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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 55**

The Disability Discrimination Act 1995  
(Amendment) Regulations (Northern Ireland) 2004

PART II

AMENDMENTS TO THE ACT

**Barristers**

8. After section 6C (as inserted by regulation 6), insert the following sections –

*“Barristers*

**Barristers: discrimination and harassment**

7A.—(1) It is unlawful for a barrister, in relation to taking any person as his pupil, to discriminate against a disabled person –

- (a) in the arrangements which he makes for the purpose of determining whom he will take as his pupil;
- (b) in respect of any terms on which he offers to take the disabled person as his pupil; or
- (c) by refusing, or deliberately omitting, to take the disabled person as his pupil.

(2) It is unlawful for a barrister, in relation to a disabled person who is a pupil, to discriminate against him –

- (a) in respect of any terms applicable to him as a pupil;
- (b) in the opportunities for training, or gaining experience, which are afforded or denied to him;
- (c) in the benefits which are afforded or denied to him;
- (d) by terminating the relationship or by subjecting him to any pressure to leave; or
- (e) by subjecting him to any other detriment.

(3) It is unlawful for a barrister, in relation to taking any person as his pupil, to subject to harassment a disabled person who is, or has applied to be taken as, his pupil.

(4) It is also unlawful for any person, in relation to the giving, withholding or acceptance of instructions to a barrister, to discriminate against a disabled person or to subject him to harassment.

(5) In this section and section 7B “pupil” has the meaning commonly associated with its use in the context of a person training as a barrister.

**Barristers: duty to make adjustments**

**7B.—**(1) Where –

(a) a provision, criterion or practice applied by or on behalf of a barrister, or

(b) any physical feature of premises occupied by, and under the control of, a barrister, places the disabled person concerned at a substantial disadvantage in comparison with persons who are not disabled, it is the duty of the barrister to take such steps as it is reasonable, in all the circumstances of the case, for him to have to take in order to prevent the provision, criterion or practice, or feature, having that effect.

(2) In this section, “the disabled person concerned” means –

(a) in the case of a provision, criterion or practice for determining whom he will take as his pupil, any disabled person who has applied, or has notified the barrister that he may apply, to be taken as a pupil;

(b) in any other case, a disabled person who is –

(i) an applicant to be taken as the barrister’s pupil, or

(ii) a pupil.

(3) Nothing in this section imposes any duty on a barrister in relation to a disabled person if he does not know, and could not reasonably be expected to know –

(a) in the case of an applicant or potential applicant, that the disabled person concerned is, or may be, applying to be taken as his pupil; or

(b) in any case, that that person has a disability and is likely to be affected in the way mentioned in subsection (1).”.