

Approved

Minutes of the Civil Procedure Rule Committee

Friday 10th June 2022, conducted in a hybrid format, namely, at The Rolls Building (Royal Courts of Justice), Fetter Lane, London and via Video Conference.

Members attending

Lord Justice Birss, Deputy Head of Civil Justice (Chair)
Mr Justice Kerr
Mr Justice Trower
Master Cook
His Honour Judge Jarman QC
His Honour Judge Bird
Lizzie Iron
David Marshall
Isabel Hitching QC
Tom Montagu-Smith QC

Apologies

District Judge Cohen, District Judge Clarke, Dr Anja Lansbergen-Mills.

Item 1 Welcome, Minutes, Action Log & Matters Arising

1. **Welcome:** The Chair welcomed everyone to the meeting and extended an especially warm welcome to three members (David Marshall, Isabel Hitching QC and Tom Montagu-Smith QC) for whom, due largely to the pandemic, this was their first in-person meeting.
2. **Minutes:** The minutes of the annual open meeting on 13th May 2022 were **AGREED** following modest typographical corrections.
3. **Matters Arising - Renting Homes (Wales) Act.** It was further **NOTED** that a correction was required to the minutes of 5th November 2021. Paragraph 12 (provisions in consequence of the Renting Homes (Wales) Act), which refer to a correction to a heading. The minutes cite Part 56 Section II, but on reflection, Katie Fowkes (Drafting Lawyer), thinks the reference in the minutes should have been to Part 65 Section III and thus require correction. This was duly **AGREED**. **Action:** Secretariat to correct said minute. A further point, as to in-force timings and any outstanding drafting points for the Renting Homes (Wales) Act, CPR amendments, was raised. His Honour Judge Jarman QC advised that the Welsh Government had announced a commencement date of 1st December 2022 and accordingly, it was **RESOLVED** that the in-force date for the CPR related amendments would be duly aligned, to 1st December 2022. **Action:** Drafting Lawyers and officials to note for inclusion in the imminent Update and for implementation purposes.
4. **Action Log:** The Action Log was duly **NOTED** and the following matters arising were **NOTED** from the Chair:
 - **148th PD Update to revoke 145th PD Update (Damages Claims Pilot, Defendant Mandation, PD51ZB) (AL(22)30)**

The roll out of the enhancements to require defendants to use in the Damages Claims Pilot Portal (PD51ZB), which were due to come into force on 2nd June 2022 (pursuant to the 145th PD Update), have been temporarily delayed due to technical IT issues in the portal. The 148th PD Update, revoking the 145th PD Update, was signed by the Minister on 1st June and published online.

- **Fixed Recoverable Costs Reforms (FRC): Legally Aided Housing Possession Claims (AL(21)98)**
The Government's response, on 31st May, to the Housing Possession Court Duty Scheme (HPCDS) consultation also announced a temporary delay to the FRC reforms concerning legally aided possession claims, of two years, from the general introduction of extended FRC reforms, planned for April 2023.
- **Domestic Abuse Protection Orders Pilot (AL(22)29)**
Following the April meeting it has been decided that there is no need for an enabling rule in the CPR (because a pilot can be introduced under existing provisions, namely Part 51).
- **Standalone copy/downloadable CPR (AL(22)32)**
Work to scope feasibility is progressing; further updates will be provided in due course.
- **Migration of online rules from *Justice to Gov.uk*** following personnel changes in the team leading on this project, a substantive update has not been received for some time. **Action:** Secretariat to urge MoJ Digital to re-introduce issuing regular updates to the Working Group.

Item 2 Unexplained Wealth Orders CPR(22)31

5. Sarah Zelkha and Holly-Anne Brennan (Home Office) were welcomed to the meeting.
6. The Chair provided some brief introductory comments explaining that the proposals flowed from the legislative reforms forming part of the UK's response to Russia's invasion of Ukraine. Given the need to act at pace, it has not been possible to devise an entirely new PD, but rather use the existing Civil Recovery Proceedings PD (which had not been updated for some time), as a basis for the proposed amendments. As such, the proposals should be considered in that context.
7. Ms Zelkha confirmed that the proposed amendments were needed to reflect the reforms to the Unexplained Wealth Order (UWO) regime, which commenced on 15th May 2022, pursuant to Part 2 of the Economic Crime (Transparency and Enforcement) Act 2022 ("the Act").
8. Whilst it would have been preferable to sequence the PD amendments with the commencement of the UWO reforms, this was not possible due to the speed at which the legislation was passed. However, consultation has taken place with the related law enforcement agencies, including the National Crime Agency, Crown Prosecution Service, HMRC and the Serious Fraud Office; as well as HMCTS and wider stakeholders from the accountancy, financial, legal and NGO sectors.
9. An UWO is an investigatory order (made in the High Court) which places the burden of proof on the respondent to prove that specified property originates from a legitimate source and is intended to assist with situations where enforcement authorities have reasonable grounds to suspect that identified assets are the proceeds of serious crime, but were unable to freeze or recover the assets due to an inability to obtain evidence. The reforms extend and reinforce the scope of UWOs to enable greater prospects of the recovery of assets brought with the proceeds of serious or organised crime, particularly corruption. In summary, the reforms aim to:
 - Increase the scope of existing powers to enable UWOs to be served on persons who could be reasonably expected to have some form of control over the asset subject to the UWO. This new category of respondents are referred to as "responsible officers".

- Clarify the income test (one of three requirements which must be met in order to obtain a UWO) to enable UWOs to be sought against property held in complex ownership structures and trusts.
 - Increase the time available to law enforcement to review material provided in response to a UWO.
 - Reform cost rules to protect law enforcement from incurring substantial legal costs.
10. The proposed drafting was carefully reviewed. The ensuing discussion ventilated questions and debate regarding “responsible officer” and “Trusts”; Drafting Lawyers drew members’ attention to Section 362A(8) of the Act and a re-cast of the proposed PD drafting of sub-para 13A under the definitions para 1.5 was **AGREED** (see below). His Honour Judge Bird also raised two points, first the proposed new para 18.10A (Applications to extend the determination period) and sought clarification as to why some elements of the Act were not included therein and secondly, whether any amendments to the costs rules had been framed. The concluding view was that, other than the addition of possible signposting, the PD drafting was sufficient, because the primary legislation provided the detail and only a limited number of courts and judges were able to deal with this diet of work.
11. It was **RESOLVED, subject to final drafting**, to:
- approve the proposed amendments to the Civil Recovery Proceedings Practice Direction;
 - re-cast the definition in paragraph 1.5 (13A) thus: “(13A) ‘responsible officer’ has the meaning set out in section 362A(8) of the Act.”;
 - amend new paragraph 18.10A to add in a “signpost” to explain that Section 362DA of the Act specifies the limits which apply to an extension of the determination period.
12. **Actions:** Drafting Lawyers and Secretariat to include in the upcoming CPR Update as part of the October common-commencement date cycle.

Item 3 Section 2(7) Sub-Committee

13. Mr Justice Kerr explained that the item comprises two elements; each was discussed in turn.

CPR Part 49 (Specialist Proceedings) – post consultation proposals CPR(22)25

14. The proposals in relation to Part 49 were last before the Committee on 1st April 2022 and agreed in principle, subject to consultation. The material was published for consultation on 11th April for six weeks, until 23rd May. No responses were received. The purpose of the amendments is to remove from the early generic parts of the CPR, non-generic materials considered useful and to relocate them elsewhere within the rules. The natural choice being, Part 49, currently titled, “Specialist Proceedings”, but which should be renamed “Specific Proceedings”. The reforms comprise eight additional proposals, which were reiterated for completeness and duly discussed.
15. The question of the old PD 49B and whether it has been replaced by provisions in the long Practice Direction on Insolvency Proceedings was revisited. PD 49B may not already have been revoked, due to an oversight, and it therefore remains the Sub-Committee’s recommendation to revoke it, on the basis that its provisions are now included within the Practice Direction on Insolvency Proceedings, which is freestanding and not linked to Part 49. Mr Justice Trower will investigate, in consultation with the Chair of the Insolvency Rule Committee, and report back to the Chair, out of committee.

16. It was **RESOLVED**:

- the existing Part 49 should become rule 2.1(3), this being a new sub-rule, to appear before the Glossary in Part 2;
- new Part 49 is renamed “Specific Proceedings” and should provide: “The practice directions made under this Rule apply to proceedings of the types described in them.”;
- Practice Direction 49B (Order under Section 127 of the Insolvency Act 1982) be revoked, subject to consultation with the Chair of the Insolvency Rule Committee;
- Practice Direction 3D (Mesothelioma Claims) to become PD 49B and should start with the words: “This practice direction is made under Part 49 of the Civil Procedure Rules”;
- Practice Direction 7B (Consumer Credit Act 2006 – Unfair Relationships) to become PD 49C and should start with the words: “This practice direction is made under Part 49 of the Civil Procedure Rules”;
- Practice Direction 7D (Claims for the Recovery of Taxes and Duties) to become PD 49D and should start with the words: “This practice direction is made under Part 49 of the Civil Procedure Rules”;
- a new Practice Direction 49E is to replace PD 8A, subject to final drafting;
- Practice Direction 8B (Pre-action Protocol for Low Value Personal Injury Claims) to become a new PD 49F and should start with the words: “This practice direction is made under Part 49 of the Civil Procedure Rules”;
- consequential work (re-numbering and re-letting etc to restore sequential order) for any PDs that remain supplementing Parts 3, 7 and 8, together with amended cross-referencing elsewhere in the rules and PDs in consequence. The Chair acknowledged that it may not be possible to complete this task in time for inclusion in the imminent CPR Update cycle. If that is the case, the reforms will be carried over for inclusion into the winter Update (as part of the April 2023 in-force cycle) and should return to the Committee to ratify the perfected drafting no later than the December meeting.

17. **Actions:** (i) Trower J, in consultation with Zacaroli J and the Chancellor of the High Court, to investigate the status of PD49B with the prospect of its revocation. Trower J to report back to the Chair, out of committee (ii) Drafting Lawyers to conduct a cursory check to assess the scale of the drafting task (including consequentials and cross references across the CPR) (iii) In consultation with Drafting Lawyers and Kerr J, Secretariat to establish timings for inclusion into the most appropriate Update cycle, allocating agenda time at/before the December meeting, as necessary.

CPR Part 20 (Counterclaims and other Additional Claims) and PD 20 – proposed amendments CPR(22)26

18. Kerr J explained that the proposed amendments are relatively modest, in order to eliminate duplication and effect general tidying up. It is proposed to retain PD 20, but in a simplified and shorter form.

19. During the discussion, Master Dagnall referred the Committee to a related item of lacuna from the December 2019 meeting (ref LSC/2019/29). The intention at that time was to

consider the issue as part of a general review of Part 20. It is, therefore, timely to revisit the matter. It concerned the references to “Part 20 Claims” and whether the Committee should consider re-instating a definition of “Part 20 Claim” which was abandoned in or around 2005. CPR 2.3(1) defines statements of case as including “Part 20 Claims”, but Part 20 does not contain any definition of “Part 20 Claims”. The Lacuna Sub-Committee (LSC) looked at whether the main definition should import the “additional” claims wording from Part 20 and also raised that CPR 3.7B(6) also refers to “Part 20 Claim”. This was discussed. It was **AGREED in principle** to amend the definition in CPR 2.3(1) of “statement of case” to substitute “a counterclaim or other additional claim” for “Part 20 claim”.

20. A further related item of LSC business was raised, concerning an apparent inconsistency with the rules, in response to which it was **AGREED in principle** to amend r.20.5(1) by inserting, “Subject to rule 20.7” before, “a defendant”.

21. It was **NOTED** that (i) a review of any form related amendments will also be necessary in due course (ii) a sweep of any other references to “Part 20” shall be carried out, by HHJ Jarman QC.

22. It was **RESOLVED** to:

- **APPROVE IN PRINCIPLE**, subject to the above points and to final drafting, the proposed reformed CPR Part 20 (including the proposed amendment to the definition in rule 2.3(1)) **which is also FIT FOR CONSULTATION**, using the (online) rolling consultation facility.
- Amend rule 16.6 to substitute “an additional” for “a Part 20” claim. This specific amendment can be included in the upcoming CPR Update (as part of the October in-force cycle).

23. **Actions:** (i) Sub-Committee to provide final consultation material to the Secretariat (ii) Secretariat to facilitate publication as part of the rolling consultation facility, as soon as practicable (iii) Drafting Lawyers and Secretariat to include the amendment to r.16.6 in the upcoming CPR Update.

Item 4 Part 81: Transcripts on Committals CPR(22)27

24. The Chair introduced the matter by explaining that this issue had been raised by the Designated Civil Judge for Birmingham following issues in practice, as to when transcripts are required, on contempt matters. The experiences raise a question regarding the intention of the reformed Part 81 (introduced in October 2020) and whether that was to increase the circumstances in which transcripts (at public expense) are to be obtained, or if transcripts should only be required where a custodial sentence (immediate or suspended) is passed. Kerr J, who chaired the Contempt Sub-Committee, has considered the matter out of committee, as have MoJ Drafting Lawyers. Two drafting options were before the Committee for consideration; each was discussed.

25. Kerr J explained that a minor amendment to Part 81.8(8) could be made to address the point, acknowledging that the issue was particularly acute for courts handling high volumes of non-imprisonable contempt cases. HHJ Bird observed that both drafting options assume that even a custodial order has a judgment, but the CPR provides (at r.71.8) for suspended committals orders to be made without making a judgement. Trower J explained the added intricacies with more complex cases, highlighting a need for balance when settling on the final re-drafted text. It was also observed that there are some contempt cases of public importance where non-custodial sentences are passed, however, a further rule amendment was not thought necessary to allow such cases to be transcribed and published, since they are of public importance. HHJ Jarman QC

ventilated the option of incorporating, “pronounced in court” within the re-draft and this was discussed.

26. It was **RESOLVED** to amend CPR 81.8(8) thus: “The court shall be responsible for ensuring that where a sentence of imprisonment (immediate or suspended) is passed ~~judgments~~ in contempt proceedings under this Part, that judgment is ~~are~~ transcribed and published on the website of the judiciary of England and Wales.”
27. **Action:** Drafting Lawyers and Secretariat to include in the upcoming CPR Update as part of the October common-commencement cycle.

Item 5 Admiralty Court: Default Judgment in Collision Claims CPR(22)28

28. Mr Justice Andrew Baker, the Admiralty Judge, was welcomed to the meeting.
29. This was last before the Committee in July 2021 when it was resolved that further consultation with the Admiralty Court Users’ Committee be undertaken, on the form of amendment/s. This has now been done and two amendments to Part 61 are recommended in the interests of clarity and to bring the rules in line with practice.
30. The first proposal consists of a suite of amendments to rule 61.9 (judgment in default in Admiralty claims) in response to the lacuna identified in *Tecoil Shipping Ltd v The Owners of the Ship “Poseidon”* [2020] EWHC 393 (Admlty) and a concern raised by Master Dagnall (at the July 2021 meeting). The amendments include express provision for collision claims where the claimant wishes to apply for judgment in default of acknowledgement of service.
31. The second proposal is a minor clarificatory amendment to amend rule 61.4(2) to replace, “need not” with, “should not”. This rule appears under the heading, “Special provisions relating to collision claims”, essentially a special procedure applies in collision claims whereby a collision statement of case is served instead of a particulars of claim. Currently, the words “need not contain” are confusing because they might suggest that conventional particulars of claim could be served *in addition to* a collision statement of case. This amendment serves to address that confusion. It was **NOTED** that the concern raised by Master Dagnall that the rules did not *prevent* a collision claimant from seeking judgment in default of defence, though the intention was for there to be no such option, is addressed by excluding collision claims from rule 61.9(1)(b) and the proposed revision to rule 61.4(2).
32. It was **further NOTED** that Latin phraseology is included within the drafting. Usually this is to be avoided in the interest of plain language. However, it was considered worthy of retention on this occasion because of the specialist and international nature of the Admiralty jurisdiction, in which these limited phrases, which are used in only very specific circumstances, are so well embedded, that they are understood by users and changes now may result in unintended consequences.
33. It was **RESOLVED** to amend:
- Rule 61.4(2) (special provisions relating to collision claims) as drafted;
 - Rule 61.9 (judgment in default in Admiralty claims) by adopting the revisions, as drafted, at r.61.9(1), r.61.9(1)(a)(ii), r.61.9 (3)(a) and (b) respectively.
34. **Action:** Drafting Lawyers and Secretariat to include in the upcoming CPR Update as part of the October common-commencement cycle.

Item 6 Transcripts at Public Expense CPR(22)29

35. Master Cook explained that this matter was first raised by the Chair in February, after which further points were then identified in *Anwer v Central London Bridging Loans [2022] EWCA Civ 201* and, together with District Judge Clarke, the implications for the rules and court forms has been reviewed.
36. A suite of proposed rule, PD and form related amendments have been drafted. Consultation with the Civil Appeals Office and the High Court Appeals Office has taken place, but it may also be necessary to seek further views from County Court Judges; HHJ Bird and HHJ Jarman QC contributed to the discussion which followed. The proposed amendments were discussed in detail, alongside the judgment.
37. It was **NOTED** that the Court of Appeal held that (i) an appeal can only lie against “something which has been decided: a result, a conclusion, an outcome”. It was not a condition precedent for an appeal that the appellant must produce a sealed order. The decision to reject the Claimant’s request for a transcript at public expense was a determination susceptible to appeal and (ii) a transcript may be obtained by a paying party as of right. It would be contrary to public policy to impose an additional merits-based hurdle on an impecunious party; all the applicant needs to do is to show that it would be in the interests of justice, in accordance with r.52.14(2)(b), to allow the transcript to be provided and, in respect of a request for a transcript, although r.52.14 refers to an “application”, the relevant forms, refer to a “request” for a transcript (iii) the comments of Lord Justice Coulson at para 16 of the judgment in *Anwer* concerning the lack of practical difference (save in exceptional circumstances) between the different terms, “determination”, “judgment”, “order” or “direction” and the observation that, “determination” is possibly the widest.
38. The proposed amendments to rule 52.14 have, therefore, been drafted with the intention to ensure the language used in that rule is consistent with the text in the prescribed form when requesting, in an appeal, that the costs of obtaining a transcript of the judgment of the lower court be paid at public expense. The PD related amendments have been drafted to avoid them being read as requiring a copy of an order, sealed or otherwise, as a condition of an appeal.
39. It was **RESOLVED, subject to final drafting:**
- amend rule 52.14, in respect of the application for a transcript at public expense, “application” and “applicant” should be replaced with “request” and “requesting party” respectively;
 - insert a signpost into rule 52.14 to ensure that it is clear that the request, “must be made on the prescribed form”;
 - amend Practice Direction 52B (Appeals in the County Court and High Court) to insert “or determination” after “sealed order” in paragraphs 4.2(b) and insert “or determination” after “order” in paragraph 6.4(1)(d);
 - amend Practice Direction 52C (Appeals to the Court of Appeal) to substitute, “tribunal” for “other” at paragraph 3(3)(a);
 - consequential amendments to form EX105 (Apply for help with court transcription costs) including a change to the declaration therein, to change, “application” to “request”, together with further revisions to form EX105 to reflect the additional, up to date, information within the Civil Appeals Office’s form 62.
40. **Actions:** (i) Drafting Lawyers and Secretariat to include in the upcoming CPR Update as part of the October common-commencement cycle. (ii) Form revisions to be finalised in

consultation with the Forms Sub-Committee (iii) HMCTS to note related operational implications.

Item 7 Intellectual Property Enterprise Court (IPEC) Costs Caps CPR(22)30

41. His Honour Judge Hacon, Presiding Judge of the Intellectual Property Enterprise Court, was welcomed to the meeting and set out the background.
42. The proposals concern amendments to the IPEC, Multi-Track, Costs Caps and follow work carried out in close consultation with the IPEC User Committee. The Chancellor of the High Court is also supportive. The proposed revisions provide for increases in the overall and stage costs caps to £60,000 (20% increase) and £30,000 (17.5% increase) respectively; this having been derived from the Index approved by MoJ policy. The stage caps have not been increased since 2013 and the overall caps have remained unchanged since they were fixed in 2010.
43. A discussion ensued. Trower J explained that the Costs Sub-Committee has touched on the IPEC section within its discussions on Part 45 (Fixed Costs), but more because it seems to be very different from the main fixed costs provisions in the earlier sections. Given the skills and expertise of those who have considered the IPEC amendments, no objections are raised. However, he observed that the Section IV IPEC rules, like the Section VII Aarhus Convention rules, are concerned with cost capping, not fixed costs. Although there may be some policy overlap, the general view is that they are dealing with very different types of claim and very different policy solutions. This raises a question as to whether IPEC Costs should be relocated to Part 46 (Costs – Special Cases), and this view garnered support because, by locating them in Part 46, it better reflects the nature of those provisions.
44. A wider point concerning the rationale and feasibility restrictions for automatic adjustments was aired; this was a matter for MoJ, who noted the point. The issue of VAT and the need for it to be applied consistently was also mentioned. Given that it had also been raised within the Costs Sub-Committee's ongoing deliberations regarding Fixed Recoverable Costs reforms, it was felt prudent to liaise further on this out of committee, in order for it to be look at holistically.
45. It was **RESOLVED** to:
 - approve the amendment to r.45.31 to increase the overall and stage costs caps to £60,000 and £30,000 respectively;
 - approve the amendments to the stage caps within Tables A and B in Practice Direction 45 Section IV;
 - relocate the IPEC costs provisions from CPR Part 45 to Part 46
46. **Actions:** (i) Drafting Lawyers and Secretariat to include in the upcoming CPR Update as part of the October common-commencement cycle (ii) Trower J and HHJ Hacon to liaise on VAT.

Item 8 Any Other Business & Close

47. The following items were raised by the Chair and duly **NOTED**:
48. **Open Justice and related matters.** This item consisted of three topics:
 - **Issues arising following the 143rd PD Update**, in relation to the resolution at the March meeting, to extend elements of PD51Y (Video or Audio Hearings) and to

decouple it from the Coronavirus Act. PD51Y has played an important role in providing for users to access remote hearings during the pandemic and thus improved access to justice for many. That provision was extended for a further 12 months, until 25th March 2023, to allow time for primary legislation (Police, Crime, Sentencing and Courts Act 2022) to be enacted and to consider any wider policy implications. The intention being that proposals for more permanent provisions within the CPR would be formulated. This work is ongoing with MoJ Policy and will return in due course. **Action:** Secretariat, in consultation with the Chair, to schedule the item in before 2nd December 2022.

- **Dring -v- Cape Intermediate Holdings Ltd [2020] AC 629.** The Supreme Court judgment concerns access to court records by non-parties and thus CPR 5.4B and C. It was last aired at the July 2021 meeting (having first been reviewed by the Lacuna Sub-Committee) to note that it should be progressed once other pressing work, such as the Service Out reforms, had been completed. It is, therefore, now timely to convene the Sub-Committee, comprising Tower J (Chair), Tom Montagu-Smith QC and Dr Anja Lansbergen-Mills and expedite its review. Conscious that a recent judgment by Mr Justice Nicklin also refers, a copy of said judgment will be provided to the Sub-Committee as part of the deliberations. **Action:** (i) Chair to provide Nicklin J's judgment to Trower J (ii) Secretariat to provisionally schedule in time between October – December 2022 for the matter to return.
 - **PD510 Electronic Working.** Master Cook advised that the roll out of the present e-working project was now complete, as it had been confirmed that CE filing would not (at this stage) be introduced in the Administrative Court. As such, the scheme was now operating as business as usual in the other jurisdictions and the pilot PD is ripe for comprehensive review. The way in which that work would be undertaken and to what timetable would be discussed out of committee, in the first instance, between Master Cook and Trower J's Sub-Committee considering the decision in *Dring* (above). **Action:** Secretariat to provisionally schedule in time between October – December 2022 for the matter to return.
49. **Upcoming mainstream SI and PD Update.** The indicative timetable and anticipated content of the next mainstream CPR Update was set out. Subject to approval by the MR and Ministerial concurrence, the plan is to publish the amendments on/around 15th July 2022 in line with the 1st October 2022 common-commencement date. Given the pace of the simplification work by the s.2(7) Sub-Committee, a large suite of amendments are lined up for inclusion. The genuine constraints on time in order to conduct all the desired cross-referencing etc checks was highlighted; it was **RESOLVED** that Drafting Lawyers carry out a rapid preliminary check prior to importing into the Update instruments and if further consequentialia are identified thereafter, they can be addressed as they arise. **Action:** Secretariat, Drafting Lawyers to conduct cross referencing.
50. **E-Signatures.** The Association of Litigation Professional Support Lawyers (ALPS), has raised an enquiry concerning CPR 5.3 (signature of documents by mechanical means) which the Chair has referred to the Electronic Execution of Documents Industry Working Group (IWG), Co-Chaired by Mr Justice Fraser and Law Commissioner, Professor Sarah Green. The IWG will review the point and recommend any amendment in due course. **Action:** Secretariat to note for programming purposes.
51. **Deputy Chair for the July meeting.** The Chair will be absent from the next meeting, due to a personal engagement and as such, Kerr J will kindly take the Chair for 1st July meeting.
52. **2023 meetings.** The calendar of meetings for 2023 was duly distributed. It was noted that, due to the unusual way in which Easter and the legal terms fall next year, there is no

meeting in April, but there will be two in March (on Friday 3rd March and Friday 31st March) and this was duly **NOTED**.

53. Work Planning and Prioritisation. In order to update the CPRC work programme and Sub-Committee list, all members were requested to submit to the Chair and Secretary, a summary of their current CPRC projects and the scale thereof (large or small task, anticipate completion date) at their earliest convenience. **Action:** All to email Chair and Secretary as requested to inform the future work programme and prioritisation planning.

C B POOLE

June 2022

Attendees:

Carl Poole, Rule Committee Secretary

Pete Clough, Secretariat

Master Dagnall, Chair, Lacuna Sub-Committee

Nicola Critchley, Civil Justice Council

Alasdair Wallace, Government Legal Department

Andy Currans, Government Legal Department

Katie Fowkes, Government Legal Department

Amrita Dhaliwal, Ministry of Justice

Andy Caton, Judicial Office

Terry McGuinness, Judicial Office

Faye Whates, HM Courts & Tribunals Service

Sarah Zelkha, Home Office (Item 2)

Holly-Anne Brennan, Home Office (Item 2)

Mr Justice Andrew Baker, Admiralty Judge (Item 5)

His Honour Judge Richard Hacon, IPEC Presiding Judge (Item 7)