



# Courts and Legal Services Act 1990

## 1990 CHAPTER 41

### PART I

#### PROCEDURE ETC. IN CIVIL COURTS

##### *Miscellaneous*

#### **11 Representation in certain county court [<sup>F1</sup>and family court] cases.**

- (1) The Lord Chancellor may [<sup>F2</sup>, with the concurrence of the Lord Chief Justice,] by order provide that there shall be no restriction on the persons who may exercise rights of audience, or rights to conduct litigation, in relation to proceedings in [<sup>F3</sup>the county court] of such a kind as may be specified in the order.
- (2) The power to make an order may only be exercised in relation to proceedings—
  - (a) for the recovery of amounts due under contracts for the supply of goods or services;
  - (b) for the enforcement of any judgment or order of any court or the recovery of any sum due under any such judgment or order;
  - (c) on any application under the <sup>M1</sup>Consumer Credit Act 1974;
  - (d) in relation to domestic premises; or
  - [<sup>F4</sup>(e) dealt with as a small claim in accordance with rules of court,]or any category (determined by reference to such criteria as the Lord Chancellor considers appropriate) of such proceedings.
- (3) Where an order is made under this section, section 20 of the <sup>M2</sup>Solicitors Act 1974 (unqualified person not to act as solicitor) shall cease to apply in relation to proceedings of the kind specified in the order.
- (4) Where [<sup>F3</sup>the county court] is of the opinion that a person who would otherwise have a right of audience by virtue of an order under this section is behaving in an unruly manner in any proceedings, it may refuse to hear him in those proceedings.

*Changes to legislation: Courts and Legal Services Act 1990, Section 11 is up to date with all changes known to be in force on or before 28 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) Where [<sup>F5</sup>the county court] exercises its power under subsection (4), it shall specify the conduct which warranted its refusal.
- (6) Where, in any proceedings in [<sup>F3</sup>the county court]—
- (a) a person is exercising a right of audience or a right to conduct litigation;
  - (b) he would not be entitled to do so were it not for an order under this section; and
  - (c) the judge has reason to believe that (in those or any other proceedings in which he has exercised a right of audience or a right to conduct litigation) that person has intentionally misled the court, or otherwise demonstrated that he is unsuitable to exercise that right,
- the judge may order that person’s disqualification from exercising any right of audience or any right to conduct litigation in proceedings in [<sup>F6</sup>the county court].
- (7) Where a judge makes an order under subsection (6) he shall give his reasons for so doing.
- (8) Any person against whom such an order is made may appeal to the Court of Appeal.
- (9) Any such order may be revoked at any time by any judge of [<sup>F3</sup>the county court].
- [<sup>F7</sup>(9A) This section applies in relation to the family court as it applies in relation to the county court.]
- (10) <sup>F8</sup> .....
- (11) In this section “domestic premises” means any premises which are wholly or mainly used as a private dwelling.
- [<sup>F9</sup>(12) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) or (2).]

#### Textual Amendments

- F1** Words in s. 11 title inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 76\(8\)\(b\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** Words in s. 11(1) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, [Sch. 4 para. 214\(2\)](#); [S.I. 2006/1014](#), art. 2(a), Sch. 1 para. 11
- F3** Words in s. 11 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 33\(2\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F4** S. 11(2)(e) substituted (26.4.1999) by [S.I. 1999/1217](#), art. 3
- F5** Words in s. 11(5) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 33\(3\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F6** Words in s. 11(6) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 33\(4\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F7** S. 11(9A) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 76\(8\)\(a\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F8** S. 11(10) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 146, 148, Sch. 4 para. 214(3), [Sch. 18 Pt. 2](#); [S.I. 2006/1014](#), art. 2(a), Sch. 1 paras. 11, 30

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**F9** S. 11(12) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148, **Sch. 4 para. 214(4)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11

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**Modifications etc. (not altering text)**

**C1** S. 11 restricted (26.4.1999) by S.I. 1998/3132, **rule 27.14(4)**

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**Marginal Citations**

**M1** 1974 c. 39.

**M2** 1974 c. 47.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)