

SCHEDULE

Rule 4

“PART 53

MEDIA AND COMMUNICATIONS CLAIMS

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Scope of this Part

53.1.—(1) This Part contains rules about media and communications claims.

(2) A “media and communications claim” means a claim which—

- (a) satisfies the requirements of paragraph (3) or (4); and
- (b) has been issued in or transferred into the Media and Communications List.

(3) A High Court claim must be issued in the Media and Communications List if it is or includes a claim for defamation, or is or includes—

- (a) a claim for misuse of private information;
- (b) a claim in data protection law; or
- (c) a claim for harassment by publication.

(4) Subject to Part 63 and any other applicable provisions, a claim not falling within paragraph (3) may be issued in the Media and Communications List if the claim arises from—

- (a) the publication or threatened publication of information via the media, online or in speech; or
- (b) other activities of the media,

and the claimant considers it is suitable for resolution in that list.

Specialist list

53.2.—(1) The Media and Communications List is a specialist list of the High Court.

(2) One of the Judges of the Queen’s Bench Division shall be the Judge in Charge of the Media and Communications List.

(3) A Media and Communications List Judge is a judge authorised by the President of the Queen’s Bench Division, in consultation with the Chancellor of the High Court, to hear claims in the Media and Communications List.

(4) All proceedings in the Media and Communications List will be heard by a Media and Communications Judge, or by a Master of the Queen’s Bench Division, except that—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) another judge of the Queen’s Bench Division or Chancery Division may hear urgent applications if no Media and Communications Judge is available; and
- (b) unless the court otherwise orders, any application relating to enforcement of a Media and Communications List order or judgment for the payment of money will be dealt with by a Master of the Queen’s Bench Division or District Judge.

Application of the Civil Procedure Rules

53.3. These Rules and their practice directions apply to claims in the Media and Communications List unless this Part or a practice direction provides otherwise.

(Practice Direction 53B makes provision as to statements of case, and for certain kinds of application, in media and communications claims.)

Proceedings in the Media and Communications List

53.4.—(1) A media and communications claim that is issued in the High Court must be issued in the Queen’s Bench Division, Royal Courts of Justice, and marked in the top left corner “Media and Communications List”.

(2) A media and communications claim that is issued in a District Registry of the High Court must be transferred either to the County Court or to the Royal Courts of Justice (as appropriate).

Summary disposal under the Defamation Act 1996

53.5.—(1) This rule provides for summary disposal in accordance with the Defamation Act 1996 (“the Act”).

(2) In proceedings for summary disposal under sections 8 and 9 of the Act, rules 24.4 (procedure), 24.5 (evidence) and 24.6 (directions) apply.

(3) An application for summary judgment under Part 24 may not be made if—

- (a) an application has been made for summary disposal in accordance with the Act, and that application has not been disposed of; or
- (b) summary relief has been granted on an application for summary disposal under the Act.

(4) The court may on any application for summary disposal direct the defendant to elect whether or not to make an offer to make amends under section 2 of the Act.

(5) When it makes a direction under paragraph (4), the court must specify the time by which and the manner in which—

- (a) the election is to be made; and
- (b) the notification of it is to be given to the court and the other parties.

Sources of information

53.6. Unless the court orders otherwise, a party will not be required to provide further information about the identity of the defendant’s sources of information.

(Part 18 provides for requests for further information.)”