

PRE-ACTION PROTOCOL UPDATE

The Master of the Rolls as Head of Civil Justice approves the amendments to the following Pre-Action Protocols.

The Pre-Action Protocol for Judicial Review
The Pre-Action Protocol for Personal Injury Claims Below the Small Claims Limit in Road Traffic Accidents (“the RTA Small Claims Protocol”)

The amendment to the Pre-Action Protocol for Judicial Review comes into force the day after the date on which the Master of the Rolls approves the amendment.

The amendments to the RTA Small Claims Protocol come into force on 6th April 2025.

Signed by:

The Right Honourable Sir Geoffrey Vos

Master of the Rolls

Date: 21st January 2025

THE PRE-ACTION PROTOCOL FOR JUDICIAL REVIEW

- 1) In Annex A, in section 2 (*address for sending the letter before claim*), for “UKVIPAP@homeoffice.gsi.gov.uk”, substitute “UKVIPAP@homeoffice.gov.uk”.

THE PRE-ACTION PROTOCOL FOR PERSONAL INJURY CLAIMS BELOW THE SMALL CLAIMS LIMIT IN ROAD TRAFFIC ACCIDENTS (“THE RTA SMALL CLAIMS PROTOCOL”)

1) In paragraph 12.4, for sub-paragraph (1) substitute—

“(1) The claimant must send the Court Pack list to the compensator via the Portal—

(a) no later than starting court proceedings due to limitation, but only where—

(i) the **claimant** starts the process of preparing the Court Pack under paragraph 12.3 no earlier than 2 years 11 months after the date of the accident; and

(ii) no liability response has been provided by the **compensator**; and

(b) in any other case (including where proceedings are started due to limitation after the compensator has provided their liability response) at least 5 working days before starting court proceedings.”.

2) In paragraph 12.6—

a) in sub-paragraph (1), for “The **compensator**”, substitute “Save as provided in paragraph 12.4(1)(a) above, the **compensator**”;

b) in sub-paragraph (6)—

i) in the opening words, after “the **Portal** and save where”, insert “sub-paragraph (7) below or”; and

ii) in paragraph (b), omit “in this instance only”; and

c) after sub-paragraph (6), insert—

“(7) Sub-paragraph (6) does not apply in those cases where the **claimant** is permitted to use the procedure in paragraph 12.4(1)(a) above. In such cases the **compensator** will be named in the court proceedings as the **defendant**, unless there is an address for the **defendant** on the **Portal**.”.

3) In paragraph 12.12, in Table D (limitation), after the entry for “The Small Claim Notification Form”, insert—

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The Compensator’s Response	Only required in those cases where there has been a liability response before the Court Pack list is created
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