

King's Bench Division

King's Bench Masters Listing and Action Department

Information for Court Users

Date: 16 September 2022

The following practical measures will remain in place until further notice, to assist the court to deal with its business as efficiently as possible.

The King's Bench Division telephone number is 0203 936 8957

KING'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) email, accompanied with a receipt of payment by debit/credit card or fee remission certificate to KBEnquiries@justice.gov.uk ; or
- b) post, accompanied with a cheque, receipt of payment by debit/credit card or fee remission certificate to HMCTS, King'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 King'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 King's Bench Issues Department

All enquiries relating to King's Bench Issues should be sent to KBEnquiries@justice.gov.uk or telephone 0203 936 8957 and a member of the team will assist you.

KING'S BENCH MASTERS LISTING -

Hearings before KB Masters at the Royal Courts of Justice

Below is a brief summary, but for full hearing directions (both remote and in person), please refer to Annex 6 of the King's Bench Guide 2022 (<https://www.judiciary.uk/wp-content/uploads/2022/09/KB-Guide-2022.pdf>).

1. The default position is that hearings listed for 1 hour or less will be conducted remotely via Microsoft Teams and in accordance with PD51Y; hearings of more than one hour will be face-to-face. All hearings will be recorded. If a party wishes to ask that a hearing of more than an hour should be a remote hearing, they must as soon as practicable e-mail the Master's clerk and explain the reasons. The court will make an appropriate direction.
2. Hearings in person and in the Masters' chambers are limited to 4 attendees in total. If there are more than 4 people expected, please contact the appropriate clerk as soon as possible to discuss the options.
3. 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.

Remote Hearings

Masters Clerks will be responsible for organising remote hearings with Parties via Microsoft Teams. The Claimant or Applicant (if not the Claimant) must obtain the e-mail addresses of all participants to the hearing and e-mail them to the Master's listing clerk at least one clear working day in advance. A list of the names and contact email addresses for each of the King's Bench Masters Clerks is included in this document. 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

If the hearing is in person, the Master will require a hard copy bundle, this should be delivered 3 days before the hearing to the reception desk in the Bear Garden or the drop box for the King's Bench Division in the main hall next to reception. However, the Master may direct that an electronic bundle (e-bundle) be provided instead of or in addition to a hard copy bundle.

If the hearing is a remote hearing, or an e-bundle is directed to be provided for a hearing in person, the Master will require an agreed e-hearing bundle to be e-mailed both to their listing clerk and (by copying them into the email) to the Master at least 3 working days before the hearing.

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) email, accompanied with a receipt of payment by debit/credit card or with a fee remission certificate to KBMastersListing@justice.gov.uk ; or
- b) post, accompanied with a cheque, receipt of payment by debit/credit card or fee remission certificate to HMCTS, King'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 King'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

Clerks Walk in

As discussed at the last KB Masters' Court User Group meeting, it was announced that the clerks walk in will not return. Since the advent of CE-File in 2019 and the changes in working practices necessitated by the pandemic, the need for the walk in has diminished. Legal representatives may contact a Master directly where a hearing is imminent or a matter is urgent, and the last 30 minutes of a Masters' urgent applications sitting will be reserved for urgent or complex matters. However, parties should only contact the assigned Master to a case.

Contacting the King's Bench Masters Listing Office and Clerks

All enquiries relating to applications, orders or hearings before a Master should be sent to the assigned Masters Clerk at the appropriate email address below.

All other general enquiries should be sent to KBMastersListing@justice.gov.uk

Contact details for the Masters' clerks can be found on the next page.

Master	Clerk & email
Senior Master Fontaine & Master Davison	Jonathan Eves Jonathan.Eves@justice.gov.uk
Master Eastman	Rosie Reid Rosie.Reid@justice.gov.uk
Master McCloud	Agnes Elsayed agnes.elsayed@justice.gov.uk
Master Cook	Ilaria Capanni Ilaria.Capanni@justice.gov.uk
Master Thornett	Samual Aldridge Samual.Aldridge@justice.gov.uk
Master Gidden	Sheila Anirudhan Sheila.Anirudhan@justice.gov.uk
Master Sullivan	Khurram Mahmud Khurram.Mahmud@justice.gov.uk
Master Dagnall	Beverley Henningham Beverley.Henningham@Justice.gov.uk
Master Stevens	Ian Ang Ian.Ang1@justice.gov.uk
Master Brown & Deputy Masters	Stephen Keith Stephen.Keith@Justice.gov.uk

KING'S BENCH ENFORCEMENT –

Writs of Possession

Writs of Possession may be issued. However, Section 82 of the Coronavirus Act provides that possession orders made against tenants of commercial properties cannot be enforced before 30 June 2020, or any extension of that period, and that period has been extended by the Government to **25 March 2022**. The same applies to commercial landlords' abilities to recover rental arrears through the seizure of goods

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 KB claim number.

Unrepresented litigants in persons are encouraged to use CE-File if they already have a KB 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 KBEnforcement@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, King'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 King'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 KBEnforcement@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 will continue in the KB Enforcement Section to allow claims against trespassers which are permitted to be brought and are not subject to a stay.

Claims under Rule 55.6

1. Draft Claim Form and Particulars of Claim, Witness Statement and Certificate of urgency with draft Order should be sent to the KB Enforcement Section KBEnforcement@justice.gov.uk in PDF form, except for the draft order which should be in MS Word, nothing should be CE-Filed until permission has been granted.
2. The above will be referred to the applications Master to consider permission to issue, without a hearing or by hearing at Master's discretion.
3. If permission is granted, parties will be directed to CE-File the Claim Form which will be issued and an Order sealed electronically with directions for service.
4. The Claim Form and sealed Order will be emailed to High Court Enforcement Officer (HCEO)/Solicitor for Claimant who will serve in accordance with CPR 55.6 and/or in accordance with any order made.
5. Certificate/Statement of service to be emailed to KBEnforcement@justice.gov.uk and E-filed.
6. Return hearing will be in person before the assigned applications Master.
7. If possession is granted, the order, PF86 and draft writ of possession will be approved by the Master and all will be returned to the HCEO/Solicitor by email.

8. Writ of Possession sealed.
9. Writ executed by High Court Enforcement Officer.

The KB Enforcement team are the only section involved and should be the only one contacted, any bundles/documents for the hearing that are to be served ahead of the hearing should be sent to KB Enforcement.

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

- a) The documents required under Rule 55.22 must be E-filed and sent to KBEnforcement@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 KBEnforcement@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 KBEnforcement@justice.gov.uk ; or
- b) post, accompanied with a cheque, PBA account number, receipt of debit/credit card or fee remission certificate to HMCTS, King'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 King'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 0203 936 8957 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 King's Bench Enforcement

All enquiries relating to King's Bench Enforcement should be sent to KBEnforcement@justice.gov.uk or telephone 0203 936 8957 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, King'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 King'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.

Contacting Deeds Poll Department

All enquiries relating to King's Bench Deeds Poll should be sent to KBEnforcement@justice.gov.uk or telephone 0203 936 8957 and a member of the team will assist you.

FOREIGN PROCESS –

The Foreign Process Section processes requests for service of proceedings from foreign courts, requests for service of proceedings issued in this jurisdiction in other countries, requests for taking of evidence and registration of foreign judgments.

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 King's Bench Division drop box, which is situated at the main entrance of the Royal Courts of Justice.

Contacting Foreign Process Department

All enquiries relating to Foreign Process should be sent to ForeignProcess.rcj@Justice.gov.uk or telephone 0203 936 8957 and a member of the team will assist you.

CHILDREN'S FUNDS –

Deposits into Court Funds Office

For all deposits into Court Funds please contact the Court Funds Office on -

Court Funds Office

Sunderland

SR43 3AB

Email: enquiries@cfo.gov.uk

Telephone: 0300 0200 199

<https://www.gov.uk/pay-court-funds-office>

Claims in the High Court

For all queries where money has been paid into the Court Funds Office relating to a child or protected party please contact King's Bench Children's Funds and refer to section 13 of the King's Bench Guide <https://www.judiciary.uk/wp-content/uploads/2022/09/KB-Guide-2022.pdf>

Claims issued outside of the High Court

For any query relating to monies in the Court Funds Office for an unclaimed balance should first contact the court where the direction/order was made. In all other instances contact King's Bench Enforcement (KBEnforcement@justice.gov.uk).

Contacting Children's Funds Department

All enquiries relating to Children's Funds should be sent to KBChildrensFunds@Justice.gov.uk or telephone 020 7947 6293 and a member of the team will assist you.

ELECTRONIC SIGNATURES ON COURT DOCUMENTS –

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

CPR 5.3 requires that where a rule requires the signature of a person (such as statement of truth) the electronic signature must be that of that person, whereas the signature of the solicitors firm is sufficient where CPR 5APD.2.1 applies. There is no reference in either the rule or the PD to the electronic signature of a person having to be an exact replica of that person's actual signature. The interpretation of the PD by the court, and the court's practice, is that where an individual's signature is required, as long as the signature is a version of the individual's wet signature, whether a scan or use of a "digital pen" which some tablets/laptops allow, this would be accepted. The typed name of a firm will not be accepted by the KB Action Department.

Further information and guidance relating to the above departments can be found in the King's Bench Guide 2022 (<https://www.judiciary.uk/wp-content/uploads/2022/09/KB-Guide-2022.pdf>)

FEES OFFICE –

How to Pay a Court Fee

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 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 0203 936 8957 between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays) or by emailing RCJFeesPayments@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 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 –

Cheques 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.

Attending the Fees Office Counter -

The Fees Office counter is open to the public during the hours of 10:00am and 16:30pm, Monday to Friday (except bank holidays). **Access to the Fees Office counter is on an appointment only basis. There is no walk-in facility.** An appointment to attend the counter can be made by contacting the Fees Office on 0203 936 8957 between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays) or by emailing FeesOfficeCounterBooking@justice.gov.uk (you must await confirmation before attending).

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.

Help with Fees Online

To apply for fee remission, go to the Help with Fees website www.gov.uk/get-help-with-court-fees and complete the step by step application process. Forward your 'HWF' reference to the Fees Office efilefees@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 0203 936 8957 between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays) or email FeesRCJ@justice.gov.uk