

# 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?

Because there is protection from above in the judiciary. It is they that are the most prolific bullies. If you complain life is made very difficult not only for the barrister but also for your client. The senior judiciary don't like to hold their peers to account. There is rampant bullying from judges with totally unreasonable expectations that take no account of wellbeing.

XXXXX. [REDACTED]

[REDACTED] The reality is that we are expected to do more and more without pay and usually outside working hours. This also takes no account of our other obligations as parents, carers and members of society. This has an unreasonable impact on female barristers. In addition post pandemic the situation is more serious. There has been a lasting impact that has often affected us and led to greater obligations. Judges are appallingly rude in a way which would

not be tolerated in any other working environment when allowances are asked for which have no impact on the case or the client for example attending remotely.

There is little account taken of disabilities that require allowances to be made and judges are prone to displays of badly concealed irritation when I have to ask for allowances to be made for my XXXXX. This is humiliating. Other members of the bar are not the problem. In many many many years at the Bar the issues encountered have been, with very few exceptions, from the judiciary. The morale at the bar and the relationship between bench and bar is at an all time low, particularly in legal aid work. The reality is we work for less than any other sector at the Bar and have the benefit of being treated without thought and concern.

Click or tap here to enter text.

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

See above

Click or tap here to enter text.

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

The judiciary clearly need education. The Bar is well aware of all relevant standards. As a pupil supervisor 90% of the training deals with this issue

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](#)

The duties are well known and appreciated, no further regulation within the bar is required. The Bench could do with being brought up short.

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?

Morale is shockingly bad, that can lead to a reluctance to represent a client fearlessly and to the best of your ability as you are constantly wondering if the judge will 'have a go'

Click or tap here to enter text.

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

This has a massive impact on the quality of representation

Click or tap here to enter text.

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

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

I've tried and been knocked back. I know others who have tried and been knocked back. XXXXX is unwilling to engage with members of the profession but only with the members of

the XXXXX. I am not a member because they have been so unable to assist and so I have no access. XXXXX.

Click or tap here to enter text.

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

Click or tap here to enter text.

- 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?

Only if you are ready for disappointment if your report relates to a judge. They are out of control

Click or tap here to enter text.

- 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?

There is no support available if the complaint relates to treatment by the judiciary

Click or tap here to enter text.

- 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?

Isn't the foundation of justice that you are innocent till proven guilty proven guilty? Even though I am truly shocked by the behaviour of the judiciary they need to learn, not be excluded unless they are repeat offenders.

Click or tap here to enter text.

- 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?

See above... NO

Click or tap here to enter text.

- 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?

Click or tap here to enter text.

#### **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?

Sanctions for the judiciary must be swift and there needs to be transparency so that clients and opponents can see that a judge has been admonished.

Click or tap here to enter text.

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

Click or tap here to enter text.

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

Click or tap here to enter text.

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

Click or tap here to enter text.

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

I have zero confidence in the judiciary being reformed or even moderated or in this review doing other than looking at the behaviour of barristers. Where there is no good example from the judiciary who are often taken from the senior ranks of the bar it encourages bad behaviour to seep downwards

Click or tap here to enter text.

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](#).