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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 21** **E+W**

**CHILDREN AND PATIENTS**

**Requirement for litigation friend in proceedings by or against children and patients** **E+W**

- 21.2.**—(1) A patient must have a litigation friend to conduct proceedings on his behalf.
- (2) A child must have a litigation friend to conduct proceedings on his behalf unless the court makes an order under paragraph (3).
- (3) The court may make an order permitting the child to conduct proceedings without a litigation friend.
- (4) An application for an order under paragraph (3)—
- (a) may be made by the child;
  - (b) if the child already has a litigation friend, must be made on notice to the litigation friend; and
  - (c) if the child has no litigation friend, may be made without notice.
- (5) Where—
- (a) the court has made an order under paragraph (3); and
  - (b) it subsequently appears to the court that it is desirable for a litigation friend to conduct the proceedings on behalf of the child, the court may appoint a person to be the child's litigation friend.

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**Commencement Information**

**II** [Rule 21.2](#) in force at 26.4.1999, see [Signature](#)

**Status:**

Point in time view as at 26/04/1999. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 21.2.