

FAMILY PROCEDURE RULE COMMITTEE
04 December 2023
PRIORITIES TABLE

Latest Update: 27 November 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.	Most recently discussed at the November 2023 meeting. Associated amendments were included in the FP(Amendment No.2) Rules 2023 and in PD Update No. 6 of 2023, to come into force 29 April 2024.	Substantive discussion: December 2023.	Demand Reduction Team.
2.	Parental Responsibility and Child Arrangements following imprisonment for murder of the other parent.	TBC.	This item was noted by the Committee at the November in a for information paper. The item to return to the Committee in December as a matter arising.	December 2023.	Private Family Law Reform Team.
3.	Delegating powers to High Court Staff		Amendment to r2.5 FPR included in the FP (Amendment No.2) 2023. Item to return to the Committee in December as a Matters Arising item, pending further work on proposed new Practice Direction.	December 2023.	FPRC Secretariat Team
4.	Standing Item: Domestic Abuse Act Implementation				
	3a. Cross Examination Provisions (Qualified Legal Representatives)		Update given at the November 2023 meeting. Update as a matter arising in December.	December 2024.	Domestic Abuse Policy Team.
	3b. Domestic Abuse Protection Orders.	TBC.	Update was provided at the November meeting. Item to return in December.	December 2023.	Domestic Abuse Policy Team.
	3c. Service of Orders at refuges / confidentiality of refuge addresses.	TBC.	Item was noted as a matter arising at the November meeting. Item to return in December.	December 2023.	Private Family Law Reform Team.
5.	Substantive Items				

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	Web Updates (inaccuracies on Justice.gov.uk).	Various.	The secretariat seeks to action any errors as and when they are identified.	Standing Matter Arising.	FPRC Secretariat Team.
5.	Fast Track Procedure – financial remedy applications.	TBC.	Matter was discussed in July 2023 and an update will be provided in December 2023 as a Matters arising item.	December 2023.	Marriage and Divorce Law Policy Team.
6.	Modernisation of PD27A.	PD27A.	Item was noted as a matter arising at the November meeting. Item to return in December for a further update as a Matters Arising item.	December 2023.	FPRC Secretariat Team.
Tier 2: Pieces of work that are being actively progressed by the Committee.					
7.	Deed Poll Name Changes.	PD3A amendments.	Item was noted as a matter arising at the November meeting. Item to return in December as a Matters Arising item.	December 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 will be provided as and when HO seek further engagement.	February 2024 (pending update from HO).	FPRC Secretariat Team/ Home Office.
9.	Forms Working Group (standing forms update with table of work).	Forms.	Forms WG met on 16 November and an update will be delivered at the December meeting. C100 work will be considered alongside the work currently being considered by the MoJ/HMCTS group.	Standing Item.	FPRC Secretariat 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 December as a substantive item.	December 2023	DfE adoption policy and MoJ FPRC Secretariat Team.
11.	Permission to Appeal	Rule 30.3 and PD30A.	PTA Working Group met on 24 October 2023. Update was provided at the November meeting (as a matter arising). Item to return for an update in December as a Matter Arising item.	December 2023.	FPRC Secretariat Team.
12.	Police Disclosure Orders in private law proceedings.	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. The Committee noted this item at the October meeting as a matter arising. Item to return in February 2024.	December 2023.	FPRC Secretariat Team.
13.	Case Management and Intimate Images.	TBC.	This item is being considered by the Domestic Abuse Working Group. An update was last	February 2024.	FPRC Secretariat Team.

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			provided to the Committee in July 2023. The item will return to the Committee in due course subject to discussion with the Domestic Abuse Working Group.		
14.	Voice of the Child.	TBC.	An update on work being taken forward by the Domestic Abuse and Positive Outcomes for Children (DA-POC) Group was last provided at the July 2023 meeting. Item was last discussed at the October meeting. Further update to be provided in December.	December 2023.	Private Family Law Reform Team.
15.	Relationship between rules, PDs and guidance.	TBC	Discussed at the October 2023 meeting. Item to return early next year.	February 2024.	FPRC Secretariat Team.
16.	Private law reform pilots – review of Child Arrangement Programme – including PD36Z (investigative approach) and PD36ZE (local modifications)	PD36Z.	<p>Pilot PD36Z came into force on 21 February 2022 in the pilot courts. Runs to 21 February 2024.</p> <p>Pilot PD36ZE came into force 1 April 2023 and runs to 28 February 2025.</p> <p>Proposals for amendment and extension of PD36Z considered at the October meeting. Draft amendments to be considered at the December meeting.</p> <p>Update on PD36ZE to be provided to the December meeting.</p>	December 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 noted as a matter arising at the October meeting. Item to return in December.	December 2023.	Domestic Abuse Team.
19.	Joint MoJ and DfE Pilot for Expert and Readiness Checklists.	PD12A	This item was noted as a matter arising at the October meeting. New PD provision included in PD Update No. 6 of 2023.	December 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.

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21.	Single Lawyer Models.	TBC.	Update was provided at the April 2023 meeting. The item to return to the Committee in December 2023.	December 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 amendments to the FPR 2010.	TBC.	SI expected to be laid by the end of 2023. Awaiting update from GEO.	TBC.	GEO.
24.	Pension Sharing Orders.	TBC.	The Committee discussed Pension Sharing Orders at the November 2022 meeting. Awaiting report from the Pensions Advisory Group (Jan 2024)	March / April 2024.	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 April 2024.	(i) April 2024. (ii) April 2024.	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 Team.
27.	Closed Material Proceedings		Committee discussed this work at the October meeting. It was agreed for this item to return in December.	December 2023.	FPRC Secretariat Team.
28.	Disclosure of electronic records	CPR r31.17 and PD31B	Scoping paper was presented to the Committee in October. Item to return to the Committee early next year.	February 2024.	FPRC Secretariat Team.

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29.	Law Commission Surrogacy Report		Update on Government response	February 2024.	Private Family Law Team.
30.	Deprivation of Liberty		Update on Deprivation of Liberty Court Review was provided at the October 2023 meeting.	February 2024.	Public Family Law Team.
31.	Retained EU Law		Item to go to the Committee as an AOB in February 2024.	February 2024.	Department for Business and Trade.
32.	Cape v Dring implications		FPRC members on CPR Working Group.	TBC	FPRC Secretariat Team.

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 November 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: provision made in PD Update No.6 of 2023. PD5B amendment re. new proforma required.	December 2023
A2	MIAMs	PD3A	See entry in main Table for Deed Polls.	December 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, return in February 2024 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. See entry in main Table.	December 2023 (matter arising)

	Subject	PD	Status	Timing of PD Update/ next due at Committee
A5	Online placement applications	PD36P (pilot)	<p>Pilot PD ends 31 March 2024 (extended in PD Update No. 5 of 2023)</p> <p>Future amendments may be needed to reflect further HMCTS IT releases.</p> <p>In due course, likely to be replaced by permanent PD provision under Part 41 FPR.</p>	<p>Future amendments dependent on any further developments to the online system, which will inform the timing of bringing draft PD amendments to the Committee.</p> <p>In any event, return in February or March 2024, ahead of any revised expiry date.</p>
A6	Online divorce/ dissolution etc.	PD36ZC (pilot)	<p>Came into force 6 April 2022. Expires 31 May 2024 (extended in PD Update No.5 of 2023).</p>	<p>As necessary dependent on any developments to the online system.</p> <p>In any event, April/May 2024, ahead of expiry date.</p>
A7	Piloting of investigatory approach	PD36Z (annexes PD12B (Pilot))	<p>PD expires 21 February 2024.</p> <p>See main Table entry for Private Law Reform</p>	December 2023
A8	Online contested financial remedy	PD36N (pilot)	<p>Amended via PD Update No. 6 of 2023. Expires 30 June 2024,</p> <p>In future, will need to be extended, or replaced with permanent PD under Part 41 FPR.</p>	April/ May 2024 - Prior to expiry date.
A9	Email communication with the court	PD5B	<p>Minor amendment needed to link to new HMCTS guidance approved at November 2023 meeting.</p>	Committee will be advised when PD amendment included in a future PD Update.
Action required – early 2024				
A10	Notification to police of Part 4 FLA orders	PD36ZA (pilot)	<p>Came into force 28 February 2022. Expires 28 February 2024. See entry in main Table.</p>	December 2023, prior to 28 February 2024 expiry date.

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A11	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). PD 36ZE provisions unrelated to PD12B will also need review.	
A12	Transparency	PD12I	Practice Direction 12I to be updated to reference the Press Association's Media Injunctions Alert Service.	TBC
A13	Justices' Legal Advisers	PD2C	Proposals for amendment from Committee member Feb 2023. Noted as a matter arising at the October meeting.	MoJ to liaise with HMCTS and will return to the Committee late in 2023/ early 2024.
To return for review				
A14	Mediation vouchers	PD36V	See main table	Review February 2024
A15	Enforcement	NEW Part 33 PD	Possible new PD to support simplified Part 33 FPR: see main table entry for enforcement.	Review April 2024
Timings to be confirmed				
A16	DA Act 2021 implementation – various aspects	Various	See entry in main Table for Domestic Abuse Act 2021 implementation	Various
A17	Tracing through Government Departments	PD6C	New PD put in place January 2023. Further details may be added in due course.	TBC
A18	Experts	PD25B	Name of governing body for social workers requires updating.	TBC