitors was used as a proxy of firm size, as the LS use this in their annual statistics report⁴. Although the categorisation is slightly different than the LS publication.

Table 2.19: Solicitors working for CLA firms by size of the firm

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Very Small (0 -1 partner)	9%	10%	10%	10%	10%
Small (2 – 4 partners)	33%	36%	36%	37%	40%
Medium (5 – 25 partners)	35%	39%	38%	32%	33%
Large (26+ partners)	23%	16%	16%	21%	17%
All	100%	100%	100%	100%	100%

82. It might be useful to compare Table 2.19 with Table 1.7 and 1.8, which show the distribution of firms across the same categories.

⁴ <https://www.lawsociety.org.uk/topics/research/annual-statistics-report-2019>

Table 2.20: Solicitors working for CLA firms by ethnicity and firm size, 2014-15

	Number of solicitors	Very small	Small	Medium	Large
African-Caribbean	180	24%	34%	27%	15%
Asian	1,510	17%	42%	24%	17%
Chinese	70	~	33%	40%	>20%*
African	290	22%	44%	22%	12%
Other ethnic origin	310	13%	33%	33%	21%
White European	10,970	8%	31%	38%	23%
Unknown	1,460	10%	34%	27%	28%
All	14,790	9%	33%	35%	23%

* The percentage eligible for secondary suppression in this table has been replaced by ">20%", to indicate its actual value is at least 20%. This has been completed to help mitigate potential disclosure risks without omitting a large amount of data in the table

Table 2.21: Percentage of BAME solicitors by firm size in 2014-15

	Average	Very small	Small	Medium	Large
BAME solicitors as a percentage of all solicitors working for CLA firms	16%	30%	19%	12%	12%
BAME solicitors as a percentage of all solicitor working for CLA firms with known ethnicity	18%	33%	21%	13%	14%

Table 2.22: Solicitors working for CLA firms by ethnicity and firm size, 2018-19

	Number of solicitors	Very small	Small	Medium	Large
African-Caribbean	140	17%	46%	22%	15%
Asian	1,420	19%	50%	18%	13%
Chinese	50	~	44%	31%	>20%*
African	260	29%	49%	13%	9%
Other ethnic origin	270	14%	40%	26%	20%
White European	7,830	7%	38%	37%	18%
Unknown	1,790	9%	37%	33%	21%
All	11,760	10%	40%	33%	17%

* The percentage eligible for secondary suppression in this table has been replaced by ">20%", to indicate its actual value is at least 20%. This has been completed to help mitigate potential disclosure risks without omitting a large amount of data in the table

Table 2.23: BAME solicitors as a percentage of solicitors working for CLA firms by firm size, 2018-19

	Average	Very small	Small	Medium	Large
BAME solicitors as a percentage of all solicitors working for CLA firms	18%	36%	22%	10%	15%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	22%	41%	26%	12%	18%

83. The next set of tables shows the total number of solicitors working for CLA firms by what is referred to as 'specialisation' for the purpose of this compendium. The definition of specialisation is based on turnover from the LS firm files, and classified as follows:

- Mainly criminal work: it was considered that the CLA firm did mainly criminal work when it reported that the percentage of turnover coming from crime work was 80% or above;
- Some criminal work:
 - When it reported that the percentage of turnover coming from criminal work was less than 80% but more than zero, it was considered that the firm did some criminal work;
 - In a relatively small number of cases, CLA firms reported no turnover coming from criminal work, even though they appeared in the LAA data as having received criminal legal aid payments that year. When their total criminal legal aid payments were £40,000 or above, they were included in the 'Some criminal work' category;
- No or little criminal work: When CLA firms reported no turnover coming from criminal work and their total criminal legal aid payments in that year were below £40,000 it was considered that the firm did not carry out substantial criminal work ('No or little criminal work' in the table below). When the total criminal legal aid payments in a particular year was below £40,000, it was considered that this amount was small enough for the firm to have rounded the percentage of turnover coming from criminal work down to zero.

84. These categories apply to all subsequent tables by specialisation. As it was set out in the Introduction section, the misalignment of some firms reporting zero criminal turnover in the LS dataset but appearing in the LAA criminal datasets might stem from the assumption that financial information included in a LS dataset refers to the same time period for each firm. It is possible that this was not the case for all firms.

Table 2.24: Solicitors working for CLA firms by specialisation

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
Mainly criminal	23%	23%	22%	20%	22%
Some criminal work	74%	76%	78%	79%	77%
No or little criminal work	3%	1%	0%	1%	1%
All	100%	100%	100%	100%	100%

Table 2.25: Solicitors working for CLA firms by ethnicity and specialisation, 2018-19

	Number of solicitors	Mostly criminal work	Some criminal work	No or little criminal work
African-Caribbean	140	>35%*	63%	~
Asian	1,420	>30%*	69%	~
Chinese	50	>20%*	76%	~
African	260	>25%*	73%	~
Other ethnic origin	270	>25%*	72%	~
White European	7,830	20%	79%	1%
Unknown	1,790	21%	79%	1%
All	11,760	22%	77%	1%

* All percentages eligible for secondary suppression in this table have been replaced by their nearest 5%. This has been completed to help mitigate potential disclosure risks without omitting a large amount of data in the table

Table 2.26: BAME solicitors as a percentage of solicitors working for CLA firms by specialisation, 2018-19

	Average	Mostly criminal work	Some criminal work	No or little criminal work
BAME solicitors as a percentage of all solicitors working for CLA firms	18%	25%	16%	15%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	22%	29%	19%	18%

85. The next set of tables show breakdown by the location of the firm's head office location.

Table 2.27: Solicitors working for CLA firms by location of the firm's head office

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of solicitors	14,790	12,710	12,530	13,140	11,760
East Midlands	6%	7%	7%	6%	6%
East of England	6%	6%	6%	5%	5%
London	33%	28%	28%	34%	28%
North East	4%	4%	4%	4%	5%
North West	15%	12%	13%	12%	16%
South East	7%	8%	8%	7%	6%
South West	6%	5%	5%	4%	5%
Wales	5%	6%	5%	6%	6%
West Midlands	7%	9%	9%	9%	8%
Yorkshire and The Humber	12%	15%	14%	14%	16%
All	100%	100%	100%	100%	100%

Table 2.28: Solicitors working for CLA firms by ethnicity and head office location, 2018-19

	Number of solicitors	East Midlands	East of England	London	North East	North West	South East	South West	Wales	West Midlands	Yorkshire and The Humber
African-Caribbean	140	7%	~	68%	~	~	~	~	~	~	~
Asian	1,420	8%	5%	44%	~	9%	5%	~	1%	14%	13%
Chinese	50	~	~	37%	~	30%	~	~	~	~	~
African	260	~	~	78%	~	7%	4%	~	~	~	~
Other ethnic origin	270	4%	~	55%	~	13%	6%	~	~	4%	10%
White European	7,830	6%	6%	21%	6%	18%	7%	6%	7%	7%	16%
Unknown	1,790	5%	5%	32%	4%	16%	5%	3%	5%	6%	18%
All	11,760	6%	5%	28%	5%	16%	6%	5%	6%	8%	16%

Table 2.29: BAME solicitors as a percentage of solicitors working from CLA firms by head office location, 2018-19

	Average	East Midlands	East of England	London	North East	North West	South East	South West	Wales	West Midlands	Yorkshire and The Humber
BAME solicitors as a percentage of all solicitors working for CLA firms	18%	20%	14%	33%	2%	11%	14%	4%	2%	25%	13%
BAME solicitors as a percentage of all solicitors working for CLA firms with known ethnicity	22%	23%	16%	40%	3%	13%	16%	4%	3%	29%	16%

Solicitors: Leavers and Joiners

86. This section looks at the movement of solicitors into and out of criminal legal aid firms. This movement can be the result of either their firm joining or leaving the criminal legal aid market, or individual solicitors joining or leaving CLA firms.
87. It is worth reiterating that a firm is considered as a joiner if they have become active and received CLA payments for the first time or after a period of not receiving CLA payments. A firm is considered as a leaver if it has become inactive and stop receiving CLA payments. **The status of any awarded contracts is not considered.**
88. As mentioned previously, the matched data does not show which solicitors within a CLA firm worked on cases that received CLA payments. Therefore, when a firm stopped or started receiving CLA payments all the solicitors who reported working for that firm were counted as leavers or joiners respectively.
89. It is important to highlight that as the alignment between the LS and LAA data is not perfect, it is possible that the data and subsequently the figures below do not correctly capture changes and movements immediately. However, this is likely to affect both inflows and outflows equally. For example, an individual's records showing that they worked for CLA firms in all but one year, when information is not available, would be counted as leaving in one year and re-joining the next. However, the one-year gap in the individual's records might be simply the result of an error when the data was recorded or a time-lag in the data.
90. This section covers the period 2015-16 to 2018-19. The year 2014-15 was not included as the 2013-14 data, that would be needed to determine if a solicitor joined or left in 2014-15, was not available. In the case of returners, the time span is further reduced to 2016-17 to 2018-19 as at least two years' worth of data was required to determine whether a solicitor first left and later returned.

Joiners

91. This section focuses on solicitors who worked for a CLA firm in the year referred to but not a CLA firm the previous year or did not report working for any firm the previous year. Joiners include solicitors who did not move firms but whose firm went from not receiving CLA payments the previous year to receiving payment in the year in consideration.
92. Where joiners may in fact be returners was also explored and included in table 2.30. However, this has been only possible for those who left and returned within the time period covered by the datasets. Therefore, returners with earlier service were not identifiable as returners.
93. The next two tables show the total number of joiners and the reason why those solicitors were considered joiners.

Table 2.30: Total number of joiners and returners

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
of whom were returners*		265	850	228

*The individuals worked for a CLA firm any of the years prior to the last. For example, returners in 2018-19 worked for a CLA firm in either 2014-15, 2015-16 or 2016-17, not in 2017-18 but they did return in 2018-19.

94. As mentioned on the 'CLA firm joiners and leavers' section, the new legal aid contracts started in 2017 resulting in an increase in the number of firms joining. As we can see in table 2.30 this also applies to individual solicitors.

Table 2.31: Joiners by the reason they were considered as joiners

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
Solicitors who moved from a non-CLA firm to a CLA firm	52%	36%	33%	44%
Solicitors who did not work for any firm the year before and joined a CLA firm	45%	56%	36%	52%
The solicitor did not move firms but the firm they worked for went from not receiving CLA payments the previous year to receiving payments	2%	8%	31%	4%
All	100%	100%	100%	100%

95. The following tables show the total number of joiners by personal characteristics and characteristics of the CLA firm they joined.

Table 2.32: Joiners by gender

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
Female	57%	57%	54%	63%
Male	42%	41%	45%	37%
Unknown	1%	1%	2%	1%
All	100%	100%	100%	100%

Table 2.33: Joiners by age

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
Under 25	~	~	~	~
25-34	40%	42%	41%	42%
35-44	27%	27%	27%	26%
45-54	17%	17%	20%	18%
55-64	12%	9%	9%	11%
65+	~	~	~	~
All	100%	100%	100%	100%

Table 2.34: Joiners by the size of the CLA firm they joined

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
Very Small (0 -1 partner)	10%	13%	9%	8%
Small (2 – 4 partners)	29%	32%	29%	35%
Medium (5 – 25 partners)	38%	38%	23%	36%
Large (26+ partners)	23%	16%	40%	21%
All	100%	100%	100%	100%

Table 2.35: Joiners by specialisation of the CLA firm they joined

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
Mainly criminal	11%	13%	9%	11%
Some criminal work	85%	85%	90%	88%
No or little criminal work	3%	1%	1%	1%
All	100%	100%	100%	100%

Table 2.36: Joiners by the location of the head office of the CLA firm they joined

	2015-16	2016-17	2017-18	2018-19
Total number of joiners	1,890	1,760	2,850	1,500
East Midlands	4%	6%	3%	5%
East of England	5%	4%	3%	3%
London	25%	27%	55%	29%
North East	4%	5%	3%	4%
North West	12%	14%	8%	20%
South East	6%	8%	4%	7%
South West	6%	7%	2%	6%
Wales	4%	5%	5%	4%
West Midlands	13%	9%	7%	6%
Yorkshire and The Humber	20%	14%	10%	16%
All	100%	100%	100%	100%

Leavers

96. This section focuses on solicitors who reported working for a CLA firm the previous year but not the year referred to, including solicitors who did not work for any firm in the year under consideration.
97. As with joiners, the next two tables focus on the total number of leavers and the reason why they were considered leavers. After that, tables show the number of leavers by

personal characteristics and characteristics of the CLA firm they worked for the previous year.

Table 2.37: Total number of leavers

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880

98. It is worth pointing out that, as mentioned in Chapter 1, CLA firm leavers, a handful of very large firms left the CLA market in 2015-16, which might explain the high number of solicitors leaving the CLA market that year compared to subsequent years. This is supported by the large proportion of leavers among large firms in 2015-16, as shown below in table 2.41.

Table 2.38: Leavers by the reason they were considered leavers

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
The solicitor did not move firms but the firm they reported working for received CLA payments the previous year but not the year referred to	41%	14%	19%	40%
Solicitors who worked for a CLA firm the previous year and moved into a non-CLA firm the year referred to	25%	38%	33%	19%
Solicitors who worked for a CLA firm the previous year but did not work for any firm the year in consideration	34%	48%	48%	41%
All	100%	100%	100%	100%

Table 2.39: Leavers by gender

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
Female	49%	51%	54%	50%
Male	48%	49%	45%	49%
Unknown	3%	1%	1%	2%
All	100%	100%	100%	100%

Table 2.40: Leavers by age

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
Under 25	~	~	~	~
25-34	28%	24%	25%	26%
35-44	31%	32%	30%	31%
45-54	21%	20%	21%	22%
55-64	13%	16%	14%	13%
65+	~	~	~	~
All	100%	100%	100%	100%

Table 2.41: Leavers by the size of the firm they worked for the previous year

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
Very Small (0 -1 partner)	6%	10%	10%	8%
Small (2 – 4 partners)	22%	36%	31%	25%
Medium (5 – 25 partners)	26%	38%	44%	30%
Large (26+ partners)	47%	16%	15%	37%
All	100%	100%	100%	100%

Table 2.42: Leavers by specialisation of the CLA firm they worked for the previous year

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
Mainly criminal	11%	17%	15%	10%
Some criminal work	78%	79%	84%	88%
No or little criminal work	11%	4%	1%	2%
All	100%	100%	100%	100%

Table 2.43: Leavers by the location of the head office of the CLA firm they worked for the previous year

	2015-16	2016-17	2017-18	2018-19
Total number of leavers	3,970	1,940	2,240	2,880
East Midlands	2%	6%	8%	3%
East of England	4%	7%	6%	3%
London	45%	26%	30%	49%
South East	3%	5%	4%	2%
South West	20%	11%	12%	7%
North East	5%	7%	7%	9%
North West	7%	6%	9%	3%
Wales	3%	10%	4%	5%
West Midlands	4%	8%	9%	11%
Yorkshire and The Humber	7%	15%	12%	8%
All	100%	100%	100%	100%

Chapter 3: Trainees

99. This section presents tables on trainees. It begins by showing the total numbers of trainees. Following this, there are three subsections: Firstly, trainees who trained in a firm classified as a CLA firm in the year the training started or the following year. This is because training contracts generally last two years. Secondly, trainees who went on to work in CLA firms when they qualified as solicitors. It is important to note that trainees included in (i) above are not the starting point for these tables - there is some overlap, but trainees who did not train in CLA firms but did go on to work in CLA firms are also of interest in this subsection. There are also other reasons, explained further below why the volumes in subsection (i) and (ii) are not directly comparable. However, the percentages within the different breakdowns can be useful. Finally, this section ends by tracking two cohorts of trainees, those who started training in 2014-15 and those who started training in 2015-16, looking at where they trained and where they went onto work: the same CLA firm, another CLA firm or a non-CLA firm.
100. As in the previous two chapters, the CLA fee income shown in the following tables includes disbursements and VAT when applicable.
101. '~' denotes a count below 10, percentages based on counts below 10, or secondary suppression where the next smallest figure has also been suppressed. Please refer to the Introduction for full details.

Total number of trainees

102. The trainee data provided by the LS was provided separately from the information on firm characteristics. As a result, it was not always possible to match up the firm that the trainee trained in with the firm characteristics file. The table below gives the total number of trainees and, of those, the numbers of trainees who trained in firms with available characteristics.

Table 3.1: Total number of new trainees

	2014-15	2015-16	2016-17	2017-18	2018-19
All new trainees starting in the year	5,460	5,730	5,720	5,810	6,340
of whom trained in a firm that was matched to firm characteristics file	4,470	4,820	4,570	4,440	4,860

103. The table above shows that around 75% to 85% of trainees (depending on the year) had firm information available. It is worth noting that these are not the match rates mentioned in the introduction: the around 90% match rates described there relates to the LS to LAA data matching. The 75% to 85% percentages here relate to information between two LS datasets: (i) datasets on trainees and (ii) datasets on firms.

Trainees who trained in CLA firms

104. This section focuses on the trainees who trained in a firm that was found in the firm characteristics file and was a CLA firm. Due to trainee contracts usually lasting two years, a trainee has been defined as working for a CLA firm if that firm received payments the year the individual started their training or the year after. It is important to highlight that although these trainees trained in CLA firm, it was not possible to determine in which areas of law

they trained. The first table shows the total number of trainees who trained in a CLA firm the year they started their training (for example, for 2015-16, the tables only show those trainees who started training in 2015-16.) and the number of firms this corresponds to. This is followed by frequency distributions of the number of trainees by CLA firms in 2014-15 and 2018-19.

Table 3.2: Total number of trainees in CLA firms and number of CLA firms with trainees

	2014-15	2015-16	2016-17	2017-18	2018-19*
Total trainees in CLA firms	490	500	570	490	540
CLA firms with trainees	230	250	270	240	260

* 2018-19 is based on the firm receiving CLA payment in the year the trainee started only and not the year after as well, as 2019-20 is not available.

Table 3.3: Number of trainees per CLA firms, 2014-15

Number of trainees per CLA firm	Number of firms	% of firms	Cumulative Number	Cumulative percentage
1	136	59%	136	59%
2	49	21%	185	80%
3	17	7%	202	88%
4	15	7%	217	94%
5	2	1%	219	95%
6	3	1%	222	97%
7	2	1%	224	97%
8	1	0%	225	98%
9	1	0%	226	98%
10 or more	4	2%	230	100%

Table 3.4: Number of trainees per CLA firms, 2018-19

Number of trainees per CLA firm	Number of firms	% of firms	Cumulative number	Cumulative percentage
1	159	62%	159	62%
2	46	18%	205	80%
3	24	9%	229	89%
4	12	5%	241	94%
5	3	1%	244	95%
6	5	2%	249	97%
7	2	1%	251	98%
8	1	0%	252	98%
9	1	0%	253	99%
10 or more	3	1%	256*	100%

*Does not match exactly to tables further above due to rounding

105. The only trainee characteristics available in the trainees' dataset is gender. This is presented below.⁵

⁵ The following section on 'trainees who worked in CLA firms' (next section) links the trainee data with individual solicitor data which has more information on characteristics such as age and ethnicity. Therefore, more information on trainee characteristics is presented in the next section.

Table 3.5: Gender of trainees in CLA firms

	2014-15	2015-16	2016-17	2017-18	2018-19
Total trainees in CLA firms	490	500	570	490	540
Female	69%	69%	69%	69%	69%
Male	31%	31%	31%	31%	31%

All

106. The following set of tables provide information on the firm that trainees trained in, based on the year the individual started their training. The next two tables are presented in volumes rather than percentages to more easily ascertain the size of trainees in each group.

Table 3.6: Trainees by the size of the CLA firm they trained in

Size of firm	2014-15	2015-16	2016-17	2017-18	2018-19
Very Small (0-1 partners)	60	50	60	50	70
Small (2-4 partners)	130	140	150	140	160
Medium (5-25 partners)	190	200	220	220	220
Large (26+ partners)	110	90	130	70	90
Unknown	0	0	~	0	0
Total trainees in CLA firms	490	500	570	490	540

Table 3.7: Trainees by specialisation of the CLA firm they trained in

	2014-15	2015-16	2016-17	2017-18	2018-19
Mainly criminal	90	80	70	~	~
Some criminal work	390	410	490	410	460
No or little criminal work	10	10	~	~	~
Unknown	0	0	~	0	0
Total trainees in CLA firms	490	500	570	490	540

Table 3.8: Trainees by the location of the head office of the firm they trained in

Region	2014-15	2015-16	2016-17	2017-18	2018-19
Total trainees in CLA firms	490	500	570	490	540
East Midlands	7%	6%	7%	5%	7%
East of England	5%	5%	4%	5%	6%
London	42%	40%	48%	37%	42%
North East	3%	~	7%	5%	7%
North West	13%	11%	12%	13%	14%
South East	7%	7%	5%	~	6%
South West	4%	~	3%	~	2%
Wales	6%	6%	7%	6%	8%
West Midlands	6%	9%	11%	13%	9%
Yorkshire and The Humber	8%	11%	12%	10%	10%
All	100%	100%	100%	100%	100%

Trainees who went on to work for a CLA firm

107. This section looks at whether trainees went onto work for a CLA firm after qualifying. This is regardless of whether they trained in a CLA firm or not. For this section trainees were linked directly to solicitors. It is important to note that this group of trainees is not the same as those in the section above, where only those who trained in CLA firms are reported on. In addition, the total volumes are not comparable because, as mentioned in the section above, there were several individuals in the trainee files where the firm was not found in the firm characteristics file. In summary the volumes from the section on trainees who trained in a CLA firm should not be directly compared with this section, but the percentages provide useful information on patterns.
108. As the trainee files were linked with the individual solicitor datasets in order to do this analysis, it was possible to add in information from the individual solicitor datasets that was not originally available in the trainee files, allowing for more detailed analysis on trainees' characteristics.
109. The following tables are based on the period 2014-15 to 2016-17 as hardly any of those who starting training in 2017-18 or 2018-19 appear in the individual solicitors' files. This is expected as training generally takes two years and individuals only appear in the solicitor files once they have become qualified solicitors.
110. The table below shows the total number of trainees who started training the year referred to and went onto work for a CLA firm in any of the years following their training. For example, the 2014-15 figure includes trainees who started training in 2014-15 (and in the majority of cases also stayed in training in 2015-16) and worked for a CLA in either 2016-17, 2017-18 or 2018-19.

Table 3.9: Total number of trainees who went onto work for a CLA firm

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380

111. The next set of tables provide breakdowns by personal characteristics and, finally, breakdowns by the characteristics of the CLA firms they went to work for.

Table 3.10: Trainees by gender

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380
Female	68%	67%	68%
Male	31%	31%	31%
Unknown	~	2%	~
All	100%	100%	100%

112. The following table shows trainees who went onto work for CLA firms by age. Trainees' ages have been derived using the date of birth provided by them when registered as solicitors.

Table 3.11: Trainees who went onto work for CLA firms by age

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380
Under 25	18%	18%	19%
25-34	74%	74%	75%
35-44	6%	7%	4%
45-54	~	~	~
55-64	~	~	~
65+	~	~	~
All	100%	100%	100%

Table 3.12: Trainees by the size of the CLA firms they went to work for

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380
Very Small (0 -1 partner)	8%	8%	8%
Small (2 – 4 partners)	27%	22%	32%
Medium (5 – 25 partners)	37%	37%	32%
Large (26+ partners)	27%	33%	29%
All	100%	100%	100%

Table 3.13: Trainees by the percentage of turnover coming from criminal work of the CLA firm they went to work for

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380
Mainly criminal	10%	10%	11%
Some criminal	89%	90%	89%
No or little criminal work	~	~	~
All	100%	100%	100%

Table 3.14: Trainees by the location of the head office of the CLA firm they went to work for

	Year they started training		
	2014-15	2015-16	2016-17
Total trainees going on to work in CLA firms	620	570	380
East Midlands	5%	~	6%
East of England	4%	5%	3%
London	41%	40%	28%
North East	2%	4%	7%
North West	14%	13%	15%
South East	5%	7%	~
South West	3%	~	~
Wales	4%	4%	5%
West Midlands	8%	8%	5%
Yorkshire and The Humber	13%	16%	28%
All	100%	100%	100%

Tracking trainee cohorts into work

113. The following section looks at trainees' pathway to work. It focuses in the two first tranches of trainees for which data is available: trainees who started their training in 2014-15 and in 2015-16. Later cohorts would have had less time to join the labour market and, therefore, comparable information could not be derived.

Table 3.15: Trainees who started training in 2014-15, by firm they trained in and went to work for*

	Total number of trainees	Worked in same firm they trained (in any of the following 3 years after finishing training)		Did not work for same firm they trained in any of the following 3 years		Did not become solicitor within 3 years
		CLA firm	Non-CLA firm**	CLA firm	Non-CLA firm	
Trained in CLA firms	490	240	40	50	150	10
Trained in non-CLA firms	--	60	--	160	--	--
Trainees in unidentified firms	--	0	--	110	--	--
All	5,460	300	2,200	320	2,560	80

*Figures that do not refer to CLA firms have been replaced with "--"

**Some firms changed their CLA status from the training years (2014-15 and 2015-16) to the years when the trainees who became solicitors worked for (2016-17, 2017-18 and 2018-19).

Table 3.16: Trainees who started training in 2015-16 by firm they trained in and went to work for*

	Total number of trainees	Worked in same firm they trained (in any of the following 2 years after finishing training)		Did not work for same firm they trained in any of the following 2 years		Did not become solicitor within 2 years
		CLA firm	Non-CLA firm**	CLA firm	Non-CLA firm	
Trainees in CLA firms	500	240	20	40	170	20
Trainees in non-CLA firms	--	40	--	140	--	--
Trainees in unidentified firms	--	0	--	110	--	--
All	5,730	280	2,370	290	2,650	130

* Figures that do not refer to CLA firms have been replaced with "--"

**Some firms changed their CLA status from the training years (2015-16 and 2016-17) to the years when the trainees who became solicitors worked for (2017-18 and 2018-19).

Chapter 4: Duty solicitors

114. This section presents tables on the characteristics of duty solicitors who were on the LAA duty solicitor rota in 2017, 2018 and 2019⁶. These individuals on the rotas were matched with the LS individual characteristic data for the corresponding year. The analysis presented covers areas including:
- Change in number of duty solicitors over time;
 - An assessment of the age and sex split of duty solicitor profession;
 - Geographical distribution of duty solicitors;
 - An assessment of the years of experience of duty solicitors; and
 - An assessment of the characteristics of individuals joining or leaving the duty solicitor profession.
115. This analysis covers qualified solicitors on the LAA duty solicitor rota and therefore does not cover barristers and CILEX (Chartered Institute of Legal Executives) members who have extended rights that appear on the rota. Police station accredited representatives are also not covered in this analysis.
116. ‘~’ denotes a count below 10, percentages based on counts below 10, or secondary suppression where the next smallest figure has also been suppressed. Please refer to the Introduction for full details.

Duty solicitor overview

117. Table 4.1 below shows the number of duty solicitors on the rota each year between 2017 and 2019 and how many of them were matched to the LS characteristic data and the overall match rate for each year.
118. The unmatched duty solicitors are likely to be individuals with other qualifications who are on the rota, such as barristers and legal executives. The Law Society dataset does not hold data on legal executives and barristers.

Table 4.1: Number of duty solicitors on the rota by year

	2017	2018	2019
Number of duty solicitors ⁷	5,240	4,990	4,600
Matched to characteristics	4,990	4,740	4,360
Match rate	95%	95%	95%

119. Tables 4.2 and 4.3 show the split of duty solicitors by sex and age for 2017, 2018 and 2019.⁸

⁶ The LAA update the rotas on a different timescale to how the billing data and characteristics are collected, therefore the years correspond differently but are matched to the most appropriate period.

⁷ These values are from the LAA duty solicitor rotas. The 2017-18 numbers come from a 3-month rota whilst the 2018-19 and 2019-20 number came from 6-month rotas.

⁸ From this point forward in this section, only duty solicitors who have been successfully matched to characteristic data have been considered.

Table 4.2: Proportion of duty solicitors by sex, 2017-2019

	2017	2018	2019
Number of duty solicitors	4,990	4,740	4,360
Female	36%	36%	35%
Male	64%	64%	65%
All	100%	100%	100%

Table 4.3: Proportion of duty solicitors by age, 2017-2019*

	2017	2018	2019
Number of duty solicitors	4,990	4,740	4,360
Under 25	0%	0%	0%
25-34	12%	11%	9%
35-44	29%	29%	29%
45-54	33%	34%	34%
55-64	19%	19%	21%
65+	6%	7%	8%
All	100%	100%	100%
Average age**	47	48	49

*Age is calculated for an individual each year

**Average age is the mean age as calculated in that year

120. There are no duty solicitors under 25 in the years analysed, so in the following tables this age bracket will be removed.

121. Table 4.4 shows the overall proportions of duty solicitors by age and sex in 2019.

Table 4.4: Proportion of duty solicitors by age and gender, 2019

	Female	Male
Number of duty solicitors	1,540	2,810
Under 35	5%	4%
35-44	14%	14%
45-54	11%	23%
55-64	4%	17%
65+	1%	7%
All	35%	65%

122. Table 4.5 shows the distribution of duty solicitors by region between 2017 and 2019. The region is based on the police station schemes the duty solicitor is registered to.

Table 4.5: Distribution of duty solicitors by region, 2017-2019

	2017	2018	2019
Number of duty solicitors	4,990	4,740	4,360
East Midlands	7%	7%	7%
East of England	7%	8%	8%
London	28%	29%	29%
North East	4%	4%	4%
North West	12%	12%	13%
South East	11%	11%	11%
South West	6%	6%	5%
Wales	6%	6%	6%
West Midlands	10%	9%	9%
Yorkshire and Humberside	8%	8%	9%
All	100%	100%	100%

123. Table 4.6 shows the distribution of duty solicitors by region and age in 2019, splitting age into under 45 years old and over 45 years old categories.

Table 4.6: Proportion of duty solicitors by region and age, 2019

	Under 45	Over 45
Number of duty solicitors	1,640	2,720
East of England	41%	59%
East Midlands	45%	55%
London	41%	59%
North East	35%	65%
North West	34%	66%
South East	36%	64%
South West	24%	76%
Wales	36%	64%
West Midlands	36%	64%
Yorkshire and Humberside	38%	62%
All	38%	62%

124. Table 4.7 shows the distribution of duty solicitors by years since admission. The date of admission is the date in which solicitors are admitted onto the roll as qualified solicitors.

125. Career breaks or extended leave from the profession are not discounted from the total years since admission.

Table 4.7: Distribution of duty solicitors by years since admission*

	2017	2018	2019
Number of duty solicitors	4,990	4,740	4,360
0-2	3%	3%	2%
3-7	13%	12%	10%
8-12	20%	19%	17%
13-17	16%	17%	17%
18-22	18%	19%	19%
23-27	12%	12%	14%
28+	19%	19%	21%
All	100%	100%	100%

*Years since admission includes any career breaks or leave

Duty solicitor joiners

126. This section looks at the characteristics of the solicitors who have joined or re-joined the duty solicitor rota. Not all returners are captured because returners who first appeared on the rota before 2017 cannot be captured with the datasets used for this analysis. The joiners have been categorised based on the year they first appeared on the rota – either 2018 or 2019.
127. Joiners are defined as duty solicitors who appear on the rota but have not appeared in previous rotas.
128. Returners are defined as duty solicitors who re-appear on the rota following an absence from the rota.
129. Table 4.8 shows the number of duty solicitor joiners, the number of which are known returners and the number that were matched to characteristics. The match rate achieved for the joiners is about 80%.⁹

Table 4.8: Number of duty solicitor joiners and returners in 2018 and 2019 and match rate

	2018	2019
Total	220	230
Of which are known returners		35 ¹⁰
Matched to characteristics	180	190
Match rate	82%	83%

⁹ The match rate for joiners is thought to be lower than the overall match rate due to the difference in reporting times.

¹⁰ There is a blank for returners in 2018 because only returners in 2019 can be captured by the data. Returners in 2019 will have been present on the 2017 rota, not present on the 2018 rota and appear again on the 2019 rota.

130. Tables 4.9 and 4.10 show the age and sex distributions for duty solicitor joiners in 2018 and 2019.¹¹

131. In both 2018 and 2019, the majority of joiners have been under the age of 45 and roughly equal proportions of male and female duty solicitors have joined.

Table 4.9: Duty solicitor joiners by age and gender, 2018

	Female	Male
Number of duty solicitors	100	90
Under 35	17%	15%
35-44	20%	10%
45-54	13%	13%
55-64	~	~
65+	~	~
All	52%	48%

Table 4.10: Duty solicitor joiners by age and gender, 2019

	Female	Male
Number of duty solicitors	80	110
Under 35	19%	22%
35-44	11%	13%
45-54	11%	13%
55-64	~	~
65+	~	~
All	42%	58%

132. Table 4.11 shows the distribution of duty solicitor joiners by region. Joiners from 2018 and 2019 have been aggregated together for this table.

¹¹ From this point forward in this section, only joiners who have been successfully matched to characteristic data have been considered.

Table 4.11: Distribution of duty solicitor joiners by region, 2018 and 2019¹²

	Joiners 2018 and 2019
Number of duty solicitors	350
East Midlands	7%
East of England	9%
London	35%
North East	3%
North West	12%
South East	8%
South West	4%
Wales	5%
West Midlands	6%
Yorkshire and Humberside	10%
All	100%

133. Table 4.12 shows the distribution of duty solicitor joiners by years since admission. The date of admission is the date in which solicitors are admitted onto the roll as qualified solicitors.

134. The majority of joiners have been on the roll for less than 8 years. There are still significant numbers of joiners who have been on the roll for many years but it is unclear whether some of these might be returners.

Table 4.12: Duty solicitor joiners by years since admission, 2018 and 2019

Number of duty solicitors	310¹³
0-2	30%
3-7	24%
8-12	11%
13-17	13%
18-22	11%
23-27	7%
28+	5%
All	100%

*Years since admission is inclusive of any career breaks or leave

Duty solicitor leavers

135. This section looks at the characteristics of solicitors who left the duty solicitor rota between 2017 and 2019. The leavers have been categorised, based on the year they last appeared on the rota – either 2017 or 2018.

¹² Due to rounding the total does not directly match the original matched total.

¹³ Due to rounding and a small number of blanks in date of admission data, the total does not directly match the original matched total.

136. Leavers are defined as individuals who stop being present in subsequent rotas.
137. This section also covers the employer to which the leavers move to and the overall rate at which duty solicitors have been leaving the profession between 2017 and 2019.
138. Table 4.13 shows the number of duty solicitor leavers and the number that were matched to characteristics. The match rate is about 90%.

Table 4.13: Number of duty solicitor leavers

	2017	2018
Total	470	620
Matched to characteristics	430	570
Match rate	91%	92%

139. Tables 4.14 and 4.15 show the age and sex distributions for duty solicitor leavers in 2017 and 2018.
140. Table 4.16 shows the distribution of duty solicitor leavers by region. Leavers from 2017 and 2018 have been aggregated together for this table.

Table 4.14: Duty solicitor leavers by age and sex, 2017

	Female	Male
Number of duty solicitors	170	250
Under 35	11%	4%
35-44	14%	13%
45-54	11%	14%
55-64	~	16%
65+	~	12%
All	41%	59%

Table 4.15: Duty solicitor leavers by age and gender, 2018

	Female	Male
Number of duty solicitors	240	330
Under 35	7%	6%
35-44	20%	9%
45-54	10%	17%
55-64	~	13%
65+	~	12%
All	43%	57%

Table 4.16: Distribution of duty solicitor leavers by region, 2017 and 2018

Number of duty solicitors	1000
East Midlands	7%
East of England	7%
London	27%
North East	6%
North West	11%
South East	12%
South West	5%
Wales	6%
West Midlands	9%
Yorkshire and Humberside	10%
All	100%

141. Table 4.17 shows the distribution of duty solicitor leavers by years since admission. The date of admission is the date in which solicitors are admitted onto the roll as qualified solicitors.

Table 4.17: Duty solicitor leavers by years since admission, 2017 and 2018*

Number of duty solicitors	920¹⁴
0-2	0%
3-7	10%
8-12	19%
13-17	18%
18-22	14%
23-27	13%
28+	25%
All	100%

*Years since admission is inclusive of any career breaks or leave

142. Table 4.18 shows the type of employer that the duty solicitor leavers moved to after leaving the rota. The “information not available” category is where a solicitor has no longer been able to be matched, which could indicate where a solicitor has retired or left the solicitor profession entirely.

143. Almost 10% of duty solicitor leavers have moved to the CPS, but over half have still stayed in practice just no longer doing duty work.

¹⁴ Due to rounding and a small number of blanks in date of admission data, the total does not directly match the original matched total.

Table 4.18: Duty solicitor leavers destinations, 2019

Number of leavers	1,000	
Law Practice	510	52%
<i>of which changed firms</i>	150	15%
<i>of which remained at the same firm</i>	370	37%
Crown Prosecution Service	90	9%
Government and Local government	30	3%
Other*	40	4%
Information not available	330	33%
All	1000	100%

*Other covers: advice services, authorised non-SRA firms, commerce and industry, educational establishment, foreign law practice, locum services and regulatory bodies.

144. Table 4.19 shows the rate at which duty solicitors are leaving the rota by age and sex.

145. These rates have been calculated using the numbers of duty solicitors in each age/sex group for 2017 and 2018 and the number of leavers in each of these age/sex groups.

Table 4.19: Annual rate of duty solicitors leaving

	Female	Male	Total
Number of leavers	420	580	1,000
Under 35	14%	12%	13%
35-44	12%	7%	10%
45-54	10%	7%	8%
55-64	13%	10%	10%
65+	13%	20%	20%
All	12%	9%	10%

Chapter 5: Self-employed criminal barristers

Definition of barrister groupings

146. As mentioned in the introduction, this chapter focuses on publicly funded self-employed criminal barristers in England and Wales. Barristers have been classified in various ways, with different areas of analysis being more suited to certain classifications. Each section will say at the start which barrister groups have been assessed. The groups are as follows:

- The **Any Crime (AC)** group; this is comprised of barristers that received any criminal fee income in the year being considered. Whilst this group is useful for identifying all barristers in receipt of public criminal fee income in any given year, there are many who only completed a small amount of work. Basing all findings on this group would potentially provide a distorted representation of the main workforce. As such, further groups have been defined.
- The **Self-declared Full Practise (SFP)** group; this is a subset of the 'Any Crime' group, with the added condition that each barrister must have self-declared to the Bar Council (BC) that at least 80% of their gross fee income in the respective year came from criminal work. The purpose of this group is to capture barristers who primarily work on crime. In addition, in order to only capture barristers who earned a reasonable amount of fee income in each year, a minimum fee income threshold has been imposed, contingent on the years of practise a barrister has. For those with no more than 2 years' worth of experience, a lower limit of £2.5k is used; otherwise the threshold is £10k. It can be inferred from Tables 5.2 and 5.3 in the Overview section that whilst this group contains a significantly lower number of barristers than the AC group between 2018-19– 2019-20, it accounts for the majority (more than 90%) of AC fee income in both of these years. Therefore, the SFP group not only generally represents criminal specialists but also where the majority of public criminal fees are spent. The main limitation with this group is the fact that data underpinning it was only available in 2018-19 and 2019-20 i.e. the self-reported percentage of a barrister's gross fee income that came from criminal work. And, as such, the SFP group is only available for those two years. **This is the primary group assessed in this chapter.**
- The **Implied Full Practise (IFP)** group; this is also a subset of the 'Any Crime' group, with the added condition that each barrister's fee income from public criminal work must be equal to at least 80% of the lower bound of their total self-reported gross fee income band¹⁵, which is reported to the BC each financial year.¹⁶ In addition, the minimum public criminal fee income threshold that applies to the 'Self-declared Full Practise' group, as explained above, applies equally to this group. Contrary to the SFP group explained above, the benefit of the IFP group is that it has been possible to construct the grouping on more years of data, and so allows for an indicative extension of the self-declared group to earlier years.

¹⁵ Although if a barrister earns more than £192k from public criminal fees then they are included in the group, regardless of their self-reported gross fee income band.

¹⁶ Further details on these bands can be found below in the Key definitions and notes section.

Data sources and considerations

147. The barrister public criminal fee income data assessed in this chapter covers the period 2015-16 – 2019-20. It excludes VAT but includes disbursements. These disbursements cover payments made to barristers to reimburse them for travelling expenses as well as remunerating them for travel time, where eligible. The AGFS and VHCC defence data is consistent with the legal aid published statistics as published in June 2020. The LAA identified which advocate bills belonged to barristers and the BC then completed further checks on this extract against their practise records to help ensure it contained barrister data only. The CPS prosecution data comes from an extract produced by the CPS in June 2020 and reflects payments fee clerks have recorded rather than their finalised accounting data, as individual barrister payments are not identifiable in the finalised data. However, the CPS estimate annual spend across both of these datasets is similar, with no more than a 5% difference in any year between 2015-16 – 2019-20.
148. Data recording practices differ between the LAA and CPS. LAA record AGFS and VHCC spend and volumes as occurring once cases have completed, and any later adjustments paid to barristers will be recorded under the original bill date. CPS also record cases at the point of case completion, however any adjustments paid on these cases are only captured in the finalised accounting data. This means barristers' combined defence and prosecution spend data in each year will not always reflect actual payments received by barristers, which is even more likely for VHCC cases as they can last for several years and include interim payments prior to case completion. Similarly, the self-declared gross fee income and area of practise information that barristers report to the BC each year will generally be reported at the end of the financial year and will cover payments received over that period, so this information may not always align with the public fee income data.
149. Each barrister that does defence work holds a unique account number with the LAA, and these have been used to identify individual barristers in the AGFS and VHCC data. It is understood barristers submit the majority of their defence bills under their own account number. However, they may at times subsequently pay another advocate from their fee income for work completed on their behalf.
150. Similarly, the CPS record individual barristers using a unique identifier, which was used to identify individual barristers in the data. These barristers may also at times pay another advocate from their fee income for work completed on their behalf.
151. A small adjustment has been made to the public criminal fee income billing data for the AC, SFP, and IFP groups. Since most new barristers start practising mid-way through the financial year, each new barristers' public criminal fee income has been scaled up to estimate how much they may have earned if they had been eligible to practise for the whole of their first financial year. This was calculated using the fee income they received between the date they started practising and the end of their first financial year and scaling up on a pro rata basis. This process was completed to provide a more representative assessment of barristers' first-year public criminal fee incomes. It should be noted that this will approximate for the full year of fee income received but is not necessarily a precise representation for each individual. This process has not been attempted for barristers who worked partial years for other reasons (for example, those who went on maternity leave or part-time workers) as, unlike new barristers, they were eligible to practise across the whole of the respective year. For the AC, SFP, or IFP barristers in any year between 2015-16 to 2019-20, this adjustment represents no more than a 1% increase to their annual fee income data.

Key definitions and notes relevant to this chapter

152. The information provided by the BC and BSB about individual barristers' characteristics and practising details, which are assessed in this chapter alongside their public fee incomes, covers a number of areas. Further details about this information are included below:

- a. **Ethnicity:** The ethnicity information recorded by barristers has been grouped into five headings consistent with those used in the Office for National Statistics (ONS) 2011 Census¹⁷. The information aligned well with the ONS headings, allowing analysis on a large number of ethnic identities to be included in this chapter.
- b. **Age:** The ages of barristers, as at the end of each financial year (31st March of the respective year) have been calculated using date of birth information, and then rounded down to the nearest whole number. As an example, a barrister with a date of birth of 1st April 1985 would be 34 years old as of the end of the financial year 2019-20 and hence would be included in the age range 25-34.
- c. **Gender:** This covers whether barristers have declared themselves as male or female. At present, barristers are not asked to provide information as to whether they fall outside of the gender binary, and information about transgender identification was too sparse to be included in this chapter.
- d. **Practise years:** Barristers' practise years have been calculated in line with the end of the financial year, to be consistent with the public criminal fee income data. It should be noted that years of practise is not necessarily equivalent to years of experience, since it is simply the length of time since a barrister started their tenancy (for self-employed barristers at chambers) or began working for an employer (for employed advocates). As long as an advocate keeps renewing their practising certificate with the Bar Council each year, then their practise years will continue to rise, irrespective of how many hours they have actually worked. The reader should also note that in tables which include information on years of practise, the years are always rounded down to the nearest whole number. This means, for example, the 0-2 years band captures barristers with less than three years' experience and the 3-7 band those with less than 8 years but at least 3 years, as of the end of that particular financial year.
- e. **Advocate type:** This relates to whether a barrister is recorded in BC records as either a Junior practitioner or a Queen's Counsel (QC).
- f. **Region:** This has been taken from barristers' self-declared information about their primary area of practise. An individual may work across more than one region in the course of a year, however these movements cannot be accurately captured by the current data available.
- g. **Chambers and organisation types:** The barristers assessed in the Data Compendium are self-employed but are organised in a structure that facilitates the sharing of expenses and also the provision of support services (e.g. clerks). There are different types of organisation, although by far the most common is chambers.

¹⁷ <https://www.ethnicity-facts-figures.service.gov.uk/style-guide/ethnic-groups#list-of-ethnic-groups>

- h. **Self-declared proportion of gross fee income from crime:** The proportion of gross annual fee income from criminal work is self-declared by barristers to the BC for insurance purposes. This information is only available for 2018-19 and 2019-20 and is used to determine which barristers declared at least 80% of their gross fee income came from criminal work. This is a key piece of information that was used for allocating barristers to the SFP group.
- i. **Self-declared gross fee income bands:** Barristers' gross annual fee incomes are reported to the BC in income bands. These income bands exclude VAT.

153. The figures contained in this chapter have been rounded using a consistent approach. For volumes, figures are rounded to the nearest 10 and presented in units. For aggregated fee income based on groups of barristers, figures are presented in £ms and rounded to the nearest £100k. For tables reporting on the median and distribution of fee incomes for groups of barristers, such as in Table 5.36, figures are presented in £s and rounded to the nearest £100. As a result of rounding there may be instances where the sum of individual figures in a table is not equivalent to the overall totals presented.

154. For the data provided by the BC and BSB covering individual barristers' protected characteristics, information on some of the characteristics was either unavailable or was not shared by a high proportion of barristers. These characteristics include; religious belief, socio-economic background, disability, and sexual orientation. As such, these variables are covered at a high level in the Barrister Characteristics section, but further breakdowns using these variables have not been completed (please see paragraph 162 for further details).

155. In this chapter of the data compendium a lot of information is presented on barristers' public criminal fee incomes. It is important to note that this is very different to barristers' profits. Indeed, there are a number of expenses barristers must contribute towards from this fee income, and these are explained in more detail in the Expenses section below. In addition, as mentioned above, the billing data underpinning these assessments not only includes fee income (excluding VAT) but also includes some payments to barristers for disbursements (excluding VAT), as it was not possible to reliably separate fee income from disbursements in some of the datasets. Disbursements accounted for around 2% of total AGFS fee income of barristers in 2019-20, but for individual barristers this percentage varies.

156. Finally, as mentioned in the Introduction, '~' denotes a count below 10, percentages based on counts below 10, or secondary suppression where the next smallest figure has also been suppressed. Please refer to the Introduction for full details.

Overview of analysis

157. This section starts by demonstrating the match rate achieved between individual barristers' public billing data held by the LAA and CPS with their respective characteristic information that is held by the Bar Council (BC) and Bar Standards Board (BSB). Table 5.1 shows that virtually all public criminal fee income in all years between 2015-16 and 2019-20 has been successfully matched to BC and BSB data.

158. Tables 5.2 and 5.3 then explore the aggregated public criminal fee incomes and the numbers of barristers, for each grouping and for all available years. In Table 5.2, the total

public criminal fee income of the AC group is different to the total matched spend¹⁸ in each year for a couple of reasons. Firstly, as explained above, this group only includes barristers that have their primary practise in England or Wales and who are registered as self-employed. Any matched barristers who have not met these conditions following the matching and cleaning process - those without a primary practise in England or Wales or those shown to be either employed, dual capacity, or with an undeterminable practising status - have been excluded. Secondly, as explained in paragraph 151, an adjustment has been made to new barristers' public criminal fee incomes in the AC, SFP, and IFP groups to better reflect their first-year earnings.

159. Following this there are sub-sections that consider the total numbers of barristers and their distributions over firstly geographic region, and then over years of practise bands. This has been completed for each barrister group, and for all available years.

Table 5.1: Total matched and unmatched public criminal fee income (£m) by year

	2015-16	2016-17	2017-18	2018-19	2019-20
Total matched and unmatched fee income	264.2	276.6	266.8	263.1	258.2
Total matched fee income	263.9	276.4	266.6	263.0	258.2
Percentage of fee income matched	100%	100%	100%	100%	100%

Table 5.2: Total public criminal fee income of the different barrister groups by year, £m

Barrister group	2015-16	2016-17	2017-18	2018-19	2019-20
Any Crime	257.4	270.1	260.8	255.9	252.5
Self-declared Full Practise	n/a	n/a	n/a	236.2	231.6
Implied Full Practise	218.9	232.9	218.3	205.5	206.0

Table 5.3: Number of barristers in each group by year

Barrister group	2015-16	2016-17	2017-18	2018-19	2019-20
Any Crime	3,930	3,890	3,850	3,790	3,680
Self-declared Full Practise	n/a	n/a	n/a	2,780	2,690
Implied Full Practise	2,490	2,550	2,460	2,300	2,270

Overview of barristers in the Any Crime group

160. Tables 5.4 and 5.5 below demonstrate the distribution of AC barristers in each year; firstly, by geographic region and then by years of practise bands. For example, Table 5.4 shows that of the 3,680 barristers who worked in 2019-20, 56% of them worked primarily in London. The remaining tables in the Overview sub-sections (Tables 5.6-5.9) should be interpreted in the same way.

¹⁸ This is equivalent to the public criminal fee income earned by all barristers in the AGFS, VHCC and CPS data that could be identified in the BC and BSB's records.

Table 5.4: Number of AC barristers and their distribution over region by year

Region	2015-16	2016-17	2017-18	2018-19	2019-20
Number of barristers	3,930	3,890	3,850	3,790	3,680
East Midlands	1%	1%	1%	2%	2%
East of England	1%	1%	1%	1%	1%
London	53%	53%	53%	56%	56%
North East	7%	6%	4%	1%	1%
North West	3%	3%	3%	3%	3%
South East	11%	12%	12%	12%	12%
South West	4%	3%	4%	4%	3%
Wales	4%	4%	4%	4%	4%
West Midlands	3%	3%	3%	3%	3%
Yorkshire and The Humber	6%	6%	6%	6%	6%
No information	7%	7%	8%	8%	8%
All	100%	100%	100%	100%	100%

Table 5.5: Number of AC barristers and their distribution over years of practise by year

Years of practise	2015-16	2016-17	2017-18	2018-19	2019-20
Number of barristers	3,930	3,890	3,850	3,790	3,680
0 to 2	11%	12%	13%	14%	14%
3 to 7	13%	13%	13%	13%	16%
8 to 12	14%	12%	11%	10%	8%
13 to 17	16%	15%	15%	15%	13%
18 to 22	16%	16%	15%	14%	14%
23 to 27	23%*	13%	14%	13%	13%
28+	8%*	19%	19%	21%	22%
All	100%	100%	100%	100%	100%

* These figures are not accurate, due to information on first practising date not being available on Bar Council records prior to 1990.

Overview of barristers in the Self-declared Full Practise group

Table 5.6: Number of SFP barristers and their distribution over region

Region	2018-19	2019-20
Number of barristers	2,780	2,690
East Midlands	3%	2%
East of England	1%	1%
London	56%	57%
North East	3%	3%
North West	13%	13%
South East	3%	3%
South West	4%	4%
Wales	3%	3%
West Midlands	7%	6%
Yorkshire and The Humber	8%	7%
No information	1%	1%
All	100%	100%

Table 5.7: Number of SFP barristers and their distribution over years of practise

Years of practise	2018-19	2019-20
Number of barristers	2,780	2,690
0 to 2	9%	8%
3 to 7	10%	13%
8 to 12	10%	8%
13 to 17	16%	14%
18 to 22	16%	15%
23 to 27	15%	16%
28+	24%	26%
All	100%	100%

Overview of barristers in the Implied Full Practise group

Table 5.8: Number of IFP barristers and their distribution over region by year

Region	2015-16	2016-17	2017-18	2018-19	2019-20
Number of barristers	2,490	2,550	2,460	2,300	2,270
East Midlands	1%	1%	1%	3%	3%
East of England	1%	1%	1%	1%	1%
London	52%	52%	51%	53%	53%
North East	3%	3%	3%	3%	3%
North West	12%	12%	13%	13%	13%
South East	3%	3%	3%	4%	3%
South West	4%	4%	4%	4%	4%
Wales	3%	3%	3%	3%	3%
West Midlands	7%	7%	7%	6%	7%
Yorkshire and The Humber	7%	8%	9%	9%	8%
No information	7%	6%	4%	1%	1%
All	100%	100%	100%	100%	100%

Table 5.9: Number of IFP barristers and their distribution over years of practise by year

Years of practise	2015-16	2016-17	2017-18	2018-19	2019-20
Number of barristers	2,490	2,550	2,460	2,300	2,270
0 to 2	11%	13%	16%	16%	14%
3 to 7	10%	10%	10%	11%	13%
8 to 12	14%	11%	10%	9%	7%
13 to 17	17%	16%	14%	15%	14%
18 to 22	18%	18%	16%	14%	14%
23 to 27	23%*	13%	15%	15%	15%
28+	8%*	18%	18%	20%	23%
All	100%	100%	100%	100%	100%

* These figures are not accurate, due to information on first practising date not being available on Bar Council records prior to 1990.

Barrister characteristics

161. This section contains information on the barristers' protected characteristics. For the Self-declared Full Practise barristers in 2019-20, the number of barristers and their distribution in terms of gender, age, ethnicity, religion, socio-economic background, disability, and sexual orientation are presented. This section also contains a breakdown of the number of barristers by advocate type.

Table 5.10: Gender of SFP barristers in 2019-20

Gender	Number/ percentage of barristers
Number of barristers	2,690
Male	69%
Female	30%
Prefer not to say/ no information	1%
All	100%

Table 5.11: Age of SFP barristers in 2019-20

Age range	Number/ percentage of barristers
Number of barristers	2,690
Under 25	~
25-34	13%
35-44	23%
45-54	30%
55-64	14%
65+	~
No information	15%
All	100%

Table 5.12: Ethnicity of SFP barristers in 2019-20

Ethnicity	Number/ percentage of barristers
Number of barristers	2,690
White	81%
Asian or Asian British	5%
Mixed or multiple ethnic groups	3%
Black, African, Caribbean, or Black British	3%
Other ethnic group	1%
Prefer not to say/ no information	7%
All	100%

Table 5.13: Advocate type of SFP barristers in 2019-20

Advocate type	Number/ percentage of barristers
Number of barristers	2,690
Junior	87%
QC	13%
All	100%

162. In the remaining tables covering protected characteristics, a high proportion of barristers either provided 'prefer not to say' responses or did not answer at all. This makes it difficult to reliably interpret the responses that were received as certain groups of barristers may have been more likely to provide information on these questions than others. As such, this is the only section where information on these characteristics (religious beliefs, socio-economic background, disability, and sexual orientation) is presented.

163. For example, the impact of a low response rate to a question can be seen in Table 5.14 below. It demonstrates that 60% of SFP barristers either preferred not to say or did not respond to the question at all. As such, this should be taken into consideration when interpreting the following tables.

Table 5.14: Religious beliefs of SFP barristers in 2019-20

Religion	Number/ percentage of barristers
Number of barristers	2,690
Christian (all denominations)	20%
No religion or belief	16%
Jewish	1%
Sikh	1%
Muslim	1%
Buddhist	~
Hindu	~
Any other religion	1%
Prefer not to say/ no information	60%
All	100%

Table 5.15: Socio-economic background of SFP barristers in 2019-20

Type of schooling	Number/ percentage of barristers
Number of barristers	2,690
UK State School	28%
UK Independent School	14%
School outside UK	2%
Prefer not to say/ no information	55%
All	100%

Table 5.16: Disability status of SFP barristers in 2019-20

Disability status	Number/ percentage of barristers
Number of barristers	2,690
No	45%
Yes	2%
Prefer not to say/ no information	53%
All	100%

Table 5.17: Sexual orientation of SFP barristers in 2019-20

Sexual orientation	Number/ percentage of barristers
Number of barristers	2,690
Heterosexual / straight	40%
Gay or Lesbian	2%
Bisexual	~
Other	~
No information	58%
All	100%

164. The next set of tables consider some cross-tabulations of the **Self-declared Full Practise barristers in 2019-20**, with years of practise as the common variable. For example, Table 5.18 below shows that in 2019-20 there were 220 SFP barristers with 0-2 years of practise, of which 52% were female. Furthermore, the final row demonstrates that there was a total of 2,690 SFP barristers in 2019-20, 30% of which were female. The subsequent tables in this section should be interpreted in the same way.

Table 5.18: Years of practise and gender of SFP barristers in 2019-20

Years of practise	Number of barristers	Male	Female	No information	All
0 to 2	220	47%	52%	~	100%
3 to 7	350	56%	44%	~	100%
8 to 12	200	65%	34%	~	100%
13 to 17	380	60%	39%	~	100%
18 to 22	400	67%	32%	~	100%
23 to 27	420	75%	25%	~	100%
28+	700	88%	12%	~	100%
All	2,690	69%	30%	1%	100%

Table 5.19: Years of practise and ethnicity of SFP barristers in 2019-20

Years of practise	Number of barristers	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ no information	All
0 to 2	220	78%	10%	~	~	~	4%	100%
3 to 7	350	84%	6%	5%	~	~	3%	100%
8 to 12	200	76%	~	~	~	~	14%	100%
13 to 17	380	71%	7%	~	3%	~	15%	100%
18 to 22	400	81%	6%	3%	~	~	6%	100%
23 to 27	420	84%	4%	3%	~	~	4%	100%
28+	700	87%	3%	~	2%	~	5%	100%
All	2,690	81%	5%	3%	3%	1%	7%	100%

Table 5.20: Years of practise and advocate type of SFP barristers in 2019-20

Years of practise	Number of barristers	Junior	QC*	All
0 to 2	220	100%	-	100%
3 to 7	350	100%	-	100%
8 to 12	200	100%	-	100%
13 to 17	380	97%	3%	100%
18 to 22	400	91%	9%	100%
23 to 27	420	77%	23%	100%
28+	700	72%	28%	100%
All	2,690	87%	13%	100%

* Note a '-' denotes 0 barristers.

Chambers and organisation types

165. This section gives a brief overview of the structure of the market for barristers, or more specifically, the organisations that they are associated with. Tables 5.21 and 5.22 below show, for the AC and SFP groups respectively, the number of barristers who recorded working by type of organisation, in 2019-20. Note, as mentioned in the introduction to this chapter, many efforts were taken to ensure the underlying data only contained self-employed barristers, but there may still be a small number of employed advocates contained in the data.
166. Further information on the various organisation types is given below:
- j. Chambers: Is a place which one or more self-employed barristers or BSB entities practise.
 - k. BSB Authorised Body: means a body which is authorised by the BSB to carry on reserved legal activities and is not a licensable body. It is fully owned and managed by authorised practitioners.
 - l. BSB Licensed Body: Are owned and jointly managed by authorised practitioners and others. They can include a mixture of other professionals as well as family-owned businesses. These are also referred to as Alternative Business Structures (ABS).
 - m. Non-Authorised Body: A body which is not authorised to carry on reserved legal activities. Employed barristers or self-employed barrister under contract of employment may work for a non-authorised body.
 - n. Non-BSB Authorised Body: means a partnership, limited liability partnership, or company authorised or licensed by an approved regulator to undertake reserved legal activities.
 - o. Non-BSB Licensed Body: An ABS authorised or licensed by an approved regulator to undertake reserved legal activities.

Table 5.21: Organisation type and AC barristers 2019-20

Organisation type	Number of AC barristers
Chambers	3,530
BSB Authorised Body	~
BSB Licensed Body	~
Non-Authorised Body	20
Non-BSB Authorised Body	20
Non-BSB Licensed Body	~
Unknown	110
All	3,680

Table 5.22: Organisation type and SFP barristers 2019-20

Organisation type	Number of SFP barristers
BSB Authorised Body	~
BSB Licensed Body	~
Chambers	2,590
Non-Authorised Body	~
Non-BSB Authorised Body	~
Non-BSB Licensed Body	~
Unknown	80
All	2,690

Public criminal fee income

167. This section contains information about public criminal fee incomes, covering barristers in the **Any Crime and Self-declared Full Practise groups**.
168. Firstly, Tables 5.23-5.26 in the overview sub-section assess the public criminal fee incomes of these groups over time, and disaggregate separately by AGFS, VHCC, and CPS, as well as by geographical region.
169. Then, in the main section, a series of tables explore barristers' public criminal fee incomes in more depth by focusing on 2019-20 data:
- Tables 5.27-5.31 and Tables 5.46-5.50 show breakdowns of overall public criminal fee income of barristers by key characteristics; years of practise, age, gender, ethnicity and advocate type.
 - Tables 5.32-5.34 and Tables 5.51-5.53 consider some cross tabulations of public criminal fee income of barristers, with years of practise as the common variable and gender, ethnicity and advocate type as the secondary variable of interest.
 - Tables 5.35-5.39 and Tables 5.54-5.58 and their corresponding box and whisker plots (Figures 5.1-5.5 and Figures 5.6-5.10 respectively) then provide further information on the spread of barristers' individual public criminal fee incomes across these key characteristics.
 - Tables 5.40-5.45 and Tables 5.59-5.64 further explore the distribution of barristers, by public criminal fee income bands. The overall distribution is considered, alongside

cross tabulations, which consider how the barristers are distributed by both public criminal fee income bands and by; years of practise, gender, age, ethnicity and advocate type respectively.

- **All of these tables are presented first for the AC group and then for the SFP group.**

Overview of public criminal fee income

170. The tables in this sub-section provide an overview of public criminal fee income; considering both how it has changed over time and also its geographical distribution.
171. Table 5.23 demonstrates that between 2015-16 and 2019-20 public criminal fee income of AC barristers, in terms of AGFS and CPS fee income, has remained broadly constant over time, with only relatively minor fluctuations. Whereas, fee income pertaining to VHCC has decreased significantly over the period from £6.3m to £1.6m.

Table 5.23: Public criminal fee income of AC barristers by fee scheme, £m

Fee scheme	2015-16	2016-17	2017-18	2018-19	2019-20
AGFS	142.5	150.6	148.9	150.3	145.0
VHCC	6.3	5.7	6.0	6.7	1.6
CPS	108.6	113.8	105.8	98.9	106.0
Total	257.4	270.1	260.8	255.9	252.5

Table 5.24: Public criminal fee income of AC barristers and distribution over region by year

Region	2015-16	2016-17	2017-18	2018-19	2019-20
Public criminal fee income, £m	257.4	270.1	260.8	255.9	252.5
East Midlands	1%	1%	1%	3%	3%
East of England	1%	1%	1%	1%	1%
London	51%	52%	51%	54%	55%
North East	3%	3%	3%	3%	3%
North West	14%	14%	15%	14%	14%
South East	2%	2%	2%	2%	2%
South West	4%	4%	3%	4%	4%
Wales	3%	3%	3%	3%	3%
West Midlands	7%	7%	7%	7%	7%
Yorkshire and The Humber	8%	8%	9%	9%	9%
Missing region information	6%	6%	4%	1%	1%
All	100%	100%	100%	100%	100%

Table 5.25: Public criminal fee income of SFP barristers by fee scheme, £m

Fee scheme	2018-19	2019-20
AGFS	138.7	133.9
VHCC	6.2	1.4
CPS	91.3	96.4
Total	236.2	231.6

Table 5.26: Public criminal fee income of SFP barristers and distribution over region by year

Region	2018-19	2019-20
Total public criminal fee income, £m	236.2	231.6
East Midlands	3%	3%
East of England	1%	1%
London	55%	56%
North East	3%	3%
North West	14%	14%
South East	2%	2%
South West	4%	4%
Wales	3%	3%
West Midlands	7%	7%
Yorkshire and The Humber	9%	8%
Missing region information	1%	1%
All	100%	100%

Public criminal fee incomes of Any Crime barristers

172. Tables 5.27-5.31 include breakdowns of AC barrister's aggregated public criminal fee incomes, in 2019-20; separately, by years of practise, age, gender, ethnicity and finally advocate type.

Table 5.27: Public criminal fee income of AC barristers and distribution over years of practise, in 2019-20

Years of practise	Total
Public criminal fee income, £m	252.5
0 to 2	4%
3 to 7	11%
8 to 12	8%
13 to 17	15%
18 to 22	16%
23 to 27	19%
28+	27%
All	100%

Table 5.28: Public criminal fee income of AC barristers and distribution over age, in 2019-20

Age	Total
Public criminal fee income, £m	252.5
Under 25	0%
25-34	9%
35-44	23%
45-54	34%
55-64	14%
65+	3%
No information	16%
All	100%

Table 5.29: Public criminal fee income of AC barristers and distribution over gender, in 2019-20

Gender	Total
Public criminal fee income, £m	252.5
Male	75%
Female	25%
No information	1%
All	100%

Table 5.30: Public criminal fee income of AC barristers and distribution over ethnicity, in 2019-20

Ethnicity	Total
Public criminal fee income, £m	252.5
White	82%
Asian or Asian British	5%
Mixed or multiple ethnic groups	2%
Black, African, Caribbean, or Black British	2%
Other ethnic group	1%
Prefer not to say/ no information	7%
All	100%

Table 5.31: Public criminal fee income of AC barristers and distribution over advocate type, in 2019-20

Advocate type	Total
Public criminal fee income, £m	252.5
Junior	80%
QC	20%
All	100%

173. The next set of tables presented (Tables 5.32 - 5.34) are cross-tabulations, which are based on the aggregated public criminal fee incomes of Any Crime barristers in 2019-20. The tables have years of practise as the common variable, with the other being gender,

ethnicity and advocate type respectively. For example, Table 5.32 shows that in 2019-20, £28.5m of public criminal fee income was earned by barristers with 3-7 years of practise, of which 59% was earned by men and 40% by women (gender was unknown for 1% of fee income). Further, the final row demonstrates that across all barristers in the AC group, 75% of fee income was earned by men. The subsequent tables in this section should be interpreted in the same way.

Table 5.32: Public criminal fee income of AC barristers and distribution by gender, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	Male	Female	Prefer not to say/ No information	All
0 to 2	9.8	51%	48%	1%	100%
3 to 7	28.5	59%	40%	1%	100%
8 to 12	19.7	70%	29%	1%	100%
13 to 17	37.8	66%	34%	1%	100%
18 to 22	41.0	73%	26%	1%	100%
23 to 27	47.6	79%	20%	1%	100%
28+	68.2	89%	10%	0%	100%
All	252.5	75%	25%	1%	100%

Table 5.33: Public criminal fee income of AC barristers and distribution by ethnicity, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ no information	All
0 to 2	9.8	80%	7%	3%	4%	2%	4%	100%
3 to 7	28.5	85%	5%	5%	2%	1%	2%	100%
8 to 12	19.7	75%	5%	2%	1%	1%	16%	100%
13 to 17	37.8	73%	6%	2%	3%	1%	15%	100%
18 to 22	41.0	81%	7%	2%	2%	2%	6%	100%
23 to 27	47.6	85%	4%	3%	2%	2%	4%	100%
28+	68.2	87%	3%	1%	2%	1%	5%	100%
All	252.5	82%	5%	2%	2%	1%	7%	100%

Table 5.34: Public criminal fee income of AC barristers and distribution over advocate type, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	Junior	QC*	All
0 to 2	9.8	100%	-	100%
3 to 7	28.5	100%	-	100%
8 to 12	19.7	100%	-	100%
13 to 17	37.8	97%	3%	100%
18 to 22	41.0	87%	13%	100%
23 to 27	47.6	65%	35%	100%
28+	68.2	60%	40%	100%
All	252.5	80%	20%	100%

*Note, a '-' denotes 0 barristers were in this sub-group.

174. The following set of tables (Tables 5.35-5.39) looks at the distribution of individual AC barristers' public criminal fee incomes, by years of practise, age, gender, ethnicity and advocate type. They report the numbers of barristers in each sub-group (e.g. for years of practise, the familiar bands as above have been used), as well as the lower quartile, median and upper quartile public criminal fee incomes. The definitions of these statistical terms are as follows: if the barristers in each sub-group were lined up in descending order then the public fee income of the barrister who has 25% of all other barristers below them, would represent the lower quartile. The public fee income of the barrister with 50% of barristers below them would represent the median and the barrister with 75% of barristers below them would represent the upper quartile.
175. Alongside each table is a box and whisker plot (Figures 5.1-5.5), which shows the same information graphically, as well as the statistical maximums¹⁹ and minimums²⁰ as represented by the whiskers. For example, Figure 5.1 below shows a box and whisker plot of individual barrister public criminal fee incomes, for AC barristers in 2019-20, with sub-groups based on years of practise. There appears to be a lot of variation in fee incomes between barristers in each sub-group, particularly for the sub-groups with higher years of practise. For example, for the sub-group with 13-17 years of practise, the maximum was £328.1k and the minimum was less than £100. The lower quartile, median and upper quartile were £32.5k, £76.0k and £106.4k respectively (which correspond to the bottom line, middle line and top line of the relevant box).

¹⁹ Statistical maximum is defined as the minimum of the largest data point or $UQ + 3 \times IQR$.

²⁰ Statistical minimum is defined as the maximum of the smallest data point or $LQ - 3 \times IQR$.

Table 5.35: Summary of AC barristers' fee incomes in 2019-20, by years of practise

Years of practise	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
0 to 2	500	3,200	11,200	26,900
3 to 7	600	12,800	43,900	73,700
8 to 12	280	31,000	69,700	101,800
13 to 17	490	32,500	76,000	106,400
18 to 22	500	42,400	80,100	110,700
23 to 27	490	57,600	90,900	125,100
28+	820	41,800	74,700	112,200
All	3,680	21,300	62,500	99,900

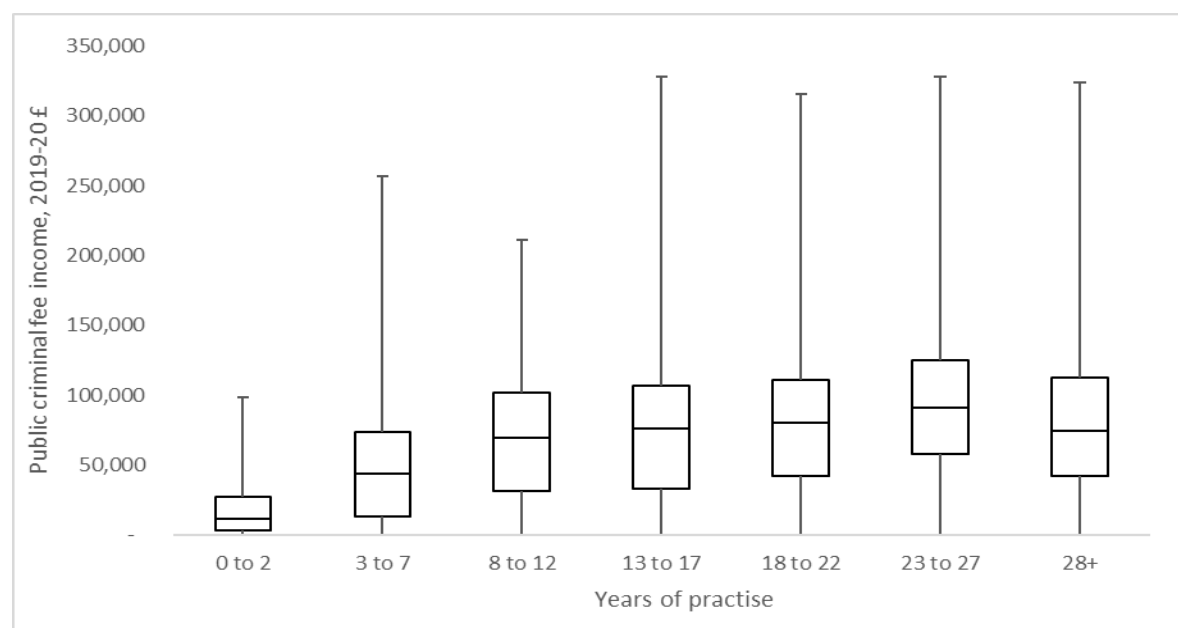
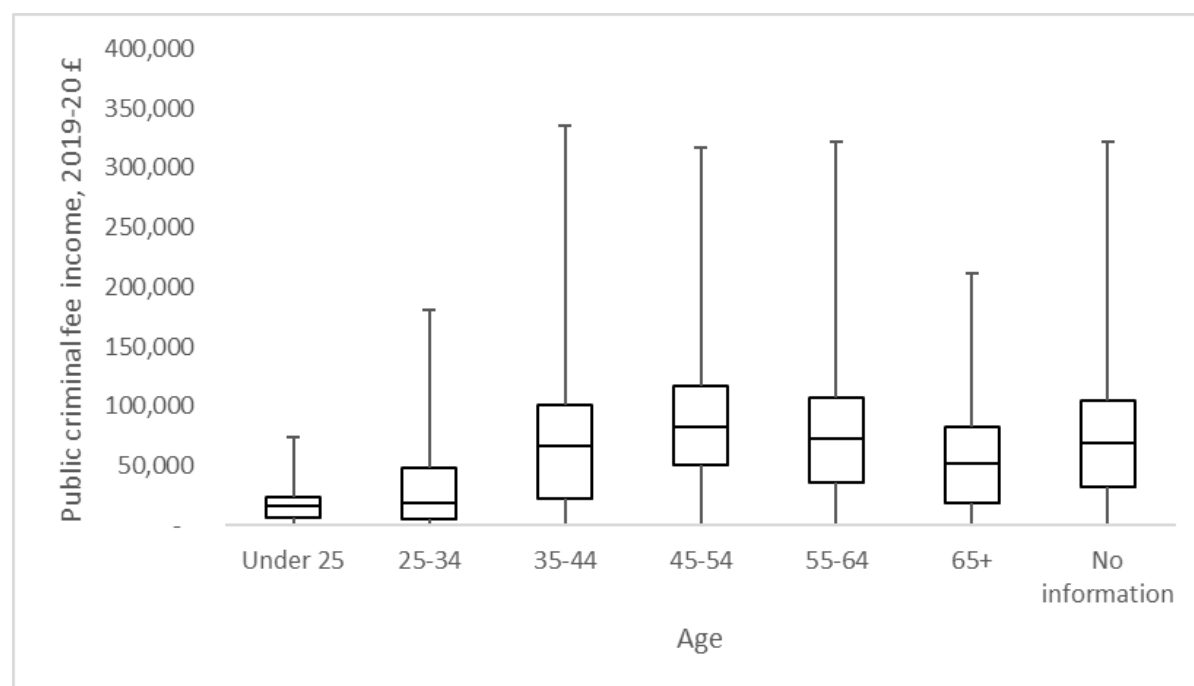
Figure 5.1: Box and whisker plot of AC barristers' fee incomes in 2019-20, by years of practise

Table 5.36: Summary of AC barristers' fee incomes in 2019-20, by age

Age	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Under 25*	20	6,800	16,400	23,700
25-34	730	5,000	19,000	48,900
35-44	860	23,100	66,400	101,100
45-54	970	50,200	82,500	116,800
55-64	450	36,100	73,200	107,600
65+	140	18,800	52,000	83,100
No information	520	31,900	69,100	104,300
All	3,680	21,300	62,500	99,900

*There were only 20 barristers under 25 in the data, making it difficult to draw reliable conclusions about these barristers.

Figure 5.2: Box and whisker plot of AC barristers' fee incomes in 2019-20, by age*



*There were only 20 barristers under 25 in the data, making it difficult to draw reliable conclusions about these barristers.

Table 5.37: Summary of AC barristers' fee incomes in 2019-20, by gender

Gender	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Male	2,440	31,100	72,100	108,500
Female	1,220	12,100	42,900	79,200
Prefer not to say/ No information	30	42,000	76,800	105,300
All	3,680	21,300	62,500	99,900

Figure 5.3: Box and whisker plot of AC barristers' fee incomes in 2019-20, by gender

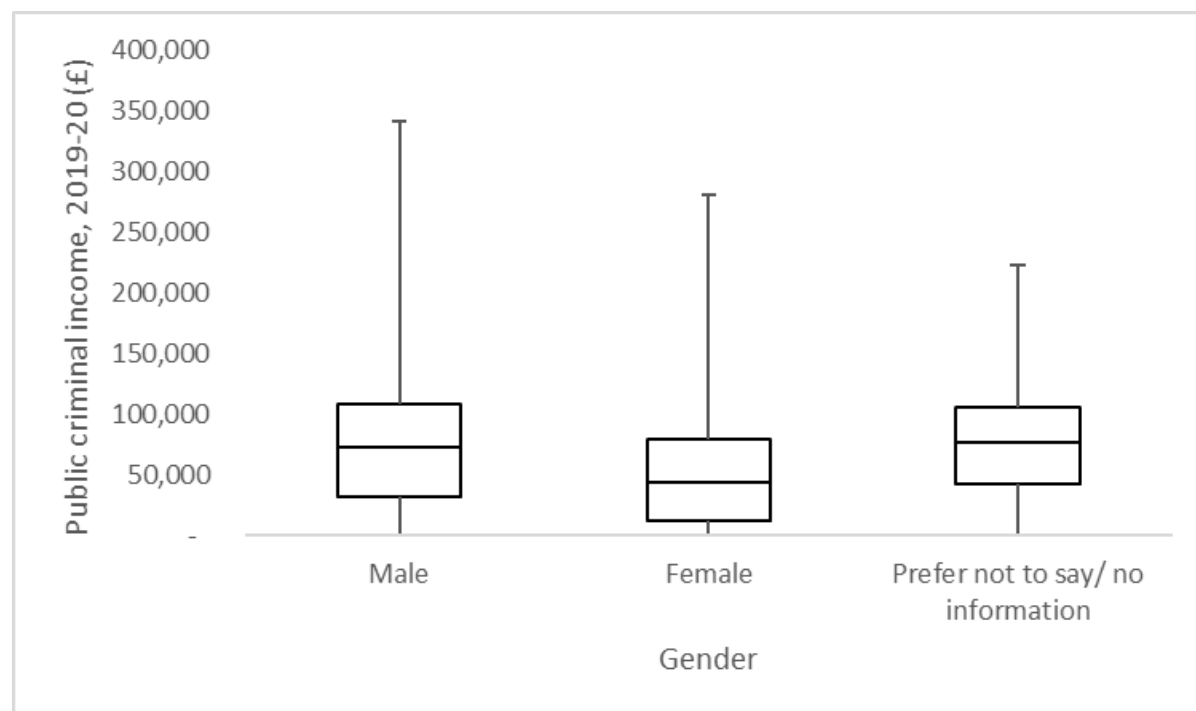


Table 5.38: Summary of AC barristers' fee incomes in 2019-20, by ethnicity

Ethnicity	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
White	2,960	23,700	64,000	100,600
Asian/ Asian British	230	8,600	36,800	86,200
Mixed/ multiple ethnic group	100	20,600	53,100	84,800
Black/ African/ Caribbean/ black British	110	13,700	38,800	79,200
Other ethnic group	50	23,700	63,200	100,300
Prefer not to say/ No information	230	36,200	74,200	107,100
All	3,680	21,300	62,500	99,900

Figure 5.4: Box and whisker plot of AC barristers' fee incomes in 2019-20, by ethnicity

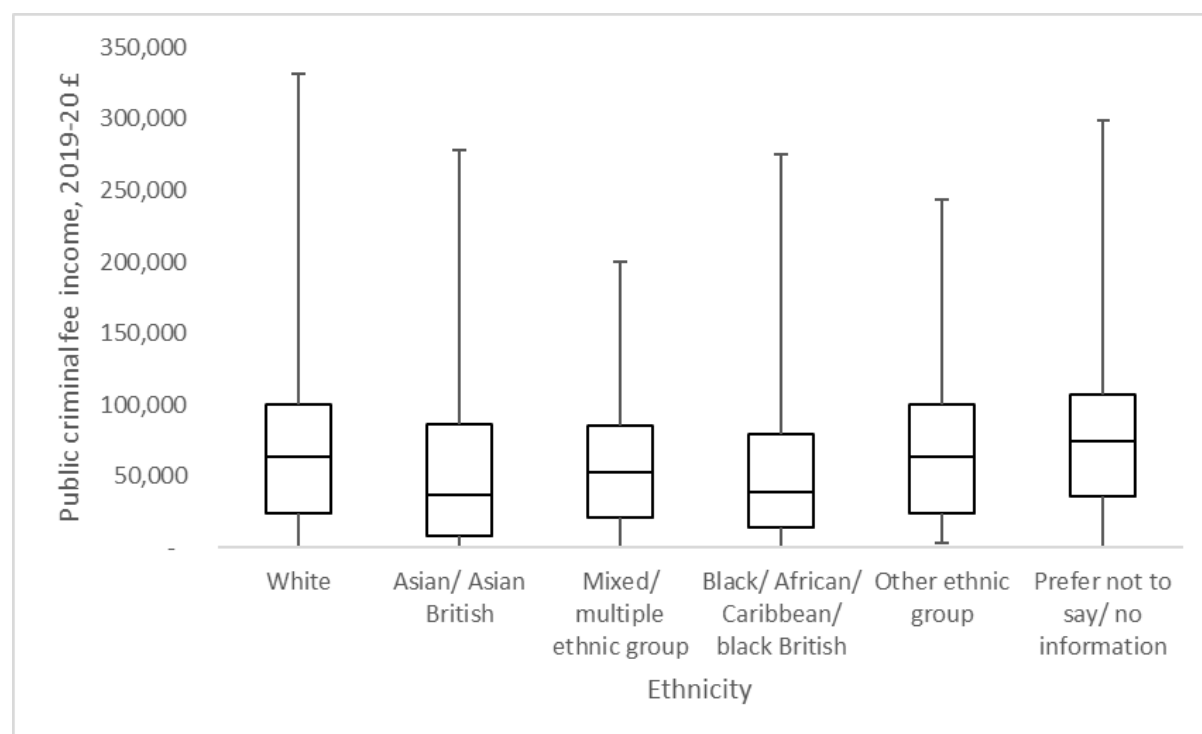
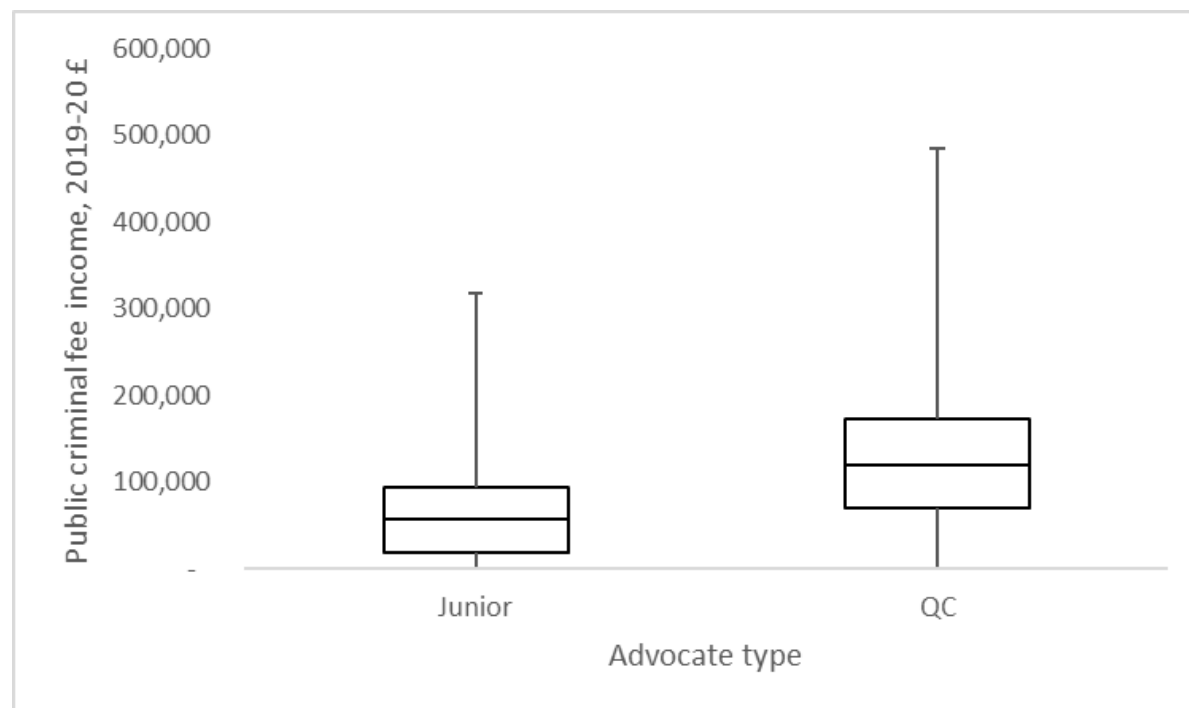


Table 5.39: Summary of AC barristers' fee incomes in 2019-20, by advocate type

Advocate type	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Junior	3,280	18,500	57,500	93,500
QC	400	69,800	119,900	173,800
All	3,680	21,300	62,500	99,900

Figure 5.5: Box and whisker plot of AC barristers' fee incomes in 2019-20, by advocate type

176. To assess public criminal fee incomes further, Table 5.40 considers the overall distribution of barristers in the **Any Crime group in 2019-20** by public criminal fee income bands. Following this, Tables 5.41-5.45 contain cross tabulations, based on barristers in the AC group, with public criminal fee income as the common variable and the other variable of interest being years of practise, gender, age, ethnicity and advocate type. For example, Table 5.41 shows there were 1,110 AC barristers in 2019-20 who earned a public criminal fee income of between £1 and £30k, and 35% of these had 0-2 years of practise. Furthermore, across all barristers in the AC group in 2019-20, 14% had 0-2 years of practise.

Table 5.40: Number of AC barristers and their distribution by public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Percentage of barristers
£1 to £30,000	1,110	30%
£30,001 to £60,000	680	18%
£60,001 to £90,000	750	20%
£90,001 to £150,000	870	24%
£150,001 to £240,000	270	7%
All	3,680	100%

Table 5.41: Number of AC barristers and their distribution over years of practise, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	0 to 2	3 to 7	8 to 12	13 to 17	18 to 22	23 to 27	28+	All
£1 to £30,000	1,110	35%	21%	6%	10%	9%	6%	14%	100%
£30,001 to £60,000	680	13%	23%	7%	10%	12%	10%	24%	100%
£60,001 to £90,000	750	2%	17%	9%	16%	16%	14%	25%	100%
£90,001 to £150,000	870	1%	10%	10%	17%	18%	19%	26%	100%
£150,001 and over	270	~	~	4%	14%	16%	30%	34%	100%
All	3,680	14%	16%	8%	13%	14%	13%	22%	100%

Table 5.42: Number of AC barristers and their distribution over gender, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Male	Female	Prefer not to say/ No information	All
£1 to £30,000	1,110	54%	46%	~	100%
£30,001 to £60,000	680	64%	35%	~	100%
£60,001 to £90,000	750	67%	32%	~	100%
£90,001 to £150,000	870	77%	23%	~	100%
£150,001 and over	270	87%	12%	~	100%
All	3,680	66%	33%	1%	100%

Table 5.43: Number of AC barristers and their distribution over age, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Under 25	25-34	35-44	45-54	55-64	65+	No information	All
£1 to £30,000	1,110	2%	39%	22%	13%	8%	4%	11%	100%
£30,001 to £60,000	680	~	24%	21%	24%	12%	~	14%	100%
£60,001 to £90,000	750	~	9%	25%	31%	14%	~	16%	100%
£90,001 to £150,000	870	~	6%	27%	35%	14%	~	15%	100%
£150,001 and over	270	~	~	17%	46%	16%	~	18%	100%
All	3,680	1%	20%	23%	26%	12%	4%	14%	100%

Table 5.44: Number of AC barristers and their distribution over ethnicity, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ No information	All
£1 to £30,000	1,110	78%	9%	3%	4%	1%	5%	100%
£30,001 to £60,000	680	80%	5%	4%	~	~	6%	100%
£60,001 to £90,000	750	82%	4%	3%	2%	2%	8%	100%
£90,001 to £150,000	870	83%	4%	2%	2%	1%	8%	100%
£150,001 and over	270	82%	7%	~	~	~	7%	100%
All	3,680	81%	6%	3%	3%	1%	6%	100%

Table 5.45: Number of AC barristers and their distribution over advocate type, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Junior	QC	All
£1 to £30,000	1,110	96%	4%	100%
£30,001 to £60,000	680	94%	6%	100%
£60,001 to £90,000	750	92%	8%	100%
£90,001 to £150,000	870	86%	14%	100%
£150,001 to £240,000	270	50%	50%	100%
All	3,680	89%	11%	100%

Public criminal fee incomes of Self-declared Full Practise barristers

177. The next set of tables (Tables 5.46-5.50) assess the distribution of aggregated public criminal fee incomes of SFP barristers in 2019-20, by years of practise, age, gender, ethnicity and advocate type.

Table 5.46: Public criminal fee income of SFP barristers and distribution over years of practise, in 2019-20

Years of practise	Total
Total public criminal fee income, £m	231.6
0 to 2	3%
3 to 7	10%
8 to 12	7%
13 to 17	15%
18 to 22	16%
23 to 27	20%
28+	28%
All	100%

Table 5.47: Public criminal fee income of SFP barristers and distribution over age, in 2019-20

Age	Total
Total public criminal fee income, £m	231.6
Under 25	0%
25-34	8%
35-44	23%
45-54	35%
55-64	15%
65+	3%
No information	16%
All	100%

Table 5.48: Public criminal fee income of SFP barristers and distribution over gender, in 2019-20

Gender	Total
Total public criminal fee income, £m	231.6
Male	76%
Female	24%
Prefer not to say/ No information	1%
All	100%

Table 5.49: Public criminal fee income of SFP barristers and distribution over ethnicity, in 2019-20

Ethnicity	Total
Total public criminal fee income, £m	231.6
White	82%
Asian/ Asian British	5%
Mixed/ multiple ethnic group	2%
Black/ African/ Caribbean/ black British	2%
Other ethnic group	1%
Prefer not to say/ No information	7%
All	100%

Table 5.50: Public criminal fee income of SFP barristers and distribution over advocate type, in 2019-20

Advocate type	Total
Total public criminal fee income, £m	231.6
Junior	79%
QC	21%
All	100%

178. The following tables (Tables 5.51-5.53) are cross tabulations, based on the aggregated public criminal fee incomes of SFP barristers, with years of practise as the common variable and the other variable of interest being gender, ethnicity and advocate type. For example, Table 5.51 demonstrates that in 2019-20 £24.0m of public criminal fee income was earned by SFP barristers with 3-7 years of practise. Of this £24.0m, 60% was earned by men and 39% by women (gender was unknown for 1%). Furthermore, the final row shows 76% of all public criminal fee income of SFP barristers in 2019-20 was earned by males. It should be noted that in Table 5.52 the extent of answers that were either 'prefer not to say' or 'no information' varied considerably by years of practise band. As such, this should be taken into consideration when interpreting this table.

Table 5.51: Public criminal fee income of SFP barristers and distribution over gender, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	Male	Female	Prefer not to say/ No information	All
0 to 2	6.8	52%	48%	0%	100%
3 to 7	24.0	60%	39%	1%	100%
8 to 12	17.3	71%	29%	1%	100%
13 to 17	34.9	66%	33%	1%	100%
18 to 22	38.1	72%	27%	1%	100%
23 to 27	45.3	79%	20%	0%	100%
28+	65.1	90%	10%	0%	100%
All	231.6	76%	24%	1%	100%

Table 5.52: Public criminal fee income of SFP barristers and distribution over ethnicity, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ No information	All
0 to 2	6.8	79%	8%	3%	5%	1%	3%	100%
3 to 7	24.0	85%	4%	5%	2%	0%	3%	100%
8 to 12	17.3	75%	6%	2%	0%	1%	16%	100%
13 to 17	34.9	73%	7%	2%	3%	1%	15%	100%
18 to 22	38.1	82%	6%	2%	2%	1%	6%	100%
23 to 27	45.3	85%	4%	2%	2%	1%	4%	100%
28+	65.1	86%	4%	1%	2%	1%	5%	100%
All	231.6	82%	5%	2%	2%	1%	7%	100%

Table 5.53: Public criminal fee income of SFP barristers and distribution over advocate type, for different years of practise, in 2019-20

Years of practise	Public criminal fee income, £m	Junior	QC*	All
0 to 2	6.8	100%	-	100%
3 to 7	24.0	100%	-	100%
8 to 12	17.3	100%	-	100%
13 to 17	34.9	97%	3%	100%
18 to 22	38.1	87%	13%	100%
23 to 27	45.3	65%	35%	100%
28+	65.1	60%	40%	100%
All	231.6	79%	21%	100%

*Note, a '-' denotes 0 barristers were in this sub-group.

179. The following set of tables (Tables 5.54-5.58) look at the distribution of individual SFP barristers' public criminal fee incomes, by years of practise, age, gender, ethnicity and advocate type. For each table the numbers of barristers in each sub-group (e.g. for years of practise, the familiar bands as above have been used), as well as the lower quartile, median and upper quartile public criminal fee incomes are reported. The definition of these statistical terms is as follows: if the barristers in each sub-group were lined up in descending order then the public fee income of the barrister who has 25% of all other barristers below them, would represent the lower quartile. The public fee income of the barrister with 50% of barristers below them would represent the median and the barrister with 75% of barristers below them would represent the upper quartile.
180. Alongside each table is a box and whisker plot (Figures 5.6-5.10), which shows the same information graphically, as well as the statistical maximums and minimums as represented by the whiskers. For example, Figure 5.6 below shows a box and whisker plot of individual barrister fee incomes for SFP barristers in 2019-20, with sub-groups based on years of practise. There appears to be a lot of variation in fee incomes between barristers in each sub-group, particularly for the sub-groups with higher years of practise. For the sub-group with 8-12 years of practise, the maximum was £210.8k and the minimum was £10.8k. The lower quartile, median and upper quartile were £56.3k, £81.6k and £109.0k respectively (which correspond to the bottom line, middle line and top line of the relevant box).

Table 5.54: Distribution of SFP barristers' fee incomes in 2019-20, by years of practise

Years of practise	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
0 to 2	220	11,600	25,100	42,700
3 to 7	350	43,700	65,000	88,300
8 to 12	200	56,300	81,600	109,000
13 to 17	380	61,100	85,600	111,900
18 to 22	400	60,200	88,800	115,400
23 to 27	420	67,000	97,400	130,000
28+	700	54,500	83,800	118,900
All	2,690	49,300	79,800	110,600

Figure 5.6: Box and whisker plot of SFP barristers' fee incomes in 2019-20, by years of practise

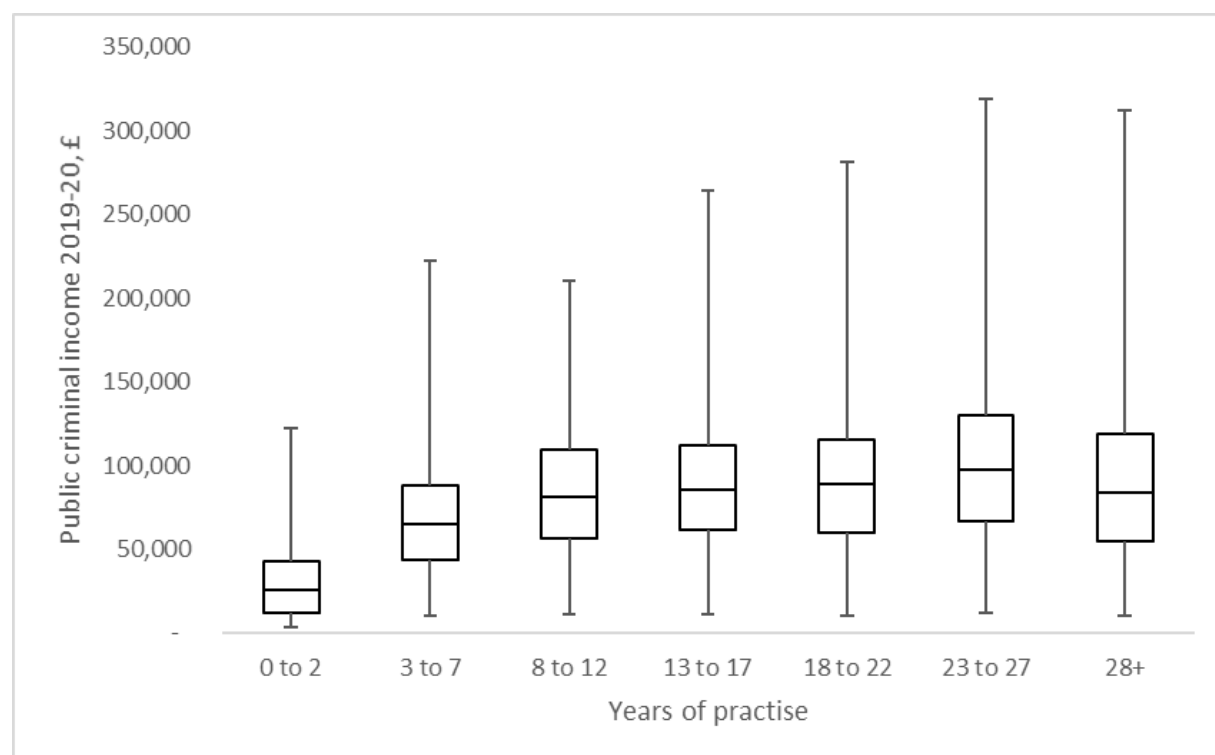


Table 5.55: Distribution of SFP barristers' fee incomes in 2019-20, by age

Age	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Under 25*	~	~	~	~
25-34	360	20,600	43,900	75,600
35-44	610	54,000	81,800	111,700
45-54	820	63,500	90,800	121,400
55-64	370	54,300	83,300	115,100
65+**	~	41,000	65,900	91,900
No information	420	52,800	81,000	113,300
All	2,690	49,300	79,800	110,600

*As there were less than 10 SFP barristers aged under 25 the number of them has been suppressed in this table. The summary statistics have also been suppressed and not included in the box and whisker plot as there are too few of them to provide reliable summary statistics.

**Secondary suppression has been applied to the number of barristers aged 65+ in 2019-20. This avoids the identification of the number of SFP barristers aged under 25 in 2019-20 through subtraction. However, summary statistics have been included for those aged 65+ as they do not reveal any sensitive information about those aged under 25.

Figure 5.7: Box and whisker plot of SFP barristers' fee incomes in 2019-20, by age

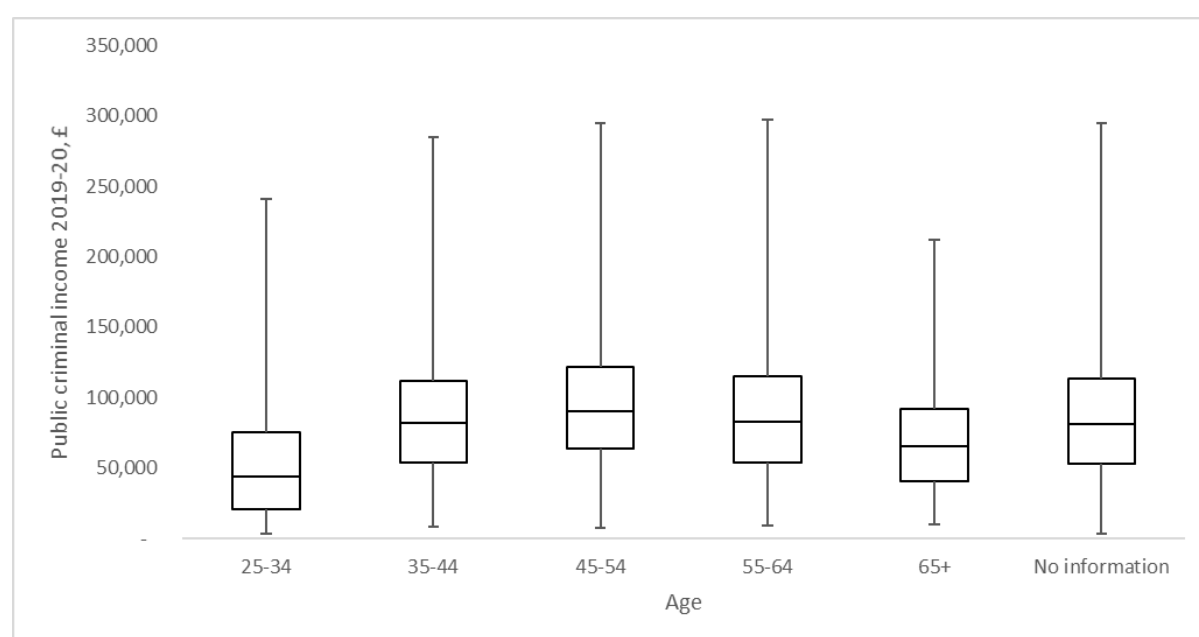


Table 5.56: Distribution of SFP barristers' fee incomes in 2019-20, by gender

Gender	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Male	1,860	56,400	86,300	117,100
Female	810	35,100	64,500	94,000
Prefer not to say/ no information	20	42,400	82,000	107,400
All	2,690	49,300	79,800	110,600

Figure 5.8: Box and whisker plot of SFP barristers' fee incomes in 2019-20, by gender

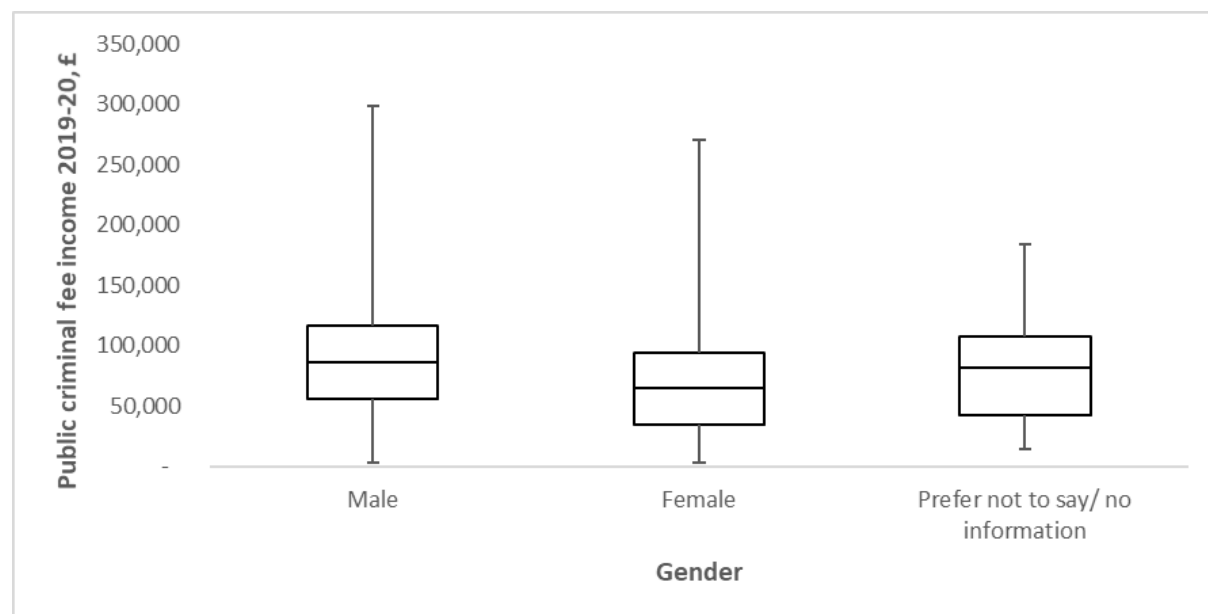


Table 5.57: Distribution of SFP barristers' fee incomes in 2019-20, by ethnicity

Ethnicity	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
White	2,180	50,400	80,600	110,900
Asian or Asian British	140	37,000	76,300	103,800
Mixed or multiple ethnic groups	70	41,600	69,000	97,700
Black, African, Caribbean, or Black British	70	28,600	61,000	102,400
Other ethnic group	30	42,700	73,700	107,200
Prefer not to say/ no information	190	57,600	84,300	115,900
All	2,690	49,300	79,800	110,600

Figure 5.9: Box and whisker plot of SFP barristers' fee incomes in 2019-20, by ethnicity

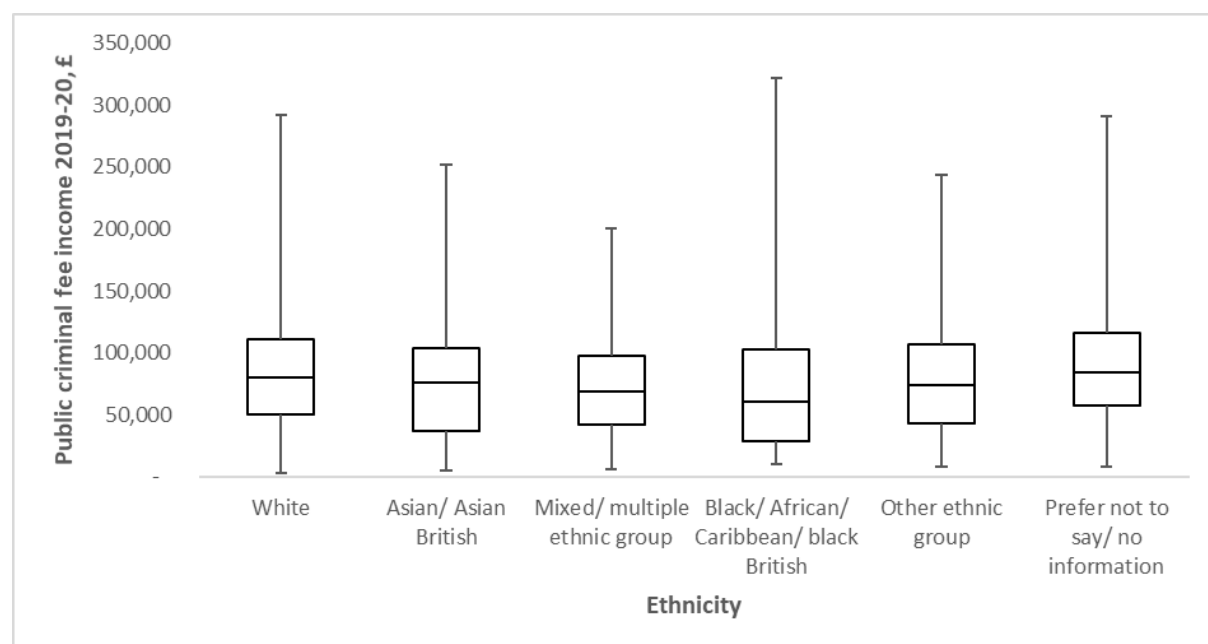
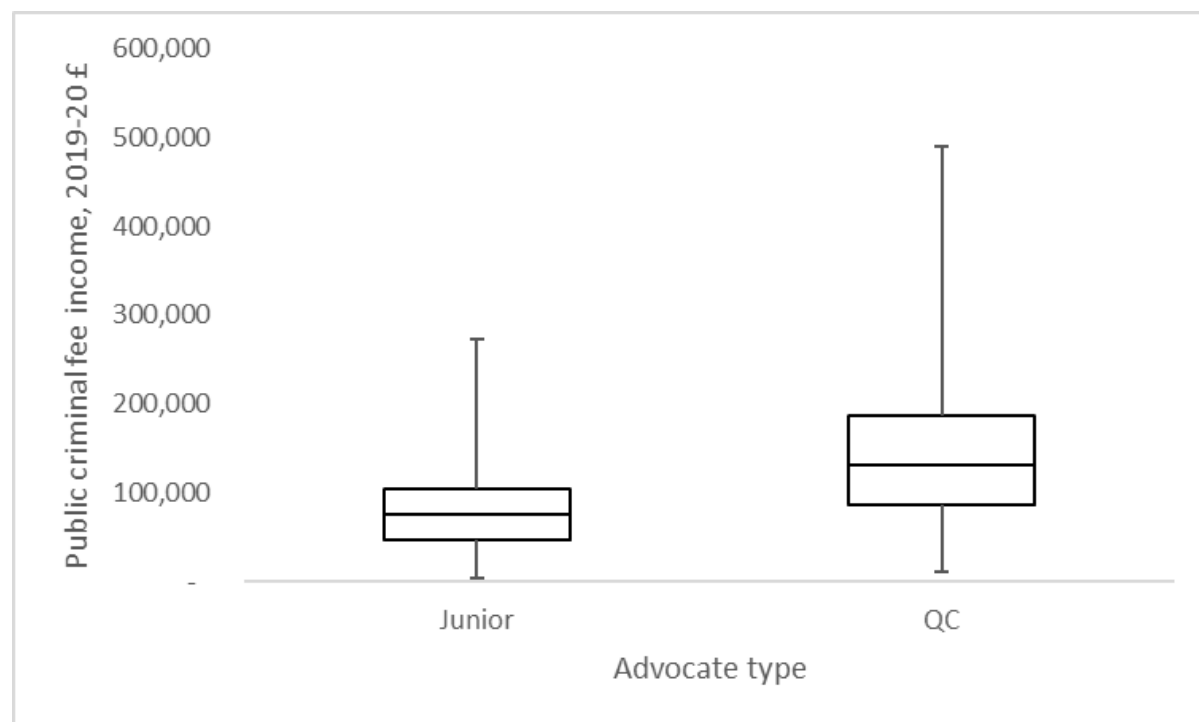


Table 5.58: Distribution of SFP barristers' fee incomes in 2019-20, by advocate type

Advocate type	Number of barristers	Lower quartile, £	Median, £	Upper quartile, £
Junior	2,350	47,100	75,500	103,400
QC	340	85,800	131,200	187,000
All	2,690	49,300	79,800	110,600

Figure 5.10: Box and whisker plot of SFP barristers' fee incomes in 2019-20, by advocate type



181. To assess public criminal fee incomes further, Table 5.59 considers the overall distribution of barristers in the **Self-declared Full Practise group** in 2019-20 by public criminal fee income bands. Following this Tables 5.60-5.64 present cross tabulations, based on barristers in the SFP group, with public criminal fee income band as the common variable and the other variable of interest being years of practise, gender, age, ethnicity and advocate type respectively. For example, Table 5.60 shows there were 350 SFP barristers in 2019-20 who earned between £1 and £30k, and 37% of these had 0-2 years of practise. Furthermore, across all barristers in the SFP group in 2019-20, 8% had 0-2 years of practise.

Table 5.59: Number of SFP barristers and their distribution by public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Percentage of barristers
£1 to £30,000	350	13%
£30,001 to £60,000	540	20%
£60,001 to £90,000	700	26%
£90,001 to £150,000	840	31%
£150,001 and over	260	10%
All	2,690	100%

Table 5.60: Number of SFP barristers and their distribution over years of practise, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	0 to 2	3 to 7	8 to 12	13 to 17	18 to 22	23 to 27	28+	All
£1 to £30,000	350	37%	14%	6%	9%	8%	6%	20%	100%
£30,001 to £60,000	540	12%	20%	6%	11%	14%	11%	26%	100%
£60,001 to £90,000	700	2%	16%	9%	16%	16%	15%	26%	100%
£90,001 to £150,000	840	1%	10%	9%	17%	18%	19%	26%	100%
£150,001 to £240,000	260	~	~	4%	14%	16%	30%	34%	100%
All	2,690	8%	13%	8%	14%	15%	16%	26%	100%

Table 5.61: Number of SFP barristers and their distribution over gender, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Male	Female	Prefer not to say/ No information	All
£1 to £30,000	350	51%	49%	~	100%
£30,001 to £60,000	540	63%	36%	~	100%
£60,001 to £90,000	700	68%	32%	~	100%
£90,001 to £150,000	840	76%	23%	~	100%
£150,001 and over	260	88%	12%	~	100%
All	2,690	69%	30%	1%	100%

Table 5.62: Number of SFP barristers and their distribution over Age, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Under 25	25-34	35-44	45-54	55-64	65+	No information	All
£1 to £30,000	350	~	37%	20%	12%	10%	~	14%	100%
£30,001 to £60,000	540	~	20%	19%	27%	14%	~	15%	100%
£60,001 to £90,000	700	~	9%	24%	32%	14%	~	17%	100%
£90,001 to £150,000	840	~	6%	26%	35%	15%	~	15%	100%
£150,001 and over	260	~	~	17%	45%	16%	~	18%	100%
All	2,690	~	13%	23%	30%	14%	~	15%	100%

Table 5.63: Number of SFP barristers and their distribution over Ethnicity, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ no information	All
£1 to £30,000	350	77%	8%	~	5%	~	5%	100%
£30,001 to £60,000	540	80%	5%	4%	~	~	6%	100%
£60,001 to £90,000	700	82%	5%	3%	2%	1%	7%	100%
£90,001 to £150,000	840	83%	4%	2%	2%	1%	8%	100%
£150,001 and over	260	83%	6%	~	~	~	7%	100%
All	2,690	81%	5%	3%	3%	1%	7%	100%

Table 5.64: Number of SFP barristers and their distribution over advocate type, for different public criminal fee income bands, in 2019-20

Public criminal fee income	Number of barristers	Junior	QC	All
£1 to £30,000	350	95%	5%	100%
£30,001 to £60,000	540	95%	5%	100%
£60,001 to £90,000	700	93%	7%	100%
£90,001 to £150,000	840	87%	13%	100%
£150,001 and over	260	50%	50%	100%
All	2,690	87%	13%	100%

Self-reported gross fee income

182. This section looks at self-reported gross fee incomes of barristers doing criminal work. Each year, the BC completes an Authorisation to Practise exercise, and this includes a declaration by barristers of the gross fee income they have earned in the previous financial year. These are reported within income bands and are based on all sources of fee income, so not just criminal fee income. Analysis in this section has been completed for the **Any Crime and Self-declared Full Practise groups, in 2019-20**.

Self-reported gross fee income of Any Crime barristers in 2019-20

183. Table 5.65 provides an overview of the distribution of AC barristers by self-reported gross fee income bands, in 2019-20. Then Tables 5.66-5.70 present cross-tabulations, based on AC barristers, and these use self-reported gross fee income bands and respectively; years of practise, age, gender, ethnicity and advocate type.

Table 5.65: Distribution of AC barristers over self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Percentage of barristers
£0 to £30,000	320	9%
£30,001 to £60,000	570	15%
£60,001 to £90,000	890	24%
£90,001 to £150,000	1,140	31%
£150,001 and over	600	16%
No declaration required	160	4%
All	3,680	100%

Table 5.66: Number of AC barristers and their distribution over years of practise, by self-reported gross fee income bands in 2019-20

Barristers' gross fee income	Number of barristers	0 to 2	3 to 7	8 to 12	13 to 17	18 to 22	23 to 27	28+	All
£0 to £30,000	320	48%	12%	7%	10%	6%	4%	13%	100%
£30,001 to £60,000	570	21%	22%	5%	10%	9%	9%	22%	100%
£60,001 to £90,000	890	6%	26%	7%	13%	13%	11%	24%	100%
£90,001 to £150,000	1,140	1%	16%	11%	18%	18%	17%	19%	100%
£150,001 and over	600	~	~	7%	14%	17%	22%	37%	100%
No declaration required	160	100%	~	~	~	~	~	~	100%
All	3,680	14%	16%	8%	13%	14%	13%	22%	100%

Table 5.67: Number of AC barristers and their distribution over age, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Under 25	25-34	35-44	45-54	55-64	65+	No information	All
£0 to £30,000	320	~	45%	16%	15%	7%	~	10%	100%
£30,001 to £60,000	570	~	28%	19%	17%	14%	~	15%	100%
£60,001 to £90,000	890	~	19%	24%	24%	14%	~	15%	100%
£90,001 to £150,000	1,140	~	10%	30%	34%	12%	~	12%	100%
£150,001 and over	600	~	~	22%	37%	14%	3%	21%	100%
No declaration required	160	10%	77%	7%	~	~	~	~	100%
All	3,680	1%	20%	23%	26%	12%	4%	14%	100%

Table 5.68: Number of AC barristers and their distribution over gender, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Male	Female	Prefer not to say/ No information	All
£0 to £30,000	320	48%	52%	~	100%
£30,001 to £60,000	570	55%	44%	~	100%
£60,001 to £90,000	890	64%	36%	~	100%
£90,001 to £150,000	1,140	73%	27%	~	100%
£150,001 and over	600	83%	16%	~	100%
No declaration required	160	48%	52%	~	100%
All	3,680	66%	33%	1%	100%

Table 5.69: Number of AC barristers and their distribution over ethnicity, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ No information	All
£0 to £30,000	320	73%	12%	~	6%	~	5%	100%
£30,001 to £60,000	570	77%	7%	~	5%	~	5%	100%
£60,001 to £90,000	890	82%	6%	3%	~	~	6%	100%
£90,001 to £150,000	1,140	82%	5%	2%	2%	1%	8%	100%
£150,001 and over	600	83%	5%	~	~	2%	6%	100%
No declaration required	160	82%	8%	~	~	~	~	100%
All	3,680	81%	6%	3%	3%	1%	6%	100%

Table 5.70: Number of AC barristers and their distribution over advocate type, by self-reported gross fee income bands, in 2019-20*

Barristers' gross fee income	Number of barristers	Junior	QC	All
£0 to £30,000	320	>95%	~	100%
£30,001 to £60,000	570	>95%	~	100%
£60,001 to £90,000	890	98%	2%	100%
£90,001 to £150,000	1,140	93%	7%	100%
£150,001 and over	600	53%	47%	100%
No declaration required	160	>95%	~	100%
All	3,680	89%	11%	100%

* All percentages eligible for secondary suppression in this table have been replaced by ">95%", to indicate their actual value is at least 95%. This has been completed to help mitigate potential disclosure risks without omitting a large amount of data in the table.

Self-reported gross fee income of Self-declared Full Practise barristers in 2019-20

184. Table 5.71 provides an overview of the distribution of SFP barristers by self-reported gross fee income bands, in 2019-20. Then Tables 5.72-5.76 present cross-tabulations, based on

the numbers of SFP barristers, which use self-reported gross fee income band and respectively; years of practise, age, gender, ethnicity and advocate type.

Table 5.71: Number of SFP barristers and their distribution by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Percentage of barristers
£0 to £30,000	170	6%
£30,001 to £60,000	370	14%
£60,001 to £90,000	690	26%
£90,001 to £150,000	920	34%
£150,001 and over	490	18%
No declaration required	50	2%
All	2,690	100%

Table 5.72: Number of SFP barristers and their distribution over years of practise, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	0 to 2	3 to 7	8 to 12	13 to 17	18 to 22	23 to 27	28+	All
£0 to £30,000	170	57%	9%	6%	9%	~	~	11%	100%
£30,001 to £60,000	370	14%	21%	6%	11%	10%	10%	28%	100%
£60,001 to £90,000	690	2%	22%	7%	13%	15%	13%	28%	100%
£90,001 to £150,000	920	~	~	11%	18%	19%	19%	21%	100%
£150,001 and over	490	~	~	4%	14%	16%	23%	40%	100%
No declaration required	50	100%	~	~	~	~	~	~	100%
All	2,690	8%	13%	8%	14%	15%	16%	26%	100%

Table 5.73: Number of SFP barristers and their distribution over age, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Under 25	25-34	35-44	45-54	55-64	65+	No information	All
£0 to £30,000	170	~	49%	16%	16%	7%	~	8%	100%
£30,001 to £60,000	370	~	21%	18%	19%	16%	~	17%	100%
£60,001 to £90,000	690	~	13%	22%	26%	16%	~	17%	100%
£90,001 to £150,000	920	~	6%	29%	38%	12%	~	12%	100%
£150,001 and over	490	~	~	18%	39%	16%	3%	22%	100%
No declaration required	50	~	82%	~	~	~	~	~	100%
All	2,690	~	13%	23%	30%	14%	~	15%	100%

Table 5.74: Number of SFP barristers and their distribution over gender, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	Male	Female	Prefer not to say/ No information	All
£0 to £30,000	170	47%	53%	~	100%
£30,001 to £60,000	370	57%	42%	~	100%
£60,001 to £90,000	690	66%	33%	~	100%
£90,001 to £150,000	920	75%	24%	~	100%
£150,001 and over	490	84%	16%	~	100%
No declaration required	50	41%	59%	~	100%
All	2,690	69%	30%	1%	100%

Table 5.75: Number of SFP barristers and their distribution over ethnicity, by self-reported gross fee income bands, in 2019-20

Barristers' gross fee income	Number of barristers	White	Asian or Asian British	Mixed or multiple ethnic groups	Black, African, Caribbean, or Black British	Other ethnic group	Prefer not to say/ no information	All
£0 to £30,000	170	75%	8%	~	~	~	5%	100%
£30,001 to £60,000	370	77%	6%	~	5%	~	6%	100%
£60,001 to £90,000	690	82%	5%	3%	~	~	7%	100%
£90,001 to £150,000	920	82%	4%	2%	2%	1%	8%	100%
£150,001 and over	490	84%	5%	2%	~	~	6%	100%
No declaration required	50	86%	~	~	~	~	2%	100%
All	2,690	81%	5%	3%	3%	1%	7%	100%

Table 5.76: Number of SFP barristers and their distribution over advocate type, by self-reported gross fee income bands, in 2019-20*

Barristers' gross fee income	Number of barristers	Junior	QC	All
£0 to £30,000	170	>95%	~	100%
£30,001 to £60,000	370	>95%	~	100%
£60,001 to £90,000	690	98%	2%	100%
£90,001 to £150,000	920	93%	7%	100%
£150,001 and over	490	49%	51%	100%
No declaration required	50	>95%	~	100%
All	2,690	87%	13%	100%

*As in Table 5.7, all percentages eligible for secondary suppression in this table have been replaced by ">95%", to indicate their actual value is at least 95%. This has been completed to help mitigate potential disclosure risks without omitting a large amount of data in the table.

Expenses

185. This short section provides some descriptive information on the types of expenses and overheads barristers face, which their fee income must contribute towards. This is an important consideration alongside the fee income figures contained in this chapter.

186. No systematic data source is available showing the expenses faced by barristers. Accounting data provided by the BC, relating to 53 barristers in 2019-20, suggests the primary expense criminal barristers face is chambers rent, followed by other expenses such as insurance, subscriptions (including practising certificate), capital expenditure and travel. Summary statistics based on this accounting data have been included in Table 5.77 below to demonstrate the proportion of barristers' incomes that were spent on different types of expenses. As the number of barristers on which this information is based is relatively small, the results may not be representative of the population at large and so these statistics must be treated as indicative only.
187. Note, in addition to the expenses alluded to above, self-employed barristers will need to contribute towards any private pensions they choose to have and also make national insurance contributions and pay any income tax due. Although VAT is payable on their fee income, this is wholly borne by the LAA (barristers are remunerated fully for this). As mentioned previously all the public criminal fee income data assessed in this chapter excludes VAT, as it is essentially a pass-through cost.

Table 5.77: Proportion of 53 barristers' income in 2019-20 spent on different expenses

	Chambers rent	Other expenses*	Overall expenses
LQ**	16%	7%	23%
Median	17%	10%	27%
Mean	17%	11%	29%
UQ	20%	13%	33%
IQR***	4%	6%	10%

*Other expenses include insurance, subscriptions, capital expenditure and travel. As mentioned earlier, the public criminal fee income data assessed in this chapter includes payments for barristers' disbursements, such as travel.

**Further details about the lower quartile, median and upper quartile can be found in paragraph 174.

*** The inter-quartile range (IQR) is equal to the upper quartile value less the lower quartile value, in terms of the share of fee income that expenses comprise. It demonstrates the degree to which this proportion varies by barrister.

Workload

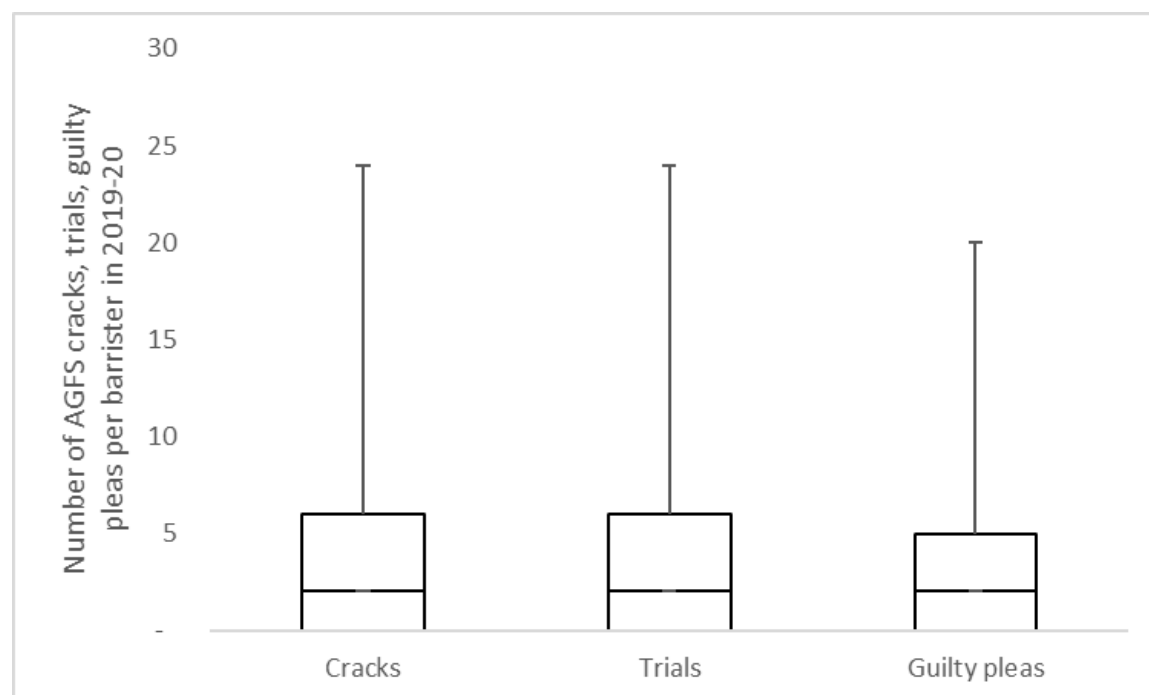
188. This section contains both tables and box and whisker plots to demonstrate the volume of AGFS pleas, cracks, and trials barristers typically take on, for the **Any Crime and Self-declared Full Practise groups** in 2019-20. This analysis was not possible for the barristers' CPS work as case level information on individual barristers was not available in the underlying data. Because the mix of VHCC cases can vary substantially year by year and VHCC fee income only made up a relatively small proportion of 2019-20 public criminal fee income, it has not been included in this analysis.
189. As cases can vary enormously in terms of duration and the amount of work required, this section should be viewed as only providing a guide as to how the volume of work varies across different barristers.
190. Table 5.78 below shows the workload of AC barristers in 2019-20, but as alluded to above, only considers those cracks, trials and guilty pleas pertaining to the AGFS fee scheme. The first row shows the total volume, for each case outcome, that was completed by AC barristers in 2019-20. The remaining rows present information on the distribution of workloads among the AC barristers. For example, the median number of AGFS cracks, trials and guilty pleas completed was 7 over the course of 2019-20.

Table 5.78: Total number and distribution of AGFS cracks, trials and guilty pleas completed by AC barristers in 2019-20

	Cracked trial	Trial	Guilty plea	All
Number of cases	15,230	12,900	13,400	41,520
Lower quartile	0	0	0	1
Median	2	2	2	7
Upper quartile	6	6	5	17
Average number of cases per barrister per year	4	4	4	11

191. Figure 5.11 below represents the full distribution of AGFS cracks, trials and guilty pleas that AC barristers completed in 2019-20. It shows that there is a similar level of spread between cracks, trials and guilty pleas among these barristers. The bottom line of each box represents the respective lower quartile, the middle line represents the median and the top line of each box corresponds to the upper quartile. The whiskers extending below and above from the boxes represent the statistical minimums and maximums respectively.

Figure 5.11: Box plot of AGFS cracks, trials and guilty pleas completed by AC barristers in 2019-20

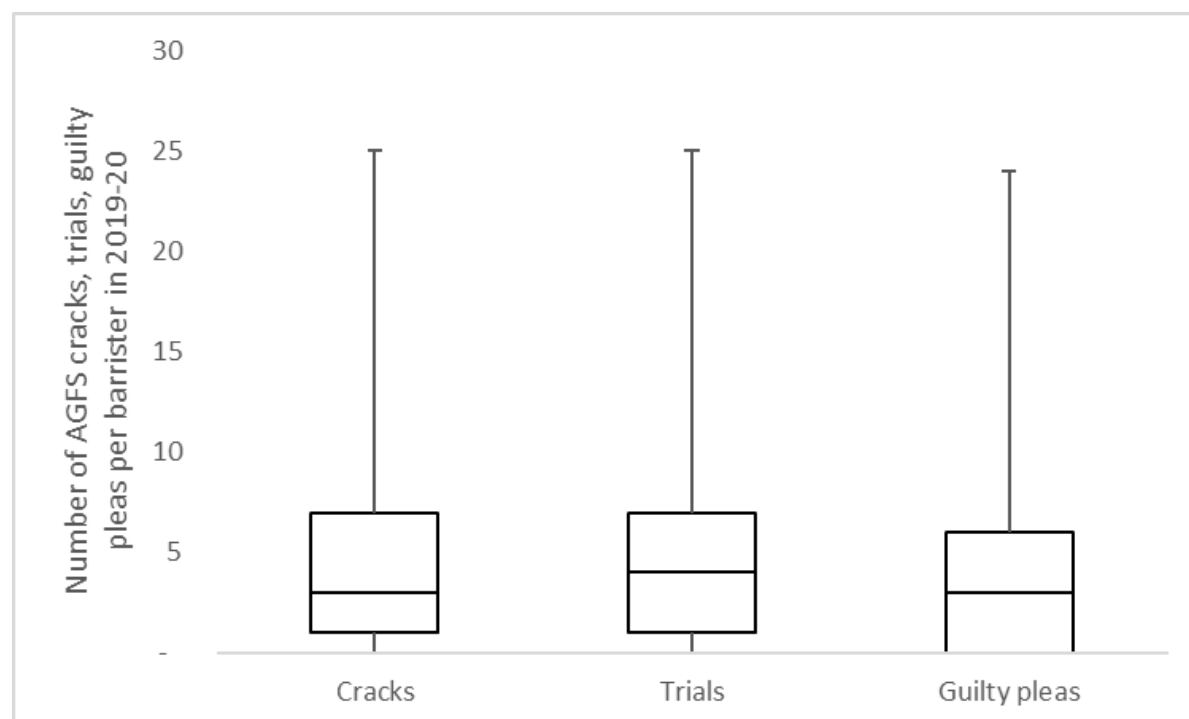


192. Table 5.79 below looks at the workload of SFP barristers in 2019-20. It shows that the median number of cracks, trials and guilty pleas completed was 10 over the course of the year.

Table 5.79: Total number and distribution of AGFS cracks, trials and guilty pleas completed by SFP barristers in 2019-20

	Cracked trial	Trial	Guilty plea	All
Number of cases	13,910	11,850	12,240	38,000
Lower quartile	1	1	0	4
Median	3	4	3	10
Upper quartile	7	7	6	21
Average number of cases per barrister per year	5	4	5	14

Figure 5.12: Box plot of AGFS cracks, trials and guilty pleas completed by SFP barristers in 2019-20



Defence vs prosecution

193. This section contains information relating to the split in public criminal fee income of barristers in the **Any Crime and Self-declared Full Practise groups** in 2019-20, by prosecution and defence work. Tables 5.80-5.85 demonstrate how aggregate public criminal fee income (separately for defence and prosecution) of AC barristers was distributed in 2019-20; by region, years of practise, age, gender, ethnicity and advocate type.
194. Further indicative analysis is then included to estimate how much defence and prosecution work barristers typically take on. For the purposes of this section, the AC and SFP barristers in 2019-20 have been disaggregated into sub-groups, based on the proportion of their public criminal fee income that precipitates from defence work. This is explained in more detail below.

Defence vs prosecution for the Any Crime group

Table 5.80: Public criminal fee income of AC barristers by region, in 2019-20, for prosecution and defence work

Region	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
East Midlands	2%	3%	3%
East of England	1%	1%	1%
London	57%	52%	55%
North East	3%	2%	3%
North West	14%	13%	14%
South East	2%	3%	2%
South West	3%	4%	4%
Wales	3%	3%	3%
West Midlands	6%	7%	7%
Yorkshire and The Humber	8%	10%	9%
No information	1%	1%	1%
All	100%	100%	100%

Table 5.81: Public criminal fee income of AC barristers by years of practise, in 2019-20, for prosecution and defence work

Years of practise	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
0 to 2	4%	3%	4%
3 to 7	12%	11%	11%
8 to 12	7%	8%	8%
13 to 17	15%	15%	15%
18 to 22	16%	17%	16%
23 to 27	18%	21%	19%
28+	28%	25%	27%
All	100%	100%	100%

Table 5.82: Public criminal fee income of AC barristers by age, in 2019-20, for prosecution and defence work

Age	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
Under 25	0%	0%	0%
25-34	9%	9%	9%
35-44	22%	25%	23%
45-54	34%	34%	34%
55-64	15%	13%	14%
65+	3%	3%	3%
No information	16%	15%	16%
All	100%	100%	100%

Table 5.83: Public criminal fee income of AC barristers by gender, in 2019-20, for prosecution and defence work

Gender	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
Male	75%	74%	75%
Female	24%	25%	25%
Prefer not to say/ No information	1%	1%	1%
All	100%	100%	100%

Table 5.84: Public criminal fee income of AC barristers by ethnicity, in 2019-20, for prosecution and defence work

Ethnicity	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
White	78%	87%	82%
Asian or Asian British	7%	3%	5%
Mixed or multiple ethnic groups	3%	2%	2%
Black, African, Caribbean, or Black British	3%	1%	2%
Other ethnic group	2%	1%	1%
Prefer not to say/ No information	7%	7%	7%
All	100%	100%	100%

Table 5.85: Public criminal fee income of AC barristers by advocate type, in 2019-20, for prosecution and defence work

Advocate type	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	146.6	106.0	252.5
Junior	80%	80%	80%
QC	20%	20%	20%
All	100%	100%	100%

Defence vs prosecution for the Self-declared Full Practise group

195. Tables 5.86-5.91 demonstrate how aggregate public criminal fee income of SFP barristers (separately for defence and prosecution) was distributed in 2019-20; by region, years of practise, age, gender, ethnicity and advocate type.

Table 5.86: Public criminal fee income of SFP barristers by region, in 2019-20, for prosecution and defence work

Region	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
East Midlands	2%	4%	3%
East of England	1%	1%	1%
London	58%	52%	56%
North East	3%	2%	3%
North West	14%	14%	14%
South East	2%	3%	2%
South West	3%	4%	4%
Wales	3%	4%	3%
West Midlands	6%	8%	7%
Yorkshire and The Humber	8%	9%	8%
No information	1%	1%	1%
All	100%	100%	100%

Table 5.87: Public criminal fee income of SFP barristers by years of practise, in 2019-20, for prosecution and defence work

Years of practise	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
0 to 2	3%	2%	3%
3 to 7	11%	10%	10%
8 to 12	7%	8%	7%
13 to 17	15%	16%	15%
18 to 22	16%	17%	16%
23 to 27	18%	21%	20%
28+	29%	26%	28%
All	100%	100%	100%

Table 5.88: Public criminal fee income of SFP barristers by age, in 2019-20, for prosecution and defence work

Age	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
Under 25	0%	0%	0%
25-34	8%	8%	8%
35-44	22%	24%	23%
45-54	35%	35%	35%
55-64	15%	14%	15%
65+	3%	3%	3%
No information	17%	15%	16%
All	100%	100%	100%

Table 5.89: Public criminal fee income of SFP barristers by gender, in 2019-20, for prosecution and defence work

Gender	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
Male	76%	75%	76%
Female	24%	24%	24%
Prefer not to say/ no information	1%	1%	1%
All	100%	100%	100%

Table 5.90: Public criminal fee income of SFP barristers by ethnicity, in 2019-20, for prosecution and defence work

Ethnicity	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
White	79%	87%	82%
Asian or Asian British	7%	3%	5%
Mixed or multiple ethnic groups	3%	2%	2%
Black, African, Caribbean, or Black British	3%	1%	2%
Other ethnic group	2%	0%	1%
Prefer not to say/ no information	7%	7%	7%
All	100%	100%	100%

Table 5.91: Public criminal fee income of SFP barristers by advocate type, in 2019-20, for prosecution and defence work

Advocate type	AGFS and VHCC public criminal fee income	CPS public criminal fee income	Total public criminal fee income
Public criminal fee income, £m	135.3	96.4	231.6
Junior	79%	80%	79%
QC	21%	20%	21%
All	100%	100%	100%

Barrister specialisation between defence and prosecution work

196. Indicative analysis has been completed on the AC and SFP barristers in 2019-20, using their public criminal fee income data to assess the extent to which they complete criminal defence or prosecution work. For the purposes of this section, barristers have been assigned to one of five different sub-groups, depending on the proportion of their overall public criminal fee income that is derived from prosecution or defence work. These groupings are explained in Table 5.92 below. For example, there were 690 AC barristers whose share of 2019-20 public criminal fee income coming from AGFS or VHCC was between 1% and 30%. These barristers are defined as 'Mostly prosecution'.

Specialisation among the Any Crime barristers in 2019-20

197. Table 5.92 below assesses the distribution of AC barristers in 2019-20 by the groupings as discussed above. Then Tables 5.93–5.94 present cross tabulations, based on AC barristers, which consider the extent of defence or prosecution specialism a barrister has and, respectively; by public criminal fee income bands and years of practise bands.

Table 5.92: Definition of barrister specialisation, and allocation of AC barristers, in 2019-20

Barrister category	Percentage of 2019-20 criminal fee income coming from defence work	Number of barristers	Percentage of barristers
Prosecution specialist	0%	450	12%
Mostly prosecution	1% - 30%	690	19%
Mix of prosecution and defence	31% - 69%	810	22%
Mostly defence	70% - 99%	670	18%
Defence specialist	100%	1,050	29%
All	0% - 100%	3,680	100%

Table 5.93: Degree of specialisation of AC barristers by public criminal fee income band, in 2019-20

Public criminal fee income	Number of barristers	Prosecution specialist	Mostly prosecution	Mix of prosecution and defence	Mostly defence	Defence specialist	All
£1 to £30,000	1,110	23%	13%	14%	15%	35%	100%
£30,001 to £60,000	680	9%	21%	21%	22%	27%	100%
£60,001 to £90,000	750	5%	20%	31%	19%	24%	100%
£90,001 to £150,000	870	6%	21%	26%	21%	25%	100%
£150,001 to £240,000	270	14%	23%	17%	15%	31%	100%
All	3,680	12%	19%	22%	18%	29%	100%

Table 5.94: Degree of specialisation of AC barristers by years of practise, in 2019-20

Years of practise	Number of barristers	Prosecution specialist	Mostly prosecution	Mix of prosecution and defence	Mostly defence	Defence specialist	All
0 to 2	500	11%	15%	19%	28%	27%	100%
3 to 7	600	9%	19%	28%	21%	24%	100%
8 to 12	280	15%	23%	20%	23%	20%	100%
13 to 17	490	15%	19%	22%	16%	28%	100%
18 to 22	500	13%	18%	22%	18%	28%	100%
23 to 27	490	10%	22%	24%	14%	30%	100%
28+	820	13%	18%	19%	13%	36%	100%
All	3,680	12%	19%	22%	18%	29%	100%

Specialisation among the Self-declared Full Practise barristers in 2019-20

198. Table 5.95 below assesses the distribution of SFP barristers in 2019-20 by the groupings as discussed at the start of this section. Then Tables 5.96–5.97 present cross tabulations, based on SFP barristers, which consider the extent of defence or prosecution specialism a barrister has and, respectively; public criminal fee income bands and years of practise bands.

Table 5.95: Definition of SFP barrister specialisation, and number of barristers, in 2019-20

Barrister category	Percentage of 2019-20 criminal fee income coming from defence work	Number of barristers	Percentage of barristers
Prosecution specialist	0%	200	8%
Mostly prosecution	1% - 30%	550	21%
Mix of prosecution and defence	31% - 69%	680	25%
Mostly defence	70% - 99%	530	20%
Defence specialist	100%	720	27%
All	0% - 100%	2,690	100%

Table 5.96: Degree of specialisation of SFP barristers by public criminal fee income, in 2019-20

Public criminal fee income	Number of barristers	Prosecution specialist	Mostly prosecution	Mix of prosecution and defence	Mostly defence	Defence specialist	All
£1 to £30,000	350	12%	15%	21%	21%	31%	100%
£30,001 to £60,000	540	9%	21%	22%	21%	27%	100%
£60,001 to £90,000	700	4%	20%	31%	19%	24%	100%
£90,001 to £150,000	840	6%	22%	27%	20%	26%	100%
£150,001 and over	260	14%	23%	17%	14%	31%	100%
All	2,690	8%	21%	25%	20%	27%	100%

Table 5.97: Degree of specialisation of SFP barristers by years of practise, in 2019-20

Years of practise	Number of barristers	Prosecution specialist	Mostly prosecution	Mix of prosecution and defence	Mostly defence	Defence specialist	All
0 to 2	220	~	~	27%	38%	21%	100%
3 to 7	350	~	~	32%	24%	21%	100%
8 to 12	200	6%	26%	25%	25%	18%	100%
13 to 17	380	8%	21%	26%	19%	26%	100%
18 to 22	400	10%	19%	25%	19%	26%	100%
23 to 27	420	9%	23%	26%	14%	28%	100%
28+	700	10%	20%	21%	14%	35%	100%
All	2,690	8%	21%	25%	20%	27%	100%

Public criminal fee income variability

199. For the **Self-declared** and **Any Crime** barristers who worked in both 2018-19 and 2019-20, this short section contains a few histograms to provide an indicative assessment as to how much barrister's public criminal fee income can vary year to year.

200. For example, Table 5.98 below demonstrates that there were 200 AC barristers that worked in both 2018-19 and 2019-20, and who experienced a **decrease** in public criminal fee income of at least 60% but less than 80%. The cumulative percentage demonstrates

that 49% of all AC barristers who worked in 2018-19 and 2019-20 experienced either no change or a decrease in their public criminal fee income. Table 5.99 should be interpreted in the same manner.

Table 5.98: AC barristers who worked in 2018-19 and 2019-20, change in public criminal fee income

Barristers' change in fee income between 2018-19 and 2019-20	Number of barristers who worked in 2018-19 and 2019-20	Percentage of barristers	Cumulative percentage
-100% < Change <= -80%	180	5%	5%
-80% < Change <= -60%	200	6%	11%
-60% < Change <= -40%	290	9%	20%
-40% < Change <= -20%	450	13%	33%
-20% < Change <= 0%	550	16%	49%
0% < Change <= 20%	510	15%	64%
20% < Change <= 40%	360	11%	75%
40% < Change <= 60%	210	6%	81%
60% < Change <= 80%	120	4%	85%
80% < Change	100	3%	88%
100% < Change	410	12%	100%
Total	3380	100%	100%

Table 5.99: SFP barristers who worked in 2018-19 and 2019-20, change in public criminal fee income

Barristers' change in fee income between 2018-19 and 2019-20	Number of barristers who worked in 2018-19 and 2019-20	Percentage of barristers	Cumulative percentage
-100% < Change <= -80%	10	0%	0%
-80% < Change <= -60%	80	3%	4%
-60% < Change <= -40%	210	9%	12%
-40% < Change <= -20%	380	16%	28%
-20% < Change <= 0%	480	20%	47%
0% < Change <= 20%	450	18%	66%
20% < Change <= 40%	310	13%	78%
40% < Change <= 60%	180	7%	86%
60% < Change <= 80%	90	4%	89%
80% < Change	70	3%	92%
100% < Change	190	8%	100%
Total	2440	100%	100%

Leavers and joiners

201. This section provides an indicative assessment of the workforce dynamics within the criminal legal aid market, based on the **Implied Full Practise group** and the **Any Crime group** between 2016-17 and 2019-20. Across this period, the IFP group provides an

indication of the overall movements in specialised criminal barristers, whereas the AC group is more suited to indicating the total number of barristers that have joined or left the criminal profession. This analysis was not possible for the SFP group as the self-declared area of practise information was only available for 2018-19 and 2019-20, limiting the ability to analyse this group over time.

202. For the IFP barristers, the tables record the numbers moving in or out of the IFP group between successive years. As such, individuals noted as leavers on this definition may in fact have continued to work but with a lower or even higher level of fee income. Similarly, joiners may have previously been working at a lower or higher income level, given a key qualifying condition for being in the IFP group is that a barristers' public criminal fee income needs to be within 80% of the lower bound of their self-reported gross fee income.
203. The AC joiners and leavers are calculated in a similar way. However, to ensure we have only included barristers in the AC group that have earned a reasonable level of fee income, joiners are only counted if they are above the minimum income thresholds²¹, and leavers if they go below.
204. This section begins with Tables 5.100-5.103, which demonstrate the overall numbers of leavers and joiners within these groups, as well as the split between new joiners (those recorded with 0 years of practising experience in the respective year, after rounding) and re-joiners (all other joiners). It should be noted that the number of new joiners in 2019-20 may be an underestimate, caused by the fact that they hadn't yet shown up in the billing data at the time this data was collected. Further, for either group, in some instances barristers have been classed as leavers since their income has fallen below the relevant minimum income threshold, despite the absolute change in their fee income being marginal between the relevant years. This could also lead to an overestimate in terms of the true number of re-joiners.
205. Further tables are then included to explore the characteristics of the Any Crime group leavers and joiners in 2019-20, in terms of their years of practise, age, gender and ethnicity. These tables assess new-joiners and re-joiners separately. Note that due to the relatively small numbers of barristers in this section, a more general set of categories has been used when considering ethnicity. This section then ends with tables demonstrating the leaving rates of the Any Crime barristers in 2019-20, by these same characteristics.

Overview of leavers and joiners'

Table 5.100: Leavers and joiners from the AC group by year

	2016-17	2017-18	2018-19	2019-20
Leavers	300	350	340	370
Joiners	360	330	300	280

Table 5.101: Number of joiners by re-joiners and new joiners in the AC group by year

	2016-17	2017-18	2018-19	2019-20
New joiner	150	150	150	130
Re-joiner	220	180	160	150
All joiners	360	330	300	280

²¹ For an explanation of the minimum income thresholds, please refer to paragraph 146.

Table 5.102: Leavers and joiners from the IFP group by year

	2016-17	2017-18	2018-19	2019-20
Leavers	520	580	670	620
Joiners	580	490	510	590

Table 5.103: Number of joiners by re-joiners and new joiners in the IFP group by year

	2016-17	2017-18	2018-19	2019-20
New joiner	150	150	150	130
Re-joiner	430	340	360	460
All joiners	580	490	510	590

Characteristics of Any Crime leavers

Table 5.104: Number of AC Leavers and distribution over years of practise, in 2019-20

Years of practise	Number/ percentage of barristers
Number of barristers	370
0 to 2	20%
3 to 7	16%
8 to 12	7%
13 to 17	14%
18 to 22	10%
23 to 27	9%
28+	24%
All	100%

Table 5.105: Number of AC Leavers and distribution over age, in 2019-20

Age range	Number/ percentage of barristers
Number of barristers	370
25-34	25%
35-44	25%
45-54	18%
55-64	12%
65+	6%
No information	15%
All	100%

Table 5.106: Number of AC Leavers and distribution over gender, in 2019-20

Gender	Number/ percentage of barristers
Number of barristers	370
Male	60%
Female	39%
Prefer not to say/ No information	~
All	100%

Table 5.107: Number of AC Leavers and distribution over ethnicity, in 2019-20

Ethnicity	Number/ percentage of barristers
Number of barristers	370
White	79%
BAME	14%
Prefer not to say/ No information	8%
All	100%

206. The following two tables look at the age and gender composition of barristers who are defined as leavers from the AC group in 2019-20. Table 5.108 presents the number of barristers, so for example there were 40 male barristers aged 25-34 who were classified as leavers in 2019-20. Table 5.109 then demonstrates what percentage this sub-group comprises of all leavers from the AC group in 2019-20 (11%).

Table 5.108: Number of AC Leavers by age and gender, in 2019-20

Age range/ Gender	Male	Female	Prefer not to say/ No information	All
Under 25	~	~	~	~
25-34	40	50	~	90
35-44	50	40	~	90
45-54	40	30	~	70
55-64	40	~	~	40
65+	20	~	~	20
No information	40	20	~	50
All	220	150	~	370

Table 5.109: Distribution of AC Leavers by age and gender, in 2019-20

Age range/ Gender	Male	Female	Prefer not to say/ No information	All
Under 25	~	~	~	~
25-34	11%	14%	~	25%
35-44	14%	11%	~	25%
45-54	10%	8%	~	18%
55-64	10%	~	~	12%
65+	6%	~	~	6%
No information	10%	5%	~	15%
All	60%	39%	~	100%

Characteristics of Any Crime joiners

Table 5.110: Number of AC Joiners and distribution over age, in 2019-20

Age range	New joiners	Re-joiners	All joiners
Number of barristers	130	150	280
Under 25	13%	~	6%
25-34	71%	30%	49%
35-44	~	28%	18%
45-54	~	19%	13%
55-64	~	8%	~
65+	~	~	~
No information	~	12%	7%
All	100%	100%	100%

Table 5.111: Number of AC Joiners and distribution over gender, in 2019-20

Gender	New joiners	Re-joiners	All joiners
Number of barristers	130	150	280
Male	52%	54%	53%
Female	47%	46%	46%
Prefer not to say/ No information	~	~	~
All	100%	100%	100%

Table 5.112: Number of AC Joiners and distribution over ethnicity, in 2019-20

Ethnicity	New joiners	Re-joiners	All joiners
Number of barristers	130	150	280
White	81%	70%	76%
BAME	16%	23%	19%
Prefer not to say/ No information	~	7%	5%
All	100%	100%	100%

Table 5.113: Number of AC Re-joiners and distribution over years of practise, in 2019-20

Years of practise	2019-20
Number of barristers	150
0 to 2*	16%
3 to 7	26%
8 to 12	10%
13 to 17	16%
18 to 22	8%
23 to 27	8%
28+	17%
All	100%

*Note, it is not possible to have a re-joiner with 0 years of practise, as otherwise they would be classified as a new joiner. Therefore, only barristers with 1 or 2 years of practise are contained within this band.

Leaving rates by characteristics

207. The following tables (Tables 5.114 - 5.117) demonstrate what proportion the AC leavers represent of the population of AC barristers, to provide an indicative assessment of leaving rates. For each table, leaving rates are presented on the sub-groups that are relevant to that table (which follow the same categories as used throughout this chapter). For example, Table 5.114 shows there were 70 AC barristers with 0-2 years of practise who were classified as leavers in 2019-20. Further, that was equivalent to 14% of the stock of AC barristers with 0-2 years of practise in 2018-19.
208. Note, the leaving rates among barristers with either 0-2 or 3-7 years of practise may be higher than barristers with more years of practise, partly due to their public criminal fee incomes being lower in general.²² As such, they are more likely to be classified as a leaver when their income fluctuates, as barristers in these categories will tend to be closer to the minimum fee income thresholds in each year.

Table 5.114: Number of AC Leavers and indicative leaving rates, by years of practise, in 2019-20

Years of practise	Number of barristers leaving	Leaving rate
0 to 2*	70	14%
3 to 7	60	12%
8 to 12	30	7%
13 to 17	50	9%
18 to 22	40	7%
23 to 27	30	6%
28+	90	11%
All	370	10%

*Note, as it is not possible to have a leaver with 0 years of practise, only barristers with 1 or 2 years of practise are actually contained within this band.

²² Please refer to the box and whisker plots in Figures 5.1 and 5.6 in the Public criminal fee income section.

Table 5.115: Number of AC leavers and indicative leaving rates, by age, in 2019-20

Age range	Number of barristers leaving	Leaving rate
Under 25	~	~
25-34	90	12%
35-44	90	10%
45-54	70	7%
55-64	40	10%
65+	~	~
No information	50	10%
All	370	10%

Table 5.116: Number of AC Leavers and indicative leaving rates, by gender, in 2019-20

Gender	Number of barristers leaving	Leaving rate
Male	220	9%
Female	150	12%
Prefer not to say/ No information	~	~
All	370	10%

Table 5.117: Number of AC Leavers and indicative leaving rates, by ethnicity, in 2019-20

Ethnicity	Number of barristers leaving	Leaving rate
White	290	9%
BAME	50	10%
Prefer not to say/ No information	30	12%
All	370	10%

Annex I – Description of variables used in compendium

Chapter 1 – Firms

Variables from the Law Society:

Firm datasets:

- Anonymised firm identification number: Created as part of the data linking process by removing firm name, address (the outer postcode was kept) and SRA number, and assigning a randomised number to the firm;
- Number of partners: Number of partner equivalents (based on the allowable posts and roles structure) with a current post at this firm;
- Turnover: The overall turnover at the firm from all areas of work. It was assumed that the turnover reported referred to the financial year in which it was reported.;
- Criminal specialisation: percentage of turnover coming from Criminal work;
- Firm's outer postcode: used to determine the geographical location of the firm which is based on the location of the head office

Variables from the Legal Aid Agency:

- Crime Lower fee income
- LGFS fee income
- AGFS fee income
- VHCC fee income
- Crime Lower case volumes
- LGFS case volumes
- AGFS case volumes
- VHCC case volumes
- Anonymised firm identification number: Firms that were successfully matched with the LS data using firm name and address were given same randomised number. After this, firm name and address were removed.

Fee income from the various categories of cases was used to calculate the total amount of CLA fee income paid to the firm in the respective year. Solicitor firms' fee income includes disbursements and VAT. Case volumes from the various categories of cases was used to calculate the total number of case volumes handled by the firm in the respective year.

Chapter 2 – Solicitors

Variables from LS:

Individual solicitor datasets:

- Anonymised solicitor identification number: Solicitors in the LS datasets were linked to the LAA datasets using their SRA number. Once linked, their SRA number was deleted, as well as their name and date of birth (although their age was kept), a randomised number assigned to them in both the SRA and LAA datasets;
- Age: Age was calculated using their date of birth, after which date of birth was deleted;
- Gender;

- Date of admission: If the individual has been admitted to the roll, the date of admission;
- Practising Certificate flag: Flag (Y) to indicate that the individual has a Practising Certificate;
- Anonymised firm identification number of the firm the solicitor reported working for;
- Outer postcode of the firm's head office that the solicitor reported as working for: Used to determine geographical location;
- Route to qualification: Indicates the individual's route to admission: Barrister of England and Wales (via QLTT/QLTS), Conversion Course, ILEX routes,²³ Qualified Lawyers Transfer Scheme, Qualified Lawyers Transfer Test, Qualifying Law Degree, unknown/other. For individuals who have not been admitted (i.e. RELs, RFLs, EELs)²⁴ this field will be NULL;
- Ethnicity: Not shared as part of the data sharing agreement. Summary tables provided by LS;
- Disability: Not shared as part of the data sharing agreement. Summary tables provided by LS;

Firm datasets:

- Anonymised firm identification number: Created as part of the data linking process;
- Number of partners: Number of partner equivalents (based on the allowable posts and roles structure) with a current post at this firm;
- Criminal: Percentage of turnover coming from Criminal work.

Variables from LAA:

- Crime Lower fee income
- LGFS fee income
- AGFS fee income
- VHCC fee income
- Anonymised firm identification number.

Fee income from the various categories of cases was used to calculate the total amount of CLA fee income paid to the firm the year the solicitor reported working for it). This, in turn, was used to determine if they firm the solicitor reported as working for was a CLA firm. Total CLA fee income was also used to established whether the firm had received more than £40,000 in CLA fee income.

Chapter 3 – Trainees

Variables from LS:

Trainees datasets:

- Anonymised trainee identification number: created as part of the data linking process;
- Anonymised firm identification number of firm the trainee reported training in;
- Training start date: Date the training started;
- Training end date: Date the training ended;
- Gender.

²³ Institute of Legal Executives, non-graduated route.

²⁴ Registered European Lawyer (REL), Registered Foreign Lawyer (RFL) and EEL (Exempt European Lawyer).

Firm datasets:

- Anonymised firm identification number: Created as part of the data linking process;
- Number of partners: Number of partner equivalents (based on the allowable posts and roles structure) with a current post at this firm;
- Criminal: Percentage of turnover coming from Criminal work.
- Firm's outer postcode.

Chapter 4 – Duty Solicitors**Variables from the Law Society:*****Individual solicitor datasets:***

- Anonymised solicitor identification number: Created as part of the data linking process;
- Age;
- Gender;
- Date of admission; If the individual has been admitted to the roll, the date of admission

Firm datasets:

- Anonymised firm identification number of the firm the solicitor reported working for;
- Outer postcode of the firm the solicitor reported as working for: Used to determine geographical location;
- Business type of main practice

Chapter 5 – Self-employed criminal barristers**Variables from the BC and BSB:*****Individual barrister datasets:***

- Anonymised barrister identification number: Created as part of the data linking process;
- Ethnicity;
- Age;
- Gender;
- Religious beliefs;
- Socio-economic background;
- Disability;
- Sexual orientation;
- Practise years;
- Advocate type: Indicating whether the barristers are QCs or juniors;
- Region they practise;
- Chambers or organisation type;
- Self-declared proportion of gross fee income from crime: Showing what proportion of individual barristers' gross annual fee income they have self-declared to the BC came from criminal work, which is available for 2018-19 and 2019-20;

- Self-declared total income bands: Barristers' gross annual fee income is reported to the BC in income bands, excluding VAT.

Variables from LAA:

- AGFS fee income;
- VHCC fee income;
- Anonymised barrister identification number

Variables from CPS:

- CPS fee income

Annex II – Data matching rates

Chapter 1, 2 and 3 are based on the LAA-LS firm level matching

For the solicitor firm level matching, four of the LAA firm billing datasets were matched with LS firm data. The LAA datasets were Crime Lower, LGFS, AGFS and VHCC and covered the period 2014-15 to 2018-19. The table below shows the matched rates achieved across each of these areas of work. It is worth noting that firms will be included in several rows of the table, depending on the range of work they undertook over that period.

Table A2.1: Match rates by area of work in LAA billing datasets across all years

LAA Datasets	Number of firms matched	Percentage of total firms in matched dataset	Number of cases matched	Percentage of total cases in matched dataset
Crime Lower (2014-15 to 2018-19)	1,670	89%	5,314,788	93%
LGFS (2014-15 to 2018-19)	1,530	90%	476,169	93%
AGFS (2014-15 to 2018-19)	952	85%	198,017	91%
VHCC (2014-15 to 2018-19)	182	89%	6,082	91%

In Chapter 1, table 1.2 provides information on matching rates, but the breakdown of information is different to the above table. In Table 1.2, the four LAA crime datasets are combined, and instead match rates per year are shown. Consequently, the number of matched CLA firms represent *all* CLA firms that were *active in each year*, whereas table A2.1 shows firms *per criminal area* which were *active between 2014-15 to 2018-19*.

Table A2.2: Relevant figures extracted from Table 1.2 in Chapter 1: Matched CLA firms per year, over the period 2014-15 to 2018-19

CLA firms	2014-15	2015-16	2016-17	2017-18	2018-19
Number of CLA firms*	1,510	1,470	1,420	1,440	1,310
CLA firms matched with the LS data - any LS year	1,370	1,350	1,310	1,340	1,220
Proportion of CLA firms (%)	90%	92%	93%	93%	93%

* Total CLA firms is as per the Legal Aid Statistics published data. Please note: solicitor advocates with their own unique billing code for AGFS work but who were considered to work for a CLA firm were not counted as separate firms in order not to artificially inflate the total number of firms.

Chapter 4 – LAA Duty solicitors data matched to LS Solicitors data

The LAA duty solicitor data was matched with the LS individual solicitor files, 96% of duty solicitors were matched.

Table A2.3: Duty solicitor match rates

Number of duty solicitors matched	% of duty solicitors matched
5,320	96%

Chapter 5 – Self-employed criminal barristers

Tables **A2.4 – A2.6** demonstrate the number and proportion of individual advocates in the AGFS, VHCC, and CPS datasets that were successfully matched to BC practise records. As explained in the barrister chapter, this matching process was based on the individual account codes found in the LAA and CPS data, which the Bar Council then matched to their individual practise records. Note, as many barristers do a mixture of defence and prosecution work, the figures below will often reflect the same individuals appearing in the different datasets.

Table A2.4: Number of advocates matched in the AGFS data

AGFS	2015-16	2016-17	2017-18	2018-19	2019-20
Total account codes in the unmatched data	3,790	3,710	3,620	3,550	3,430
Total account codes in the matched data	3,790	3,710	3,610	3,540	3,430
Percentage matched	100%	100%	100%	100%	100%

Table A2.5: Number of advocates matched in the VHCC data

VHCC	2015-16	2016-17	2017-18	2018-19	2019-20
Total account codes in the unmatched data	70	60	50	50	10
Total account codes in the matched data	70	60	50	50	10
Percentage matched	100%	100%	100%	100%	100%

Table A2.6: Number of advocates matched in the CPS data

CPS	2015-16	2016-17	2017-18	2018-19	2019-20
Total account codes in the unmatched data	3,130	3,180	3,050	2,940	2,860
Total account codes in the matched data	3,100	3,150	3,030	2,910	2,840
Percentage matched	100%	100%	100%	100%	100%

Tables **A2.7 – A2.9** demonstrate the total fee income in the AGFS, VHCC, and CPS datasets that could be matched to individuals in the BC's practise records. Further details on this can be found in the Overview of Analysis section in Chapter 5.

Table A2.7: Fee income matched in the AGFS data

AGFS	2015-16	2016-17	2017-18	2018-19	2019-20
Total matched and unmatched fee income, £m	147.7	155.3	153.5	155.9	149.3
Total matched fee income	147.5	155.2	153.4	155.9	149.3
Percentage of fee income matched	100%	100%	100%	100%	100%

Table A2.8: Fee income matched in the VHCC data

VHCC	2015-16	2016-17	2017-18	2018-19	2019-20
Total matched and unmatched fee income, £m	7.2	6.4	6.6	7.0	1.6
Total matched fee income	7.2	6.4	6.6	7.0	1.6
Percentage of fee income matched	100%	100%	100%	100%	100%

Table A2.9: Fee income matched in the CPS data

CPS	2015-16	2016-17	2017-18	2018-19	2019-20
Total matched and unmatched fee income, £m	109.4	114.9	106.7	100.2	107.3
Total matched fee income	109.3	114.8	106.6	100.1	107.3
Percentage of fee income matched	100%	100%	100%	100%	100%