

It's time to move on

By an anonymous female barrister, whose name has been withheld by request.

I have been at the Bar for more than a decade and have practised continuously for that period.

When I first came to the Bar, I did not find that the tutorship system provided me with much support, work or introduction to solicitors. I think things are very different now, and I hope that new barristers receive a lot more support from within the Bar and the Bar Association. Certainly I have tried to make new barristers with whom I come in contact feel welcome and I try to make myself approachable. I don't know if that works or not.

I consider that I was very lucky in that I came as a reader to a very welcoming floor. If I had not met this group of kind, generous men (yes, men) I would not have stayed at the Bar but they gave me work, cheered me up and made me feel that I could succeed. I think our floor at that time had only one other female barrister and she was soon appointed to judicial office.

I am still on that floor. It has not a bad proportion of female to male barristers, however I am disappointed to say that there are only two of us who work full time. Without going into detail, my area of practice is male dominated but I have never been conscious - funnily enough except recently- of any issue connected with that. At its highest I would say that I have felt sidelined - sidelined from the bigger cases and sidelined from the 'big end of town' type of work. However, whether that is a result of being in outer chambers and on a floor which does not do much of my type of work, or whether it is a chick thing, I don't know.

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Funnily enough as far as clients go, I think the chick thing can be an advantage. They recognise that there are not many women barristers (particularly in a male dominated area of law) and they seem to take the view that I must be better and 'really smart' (to quote one) to be where I am.

I suppose the most challenging work that I have undertaken at the Bar is appellate work. I do not receive much appellate work and tend only to be briefed to appear in the Court of Appeal in matters in which I appeared at first instance. However, I like the intellectual exercise much more than trial work and frankly feel that I do it better. For the same reason, I have found this work to be the most rewarding.

Having said that, it is immensely rewarding to conduct a difficult although meritorious matter and win it. Then, it feels as though justice prevails.

I dislike the way the gender issue is continuously raised by and at the Bar: the fact is that working as a barrister is, to quote Ian Barker, 'grindingly hard work'. The proper practice of law is difficult. One is required to make significant sacrifices in order to achieve a successful practice and frankly I don't see how child care and conducting a full time practice can ever be reconciled - one or the other and probably both will suffer. I expect that specialist medicos and even politicians would say the same thing. Just as a matter of interest, I wonder how many female brain or heart surgeons are in practice?

In addition I am irritated that when gender issues are raised it is almost always in the context of having children and juggling child care arrangements. That is not an issue for a lot of women and I, for one, resent being included in that group as if it were axiomatic.

I accept that some special groups of people should be given positive encouragement and support to practice at the Bar, but frankly I do not think the slavish commitment to 'women's issues' continues to be appropriate. I accept that this is a personal view but I believe that most firms and institutions briefing counsel will brief the best person for the job, irrespective of any gender, race or religious issue. Doubtless there is the occasional misogynist but they will always be with us. Moreover, I would rather be briefed on my reputation and merits rather than as the beneficiary of a policy which the briefing party was bludgeoned, by the spectre of political correctness, into adopting.

I find the model briefing policy quite offensive. The effect is that my brief is now tainted by the odour of obligation. Moreover, my experience of government work is that the brief fee offered is significantly lower than the market rate. By briefing women as a policy, it runs the risk of creating a second class type of brief.

I understand that in percentage terms, at least in the last seven years, the 'drop off' rate for men and women at the Bar is roughly the same. I suppose we will never know the individual reasons without an exit poll but I suspect that we all know the reasons. They are probably an exacerbation of feelings we have all had at one time or another.

In short, in my view, we should move on. My preference would be for the Bar to concentrate on supporting people who come from backgrounds where even the thought of studying law seems remote and unattainable.

I would like to see more energy devoted to raising the profile of certain lawyers or groups of lawyers as positive encouragement to others. It seems to me many other problems would then solve themselves.