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REGIONAL BAR:

Client referees deadline:
17 February 2023
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SCOTTISH BAR:

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LONDON BAR:

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Practice area definitions – London

Administrative and public law, civil liberties and human rights:

This section covers key constitutional issues and generalised matters of public law not covered in other areas of the UK Bar guide (including matters as diverse as social welfare and prison law), as well as cases turning on use of the European Convention on human rights. Please note our separate coverage of a range of other areas such as planning, professional discipline, police law, elections, public procurement, EU law, education, extradition, social housing, court of protection, immigration and similar, which will cover counsel familiar with judicial reviews and convention rights within those specific areas; this section is not a “Champions League” of the best practitioners in these areas.

Agriculture: This section primarily revolves around planning, environmental, and property work relating to farming, but also includes specialists with specific expertise in other areas of law with a specific focus on agricultural life in England and Wales. Clients include HNW individuals, farmers, and the public sector - primarily DEFRA, district, and county councils. Key issues include rights of way, probate and estates, Village Green designations, and land rights. Leading barristers in this section have a broad range of expertise across key relevant areas, and are generally recognized as experts through court appointments and roles such as Village Green Inspectors. We accept there is a degree of crossover between property, planning and environmental specialists in this area, however we are looking for clearly-demonstrated evidence of a commitment to work involving agriculture rather than specialists in those areas who handle farming work intermittently. *Change: The scope has been clarified to ensure that specialists in areas of rural life that are not strictly land law are welcome.*

Art and cultural property: The art and cultural property section covers the a range of litigation, such as disputes over the sale, provenance and finance backed on art work and antiquities/ cultural property. We also welcome views as to if we should broaden this section to include more recently-produced high-value collectible properties that would not fall within traditional understandings of the visual arts but are commonly sold and traded in a similar manner, such as highly collectible classic cars, ultra-fine wines and similar. The new section for “Crypto- and

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blockchain assets” encompasses NFT matters, among others. *Change: We have clarified that work concerning NFTs should fit in the new “Crypto and blockchain assets” section.*

Aviation and travel (renamed): This section continues to cover the full gamut of work relating to the aviation industry, including regulatory and commercial disputes work for airlines, airports, insurers and financiers. It now also includes representation of travel sector clients such as tour operators, airlines, travel agents and operators concerning the regulation of their industry and sector-specific consumer protection legislation. Cross-border personal injury work is no longer included in this section and should be submitted as personal injury. *Change: Mirroring a change in the solicitors guide, the freestanding travel section has been removed; commercial and regulatory work is now in this section while cross-border personal injury work is included in the personal injury section.*

Banking and finance (including consumer credit): This section covers the full spectrum of technical banking and finance disputes, from investment banking and capital markets matters through to retail products aimed at the general public. It does not cover regulatory or criminal work (among other specialisms covered separately), and please note that insolvency work is covered elsewhere too: while we acknowledge the overlap between banking and insolvency work, particularly for those representing the banks, submissions for this area should not focus on insolvency related disputes. Please do not submit consumer credit work for “Consumer” - it should be considered here. Submitters for this area may be interested in the “Crypto and blockchain assets section”. We have elaborated on the definition of this section, but it is not a radical change.

Business and regulatory crime (including global investigations): The Business and regulatory crime (including global investigations) rankings includes instructions relating to bribery, sanctions, interest-rate rigging, criminal cartel offences, trade union redundancy offences, and similar. It does not cover fraud cases such as land-banking scams and VAT fraud (please see the Fraud: crime section for coverage of this specialism). International crime and extradition and POCA and asset forfeiture are also covered separately. That said, many barristers are likely to have practices

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that do not neatly fit within these boxes and so may be ranked in more than one practice area.

Charities: This section covers work around the governance, registration, formation and regulation of charities of all sizes. This also includes religious charities as well as secular ones; ecclesiastical law practitioners are particularly welcome to submit for this area. *Change: Ecclesiastical law explicitly added to the scope of this section.*

Looking for “Child law (public and private law)”? This has been renamed “Family: children and domestic violence”.

Clinical negligence: In this section, we are looking for practices demonstrating ability in the most high value cases (including brain injury, birth injury, wrongful birth claims, paralysis, failure or delay in diagnosis of medical conditions, fatal claims), and those which feature novel issues which have a realistic chance of generating case law. The complexity of injuries is a factor, as is the typical value of the claims handled. This section only covers human patients; veterinary negligence matters can be covered in professional negligence.

Commercial litigation: For this we are ranking barristers for their work advising corporates, or potentially high net worth individuals, on genuine litigation stemming from commercial contracts. This could include disputes involving M&A-related litigation, outsourcing agreements, and breach of contract matters. Given that we already have distinct sections for international arbitration, competition, tax, banking litigation, professional negligence, construction, corporate crime, property litigation, intellectual property and employment, this work should not be the focus of commercial litigation submissions. The size of the section should be seen as a continued vote of confidence in the wealth of talent at the self-employed Bar, but this should not detract from the fact it is a highly competitive section, in which inclusion is highly selective even by the standards of The Legal 500. Matters where fraud is alleged are likely better to be suited to fraud:civil.

Commodities: The highest ranked counsel in this section will be handling a diverse range of work, usually encompassing GAFTA/FOSFA and other types of commodity arbitration, as well as taking

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significant roles in other related disputes, which might include those arising from commodity or trade finance transactions. The key is to be regularly involved in these matters and to be handling the highest-value and most complex disputes across a range of different commodity markets. For the avoidance of doubt, commodities includes “soft” and “hard” commodities. This section does not aim to be a duplication of the shipping section, however it is envisaged that commodities in this section would generally be transported between continents on ships - we do not consider cryptoassets to be commodities.

Company: This section includes contentious and non-contentious matters focussing on the most intricate points of company law and corporate governance.

Competition: Work covered here includes litigation concerning cartel investigations, merger control, abuse of dominance, follow-on damages claims and state aid matters. Criminal cartel offences are best submitted for business and regulatory crime.

Construction: This includes work for all participants in the industry, including employers, contractors and subcontractors, handling litigation, arbitration, adjudication and mediation, encompassing claims relating to breach of contract, defects, delay and design liability. This is a section where elite practitioners will have a global focus, and the highest ranked barristers will regularly appear in international arbitrations abroad on the sorts of megaprojects that on the scale of the very largest in the United Kingdom (such as major rail developments, new airports and similar). That said, we envisage that court litigation (including matters outside the core focus such as inquiries as well as TCC cases) will be disproportionately mentioned in editorial owing to the confidentiality in arbitrations.

Consumer: This section covers work broadly in the context of consumer protection legislation, representing retailers, manufacturers of consumer products and consumers. Cases involving group litigation orders will be common. However please note that banking and finance (including consumer credit) is the correct section to submit work covering consumer finance work.

Costs: This section covers costs disputes in the wake of the

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full range of litigation and ADR. This includes all aspects of how litigation is paid for, such as disputes as to CFAs, and post-dispute matters between clients and their representatives over bills.

Court of Protection and community care: This section includes the full spectrum of the type of issues which constitute the Court of Protection's docket, concerning the welfare of people who do or may lack capacity. We welcome views as to if financial affairs and health and welfare work should be covered in separate tables in future editions of the guide, but that will not take place in the upcoming edition.

Crime: The Crime (general crime) section covers criminal work that would typically come under the banner of violent and sexual offences, such as murder and rape at the most serious end, but also covers all manner of non-financial offending, such as modern slavery offences, the full range of terrorism offences, and organized crime matters both privately and publicly funded, and for the defence and prosecution. The size of the section should be seen as a continued vote of confidence in the wealth of talent at the self-employed Bar, noting the relative size of the criminal Bar compared to other specialisms, but this should not detract from the fact it is a highly competitive section, in which inclusion is highly selective even by the standards of The Legal 500. It does not cover criminal fraud or corruption and sanctions-type offences: please see the Crime: fraud and Business and regulatory crime sections for coverage of those specialisms. International crime and extradition and POCA and asset forfeiture are also covered separately. That said, many barristers are likely to have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area. *Note: Please mention to what extent counsel have had their practice affected by participation in the strike action by the Criminal Bar Association; if it has had a significant impact we will protect their ranking.*

Crypto and blockchain assets (new): This section covers the full range of civil disputes concerning assets using distributed ledger technology and related Web3 technologies. This would include commercial disputes, regulatory matters, asset tracing, and civil fraud case involving all cryptocurrencies, non-fungible tokens (NFTs), central bank digital currencies and related assets. Cases regarding smart contracts and decentralised autonomous

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organisations (DAOs) are likely to be relevant to this section. As this is a new section, we are taking a deliberately inclusive definition at this stage and are likely to use this year's research to refine it further in future. *Change: This section is new.*

Data protection: This section includes fully contentious and specialist advisory work, primarily focussing on compliance and investigations within this field, as well as litigation on the subject of data breaches, including cases brought by claimants under group litigation orders. Privacy claims in a media or journalistic context, and concerning postings on social media, will not be considered in this section: please submit it for "defamation and privacy" (on the other hand, for instance, a claim against a social media platform for a breach of user data, would be a prime example of work in this section). *Change: Added further emphasis that work in the media context is better suited to "defamation and privacy".*

Defamation and privacy: This section includes defamation work in the traditional sense, however also includes data protection and misuse of private information claims within a journalistic, social media or similar context; data protection work concerning data breaches and similar are better suited to the "data protection" section. Please do not include defamation work in submissions for "media and entertainment"; this year additional focus will be placed on maintaining a clear delineation between the two sections although barristers active in both areas are welcome to submit for both.

Education: This section includes advice to parents, students, academics and institutions at both school and university level. This will include disputes touching on themes such as - non-exhaustively - academic freedom, expulsions, selection policies, litigation over results and grading, mergers of institutions, disability discrimination and similar.

Elections: This section covers elections to national, devolved and local government offices, including challenges to their result and litigation concerning the regulation of campaigns. Trade union and other organisational elections are not germane to this section.

Employment: This section includes the full range of employment

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work for employers, trade unions and individual employees. The top barristers will be involved in heavyweight appeals, alongside Employment Tribunal and Employment Appeal Tribunal work, with typical cases concern unfair dismissal, sexual harassment, workplace discrimination, injunctions related to individual and team moves, whistle-blowing matters, and the enforcement of restrictive covenants, internal investigation and worker status, with the application of data protection law to the workplace a notable emerging area and disputes over pay, bonuses, and the National Minimum Wage also germane. Health and safety and pensions are covered separately.

Energy: This section includes disputes over energy-related disputes and regulatory disputes. A prime example of the sort of work that would be included in scope of this is Energy Charter Treaty Arbitrations.

Environment: This section covers the full range of environmentally-related work, including environmental crime, and environmental law-related planning matters. That said, it is by no stretch of the definition intended to be a duplicate of the planning section and work highlights should be explicit as to the specific environmental law issues of law over and above the capabilities clients are entitled to expect of a planning barrister.

European Union law: We would typically expect counsel in this section to be active in cases before the Luxembourg court system as well as EU/retained law matters in London.

Family: children and domestic violence (renamed): This section covers the full range of private and public law child work before the family courts. More complex matters, such as ones with international elements (such as international child abduction) and multiple parties, will be of particular interest. Surrogacy and related matters are germane in this practice area as well. In addition, this section now explicitly includes the full spectrum of domestic violence and coercive control order-related litigation whether children feature in the family or not. Domestic violence is now explicitly included in this section to avoid any ambiguity as to if it is covered here or with divorce and financial remedy, and there has been a refinement to the name accordingly. Other than that the existing section is unmodified for child law practitioners.

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Change: Mention added of our coverage of family ADR.

Family: divorce and financial remedy: This section focusses on financial provision after divorce/dissolution of civil partnerships. Tax counsel who handle tax points in HNW family cases are encouraged in the strongest possible terms to submit it for “tax: personal” (as that section has been renamed), but it will not be considered here. Domestic violence work should be submitted in “Family: children (public and private) and domestic violence”, as that section is now called. *Change: Minor modification of name for consistency with other sections. Added clarification on tax/family overlap.*

Family: private FDR judges and arbitrators (new): This section covers those who sit as family arbitrators, and as judges in private FDRs, either full-time or part-time. You may use either the Bar submission template or the arbitrators one.

Financial services regulation: This ranking covers investigations by the FCA and PRA into banks, building societies, credit unions, insurers and major investment firms. We would expect submissions to include internal investigations, as well as external investigations, into allegations of market misconduct and corruption such as money-laundering. This section is roughly analogous to the financial services: contentious ranking in our solicitors coverage; the division between this and licencing for higher risk CFD/spread betting products is that this section covers those regulated by the FCA; anything covered by gambling regulators is probably better considered in licensing.

Fraud: civil: This covers the full gamut of commercial disputes, generally of the sort that would fit in to “commercial litigation”, in which fraud is alleged.

Fraud: crime: Work taken into account in this Fraud: crime section concerns criminal prosecutions of Ponzi schemes, land-banking scams, VAT frauds, confidence frauds, and boiler rooms, among others. It does not cover regulatory investigations or business crime, such as interest rate manipulation, bribery, and trade union law offences; please see Business and regulatory crime for coverage of those specialisms. POCA and asset forfeiture expertise is also ranked separately, as is violent crime, which is covered

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in the Crime: general section. That said, many barristers have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area. Civil fraud is also covered separately. *Note: Please mention to what extent counsel have had their practice affected by participation in the strike action by the Criminal Bar Association; if it has had a significant impact we will protect their ranking.*

The Legal 500 Green Guide UK will now include all-new coverage of the Bar. This will run to the same deadline as solicitors coverage in the Green Guide - stay tuned for further information.

Group litigation: This section covers group litigation order cases and representative actions; in other words work that would be referred to as “class actions” in a number of foreign jurisdictions. As this is a relatively new section we are not being highly prescriptive at this stage, but work that is primarily about the mechanics of bringing cases on a collective basis, including relevant jurisdictional issues, is particularly prized.

Health and safety: This section covers criminal health and safety prosecutions in the criminal courts, whether prosecuted by the HSE, local authorities or the CPS. Inquests and inquiries are covered separately, as are various the potential civil claims arising from the underlying facts of a criminal health and safety prosecution. *Change: Please mention to what extent counsel have had their practice affected by participation in the ongoing strike action by the Criminal Bar Association; if it has had a significant impact we will protect their ranking.*

Immigration (including business immigration): This section includes the full range of interaction with the British borders and citizenship system, for the Home Office and claimants both privately and publicly funded. Not only does it include assessing refugee claims and applications for visas British nationality, but matters concerning immigration detention (including conditions in it and bail from it) and migrants’ access to the British welfare state and public services. Business immigration work in this space will also include sponsor licencing matters.

Inquests and inquiries: This section includes work concerning

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statutory and similar inquiries and the representation of parties at inquests, as well as judicial reviews of inquests and inquiries. What it does not include, however, is other matters such as clinical negligence claims which run in parallel to inquests but are not themselves germane to this section.

Insolvency: This section covers the full spectrum of personal and business insolvency work.

Insurance and reinsurance: This section covers litigation which concerns insurance as insurance - coverage disputes, for instance - as well as disputes concerning re-insurance. What is not relevant in this section is other areas of work - professional negligence or personal injury for instance - where the insurance is not an active point of dispute but a part of the funding structure of one party or the other.

Intellectual property: All work of the Bar concerning copyright, trade marks, and patents, as well as the full gamut of more exotic forms of IP including plant breeding rights and similar are covered here.

International arbitration: arbitrators: Full-time arbitrators and those who also practice as counsel are listed in separate tables. There are fine arbitrators in both groups, however issues of availability and potential conflicts of interest could, however, be of greater relevance for those who also act as counsel.

International arbitration: counsel: This section covers counsel in international arbitrations, across the full spectrum of the arena. It includes work that would also be covered as construction, shipping and similar, but is not a duplicate of these rankings.

International crime and extradition: This section the full range of extradition work, for both requested persons and states, as well as similar matters concerning international arrest warrants, mutual legal assistance and other tools of cross-border law enforcement. It also includes the significantly rarer work before international criminal tribunals and domestic court cases concerning International Criminal Court Act and similar offences. Not included are more general criminal cases before the English courts, even if they involved cross-border investigations, or criminal

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appeals from other jurisdictions to the Privy Council within the ambit of the general crime section.

IT and telecoms: infrastructure and contracts: This section covers disputes primarily concerning IT outsourcing and projects of a type in which there will be a heavy degree of cross-over with construction and outsourcing-related work. Telecoms regulation is covered separately, noting that Telecoms Code work concerning land law and physical telecoms infrastructure is considered regulatory. *Change: The slight change in punctuation in the name is for consistency with other sections, and is purely cosmetic.*

Licensing: This section includes the full range of licencing activity, mostly governed by local authorities. The delineation between gambling and higher-risk financial services is whether the service is regulated by the Gambling Commission or the Financial Conduct Authority.

Local government (including rating law): Local government (including rating law) include a range of matters concerning local governance, as well as actions undertaken by local government against central government. The second prong of this area is rating disputes.

Media and entertainment (excluding defamation) (renamed): This section covers disputes in the media and cultural sphere, including over disputes over authorship, finance, copyright and broadcast regulatory matters (such as compliance with the Ofcom broadcasting code). Defamation work is no longer covered in this section, and should be submitted for “defamation and privacy”; this year additional focus will be placed on maintaining a clear delineation between the two sections although barristers active in both areas are welcome to submit for both. This section now includes the full range of cultural matters, with the exception of the art market, which are now in a fully separate “art and cultural property” section. *Change: The words “excluding defamation” have been added to further clarify that defamation work is not included. Additional focus will be placed on drawing a distinction between these sections.*

Partnership: This section covers both contentious and non-contentious matters. This ranking will be focussed on partnership

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practitioners advising on the mechanics of partnerships, as opposed to employment-focused lawyers who also handle some partnership work. Key areas of focus include work relating to partner investigations and allegations of wrongdoing, partner and team moves and work around restrictive covenants, and advice to clients reviewing their partnership constitutions, including disputes resolved via arbitration.

Pensions: The Pensions section covers all manner of pension-related disputes typical for the practice area; typical work in this section includes Environmental, Social, and Government (ESG), Guaranteed Minimum Pension (GMP) Equalisation, and Master Trusts issues. Court work is a focus of this section, but it will also include some advisory matters as well. It does not include matters of fraud, or criminal matters brought forward in light of the new Pensions Schemes Act 2021; these are instead included within the Fraud and Business and Regulatory crime sections of the guide.

Personal injury (including industrial disease, insurance fraud and cross-border cases) (renamed): This section covers the gamut of personal injury work. Cross-border cases which previously would have been considered under travel law will now be researched as part of this section. Clinical negligence is also researched separately. *Change: Mirroring a change in the solicitors guide, the freestanding travel section has been removed; commercial and regulatory work is now in the aviation section while cross-border personal injury work is included in the personal injury section.*

Planning: The planning section includes work for all stakeholders in this space. It includes work concerning both infrastructure projects (airports for instance) and large residential developments, as well as smaller disputes of the variety that can often be of particular importance to individual private clients.

Police law: claimant: This section covers the full gamut of civil litigation against the police for victims of crime, suspects, offenders and the broader public. Work for constables against forces should still be submitted in “police law (forces and constables)”. “Law enforcement bodies” as mentioned earlier generally means the police, but would also include, among others, the National Crime Agency and HMRC. *Change: The slight change*

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in punctuation in the name (replacing brackets with a colon) is for consistency with other sections, and is purely cosmetic. We have also clarified that HMRC, the NCA and similar are treated as law enforcement bodies.

Police law: forces and constables: This section focusses on work for law enforcement bodies and officers in areas including the defence of civil claims and disciplinary matters - in the latter, it includes representation of forces and officers of all ranks. Some weight will also be given to representation of forces and officers in personal injury and employment tribunal claims in the policing context. *Change: The slight change in punctuation in the name (replacing brackets with a colon) is for consistency with other sections, and is purely cosmetic. We have also clarified that HMRC, the NCA and similar are treated as law enforcement bodies.*

Private client: trusts and probate: This section covers both contentious advice, and drafting matters, concerning trust structures onshore and offshore - for the latter, please consider submitting for The English Bar Offshore later in the year, which will have its submission information posted in the submission guidelines for The Legal 500 Caribbean.

Looking for "Private client: personal tax"? This has now been renamed "tax: personal" for ease of navigation - there is no substantive change to its content.

Proceeds of crime (POCA) and asset forfeiture: This section has a particular focus on individual lawyers who specialise in post-conviction litigation. In addition, it includes other asset forfeiture proceedings, unexplained wealth orders, and other criminal finances issues. That said, many barristers are likely to have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area.

Product liability: This section covers both work concerning liability for defective products, spanning from medication and medical devices through to consumer goods.

Professional disciplinary and regulatory law: This section covers all types of professional disciplinary work, including in

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the medical, veterinary, audit, teaching and the full range of professions supervised by an independent regulator. Work for both regulators and the regulated is covered. Advice to solicitors on fee arrangements is best covered in costs. Please do not submit financial services regulation or police law cases in this section, they should be considered for financial services regulation or police law: forces and constables.

Professional negligence: This section covers all types of professional negligence work, including in the construction, legal, financial, pensions, veterinary and tax contexts. The rankings include both claimant and defendant work. Clinical negligence and professional disciplinary work are covered separately.

Property litigation: This section covers the full range of property-related disputes, excluding social housing, ranging from landlord-tenant (1954 Act) disputes, to real property work, including easements, restrictive covenants, transactional disputes, rights to light, right of way, and development issues. Other notable legislation includes Land Registration Act 2002, 1989 Laws of Property Act, Trusts of Land Act 1996. Ranked barristers in this section are regularly trusted in major precedent-setting or high value cases and display a clear specialism in several areas of property law. Social housing - a section for work concerning the social rented sector - is covered separately, but the avoidance of doubt the full range of work in the private rented sector should be considered here, including rent repayment orders. This section includes both residential and commercial property work, and the research this year will continue to seek to recognise residential property practitioners who may have been overlooked in the past. Social housing law, however, is its own standalone section.

Public international law: Public international law (PIL) covers a wide variety of disciplines, but for the purpose of this section, the rankings are primarily identifying those barristers with a strong focus on state v state disputes, state immunity, sanctions, and investment treaty arbitrations. There is inevitably some overlap with other categories such as public law and international human rights law, but for a more exhaustive review of experts in those fields, please see the separate civil liberties and human rights and administrative and public law chapters.

Public procurement: Public procurement work includes the

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full range of matters concerning the procurement of goods and services by local, devolved and national governments.

Shipping: Work covered by this section includes claims concerning collisions, damage, loss and cargo, charterparty and bills of lading disputes, as well as shipbuilding, and ship sale and purchase. Shipping finance disputes are covered owing to the specialist nature of the shipping industry. Work will include matters related to casualties, ship arrests, sanctions and insurance claims, with lay clients including shipping companies and P&I clubs.

Social housing: Work in this section includes possession claims, anti-social behaviour matters, housing allocation and disrepair claims and similar, specifically within the social housing sector. Work elsewhere in the housing market - including rent repayment orders, and the full range of landlord and tenant matters in the private rented sector - is a part of the property litigation section.

Sport: This section covers a broad range of work concerning sport at the professional/elite level, including regulatory, disciplinary, anti-doping, governance and safeguarding matters, as well as commercial disputes firmly embedded in the context of elite sport. Personal injury matters involving recreational sport are not covered in this section, but cases involving professional athletes will be considered to the extent that there are specific issues of liability and quantum in that context. Without committing ourselves to follow their decisions exactly, most sports would be likely to fall under the established systems of governance and doping control, and note that we include sports involving animals such as horse and greyhound racing, and elite level e-sports (as distinct from video games as entertainment products, or most streamers on platforms like Twitch). Matters concerning to hunting and field sports (as distinct from, for instance, British Shooting's events) are better considered as agriculture and estates.

Tax: corporate: This section concerns the full range of contentious tax matters outside the private client and VAT/excise context for both taxpayers and HMRC. Corporation tax matters will constitute a large proportion of work in this space. This section will involve a degree of public law expertise, including relevant judicial reviews, but submissions should not be based on public law cases with secondary connections to tax.

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Tax: personal (renamed): This section covers advice to individuals and families on the UK's system of personal taxation. It is anticipated that a lot of this work will be advisory rather than contentious matters that reach trial, although work that involves fully-formed litigation against HMRC is most welcome. Tax advice and representation in the context of family litigation should be submitted in this section. *Change: This section has been renamed from "private client: personal tax" to "Tax: personal" for no reason other than ease of navigation. There is no change to the actual content of it; the point about family and tax overlap is a clarification of existing principles.*

Tax: VAT and excise: This section covers the representation of HMRC and taxpayers in disputes concerning the VAT and excise duties, including classification disputes and similar. VAT tribunal cases in which HMRC alleges MTIC fraud may be submitted here, but outside the tax tribunal this work is considered to be criminal or civil fraud and should be submitted in the relevant area.

Telecoms regulation: This section concerns the regulation of telecommunications services, which includes telecommunications code matters concerning the physical siting of infrastructure.

Looking for "Travel law (including jurisdictional issues)"? Mirroring a change in the solicitors guide, the freestanding travel section has been removed; commercial and regulatory work is now in the aviation section while cross-border personal injury work is included in the personal injury section.

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Practice area definitions – England & Wales Circuits

If you have further questions on these practice area guidelines, please contact Will Tolcher.

Please note that, in the case of the Welsh circuit, an additional degree of flexibility on the geography of work highlights will be given to practitioners based outside Wales who can demonstrate advocacy work in the Welsh language.

Administrative law and human rights (renamed): This section covers the same work as in London in this area, and other public law specialisms not specifically covered including European Union law. *Change: more concise name to match London section - this is not a substantive change the definition.*

Agriculture: Same definition as in London.

Business and regulatory crime (including health and safety): This section takes a broader definition of “business and regulatory crime” than the London coverage, including work that would be categorised in London as “health and safety”.

Chancery, probate, and tax: This section covers all tax work, as well as work that would be considered in London as “private client: trusts and probate”.

Clinical negligence: This includes all work that would be considered in this section in London, plus product liability work that concerns medical products.

Commercial litigation: A broader definition on this work is taken on circuit, including anything that could more broadly be defined as a commercial dispute that does not fit in to one of the specific other circuit-by-circuit practice areas, such as civil fraud, banking litigation, competition law and international arbitration.

Company and insolvency: This includes matters considered as “company” or “insolvency” in the London definitions.

Costs: Same definition as in London.

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Court of Protection and community care: Same definition as in London.

Crime (general and fraud): This section includes work that fits the London taxonomy as “crime: general” and “fraud: crime”

Education: Same definition as in London.

Employment: Same definition as in London.

Looking for “family and children law”? This has been split up on the same basis as London.

Family: children and domestic violence (split): Same definition as in London. This table is the successor to the child law tables, and that research will be the basis, but we are requesting the submission information in two different documents and will display the editorial on separate pages.

Family: divorce and financial remedy (split): Same definition as in London. This table is the successor to the divorce and financial remedy tables, and that research will be the basis, but we are requesting the submission information in two different documents and will display the editorial on separate pages.

Immigration: Same definition as in London.

Inquests and inquiries: Same definition as in London.

Intellectual property: Same definition as in London.

IT, telecoms and data protection: This includes all work considered in London as “IT and Telecoms” or “data protection”.

Licensing: Same definition as in London.

Media, entertainment and defamation: This includes all work considered in London as “media and entertainment” or “defamation and privacy”.

Personal injury: Same definition as in London.

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Planning and environment: This covers work that in London would be characterised as “planning” or “environment”.

Professional disciplinary law: Same definition as in London, with the addition of police discipline law.

Professional negligence: Same definition as in London.

Property and construction: This covers work that in London would be characterised as “property litigation” or “construction”.
Social housing Same definition as in London.

Sport: Same definition as in London.

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Practice area definitions – Scotland

We are aware of the fact that Scottish Advocates come to the Bar after training with solicitors' practices, and in most cases after practice as a solicitor. The standard definition of Rising Stars in The Legal 500's Bar coverage applies in Scotland, that is to say to treating the first year of admission in any jurisdiction and of any type as year of call in determining who is under eight years of call. Therefore, while there are likely to be fewer Rising Stars in our coverage of Scottish Advocates, we are keen to see submissions from advocates as soon as they finish devilling.

The practice areas and the explanatory notes are unchanged for the 2024 edition of the guide. If you have any questions as to the categorization of work, please contact us and we will endeavor to provide further guidance.

Commercial disputes: This section includes commercial disputes in the broadest sense of the term. This would include all manner of commercial litigation, including intellectual property, technology, shipping, media law and other matters, commercial Chancery work, professional negligence, international arbitration, competition law and much more.

Crime and regulatory: This section includes the full range of criminal and quasi-criminal work. This includes everything from both violent and white-collar criminal law work, health and safety offenses and criminal fraud, as well as professional regulation and contentious financial services regulation.

Employment: This section includes the full range of employment work for employers, trade unions and individual employees. The top advocates will be involved in heavyweight appeals, alongside Employment Tribunal and Employment Appeal Tribunal work, with typical cases concern unfair dismissal, sexual harassment, workplace discrimination, injunctions related to individual and team moves, whistle-blowing matters, and the enforcement of restrictive covenants, internal investigation and worker status, with the application of data protection law to the workplace a notable emerging area and disputes over pay, bonuses, and the National Minimum Wage also germane.

Family and private client: This includes the full range of family

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law, both financial remedy and child law, matters concerning the Public Guardian (the sort of work that in England would be considered Court of Protection), trusts matters, confirmation disputes (work along the lines of what would be referred to as “contentious probate” in England and Wales) and similar.

Medical negligence and personal injury: In this section, we are looking for practices demonstrating ability in the most high value cases (including brain injury, birth injury, wrongful birth claims, paralysis, failure or delay in diagnosis of medical conditions, fatal claims). Unlike in England and Wales, product liability cases concerning drugs and medical devices, or any other product which is alleged to have caused physical injuries to its users, is best categorised in this area. Counsel practicing in both areas may wish to include more than the typical five highlights; de-merging medical negligence from personal injury work is something we may consider in future should there be enough demand.

Property, construction and planning: This section covers all manner of work concerning the use of land, from the planning process through building to the full spectrum of disputes around the use of buildings. Work concerning agricultural land should be included here.

Public law: This section includes a very broad range of work involving the relationship between individuals and elements of the state. A deliberately broader scope in this area is taken than in England and Wales - notably, those in tax, immigration, social housing, public international law, EU law, professional regulation and civil actions against the police to name but a few would be included here, on top of the full range of work for local, devolved and Westminster government. Planning, however, is covered in “property, construction and planning”.