



Sexual Harassment Risk Assessment: Template for chambers

All chambers now have a responsibility to protect employees and others from sexual harassment. It doesn't matter if the harassment is from a colleague, a manager or a third party (e.g. a client or contractor). Whilst barristers and pupils are not explicitly covered by the new duty to prevent harassment, we believe it is good practice to include everybody working in and around chambers. **Our guidance is based on good practice, and we have therefore included barristers and pupils.**

Under the new Duty, you are expected to take reasonable steps to prevent sexual harassment. If you don't, you could be found legally responsible for any sexual harassment of your employees (and others) that occurs in your workplace.

This template is designed to help you identify risks and factors, and the extent to which they may increase the likelihood of sexual harassment.

We know from our research that there are some people who are more likely to experience or witness sexual harassment while working in and around the Bar. We also know that any institution that doesn't take harassment seriously increases the risk of sexual harassment occurring.

Sexual harassment is not inevitable - risk factors can be identified and managed.

When completing an audit to comply with the duty to prevent sexual harassment consider three key risk factors:

- **People.** Different groups are more likely to experience harassment. Those most at risk include younger women, disabled women, Black and ethnic minority people, and members of the LGBT community; also, those who are on temporary contracts, pupils and mini pupils.
- **Place.** Members and staff are at greater risk of sexual harassment in certain places, for example, working alone with a third party (such as a client), working late at night, or working at events where alcohol is served. Your colleagues may be at risk both inside and outside chambers e.g. at court, working away from home etc.

- **Process.** Ensuring your policies and processes are up to date, and everyone knows how to access them.

How to complete your prevent sexual harassment checklist

Follow these five steps to complete your checklist:

1. **Examine the workplace** to identify what factors could put people at risk. For example, think about the times people work late at night, alone or alone with a client or external provider, and if alcohol is likely to be consumed.
2. **Think about power structures** (abuse of power can be a root cause of sexual harassment). For example, consider the complex dynamics between senior and junior members, between senior clerks and junior members, between staff and members, between senior and junior employees, between members and professional or lay clients and between members and employees and pupils.

Note: Pupils are in a particularly vulnerable position, as they are reliant on work and references from members and clients, and their future in chambers depends on being invited to take tenancy.

3. **Assess the chances** of sexual harassment happening. This assessment can be based on prior experiences within chambers and what you know about things which have happened in other chambers/at the Bar. [Barristers Working Lives](#) research, as well as the [LPMA/IBC research](#) shows that harassment is still very prevalent. Issues raised via [Talk to Spot](#) show inappropriate behaviours are still a problem for the Bar. Take care not to assume that sexual harassment doesn't happen just because you haven't had any reports in chambers. We know that harassment is under reported, and that we must all increase confidence in reporting.

Example: a Head of Chambers concluded there was very low risk of sexual harassment as he and other members of the management committee hadn't experienced it recently and there hadn't been any reports in the last 5 years. A female colleague pointed out that although she hadn't been harassed recently, it had occurred frequently in her early career, an experience shared by many of her female colleagues. She concluded that although it was no longer a significant risk for her, the risk remained for her junior colleagues and things hadn't changed as much as she would like to think.

4. **Think about how to mitigate the risks.** Once you know what the risks are and the likelihood of harm, there are things you can do to reduce the risks. Possible mitigating action might include:
- Training to ensure everybody knows what is expected of them, how to raise an issue and signal that chambers is taking its responsibilities seriously;
 - Posters and information around chambers about your zero-tolerance approach and encouraging bystander intervention;
 - A system to ensure those at increased risk are looked after at events or when they might be unsafe. Making sure someone isn't left on their own late at night or with a client can prevent a problem arising.
 - Taking swift action when an issue is brought to your attention. This may be an informal action like keeping an eye on a known perpetrator or deciding not to include someone on an invite list if you know they are a potential risk.
5. **Implement** the prevention or mitigating measure(s) and regularly **review**. Speak to members and employees about their experiences, be curious about how people are getting on and don't wait for a formal report before taking further action.

We recommend a senior member of staff, alongside the EDO and Head of Chambers complete this risk assessment.

A survey or informal consultation to better understand the experiences of members and employees may help inform your content, including by identifying key risks and those most at risk.

Template risk assessment checklist

We include some suggestions (in green) for inclusion in the risk assessment, but each chambers will have different issues and must consider their own specific risks and the most effective mitigation for each.

Questions to consider	Who is at risk Pupils Jr employees Sr employees Jr members Sr members	Level of risk Low Med High	Action to prevent/mitigate
Do people have to work in chambers after hours?	Pupils – they are more vulnerable to harassment and under pressure to deliver work on time Jr staff and Jr members – they have less power/control over their work	Med	<ul style="list-style-type: none"> Security in chambers checked and improved (panic buttons, CCTV etc) Provision of training on recognising and reporting harassment
Do people have to work alone or in isolated workplaces?	As above Pupils who may spend time alone with senior members	Med	<ul style="list-style-type: none"> Ensuring there is always more than one person in chambers, particularly late at night Treat pupils as a group – actively discourage 1:1 socialising
Are there instances where people work alone with	Members who work with solicitors or direct access clients	Low	<ul style="list-style-type: none"> Clear code of conduct Ensuring those who are most vulnerable aren't left alone

third parties (clients, contractors etc)?	Employees who may have to work with contractors/suppliers		
Is significant work done outside chambers – in court, at the Inns, in client's office, overseas?	Pupils & members who travel to remote courts Employees or members who are required to travel internationally	Med	<ul style="list-style-type: none"> • Support to make safe(r) travel arrangements • Where possible deter solo travel after dark
Is chambers a high-pressure, competitive or stressful work environment?	Jr employees, pupils and members are more vulnerable to harassment where power imbalances and work pressure co-exist	High	<ul style="list-style-type: none"> • Robust anti-harassment policy • Effective training for senior members and employees which highlights examples of potential abuse of power • Awareness of reporting and pathways to support those who make a report • Zero-tolerance approach by chambers • Bystander intervention encouraged
Is alcohol consumed at events in or outside of chambers?	Pupils, Jr members, Jr employees	High	<ul style="list-style-type: none"> • Sr members and Sr employees agree to ensure Jr colleagues aren't left alone • Known risky individuals (client/member/other) are watched and interventions agreed to prevent harassment • Employees and members supported to get home safely • After-parties properly supervised • Appropriate security put in place

Are people expected to socialise with third parties at events/conferences etc?	Pupils, Jr members, Jr employees	High	<ul style="list-style-type: none"> • No one sent out alone to events • Effective response to reports
Is there a culture of banter or casual sexism which is hard to challenge?	All	High	<ul style="list-style-type: none"> • Culture change exercises • Promotion of anti-harassment policy • Awareness raising activity to support identification of sexual harassment and send zero-tolerance message • Robust and effective response to reports or issues raised informally
An Other			