

# Independent review of bullying and harassment at the Bar

## Call for submissions response form

Submissions can be sent in any format directly to the review team via [BHReview@barcouncil.org.uk](mailto:BHReview@barcouncil.org.uk).

If you find it easier, you can complete any or all of the questions below and email your completed form to [BHReview@barcouncil.org.uk](mailto:BHReview@barcouncil.org.uk).

Unless told otherwise, submissions will be published alongside the final report on the Bar Council's website.

Please indicate how you would like your responses to be treated (check the box):

- ☐ Published in full
- ☒ Published anonymously (the content will be published but not the name of the submitting party)
- ☐ Published with certain redactions (please indicate this in the responses)
- ☐ Kept confidential (the submission will only be seen by the review team and not published)

If you would like to submit your answers completely anonymously and confidentially, please use [Talk to Spot](#).

Name (optional)

[Click or tap here to enter text.](#)

Organisation (if you are responding on behalf of an organisation)

[Click or tap here to enter text.](#)

### 1. Reasons for bullying, harassment, and sexual harassment

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

The complaints are not taken or treated seriously. The offenders are left to persist with at best having had a 'quiet word' off the books with them.

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

There are certain people who in certain fields of practice seek to intimidate or bully in order to achieve the outcome they want for their clients. It can be quite scary when you are against them holding your own. Robing room tactics to cower you.

- c. Are the relevant standards of behaviour relating to bullying, harassment and sexual harassment known, clear, accessible, and sufficiently robust?  
Not at all.

Click or tap here to enter text.

- d. 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 [BSB Code of Conduct](#)  
[Yes](#)

Click or tap here to enter text.

## **2. Impact of bullying, harassment, and sexual harassment**

- a. What is the impact of bullying, harassment and sexual harassment on those who are subject to such misconduct?

In my case – it reduced me to tears – spoke to spot and it was then turned against me and I was reported for reporting the barrister – he used his lay client to launch the complaint against me.

- b. Is there a wider impact upon barristers' staff, clients (professional and law), or the justice system more broadly?

Yes – there should be stringer consequences

## **3. Reporting mechanisms, resources, and sanctions**

- a. What are the barriers to reporting incidents of bullying, harassment and sexual harassment?

Fear of becoming known as a trouble maker and not been taken seriously

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

Should be protected from reverse complaints – such as what I went through.

- c. 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 guidance for victims). Is this duty to report known, understood and implemented in practice?

It is known – but on most occasions informed that the behaviour does not reach the bar for the BSB to get involved.

- d. 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?

Some support but usually advised that it is unlikely to go further. What is the point of sticking neck out further.

- e. 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?

Difficult one – as it is only an allegation and until fully investigated it would be unfair to restrict the person from practising. Perhaps red flagged and if 3 strikes then interim suspension

- f. 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?

Chambers internal complaints are by nature limited as no evidence taken and not a fact finding exercise – however the BSB could do a better job.

- g. 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?

Yes

#### **4. Potential reforms to tackle bullying, harassment, and sexual harassment**

- a. 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, and at the Bar more widely, to assist in preventing such misconduct?

Advertise the sanctions and encourage people to come forward -with assurances it will be taken seriously. Hard and difficult to complain about the judiciary as then you get targeted and still have to appear before them.

- b. What improvements could be made to existing reporting mechanisms and support services?

Senior judiciary members should support the investigation of their colleague and assure the complainant that no repercussions or consequences will follow if not upheld.

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

Attitudes should change and awareness as to all sorts of subtle biases and prejudices stamped out.

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

Unfortunately it is prevalent in all fields.

## **5. Is there anything else you would like to share with the review?**

There has been improvement in attitudes over the years and the Bar has come a long way – but it needs to do more to help in ensuring a safe and secure place to work

Please answer as many of the questions as you are able and submit your answers via email to [BHReview@barcouncil.org.uk](mailto:BHReview@barcouncil.org.uk). Please note your responses will not be seen by the Bar Council unless you have opted to have them published.

The review team is not able to respond to specific concerns or reports. Please report these via the usual channel in Talk to Spot or to the BSB. [Find out more](#).