

WHITESTONE CHAMBERS
Barristers

Whitestone
Chambers

1 Middle Temple
London
EC4Y 9AA

ACCEPTABLE BEHAVIOUR POLICY

(JUNE 2026)

1. Acceptable Behaviour Policy.

Chambers expects that all Members, pupils and administrative staff will conduct themselves in a professional manner when interacting with others or when managing colleagues. All Members should consider their own behaviour and the impact that this can have on others. Whitestone recognises that personalities and characters differ but, notwithstanding these differences, as a minimum standard all Members, pupils and administrative staff are expected to:

- Work co-operatively with others.
- Consider other people's perspectives in order to help reach agreement.
- Establish good working relationships.

This policy applies to all Chambers - or Bar - related situations and events, including but not limited to:

- the working day in chambers;
- at Court – including the robing room and the courtroom itself;
- Chambers social events;
- Chambers marketing events;
- Circuit events;
- Bar messes;
- Bar Association events;
- Inns of Court events; and
- the aftermath of any such events.

2. Unacceptable Behaviour To Others.

Unacceptable behaviour including bullying, harassment and victimisation, may involve actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort. Bullying or harassment may be by an individual against an individual or involve groups of people.

Chambers defines behaviour as being unacceptable if:

- It is unwanted by the recipient.
- It has the purpose or effect of violating the recipient's dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- Having regard to all the circumstances, including the recipient's perception, it was reasonable for the behaviour to have that effect.
- Unacceptable behaviour does not have to be face-to-face, and may take many forms such as written, telephone or e-mail communications or through social media.
- Some examples of unacceptable behaviour are:
 - Aggressive or abusive behaviour, such as shouting or personal insults.
 - Spreading malicious rumours or gossip or insulting someone.
 - Discrimination or harassment when related to a protected characteristic under the Equality Act 2010.

- Unwanted physical contact.
- Stalking.
- Offensive comments/jokes or body language.
- Publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive material or pictures.
- Isolation, deliberate exclusion and/or non co-operation at work.
- Persistent and unreasonable criticism.
- Unreasonable demands and impossible targets.
- Coercion, such as pressure to subscribe to a particular political or religious belief.
- Sexist, sexual or offensive comments regarding someone's appearance.
- Overly personal comments or over-familiar behaviour, including questions about someone's relationships, sex life or gender identity.

Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.

- Outing or threatening to out someone as gay, lesbian, transgender or any form of LGBTQI+.
- Knowingly mis gendering someone.
- Staring or inappropriate/suggestive looks.
- Invading someone's personal space.
- Suggesting that sexual favours or a sexual relationship may result in favourable treatment, provide work opportunities or career advancement, or suggesting that refusing such may lead to less favourable treatment, the loss of work opportunities or damage career advancement.
- Dealing with complaints of harassment inappropriately or inadequately
- Overbearing or intimidating levels of supervision.
- Abuse of authority or power by those in positions of seniority.
- Deliberately excluding someone from meetings or communications without good reason.

3. Sexual Relationships.

All relationships of a romantic or sexual nature, whether actioned or pursued between Members including administrative staff and pupils, mini pupils, interns or any other type of work experience candidate are banned and any such behaviour will result in expulsion or dismissal from Chambers of the Member or administrative staff.

Any barrister who has reasonable grounds to believe that there has been sexual or other

harassment by another barrister also has a professional duty to report it to the Bar Standards Board. To fail to do so is a breach of the Code of Conduct, unless they reasonably believe that the misconduct has already been reported to the BSB by someone else. If you are not sure whether an incident should be reported, or has already been reported, you can seek advice from the BSB or Bar Council, or Chambers' Equality Diversity and Inclusion Officer Miss Mina Heung.

Guidance from the BSB can be found here:

<https://www.barstandardsboard.org.uk/static/1e61994f-c558-430b-9c7b7034081df4b7/Reporting-Serious-Misconduct-of-Others.pdf>

Advice can be obtained from the BSB by calling them on 0207 611 1444 or from the Bar Council by calling their Ethical Queries Helpline on 0207 611 1307.

➤ Victimisation

Victimisation is unfavourable treatment of a person ('the victim') to a detriment because they have:

- Brought discrimination (including harassment) proceedings or given evidence or information in connection with such proceedings.
- Done anything other thing in connection with discrimination (including harassment) proceedings. Made an allegation (whether expressly or otherwise) of discrimination or harassment.
- Or because it is suspected that the victim has done or intends to do any of these things.

Chambers will not tolerate victimisation and a perpetrator will be subject to disciplinary action which may result in action up to and including dismissal or expulsion from the Chambers.

4. Professional Conduct

Chambers expects a professional appearance and approach from all Members, pupils and administrative staff. This includes, but not limited to:

- Maintaining a business dress code whenever in Chambers. Members, pupils and administrative staff are considered to be ambassadors for the organisation and it is recognised that appearance acts as a visual measure of how the public, clients and partner organisations view Chambers. There is therefore the expectation that Members, pupils and administrative staff will not only act professionally in their behaviour but also in their image. Dress must comply with health and safety policies. Clothes must be professional, clean, tidy and a good state of repair.

Chambers recognises the religious, cultural, disability and pregnancy related requirements of members, pupils and administrative staff in relation to dress or the uniform they wear. These requirements will be handled with sensitivity.

- Talking, acting and behaving in a manner appropriate to a legal and professional setting, includes but is not limited to:
- Not listening to music in Chambers.

- Not having personal communications that can impact on other members work, on the telephone or otherwise.
- Not spreading malicious rumours or gossip to people inside or outside of Chambers either in person or online.
- Not criticising Chambers, fellow members, instructing solicitors or clients in a public environment.
- Members should not arrange to meet with mini pupils or work experience students outside of the Chambers or professional setting. Any incidents of unacceptable behaviour concerning a personal relationship at work will be dealt with under this policy.

5. Social Media

All Members, pupils and administrative staff should consider the acceptable behaviour policy when posting online and on social media. It should always be remembered that things written by individuals can affect the reputation and standing of Chambers.

Your use of social media is likely to engage your right to freedom of expression under Article 10 of the European Convention on Human Rights (ECHR) which includes the right to hold and express opinions and to receive and impart information and ideas. However, Article 10 is a qualified right which must be balanced against other rights and values protected by the ECHR (such as the rights and reputations of other members of the profession or consumers of barristers' services).

The European Court of Human Rights has recognised that lawyers, by virtue of their profession, have a special status which justifies placing certain restrictions on their conduct:

“...the special status of lawyers gives them a central position in the administration of justice as intermediaries between the public and the courts. Such a position explains the usual restrictions on the conduct of members of the Bar... Regard being had to the key role of lawyers in this field, it is legitimate to expect them to contribute to the proper administration of justice, and thus to maintain public confidence therein.”

If you use social media whilst acting in a professional capacity, your conduct could bring into question your compliance with certain Core Duties and Conduct Rules in the BSB Handbook that apply to you when you are practising or otherwise providing legal services.

These include:

- Core Duty 3: You must act with honesty, and with integrity.
- Core Duty 5: You must not behave in a way which is likely to diminish the trust and confidence which the public places in you or in the profession.
- Core Duty 6: You must keep the affairs of each client confidential.
- Core Duty 8: You must not discriminate unlawfully against any person

The BSB warn that, in general terms, any conduct on social media which might be said to be inconsistent with the standards expected of barristers may amount to a breach of the BSB Handbook.

You should therefore at all times consider whether your conduct risks contravening any of the Core Duties and Conduct Rules which apply to you.

In considering a potential breach of the BSB handbook in relation to conduct on social media, the regulator will take into account the following:

1. How a hypothetical, ordinary reasonable person would be likely to respond to your conduct, having regard to the wider context in which it occurred. This will involve an objective assessment based on the “natural and ordinary meaning” of what you post. The social media platform which you use may also be relevant. The views and/or reaction of any individual who reported the conduct to us, while potentially relevant, is unlikely to be determinative.
2. The substance of what you post (including the type of speech engaged, such as whether it is “mere gossip” or contributes to a debate in the public interest. The regulator recognise that political speech is afforded the highest level of protection under Article 10 and is something in which they are unlikely to have a regulatory interest. However, the BSB are likely to have a regulatory interest in conduct which is not afforded the protections guaranteed by Article 10, by virtue of Article 17 ECHR (i.e. conduct which is aimed at the destruction of the rights and freedoms of others). Case law from the European Court of Human Rights has found that this includes extreme or grave forms of hate speech, a threat of or incitement to violence, xenophobia, racial discrimination, Antisemitism, Islamophobia and Holocaust denial.
3. The manner in which you express your views (including the language used), the mode of publication, and the broader context. While the right to hold a view and say something may be protected by Article 10, if there is something objectionable about the manner in which it is expressed, this could be a potential breach of the BSB Handbook and therefore the BSB have a regulatory interest in your conduct.
4. The impact of your conduct. This may include the impact on individuals or organisations, and/or on public trust and confidence in you or the profession. The purpose behind your conduct may not always be relevant.
5. Further details can be found in Chambers’ Social Media policy.

The full BSB guidance for barristers using social media can be found here:

<https://www.barstandardsboard.org.uk/static/61d13750-880c-4423-a4bf80cf96d3f06c/802d53c2-c9b5-4917-a03c0984e5006cfb/BSB-social-media-guidance-September-2023.pdf>

The BSB guidance on the regulation of non-professional conduct can be found here:

<https://www.barstandardsboard.org.uk/static/e803d194-972c-43b4->

6. Complaints or Grievances Procedure Under This Policy

Anonymous complaints.

Chambers are aware that sometimes individuals are not comfortable to raise concerns of unacceptable behaviour for fearing of creating a tense or problematic relationship in a shared workspace. For this reason, Chambers have implemented a process that means minor internal grievances can be submitted anonymously. This service is primarily to be used for matters that could be considered minor and the submitter merely wants a record keeping of the incident in case it becomes a pattern of unacceptable behaviour.

The “Talk to Spot” service offered by the Bar Council is also an effective means for raising #

- Sexual harassment and serious abuse
- Patronising, belittling, overbearing and demeaning behaviour, including by judges.
- Sexist, racist and ableist behaviours
- Online abuse
- Failure to make reasonable adjustments to meet the needs of disabled barristers and difficulties faced by those with caring responsibilities.

Talk to Spot enables individuals to create a date-stamped record of the incident, which can be kept private or, if the individual chooses, submitted (anonymously or with their name) to the Bar Council’s Equality and Diversity team. This allows the Bar Council to provide signposting and offer support where necessary. Further details, including how to access the platform are available on the Bar Council website. <https://www.barcouncil.org.uk/support-for-barristers/equality-diversity-and-inclusion/talk-to-spot.html>

For those raising anonymous concerns within Chambers, the following process should be used.

1. Access the Microsoft concern form distributed to all Members. The QR Code to access the form can also be scanned from the poster on the wall of Chambers.
2. Submit the complaint answering the question provided and setting out if you would like to be contacted or remain anonymous
3. Submit the form which will trigger a notification to the Acceptable Behaviour Officer, Miss Analissa Lim. Only the Acceptable Behaviour Officer has access to any issues raised.

Alternatively, advice can be sought anonymously from the confidential Bar Council EDI Helpline on 0207 611 1426

Informal Resolution.

Except where the alleged behaviour is deemed by the Acceptable Behaviour Officer to be sufficiently serious to warrant an immediate formal investigation, unacceptable behaviour should in the first instance be dealt with by raising it with whichever full member the complainant feels most comfortable talking to. In many cases, this may resolve the issue without taking any further action and a constructive way of working in the future can be agreed. The Acceptable Behaviour Officer is Miss Analissa Lim.

If this approach is not successful or if the individual experiencing the unacceptable behaviour feels unable to take steps to resolve the issue themselves, then they should inform the Acceptable Behaviour Officer of the situation as soon as possible. This Officer has an active role to play in resolving any issues that are raised under this policy and are expected to take action if any incidents involving unacceptable behaviour are brought to their attention, seeking advice and support from the Head of Chambers as appropriate. If the Head of Chambers is responsible for the unacceptable behaviour, then the cause of action will be determined solely by the Acceptable Behaviour Officer. If the Acceptable Behaviour Officer is a party to the issue raised, the issue should instead be raised with the Head of Chambers, the Head of Legal Operations or whichever full members of Chambers the individual is most comfortable raising it with.

The Acceptable Behaviour Officer should meet with the member of staff who is claiming that they have been subject to unacceptable behaviour and discuss the situation with them – establishing the circumstances, the impact that the individual considers it has had, and any steps that the individual may have already taken to address the situation. Members, pupils and administrative staff are encouraged to keep a record of any examples of the unacceptable behaviour that can support their complaint during the course of these discussions.

The Acceptable Behaviour officer will then seek to agree a course of action with the individual. Where possible, resolution will be sought through informal means. This will usually involve a meeting between the individual(s) and the person(s) who has allegedly behaved unacceptably that is facilitated by the Acceptable Behaviour Officer with support from the Head of Chambers as appropriate. The individual and the subject of the complaint can each be accompanied by a colleague, friend or family member or member of their Inn for support as necessary. The aim of such a meeting is for agreement to be reached on what might constitute a more acceptable form of behaviour in the future. Where mediation is appropriate and where both parties agree to participate, the Acceptable Behaviour Officer may refer the case to mediation.

The Acceptable Behaviour Officer will consider if any issues raised reach the criminal standards and advise the Head of Chambers if, in their view, the matter needs to be reported to Police.

Sexual relationships between Members and administrators and any pupil, mini pupil, intern or work experience candidate will be dealt with formally from the outset with the default position that the sanction is expulsion or dismissal for the Member or administrator.

Formal Investigation.

No formal action will be taken under this policy without prior consideration of the potential for informal resolution, unless the behaviour involved is deemed by the acceptable behaviour

Officer to be sufficiently serious to warrant a formal investigation. Formal investigation under this policy need not be triggered by a specific complaint. Monitoring or concern may also be sufficient depending on the circumstances. Support will be considered and provided for both the complainant and the individual against whom the complaint has been made.

When making a formal complaint, the following process should be followed:

Formal complaints should be set out in writing – with any accompanying evidence – and addressed to the Acceptable Behaviour Officer, Miss Analissa Lim. If the complaint involves the Acceptable Behaviour Officer, a copy should be sent to the Head of Chambers. The written complaint should include details of any informal resolution that has been attempted, notes of any discussions held and also provide the names of any members, pupils or administrative staff who have witnessed—the alleged unacceptable behaviour. Any evidence supporting the allegations made – such as emails or social media messages – should also be submitted as part of the written complaint.

The Acceptable Behaviour Officer will meet with the complainant to clarify the grounds of the complaint and explain what happens next.

The Acceptable Behaviour Officer will then arrange to meet with the person(s) who has allegedly behaved unacceptably, and a copy of the written complaint will be provided. At this point the acceptable Behaviour Officer and Head of Chambers will decide if the alleged perpetrator should be suspended or asked to work away from Chambers throughout this period. They will be given the opportunity to respond in writing to the allegations – providing evidence as appropriate - and to identify any witnesses who have agreed to be included in the formal investigation. A response must be received within 7 days unless the Acceptable Behaviour Officer considers that an extension is appropriate.

The Acceptable Behaviour Officer will investigate the complaint made, establish whether there is a case to answer, and - where there is a case to answer - make recommendations. This will normally involve meeting both parties and any witnesses as appropriate, and consideration of any supporting evidence. A written record of the findings of the investigation will be submitted to the Head of Legal Operations who will then discuss any recommendations made with the Head of Chambers. If the Head of Legal Operations or the Head of Chambers are involved in the allegations, an independent member of members of administrative staff will then be chosen to consider the acceptable behaviour Officer's recommendations. Pupils will be exempt from this duty as Chambers is of the believe that it would be an unfair responsibility to place on a pupil.

The Acceptable Behaviour Officer will write to both the complainant and the person against whom the allegations were made informing them of the outcome of the investigation. A copy of the Acceptable Behaviour Officer's report may also be provided where appropriate. The content of the letter and report will be kept confidential by all parties involved.

Both parties will also be informed of the outcome of the investigation as appropriate and will be involved in the implementation of any recommendations and for monitoring the situation with support from the Acceptable Behaviour Officer as necessary.

7. Sanctions.

Sanctions for proven complaints of bullying, harassment or sexual harassment include:

1. Suspension from Chambers.
2. Prohibition on attendance at certain events.
3. Prohibition on appointment to a position of responsibility.
4. Expulsion from Chambers.

The sanction for any Member or administrator that has a sexual relationship any pupil, mini pupil, Intern or work experience candidate is automatic expulsion or dismissal from Chambers.

8. Confidentiality

Members, administrative staff and pupils involved in any proceedings taken under this Policy shall seek to ensure that confidentiality is maintained where practicable. Any investigations carried out under this Policy shall be undertaken with discretion and all parties will be made aware that they must treat as confidential any information shared during the course of any proceedings.

This policy will be reviewed in June 2028.

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