



JUDICIARY OF
ENGLAND AND WALES

**Annual Report of
the
Technology and
Construction Court
2018-2019**

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1. Introduction

This report covers the work of the Technology and Construction Court (“TCC”) in England and Wales for the period from 1 October 2018 to 30 September 2019.

The TCC is a specialist court within the Queen’s Bench Division, and is also part of the Business and Property Courts (“BPC”) which sit in the Rolls Building. The TCC deals primarily with litigation of disputes arising in the field of technology and construction, and also (increasingly) procurement claims. The former include traditional building cases, adjudication enforcement, engineering and technology disputes, claims for professional negligence, claims by or against local authorities concerning the development of land, dilapidations claims, nuisance claims, fire claims, IT disputes (relating to both hardware and software) and challenges to arbitrators’ decisions in respect of any of the above matters.

Procurement challenges are usually brought in relation to the letting of public contracts governed by the Public Contracts Regulations 2015, although other sectors have their own similar regulations, and challenges under these similar regulations follow the same pattern. These require fairness, transparency and equality of treatment by the contracting authority. Some also involve judicial review proceedings that are started in respect of decisions, and judicial review proceedings are issued in the Administrative Court. In many instances, both judicial review and Part 7 proceedings are issued in respect of the same procurement competition. Such cases are usually dealt with by both sets of proceedings being tried together by a Judge of the TCC who is also a Nominated Judge of the Administrative Court.

In recent years the court has seen an increasing number of disputes which require technical input or which it is appropriate for the court to deal with because of familiarity with the subject matter, including complex computer and IT infrastructure disputes. There has been an increase in cases involving complex electronic technology, IT, and renewable energy issues of all kinds.

Despite this, the court maintains an efficient through-put of cases and most cases that go to fully contested trials are resolved in less than about 12-18 months from issue of proceedings to final judgment. Obviously this varies from case to case. Expedited trials can be accommodated, where justified, within as little as a few weeks from issue of proceedings to trial. Adjudication business continues to be dealt with speedily and to a highly abridged timetable.

2. The Organisation of the TCC

TCC cases are managed and heard by specialist judges in London and at centres throughout England and Wales.

In London the cases are dealt with exclusively by High Court Judges, or specialist Queen's Counsel approved to sit as either Deputy High Court Judges or Recorders in the TCC.

In the regional centres outside London, cases are heard by Circuit Judges designated to hear TCC cases who will also be approved to hear BPC business.

The main High Court Centre of the TCC is located at the Rolls Building in Fetter Lane near the Royal Courts of Justice, and deals with all High Court TCC claims which are commenced in, or transferred to, London. The claims include those which arise anywhere in England and Wales as well as those arising in jurisdictions overseas.

There are regional TCC Centres at courts or civil justice centres as part of the Business and Property Courts in Birmingham, Bristol, Cardiff, Leeds, Liverpool, Manchester, and Newcastle. There are other court centres which also have authorised judges to sit on TCC business. However, this is done on an as-needed basis and it is the TCC Centres as part of the Business and Property Courts that deal with the vast majority of the specialist work.

In London there is also the specialist TCC List in the Central London County Court, which is based in the Thomas More Building at the Royal Courts of Justice on the Strand. This deals with all London County Court TCC cases. County court claims can also be issued at the regional TCC Centres.

The High Court judge in charge of the TCC ("the Judge in Charge"), although based principally in London, has overall responsibility for the judicial supervision of TCC business in all courts. Mr Justice Fraser has been the Judge in Charge since his appointment to this role, in succession to Lord Justice Coulson who was elevated to the Court of Appeal in February 2018.

3. The London TCC

3.1 Judiciary

The main High Court centre (“the London TCC”) operates from the Rolls Building.

There were eight High Court Judges who sat regularly on TCC business during the period covered by this report (in order of seniority):

- Mr Justice Stuart-Smith
- Mrs Justice Carr – to be appointed to the Court of Appeal in 2020
- Mr Justice Fraser – appointed Judge in Charge from February 2018
- Mrs Justice Jefford
- Mrs Justice O’Farrell
- Mrs Justice Cockerill
- Mr Justice Waksman
- Mr Justice Pepperall

Mr Justice Fraser has continued in his role as the Judge in Charge. He was appointed on 5 February 2018.

In addition, the TCC can call upon a number of Deputy High Court Judges who are authorised under s.9(4) of the Senior Courts Act 1981 (formerly the Supreme Court Act 1981) as well as Recorders who are authorised to carry out work as TCC Judges under s.68(1)(a) of the Senior Courts Act 1981.

The availability of flexible listing arrangements is a necessity given the substantial workload, including applications arising from adjudications and arbitrations and Part 8 proceedings which must be dealt with urgently.

The case management powers exercised by the judges themselves are successfully deployed to ensure resolution of cases within as short a time as is fair and reasonably practicable.

3.2 Judicial Deployment

The need for judicial resources elsewhere means the London TCC Judges spend some of their time in other courts.

Mr Justice Fraser sat full time in the TCC for the majority of his time whilst Judge in Charge.

When commitments allowed, he also undertook general work as a Queen’s Bench Judge in London, including sitting in the Court of Appeal Criminal Division.

Mrs Justice Carr was a Presiding Judge on the Midlands Circuit during the period covered by this report, and Mr Justice Stuart-Smith was a Presiding Judge on the South-Eastern Circuit.

Additionally, the other London TCC Judges sat in the Queen’s Bench Division, the Administrative Court, the Court of Appeal Criminal Division, the Commercial Court, the Crown Court, the Upper Tribunal (Immigration and Asylum) and/or were sitting on circuit. These arrangements occur both by advance planning,

part of the deployment of High Court Judges by the President of the Queen's Bench Division and if judges become free when cases settle at a late stage.

3.3 Case Management

The comparative figures for number of claims issued and number of trials show that the majority of TCC cases settle at some point between commencement and the date fixed for trial. The strong case management by TCC Judges is one of the reasons for this.

An important feature of case management in the TCC is that at the first case management conference the date for the trial is fixed, usually at the earliest available date in the court diary for the required length.

This will usually have a significant impact on the timetable for all steps of the proceedings up to trial. Occasionally the parties may ask the court to fix the trial for a later date owing to the complexity of the case and the nature and extent of the steps to be taken by way of pre-trial preparation. The court will usually accede to this request unless it considers it inappropriate to do so. However, trial dates are moved very much as a last resort due to the impact of this on the efficient conduct of all the cases in the TCC.

The case management bundle provided to the court for the case management conference includes the documents produced by parties in complying with the pre-action protocol. This allows the court to review whether there should be an opportunity, by way of stay or timetabling, for the parties to reach a settlement either by negotiation or ADR. Whether or not a stay is granted for this purpose will usually depend on the amount of time available; the court is reluctant to put back a trial date to accommodate a stay for ADR.

Equally where the dispute between the parties cannot be settled, the case management conference allows the court to consider how a determination of that dispute can be dealt with in the most appropriate way, taking into account the overriding objective of the Civil Procedure Rules.

For those cases covered by the Cost Management provisions in the CPR, costs budgeting and any Costs Management Orders are made at the first CMC too.

3.4 Administrative Matters and CE-File

The London TCC is served by experienced court staff, some of whom have been with the court for many years. A list of the current court staff at the London TCC and their functions are set out at the end of this report at Appendix 2.

The court staff deal with numerous communications and internal systems have improved, particularly due to electronic working.

TCC uses an electronic filing system known as the CE-File (Courts and Tribunals Electronic Filing).

CE-Filing has been in operation at the London TCC since 2015 and became mandatory for all professional court users in Business and Property Courts nationwide, from 30 April 2019.

The CE-File system is efficient, trackable and secure, based on roles and confidentiality tags. It is accessible 24/7, saving time, costs and resource for all.

All users, including judges, staff, professional court users and the public can view these case records, file documents directly to the court and monitor cases. Unless a party to the case, the viewing will be restricted to public documents only

Court applications/draft orders to be considered by judges are assigned as 'alerts' through this system. Once approved by the judge, these are saved on the CE-File system and orders emailed to parties by the judges' clerks.

As these form event records, a copy of all orders can be later retrieved, as required.

A small amount of correspondence is still received by email and/or handed into the Registry. In those instances, and where appropriate, these are returned to the sender to correctly file through the CE-File portal.

3.5 Marshalling Scheme

There is an arrangement with the TCC Solicitors Association (TeCSA) and TECBAR for London TCC Judges to take trainee or newly qualified solicitors, pupil barristers and barristers new to practice who are planning to practice in the field to act as marshals for a one-week period. The marshals read the papers, sit in court next to the judge and discuss the case with the judge out of court. Those interested in the scheme can contact, as appropriate:

Sue.Ryan@gowlingwlg.com, or

Winsler@crownofficechambers.com

3.6 Overseas Work

The TCC, in common with the Commercial Court, encourages overseas clients to bring their disputes to the TCC for resolution and a significant number of cases now have an overseas party or relate to a project overseas. The ability to do this – what is called ad hoc submission to the jurisdiction – is not always known about amongst all members of the international community.

The TCC Judges have the necessary expertise and experience to deal with international work, the majority having practised internationally before coming to the bench. It is understood that a number of overseas contracts now have jurisdiction clauses which expressly refer disputes to the TCC in the High Court in London. This is to be welcomed and reflects the respect in which the practice, procedure and judicial experience of the TCC is held internationally.

The court is often able to arrange for foreign lawyers or judges to sit with a TCC judge when they are visiting London so that they can gain firsthand experience of the court. Judges from jurisdictions such as Japan, China, France and Ireland have done so recently.

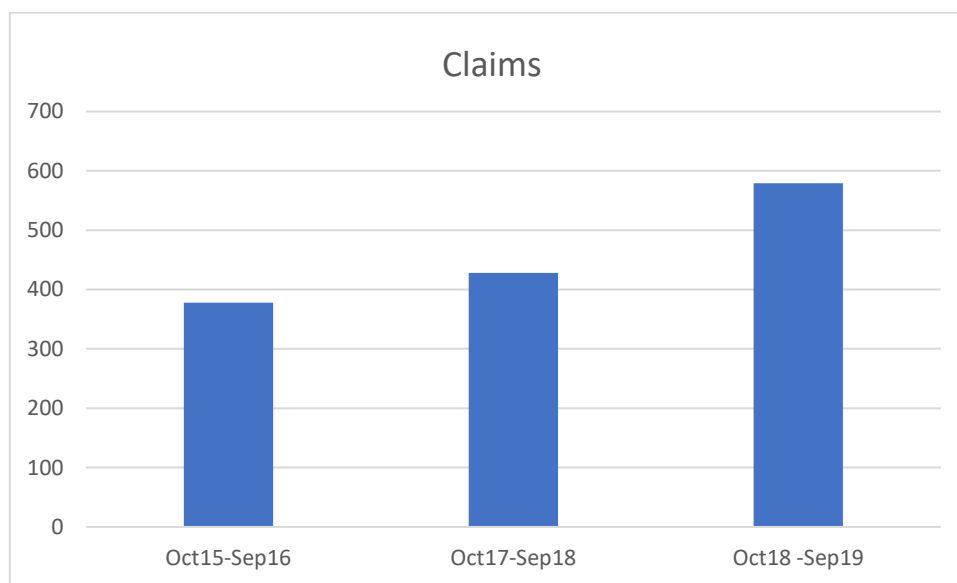
In addition, TCC Judges have been invited to and have given lectures in a number of other European countries and overseas in North and South America, Hong Kong, Singapore, and other countries both in the Middle East and Far East. This has led to continued interest in the approach of the TCC particularly in countries which do not have an established specialist court to deal with these disputes.

3.7 Claims

During October 2018 to September 2019 there were 571 new claims brought to the London TCC.

This represents a 33% increase from the previous year, when 428 new claims were registered.

The graph below shows the number of new claims brought to London TCC from October 2016 to September 2019 for comparison purposes and demonstrates that annually this is increasing:



In June 2019, a decision was made to transfer some adjudication enforcement claims of lower financial value to the Central London Centre. The purpose was to advance the hearing dates for these and also deal more efficiently with the resources of the London TCC High Court Judges.

The criteria for transfer was based on a reasonable listing date being available at Central London, the claim value being under £1m and the complexity of the case, i.e. whether deemed Deputy suitable.

Since June a total of 12 adjudication claims were transferred to Central London. This represents 12% of these claim types received at London TCC during October 2018 and September 2019.

Between June 2019 to September 2019, based on the number of incoming claims received within that period, this represents 44% of such claims.

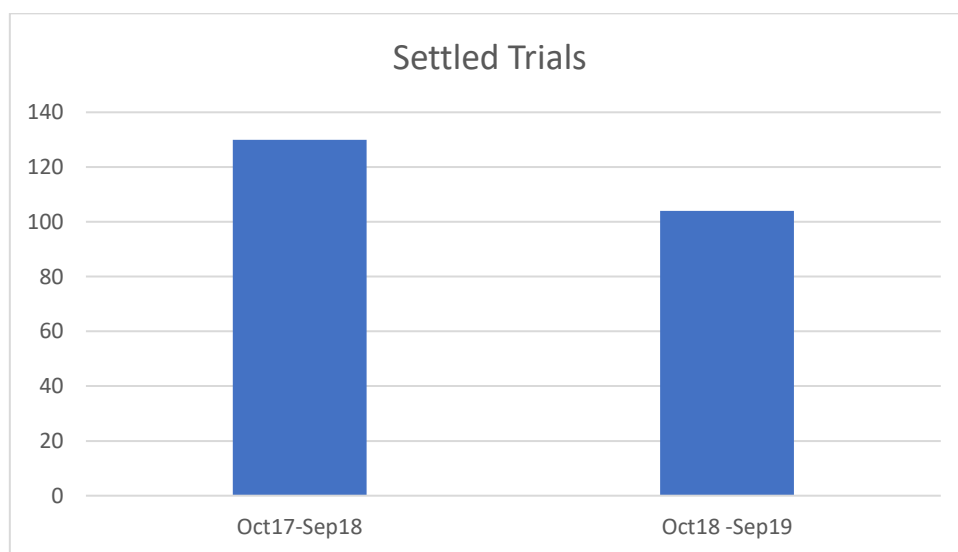
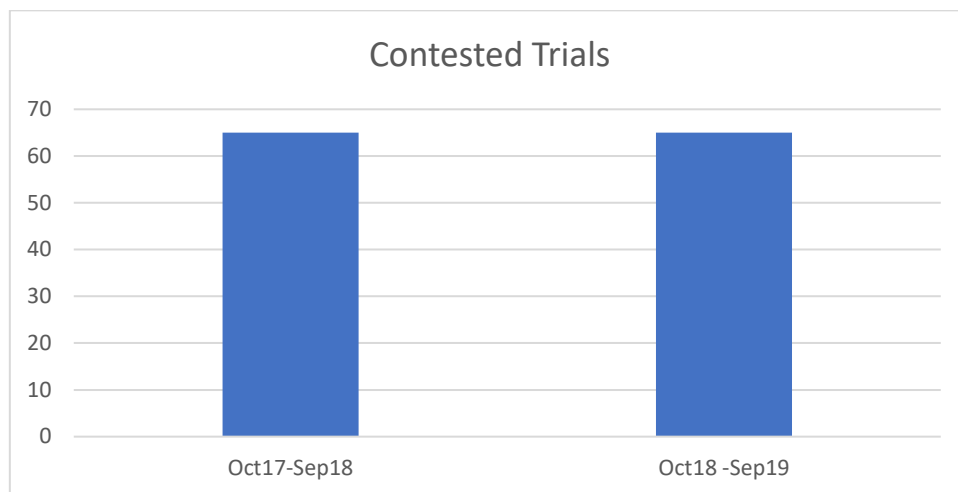
3.8 Trials

A continuing feature for the TCC is that a substantial number of cases are settled shortly, or sometimes very shortly, before trial.

During the year there were 169 trials listed in the TCC during the year, of which only 65 were eventually contested. This shows that 62% of cases settled, or started and were settled before judgment.

This figure compares to 67% the year before¹, so is relatively consistent.

The following graphs illustrate the number of contested trials heard at the TCC in London from October 2017 to September 2019 and those that settled during the same period.



3.9 Shorter and Flexible Trial Schemes

Pilot schemes for these commenced in October 2015 to September 2017 in the Business and Property Courts. The aim of both pilot schemes was to achieve shorter and earlier trials for business related litigation, at a reasonable and proportionate cost.

The aim of the Shorter Trial procedure was to reach trial within approximately 10 months of the issue of proceedings, and judgment within six weeks thereafter. The procedure is intended for cases which can be fairly tried on

¹ The TCC Annual Report 2017-2018 has a figure of 73%. This should read 67% if calculated on the same statistical basis as this year's figure.)

the basis of limited disclosure and oral evidence. The maximum length of trial is four days, including reading time. A feature of the scheme was that the same judge would hear all matters leading up to trial, as well as the trial, to ensure continuity.

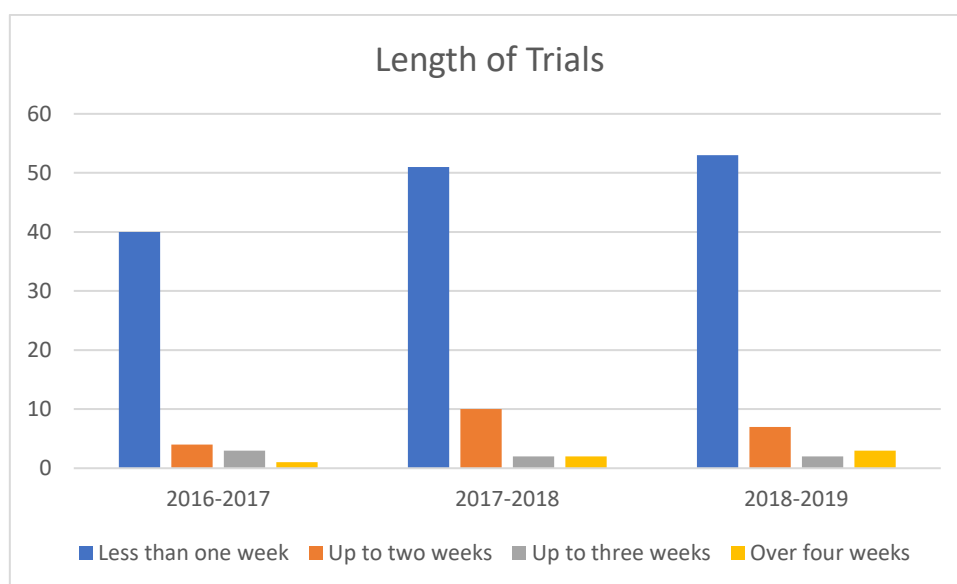
The Flexible Trial procedure involves the adoption of more flexible case management procedures where the parties so agree, resulting in a more simplified and expedited procedure than the full trial procedure currently provided for under the CPR.

Both schemes became permanent in the Business and Property Courts nationwide from 1 October 2018 under Practice Direction 57AB.

For London TCC the average length of trial over the last three years (in line with the scheme) is three days (excluding reading time). This has been a consistent value for the entire period.

Further analysis shows that during 2018-2019, 77% of cases listed for trial were completed within eight months from the issue of proceedings.

Below is a detailed breakdown of lengths of trials at London TCC from 2016-2017 to 2018-2019 as further information:



This shows a majority of shorter trials listed and that this is an upward trend.

3.10 Disclosure Pilot

A mandatory Disclosure Pilot Scheme commenced in the Business and Property Courts on 1 January 2019, for a two-year trial, as set out under Practice Direction 51U.

The disclosure pilot scheme was introduced to address the perceived excess cost, scale and complexity of the disclosure process. There is now an emphasis on co-operation between the parties and restricting the quantity of documents disclosed. What used to be called “standard disclosure” is no longer the default for disclosure in cases issued in the TCC.

There is also a significant shift towards documents being disclosed in electronic form.

Information and feedback is presently being gathered to review the success of this pilot. The experience of the Judges of the TCC so far is that the new scheme is working well and has been welcomed by the parties to litigation.

3.11 Applications

During the year, 372 applications were dealt with at an oral hearing, including case management conferences, pre-trial reviews and specific applications. This compares to 317 the previous year. This is a 17.3% increase.

Hearings varied in length, some being short and some took more than one day. In very rare cases in complex litigation, these can run to four days.

Often preparation time by the court in advance of the hearing exceeds the hearing time itself but this preparation enables applications to be dealt with more rapidly and effectively.

In addition, written applications/correspondences were received and processed through the CE-File portal system.

Where an order is approved by a Judge, these are sealed on the CE-File system and emailed to parties.

The TCC encourages use of electronic applications as this saves time and costs, provided issues can be properly dealt with in this way, without prejudice to parties by lack of oral argument.

The total number of orders sealed on the CE-File during the year was 1,513, which incorporates those approved following oral hearings and those processed as 'alerts'/paper applications.

This compares to 1,271 the previous year and reflects both the increase in workloads and effectiveness of the CE-File. This is a 16% increase.

4. Central London Civil Justice Centre

The Central London Civil Justice Centre deals with all County Court TCC claims which are brought in London.

His Honour Judge Parfitt was the Principal TCC Judge at Central London. He took over from His Honour Judge Bailey who retired on 31 May 2019.

His Honour Judge Backhouse, His Honour Judge Lethem, His Honour Judge Saunders, and District Judge Hart also assisted and undertook some TCC work.

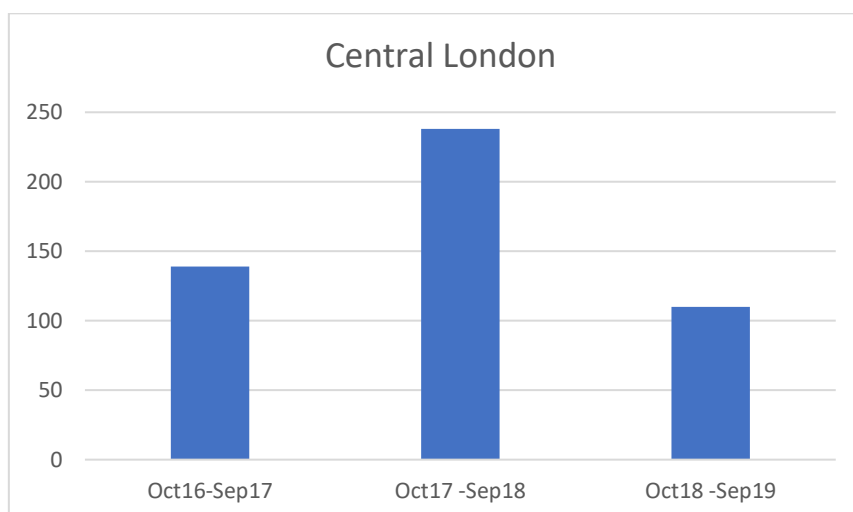
During the period October 2018 to September 2019 there were 110 new TCC claims. This is broken down further as 42 cases issued and 68 cases being transferred into that court from elsewhere.

By contrast there were 238 new claims processed the previous year, signifying a 54% reduction

His Honour Judge Parfitt considers this variance was caused by a large number of low value cavity wall insulation cases generated by a solicitors' firm, that firm now being in administration.

It can be noted, the number of new claims for this period although fewer, is more closely aligned to the total received during 2016-17.

The graph below shows the number of new TCC claims brought to the Central London Civil Justice Centre from October 2016 to September 2019, for comparison:



5. TCC Centres in the Regions as part of the Business and Property Courts

The extent to which statistics for TCC work can be isolated from the general statistics for court work outside London depends upon the administrative arrangements at individual court centres.

What follows is a summary of the TCC data provided by certain centres outside London during the period 2018-2019.

Figures from October 2016 to date have also been included, purely for comparison purposes.

5.1 Birmingham

The TCC court is part of the Business and Property Courts based in the Birmingham Civil Justice Centre.

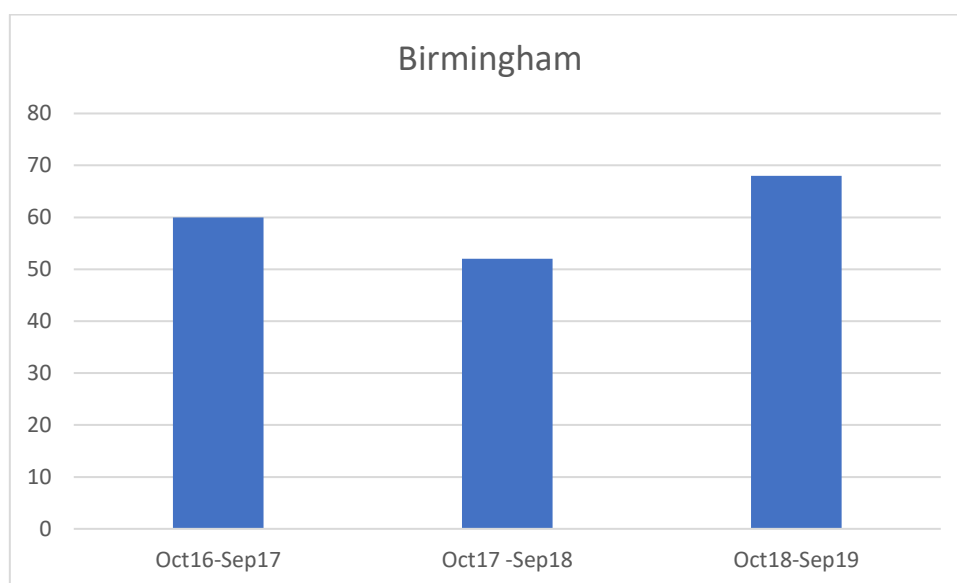
Her Honour Judge Sarah Watson was the full-time Principal TCC Judge during the period of this report.

There are other specialist judges authorised to sit in all jurisdictions in the Business and Property Courts, if required; His Honour Judge Simon Barker QC, His Honour Judge McCahill QC, His Honour Judge Worster, District Judge Ingram and District Judge Musgrave.

During October 2018 to September 2019 there were 68 new TCC claims; broken down further as 49 cases issued at Birmingham TCC and 19 cases transferred in.

In contrast there were 52 claims the previous year, indicating that workloads have increased.

The graph below shows the number of new TCC claims brought to the Birmingham Civil Justice Centre from October 2016 to September 2019, for comparison:



5.2 Bristol

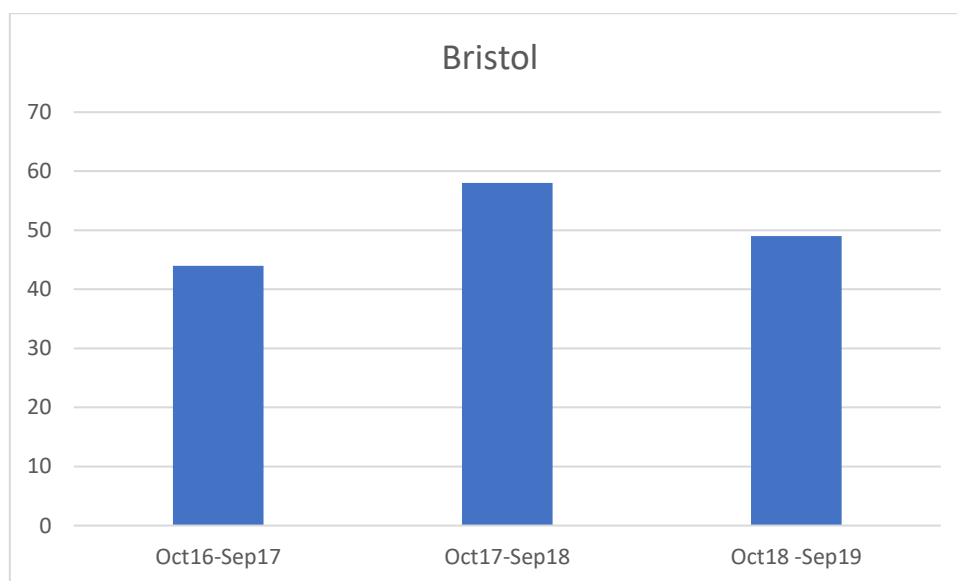
The TCC court is part of the Business and Property Courts based in the Bristol Civil Justice Centre.

His Honour Judge Russen QC was the Principal TCC Judge at Bristol for the period covered by this report.

During October 2018 to September 2019 there were 49 new TCC claims. This is broken down further as 13 County Court cases and 36 High Court cases.

In contrast there was a total of 58 claims² received the previous year.

The graph below shows the number of new TCC claims brought to the Bristol Civil Justice Centre from October 2016 to September 2019, for comparison:



The Centre also reported 111 applications were processed between October 2018 to September 2019 (oral and in writing) and four contested trials heard.

5.3 Cardiff

The TCC court is part of the Business and Property Courts based in the Cardiff Civil Justice Centre; some cases are also heard at the Mold Justice Centre where required.

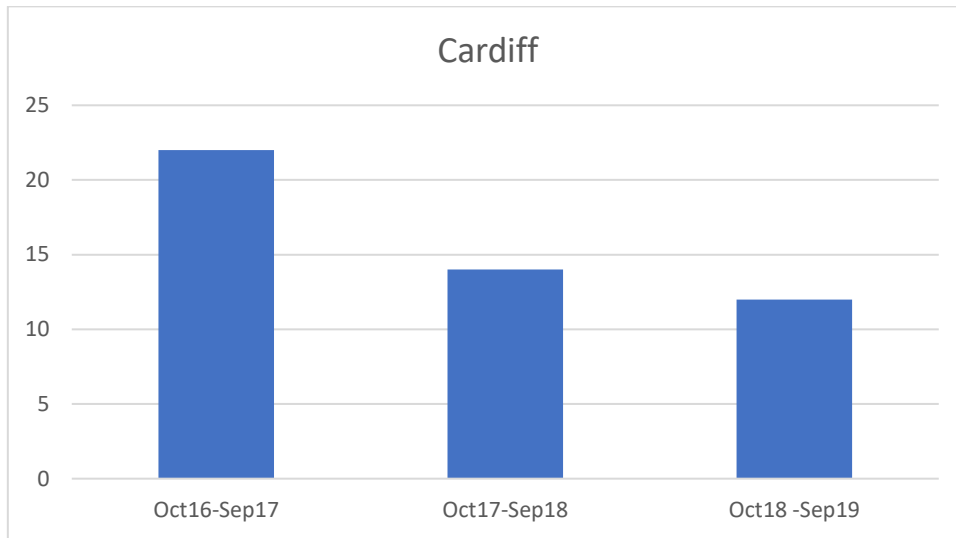
His Honour Judge Keyser QC was the Principal TCC Judge at Cardiff for the period covered by this report. His Honour Jarman QC and District Judge Hywel James also assisted.

During October 2018 to September 2019 there were 12 new TCC claims. This is broken down further as 11 cases issued at the Cardiff TCC and one case transferred in.

² The TCC Annual Report 2017-2018 reported 34 new claims were registered at the Bristol Civil Justice Centre. This should read 58 (the number of cases transferred in had been omitted from this figure)

This is comparable to the previous year, where 14 claims were received, although workloads during the last three years are generally reducing.

The graph below shows the number of new TCC claims brought to the Cardiff Civil Justice Centre from October 2016 to September 2019, for comparison:



5.4 Leeds

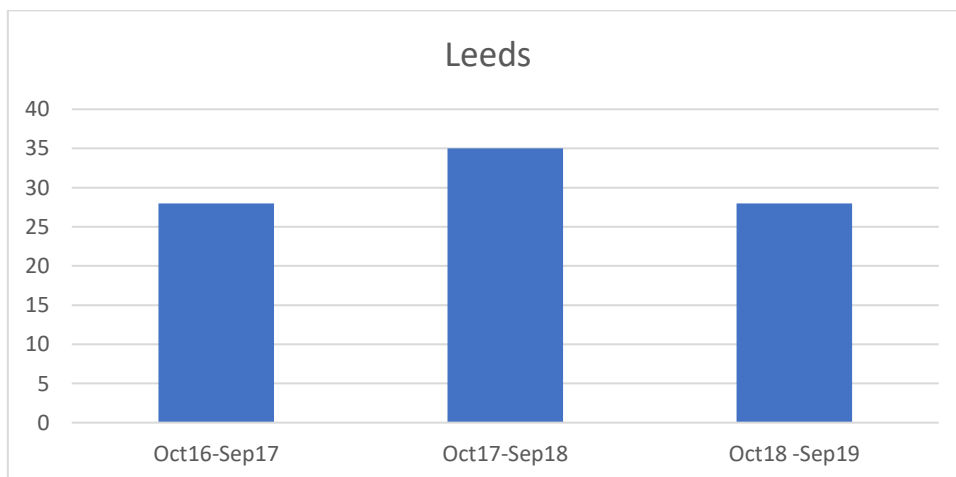
The TCC court is part of the Business and Property Courts based in the Leeds Combined Court Centre.

His Honour Judge Raeside QC was the Principal TCC Judge at Leeds during the period of this report. His Honour Judge Malcom Davis-White QC, His Honour Judge Jonathan Klein and His Honour Judge Andrew Saffman also assisted

During October 2018 to September 2019 there were 28 new TCC claims. This is broken down further as one County Court case and 27 High Court cases.

In contrast there were 35 claims received the previous year.

The graph below shows the number of new TCC claims brought to the Leeds Court from October 2016 to September 2019, for comparison:



5.5 Liverpool

The TCC court is part of the Business and Property Courts based in the Liverpool Civil Justice Centre.

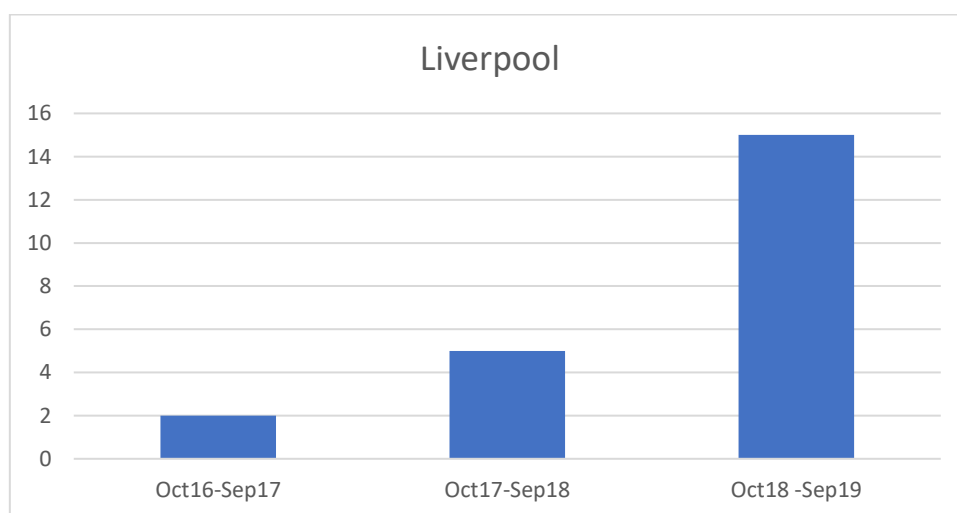
His Honour Judge Wood QC was the Principal TCC Judge at Liverpool for the period of this report. District Judge Baldwin, was the specialist District Judge, dealing with case management claims.

His Honour Judge Eyre QC, a Specialist Judge in Manchester, has also been sitting at Liverpool as the Managing Judge of a Group Litigation claim that was commenced in Liverpool (with over 200,000 claimants; value unlimited).

During October 2018 to September 2019 there were 15 new TCC claims.

In contrast there were only five claims received the previous year, so the number of new cases has notably increased.

The graph below shows the number of new TCC claims brought to the Liverpool Civil Justice Centre from October 2016 to September 2019, for comparison:



5.6 Manchester

The TCC court is part of the Business and Property Courts based at the Manchester Civil Justice Centre.

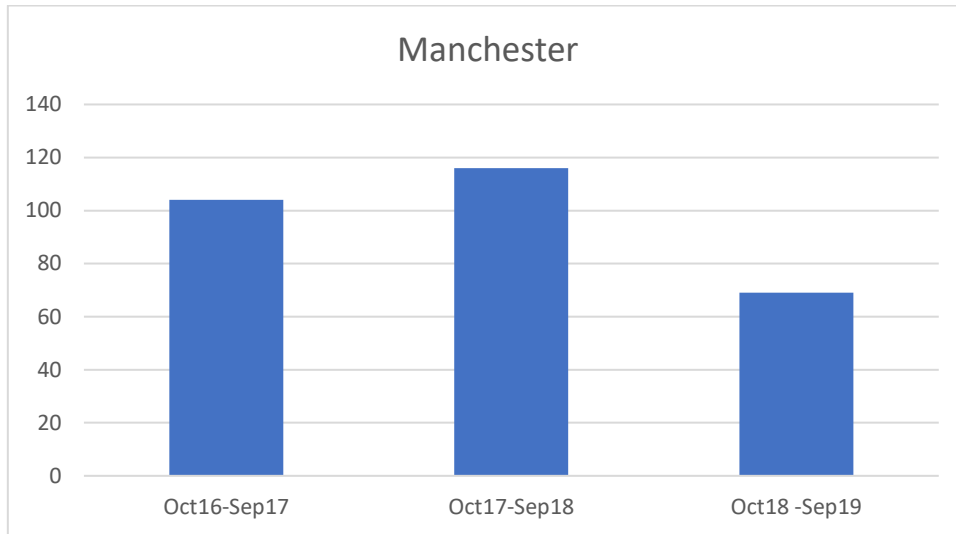
His Honour Judge Stephen Davies and His Honour Judge Stephen Eyre QC both sat as full-time TCC Judges in the Civil Justice Centre in Manchester for the period of this report.

There are other specialist judges in the Manchester Business and Property Courts authorised to sit in all jurisdictions which permits them to cover for TCC work when necessary, namely His Honour Judge Mark Halliwell, His Honour Judge David Hodge QC and His Honour Judge Richard Pearce.

During October 2018 to September 2019 there were 69 new TCC claims.

In contrast there were 116 claims received the previous year, so figures have significantly reduced. The centre is unaware of the reason for this decrease.

The graph below shows the number of new TCC claims brought to the Manchester Civil Justice Centre from October 2016 to September 2019, for comparison:



5.7 Newcastle

The TCC court is part of the Business and Property Courts and is based at the Newcastle County Court/District Registry. Most cases are heard at the historic Moot Hall in the centre of Newcastle.

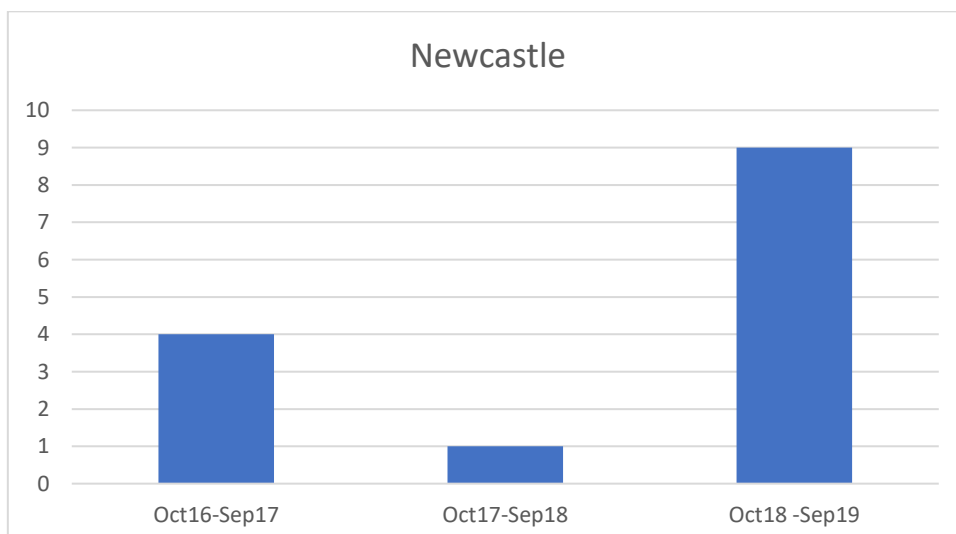
His Honour Judge Kramer was the Principal TCC Judge at Newcastle for the period covering this report.

During October 2018 to September 2019 there were 9 new TCC claims.

In contrast there was only one claim received the previous year.

The TCC Annual Report 2017-2018 reported, prior to HHJ Kramer's appointment, cases had been transferred to Leeds, explaining this increase.

The graph below shows the number of new TCC claims brought to the Newcastle Civil Justice Centre from October 2016 to September 2019, for comparison:



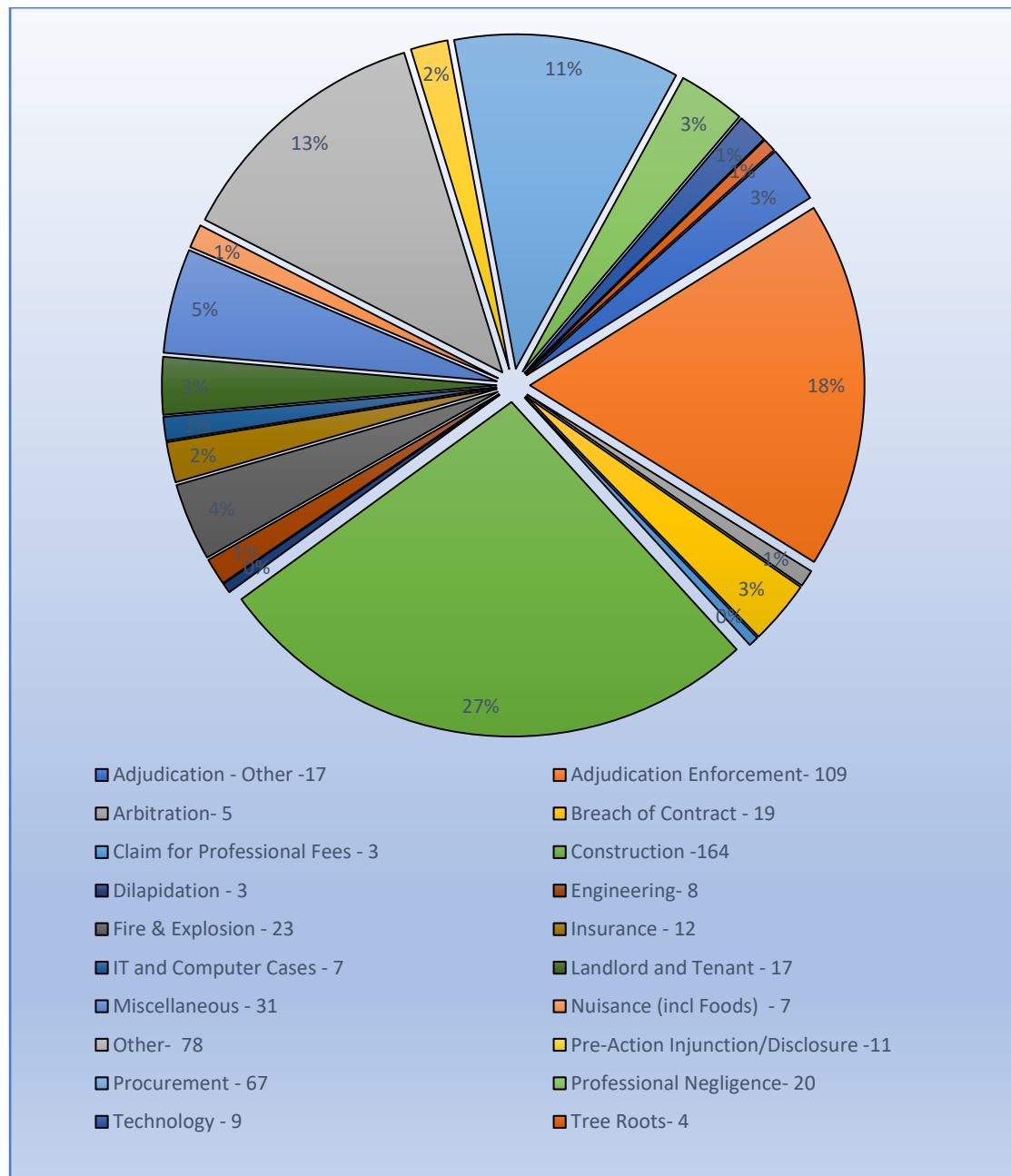
6. Overall Division of Cases

As usual for this report, here a percentage breakdown of each type of work is shown below, identifying the work carried out at those TCC courts, who provided the relevant information, where this is available.

This has been produced solely by reference to the claim and not by reference to the subsequent proceedings.

This means that, for instance, some claims for professional fees may have triggered counterclaims for professional negligence (and vice versa) which are not shown as such.

There is also a subjective element in the classification, since some cases lie on the borderline between categories or fall into more than one category.



7. The TCC during the year

7.1 Appointments

The Lord Chief Justice's power under s. 68(1)(a) of the Senior Courts Act 1981 to nominate circuit judges, deputy circuit judges or recorders to deal with "official referees' business" in the TCC is delegated to the Judge in Charge, who is required to consult with the Lord Chancellor and the senior judiciary before exercising that authority.

Mr Justice Pepperall and Mr Justice Waksman were both appointed as High Court Judges and are sitting at the London TCC as High Court Judges, approved to sit in the TCC. The shorthand typically used for this, is that they have "TCC tickets".

Consequently, for the period of this report, there were nine High Court Judges approved to sit in the London TCC. These are, in alphabetical order, Carr, Choudhury, Cockerill, Fraser, Jefford, O'Farrell, Pepperall, Stuart-Smith and Waksman JJ.

As mentioned above, the statutory provisions still refer to "official referees" business although under the Civil Procedure Rules the court is referred to the TCC. Those statutory provisions which use the older language are interpreted as referring to the TCC, in accordance with other specialist court jurisdictions.

A full list of TCC Judges including High Court Judges, Circuit Judges and recorders who have been nominated to manage and try TCC cases is attached at Appendix 1.

7.2 Queen's Counsel

In March 2019 the following new Queen's Counsel who regularly practice in the TCC were appointed:

- Isabel Hitching
- Nicholas Isaacs
- James Leabeater
- Sian Mirchandani
- Daniel Shapiro
- Valentina Sloane
- Jessica Stephens
- David Brynmor Thomas

We are delighted to welcome these specialist TCC practitioners.

7.3 The TCC Guide

A third revision of the second edition of the TCC Guide (which originally came into force in October 2005) was produced in early 2014 and, having received the necessary approval, came into effect from 3 March 2014.

This was prepared following comments from the judges of the TCC, TECBAR, TeCSA and the Society of Construction Law, for whose contributions the court is very grateful.

As the current edition is now outdated, a working group was set up during 2019 to review the current TCC Guide and is presently in progress. This working group is under the chair of Mrs Justice Jefford. It is hoped to have an updated version issued in 2020.

7.4 TCC Judges' Conferences

These continue to be held on a bi-annual basis, and also the Business and Property Courts holds an annual conference for all BPC Judges including those of the TCC. The majority of the TCC judges (particularly those who are fee paid) attend the Specialist Jurisdictions course run by the Judicial College at Warwick University.

7.5 Alternative Dispute Resolution

Alternative Dispute Resolution (“ADR”) has continued to play a large role in resolving technology and construction disputes during the year. Many cases which are begun in the TCC are resolved by means of ADR, often with the assistance of one of the many highly experienced professional mediators (solicitors, counsel or construction professionals).

TCC Judges encourage parties to consider mediation either to settle completely, or to narrow, their disputes. Obviously, there are and will continue to be cases where the parties are not able to resolve their disputes without the decision of the court but many cases are resolved effectively through ADR.

The TCC also has available ADR processes of Early Neutral Evaluation and the Court Settlement Process to assist parties to resolve disputes. These are now dealt with more fully in the current TCC Guide.

In addition, in appropriate cases, TCC Judges can sit as Judge-Arbitrators under the Arbitration Act 1996, with the permission of the Lord Chief Justice. Further guidance on this aspect is again contained in the TCC Guide.

7.6 TCC User Committees

TCC user committees are in operation and function at Birmingham, Bristol, Cardiff, Leeds, Liverpool, London, Newcastle and Manchester.

These committees make a valuable contribution to the work of the court. They enable solicitors, barristers, consultants, interest groups and clients to be represented in the development and operation of the TCC.

The TCC is grateful to those who chair and participate as members in the TCC user committees. Their support and assistance is much appreciated and contributes not only to the smooth running of the courts, but to improvements that can be identified.

7.7 TCC Liaison Judges

There are TCC liaison District Judges at Central London, Birmingham, Cardiff and Liverpool.

The function of these judges is to keep other district judges informed about the role and remit of the TCC; to deal with queries from colleagues concerning the TCC or transfer of cases; to deal with any subsidiary matter as directed by a TCC Judge and to deal with urgent applications in TCC cases when no TCC Judge is available.

We are grateful to them for carrying out this important role during the year.

7.8 Retirements

During the year His Honour Judge Bailey, Principal TCC Judge at the Central London Civil Justice Centre, retired. His role as Principle TCC Judge at the Central London is now occupied by His Honour Judge Parfitt.

Additionally, His Honour Judge McKenna, a Designated Civil Judge based at Birmingham, retired in August 2019.

We wish them both well in their retirement.

7.9 Judicial Assistants

In 2019 the Judicial Assistant Scheme was reformed and relaunched as a centrally funded scheme administered across the whole of the Business and Property Courts. Open competitions are now held annually in respect of the posts of Judicial Assistants.

The London TCC therefore had its first TCC Judicial Assistant in the Autumn of 2019. This was Ms Sarah Shaul, a solicitor. She was the Judicial Assistant to Mr Justice Waksman but assisted other Judges of the TCC as required and available.

It is anticipated there will be at least one Judicial Assistant in the TCC from now on.

The Hon. Mr Justice Fraser
Judge in charge of the Technology and Construction Court

January 2020

8. APPENDIX 1 - The TCC as at 1 October 2019

8.1 London TCC

Mr Justice Fraser (Judge in charge of the TCC)

Mrs Justice Carr

Mr Justice Choudhury

Mrs Justice Cockerill

Mrs Justice Jefford

Mrs Justice O'Farrell

Mr Justice Pepperall

Mr Justice Stuart-Smith

Mr Justice Waksman

8.2 Birmingham

Her Honour Judge Sarah Watson (Principal TCC Judge)

His Honour Judge Simon Barker QC

His Honour Judge McCahill QC

His Honour Judge McKenna (Designated Civil Judge)

His Honour Judge Worster

8.3 Bristol

His Honour Judge Russen QC (Principal TCC Judge)

His Honour Judge Cotter QC (Designated Civil Judge)

8.4 Cardiff

His Honour Judge Keyser QC (Principal TCC Judge)

His Honour Judge Jarman QC

8.5 Central London

His Honour Judge Parfitt (Principal TCC Judge)

His Honour Judge Backhouse

His Honour Judge Dight

His Honour Judge Johns QC

His Honour Judge Lamb QC

His Honour Judge Lethem

His Honour Judge Monty QC

His Honour Judge Roberts

His Honour Judge Saunders

8.6 Leeds

His Honour Judge Raeside QC (Principal TCC Judge)

His Honour Judge Malcolm Davis-White QC

His Honour Judge Jonathan Klein

His Honour Judge Andrew Saffman

8.7 Liverpool

His Honour Judge Wood QC (Designated Civil Judge)

8.8 Manchester

His Honour Judge Bird (Designated Civil Judge)

His Honour Judge Stephen Davies (Full time TCC Judge)

His Honour Judge Stephen Eyre QC (Full time TCC Judge)

His Honour Judge Mark Halliwell

His Honour Judge David Hodge QC

His Honour Judge Richard Pearce

8.9 Newcastle

His Honour Judge Kramer (Principal TCC Judge)

8.10 Deputy High Court Judges/Recorders

Mr Jonathan Acton Davis QC

Mr Martin Bowdery QC

Mrs Veronique Buehrlen QC

Mr Adam Constable QC

Mr Simon Lofthouse QC

Mr Alexander Nissen QC

Mr Andrew Singer QC

Mrs Joanne Smith QC

Mr Roger Stewart QC

Mr Roger Ter Haar QC

Mr Adrian Williamson QC

8.11 Retired High Court Judges

Sir Robert Akenhead

Sir Anthony Edwards-Stuart

8.12 TCC Liaison District Judges

District Judge Baldwin (Liverpool)

District Judge Hart (Central London)

District Judge Hywel James (Cardiff)

District Judge Ingram (Birmingham)

District Judge Musgrave (Birmingham)

9. APPENDIX 2 - The Staff of the London TCC as at 1 October 2019

Court Manager	Wilf Lusty
Senior Listings Officer	Michael Tame
Listings Officer	Ian Dawson
Listings Officer	Daniel Hull
Registry Team Leader	Abdul Musa

Clerk to Mr Justice Fraser *	Angela Fraser *
Clerk to Mrs Justice Carr *	Rebecca Collins *
Clerk to Mrs Justice Cockerill	Laura Hope
Clerk to Mrs Justice Jefford	Sam Taylor
Clerk to Mrs Justice O'Farrell	Marc Garley
Clerk to Mr Justice Pepperall	Olivia Duarte
Clerk to Mr Justice Stuart-Smith *	Lauren Benali *
Clerk to Mr Justice Waksman	Alicia Zahedi-deWolfe

*** Please note the following staff changes as at January 2020:**

Clerk to Mr Justice Fraser	Madeleine Collins
Clerk to Mrs Justice Carr	Ramon Bennett
Clerk to Mr Justice Stuart-Smith	Chloe Wall