



## **What is a McKenzie friend?**

When someone is involved in a civil legal case and they do not have a solicitor or barrister, they are entitled to have assistance from someone who is not a solicitor or barrister at court. This is called a McKenzie friend.

McKenzie friends do not have to be legally qualified in any way. A family member or friend can be someone's McKenzie friend.

Our McKenzie friend is not a legal professional but has completed specific training around areas such as Preparation for First Hearings, Children's cases, Position Statements, Final Hearings, Enforcing child arrangement orders, Non-Molestation and Occupation Orders. They have also supported women through various family court hearings.

Please be aware our McKenzie friend does not support with criminal proceedings.

## **What legal duties does a McKenzie friend have?**

A McKenzie friend must maintain confidentiality about a case. You can show your court papers to a McKenzie friend and they can go into court with you.

They have a duty to keep everything they read or hear about the case confidential.

## **What can a McKenzie friend do?**

McKenzie friends can:

- Be shown the court papers by you.
  - Go into court hearings with you and sit next to you at the front of the court, if a hearing is over the phone a McKenzie Friend can still be included in the call.
- A McKenzie friend cannot be excluded from a hearing without good reason.*

- Provide moral support
- Take notes of what is said

*This can be helpful because you may find it difficult to do this while speaking to the judge. It may also be helpful if you are struggling to remember what happened at court.*

- Help with case papers

*A McKenzie friend can help you get your papers together, and in the right order for hearings, help with documents you need to prepare by discussing what you want to say in those documents or help you with finding where you need to send documents.*

- Quietly give advice on the case (in the court)

*This means that during a hearing, if the McKenzie friend thinks that you have forgotten to mention something important or that you are struggling to understand what the judge is asking of you, they can help by quietly explaining or pointing out things during the hearing.*



## **What can a McKenzie friend not do?**

- Act like a solicitor in relation to the case

*This means that you should not use the McKenzie friend's address for letters or email. It is important that you are aware that a McKenzie friend is not performing the role of a solicitor.*

- Manage your case without you.

*It is important that you are in charge of your own case. Documents must always be signed by yourself and not the McKenzie Friend.*

*A McKenzie friend can help with drafting documents, but you are in charge of what is written and that it is written in your words.*

- Speak to the judge, make arguments in court or question witnesses

*This is called advocacy and you have to be given rights of audience by the court to speak directly to the judge.*

## **I have a solicitor, can you still support me?**

Yes, we can, we are very aware that even if you have legal representation it can be a confusing time going through family court and sometimes you may need to chat things through and have some emotional support through this process. We can offer this whether you have legal representation or not.

Please be aware though we are unlikely to be able to support directly in court if you already have a solicitor/ barrister but can support outside of this.

## **What makes our McKenzie friend different?**

One of the main things our McKenzie friend offers which is different to a solicitor is the emotional support side of things.

You may just need to chat things through sometimes with someone who will listen and can offer advice where appropriate, we can also advise if there are other support services which may be of benefit either through WOW or externally.

## **I'm not involved with court, can the McKenzie friend help with anything else?**

Yes, at present we may be able to offer support/ advocacy if you are involved with Children's Services. We are aware that this can be extremely stressful and support can be beneficial through this time. Our McKenzie friend can offer emotional support and advocacy where needed. This may be attending meetings with you, liaising with social workers and other external agencies as required. It can often feel like a very lonely time and we aim to support you through this process.



If you have any questions or are unsure if we can support you please contact us via the number/ email or referral form link below.

Email contact any time: [contactus@womenoutwest.co.uk](mailto:contactus@womenoutwest.co.uk)

Reception phone enquiries: (Monday to Friday 9.30 - 2.30pm) 01946 550103

Access our referral form [here](#)

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