



Queen's Bench Division

Queen's Bench Masters Listing and Action Department

Information for Court Users

Date: 20 November 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) by email, accompanied with a receipt of payment by debit/credit card or fee remission certificate to QBenquiries@justice.gov.uk ; or
- b) post, accompanied with a cheque, receipt of payment by debit/credit card or fee remission certificate to HMCTS, Queen's Bench Division, Issues Department, Royal Court of Justice, Strand, London, WC2A 2LL; or alternatively
- c) deposit the application with receipt of payment by debit/credit card or a fee remission certificate in the Queen's Bench Division drop box which is situated at the main entrance of the Royal Courts of Justice.

For more information in relation to payment by debit/credit card please see Fees Office section.

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



Contacting the Queen's Bench Issues Department

All enquiries relating to Queen's Bench Issues should be sent to 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 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

Masters Clerks will be responsible for organising remote hearings with Parties via Microsoft Teams and Skype. 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. Hearings via telephone will continue to be arranged by the parties (see CPR Practice Direction 23A para. 6.10(1)). The approved providers are Kidatu and Legalconnect.

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) by email, accompanied with a receipt of payment by debit/credit card or with a fee remission certificate to QBmasterslisting@justice.gov.uk ; or
- b) post, accompanied with a cheque, receipt of payment by debit/credit card or fee remission certificate to HMCTS, Queen's Bench Division, Masters Listing Office, Royal Court of Justice, Strand, London, WC2A 2LL; or alternatively



- c) deposit the application with receipt of payment by debit/credit card or a fee remission certificate in the Queen’s Bench Division drop box which is situated at the main entrance of the Royal Courts of Justice.

For more information in relation to payment by debit/credit card please see Fees Office section.

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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 further notice.

Contacting the Queen’s Bench Masters Listing Office and Clerks

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

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



QUEEN'S BENCH ENFORCEMENT –

Writs of Control

Although writs of control may be issued, s.3 of the Public Health (Coronavirus) (Protection from Eviction and Taking Control of Goods) (England) Regulations 2020, prohibits enforcement agents from taking control of goods inside residential properties in England during the period when the Health Protection (Coronavirus) (Restrictions) (England) (No.4) Regulations 2020 are in force (due to end on 2 December 2020).

Writs of Possession

Writs of Possession may be issued. However, Section.3 of the Public Health (Coronavirus) (Protection from Eviction and Taking Control of Goods) (England) Regulations 2020. provide that evictions may not be enforced in England (including serving notices of eviction) until 11 January 2021, except in the most serious circumstances. The Government believes that this is necessary in order to protect public health by preventing people being evicted at a time when the risk of virus transmission is very high and it may be more difficult for them to access services, and in order to avoid placing additional burdens on the NHS and hindering local authorities in their public health response at a time when pressure on relevant public services is likely to be most acute.

The limited circumstances in which an eviction may be enforced where the court is satisfied that:

- the claim is against trespassers who are persons unknown;
- the order for possession was made wholly or partly on the grounds of anti-social behaviour, nuisance or false statements, domestic abuse in social tenancies, or substantial rent arrears equivalent to nine months' rent that predate 23 March 2020; or
- the order for possession was made wholly or partly on the grounds of death of the tenant, and the person attending the property is satisfied that the property is unoccupied.

Please note that, except in the case of certain trespassers (those who never had any right or permission from a relevant person to enter or remain) or the court otherwise orders, 14 days' notice of eviction is required to be delivered to the premises by Rule 83.8A before a writ of possession can be executed.

There is now no general requirement for permission of the court to be obtained to issue a writ of possession, following amendments to Rule 83.13. Judicial permission is still required to issue a writ to enforce notices under section 33D Immigration Act, and to enforce orders over 3 months old against a trespasser(s), and to issue writs of restitution or assistance. CPR83.13(6) does provide that there must be a certificate that the land has not been vacated.



Transfers from the County Court to the High Court for the enforcement of a possession order

Rule 30.4(3), which took effect from 21 September 2020, provides that orders made by the County Court for transfer of proceedings to the High Court for the enforcement of a judgment or order for possession will have effect so as to transfer those proceedings to the District Registry in whose area the land is situated (where the land is not situated in the area of any District Registry then the transfer will still be to the Royal Courts of Justice), unless the court otherwise orders. All relevant applications, including for writs and for stays of enforcement, should then be made to that transfer destination (and which should also be identified on the notice of eviction).

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) by email, accompanied with a receipt of payment by debit/credit card or a fee remission certificate to QBenforcement@justice.gov.uk; or
- b) post, accompanied with a cheque, PBA account number, receipt of payment by debit/credit card or fee remission certificate to HMCTS, Queen's Bench Division, Enforcement Department, Royal Court of Justice, Strand, London, WC2A 2LL; or
- c) deposit the application with receipt of payment by debit/credit card or a fee remission certificate in the Queen's Bench Division drop box which is situated at the main entrance of the Royal Courts of Justice.
- d) for all claims issued in the County Court please email QBenforcement@justice.gov.uk

For more information in relation to payment by debit/credit card please see Fees Office section.

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

Possession Claims against Trespassers under CPR Part 55

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 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 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 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

Stay of execution

All applications for a stay of execution will be dealt with on an urgent basis. To maximise efficiency the preferred option is email.

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

- a) email, accompanied with a receipt of payment by debit/credit card or a fee remission certificate to QBenforcement@justice.gov.uk ; or
- b) post, accompanied with a cheque, PBA account number, receipt of debit/credit card or fee remission certificate to HMCTS, Queen's Bench Division, Enforcement Department, Royal Court of Justice, Strand, London, WC2A 2LL; or alternatively
- d) deposit the application with receipt of payment by debit/credit card or a fee remission certificate in the Queen's Bench Division drop box which is situated at the main entrance of the Royal Courts of Justice.
- e) If the application is urgent and you have no access to email you can telephone 0207 947 7485 and a member of the team will assist you.

For more information in relation to payment by debit/credit card please Fees Office section.

Contacting Queen's Bench Enforcement

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

DEEDS POLL –

Applications for Deeds Poll should be submitted by -

- a) post, with a cheque, postal order, bankers draft or receipt of debit/credit card payment to HMCTS, Queen's Bench Division, Deed Poll Department, Royal Court of Justice, Strand, London, WC2A 2LL; or alternatively



- b) deposit the application with a cheque, postal order, bankers draft or receipt of debit/credit card payment receipt of payment in the Queen's Bench Division drop box which is situated at the main entrance of the Royal Courts of Justice.

For more information in relation to payment by debit/credit card please see Fees Office section.

Please note that there are likely to be delays in processing Deed Poll applications whilst the Covid-19 restrictions are in place.

Contacting Deeds Poll Department

All enquiries relating to Queen's Bench Deeds Poll should be sent to 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, have now been resumed. However many examinations will be carried out by telephone rather than in person whilst the Covid-19 restrictions are in place.

Applications under the Evidence (Proceedings in Other Jurisdictions) Act 1975 where solicitors admitted in England & Wales are instructed can be processed by submitting these to the Foreign Process Section either by post or email to 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

All enquiries relating to Foreign Process should be sent to foreignprocess.rcj@Justice.gov.uk and a member of the team will assist you.

Documents can be sent to the court by post, accompanied with a cheque, receipt of payment by debit/credit card or PBA account number if applicable, to HMCTS, Foreign Process Department, Royal Court of Justice, Strand, London, WC2A 2LL

Alternatively documents, with accompanying fee or PBA number if applicable, can be left in the Queen's Bench Division drop box, which is situated at the main entrance of the Royal Courts of Justice.

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
 - (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 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
- 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 .
- 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 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 –

How to Pay a Court Fee

Payment by Debit or Credit Card via the Phone or Email –

You can pay a court fee by debit or credit card by contacting the Fees Office on 0207 073 4715 between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays) or by emailing RCJfeespayers@justice.gov.uk Once the payment has been processed you will receive a receipt which you should submit with the claim form and/or application form to the relevant department either by email, post or drop box which is situated at the main entrance of the Royal Courts of Justice.

Payment by CE-File –

Court users can pay a fee by Payment by Account (PBA) or debit or credit card on submission of documents via Ce-File. For more information, support, advice and to register to use CE-File, please use this link: www.gov.uk/guidance/ce-file-system-information-and-support-advice

Payment by Account (PBA) –

If you have a PBA account, then you must include the reference number in a covering letter with any claim form and/or application you lodge with the court, either by email, post or drop box which is situated in the main entrance to the Royal Court of Justice.

Payment by Cheque –

Cheque's should be made payable to HMCTS and either posted with the claim form and/or application form or placed in the drop box which is situated at the main entrance to the Royal Court of Justice.

Help with Fees Online

To apply for fee remission, 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



HM Courts &
Tribunals Service

CORONAVIRUS update

the Fees Office feesrcj@justice.gov.uk along with a copy of your claim form and/or application form. Please note, the number is confirmation of applying and is not confirmation of Remission entitlement. The Fees Office will process your application and contact you with the outcome of the Help with Fees application and will advise your next steps.

General Fee Enquiries

For general fee related enquiries please contact the Fees Office on Feesrcj@justice.gov.uk

Fees Office counter

From Monday 9 November 2020 the Fees Office counter service will be temporarily suspended until further notice.

Visit [gov.uk/hmcts](https://www.gov.uk/hmcts) for court and tribunal related **coronavirus updates**