

MAURITIUS BAR ASSOCIATION



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Dear friends,

Role of barristers in civil/commercial matters

The Council wishes to remind you of the role of barristers in civil or commercial matters, whether for cases lodged before court or during out-of-court negotiations.

The relevant provisions of the Code of Ethics in this regard are summarized below:

- That barristers may act in civil and commercial cases only when instructed by an attorney-at-law (Rule 2.2(ii));
- That barristers may not act directly or indirectly in the capacity of an attorney-at-law (Rule 2.3(c));
- That barristers may not supply legal services in civil or commercial matters except when briefed or instructed by an attorney-at-law (rule 3.6).
- Barristers should be particularly alert to a breach of the Code when they send letters, on behalf of their clients, with warnings of impending legal action or making claims of damages on behalf of their clients. Letters to the Courts, the police and tribunals are normally permissible.

Varuna R Bunwaree Goburdhun
Secretary of the Bar Council
16 December 2020