

181st UPDATE – PRACTICE DIRECTION AMENDMENTS

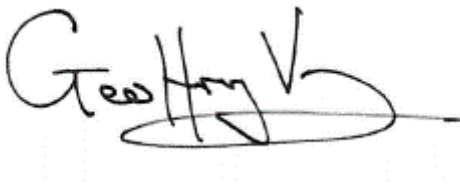
The amendments to Practice Direction 51R – Online Civil Money Claims Pilot, Practice Direction 51ZB – The Damages Claims Pilot and Practice Direction 51ZE – Small Claims Track Automatic Referral to Mediation Pilot Scheme which supplement the Civil Procedure Rules 1998, are made by the Master of the Rolls under the powers delegated to him by the Lady Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and are approved by Sarah Sackman KC, Minister of State (Ministry of Justice), by the authority of the Lord Chancellor.

The amendments to the Practice Directions come into force on 27th February 2025 at 11 a.m., subject to the saving provision.

Saving provision

The amendments contained in this Update to Practice Direction 51R – Online Civil Money Claims Pilot do not apply to claims that –

- a. were started in the OCMC before 8th October 2024;
- b. in relation to which an application for remission or part remission of a fee prescribed by the Civil Proceedings Fees Order 2008 was made; and
- c. are still in the pilot on 27th February 2025 at 11 a.m.



The Right Honourable Sir Geoffrey Vos
Master of the Rolls and Head of Civil Justice



Signed by authority of the Lord Chancellor:

Sarah Sackman KC

Minister of State

Ministry of Justice

Date: 23/02/25

PRACTICE DIRECTION 51R – ONLINE CIVIL MONEY CLAIMS PILOT

1) In the table of contents–

a. for the entry for paragraph 6.2, substitute –

“

Sub-section B – claim not exceeding £10,000 excluding interest and not a road traffic accident claim, and defendant defending the claim	Paragraph 6.2
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”,
,

b. for the entry for paragraph 6.3, substitute –

“

Sub-section C – defendant defending the claim: the claim amount exceeds £10,000 excluding interest or is a road traffic accident claim	Paragraph 6.3
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”,
,

c. for the entry to paragraph 6A.5, substitute –

“

Defendant’s response –defend the whole of the claim: claim not exceeding £10,000 excluding interest and claim is not a road traffic accident claim	Paragraph 6A.5
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”,
,

d. for the entry for paragraph 6A.6, substitute –

“

Defendant's response – defend the whole of the claim and claim exceeds £10,000 or is a road traffic accident claim	Paragraph 6A.6
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”.

- e. in the entry for Section 6C, after “considered and” insert “first case management”;
- f. in the entry for paragraph 6C.1, after “following” insert “first case management”;
- g. at the start of the entry for paragraph 6C.3, in the first column, insert “Claims allocated to the fast track –”;
- h. after the entry for paragraph 6C.3, insert –

“

Claims allocated to the intermediate track or the multi-track – pre-trial checklists	Paragraph 6C.3A(1)
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”; and

- i. after the entry for paragraph 7.47, insert –

“

Sub-section G – multi-party claims over £25,000 where defendants' responses differ	Paragraph 7.48
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”.

- 2) In paragraph 2.1(3)(a), omit “not exceeding £25,000 including interest”.
- 3) In paragraph 5.2(2), after “necessary” insert “, including, if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.
- 4) In paragraph 6.1(2)(a), after “£10,000”, insert “excluding interest”.
- 5) For paragraph 6.1(2)(b), substitute –

“(b) the claim is not a road traffic accident claim.”.

- 6) In paragraph 6.1(3)(a), after “£10,000” insert “excluding interest”.
- 7) For paragraph 6.1(3)(b) substitute –

“(b) the claim is a road traffic accident claim.”.

- 8) For the heading to paragraph 6.2, substitute –

“Sub-section B – claim not exceeding £10,000 excluding interest and not a road traffic accident claim, and defendant defending the claim”.

- 9) In paragraph 6.2(5), for “and must also indicate to the court whether they are willing to mediate” substitute “including, if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.
- 10) In paragraph 6.2(5A), for “If the claimant has also not opted out of mediation–” substitute “On receipt of the claimant’s online directions questionnaire–”.
- 11) In paragraph 6.2(5A)(b), omit “if appropriate”.
- 12) In paragraph 6.2(9) –
 - a. in subparagraph (a), omit “the amount claimed is £10,000 or less and”;
and
 - b. in subparagraph (b), omit “irrespective of the amount of the claim and the preferred court,”.
- 13) Omit paragraphs 6.2(12) and (13).
- 14) For the heading to paragraph 6.3, substitute –

“Sub-section C – defendant defending the claim: the claim amount exceeds £10,000 excluding interest or is a road traffic accident claim”.

- 15) In paragraph 6.3(5), after “necessary” insert “, including, if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.
- 16) In paragraph 6.3(6), after “directions questionnaire” insert “and if the amount of the claim excluding interest is £25,000 or less”.
- 17) In paragraph 6.3(6)(b), omit “irrespective of the amount of the claim and the preferred court,”.

18) In paragraph 6.3(7), after “subparagraph (6)” insert “or the amount of the claim excluding interest exceeds £25,000”.

19) Renumber paragraph 6A.1 as paragraph 6A.1(1).

20) After (renumbered) paragraph 6A.1(1), insert –

“(2) This Section is subject to paragraph 7.48 (multi-party claims over £25,000 excluding interest where defendants’ responses differ).”.

21) In paragraph 6A.4(1), after “OCMC website” insert – “, including, if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.

22) For the heading to paragraph 6A.5, substitute –

“Defendant’s response –defend the whole of the claim: claim not exceeding £10,000 excluding interest and claim is not a road traffic accident claim”.

23) For paragraph 6A.5(1) substitute –

“6A.5-(1) This paragraph applies if –

(a) the defendant is defending the whole of the claim;

(b) the claim is a claim for a specified amount of money only not exceeding £10,000 excluding interest;

(c) the claim is not a road traffic accident claim; and

(d) the claimant wants to continue with the claim and complies with paragraph 6A.4(3) within the specified time.”.

24) Omit paragraph 6A.5(2).

25) In paragraph 6A.5(3), for “If the claimant has not opted out of mediation”, substitute “On receipt of the claimant’s online directions questionnaire”.

26) In paragraph 6A.5(3)(b), omit “if appropriate”.

27) In paragraph 6A.5(5) –

- a. in subparagraph (a), omit “the amount claimed is £10,000 or less and”;
- and

- b. in subparagraph (b), omit “irrespective of the amount of the claim and the preferred court,”.

28) Omit paragraphs 6A.5(8) and (9).

29) For the heading to paragraph 6A.6, substitute –

“Defendant’s response – defend the whole of the claim and claim exceeds £10,000 or is a road traffic accident claim”.

30) For paragraph 6A.6(1) substitute –

“6A.6(1) This paragraph applies if –

- (a) the defendant is defending the whole of the claim;

- (b) the claim is –

- (i) a claim for a specified amount of money only exceeding £10,000 excluding interest; or

- (ii) a road traffic accident claim; and

- (c) the claimant wants to continue with the claim and complies with paragraph 6A.4(3) within the specified time.”.

31) Before paragraph 6A.6(2), insert –

“(A2) Sub-paragraph (2) applies if –

- (a) the amount of the claim excluding interest is £25,000 or less; or

- (b) the amount of the claim excluding interest is £25,000 or more and –

- (i) all the parties are legally represented; and

- (ii) where there is more than one defendant, both defendants have responded to defend the claim.”.

- 32) In paragraph 6A.6(2), for “Once” substitute “Where this sub-paragraph applies, once”.
- 33) In paragraph 6A.6(2)(b), omit “irrespective of the amount of the claim and the preferred court,”.
- 34) In paragraph 6A.6(3), after “sub-paragraph (2),” insert “or if sub-paragraph (2) does not apply,”.
- 35) In the heading to Section 6C, after “considered and” insert “first case management”.
- 36) In the heading to paragraph 6C.1, after “following” insert “first case management”.
- 37) In paragraph 6C.1 –
- a. omit “6.2(12),” and “6A.5(8)”;
 - b. at the end of the first subparagraph numbered (b)(ii), omit “and”;
 - c. renumber as subparagraph (b)(iii) the second subparagraph numbered as (b)(ii);
 - d. at the end of the subparagraph newly numbered subparagraph (b)(iii) for “or” substitute “and”;
 - e. after subparagraph (b)(iii) insert –

“(iv) the claim has not been allocated to the intermediate track or multi-track;
or”;
 - f. at the end of subparagraph (c)(iii), omit “and”;
 - g. at the end of subparagraph (c)(iv), for the full stop substitute “; and”;
 - h. after subparagraph (c)(iv) insert –

“(v) the claim has not be allocated to the intermediate track or multi-track.”.
- 38) At the start of the heading to paragraph 6C.3, insert “**Claims allocated to the fast track –**”.
- 39) After paragraph 6C.3, insert –
- “Claims allocated to the intermediate track or the multi-track – pre-trial checklists**

6C.3A(1) This paragraph applies where a claim is allocated to intermediate track or the multi-track.

(2) Civil Procedure Rule 28.4, 28.5, 29.6 and 29.7 do not apply, except to the extent provided for by subparagraph (4) and (5).

(3) A judge may direct that parties must complete and upload to the OCMC website a pre-trial checklist (listing questionnaire) - Form N170).

(4) If the claim is allocated to the intermediate track and a judge directs that the parties complete and upload a pre-trial checklist under subparagraph (3)–

(a) Civil Procedure Rule 28.4 applies with the following modification –

(i) rule 28.4 applies as if a reference to filing or returning includes filing or returning by uploading to the OCMC website;

(ii) rule 28.4(1) applies as if it permits (but does not require) a judge to direct that parties must complete and upload a pre-trial checklist (listing questionnaire) in accordance with that rule;

(iii) rule 28.4(3) applies as if, if no party uploads a pre-trial checklist by the date specified in the notice of allocation, the claim is to be referred to a judge for directions; and

(iv) rule 28.4(4) applies as if a reference to the court is a reference to a judge;

(b) Civil Procedure Rules PD 28 paragraph 6.1 applies with the following modification –

(i) paragraph 6.1 applies as if a reference to filing includes filing or returning by uploading to the OCMC website; and

(ii) paragraph 6.1(2) does not apply; and

(c) Civil Procedure Rule 28.5 applies as if a reference to filing includes filing or

returning by uploading to the OCMC website.

(5) If the claim is allocated to the multi-track and a pre-trial checklist is sent to the parties for completion under subparagraph (3)–

(a) Civil Procedure Rule 29.6 as appropriate applies with the following modification –

(i) rule 29.6 applies as if a reference to filing includes filing or returning by uploading to the OCMC website;

(ii) rule 29.6(1) applies as if it permits (but does not require) a judge to direct that the parties must complete and upload to the OCMC website a pre-trial checklist (listing questionnaire) - Form N170;

(iii) rule 29.6(3) applies as if, if no party uploads a pre-trial checklist by the date specified in the notice of allocation, the claim is to be referred to a judge for directions; and

(iv) rule 29.6(4) applies as if a reference to the court is a reference to a judge;

(b) Civil Procedure Rules PD 29 paragraphs 8.1 to 8.4 similarly apply with the following modification –

(i) paragraphs 8.1 to 8.4 apply as if a reference to filing includes filing by uploading to the OCMC website; and

(ii) paragraph 8.1(4) does not apply;

(iii) paragraph 8.3(1) applies as if, if no party uploads a pre-trial checklist on time, the claim is to be referred to a judge for directions; and

(c) Civil Procedure Rule 29.7 applies.

(Civil Procedure Rules Practice Direction 28 paragraph 7.2 contains provisions in relation to trial bundles for claims in the intermediate track; Civil Procedure Rules

Practice Direction 29 paragraph 9.2 contains provisions in relation to trail bundles for claims in the multi-track.)”.

40) After paragraph 7.1(6), insert –

“(7) Sub-section G applies where –

- (a) the amount of the claim excluding interest is more than £25,000;
- (b) all the parties are represented by a legal representative;
- (c) there is more than one defendant; and
- (d) the defendant’s responses differ from one another.”.

41) In paragraph 7.43(a) for “Section 6 applies” substitute “the relevant provisions of Section 6 apply”.

42) In paragraph 7.43(b) for “paragraph 6A.4(1) applies” substitute “the relevant provisions of Section 6A apply”.

43) After paragraph 7.47, insert –

“Sub-section G – multi-party claims over £25,000 where defendants’ responses differ

7.48(1) This sub-section applies where –

- (a) the amount of the claim excluding interest is more than £25,000;
- (b) all the parties are represented by a legal representative;
- (c) there is more than one defendant; and
- (d) the defendants’ responses differ from one another.

(2) Where this sub-section applies, on receipt of the last response, the court must send the claim out of Online Civil Money Claims to the CNBC.”.

44) Omit paragraph 10.1(9B).

45) In the Schedule to Section 20: Table A, omit the fourth entry.

PRACTICE DIRECTION 51ZB – THE DAMAGES CLAIMS PILOT

46) In the table of contents, after the entry for paragraph 7.1, insert –

“

Claims allocated to the fast track – Trial readiness certificate	Paragraph 7.6
Claims allocated to the intermediate track or the multi-track – pre-trial checklists	Paragraph 7.6A
Claims allocated to the fast track – trial bundles	Paragraph 7.7

”

47) In paragraph 6.5(1)(b), after “directions questionnaire” insert “, including if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.

48) In paragraph 7.1(1)(b), after “DCP” insert “, including if the claim appears suitable for the fast track, intermediate track or multi-track, proposed directions”.

49) At the start of the heading to paragraph 7.6, insert “**Claims allocated to the fast track –**”.

50) After paragraph 7.6 insert –

“Claims allocated to the intermediate track or the multi-track – pre-trial checklists

7.6A This paragraph applies where a claim is allocated to intermediate track or the multi-track.

(2) Civil Procedure Rule 28.4, 28.5, 29.6 and 29.7 do not apply, except to the extent provided for by subparagraph (4) and (5).

(3) A judge may direct that parties must complete and upload to the DCP a pre-trial checklist (listing questionnaire) - Form N170).

(4) If the claim is allocated to the intermediate track and a judge directs that the parties complete and upload a pre-trial checklist under subparagraph (3)–

(a) Civil Procedure Rule 28.4 applies with the following modification –

(i) rule 28.4 applies as if a reference to filing or returning includes filing or returning by uploading to the DCP;

(ii) rule 28.4(1) applies as if it permits (but does not require) a judge to direct that parties must complete and upload a pre-trial checklist (listing questionnaire) in accordance with that rule;

(iii) rule 28.4(3) applies as if, if no party uploads a pre-trial checklist by the date specified in the notice of allocation, the claim is to be referred to a judge for directions; and

(iv) rule 28.4(4) applies as if a reference to the court is a reference to a judge;

(b) Civil Procedure Rules PD 28 paragraph 6.1 applies with the following modification –

(i) paragraph 6.1 applies as if a reference to filing includes filing or returning by uploading to the DCP; and

(ii) paragraph 6.1(2) does not apply; and

(c) Civil Procedure Rule 28.5 applies as if a reference to filing includes filing or returning by uploading to the DCP.

(5) If the claim is allocated to the multi-track and a pre-trial checklist is sent to the parties for completion under subparagraph (3) –

(a) Civil Procedure Rule 29.6 as appropriate applies with the following

modification –

(i) rule 29.6 applies as if a reference to filing includes filing or returning by uploading to the DCP;

(ii) rule 29.6(1) applies as if it permits (but does not require) a judge to direct that the parties must complete and upload to the DCP a pre-trial checklist (listing questionnaire) - Form N170;

(iii) rule 29.6(3) applies as if, if no party uploads a pre-trial checklist by the date specified in the notice of allocation, the claim is to be referred to a judge for directions; and

(iv) rule 29.6(4) applies as if a reference to the court is a reference to a judge;

(b) Civil Procedure Rules PD 29 paragraphs 8.1 to 8.4 similarly apply with the following modification –

(i) paragraphs 8.1 to 8.4 apply as if a reference to filing includes filing by uploading to the DCP; and

(ii) paragraph 8.1(4) does not apply;

(iii) paragraph 8.3(1) applies as if, if no party uploads a pre-trial checklist on time, the claim is to be referred to a judge for directions; and

(c) Civil Procedure Rule 29.7 applies.

(Civil Procedure Rules Practice Direction 28 paragraph 7.2 contains provisions in relation to trial bundles for claims in the intermediate track; Civil Procedure Rules Practice Direction 29 paragraph 9.2 contains provisions in relation to trial bundles for claims in the multi-track.)”.

51) Insert the following heading to paragraph 7.7 –

“Claims allocated to the fast track – trial bundles”.

52) Before subparagraph (1) to paragraph 7.7, insert –

“(A1) This paragraph applies to claims allocated to the fast track.”.

PRACTICE DIRECTION 51ZE – THE SMALL CLAIMS TRACK AUTOMATIC REFERRAL TO MEDIATION SCHEME

53) For paragraph 3 substitute –

“3. The pilot applies –

(a) to claims to which rule 26.6, as modified by this practice direction, applies;
and

(b) to “OCMC mediation pilot claims”, being claims within scope of Practice
Direction 51R – Online Civil Money Claims Pilot–

(i) that are suitable for allocation to the small claims track; and

(ii) that are not road traffic accident claims.”.

54) For paragraph 4 substitute –

“4. During the pilot, the Civil Procedure Rules and practice directions will apply –

(a) with the modifications set out in paragraphs 6 to 10 of this practice
direction; and

(b) in relation to OCMC mediation pilot claims, with the provisions contained in
PD 51R – Online Civil Money Claims Pilot which operate at the stage
where following a defence, a claimant has confirmed they intend to
proceed, the claim is stayed and referred to the small claims mediation
service.

Rules 26.6, 27.8, 27.14 and 45.13 and the relevant provision of Practice Direction
27A as so modified are set out in the annex to this practice direction.”.

55) Omit paragraph 11.

56) In the Annex, omit from and including "PRACTICE DIRECTION 51R" until the end of the Annex.