

PRACTICE DIRECTION – CLAIMS UNDER THE RACE RELATIONS ACT 1976 (NATIONAL SECURITY)

THIS PRACTICE DIRECTION SUPPLEMENTS RULE 39.8

- 1.1 Where a claimant and his representatives have been excluded from all or part of the proceedings under rule 39.8(1)(a), the court will inform the Attorney General of the proceedings.
- 1.2 The attorney General may appoint a person (a ‘special advocate’) under section 67A(2) of the Race Relations Act 1976 to represent the claimant in respect of those parts of the proceedings from which he and his representative have been excluded.
- 1.3 In exercise of its powers under rule 39.8(c), the court may order the special advocate not to communicate (directly or indirectly) with any persons (including the excluded claimant) –
 - (1) on any matter discussed or referred to, or
 - (2) with regard to any material disclosed,during or with reference to any part of the proceedings from which the claimant and his representative are excluded.
- 1.4 Where the court makes an order referred to in paragraph 1.3 (or any similar order), the special advocate may apply to the court for directions enabling him to seek instructions from, or otherwise to communicate with an excluded person.

