



Ministry
of Justice

Civil Procedure Rule Committee

Annual Report 2023-24

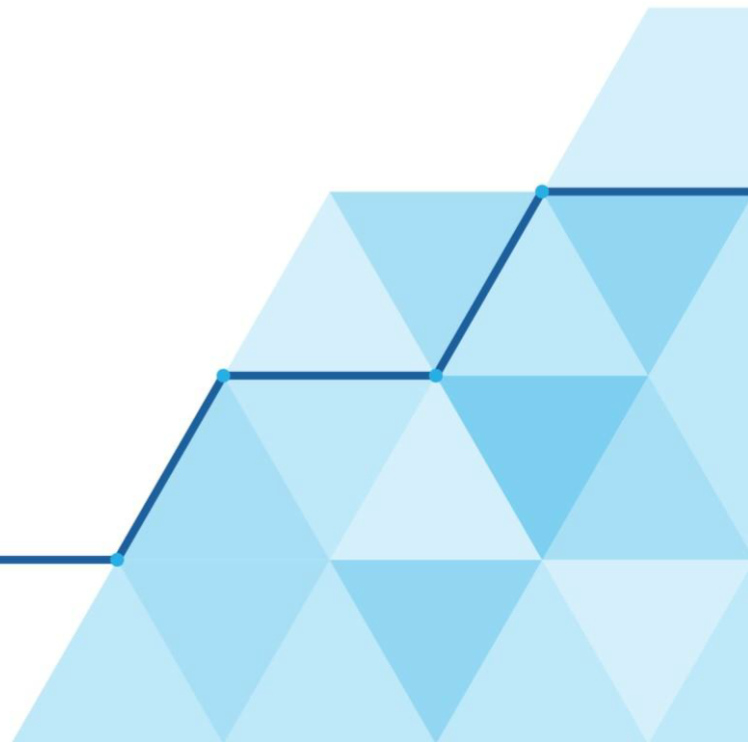
This information is also available at

<https://www.gov.uk/government/organisations/civil-procedure-rules-committee>

This annual report of the Civil Procedure Rule Committee includes references to rules and Practice Directions made, sub-committee work and consultations conducted, during the period of the report; the Committee's terms of reference, membership and number of meetings held.



Ministry
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Preface and Overview

In today's world change is part of life. In civil justice changes are frequently complex. Given the breadth and depth of the civil jurisdiction, changes often touch many different people in different ways. When the Civil Procedure Rules (CPR) were first introduced, a quarter of a century ago, the landscape and the change culture were quite different.

In that setting, the then Master of the Rolls (and subsequent Lord Chief Justice), Lord Woolf, published a review of the civil justice system and a vision for reform.

The changes which followed were significant. Central to this was the enactment of the Civil Procedure Act 1997, which established the introduction of a unified set of rules of court to “govern the practice and procedure to be followed in the Civil Division of the Court of Appeal, the High Court and the County Court” in England and Wales: the CPR. The legislation also prescribed that the rules are to be made by a new statutory Committee, “to be known as, the Civil Procedure Rule Committee”.

These changes were profound and initiated something of a transformation across the whole justice system, because in the years that followed, dedicated procedure rule committees, made up of judicial office holders, practitioners and experts from outside the legal professions, were established and have been in place now for many years.

The Civil Procedure Rule Committee (CPRC) was the first and this year marks an important milestone – our 25th Anniversary.

The Rule Committee's statutory power to make Civil Procedure Rules is, “to be exercised with a view to securing that the civil justice system is accessible, fair and efficient”.

This has been, and remains, our overarching legal duty. The Civil Procedure Rules are used, every day, in every civil court, up and down the country; they are an essential part of what underpins the rule of law and they create a framework for a fair, open, and proportionate civil justice system and so in turn, a just society.

From its inception, the Committee's statutory Chair has been the Master of the Rolls (MR). In the early years, Lord Woolf chaired the Committee.

More recently, the day-to-day responsibilities have been delegated to the Deputy Head of Civil Justice. Since 2021 this has been my privilege and accordingly, I am very pleased to introduce this Annual Report.

Inevitably, the effective operation of committee business is not down to one person alone and I am very fortunate that the Committee comprises members from across the civil justice system: fellow judges, external practitioners and representatives of the lay advice and consumer affairs sectors. It is a collection of expertise and talent, publicly appointed individuals, all of whom provide their valuable time and efforts in a voluntary capacity. In addition, many other people contribute to our work in a variety of ways.

The golden thread which maintains the careful mix of rigour and rhythm to committee business, is our outstanding secretariat, led by Carl Poole.

I would like to thank them all. Indeed, the responsibility of keeping the CPR up to date is a continuous task and I extend my deep gratitude to everyone who worked on this over the past 25 years and to those who will strive to do so into the future.

I hope you, as I was, will be interested to read the annexed schedule of distinguished former Chairs, Deputy Heads of Civil Justice and Secretaries who have served the Committee so diligently.

This year, I pay tribute to two judicial members whose terms on the Committee came to an end. First, His Honour Judge Jarman KC, who reached his maximum term of six years, having joined in 2018. He was the first ever Welsh judicial member. The appointment was introduced pursuant to the Civil Procedure Act 1997 (Amendment) Order 2017. His care, expertise and particular experience of the law applicable in Wales has been of special value to committee deliberations. Particular highlights included his work on the changes to the rules regarding public law hearings in Wales and Welsh housing legislation, in addition to the wider work of the Committee.

Secondly, Master David Cook, who served on the Committee as the Master member since May 2018. Although almost reaching his maximum six years, it was his appointment as Senior Master and King's Remembrancer that necessitated the change in membership. Notable achievements include his work on the development of the Online Civil Money Claims portals. He was also an integral member of the Costs Sub-Committee and Chair of the Forms Sub-Committee; as well as innumerable other additional projects.

In turn we welcomed new members this year. Mr Justice Pepperall is the new High Court Judge, King's Bench Division (KBD) member (succeeding Mr Justice Kerr, for whom I provided valedictory remarks in the last annual report), His Honour Judge Hywel James, the new Welsh judicial member and Master Sullivan, the new KBD Master member. All three new members have already begun to make their mark with valuable contributions.

I also acknowledge the contributions made by Virginia Jones, who prematurely left the Committee due to the weight of other work, at the end of the year. Virginia had served on the Committee for a busy 18 months. As one of the legal members of the Committee, the role provides an important opportunity for insightful input from a practitioner into all aspects of the Committee's work. The independent, public appointment process, to identify a successor, is ongoing.

Much of the Committee's strangely fascinating work is conducted through sub-committees. This year, the Chair of the Lacuna Sub-Committee (LSC) was handed over to District Judge Clarke. Prior to this, it was held by Master Dagnall. The LSC was the brainchild of my predecessor, Lord Justice Coulson, as a central means to review the various referrals concerning possible errors or gaps in the rules as a result of developments in practice. A great deal of credit is owed to Master Dagnall for his passion and dedication to the task.

The 2023-24 reporting period has been a characteristically busy year, which has seen the Committee make three rule amending Statutory Instruments, 10 Practice Direction (PD) Updates, as well as two sets of Pre-Action Protocol (PAP) amendments.

You can read more on this in the main body of the report. A few examples are: amendments in relation to the Independent Monitoring Authority, for which a brand new standalone PD was introduced; various enforcement updates; technical and caselaw related amendments including revisions to court forms and, amongst other things, to the Companies Act Proceedings PD; foreign evidence requests; appeals; contempt of court; pension rectification claims; judicial review and a suite of enhancements to the digital service pilot schemes, which also had their operative periods extended.

However, one significant aspect that has continued at pace this year, was the demanding programme of work concerning the extended Fixed Recoverable Costs (FRC) reforms. The Costs Sub-Committee, conscientiously chaired by Mr Justice Trower, has worked tirelessly on this. An extensive suite of revisions, across the CPR, not merely confined to Part 45 (Fixed Costs) have been prepared. Indeed, FRC related work also continues further into 2024.

So, too has the work arising from the ongoing project in accordance with our statutory duty to "... try to make rules which are both simple and simply expressed.". This year, 17 CPR Parts have been updated under this programme. The amendments provide for a reduction in overall length, to simplify the language, improve clarity and provide gender neutrality. You can read more on this later in the report.

The annual open meeting in May each year serves to amplify the Committee's interaction with front-line users. The public question forum is particularly valuable. I take this opportunity to reiterate my thanks to the very many people engaged with, and interested in, the civil justice system, for the time they devoted to participating so positively on that occasion.

At that meeting, the MR spoke of future reforms, in particular the opportunities arising in light of the new Online Procedure Rule Committee's emerging vision (the OPRC is also chaired by the MR) and the introduction, in time, of a multi-jurisdictional, Digital Justice System. Liaison between the jurisdictional rule committees and the OPRC will be necessary and presents exciting prospects. I also attend OPRC meetings and am keenly following developments.

I have every confidence that all members and officials concerned with the work of the Civil Procedure Rule Committee will continue to participate with the same positive energy as before. We will all work together, true to our purpose and with a renewed focus on the next 25 years.

I hope you find value in reading this report. Thank you for your time and interest.

The Right Honourable Lord Justice Birss

Deputy Head of Civil Justice



The Master of the Rolls (centre, front) with fellow Civil Procedure Rule Committee members and secretariat

Terms of Reference

The Civil Procedure Rule Committee is an advisory non-departmental public body sponsored by the Ministry of Justice. Its function is to make rules of court governing the practice and procedure in the:

- Civil Division of the Court of Appeal;
- High Court; and
- County Court.

Its power to make rules should be exercised with a view to securing that the civil justice system is accessible, fair and efficient and the rules are both simple and simply expressed. The terms of reference are derived from the Civil Procedure Act 1997 (as amended by the Courts Act 2003, the Constitutional Reform Act 2005, the Crime and Courts Act 2013, the Anti-Social Behaviour, and the Crime and Police Act 2014).

Background & Committee Strategy

The Civil Procedure Rule Committee was established in 1997 to make rules of court (Civil Procedure Rules) to replace the previous Rules of the Supreme Court and the County Court Rules.

The committee's aim is to provide rules of court in line with the aims stated in Lord Woolf's 1996 report "Access to Justice".

Before making any rules, the committee is:

- obliged to consult such persons as it considers appropriate and
- to meet (unless it is inexpedient to do so).

Rules are made into legislation by way of a Statutory Instrument. The committee aims to sign Statutory Instruments in June and December each year, to come into force in October and April respectively. The Civil Procedure Rules (CPR) are supplemented by Practice Directions (PD), and whilst these are not the direct responsibility of the committee, the committee is involved in their drafting because of their close relationship with the rules.

However, both Statutory Instruments & Practice Direction Updates (as well as Pre-Action Protocols) may be made throughout the year.

The committee's strategy serves to achieve its statutory function and the Overriding Objective that the rules should be 'simple and simply expressed'.

Both the committee, and the team of officials and lawyers which support the committee, are a limited resource, and often overstretched. It is, therefore, necessary to be able to prioritise the work which the committee is asked to undertake.

The following priorities apply:

- **Legislation (where necessary)**
Amendments to the rules driven by primary or other legislation are often required on a timetable outside the committee's direct control or that of the Ministry of Justice (MoJ).

However, these items should take precedence wherever necessary; but sometimes legislation which impacts civil justice will not require amendment/s to the CPR.

- **Modernisation**

This refers mainly to the incorporation of the scheduled rules into the main body of the Civil Procedure Rules. When the Civil Procedure Rules were made in 1998, not all of the Rules of the Supreme Court (RSC) and County Court Rules (CCR) had been transformed into Civil Procedure Rules. The remaining RSC and CCR were placed in 'schedules' to the Civil Procedure Rules to be incorporated at a later date, if necessary and thus became known as the Scheduled Rules. The incorporation of these remaining rules continues to form a regular feature of the committee's work wherever possible. In 2021 a new "simplification" project was established (under the auspices of the Section 2(7) Sub-Committee) with the aim of complimenting and to accelerate the delivery of this priority.

- **Comprehensive Reviews**

These will be led by the Ministry of Justice, but topics will be agreed with the committee and preferably focused around issues of concern to judiciary, practitioners and litigants. They will focus on a particular CPR Part or topic and will include a full review of the drafting of that Part, seeking to simplify language and procedure, and eliminate duplication (between the rule and the practice direction, for example).

Suggestions for amendments to be considered outside these three priority areas will either need to be held back for incorporation into an appropriate review or pass a reasonably rigorous test for consideration based on urgency, scale of (potential) injustice, political imperative and scale of difficulties being encountered in practice.

Membership

During the period covered by this report, the committee comprised the following members:

- The Head of Civil Justice, Master of the Rolls, Sir Geoffrey Vos, Ex Officio
- The Deputy Head of Civil Justice, Lord Justice Birss, Ex Officio
- The Hon. Mr Justice Kerr, High Court Judge Member (until August 2023)
- The Hon. Mr Justice Pepperall, High Court Judge Member (with effect from March 2024)
- The Hon. Mr Justice Trower, High Court Judge (Chancery Division) Member
- Senior Master Cook, High Court Master Member (until March 2024)
- Master Sullivan, High Court Master Member (with effect from February 2024)
- His Honour Judge Bird, Circuit Judge Member
- His Honour Judge Jarman KC, Welsh Judge Member (until March 2024)

- His Honour Judge Hywel James, Welsh Judge Member (with effect from March 2024)
- District Judge Clarke, District Judge Member
- District Judge Johnson, District Judge Member (with effect from July 2023)
- Dr Anja Lansbergen-Mills, Barrister Member
- Ms Isabel Hitching KC, Barrister Member
- Mr Tom Montagu-Smith KC, Barrister Member
- Mr David Marshall, Solicitor Member
- Mr Ben Roe, Solicitor Member
- Ms Virginia Jones, Solicitor Member (until December 2023)
- Mr Ian Curtis-Nye, Lay Advice/Consumer Affairs Member
- Ms Elisabetta Sciallis, Lay Advice/Consumer Affairs Member (with effect from June 2023)

Remuneration & Member Interests

The Chair and members are not remunerated for their service on the committee.

Members of the committee are permitted to submit reasonable claims for travel and subsistence expenses, which are administered by the Secretariat and paid by the Ministry of Justice; no claims have been submitted to the Secretariat during the period of this report.

However, when committee meetings are held in person, the Ministry provides refreshments for members in lieu of subsistence claims.

For the period April 2023 to March 2024, this amounted to £823.96

A register of member interests, for the period of this report, is held by the Secretariat. should you wish to view it, please contact the secretary via the means at the end of this report.

Meetings

The committee met nine times in the period covered by this report. The committee's meeting on 31st March 2023 was in lieu of an April meeting, due to the Easter recess. Meetings did not take place in August 2023, September 2023 or January 2024, as is customary. The committee meetings held in May 2023 (the annual open meeting) and October 2023 were held in a remote format, via a video conference facility.

Sub-Committees and Working Parties

The committee establishes sub-committees and working parties to consider the detail of the rules relating to specific projects and/or proposals and much of the initial work is conducted in this way. Generally, there are around 15 such committees operating at any one time. They include (listed in alphabetical order):

- **Access to court documents by non-parties** - to consider the Lacuna Sub-Committee referral regarding access to court documents by non-parties (prompted by the Supreme Court judgment in *Cape Intermediate Holdings Ltd v Dring* (for and on behalf of Asbestos Victims Support Groups Forum UK) [2019] UKSC 38
- **Alternative Dispute Resolution** - to draft CPR amendments arising from the Court of Appeal's judgment in *James Churchill v Merthyr Tydfil Borough Council*.
- **Civil Restraint Orders (CRO)** – to consider points raised by the Chancellor of the High Court regarding the operation of CROs.
- **Clinical Negligence Fixed Recoverable Costs** - to draft the CPR amendments in consequence of the Department of Health and Social Care's policy on this topic.
- **Court Forms** - to consider changes to, or, new court forms.
- **Costs** - to consider cost related matters.
- **Damages and Money Claims (online reforms)** - creation of rules to support the online reformed services (principally the Online Civil Money Claims portal PD 51R, and Damages Claims portal PD 51ZB).
- **Digital Markets, Competition and Consumers Bill** - to consider the draft CPR amendments anticipated in consequence of the legislation (assuming it becomes an Act).
- **Housing & Possession Enforcement** - to maintain a general watching brief on Housing & Possession related matters. Specific ongoing work includes legislative reforms and a review of various enforcement procedures including the N54 eviction notices.
- **Judicial Reviews (Part 54)** – residual work flowing from the recommendations in response to the Independent Review into Administrative Law (IRAL) and other technical changes in response to developments in practice.
- **Lacuna** – to consider possible gaps in the CPR as alerted by the judiciary/judgments and to review requests received from any interested party, including general enquiries received via the secretariat, to determine suitability as to whether it merits full committee consideration.

- **Mediation Pilot** – subject to government policy, to draft the CPR changes required to provide for integrated mediation for small claims proceedings in the county court.
- **Simplification (Section 2(7))** - to review the CPR, over a phased programme in order to reduce and simplify the rules, pursuant to the committee’s statutory duty under s.2(7) Civil Procedure Act 1997 to, ‘...try to make rules that are both simple and simply expressed.’
- **Service (Part 6)** – to consider issues regarding service, both in and outside the jurisdiction of England and Wales.
- **Strategic Litigation Against Public Participation (SLAPP’s)** – subject to government policy, to draft the CPR amendments in consequence of the Economic Crime and Corporate Transparency Act 2024.

New Rules, Statutory Instruments and Practice Direction Updates

This has been another busy year. Three Statutory Instruments, 10 Practice Direction Updates (156th to 165th), as well as two sets of Pre-Action Protocol (PAP) amendments have been made.

The various updating instruments make a suite of [changes across the Civil Procedure Rules](#) and can be read online at [Civil - Civil Procedure Rules \(justice.gov.uk\)](#). The amendments included the following:

A new (un-numbered) PD which was introduced to support the Independent Monitoring Authority (IMA) in fulfilling its statutory duty in relation to claims relating to EU and EEA ETFA citizens’ rights; various enforcement provisions in PD 84 and form EAC1 were updated to reflect operational changes and the establishment of the Civil National Business Centre; a collection of other important, technical amendments were also made, such as to the Companies Act Proceedings PD 49A, to allow for proceedings to be issued via a Part 7 or Part 8 claim form; the provisions relating to foreign evidence requests (Part 34) and to appeals (Part 52) regarding, amongst others, contempt of court proceedings and in response to caselaw developments; a gap in Part 52 regarding the time limit for appealing to the Court of Appeal from the Investigatory Powers Tribunal, was also addressed. The decision in *Taray Brokering* [2022]EWHC 2968 (Ch) necessitated a review of and amendments to CPR 81.4(e) to make clear that the Penal Notice in contempt of court proceedings is not part of the order – it is a warning notice added to the order as necessary; experience in practice led to pension rectification claims being added to the list of exemptions from the requirements of PD 57AC, the practice direction on trial witness statements in the Business and Property Courts.

Changes concerning judicial review (JR) procedures resulted in amendments to CPR 54.8A which intended to provide certainty and limit delay, by providing an express right for claimants to file a Reply to the acknowledgment of service (AOS) in JR proceedings and to do so within seven days of receipt of the AOS. Separately, an amendment to CPR 54.5 (time limit for filing claim form) was made in consequence of the Public Service Obligations in Transport Regulations 2023, which introduced a one-month limitation period for challenging a decision or award made under the

Regulations. The amendment aligned the time limits in the mainstream subsidy and procurement regimes and provides clarity in the rules, given that the timeframe for general judicial review claims is three months.

A substantial suite of PAP amendments were made to the Pre-Action Protocol for Disease and Illness Claims, which make provision for noise induced hearing loss claims.

Three prescribed court forms (N19 (limited Civil Restraint Order (CRO)), N19A (extended CRO) and N19B (general CRO) which are annexed to the CRO PD 3C were amended to enable the details of any previous orders recording that claims and/or applications were totally without merit, can be set out in the body of the forms.

Digital Services also continue to develop, for which the Online Civil Money Claims (PD 51R) pilot and the Damages Claims Portal (PD 51ZB) pilot have been incrementally modified and extended to allow for further testing. The E-Working Pilot Scheme (PD 51O) was also amended to bring the Administrative Court within scope. In the ensuing year, this PD will undergo a wholesale review with the aim to de-pilot it and incorporate a replacement into the CPR in due course.

Amendments concerning the extended Fixed Recoverable Costs (FRC) reforms were also made. The associated suite of revisions, across the CPR, was not merely confined to Part 45 (Fixed Costs). The detail is available online via the links below.

In the spirit of simplification, the committee also decided to produce a central list of every email address contained within various parts of the rules. An associated “flagging” provision was added to PD 5B (communication and filing of documents by e-mail). It is hoped that this will assist users as well as improving the timeliness of reflecting any changes to new or existing email addresses, because the centralised list can be updated without a formal amending instrument being required. The list is available on the rules’ webpage: [N900 CPR E-mail address list \(justice.gov.uk\)](https://www.justice.gov.uk/courts/procedure-rules/civil/n900-cpr-e-mail-address-list)

More details can also be found on the CPR and legislation websites at the following links: <https://www.justice.gov.uk/courts/procedure-rules/civil> <https://www.legislation.gov.uk/>.

Consultations

The committee has the power to run consultations when evidence/opinions are sought during their consideration of the rules of court governing the practice and procedure in civil proceedings.

The committee consults, as it considers appropriate to the rules or amendments to rules in question, in a number of ways of differing degrees of formality. This can include specific correspondence with bodies considered appropriate to be consulted; involving representatives of interested organisations in the work of sub-committees reviewing particular aspects of the rules; inviting and reviewing suggestions and observations solicited by its members from among the groups from which each is drawn; and inviting and reviewing suggestions from relevant Government Departments and other authorities affected by rules of civil procedure.

During this reporting period, the following public consultations have taken place:

- **Enforcement of Judgments in Different Jurisdictions** (Hague 19 and Hague 05): proposed amendments to CPR Part 74 and PD 74A. The proposed amendments arose from the committee's consideration of the implementing framework to facilitate the operation of the Hague Convention 2019 (on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters) and Hague Convention 2005 (on Choice of Court Agreements). The consultation ran from 7th February 2024 to 13th March 2024 and informed the resulting CPR Update (Civil Procedure (Amendment No. 2) Rules 2024 and associated PD Update) although that was not made in this report period.
- **Fixed Recoverable Costs (FRC)** on issues relating to the new regime. The consultation ran from 21st July 2023 to 8th September 2023. The Government's response was published in February 2024 and set out the way forward on the issues under consultation, as well as various wider FRC issues raised by stakeholders. The consultation was held as part of the process of finalising the Civil Procedure (Amendment No. 2) Rules 2023 which came into force on 1st October 2023. **Clarificatory Note:** The 2022-23 annual report provided information concerning a public consultation regarding FRC. Whilst the consultations held in May 2022 informed the work on FRC, their main focus was on Qualified One-Way Costs Shifting (QOCS) and Vulnerability in the context of how they might be dealt with under a fixed recoverable costs regime for Fast Track and Intermediate Track claims. The consultations were published on 9th May 2022 and closed on 20th June 2022. The Government's responses to these consultations can be read here: [cprc-qocs-consultation-response.pdf \(publishing.service.gov.uk\)](#); [cprc-consultation-vulnerability-response.pdf \(publishing.service.gov.uk\)](#).
- **Standard Disclosure in Workplace Claims.** Views were sought on issues arising from the committee's consideration of Annex C (standard disclosure in workplace claims) to the Pre-Action Protocol for Personal Injury Claims. The consultation ran from 23rd June 2023 to 4th August 2023. The sub-committee will report back to the main committee in due course.
- **Access to Court Documents by Non-Parties:** proposed new CPR 5.4C. This concerned proposed draft amendments to CPR 5.4C (supply of documents to a non-party from court records) and flowed from the UK Supreme Court judgment in *Cape Intermediate Holdings Ltd -v- Dring* [2019] UKSC 38. The consultation ran from 19th February 2024 to 8th April 2024 (and as such falls outside this reporting period). Work is ongoing.

In addition, other public consultation exercises took place as part of the project to simplify the CPR, as explained below.

Simplifying the Civil Procedure Rules (CPR)

Proposed amendments flowing from the simplification project are focused on drafting amendments rather than substantive changes, however, some proposed reforms do seek to relocate or dispense with provisions altogether.

The committee has continued its project to try to simplify the rules; this being a statutory duty under s.2(7) of the Civil Procedure Act 1997. The work is conducted by a sub-committee which is approaching its task in a phased way. The project commenced in 2021 and is nearing completion of phase one, being a review of Parts 1 to 30 (broadly the generic parts of the rules).

A rolling programme of consultation supports the work. It enables drafting proposals to be published, online, for comment before changes are introduced.

Since its inception and until August 2023 it was chaired by one of the High Court Judge members, Mr Justice Kerr. Following his retirement from the committee, the project has been overseen by one of the Barrister members, Isabel Hitching KC and it continues to progress well.

For the period covered by this report, 17 CPR Parts have been reviewed and amended: Parts 3 (The Court's Case Management Powers), 12 (Default Judgment), 14 (Admissions), 18 (Further Information), 19 (Parties and Group Litigation), 20 (Counterclaims and other Additional Claims), 22 (Statements of Truth), 23 (General Rules about Applications for Court Orders), 24 (Summary Judgment), 26 (Case Management – Preliminary Stage), 39 (Miscellaneous Provisions Relating to Hearings), 40 (Judgments, Orders, Sale of Land Etc), 45 (Fixed Costs), 55 (Possession Claims), 56 (Landlord and Tenant Claims and Miscellaneous Provisions about Land and Claims under the Renting Homes (Wales) Act 2016), 58 (Commercial Court) and 59 (Circuit Commercial Court).

The reforms and consequential amendments provide for a reduction in overall length, simplify the language, improve clarity and provide gender neutrality.

Some provisions are also relocated to be more logically and appropriately placed. Rule 22.1 (documents to be verified by a statement of truth) has been reconstructed, for example, rule 22.1(b) is deleted as being superfluous, and the provisions on who may sign a statement of truth and what that statement of truth should contain, are more clearly separated. Two clarificatory amendments were also made to the following: rule 3.3 (Court's power to make an order of its own initiative) and rule 39.1 (definition of a hearing) and to bring it in line with the like amendment in rule 23.1. It does not change the law or practice but is purely a technical amendment.

The main CPR Part left to resolve upon is Part 25 (Interim Remedies and Security for Costs); the associated consultation ran from 18th December 2023 to 9th February 2024 (it also included a proposed amendment to CPR Part 4 (Forms) in order to accommodate express reference to Model Orders). The responses are still being worked through. The plan is to have settled drafting in time for incorporation into the winter CPR Update (for April 2025 in-force).

As this phase of the simplification project reaches its conclusion, it coincides with advances in the establishment of the Online Procedure Rule Committee (OPRC) and that presents an opportunity to take stock before defining future phases. However, the overall principle of simplification remains an active part of the committee's main work.

Any further proposals will continue to be published, for [consultation](https://www.gov.uk/government/organisations/civil-procedure-rules-committee/about), as appropriate, online here: <https://www.gov.uk/government/organisations/civil-procedure-rules-committee/about>

Thank you to everyone who has submitted responses to date. Developments can be monitored by following progress via the minutes, online here: <https://www.gov.uk/government/organisations/civil-procedure-rules-committee/about> and subsequent CPR Updates.

Future Business

The committee's work programme and resulting amendments to the CPR are driven by many and often competing priorities. It is not always possible to identify, well in advance, the core topics to be considered. Primary or other legislation is often required on a timetable outside the committee's direct control or that of the Ministry of Justice (MoJ). Other topics focused around issues of concern to the judiciary, practitioners, litigants and other users will feature throughout. Issues such as urgency, scale of (potential) injustice, political imperative and the extent of difficulties being encountered in practice, all form part of the process to manage the programme of work to best effect.

Wherever possible, amendments to the CPR will follow the two common commencement dates of October & April. However, given the weight and urgency of some work, additional updates are to be expected.

As such the agenda programme is under constant review and is subject to change. However, topics likely to drive the work programme for the ensuing year are expected to include a mixture of projects already started, alongside new strands of work; together they include the following (this list is not exhaustive):

- Access to Court Documents by Non-Parties: proposed new CPR 5.4C (in response to the Supreme Court judgment in *Cape Intermediate Holdings Ltd v Dring* [2019] UKSC 38)
- Amendments arising from the Digital Markets, Competition and Consumers Bill
- Business as usual activity arising from referrals to the Lacuna Sub-Committee and Forms Sub-Committee
- Civil Justice Council's Costs Report and Costs matters generally
- Civil Restraint Orders
- Extending Fixed Recoverable Costs (FRC) and Clinical Negligence FRC
- Final proposals from the consultation (see above) on updating the standard disclosure list in workplace claims, forming part of the Pre-Action Protocol for Personal Injury Claims
- HM Courts & Tribunals Service's Reform Programme, specifically, the online reformed services governed by PD 51R (Online Civil Money Claims) and PD 51ZB (Damages Claims Pilot)
- Integrated mediation for small claims proceedings in the county court

- Liaison with the Online Procedure Rule Committee
- Pilot PDs for review, such as: the Small Claims Paper Determination pilot (PD51ZC) and E-Working pilot (PD51O)
- Service & E-signatures
- Simplification Sub-Committee proposals intended to reduce the overall length of the CPR, to simplify the language, improve clarity and provide gender neutrality
- Strategic Litigation Against Public Participation (SLAPP) reforms

Contact

Any enquiries about the work of the Civil Procedure Rule Committee may be addressed to:

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Annex

Annex to the 2023-24 Annual Report of the Civil Procedure Rule Committee

25th Anniversary Roll recording the Chairs, Deputies and Secretariats of the Civil Procedure Rule Committee

Chair: Master of the Rolls and Head of Civil Justice

The Lord Woolf – 1996 to 2000 – inaugural Chair

The Lord Phillips of Worth Maltravers – 2000 to 2005

The Lord Clarke of Stone-cum-Ebony – 2005 to 2009

The Lord Neuberger of Abbotsbury – 2009 to 2012

Lord Dyson – 2012 to 2016

The Lord Etherton – 2016 to 2021

Sir Geoffrey Vos – 2021 – incumbent

Deputy: Deputy Head of Civil Justice for England and Wales

Lord Dyson – 2003 to 2007

Lord Neuberger – 2007

Sir Martin Moore-Bick – 2007 to 2013

Sir Stephen Richards – 2013 to 2016

Lord Briggs – 2016 to 2017

Lord Justice Coulson – 2017 to 2021

Lord Justice Birss – 2021 – incumbent

Rule Committee Secretary

Jane Hall – 1997 to 2006

Richard Walley – 2006 to 2007

Stephanie Sandison – 2007 to 2008

Jane Wright MBE – 2008 to 2018

Carl Poole – 2018 – incumbent



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