

# Wharf Chambers' Disclosure policy & example scenarios

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This document lays out Wharf Chambers' policy regarding disclosures of abuse made to the Co-op and/or Club Collective. This policy was written in November 2018 (with revisions up to November 2020) after discussions around our treatment of 3 survivors in response to disclosures of abuse.

## Who we are and what we can do

Wharf Chambers aim to support the development of an empowering and caring space for survivors of relationship/ domestic/ emotional abuse, sexual violence of any sort, and/ or harassment that is upheld and maintained by all members, in line with our existing safer spaces agreement. We want to be a space where members feel able to ask things of the organisation and we recognise that survivors' access to social space is a political issue which concerns everyone. We know that making a disclosure can be extremely hard, and will endeavour to show compassion and understanding when our members come to us with information about abuse. We will treat any disclosures made to us with confidentiality as far as possible (see below). Whilst we can never guarantee anyone's safety on our premises, nor prevent abusive or harassing behaviour, we will strive to uphold these values in our response to issues when they are brought to us. These include incidents that happen here, or concerns over personal safety whilst in the space.

## Accountability processes

One way in which abuse may be dealt with is through accountability processes. Wharf Chambers believes that a community-led approach to seeking accountability is in line with its values.

For more information on accountability please see

<http://feministactionsupportnetwork.tumblr.com/accountability>

Wharf Chambers may choose to help support the conditions of an accountability process, but this is at our discretion and we will not be obliged to do so without the consensus of all staff members. We might:

1. refuse entry to someone when it has been agreed that they will not attend on a given night for the benefit of a survivor
2. refuse service of alcoholic drinks to someone who has agreed not to drink in the space

We are able to liaise with advocates when a survivor has consented to one working on their behalf, however in line with our ethos of community-led accountability, we have limited capacity to respond in the ways detailed above to anonymous disclosures.

Whilst individual members of Wharf Chambers may choose to become involved in accountability processes, the organisation itself does not have the ability to organise or lead on such processes for its members as part of its work, nor to make any decisions on behalf of survivors. Any accountability work undertaken by staff members will not be Wharf Chambers work and will not be remunerated by Wharf Chambers.

## Bias

We will always try to respond to information shared by accountability groups, by individual survivors themselves, or by advocates of a survivor in the same compassionate and sensitive way.

We recognise that it may be more difficult to make a disclosure of abuse to Wharf Chambers if it involves someone who works here, or if the abuser is friends with a staff member or a regular patron or promoter. We will aim to respond appropriately to all disclosures made to us, and to act in the ways detailed below and in our procedures.

We will strive for parity, equality and impartiality in our treatment of disclosures of abuse and to be mindful of unconscious bias, but recognise this may be difficult at times. As far as possible we will never treat survivors of abuse differently according to their identity, background or belief. Each disclosure involves differing individual circumstances and people with different needs, so there is no rigid template for how we will respond. However, our [flowchart](#) and the points below are intended to help break down the structure of our responses so that people know what to expect from us, and so that it will be easier for them to hold us to account.

## Confidential contact methods:

[Our online form](#)

Email - [saferspaces\[at\]wharfchambers.org](mailto:saferspaces@wharfchambers.org)

External local abuse/ mental health resources which survivors might find helpful (if you think something is missing please contact us):

[Women's Counselling & Therapy Service](#)

[IAPT](#)

[Navigate](#)

[Support After Rape & Sexual Violence Leeds \(SARSVL\)](#)

[Yorkshire MESMAC](#)

[Trans Unite](#)

[TransLeeds](#)

[Leeds Survivor-Led Crisis Service @ Dial House](#)

[The Market Place](#)

[BAME Health & Wellbeing Hub](#)

Please see our existing [safer spaces agreement](#)

## Scenarios

### Incidents on the premises

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#### Cases involving staff members

Our safer spaces agreement applies equally to staff as it does to members - it is a condition of employment as much as it is of club membership. A disclosure of abuse concerning a staff member does not automatically disqualify them from employment at Wharf Chambers, however. We will need to ascertain some limited details (within appropriate limits) of the abuse to assess their capability to continue working with us, and to establish the nature of the threat they pose to the safety of the survivor, other club members or their guests, and/ or staff. We ask that where possible extensive details are not shared to minimise the risk of secondary trauma to staff. If it has been elsewhere agreed that it is the abuser's responsibility to inform us of the details of the abuse or of the process of which they are a part we ask that this be made clear to us by the complainant (ie the survivor or whoever is speaking for them).

Our assessment of the staff member's capability will be informed by their response to and engagement with the disclosure, whether or not there have been any other disclosures or concerns pertaining to that staff member and their degree of co-operation with the measures suggested. In cases where the staff member does not engage or co-operate with proposed measures they will be referred to our internal grievance & disciplinary procedure.

**We will:**

1. securely record the initial complaint so that it can be referred back to if necessary, within data protection guidelines
2. believe survivors, take any disclosure extremely seriously, and be compassionate
3. ask what we can do to help
4. act only with explicit consent from the survivor
5. offer 2 meetings - or the equivalent - communicating with the survivor and/ or their advocate either face to face/ over email/ whatever their preferred method. These will be without the abuser present, will be minuted and those minutes shared with attendees for verification before being shown to anyone else
6. ensure that any phone/ email/ social media communications or minutes are kept securely away from access by the abuser
7. ensure that whoever is designated to communicating with the survivor/ advocate is supported and monitored
8. provide a list of resources and services that the survivor may find useful
9. ask questions about the accountability process, if applicable
10. intervene when asked in any situation occurring on the premises
11. respect the privacy of both parties
12. honestly assess our capacity for taking on work related to the situation and communicate this clearly. This assessment will be based on what if any personal relationships between staff members and non-staff members are involved, and whether the situation has any bearing on an existing situation already being dealt with
13. honestly assess the abuser's suitability for their role and take appropriate actions
14. make use of an external facilitator as appropriate
15. submit any evidence of our conversation to the Police if this is requested by the survivor, or by a court order

**We won't:**

1. share information with the abuser or anyone outside the organisation without explicit consent from the survivor
2. mediate between the abuser and their victim
3. act in a punitive capacity towards the abuser

4. design or enforce an accountability process
5. beyond point 14 above, get involved with the police. We absolutely respect people's right to report situations and incidents to the police but we have a duty to other vulnerable members to minimise police presence in the building
6. act as a judicial authority or make assessments based on evidence of the truth of any situation - survivors will be believed automatically
7. issue statements on individual cases

We may:

1. temporarily remove the abuser from roles which involve being in the building while we are open if necessary
2. suspend or terminate the employment of someone if we deem them to pose a sufficient risk to the safety of other staff, club members or their guests

<b>EXAMPLE SCENARIO 1</b>	<b>NOTE: numbers in the example scenario indicate a corresponding step on our procedure flowchart.</b>
<p>We receive an email (1) from a club member (A) concerning a co-op member (B) and their transphobic behaviour towards A at an event that took place before they were employed. The club member wants to know what Wharf Chambers is willing to do.</p> <p>We respond to the email and arrange a meeting/ Zoom chat/ phone call to discuss this disclosure with A (2). Due to the seriousness of what we have been told we suspend the co-op member immediately from bar work or other duties that involve them being in the building when we are open. They are permitted to carry out background admin work as long as it is not of a sensitive nature.</p> <p>In the meeting with A we are told that this behaviour has been observed in B towards other people, who wish to remain anonymous but are willing to give statements.</p> <p>From this meeting we decide to have a formal meeting with B about the nature and extent of the disclosure with A remaining anonymous (3). Initially B seems receptive and apologetic about their behaviour and agrees to an external accountability process. The group responsible for this process reports regularly to a designated member of Wharf Chambers co-op. B has certain conditions placed on their employment at this time. They don't work late shifts and are not permitted to socialise at queer events.</p>	

After a few months it becomes apparent that B's engagement with the accountability has subsided and the accountability group disbands. We initiate an internal grievance & disciplinary procedure to address B's lack of engagement and co-operation. We have a meeting with them and determine that they are not willing to participate in any further accountability regarding their actions (4). We are left with no option but to terminate their employment (5). The procedure is then closed (6).

## In cases **off** the premises

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Unfortunately we cannot get involved in cases of abuse that occur between club members who do not work here and where the substance of the abuse occurs off the premises. If concerns over personal safety in the space are brought to us, however, we will take these seriously. We will:

1. securely record the substance of the initial complaint so that it can be referred back to if necessary, within data protection guidelines
2. offer to set up a meeting with the survivor and/ or their advocate either face to face/ over email/ whatever their preferred method. This will be minuted and those minutes shared with attendees for verification before being shown to anyone else
3. ensure that whoever is designated to communicating with the survivor/ advocate is supported and monitored
4. provide a list of resources that the survivor may find useful
5. ask what we can do to help
6. ask questions about any accountability process, if applicable
7. intervene when asked in any situation occurring on the premises
8. believe survivors, take any disclosure extremely seriously, and be compassionate
9. act only with explicit consent from the survivor
10. respect the privacy of both parties
11. honestly assess our capacity for taking on work related to the situation and communicate this clearly. This assessment will be based on what if any personal relationships between staff members and non-staff members are involved, and whether the situation has any bearing on an existing situation already being dealt with
12. submit any evidence of our conversation to the Police if this is requested by the survivor, or by a court order

We won't:

1. share information with the abuser or anyone outside the organisation without explicit consent from the survivor
2. mediate between the abuser and their victim
3. act in a punitive capacity towards the abuser
4. design or enforce an accountability process
5. automatically issue bans to people about whom we have received disclosures
6. automatically cancel the events of people about whom we have received disclosures
7. beyond point 11 above, get involved with the police. We absolutely respect people's right to report situations and incidents to the police but we have a duty to other vulnerable members to minimise police presence in the building
8. act as a judicial authority or make assessments based on evidence of the truth of any situation - survivors will be believed automatically
9. issue statements on individual cases

<b>EXAMPLE SCENARIO 2</b>	<b>NOTE: numbers in the example scenario indicate a corresponding step on our procedure flowchart.</b>
<p>A club member (A) asks to speak to a staff member (B) during a night we're open. B takes a break from other duties and finds somewhere quiet where they can listen to A. A makes a disclosure regarding another club member (C), who is part of an accountability process external to Wharf Chambers that addresses racist microaggressions that A suffered. B asks what they can do to help, and if any action should be taken on the night (eg asking C to leave).</p> <p>A asks if the staff member B would be willing to receive an email from the accountability group to explain what actions are being taken (2). B agrees and feeds back, with consent, to the co-op. It is agreed that C is not banned, but on occasions where both A and C are present, a staff member will be designated to make regular check-ins on A (6).</p>	

## Cases where a staff member is a victim of abuse or harassment

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It is essential that Wharf Chambers does not discriminate against survivors of abuse in its employment practices. Staff members and potential staff members are not obliged to disclose this information to Wharf Chambers nor to anyone else in the space. It may be necessary to temporarily or permanently ban someone who has done nothing wrong within the space to protect the safety and comfort of the working life of a staff member. Any harassment or abuse of

staff members in person, online or via any other means will not be tolerated and may result in loss of membership or other measures as appropriate.

As a co-operative one of our key objectives is the well-being of our staff. Any individual staff member may come to feel that they are not able to take on work relating to abuse, and this is acceptable within the terms of their employment. We will not force anyone to be part of a conversation that is causing them harm, nor will we force someone to out themselves as a survivor before allowing them not to be involved. Any direct or indirect harassment of staff verbally, via email or social media, in the course of dealing with a complaint will not be tolerated and may negatively impact our ability to handle the complaint.

<b>EXAMPLE SCENARIO 3</b>	<b>NOTE: numbers in the example scenario indicate a corresponding step on our procedure flowchart.</b>
<p>A member of staff (A) sees that someone they had been in a relationship with previously (B) is attending an event. A suffered abuse within that relationship. Even though there is no reason to assume that B is still behaving in the same way with their current partner, their presence makes A extremely uncomfortable. A has a meeting with two other staff members to discuss their concerns and decide a course of action (2). B belongs to a vulnerable community and benefits from being able to attend certain events, so it's agreed in a separate meeting with them (3) that they will not attend other events. This way the staff member knows not to work only on those specific occasions and the rota can be adjusted accordingly (6).</p>	