

## **Guidance for Practitioners using the Business & Property Courts in Manchester**

The following guidance is provided by the Manchester Business and Property Courts Forum following consultation with the Manchester BPC District Judges. Its purpose is to provide practitioners with a list of practical steps to help facilitate the proper administration of the Courts and the conduct of hearings in the Manchester BPC.

### **TO ASSIST THE BPC STAFF**

- The staff rarely get covering letters when documents are lodged on Ce-file so have no contact detail or telephone numbers if they need to contact practitioners.
- It is not always clear the purpose for which a document has been lodged or what the solicitors then want the staff to do with it.
- Can Practitioners, therefore, please upload covering letters as they would do if they were posting a document.
- Word versions of draft orders **should** be lodged with applications and proposed consent orders.
- If an application is being lodged, the staff need a **level of Judge and time estimate (including reading time)**. This applies particularly to insolvency matters as the application form is silent)
- Practitioners **must not** upload documents to Ce-file as **miscellaneous**. It takes up a great deal of the staff time trying to correct the labelling before they can accept the document.
- Allied to that, headings on pleadings/orders **must be correct** – if not, the staff either must correct or reject the document and are regularly asking for them to be re-submitted.
- When claims are being submitted can practitioners add all parties and addresses. A failure to do so means the staff have to take up valuable time

adding any information which has not been uploaded by the Solicitor before they can issue the claim.

- Allied to that, If practitioners are issuing a claim and are adding a Solicitor for the Defendant can they please upload a copy of the letter confirming that said Solicitor will accept service.
- Can practitioners please lodge documents in accordance with time limits in Court Orders/notices of hearing and in any event, well in advance of a hearing and **not the afternoon or day before**. Late submissions should be rare. Currently a great deal of time is spent/wasted by a member of staff every morning who usually has to spend anything up to an hour going through the hearings for that day accepting late submissions.
- Practitioners should not e-mail on Ce-file cases because an automatic response is sent advising them that a document must be uploaded and quite often the staff then receive a further e-mail to say a practitioner has Ce-filed it.
- The Court is not notified when a Solicitor-user leaves that firm so when we document-link orders/letters to that Solicitor the staff do not know that he/she did not receive them, (there is no bounce-back on Ce-file), so do not know if something has not been delivered.
- Allied to that, would Solicitors consider setting up customer-facing e-mail accounts? Some do instead of individual e-mail addresses so when the staff document-link to the Solicitors' office it goes to a generic account and not an individual person who may not be in/available/employed any longer.
- Can Solicitors not telephone Business & Property directly with County Court or Family queries. Those calls should properly be directed to the contact centre.
- Finally – but most importantly, **can Solicitors please not phone to ask Court staff for advice.**

Also copied below is the guidance that is sent with the cases in the winders list.  
Practitioners' attention is drawn to the requirement for hard copy bundles, a  
requirement that is still being observed in the breach.

**With effect from 3 May 2022 the Winding up/Bankruptcy list will revert to being attended hearings in court as they were pre Covid. All the formalities that were observed for those hearings including robing, will resume.**

**Parties should comply with the following requirements. Failure to comply may lead to a hearing going ahead in the absence of a party or being adjourned with an adverse costs order.**

**1. Hard copy bundles** should be lodged as soon as practicable and, in any event, no later than 3 clear business days (2 clear business days in the case of insolvency petitions and applications) before the hearing. A covering letter should be uploaded to CE file to confirm the date the hard copy of the bundle was lodged with the court.

As well as providing hard copies, bundles on CE file cases **MUST** also be uploaded on CE File

**2. Skeleton Arguments** and bundles of authorities should be uploaded to CE file and hard copies lodged no later than 2 clear business days before the hearing.

**3. Cases not on CE file.** Bundles, skeleton arguments and authorities should be lodged, complying with the relevant time limits above.

**4. Communications with the Court** must carry the name and number of the case and the **date and time of the hearing**. Emails should be sent to: [BPC.manchester@justice.gov.uk](mailto:BPC.manchester@justice.gov.uk). If documents are sent by email to the court or uploaded to CE file any later than 4:00pm one clear business day before the hearing they may not be processed or forwarded to the Judge in time for the hearing.

**At a time of exceptional demand on limited Court resources it is vital that parties only telephone the Court office in relation to genuinely urgent matters. The telephone must not be used for routine inquiries that can be dealt with by email.**

## **TO ASSIST THE DISTRICT JUDGES**

- Please note that this section applies to hearings before the Manchester BPC District Judges only. Different provisions may apply to the section 9 specialist Circuit Judges (in particular, those relating to hard copy bundles and skeleton arguments).
- Please file **hard copy** bundles and skeleton arguments and any authorities bundle in accordance with the notice of hearing and in any event in a timely manner. It allows the Judge properly to prepare for the hearing.

- A prudent Advocate should attend with hard copies of these documents in any event and enquire with the Judge, through the ushers and/or clerk, well in advance of the hearing (when the Judge usually has reading time), whether the Judge has these documents.
- Practitioners should have regard to the Equal Treatment Bench Book, which is a public facing document (currently available at <https://www.judiciary.uk/about-the-judiciary/diversity/equal-treatment-bench-book/>). When attending at Court it is helpful to perhaps use language that an unrepresented party can understand otherwise it is left to the Judge to keep explaining what is meant. This can have an impact on the length of the hearing and therefore, the rest of the Judge's list.
- Practitioners should provide realistic hearing and Judicial reading time estimates. A failure so to do is likely to result in a case being adjourned for insufficient time and thus delayed getting through the Court lists.
- Practitioners should attend fully prepared and able to refer to the rules and authorities which support their case/application. Simply asking the Court to rely on its inherent jurisdiction will not do.

*This document has been produced and distributed by the Manchester Business and Property Courts Forum and is intended to provide useful guidance only. It does not constitute a set of binding rules and is not an official Court document.*

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