

The Chancery Bar Litigant in Person Support Scheme (‘CLIPS’)

Explanatory note for persons without representation High Court

*To accompany any notice of listing where a party is known to be unrepresented;
also to be handed to any unrepresented person appearing outside the Court for a hearing*

On the day of the hearing, barristers and solicitors (“advocates”) who are qualified and trained advocates are on duty and may be able to offer you assistance. However, there is no guarantee an advocate will be available to assist you. The advocate will assess your case in order to decide whether he or she can help, and you should also be aware that there may be other individuals who also require assistance.

The scheme is designed for those unable to afford to pay for legal representation. The advocates are acting voluntarily and will not be paid for any work they do for you.

- **The duty advocate is acting as a volunteer and is working for free.**
- **He or she will try to help you on this hearing but there will be limits to that help.**
- **He or she will only be able to give limited time to your case.**
- **On a day before your hearing, you can visit the RCJ Advice Bureau in the Royal Courts of Justice (on the Strand).**
- **On the day of your hearing, you will find the duty advocate outside Court 10 in the Rolls Building.**
- **If the advocate can help you, he/she may offer you some advice and may be willing to speak for you at the hearing.**
- **If you want the advocate to help you, you can ask him/her to make all of the arguments for you, or to make only some of the arguments for you.**
- **There may be points that the advocate is not able to make. You can choose to make these points yourself.**
- **If you would like the advocate to say anything on your behalf, you should not speak while the advocate is speaking, and you will not usually be able to comment on or add to what the advocate has said.**
- **The advocate can only help you on the day of your hearing. If you need further help, you may be able to get help from the RCJ Advice Bureau in the Royal Courts of Justice (on the Strand).**

The scheme has been set up by the Chancery Bar Association and is coordinated by the RCJ Advice Bureau. It is operated through Advocate (formerly known as the Bar Pro Bono Unit), which is one of the country’s main “pro bono” (free of charge) legal charities, and is supported by the Personal Support Unit and LawWorks.

If you receive this before the day of your hearing

1. You may go to the RCJ Advice Bureau at the Royal Courts of Justice (in the Strand) for guidance. They may be able to discuss the details of your case with you and see if they can help.
2. If the Bureau says your case might be suitable for the help of one of the duty advocates, please leave a copy of your papers at the Bureau before 2pm the day before your hearing. This is important as the advocate will try to read them in advance.
3. On the day of the hearing go to Court 10 in the Rolls Building. You should arrive at least 30 minutes before the time of your hearing, and ask the Court Associate or Usher to introduce you to the advocate on duty.

If you receive this on the day of your hearing

1. Please go to the area outside the Court and introduce yourself to the Court Associate or Usher.
2. If the interim application **has not been listed** by the Court, you may receive a referral card for the RCJ Advice Bureau. The card enables you to receive an initial interview from one of the Bureau's legal assistants. Among other things the interview will identify whether your case appears to be one that is appropriate for the interim applications court (in which event arrangements will be made to introduce you to a duty advocate), and if not what other help can be arranged for you. The duty advocate may be able to assist you on the day.
3. If the interim application **has been listed** by the Court and a duty advocate is already present the Court Associate or Usher will introduce you to them.
4. If a duty advocate is not present, the Court Associate or Usher will contact the RCJ Advice Bureau who will contact one of the duty advocates for the day and ask them to go to the Court as soon as possible. Meanwhile you should stay in the area outside the Court to wait for them.

In either situation the duty advocate will, if appropriate (a) offer you advice about what is possible in the immediate circumstances, and (b) be ready, if you wish, to speak for you before the Judge at your hearing that day.

If you want the duty advocate to speak for you at the hearing you can ask him or her to make all or only part of the argument for you. Equally the duty advocate may inform you that he or she is prepared or able to make only part (rather than all) of the argument – this might be because the advocate does not consider a point to be properly arguable by an advocate in a court, or for other proper reasons. Where the advocate will be making only part of the argument, and you will be making the rest, the Court will simply be asked to hear both of you. You should not speak while the advocate is speaking on your behalf and then you will be able to make the rest of the argument. You will not usually be asked by the Judge to comment on or add to the arguments (or the part of the argument) made by the advocate.

Under the scheme, the duty advocate, who is a volunteer, is only available to help you with this hearing. If you need further help after this hearing, you will need to speak to the RCJ Advice Bureau in the Royal Courts of Justice building in the Strand. Further help might be, for example, detailed advice, or appearance at the next hearing. Three weeks' notice is normally required and there is no promise of further help.

PLEASE REMEMBER:

- The duty advocate is acting as a volunteer and is working without charge.
- He or she will try to help you on this hearing but there will be limits to that help.

Data protection notice

The duty advocate and the RCJ Advice Bureau and Advocate will process data about your involvement in CLIPS. They both have privacy notices to explain how they process clients' data. Where the duty advocate is a barrister, the barrister's chambers will also have a privacy notice. Where the duty advocate is a solicitor, the solicitor's firm's website will have a privacy notice. All those privacy notices are available on their websites. The duty advocate will inform the RCJ Advice Bureau about what happened in relation to your hearing. He/she may comment about the need for any further assistance in the case. If your case requires a hearing in Court 10 on a later date then the duty advocate on that date may be informed about what happened in relation to your hearing, unless you say that you do not wish this to happen. This is because the later volunteer has a legitimate interest in knowing the background to the case. The Chancery Bar Association, the RCJ Advice Bureau and Advocate may keep records to monitor the use of the scheme and may make such information available to duty advocates.

Comments, concerns or complaints

If the unrepresented person or a volunteer wishes to raise any comment, concern or complaint he or she should, in the first instance, write to the Chief Executive at the RCJ Advice Bureau, Royal Courts of Justice, Strand, London WC2A 2LL. If you prefer you may raise any matter by writing to the Chief Executive of Advocate at the National Pro Bono Centre, 48 Chancery Lane, London WC2A 1JF.

Reporting

CLIPs will provide quarterly reports to Advocate and the RCJ Advice Bureau:

- a. How many volunteers are listed
- b. How many requests for assistance have been submitted
- c. How many requests for assistance have been accepted

CLIPs will provide a yearly report to Advocate and the RCJ Advice Bureau on the impact of the scheme on the court process by consulting court staff and/or the Judiciary hearing these cases including, where available, information about:

- a. Time saved by volunteer involvement
- b. Cost of the time saved
- c. Anecdotal comments from the Judiciary or court staff