

‘Is he a barrister or not?’ A study on perceived and actual accentism at the Bar of England and Wales

Abstract

Barristers present formalised legal arguments before courts and tribunals. As a result, considerable focus is placed on their oral skills. However, people are frequently judged by the accent they use. Those with a more standard accent – ‘Received Pronunciation’ (RP) in the UK – can be perceived as more intelligent and eloquent. This creates a barrier to social mobility because accent-based bias can discriminate against those with non-standard accents.

This article examines how the public perceives barristers in England and Wales with different accents and investigates experiences of barristers to establish whether accent discrimination disadvantages certain speakers. It includes an online survey of the general public which found that RP and South-East English accents are still seen as more prestigious. In addition, interviews with barristers illustrate how accent discrimination is widespread and affects career progression.

Keywords: accent discrimination, Bar, barristers, accentism, RP

1 Introduction

This article reports the initial findings of a research project. In this project we examined how regional accent impacts public perception of the qualities of legal speech and how barristers perceive the impact of accent. Research (see for example Paver et al. under review as well as Levon et al. 2021: 356) has shown that speakers are still judged by their accent, but we wanted to focus specifically on barristers as there have been studies which have examined other employment contexts (e.g. Morrison 2014; Cardoso et al. 2019), elite professions (Sharma et al. 2019), doctors (Baquiran and Nicoladis 2020) and teachers (Baratta 2017; Donnelly et al. 2019). Given the importance of oracy for the role of a barrister (discussed below), this is an area in which we anticipated judgments of accent playing a significant role.

The Bar is perceived as a prestigious and lucrative profession, acting as a gateway into other areas of public life (e.g., the judiciary and politics) (Boon & Flood 1999). Entry into the profession is competitive and expensive. It is historically a destination for those of high status. Consequentially, the public perception of the profession is white, male and upper/upper middle class (McKinney 2020, see also Khan 2014; Edwards 2021; Hamilton 2021).

Ensuring that the profession encourages social mobility through diversity is a key function of the profession’s regulator in England and Wales, the Bar Standards Board (BSB). Data collected by the BSB (Bar Standards Board 2022) indicates that a disproportionately high number of barristers attended fee-paying schools (33.9% of the responding barristers stated they went to fee-paying schools compared to 5.8% of the general population). Equal access to employment opportunities is a key priority for social mobility (see for example the Levelling Up White Paper 2022). Sharma et al. (2019: 151) have observed that fair access to employment is vital for social mobility, but attitudes to expected language norms can result in discrimination. Neither language/accents nor socio-economic equality are explicitly legally protected characteristics in England. The two are related and this link becomes critical in the context of the Bar. Sharma et al. (2019: 150) have also commented that working-class candidates are unable to gain access to elite employment because of their style of speaking.

Barristers specialise in formalised oral argument. Considerable value is placed on oral proficiency in the training and assessment process in the early years of practice. Students training for the Bar, pupils and junior barristers receive regular training in oral advocacy from established members of the profession. The criteria for advocacy assessments, which aspiring barristers are required to pass in order to qualify, ascribe 20% of the marks to ‘communication and delivery’, including the appropriateness of the tone, pace, manner and language (Bar Standards Board 2021: 5-7). There is a widespread notion that successful barristers have a specific speech style (Briddock 2019; Mohamed 2020). Perceived competence is also closely linked to the use of RP (Received Pronunciation). RP, sometimes known as Southern Standard British English, was traditionally regarded as the ‘standard’ form of British English (see for example Wells 1982), which is regarded as being the appropriate way to speak for barristers (Drummond 2020).

Whilst clarity in speech is important, the centrality of RP creates a barrier to social mobility. Accent-based bias is a recognised universal phenomenon. This bias discriminates in favour of those with particular accents and against those who do not have such an accent. Where a profession places reliance on oral fluency, the risk of accentism is greater and is likely to favour those of a higher socio-economic status. Conscious or unconscious decisions about accent that may play a part in recruitment decisions have received limited attention (Williams 2010; Ashley et al 2015: 66) and none in this context.

This article reports the findings of the pilot study for our project. We argue that although some practices have changed, there is still a widespread belief that accents can impact progress at the Bar. We aim to address the gap noted by Wood (2019: 173), that ‘the role of language and discrimination has been under-researched in the legal realm’.

2 Literature Review

A survey by the Chartered Institute of Personnel and Development found that over 76% of employers admitted to discriminating against prospective candidates based on their accent. Only 3% of employers included accent as a protected characteristic in their personal ethos (CIPD 2006). There is a consistent pattern of inequality in professional hiring within the UK (Ashley et al. 2015), where the lowest status jobs are seen as most suitable for speakers with non-standard, regional accents (Giles et al. 1982). This leads to job applicants suppressing regional accents (Marshall 2013, Baratta 2017). There is a sense that you must be ‘well spoken’ to be employable (Morrison 2014). Discrimination based on a speaker’s linguistic variety is ‘a proxy for discrimination based on their (perceived) social class, regional origin, ethnicity, immigration background or other social group memberships’ (Kircher and Fox 2019: 2).

Such bias impacts upon social progression. Social progression is a central policy concern in the UK (Social Mobility Commission 2020). The UK is said to have one of the lowest levels of social mobility in the developed world (OECD 2010). Failure to address this issue is predicted to cost the UK economy up to £140 billion per year by 2050 (The Sutton Trust 2010). In some professions, geographically specific accents suggestive of a working-class background are even more of a barrier to upwards social mobility (Moore et al. 2016). Studies of the justice system which involve accent discrimination have all focused on accents of witnesses and defendants (see for example Rickford and King 2016); none have focused on the accents of barristers.

One way of examining accentism is through verbal-guise studies, where listeners report on different voices. This article is not the place to review all these studies (see for example Dragojevic 2018; Dragojevic et al. 2021), but some studies within professional contexts have found that even when other aspects of speech (such as grammar, vocabulary and speaking style) are controlled, speakers with, for example, Birmingham accents were judged less favourably than RP speakers for a job as a university lecturer (Giles et al. 1975; also Dixon et al. 2002; Sharma et al. 2019). Vernacular speakers and non-native speakers are seen as ‘less credible’ (Rickford and King 2016: 978). Recent reviews on language attitudes (see for example Dragojevic et al. 2021) have shown that listeners react to the accents of speakers: rating non-native speakers less favourably and native speakers differently on status and solidarity ratings (see for example Bishop et al. 2005; Coupland and Bishop 2007; Romero-Rivas et al. 2021). Attitude studies tend to focus on two main dimensions: status and solidarity (see Sumantry and Choma 2021: 1; Zahn and Hopper 1985). Status reflects the speaker’s position in the social hierarchy (educated, successful) and solidarity the relatability of the speaker (friendliness or trustworthiness). Previous research (see Kircher and Fox 2019: 3) has shown clear global patterns: more positive attitudes are held towards standard varieties than towards non-standard varieties (although rural non-standard varieties tend to rate well for solidarity ratings, such as honesty and likeability). This can result in discrimination against non-standard (or non-native) speakers in education, employment and housing allocation (Cardoso et al. 2019). In the courtroom, accent is considered to be an extra-legal factor which can influence how witnesses are judged (Frumkin and Thompson 2020: 120).

3 Methodology

Our research questions were:

- Do people respond more favourably to RP than other linguistic varieties in legal settings?
- Do barristers believe that the previous statement is true – suggesting that using RP is a desirable competence for barristers?
- Is accent a factor in recruitment for the Bar because it is believed that RP is part of the social capital of this profession?

To answer these questions, we conducted an online survey with the public and semi-structured interviews with barristers.

3.1 Online survey

The online survey was an experiment (a verbal-guise study where participants evaluate voices on different scales). It consisted of eight voice recordings (all white males in their fifties): one RP speaker and seven with a regional or local accent from across England (North-East (NE), North-West (NW), East Midlands (EM), West Midlands (WM), South-East (SE), South-West (SW), London (L)). All recordings featured a statement written by one of the authors (a practising barrister) to resemble a closing defence statement in a trial. The statement was externally reviewed for authenticity by our advisory board of barristers and judges. The recording lasted around 45 seconds. As we were not concerned with dialectal variation, having all voices read the same text meant that we were able to control all variables. Our linguistic advisory board listened to the voices and provided feedback on the stimuli, including questions about whether the text sounded like a statement which could be read in a court of law, which region the voice was from and whether the voices belonged to speakers of the same gender, ethnicity, age, with normal pitch range and articulation rate.

Following approval, the experiment was hosted on Gorilla. Consent was given by participants and inclusion criteria were met before proceeding (first-language adult English speakers who had spent most of their life in the UK and self-reported no hearing difficulties). For anonymity, participants provided a 6-digit unique identifier to ensure their personal details were not attached to their data. Prior to the experimental phase, participants completed a validated headphone test. Participants were recruited and paid using Prolific (a platform allowing researchers to recruit participants from around the world for paid online research). For details of gender, age group and classification of own accent, see Table 1. The participants show a wide regional and age variation. In relation to gender, there is a larger sample of females, which could affect the overall results and mean that the results are not fully representative of the full population of the UK.

Classification of own accent	Gender	Age
North-West (6)	Female (76)	18-30 (32)
North East (11)	Male (20)	31-50 (44)
West Midlands (8)	Non-binary (3)	50+ (23)
East Midlands (6)		
South-West (7)		
South-East (28)		
London (15)		
RP (3)		
Wales (3)		
Scotland (4)		
Prefer not to say/don't know (8)		

Table 1: Participants in online survey

The auditory experiment consisted of eight trials, one for each voice. Audio was set to play once automatically on each page of statements, ensuring consistency across participants and trials. Participants were instructed to rate their agreement against a series of statements about the speaker. The experiment was within-groups design, where each participant listened to all vocal stimuli, thus producing a full set of data. The order of vocal stimuli presentation was randomised to control for any extraneous variables and order effects.

The first page provided seven statements, where participants rated their agreement using a 5-point Likert scale. For each response, 1 corresponded to ‘strongly disagree’ and 5 corresponded to ‘strongly agree’ (e.g., ‘This speaker sounds professional’). The adjectives chosen for this task were modified from Zahn and Hopper’s (1985) Speech Evaluation Instrument, focussing on status and solidarity. The participants were asked whether the voices sounded: professional, intelligent, confident (status traits), trustworthy, friendly, honest (solidarity traits), and clear.

On the second page, three statements were provided with identical scales to the previous page and the same audio stimuli automatically played again, to ensure no memory reliance. The first statement required agreement ratings on whether the participant would be comfortable receiving legal representation from the speaker in a court of law. The second statement required the participant to rate their own accent relative to that of the speaker (1 = Very Dissimilar, 5 = Very Similar). Finally, the third statement required the participant to judge how likely it was that the speaker is a lawyer (1= Very Unlikely, 5 = Very Likely).

3.2 Interviews

The project included interviews with practising barristers and those intending to join the Bar. They were asked:

- about their experiences of accent discrimination;
- whether this has changed over the years; and
- about the role of accent in their interactions with other members of the Bar; training programmes and experiences of recruitment interviews.

Calls for interest were circulated by the legal advisory board. All respondents came forward on a voluntary basis (we are aware that self-selection could be biased and mean results are not representative of all barristers). To protect participant anonymity, pseudonyms were given and any identifying information was redacted. Three sub-groups were selected to gain a broader insight into accent bias at varying stages of joining and progressing at the Bar: students training for the bar (S1 and S2); early career barristers, including those in the second six months of their pupillage in the workplace (a period during which they may represent clients in court) and up to two years post-pupillage experience (EC1 and EC2); and senior barristers with a minimum of seven years call or King's Counsel (Sen1-Sen5). Although a relatively small group, the different interviews provided us with enough information for the pilot study to highlight important themes to focus on in future research. Our participants also had a variety of different accents (which they described themselves), including Welsh, Irish, Yorkshire, West Midlands, East Midlands, Northern and RP/no accent. Interviewees came from various regions: Yorkshire, the East and West Midlands and the South-East as well as Ireland and Wales. Interviews lasted around 40 minutes and were conducted and recorded online via Microsoft Teams. All interviews followed a similar format, where interviewees were asked to give a brief background of their legal career and: how they describe their own accent; to what extent they interact with members of the Bar (through pupillage, events at the Inns, interviews); whether during any interactions anyone had ever said something positive or negative about their accent; whether accent was covered in their training; whether anyone had ever made a comment, positive or negative, during training, about their accent; what effect they think their accent/other accents have on a career at the Bar; and whether there was anything else not covered in the interview related to accent.

Interviews were then transcribed and thematic analysis was conducted across data using NVivo. The themes will be discussed in the results section.

4 Results and Analysis of the Online Survey

To assess how and to what extent the self-rated perceptions of individual traits (i.e., professionalism, intelligence, confidence, trustworthiness, friendliness, and honesty) corresponded to the hypothetical latent traits of solidarity and status (e.g., Cavallaro & Chin, 2009), we performed a factor analysis. Indices of fit indicated that a factor analysis was appropriate (Kaiser, 1974): KMO = 0.8; Barlett's Test of Sphericity $X^2(15) = 313.32$, $p < 0.001$. We applied a Promax rotation, allowing a correlation to exist between these two factors. Two factors were extracted, which together explained 66% of the total variance. These two factors were labelled 'Status' (35% variance) and 'Solidarity' (31% variance) and had a moderate strength positive correlation of 0.53. Their loadings are shown in Table 2 below. Factor scores were extracted using the Bartlett method.

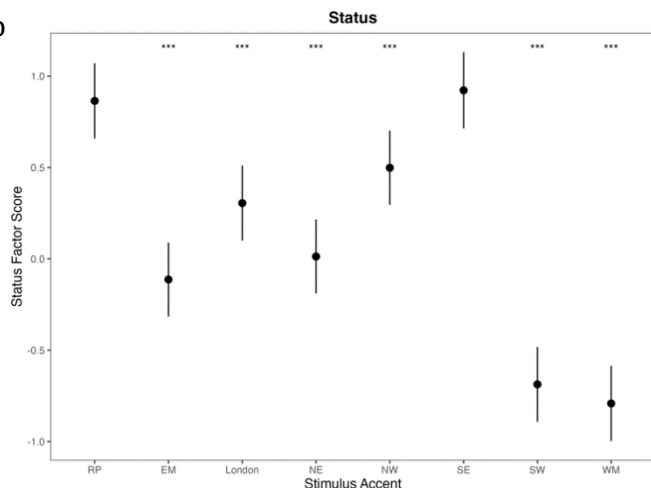
Individual trait	Factor 1 Status	Factor 2 Solidarity
Professional	0.96	
Intelligent	0.81	
Confident	0.68	
Trustworthy		0.78
Friendly		0.71
Honest		0.84

Table 2: Factor loadings for the individual traits

4.1. Status

Using the extracted factor scores, we ran mixed effects linear models testing whether the accent location of the stimuli influenced latent status or solidarity traits. We controlled for participant sex, age, and accent similarity while treating the participant as a random effect to account for the nested design of the data. The covariates of participant Sex ($G^2(2) = 2.5, p = 0.28$) and Age group ($G^2(2) = 5.46, p = 0.07$) were not meaningful predictors of Status, while participant accent similarity was a meaningful predictor, $G^2(1) = 38, p < 0.001$. Specifically, the more similarly the participant rated their own accent with that of the stimulus in question, the more likely they were to rate it as being higher in Status ($\beta = 0.156$). Treating the RP English accent as the reference category, we found that the accent of the stimuli was a significant predictor of the Status factor score ($G^2(7) = 378.62, p < .001$). The model derived estimates of the by-accent Status factor scores are illustrated in Figure 1.

Figure 1: Model derived mean estimates of Status factor scores with RP as the reference group



Note. Error bars represent the 95% confidence intervals; *** = meaningful difference when compared to the RP accent at the $p < 0.001$ level.

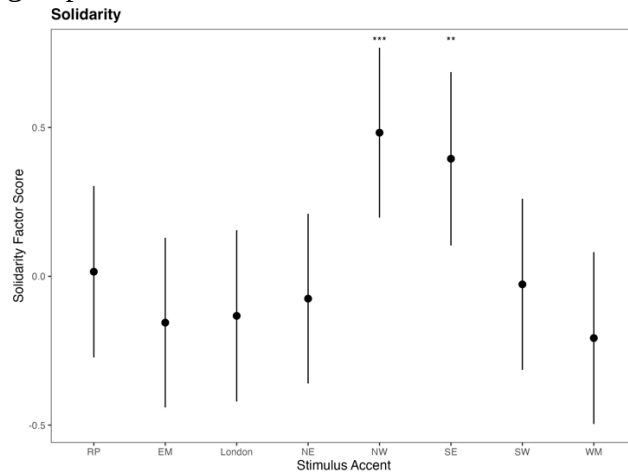
Upon inspection of Figure 1, it is evident that all accents apart from SE (South-East) were viewed as being lower in Status than RP, with the SW and WM accents being perceived as having the lowest Status scores. The Status factors included the traits of professionalism, intelligence and confidence (see Table 2).

4.2. Solidarity

Next, we repeated the process with the extracted Solidarity factor scores. The covariates of participant Sex ($G^2(2) = 2.53, p = 0.28$) and Age group ($G^2(2) = 1.6, p = 0.46$) were not

meaningful predictors of Solidarity, while participant accent similarity was a meaningful predictor, $G^2(1) = 27.62, p < 0.001$. As with the Status scores, the more similarly the participant rated their own accent with that of the stimulus in question, the more likely they were to rate it as being higher in Solidarity ($\beta = 0.17$). Treating the RP English accent as the reference category, we found that the accent of the stimuli was a significant predictor of the Solidarity factor score ($G^2(7) = 61.96, p < .001$). The model derived estimates of the by-accent Solidarity factor scores are illustrated in Figure 2.

Figure 2: Model derived mean estimates of Solidarity factor scores with RP as the reference group



Note. Error bars represent the 95% confidence intervals; *** = meaningful difference when compared to the RP accent at the $p < 0.001$ level; ** at the $p < 0.01$ level.

Upon inspection of Figure 2, it is evident that the NW and SE accent were viewed as having meaningfully higher Solidarity scores than RP, while all other stimulus accents did not differ meaningfully. The Solidarity traits included questions around trustworthiness, friendliness and honesty.

4.3. Clarity, Representation, and Likelihood to be a Lawyer

Next, we modelled the extent that three individual perceptual ratings were influenced by the accent of the speaker. These were not included in the original factor analysis as these traits have not previously been explored as facets of latent Status and Solidarity factors. We ran ordinal models to treat the Likert-scale ratings appropriately and controlled for the effects of Age, Sex, and Accent Similarity.

4.3.1 Clarity

The model indicated that the covariates of participant Sex ($G^2(2) = 3, p = 0.22$) and Age group ($G^2(2) = 1.77, p = 0.41$) were not meaningful predictors of Clarity, while participant accent similarity was a meaningful predictor, $G^2(1) = 21.68, p < 0.001$. The more similarly the participant rated their own accent with that of the stimulus in question, the more likely they were to give higher ratings in Clarity ($\beta = 0.365$). Treating the RP English accent as the reference category, we found that the accent of the stimuli was a significant predictor of the Clarity ratings ($G^2(7) = 251.01, p < .001$). The model derived estimates of the by-accent Clarity ratings are illustrated in the left panel of Figure 3.

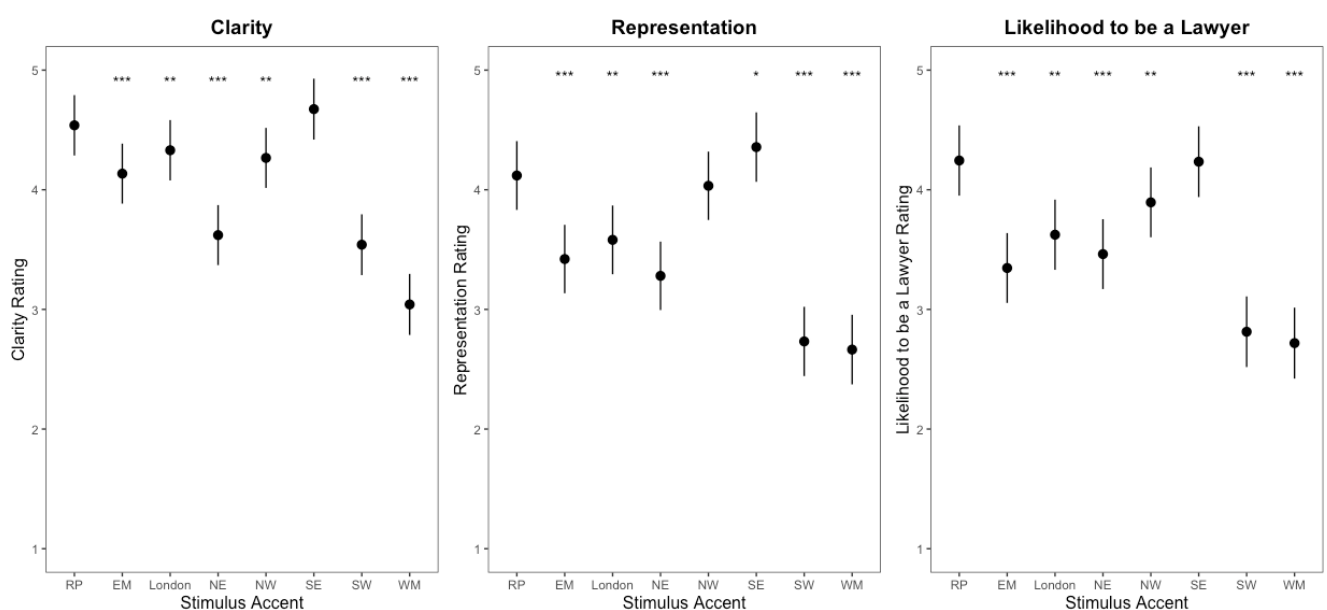
4.3.2. Representation

The model indicated that the covariate of participant Sex ($G^2(2.59) = 3, p = 0.27$) was not a meaningful predictor of how likely the listener was to choose someone with this accent to represent them in court. However, Age group ($G^2(2) = 6.74, p = 0.034$) and accent similarity ($G^2(1) = 61.16, p < 0.001$) were meaningful predictors. Older (51+) participants were less likely to choose a stimulus accent to represent them compared to younger (18-30) participants ($\beta = -0.96$). There was no meaningful difference between the middle age category (31-50) and the younger age category. The more similarly the participant rated their own accent with that of the stimulus in question, the more likely they were to give higher ratings in Representation ($\beta = 0.58$). Treating the RP English accent as the reference category, we found that the accent of the stimuli was a significant predictor of the Representation ratings ($G^2(7) = 245.29, p < .001$). The model derived estimates of the by-accent Representation ratings are illustrated in the middle panel of Figure 3.

4.3.3. Likelihood to be a Lawyer

The model indicated that the covariate of participant Sex ($G^2(4.6) = 3, p = 0.1$) was not a meaningful predictor of how likely the listener was to rate an accent's likelihood of belonging to someone who was a lawyer. However, Age group ($G^2(2) = 9.45, p = 0.008$) and accent similarity ($G^2(1) = 44.38, p < 0.001$) were meaningful predictors. Older (51+) participants were less likely to rate a stimulus accent as likely to be a lawyer compared to younger (18-30) participants ($\beta = -1.27$). There was no meaningful difference between the middle age category (31-50) and the younger age category. The more similarly the participant rated their own accent with that of the stimulus in question, the more likely they were to give higher ratings on whether the accent was likely to belong to a lawyer ($\beta = 0.5$). Treating the RP English accent as the reference category, we found that the accent of the stimuli was a significant predictor of the Clarity ratings ($G^2(7) = 44.38, p < .001$). The model derived estimates of the by-accent Representation ratings are illustrated in the right panel of Figure 3.

Figure 3: Model derived mean estimates of Clarity, Representation and Likelihood to be a Lawyer with RP as the reference group



Note. Error bars represent the 95% confidence intervals; *** = meaningful difference when compared to the RP accent at the $p < 0.001$ level; ** at the $p < 0.01$ level; * at the $p < 0.05$ level.

Upon inspection of Figure 3, we can see that, for Clarity ratings, all accents apart from the SE stimulus were rated on average meaningfully lower than RP. There was no meaningful difference between RP and SE. For Representation, the EM, London, NE, SW and WM accents were rated, on average, lower than the RP accent, while the SE accent was rated meaningfully higher. When rating the accents in terms of Likelihood to be a Lawyer, all accents apart from SE were rated, on average, lower than RP to a meaningful degree. There was no meaningful difference between RP and SE.

From these results we can see that overall RP and SE rate highly for all traits and other accents, particularly the SW and WM, were rated negatively across the board. Although there did seem to be some effect where people rated accents more similarly to their own higher for Status and Solidarity features, these accents were still overall rated more negatively across all speakers.

5. Analysis of Interviews

Although all interviews were guided by the interviewee's experiences, we ensured the same topics were covered.

From these questions, we found four main themes occurring in most of the interviews.

1. Historically, accent discrimination was common amongst barristers.
2. Times have changed; the Bar is much more inclusive.
3. Accent discrimination still occurs at the Bar; certain accents are more acceptable than others.
4. Career decisions are made about being able to 'fit in', and perceived discrimination is also problematic.

5.1. Historically, accent discrimination was common at the Bar.

All the senior barristers stated that accent discrimination was common. Sen3 said people would have felt very free to comment on others' accents. EC2 said affinity bias had been prevalent and people tended to employ others who were 'like them', which benefitted individuals from more upper-middle-class social backgrounds. Sen5 said such bias could be subconscious but still affect employment. Sen3 said 'most barristers used to be 'posh', and historically the Bar was very limited. It was very insular'. Several interviewees mentioned that it was much more common in the past to discuss barristers' accents (both in the courtroom and outside) and there was often mockery from judges and other barristers. EC2 stated that comments are more likely to come from 'older, more senior members of the Bar'. They were also seen as people thought to be most likely to have changed their own accent. S1 said that, historically, people would have had elocution lessons. There was much discussion of sounding more 'plummy' as people became more senior. Sen3 said 'I know a silk, who was public school ... when he took silk, he's become twice as plummy' (a silk is a senior barrister who becomes King's Counsel, a mark of outstanding ability). Sen3 said historically many barristers did put on 'a terribly posh voice and you could tell when it wasn't real', but they thought it was what they had to do. Sen4 said that this change in accent was relatively common, 'there is a definite shift along the way, be it conscious or subconscious'.

Judges were often regarded as ‘old school’. Sen2 said they were told by a judge that ‘if you ever want to practise at the Chancery Bar, you will have to lose your accent’. Sen4 said a senior silk told them that ‘he could never countenance these regional accents at the Bar’.

5.2. Times have changed; the Bar is much more inclusive

There was agreement that the Bar has become more inclusive over the past few decades and Sen4 said that ‘things needed to change because it was so stagnant’. Sen2 said that the Bar has moved with the times, with more women and people from ethnic minority groups. S1 said the Bar is now ‘very diverse’. EC2 mentioned the ‘I am the Bar’ programme, launched in 2018 to highlight individuals who have succeeded at the Bar from ‘non-traditional backgrounds’. S1 said the Bar is currently at a transition stage, focusing more on achievements as opposed to ‘what you look like, who you are, how you speak’. Sen1 stated that ‘regional accents are now much more common in professional and public life and it’s becoming much less noticeable in the way that 30 years ago a regional accent in a smart London set of chambers would have been unusual and notable’, adding that ‘I’ve not seen many [judges] that have accents’. However, Sen2 said that the Bar has done little to promote regional accents but ‘kept them on one side’. EC2 said judges with regional accents ‘are still a minority’.

Most interviews contained information about changes at the Bar, but this was frequently followed by examples of preconceived ideas held by others and, as will be shown below, accent discrimination. Sen5 said that they had certainly felt accent discrimination at the Bar in the last ten years, but perhaps not in the last five, so that changes seemed to be taking place.

5.3. There is still accent discrimination at the Bar; some accents are more acceptable than others

Several interviewees said things must have changed as they know a judge with a regional accent, but they added that these judges form a minority. Sen1 commented that mockery is now ‘unacceptable and will not be tolerated’. However, interviewees also stated that accent discrimination is sometimes overt, disguised as ‘banter’ or humour but hiding negative attitudes. This made some of our interviewees feel very conscious about their accents and there is frequent mention that non-standard accents are often linked to being working-class and therefore not fitting the ‘usual’ type.

Sen2 stated that even today, the most senior roles require people to sound a certain way and that they ‘made a conscious decision to be more careful’ with their accent. Sen5 commented that they felt ‘the need to work harder than others to prove people wrong’. S2 was told ‘Oh, people from xxx are going to university now?’ S1 said it is ‘hard to have an accent in court’ as you need to speak as clearly as possible. EC2 stated that if you sound different, this can be pointed out in court as an aside without specifically mentioning accent, for example ‘you aren’t from here, are you?’ or ‘is he a barrister or not?’. EC2 said accent ‘is an easy rod to beat someone with’. S1 said ‘I get worried at times. I feel like my dialect and other things are coming across and I’m losing out’ and ‘my fear is that it could stop me getting pupillage ... if I don’t say things right, they might not like it, hence not getting hired’. Sen4 recalled a judge jokingly suggesting in open court that they might need an interpreter to be able to understand them.

S1 said that many accents ‘are faded out because they had to be’. Others, such as EC2, felt that certain fields of law, such as business law, may prefer more RP voices, as clients would prefer ‘professional sounding barristers’. EC1 and EC2 mentioned that many barristers,

including themselves, are expected to use more formal language with judges, 'you'd never say a sentence like that in normal parlance' (EC1). EC2 said they often feel conscious in court of trying to think what the 'standard' pronunciation of certain words is, rather than using their own accent. Sen4 told of the time that they fought for a particular pupillage candidate to be selected, when accent was highlighted by the rest of the panel as a reason for non-selection. Sen2 said judges and juries could be influenced by accents as 'there's always an element that you are going to be side-tracked by an accent, a very strong accent and I think it probably makes you concentrate a bit more on exactly what somebody is saying because without an accent, you don't have that sort of camouflage do you? You just get straight on with it'.

There was a suggestion that comments about accents can be framed in a different way to disguise discrimination. For example, S2 observed that 'they might frame it as your tone of voice, but I think there is definitely an undertone that you need to change the way you sound'. EC1 said that some recruiters might reject particular accents 'because subliminally they don't like the way you talk'. EC2 commented that although in training they are told that they should not try to change their accents, during pupillage they received comments about where they were from when they started speaking and were asked to slow down.

There was general agreement that, although many barristers do sound 'posh' or 'plummy', there are still possibilities for those who do not have an RP accent. There was extensive talk during the interviews about specific accents being more or less acceptable than others. For example, certain 'soft' accents can be seen as acceptable, even making juries and clients trust barristers more or producing better outcomes in court. EC1 said some clients open up more to them if they sounded more regional (they said themselves that they have an RP accent). They also stated that solicitors coming from diverse backgrounds can be an advantage with some clients. Sen4 said that having a 'posh' barrister can help influence juries.

Sen4 and S2 said non-native accents are not judged as negatively as some regional accents. They added that there appear to be certain connotations with particular accents. They felt that their northern accents are looked down on more and people have assumed they are 'more stupid' because of their accent. Sen4 stated their particular accent helped their organisation with a diversity quota: they were different but not too different. There are other accents that are seen as undesirable. Birmingham and Liverpool accents were mentioned specifically by EC2, S2 and Sen5. These are also the accents treated least positively in the online experiment and are frequently judged lower in perception studies (see for example Bishop et al 2005 and Coupland and Bishop 2007). Sen5 also said that 'certain accents may grate' on judges and that this could affect recruitment and progression.

Sen1 stated that certain 'educated' accents 'would in no way be a problem' but that other accents have connotations and that 'those recruiting at the Bar are not immune to such forces and may be influenced by particular regional accents'. Sen3 said 'strong, thick accents' are a problem as people may not be able to understand them. Sen4 said those with stronger regional accents 'do suffer significantly, I don't think they're necessarily perceived as being of the same calibre as some of the other candidates or advocates, despite the fact that intellectually they might be absolutely brilliant'.

A main barrier commented upon by some junior interviewees is that they do not have role models with accents. Others said that the way they speak has been explicitly mentioned. S2 reported that one of their friends from Yorkshire was told 'you need to change your accent' and that they were advised 'I'm not supposed to say this, but absolutely, you need to tone down your accent if you want to make it in London'. S1 felt that they did not receive

pupillage at one chambers, because the way that they spoke was not seen as fitting in. S2 commented that during training sessions where actors take part in workshops, the actors used stereotypical accents for certain crime types, 'but if that is your own accent, then that is rather weird'.

Several interviewees commented that younger people coming into the Bar do not really consider accent an issue. Sen2 said 'we tend to leave our juniors just to get on with it and do their own thing, accents as well', adding that recruitment now focuses much more on the quality of the presentation than the accent. S2 stressed that learning materials emphasise that accent is not an issue and that training suggest they should 'just be yourself'. EC1 was told that 'you needed to sound like yourself, because you are never going to be able to keep up this veneer of wanting to sound like a barrister'. However, EC2 stated that students are concerned about their accents and ask tutors whether they will be held back if they don't sound 'posh'. They also commented that some people are concerned that their accent will impede them. It was mentioned across interviews that while in early training, there may be people who sound regional, but pupillage (especially in London) changes that. S1 referred to the substantial 'community and delivery' assessment in the bar course, such as speaking clearly and fluently, with appropriate language. S1 also thought that many who went to private schools may find this easier as they tend to have had more focus at school on elocution and public speaking.

5.4. Career decisions are made about being able to 'fit in', and perceived discrimination is problematic

Most interviewees said they adjusted the way they spoke at work. Some interviewees felt that their own accent had influenced career decisions. For example, Sen2 had no doubt that they had adjusted their accent. They also commented that, as a junior lawyer, they had to fit in, but their accent made them 'stick out' and they felt more at home when moving back north. Following comments, they and some of their year group had decided to practise outside London to fit in more. S1 had not applied to specific chambers as they did not feel that they would fit in and that their accent 'was not posh enough'. EC2 said that they believed that at pupillage interviews you are judged on how you are dressed and your accent, and although specific comments may not always be made about accent, comments such as 'we're not sure you are the right fit' can sometimes refer to accent. Sen5 observed that worrying about your accent and how others may judge you can impact your confidence.

Perceived discrimination can also influence career decisions, according to interviewees, for example because, as S1 said, certain pupillage websites are made up 'of London sets' and it is harder to fit in there if you do not have that particular background. S2 said they sometimes 'tone[d] down' their accent. EC2 said that you need to have people on your side and to support you if you want to progress at the Bar and 'I think it's much easier to do that when your accent matches the people who are going to be saying those things about you positively to other people'. EC2 wondered whether their career progression was similar to that of 'my Oxford educated peers'. Sen2 felt that accent is less likely to stop someone getting a place at the Bar but that it might be a 'ceiling to progression'.

Several interviewees mentioned it was felt that barristers, and particularly those at early stages of their training and career, need role models who look and sound like they do. S2 said 'I've never met a barrister that sounded like I do'. This feeling can also lead to a sense of 'imposter syndrome'. Some interviewees felt they do not belong. S2 said 'there's been times where I doubted if this was for me because you know, it's difficult when you don't see anyone, like from where I'm from being a barrister'.

Some interviewees, for example EC1, said accent discrimination is a problem as some people ‘self-select not to join’. Sen1 said ‘perceived barriers can be as powerful as actual barriers’. As stated above, there is ‘leg pulling’ and ‘banter’ about accent, but for some people this could actually be barbed criticism, as mentioned by Sen5, and could alienate them. S2 said ‘banter’ is ‘definitely sort of accepted. I don’t think it should be, though’. EC2 remarked that some people are ruling themselves out of certain positions. They think this could partly be due to outdated appearances of barristers (wigs and gowns) and coming from a less advantaged background, making people feel at a disadvantage, with a non-standard accent exacerbating this. Sen5 said that it was important that people ‘celebrate their accents for being different and focus on the strengths it gives, rather than trying to fit in’ but that this could be difficult for some.

6. Discussion and Conclusions

This research project aimed to investigate accent discrimination with a particular focus on barristers. Our conclusions are provisional as this was a pilot study to prepare future research. Furthermore, we do need to consider the fact that in this pilot study each accent variety was represented by just one voice. So, it could be the case that participants were responding to a particular voice, rather than the accent. However, the pre-experiment testing with the advisory board should have raised issues around voices which particularly stood out. It could also be the case that older participants may rate certain barristers differently, if they felt that their age differed. Again, the linguistics advisory board ensured that the different voice samples sounded similar in age (such issues were also raised in Sharma et al. 2022). We also felt it was important to use actual voices as previous surveys have relied on dialect labels rather than audio stimuli (see Sharma et al. 2019: 152).

We have found the following results. Our study confirms that oral skills are highly valued in this profession, but these skills are still frequently linked to particular accents, for example RP and South-Eastern varieties of English. This link is made by members of the public and barristers themselves. In our public perception study, survey respondents showed slightly more favourable attitudes to accents which were similar to their own. However, regional varieties were evaluated more negatively than standard varieties (see also Axer 2019: 199). This confirms what was also found by Sharma et al. (2022). It seems that accent is still a barrier, but it is often disguised. Nevertheless, there is evidence that certain accents (e.g., Birmingham and Liverpool) are deemed undesirable. These accents were rated as less intelligent, professional and confident. Overall participants were less likely to want to be represented by this type of speaker and thought the speakers were less likely to be lawyers. Our results seem to mirror Levon et al. (2021: 368), finding that ‘as people become more embedded in the workplace norms of standard language [...] become more rigid’.

During the interviews we also found overwhelming evidence that accent discrimination was still thought to be an issue. Both junior and senior barristers said so (similar attitudes are found elsewhere, see Levon et al. 2022: 4). At a time when the Bar is trying to ensure it is representative of the overall population, it seems there are still issues to be overcome. Overall, interviewees reported that in many aspects change has taken place at the Bar. There appears to be more acceptability of regional accents, and people with such accents act as role models. However, there is still some way to go, particularly in terms of regional accents. Many of the barristers we interviewed said their accent was still raised as an issue to training and employability. They also stated that ‘banter’ about their accents, although less common, was still widespread, making them feel uncomfortable of their accents.

So, the public still believes barristers are supposed to sound a certain way, and barristers themselves report that, even though it may not be said as explicitly as before, accent is still an important aspect of being a barrister. It seems that only if people from diverse backgrounds retain their accents and rise through the system, will things change.

Our findings mirror studies carried out recently by the Accent Bias Britain project. More generally, these studies have shown that people are worried that their accents may affect their life progression (see for example the ‘Speaking Up’ Sutton Trust report by Levon et al. 2022). It seems that the early matched and verbal guise studies of the 1960s and 1970s to an extent still hold, which would suggest that public perception of accent has changed little over time. However, our project adds to the suggestion that this may slowly be changing for younger speakers (see Sharma et al. 2022). This topic is likely to remain in the public eye, notably following recent discussions about ‘oracy’ and young people being able ‘to smash the glass ceiling’ (Labour Party 2022). No doubt, there will be further debate about speaking ‘clearly’ and how this relates to speaking with a regional accent. It is therefore a matter of urgency to investigate how we can work with those training and working in the legal sector to make this profession accessible to all voices.

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