



**Queen's Bench Division**

**Queen's Bench Masters Listing and Action Department**

**Information for Court Users**

Date: 28 July 2020

During the current COVID-19 outbreak the work of the Queen's Bench Masters and Queen's Bench Action Department will continue so far as possible. However, it is inevitable that the outbreak of the virus, and the Government and NHS guidelines on self-isolation, means that there are, and will continue to be, absences of both Masters and court staff. In order to deal with the court business in the most efficient way possible, taking into account the current constraints, we will continue to make certain changes to our procedures.

**QUEEN'S BENCH ISSUES –**

Submitting Claim Forms

Professional court users should continue to submit claim forms via CE-File.

Unrepresented Litigants in person are encouraged to use CE-File, but if this is not possible claims forms can be submitted by -

- a) post, with a cheque or fee remission certificate to HMCTS, Queen's Bench Division, Issues Department, Royal Court of Justice, Strand, London, WC2A 2LL; or
- b) by email only if accompanied with a fee remission certificate to [QBenquiries@justice.gov.uk](mailto:QBenquiries@justice.gov.uk); or alternatively
- c) contact the Fees Office to make an appointment to attend the counter to pay the relevant fee or complete the fee remission form and deposit the documents in the drop box, which will be forwarded to the appropriate office (see Fees Office section for details).

For more information, support, advice and to register to use CE-File, please use this link: - <https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>

Contacting the Queen's Bench Issues Department

Until further notice a counter service will not be provided.

All enquiries relating to Queen's Bench Issues should be sent to [QBenquiries@justice.gov.uk](mailto:QBenquiries@justice.gov.uk) and a member of the team will assist you.



## QUEEN'S BENCH MASTERS LISTING -

All hearings will continue to be conducted remotely unless the Master considers that a hearing should be held with legal representatives and parties present, in which case, at the Master's discretion, a hearing will be listed in the Master's Chambers or in a court room. If a party considers that there are good reasons why a hearing should not be held remotely they should contact the Queen's Bench Masters Listing Section [QBmasterslisting@justice.gov.uk](mailto:QBmasterslisting@justice.gov.uk) at least 7 days before the hearing and provide reasons.

### Attended Hearings at the Royal Courts of Justice

If the Master decides that a hearing should be held with legal representatives and/or parties present in person at the Royal Courts of Justice the following restrictions will apply until further notice.

1. A hearing will only take place in a Master's room if no more than two persons intend to attend. The advocates must sit at each end of the advocates bench to ensure maximum distance between them. The remaining seating for solicitors, parties and observers will be out of use. If a member of the public wishes to attend the hearing will be adjourned to a court room.
2. The parties must notify the court at least 7 days before the hearing whether more than two persons will be attending a hearing, so that a court room can be booked if required. Parties must also inform the Listing Office regarding the number of attendees.
3. If a hearing is held in a court room all persons present must ensure that they sit two metres apart.
4. Hand sanitiser will be available in the Master's rooms and in a court room but parties should bring their own gloves, masks and any other protective clothing/equipment that they wish to use.
5. Door handles will be cleaned regularly in the Royal Courts of Justice, but we recommend that everyone entering Masters' rooms and court rooms wear gloves and/or sanitise their hands after touching them.
6. Documents and skeleton arguments to be relied on at a hearing must continue to be sent electronically even where a hearing takes place with attendance in person, in accordance with the guidelines for electronic bundles.

### Remote Hearings

From 15 June 2020 Masters Clerks will be responsible for organising remote hearings with Parties via Microsoft Teams and Skype. Hearings via Telephone will continue to be arranged by the parties. Parties will be contacted by a Masters Clerk who will facilitate the hearing arrangements and provide hearing directions on behalf of their respective Master. A list of the names and contact email addresses for each of the Queen's Bench Masters Clerks is included in this document, this list will be subject to change when normal working practices resume at the Royal Courts of Justice.



### Hearing Bundles

HMCTS has introduced a Document Upload Centre, (DUC) using a public and private area within Microsoft SharePoint on eJudiciary.net which enables Court users to upload single or multiple documents for court hearings. It will be an optional facility and can be accessed only by invitation from a Clerk who will require an e-mail address from the Court users for login purposes. If you wish to upload documents using this facility you must email the Master's clerk to request an invitation. Guidance on how to upload your documents via the DUC can be accessed via the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/887109/Document Upload Centre - Professional User.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/887109/Document_Upload_Centre_-_Professional_User.pdf)

### Submitting Applications

Professional court users should continue to submit applications via CE-File.

Unrepresented Litigants in person are encouraged to use CE-File, but if this is not possible applications can be submitted by -

- a) post, with a cheque or fee remission certificate to HMCTS, Queen's Bench Division, Masters Listing Office, Royal Court of Justice, Strand, London, WC2A 2LL; or
- b) by email only if accompanied with a fee remission certificate to [QBmasterslisting@justice.gov.uk](mailto:QBmasterslisting@justice.gov.uk) or alternatively
- c) contact the Fees Office to make an appointment to attend the counter to pay the relevant fee or complete the fee remission form and deposit the documents in the drop box, which will be forwarded to the appropriate office (see Fees Office section for details).

For more information, support, advice and to register to use CE-File, please use this link: -

<https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>

### Clerks Walk in

Clerks walk in remains suspended until further notice.

### Urgent and Short Applications List (USAL)

Hearings in the USAL list will continue to be heard remotely until 21 August 2020. From the 24 August 2020 hearings will be heard in a courtroom. The hearing type will be reflected in the hearing notice.



Contacting the Queen's Bench Masters Listing Office and Clerks

Until further notice a counter service will not be provided.

All enquiries relating to Masters hearings should be sent to the Masters Clerks at the email addresses provided.

All other general enquiries should be sent to [QBmasterslisting@justice.gov.uk](mailto:QBmasterslisting@justice.gov.uk)

Master's	Clerk's	Clerk's email address
Senior Master Fontaine Master Davison	Jonathan Eves	<a href="mailto:JONATHAN.EVES@justice.gov.uk">JONATHAN.EVES@justice.gov.uk</a>
Master Yoxall Master Dagnall	Beverley Henningham	<a href="mailto:beverley.henningham@Justice.gov.uk">beverley.henningham@Justice.gov.uk</a>
Master Sullivan Master Gidden	Sheila Anirudhan	<a href="mailto:Sheila.Anirudhan@justice.gov.uk">Sheila.Anirudhan@justice.gov.uk</a>
Master Thornett Master Brown	Mihaela Baditoiu	<a href="mailto:Mihaela.Baditoiu@justice.gov.uk">Mihaela.Baditoiu@justice.gov.uk</a>
Master Eastman	Sajid Ansari	<a href="mailto:Sajid.Ansari@justice.gov.uk">Sajid.Ansari@justice.gov.uk</a>
Master McCloud	Agnes Elsayed	<a href="mailto:Agnes.Elsayed@justice.gov.uk">Agnes.Elsayed@justice.gov.uk</a>
Master Cook	Sujen Subenthiran	<a href="mailto:Sujen.Subenthiran@justice.gov.uk">Sujen.Subenthiran@justice.gov.uk</a>
Deputy Masters	Stephen Keith	<a href="mailto:Stephen.keith@justice.gov.uk">Stephen.keith@justice.gov.uk</a>

**QUEEN'S BENCH ENFORCEMENT –**

Writs of Control

An amendment to Regulation 2 of the Taking Control of Goods (TCG") Regulations 2013 prescribes 23 August 2020 as the date on which:

- a) restrictions on bailiffs taking control of goods on the highway or at residential premises under regulations 10(1)(d) and 23(2)(c) of the TCG Regulations 2013 expire; and
- b) the provisions for automatic extension of the period of validity of a notice of enforcement under regulations 9(5) and 9(6) of the TCG Regulations 2013 expire.

See [www.legislation.gov.uk/uksi/2020/614/contents/made](http://www.legislation.gov.uk/uksi/2020/614/contents/made)



Writs of Possession

Practice Direction PD51Z suspended possession proceedings (save against trespassers) until 23 August 2020, see <http://www.legislation.gov.uk/ukxi/2020/582/article/2/made>.

The QB Enforcement Section will not:

- a) Issue writs of possession;
  - b) Process applications for permission to issue writs of possession or writs of restitution in aid of a writ of possession;
  - c) Issue Writs of Control in respect of enforcement intended to take place at residential properties or on highways;
  - d) Process any of the above received, but not processed, since the suspension/restriction came into force;
- until the first working day after 23 August 2020, namely 24 August 2020.

Submitting Writs of Control and Writs of Possession

Professional court users should continue to submit applications via CE-File if they already have a QB claim number.

Unrepresented litigants in persons are encouraged to use CE-File if they already have a QB claim number, but if this is not possible applications can be submitted by -

- a) post, with a cheque, PBA account number or fee remission certificate to HMCTS, Queen's Bench Division, Enforcement Department, Royal Court of Justice, Strand, London, WC2A 2LL; or
- b) by email only if accompanied with a fee remission certificate to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) or alternatively
- c) contact the Fees Office to make an appointment to attend the counter to pay the relevant fee or complete the fee remission form and deposit the documents in the drop box, which will be forwarded to the appropriate office (see Fees Office section for details).
- d) for all claims issued in the County Court please email [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk)

For more information, support, advice and to register to use CE-File, please use this link: -

<https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>



Possession Claims against Trespassers under CPR Part 55

The amendments to Practice Direction PD51Z exclude the following from the stay imposed on possession proceedings brought under CPR Part 55, and clarify that such claims may be issued:

- a) A claim against trespassers to which rule 55.6 applies;
- b) An application for an interim possession order under rule 55.28(1); or
- c) An application for case management directions which are agreed by all the parties.

The following procedure has been introduced in the QB Enforcement Section to allow claims against trespassers which are permitted to be brought, and are not subject to a stay, to be dealt with as efficiently as possible during the period of Coronavirus restrictions.

Claims under Rule 55.6

1. Draft Claim Form and Particulars of Claim, (or issued and filed Claim Form and Particulars of Claim in an existing QB claim), Witness Statement and Certificate of urgency with draft Order to be E-filed and also sent to QB Enforcement Section [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) in PDF form.
2. Permission to issue given by the Master and Order approved, without a hearing or by telephone hearing at Master's discretion. The draft Order must include a protocol for Defendants to dial in to a telephone hearing for the return date.
3. Claim Form issued and Order sealed electronically.
4. The Claim Form and sealed Order will be emailed to High Court Enforcement Officer/Solicitor for Claimant who will serve in accordance with CPR 55.6.
5. Certificate/Statement of service to be emailed to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) and E-filed.
6. Return hearing to be conducted by telephone conference call arranged by Claimant.
7. Order following telephone hearing and PF86 to be approved by the Master and Possession Order sealed.
8. Writ of Possession sealed.
9. Writ executed by High Court Enforcement Officer.



Applications for an Interim Possession Order (IPO) under Rule 55.20

- a) The documents required under Rule 55.22 must be E-filed and also sent to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) in PDF form.
- b) The court will issue the claim form and the application for the IPO and send these by email to the High Court enforcement officer/solicitor for the claimant.
- c) The hearing of the application will be by telephone no later than 3 days after the date of issue.

An application for case management directions agreed by all parties

Submit by E-filing and by sending the application notice and draft order to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk)

Stay of execution

Applications to file a stay of execution can be submitted by -

- a) post, with a cheque, PBA account number or fee remission certificate to HMCTS, Queen's Bench Division, Enforcement Department, Royal Court of Justice, Strand, London, WC2A 2LL; or
- b) by email only to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) if accompanied with a fee remission certificate; or alternatively
- c) contact the Fees Office to make an appointment to attend the counter to pay the relevant fee or complete the fee remission form and deposit the documents in the drop box, which will be forwarded to the appropriate office (see Fees Office section for details).

Contacting Queen's Bench Enforcement

All enquiries relating to Queen's Bench Enforcement should be sent to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) and a member of the team will assist you.

Although additional resources have been arranged for QB Enforcement to deal with the anticipated additional volume of enforcement work from 24 August 2020, there is likely to be some delay in processing because of the backlog. If there is very pressing urgency please notify court staff and we shall do our best to accommodate this.



## DEEDS POLL –

Applications for Deeds Poll should be submitted by -

- a) post, with a cheque, postal order or bankers draft to HMCTS, Queen’s Bench Division, Deed Poll Department, Royal Court of Justice, Strand, London, WC2A 2LL; or
- b) contact the Fees Office to make an appointment to attend the counter to pay the relevant fee and deposit the documents in the drop box, which will be forwarded to the appropriate office (see Fees Office section for contact details)

### Contacting Deeds Poll Department

A counter service is no longer provided.

All enquiries relating to Queen’s Bench Deeds Poll should be sent to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) and a member of the team will assist you.

## FOREIGN PROCESS -

### Service of Process

#### Requests for service of proceedings from foreign courts

The COVID-19 outbreak has inevitably led to delays in the service of documents from foreign courts requested under the EU Service Regulation and the Hague Service Convention, and from non-Convention countries. We are now able to process incoming requests for service either by bailiff service or tracked postal service.

#### Requests for service of proceedings issued in this jurisdiction in other countries

We are now accepting requests for service in foreign countries of proceedings issued in England & Wales. Where service is under either the EU Service Regulation or the Hague Service Convention the effectiveness of the request for service will depend upon the position of the relevant central body/authority in the EU member state or Convention state where the documents are to be served.

Requests for service in a country which requires service through foreign governments, judicial authorities or British Consular authorities, transmitted through the Foreign & Commonwealth Office, are now also able to be processed.

It will inevitably take some time to work through the backlog, but court staff in the Foreign Process Section will work to complete requests for service as promptly as they can.





### Taking of Evidence

All examinations of witnesses in respect of requests received from foreign courts to be carried out by order of the High Court of England and Wales under the direction of the Government Legal Department pursuant to the Evidence (Proceedings in Other Jurisdictions) Act 1975, and pursuant to the Taking of Evidence Regulation are suspended until 21 September 2020. Examinations of witnesses arranged and carried out privately are not affected by this order. Applications under the Evidence (Proceedings in Other Jurisdictions) Act 1975 where English solicitors are instructed can be processed by submitting these to the Foreign Process Section either by post or email to [foreignprocess.rcj@Justice.gov.uk](mailto:foreignprocess.rcj@Justice.gov.uk) and any hearings of, or relating to, such applications are able to be listed.

Urgent applications for orders for Letters of Request to be sent to foreign courts either under the Taking of Evidence Regulation or the Hague Evidence Convention or any other bi-lateral treaty are able to be processed, but there may be some delay in their being dealt with by the requested court during the present circumstances.

### Registration of Foreign Judgments

These are now able to be processed.

### Contacting Foreign Process Department

Telephones will be answered Monday to Friday between 10:00am and 15:30pm or alternatively email [foreignprocess.rcj@Justice.gov.uk](mailto:foreignprocess.rcj@Justice.gov.uk) and a member of the team will assist you.

Until further notice a counter service will not be provided.

Documents can be sent to the court by post, including a cheque or PBA account number if applicable, to HMCTS, Foreign Process Department, Royal Court of Justice, Strand, London, WC2A 2LL

Alternatively contact the Fees Office (see Fees Office section for contact details) to make an appointment to enable documents, with accompanying fee or PBA number if applicable, to be left in the Foreign Process drop box.

## **CHILDREN'S FUNDS –**

### Deposits into Court Funds Office

During the current period of restrictions, the Courts Funds Office (CFO) has introduced the facility to accept deposits electronically, to be used only in the most urgent cases, because of pressure on CFO staff during the present time. The process is as follows:



Deposits via BACS (by request only)

- The following documents relating to the deposit to be submitted by email to the CFO email address [enquiries@cfo.gov.uk](mailto:enquiries@cfo.gov.uk)
  - (1) The completed deposit form (Form 100) signed electronically;
  - (2) A sealed copy of the order directing the deposit or other form of authority to deposit (for example, if depositing in defence of tender a sealed copy of the claim form and a copy of the defence is required);
  - (3) If the direction relating to the deposit into CFO is contained within a schedule to the order, please also send an email [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk) requesting that the court send confirmation to the CFO that the schedule to the order contains the direction to deposit the funds at the CFO (this is required because the court has no facility at present to button seal schedules to orders, as it would normally do so the CFO can be assured that the direction was made by the court).
- The documents filed will be checked by the CFO. If in order CFO will open a nil balance account and send the BACS details to the sender to enable them to make the deposit. The CFO will endeavour to send the email by 1pm to allow for the depositor to make the deposit by the 3pm BACS deadline. This email will not necessarily be sent on the same day that the request is received as CFO have a number of processes to complete first.
- If the documents sent are incomplete or more clarity is required, they will be returned to sender by email with details of what is required. The request will then need to be resubmitted.
- Normal procedures will continue to apply if a deposit via BACS is not requested specifically. This means that if a deposit is received without prior approval it will be rejected.

Payments out of Court Funds Office

During the current period of restrictions, the CFO has introduced the facility to release funds electronically, to be used only in the most urgent cases, which will be decided by the Judiciary.

*Children's Funds -*

- Completed CF320's with the sealed approval order should be emailed to [qbchildrensfunds@Justice.gov.uk](mailto:qbchildrensfunds@Justice.gov.uk)
- Children's Funds will carry out a full check of the documents. If all is well, the paperwork will be authenticated in line with the CFO agreed digital process and sent to CFO to create an account.



- If the paperwork is incomplete then it will be returned to the sender by email with details of what they need to do. Any amendments will be accepted by email as long as the email clearly sets out and confirms what amendments have been made.
- Requests for payments from a children's funds account may be made by email by the litigation friend and will be responded to by email. Please ensure that the request specifies the purpose of the payment and if a quick response is required because a payment is imminent.

*All Other Requests for Payments Out from Court Funds for Queen's Bench Cases -*

- A completed CFO200 accompanied by the sealed order granting permission for payment out of court should be sent to [QBenforcement@justice.gov.uk](mailto:QBenforcement@justice.gov.uk).
- QB Enforcement will carry out a full check of the documents. If all is well, the paperwork will be authenticated in line with the CFO agreed digital process and sent to CFO for the release of funds into the requested bank account.
- If the paperwork is incomplete it will be returned to the sender by email with details of what they need to do. Any amendments will be accepted by email as long as the email clearly sets out and confirms what amendments have been made.

Contacting Children's Funds Department

All enquiries relating to Children's Funds should be sent to [qbchildrensfunds@Justice.gov.uk](mailto:qbchildrensfunds@Justice.gov.uk) and a member of the team will assist you.

**ELECTRONIC SIGNATURES ON COURT DOCUMENTS –**

During this period when most court users are working remotely, often without access to secure scanning technology the QB Action Department has received a number of queries from court users as to whether documents filed with the court bearing either no signatures or electronic signatures are acceptable.

Rule 5.3 permits any document that is required to be signed "if the signature is printed by computer or other mechanical means". The QB Action Department will accept all documents signed with electronic signatures, but documents that are unsigned will not be accepted.



**FEES OFFICE –**

Fees Office Opening Times

The Royal Courts of Justice Fees Office is currently open to the public from 10:00am to 14:00pm Monday, Wednesday and Friday.

From Monday 3 August 2020, the Fees Office will be open to the public from 10:00am to 4:30pm Monday to Friday.

Access to the Fees Office will be on an appointment only basis.

An appointment can be booked by calling the telephone number 0207 947 6527 between opening hours or by emailing [feesofficecounterbooking@justice.gov.uk](mailto:feesofficecounterbooking@justice.gov.uk) If you are unable to attend in person please contact the Fees Office by telephone or email and a member of the team will assist you.

Once an appointment has been booked, Court users are advised to enter the Royal Courts of Justice via the main Strand entrance and make their way directly to the Fees Office. Upon arrival you will be directed by staff to pay a fee or submit a remission application and then your documents will be placed in a drop box for the appropriate Court department. Once this has been done you should leave the Royal Courts of Justice via the designated exit. Please follow the social distancing measures that will be in-place around the court building. Court users will need to bring their own hand sanitiser and bottled water.

Help with Fees Online

Please complete the following steps to apply for fee remission –

- Please go to the Help with Fees website (<https://www.gov.uk/get-help-with-court-fees>) and complete the step by step application process.
- Forward your 'HWF' reference to the Fees Office ([feesrcj@justice.gov.uk](mailto:feesrcj@justice.gov.uk)) along with a copy of your claim form and/or application form. Please note that this number is confirmation of applying, not confirmation of Remission entitlement.
- The Fees Office will then process your application and contact you with the outcome of the Help With Fees application and will advise your next steps.