

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.

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.

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?

Yes, bullying is a huge issue, from members of the judiciary.

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

The dynamic between certain members of the judiciary and the Bar enables bullying. Often this is in front of clients and lay parties which can be incredibly humiliating.

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

No.

- 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](#)

No, they should be included in the Core Duties. This would not assist with issues from employed members of the judiciary though, only to Recorders/DJs whom still take on work at the Bar.

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?

It can make members of the Bar want to leave. Often it is terrifying to appear in front of certain judges and personally, it has led to sleepless nights, very stressful situations and poor health.

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

Yes there is. Mistreatment of barristers by Judges can lead to clients lacking faith in their representative.

3. Reporting mechanisms, resources, and sanctions

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

We have to appear in front of the same Judges regularly. It is therefore very difficult to complain about those Judges.

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

The only way would be to anonymise complaints and not give details to avoid complainants being identified by the facts of the complaint.

- 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?

Yes.

- 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?

No. A complaint of inappropriate behaviour was made about a member of my former chambers by someone else within chambers. This was investigated by the BSB who took no further action. This led to me leaving that chambers.

- 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?

Yes.

- 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?

I only have one experience and it was not sufficiently robust.

- 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?

I am not able to assist.

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?

It would be helpful if other more senior members of the Bar could be reminded to step in to assist if needed.

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

There could be processes made clear at each court.

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

We should all work together to end bullying. This could be by ensuring that support is given to members of the Bar who have been bullied and them being reminded that they can make complaints.

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

No.

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

Bullying by Judges has made me seriously consider leaving the Bar. It is widespread across many different courts, and happens so often that I doubt the culprits even realise that their behaviour amounts to bullying.

Please answer as many of the questions as you are able and submit your answers via email to 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](#).