

**Consultation on the regulation of non-professional conduct**

**July 2022**

**Consultation Questions**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Approach to regulating non-professional conduct**

**Question 1:**

**Overall, have we struck the right balance between the public interest in preserving public confidence in the profession and individual barristers and a barrister’s rights which are guaranteed under the Human Rights Act 1998 and the European Convention on Human Rights?**

|  |
| --- |
| I do not think that the current draft guidance is sufficiently precise to be compatible with barristers’ rights to freedom of expression or respect for their private lives. There is an inherent problem with guidance that is or rules that are imprecise, which is that they are susceptible to a range of interpretations. The less precise the guidance or rules, the wider the range of interpretations to which they are susceptible. Being susceptible to a wide range of interpretation leads to two linked and serious problems. First, whatever the intention of those who draw the rules or guidance in the first instance, there is a real risk that they will come in time to be interpreted in ways which unacceptably infringe on the rights of those who are subject to the rules or guidance, and do so in fundamentally unpredictable ways. The less precise that the rules and guidance be, the greater the level of unpredictability and the greater the risk of interference. This is already a problem to an extent with the existing rules, but that problem is at least confined by the principle that those rules are applicable only, for the most part, to a barrister’s conduct of her or his professional practice. Where the rules and guidance are intended to apply to the entirety of a barrister’s private life, this greatly increases the scope of the interference, and greatly increases the risk of unjustifiable intrusion, infringement of Convention rights and serious harm.Secondly, being susceptible to a wide range of interpretation can give rise to repression by risk – often termed the “chilling effect”. This occurs where, because of the inherent imprecision of the rules and/or guidance, a person cannot predict with confidence whether any given conduct is likely to be considered to warrant regulatory action, and, because the consequences of regulatory action (a possible finding of professional misconduct) are potentially so extremely harmful to an individual, people have an incentive to avoid even a small risk of such a finding in cases of uncertainty. This would, in turn, involve potentially serious and severe practical restrictions of people’s fundamental freedoms in cases where the regulator might very well in practice not intervene, but, because this is not clear beyond doubt on the face of the rules, the individual cannot be confident of this. Examples of conduct that are likely to be be oppressed in this way the repression of which could lead to serious harm include the expression of controversial opinions and engaging in consensual romantic/sexual relationships.There is nothing in the proposed guidance that gives any clear or precise test as to what makes conduct “*sufficiently relevant or connected to the practice or standing of the profession that it could realistically affect public trust… (etc.)*”. Having guidance in these terms means that, in effect, the IDB and then in due course the Tribunal will have to decide, in each case, the real substance and detail of the standards of conduct to which barristers ought to be held, rather than those standards being prescribed by the rules themselves prospectively. This is not a safe form of regulation. While it is much more difficult to frame detailed rules that do in fact describe precisely the substance of the actual conduct that is prohibited than it is to frame rules and guidance in terms that mean that any conduct that the regulator considers, *ex post facto*, as having been wrong can be subject to punishment, and while there is an understandable fear that framing rules more precisely may omit to proscribe conduct which transpires to be harmful, these difficulties do not and can never outweigh the harm and risk of harm caused by the retrospective imposition of standards of behaviour by regulatory authorities rather than the actual substantive details of what may and may not be done being set out prospectively in the rules themselves. It would not be acceptable or safe to have a criminal statute that made “any conduct which could reasonably be seen by the public as harmful” or similar a criminal offence, and the reasons that it would not be acceptable or safe to have this as a criminal offence (i.e., those set out above) are equally applicable to professional regulation. Regulation of professional conduct is inherently quasi-criminal in nature, as it involves prohibition of conduct by inherently coercive means (i.e. by the imposing of serious personal consequences on those who act contrary to the rules), and such regulation is only safe insofar as the details of the behaviour that might attract that punishment are clear beyond doubt to any person to whom the rules apply before that person decides whether or not to engage in any given behaviour.The importance of framing the current guidance in terms that only criminal offences will generally, outside a professional context, be treated as amounting to professional misconduct is that, to a large extent, criminal offences are much more precisely defined than the proposed guidance.If it be thought necessary or desirable to extend what may be considered professional misconduct beyond what is prohibited by criminal statute, something much more precise will be needed in order for the regulation to be safe and compatible with members of the profession’s fundamental freedoms (and this is so irrespective of the fact that the guidance limiting such regulatory action to criminal offences is largely ignored already). I would suggest that such an extension be limited to the following types of conduct (*in addition to* the test currently set out in paragraph 32 of the consultation document):1. conduct involving dishonesty that has the potential to cause significant harm to others;
2. conduct that, whilst not criminal, is otherwise unlawful; and
3. conduct that is maliciously coercive in circumstances where the coercion is not the exercise of a legal right (i.e., conduct which aims to coerce others into doing something that they do not wish to do or not doing something that they wish to do by threatening or imposing purposely harmful consequences, or conduct which aims to deter the repetition of any past behaviour by imposing purposely harmful consequences, where those consequences are not the exercise of an existing legal right, e.g., the bringing of a civil claim, reporting criminal conduct to the police, reporting professional misconduct to a regulator, exercising a right of peaceable re-entry to forfeit a lease, exercising a right to abate a nuisance, using reasonable force in self-defence or similar).

Examples of conduct that would potentially fall within one of the above three limbs include:* deliberately disobeying court orders in a civil case in which the barrister is a litigant-in-person;
* acting so as to commit a civil contempt of court in proceedings in which the barrister is a litigant-in-person (including contempts in the face of the court, e.g., wilfully disrupting proceedings);
* publicly promoting a product or service by dishonestly making false claims about its effectiveness (even with no intention to gain or cause loss to others);
* deliberately spreading information which can be proven to be false and which the person spreading it knew was false at the material time, or did not have an honest belief was true (e.g., if the person had no reason for believing it to be true and knew that he or she had no reason for believing it to be true);
* public abuse of others on social media by making false statements with no belief in their truth (e.g. responding to a criticism on social media with a false claim that the person making the criticism is a child abuser);
* coercive sexual harassment, even if other than in a professional context (e.g., an unregistered barrister who is an employer threatening to dismiss a member of staff who does not engage in a sexual relationship with that person);
* bullying (e.g., an unregistered barrister who is an employer engaging in sustained personal abuse of an employee who questions the barrister’s behaviour, or a barrister who, in civil proceedings in which he/she is a litigant, engages in persistent personal abuse of the opposing party with the intention of coercing that party into conceding her or his position in the claim);
* the commission of a criminal offence (e.g. sexual assault) even where no conviction resulted; and
* unlawful discrimination, even outside a professional context (e.g. an unregistered barrister who keeps a public house unlawfully denying entry to Irish Travellers on the ground of their race).

As to how the case studies in the consultation document would be treated under the proposed test, I set out the same under correspondingly enumerated paragraphs below.1. This is the case of a minor criminal offence and neither the consultation paper nor the narrower test that I propose would alter the current position in this respect.
2. This is the case of a criminal offence, and neither the consultation paper nor the narrower test that I propose would alter the current position in this respect.
3. This would fall within the second limb of the test (unlawful conduct), but, because the questions at paragraph 32 also have to be answered, the same considerations would apply as are set out in that case study.
4. Targetting individuals with abusive comments may well be an offence under the **Malicious Communications Act** and may also fall under the third limb of the proposed test, depending on the facts. Depending on what was written and the intention at the relevant time, this may also involve dishonesty and thus fall under the first limb (e.g., if statements of fact were made about the individuals targetted which were false and which the person making them did not believe that he or she had a reason to believe were true at the time of making them).
5. This is the case of a criminal offence, and thus it would fall to be considered as potential misconduct in the way set out.
6. Deliberately giving untruthful evidence in family proceedings is (a) a criminal offence (perjury); and (b) otherwise unlawful (a civil contempt), and would thus fall under the second limb.
7. A breach of duties of confidentiality to a company is unlawful, and thus falls under the second limb of the proposed test.

There are two further, related, serious problems with the current proposal at paragraph 36 of the consultation document. The first is the appropriateness of a non-exhaustive list of types of conduct that may give rise to a finding of professional misconduct. For the reasons given above, in order for regulation amounting in any way to a coercive restriction on personal freedom to be safe, it must describe precisely and exhaustively the conduct prohibited so that any person knows clearly in advance of deciding whether to behave in any given way whether that behaviour is liable to attract punishment. The second is the appropriateness of the concept of offensiveness as a basis on which to judge whether conduct should be construed as misconduct. This is not safe for reasons on which I elaborate more fully in answer to the social media guidance document set out below. |

**Question 2:**

**Do you have any observations on the questions we are proposing to ask when considering whether we have a regulatory interest in non-professional conduct?**

|  |
| --- |
| I believe that this is answered under question 1 above. |

**Question 3:**

**Are the case studies included in our draft guidance helpful?**

|  |
| --- |
| They are helpful to an extent. However, as set out in the list above, they seem to be weighted towards conduct that is independently unlawful and thus do not give good examples of the precise boundary between conduct that is not independently unlawful that will and will not potentially amount to professional misconduct. Indeed, all of them, possibly (but by no means certainly) excluding no. 4 involve conduct that is independently unlawful. I have given some other examples in the bullet list above in response to question 1 that might be worthwhile turning into case studies. I would definitely suggest having case studies specifically focussing on bullying. One can be made using as the starting point the basic facts in a case that was recently before the IDB of a senior barrister who was involved personally in civil litigation with her sister and who was persistently abusive to her with the probable aim of coercing her into conceding some or all aspects of the case.Case study no. 4 has ambiguities that make it less helpful than it might be as a case study. The reference to comments being “offensive” has the common problem that “offensive” has that whether something is offensive is entirely dependant on the feelings of a person reading the statement in question and tells us nothing about the content of the statement itself. “Disparaging” may refer to a very wide range of things, from reasoned criticism to personal abuse. “Misogynistic” is a word used in modern times in a way so far beyond its true definition that many political activists deliberately use it to refer to anything that disagrees with their view on a topic relating to sex/gender. Including references to physical and sexual violence is ambiguous as to what the references were and thus what was meant by them. Thus, case study no. 4 could in principle refer to a very wide range of things, from what was probably intended by its author (i.e., comments deliberately amounting to personal abuse and making actual threats of physical and sexual violence, whether overt or veiled, with the intent to intimidate, deceive and/or coerce) to comments doing no more than questioning fashionable ideologies relating to sex/gender issues and “targetting” people by debunking individuals’ claims in circumstances where many people regard merely questioning these ideologies as offensive and “misogynistic”. I strongly recommend making the wording of this case study much more precise so as to put beyond any possible doubt that what is envisaged is gratuitously abusive behaviour intended to intimidate, deceive and/or coerce and to make it impossible for activists to use this guidance as a means of intimidating those who question their ideas into silence. |

**Question 4:**

**Do you have any general comments or feedback on our draft guidance on the regulation of non-professional conduct?**

|  |
| --- |
|  |

**Guidance in the BSB Handbook**

**Question 5:**

**Do you consider our proposed drafting changes to the non-mandatory guidance provisions in the BSB Handbook assist in clarifying our approach to the regulation of non-professional conduct?**

|  |
| --- |
| I presume that this question relates to paragraph 44 of [this document](https://www.barstandardsboard.org.uk/uploads/assets/112831ca-8191-45ac-96700492cac1640b/CNPL-Consultation-Paper.pdf). Some of this, especially in relation to gC27, overlaps with the issues set out in response to question 1, which I do not repeat here.The use of the concept of offensiveness as a criterion for determining whether conduct amounts to misconduct is seriously misguided and unsafe because offensiveness depends entirely on a third party’s emotional reaction to the conduct and not on any objective aspect of the conduct itself. A barrister cannot legitimately be bound to do nothing which offends others as that amounts to giving others totally unlimited power to control that barrister’s conduct. Any response to the effect that only in certain (but not precisely defined) circumstances can offensive conduct amount to professional misconduct gives rise to the dangers of imprecision set out in answer to question 1. “Discreditable” is only marginally better in that, whilst it purports to set out an objective standard, it says nothing about what the content of that standard is, and is thus unsafe for the same reasons as set out in answer to question 1.The only safe and appropriate way of dealing with what is now gC25.4 is to replace “seriously offensive or discreditable conduct towards third parties” with the three limb test for non-criminal conduct in a barrister’s personal life that might nevertheless legitimately attract regulatory sanction that I set out in detail in answer to question 1.I should note that adding “discrimination” to gC25.6 (providing that “unlawful” be retained) is entirely compatible with the three limb test. |

**Question 6:**

**Do you have any general comments or feedback on any of the proposed drafting changes to the non-mandatory guidance?**

|  |
| --- |
| I believe that I have dealt with these in other comments. |

**Social Media Guidance**

**Question 7:**

**Do you have any feedback or comments on the new Social Media Guidance?**

|  |
| --- |
| Paragraph 15 and 16’s reference to a non-exhaustive list of the guidance is unsafe for the reasons already given in answer to question 1 and which I will not repeat. This lack of safety is especially serious in the context of something that directly restricts a person’s fundamental right to freedom of expression. What is necessary (but not sufficient) for restrictions on freedom of expression to be safe is an exhaustive set of precisely drawn rules, breach of which, and only breach of which, can lead to sanction.Paragraph 16’s reference to “seriously offensive” as a basis on which, without more, a communication may amount to misconduct is dangerous and seriously misguided. Offensiveness is no more or less than a given person’s negative emotional reaction to a thing. A foul odour is offensive; badly clashing colours can be offensive (and in both cases seriously offensive depending on the circumstances and constitution of the person who is offended by them). Prohibiting conduct which “is offensive” amounts to prohibiting any and all conduct to which any person has or may have any significantly negative emotional reaction. This amounts to giving people unlimited power to control barristers’ conduct by choosing what to take offence to. It is common, for example, for people to take offence to the expression of an idea *precisely because* it expresses an idea that disagrees with a claim that that person wishes to make, or to take offence at being questioned or shown up as having no basis for having made a claim *precisely because* the person wishes to create the false impression that her or his claim is well founded and being questioned and/or shown up interferes with that aim.It is also dangerously imprecise and expansive as what people might take offence to is fundamentally unpredictable, giving rise to the very same problems as set out in answer to question 1.Adding “seriously” before “offensive” is incapable of remedying this defect: if “offensive” means something to which a person has a negative emotional reaction, “seriously offensive” can only mean something to which a person has a particularly strong negative emotional reaction, and there is nothing about the strength of a person’s emotional reaction or possible lack thereof that is relevant to the dangers inherent in using the concept of offence to determine what people may communicate. Further, as set out in the case of *Redmond-Bate v. Director of Public Prosecutions* [1999] Crim. L. R. 998, *“Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having.* *“What Speaker’s Corner (where the law applies as fully as anywhere else) demonstrates is the tolerance which is both extended by the law to opinion of every kind and expected by the law in the conduct of those who disagree, even strongly, with what they hear. From the condemnation of Socrates to the persecution of modern writers and journalists, our world has seen too many examples of State control of unofficial ideas. A central purpose of the European Convention on Human Rights has been to set close limits to any such assumed power”*.Adding “seriously” to the end of “offensive” is incapable of altering this. Thus, this guidance is likely to be unlawful and incompatible with **Article 10**. It is virtually impossible to express any strong view on any controversial topic without seriously offending at least some people who have a strongly held opposing view. Offence, in and of itself, and whether “serious” or not, can never be a legitimate basis for restricting free speech. Even if the IDB and/or Tribunal were to read the guidance down so as to be compatible with **Article 10**, the presence of a reference to offence in and of itself as a possible basis for a finding of misconduct will inevitably have a chilling effect on those who wish to engage in debate of controversial topics for the reasons more fully described in answer to question 1.What is needed instead is guidance that focusses on the nature of the conduct itself, rather than the nature of people’s emotional reaction to it. With that in mind, I suggest replacing “offensive” with “abusive”. That would be apt to describe conduct such as that exhibited in the case of [*Diggins v. Bar Standards Board* [2020] E. W. H. C. 46 (Admin.)](https://www.bailii.org/ew/cases/EWHC/Admin/2020/467.html), which was plainly intended to be abusive, and plainly fell within limb 3 of the three limb test proposed in response to question 1 (indeed, I suggest that “abusive” is a useful label for this conduct, and should be explicitly defined in this way). Further, the guidance needs to make clear that it is applying that same three limb test as is necessary for any restriction on a barrister’s non-professional conduct by a professional regulator to be justifiable. Paragraph 19 is even more concerning, to the point of deeply disturbing, in that it suggests that the BSB is arrogating to itself the power to police the *content* of people’s views that they may express. This is plainly unsafe, and plainly incompatible with **Article 10** as made clear in the second paragraph of *Redmond-Bate* set out above: it can never be appropriate or compatible with a person’s fundamental freedoms for a public authority of any kind ever to have the power dictate what substantive general views about the world that a person may express and what ideas count as heretical.Further, it is significant that CD8 applies only when practising or providing legal services, and it is not appropriate for guidance to suggest to the contrary.The Guidance needs explicitly to recognise that the question of what ideas that people may accept, reject or communicate can only legitimately be a matter of individual choice, rather than coercion, giving rise to what is often called the “marketplace of ideas”, and that the conduct in the form of public communication that can legitimately give rise to a coercive response (such as a finding of professional misconduct, or even a breach of the Handbook short of professional misconduct) by a public authority such as a regulator is confined to conduct which *itself* amounts in substance to illegitimate coercion, as in limb 3, or to deceit, as in limb 1, of the test set out in response to question 1 (as deceit is conduct which undermines, rather than contributes to, the marketplace of ideas).In paragraph 20, I would suggest adding a paragraph (d), explicitly stating that the BSB will take into account the evident intention of the barrister when making the statements giving rise to the alleged misconduct.  |

**Question 8:**

**Are the case studies in our draft Social Media Guidance helpful?**

|  |
| --- |
| I will set out comments on the individual case studies in correspondingly enumerated paragraphs below.1. It is fundamentally unhelpful to refer in the case study to “seriously offensive” messages without giving any further clue as to their content for the reasons given above in relation to the inherent problems of offensiveness as a controlling principle for conduct. I suggest instead stating that the messages consist of viscous personal abuse.
2. I do not have comments on this case study.
3. “Threatened” is potentially ambiguous here, as, although I strongly suspect that what is intended are personal threats amounting to abusive conduct, it might conceivably be interpreted (especially by political activists who use deliberate misinterpretation as a weapon to silence critics) as referring to a legitimate and reasonable response that the person chose to find “threatening”. I would suggest instead stating clearly that the barrister made explicit personal threats to the person challenging her or his views on Twitter.
4. I would suggest making this example more useful by making it a less easy case. Instead of stating in general terms that the barrister is merely criticising the current government, I suggest stating that the barrister has expressed strong criticism of the actions of a foreign government and that he or she has been accused of harbouring prejudice against everybody from that foreign country as a result (but make it quite clear that the actual posts themselves were confined to criticisms of the conduct and character of the politicians currently making up the government of the foreign country). This is closer to real cases that have been before the IDB and make clearer where the distinction lies. I also suggest replacing “seriously offensive” here with “abusive” for the reasons already given.

I would suggest a further case study in which the barrister is frequently posting highly controversial views that many people find offensive in the extreme, but which do not amount to personal abuse of any sort (e.g., a person who posts gender-critical views similar to [those expressed by Maya Forstarter](https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya_Forstater_v_CGD_Europe_and_others_UKEAT0105_20_JOJ.pdf) *without* engaging in the sort of personal abuse set out in case study 3) and which are the expression of political views, stating that it is unlikely to be appropriate for the BSB to intervene in such a case providing that there be no personal abuse (in the limb 3 sense) involved. |

**Equality Impact Assessment**

**Question 9:**

**Are there any other potential equality impacts that you think we should be aware of?**

|  |
| --- |
| The use of “serious offence” and the absence of sufficient precision in the definition of what communicative conduct is likely to be the subject of a coercive response by the BSB is likely to have a disproportionate adverse impact on people who hold and wish to express philosophical views that are unfashionable and considered offensive by many, which views are protected under the Equality Act 2010 as in [the Forstarter case](https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya_Forstater_v_CGD_Europe_and_others_UKEAT0105_20_JOJ.pdf).The reasoning is as set out more fully above. |

1. **Your Name**

|  |
| --- |
|  |

1. **Your Organisation’s name (if applicable)**

|  |
| --- |
|  |

1. **Which of these groups best reflects you:**
2. **Registered Barrister**
3. **An unregistered Barrister who has previously practised**
4. **An unregistered Barrister who has never practised**
5. **Law student**
6. **Education and Training provider**
7. **Legal services consumer / member of the public**
8. **Representative of legal consumers**
9. **Other legal professional**
10. **Legal services representative body**
11. **Other (please specify)**

|  |
| --- |
|  |

1. **Are you responding in an individual capacity or as a representative of your organisation?**
2. **Individual response**
3. **Organisational response**

**Please give your name or the name of your organisation if you do not wish your response to be anonymous:**

|  |
| --- |
|  |

**We will normally publish responses to consultations.**

1. **If you would prefer to remain anonymous, please tell us.**

|  |
| --- |
|  |

**Equality Monitoring Information** *We seek to monitor individual respondents to help us to understand the extent to which our consultations are being responded to by people from different backgrounds and so that we can understand where we need to do more to target the views of people from particular backgrounds. These questions are entirely optional and will be treated in the strictest confidence and in accordance with our privacy policy. If you are responding to this consultation as an individual, please complete the following questions:*

1. **What is your age?**
2. Under 25
3. 25-34
4. 35-44
5. 45-54
6. 55-64
7. Over 65
8. Prefer not to say
9. **What is your sex?**
10. Female
11. Male
12. Prefer not to say
13. **Is your gender identity the same as the sex with which you were assigned at birth?**
14. Yes
15. No
16. Prefer not to say
17. **What best describes your gender?**
18. Female
19. Male
20. Prefer not to say
21. I self-describe as
22. **Do you consider yourself to have a disability?**
23. Yes
24. No
25. Prefer not to say
26. **Is your ability to perform day-to-day activities limited because of a physical or mental disability, condition or illness, which has lasted or is expected to last for at least 12 months?**
27. Yes, a lot
28. Yes, a little
29. Not at all
30. Prefer not to say
31. **What is your ethnic group?**
32. White – English/Welsh/Scottish/Northern Irish/British
33. White – Irish
34. White – Gypsy or Irish Traveller
35. White – Roma
36. White – I use a different term to describe my White ethnic background
37. Asian/Asian British – Bangladeshi
38. Asian/Asian British – Chinese
39. Asian/Asian British – Indian
40. Asian/Asian British – I use a different term to describe my Asian ethnic background
41. Black/Black British – African
42. Black/Black British – Caribbean
43. Black/Black British – I use a different term to describe my Black ethnic background
44. Mixed/Multiple Ethnic Background – White and Asian
45. Mixed/Multiple Ethnic Background – White and Black African
46. Mixed/Multiple Ethnic Background – White and Black Caribbean
47. Mixed/Multiple Ethnic Background – White and Chinese
48. Mixed/Multiple Ethnic Background – I use a different term to describe my Mixed/Multiple ethnic background
49. Arab
50. I use a different term to describe my ethnicity, which does not fall under “White”, “Asian”, “Black” or “Mixed/Multiple Ethnic Background”
51. Prefer not to say
52. **What is your religion or belief?**
53. No religion
54. Buddhist
55. Christian
56. Hindu
57. Jewish
58. Muslim
59. Sikh
60. Prefer not to say
61. I have a different religion or belief
62. **Which of the following best describes your sexual orientation?**
63. Heterosexual
64. Gay or Lesbian
65. Bisexual
66. Prefer not to say
67. I use a different term
68. **Did you mainly attend a state or fee-paying school between the ages of 11 – 18?**
69. UK state school
70. UK fee-paying school
71. School outside UK
72. Prefer not to say
73. **If you finished school after 1980, were you eligible for Free School Meals at any point during your school years?**
74. Yes
75. No
76. Not applicable
77. Don’t know
78. Prefer not to say
79. **If you went to university (to study a BA, BSc or higher), had either (or both) of your parents or carers attended university by the time you were 18?**
80. Yes
81. No
82. Don’t know
83. I didn’t attend university
84. Prefer not to say
85. **Are you a primary carer for a child or children under 18?**
86. Yes
87. No
88. Prefer not to say
89. **Do you look after, or give any help or support to family members, friends, neighbours or others because of either: long-term physical or mental ill-health/disability or problems relating to old age? (Do not count anything you do as part of paid employment).**
90. No
91. Yes, 1-19 hours a week
92. Yes, 20-49 hours a week
93. Yes, 50 or more hours a week
94. Prefer not to say