





The content

Debt Advice Handbook 15th edition

Description

With living costs and unemployment rising, budgets squeezed and problem debt on the increase, no adviser should be without this essential guide to the practice and process of giving money advice in England and Wales.

Who's this book for?

It is essential for debt advisers, welfare rights advisers, lawyers, local authority and housing association staff, social workers and union official.

What does it do?

The handbook provides the most comprehensive information needed by advisers on the key stages of money advice, including interviewing clients, establishing liability, prioritising debts, preparing a financial statement, negotiating with creditors and dealing with bailiffs. Fully indexed and cross-referenced to law, regulations and official guidance, and to court and tribunal decisions Includes tactical guidance and examples

What's new?

Fully updated to cover all recent changes to legislation, caselaw and court procedure and practice Emphasis is placed on taking due care of vulnerable clients and making sure that any payment arrangements agreed are appropriate. There is a focus on sustainable credit arrangements that do not affect a client's abilities to pay essential living expenses and priority debts.

Properties

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6. Appealing to a judge

If a client disagrees with a judgment or order made by a district judge, they must appeal if they wish to challenge the judge's decision.

The client can appeal to a circuit judge against any decision made in a county court by a district judge (unless it was made by consent) on the grounds that the decision was: **1**

- wrong – eg, the district judge wrongly decided a legal issue or wrongly exercised discretion

by reaching a decision which no reasonable judge could have made; *or*

- unjust – ie, there was a serious procedural or other irregularity in the proceedings.

An appeal must be made on a point of law, not on things like a change in the client's circumstances. If new evidence becomes available, this may be a ground for appeal if the court considers it would be in the interests of justice to have a rehearing. ²

The client must obtain permission to appeal:

- verbally from the district judge at the end of the hearing; *or*
- if permission was refused or not applied for, from the circuit judge in the notice of appeal.

Permission is only given if:

- the court considers that the appeal has a real prospect of success; *or*
- there is a compelling reason why the appeal should be heard. The Civil Procedure Rules contain no guidance on when this might apply.

The district judge must give written reasons for granting or refusing the client permission to appeal on Form N460.

The client must appeal: ³

- within the time specified by the district judge when granting permission verbally; *or*
- within 21 days of the date of the decision being appealed.

An appeal must be made on Form N161 (N164 in small claims cases). A fee which is currently £171 (£147 for small claims) is payable. See here for details about applying for remission. If the claim is on the small claims track, the restrictions on cost orders also apply to appeals. ⁴

If the client has possible grounds for appeal, specialist advice and assistance will be required, and usually the client must be referred to a solicitor. **Note:** an appeal does not automatically operate as a stay of execution of the judgment or order. ⁵ However, the court does have discretion to grant a stay of execution pending the hearing of the appeal, and you should apply for this in the notice of appeal. In coming to a decision on the application, the court will likely consider the merits of the appeal.

¹ r52.21(3) CPR

² r52.21(1)(b) CPR

³ r52.12 CPR

⁴ *Akhtar v Boland* [2014] EWCA Civ 943. See also *Dammermann v Lanyon Bowdler* [2017]

EWCA Civ 269.

5 r52.16 CPR

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Please be aware that welfare rights law and guidance change frequently. This page was printed on Friday, October 17, 2025 and may go out of date.