



JUDICIARY OF
ENGLAND AND WALES

The Rt. Hon. Lady Justice Whipple DBE

The Rt Hon Baroness Harriet Harman KC

Chair of the Independent Review of Bullying and Harassment at the Bar

By email only to: Bhreview@barcouncil.com

25 October 2024

Dear Harriet

Bar Council's Review

Thank you for your letter dated 25 September 2024 following our meeting on 22 July 2024.

I attach a response to the Review's call for evidence, submitted on behalf of the Judiciary of England and Wales.

Independence and scope of the Review

Your recognition of the importance of the constitutional principle of judicial independence in that letter is noted and welcomed. As previously agreed, it follows from that principle that it would not be appropriate for the Review to investigate or make recommendations concerning judicial conduct.

Comparative Analysis

The attached response sets out the way in which the Judiciary has addressed complaints of bullying, harassment and sexual harassment, as well as other exclusionary behaviours. I hope this is helpful to you in the comparative exercise which you describe in your letter.

You invite comment on a number of issues. Issues 1, 3 and 4 are outside the proper remit of the Review, (see above under "Independence and scope of the Review"). Issue 2 is answered, so far as is appropriate, in the attached response. As to issue 5, the Judiciary remains committed to tackling all forms of misconduct, whether by judicial office holders or court users; it is, as it always has been, willing to work with the professions (not just the Bar) and interested third parties in doing so.

Submissions from individual judges

When we met on 22 July 2024, you indicated your wish to speak to individual judges and you told me that one judge you had spoken to at a party had seemed reluctant to engage with the Review. I said that it was up to individual judges whether they wished to engage with the Review, that many might feel such engagement was inappropriate in light of the Guide to Judicial Conduct,

and that any judge who did engage with the Review could only speak for themselves and not for the Judiciary as a whole.

I am not in a position to encourage or discourage any judicial office holder from engaging with the Review.

I note that you have written to the Lady Chief Justice and I have seen her letter in response dated 17 October 2024.

Letter to the JCIO

Thank you for sharing your letter to the JCIO.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philippa Whipple', written in a cursive style.

Lady Justice Whipple