

## DEFENCE TO CIVIL CLAIM FORM

This Document has been prepared in compliance with the Ministry of Justice's Protocols to the Civil Procedure Rules, Practice Direction – Pre-Action Conduct. For more information see:

[http://www.justice.gov.uk/civil/procrules\\_fin/contents/practice\\_directions/pd\\_pre-action\\_conduct.htm](http://www.justice.gov.uk/civil/procrules_fin/contents/practice_directions/pd_pre-action_conduct.htm)

If you are not making full payment of our client's claim, upon what basis are you disputing our client's claim for compensation? Failure to complete and return this form will result in our client being unable to consider any of your circumstances prior to commencement of civil court proceedings against you.

We recommend you obtain legal advice to assist you in resolving this matter.

**Please tick the box which best applies to your response to the claim and complete relevant section below.**

I have a valid legal defence to the claim as set out in **Section A**, which I am prepared to evidence in court if necessary.

[I understand that if I submit a defence and am unsuccessful in defending the claim in court I will have to pay the judgment sum plus interest, court fees and costs].

I have a valid defence to the claim as set out in **Section B** and want to engage in alternative dispute resolution before court proceedings are commenced to come to a settlement of the claim. I confirm I agree to pay ½ of the costs and travel to a location within 50 mile radius of my location to attend mediation or other ADR procedure as arranged through an accredited ADR organisation.

[For more information; The Legal Services Commission has published a booklet on 'Alternatives to Court', CLS Direct Information Leaflet 23 ([www.clsdirect.org.uk](http://www.clsdirect.org.uk)) which lists a number of organisations that provide alternative dispute resolution services. The National Mediation Helpline on 0845 603 0809 or at [www.nationalmediationhelpline.com](http://www.nationalmediationhelpline.com) can provide information about mediation].

I have a defence to the claim as set out in **Section C**, which may not have a legal basis, however, I wish to make a reasonable settlement offer without an admission of liability to conclude this claim.

I do not have a valid defence to the claim but have financial and/or health circumstances as set out in **Section D**, which I ask to be considered and have attached full evidence for and request on the basis of mitigation a reduced settlement offer is agreed or the claim closed.

[I understand to evidence financial hardship I must send 3 recent copies of pay slips/benefits received and recent copies of all household bills e.g. rent/mortgage/gas/electricity/council tax/water and any other outstanding debts, arrears and loans that affect my ability to make payment of this claim. I further understand that failure to disclose sufficient information will affect any settlement offer made].

[I believe that my apprehension for wrongdoing can be explained by my health conditions, which affected me to the extent that I lacked intent to commit any offence or wrongdoing. I understand to evidence health issues I must send a letter from my GP/Consultant/Social Worker confirming my medical circumstances, which support my claims as to its effect].

**Section A – Valid Legal Defence of Claim** (Please continue your response on extra sheets as necessary)



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**Please note that all sensitive data is stored securely in strict compliance with the Data Protection Act 1998 and is not disclosed to any third parties.**

I confirm that the information I have supplied is to the best of my belief a true and accurate account

Print Name		Date	
Signed			