

## ***Advocates and litigators***

### **188 Duties of advocates and litigators**

(1) This section applies to a person who—

*Legal Services Act 2007 (c. 29)*

*Part 8 — Miscellaneous provisions about lawyers etc*

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(a) exercises before any court a right of audience, or

(b) conducts litigation in relation to proceedings in any court,

by virtue of being an authorised person in relation to the activity in question.

**(2) A person to whom this section applies has a duty to the court in question to act**

**with independence in the interests of justice.**

**(3) That duty, and the duty to comply with relevant conduct rules imposed on the**

**person by section 176(1), override any obligations which the person may have (otherwise than under the criminal law) if they are inconsistent with them.**

(4) “Relevant conduct rules” are the conduct rules of the relevant authorising body which relate to the exercise of a right of audience or the conduct of litigation.

(5) The relevant authorising body is—

(a) the approved regulator by which the person is authorised to exercise the right of audience or conduct the litigation, or

(b) where the person is authorised to exercise the right of audience or conduct the litigation by the Board in its capacity as a licensing authority, the Board.