
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 17

LITIGATION FRIENDS AND RULE 1.2 REPRESENTATIVES

SECTION 1 – LITIGATION FRIENDS

Litigation friend by court order

17.4.—(1) The court may make an order appointing—

- (a) the Official Solicitor; or
- (b) some other person,

to act as a litigation friend for a protected party, a child or P.

(2) The court may make an order under paragraph (1)—

- (a) either on its own initiative or on the application of any person; but
- (b) only with the consent of the person to be appointed.

(3) An application for an order under paragraph (1) must be supported by evidence.

(4) The court may not appoint a litigation friend under this rule unless it is satisfied that the person to be appointed satisfies the conditions in rule 17.1(1).

(5) The court may at any stage of the proceedings give directions as to the appointment of a litigation friend.

(Rule 1.2 requires the court to consider how P should participate in the proceedings, which may be by way of being made a party and the appointment of a litigation friend under this Part.)