

BRICK COURT CHAMBERS

EQUALITY PROCEDURES

1. Chambers will maintain a Harassment and Discrimination Panel (“the Panel”) to consider complaints from members of Chambers and pupils of harassment or discrimination on grounds of race, colour, nationality, ethnic or national origin, sex or marital status, sexual orientation, disability, religious belief, age or any other unlawful criteria or circumstance. The Panel is presently composed of the Head(s) of Chambers, Helen Davies QC, and Harry Matovu. The Panel may request other members of Chambers to assist it in the resolution of any dispute.
2. The Head(s) of Chambers will also nominate two Assessors, who are at present David Anderson QC and Richard Slade QC.
3. If the complaint relates to a member of the Panel or an Assessor, an alternative will be appointed by the Head(s) of Chambers or (if the complaint relates to that person) by the other members of the Panel.
4. Any complaint of harassment or discrimination should be made in the first instance to one of the Assessors, who will attempt to resolve the matter by informal enquiry and mediation.
5. If appropriate and if the allegation relates to the allocation of work, the Assessor will collect details of the practices of the complainant and of other members of Chambers of the same or similar call to determine whether there is any significant disparity in the quality or quantity of work they do.
6. If the complainant is not satisfied by the Assessor’s handling of the matter, or if the Assessor considers that the matter warrants more formal resolution, a formal complaint must be made and dealt with as follows (subject to the freedom of the

Panel to adopt such procedure as it thinks fit, consistent with fairness or with any disciplinary procedures which in its opinion may become applicable).

7. The complainant will submit a written complaint with as much detail as possible of the alleged incident giving rise to the complaint within 48 hours of the Assessor's assessment under paragraph 6 above. The complaint will be provided to one of the Assessors and circulated promptly to the person accused of harassment or discrimination ("the respondent") and the members of the Panel.
8. Within 48 hours of receipt of the written complaint, the respondent shall provide a written response to one of the Assessors which will be circulated promptly to the complainant and the members of the Panel.
9. As soon as the written complaint and response have been obtained, the Panel may, without limitation:
 - (a) Dismiss a complaint on the ground that it does not disclose harassment or discrimination;
 - (b) Arrange a meeting at which both the complainant and the respondent shall attend and state their respective positions, and at which they and the Panel shall be free to call witnesses. In hearing the complainant and the respondent and any witnesses, the Panel shall be free to adopt an inquisitorial approach;
 - (c) Arrange a meeting at which one or more of the clerks may be asked for their views on the reasons for any apparent disparity between the practice of the complainant and the practices of his or her peers.
10. The Panel will reach a determination as to what occurred or did not occur as the case may be, and decide whether any facts found to have occurred constitute harassment or discrimination. It will produce a written report incorporating the written submissions of the parties, a summary of their relevant evidence and of its

decision. If the Panel considers that the complaint was made in bad faith it shall say so in the report.

11. Where a complaint is upheld, the Panel may give directions to eliminate the harassment or discrimination. It may itself admonish any persons found to have harassed or discriminated improperly against the complainant. If it thinks fit after due consideration of the views of the complainant and the respondent, it may circulate its report to members of Chambers for consideration at a Chambers' meeting which shall consider what further measures are appropriate to be taken.
12. A person shall not be prejudiced in any way as a result of making a complaint of harassment or discrimination in good faith. However, if it is established that a complaint has been made in bad faith, Chambers reserves all rights against the complainant.
13. Subject to paragraph 11 above and any mandatory requirement of disclosure or use in any formal dispute between the parties, all complaints and their resolution by Chambers will remain strictly confidential between the parties.

Reviewed on 5 February 2013

Approved by the Executive Committee on 5 February 2013