



## Diversity in the Legal Profession

Professor Jo Delahunty QC with

Guest panellists: Mass Ndow-Njie, Derek Sweeting QC, Brie Stevens-Hoare QC, Toby Coupe

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1 April 2021

### Jo Delahunty QC

Good evening, everyone. I'm really delighted to welcome you all to this my final lecture as your Gresham Professor of Law. It's a lecture that should have been delivered just before lockdown, but for good reasons it's been put off until now. But now is the perfect time to deliver this lecture, because in the course of the last year we've had to look long and hard about why we're at the Bar and the type of service we want to deliver to the clients that we act for. And the purpose of this, my signing off lecture, is to celebrate the hard work that's being done to make the Bar an inclusive diverse profession, that welcomes men and women from all walks of life and backgrounds. Any of you who have followed my four years will know that I have talked frankly and publicly about some of the problems we have in our working world. I've been unafraid to confront the reasons why you should sometimes think about why the law is for you. This lecture is to explain why people like me are still doing the job we do, how we got here, why it remains the job that we dreamt of doing, and why we want to carry on doing it for the rest of our working lives and to leave it stronger than we joined it .

This lecture is an opportunity for me to deliver what I promised to do. It's not just going to be me talking, it's me giving up space for other voices to be heard - people with experiences that aren't my own. So, in this lecture, you will hear about other people's journey to the bar and you get to listen and learn from our mistakes and what consider what experiences we have to offer you. We're going to talk about why we're here, what type of work we do, but most importantly, where we see the Bar going in the next five years and the next decade because the purpose of this lecture is to reach out to the barristers of the future - you are going to be what makes the Bar the thriving profession that we need it to be if it's going to best serve the society that we live within.

So, without more ado can I please welcome my guests. I'm going to introduce you to Mass our youngest member first. Mass Ndow-Njie is someone I first came across a couple of years ago because I'd been following him on Twitter as he was already coming across as a remarkable mature man who had things to offer me to make me think about outside of my world. I named him as one of my Diversity Icons in my 2019 lecture for Gresham and I think that I was right to mark him out for attention because not only is he now a barrister at the Government Legal Department but he is also the founder and chairperson of Bridging the Bar, a charity dedicated to supporting aspiring barristers from underrepresented groups enter our profession. In addition, in July 2020, Mass became the first ever pupil barrister to be awarded "Barrister of the Week" by the *Lawyer Magazine* and in January 2021 Mass was recognised as the *advocate's* pro-bono Hero of the Month for his dedication to pro-bono work. So, I know you're going to be delighted to listen to Mass very shortly.

I'm then going to turn to Derek Sweeting. Derek Sweeting QC is the man who is the Chair of our Bar Council, our representative Body. When I asked him for his CV, with characteristic modesty ,I was given one of brevity simply telling me he was a Chair of the Bar , a Deputy High Court Judge of the Queens Bench Division that Derek's practice mainly focused on contentious civil litigation and advisory work in the High Court and the Court of Appeal. So, having done a little bit of googling I

can now tell you that Derek works in cases related to maximum severity personal injury and clinical negligence work, is regularly instructed by the Attorney General and , in recent years, particularly in relation to claims arising from the Iraq war. In due course I'm going to ask him whether that's the type of work he thought he'd be doing when he first came to the Bar and then grapple hooked over the walls of the Inns become the barrister described in the legal directories, as "fantastic with clients, very effective at explaining matters, and concise in court where he can turn the evidence well". Derek is now a Bencher of Middle Temple and is a long-term proponent and supporter of the legal aid Bar.

Then we're going to move on to my friend and colleague, Brie Stevens-Hoare of Queens Counsel. Brie is a magnificent woman who I've had the total pleasure of working alongside and see grow up with me in terms of our time at the Bar. Brie is a leading real estate silk recommended in *The Legal 500* and *Chambers UK*. She's previously been recognised as Barrister of the Year at the Modern Law Awards, Chambers UK Real Estate Silk of the Year Awards, and she's an individual member of the 'Class of 2021', identified as a "Woman of Influence and Power" in the Law UK Awards. That goes to show how highly we regard her within our professional community, but what you also need to know to understand why she's my friend, is that she is a phenomenal woman who's an activist as well as a brief. She is a founding participant of the FREEBAR, which is the LGBTQ network. She's a member of the Lincoln's Inn Equality and Diversity Committee. She's the joint chair of the Black Inclusion Group. And she is someone who has both created and is responsible for delivering the Bar's Leadership Programme. She is a phenomenal woman and I am proud to know her.

Brie introduced me to her colleague Toby Coupe. Toby is someone who has been quite anxious about joining this platform and having learned about him more, I can tell you that that self-questioning is characteristic of him, but entirely unwarranted because he is a superb man who came from a humble background to make a place for himself at the Bar and is now identified as a leading junior by both the Chambers UK and the Legal 500 which are our bar directory awards. He's instructed on behalf of claimants and defendants in equal measure in high value personal injury litigation which generally rises out of accidents on the road, at work, and in public places. In 2018 Toby was appointed Junior Counsel to the Crown. Significantly - he's the secretary of the Henry Scott Fund which he's going to tell you more about later.

So they are the people that I have chosen to be with me on this final farewell, and I hope having heard from us over the course of the next 50 minutes, you'll understand why. So, thank you very much for attention and I'll move over to the lecture now.

The first topic I'd like to really to ask my guests about is their journeys to the bar. So, I'm going to start off with the most senior and the most important amongst us, Derek Sweeting. Derek tell me, your route to the bar. What is it?

#### Derek Sweeting QC

Well, I didn't have a legal background, and that's the thing most people ask you, and so that really means I didn't have any connection with the law. So I had to find out about it, I think to get interested, and then I had to find out about how to come to the Bar which is what we're talking about. And I suppose most of us think we've got a fairly unique story which is always true to an extent, but I think over the years, talking to people of my generation, my age, I think there are a number of things that always strike me as surprisingly familiar. And one of them is how many people were inspired by a programme called *Crown Court* which was a dramatization of what happens in a Crown Court, it's what it says on the tin as it were, but it was done very authentically and it had a lot of very good actors, some of whom went onto great things like David Sushant and so on. So, it was very good. And if you happened to be at home in the afternoons because you were bunking off school pretending to be ill, then it was something that you got to watch on the only two channels which were then available. And it certainly piqued my interest. So, it was something that I thought, oh, well

this is interesting, I could think about doing this. And I think with some hesitation I then broached the subject with my teacher. And I was at a big comprehensive school in Essex which was not, I suppose, the usual route in the 1970s to the Bar, which is more or less what I got told when I raised it with my teacher – “Well, it's not really something that people from your background do”. It wasn't that he was saying, I couldn't do it, because in fact, I think he was very encouraging about many of the things that I wanted to experiment with and do at school -- public speaking and things like that. But it was sort of “that requires money, and it requires a particular educational background, Oxbridge and so on. So really you ought to think about something else.” And I think he was trying to let me down gently and to say that it was over ambitious for someone like me from my background at that particular point in time. And needless to say, and that's the other thing I think which comes out of a lot of my discussions with my contemporaries who had no connection with the law, it was the initial rebuff. It was someone telling you, you couldn't do it that really inspired you to go on and say, well, hey actually I think I can, and I'm going to, and I'm going to find out how to do it. So that was really how I came to the Bar. I think the story of what happened next and how I did it is perhaps something which might come out later in the evening in the discussions, but let me hand over to Brie at this point and see whether her story was similar to mine.

### Brie Stevens-Hoare QC

Strikingly similar Derek, absolutely *Crown Court*. So I had wanted to be a vet. I had one of the only two personality clashes I've had in my life with our biology teacher at school, so I figured I couldn't be a vet, and *Crown Court* inspired me to think about being a barrister. I knew absolutely no one connected to the law. I was 13 when I made the decision it's what I wanted to do, when I was about 16, a friend of my mom's friend of a friend of a friend of a husband was a solicitor, and managed to arrange for me to spend two days with a female barrister to whom I owe a great debt because it sort of started to feel like it was possible. At the same time like you, the deputy head at my school told my parents explicitly that they should tell me or they should persuade me to lower my ambitions, because I was trying to fly too high and I would burn my wings. My parents, knowing me as well as they did, told me exactly what she'd said because they knew that the stubborn streak in me would absolutely drive me on even more. So, very similar -- no connections, very little understanding of what it was I actually wanted to do; I thought I wanted to do crime at that stage, and I still thought that until I got into pupillage. But I was very driven to do what they said I couldn't do, and by my ideas at that point about truth and justice. How about you Toby? You're a different generation, not *Crown Court*.

### Toby Coupe

I feel like I've let the side down really, because you said at 13 you wanted to be a barrister. I can't say that I had that. What I didn't have growing up with was financial security, and in my mind I thought that if you did something like law you're bound to end up with a job that paid you all right. And I'd be able to look after my mum really, and that was where it came from me. So I remember turning up to answer those questions at pupillage interviews -- Why do you want to be a barrister? - - and I couldn't say that that's why I'd always wanted to do. But I got some pretty poor GCSEs and then realised, look if you want options, you've got to try and work hard and get some A levels that can get you to a degree that can give you options. So I did that. I got some better A levels, decided to do law because I thought it would lead me into a job, and then I didn't know whether to be a solicitor or a barrister. But I had a weekend job life-guarding at university but also the weekend job in the mornings, delivering newspapers. And I did it, in fact a good story, I had a Ford Fiesta that I bought for 500 quid and I sold it two years into tenancy for £2000, when the government brought the scrappage scheme in, so I did quite nicely out of that Fiesta. But it also did my paper rounds, and I delivered newspapers to two barristers who, when I got talking to them delivering their papers, said “and what you do”, and I could see the pink ribbon on the desk and they always seem to be working on Sunday morning when I dropped the papers off. And they very kindly said “Why don't

you come and do a week or two with us?" And so, my first experience was the Crown Court, Bradford Crown Court. And I absolutely loved it and thought, this is me, I'm sold. I want to be a criminal barrister so sort of ended up at the Criminal Bar that way. But I think what I would take from that and what I would say to people is take any opportunity you can get, because I ended up at the Bar because I delivered some newspaper to some barristers basically! Mass what's your story?

### Mass Ndow-Njie

It was really interesting to hear all of your stories, firstly, and thanks, Jo for allowing me to be part of this conversation with all of these exceptional people. My story is a bit more similar to Toby's in terms of the time when I decided. So I decided that I wanted to be a barrister when I was in year 12. It was my first year in 6th form, and our 6th form had entered into a competition called the National Bar Mock Trial Competition (and it was the first time we'd ever entered). Basically what that was, was a new team competition, it was a mock trial in front of real judges and real courts. And I was selected to be one of our barristers. And I remember coming home, and like most people at that age, you're just sort of in a state of confusion about what you want to do next. But to me, having done those mock trials, I was like, "this isn't work, this is fun". And I remember coming back and saying to my parents, "You can relax now. I've decided what I want to do. I want to become a barrister." And the difficulty at that moment was trying to figure out, sort of similar to what Derek said, it was about the perceptions at the Bar. And you know, to me, all of the messages I was getting when I was trying to figure out how to make that next step, were all suggesting that I needed to go to Oxbridge. So what did I do? I worked really, really hard to get the grades I needed to apply, and I got the A's and I applied to Mansfield College in Oxford. And then a few months later I got invited for an interview, so got a little bit closer, and then a few months later, that letter comes – "Unfortunately we will not be offering you a place". And so I remember in that moment, I almost had to start again, because I saw Oxford as being the only route to the Bar. And so as soon as Oxford wasn't possible, to me, I'd completely given up. And at that stage I did give up on a career at the Bar. I still went to university. I still studied law because I'd already applied to do so, but I'd pretty much already made the decision that "I'm going to go to uni and figure out what I want to do". And so while I was at university I did lots of other stuff. I worked as a football coach, did some business, learnt to trade in the financial markets. What I didn't do was anything that someone would do if they were trying to be a barrister. I didn't join the Law Society or the Bar Society, didn't do any mooting, didn't apply for any legal work experience, whether it was mini-pupillages or law internships. And so my moment to actually come back to the Bar came after graduation. And I just got an email from my old 6<sup>th</sup> form teacher, the one who entered us into that competition, that basically just said, "Mass are you practising as a barrister yet?" which was a bit of a joke, because he had been my reference so he knew exactly what I was doing, but really what he was trying to do was to encourage me. And I remember I just responded explaining the reasons why I had not pursued a career at the Bar. And he just said, "Mass, look someone I know just secured pupillage at the government legal department. I think they'll still respect and value your experiences even though they're not in legal -- put an application in." And that was really the start of my journey – that application was eventually accepted. And so here we are. It would be really good to hear Jo, your story as well. I know a little bit about it but I'm sure it'll be great for the benefit of the audience.

### Jo Delahunty QC

It's going to be such a come down after that, it really is Mass. Okay unlike all the rest of you I never intended to become a barrister. I was at a comprehensive school, I was a child of a single parent and the only person in my family to stay on at school after the age of 16. But although I was doing A levels, my careers advisor at my comp, when asked about my future prospects, didn't contemplate university at all. She told me was I was *'bright enough to work in a bank, but not front of house as I had too much attitude'*. My mom was absolutely incandescent with rage, and she took it upon herself to work out not only that I could go to university, that I should go, but also how I could get there.

The only reason I read law, was because my mums view was that if I was going to stay on in education and not go out to earn money then going to uni had to have a job at the end of it. And that's why it was law. I wanted to go to art school but that was no way going to be an option for me if I was going to be a 'professional' person, which is what mum wanted me to be. And the only reason I applied to become a barrister was because my boyfriend, who I'd met at the age of 17, (he's now my husband) worked out that I was totally unemployable- he pointed out there was no way I could become a solicitor because I wasn't capable, not only of accepting a single instruction of what to do, but of adjusting my way of working to suit an office- I'd refined the art of partying and politicking, and then working until the wee midnight hours, with last minute intense prep for a tutorial 'performance' and then go off to party and politics again. That really wasn't compatible with any lifestyle other than being self-employed. My mum always said I had 'the gift of the gab', I was into social justice, and I wanted to use that to best effect by being an advocate for other people. So that's why and how I became a barrister.

So having identified why we all wanted to become barristers, I'm really interested in knowing what nearly got in our way to achieving that. So I'm going to come back to Mass because every time he talks to me, I find it so engrossing that I want you to hear from him, but also because he may be nearest in age to the audience listening to this. So Mass, you wanted to become a barrister. You've told us how you didn't get into Oxford which you thought was effectively the guillotine to that goal. So what else, if anything, stood in the way when you started to explore the Bar?

#### Mass Ndow-Njie

I think the answer to that question is an extension of what I've said in terms of the Oxbridge, but really what that boils down to is the perception of who you need to be in order to become a barrister. I think there's still a narrative at the Bar of England and Wales, at least, that in order to become a practising barrister you need to have firstly gone to Oxbridge, and wherever you went, you need to have achieved a first-class degree. Also you need to look a certain way, essentially be a certain colour, come from a wealthy background, talk with a specific accent. I think these are often challenges which are faced by aspiring barristers from a wide range of backgrounds who were just told, that they didn't go to a good enough university, or law school was expensive because law school is expensive, or aspiring barristers who are told that it's not about what they know it's who they know. And some of the BSB data supports that statement actually, but also just generally, and I think this is something which affected me, was that when you go on chambers websites (so if you want to be a barrister that's the first thing you're going to do, you're going to look on those organisations' websites), but if you can't see anyone that looks anything like you or comes from a similar background to you, then it's difficult to envisage yourself taking on that role. So I think that was probably the biggest barrier for me. But I think at the point when I had access then entered the profession and after applying for that pupillage, I have had a really positive experience. And so in many ways, that sort of guides some of the work I do now, and I try to be as visible as possible, so that if there is somebody who looks something like me, or comes from a similar background to me, they can see someone like me or, even some of you and hearing your stories and see "You know what? They're actually not so different to me after all. Maybe I could become a barrister."

#### Jo Delahunty QC

Excellent. Well I'm going to ask what stories there are behind for example, Derek, because we had a lecture in March at 4 Paper Buildings delivered to lots of Bridging the Bar candidates and academy students. whereby I'm ashamed to say that, by listening to my colleagues in chambers, I learned that they weren't the people with the backgrounds I presumed they had - I'd assumed pretty much all of them had gone to public school, and it wasn't until they were telling me their stories, I realised that in fact, I had fallen into the trap of making assumptions about their backgrounds. I had never doubted, now they are senior members of the Bar, that they'd always been that confident and

assured. So Derek, what about you? Is there a hidden side to you that we should look at as opposed to Derek Sweeting QC Deputy High Court Judge and Chair of the Bar? What's your hidden secret?

### Derek Sweetings QC

Oh, I don't know where to start really. I mean, I think it's probably right to say that just sort of picking up from what others have said, that when I was thinking about obstacles to coming to the Bar, I think money was certainly one of them, and the other was the sort of Oxbridge trope that Mass has mentioned. And I think it's pretty depressing that that is still something that someone of his age thought was part of the sort of DNA of the Bar -- that you've had to have gone to Oxbridge. I mean, in my case, what happened is that the teacher who told me that really it wasn't for me, because you had to go to Oxbridge, also not only inspired me to go to the Bar, but also made me think, well, then I'd better try and have a go. I hadn't been thinking about making an application to either Cambridge or Oxford before that, and I went on, and I did it. I mean, I found out for myself that what I couldn't do, was to do it in the way in which most people did it, which was, particularly if they were at private school, which was to do it after they'd finished, you know the sort of *History Boys*-type approach to it doing it in your 7th term. So I had to make my application, and in those days sit exams in my 4th term. And having said that one of my teachers would rather put me off, there were others who in fact wanted to help at that stage. So that was a great help. I got in and then found myself with a gap year which I had no idea what a gap year was in those days. And I had no money -- a bit like Toby I was working as a lifeguard and I was also working in McDonald's to try and make money as well. So, you know, I did think the financial problems were going to be pretty significant, but in those days you could join the army for a year if you had a university place, and that's what I did. And I ended up as a tank troop commander on what was then the inner German border, owing a little bit of time to the army, I think when I left. But that was what I did. So I suppose that might be my kind of secret on the way to the Bar. I ended up commanding a tank troop and so on. And in fact, when I came to the Bar, because I still had money problems, I went back into the reserves and I spent a pretty happy sort of 20 years in fact, jumping out of aircraft and things like that because I was in commando and airborne units and things. And I think without that money in the early years, I'd have found it quite difficult. So there we are. That was something you didn't know about me -- perhaps that is a secret, but not really.

### Jo Delahunty QC

What about you Brie?

### Brie Stevens-Hoare QC

State-educated, non-Oxbridge, very politically active in the women's movement as a teenager recently thinking very much about going on reclaim the night demos in the 70s and abortion rights stuff. So I had very split messages from the women around me, some about selling out by wanting to go to the Bar, and others about changing it from the inside. So, for me, there was a very strong sense of not wanting to become what the Bar was as I perceived it to be, but wanting to come in and be a different sort of person doing it, not have it change me, not assimilate in that way. So I think what for me was very striking was that sort of trying to stay me. I was a woman in the middle of the 80s as you know, Jo, there weren't so many of us at the Bar as there are now, and it's getting better and better. So I was very uncompromising -- riding a motorbike, and I have my tattoos -- all sorts of things that just didn't fit. And I was very clear it wasn't my club. And in a sense, it was incredibly welcoming. I was amazed at how accepting most of it was. Some of it was very not accepting, but I was very rigid about staying me, and trying to make more space in it.

### Jo Delahunty QC

There's clearly a reason why Brie and I are now friends, because although we didn't know one another at that time, we would have been manning the barricades I think, together, as legal observers on many a rally. I only became a barrister for one reason, and one reason only, and that's because politics was really important to me. In the 80s it was an era when there were the haves and the have nots, Thatcher had been in power for 10 years, we'd had the miner's strike and class, money and power division. The only reason I wanted to become a barrister was to be a legal aid activist. As a barrister I wanted to make a difference to the society that I was part of. And so I was really clear what type of chambers I was going to become part of. And that's what led me to Took's Court, Michael Mansfield QC set. We were the radical left. And like you, I was very clear that I was going to be changing the world not the world changing me. So I refused to dress in the Lady Di outfits that were the fashion at the time with the lace pie crust collars, the pearls and doe eyes. I had my flicky wing eyeliner, my bright red lipstick, multiple ear piercings and rocked really severe type suits. I was the antithesis of everything I saw around me.

I had the attitude to break down walls and barriers in court but not at the cost of politeness, curiosity and (some) charm. And that's something I want to pick up in this conversation, because I think one of the reasons why I found the Bar really welcoming, was the people you work alongside who aren't barristers. Before you get to become 'the barrister' in court using your skills to advocate for other people, you need to understand that as a barrister you are part of the system. So you need to get on with the ushers. So you needed to get on with the clerks. You needed to work out how you were going to get before the Judge to get that case listed low down to up go and how to juggle it without another to earn the money needed to stick with the job. And I found that the people I was encountering in the court service were much more like me and the background I come from as opposed to the barristers and the judge. And they made me not only feel welcome but absolutely one of them. So I always got the Queen Bee treatment. I think that just gave me that edge when I went into court, which was, this is going to work because these are the people that I am working with and they are on side, and if you're against me, My Lord, Your Honour, then that's something that we're going to have to work on together because one way or the other I'm going to have my say.

I think that's when we talking about being a barrister it's really important that we identify that we work as part of a team, you know, with a client, with a solicitor and also as part of the court service. And that's why, as we'll come on to talk about, one of the key skills that each of us bring to the job is the ability to communicate and to get on with everyone from all walks of life. That is precisely why we need people from all walks of life being barristers, because real life doesn't end, you know, inside a courtroom or as soon as you go out, it's the body we inhabit to make sure that we can talk to people to find their story to best represent them. I'll get off my soap box but I'm just so delighted to hear so many stories where there's resonance in what we say which explains why we are at the Bar even though we are different ages, different backgrounds, different sexualities, different colours.

So Toby, turning to you, having come to the bar, was it what you thought it would be from the outside?

### Toby Coupe

I don't know what I thought it would be. I didn't travel. I travelled to London less than five times in my life before I came down to start doing call sessions at Lincoln's Inn, as you had to do, I think 12, and it felt like something out of Harry Potter. And I remember to this day, on call night even, sitting on top table at Lincoln's Inn and somebody turning to me -- I think it was a Bencher -- and them saying "Where are you from?" And I sort of tried to explain that I'm from a tiny village they'll never have heard of "So I'm from between Leeds and Manchester", and this chap said to me "Oh, well done, haven't you done well?" as if it was some sort of affliction that I was from between Leeds and Manchester, and we'd only just got electricity.

I think it's interesting about what Mass was saying, looking at what you think about people. But I look probably like most people would expect a barrister to do, because I'm a white male and I'm probably now classed as middle-class, but I felt like a complete fish out of water at Lincoln's Inn, sitting in that big hall, surrounded by people I didn't feel comfortable with at all, but people wouldn't have looked at me and thought "he looks uncomfortable", but I really did. And so, I was a bit taken aback by it all really, but then starting at the Bar, you realise that people are normal and it is really just a series of interactions and relationships. And I've tried to work on the basis that I treat people the way I would expect to be treated. And if you do that, I don't think you can go far wrong at the Bar, and that's everybody, and there's nothing worse than people who think that they can talk down to court staff or people that they perceive to be below them. It's just terrible. And I don't think there's too much of that in the Bar anymore. Certainly not where I practise there isn't. So I think in a sense of thinking about what barriers were for me and what I perceived it to be, I thought I'd just take it as it comes. And then when I got to Lincoln's Inn, I was very scared and it was all new, but I've enjoyed every minute of it. So, I've no complaints.

#### Jo Delahunty QC

But how come you're now doing the work you do? When I think you said that it was crime that you wanted to practice in , how come you've made that switch?

#### Toby Coupe

Again, I'll be brutally honest, and I hope my tutors from Bar school are not watching this, but I really didn't pay attention in civil procedure because I thought that is not for me. I'd done criminal mini-pupillages, and I thought I wanted to be a jury advocate. And I started doing crime, and I had a wonderful criminal pupillage with my pupil master Richard Woolfall. He was lovely and he always jokes with me, now he says, "Look at the amazing civil practice you've got that I got for you". But all he did was crime, and it was brilliant, but I quickly realised that I was getting paid in a day what I'd get for three or four days in the criminal courts. And it was simply a matter of "what do I think I'm going to have more financial security going forward for me, for my mum at the time -- it was really just the two of us". So I switched to PI and I really enjoy it, and I love representing people who have been badly injured and trying to help them and things like that. But I think crime is an incredible place to start, and I think it's a shame that people are pushed out of publicly-funded work, because of a lack of funding, into other areas. I spent my first six months in chambers doing five magistrates' courts sessions to trials a day in Calderdale mags, in Halifax. And you know, it was great practice to just be handed a bag even when you've got it the night before you prepped it and then you turn up at court and say you got the wrong bag. Here's another bag. And you'd be calling witnesses just having not read their statements. You know, what's your name, right? What happened in this shoplifting or whatever? It's a brilliant practice with people for trials future down the line. So I think crime is brilliant, and I think I loved doing it, and I love what I do now. But I think if all things were being equal and finance didn't come into it, I'd still be a criminal practitioner although my mates who do crime would probably say you're useless so you're better off out of it.

#### Jo Delahunty QC

Well, just picking up there I think what might be helpful for the audience is just explaining the different types of work you can do at the Bar, because if they've watched *Silk* (or if they're old enough or they've caught reruns of *Rumpole*), they may have clear ideas about what they think being a barrister is like -which means going to court, basically-but we all know at the Bar that there are so many different ways of being a barrister, which feeds to different individual strengths. And personalities . I can talk a little bit about what my courtroom practice is, but people will know a little bit more about

me from my lectures so Brie can you tell us what does your day-to-day life as a barrister involves in terms of what you do?

### Brie Stevens-Hoare QC

Well, the subject matter mostly is property disputes, and that can be in a commercial context, it can be residential property, it can also be (which really gives you a view, a window on human beings), following death. A nice blended family, a bit of death and a property to fight over – that brings out the best in people... not. So any aspect of property. I suppose what I would say to people is most of us, as our stories have said, access the idea of the justice system in relation to crime, but actually absolutely anything that human beings do, don't do, do to each other, do to the world, think about, create, --all of that generates law. And there is litigation, disputes around every single facet of that. So the subject matter is only one thing. And as you've alluded to Jo, what you actually spend your time doing, the skills you use, vary dramatically between different areas of practice.

So for me doing property, yes there's advocacy and I love advocacy. I loved it when I started out doing crime, but I then realised I also really enjoyed the more academic side of researching the law and explaining and unpacking property law for people to understand their disputes, and the options, and advise them, the what I call, intellectual jigsaw puzzles of drafting pleadings, which are the documents that set out for the court what the dispute is about, the primary facts it rests on that sort of thing. The human interaction, the client handling. So for me, quite a few of the concepts that I'm dealing with are really complicated because as we've got judge-made law, the government putting in statutory overlays that conflict with each other and conflict with the judge-made law, make it very complicated. So for me there's a lot about unpacking things, simplifying things, helping a client who may have been dragged into proceedings as a defendant, helping them understand what's going on, helping them make such choices as need to be made along the way, so that they understand how they got there when they get to the end of that process. And the whole time looking to find creative positive compromises, and ways to resolve a dispute to save everyone the time, money and hassle. So it's using strategy, academic skill, communication skills. And I love for me in property, it's a really good balance across that whole range. I don't know if that answers your question.

### Jo Delahunty QC

It does! What about you Mass?

### Mass Ndow-Njie

That was really good to hear from you Brie, about your experiences. And I think mine aren't too dissimilar in terms of the sorts of work that I've done. I'm amongst the 20% approximately of barristers that are employed rather than self-employed. I'm employed by the Government Legal Department. And so ultimately what that means is advising the government on basically anything that they want to do. So during my pupillage, which is your first year of practical training, I spent six months on secondment at the self-employed Bar and that's quite usual for a government legal department pupil before they return to the government to their ordinary job. And during that period I applied to a place called Blackstone Chambers – the reason I applied there was actually to get some broader experience. And so while I was at Blackstone, I did some public, but then I also got to experience a lot more commercial work – some sport work (which I believe Derek does some of so maybe if you got to Derek next), and also some financial regulation work. So really a broad mixture of work across different parts of the Bar. And I think ultimately as Brie has outlined, different types of work really focus or require different skills. So ultimately communication is going to be key in all of those areas at the Bar, but whether written communication or oral communication is more important, may depend on just how much, your area of law has you in court. And I think those areas

which I've outlined, really there's a mixture across them. So Derek, it'd be good to hear a little bit about you and your practice.

### Derek Sweeting QC

I suppose the first thing to say is I've kind of changed direction a few times over the years because having been inspired by *Crown Court*, I wasn't not going to do it. So I did go and do criminal work and I ended up doing it for a long time – about 15 years. And during that time, I did all the kinds of things that I thought I'd wanted to come to the Bar to do, and I'm glad I did. I ended up doing murders and things like that as a junior at that stage. And then being instructed by the Serious Fraud Office when it came into being, and so on, and ended up doing a lot of serious fraud. I then stopped doing crime for various reasons, and I started to do a lot more commercial and construction work, particularly in the technology and construction court, the Official Referees as it was when I started. And that's what I was doing when I took Silk. And after that, I carried on doing it for a while, but I ended up doing quite a lot of work for the government. And that turned eventually into a lot of damages and public law work, particularly after the Iraq war. So defending the UK effectively against claims which were brought by claimants from Iraq and from Afghanistan.

But at the same time my own claimant work, focused more and more on clinical negligence. And most of it is comprised really of the clinical negligence cases which result in the biggest awards. So those are usually children who are damaged at birth, quite often they have cerebral palsy. And those are amazing cases because I mean what's remarkable about them is the way in which families react. You know you have these children who often terribly damaged, but they are really important members of their families. And, you know, they're much loved despite all of that. It's a very inspiring thing to be doing even though we have to do it in the context of a sort of bet the farm piece of litigation where you win or lose based on negligence. And when you do win, the damages run to millions and millions of pounds, because often these children have very long life expectancies not withstanding their injuries and they need to be cared for. But the sense of relief on the part of parents when they do get a regime which could be funded, a regime of care which is going to be there after they've gone, which is what they're really worried about for their children, is amazingly satisfying I think.

And I also do a lot of significant serious personal injury work which is really an adjunct to that. And some of that is to do with sport, you know boxers who get brain damaged and that sort of thing. But that's not an atypical one. I mean, going back to a point perhaps that Jo was making earlier, I think, and Brie just made, you often come to the Bar, I think having fixed views about what you might want to do now, as Toby was saying, and then you find you get completely fascinated by something else, and that becomes satisfying for reasons you didn't anticipate. And equally, I suppose my own story shows that you can make pretty significant changes over the course of your career to reflect growing interests or areas of work to which you get drawn, as long as you're intellectually curious and prepared to do the work. And I think no one is going to tell you who's been at the Bar that it's not hard work, but the real point is it's extremely satisfying work which I think is a constant theme that you get from people who are reflecting on their careers.

### Jo Delahunty QC

I mean, I certainly didn't intend to end up being a child protection Silk, or more accurately a child abuse Silk. Like I said, I wanted to be an employment lawyer, but acting for the unions and the workers, not the employers. The only reason I started doing family work was because I was totally skint and I needed to earn money in order to stay at the Bar. In the 90's you got paid a decent wage to do domestic violence injunctions, and you got cash quickly, which I needed in order to pay the rent. And only by doing that type of work did I start to get really curious about the children I could see hanging around the feet of the women I was representing. I just started wondering, and worrying

more precisely, about what happened to them once they left the courtroom. I'd always turned my face against doing family law because I thought that's what women did if they became lawyers. So I'd refused to take it at university; I'd refused to take it at Bar school; I ran a mile from any chambers making me do that as part of my pupillage. But when I found that it was work I had to do, I discovered a world that was so rich in terms of rights that it chimed perfectly with my drive to 'do right' for the most vulnerable in our society. That drive fuelled my passion which in turn drove me forward to become successful. I think I was a pretty average employment barrister but I still hadn't found my feet. But once I started working in child protection, I was so energised by what I was doing, that the ambition that was always there then had a real focus. That was what I think drove me to become successful. Not because I wanted success per se for me, but because I always wanted to make a difference in the case I was doing. In my book, there was no unwinnable case - ever. If I lost, it would just be that I hadn't done a good enough job. And I was always determined to do that job as well as I could possibly be, and to improve with every case, which is why I invested my all into it.

So I think a message you're hearing from all of us, if you're tuning in, is that when you're thinking about coming to the Bar, keep your options open. And, what we need from you as future applicants is probably the ability to be self-motivated and curious. You've got to be a self-motivated learner. You need to ask the questions that no one else is asking. You need to be self-driven in terms of not clocking off when the clock says you can or your body and brain says they are tired, but clocking off when you think you've done the work needed in order to get to court the next day to do the best job you can for your client. You need to be perpetually curious and questioning. And the ability, I think, to cope with rejection, because what we've not talked about in this conversation yet is how being a barrister is also about dealing with rejection, because there's a winner and loser in every case, there's no point at which you both come out happy, ordinarily. Coping with rejection, when you're the losing side, is something you're going to have to deal with because becoming a barrister is a whole series of applications and knock backs, applications and persistence. We have to be determined, obstinate, stubborn, and driven, yet prepared to learn, be adaptable and to ask for advice. I think that's something we can probably agree on, isn't it? Although we're self-employed, so therefore we work as individuals, none of us will be able to do the job we do if we didn't feel comfortable turning to other people for advice, either more senior or the same, to give us that extra boost to go forward to the next stage. Is that something that we'd agree on?--that although that we are individuals, we operate within a system where you need to have that sense of camaraderie to get you through.

#### Brie Stevens-Hoare QC

Absolutely I would say, although there are aspects of the sort of Harry Potter version of the clubbability of the Bar that Toby referred to that made me deeply uncomfortable, and feel it's not my club. The good side of the clubbability is you can turn to pretty well I would say at least 95% of the Bar and say "Can I just run this by you?", "Can I just talk through something through with you?", "What do you think about this?" And people pull together, and it's not just about "We are self-employed individuals, that happens within chambers", but it happens across -- you're in a robing room trying to get your head round something, an ethical problem comes up, another member of the Bar will talk it through with you. And I always find with pupils, persuading pupils to actually trust that having an inquiring mind, asking themselves the right questions, and then engaging in a discussion with you, is what demonstrates that they have what you want in a barrister. The mind that's thinking it through, that's asking the questions, and the will to reach out and the bravery to reach out for any resources you need to sort it out and move it forward. That's what we do all the time.

#### Jo Delahunty QC

Yes. So around this group we've talked about how we've come to the Bar and what we're doing, I think what I'd really like to move on to is where we see the Bar going in the course of the next five years or so, because one of the reasons we're having this conversation is to try to advertise the fact that you don't have to be white, middle class, male, Oxbridge educated. You don't have to have a private background in terms of funding. There are funding issues we need to address and overcome and that's one of the things I think we need to talk about in terms of the scholarships and mentoring that we can offer. So if we're looking at what we want the Bar to be -- Derek you know, where you are, you're the Chair of the Bar. What do you want the Bar to be in five years' time?

### Derek Sweeting QC

Well, I want the Bar to be what I'd hoped it would be at an earlier stage, I think, looking back to when I was called to the Bar in 1983. So I think progress has been very slow in some areas, and it's been much quicker in others. The set I joined was quite small, which was not unusual, -- we've now got much bigger sets, which I think was just a sort of business imperative, but there were three women in my set, two of them in the year above me, as it were. And of course, that's radically changed. So, we now do have effectively 50/50 entrants between men and women to the Bar the bottom end in certain sections of the Bar, not across the Bar, we do then find there's a big drop-off of women - they fall off a cliff in their mid 30s. And I think that's a lot to do with the distribution of caring responsibilities and maternity leave and so on. And that's a problem for the Bar.

We have latterly come, I think, to recognise the nature of the problem that we have with diversity at the Bar. And that's something which has been very high on my agenda, and will continue to be throughout the year. And it just isn't sufficient to say, well this might sort itself out on a societal basis if we wait 20, 25 years, we've got to do more than that, and we've got to be active around it. I think we're going to have to set targets, not quotas, but targets, and we're going to have to hold ourselves to our aspirations in relation to diversity. And we're going to have to be honest about things about what BAME means, whether that's actually a cosmetic category, whether it disguises the fact that there's massive under-representation of black members of our community at the Bar still. And there are lots and lots of success stories (and Mass's is one of them), but there are also lots of people who want to come to the Bar and would be valuable members of the Bar from a black background, and don't make it, or put off for lots of the reasons that we've discussed which are still there, which shouldn't be. So we need to address all of those things, and we need to make sure that we're making sure that we get the best talent.

But having said all that I think the important thing to bear in mind is the Bar is a pretty small profession. And there are only north of 400 pupillages available a year. It's not gone up, even though the Bar has gotten bigger, partly to do with funding. And I think we have to be careful about who we're selecting to the Bar, and making sure that it's an offer which is made to everyone on a non-discriminatory basis, and that we fund people properly so that people are not thinking "I can't come to the Bar" or "I can't not come to the Bar" because of funding. So I think there are issues around when you qualify, when you get to call yourself a barrister, who the Inns give their money to by the way of scholarships, which all need to be approached honestly.

So I think to come back to the question, I think in five years time, I'd like to see a Bar which had made real progress in relation to a lot of those issues, really reflecting the society we live in, and also a Bar that was thriving and in its publicly funded areas was properly funded by the government, acknowledging its responsibilities in that area. I mean, I came to the Bar Council I think in about 2010, because I thought that we were going to embark on a period of decline. And I think I'm sad to say, I think that's right. That austerity was disastrous for lots of areas of our society, including the legal system. And I think the pandemic has just made us realise that that was the case and that we've got to change. So although the pandemic has been a terrible time and a miserable time for many people, it's also given us an opportunity to reflect and do things differently and make wiser

decisions going forward. And there are a lot of decisions we can make about the Bar I think, which can be better informed and wiser.

Jo Delahunty QC

Give us some examples.

Derek Sweeting QC

I think we can be a lot more honest about what the distribution of our diverse membership across the Bar is. I mean, it's not even, for far too long I think that the publicly funded Bar has been a sort of destination for people from ethnic minority backgrounds. And I think we need to be honest about why that's the case and why sort of some bits of the Bar are still what people thought they were years ago, you know dominated by people from private schools, perhaps Oxbridge, and also from a particular ethnic and social background. So I think we've got to look at that. We've got to look at social mobility as well. So those are all things which I think are being talked about now. I mean, I think things like Bridging the Bar and the many other groups now within the Bar and outside of the Bar that are thinking about these issues and holding the leadership of the Bar and other institutions to account, are part of that change. And that's what we've got to embrace. And I think those of us who came to the Bar at a very different time and have those sort of backgrounds, I mean, white middle-class man I suppose might describe me on any of you now, but we ought to be allies of the change which is necessary and which I think genuinely, most of us would like to see, because we don't want to a Bar which doesn't look like the rest of society, that doesn't look like the 40% of people in London, for example who are not white and who don't come from a white middle class background, those are all challenges. So I think that's definitely what we need to commit ourselves to.

Jo Delahunty QC

Toby what about you? I mean, you've come perhaps to this ethos more recently I think in recognising that you don't need to hide or apologise for where you've come from or where you've got to - you can use your skills and experience to attract other people. Tell us what you think can be done by people in your position to make sure that you can spread the word.

Toby Coupe

I think I've come to realise that because of Brie basically, we're taking part in the Bar Council Leadership Programme which has been absolutely brilliant and Ruth and Caroline at Deeds + Words, running it with Brie has been amazing -- they've really opened a lot of eyes. I've been part of a small group of nine people across different practice areas thrown together on MS Teams because we can't all be in the same place during the pandemic. And we've all become good friends. Everyone's got different takes on things. And I felt in that group quite a bit of a fraud, really because I've, you know, I've bumbled through the Bar, you know, playing football, going out for a drink and finding it quite easy, really. And so I've sort of been, I was saying to Brie, "What am I doing here, what am I adding?". And it's taken Brie saying to me, "Look, you know you've got a platform that you can use" to make me think about how we do that and my group on the Barkhouser Leadership Programme we've recently and last week, we've set up a Twitter account called My Learned Friends, and we've been looking at issues of career progression, retention, inclusion and diversity.

Just one issue that's come up this week is a return to call in-person hearings. And so we've been running a poll on that to try and look at data. 55% of the people who answered that said that it will be negative for them. And then we're trying to look at the reasons behind that, so that we can try and drive some positive change. But I think a lot of it is because people have caring responsibilities. I'm in Leeds - I've done a trial in remotely in the last week in London, from home, which has meant

that I've been able to see my son after and before that. And you know, your life is totally different. It opens up a different market when you can do things remotely. So there's some really important issues about how we conduct things going forward. And there's a lot of arguments say, there's a lot of things that could take place remotely still which would give people a better work-life balance. It wouldn't mean they're paying 300 quid for return to get to London from Leeds, paying 300 quid a night to stay in a hotel. So, I think there's some important work to be done there.

And the leadership programme is helping with that. The Bar Council and the SBAs and everybody trying to get everyone joined up thinking. On my circuit, we've got a brilliant diversity outreach programme that Glenn Parsons is running and doing some brilliant work with. And I'm a secretary of a fund called the Henry Scott Fund, which I can take no credit for setting up because Henry Scott was a leader of the Northeastern circuit in the 1960s. And what used to happen was that when you became a judge or a QC, you bought circuit a piece of silver. And that probably sounds ridiculous to people, but that's what used to happen. And Henry Scott decided that in fact, you should give money towards supporting pupils coming through who need some help getting on their feet. And so we have this fund, which has got four trustees on circuit and I'm the secretary of it. And the idea is that when you come to the Bar if you're struggling – I didn't get a scholarship from Lincoln's Inn to do Bar school, and a lot of people come with a lot of debt now -- and it just helps you with an interest free loan when you first start, to try and get on your feet, and things like that I think that driving positive change and making the Bar more representative, especially with all these initiatives that Mass is driving through as well. And I feel like a complete failure listening to everything that he has done!

#### Jo Delahunty QC

We do, we do. Mass is already one of our star icons, I'm going to come to him last because I want to say, with all credit to Brie, that I'm going to save Mass contribution to the last because he is the future of the Bar. But so Brie tell me what can we do/are we are doing to try to make the Bar as inclusive as it should be?

#### Brie Stevens-Hoare QC

Oh, it feels to me like we've reached a point where there's an opportunity for serious movement forward. There's been a lot of work done over the last 20 years about entry-level. That's not cracked -- Mass is a fantastic example of someone who is still working on that. But actually 20 years ago, someone without the privilege of seniority at Mass's level wouldn't have had the impact he's able to have now. So there's already been that shift and change. But for me, we're at a critical point. We've done all that work about entry, but we actually have to then ensure that the people we get in (and continuing all that good work) then rise up. So Toby has mentioned the Bar Council Leadership Programme, which I'm very involved in (full credit to the Bar Council for absolutely getting on board with that). We have a rich cohort of 36 that flip on its head the under-representation at the Bar in terms of gender, race, sexual orientation, disability, the works -- people that hopefully we are empowering to step up and see themselves as leaders, see themselves as able to give voice to their lived experience, their perception, their passions, their drivers that brought them to the Bar. Because at the end of the day, a strong independent Bar is not only important for the Bar, it's much, much bigger than that. It's a fundamental part of a civilised society that there's a properly functioning justice system. And we need an independent Bar to make that happen in this country. Barristers then go on and impact in politics, in education, in every part of society's engagement. And so actually making sure that the diverse lawyers that come in at Mass's level don't get crushed, don't get assimilated, but actually make the Bar richer, wider. I think I described it when we talked about it as sort of using all of our elbows to just push and stretch the space and make space for all types of society to come in, because what we need is a Bar that really represents and reflects society to make sure that the justice system serves everybody properly with all types of voices heard. So, yes, the leadership

programme, and for me there's stuff about creating safe places where people can have the conversations, ensure that they are robust enough to do the work. And also the opening up of networks that encourages the discussion.

One other thing, if you'll let me say it. I think so looking, say at Derek and I, we have travelled a journey. We weren't typical of the Bar when we came to it, but we are now both very privileged by our seniority in our position. We are both white. I certainly came from a lower middle-class background. So whilst there's been a battle about being female and being queer at the Bar, equally, I've had an awful lot of privilege and I have to be prepared to say it's not a perfect meritocracy. You can't run with this idea that the best talent will rise to the top, because whilst talent is a significant element, there are so many other things at play in terms of the opportunities, your understanding of the opportunities, and your ability to recognise them when they cross your path. You having the sort of strength and robustness within yourself to sustain constantly looking for them and trying to maximise on them. So many things you need beyond that. So those of us who got to the top have to be prepared to recognise we may not be the very best. I am sure there are many more who are better than me who could have been Real Estate Silk of the Year or whatever. And actually, I have to be prepared to acknowledge that and make space and look to pull other people up even though they don't look and sound like me.

#### Jo Delahunty QC

Excellent! Okay, Mass, I've given you a massive build up here. Bridging the Bar: tell me how it's come to be and why we're looking to it as an example of what we can look forward to.

#### Mass Ndow-Njie

Sure. Bridging the Bar, how it has come to be. Firstly, a lot of that is down to you, Jo. So I'm really happy for you to ask that question so I can put it on record really. You know, there was a point where I was doing lots of talking about diversifying the legal profession, because it's important to me. And as Derek has already alluded to some of the numbers just are in, they need real improvement. So for example, while I was a pupil between 2019 to 2020 the BSB data shows that there was only 12 other black pupils. And you do feel it while you're in the Bar and sort of piggybacking on something which Brie just said about not necessarily having to accept that we're not necessarily the best, and the same data also shows that a black person who's applying for pupillage who has the exact same grades as a white person at undergraduate level and at Bar school, they have around half the chance of securing pupillage than their white counterparts. So that's sort of the setting, I suppose. And one of the reasons why, you know I'm so passionate about ensuring that we can get to a position where there is equal access to opportunities -- and that's ultimately Bridging the Bar's aim. And something which I think all of you have touched upon is about how beneficial it is if we have a Bar that represents society. And the first thing you'll see on Bridging the Bar's website is the statement that a Bar that represents society also benefits society. So that's just to add on some of those comments because I think what everyone has said was so powerful, but just tied into the story now of how Bridging the Bar was set up.

So it actually started with, I believe a lecture which you gave Professor Jo, when you spoke about different people at the Bar who were doing work at their space and it was a Gresham lecture, and I didn't actually see the lecture myself but afterwards I received a tweet from you and you sort of said, you know here's a list of some of my stars at the Bar. And it was another moment where, you know I was going red again and I was like, am I really supposed to be on this list? And there was some real heroes on there, current Professor Leslie Thomas QC, as well as loads of other people. And I remember thinking to myself, firstly have you made a mistake? Because we'd never even met. And I think I followed up and I said something along the lines of, you know really appreciate your message -- I'm not sure I deserve to be on that list. And you responded then and this was really the

trigger for Bridging the Bar because there was two parts of your message: the first part said, Mass, you know you're doing great work, tell me what more I can do to help. And the second part was we need to do more than just talk. So now just breaking down the first part I think when I heard that we need to do more than, you know what can I do to help it occurred to me, you know you're a Silk, you're highly accomplished, you've been given the key to the City of London, and you've got all of these -- you never gave yourself an introduction, but I'm doing one for you now-- and also being a Dean of QC. I imagine, you know, you're charging more than I do as a pupil anyway, so the point was your time I shouldn't take it for granted. And the second part where you said we need to do more than just talk. And I realised one of the things I'm doing a lot of is talking. And I think that week I had just given a talk at middle temple and I thought to myself, you know there has to be more I can be doing in this space. And so I went away and I just said to myself I'm not going to reply to Professor Jo's message until I have something substantive. And so I went away and I thought about it for a while. And the first thing that came to my mind was, well, you know what, like chambers are in control of their own recruiting practices. So what can someone like me, I'm a pupil right at the beginning, how can I get them to change? And obviously I was coming to a negative on that answer. And then I thought to myself, actually there's lots of great work that is being done in the other side of the legal profession, with solicitors and lots of organisations which are having an impact and changing the numbers. And I thought to myself, well actually there's a business model there for success which can be translated to the Bar. So why not give it a go? And ultimately from that thinking process, Bridging the Bar was born. And a couple of months later, you received the call from me. And I was like, Professor Jo, we need you to sign up as a champion; we need you to help us deliver this to the world. And if I remember rightly you just said, of course. So that's really the story.

Now what's Bridging the Bar? I want Bridging the Bar to be an advocate for the underrepresented at the Bar. And I want us to really make it our responsibility to ensure that this conversation that we're having now and the conversations that are happening at the Bar now isn't just a trend, and it's something which we continue to do until the problems are resolved. And so we're working on a number of initiatives from work experience, to mentoring, to trying to provide financial support to ensure that people from statistically underrepresented groups and have a fair shot at becoming Barristers.

### Jo Delahunty QC

I can't think of any better way to end this lecture. I think what Mass has just said illustrates how important it is for everyone at the Bar to take responsibility for making a difference to it. It's a non-delegable duty to make sure that we reach out to pull people up the ladder that we've climbed. And that means that you're not just waiting to be asked to do something. You should be out there looking for the people to offer support to. And that goes beyond people that are at the Bar. It means going to schools. It means going to academies. It means telling people what the Bar is about, and what you are doing as a Barrister, and when you are describing yourself, say it as you were at 17 not as you are now in the profession. Because when we look and see what Mass has done when the challenge was thrown down, and what he has achieved in a year, it shows how much ,with ability and vision and persistency and tenacity, we can all do if we, all of us, try to invest time in the future of the Bar. I'm not going to be around here in 10 years time, I'm going to be doing something different. I'll be hammering silver, having more tattoos, having more ear piercings, joining Brie on a motorbike going off somewhere. Derek could be off driving a tank. Toby could be setting up his own football club or golf team- Mass is the person who shows us where the Bar is going.

And Mass I am truly grateful that Gresham was able to give me a platform to say what I wanted to say. That's really the point at which I'd like to wrap up, because this marks the end of my four years as Gresham Professor of Law. It has been a massive learning curve. I started off my first year trying to explain what family law is about, but then I realised that this platform gave me a chance to say

and do so much more. It's given me a reach beyond that which I'd imagined when I took up the role. It's given me a chance to talk to people I would never have met.

I would like to thank Gresham for that opportunity, and I'd like to think that I've done something positive as a result in my role here. I could not be more delighted that my friend and colleague Leslie Thomas is the person that follows on from me. If there's anyone I wanted to hand the baton over to, then Leslie is my man because I know he will carry on talking truth to power. I know that every time he's on screen he is someone who the likes of Mass can look at and think "I want to be that man". And every time Leslie talks to me I know that Gresham is in the right hands.

So I would like to say, thank you very much to my guests, for joining me tonight. Thank you for giving me the chance to end my tenureship on what I think is the most important challenge that the Bar has to face, which is making sure that we do more for more by including more within our profession, because there is frankly nothing better as a career than becoming a barrister, every day trying to make life a little bit better for the someone that you are acting for. That way you are investing back into the society we need to be healthier, fitter, stronger and kinder to one another,

So thank you very, very much indeed Mass, Derek, Toby, Brie. It's been a total delight to share this slot with you. Thank you to the Gresham staff that have supported me over the course of the last four years. And thank you to the Gresham audience. I'm not leaving entirely, Gresham is too important to me to cease to have an involvement. I'm now the emeritus professor of law. I've become a fellow. I'm a trustee, I'm active behind the scenes. And I may yet come back to do a few lectures because it is an amazing platform for change. And I just want to encourage everyone to make sure they follow the lectures of Leslie, that they look at the lectures in the past and they follow my colleagues because Gresham is a superb free resource of the greatest array of high-quality speakers you could possibly hope to have on your screens or go to see in person. Everyone here genuinely wants to pass the knowledge they have on to you. So thank you for making me part of the Gresham family. I've really appreciated it.

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#### **Question & Answer Session:**

Mass, I'm a huge fan of yours! As a gov barrister, are you always representing the government? I'm now aware of government pupillages and government barristers, but I'm unsure if I would want to pursue this route if I would be representing the government for cases such as Grenfell and/or police inquests where the institutions are at fault, would you be able to provide a little more insight into being a government barrister? Thank you!!

- **Prof Jo Delahunty QC everyone should be a Mass fan:)**
- **Mass Ndow-Njie Hello Chae, thanks for the kind message. As a government lawyer you would always be advising the government of the day. However, that could be in various different areas of law. For example, I am currently based in the Department for the Environment, Food and Rural Affairs, which means my principal client will be the Secretary of State for DEFRA and so I am currently working predominantly on environmental matters. Previously, I was based in the Cabinet Office and so the PM is the principal client. Therefore, you won't necessarily be working on some of those matters which you might like to avoid. It is also important to note that during pupillage at the GLD, if you go on secondment, you will be able to practise in any areas that is relevant to the Chambers you have joined. Best wishes on your journey!**

Politicians come & go but we need a diverse bar that everyone can access, How are we going to do this? We need to find a solution.....

- **Brie Stevens-Hoare QC (she/her) Agree with the sentiment - but I don't believe there is a single solution. It going to take a lot of work that tackles the issues/barriers in multiple ways. The key to that is engaging as much of the bar and those who work around it as possible.**
- **Derek Sweeting QC I agree there is no magic bullet solution we need to try lots of things at the same time, the real solutions often work in combination.**

I am a magistrate-how would you improve and increase diversity in the magistracy?

- **Derek Sweeting QC Anne, I think we need proactive recruitment and targets, as we do in other areas of judicial appointment.**

Just a general question to all: Have you read the Secret Barrister books? How accurate did you find them?

- **Derek Sweeting QC We have all read the SB, As a Recorder in the crown Court a lot of it chimes with me.**

Anyone with advice: I come from a working class background (father was a postman and my mam was a cleaner when growing up) I am now studying law at York with aspirations of becoming a Barrister. What is the best thing I can do to ensure I am successful in spite of my lack of connections and establishment background etc... Many thanks

- **Brie Stevens-Hoare QC (she/her) Don't be afraid ask anyone who might be able to give you useful advice or experience. The majority of the Bar is willing to offer help or direct you to places that can. Mass will have more recent/relevant ideas.**
- **Mass Ndow-Njie Hello Dylan and thank you for your question. I agree entirely with Brie's comments and would only add that the best thing that you can do is to focus on identifying your own unique selling points. The Bar is looking for individuals and so you no longer have to replicate all of the barristers that have come before you. Have a think about what makes you different to everyone else that will be applying. Bridging the Bar also supports those from low-income backgrounds and so you might be eligible. If not, we will shortly be launching a diversity directory could point you to alternative sources of support.**
- **Dylan Eveleigh Thank you so much Brie and Mass. It is immensely refreshing to feel so much support coming from the top down rather than feeling like those without connections have to fend for themselves. I will be sure to check out Bridging the Bar!**

It is encouraging to hear from all of these speakers however:- the general public do not have access to high quality pro bono lawyers and my experience in London as a Litigant in Person and from high profile cases what one gets from the legal system depends on your financial resources ?

- **Brie Stevens-Hoare QC (she/her) Many of the bar do pro bono from the juniors to silks. Advocate (formerly the Bar Pro Bono unit) are a good starting point. The reason most barristers who participate do so it because working in the system we are very aware of the disparities and the need to balance that out.**

What's the best piece of advice you have ever been given (to all panel members)?

- **Prof Jo Delahunty QC dont give up. don't listen to the doubters, be yourself in interview , dont compromise your personality for comformity**
- **Toby Coupe Treat EVERYONE the way you would want to be treated.**
- **Brie Stevens-Hoare QC (she/her) Don't forget to look after yourself cos if you fall over you can't do any of the things you are passionate about**
- **Mass Ndow-Njie Your unique selling point is your strongest selling point**
- **Derek Sweeting QC Don't be apologetic, be authentic!**

Would anyone be able to shed some light on how willing are Chambers to sponsor working visas for non UK/EEA nationals for pupillage? (Given that they of course hold a Bar degree qualification)

- **Brie Stevens-Hoare QC (she/her) The sad reality is there is not much willingness. Its a complex area and the self employed nature of the Bar makes it all the more problematic. Wish I could give you a more positive answer. We need to find someone with immigration expertise to help work out a pathway through.**

Jo - do you think its important to 'hide' things like piercings, eye liner and the red lippy and ensure I wear the typical female court dress for pupillage interviews and then 'reveal' these things once you've perhaps secured tenancy?

- **Prof Jo Delahunty QC appear in the form you cna be most confident to express yourself. remiber that if you cant be an advocate for yourself , how can you expect to be an advocate for others. look smart, look like youve made the effort to impress and to be professionl, but that Ikeavesa. lot of scope for individuality. red lipstick is my trademark and always had been, Brenda Hale rocked her broaches .**

- **Brie Stevens-Hoare QC (she/her)** JO is frozen. She says "appear however you are most comfortable being" Forgive me if I say - on the basis the person you are best at being is YOU and as a member of the LGBT+ community I know the damage hiding yourself can cause damage NO. Be true to yourself and be your best self. Of course in many context we don't show the full glory of ourselves (I reserve that for my partner) but don't hide or compromise yourself. You will perform better as you.

What is being done to change the recruitment practices at the Bar? If recruiters remain so hung up on minis, mootings, and the other traditional experiences, many diverse and worthy candidates may end up being overlooked

- **Toby Coupe** I don't think its all about mini pupillages and mootings etc Sunita. Most of the skills I need at the Bar, I learnt in everyday life and I think (and hope) pupillage selection panels recognise the important of real life experience. If you have worked washing up in a kitchen (as I did) tell them in your application. This job is about people skills and hard work - both of which you would have picked up in that job.
- **Mass Ndow-Njie** Various Chambers have begun challenging themselves to do better. For example, 67 different Chambers have signed up to Bridging the Bar's mini-pupillage scheme. This means they will be offering mini-pupillages to individuals who are currently a part of underrepresented groups at the Bar. We are also working with various other organisations to offer wider programmes and schemes that might be valuable to aspiring barristers who might ordinarily be overlooked. Additionally, the Bar Council Race Working Group was set up last year and is being led by the amazing Barbara Mills QC and Simon Regis. This group is also working on various practical initiatives that could change recruitment practices and other practices at the Bar that might impact on retention.
- **Brie Stevens-Hoare QC (she/her)** The Bar Council is consistently reviewing and promoting best practice and offering excellent training. They push new understandings and developments from other sectors out to the Bar. It is very much a work in progress but it is progressing.
- **Surita Caleini** Thank you for your responses. It is confusing as an applicant to weigh up being unique and diverse against fitting the 'mould' just to be successful

Any views on the government's 'Report' on Race and Equality? Do you see this as an accurate and helpful report? Does it further diversity for the future? Or like me do you feel despondent and angry at this and the effects it may have/must have on the cultural climate for the future?

- **Brie Stevens-Hoare QC (she/her)** Absolutely relate to those sentiments. The optimist in my hopes that it the sense of it being a backward step energises more people to work harder to do the difficult work that is needed to address racial inequalities.

How easy is it to combine a career at the practising Bar ( particularly court work) with parenthood now? Back in the day, it was extremely difficult, hence my joining the legal civil service. Flexible working is increasingly valued and hopefully, post Covid, more available.

- **Prof Jo Delahunty QC** im a mother to three . its hard to make time for parenthood and work but anyone wanting a career is going to have to face that. the long workign hours are crushing but you know whats its like to go without sleep as a parent. ironically covid and remote hearing s have really worked for parents. we need to argue for retention for them for appropriate hearings where they suit the client and the case

Would Derek like to expand on his comment that he spent a long time in his early years "doing murders"? Was he successful?

- **Derek Sweeting QC** I misspoke. I certainly didn't get away with murder!

What are your thoughts on the Army legal service?

- **Derek Sweeting QC** A much better organisation perhaps then it used to be and worth considering if that's the point of the question. A very wide range of interesting work.

How do each of you feel about the wearing of wigs and robes in court? Should members of the Bar be allowed to also be solicitors? I am a board certified civil trial specialist in Dallas, Texas, USA.  
Bob Clark

- **Brie Stevens-Hoare QC (she/her)** In my 35 years at the Bar we have been asked twice to vote on whether to keep them. I voted no both times.
- **Derek Sweeting QC** I could do without the uncomfortable wig!