

FAMILY PROCEDURE RULE COMMITTEE
09 October 2023
PRIORITIES TABLE

Latest Update: 09 October 2023.

	Title	Rules and PD	Status / Updates	Next Due at Committee	Policy Lead
Tier 1: These are areas of work the Government has committed to do, either through primary legislation or through work programmes such as HMCTS Reform, or that the Committee is progressing at pace					
1.	Private Law Demand Reduction (Early Resolution).	Various.	A consultation paper was issued on 30 March 2023 and most recently discussed at the June and July 2023 meetings.	Substantive discussion: October 2023.	Demand Reduction Team.
2.	Parental Responsibility and Child Arrangements following imprisonment for murder of the other parent.	TBC.	This item was last discussed at the July 2023 meeting, and it was agreed to return for an update in October 2023.	October 2023.	Private Family Law Reform Team.
3.	Standing Item: Domestic Abuse Act Implementation				
	3a. Cross Examination Provisions.	TBC.	Update given at the July meeting. Item to return in October.	October 2023.	Domestic Abuse Policy Team.
	3b. Domestic Abuse Protection Orders.	TBC.	Update was provided at the July 2023 meeting. Item to return in October.	October 2023.	Domestic Abuse Policy Team.
	3c. Service of Orders at refuges / confidentiality of refuge addresses.	TBC.	An update was provided at the July meeting. Item to return in October.	October 2023.	Private Family Law Reform Team.
4.	Substantive Items				
	Web Updates (inaccuracies on Justice.gov.uk).	Various.	The secretariat seeks to action any errors as and when they are identified.	Standing Matter Arising.	Public Family Law Policy Team.
5.	Fast Track Procedure – financial remedy applications.	TBC.	Matter was discussed in July 2023 and a update will be provided in October 2023.	October 2023.	Marriage and Divorce Law Policy Team.
6.	Modernisation of PD27A.	PD27A.	Item was discussed at the June 2023 FPRC meeting. Item to return at the October 2023 meeting.	October 2023.	Public Family Law Team.

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Tier 2: Pieces of work that are being actively progressed by the Committee					
7.	Deed Poll Name Changes.	PD3A amendments.	A verbal update was provided in July 2023. The item will return for an update in October 2023.	October 2023.	Civil Law Policy.
8.	Disclosure from Family Proceedings to Home Office and Immigration Tribunals.	TBC.	The issue was last discussed at the April 2023. Update in the Autumn pending further engagement from HO.	November/December 2023 (pending update from HO).	Public Family Law Policy Team.
9.	Forms Working Group (standing forms update with table of work).	Forms.	The WG agreed to look at the suggestions to amend the C100 form after the outcome of the consultation on MIAM exemptions, to avoid amending the form twice in quick succession.	Standing Item.	Public Family Law Policy Team.
10.	Declaration of parentage following adoption order: H v An Adoption Agency.	TBC.	An update was provided to the Committee in July. The item will return in the Autumn depending on PD progress.	November/December 2023	DfE adoption policy and MoJ public family law policy.
11.	Permission to Appeal – consultation and policy options	Rule 30.3 and PD30A.	(i) Rule and PD amendments were made following a FPRC consultation in July 2022. However, other issues raised by the consultation are to be considered separately by a Working Group. (ii) Working Group also to consider issues raised regarding the lack of a permission filter for appeals from decisions of lay justices.	December 2023.	Public Family Law Policy Team.
12.	Police Disclosure Orders.	TBC.	The Committee consulted on proposed PD amendments in June 2022. The consultation responses raised various issues which the Committee wishes to consider in more detail. An update was last provided to the Committee in May and this item will return in October as a substantive item.	October 2023.	Public Family Law Policy Team.
13.	Case Management and Intimate Images.	TBC.	This item is being considered by the Domestic Abuse Working Group. An update was last provided to the Committee in July 2023. The item will return to the Committee in Autumn subject to discussion with the Domestic Abuse Working Group.	November/December 2023.	Public Family Law Policy Team.
14.	Voice of the Child.	TBC.	An update on work being taken forward by the Domestic Abuse and Positive Outcomes for	October 2023.	Private Family Law Reform Team.

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			Children (DA-POC) Group was last provided at the July 2023 meeting. It was agreed for this item to return for a further update in October 2023.		
15.	Relationship between rules, PDs and guidance.	TBC	Discussed at the July 2023 meeting. Item to return to the October 2023 meeting.	October 2023.	Public Family Law Policy Team.
16.	Private law reform pilots – review of Child Arrangement Programme – including PD36Z (investigative approach) and PD36ZE (local modifications)	PD36Z.	Pilot PD36Z came into force on 21 February 2022 in the pilot courts. Runs to 21 February 2024. Pilot PD36ZE came into force 1 April 2023 and runs to 28 February 2025. Committee to receive progress updates later in 2023.	October 2023.	Private Family Law Reform Team.
17.	Mediation Vouchers (Pilot PD).	PD36V.	It was agreed at the February 2023 meeting that the pilot PD should be extended for two years. An update is to be provided in February 2024.	February 2024.	Family Justice System Improvement Team.
18.	Police Notification Pilot.	PD36ZA	This item was last discussed at the June FPRC meeting. It was agreed for this item to return to the Committee in October.	October 2023.	Domestic Abuse Team.
19.	Joint MoJ and DfE Pilot for Expert and Readiness Checklists.	PD12A	This item was discussed at the July meeting, and it was agreed for this item to return in October as a substantive item.	October 2023.	Courts and Tribunal Joint Unit and DfE.
Tier 3: Work with timings listed as TBC or with longer timescales.					
20.	Review of PD12J (domestic abuse).	PD12J.	Status update was given at the October 2022 meeting.	TBC.	Private Family Law Reform Team.
21.	Single Lawyer Models.	TBC.	Update was provided at the April 2023 meeting. The item to return to the Committee in October 2023.	October 2023.	Single Lawyer Model Working Group.
22.	Review of the overriding objective, to include consideration of amendments relating to vulnerable parties and witnesses (FJC Report).	Rule 1.1.	Matter to be considered by the DA Working Group.	TBC.	Public Family Law Policy Team.
23.	Opposite sex civil partnerships Implementation: consequential	TBC.	SI expected to be laid by the end of 2023. Awaiting update from GEO.	TBC.	GEO.

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	amendments to the FPR 2010.				
24.	Pension Sharing Orders.	TBC.	The Committee discussed Pension Sharing Orders at the November 2022 meeting. It was agreed for this item to return in October 2023 following a further report from the Pensions Advisory Group in September 2023.	October 2023.	Marriage and Divorce Law Policy Team.
25.	Enforcement of Financial Remedy orders.	Rule and PD amendments	(i) Rule and PD amendments in respect of standard orders on general enforcement applications will come into force 6 April 2023. The Committee agreed for the item to return for a post-implementation review. (ii) Wider work on enforcement, including a possible rewriting of Part 33 FPR, was the subject of a Committee consultation in 2022. The Committee agreed in February 2023 for this item to return to the Committee in December 2023.	(i) February 2024. (ii) December 2023.	Marriage and Divorce Law Policy Team.
26.	Review of Practice Direction 12G.	PD12G.	Committee agreed to add this workstream to this Table at the July 2022 meeting.	TBC.	Public Family Law Policy Team.
27.	Closed Material Proceedings		Committee to discuss this work at the FPRC in the Autumn.	October 2023.	Public Family Law Team.
28.	Disclosure of electronic records	CPR r31.17 and PD31B	Scoping paper to be prepared.	October 2023 (scoping paper)	
29.	Delegating powers to High Court Staff		Scoping paper to be prepared	October 2023 (scoping paper)	
30.	Law Commission Surrogacy Report		Update on Government response	October 2023	
31.	Deprivation of Liberty		Update on DoL Court Review	October 2023	
32.	Retained EU Law			October 2023	
33.	Cape v Dring implications		FPRC members on CPR Working Group	TBC	

Annex A: Pending PD changes

The table below sets out the various PD-related projects that are underway or pending.

Where an entry relates to a project in the main Table above, this is noted in the Status column below.

Position as at end September 2023

	Subject	PD	Status	Timing of PD Update/ next due at Committee
Action required 2023				
A1	Demand reduction/ early resolution	Various (including PD3A MIAMs DV evidence provisions)	See main Table entry for demand reduction/ early resolution	October 2023
A2	MIAMs	PD3A	See entry in main Table for Deed Polls.	October 2023
A3	Online (a) private law proceedings (b) Part 4 FLA 1996 proceedings (c) additional types of private law proceedings	PD36G and PD36ZD (pilots)	PD36G expires 31 March 2024. PD36ZD came into force 20 April 2022. Expires 31 March 2024.	Awaiting confirmation from HMCTS of the timing and content of any further future IT releases, which will inform the timing of our bringing draft PD amendments to the Committee. In any event prior to respective expiry dates.
A4	Bundles	PD27A/ various pilot PDs	Modernisation to reflect increased use of electronic bundles. See item in main table. Amendments may also be needed to PD36N, PD36P, PD36ZD and PD41D.	October 2023 (matter arising) Provisionally - November 2023 (substantive item)
A5	Online placement applications	PD36P (pilot)	Pilot PD ends 31 October 2023 (extended in PD Update No. 2 of 2023) Future amendments may be needed to reflect further HMCTS IT releases.	October 2023 (proposal to extend pilot end date). Future amendments dependent on any further developments to

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			In due course, likely to be replaced by permanent PD provision under Part 41 FPR.	the online system, which will inform the timing of bringing draft PD amendments to the Committee. In any event, return ahead of any revised expiry date.
A6	Online divorce/ dissolution etc.	PD36ZC (pilot)	Came into force 6 April 2022. Expires 30 November 2023 (extended in PD Update No.2 of 2023).	As necessary dependent on any developments to the online system. In any event, October 2023, ahead of expiry date.
A7	Piloting of investigatory approach	PD36Z (annexes PD12B (Pilot))	PD expires 21 February 2024. See main Table entry for Private Law Reform	October 2023
A8	Online contested financial remedy	PD36N (pilot)	Expires 31 December 2023. In future, will need to be extended, or replaced with permanent PD under Part 41 FPR.	November or December 2023- Prior to expiry date.
Action required – early 2024				
A9	Notification to police of Part 4 FLA orders	PD36ZA (pilot)	Came into force 28 February 2022. Expires 28 February 2024.	Prior to 28 February 2024 expiry date.
A10	Temporary modifications	PD36ZE (pilot) came into force 1 April 2023 (replacing PD36Y).	PD36ZE expires 28 February 2025 See item for Private Law Reform in main table re. child arrangements programme (PD12B). Provisions unrelated to PD12B will also need review.	
A11	Transparency	PD12I	Practice Direction 12I to be updated to reference the Press Association's Media Injunctions Alert Service.	TBC

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A12	Justices' Legal Advisers	PD2C	Proposals for amendment from Committee member Feb 2023	MoJ to liaise with HMCTS and will return to the Committee late in 2023/ early 2024.
To return for review				
A13	Mediation vouchers	PD36V	See main table	Review February 2024
A14	Enforcement	NEW Part 33 PD	Possible new PD to support simplified Part 33 FPR: see main table entry for enforcement	Review December 2023
Timings to be confirmed				
A15	DA Act 2021 implementation – various aspects	Various	See entry in main Table for Domestic Abuse Act 2021 implementation	Various
A16	Tracing through Government Departments	PD6C	New PD put in place January 2023. Further details may be added in due course.	TBC
A17	Experts	PD25B	Name of governing body for social workers requires updating.	TBC