



# Confidential Report

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# Some instances yes, "persistent problem" no.

Report ID: UTODP-KMQOM

Timezone: Europe/London

## Timeline

- |                      |  |
|----------------------|--|
| Sep 26, 2024 1:48 PM | Reporter created a report                                      |
| Sep 26, 2024 1:48 PM | Incident added: "Some instances yes, "persistent problem" no." |
| Sep 26, 2024 1:48 PM | Reporter submitted the report                                  |

## Incident #1: Some instances yes, "persistent problem" no.

**In your view, why is bullying, harassment and sexual harassment a persistent problem at the Bar?**

I don't think it is! Has there already been an independent review that has established such behaviour is a "persistent problem" that I have missed? Let's not exaggerate an issue and erode the seriousness of such behaviours.

**Are there particular dynamics or working practices at the Bar which allow for bullying, harassment and sexual harassment to persist?**

No response provided

**Are the relevant standards of behaviour relating to bullying, harassment and sexual harassment known, clear, accessible, and sufficiently robust?**

Yes

**Are the relevant standards of behaviour relating to bullying, harassment and sexual harassment sufficiently mainstreamed within barristers' professional obligations?**

**Should they, for example, be included within the Core Duties set out in the <a href="https://www.barstandardsboard.org.uk/the-bsb-handbook.html?part=E3FF76D3-9538-4B97-94C02111664E5709&audience=&csrfToken=&q="target="\_blank">BSB Code of Conduct</a>?**

No response provided

**What is the impact of bullying, harassment and sexual harassment on those subject to such misconduct?**

No response provided

**Is there a wider impact upon barristers' staff, clients, or the justice system more broadly?**

No response provided

**What are the barriers to reporting incidents of bullying, harassment and sexual harassment?**

No response provided

**What mechanisms could be put in place to mitigate any repercussions against a complainant who has reported bullying, harassment or sexual harassment**

No response provided

**The Bar Standards Board (BSB) rules place a duty on barristers to report to the BSB in circumstances where there are reasonable grounds to believe there has been serious misconduct (with an exception set out in <a href="https://www.barstandardsboard.org.uk/the-bsb-handbook.html?part=E3FF76D3-9538-4B97-94C02111664E5709&audience=&csrfToken=&q="target="\_blank">guidance for victims, rC66 of the BSB Code of Conduct</a>). Is this duty to report known, understood and implemented in practice?**

No response provided

**Is there sufficient support in place both for complainants and persons accused of bullying, harassment, or sexual harassment? Do the existing mechanisms appropriately balance the need for confidentiality and transparency?**

In my chambers yes. We have a designated team charged with e.g. investigations etc. I would support this being mandatory.

**Should there be interim measures which permit a person accused of bullying,**

**harassment, or sexual harassment to be subject to a precautionary exclusion from Chambers, their employer, or from practice during the adjudication of a complaint?**

Nothing prescribed.

**Are investigations into complaints (by the BSB, Chambers or any other relevant body) concerning bullying, harassment or sexual harassment sufficiently independent, prompt, robust, and fair?**

No response provided

**Following an upheld complaint of bullying, harassment or sexual harassment, are the sanctions imposed appropriate and fair? Is enforcement action sufficiently robust to act as a deterrent?**

No response provided

**Are there any preventative steps which can be taken to tackle bullying, harassment, and sexual harassment? In particular, what could be done in the court room, in Chambers, at the Bar more widely to assist in preventing such misconduct?**

No response provided

**What improvements could be made to existing reporting mechanisms and support services?**

No response provided

**In what ways could the judiciary, clerks, and chambers professionals work together with the Bar to bring about change?**

Judiciary reminded about how hard the bar is as a job without them making it harder. There is an incorrect attitude that the bar is robust enough and paid enough to take anything.

**Are there any other comparable professions which can offer examples of best practice in tackling bullying, harassment, and sexual harassment?**

No response provided

### **Other details**

See my first answer. Starting with the premise there is a persistent problem without establishing this, or at least setting out the basis that this has already been established, undermines the value of this work.

**Stay anonymous?**

No

**Your details**

No response provided

**Consent for evidence downloaded and submission**

Yes

**Consent for publishing**

Yes