Harassment and Bullying Policy

Central London Bar Mess · Draft, November 2026

1. Preamble

Bullying and harassment undermine confidence, wellbeing, and professional effectiveness. They are incompatible with the values of the Central London Bar Mess.

The aim of this policy is to promote and provide a safe environment for those associated with the Mess and to support any members who experience bullying or harassment. If bullying or harassment occurs at Mess events or in connection with Mess activities, members may be subject to sanction under this policy.

This document sets out how the Mess will address complaints of harassment and bullying and may assist, support, and signpost individuals who experience or witness bullying or harassment.

2. Definitions

Unlawful harassment is defined by the Equality Act 2010 as unwanted conduct, either of a sexual nature or related to a protected characteristic (gender, sexual orientation, gender re-assignment, race, religion/belief, age or disability), which has the purpose or effect of violating another's dignity or creating a degrading, offensive, humiliating, intimidating or hostile environment for them. In considering whether conduct has this effect, it is necessary to take into account all of the circumstances, the perception of the other person and whether it was reasonable for conduct to have had that effect.

Unlawful harassment does not require a course of conduct – an isolated incident can amount to unlawful harassment.

That a person may not have intended their conduct to be offensive does not preclude it from amounting to unlawful harassment.

An incident does not have to fulfil the legal definition of "harassment" to be dealt with appropriately under this policy.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear of intimidation.

Inappropriate behaviour can include physical, verbal and non-verbal conduct.

3. Status and application

This policy applies to all members of the Central London Bar Mess.

4. Complaints about conduct which is connected to any Mess event.

If a complaint is raised concerning conduct which has occurred at a Mess event or during activities connected to the Mess, it should be raised with a member of the Committee. In turn the complaint will be notified to the Senior, unless the person complained about is the Senior themself. In the event it concerns the Senior the complaint will be referred to the Equal Opportunities and Diversity Officer.

Complaints can be raised informally or formally.

The Senior will determine in the first instance whether the complaint relates to activities in connection to the Mess. Their decision in this regard is not open to appeal. They will inform the complainant and any other affected party of the complaint of their decision as soon as practicable.

Formal complaints relating to activities in connection with the Mess, will be referred to a panel convened in accordance with Rule 11 of the Mess Constitution to consider the complaint and what steps should be taken.

The panel consists of the Equal Opportunities and Diversity Officer, the Secretary and the Treasurer, subject to the substitution of an appropriate alternative in any case where recusal is necessary.

The panel will invite representations from the member/s concerned and consider the information provided. The panel will decide what information it may need to obtain and determine whether an investigation needs to take place to assist in reaching a decision. Any such investigation must be carried out as fairly and as quickly as possible, and its conclusions provided to the panel.

The panel will determine whether the behaviour complained of has breached the Mess' policy. The panel will determine on the balance of probabilities whether the behaviour complained of has occurred and whether it is in breach of the policy.

If a complaint is upheld by the panel then the panel may take such steps as are proportionate and appropriate within its remit, including for example:

- An appropriate person speaking with the subject of the complaint to advise that the behaviour was unwelcome and should not happen again. Further monitoring of their behaviour is likely to being recommended in these circumstances;
- The person concerned being excluded from any Mess roles for a fixed or indefinite period;
- The person concerned being excluded from some or all Mess social or educational activities for a fixed or indefinite period;
- Support in accessing counselling for the complainant or subject of complaint;
- Recommending changes in Mess practices, e.g. regarding social or teaching events;
- The subject of the complaint agreeing to attend appropriate Bar Council training.
- Where termination of membership of the Mess is considered appropriate this must be referred to the Mess Committee which may approve or reject the proposal.

Where appropriate the Mess may refer matters to the Bar Standards Board, the Judicial Conduct Investigations Office or the police. Depending on the circumstances this does not prohibit the panel from considering the complaint. Such, referrals are not sanctions imposed by the Mess but arise from independent reporting duties.

If any party wishes to appeal the decision of the panel they may do so within 14 days by written notification to the Senior. The appeal will be determined by the Senior unless they (in their sole discretion) consider they have a conflict, in which case it will be determined by the Leader of the Circuit who has had no previous involvement in the matter. It is not a rehearing but by way of review.

Records will be kept by the Secretary of all formal complaints received, investigations and outcomes. These records can be used by the Mess to inform relevant Committees and members of any patterns and to inform more general messaging to members and improve training for members. Where appropriate, anonymised reports and analysis of complaints will be shared with the BSB.