

ROYAL COURT OF JERSEY

RC17/04

Requests for Information

1. This Practice Direction concerns Rule 6/15 and the power permitting the Royal Court to require a party to either clarify any matter in dispute in the proceedings or to give additional information.
2. Rule 6/15 replaces previous more limited powers to request particulars of a pleading, a statement of a party's case or information by way of interrogatories.
3. Rule 6/15 can also be used to require a plaintiff to set out as far as possible the amount of damages claimed, if it has not already done so.
4. Before making an application to the Court for an order under Rule 6/15 a written request for the information sought, ("the Request") should be served on the other party stating a date by which the response to the Request should be provided. The Request must allow the other party a reasonable time to respond.
5. The Request should be concise and should only relate to matters that are reasonably necessary and proportionate for a requesting party to prepare its own case, or to understand the case it has to meet.
6. As far as possible all Requests should be made in a single document.
7. The Request may be made in any written form provided it is clear that if the Request is not answered an application may be made under Rule 6/15.
8. The Request should be separate from any other correspondence between the parties.
9. Any response to the Request should as far as possible be made in the same format as the Request is received and should include the text of the Request.
10. The response should make it clear it is a response to the Request and should deal with no other matters than the Request.

11. If the party responding refuses to agree to respond to the Request, the responding party must give full reasons for its refusal.
12. If a party intends to provide the information requested but is unable to do so within the timeframe stated in the Request, the response should set out the reasons for needing more time and the date by which the other party intends to provide the information.
13. The response to the Request must be served on the other parties and filed with the Judicial Greffe.
14. If no response to the Request is received within the timeframe stipulated the party making the Request may make an application to the Court to require the other party to comply with the Request.
15. Where an application is made to the Court all parties shall consider whether evidence in support of or in opposition to the application is required. The applicant's evidence shall be served at the same time as the application is issued. Any evidence in opposition shall be served a reasonable time in advance of the hearing. What is reasonable will be determined with reference to the overriding objective.

This practice direction shall come into force on 1st June 2017