

What's the difference between a solicitor and a barrister?

Historically, barristers were specialists in technical law and court practice and solicitors were litigation managers, working out the case then working the case through from start to finish, and instructing a barrister for advice about the law or court advocacy. Although this is still the case for the most part, it's fair to say that there isn't as much of a difference as there used to be. The two sides of the legal profession are coming increasingly closer together with some barristers now authorised to conduct litigation and some solicitors doing court advocacy. However, the skills you need for your case, depending on its particular stage and complexity, will still dictate what kind of specialist is likely to be better for the job you want done.

There are other differences too. Solicitors tend to operate as part of a firm, and are therefore more likely to be good at a team approach. Barristers, on the other hand, are generally self-employed and work independently, although they tend to come together in 'chambers' (like 4PB) in order to pool administrative and other resources. While solicitors can't work on both sides of a case, because the firm is acting for a client and not the individual lawyer, barristers from the same chambers can be on both sides of a case as they are independent of each other.

The other important distinction between solicitors and barristers is the way they generally tend to charge. Despite the rise in fixed-price arrangements offered by solicitors, overwhelmingly they still charge on a time-spent basis on the basis of a per-hour rate. It is much more common for barristers to charge a set price for a piece of work, whether this is a piece of written advice, a conference or representation at a court hearing, although very rarely some barristers will work on a per-hour rate too.

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