

# Student experiences of Equality and Diversity on the Bar Training Courses

Qualitative study by YouGov for the Bar Standards Board

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## Executive summary

### **Covid-19**

- Covid-19 substantially impacted on students' experiences on the Bar Training Course (2020-21) and for many the impact was negative. Remote learning has been stressful and for some isolating, especially at the start of the course, and has made it harder to build trusted and supportive relationships with peers and staff.
- The online nature of this year's course has meant that many did not feel they could give an accurate impression of the culture on their Bar Training Course.
- The switch to virtual learning was smooth for some providers, nonetheless several issues were evident such as students facing delays in receiving exam timetables and educational material, challenges in accessing online classes and a lack of meaningful and social interaction.
- Covid-19 has led to greater flexibility (e.g. remote studying and exams, recorded classes, extended exam periods) but the logistics of organising this has been especially difficult for overseas students / those who require a visa.
- Students felt that providers could have been more flexible during Covid-19, especially with exam timings, exam locations and fees.
- Knowledge of any support initiatives was low. Students acknowledged that Covid-19 may have had an impact on this, however they felt that their providers could be doing more to promote initiatives.

### **International students**

- The consensus amongst international students was that more could be done to make their courses run more smoothly. Some international students had negative experiences with their provider's overseas office, feeling under supported (e.g., slow email responses, lack of a dedicated phone number and visa issues).
- Some international students had to deal with inconveniently timed classes and assessments which had an adverse impact on their learning. Differing time zones also made it hard to contact staff, attend classes and get support.

- Knowledge of Equality and Diversity related policies or issues was relatively low, which was similar to that of home students.
- A small number felt international students were sometimes discriminated against due to their lower level of English fluency and felt that more could have been done to provide international students with language support, and that staff could have handled language issues more sensitively.
- Overall, the majority of students felt that their courses had a diverse group of students from the UK and overseas. Nonetheless, it was felt that more could be done to better integrate the two student populations in classes, seminars and coursework.

### **Bar Standards Board**

- There were several misunderstandings of the Bar Standard Board's role and responsibilities in relation to Equality and Diversity policies and practices, which have been recognized in this report and clarified in the footnotes.
- Most were unsure what the Bar Standards Board is doing in the Equality and Diversity area but assume they regulate providers' practices and ensure policies are consistent across providers. Many would like the Bar Standards Board to have a more visible leadership role in this space.
- Inns were praised for offering a wide range of Equality and Diversity networks, events and training, which a few felt the Bar Standards Board could learn from. This would help to raise awareness of the BSB's role and emphasise their commitment to Equality and Diversity issues and policy.

### **Equality and Diversity**

#### ***The culture at Bar Training Courses***

- The culture on Bar Training Courses varies by provider, with larger ones typically feeling more like a business, which can feel less supportive and friendly.
- Those who had attended the University as an undergraduate tended to feel more connected and supported as they had awareness of wider support initiatives, policies and networks at the institution.
- Students were looking for a Bar Training Course which would be supportive and encouraging – one that would help them to start their career in Law.

### ***Awareness of Equality and Diversity policies and their development***

- Students all assumed their provider had an Equality and Diversity policy and some recall being told in person or in writing about it at the start of their course.
- However, the majority had low awareness and detailed knowledge of their Bar Training Course provider's Equality and Diversity policies and where to find them. Policies were not often actively shared with students throughout the year and students did not generally actively look for policies unless they directly impacted them.
- Those who studied their undergraduate degree at the University or needed additional support tended to have higher levels of recall and knowledge of the policies and initiatives, with some explaining that there was greater promotion at undergraduate level of such information.
- The majority were unsure how the policies are developed and updated – they would like students to have the opportunity to input so that the policy and practices reflect real experiences and topical issues.
- Most students would have welcomed more information on the policies and related training throughout the course and not just in their induction week.
- Due to the intensive nature of the course, students noted that it can be hard to engage with Equality and Diversity policies and therefore some would find it hard to make time for training or events. Equality and Diversity issues relevant to practice would be more welcomed, especially if integrated into course classes / materials.

### ***Implementation of Equality and Diversity policies***

- There was little knowledge around how student recruitment is approached when thinking of Equality and Diversity policies. Expectations are that providers should be encouraging people from underrepresented backgrounds to enrol on a Bar Training Course.
- A few noted that scholarships were given based on merit, which may hinder Equality and Diversity by increasing the likelihood that those from more affluent backgrounds are recruited.
- There was some feeling that large providers are more run like a business, therefore Equality and Diversity policies are not top-of-mind when recruiting students.

- Awareness of what reasonable adjustments are offered by providers varied depending on whether someone needed to use them or not. In general, most had a basic understanding of what was available.
- Experiences with reasonable adjustments were generally positive, with some exceptions, which most often related to not being granted enough extra time in exams. For some, it was unclear that the assessment and implementation of reasonable adjustments is solely the responsibility of the training provider.

### ***Evaluation and impact***

- Students were unsure of how their providers monitor success when it comes to Equality and Diversity initiatives – most assume this is done by analyzing student demographics.
- It was felt that providers could be asking students for more regular feedback and making it more visible how feedback is taken on board and used.
- Due to the overall low level of awareness of Equality and Diversity policies, many students felt that they had little or no impact on them. Some saw this positively, assuming Equality and Diversity policies must be in place and working, whereas others felt they could have been made more aware, which could have made their experience more positive.
- Some students that had negative experiences (e.g., problems with reasonable adjustments, lack of flexibility) felt that their learning was negatively impacted by their lack of Equality and Diversity policy awareness.
- The majority had no experience with bullying, discrimination or harassment. Nonetheless, most would not have known what process to follow if they had done – they assume one is in place, but they had little knowledge of this.

## Research objectives and context

The Bar Standards Board (BSB) is the regulator for barristers in England and Wales and is overseen by the Legal Services Board. The Bar Standards Board is a public body for the purposes of the Equality Act 2010 and is bound by, and committed to, meeting the requirements of the General Public Equality Duty. This role includes paying due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons.

The Bar Standards Board is responsible for setting the education and training requirements for those who wish to qualify and practise as barristers in England and Wales, as well as ensuring that there is fair access to the overall profession. In 2017, the Bar Standards Board published *Exploring differential attainment at BPTC and Pupillage* (BSB 2017)<sup>1</sup> the research examined varying attainment levels between certain groups, both on the Bar Professional Training Course (BPTC)<sup>2</sup> and in obtaining pupillage following graduation. The findings of this research indicated that ethnicity had a significant predictive value for Bar Professional Training Course average module scores (with candidates from minority ethnic backgrounds scoring lower than White candidates), and that ethnicity and socio-economic status both have a significant predictive value for success at obtaining pupillage (with minority ethnic background and low Socio-Economic Status (SES) candidates less likely to obtain pupillage).

This study was accompanied by qualitative research with trainees that identified several themes that underpinned participants' perceptions and experiences of the Bar Professional Training Course, the pupillage application process, and their interaction with the Inns of

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<sup>1</sup> Exploring differential attainment at BPTC and Pupillage (BSB 2017)

<https://www.barstandardsboard.org.uk/uploads/assets/f69a9410-c170-4f82-b4b500d5b9e0df8a/Differential-Attainment-at-BPTC-and-Pupillage-analysis.pdf>

<sup>2</sup> The BPTC was the previous name for the vocational stage of training, prior to the introduction of a number of reforms to vocational training for the Bar in 2020.

Court. The *Barriers to training for the Bar* (BSB 2017)<sup>3</sup> found that key aspects of trainees' experiences are impacting differently on various groups on the course, in particular those from minority ethnic and lower socio-economic status backgrounds. A lack of information and clarity were identified as key issues, particularly in relation to:

- The Bar Training Course application process;
- The requirements in relation to time commitment, workload, and attendance;
- The content of the course, and tutor and peer-to-peer interactions; and
- Financial challenges, including high course fees, the lack of suitable loans, and the lack of awareness of available funding opportunities.

Participants also identified issues around course delivery and content, including:

- Lack of flexibility in course delivery affecting those with outside commitments and limiting opportunities for work placements and mini-pupillages;<sup>4</sup>
- Poor experience of peer interaction, including the composition of the groups, segmentation of the groups into cliques, and competitive culture that inhibited interaction between groups and individuals;
- Time commitment and the independent nature of study affecting those with outside commitments or less experience of self-directed study;
- The attitude of some tutors, including negative messaging about chances of success on the course and perceived preferential treatment.

As well as using the research findings to inform the Future Bar Training programme, part of the action plan developed by the Bar Standards Board in response to the research findings was a commitment to undertake further qualitative research to assess how training providers' equality policies impact on student experience. From September 2020, the new Bar training courses were introduced, with the BSB responsible for ongoing

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<sup>3</sup> *Barriers to training for the Bar* (BSB 2017) <https://www.barstandardsboard.org.uk/uploads/assets/5fadd1cf-19b8-49df-bf2c25a32fa29fd2/Barriers-to-Training-for-the-Bar-research.pdf>

<sup>4</sup> Mini-pupillages are short work experience placements (ranging from one day to two weeks) that involve shadowing or working with a Barrister



supervision of training providers to ensure they meet the criteria against which they were authorised, as well as setting and marking some of the assessments undertaken by Bar students (known as Centralised Assessments).

The specific research questions for this qualitative study included:

- **To what extent do training providers' Equality and Diversity policies have a positive or negative impact on student experience?**
  - What is the students' overall perception of their training providers' Equality and Diversity policies?
  - How well-informed do students feel about their training providers' Equality and Diversity policies and strategies?
  - Have the students' expectations been met by the training providers?
  - Are there any areas that need improvement?
  - Has students' feedback been sought by the training providers on Equality and Diversity policies/Equality and Diversity issues?
- **Are there any key differences in students' perceptions and experience of Equality and Diversity issues in Bar training?**
  - What are the key factors that can explain the differences?
- **To what extent do training providers' Equality and Diversity policies and practices have a positive impact on student experience?**
  - To what extent do students feel the training providers' Equality and Diversity support initiatives address their needs?
  - How well-informed do students feel about their training providers' Equality and Diversity support initiatives?
  - What initiatives work particularly well?
  - What areas need improvement from the students' perspective?
- **Do students feel that the training providers' teaching and learning approaches address the needs of diverse groups of students?**
  - Do students feel that learning materials are easily accessible for them? Do they have access to a Virtual Learning Environment (VLE)?

- How well-informed do students feel about teaching and learning options that are available to them at their training provider?
- How well-informed are students about reasonable adjustments provided by their course providers?
- How well are reasonable adjustments met?

## Method and sample overview

As the study was exploratory and the topic was sensitive, in-depth one-on-one interviews were deemed the most appropriate method. All interviews were conducted over Zoom by dedicated qualitative experts at YouGov during the months of July, August and September 2021. The interviews lasted 30 – 45 minutes and respondents could choose to have their cameras on or off.

40 interviews were conducted with students who were about to or had just finished their Bar Training Course<sup>5</sup>. The sample was identified by the Bar Standards Board from their contact database of students undertaking the Bar Training Course in the 2020/21 academic year. The Bar Standards Board sent out invites across multiple waves to students who were studying a Bar Training Course at eight providers, consisting of a mix of some large / medium / small providers, as well as those inside and outside of London<sup>6</sup>.

The invite text explained the objectives of the research, that the study was being conducted by YouGov, the data protection guidelines followed, timings of the fieldwork and how to take part. Interested contacts were asked to click on a link to an online recruitment survey designed by, and hosted on, YouGov's secure survey platform. The recruitment screener collected the following data from the interested respondents:

- Demographics (including gender, age, sexuality, disability status, ethnicity, parents' education level)
- Bar Training Course provider
- Whether they studied full or part-time
- Whether they were a home or overseas student
- Their awareness of their providers' Equality and Diversity policies
- An open-ended question to capture their views on the policies
- GDPR compliant research opt-in question

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<sup>5</sup> See respondent profile overview in the annex and technical report.

<sup>6</sup> Those with less than 50 students were classified as small by the BSB, those with between 50-149 students were classified as medium and those with 150 or more were classified as large.

- Their contact details and availability to take part in an interview.

All students who opted into the study were invited to take part in an interview<sup>7</sup>. The interviews were scheduled in by YouGov's recruitment administrator. The Bar Standards Board were not informed who had opted into the study. We spoke to students from a mix of educational, demographic and socio-economic backgrounds. An anonymous breakdown of the sample is provided in the annex and the technical report.

The recruitment invite text, screener and discussion guide were designed in partnership with the Bar Standards Board team and can be found in the technical report. The Bar Standards Board briefed the YouGov team on the context of the study and shared draft versions of their internal research on Bar Training Course providers to ensure the guide was relevant and covered similar questions. The discussion guide was made up of a series of open questions focused on the research objectives. Key parts of the Equality and Diversity policies from their Bar Training Course provider were shown to the respondents to aid the discussion, as not all had seen the policy previously.<sup>8</sup>

Researchers took verbatim notes during the interviews, which were added to an analysis grid that followed the structure of the discussion guide and was split out by providers. Thematic analysis was conducted, and researchers brainstormed the emerging findings internally and with the Bar Standards Board's core project team. When conducting the thematic analysis, YouGov considered the Bar Standards Board research into the coverage of provider's Equality and Diversity policies. The report structure was signed off by the Bar Standards Board.

## Limitations

With all qualitative studies, the research has some limitations. Firstly, the findings cannot be generalised to Bar Training Course students as a whole, given the small, targeted sample and the conclusions drawn from a limited number of comments. Secondly, participation in the research was voluntary, hence the accounts given may not reflect the

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<sup>7</sup> Not all respondents who RSVP'd took part in an interview due to competing priorities or changing their mind.

<sup>8</sup> The full interview topic guide is included in the annex and technical report.

majority of Bar Training Course students. Finally, the focus of the interviews was largely on the Equality and Diversity policies of the providers, however many of the sample had limited awareness of the policies meaning that they could not confidently answer all of the questions. For example, not all were aware that generally Equality and Diversity policies and initiatives are institution wide, rather than specific to the Bar Training Course. Additionally, many assumed that the Bar Standards Board had a larger regulatory role to play in relation to the policies.

## The culture at Bar Training Courses

### Motivations for undertaking course

Many students had previously studied Law and wanted to become a Barrister to help make a difference in society and experience being in court.

*Thrill of being on my feet in court made me want to pursue Bar Training Course – the more I found out about the job the more it fit into my dynamic (London, Large provider)*

*Both parents are lawyers, but really drawn to aspect of being able to help people. Law is so technical and complex - want to make sure people don't have their rights trampled on - want to make as much positive change as I can (London, Large provider)*

Overall, students were looking for a Bar Training Course which would be supportive and encouraging – one that would help them to start their career in Law. A number decided to study the Bar Training Course at the university where they studied their undergraduate degree as they felt comfortable with the culture and support offered at the institution level. Others selected the provider based on location, likelihood to be accepted and reputation of the provider.

### Culture at Bar Training Courses

Culture on Bar Training Course courses is dependent on the attitude and engagement of lecturers alongside the other students. Some students on smaller courses felt that they were tight-knit and supportive of each other, however those on larger courses commented that there was a lack of engagement with their peers and staff. Those on larger courses often felt that they were 'part of a business not an educational institution'. Though most felt that these types of issues were often due to course management or institutional issues, rather than the individual lecturers.

There was a good mix of UK and overseas students amongst those we spoke to, but some felt there was a disproportionate number of more affluent and higher social grade students on courses, with those from working class backgrounds being in the minority.

*Fairly mixed but skewed towards more affluent students - even though there's been a big push for diversity from the university, it's still skewed towards those who can afford to do it. It's an expensive course, so that puts a lot of people off (London, Large provider)*

*At first, I felt uncomfortable and out of place because I am from a working class background and there were not many people like that on the course... But that was just at the beginning. I do think they promote a relaxed nature. The course is very intense and difficult but teaching environment is very welcoming and it did not take me long to settle in... No negative energy at all... (Outside of London, Medium provider)*

*I was the only female of colour in my class, very male dominated. I did feel different when doing advocacy classes in particular (London, Large provider)*

*60% white middle class and a lot of overseas students paying high fees. Still about money. I was the only woman of colour on my course. I think I was the only parent too (London, Large provider)*

*There is definitely a misconception that international students don't speak English well... I had that in a lot of my advocacy classes (Outside of London, Medium provider)*

Many students felt alienated from others as there was no or limited interactions from others due to Covid-19 and the fact that the majority of teaching had moved online. The online nature of this year's course has meant that many did not feel they could give an accurate impression of the culture on their Bar Training Course. Furthermore, many struggled during the transition period from face to face to remote online studying during the pandemic. For example, some faced delays in receiving timetables, course materials and textbooks, especially those remaining overseas during the pandemic. Additionally, it was felt that there had been an increase in poor mental health and isolation of students whilst undertaking the Bar Training Course during the pandemic.

There was a mix of impact level depending on the home studying situation, for example some did not have enough space or privacy to effectively study or struggled with poor internet connections. Those undertaking the Bar Training Course from abroad due to travel bans or visa issues, were most likely to face delays in receiving course materials, confusion around revised timetables due to different time zones and poor internet connection, especially at the start of the pandemic.

*I wouldn't recommend it all, every university has hiccups, with Covid-19 – it's trickier. We pay a lot of money but weren't supported if we had an issue (Outside of London, Medium provider)*

*This year has been very, very different, 90% online... we couldn't really talk much or communicate much (Outside of London, Large provider)*

*I paid for rent and wanted to be in the UK even when online but [the provider] delayed getting me documents for me to get my visa. Also getting access to resources was hard...*

*The international student office was understaffed, slow at responding, and inefficient (Outside of London, Medium provider)*

As previously mentioned, students were looking for a course which felt 'structured' and 'supportive' – both between students and between lecturers and students. Some students set up WhatsApp groups in order to informally support and encourage one another during an unprecedented year. There was a mixed response to lecturers and how engaged they were with students, particularly when it came to complaints procedures and communication regarding changes in exam timetables and formats. Some would have liked more feedback and in a timely manner from staff on issues that had been raised by students and class reps (e.g., discussion around reduction in fees when studying remotely due to the pandemic, delays in receiving study material and reasonable adjustment concerns).

*The course was structured well and there was lots of support given before exams, tutors were open to answering questions, even outside of class time (London, Large provider)*

*Real mixed bag with staff - teaching was good generally but couldn't go to them with worries – it was not an open-door policy for all. BUT with others it was and you could ask for career advice. Some taught part-time and were in practice – they were more sympathetic, open and in-tune about what is going on in the world and they gave more career advice (Outside of London, Large provider)*



## Awareness of Equality and Diversity policies and their development

### Awareness of Equality and Diversity policies

Students generally had low awareness of their Bar Training Course providers' Equality and Diversity policies and would have welcomed more information and better signposting to where they were available. Some assumed or recalled that they were informed that policies existed during their induction week but had heard little or anything since.

*Don't know that much about the policies... I didn't see any active promotion of the values and the goals of the policy (London, Large provider)*

*I do not really. I may have missed it. It was in the introduction lectures, but I do not remember it being explained to me in particular (Outside of London, Medium provider)*

*We were sent course handbooks and I am sure that would be included in them. We had introductory seminars and it was probably covered then (Outside of London, Medium provider)*

*Each tutor course has reps but I don't think they cover Equality and Diversity? I think the Student Union has an Equality and Diversity Officer (Outside of London, Large provider)*

*The Equality and Diversity Policies were included in the student handbook on the student portal. If you wanted to read them, you'd have to go digging for it (Outside of London, Small provider)*

Many students stated that they did not know who they would contact if they had a problem related to Equality and Diversity or what the process would be if they raised an issue or asked for support. Most reflected that they would probably get in touch with their personal tutor in the first instance and potentially the Head of their course if the issue was especially serious.

*I wouldn't know who to contact and hardly any of the staff responded to emails anyway (London, Large provider)*

*I'm not sure they have shared it with us. In our intro week we were given some materials, so I think it was in there. I don't think there was an Equality and Diversity Officer. I think I would have just filled out the form [if had an issue] and it be sent to the Head. But I haven't*

*been told of the process specifically. I would have just used the general complaints form  
(Outside of London, Medium provider)*

Awareness of the policies and practices depended on engagement with the University, for example whether they undertook an undergraduate degree at the same University, as well as whether they thought the policies would have a direct impact on them. The small number of students who were involved in committees or who were student reps either on the Course or for an Inn in the sample, were most likely to have knowledge of the policies due to their role and interest.

*It's much easier for me because I've studied at [redacted] before and been part of equality groups with the students' union. I think it would be far more difficult to navigate the policies and who to contact if I'd come here for the first time to the Bar Training Course (Outside of London, Medium provider)*

*I only know about this because I'm a continuing student at this university. I think if I just came here for the Bar Training Course, I wouldn't have known about any of this. It isn't really pushed as part of the batch induction' (London, Large provider)*

*I don't know a whole lot about it - I know some policies are in place for under-represented groups. I didn't feel like any things affected me - had no direct impact on me... The policies felt a bit too abstract - not too many concrete steps outlined for equality, more like plans rather than steps (London, Large provider)*

*I didn't know who to contact at the University for Equality and Diversity support initially. It took me ages to get to the right study support person - compounded by not being in situ at the University because of Covid-19... It was a long-winded process of going for learning support through my tutor and being passed around (Outside of London, Large provider)*

Overall, Equality and Diversity policies were not felt to be actively shared or engaged with. Generally, respondents felt that providers leave it up the students to interact with the policies when needed, but many students commented that it is important to have reminders and updates from staff from the start of the Bar Training Course and throughout.

*I do not recall but we probably did, but I know that some lecturers made a comment at the beginning of the course that everyone is from different backgrounds and to be respectful of each other. I like that they made that point as it can be challenging doing this course  
(Outside of London, Small provider)*

*I have very little knowledge or awareness – which was surprising as the course was very international. Over 80% were international - nothing made of it and a missed opportunity. They didn't encourage group working or networking - so few in-person sessions. I don't feel they spoke to us about their policies – I don't think I got a link to them (Outside of London, Large provider)*

The minority of students who had some knowledge of the policies felt they were too general and did not offer enough specificity in certain areas (e.g. how reasonable adjustments work, how to report harassment or setting targets around diversity). Furthermore, when students were shown the policies during the interviews, many felt they were what they expected but they were 'standard' / 'boiler plate' without information about how policies are actioned and if there were dedicated staff or student reps who they could talk to.

*I think there was things about equality in terms of maybe physical disabilities and that sort of thing so that was communicated, but in terms of equality as to sort of race and culture, and things like that, that wasn't communicated (Outside of London, Medium provider)*

*Documents including Equality and Diversity policies were all provided at the outset of the course. I recall having them, but I haven't read them if I'm honest, but if I recall they seemed quite general (Outside of London, Medium provider)*

A few students commented that Equality and Diversity policies felt like 'tick box' exercises, which were more reactive to issues rather than proactive on social changes.

*Equality and Diversity is a hot topic especially at the Bar - strange we are not being taught about it or aware of our own policies (Outside of London, Small provider)*

*The course was online this year, so it felt so different... I don't think they asked students or set up forums on it. They did have one class rep, but I don't think it was focused on Equality and Diversity... When it went back to face-to-face it should have been important for them to have an Equality and Diversity Officer (who is a peer), to have someone to talk to...I would be more comfortable to talk to a peer (Outside of London, Medium provider)*

## **Development of Equality and Diversity policies**

There was a lack of knowledge of how Equality and Diversity policies are developed and updated. Most students believe that policies need to be updated every year, depending on

the experiences of other students as well as how society and language changes (e.g., increased use of pronouns in email signatures and in day-to-day communications).

*I feel like there should be a dialogue with under-represented groups. I would be happy to contribute to these policies (Outside of London, Medium provider)*

*I certainly wouldn't mind contributing to the Equality and Diversity policies. Equality and Diversity policies seem to be framed at a general level. I would like the Bar Training Course to ask students about how they can get Equality and Diversity more top of mind (London, Large provider)*

Some would have liked to be involved in the process of updating policies, due to the importance of policies being based on real life experiences and ensuring that issues do not repeat themselves. However, many highlighted the shortness and intensity of the Bar Training Course meaning that they did not have time to get involved in the same way they might have done at undergraduate level.

One of the providers evaluated had the date for when the policies were last updated. This was a welcome addition for students who feel that policies must be reviewed and updated regularly, depending on ongoing student experiences.

*On their site it says when they were updated last - good to have that clarity - wouldn't say there's much detail (Outside of London, Medium provider)*

A few students commented that the original development of policies might have been influenced by The Equality Act (2010).

*On a broad level, I imagine it's informed by Equality Act and so on. Expectation would be formed by time at undergrad – there is much more student engagement and students were given much more information on what Equality and Diversity support is available, events going on all of the time. My Bar Training Course provider didn't do much in terms of student engagement (London, Large provider)*

Though most students felt they had some responsibility to engage with and update policies most felt that it was up to the provider to look for feedback from students, reflect and put together an action plan for the next year, alongside student representatives.

*They talk to us about our experiences as students, but this isn't the Bar Training Course per se, but more generally with the uni. We don't develop policy but help steer it from the perspective of the students (London, Large provider)*

Student representatives are expected to have an impact on developing and updating policies, and students felt that having a peer represent them was key as it enabled them to be open about their experiences. We spoke with a few student reps who felt that they were able to feed into reviews and feedback on life as a student.

*My expectations would be that students and staff talk to see if their voices are being heard and if progress is being made (at the bare minimum). I would also like surveys for different groups of students. I would be more than happy to participate in surveys, however not sure what other role I could have – I don't think I'm particularly suited to drive the development of policies (London, Large provider)*

Finally, many students think that the Bar Standards Board holds some responsibility in ensuring the Bar Training Course regularly updates policies based on lessons learnt from students as well as other providers. As well as this, there is a misunderstanding from a small number that Bar Standards Board set the original agenda and values<sup>9</sup>.

*It's up to the Bar Standards Board to set the policies and standards, and for the universities to deliver them (Outside of London, Medium provider)*

*It's a regulated course by the Bar Standards Board so I assume that Bar Standards Board set the agenda (London, Large provider)*

*The Bar Standards Board have materials available that sends benchmarks for providers, but I don't know how much of this gets to the student to read (London, Large provider)*

*Who is really setting the agenda? I think it's the Bar Standards Board but they aren't always on the same page when it comes to students support and adjustments for additional learning needs (Outside of London, Medium provider)*

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<sup>9</sup> The Bar Standards Board Authorisation Framework for providers sets a threshold requirement for compliance which includes having appropriate policies for Equality and Diversity. As autonomous universities, providers are regulated by the Office for Students and are therefore required to have relevant policies at an institutional level, rather than specifically tailored to the Bar course.

*I think the Bar Standards Board have overall responsibility for Equality and Diversity but the provider executes this. Also, the Bar Standards Board should also monitor this - not just the provider (London, Large provider)*

In summary, students would welcome more openness and transparency about how policies are developed and updated. This would have reassured them that the provider values the policies, and that student voices and experiences are being taken into account.

*Students need to be made more aware and be more involved in the policy development (Outside of London, Medium provider)*

*We have an Equality Officer who has been appointed but it could be better – they could have had more events, bringing people together. Everyone should be brought together and discuss the policy together (Outside of London, Medium provider)*

*It's a general policy that is put out to make it look like a provider looks inclusive. I would like to be involved and want to make sure everyone understands them and knows the weight of it (London, Large provider)*

## Training related to Equality and Diversity policies

There was a mixed response around training related to the policies and practices, some would have welcomed more training, particularly around diversity and inclusion, however others felt that they did not have the time to engage with such training.

*I would have liked training - there are a lot of students on the course who had learning difficulties who didn't get the support they wanted. Workshops on how to get support and how to support the well-being of fellow students would have been really nice to have had (London, Large provider)*

*I would like to have received Equality and Diversity training - everything on the course was a webinar – I would have liked a student-led session on it. I would have liked more focus on managing your practice as a woman at the Bar (London, Large provider)*

Some providers offered training on unconscious bias but students would also welcome more practical training around Equality and Diversity focusing on their time as a student and moving forwards to the Bar. Students commented on the importance of these sessions being face to face to be able to engage with their peers and reflect together.

Again, a lack of time due to the course being intense and short was a barrier to some attending training.

*It is a one-year course and very intense so may be hard to fit in. I would like training to be specific to Bar Training Course and what Barristers will have to deal with in the future. Have given feedback but only to tutors – I felt like it was incorporated into lessons. On an institutional level, a survey was sent around but I don't know the extent to which it was used (London, Large provider)*

*To be honest, the Bar Training Course is such an intensive course that Equality and Diversity training would be really hard to do. If I saw something I'm not sure I would have attended (Outside of London, Medium provider)*

*I'd assumed there's a place where you can go to voice concerns and from there you can escalate it, then they put new ideas into motion. If I was there [in the UK] I would have got involved. I would have liked to help if it wasn't for Covid-19 (Outside of London, Medium provider)*



## Implementation of Equality and Diversity policies

### Recruitment and outreach activities with students

Overall, students had little knowledge of their providers approach to student recruitment. Many assume that the process is fair, that everyone has an equal opportunity to be accepted onto a course. This view is partially driven by the fact that many students feel that their provider and course has a diverse group of students from the UK and overseas.

The expectation of students is that every provider should be encouraging people from ethnic minorities and other underrepresented backgrounds to undertake a Bar Training Course, especially as there is a sense that the Bar is not as diverse as it could or should be.

*I think there are Equality and Diversity policies in terms of recruiting particular students. My expectation, although I can't say they're not being met, is that there is a system in admissions that makes sure there is no prejudice in terms of recruitment - anyone can join the course (London, Large provider)*

*Bar Training Course providers should be encouraging Equality and Diversity of students - we know that there is an issue of barristers not being very diverse, therefore it should be a priority (London, Large provider)*

*I'm not sure about recruitment, but as far as students go there has been a happy mix. I'm a mature student and I know a few others on the course. There's a lot of foreign students and a good mix of home students (Outside of London, Medium provider)*

However, not all students feel that Equality and Diversity policy is top-of-mind for their provider when it comes to recruitment, especially regarding diversity of socio-economic backgrounds. One driver of this belief is that some students feel that larger providers are run more like a business than an educational service – the admissions process does not feel as rigorous and there is a feeling that anyone can be accepted as long as they meet the grade requirements and can pay the fees. While the majority felt that Equality and Diversity policies were an important factor to be considered in recruitment, a minority of students specifically mentioned that they felt that merit should be the most important factor when a provider is deciding whether or not to accept an applicant.



*I don't think they (the provider) go out of their way (in terms of recruitment). I think you just send in your application and if you meet the requirements, you'll get in (Outside of London, Large provider)*

*I'm not sure (about how the provider looks at recruitment). I think as long as you get a 2:1 you can get in (Outside of London, Medium provider)*

*I can't say I know too much about recruitment. I know a lot of the student population is international but I don't know much about other underrepresented characteristics. I do think merit is important and should be the priority, but other factors such as socioeconomic are very important and play a role in how well someone does academically - underrepresented backgrounds need to be recruited (London, Large provider)*

A small number of students felt that their providers were doing a good job in terms of recruiting students from diverse backgrounds. A few had read materials on how this is being done by their provider; however this was uncommon and materials were almost always located by the individual, rather than them being communicated to them by the provider. For the few that do know about recruitment policy, there was a feeling that more could be done to make the system even more unprejudiced and diverse.

*My provider does really well on recruiting on ethnically and socio-economic diverse backgrounds, but I feel that this is where it stops, it doesn't extend to students with disabilities. The policies tend to focus on race and religion – which is not a bad thing, but certain people tend to be left behind (London, Large provider)*

## Support initiatives

Knowledge of Equality and Diversity support initiatives (e.g. individual support, support groups, networks or events) amongst students was low– very few remembered receiving any information or communications about this. Informal initiatives like student meet ups and quiz nights were sometimes arranged by the provider, however there was rarely a connection between the initiative, and Equality and Diversity. Most students felt that Covid-19 had a big impact on what initiatives providers could put in place, however there was a sense that they could be doing more.

*I'm not aware of anything. I think it should be encouraged – I would like to see some initiatives like workshops or even just meet ups to say hello to people. It might be an impact of virtual learning, but I feel more could be done (London, Large provider)*

*Nothing specific to Equality and Diversity (support initiatives). Casual things like quiz nights were offered but never encouraged as much as they should have been (London, Large provider)*

*I'm not aware of anything (support initiatives) – I wasn't told anything specifically. I was just told about Equality and Diversity in a very general sense (London, Large provider)*

Many students didn't know where to go to find out about Equality and Diversity support initiatives – they had the understanding that their personal tutor was responsible for providing support across a number of different issues (e.g. Equality and Diversity, academic, personal), rather than there being support initiatives in place.

*We have a personal tutor. If we have a problem, we can email them, and they are very helpful. I'm not aware of any support initiatives. It's important to have this support – sometimes we feel helpless and would appreciate any support (Outside of London, Medium provider)*

Some students had good experiences with career support and mentoring schemes, which provided them with valuable skills that they can take forwards after they finish their course. Support for pupillage was seen as good or adequate by the majority of students – providers tended to have a lot of resources in place to ensure students get this, given its importance for future career prospect. Nonetheless, some did have negative experiences and felt that the opportunities for support was negatively affected by Covid-19. For example, one student said their provider was not able to organise mini-pupillages during the pandemic.

*I've had mentoring from barristers which is very good. It's helpful for employability (Outside of London, Medium provider)*

*We have career support which is really strong. Head of Legal Careers sends out emails re. events, sets up events, get speakers in, sends us job adverts. You can have mock interviews, have CV reviews (Outside of London, Medium provider)*

*Pupillage – I had quite a positive experience with the careers department. We sat down and talked about what questions to prepare, I was provided feedback and support, I did practice interviews (London, Large provider)*

*There was no support for applications for pupillages and next careers steps. I couldn't even get replies from tutors when it came to career support. There were little activities to support career steps beyond the Bar Training Course, it was very disappointing (Outside of London, Large provider)*

A number of international students had negative experiences with their provider's overseas office – they felt under-supported by something that was set up with the purpose of supporting them. Some experienced slow email responses from staff (sometimes due to understaffing issues), a lack of a dedicated phone number during the pandemic and issues surrounding their visas.

*I hoped that there would be more support for international students. For example, I had visa issues, which is needed for pupillage (London, Large provider)*

## **Reasonable adjustments**

Awareness of what reasonable adjustments<sup>10</sup> were available depended on whether the student needed to use them. If a student doesn't need any reasonable adjustments, their knowledge of what is available is usually low as they don't need to look for information on this topic. With that said, most students, irrespective of whether they have reasonable adjustments or not, had a basic understanding of what their provider offers (e.g., having extra time for exams and assessments). Some providers did better than others in raising awareness of what reasonable adjustments are available and where to find out more information. One provider for example had information about adjustments on the top of all exam information and on their portal homepage. Another provider explained what adjustments they offer at the open day.

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<sup>10</sup> Definition provided in the interview: Employers must make reasonable adjustments to make sure workers with disabilities, or physical or mental health conditions, are not substantially disadvantaged when doing their jobs.

*I'm not aware, however probably because I am fortunate enough to not need them. I think it is clear what they offer - there is a specific email address and support team for individuals who may require reasonable adjustments (London, Large provider)*

*No I don't know anything at all. I don't have any sort of disability. I'm sure there are some policies in place for this (London, Large provider)*

*I was very aware – there were comms on this. It was well signposted (Outside of London, Large provider)*

*They talked about it on open days, they have schemes like giving more time for exams, more support from tutors. I know a few people who got extra time in exams. In our induction week they covered it more than once (Outside of London, Medium provider)*

Some students perceived their provider to be good at offering reasonable adjustments, either from personal experience or hearing about their peers' experiences.

*A friend needed to have a surgery and they were good with him in terms of postponing the exams and offering additional time (Outside of London, Small provider)*

*I received extra time to finish the course because of my difficulties in managing the demands of the course. I opted to take resits. The university have been flexible and supportive. (Outside of London, Medium provider)*

However, a small number who needed reasonable adjustments had negative experiences, with adjustments being given slowly or incorrectly. This had an impact on students' ability to engage with learning materials and keep up to date with exam preparation and assignments. There was a perception by some that the Bar Standards Board are less flexible than the providers in terms of providing reasonable adjustments for exams – they would like their provider and the Bar Standards Board to come together with a common reasonable adjustment process and policy.<sup>11</sup>

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<sup>11</sup> This represents a misunderstanding from some participants as to responsibility for granting reasonable adjustments. Providers of Bar training are responsible for assessing and implementing reasonable adjustments – including extra time for exams - rather than the Bar Standards Board.

*They do give you extra time for exams, however it took them ages to get this in place properly – for a while I was only getting 25% rather than 50%, which is what I'm meant to get (London, Large provider)*

*For me, they said they would allow me to record sessions, have extensions and PowerPoints sent to me. But I got none of that - only just got extensions. Tutors were scared of letting us record their sessions as they were scared, they would be seen as bad teachers (London, Large provider)*

## Flexible learning

Most students noted that their providers were flexible in the sense that they offer part-time courses. Due to Covid-19, some providers were also allowing flexible fees – students were able to pause / split costs up. This was very well received by those who had the opportunity to make use of it.

*It's much better than it used to be – there's the availability of pausing and splitting up cost (Outside of London, Medium provider)*

*Part time courses are supported – it's an established option (London, Large provider)*

However, some others experienced inflexibility often linked to the challenges of the pandemic. For example, a couple of providers were not allowing lectures or seminars to be recorded during the first few weeks or months of the course due to tech and access issues. This meant that those who couldn't attend would miss out on learning opportunities. In other cases, students studying overseas due to the pandemic had to deal with inconveniently timed classes and assessments. Nonetheless, some overseas students were allowed to take assessments in local time or within their local country, which made things much easier for them.

*Learning was very inflexible. For example, seminars were not recorded, which was exhausting and hard for international students. If you didn't have 100% attendance you get in trouble. If everything is taught online, it would be nice to go to pre-recorded lectures (London, Large provider)*

*The University didn't want or allow anyone to record at first, but it became a necessity because of IT issues and access (London, Large provider)*

The quality of teaching over 2020/ 21 was generally felt to be inferior in comparison to previous experience of in-person teaching – virtual classes with low levels of interaction between students and staff were common, and accessing resources online was sometimes difficult due to tech and permission issues. Students acknowledged the impact Covid-19 had on teaching and understood the difficulties associated with the switch to virtual learning. Nevertheless, some felt that their providers could have done better to ensure that things went more smoothly, especially given the fees they pay.

*I did the course remotely. I think it was run quite well – there were some teething issues which were sorted out in the end (London, Large provider)*

*I've had to do virtual learning due to Covid-19. It's been ok, but the quality of teaching is lower than in person (Outside of London, Small provider)*

Some students felt there needed to be more flexibility around reducing fees given the switch to virtual learning during the pandemic. It was reported that some from larger providers tried to lobby with other students to get fees reduced, but few had any success. This added to the frustration of the overall virtual learning experience – students felt they weren't getting what they paid for (when comparing to previous university experiences).

Some providers offered scholarships and reduced fees; however a minority of students viewed them to be solely based on merit rather than taking into account Equality and Diversity considerations.

*We all had virtual teaching sessions, and they are still charging us the full whack. The university says that you are still getting the same quality teaching. It makes me feel like I don't want to be associated with them or pay them any money. In an ideal world, I would like the university to consider reduced fees (London, Large provider)*

*It (reduced fees) was a big part of the discussions – we got a WhatsApp group together with everyone. We paid a lot and didn't get any money back. Someone else tried to escalate it, a lot of students tried (Outside of London, Medium provider)*

*Scholarships were given based on merit which is not equality as you could come from a really well-off background, and you can have had all the opportunities in the world and then you're applying for this scholarship and you're getting the course for free (Outside of London, Small provider)*

# Case study: Female, Special Educational Needs (London, Large)

## Awareness

During her time doing the Bar Training Course, she had not been told anything about Equality and Diversity policies. She is dyslexic and was not told about how learning difficulties fit within the Equality and Diversity policy framework. She was sent a learning agreement form but it had little information on how to get support.

*I'm not sure how policies have been developed. The current system is flawed. I have learning difficulties and need help quite quickly, but it can take 2-3 weeks to get a response.*

*I've not been told anything about Equality and Diversity policies.*

## Experiences

Her time on the course was filled with frustration – often due to the lack of support she received for her dyslexia. It took a considerable amount of time for her reasonable adjustments to be put in place properly, additional time for coursework was short, she wasn't provided with the necessary assistive software and she was provided dyslexia support from an external company who had no previous law experience.

## Impacts

She felt that she wasn't supported enough, which led to her struggling to keep up to date with coursework and assessments. This had a negative impact on her motivation as well as her course results.

*I'm a very strong-willed person, however at points I've almost withdrawn and gone somewhere else for the course. However, I wanted to stick through it – it's been an uphill struggle.*

## Recommendations

She recommends making students more aware about Equality and Diversity policies and how they can get support at the start of the course, as well as providing regular reminders to make it ingrained. She would also like more flexibility around learning and assessment, especially for people with learning difficulties.



# Case study: Female, Overseas student (Outside of London, Medium)

## Awareness

She knows the general themes that are covered in most Equality and Diversity policies, however her knowledge of the provider's policy is limited – she doesn't remember receiving any information from her provider on this.

*I know the general themes – everyone has an equal chance and there is no room for discrimination or bullying.*

## Experiences

She struggled communicating with staff on her course, for example: responses to emails were slow and at times was unable to access reading materials needed for the course. Classes and exams were also difficult due to differing time zones in the UK and where she was living abroad. She had an individual support officer, however they were hard to get in contact with and provided less support than she expected.

*I paid a lot of money and wasn't supported when I had an issue. When I emailed about any issues, they would respond and say it was resolved when it wasn't... It was all about management – any information we needed to know wasn't conveyed.*

## Impacts

She felt frustrated over the lack of support she had, which was furthered as she was never able to formally provide any feedback. Time zone differences meant some classes and exams were inconveniently timed and therefore tiring, and poor communication meant that she sometimes did not have the necessary learning materials which hindered her learning. Overall, she felt she was not being provided the experience that she was paying a lot of money for.

*You had a support officer person assigned to you and you could talk to them about harassment issues, mental health... all types of support. However, they were not very helpful. People were complaining about it on LinkedIn – they wouldn't do it for no reason.*

## Recommendations

She recommends getting students engaged at the start – e.g. getting together in small groups and discussing what they would like and expect from an Equality and Diversity policy (especially with a focus on international students who may face unique issues).



# Case study: Male, Overseas student (Outside of London, Medium)

## Awareness

He has an awareness of themes of Equality and Diversity as this information was shared with students by the head of law school, and he has also attended open days for incoming students that explain sources of support available, such as reasonable adjustments for assessments.

*Everybody is treated the same and we received emails on how to report discrimination.*

## Experiences

His time on the course has been positive, describing staff as helpful and accommodating when he was experiencing issues with access to resources. He discussed making the most of university talks organised from LGBTQ+ and BAME individuals about working in the legal sector, along with the help of country advisors (individuals providing support to overseas students). He also considered career support from the university to be of a high standard, listing the organisation of events, the circulation of relevant jobs by staff, and support with CVs and mock interviews.

*Staff are welcoming and positive...they help students and push us.*

*Support is really good here. They have tried to help, especially during Covid-19.*

## Impacts

He was happy with the level of support he had and felt that the provider's values aligned with his own. Whilst he had few issues, when he did experience problems with obtaining course materials, he benefitted from University staff liaising on his behalf and delaying assessment to reflect the time lost and offer a fair and equal chance.

## Recommendations

Overall, he feels well supported on the course and is confident that he knows who to report issues to and how, should they arise. However, he recommends that the provider make the steps that follow issuing a complaint clearer to students so that they know what to expect.

# Case study: Female, Special Educational Needs (London, Large)

## Awareness

She has a good understanding of the university's general approach to Equality and Diversity practices, partially because she sits on an Equality and Diversity board as a continuation of her undergraduate studies. However, she isn't confident that incoming students for a Bar Training Course would be aware of these practices.

*I think if I just came here for the Bar Training Course I wouldn't have known about any of this - it isn't really pushed as part of the induction.*

## Experiences

She recognises that there has been a 'big push' for diversity from the university, but that ultimately due to the course costs, it is still skewed towards more privileged students. The university has provided a study skills coach, along with funding for a laptop and additional software that has aided her studies, along with a strong careers service. However, she describes assistance with pupillage applications as oversubscribed and competitive. She has also felt some frustration with the inaccessibility of Bar Standards Board centralised assessments but that Covid-19 has enabled more flexible practices on the course overall.

*They seem a bit aloof and not very accessible, but Covid-19 has enabled a more flexible approach.*

## Impacts

She feels that additional support from the university itself has been helpful, but that the design of the Bar Training course itself is a source of stress. She expressed frustration about the lack of flexibility with reasonable adjustments and the lengths she had to go to in order to receive extra time.

*Core module assessments caused stress, there was no wriggle room for extra time in Bar Standards Board exams this isn't true, and the Bar course assessments on writing and comprehension are very rigid.*

## Recommendations

She recommends making core assessments more flexible with increased adjustments to allow for extra time. She stresses a need to reduce the reliance for students on course tutors, in instances where there are issues with rapport.

# Case study: Male, Special Educational Needs (Outside of London, Small)

## Awareness

He describes how the provider's Equality and Diversity policies were available in the student handbook on the online portal, but that it was not easily accessible, and his awareness surrounding who he should reach out to as a point of contact is low, with a need for services to be much more transparent.

*If you wanted to read the policies, you would have to go digging for it.*

## Experiences

His experience overall has been negative, and he felt that the course was expensive and only worsened by a perceived low likelihood of obtaining a job at the end of it. His request for extra time for the centralised assessments was denied, and receiving extensions was a lengthy process with a lack of facilitation. He also felt that there was little support for dyslexia, with only digital course materials available, despite his request for printed materials.

*It felt like it took a lot of arguing to get any sort of resolution for my request for support at all.*

## Impacts

The timetabling of lectures along with the short notice provided for assessments had a significant impact on his childcare arrangements. The lack of in-person teaching provided and opportunities to offer feedback also compounded issues and presented difficulties in seeking additional support and course materials.

## Recommendations

He stresses that providers and the Bar Standards Board need to work together to create opportunities to provide feedback on Equality and Diversity practices directly. Additionally, he proposes increased training for staff would enable them to deal with linguistic issues of foreign students more sensitively, and improved course organisation would support childcare arrangements. However, he considers the system of pupillage at its core to present the greatest barriers in achieving Equality and Diversity.

# Case study: Female (Outside of London, Medium)

## Awareness

During her time studying, she says that there is a good awareness of Equality and Diversity and information about practices is at your disposal, but the onus is on students to seek these materials out, and no specific training is provided for students.

*Signposting of Equality and Diversity information is very good by the university, but it's still up to you to read it.*

## Experiences

Her experience of the course was influenced by confusion around who dictates Equality and Diversity policy, and she felt her university and the Bar Standards Board had conflicting views on the additional support she should receive for examinations. She cited mentoring and outreach programmes, though external opportunities, as making positive contributions to her experience, and encouraged the introduction of similar internal opportunities.

*The Bar Standards Board aren't always on the same page when it comes to student support and adjustments for additional learning needs. We are used to them during our studies at undergrad and postgrad, and then they feel like they are taken away.*

## Impacts

There was a lack of knowledge and awareness surrounding whether examinations would be in-person or online, and the poor planning caused extra anxiety and stress. Along with the lack of flexibility with extra time, she felt at a disadvantage for exams. External outreach programmes and mentoring scheme had a positive impact on her experience, such as a 'Bridging the Bar' initiative to encourage increased diversity. However, the course materials were male-dominated having an exclusionary effect on female students.

*The Barrister is always a 'he' in class examples.*

## Recommendations

Overall, her experience was somewhat positive but felt that an increase in direct outreach for targeted groups to increase representation and employability could be helpful. As well as this, increasing flexibility, providing reasonable adjustments and clearer and more direct communication around exams could simplify the process and alleviate undue stress on her part.

## Case study: Female (Outside of London, Large)

### Awareness

She felt that there was very little awareness of Equality and Diversity practices overall, and a lack of clarity on who students should reach out to if there were any issues. She argued that the attention attributed to Equality and Diversity issues was not reflective of the university's high international population, and a missed opportunity to connect with students.

### Experiences

Her experience of the course was mixed. Whilst she had a good awareness of reasonable adjustments which were well signposted, and benefitted from flexible learning fees during her studies, she felt the course was expensive and that she didn't get the advice and support from staff that was anticipated. When students were encouraged to produce feedback, she stated that lots of concerns were raised but that no resolution came from this.

*They seemed to have just registered concern, rather than acting on it.*

### Impacts

Her experience of the course was impacted significantly by the effects of Covid-19 – group working and networking were not encouraged, which contributed to a lack of a 'community feel' and there appeared to be a disconnect between those on the course and the wider university. In some ways, the university's management of Covid-19 was helpful in the form of flexible course fees, but her view of her time on the course was predominantly adversely impacted.

*We were so separate to the rest of the university and their Equality and Diversity officers and networks.*

*I didn't feel like a student and it didn't feel like a community, it felt like a job alone.*

### Recommendations

She recommends that providers make procedures for reporting grievances clearer to students, introduce Equality and Diversity networks and reps, and better integrate domestic students with international students. She also suggests that providers and the Bar Standards Board work collaboratively to provide increased financial support in order to tackle the issue of diversity in the Bar.

## Evaluation and impact

### Monitoring success

The majority of students were unsure of how success is monitored and measured by their provider when it comes to Equality and Diversity initiatives. An assumption made by some students was that providers may be measuring success by looking at the demographic makeup of their courses. This could be looked at to assess whether the group is diverse and whether it aligns with individual Equality and Diversity policy.

*I'm guessing – maybe it would depend on how many people pass and they look at that from a diversity perspective. Maybe they also look at how many people from different backgrounds are enrolled (London, Large provider)*

*I suppose it would be reflected in the range of students on the course... Over 50% of people on the course were females and there were many international students, so it did not fit in with the stereotypes that I initially had (Outside of London, Medium provider)*

Another assumption is that success may be being measured by evaluating feedback provided from staff and students, possibly from a survey. However, many students had not been asked to provide any feedback specifically on Equality and Diversity, therefore they were unsure of whether this is being done in practice.

*My guess would be maybe doing surveys asking students and staff about satisfaction. They may also look at statistics and see if there is progress being made in terms of how representative the student and staff population is of the wider population. I haven't given any feedback myself on Equality and Diversity, but I did see some emails about Equality and Diversity sessions (London, Large provider)*

*I guess they could ask us at the end of term e.g. student satisfaction survey. I did give some feedback to the student committee on the Bar Training Course. We might have gotten an email at the end of terms about feedback, but it was very infrequent. There was nothing on Equality and Diversity policies - I would have liked to have given feedback on everything (London, Large provider)*

Although feedback was rarely given on Equality and Diversity policies explicitly, students were asked to provide feedback on individual modules and on their course as a whole.

Nonetheless, the frequency of this varied by provider – some gave regular feedback whilst others only did once or twice over the year. Given that the Bar Training Course is typically taken in a one-year period, some students would have liked to have had more opportunities to provide feedback – the short nature of the course made it hard to tell whether student feedback was being taken into account and acted upon.

*Student feedback – they asked us this at the end of the course. I think they record it but I'm not sure what they do with it (Outside of London, Large provider)*

*We gave feedback at the end of every seminar and were told feedback was very useful but I'm not sure where it went and what impact it had. I also gave feedback at the end of the course. I didn't give any feedback on Equality and Diversity policies - could be because I hadn't actively sought out any Equality and Diversity opportunities (London, Large provider)*

## Impact of policies

The general consensus is that, given the students' overall low level of awareness of their provider's Equality and Diversity policies, it was hard to know whether they had any impact on them. Some view this positively – they assume that, by having an overall positive experience and not having any Equality and Diversity related issues, Equality and Diversity policies must be in place and working.

*My general sentiment is that it hasn't affected me in any meaningful way. I'm aware of their (Equality and Diversity policies) existence, but I don't think it was necessarily reflected on the course and I can't say that equality played any sort of a role (London, Large provider)*

*I can't think of any impact on myself. If it has had an impact, it was ensuring that I didn't feel excluded or victimised throughout my time here (London, Large provider)*

Others see this more negatively – although they might not have had any Equality and Diversity related issues during their Bar Training Course, they would have liked to have received more communication on Equality and Diversity policy and initiatives. This could have helped to improve the overall experience of the course.

*They've had no impact at all – there was a lack of awareness. I'm always looking out for things, but I never got anything (London, Large provider)*



*I think yes, they have had some impact, but how big I'm not sure. They (the provider) could have done a lot more (Outside of London, Large provider)*

For those who had more negative experiences, such as students who had issues with getting the correct reasonable adjustments in a timely manner or international students who had to deal with inconveniently timed classes and assessments, the lack of awareness of Equality and Diversity policy had an adverse impact on their learning. Having more knowledge and support on Equality and Diversity issues would have made their Bar Training Course experience more positive.

## **Bullying, discrimination and harassment**

The majority of students had not faced, nor knew anyone who had experienced any bullying, discrimination or harassment. Some thought that the lack of face-to-face and social interactions this academic year due to the pandemic may have helped to reduce such incidents. Nonetheless, if they would have, most would be unsure how to deal with an issue – they assume there is a zero-tolerance policy in place; however, they were not aware of their provider's procedures (they would likely go to their personal tutor or the course lead).

*I don't know much; however I didn't see any bullying or harassment throughout my time there. I think it would help to make policies clearer and more evident (London, Large provider)*

*I know it is not tolerated but that is all I know. I'm not aware of anyone affected by this (Outside of London, Medium provider)*

*I assume I would talk to my tutor. I don't know the process or procedure - maybe I was told at the start of the year (Outside of London, Large provider)*

A small number of students recall seeing some emails or information about how to deal with any issues associated with bullying, discrimination or harassment. Nevertheless, information was not actively or frequently communicated by the providers.

*I do not know. I recall reading something like this, I don't know if it was in a handbook or if it was just like on our portal, or something (Outside of London, Small provider)*

*I think I have read it somewhere (information on bullying, discrimination and harassment); I think we had an email about that after the BLM events (London, Large provider)*



Although most had no direct experience with bullying, discrimination and harassment, a few felt that international students were being discriminated against due to their lower level of English fluency.<sup>12</sup> It was felt that more could have been done to provide international students with language support, and staff members could have addressed language issues in a more sensitive and private way.

*I found some overseas students were treated with a lack of patience. I feel it's an issue when the university screen for English language competency and some students slip through the net, which makes it more difficult for everyone. The provider needs to have private conversations with individuals prior to starting and certify during the course if there is an issue - not picking things up or addressing issues during teaching time. We had a one tutor picking up on incorrect language use in a class, and I thought that was inappropriate (Outside of London, Small provider)*

*Language competency is such an important aspect to the course. More needs to be done to support those with lower levels of fluency, for example extra classes for them (Outside of London, Medium provider)*

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<sup>12</sup> It is a requirement of the course that all students are at a minimum level of IELTS 7.5. This represents an 'operational command of the language' rather than fluency. <https://takeielts.britishcouncil.org/teach-ielts/test-information/ielts-scores-explained>

## Improvement ideas for Bar Training Course providers and the Bar Standards Board

A key theme of this report is that many students believe that Bar Training Course providers should provide more information on their Equality and Diversity policies throughout the duration of the course, specifically how they are developed, actioned, their impact and how they are evaluated.

*Providers could also make it more clear how policies are having a positive impact on the lives of students... It is hard to tell if they are doing things well as I wasn't aware of what they were doing and suspect that is the same for most students (London, Large provider)*

Reasonable adjustments and support networks and initiatives across providers could be better advertised using a range of media, not just email and the providers' intranets. Students do not want to spend time proactively searching for this information, especially when they are at a point of crisis (e.g., during stressful exam periods or after having been harassed).

Generally, Inns were praised for offering a wide range of Equality and Diversity networks, events and training, which a few felt that Bar Training Course providers and the Bar Standards Board could learn from. Inns were also felt to offer more opportunities to feed into the design and implementation of Equality and Diversity policies and were better at promoting their support initiatives.

*The Bar Standards Board should actively require providers to have a certain culture and policy. They are in a perfect position to dictate the environment and take advantage of their unique position. The Bar doesn't have a good track record of Equality and Diversity, so Inns are taking a more active involvement. The Bar Standards Board should be doing more (Outside of London, Small provider)*

Specifically, students had the following improvement ideas for Bar Training Course providers to ensure their support needs were met.

- Providers to send out reminders throughout the year, not just at the start of the course, on where to find support, how to report bullying, discrimination, and harassment and where to find the Equality and Diversity policy.

*Make students aware where they can go for support and give reminders, so it becomes engrained (London, Large provider)*

*I think the provider should be a lot clearer about the complaints procedures - raising more general awareness of the issue and how to access information about it (London, Large provider)*

- Offer Equality and Diversity training and events that will also help students in their pupillage and their future careers. Practical, tangible and topical information is most welcomed.

*There is no support for applications for pupillages and next career steps – I couldn't even get replies from tutors when it came to career support (Outside of London, Large provider)*

- Better promote university wide and Bar Training Course events, initiatives and training related to Equality and Diversity as awareness is generally low, leading some to assume their provider is not doing much in this space.

*I barely know what my provider is doing so not exactly sure what they are doing particularly well. I have seen some emails and events about underrepresented groups (Outside of London, Medium provider)*

*Need more information on how students can get involved in Equality and Diversity initiatives - e.g. student groups (London, Large provider)*

- Awareness of the providers performance on delivering their policy objectives was low, which for some did not engender trust and confidence in their provider. Providers should be more transparent about their performance and impacts related to Equality and Diversity.

*The biggest thing is awareness, transparency, and communication - all well having policies, but need to make sure students are aware of them otherwise they are pointless (London, Large provider)*

- Share examples of reasonable adjustments and how they have helped others, so those who need support can better understand how they could be helped and if they are eligible for adjustments.

*Be more proactive and communicate more. Be more practical e.g., list out the reasonable adjustments and how to get them, tell us who to call (not just email) and be more responsive and quicker (London, Large provider)*

- Review scholarship schemes to ensure they benefit those from diverse socio-economic backgrounds, regardless of their previous degree result. A few had a perception that scholarships were mainly aimed at overseas students and those who had gained a 1<sup>st</sup> class degree.

*Have more scholarships for lower income students (Outside of London, Medium provider)*

*I think they should change the scholarship thing; I think that they should change it from merit based to needs best, I think that would be far more effective for what a scholarship is and that would really promote diversity (Outside of London, Small provider)*

Students had the following improvement ideas for the Bar Standards Board to ensure their support needs were met.

- Generally, there was low awareness and understanding of the Bar Standard Board's role in relation to students (i.e., can students directly communicate with the Bar Standards Board) and Bar Training Course providers. Clarity over the Bar Standard Board's role and responsibilities is needed.

*Lack of a joined-up approach creates delays, while negotiations between providers and Bar Standards Board go on (Outside of London, Small provider)*

*The Inns, the University and the Bar Standards Board all have a role to play in developing policies to support us in remote learning. No one is absolved of responsibility but who has ultimately custody of it? (London, Large provider)*

*Great communication from tutors to students and vice versa but seems to be a disjoint in comms from the University and Bar Standards Board (Outside of London, Medium provider)*

- Most were unsure what the Bar Standards Board is doing in this area but assume and hope they regulate providers' practices and ensure policies are consistent across providers<sup>13</sup>. Many would like the Bar Standards Board to have a more visible leadership role - to make sure providers' have clear, transparent, fair, and well-publicized Equality and Diversity policies, that are fully embedded and actioned.

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<sup>13</sup> Typically, Equality and Diversity policies and initiatives are managed by the institution level rather than the school/dept providing the Bar Training Course. However, students may not all be aware of this based on our sample.

*The Bar Standards Board need to be champions - it comes from the top - they need to be flexible and offer the right support to the universities and do this as a regular occurrence (London, Large provider)*

*Maybe all providers should agree on a set of rules and policies across providers - driven by the Bar Standards Board - that could work well (Outside of London, Small provider)*

*I would really like it if Bar Standards Board focus on promoting more diverse staff - the focus shouldn't just be on students - students may feel more comfortable speaking to lecturers who they feel have similar life experiences as them (London, Large provider)*

*If the Bar Standards Board is in charge of these Equality and Diversity policies at Bar Training Course providers – they need to make sure providers are actually doing things and have practices in place (London, Large provider)*

*The Bar Standards Board has a huge role - they regulate it - they need to be strict about - if they aren't strict, they (providers) can get away with it (Outside of London, Medium provider)*

*The Bar Standards Board probably should have some involvement in it just to make sure that the providers are doing what they say they are (Outside of London, Medium provider)*

- Some of those who had faced issues with their provider would have liked direct communication and reassurance from the Bar Standards Board.

*The lack of clarity around exams and assessments appears like a lack of planning for assessments in light of Covid-19 by the Bar Standards Board. How does the Bar Standards Board and providers propose to maintain support for student and staff wellbeing in the virtual environment? (London, Large provider)*

*The Bar Standards Board seem disinterested in communicating with students directly (London, Large provider)*

*Does Bar Standards Board or the Inns need to be more available to students for help in such cases as X provider? (London, Large provider)*

- A couple saw a role for the Bar Standards Board in providing Equality and Diversity training and support, as well as guidance to help students get a suitable job role in the future.

*Actively providing some advice instead of just putting it on paper - that would be my advice to Bar Standards Board, to do something tangible (London, Large provider)*

*We hardly hear of them [Bar Standards Board], we got the codes from them, how everyone should behave and doing some exams but nothing else. [Bar Standards Board taking a role in shaping Equality and Diversity policies] It would be helpful. They could do CPD sessions to support students on where they could later work (London, Large provider)*

## Conclusions

Covid-19 substantially impacted on students experiences on the Bar Training Course in 2020-21, with much of the learning and interaction being online. This led to some facing delays in exams and receiving educational material, challenges in accessing online classes and a lack of meaningful and social interaction, especially between those on different time zones (e.g. overseas students studying abroad due to the pandemic). As 2020-21 has been unprecedented year, it is hard to compare the findings of this study to previous Bar Standard Board studies, or to compare providers. Low awareness of providers initiatives and policies around Equality and Diversity, and a limited sense of culture on the course, may therefore be a sign of providers not doing as much to embed and promote Equality and Diversity policies or / and it may be because the students had less face-to-face interaction with their peers and their provider to hear and interact with relevant information and initiatives.

Overall, this study found that the majority of participants had low awareness and lacked detailed knowledge of their Bar Training Course providers' Equality and Diversity policies. Those who studied their under-graduate degree at the University or needed additional support tended to have higher levels of recall and knowledge of the policies and initiatives, with some explaining that there was greater promotion at undergraduate level of such information.

The majority were unsure how and when the policies are developed and updated. Some would like students to have the opportunity to input so that the policy and practices reflect real experiences and topical issues. However, lack of time due to the course being short and intense is a barrier to many becoming more involved.

Knowledge of specific support initiatives was also low. Students acknowledged that Covid-19 may have had an impact on this, however felt that their providers could be doing more to promote any initiatives they had in place. Some also felt that Covid-19 negatively impacted on the amount of career and pupillage support their provider offered and the amount of social and networking opportunities. A few, due to the limited activity in these areas by their course providers, were reaching out to Inns for the opportunities to join Diversity and Inclusion forums and to interact with peers.

Overall, students had little knowledge of their providers' approach to student recruitment. Many assume that the process is fair, that everyone has an equal opportunity to be accepted onto a course. This view is partially driven by the fact that many participants believed that Bar Training Course students are from diverse backgrounds in regard to gender, age and home vs overseas status. However, some believe more could be done to attract and support students from low socio-economic backgrounds, or that support such as scholarships could do more to consider Equality and Diversity factors rather than focus solely on academic merit.

Awareness of what reasonable adjustments are offered by providers varied depending on whether someone needed to use them or not. In general, most had a basic understanding of what was available and noted that providers make efforts to promote the support available around exam time especially, via a range of media. Experiences with reasonable adjustments were generally positive, with some exceptions, which most often related to not being granted enough extra time in exams or facing delays in decisions being made. Some participants were not aware of the fact that training providers themselves are responsible for assessing and implementing reasonable adjustments, including extra time for examinations, rather than the Bar Standards Board.

Students were unsure of how their providers monitor success when it comes to Equality and Diversity initiatives. It was felt that providers could be asking students for more regular feedback and making it more visible how feedback is taken on board and used. Due to the overall low level of awareness of Equality and Diversity policies, many students felt that they had little or no impact on them. Some saw this positively, assuming Equality and Diversity policies must be in place and working.

This study overall found little evidence of bullying, discrimination and harassment, although a small number of participants felt that overseas students faced discrimination, particularly around language proficiency and how issues around this were addressed. Some thought that the lack of face-to-face and social interactions this academic year due to the pandemic may have helped to reduce such incidents. The majority of participants felt they would be unsure how to deal with incidents of bullying, discrimination or harassment were they to take place, with limited awareness of their provider's procedures or who to contact if such issues came up.



Students felt there was some flexibility on their course (e.g., study location, course payments) but that providers could have been more flexible during Covid-19, especially with exam timings and locations. It was felt that the negative experiences of moving to remote learning affected overseas students the most, especially if they needed a visa to attend exams, had to remain overseas for much of the course and were on a different time zone to the UK. Some participants who were overseas students felt such issues were exacerbated by a lack of flexibility or support from their provider, such as issues with their overseas offices/staff, or a lack of flexibility around the timing of classes or assessments.

Overall, students would have welcomed more information on the policies, initiatives and related training throughout the course, via a range of media, and not just in their induction week. Additionally, many would welcome clarity over the Bar Standard Board's role and responsibilities, as well as better partnership working between them and the providers, especially in relation to complaints and reasonable adjustments.

## Annex

### Sample overview

Age	Gender	Ethnicity	Sexuality	Disability	BTC course	BTC time	Overseas
36	Male	English / British	Heterosexual	Yes, limited a lot	London, Large	Full time	Home student
40	Female	English / British	Heterosexual	Yes, limited a little	London, Large	Full time	Home student
24	Female	Indian	Heterosexual	No	London, Large	Full time	Home student
23	Male	Chinese	Heterosexual	No	London, Large	Full time	Overseas (non-EU) student
23	Male	English / British	Heterosexual	No	London, Large	Full time	Home student
27	Female	English / British	Heterosexual	No	London, Large	Full time	Home student
23	Female	English / British	Heterosexual	No	London, Large	Full time	Home student
51	Female	Any other Mixed ethnic background	Heterosexual	No	London, Large	Full time	Home student
23	Female	Indian	Heterosexual	No	London, Large	Full time	Overseas (non-EU) student
22	Female	Indian	Prefer not to say	No	Outside of London, Medium	Full time	Overseas (non-EU) student
24	Female	Indian	Heterosexual	No	Outside of London, Medium	Full time	Overseas (non-EU) student
31	Male	Any other Mixed ethnic background	Heterosexual	No	Outside of London, Medium	Full time	Home student
22	Female	Pakistani	Heterosexual	Yes, limited a little	Outside of London, Medium	Full time	Home student
31	Male	English / British	Prefer not to say	Prefer not to say	Outside on London, Medium	Full time	Home student
28	Male	Bangladeshi	Other	No	Outside on London, Medium	Full time	Overseas (non-EU) student
21	Male	Chinese	Heterosexual	No	Outside on London, Medium	Full time	Overseas (non-EU) student
28	Female	Chinese	Heterosexual	No	Outside on London, Medium	Full time	Overseas (non-EU) student
23	Male	Arab	Heterosexual	No	Outside on London, Medium	Full time	Overseas (non-EU) student
22	Female	Chinese	Bisexual	No	Outside on London, Medium	Full time	Home student
32	Female	English / British	Heterosexual	Yes, limited a lot	London, Large	Full time	Home student
25	Male	Any other ethnic group	Heterosexual	No	London, Large	Full time	Home student
23	Female	Chinese	Heterosexual	No	London, Large	Full time	Overseas (non-EU) student
26	Male	Any other Mixed ethnic background	Prefer not to say	No	London, Large	Full time	Overseas (non-EU) student
27	Female	Any other Black background	Heterosexual	Yes, limited a lot	London, Large	Full time	Home student
22	Male	Chinese	Heterosexual	No	London, Large	Full time	Overseas (non-EU) student
27	Female	English / British	Heterosexual	No	London, Large	Part time	Home student
40	Female	Caribbean	Heterosexual	No	London, Large	Full time	Home student
27	Female	English / British	Bisexual	Prefer not to say	Outside of London, Medium	Full time	Home student
28	Male	English / British	Heterosexual	No	Outside of London, Medium	Full time	Home student
35	Male	English / British	Bisexual	No	Outside of London, Medium	Full time	Home student
22	Male	English / British	Heterosexual	No	Outside of London, Medium	Full time	Home student
29	Male	English / British	Gay or lesbian	Yes, limited a little	Outside of London, Small	Full time	Home student
38	Male	English / British	Gay or lesbian	Yes, limited a little	Outside of London, Small	Full time	Home student
25	Female	Irish	Heterosexual	No	Outside of London, Small	Full time	Home student
23	Female	English / British	Bisexual	No	Outside of London, Large	Full time	Home student
28	Female	Any other White background	Heterosexual	Yes, limited a little	Outside of London, Large	Full time	EU student
23	Male	Chinese	Heterosexual	No	Outside of London, Large	Full time	Overseas (non-EU) student
34	Male	Bangladeshi	Heterosexual	No	Outside of London, Large	Full time	Overseas (non-EU) student
23	Female	Chinese	Heterosexual	No	Outside of London, Large	Full time	Overseas (non-EU) student
27	Male	Chinese	Heterosexual	No	Outside of London, Large	Full time	Home student