

## **Online Procedure Rule Committee**

Minutes of meeting on 12 May 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)
- Sarah Stephens (SS)
- Brett Dixon (BD)
- Gerard Boyers (GB)

### **Non-members in attendance**

- Lord Justice Baker
- Lord Justice Birss
- Mrs Justice Joanna Smith
- Sally Parkinson, MoJ
- Sarah Rose, MoJ
- Harriet Ainsworth-Smith, MoJ
- Helen Timpson, MoJ
- Fola Shodeinde, OPRC Secretariat team
- Vijay Parkash, TPC Secretariat
- Joshua Gibson, JO
- Nick Lee, JO
- Crystal Hung, MR's Legal Advisor
- Amy Shaw, Acting Private Secretary to the MR
- Rachael Peters
- Jenny Pickrell
- 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

### **Item 1 - Welcome, Apologies and Introductory Remarks**

1. Apologies: Sir Keith Lindblom, Senior President of Tribunals (SPT).
2. Minutes: the minutes from last meeting on 14 April 2025 were approved with amendments.

### **Item 2 – MoJ Policy update**

3. HT confirmed that the SI came into force on 30 April 2025 and thanked everyone for their support.
4. The discussion then proceeded to the next SI. HT confirmed the aim was to provide advice to ministers in September to seek agreement on the types of proceedings to be included.

### **Item 3 – Consultation**

5. The Committee discussed the approach to consultations as set out in Paper 3.
6. MR emphasised the importance of timing and logistics, particularly regarding the consultation on the possession rules. These would be the first rules made by the Committee and would set important precedents for future rules.
7. The committee agreed that, if possible, the Inclusion and Pre Action Model consultations should be published before the possession rules consultation and agreed to aim for publication before the public event being planned for July.

### **Item 4 – OPRC / CPRC Joint event**

8. BD and HAS provided an update on the event hosted by the Law Society for the CPRC and OPRC, on 16 July 2025.
9. There was some discussion on the timing and agenda of the event to maximise attendance and ensure attendance from across different sectors and jurisdictions.
10. It was agreed that the 6 Sub Committee leads would discuss further at their meeting on 19 May to confirm timings and agenda.

### **Item 5 – Sub-Committee updates: Possession & Property**

11. CB updated the committee about the work underway to prepare Online Procedure Rules for possession cases, to support the new system being developed by HMCTS. HT confirmed that instructions had been provided to the drafting lawyer to begin work on the Online Procedure Rules. MR underlined the significance of this work and highlighted the need for the Online Procedure Rules to have a new, simpler drafting style, reflecting the Committee's focus on inclusion.
12. MR set out his expectation that these rules, while being developed for the digital possession system, would be the first time the OPRC would set out the basic rules which would, in time, apply to all online proceedings. As these rules would therefore impact future work of the Committee, the OPRC would work closely with the Property and Possession Working Group to supervise the drafting process. MR would meet with the drafting lawyer to discuss.

### **Item 6 – Pre-Action Model**

13. JB updated the committee on the Pre-Action Model workstream, highlighting the positive feedback on the draft principles and explained the

workstream was seeking input from MoJ Policy at the next Pre-Action Model meeting.

14. It was agreed that the paper on the pre-action model would be ready for publication by 11 July 2025.

### **Inclusion**

15. SS updated the committee on the Inclusion workstream and reported on the work they had been doing to focus the scope of the draft inclusion framework. The drafting of the Online Procedure Rules for possession cases would be the first opportunity to test the framework's effectiveness. SS and RR agreed to meet to discuss.
16. The committee noted the inclusion and pre-action model documents would need to be aligned with each other before publication.

### **Future of CFT**

17. GB discussed the upcoming meeting to align workstreams and plan future actions, ensuring coherence across the sub-committees.

### **AOB**

None

### **Actions**

- Ensure both MoJ and Judicial Office Press Teams are included in communications regarding the consultations.
- Secretariat to arrange a meeting for MR and drafting lawyer to discuss the drafting process.
- BD to confirm next steps on the Law Society event with secretariat.
- Secretariat to provide paper for the July meeting about the timings for a new affirmative Statutory Instrument to extend the OPRC's remit to additional online proceedings.