

Barristers in England and Wales 'in grip of mental health crisis'

Hannah Summers Sun 6 May 2018 The Guardian

Criminal barristers are in the grip of a mental health crisis caused by significant increases in the amount of digital evidence, legal aid cuts and long hours, said the Criminal Bar Association (CBA). Changes to the legal system, including to the fee structure and proposals to extend court hours, were likely to further damage a profession already struggling to cope. Data due to be published by the Bar Council reveals that in the past two years workloads have increased for 40% of criminal law practitioners in England and Wales, while a third said they were considering new career options. Nearly 60% of criminal bar staff surveyed said they were working more than 51 hours a week; of those nearly half were working more than 60 hours. A spokesperson for the Bar Council said: "A preliminary analysis of the raw data from our survey suggests life at the criminal bar is challenging, with barristers in criminal practice recording some of the longest working hours, highest workload and greatest levels of dissatisfaction with their working lives. This is a cause for concern and is why we are campaigning for a better-funded system of justice."

Sarah Vine, a practising barrister who was appointed last year as the first wellbeing director at the CBA, said: "There is a mental health crisis in the profession and it is so insidious.. Many criminal barristers were feeling completely despondent and overwhelmed", she said. "I spoke to someone the other day who said in the last fortnight she'd done two all-nighters...and nobody bats an eyelid. But that's incredibly dangerous for your mental health. It's absurd and mistakes are bound to happen as a result." Vine said many of her colleagues had reported that their concerns were being ignored. "At the bar there is this fetishisation of overwork and the government exploits that. They must think: 'Brilliant, here are a bunch of people who get their self-worth not from how much money they earn, but from how busy and close to a nervous breakdown they are.'"

Although gender representation is nearly evenly split at entry level, a disproportionate number of women quit the bar in later years. The average age of those practising is also rising. An anonymous blogger known as the Secret Barrister said cuts to legal aid cuts were a major problem. "Initially you can be bringing home less than the minimum wage. This is leading to a succession crisis in criminal law. Increasingly, only those who can afford to supplement their income are joining. It affects representation by income and social class, but in crime we are also seeing a huge flood of female practitioners leaving the bar after five or 10 years because the conditions are so family unfriendly." Becky Owen, a successful barrister, resigned in March. "For me, it was the conditions, the sheer volume of work and the complete lack of respect for me as a human being," she said. "I got sick of arriving home dehydrated, starving and having not had time to go to the loo. It takes its toll." The 43-year-old blamed a lack of funding and support. "There aren't many people who have to watch videos of two-year-old boys being raped before going home to sleep – and at times for less than the minimum wage. "That's what we are being asked to deal with, yet the profession attracts no sympathy because it is assumed we make a lot of money. I think in 20 years' time we'll look back and recognise this as the point when miscarriages of justices started happening."