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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 16**

**STATEMENTS OF CASE**

**[<sup>F1</sup>Contents of defence**

**16.5.**—(1) In the defence, the defendant must deal with every allegation in the particulars of claim, stating—

- (a) which of the allegations are denied;
- (b) which allegations they are unable to admit or deny, but which they require the claimant to prove; and
- (c) which allegations they admit.

(2) Where the defendant denies an allegation—

- (a) they must state their reasons for doing so; and
- (b) if they intend to put forward a different version of events from that given by the claimant, they must state their own version.

(3) If a defendant—

- (a) fails to deal with an allegation; but
- (b) sets out in the defence the nature of their case in relation to the issue to which that allegation is relevant,

the claimant is required to prove the allegation.

(4) Where the claim includes a money claim, the claimant must prove any allegation relating to the amount of money claimed, unless the defendant expressly admits the allegation.

(5) Subject to paragraphs (3) and (4), a defendant who fails to deal with an allegation shall be taken to admit that allegation.

(6) If the defendant disputes the claimant's statement of value under rule 16.3 they must—

- (a) state why they dispute it; and
- (b) if they are able, give their own statement of the value of the claim.

(7) If the defendant is defending in a representative capacity, they must state what that capacity is.

(8) If the defendant has not filed an acknowledgment of service under Part 10, they must give an address for service.

(Part 22 requires a defence to be verified by a statement of truth.)

(Rule 6.23 makes provision in relation to addresses for service.)]

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**Changes to legislation:** There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, Section 16.5. (See end of Document for details)

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**Textual Amendments**

**F1** Rules 16.4-16.7 substituted (1.10.2022) by [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **12(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 16.5.