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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

[<sup>F1</sup>PART 21

CHILDREN AND PROTECTED PARTIES

**[<sup>F1</sup>Requirement for a litigation friend in proceedings by or against children and protected parties**

**21.2.**—(1) A protected party 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 a 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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**Textual Amendments**

**F1** Pt. 21 substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rule 1, [Sch. 2](#)

**Status:**

Point in time view as at 01/10/2017. This version of this provision has been superseded.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.