



The Bar Council

# Race equality toolkit

December 2024

# Introduction

This toolkit shows you how to act on race inequality in your chambers or organisation.

# Getting started

In our **2021** and **2024** Race at the Bar reports, we provided recommended actions for chambers and organisations to undertake. All of our recommendations have been drafted to be in line with the **Bar Standards Board (BSB) anti-racist statement**.

In the statement, the BSB asks chambers to take action.

This toolkit supports you to meet these requirements.

1.

Produce and publish an anti-racism statement for members of chambers and the public

2.

Undertake comprehensive anti-racist training for all barristers and staff

3.

Complete a race equality audit to identify the barriers to race equality

4.

Design and implement positive action measures and evaluate progress

1.

Produce and publish an anti-racism statement for members of chambers and the public

## 1. | Produce and publish an anti-racism statement for members of chambers and the public

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### Characteristics of an anti-racism statement could include:

- A commitment to be anti-racist
- An acknowledgement of the impact of racism
- Context - for example, how anti-racism sits with respect to your chambers/organisation's values and purpose
- Commitments - for example, an outline what your chambers/organisation will do to tackle racism

### Examples of anti-racist commitments include:

- Recognising structural racism exists and is harmful
- Acknowledging the impact of racism on your members, employees, clients, and suppliers and supporting these constituencies accordingly
- Calling out discrimination when it is observed
- Collecting and monitoring data
- Using your organisation's position to influence the profession and society



Anti -racism means  
**actively opposing  
racism by advocating  
for changes that  
promote racial  
equity in society**

# 1. | Produce and publish an anti-racism statement for members of chambers and the public

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## Sample statement one:

### **Blackstone Chambers**

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Blackstone Chambers is committed to being an anti-racist organisation. We not only commit to refrain from race discrimination; we also commit to recognise, confront, and take other positive steps to address the existing and systemic effects of racism.

We believe that:

1. To provide the best services to our clients, it is necessary to recruit from as diverse a pool of talented individuals as possible. Our recruitment processes are designed to encourage applications from all such individuals and to select the best among them. We were amongst the first at the Bar to use the RARE Contextual Recruitment method for placing the academic achievements of our applicants in their socio-economic context. We continue to use this tool and invite all our applicants for pupillage to consent to their data being processed in this way. We have reviewed our pupillage recruitment process in line with the Bar Council Fair Recruitment Guide June 2021 and implemented changes effective for the 2021/2022 recruitment round. Those involved in our pupillage interviews are required to undertake training in avoiding unconscious biases. [Recruitment Policy](#)
2. All members of Blackstone Chambers, pupils, staff, and our clients are entitled to a work environment that is anti-racist. That is an environment in which diversity is valued; in which individuals from all backgrounds can work without racism; and in which effective processes are in place to identify and address issues when they arise. We have decided to monitor Equality and Diversity within Chambers on an annual basis and to publish that data. A new survey is underway and will be available for publication in early Spring 2022. [Equality and Diversity Information](#)
3. The legal profession has a key role in promoting equality, diversity, and inclusion. We acknowledge that role not just in our approach to recruitment and our working environment, but also in our wider engagements with society. We are proud of our role in being founding supporters of, and active participators in, initiatives such as “Bridging the Bar” and the Mentoring for Underrepresented Groups scheme run by commercial barristers’ chambers. We are a supporter to the Black Talent Charter.

[blackstonechambers.com](https://blackstonechambers.com)

# 1. | Produce and publish an anti-racism statement for members of chambers and the public

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## Sample statement two:

### Matrix Chambers

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Matrix is committed to being an anti-racist organisation. We believe that means not merely refraining from acting in a racially discriminatory way but taking proactive steps to confront and remedy the effects of existing and systemic racism in all its forms within our organisation and in our work. You can read more about our multi-year programme of work on ethnic diversity and inclusion in our anti-racist statement [here](#).

Matrix has a Race Working Group made up of members and staff, which is taking active steps to improve racial diversity and inclusion both within Matrix and at the Bar in general. We also have a Race Equality Network, which is designed to be a dedicated space for our Black, Asian and minority ethnic members, trainees and staff to share their experiences and discuss relevant issues.

We are also working closely with other organisations on improving access to the profession for people from minority ethnic groups and other groups underrepresented at the Bar. Matrix is a supporter of the [Charter for Black Talent in Finance and the Professions](#), and is participating in both the [10,000 Black Interns scheme](#) (which is aiming to create a sustainable cycle of mentorship and sponsorship for the Black community by providing paid training and development opportunities) and the [Bridging the Bar](#) initiative (which is aiming to improve equality of access to mini-pupillages).

[matrixlaw.co.uk](http://matrixlaw.co.uk)

# 2.

Undertake comprehensive anti-racist training for all barristers and staff



## 2. | Undertake comprehensive anti-racist training for all barristers and staff

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A key element of being ‘anti-racist’ is to educate yourself on racism and race equality. Organisations should commission race equality, or anti-racism training.

We believe general equality and diversity training is not sufficient. Consider bespoke race awareness training. Good training should explore race inequality within a Bar context and be delivered by trainers familiar with the Bar. Training might cover:

- **Terminology**
- **Statistics**
- **Law and regulations**
- **Unconscious bias**
- **Types of racism**
- **How to be an ally and anti-racist**

The Bar Council offers race awareness training (many of our trainers are barristers). Race training can also be undertaken with other providers.

### Caution

We recognise race training can be difficult and distressing to deliver, particularly for a barrister or staff member from an under-represented group. For this reason, we do not recommend that you ask a member of chambers or employee to deliver internal training.

Also, please recognise race training can be difficult for members of chambers from ethnic minority groups to attend.



## 2. | Undertake comprehensive anti-racist training for all barristers and staff

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It's important to recognise learning outside of training should be regular. Members and employees should be encouraged to read articles, guides and books, listen to podcasts, and watch programmes and films about race and the experiences of ethnic minority people in the UK.

These books and articles are not in any particular order. They have been recommended by our Race Panel members.

### Further reading:

**Race at the Bar: A Snapshot Report**, The Bar Council

**Citizen an American Lyric**, Claudia Rankine

**Why I'm no longer talking to white people about race**, Reni Eddo-Lodge

**How to be an anti-racist**, Ibram X. Kendi

**In Black and White: A Young Barrister's Story of Race and Class in a Broken Justice System**, Alexandra Wilson

**Everyday Hate: How antisemitism is built into our world and how you can change it**, Dave Rich

**Natives: Race and Class in the Ruins of Empire**, Akala

**Antisemitism: What Is It: What It Isn't. Why It Matters**, Julia Neuberger

**People like Us: What it takes to make it in modern Britain**, Hashi Mohamed

**So, You Want to Talk About Race**, Ijeoma Oluo

**White Fragility**, Robin Diangelo

**Me and White supremacy: How to Recognise your Privilege, Combat Racism and Change the World**, Layla F Saad

**Between the World and Me**, Ta-Nehisi Coates

**Brit(ish): On Race, Identity and Belonging**, Afua Hirsch

**Women, Race and Class**, Angela Davis

**Beyond the Pale: White Women, Racism, and History** - Feminist Classics, Vron Ware, Mikki Kendall

**Uprooting Racism: How White People Can Work for Racial Justice**, Paul Kivel

**Jews Don't Count**, David Baddiel

**Free to Soar: Race and Wellbeing in Organisations**, edited by Binna Kandola

**Vox: How to be an anti-racist**

**Trials of the Diaspora: A History of Anti-Semitism in England**, Anthony Julius

## 2. | Undertake comprehensive anti-racist training for all barristers and staff

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### Further viewing and listening:

**'Go Back to Where You Came From'** BBC  
iPlayer

**When They See Us** Netflix

**Explained: The Racial Wealth Gap** Netflix

**What white people can do to move race conversations forward**, Caprice Hollins

**Time: The Kalief Browder Story** Netflix

**13TH** Netflix

**I Am Not Your Negro** Prime Video

**What Happened Miss Simone?** Netflix

**Sitting in Limbo** iPlayer

**Windrush** iPlayer

**Black & British: The Forgotten History**  
iPlayer

Jewish History Matters **Spotify; Apple**

**Racism: My Story** Channel 5

**Jews Don't Count** Channel 4

# 3.

Complete a race equality audit to identify the barriers to race equality

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We understand that not all sets have the resources to appoint an external consultant to undertake a race audit. Having an external perspective can be helpful, so if you can please do consider it. If not, you can undertake a race audit yourself.



**Tip:** An audit can be difficult where you have relatively small numbers of Black or minority ethnic members or employees. Consider other ways to assess inequality, for example, by benchmarking against a comparator group – see the **earning monitoring toolkit** for a methodology to do this.

**First, collect and review your data, including:**

- The ethnicity of your workforce (both members and employees)
- Ethnic data from recruitment exercises (applicants and appointments for both members and employees)
- Fee income and allocation of work (by member /by ethnicity)
- Marketing opportunities (by member /by ethnicity)
- Membership of key decision-making committees (by the ethnic background of members)
- Feedback in member /employee surveys (comparing answers by the ethnic background of respondents)

**Then, scrutinise all operational processes, ways of working and people management policies**

- For employees (including clerks) consider including performance objectives to promote equality, e.g. in marketing opportunities, in supporting applications for silk etc
- Make sure that your members and employees understand how to make complaints about racist and inappropriate behaviours (and that your processes are robust)



**Bar Council resource:  
Framework for  
tacking action on  
race equality**

### 3. | Complete a race equality audit to identify the barriers to race equality

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#### Example 1

5RB carried out their race equality audit by:

- Asking members of chambers to provide details of their race for the purposes of work monitoring
- Monitoring the allocation of unassigned work by reference to race
- Reviewing all pupillage and mini-pupillage data
- Reviewing how the race data collected by agencies who recruit staff members
- Inviting all members of chambers and staff to have one-to-one confidential discussions with their EDO about their experiences and concerns

#### Example 2

Selborne Chambers worked with Lex to design and implement a data survey as part of a race audit and workforce survey. They carried out the survey on the Lex platform so that diversity data could be linked with profiles, in a protected way. This meant that future workforce surveys could be carried out more efficiently through Lex. They achieved a 97% response rate to the survey - buy-in from chambers followed significant communications in the lead up to the survey.

You can access Bar-wide data from us, or the Bar Standards Board. For more information contact us at [equality@barcouncil.org.uk](mailto:equality@barcouncil.org.uk)

# 4.

Design and implement  
positive action measures  
and evaluate progress

## 4. | Design and implement positive action measures and evaluate progress

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### What is positive action?

Positive action is activity permitted under the Equality Act (2010) that is intended to address under-representation or disadvantage experienced by members of different protected groups in the workplace.

Positive action is actively permitted under the Equality Act 2010. In this section we explain what positive action is and the 6 steps you can take to implement race-based positive action.

Race is protected, so race-based positive action is allowed.

Section 158 of the Equality Act 2010 allows 'soft' positive action, ie activity that doesn't impact in a negative way on other groups.

For example:

- Working with local schools and further education colleges, inviting students from groups whose participation in the workplace is disproportionately low, to spend time in chambers
- Offering mentoring schemes to university students and/or aspiring barristers from under-represented groups

Section 159 of the Equality Act 2010 permits - at the point of selection - the appointment of a candidate with a protected characteristic from an under-represented group, for example a Black pupil over a White pupil if there is an under-representation of Black members in chambers. But this applies only when both candidates are found to be of 'equal merit'. This might be evidenced if two candidates have scored the same number of points in a selection process. This is an example of a 'hard' positive action measure, as it disadvantages someone from a group that is not under-represented in your workforce, in this case the White candidate.



## 4. | Design and implement positive action measures and evaluate progress

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### Key principles for lawful and effective positive action

1. Ensure you have the data or evidence available to justify your action



2. Be transparent about the action you wish to take and consider the views of all those the action might affect before taking action.



3. Have review points built into any positive action programme so you can take stock and determine if you need to maintain the positive action.



## 4. | Design and implement positive action measures and evaluate progress

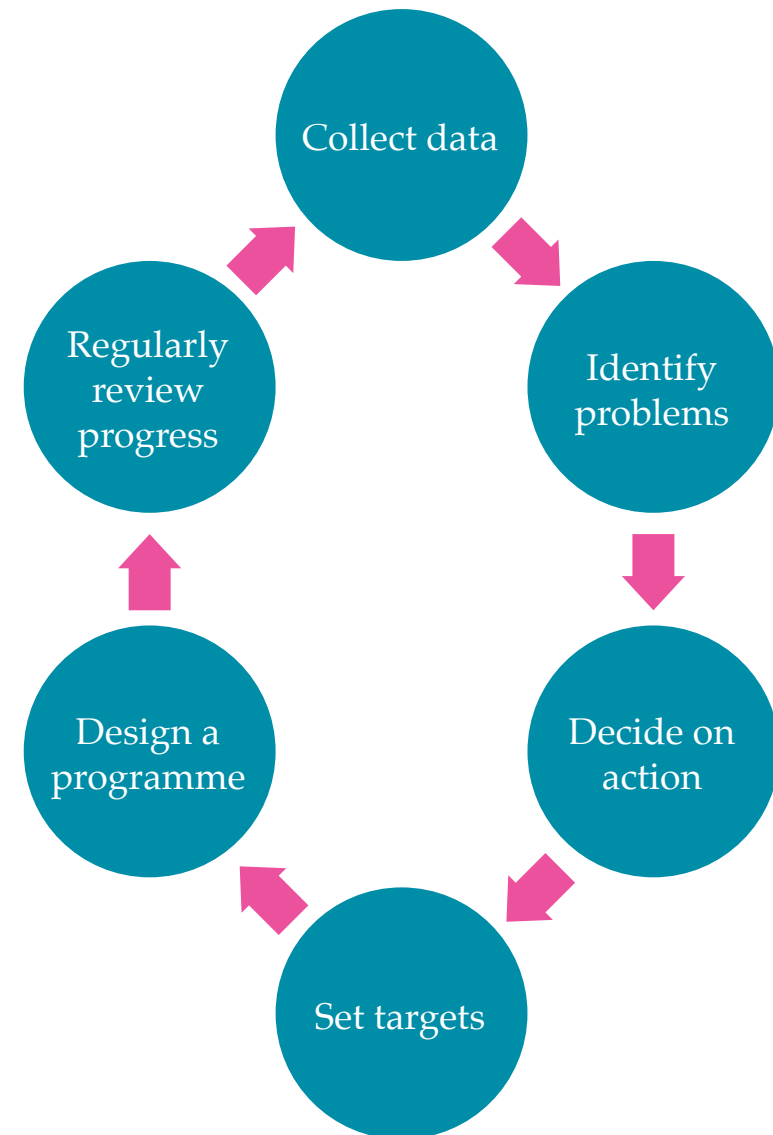
To get started on race-based positive action, you need to:

1. Collect and analyse your ethnicity data.
2. Identify where you have under-representation or 'problem' data
3. Decide what action you need to take
4. Set targets to define what success will look like for each action you propose.
5. Design a programme to help you achieve your targets
6. Implement action and regularly review progress (adjust the action as required if it is not achieving your objectives).



**Tip:**

Don't worry if you consider some steps at the same time or in a slightly different order – do what works for you.



## 4. | Design and implement positive action measures and evaluate progress

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### Step 1: Collect and analyse ethnicity data

This data should be available already if you have completed a race audit

### Step 2: Identify where you have under-representation or 'problem' data

Your data should tell you where you have underrepresentation or any anomalies in your workforce profile, membership of key decision-making committees, fee income and allocation of work etc.

You may need to investigate or test assumptions based on the data to ensure you have correctly identified an issue.

**For example:** You don't have any barristers in chambers from an ethnic minority background. You think you need to do more work in schools and universities to attract more diverse candidates. However, closer examination of your data shows you get lots of applicants from an ethnic minority background, but they do not get through the final interview. On this basis a more appropriate positive action programme would be one which focused on supporting ethnic minority applicants.

### Step 3: Decide what action you need to take

There are lots of different ways you can tackle under-representation or 'problem' data.

In the **2021 Race at the Bar report** we identified a range of different actions chambers and others might consider across four key areas:

- Access
- Retention
- Progression
- Culture

You can see examples of some of the action taken by chambers and SBAs at the end of this toolkit.

## 4. | Design and implement positive action measures and evaluate progress

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### Step 4: Set targets

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Targets will help you:

- Set priorities
- Define success
- Give you focus and clarity
- Enable you to measure progress
- Build accountability
- Inform action
- Stay motivated

Targets can be outcome or process based.

- Process targets are things you have control over (eg publishing a report or setting up a mentoring programme to improve pupillage outcomes).
- Outcome based targets are less easy to control and are related to the results you are aiming for (eg whether the report creates the change you want to see, or participants in a mentoring programme are more likely to secure pupillage).

Targets can be quantitative or qualitative. An example of a quantitative target might be to increase the number of Black applicants applying to chambers by 20%. A qualitative target might be improving chambers reputation with Black applicants.



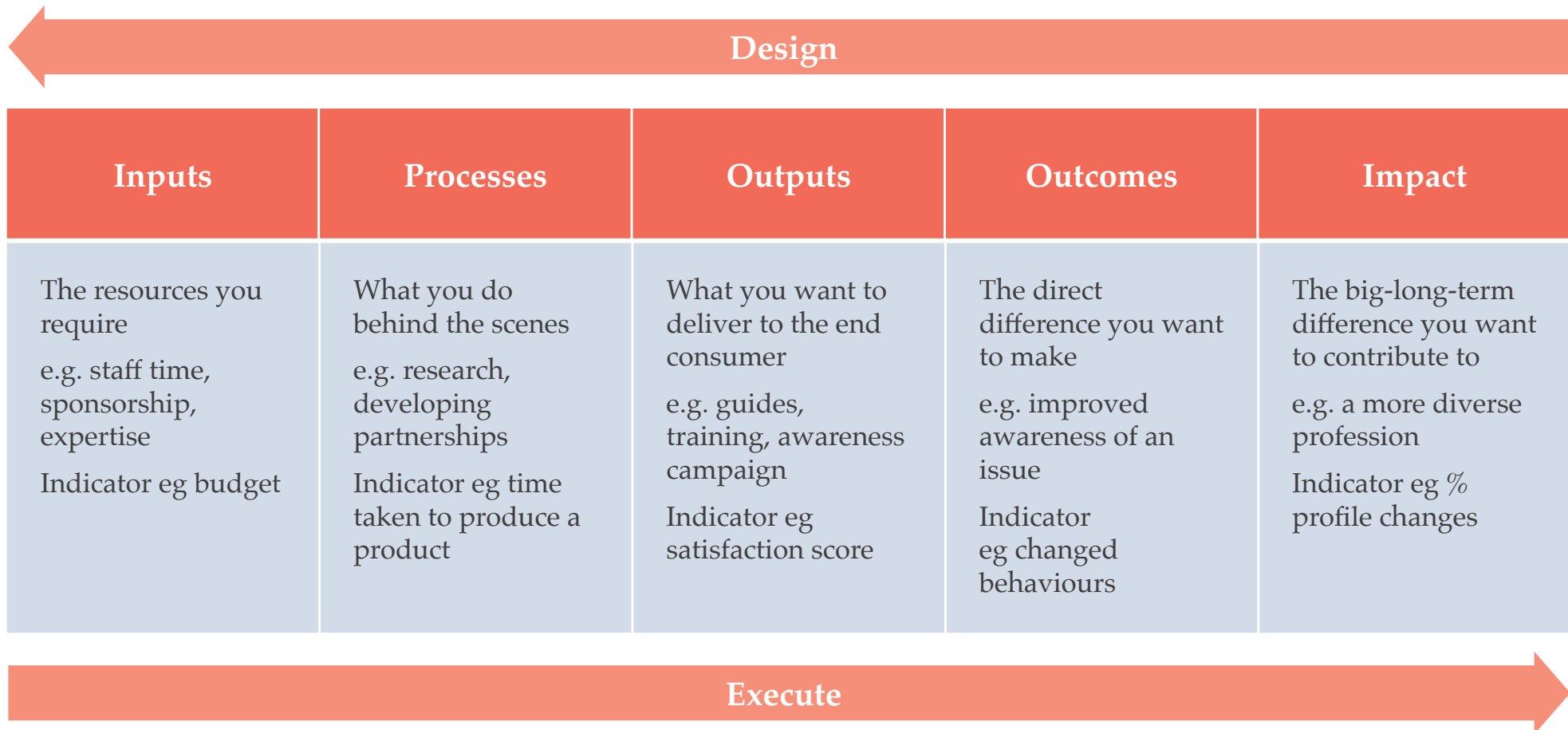
#### Tip:

Although outcome-based targets may be more difficult to implement they are important to achieve change. Our **target setting guide** gives examples of different race related targets to give you some ideas

## 4. | Design and implement positive action measures and evaluate progress


### Step 5: Design a programme to help you achieve your targets

Use our guide to **designing a programme**. This guide suggests you start with impact and work towards inputs. Design your programme right to left; then execute left to right.



## 4. | Design and implement positive action measures and evaluate progress

### Step 5 example: A positive action recruitment programme



Impact	Outcomes	Outputs	Processes	Inputs
<p>The <b>impact</b> that you want is <b>to appoint more ethnic minority pupils</b>.</p>	<p>What outcome supports the impact you want?</p> <p>The <b>outcome</b> that you want to see is <b>improvements in the performance of ethnic minority applicants in your recruitment process</b>.</p>	<p>What outputs will generate the outcomes you want?</p> <p><b>Outputs</b> that might support improved performance could include:</p> <ul style="list-style-type: none"> <li>• CV or application writing assistance</li> <li>• Interview coaching for Bar students from ethnic minority backgrounds</li> <li>• Mentoring and sponsorship of Bar students from ethnic minority backgrounds</li> <li>• Improving access to mini-pupillage or work experience opportunities for students from ethnic minority backgrounds</li> <li>• Targeted communications to ethnic minority Bar students</li> <li>• Making an adjustment to the criteria or criteria weighting in chambers' recruitment process</li> <li>• Additional training for those undertaking short-listing or interviewing</li> <li>• A partnerships with an organisation, like Bridging the Bar</li> </ul> <p>Then you need to consider how you achieve those outputs – what needs to be in place?</p>	<p><b>Processes</b> needed to deliver these outputs might include:</p> <ul style="list-style-type: none"> <li>• Developing a mentoring programme</li> <li>• Designing a mini-pupillage scheme</li> <li>• Developing a partnership with a third party / university</li> <li>• Researching a training provider for those on a recruitment panel</li> </ul>	<p>What is required to enable those processes to happen (inputs or 'resources')?</p> <p>The <b>inputs</b> that might be needed to support the processes you have identified might be employee or member's time spent administering or supporting the activity; funds to cover the cost of training etc.</p>

## 4. | Design and implement positive action measures and evaluate progress

### Step 6: Implement action and regularly review progress

Once you have designed your programme and set process and outcome-based targets, you need to regularly review progress once work is underway to ensure you are on track.

### Here are some ideas for a race equality programme:

#### 1. Making chambers more inclusive

**Objective:** ensuring barristers from ethnic minority backgrounds feel a sense of belonging and inclusion in chambers.

**Target:** no or narrowing any gap in engagement scores based on ethnicity.

**Potential programmes or interventions:** regular race awareness training, practice and marketing support, codes of behaviour (eg poor behaviour called out).

**Resource:** **Race awareness training**

This training assists in starting a conversation about race in chambers

and is delivered by an expert from our race training panel. The course covers the relevant legal and regulatory obligations with respect to race, different types of racism and practical exercises for participants to engage in. The foundational course aims to foster allyship and promote an inclusive culture where all members feel respected and supported.

#### 2. Improve career opportunities for ethnic minority barristers

**Objective:** narrow the ethnic minority barrister earnings gap.

**Target:** parity between appropriate comparators (explainable differences).



**Tip:** Don't be afraid to pause or amend a programme if it isn't delivering results.



**Tip:** Collaborating on positive action programmes is a good idea. Consider working with other chambers, circuits, SBAs and networks such as Bridging the Bar and the 10KBI initiative can lead to (i) better programme design (through shared knowledge and experience); as well as (ii) reducing the workload for an individual chambers.

## 4. | Design and implement positive action measures and evaluate progress

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**Potential programmes or interventions:** practice review and marketing support.

**Resources:** **Earnings monitoring toolkit; Practice review guide**

The Earnings monitoring toolkit includes practical advice on various monitoring methods and recommends steps to take if disparities are found.

The Practice review guide introduces key principles for effective practice reviews and provides practical tips to optimise the review process. We have included an adaptable template to support tailored conversations.

### 3. Supporting silk pathways for Black barristers

**Objective:** increase the number of Black silks

**Target:** X Black silks in Y Years

**Potential programmes or interventions:** practice review, mentoring and sponsorship, coaching.

**Resources:** **Earnings monitoring toolkit; Practice review guide; Mentoring guide**

Our mentoring guide provides guidance for both mentors and mentees to help you develop an effective mentoring relationship.

### 4. Tackling different tenancy decision outcomes for ethnic minority and White pupils

**Objective:** addressing gap between ethnic minority pupils and white pupils in attaining tenancy.

**Target:** Parity in tenancy offers over time; similar satisfaction levels reported on pupillage.

**Potential programmes or interventions:** pupil supervisor training, review of pupillage tenancy decision making process.

**Resource:** **Fair recruitment guide**

Our guide will help you comply with recruitment rules by covering fair recruitment principles, recruitment

process design and shortlisting and selection procedures. We provide templates and tools for use in recruitment processes, with training for recruitment panel members recommended to support fair hiring practices.

### 5. Improve pupillage experience for ethnic minority pupils

**Objective:** addressing gap between ethnic minority pupils and white pupils in attaining tenancy.

**Target:** parity in tenancy offers over time; similar satisfaction levels reported on pupillage.

**Potential programmes or interventions:** pupil supervisor training, review of pupillage tenancy decision making process.

**Resource:** **Fair recruitment guide** (applied to tenancy decision), pupil supervisor training.



## 4. | Design and implement positive action measures and evaluate progress

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### Examples of current activity at the Bar

#### Mentoring schemes

Several SBAs have introduced mentoring schemes designed to address low ethnic minority representation in their practice area. Schemes aim to support aspiring barristers who want a career in a particular practice area. These schemes are often a result of collaboration with sets in a particular practice area, who will support their SBA's scheme by providing mentors. Schemes may also offer participants additional help e.g. events on obtaining pupillage, networking opportunities and/or a CV workshop.

**Aim: widening access.**

#### Supporting 10,000 Black interns (10KBI)

Many SBAs and circuits support the 10,000 Black Interns Programme at the Bar through financial contributions. These contributions have helped to provide unique paid 6-week Bar-based internships for aspiring Black barristers. **Aim: widening access.**

#### Data collection and analysis

Some circuits have asked Bar Council for ethnicity data on circuit-based barristers to better understand how representative they

are, and how fair pupillage selection is on their circuit. This information is now being used to design a more tailored talent attraction programme aimed at bringing aspiring barristers from ethnic minority backgrounds to their circuit. **Aim: widening access.**

#### Fair recruitment training for those involved in tenancy votes

Recognising potential for bias and discrimination in tenancy votes, a number of chambers now require all members who vote on tenancy decision read the **fair recruitment guide** and complete relevant training in advance of any tenancy decision-making meeting. **Aim: supporting retention.**

#### Regular practice review meetings

Introducing regular and structured practice review meetings with all barrister to support practice development. **Aim: supporting retention and progression.**

#### Review of unallocated work

Some chambers are now working more closely with their senior practice directors to review unallocated work opportunities. This action helps chambers to understand who is being given unallocated work – the type of

work, and why. **Aim: supporting retention and progression.**

#### Silk information events

To address the underrepresentation of barristers from ethnic minorities at King's Counsel level, many SBAs and circuits, occasionally jointly, have delivered targeted events to support and encourage their members to apply for silk. The events aim to demystify the process and provide advice on making a silk application. **Aim: supporting progression.**

#### Working with the legal directories

Ethnic minority barristers are underrepresented in legal directories, which affects their work allocation, income and retention. To address this, some SBAs are working with legal directories to challenge and enhance the visibility of ethnic minority barristers in their practice area. **Aim: supporting progression.**

#### Judicial outreach initiatives

The judiciary lacks diversity. To encourage great diversity, some SBAs and circuits are supporting judicial outreach initiatives by connecting ethnic minority members with judges to discuss their roles and experiences.

# Resources

Below is a list of the resources we've mentioned in this toolkit to support you with improving race equality in your chambers and organisations, and implementing recommended actions:

**Race terminology guide.** Language preferences change. Read this guide so you use the terminology recommended for the Bar.

**Framework for tacking action on race equality.** Identifies what to do and measure etc.

**Fair recruitment guide.** Use this guide to check your recruitment processes are fair and inclusive.

**Subconscious bias.** Remind yourself of subconscious (or unconscious) bias which can impact on decision making – not just in recruitment but eg in work distribution, pupillage supervision etc.

**Pupil equality monitoring toolkit.** Use to identify if you have unexplained patterns (i.e. different ethnic groups do better or worse through the stages in your recruitment process).

**Positive action guide.** Use to understand where you can take positive action.

**Guide to simple programme planning and evaluation.** Use to design effective positive action programmes.

**Target setting guide.** Use to establish targets – so you can establish if your positive action programmes are having any impact.

**Earnings monitoring toolkit.** Use to establish if you have different earnings by different ethnic groups – then check you can explain the reasons.

**Practice review guide for barristers and clerks.** Use to ensure barristers and clerks are having evidence-based discussions about practice development and aspirations.

**Discrimination, harassment, bullying and inappropriate behaviours.** Use to remind yourself (and others) of unacceptable workplace behaviours.

**To support your understanding of the issues, we also encourage you to read our research:**

**Race at the Bar 2021**

**Race at the Bar: a progress report 2022**

**Race at the Bar 2024**

**Bullying, harassment and discrimination at the Bar 2023** – barristers from Black and

ethnic minority backgrounds are more likely to experience bullying, harassment and discrimination at the Bar than their White colleagues.

**Wellbeing at the Bar report 2024** – barristers from Black and ethnic minority backgrounds are more likely to experience poorer wellbeing than their White colleagues – not because they are more likely to have a mental health condition

**New practitioner earnings differentials at the self-employed bar April 2024** analyses patterns that might account for the earnings gap between men and women at the self-employed Bar found in every practice area in the 0-3 years' post qualification (PQE) group.

**Bar-based training is available to support action:**

**Introduction to race awareness training**  
**Pupillage supervisor training**



The Bar Council

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

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