



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART VII

#### SUPPLEMENTAL

#### 55 **Victimisation.**

[<sup>F1</sup>(1) or the purposes of Part II or Part III [<sup>F2</sup>(other than sections 24A to 24L)], a person (“A”) discriminates against another person (“B”) if—

- (a) he treats B less favourably than he treats or would treat other persons whose circumstances are the same as B’s; and
- (b) he does so for a reason mentioned in subsection (2).

(2) The reasons are that—

- (a) B has—
  - (i) brought proceedings against A or any other person under this Act [<sup>F3</sup>or Part III of the 2005 Order] ; or
  - (ii) given evidence or information in connection with such proceedings brought by any person; or
  - (iii) otherwise done anything under [<sup>F4</sup>, or by reference to,] this Act [<sup>F3</sup>or Part III of the 2005 Order] in relation to A or any other person; or
  - (iv) alleged that A or any other person has (whether or not the allegation so states) contravened this Act [<sup>F3</sup>or Part III of the 2005 Order] ; or
- (b) A believes or suspects that B has done or intends to do any of those things.

(3) Where B is a disabled person, or a person who has had a disability, the disability in question shall be disregarded in comparing his circumstances with those of any other person for the purposes of subsection (1)(a).

[<sup>F5</sup>(3A) For the purposes of Chapter I of Part III of the 2005 Order—

- (a) references in subsection (2) to B include references to—
  - (i) a person who is, for the purposes of that Chapter, B’s parent; and
  - (ii) a sibling of B; and

---

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 55. (See end of Document for details)*

---

- (b) references in that subsection to this Act or Part III of the 2005 Order are, as respects a person mentioned in sub-paragraph (i) or (ii) of paragraph (a), to be read as references to that Chapter.]
- (4) Subsection (1) does not apply to treatment of a person because of an allegation made by him if the allegation was false and not made in good faith.
- [<sup>F6</sup>(5) In the case of an act which constitutes discrimination by virtue of this section, sections 4, 4B, 4D, 4G, 6A, 7A, 13, 14A, 14C [<sup>F7</sup>, 15B] and 16A also apply to discrimination against a person who is not disabled.
- (6) <sup>F8</sup>.....]]

#### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. Prior to that repeal, different versions of this section had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

#### Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F2** Words in s. 55(1) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1, 19\(1\)](#), [Sch. 1 para. 23\(2\)](#); [S.R. 2007/466](#), [art. 2\(1\)](#)
- F3** Words in s. 55(2) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order 2005 \(S.I. 2005/1117 \(N.I. 6\)\)](#), [arts. 1, 48\(7\)](#); [S.R. 2005/336](#), [art. 2](#), Sch. (as amended (16.1.2007) by [S.R. 2007/25](#), [art. 2](#)); [S.R. 2005/337](#), [art. 2](#), Sch.
- F4** Words in s. 55(2)(a)(iii) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1, 19\(1\)](#), [Sch. 1 para. 23\(3\)](#); [S.R. 2007/466](#), [art. 2\(1\)](#)
- F5** S. 55(3A) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order 2005 \(S.I. 2005/1117 \(N.I. 6\)\)](#), [arts. 1, 48\(8\)](#) (with [art. 47](#)); [S.R. 2005/336](#), [art. 2](#), Sch. (as amended (16.1.2007) by [S.R. 2007/25](#), [art. 2](#)); [S.R. 2005/337](#), [art. 2](#), Sch.
- F6** S. 55(5)(6) inserted (N.I.) (21.2.2004 for specified purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) \(S.R. 2004/55\)](#), regs. 1(2)(3), {21}
- F7** Words in s. 55(5) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1, 19\(1\)](#), [Sch. 1 para. 23\(4\)](#); [S.R. 2007/466](#), [art. 2\(1\)](#)
- F8** S. 55(6) repealed (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1, 19](#), Sch. 1 para. 23(4), [Sch. 2](#); [S.R. 2007/466](#), [art. 2\(2\)\(l\)\(n\)](#)

#### Modifications etc. (not altering text)

- C1** S. 55 modified (1.9.1999) by [S.I. 1999/2256](#), [art. 3](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 55.