

Qualified Legal Representative (QLR):  
Amelia King, No18 Chambers

**This document is only a summary of the role of a QLR. This document does not constitute advice of any kind. For more details on QLRs and their role, please see the STATUTORY GUIDANCE: QUALIFIED LEGAL REPRESENTATIVE APPOINTED BY THE COURT which is accessible online.**

The central purpose of a QLR is to ensure that the fairness of the court proceedings is maintained, by carrying out the cross-examination which the prohibited party is prohibited from performing.

As a QLR:

- I am not a representative of the court which appoints me, but I am accountable to the court;
- I am appointed by the court to cross-examine in the interests of a prohibited party however, I am not responsible to them;
- I am appointed by the court only to cross-examine a certain witness or certain witnesses;
- I cannot give advice or represent the prohibited party throughout the case. I have been appointed by the court to carry out a very limited role;
- I am not appointed to act for the prohibited party in the way that ordinary legal advocates do. We do not have the traditional 'lawyer-client' relationship and so I am not responsible to the prohibited party;
- I cannot help with preparing documentation or assist in complying with court directions;
- I cannot promise the confidentiality that usually attaches to lawyer-client relationships (legal professional privilege) and that there are obligations in family proceedings to disclose material that is unhelpful to the prohibited party's case;
- I will advance the interests of the prohibited party during the cross-examination however, I must not attempt to present their entire case and do not take instructions from them;
- The prohibited party may suggest questions to me that he/she/they wish(es) to be put to the witness. Although I may take such suggestions into consideration, ultimately questions should only be put to the witness if they relate to the essence of the prohibited party's case, and they are on those parts of the witness' case which may have a significant impact on the outcome of the proceedings.;
- As a QLR I am expected, in most cases, to meet with the prohibited party to elicit relevant information that will form the basis of the cross-examination and inform the drafting of a position statement (see below re position statements);

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- I do not have a free-ranging remit. I am not appointed to act as an 'advocate to the court'. I must remain conscious of the limited and unique purpose of my role in family proceedings;
- I am not expected to make submissions to the court on behalf of the prohibited party for whom I am conducting the cross examination;
- The prohibited party and I do not have a contractual relationship;
- My appointment will begin when the court makes an order. My appointment will terminate at the conclusion of the proceedings or when the court so orders. If further cross-examination affected by the prohibition is required, the court will recall me or (where that is not possible) appoint a new qualified legal representative;
- I am not the legal representative of the prohibited party.

#### Position Statement

It is recommended that QLRs should prepare a brief position statement for the hearing to help the court identify and narrow the issues that will be the focus of the cross-examination.

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