

## Rights of Audience in Jersey & Guernsey and Who Should Exercise Them

Article in The Jersey & Guernsey Law Review by Timothy Hanson & Jon Barclay.  
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'Subject to limited exceptions, the right to appear on behalf of a party in any legal process in the courts of Jersey and Guernsey is restricted to Advocates of the respective Bailiwicks' Royal Courts but such right is not absolute and unfettered and is subject to the court's inherent jurisdiction to control its own process. In principle, the same jurisdiction enables non-admitted persons, in appropriate circumstances and subject to the court's sanction, to appear on behalf of a party in any particular process before the court. In recent years, however, businesses have evolved seeking to conduct civil litigation through persons who have little or no legal qualifications and by means of various contractual mechanisms specifically aimed at 'creating' rights of audience. Such mechanisms are legal fictions and it is not in the public interest that they should be recognized. There is a place for such lay advocates before our courts, but they should be appropriately regulated, permitted to operate without the need for legal fictions and restricted to roles appropriate to their level of expertise.'

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