

Barrister branding: an evolution or revolution?

"The majority of barristers are self employed individual practitioners who work from sets of chambers located throughout England and Wales" – Bar Council website Feb 2009

What does brand actually mean for a collection of self-employed individuals? How has brand building worked in the past? And what is the future of 'brands' in the bar?

Many would argue that the Bar is a few years behind other professions when it comes to developing a brand. If we are talking about producing slick graphics and websites, it is certainly the case that lawyers and accountants are often much more advanced than many chambers.

However if we are talking about brand being about communicating a cohesive message to a targeted group of individuals, then the structure of the Bar in the UK forced barristers to be some of the earliest pioneers of brand building, they just wouldn't have called it branding!

What have been the challenges of brand building in the Bar to date?

In other professions building a brand is usually about defining a niche and finding innovative ways to communicate to it. Because of the current nature of the Bar we are usually already clear about the message and target audience – the challenge is where best to focus resource and which brand we are building.

Historically, marketing efforts have focused on promoting QCs and individual barristers. One of the unique challenges of marketing chambers is to marry this individual-led marketing with the wider requirement of creating a group brand.

Marketing teams in chambers has tended to focus on professionalising the look and feel and communications coming from a set, delivering messages to clients from the organisation instead of the individual and, where possible, getting buy-in on a cohesive message from all of the individuals within the set. It is clear that the nature of the Bar has tended to limit the majority of brand work to the visual rather than the strategic.

What will be the opportunities for brand building in the future? The wider legal sector is about to undergo significant change. The Legal Services Act will open up a range of opportunities to marketing professionals and although the exact nature of the new structures are not yet agreed, there is an opportunity to revolutionise the access, provision and nature of advocacy. Forward-looking marketers are already considering the strategic opportunities that alternative business structures will provide.

I have noted a few of the possible structures and some of the possible implications for marketers working with barristers:

A partnership structure

One of the trends among other sectors has been to put marketing at the heart of the organisation. This has meant inviting a marketing professional onto the board and allowing the marketing team to have a much greater input into the strategy of the business. Allowing non-barristers to join the partnership is an exciting opportunity for senior marketing professionals and potentially will stop some of the 'brain drain' among senior marketing talent.

One of the current challenges of working in chambers is the amount of internal politics and 'input' from the many individual barristers. Even where a marketing committee has been set up, a barrister's inclination to get involved usually slows down decision-making. Committee decision-making tends to water down the innovative to the safe with the inevitable knock-on to the brand activities.

Conversely because all barristers are self-employed, it is often difficult to get input, particularly on thought leadership activities. Employees are often seen as 'second class' citizens, which means co-operation can be difficult.

Clearly a partnership structure with a senior marketing individual as part of the partnership will be a very different entity to co-habiting self-employed members.

Integrated professional service practice

Much of the talk about the LSA has been about merging either solicitors or other business professionals into one business structure. This is one of the most contentious areas of the act and many questions about regulation and ultimate structure are yet to be resolved.

From a marketing perspective an integrated practice will be a very different beast to that of traditional chambers. Although direct public access is supposed to have allowed for working directly with non-legal clients, most chambers have in practice undertaken very little marketing

either to the public or to other businesses.

In any merged marketing department, a chamber's marketing professional with only experience of marketing to a solicitor is likely to be at a disadvantage.

Marketing organisation

One of the more interesting opportunities that the LSA allows for is the creation of completely non-legal structures which source, manage and administer work, but give it out to barristers to undertake. Clearly these types of organisations are more likely to be led by non-technical staff such as marketers, who have experience in the area. There has been a lot of press about some of these businesses, many of which are harnessing the power of the internet or innovative finance packages to create new models for accessing the law.

Merged chambers of individual practitioners

One of the unintended consequences of the LSA may be the creation (through merger) of 'Super Chambers'. Barristers wishing to remain independent may need to pool their resources in order to compete. Super Chambers will inevitably be resourced more like a law firm, and will of course allow for more sophisticated marketing activity for the marketers working with them.

Change is coming

It's clear that the future is unknown for marketers working in the Bar. Although many barristers may be resistant to change, this should not stop forward-thinking marketing professionals seizing the opportunities that present themselves.



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