

HIGH COURT OF JUSTICE

SUMMER VACATION 2019

NOTICE

The Royal Courts of Justice will be closed on Monday 26th August 2019.

The Summer Vacation will run from Thursday, 1st August 2019 up to 10.30am on Tuesday 1st October 2019.

In the month of August only applications of real urgency will be dealt with.

Subject to the discretion of the Judge, any appeal and any application normally made to a Judge may be made in the month of September (see Practice Direction – Court 39B of the Civil Procedure Rules).

CPR PART 39

2.1

- (1) One or more Judges of each Division of the High Court shall sit in vacation on such days as the senior judge of that Division may from time to time direct, to hear such cases, claims, matters or applications as require to be immediately or promptly heard and to hear other cases, claims, matters or applications if the senior judge of that Division determines that sittings are necessary for that purpose.
- (2) Any party to a claim or matter may at any time apply to the Court for an order that such claim or matter be heard in vacation and, if the Court is satisfied that the claim or matter requires to be immediately or promptly heard, it may make an order accordingly and fix a date for the hearing.
- (3) Any Judge of the High Court may hear such other cases, claims, matters or applications in vacation as the Court may direct.

2.2

The directions in paragraph 3.1 shall not apply in relation to the trial or hearing of cases, claims, matters or applications outside the Royal Courts of Justice but the senior Presiding Judge of each Circuit, with the concurrence of the Senior Presiding Judge, and the Vice-Chancellor of the County Palatine of Lancaster and the Chancery Supervising Judge for Birmingham, Bristol and Cardiff, with the concurrence of the Vice-Chancellor, may make such arrangements for vacation sittings in the courts for which they are respectively responsible as they think desirable.

2.3

- (1) Subject to the discretion of the Judge, any appeal and any application normally made to a Judge may be made in the month of September.
- (2) In the month of August, save with the permission of a Judge or under arrangements for vacation sittings in courts outside the Royal Courts of Justice, appeals to a Judge will be limited to the matters set out in paragraph 3.5 below, and only applications of real urgency will be dealt with, for example urgent applications in respect of injunctions or for possession under RSC Order 113 (Schedule 1 to the CPR).
- (3) It is desirable, where this is practical, that applications or appeals are submitted to a Master, District Judge or Judge prior to the hearing of the application or appeal so that they can be marked 'fit for August' or 'fit for vacation.' If they are so marked, then normally the Judge will be prepared to hear the application or appeal in August, if marked 'fit for August' or in September if marked 'fit for vacation'. A request to have the papers so marked should normally be made in writing, shortly setting out the nature of the application or appeal and the reasons why it should be dealt with in August or in September, as the case may be.

Enquiries as to which Judges are sitting must be made to the appropriate Officer of the Division.

When the Judge is not sitting, applications may be made if necessary to the Judge personally. The address of the Judge must first be obtained through the Clerk to the Vacation Judge on duty, whose telephone number may be obtained from the listing office responsible for the appropriate Division, or where the offices are closed, at the Security Office (Tel: 020 7947 6260). Applications to the Judge personally are not to be made except after reference to the Judge's clerk or the Officer responsible for listing for the appropriate Division.

The procedure to be followed in respect of applications to each Division is set out below:

CHANCERY DIVISION

A Judge of the Chancery Division will be available each working day to dispose of urgent business of the Division. Please note that the following list is subject to change:

From 4.15pm on Wednesday 31st July 2019 to 10.15am on Monday 5th August 2019:
Mr Justice Mann

Assisting: Mr Justice Barling

From 10.15am on Monday 5th August 2019 to 10.15am on Monday 12th August 2019:
Mr Justice Zacaroli

Assisting: To be confirmed

From 10.15am on Monday 12th August 2019 to 10.15am on Monday 19th August
2019: Mr Justice Snowden

Assisting: Mr Justice Zacaroli

From 10.15am on Monday 19th August 2019 to 10.15am on Tuesday 27th August
2019: Mr Justice Fancourt

Assisting: Mr Justice Snowden

From 10.15am on Tuesday 27th August 2019 to 10.15am on Monday 2nd September
2019: Mr Justice Norris

Assisting: Mr Justice Fancourt

From 10.15am on Monday 2nd September 2019 to 10.15am on Monday 9th September
2019: Mr Justice Arnold

Assisting: Mr Justice Nugee

From 10.15am on Monday 9th September 2019 to 10.15am on Monday 16th
September 2019: Mrs Justice Falk

Assisting: Mr Justice Arnold (9th – 12th September 2019), Mr Justice Marcus Smith
(13th September 2019)

From 10.15am on Monday 16th September 2019 to 10.15am on Monday 23rd
September 2019: Mr Justice Marcus Smith

Assisting: Mrs Justice Falk

From 10.15am on Monday 23rd September 2019 to 10.15am on Tuesday 1st October
2018: Mr Justice Marcus Smith

Assisting: Covered by Deputy Judges

INTERIM APPLICATIONS

Applications will be heard every Tuesday and Thursday from Thursday, 1st August 2019 until term resumes on 1st October 2019.

The following papers for the Judge must be left with the Chancery Listing Office, Rolls Building, not later than 1pm one clear day before the day on which the application to the Judge is to be made:

1. Advocate's certificate as to urgency stating concisely the reasons, or a note of special leave granted by one of the Vacation Judges as to the length of hearing.
2. Two copies of the application.
3. Two copies of the claim.
4. Supporting evidence.

APPLICATIONS WITHOUT NOTICE

Urgent applications without notice should be arranged by counsel's clerks directly with the Vacation Judge's clerk, who should be provided with:

1. Two copies of the claim.
2. If the claim has not been issued, a draft claim in the intended proceedings.
3. Supporting evidence (if there has been time for its preparation).
4. Minute of order (if drafted).
5. Advocate's estimate of the length of hearing and a concise statement of the reasons for the urgency of the application

SUMMARY DISPOSAL OF CLAIMS

Applications in these matters should be issued in accordance with Part 24.4(3) of the Rules. Each application issued for the Long Vacation must be accompanied by an Advocate's time estimate and a concise statement of the reason for the urgency of the application. The applications will be listed at the end of the Monday Application List. The Vacation Judge will consider whether the application is vacation business and, if so, will hear it if time allows or adjourn it to a date to be fixed. Such substantive hearing dates in vacation will be arranged through the Judge's Clerk.

COMPANIES COURT

Applications will in the first instance be heard in the Interim Applications List on Mondays and Thursdays. The following is deemed to be vacation business:

Applications to restrain presentation of winding up petitions, applications to restrain

advertisement of winding up petitions, applications under section 127 of the Insolvency Act 1986, applications to rescind winding up orders and administration petitions.

Urgent applications should be arranged by and Advocate's Clerk directly with the Vacation Judge's Clerk.

Each application must be accompanied by an Advocate's certificate as to the urgency or a note of special leave granted by one of the Vacation Judges and as to the length of the hearing.

Urgent applications concerning Schemes of Arrangements and Schemes of Arrangement involving reductions of capital, pursuant to paragraph 8 of the Practice Direction 49B CPR will be listed before the Judge on Mondays and Thursdays during the vacation period.

QUEEN'S BENCH DIVISION

A High Court Judge of the Queen's Bench Division will sit each working day from Thursday 1st August 2019 to Tuesday 1st October 2019 to dispose of urgent Vacation business. Applications must be made to the Queen's Bench Judges Listing Office (020 7947 7772 or qbjudgeslistingoffice@justice.gov.uk)

A second High Court Judge will be assisting the Vacation Judge in September during the Summer Vacation.

The High Court Judges sitting during the Summer Vacation are as follows. Please note that this list is subject to change:

From 4.15pm on Wednesday 31st July 2019 to 10am on Monday 5th August 2019:
Mr Justice Waksman

From 10am on Monday 5th August 2019 to 10am on Monday 12th August 2019:
Mr Justice Morris

From 10am on Monday 12th August 2019 to 10am on Monday 19th August 2019:
Mr Justice Murray

From 10am on Monday 19th August 2019 to 10am on Tuesday 27th August 2019:
Mrs Justice Lambert

From 10am on Tuesday 27th August 2019 to 10am on Monday 2nd September 2019:
Mr Justice Kerr

From 10am on Monday 2nd September 2019 to 10am on Monday 9th September 2019:
Mr Justice Lavender

Assisting: Mr Justice Murray

From 10am on Monday 9th September 2019 to 10am on Monday 16th September 2019:
Mr Justice Bryan

Assisting: Mr Justice Pepperall

From 10am on Monday 16th September 2019 to 10am on Monday 23rd September 2019:
Mr Justice Andrew Jacobs

Assisting: Mr Justice Pepperall

From 10am on Monday 23rd September 2019 to 10am on Tuesday 1st October 2019:
Mr Justice Pepperall

Assisting: Mr Justice Lavender

COMMERCIAL COURT

Commercial Court Judges will sit throughout the Vacation period to dispose of urgent work. Applications must be made to the Commercial Court Listing Officer (020 7947 6826).

ADMINISTRATIVE COURT

Nominated Judges will sit throughout the Vacation Period to deal with matters in the Administrative Court List. All applications during office hours must be made to the Listing Officer (020 7947 6655). Out of normal hours the telephone number of the Duty Judge can be obtained from the Security Office (020 7947 6260).

FAMILY DIVISION

A Judge of the Division will be able to hear urgent summonses and other urgent applications every working day. Solicitors may consult the Clerk of the Rules, Royal Courts of Justice (020 7947 6543/7611) about the state of the Vacation List and should arrange with the Family Proceedings Department for the Court file to be produced. No case, which is estimated to last more than one day, will be entered in the vacation list unless the leave of a Judge of the Family Division has been first obtained.

Application for leave may be made to the Family Division Applications Judge.

The Principal Registry of the Family Division at First Avenue House will be open from 10am to 4:30pm every working day. District Judges will sit to hear all classes of business, which will be fixed, subject to the availability of time, in the same manner as in term time.

MATRIMONIAL CASES PENDING IN DIVORCE COUNTY COURTS

Circuit Judges will be available throughout the vacation period to hear urgent applications by notice issued in causes proceedings in the Family Proceedings Department and treated as pending in a Divorce County Court and other urgent applications in such causes. Solicitors may consult the Principal Registry of the Family Division, First Avenue House (020 7947 6540) about the state of the Vacation List and should arrange with the Family Proceedings Department for the file to be produced. Circuit Judges and District Judges will pronounce decrees under the Special Procedure (Family Proceedings Rule 2.36) throughout the Vacation and will commence to hear matrimonial causes pending in Divorce Courts throughout the vacation period.

TECHNOLOGY & CONSTRUCTION COURT BUSINESS

During Vacation, a Judge of the Technology and Construction Court will sit throughout the vacation period to deal with summonses by appointment and in the case of urgent matters at other times by arrangement with the Judge's Clerk. For further information the Registry Office can be contacted on 020-7947-6022.

COSTS OFFICE

Normal business applies.