



# Equality Act 2010

## 2010 CHAPTER 15

### PART 5

#### WORK

### CHAPTER 1

#### EMPLOYMENT, ETC.

#### *The Bar*

#### **48 Advocates**

- (1) An advocate (A) must not discriminate against a person (B)—
  - (a) in the arrangements A makes for deciding who to take as A's devil or to whom to offer membership of a stable;
  - (b) as to the terms on which A offers to take B as A's devil or offers B membership of a stable;
  - (c) by not offering to take B as A's devil or not offering B membership of a stable.
- (2) An advocate (A) must not discriminate against a person (B) who is a devil or a member of a stable—
  - (a) as to the terms on which B is a devil or a member of the stable;
  - (b) in the way A affords B access, or by not affording B access, to opportunities for training or gaining experience or for receiving any other benefit, facility or service;
  - (c) by terminating A's relationship with B (where B is a devil);
  - (d) by subjecting B to pressure to leave the stable;
  - (e) by subjecting B to any other detriment.
- (3) An advocate must not, in relation to a relationship with a devil or membership of a stable, harass—

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**Changes to legislation:** Equality Act 2010, Section 48 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (a) a devil or member;
  - (b) a person who has applied to be taken as the advocate's devil or to become a member of the stable.
- (4) An advocate (A) must not victimise a person (B)—
- (a) in the arrangements A makes for deciding who to take as A's devil or to whom to offer membership of a stable;
  - (b) as to the terms on which A offers to take B as A's devil or offers B membership of a stable;
  - (c) by not offering to take B as A's devil or not offering B membership of a stable.
- (5) An advocate (A) must not victimise a person (B) who is a devil or a member of a stable—
- (a) as to the terms on which B is a devil or a member of the stable;
  - (b) in the way A affords B access, or by not affording B access, to opportunities for training or gaining experience or for receiving any other benefit, facility or service;
  - (c) by terminating A's relationship with B (where B is a devil);
  - (d) by subjecting B to pressure to leave the stable;
  - (e) by subjecting B to any other detriment.
- (6) A person must not, in relation to instructing an advocate—
- (a) discriminate against the advocate by subjecting the advocate to a detriment;
  - (b) harass the advocate;
  - (c) victimise the advocate.
- (7) A duty to make reasonable adjustments applies to an advocate.
- (8) This section (apart from subsection (6)) applies in relation to an advocate's clerk as it applies in relation to an advocate; and for that purpose the reference to an advocate's clerk includes a reference to a person who carries out the functions of an advocate's clerk.
- (9) “Advocate” means a practising member of the Faculty of Advocates.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)