

# 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?

Yes

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

There are lots of power dynamics at the bar that aren't between employee/employer – junior female barristers and male clerks, junior female barristers and senior men – and so there aren't obvious HR routes to make complaints.

I also think that there are a lot of men who have been at the bar for 20 years plus who have never had a boss or a work schedule and they do not know how to conduct themselves in a workplace.

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

They are only robust if you feel able to report behaviour. Often it is too insidious for you to be sure about raising it.

- 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](#)

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?

It is devastating. It affects earnings, self belief and career trajectories.

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

Yes, if someone gets away with it once they are likely to do it again as are any bad eggs who watch them getting away with it.

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

- a. What are the barriers to reporting incidents of bullying, harassment and sexual harassment?  
(1) Not realising that you are being bullied/harassed until it has seriously escalated (2) fear of not being believed (3) fear of not being taken seriously (4) fear of repercussions
- b. What mechanisms could be put in place to mitigate any repercussions against a complainant who has reported bullying, harassment or sexual harassment?

It is so difficult to do this in a chambers – even the big ones are too small, everyone would know who had made a complaint. Perhaps a centralised system that is not a serious as reporting someone to their regulator.

- 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?

No.

- 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?

I don't know – what are they?

- 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?

Not from practice but perhaps from attending chambers and chambers events. But that depends on how quickly the BSB acts. It might be unfair for that to happen if it were months and months before it was resolved.

- 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?

The investigation into a complaint that I made (internal to chambers) was dealt with quickly, robustly and fairly. However, it took a long time for me to make that complaint.

- 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 don't know enough about this – are these published?

#### **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?

Yes! Training barristers how to behave in a workplace. Making clear to junior people (especially but not exclusively women) how to spot issues and how to report them.

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

There needs to be an exception to the reporting rule that allows complainants to speak freely to other barristers.

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

Professionalising the environment.

- 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?**

One of the problems even now is that there are so many men who went to single sex schools, sometimes boarding schools, and no matter what they say they simply do not see women as equals. It is exhausting.

Also – all of the questions on this form are a bit vague. Wouldn't it be better to call for evidence of particularly experiences of bullying, harassment and sexual harassment and how they were dealt with?

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](#).