

# **BRICK COURT**

CHAMBERS

## **EQUALITY PROCEDURES**

1. The Equality and Diversity Officer (who is currently Kelyn Bacon QC) will be available to individual members of Chambers, pupils, mini-pupils or employees to offer advice on equality and diversity issues and to provide an informal route, if requested, for the resolution of issues, grievances or complaints.
2. Further, Chambers will maintain an Equality and Diversity Panel (“the Panel”) to consider any equality and diversity issue, grievance or complaint from members of Chambers, pupils, mini-pupils and employees. These include, but are not limited to, issues/grievances/complaints of harassment or discrimination on grounds of age, disability, gender reassignment, identity or expression, marital or civil partnership status, political persuasion, pregnancy or maternity, race, colour, nationality, or ethnic or national origin, religion or belief, sex or marital status, gender, sexual orientation, or social background, or any other unlawful criteria or circumstance. The Panel is presently composed of the Head(s) of Chambers, Marie Demetriou QC, and Harry Matovu QC. The Panel may request other members of Chambers to assist it in the resolution of any dispute.
3. If the complaint relates to a member of the Panel or the Equality and Diversity Officer, 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 issue/grievance/complaint relating to an equality and diversity matter should be made in the first instance to the Equality and Diversity Officer, who will attempt to resolve the matter by informal enquiry and, if appropriate, mediation.
5. If appropriate and if the allegation relates to the allocation of work, the Equality and Diversity Officer will collect details of the practices of the complainant and of other

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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 person raising the issue/grievance/complaint is not satisfied by the Equality and Diversity Officer's handling of the matter or wishes to raise a formal issue/grievance/complaint, or if the Equality and Diversity Officer considers that the matter warrants more formal resolution, a formal issue/grievance/complaint should be raised/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. If the issue/grievance/complaint consists of an allegation of discrimination or harassment against another member of chambers, a pupil or an employee:
  - (a) The complainant should promptly submit a written complaint with as much detail as possible of the alleged incident giving rise to the complaint. 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.
  - (b) Within 3 working days 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.
  - (c) As soon as the written complaint and response have been obtained, the Panel may, without limitation:
    - (1) Dismiss a complaint on the ground that it does not disclose harassment or discrimination;
    - (2) Arrange a meeting at which both the complainant and the respondent shall attend and state their respective positions, and at which they and the

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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;

- (3) 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.
  - (d) Where appropriate, 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.
  - (e) 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.
8. The above procedure will be adapted as appropriate if the issue/grievance/complaint consists of an allegation of discrimination or harassment against a person who is not a member of chambers, a pupil or an employee (including if that person is a mini-pupil), or if it is an issue/grievance/complaint about an equality and diversity matter that does not relate to a specific factual incident. In case allegations amount to criminal conduct the matter may be referred to the police.

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9. In cases not referred to the police, the Panel will determine whether it is necessary for a private independent investigation to be conducted by an external body or whether it is appropriate for the Panel to deal with the matter itself.
10. A person shall not be prejudiced in any way as a result of raising an issue/grievance/complaint under these Procedures in good faith. However, if it is established that an issue/grievance/complaint has been made in bad faith, Chambers reserves all rights against the complainant.
11. Subject to paragraph 7 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.
12. Any person invoking these procedures will be offered support, including counselling in appropriate cases.
13. This document shall be available on the website.

*Brick Court Chambers*

*Approved by the Executive Committee June 2018*