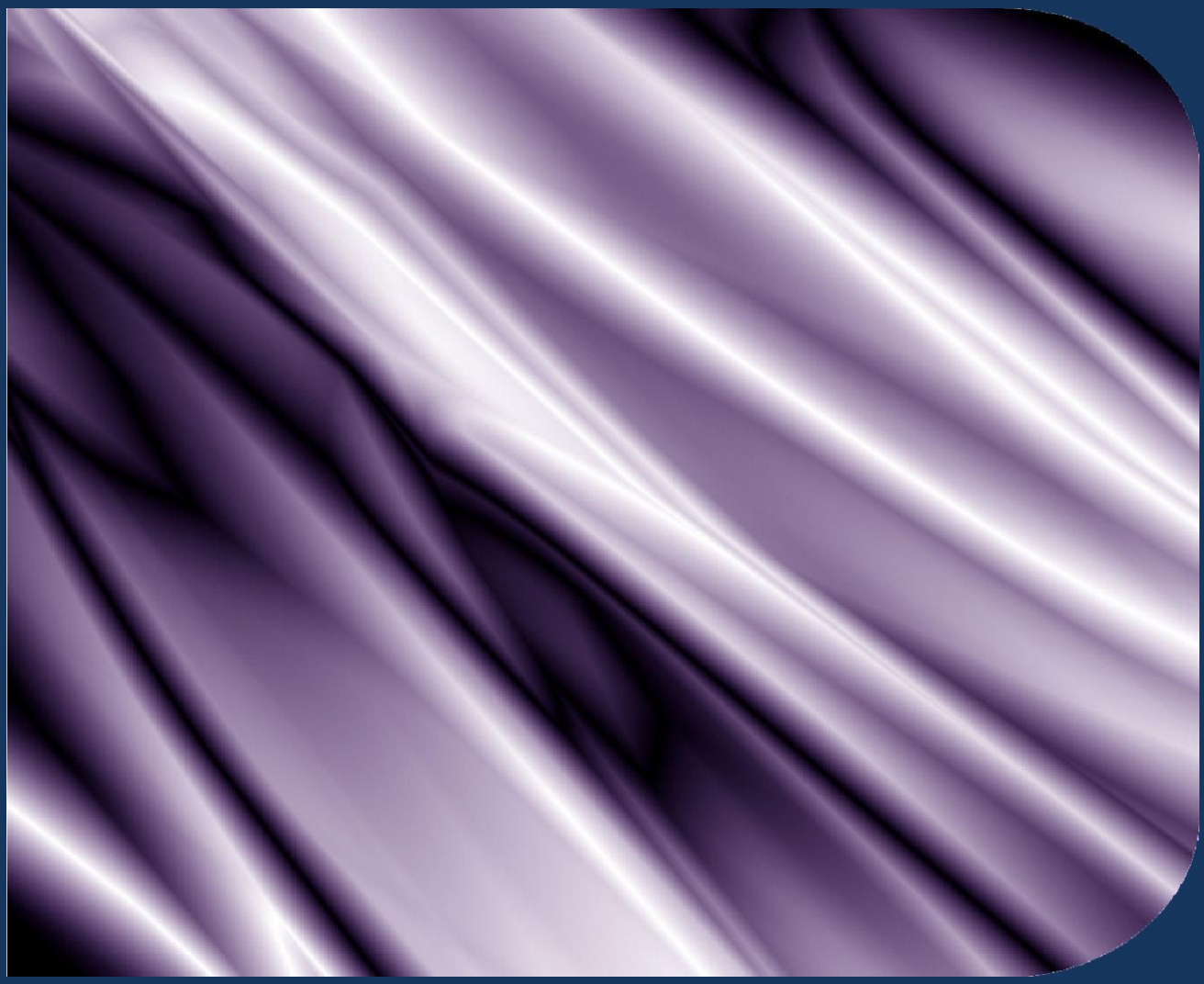
South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours Pilot Survey

Summary Report

January 2018



Quality of Working Life Surveys

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Executive Summary

South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours pilot survey, 2017/18

In October 2017 HM Courts and Tribunals service published the Flexible Operating Hours Pilots prospectus, which is available at: https://insidehmcts.blog.gov.uk/wp-content/uploads/sites/171/2017/10/Flexible-Operating-Hours-Pilots-Prospectus.pdf.

As part of the consultation process, the South Eastern Circuit and Criminal Bar Association asked the Quality of Working Life Research group at the University of Portsmouth to conduct a survey of members to elicit views and assist in the evaluation of the anticipated impact of the proposed changes.

This summary report presents the findings of the survey, and is based on the **Work-Related Quality of Life Scale**, a widely used measure of core factors associated with quality of working life. The survey also incorporated questions which specifically relate to the proposed flexible operating hours (FoH) changes.

The additional FoH questions include six questions about the impact of the proposals and four questions about how split shifts might impact the working lives of barristers.

The QoWL research group are a university based research and consultancy organisation specialising in employee staff surveys and developing new psychometric scales, and judged 'Outstanding' in the UK Universities Research Excellence Framework 2014.

Quality of Working Life Survey

Key Findings

The South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours pilot survey was made available between in mid-December 2017 and mid-January 2018. 1900 members of the South Eastern Circuit and Criminal Bar Association and 286 valid responses were returned (15%). The survey incorporated selected factors of the Work-Related Quality of Life and a number of questions specifically addressing the impact of the proposed Flexible Operating Hours scheme. Selected findings appear below.

Views relating to the proposed Flexible Operating Hours scheme

- A very substantial majority of respondents indicated that they did not believe the Flexible Operating Hours proposals were practicable, likely to achieve stated aims or well thought out.

- Most respondents reported that they did not consider the proposals to offer an adequate basis for implementation or believe that they would improve service to the public.

- Responses to a statement that the proposals might provide a basis for a detailed review prior to implementation were more mixed.

- There were very high levels of agreement with statements associated with potential negative effects of split shifts and the associated early / late working hours.

- Most respondents reported that they believed the proposals would increase their experience of work related demand and adversely affect work-life balance.

- The great majority of those responding to the survey indicated that they strongly believed the proposals would unfairly affect those with caring responsibilities and increase the length of trials.

Quality of Working Life of Barristers

- Respondents reported significantly lower levels of overall Quality of Working Life, lower satisfaction with home-work balance, working conditions, and higher levels of stress at work compared to a benchmark sample of UK NHS staff. It was noted that the overall quality of working life score for this sample was one of the lowest of all previous QoWL surveys, and the stress at work scores were the highest.

- Barristers practising at the Criminal Bar reported significantly lower levels of satisfaction with their Home-Work Interface (HWI) and Working Conditions (WCS) compared to the Family and Other practice areas, and reported significantly lower overall quality of working life compared to other barristers.

- Barristers aged between 45 and 59 reported significantly lower overall Quality of Working Life compared to those under 45 years of age.

- All measures of Quality of Working Life differed according to the number of hours worked each week by respondents, with those working longer hours tending to report significantly lower levels of QoWL. This same pattern was also observed when respondents were asked about working additional hours, with significantly lower quality of working life being reported by those working the most additional hours.

Open Questions themed analysis

More than half (58%) of respondents provided comments to the open question; *"Do you have any comments on the Flexible Operating Hours proposals and how they might affect the quality of working life of Barristers?"*

The key themes identified from the open comments included childcare concerns, mentioned by some 30% of those offering comments, and how the proposals would discriminate against mothers/women (17%). Some 25% indicated that they believed the proposals would adversely affect their Work-life balance, with 19% suggesting they felt the proposed scheme reflected a poor understanding of the work of barristers and 9% indicating that they felt travel time had not been properly taken into account.

For further details of the survey, or to discuss further surveys or analysis, please contact QoWL on 00 44 2392 846306, enquiries@qowl.co.uk.

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Introduction

This report provides an indicative summary and analysis of the South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours pilot survey, 2017/18. Please note that this document provides an overview and therefore analyses only a small part of the rich data set gathered during the survey

The survey incorporated selected factors of the Work-Related Quality of Life and a number of questions specifically addressing the impact of the proposed Flexible Operating Hours scheme.

This combination of scales allows analysis of the way in which the Flexible Operating Hours scheme may affect the broader context of South Eastern Circuit and Criminal Bar Association members' work and individual related factors. Questions from the QoWL surveys have been used in employee surveys more than 10 years.

The South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours pilot survey was distributed electronically, with respondents using a web link to enter the data in an online questionnaire between mid-December 2017 and mid-January 2018. The survey was closed 5 weeks after the first issue of the questionnaire. 354 responses were received from a total 1900 South Eastern Circuit and Criminal Bar Association members (overall response rate = 18.6%). Some respondents started the survey but provided less than half of the responses in each category and these were discarded. This report is based on the remaining 286 valid responses, (valid response rate 15%).

For further details of the survey or the analysis, please contact Dr Darren Van Laar, (darren.van.laar@port.ac.uk).

Privacy Policy
Please note that projects and research conducted by the employees and associates of QoWL adhere to the professional ethical values of the British Psychological Society. Our non-research survey work adheres to the policies of the Market Research Society. Storage of data adheres to the UK data protection act. The raw data resulting from WRQoL surveys may be used to further our research and benchmarking data. At no point are data from individuals reported, with reports arising from data analyses being limited to groups of a minimum of 10 people. For more details, please see our website: www.qowl.co.uk/qowl_privacy_policy.html

Work-Related Quality of Life Overview

The Work-Related Quality of Life (WRQoL) scale provides an overview of the key factors which predict perceived quality of working life such as Home-Work Interface, Stress at Work and Working Conditions and provides information about the wider individual, social and work contexts in which these issues are evaluated. Full details of the development, analysis and scoring of the WRQoL scale can be found in the Download section of the QoWL website: www.qowl.co.uk.

All WRQoL questions are responded to on a 5 point Likert scale comprising of: Strongly Disagree, Disagree, Neutral, Agree, Strongly Agree. The data is coded such that Strongly Disagree = 1 and Strongly Agree = 5. In this way higher scores indicate more agreement.

In an endeavour to maximise response rate and maintain focus, only three of the WRQoL factors were selected for this survey. The WRQoL scale factors used in the South Eastern Circuit and Criminal Bar Association Quality of Working Lives and Flexible Operating Hours pilot survey are described below, with details of reliability scores from the original questionnaire development analyses.

- Home-Work Interface (HWI) has three items with a combined scale reliability of .82. The items are related to issues of accommodating family and work commitments, this component was labelled HWI: for example, “My current working hours/patterns suit my personal circumstances”.

- Stress at Work (SAW) is represented by two items, with a subscale reliability of .81. The items are related to demands and this component has been labelled SAW: for example, “I often feel under pressure at work”.

- Working Conditions (WCS). This factor has a sub-scale reliability of .75 and contains three items. This subscale is related to the physical working environment: for example, “The working conditions are satisfactory”.

Work-Related Quality of Life Analysis

The table below compares summary scores for the current survey and the QoWL Benchmark sample which is derived from a sample of 953 UK National Health Service employees. This benchmark sample has been used as the most similar general occupational sample when, as is the current case, an exact equivalent comparison sample is not available.

Please note the subscale figures refer to average %Agree across all items in the subscale. %Agree scores were compared for significance using the 'h test for significant proportions'.

Descriptive Statistics for WRQoL Subscales and Overall question	**Survey %Agree**	**QoWL BMARK %Agree**
Home-Work Interface (HWI) How far you agree that the Chambers / Organisation understands and tries to help you with pressures outside of work.	**37***	**58**
Working Conditions (WCS) The extent you agree that you are happy with conditions in which you work	**50***	**58**
Stress at Work (SAW)† How far you feel agree you experience stress at work.	**81***	**47**
Overall Quality of Working Life (single item question) I am satisfied with the overall quality of my working life.	**33***	**58**

Notes: %Agree: The percentage of respondents who agreed or strongly agreed to this factor. Green at least 5% higher satisfaction than the QoWL Benchmark value. Red at least 5% lower satisfaction than the QoWL Benchmark value. †: Negatively phrased factor, where higher agreement indicates less quality of working life. *: a significant difference from the benchmark at $p < .05$.

WRQoL details

WRQoL: Overall Quality of Working Life (Q13)

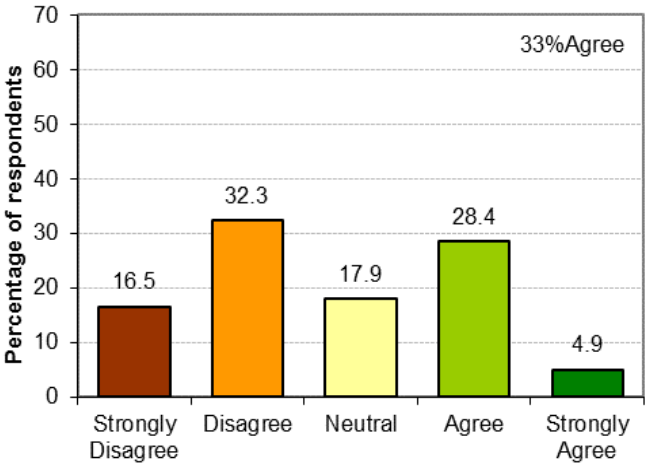
I am satisfied with the overall quality of my working life.

The WRQoL scale provides an overview of the key factors which predict perceived quality of working life such as job satisfaction, work-life balance and stress and provides information about the wider individual, social and work contexts in which these issues are evaluated, with the aim of finding best practice and communicating how this might be shared.

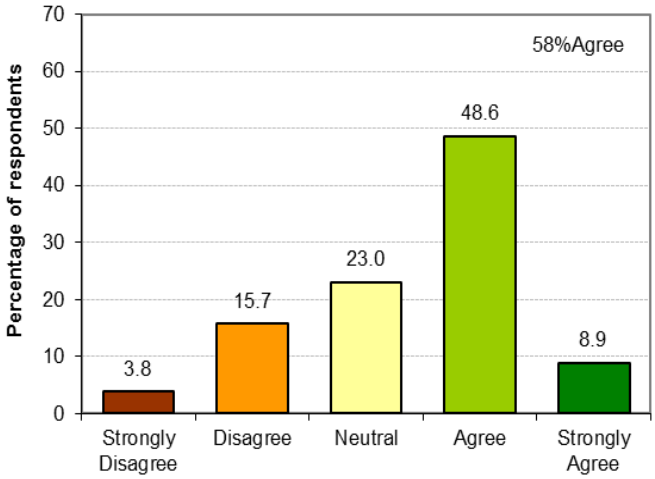
The overall satisfaction with quality of working life of the South Eastern Circuit and Criminal Bar Association respondents is shown above. The figures show the percentage of those responding who selected each of the possible answers. The 'Survey Data' figure shows the data for the South Eastern Circuit and Criminal Bar Association, the 'QoWL benchmark data' figure shows the data gathered from the responses of our UK benchmark data

QoWL Overview: *I am satisfied with the overall quality of my working life*

Survey data



QoWL benchmark data



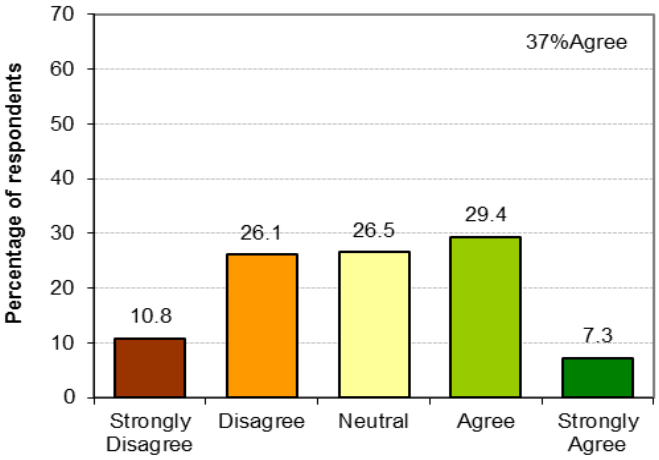
Approximately 33% of those responding to this question in this survey agreed or strongly agreed that they were satisfied overall with their quality of working life, compared to 58% of the benchmark sample. An inspection of the graphs above appear to indicate that the difference is due to more respondents indicating they 'Strongly Agreed' they were satisfied with their overall quality of working Life.

Comment: The overall satisfaction reported by those responding was much lower than that of the comparison sample.

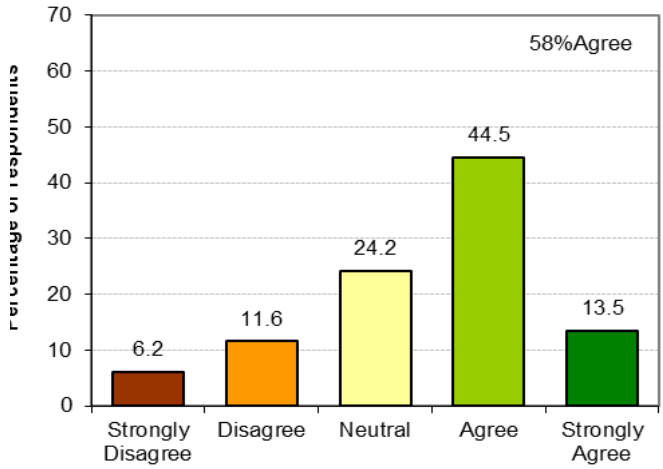
WRQoL: Home-Work Interface (HWI)
How far you agree that the organisation understands and tries to help you with pressures outside of work.

Work-Life Balance is about people having a measure of control over when, where and how they work. Within our model of quality of working life, the Home-Work Interface (HWI) factor reflects the extent to which an individual perceives they are supported in relation to their family and home life.

Survey data



QoWL benchmark data



37% of South Eastern Circuit and Criminal Bar Association respondents strongly agreed or agreed to the HWI questions that the interface between work and home issues was good. The score for the WRQoL benchmark sample Agree average was 58%.

Comment: Those who responded report lower levels of satisfaction with their Home-Work interface compared to the benchmark group.

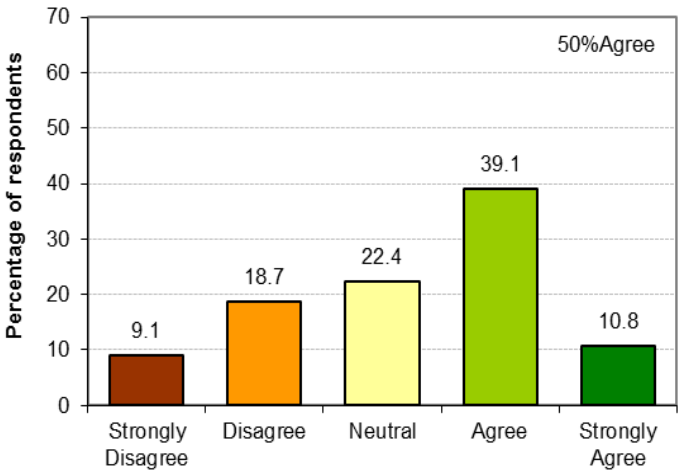
Issues relevant to the HWI include flexible hours, working from home, job rotation, maternity and parental leave, child and dependent care. The key issues in HWI often change over time and are often best actively monitored and addressed.

The consequences of HWI conflict can be both physical and psychological. For example, there is evidence to suggest that negative HWI can be associated with an increase in physical health symptoms, and higher levels of conflict associated with the HWI can predict depression, physical health complaints and hypertension. Some researchers have found that conflict between the home and work can be related to decreased job satisfaction. More positively, there is some evidence that changes in workplace policies can lead to increases in work performance and job satisfaction.

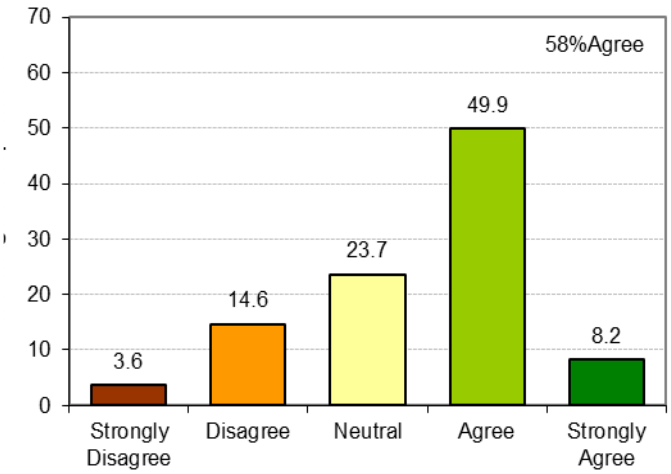
WRQoL: Working Conditions (WCS)
The extent you agree that you are content with conditions in which you work.

Working Conditions (WCS) assesses the extent to which an individual is satisfied with various aspects affecting their ability to work effectively, such as the fundamental resources provided at work, the physical working environment, and security. Dissatisfaction with physical working conditions such as health and safety, or the environment in which you work, for example, can have a significant adverse effect on quality of working life.

Survey data



QoWL benchmark data



50% of respondents in this survey and 58% of the QoWL benchmark sample reported that they were content with conditions in which they work for the WCS items.

Comment: The survey indicated that the level of satisfaction with working conditions was substantially lower than that of the benchmark sample.

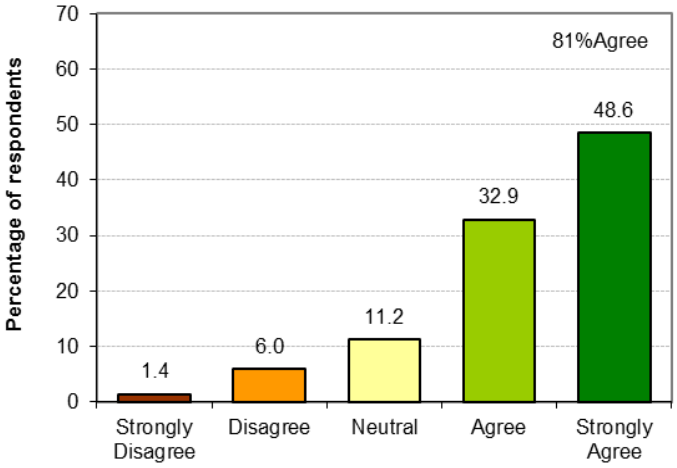
The WCS factor is conceptually related to JCS in quality of working life. The JCS factor reflects the degree to which the workplace provides an individual with the best things at work - the things that make them feel good, such as: achieving personal development, goals, promotion and recognition, etc. The WCS factor, by contrast, reflects the degree to which the workplace meets an individual's basic requirements, and, in particular, their satisfaction with their physical work environment. Whilst the WCS aspects need to be addressed to counter possible dissatisfaction at work, the JCS component assesses the degree to which an individual's workplace offers opportunity for them to experience satisfaction in the workplace.

Therefore, satisfaction with WCS contributes to overall quality of working life, whilst dissatisfaction with WCS can lead to problems in the workplace.

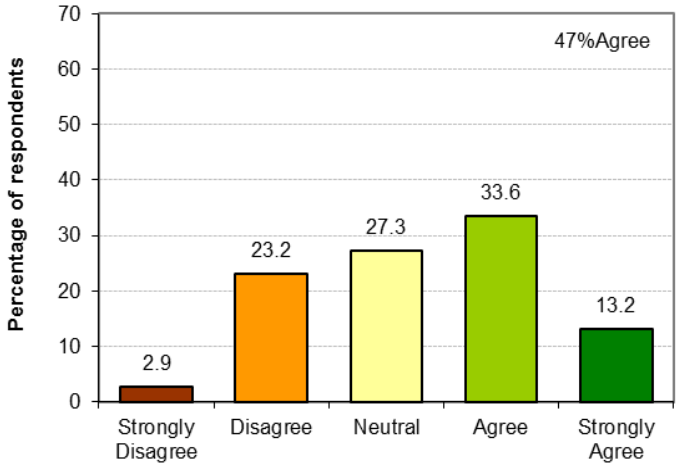
WRQoL: Stress at Work (SAW)
How far you feel agree you experience stress at work.

The WRQoL SAW factor is determined by the extent to which an individual perceives they have excessive pressures and feel stressed at work.

Survey data



QoWL benchmark data



Note that for the SAW questions higher agreement and a higher mean indicates *more* perceived pressure or stress, and hence can adversely affect overall quality of working life.

Approximately 81% of respondents agreed or strongly agreed that they experienced high levels of stress and pressure at work. This average agreement can be compared with the 47% agreement found in the QoWL benchmark sample.

Comment: Levels of stress reported were much higher than that reported in the benchmark sample.

A UK based survey found that nearly one-third of those who participated experienced relatively high levels of stress, and more than half considered that their stress levels over the last five years had increased. Further, another study in the UK indicated that approximately 20% of workers in a random British working population reported very high levels of stress at work, and approximately 43% indicated that their work was moderately stressful.

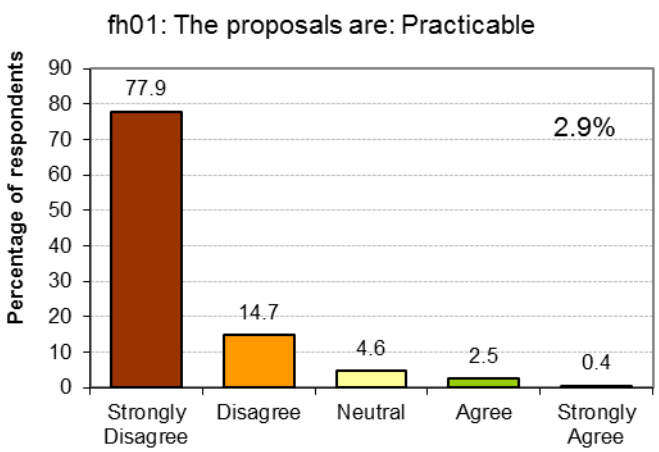
MIND, the UK mental health charity, suggests that 30-40% of sickness absence from work is related to mental or emotional disturbance, whilst the UK's Health and Safety Executive estimates that at least 50% of workdays lost through ill health are associated with stress-related absence. Research suggests that SAW is amenable to a range of interventions, ranging from the individual level to the organisational level.

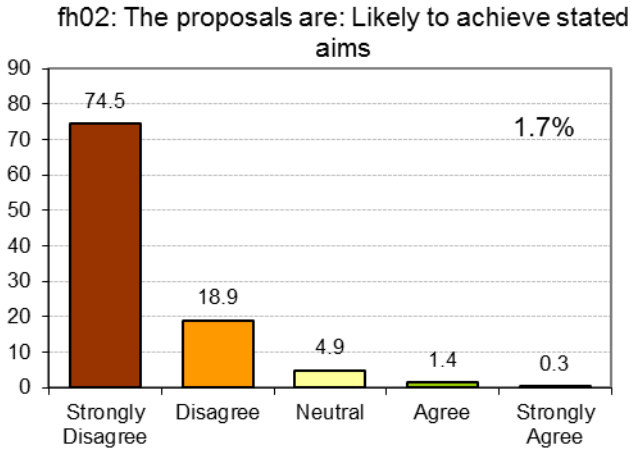
Flexible Operating Hours

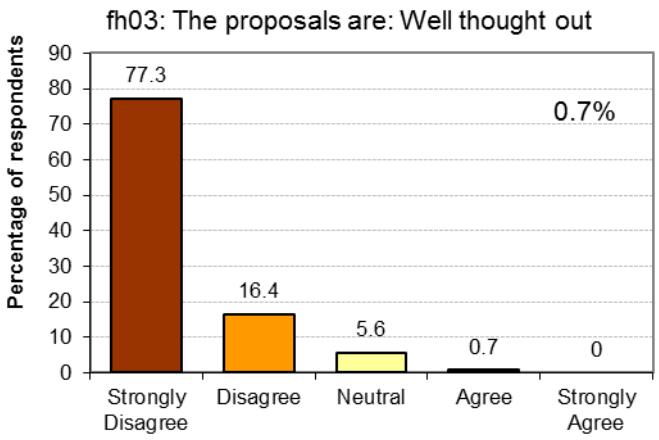
As part of the survey a number of questions in 'Agree' format were asked about the Government's flexible operating hours policy. Six of the questions asked what Barristers thought about the proposals in general, and four questions asked whether early / late working hours as described in the split shifts proposals would increase demands on barristers.

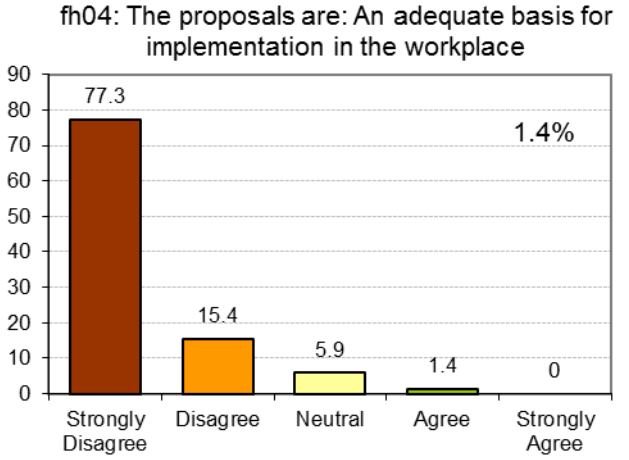
Proposal questions

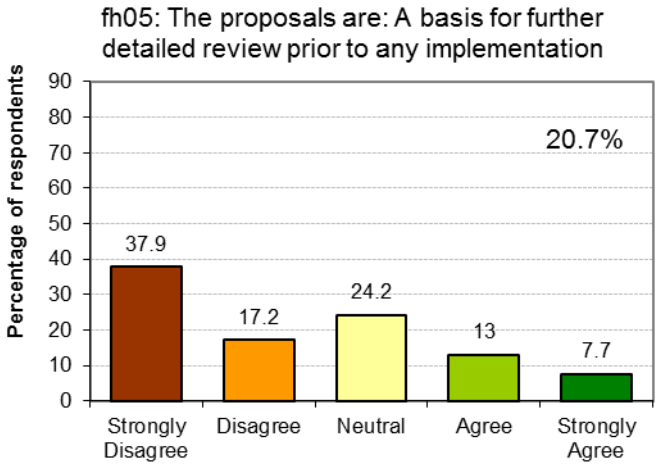
There were very low levels of agreement with all six of the proposal statements. The spread of responses to question fh05, that the proposals might provide a basis for a detailed review prior to implementation, differed from the response pattern for the other questions in this section.

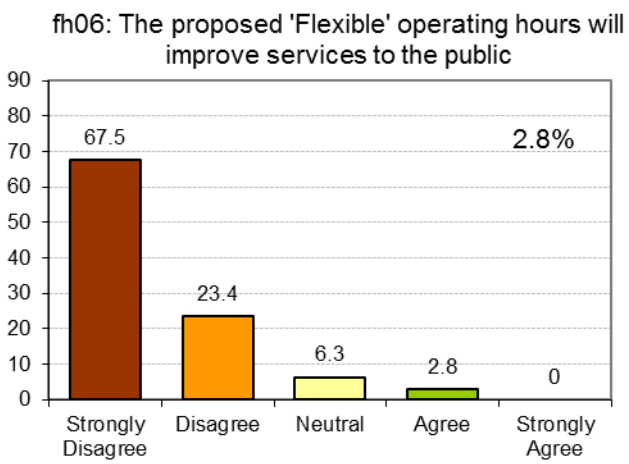






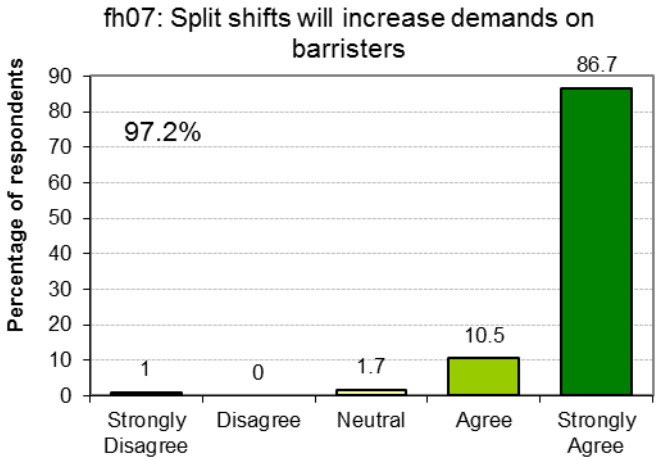


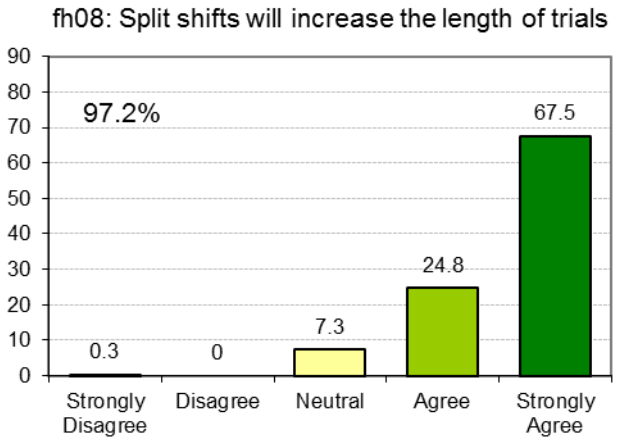


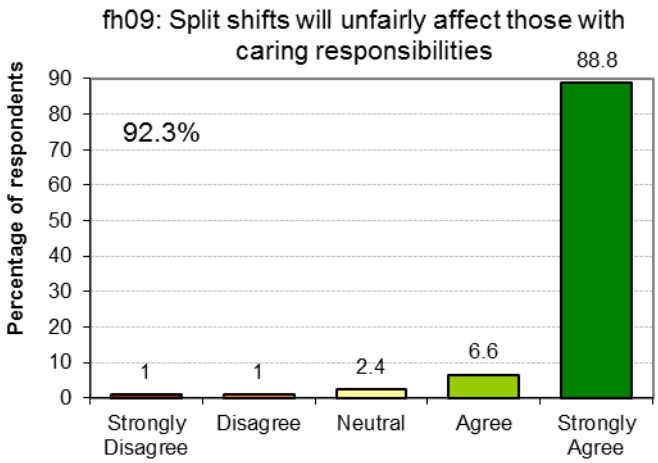


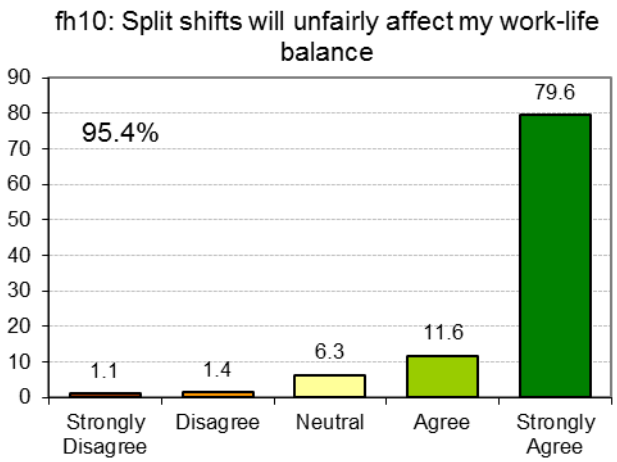
Split shifts question

There were very high levels of agreement with statements associated with potential negative effects of splits shifts and the associated early / late working hours.



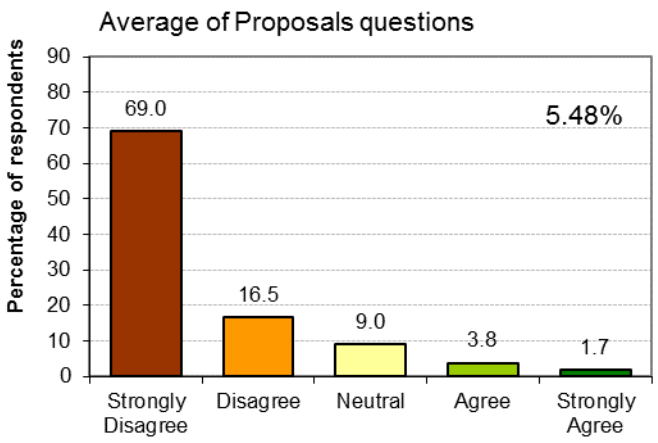


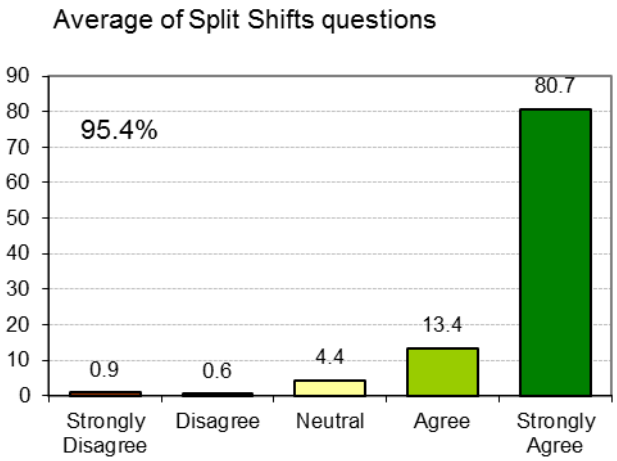




Combined questions

When averaged across all of the questions in the two sections, results indicated that the flexible operating hours proposals were not supported by a substantial majority of respondents.





Category Question Analysis

Three sets of questions were used in this analysis. Three quality of working Life (QoWL) factors were employed as well as a single item overall measure of QoWL. The tables on the next page show the mean values for each of these measures, broken down by the seven key category questions. The statistical significance (an indication of the reliability of the difference) between the sub-categories for each measure is also shown.

QoWL x Category questions summary

Of the 12 practice areas Barristers could choose, only 5 had more than 10 respondents and to ensure anonymity only these 5 are reported in the following comparison analysis. Barristers practising at the Criminal Bar reported significantly lower levels of satisfaction with HWI and WCS when compared to the Family and Other practice areas, and Criminal practice area barristers reported significantly lower overall quality of working life compared to other barristers. Barristers aged between 45 and 59 reported significantly lower overall Quality of Working Life compared to those under 45.

All measures of Quality of Working Life differed according to the number of hours worked each week by respondents, with those working longer hours reporting significantly lower QoWL. This same pattern was also observed when respondents were asked about working additional hours, with significantly lower quality of working life being reported by those working the most additional hours.

No significant differences in Quality of Working Life were found across the other category questions.

Flexible Operating Hours x Category questions summary

The average of the proposals questions and the average of the split shifts flexible operating hours questions were analysed by category question. Most category questions did not differ by these responses to the Proposals and Split shift items as there was strong agreement across categories that the new proposals would have a negative effect.

Both proposals and split shifts questions did differ by working hours and additional hours category questions. In general, those working more hours a week, and working more additional hours tended to be more negative about the proposals and split shifts questions.

Category question analysis showing mean values by QoWL scale factors and overall question

		HWI Mean	WCS Mean	SAW Mean	QoWL Mean	Count	%
Gender	Male	3.00	3.30	4.10	2.7	132	46%
	Female	2.94	3.18	3.30	2.7	152	54%
	Sig.	-	-	*	-		
Age Group	a. under 45	2.95	3.29	4.20	2.9_{b}	161	57%
	b. 45-59	2.97	3.13	4.27	2.5_{a}	104	37%
	c. 60 or over	3.27	3.37	3.72	2.4	16	6%
	Sig.	-	-	-	*		
Number of types of dependent	None	2.96	3.31	4.14	2.8	104	37%
	One category	2.93	3.17	4.25	2.7	119	43%
	Two or more categories	3.04	3.29	4.28	2.7	57	20%
	Sig.	-	-	-	-		
Area of Practice	a. Criminal	2.81_{de}	3.09_{de}	4.28	2.6_{e}	211	74%
	b. Civil	3.40	3.60	4.20	3.5	10	3%
	c. Child protect / Welfare	3.30	3.42	4.00	2.9	10	3%
	d. Family	3.35_{a}	3.66_{a}	4.10	2.8	35	12%
	e. Other	3.53_{a}	3.77_{a}	3.80	3.6_{a}	20	7%
	Sig.	**	**	-	**		
How many years have you been in practice?	less than 5	2.88	3.30	4.24	2.9	49	17%
	6 to 10	2.96	3.42	4.07	3.0	44	15%
	11 to 15	3.09	3.28	4.15	2.9	33	12%
	16 to 20	2.85	3.17	4.33	2.6	58	20%
	More than 20	3.03	3.16	4.22	2.5	102	36%
	Sig.	-	-	-	-		
Approximately how many hours do you work in a typical week?	a. 40 or less	3.46_{c}	3.72_{c}	3.53_{bc}	3.5_{c}	19	7%
	b. 41 to 59	3.21_{c}	3.40_{c}	4.09_{ac}	3.1_{c}	112	39%
	c. 60 or more	2.73_{ab}	3.07_{ab}	4.39_{ab}	2.3_{ab}	154	54%
		**	**	**	**		
Approximately how many additional hours do you work in a typical week outside of your paid brief?	a. 5 or less	3.19	3.69_{d}	3.53_{cd}	3.7_{cd}	16	6%
	b. 6 to 10	3.32_{d}	3.43	3.93_{d}	3.1_{d}	47	17%
	c. 11 to 20	3.06_{d}	3.25	4.24_{a}	2.8_{a}	97	34%
	d. More thn 20	2.74_{bc}	3.08_{a}	4.41^{ab}	2.4_{ab}	122	43%
	Sig.	**	*	**	**		

Notes: * = a significant difference between categories of $p < .05$; or ** = $p < .01$; - = a non-significant difference between categories. When there is a significant difference between more than 2 categories, subscript letters indicate which other categories are significantly different from the present one. Categories with 10 or fewer respondents are not reported.
HWI = Homework Interface; WCS = Working Conditions; SAW: Stress at Work (higher values = more stress); QoWL: “qw13: I am satisfied with the overall quality of my working life"

Category question analysis showing mean values by Flexible Operating Hours question

		Proposals questions Mean	Split shifts questions Mean	Count	%
Gender	Male	1.51	4.68	132	46%
	Female	1.51	4.76	152	54%
	Sig.	-	-		
Age Group	under 45	1.51	4.73	161	57%
	45-59	1.49	4.74	104	37%
	60 or over	1.71	4.52	16	6%
	Sig.	-	-		
Number of types of dependent	None	1.52	4.68	104	37%
	One category	1.53	4.72	119	43%
	Two or more categories	1.47	4.82	57	20%
	Sig.	-	-		
Area of Practice	Criminal	1.49	4.74	211	74%
	Civil	1.85	4.60	10	3%
	Child protect / Welfare	1.77	4.68	10	3%
	Family	1.34	4.82	35	12%
	Other	1.78	4.46	20	7%
	Sig.	*	-		
How many years have you been in practice?	less than 5	1.56	4.71	49	17%
	6 to 10	1.64	4.74	44	15%
	11 to 15	1.62	4.70	33	12%
	16 to 20	1.40	4.72	58	20%
	More than 20	1.47	4.73	102	36%
	Sig.	-	-		
Approximately how many hours do you work in a typical week?	40 or less	1.82_{c}	4.46_{c}	19	7%
	41 to 59	1.54	4.68	112	39%
	60 or more	1.46_{a}	4.79_{a}	154	54%
	Sig.	*	*		
Approximately how many additional hours do you work in a typical week outside of your paid brief?	5 or less	2.08_{bcd}	4.30_{cd}	16	6%
	6 to 10	1.49_{a}	4.63	47	17%
	11 to 20	1.54_{a}	4.78_{a}	97	34%
	More than 20	1.44_{a}	4.77_{a}	122	43%
	Sig.	**	**		

Notes: * = a significant difference between categories of $p < .05$; or ** = $p < .01$; - = a non-significant difference between categories. When there is a significant difference between more than 2 categories, subscript letters indicate which other categories are significantly different from the present one. Categories with 10 or fewer respondents are not reported.

Open Question Themed Analysis

Open questions are those questions where the survey participant can provide an unconstrained textual response. The responses which arise from such 'open' or 'free text' questions are analysed by reading all responses and then categorising them into themes. The percentage of responses which contain a particular theme is then calculated. The results of this analysis are presented in the tables below.

The open question used in the survey was:

Do you have any comments on the Flexible Operating Hours proposals and how they might affect the quality of working life of Barristers?

Please note: Respondents often made multiple comments to the open question and so the total number of responses will add up to more than 100%. In the 2017/18, survey 165 responses (58% of valid responses) contained an answer to the open question.

In the table below, the percentage of the people who mentioned the issue out of those who returned an answer to the open question is reported. Indicative, anonymised responses have been provided. Response categories contributed to by less than three respondents are not reported.

Area of concern	**Indicative comments** (original spelling retained)	**Percentage mentioning**
Scheme reflects poor understanding of the work of barristers	*Those who propose these changes have a very poor understanding of life in the criminal courts!* *I am already expected to work long, anti-social hours. I regularly work 18 hour days to fulfill my work commitments. The proposals made will inevitably make this worse and reach a position where it is impossible to continue* *To propose accordingly that we should now, in addition, routinely begin our working day 2 hours earlier (for early shifts) or end 2 hours later (for late) is for many the final straw* *The working day of every barrister will be extended beyond that which is acceptable* *It is almost impossible as is to achieve efficient use of court time because of the multiplicity of delays caused by: under resourced cell staff, Probation service, Youth Offending Teams, mental health teams at court, witness care and the CPS and criminal defence solicitors* *I would be concerned about mixing appearances in courts operating flexible opening hours and those that operate traditional opening hours* *We are then expected to stay well past the listed time. I am frequently listed for a 10am hearing with a 30 minute time estimate, yet find myself stuck at court until 4pm or 5pm*	19%

Area of concern	Indicative comments (original spelling retained)	Percentage mentioning
Childcare concerns	*If I am to be at court for an 8am start, I am ordered to be there an hour before, so 7am, it takes me an hour to get there thus leaving home at 6am. Where is my baby?* *if brought into effect i will probably have to leave the bar because i am the primary carer for 3 young children and wouldn't be able to source childcare flexible enough to fit around those hours* *I am a single parent. I cannot drop my child to school any earlier than 7.45, and frankly nor should I need to* *I cannot find a childminder who is willing to work from 5.30 am or after 7pm to enable me to work on a flexible basis* *Early starts and late finishes will interfere with my right to family life* *The scheme will totally prevent me from continuing a proper practice at the bar due to the need to get childcare for both early and late shifts. As a single parent, I will simply have to leave the bar and find alternative employment* *I do crime and can't pay for a Nanny* *I will have to return any trial that sits on the later shift as there will be no one to put my baby to bed*	30%
Work life balance	*It will destroy my work life balance* *I work most nights until 10pm, I start in the day. In the week I cannot socialise as I have to work* *Possibly the last straw. Fed up of no lunches, weekends and now evenings . It's ludicrous. We have lives*	25%

Area of concern	Indicative comments (original spelling retained)	Percentage mentioning
Discrimination against mothers / women	*Actively discouraging and descriminatory towards those with caring responsibilities who realistically are most likely be female* *I strongly disagree with the proposals. They are incompatible with being a working mum.* *They are impossible for single parents!* *It would mean I'd have to leave my profession as my caring responsibilities and my husbands working hours mean I just could not make it work with childcare* *Women will be disproportionately affected as they bear a disproportionate burden of childcare* *I strongly believe that this will prove a further disincentive to the retention of women at the Bar who will find it impossible to find childcare that will fit around the current proposals* *My husband is also a lawyer who has to work long hours and if I am required to work under FOH I do not see how I will balance my career and I child. In 2017 it appears ludicrous to me that I should be put in a position where I have to chose between my career or a family but this is the impact FOH has* *Flexible operating hours will make practice for me, as a mother of young children entirely untenable*	17%
Travel time not considered	*I cannot contemplate travelling 2-3 hours to get to court (which I regularly do) if the new operating hours are imposed* *(I)…. live out of London. That necessitates on average 1-2 hours daily commuting each way (assuming the trains are working !). We cover a large area of the country and are expected to attend at court in good time to be ready for a 10am start. This is a life style choice. However if I am to be at court for a 9am start, in practical terms that means I will have to get a train at around 6am every morning* *Starting any earlier than 10am could prove problematic as I travel quite a bit, sometimes meaning I have to leave the house before 6/7am. Earlier start times would mean a greater number of overnight stays (so increased cost and inconvenience).*	9%

Area of concern	Indicative comments (original spelling retained)	Percentage mentioning
Will lead to people leaving the profession	*We are a profession at breaking point* *Clerks and staff will have to be paid to come in earlier and leave later so as to deal with matters such as papers, diaries, other court commitments etc. This is a burden that many will find difficult to carry, and merely serve to drive people out of the profession* *Won't effect me much as it will be the final straw and I will leave the criminal bar if it is implemented* *…the Courts will generally always assist to ensure I can do drop offs, pick up, fixtures to accommodate my family life. Under the new proposals I honestly feel that I would not be able to continue in the profession. I am not willing and cannot afford to scarifice the care of my children more than I already do* *The thought of courts opening later and longer and me being expected to spend even more time away from my family would definitely force me out of criminal work altogether*	14%
Threat to justice	*It will result in barristers sitting all day in both sessions thereby diminishing both quality of work delivered*	5%
Reduce time to prepare for cases	*Most barristers work late into the night and often early in the morning. This is how we prepare in the digital age when briefs/papers can be sent at the click of a button at 5 pm the day before the hearing. When would there be time to prepare under this system*	5%
Concern for adverse effect on public and other Court staff	*I am as concerned about the impact on vulnerable litigants with care responsibilities and who are reliant on public transport*	4%
Two consecutive sittings difficult	*I may be given hearings in the afternoon so need to work late that night but it ignores the fact that if I'm not at the same court the day after it's going to be an early start and not necessarily an early finish* *Given the warned list system, the proposals create the very real possibility that I will be working both the morning shift and the afternoon shift*	10%

Area of concern	**Indicative comments** (original spelling retained)	**Percentage mentioning**
Adverse effect particularly on junior bar	*… have an incredibly detrimental effect on the junior bar, which has already been ravaged by cuts to fees and the incredibly high cost of qualifying*	4%
Out of court time not considered	*The proposal fails to take account of the amount of out of court work involved in a typical Crown Court trial*	8%
FOH would be helpful	*Flexible working hours would also suit me as it would allow less weekend work*	1 respondent

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