
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 17

LITIGATION FRIENDS AND RULE 1.2 REPRESENTATIVES

SECTION 1 – LITIGATION FRIENDS

Requirement for a litigation friend

- 17.2.**—(1) This rule does not apply to P (whether P is an adult or a child).
- (2) A protected party (if a party to the proceedings) must have a litigation friend.
- (3) A child (if a party to the proceedings) must have a litigation friend to conduct those proceedings on that child’s behalf unless the court makes an order under paragraph (4).
- (4) The court may make an order permitting a child to conduct proceedings without a litigation friend.
- (5) An application for an order under paragraph (4)—
- (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.
- (6) Where—
- (a) the court has made an order under paragraph (4); 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.