

INTERNATIONAL SOCIETY OF BAYESIAN ANALYSIS (ISBA)
REPORTING VIOLATIONS OF THE CODE OF CONDUCT
FREQUENTLY ASKED QUESTIONS (“FAQs”)

Question: Where does one report a violation?

Answer: An ISBA Professional Conduct Committee will be responsible for administering the Code of Conduct, handling reports of violations, and managing conduct reviews and recommended actions.

Question: What sorts of violations should be reported?

Answer: The ISBA promotes good conduct in the practice of our profession, in our relationships, and in our society. “Good conduct” includes, but is not restricted to, scientific and ethical integrity (including avoidance of plagiarism), equality of opportunity and treatment, and respectful, non-harassing behavior. Please refer to *the ISBA Professional Ethics, Equal Opportunity, and Anti-Harassment Policies*, as well as to the *ISBA Code of Conduct*, for more specific details of the Standards of Conduct expected of our members.

Question: Where and when does the ISBA Code of Conduct apply? Does ISBA only review reports regarding activities at meetings primarily sponsored by ISBA?

Answer: Violations do not have to occur at ISBA events in order to be reported and reviewed.

Question: Do I have to be a member of ISBA to make a complaint? Does the party about whom the complaint is made have to be an ISBA member?

Answer: No.

Question: Who should report a violation? Does it have to be the person directly affected by any such violation?

Answer: As outlined in the Code of Conduct, anyone who experiences, observes, or has knowledge of a violation of the ISBA Code of Conduct should bring it to the attention of the ISBA President or the Committee Chair. If warranted, it should also be reported to a representative of the activity at which the violation occurred, the Police, or other authorities.

Question: Is there a deadline for reporting a violation?

Answer: A report should be made as soon as possible, but the fact that there has been a delay should not be used as a reason not to take action or report a violation. A reporter should discuss their concern with the Committee and, if appropriate, a formal Conduct Statement (“Statement”) should be submitted.

Question: Can the Statement be verbal, or must it be written?

Answer: Witnesses may provide verbal or written information. A written Statement may be requested. Most witnesses will be requested to be interviewed, regardless of whether they have also submitted a written Statement.

Question: Can a Statement be made anonymously?

Answer: Yes, but to be used as credible evidence supporting an action recommendation, a Statement typically will need to be validated through an interview. At a minimum, the ISBA representative coordinating the investigation, and the ombudsperson if applicable, will need to know the identity of and contact information for the person providing the information, to confirm that the information comes from a member or other credible source.

Question: How will we protect anonymity?

Answer: We cannot guarantee anonymity, because sometimes members will be able to discern identities from circumstances reviewed, and sometimes it may be impossible to conduct a full and fair investigation without disclosing identities. However, our Code of Conduct Procedures provide that information disclosed pursuant to the Procedures will only be shared on a need-to-know basis in the discretion of ISBA. We expect to only need to disclose names of witnesses (*other than to the ISBA representative coordinating the investigation and the ombudsperson if applicable, and possibly the Board*) when necessary to conduct a full and fair investigation and reach a decision, when necessary for a report to a law enforcement agency, or when required by law, subpoena or court order. If a reporter declines to have his/her name shared, the report may not be able to be used to support an action recommendation.

Question: Will the reporter's name be released to the person charged?

Answer: Yes, when necessary to conduct a full and fair investigation that allows an opportunity for the accused to respond to the accusation and defend himself/herself. If a reporter declines to have his/her name shared, the report may not be able to be used to support an action recommendation.

Question: Will ISBA ever release someone's name to the press?

Answer: ISBA may release a name to the press for all kinds of positive reasons, such as for promotional purposes like publication of an award. While we cannot currently envision a circumstance where ISBA would release a name to the press in relation to a conduct review, we are not able to commit that ISBA never will do that. For example, a report to a law enforcement agency could be released to the press by that agency.

Question: If someone's name is ever released, will they be told first?

Answer: While we cannot currently envision ISBA releasing someone's name in relation to a conduct review, the circumstances would determine whether the person receives prior notice before such a release. For example, in the case of a report to a law enforcement agency or to other authorities, it might not be appropriate to give advance notice.

Question: Is there recourse against ISBA if they share a person's information?

Answer: Only if there is a violation of law or contract guaranteeing non-disclosure.

Question: Will in-person testimony be required?

Answer: Typically, interviews will be conducted by phone or videoconference, but could be in person, if local.

Question: Will the interviews be taped? If so, how will they be recorded?

Answer: We have no present intent to do so, but cannot rule out recordation, as it could be useful in circumstances that we cannot now predict. If recorded, interviews will only be released on a need-to-know basis, or pursuant to a subpoena or court order.

Question: Can a spouse/friend listen to or verify the account at a later time? Who is best in this situation? (e.g. A lawyer? Is a spouse considered a credible witness?)

Answer: An interviewee may have a personal representative present during an interview, if desired. That person can be a spouse or lawyer. Preferably, it would not be a person who is a witness in the conduct review.

Question: Would a reporter have to sign a non-disclosure agreement at any point in the process?

Answer: Participants in an investigation may be asked to keep information shared by them or with them confidential and not share it outside the context of the investigation, unless disclosure is necessary for a report to a law enforcement agency or required by law, subpoena or court order. Under some circumstances, disclosing such information could be a violation of the Code of Conduct.

Question: What will ISBA do if the alleged offender tries to malign the reporter?

Answer: ISBA is committed to not allowing or condoning retaliation against anyone who reports information or participates in a conduct review under the Code of Conduct. Retaliation is itself a violation of the Code. Like any other Code violation, allegations of retaliation will be investigated and may result in action by ISBA against the perpetrator.

Question: What recourse does ISBA have against retaliation?

Answer: See the types of actions set forth in the Code Procedures.

Question: Can a reporter be sued for slander? If so, under what circumstances, and under which jurisdiction?

Answer: Slander (a false spoken statement damaging to a person's reputation) is a violation of law. Any person can be sued for a violation of law in many jurisdictions. Typically, the law that applies would be the law where the bad act is accomplished and/or where it has a negative effect on the victim. In US jurisdictions, truth is one of several defenses that may be available to defend against a claim of slander.

Question: What aspects of the process will depend on local law?

Answer: All aspects of the conduct review process and any actions taken will need to comply with local laws in the jurisdictions where they are conducted.

Question: Will ISBA notify the reporter of any decision?

Answer: ISBA's decision and any details related to a conduct review will be promptly communicated to the parties involved in the investigation, on a need-to-know basis, considering legal and other considerations, the professional and personal implications for all parties involved, and the purpose of

the Code of Conduct. At a minimum, ISBA will inform the reporting party, and potential offenders if they were contacted, that the conduct review has been completed.