



Neutral Citation Number: [2019] EWHC 1610 (Fam)

IN THE HIGH COURT OF JUSTICE
FAMILY DIVISION

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 21/06/2019

Before :

MR JUSTICE WILLIAMS

Re XY

Application of PD27A
Claims under the Inheritance (Provision for Family and Dependents) Act 1975

Hearing dates: 13 June 2019

Approved Judgment

I direct that pursuant to CPR PD 39A para 6.1 no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

.....
MR JUSTICE WILLIAMS

This judgment was delivered in public. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media, must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court.

Mr Justice Williams :

1. On 13 June 2019, I had before me an application under the Inheritance (Provision for Family and Dependents) Act 1975. A bundle of documents was lodged by the

claimant's solicitors. That bundle did not contain a case summary, chronology, list of issues, or list of essential reading.

2. Upon making further enquiry with counsel in the case, the explanation was that pursuant to CPR 57.15 the claim could be issued in the Family Division but nonetheless the Civil Procedure Rules would apply. CPR 39.5 and CPR PD39A provide for a Trial Bundle including a case summary and/or chronology where appropriate. The Notes to the CPR in the White Book say that specific reference should be made to the QBD Guide and the Chancery Guide for preparation of bundles in those divisions but no reference is made to the preparation of bundles in the Family Division.
3. FPR PD27A has been refined over the years to promote the efficient dispatch of business in the Family Division. PD4B of the Court of Protection Rules 2017 is drafted in similar terms for similar reasons. For applications such as those under the Inheritance (Provision for Family and Dependents) Act 1975 and other applications which are heard in the Family Division but are subject to the Civil Procedure Rules, the parties should comply with FPR PD27A in the preparation of bundles for hearings taking place in the High Court. Given these sorts of applications are less frequently encountered in the Family Division, the need for the preliminary documents required by PD27A is, if anything, even greater. I note that Holman J in Seagrove v Sullivan [2014] EWHC 4110 (Fam) made similar comments in relation to applications under the Trusts of Land and Appointment of Trustees Act 1996.
4. This judgment is issued with the knowledge and approval of the President of the Family Division.