

Online Procedure Rule Committee

Minutes of meeting on 14 April 2025 at 14:00-15:15

Conducted in a hybrid format at The Rolls Building (Royal Courts of Justice), Fetter Lane, London and via video conference.

Members in attendance

- Sir Geoffrey Vos, Master of the Rolls (MR)
- Sir Andrew McFarlane, President of the Family Division (PFD)
- Sir Keith Lindblom, Senior President of Tribunals (SPT)
- Sarah Stephens (SS)
- Brett Dixon (BD)
- Gerard Boyers (GB)

Speakers

- Samantha Clark, MoJ [Item 3]
- Chris Anderson, MoJ [Item 3]

Non-members in attendance

- Lord Justice Baker
- Lord Justice Birss
- Mrs Justice Joanna Smith
- Sarah Rose, MoJ
- Helen Timpson, MoJ
- Irram Khan, OPRC Secretariat
- Fola Shodeinde, OPRC Secretariat team
- Elena Birchall, MoJ
- Marcia Williams, MoJ
- Vijay Prakash, TPC Secretariat
- Joshua Gibson, JO
- Nick Lee, JO
- Crystal Hung, MR's Legal Advisor
- Amy Shaw, Acting Private Secretary to the MR
- Connor Keschari-Robson, Deputy Private Secretary to the MR
- Heidi Bancroft, SPT's Private Office
- Bee Ezete, Private Secretary to the PFD
- Rosemary Rand, HMCTS
- Garrie Hall, HMCTS

Item 1 - Welcome, Apologies and Introductory Remarks

1. Apologies: None
2. Minutes: the minutes from last meeting on 17 March 2025 were approved with amendments.

Item 2 – MoJ Policy update

3. SR provided updates on the spending review and confirmed funding to deliver the DJS Private Family Law (PFL) project work this year.
4. Antonia Romeo, MoJ Permanent Secretary, is moving to the Home Office. Amy Rees will serve as the interim Permanent Secretary.

5. Ministerial portfolios have been reassigned, with family justice moving from Lord Ponsonby to Minister Sackman.
6. The MR noted his visit to Bromley County Court with Minister Sackman on 3 April. He also held a productive meeting with the Lord Chancellor, in which they discussed the OPRC and the Digital Justice System. MR highlighted the importance of digitisation and the need for the interconnection between the Digital Justice System and the courts.

Item 3 – Demo of Private Family Law digital delivery

7. SC gave an overview of the developments in the Digital Justice System PFL project. The team has been developing accessible content and tools for users navigating legal issues. SC discussed the importance of user experience and the integration of existing services.
8. CA demonstrated the AI chatbot and the child arrangement planning tool and discussed content accuracy and user engagement metrics. The focus was on ensuring that the information provided is user-friendly and relevant.
9. The committee discussed the potential to expand the chatbot into other jurisdictions. SC noted that the experiences of users seeking to resolve disputes in the PFL space are similar to those in other legal areas. Therefore, the solutions being developed could be applied to other jurisdictions.
10. CA explained that the AI chatbot could be adapted to other areas by changing the knowledge base. This would allow the chatbot to become a specialist in different legal fields. The training and development of the chatbot for new areas would take between a few days to a few weeks.
11. SA highlighted the importance of having high-quality content as the foundation for the AI's knowledge base.
12. Concerns about the accuracy of the AI responses were discussed, with CA reporting high relevancy and accuracy scores from user interactions. The chatbot is trained to provide accurate responses and links to relevant information, with mechanisms in place to ensure user safety and data privacy. Feedback from users is being collected to improve the chatbot's effectiveness.
13. The Committee requested the team to return in a couple of months for another update.

Item 4 - Statutory Instrument

14. HT informed the committee that the Parliamentary debates occurred on 17 March, and the motion passed on 20 March 2025. The SI has been sent to the LCJ, SPT for signing, followed by Minister Sackman.

Item 5 – Inclusion Framework

15. SS noted that the purpose of the framework is to ensure that everyone has equal access to justice in an online digital justice system, regardless of their digital capability, language, or disability. The framework is organised around three streams: the development of digital tools, the use and collection of data, and the online procedure rules.
16. SS emphasised that the framework is designed to be a practical and flexible checklist, providing a structured tool that guides development and creates accountability mechanisms for online rules. The framework leverages existing policies around digital inclusion and synthesises them for application in relation to digital justice.
17. The workstream members are also developing a guidance note to accompany the framework. SS highlighted the need for ongoing stakeholder engagement.
18. SPT queried the methods for monitoring success and ensuring that the language used is accessible to everyone. SS reflected that a key challenge was around monitoring and data use. The workstream members were still working on determining what data to collect and what metrics to use to measure access to justice in the digital world. The framework would be integrated into the work of the sub-committees, bringing user experience to the centre of their activities.
19. MR thanked SS for developing the inclusion framework.

Item 6 – Pre-Action Model

20. Baker LJ noted that the pre-action model aimed to set standards for resolving disputes before litigation. It included core objectives such as ensuring user providers follow the inclusion framework.
21. Baker LJ identified several challenges, including accreditation and regulation, funding, reputation and risk, and the potential for commercial providers to manipulate the system for their own ends. These challenges needed to be addressed to ensure the model's effectiveness.

22. The committee agreed to continue refining the principles and standards for the pre-action model and to explore how these can be integrated into various working groups, including the possession working group.
23. The committee proposed to develop a consultation paper on the Inclusion Framework and Pre-Action Model. The paper would outline the principles and standards, address the challenges, and seek feedback from the wider community. This consultation paper could be published in the summer and introduced at the joint OPRC/CRPC event.
24. MR, Birss LJ and SR to arrange a meeting to discuss the approach to the consultation.

Item 7 – Sub-committee updates

Possession and Property

25. Birss LJ informed the committee that Males LJ is chairing the Property and Possession working group. The terms of reference had been agreed, and MoJ was drafting the initial instructions for the rules.
26. He noted that the working group planned to conduct a targeted consultation using the OPRC webpage, alongside detailed consideration of HMCTS user research.
27. RR confirmed that HMCTS had conducted detailed work on the process mapping for the service. The team was developing detailed design work packages, which would be presented to the testing group and the working group in the coming weeks.
28. The committee agreed that the initial drafts of the Inclusion Framework and Pre-Action Model should be sent to the Property and Possession Working Group.
29. The SPT reported that the Expressions of Interest exercise had identified two tribunal judges to join the Property and Possession Working Group. The Committee approved the proposal.

Future of CFT

30. GB reported that he and some of the members of the Future of CFT working group had met with the Financial Ombudsman to discuss their approach to dispute resolution.

AOB

None

Actions

- Secretariat will add the DJS PFL team to the agenda in a couple of months for another update.
- MR and Birss LJ to meet with Sarah to discuss the approach to the consultation on the Inclusion Framework and Pre-Action Model. Baker LJ and SS will continue to develop the Inclusion Framework and Pre-Action Model.
- Baker LJ and SS will provide the revised versions of the Inclusion Framework and Pre-Action Model paper to the Secretariat, who will share with the Property and Possession Working Group.