

## INFORMATION LEAFLET

### Vexatious Litigant

The Attorney General has the power to seek an Order from the High Court to have a person declared a “vexatious litigant” by virtue of Section 32 of the Judicature (NI) Act 1978, which provides that;

*“ (1) If, on an application made by the Attorney General under this section, the High Court is satisfied that any person has habitually and persistently and without any reasonable ground instituted vexatious legal proceedings, whether in the High Court or in any inferior court or tribunal, and whether against the same person or against different persons, the court may, after hearing that person or giving him an opportunity of being heard, order-*

*(a) that no legal proceedings shall without the leave of the High Court be instituted by him in any court or tribunal;*

*(b) that any legal proceedings instituted by him in any court or tribunal before the making of the order shall not be continued by him without such leave;*

*and such leave shall not be given unless the court is satisfied that the proceedings are not an abuse of the process of the court and that there is prima facie ground for the proceedings.*

*(2) The court may in its discretion assign a solicitor or counsel to any person against whom an order is sought under this section and the expenses of any such solicitor or counsel shall be taxed and paid out of the legal aid fund.*

*(3) A notice of the making of any order under this section shall be published in the Belfast Gazette.”*

In order to exercise the discretion whether to make such an application the Attorney requires the following to be submitted at the time of application:

1. A detailed submission on the facts of the case
2. The full name and address of the litigant
3. Details of the number and nature of the cases commenced by the litigant together with copies of all court documents and pleadings in relation to same and any relevant correspondence
4. Details of the nature and stage of the proceedings together with details as to what steps have been taken in relation to the

litigation to the date of application. If the cases have been adjudicated upon, the results of same should be given together with any judgments/orders obtained

5. Any other information concerning the prospect of further litigation from the litigant

In consideration of any application, the Attorney will consider all facts of the case, any court documents available and the current case law and legislation pertaining to vexatious litigants and any other relevant matters.

**While this Information Leaflet has been prepared primarily for the assistance of legal advisers it is hoped all readers will find it of assistance. However if any further clarification is required please contact the Office of the Attorney General for Northern Ireland.**