

Women and Equalities Committee

Oral evidence: [The use of non-disclosure agreements in discrimination cases](#), HC 1720

Wednesday 20 March 2019

Ordered by the House of Commons to be published on Wednesday 20 March 2019.

Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Sarah Champion; Philip Davies; Eddie Hughes; Jess Phillips.

Questions 525–578

Witnesses

[I](#): Dr Emma Chapman.

Written evidence from witnesses:

– [Dr Emma Chapman](#)

Examination of witness

Witness: Dr Emma Chapman.

Q525 **Chair:** Good morning. How are you?

Dr Emma Chapman: I am okay. I have a bit of a cold, so I will be going slowly.

Chair: Please do. If you need more water, let me know, although you seem to have three bottles there. It is so kind of you to come in to speak to us. I apologise on behalf of the whole House of Commons that we do not have anywhere slightly less bizarre to meet, and also less hot. We have to do informal sessions in these rooms because we do not have any others, so apologies—otherwise, the gentleman in the corner would not be able to record, which is obviously his job. Everybody else in the room is connected with the Committee, either Members—we will introduce ourselves in a minute—or members of staff.

As you know, everything we are doing today is in private and you will be able to look at the transcript afterwards and redact anything you are unhappy with, although I know that you are quite public with what you are saying. We will introduce the Members of Parliament so that you know who we are.

Philip Davies: I am Philip Davies, the MP for Shipley. I apologise in advance because I am going to have to leave early. It is nothing personal.

Chair: I am Maria Miller, MP for Basingstoke in Hampshire.

Jess Phillips: I am Jess Phillips, an MP in Birmingham.

Sarah Champion: Sarah Champion, Labour MP for Rotherham.

Eddie Hughes: Eddie Hughes, MP from Walsall.

Chair: The usual sort of thing is that we all have different areas of questions to ask and we will move through. Probably about 45 minutes, or something like that, is what we are aiming for.

Q526 **Eddie Hughes:** To kick off, can you tell us what made you want to give evidence to the Committee with regard to NDAs in discrimination cases?

Dr Chapman: It is almost a case of wanting and not wanting, on a personal level. I wanted to because I have campaigned on this issue for years and I am so used to coming across women who cannot speak out but desperately want to. I fought very hard to have the choice to speak out when I wanted to, so, when this opportunity came up, it compelled me to speak out. I believe I have set a precedent in the way to move forward on this issue as well, so I want to highlight that as much as possible.



HOUSE OF COMMONS

Q527 **Eddie Hughes:** In 2015, you made a case for sexual discrimination against a member of staff at UCL. Could you explain the circumstance that surrounded that and led to the NDA?

Dr Chapman: Yes. I began a PhD in astrophysics in 2010 at UCL and immediately began to be sexually harassed by [third party]. For a period of about three years, it was, subjectively, what I would now describe, compared with the rest, as endurable sexual harassment, in that it was daily requests for hugs, and intimate questions on my personal life, for example, before I would be allowed to ask questions about work. I would have to get through that kind of stuff, despite my protestations that I wanted a professional relationship. This was ignored and I was made to feel like I was being too English and too uncomfortable. It was made into a very big joke that he would tie me down and give me touching lessons before he would [redacted].

Q528 **Chair:** Was this the sort of relationship he had with male students?

Dr Chapman: He had a bantering, kind of, "[redacted]. I enjoy a bit of banter. I enjoy pushing people to see where their comfort zones are," I guess, with males, but with females he seemed—it sounds awful—to prey on their vulnerability a bit more, as with me, for example. It was three years of it, which wears you down.

In 2013, I had spent three years basically being very clear saying, "I want a professional relationship. I'm not going to be your friend." I came back to work with post-natal depression. At that point, I was very ill and did not have the energy to keep saying, "Leave me alone." The vulnerability was very obvious, so I disclosed that I had severe post-natal depression upon my return to work.

Unfortunately, at that point he did not follow the correct safeguards, which as a member of staff now I know there are; you should report it to safeguard the student. Instead, it became a case of being asked to go into his office every day and it was a lot more invasive, a lot more, "Why are you depressed?", making me cry and then wanting to comfort me, telling me my husband was cheating on me, erroneously—things like that. I feel that it was very much that, instead of following the correct safeguarding routes, he used my vulnerability as an opportunity to insert himself further into my life. [Redacted].

At that point, I had to leave work and there was a complete breakdown in the professional relationship, as you can imagine. I recovered from the post-natal depression and I got through the rest of my post-doc, but when I found a position at a different university, and I was leaving, I felt that I could not leave without saying something [redacted].

Q529 **Chair:** Can I clarify something? Did you report the [behaviour]?

Dr Chapman: Not at that point. I did later, but not at that point. It was a journey to get to that point—put it that way. I went into complete denial for a while because I had a second child—[redacted]—so I literally went



HOUSE OF COMMONS

into complete denial. [Redacted] I brought a report in August 2015 to UCL, [redacted].

Q530 **Eddie Hughes:** How long had the sexual misconduct been going on for?

Dr Chapman: Five years.

Q531 **Eddie Hughes:** Five years up to the point in 2015 when you reported it.

Dr Chapman: Yes. It started in 2010, and in August 2015, five years later, I brought an official complaint. This was not hidden behaviour.

[Questions and answers to Questions 532 to 535 containing details of the case redacted.]

Q536 **Eddie Hughes:** How did UCL handle the complaint?

Dr Chapman: It was mishandled from the beginning, unfortunately. First was the sheer length of time. There was no timeline in the process. Despite repeated requests, I was told there was no timeline and I was not placed on an equal footing with the accused from the start: I was not given the right to legal representation; I was not given the right to even attend all the meetings to do directly with my complaint; I was not given the right to appeal, whereas he was; I was not given the right to provide new evidence, whereas he was. It was very difficult to move on.

During that time, I was retaliated against pretty heavily. I received malicious phone calls, heavy breathing and laughing down the phone in the early hours of the morning. I reported those to the police, and at that point I reported the original incident because I needed them to know how terrified I was, and why I was so terrified of somebody simply laughing down the phone at me. [Redacted]

Q537 **Jess Phillips:** He was allowed to carry on working there.

Dr Chapman: Yes, and he is still in position now.

Q538 **Sarah Champion:** He is still in position now.

Dr Chapman: He is still in position, yes. [Redacted]—[Interruption.] I'm sorry.

Jess Phillips: It's all right, don't worry about it.

Dr Chapman: Thank you. During this time, the actual process itself compounded what developed into post-traumatic stress disorder, as you can see, from the original incident, but I could not actually tackle that at all because every week I was getting a phone call, or something happened, and I had to go and talk over it all over again. I had emails sent, so, when I tried to speak out about gender equality at physics events, the BBC and the Royal Institution got an email saying that I was a liar, that somebody would be in the audience to watch me, which really throws you off before a radio event.



HOUSE OF COMMONS

Anyway, he was given all of those very serious sanctions and I was basically not kept updated at all, so I found out that he had appealed them. It took another nine months for the appeal to happen. The appeal was upheld, not on his grounds, but on procedural error grounds. They had not even considered the worst parts of my evidence because they considered it too bad to consider, basically; that's why they didn't need it. They did not bring forward all the witnesses originally, I found out, so the appeal panel said, "You've got to do it all over again."

That was set two weeks later—again, every two weeks—in March, when I found out on the day of the rehearing that UCL had chosen to settle with him. [Redacted]

Overnight it all ended and I was left [redacted] with two years' worth of defamation, because during that time I had had colleagues being told that I had brought a spurious complaint and that I had lied, that I had colluded, and so on, and suddenly I was left with nothing. I had no defence because I was told that everything had been in strictest confidence, so I was not even allowed to say that there had been a process, let alone one that had found in my favour. As part of the settlement with him, UCL sanctioned a form of defamation, which was that they emailed my scientific collaboration to say that it had all ended and that there had just been a breakdown in the personal and professional relationship. The email clearly implied that there was equal fault. At this point, I hired a lawyer because I could not carry on in my career.

Q539 Sarah Champion: I have heard some pretty horrendous stuff in this place, but your case has floored me, not least the fact that he is still in a position of trust and power. Thank you so much for sharing this. You were just saying that you hired a lawyer. You then went to an employment tribunal. Why did you take that step and what were you looking for by taking that step?

Dr Chapman: I wanted the right to work. I wanted the right to talk about what had happened to me because when I lodged the complaint, like I said, it did not even occur to me that they would not do right by me. Because they had not done right by me, and I realised that that was actually quite an average course of action, I spoke to a lawyer and they said that my case was shocking, but not unusual. I said that I worked in gender equality anyway and I said, "This cannot go on."

I wanted to challenge their emails to me saying "In strictest confidence" because I did not believe that I could go through all that—that I could do everything right and have sanctions upheld, and not have the right to say that to protect my career. I did not believe it when they said that it was a legal thing so, "Go away." All I wanted was to be able to speak out, both to continue in my career and very simply say, "I have done nothing wrong. Let me do some science, please," and to change it so that it did not happen again.



Q540 **Sarah Champion:** How far did the case get before it was settled and why did you choose to settle at that point?

Dr Chapman: It got to the point of exchanging pleadings. I am not a lawyer, but I think that is a very initial point. We ran out the ACAS conciliatory period, but we continued negotiations in good faith. I think it was 19 weeks later that we settled. During that time, we exchanged pleadings, they gave their defence and we hired a pro bono barrister in preparation, but we chose to settle because all I wanted was a confidentiality waiver, and they granted that. At the point they offered that, I accepted because that is all I wanted. I just wanted the right to speak out.

Q541 **Sarah Champion:** In hindsight, could you reflect on your experience of the tribunal system? Did it work for you? Would you recommend it to other people? What were the blocks? What were the costs?

Dr Chapman: It worked for me. On a very personal level, it legitimised everything I had been through. I had had years of people saying, "This is just the way things are done," so to have a 43-page document saying, "This is illegal. You cannot treat somebody like that," was hugely powerful.

Financially, I got a lot of help. I was lucky enough to find a law firm that wants to change the sector as opposed to just taking money, so they worked on a no win, no fee basis, which is very rare. I could not have done it without that, and they worked very hard to secure me a pro bono barrister. Again, I could not have done it without that.

One of the cons of the tribunal system is that I was very lucky to even get a claim lodged because of the ridiculously short three-month period for sexual harassment claims. The only reason we were able to do it was that my lawyers argued very fiercely that, despite the original harassment that I complained about ending a while back, the way UCL handled the complaint and their failure to protect me against retaliation constituted further harassment. That was why we were able to get in. If this is to be a serious route for people to change things, it has to be extended so that the end of the process is when the timeframe starts, for a year or something.

Q542 **Sarah Champion:** At what point did you know about that three-month block?

Dr Chapman: I found out right at the end of the process, because I had all my faith in them doing the right thing, so it did not even occur to me to look up legally—

Q543 **Sarah Champion:** It was just luck.

Dr Chapman: It was luck, yes, and having a lawyer who knew, because I actually contacted one other lawyer beforehand, who said, "No, sorry. You are way out of the timeframe; I can't do anything." It was only



HOUSE OF COMMONS

through my campaign work that I met another lawyer who said that, no, we can do something about this.

The tribunal system was good, but you have to know what you want to fight for. It was not as if I went in there and said, "I would like a confidentiality waiver," and they said, "Okay." They came back saying, point blank, absolutely not: "NDAs are an intrinsic part of settlement agreements and we can't move." When they offered me £30,000 and said, "Sign an NDA," and I said, "No, I want a confidentiality waiver," my lawyer said that NDAs are not an intrinsic part of settlement agreements at all: "What you are getting is for us not to sue you. Everything extra to that is optional." They came back and offered me £70,000 and an NDA, and I said no, and then they came back happily and said, "Yes, you can have a waiver." It took some convincing, and I had to be willing to take it all the way.

Q544 Sarah Champion: You mentioned that you were very fortunate, that you managed to find someone who could do it on a no win, no fee basis. If you hadn't found them, would you have been able to secure justice through a tribunal route?

Dr Chapman: No. I would have resigned.

Q545 Sarah Champion: You are specifically looking at discrimination and sexual harassment. What are your views on NDAs in relation to them?

Dr Chapman: I think NDAs are being used in a blanket form in universities and I personally think it is in an illegal way, because they almost overwrite the rules for whistleblowing detriment; they are being used in that way. When justice does happen—for example, when sanctions are put down like the ones I got—they stop people from seeing it, so the sanctions are kept very quiet, and people think they can get away with things.

It is a double-edged sword because when justice does not occur, when something is mishandled, that is kept quiet as well, so it removes all accountability on the institution's part for the safeguarding of their staff or students. You cannot solve a problem until you expose a problem, and NDAs are being used such that we cannot actually expose what is happening in universities, and it is very prevalent.

Sarah Champion: Thank you, and thank you for everything you have given us today. It is so helpful.

Q546 Chair: Before we move on to the next section, can I ask a couple of questions? Are you a member of a union?

Dr Chapman: I am a member of the University and College Union, yes.

Q547 Chair: Did they not offer any help?



HOUSE OF COMMONS

Dr Chapman: I was not a member at the time because I was a student when it all started. You can only join when you are a member of staff, a bit later.

Q548 **Chair:** What about the NUS?

Dr Chapman: I did not look for that help actually, and my campaign work now tells me that there is not enough training for them to be able to cope with the aggressive defences that you come across, unfortunately.

Q549 **Chair:** Coming from the accused.

Dr Chapman: From the accused, yes. The defence can be very—

[Question and answer to Question 550 containing details of the case redacted.]

Q551 **Chair:** What were the sanctions against him?

Dr Chapman: I am only allowed to know the ones that pertain to me, and I had to do that by subject access request. [Redacted]

Q552 **Chair:** Did you know about the legal aid helpline?

Dr Chapman: No, I don't think so. I rang a helpline, but I am not sure whether it was the legal aid one.

Chair: I am sorry about that.

Dr Chapman: It's okay.

Q553 **Jess Phillips:** In reaching the settlement with UCL, you asked for a confidentiality waiver and you have said that that was always your goal—the confidentiality waiver. Why was that so important to you, and how did UCL respond to that request?

Dr Chapman: It was important for two reasons. First, selfishly, it allowed me to protect my career going forward.

Jess Phillips: That is not selfish.

Dr Chapman: I had written evidence of the defamation that was going on against me and I could not say a word against it. Like I said, it is a small field, so I was watching everything crumble. Having the waiver meant that, since I got it as part of the settlement—I do not know if it was in the evidence—I got what we call schedule 3. UCL's letter basically said, "She has been part of a very prolonged process, co-operated in good faith and it ended with serious admission of serious fault."

Q554 **Jess Phillips:** You have that statement from UCL.

Dr Chapman: I have that statement and it is for me to share with who I want. It has acted like an invisible shield, so I have walked into job interviews with that in my bag knowing that if they ask me why I do not have [information], or why I have a two-year publication gap, I can use



HOUSE OF COMMONS

that if I want to. I have used it on occasion when I have heard someone say, "Oh, but he wasn't actually found guilty." It has helped enormously.

From a campaigning point of view, I campaign in a group called The 1752 Group to stop this kind of thing happening, and I am able to speak to Universities UK, for example, and UCU very frankly, and give them evidence, because the waiver waived all previous confidentiality as well, so I can share all the emails I had that said "In strictest confidence." I am one of the few people who can actually say, no, this does actually happen; it is not just hyperbole; here are these in black and white. That has been very powerful in getting UUK, for example, to convene a taskforce on promoting professional guidelines, because a lot of universities do not have any form of policy on relationships between staff and students—about 32%. You can do whatever you want with absolutely no repercussions, so we are just trying to get anything written down where it says that maybe it is not a good idea to harass your students.

Q555 Jess Phillips: It doesn't beg writing down. I agree with you; it should be written down, but I am not sure I ever needed to read it anyway.

The waiver currently requires you to give reasonable notice to relevant parties before you make public comments. Presumably, you do not actually have to interact with your perpetrator in that instance. Have you found the arrangement satisfactory?

Dr Chapman: Yes. It has felt a little bit restrictive on social media, but in terms of talking to journalists, creating guidelines or anything, that is fine because they would ask for comment for them anyway, so it has not felt restrictive at all.

Q556 Jess Phillips: The right to reply, yes.

Dr Chapman: Exactly. If I see something on Twitter and I would like to reply saying, "Oh, this happened to me," or something like that, I would be giving two days' notice, and obviously I have calmed down in two days, which was the implication of that clause. That is the only part of it. UCL have acted, as far as I know, in good faith on that, so they have not used it to try to stop anything. I think that is because we have a strangely good working relationship around this. What worries me about it is that, if a university was very concerned about reputation management, they could use that to try to shut down—as a further silencing method. Again, you are always going to get right to reply; they are always going to have that opportunity, so I am not quite sure—

Q557 Jess Phillips: We are all aware of right to reply because of the nature of our jobs, but lots of people would not necessarily know that. I do not think people realise that, and that you can kill a newspaper story by giving no comment in lots of cases. You do not feel that it has been terribly onerous or that UCL have stopped stories appearing in the press by using that.



HOUSE OF COMMONS

Dr Chapman: No. The one time that happened was when they released a piece of information that was not known to me. I didn't know that the appeal had overturned the original findings, despite keeping the sanctions in place—a really tiny point of litigation that I hadn't been aware of—and, by telling a journalist that at that point, they kind of panicked and went, "It was all overturned," and that just took a little bit longer to iron out.

Q558 **Jess Phillips:** You have never been threatened with any legal action for breaching it or anything like that.

Dr Chapman: No, not at all. We have a very good—

Q559 **Jess Phillips:** It is amazing that you can say you have a very good relationship with them still. Do you think that the confidentiality waiver has benefited you?

Dr Chapman: Yes, in the ways that I just said, in that it has given me the confidence to walk into a conference with my head held high.

Q560 **Jess Phillips:** If you had your time again, would you ask for anything different?

Dr Chapman: Yes—hindsight. I would ask for a public outcome statement. The things they gave me I would ask them to make public, and I would probably ask for a public apology from the perpetrator, because not doing that has put all the responsibility for speaking out on my shoulders. [Redacted]

Q561 **Jess Phillips:** It is not your responsibility.

Dr Chapman: I know, but you know the internal thing.

Q562 **Jess Phillips:** I understand what you are saying, but hear my voice saying that it isn't.

Dr Chapman: If I had to renegotiate it, I would probably demand some form of public recognition, to remove that.

Q563 **Chair:** Before we move on to the next question, do you think he would have agreed to a public apology?

Dr Chapman: No, and I think that is probably—maybe he never would have, but—

Q564 **Chair:** His employer might have made him do it as part of the settlement.

Dr Chapman: He would not have agreed.

Jess Phillips: He could get a job somewhere else.

Dr Chapman: He has a lot of power. These people have a lot of power within universities because these complaints are routinely mishandled. I fully recognise that probably, if he did get fired now and if he appealed an employment tribunal, he would probably win because it has been



HOUSE OF COMMONS

mishandled so badly on both sides. He would probably use the money to sue me, so it is not necessarily a good thing.

Q565 **Jess Phillips:** So you don't want us to take him down.

Dr Chapman: I have lost my train of thought. It always felt in those years like it was about who was shouting the loudest. It always felt that he was in a room, physically in a room with somebody at UCL. [Redacted.] He was really telling them, "This woman is lying," while I was doing the right thing at home waiting for the email to come and saying, "Please, please, could you email my collaborator to tell them that I am not lying, and that this has happened?" The tribunal process gave me a voice for the first time; they had to listen to me. I had my own person saying, "No, it is not okay."

Q566 **Chair:** Could you have navigated that tribunal system without legal representation?

Dr Chapman: No way. I would have turned back at the first hurdle on reading the three-month time limit. I would not have had a hope, and I would have been terrified by the costs. UCL asked whether I was sure I wanted to proceed with it because they would go for me and they would use all their resources to fight the case if I took it to court. Had I not had a lawyer in my ear saying, "You keep going," I would have been scared; I had everything to lose at home.

Q567 **Tonia Antoniazzi:** Following your case, UCL decided to stop using NDAs in settlement agreements relating to complaints of sexual misconduct, harassment and bullying as a matter of course. It has also undertaken several initiatives to tackle sexual misconduct, harassment or bullying. Are you happy with this?

Dr Chapman: I am really pleased that they have taken those steps. They are one of the only universities to make such concrete steps in terms of hiring full-time case managers, which is exactly what we need to see. The use of NDAs in sexual misconduct cases is still handled on a case-by-case basis, on the decision of, I believe, a single member of staff, so it is not in policy. What does concern me is that if these things do not get written down, or national guidelines are not given out, we lose institutional memory very quickly; it only takes that one member of staff walking out. I am happy with what we have done, but it is always a case of reconciling that with the legacy of mistakes. They are, like I said, one of a few. They have not tried to keep me down now.

Q568 **Tonia Antoniazzi:** How do you think their approach to dealing with such cases now compares to other universities?

Dr Chapman: They are no worse and no better than any other university; we hear stories like mine of mishandling over very long lengths of time repeatedly.

Q569 **Tonia Antoniazzi:** What more would you like to see it and other



universities do to ensure that they are tackling sexual misconduct?

Dr Chapman: I would like to see the money moved from the end—silencing people—to the beginning, to preventing it. Universities spend a huge amount of money on these NDAs. In my case, there was [financial information], yet, when I asked for £10,000 to help develop some professional guidelines with some lawyers, I was told there is no money to do that, which confuses me. I would like all the universities to come together at once, or be forced to through guidelines, to say that they have all made mistakes in the past, because I think that is what is stopping them. They all have something to hide, and they should all come together and say, “Look, we’ve all done a bit of a rubbish job here; let’s come together and put money in together and develop guidelines together.”

I would love to see the publication of data on the number of complaints in the same way as the gender pay gap. I would love to see the number of complaints that have been brought forward. I would love to see, in an anonymised fashion, the outcome: for example, that there were five cases, three informal complaints, and one suspension—something like that.

I would like to see the standard public outcome of individual processes. It should not be in a way that would put witnesses at risk, but if something is upheld I do not—and my lawyer does not—see any reason why you cannot say, “Professor X, charged of this. Upheld. Sanction is this,” full stop, or something like that. We work in a global workplace and at the minute everything like that is kept extremely internalised, so there is no way to stop these people getting really bad sanctions, like in my case, being kicked out of multiple scientific collaborations, like in this case, and then applying for million-pound grants, still claiming membership, because they do not check. There is no way to enforce the sanctions globally.

Q570 **Sarah Champion:** The Nursing & Midwifery Council does something very similar to what you are saying, so there is precedent. Do you think it would make a difference if there was a central register?

Dr Chapman: I think it would. I know the kick-back it gets when I bring up that kind of idea. Yes, I think it would, because it is a global workforce and I know from experience that there is no way to enforce these sanctions. The universities claim they cannot enforce sanctions on the campus of another university, for example, and that university claims they cannot do anything because it is an employee of that university, and people tie themselves up in knots. It is the people who are not following the rules who win every time.

Q571 **Chair:** In terms of deciding to stop using NDAs, who do you think influenced that in UCL? Universities have quite interesting management structures, don’t they, and there is lots of power play going on from different directions. What do you think caused that decision?



HOUSE OF COMMONS

Dr Chapman: [Redacted]

Q572 **Chair:** You do not think it was the board of governors or the students. It was a pragmatic reaction.

Dr Chapman: Yes, I think it was. That is my cynical view. I spoke to my lawyer about it. Maybe it was coming, because during the legal discussions with my lawyer they had been convinced that NDAs are an intrinsic part of the settlement agreement. I think, when they realised that, they realised that maybe it was good for them as well to get me to speak out, because I do not believe that universities are happy with how these things are going; they cost a huge amount of money and time.

I think they need help, and by speaking out I am almost helping them because they cannot do anything. The reason I have a good working relationship with UCL is that it is made up of individuals who want to do the right thing and who I like very much, but their hands are tied by discriminatory policies that were written 20 years ago. [Redacted].

Q573 **Chair:** When you think about the NDAs, what sort of changes would you like to see around their use in discrimination and harassment cases?

Dr Chapman: I want to see regulation, most definitely, to ensure that they are not being used to hide the mishandling of a process. I veer back and forth on whether that would result in a blanket ban, because I think a blanket ban would be a very clean and practical policy—"Say none of this until all the problems are solved," for example. That is my gut feeling. I know that they are being used to silence and to perpetuate a serious problem, and it needs to stop.

Q574 **Chair:** I think you are right to say that they are being used to silence and cover up problems, but the evidence we have heard is that they can also create long-term problems for the individuals who are subject to them, both in securing employment and for their mental health.

Dr Chapman: Yes. The feeling I get is that NDAs can be a very good short-term solution for an individual who is seeking to end something that has ruined their life, and to claw back some of the things they think they need, like the money they lose—I lost a lot of money myself—and maybe getting a reference letter. My gut feeling is that the things that are being given in exchange for an NDA should be given freely, and that we are exploiting the vulnerability of these people. This did not happen to me, but we come across students who say, "Can I please have a year's extension on my contract because I have just spent a year going through this?" The minute they ask for something, the university says, "Okay, but you need to sign this NDA because we need to write it down officially and it will have an NDA clause in it." That really concerns me, because it should be given freely.

Q575 **Chair:** How do you respond to the suggestion that employers might be less willing to settle if NDAs were not around, potentially leaving people who have suffered discrimination walking away with no money, nothing,



HOUSE OF COMMONS

and no reference, or having to bring a tribunal claim?

Dr Chapman: That is a really inadequate situation. That does worry me, but UCL did it; UCL settled with me. They did not come back and say I could have a confidentiality waiver and no money. They actually came in with their top offer of £70,000 and the confidentiality waiver. There is precedent.

We cannot sanction what I believe is the illegal, pressurising use of NDAs through fear that we might create a different situation. We have to tackle the original one. I don't know; I go back and forth on it, because I know from an emotional point of view that prolonging anything for any victim is horrendous, but I have to believe that if we did this all at once, as national guidelines, universities would all fall in line at the same time, and you would not get this situation, especially with the tribunal system as easy as it was. Maybe "easy" is not the right word, but it was by far not the worst thing I went through during all of this.

Q576 **Chair:** Because of the support you had.

Dr Chapman: Yes.

Q577 **Chair:** Wonderful. That is great. Thank you so much for your time today. We are grateful. We know that there was no reason for you to come here today other than to talk to us, and we are grateful for that.

Dr Chapman: Thank you for doing the inquiry.

Q578 **Chair:** We will be publishing later—probably in the summer—so we will make sure that you are aware of when that happens.

Dr Chapman: Thank you.