

## **Sexual Harassment in the workplace – consequences of getting it wrong**

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A partner at a Magic Circle law firm has this week been ordered to pay £235,000 in fines and costs by a disciplinary tribunal, having been found guilty of breaching his professional obligations. In particular, he was found to have engaged in sexual activity with a junior colleague who was intoxicated. There will doubtless be more fallout for the firm in question. With the Christmas party season around the corner, this case is a timely reminder of the issues that can arise when alcohol and work mix.

Sexual harassment is prohibited by the Equality Act 2010 and is defined as when an individual engages in unwanted conduct of a sexual nature (or related to sex) which has the purpose or effect of violating another person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

An employer must by law take appropriate steps to prevent sexual harassment in the workplace. However, workplace is wider than simply the employer's premises and would extend to a work night out, such as a Christmas Party. To compound matters further, liability for discrimination of this nature is often ultimately borne by the employer which can lead to costly settlements, expensive litigation, damage to reputation and an adverse effect on employee and customer relations.

It is vital that employers implement measures now to prevent complaints of sexual harassment and/or deal with them quickly and effectively in the event they arise. Such measures include:

- Ensuring anti-discrimination and anti-harassment policies are up to date and visible;
- Providing training for all employees and specific training for managers in dealing with complaints of sexual harassment;
- Creating a workplace culture of zero-tolerance and dealing with all complaints in an expedient manner.

It is also sensible to remind employees of their obligations to each other before the festive season arrives. Not only does it make such incidents less likely, but it will help provide a defence should the worst happen.

## **Contact**

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