



CONSULTATION BY THE CIVIL PROCEDURE RULE COMMITTEE (CPRC)

PROPOSED AMENDMENT TO CPR PART 27 AND PRACTICE DIRECTION 27A

DECIDING SMALL CLAIMS WITHOUT A HEARING

Background

The CPRC is responsible, under the provisions of the Civil Procedure Act 1997, for making rules of court governing the practice and procedure to be followed in the Civil Division of the Court of Appeal, the High Court and the County Court. It is to do so with a view to securing that the system of justice is accessible, fair, and efficient, and to try and make rules that are both simple and simply expressed.

Under section 2(6) of the 1997 Act, the CPRC is, before making rules, to consult with such persons as they consider appropriate.

This public consultation was commissioned following discussions at the CPRC on 7 March 2025, 7 November 2025 and 5 December 2025 (the minutes of which can be read online here <https://www.gov.uk/government/organisations/civil-procedure-rules-committee/about#minutes>).

Overview

The CPRC introduced a pilot practice direction (PD51ZC) to test the effectiveness of determining small claims on paper, without a hearing. The pilot scheme ran from June 2022 to October 2025 in six pilot court centres across England & Wales. The origins of the pilot PD arose from recommendations in a Civil Justice Council report (in January 2022) on the resolution of Small Claims.

On 7 March 2025, HMCTS presented to the CPRC an evaluation of PD51ZC in practice. Following careful consideration, the CPRC agreed that there was utility in the principle tested within the pilot. The pilot could, therefore, expire naturally on 31 October 2025. The CPRC Sub-Committee was tasked with preparing a consultation on substantive CPR amendments to allow a judge to give directions for a matter to be determined on the papers if deemed appropriate, without the consent of all parties and that the temporary changes to the Directions Questionnaire (form N180) should be retained.

Those draft provisions are the subject of this consultation. The CPRC has also taken the opportunity to make some other changes to CPR Rule 27 and Practice Direction 27A to update terminology in the interests of usability, simplicity, clarity and gender neutrality and to delete outdated references.

If the proposed changes come into effect, the CPRC will review and amend cross-references elsewhere in the rules (and court forms) as appropriate.

This Consultation

We now invite views and comments on the proposed amendment to CPR Rule 27 and Practice Direction 27A.

How to Respond

Please send your responses to CPRCconsultation@justice.gov.uk (in word or PDF format) with the subject heading “Deciding Small Claims Without a Hearing”

Deadline for Responses

This consultation will close on 22 June 2026. **Deadline extended until 31 July 2026.**

Questions

If you have any questions regarding this consultation, please use the email address above or email the general enquiries inbox at CPRC@justice.gov.uk

Welsh Language

Please contact the Secretariat if you require the consultation translated into the Welsh Language.

Next Steps

The matter will be programmed in for CPRC consideration following the conclusion of this consultation. You can follow progress by reading the minutes of CPRC meetings here <https://www.gov.uk/government/organisations/civil-procedure-rules-committee/about#minutes>

Data

Data will be handled in line with the CPRC Personal Data Privacy Notice found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707892/cprc-privacy-notice-may-2018.pdf

Civil Procedure Rule Committee

May 2026