



# Ministry of Justice

**FAMILY PROCEDURE RULE COMMITTEE**  
**QB1M, Royal Courts of Justice and**  
**Remotely via Microsoft Teams (Hybrid)**  
**At 11.00 a.m. on Monday 12 May 2025**

**Present:**

<b>Sir Andrew McFarlane</b>	President of the Family Division
<b>Lord Justice Baker</b>	Court of Appeal Judge
<b>Mr Justice Peel</b>	High Court Judge
<b>Her Honour Judge Suh</b>	Circuit Judge
<b>District Judge Foss</b>	District Judge (County)
<b>Poonam Bhari</b>	Barrister
<b>Rhys Taylor</b>	Barrister
<b>Laura Coyle</b>	Solicitor
<b>Graeme Fraser</b>	Solicitor
<b>Jennifer Kingsley JP</b>	Magistrate
<b>District Judge Nelson</b>	District Judge (Magistrates)
<b>Shabana Jaffar</b>	Cafcass
<b>Bill Turner</b>	Lay Member
<b>District Judge Cassidy</b>	District Judge
<b>Helen Sewell</b>	Legal Advisor
<b>Mrs Justice Knowles</b>	Family Presiding Judge, Northern Circuit

## ANNOUNCEMENTS AND APOLOGIES

1.1 The Acting Chair warmly welcomed all attendees to the Committee meeting.

1.2 Apologies were received from Mr Justice Keehan, Robert Edwards and HHJ Gareth Humphreys.

## MINUTES OF THE LAST MEETING: April 2025

2. The Committee approved the minutes for the April 2025 meeting.

**Action Point 1: Secretariat to arrange for the April 2025 minutes to be published on the FPRC webpages.**

## ACTIONS LOG

3. The Secretariat informed the Committee that 10 actions were recorded from the April 2025 FPRC meeting.

## MATTERS ARISING

4.1 MoJ tabled a paper which contained updates on the following:

- Web Inaccuracies
  - The Committee was informed that the broken link to Practice Direction (PD) 41H on the Justice website has been reported but it has not been fixed yet.
- Jade's Law
  - The Committee noted that papers relating to Jade's Law are expected in due course but are not anticipated for the next meeting. There is currently no confirmed timetable for return to the Committee.
  - It was acknowledged that due to the need for further analysis and planning on specific points the Jade's Law Implementation Board will be temporarily pausing meetings. This will enable officials to work through the outstanding areas with specific partners. Meeting will reconvene in autumn 2025. Further updates will be provided as the position develops.
  - The Committee also received an update on the Government's proposal to restrict the exercise of parental responsibility for child sex offenders where they have been sentenced to four or more years of imprisonment or detention for serious child sexual abuse offences against a child they hold parental responsibility for. This automatic restriction will apply to all children for whom the offender holds parental responsibility. The Victims and Courts Bill, which was introduced to the House of Commons on 7 May 2025, is currently progressing through Parliament.
  - While the provision in the Bill remains at an early legislative stage, the Committee will be kept informed as developments occur.
  - It was also noted that this item is unlikely to require significant rule-drafting at this stage. Nonetheless, regular updates will be provided to the Committee.

- Online Procedure Rule Committee (OPRC)
  - The Committee received a brief update on the developments from the OPRC. It was noted that the SI granting the OPRC rule-making powers for financial remedies and property possession cases came into force on 30 April 2025.
  - The OPRC is currently developing its first set of Online Procedure Rules with an initial focus on possession claims.
  - One of the key workstreams is progressing and a consultation process is under consideration. Further details including the scope and timing of the consultation will be shared once confirmed.
- Family Drug and Alcohol Court (FDAC) Code
  - The Committee was informed that the Department for Education is currently working on a triage form to consider a proposal to amend PDs to include the FDAC Code. A full update is expected at the June FPRC meeting.
- Bundles update
  - The Committee received an update on the targeted consultation for the revised draft of Practice Direction 27A (PD27A) which was amended following the Committee's discussion in April. The updated version was sent out on 11 April to agreed stakeholder organisations for a short 'sense-check' and to get views on a potential change to the typeface used in court bundles. Responses are due by 16 May 2025.
  - The consultation went to groups including the Law Society, Resolution, Family Law Bar Association, Association of Lawyers for Children and AdviceNow. The Early Resolution Subgroup which met in late April was also asked for feedback.
  - The Committee noted that the Early Resolution Subgroup suggested a change to the information to be included in position statements. They proposed including the parties' position on Non-Court Dispute Resolution (NCDR) in the first paragraph of the statement. This would ensure that both the court and practitioners give early and clear consideration to NCDR.
  - There was also a discussion about whether local authorities' representatives should be invited to comment on the draft PD as some may be affected by changes to bundle formats especially where specific systems or software are already in use. It was agreed that it would be useful to hear their views and contacts will be followed up through relevant networks
  - Similarly, members suggested getting the views of the magistracy by engaging with the National Leadership Magistrate.
  - The new consultees will be invited to respond within three weeks.
  - Given these developments, it was agreed that the Committee would receive an update of the revised draft at the July meeting to allow time to gather and consider further responses and for the Bundles Working Group to consider these.

**Action Point 2: Secretariat to invite input from representatives of the magistracy and local authority representatives to comment on the revised PD27A draft.**

- Police Disclosure orders
  - The Committee briefly revisited the topic of Police Disclosure Orders, noting that further discussion is scheduled for the July meeting.

- Cape v Dring
  - The Committee received an update on work being done in response to the Supreme Court's decision in Cape v Dring. The Civil Procedure Rule Committee (CPRC) is currently leading on this and will meet again in June 2025 to discuss the next steps. These include looking at issues relating to data protection and possible defamation risks.
  - The Committee agreed that the CPRC should continue leading this work for now. It was noted that family court cases are different from civil cases especially when it comes to confidentiality and as such, the FPRC may need to consider its own response later.
  - To prepare for this, the Committee agreed to start looking into how the family court currently handle document confidentiality and how it might deal with future requests from people not involved in a case.
  - It was agreed that a working group of the Committee be set up to begin looking at these issues and help shape any future changes for the Family Procedure Rules.
  - Another update will be shared after the CPRC's June meeting.

**Action Point 3: Secretariat to set up a small Working Group of volunteers made up of Committee members to address the raised issues around third-party disclosure and confidentiality in family proceedings.**

- Qualified Legal Representative (QLR) Scheme – update
  - The Committee expressed continued concern about ongoing issues with the QLR scheme, specifically the shortage of available QLRs and limited access to training.
  - It was noted that the MoJ team responsible for the QLR policy would provide further updates when available.
  - Members agreed it would be useful to receive a summary of the recent QLR webinar which highlighted the practical challenges and concerns from those working in the system.
  - It was acknowledged that these issues are being raised consistently in other settings too including judicial training events and stakeholder meetings.
  - The Committee agreed that further steps may be needed to ensure the scheme works effectively including clearer guidance and potential improvements to training frameworks.

**Action Point 4: Secretariat to request a summary of the webinar from the relevant Committee member and then circulate to the Committee.**

- Forms Working Group
  - It was reported that the Forms Working Group had met to discuss proposed amendments to forms C100, C1 and C63.
  - **C100 and C1 Amendments:** The Group agreed that these forms should be updated to clarify when permission is required in child arrangements applications, particularly in cases involving Section 91(14) Children Act 1989 orders, civil restraint orders or extended civil restraint orders. The recommendation includes the addition of explanatory prompts and a question asking to make it clearer that such orders are a reason that permission may be required to make an application.
  - **Implementation Timelines:** It was noted that existing priority workstreams are likely to occupy HMCTS resources for the rest of the year. The Committee

confirmed it considers these changes to C100 and C1 a priority. HMCTS will raise the issue with the relevant digital service teams to explore whether it can be prioritised and report back to Committee. An update will be provided in June.

- **C63 Form:** This form relates to declarations of parentage. The Committee agreed with a request from General Register Office to add fields for the parent's place of birth and occupation, aligning the form with registration requirements.
- The Committee also discussed the addition of ethnicity data in the **C66 Form** related to Deprivation of Liberty Orders, a proposal initially raised by the Nuffield Family Justice Observatory. A response from officials has been pending for several months so the Committee asked for an update.
- **Form E and Financial Remedy Forms:** The Committee heard that practitioners have raised concerns about the need to modernise Form E and related forms (e.g. E1, E2) in financial remedy proceedings. Two areas were highlighted: a) outdated sections and b) computation boxes on the form and how the computation works. Two Committee members agreed to prepare an initial paper for the judiciary, with a view to providing an update to the FPRC in October. It was also proposed that the paper be co-developed with contributions from Resolution and Family Law Bar Association (FLBA) members to support efforts to streamline and consolidate relevant forms.

**Action Point 5: Secretariat to follow up with officials regarding ethnicity data for the C66 form.**

**Action Point 6: HMCTS to seek feedback from digital services teams on prioritising C100/C1 amendments and report back in June.**

**Action Point 7: Committee members to prepare an initial paper for submission to the judiciary, with input from Resolution and FLBA, aimed at supporting form consolidation. An update will be scheduled for the October FPRC meeting.**

## SUBSTANTIVE ITEMS

### NEW PILOT – PD36ZI – NOTIFICATION OF NON-MOLESTATION ORDERS TO THE POLICE

**5.1** The Committee was invited to consider and approve a new Practice Direction (PD36ZI) which proposes an interim IT solution for notifying the police when non-molestation orders are made. This follows ongoing concerns about delays and inconsistencies in how these orders are currently shared with police forces.

**5.2** Officials explained that the new system would allow order details to be securely exported from HMCTS's FamilyMan system to the Association of Chief Police Officers' Criminal Records Office (ACRO), who would then update the police systems. The plan is for the solution to go live across England and Wales from mid-July 2025, subject to successful IT testing.

**5.3** The Committee welcomed the proposed improvements in principle but raised several issues including:

- Why variations, discharges and especially extensions of non-molestation orders were excluded from the pilot, given the importance of notifying the police when orders are extended.

- There was a suggestion to review FPR10.10 to ensure clarity and consistency, particularly for Litigants in Person around service requirements and police station details.
- There were concerns about how alternative methods of service such as email or WhatsApp would be managed and how confidential addresses would be handled within the pilot.
- The importance of robust IT testing, given prior challenges with FamilyMan and CaseFinder systems.
- Whether North Yorkshire had been consulted given they are already running a related pilot and should be involved before changes affect their existing arrangements.

**5.4 Officials responded that:**

- Extensions and variations are recorded differently in the system so could not be included at this stage due to technical limits.
- North Yorkshire had been consulted and had agreed to the change to avoid delays and complications.

**5.5** Given the detailed feedback, it was agreed that the item should be discussed at the Domestic Abuse Working Group (DAWG) before the new pilot PD and any amendments to existing PDs can be agreed. The item will return to the Committee following discussion by the DAWG.

**Action point 8: MoJ Officials to review the Committee's feedback and discuss the item with the Domestic Abuse Working Group and bring an update to the Committee at a future meeting.**

## **DOMESTIC ABUSE PROTECTION ORDERS (DAPO): PILOT PROGRESS**

**6.1** The Committee was updated on the DAPO pilot's progress and reminded of its earlier involvement in developing the pilot's Practice Direction and court forms in 2023.

**6.2** DAPOs are cross-jurisdictional orders with-ranging powers including restrictions, behaviour change requirements and electronic tagging. The pilot began in late 2024 and expanded in 2025 to include Cleveland and North Wales offering broader geographical and jurisdictional insights.

**6.3** Early feedback indicates that around 200 DAPOs had been issued by March 2025. Police are using them more frequently in criminal courts as alternatives to Domestic Violence Protection Orders recognising their broader scope and longer duration.

**6.4** Over 40 perpetrators have been referred to positive requirement programmes with six actively engaged. Although electronic tagging has been limited overall use, it has been applied more often in the Family Court than initially expected.

**6.5** By March 2025 around 25 Family Court applications had been made; this is lower than criminal court figures but in line with expectations for victim-led orders. Efforts to raise awareness continue through engagement with legal practitioners and representative bodies.

**6.6** During the discussion several key points were raised:

- Information sharing between courts and agencies was highlighted as essential with members agreeing it should be key focus of the DAPO pilot evaluation.

- There was support for monitoring how often DAPOs are made by the court without an application to build a clearer picture of how this power is being used.
- There was also a discussion about how DAPOs relate to other existing protective orders with a focus on understanding what extra protection they might offer and whether any gaps or duplication exist.
- The relatively low use of DAPOs in the Family Court was noted, potentially due to concerns about child protection or uncertainty about their suitability in certain cases. Members suggested looking at how DAPOs are used across courts especially in cases involving children.
- Members noted that local differences in police resources and capacity could affect how the pilot works in different areas. They suggested looking at how these regional differences might impact the overall success and consistency of the pilot.
- Members suggested evaluation of the pilot examines compliance with DAPOs particularly between the family and criminal jurisdictions.

**6.7** The Committee welcomed the update and emphasised the need for ongoing monitoring. A further update will be provided as the pilot develops.

## **DEED POLL UPDATE**

**7.1** An update was provided on the progress with the deed poll reform work. It was noted that advice to Ministers in relation to associated court fees is still pending and is expected to be submitted by the end of May 2025.

**7.2** Any changes to fees will require a Statutory Instrument which involves a formal legal process, with any legal changes expected towards the end of 2025.

**7.3** The Committee asked for another update on this item at the June meeting with any key developments shared with Secretariat in the meantime.

## **SECRETARIAT ITEMS**

### **PRIORITIES TABLE**

**8.1** The Committee reviewed the updated Priorities Table which incorporates revisions from the previous meeting. Members were asked to confirm whether the content was ready for publication.

**8.2** It was confirmed that two items relating to similar applications under the 1984 Act had been combined and are now listed as item 9 on the Priorities Table.

**Action point 9: Secretariat to update and publish the updated Priorities Table.**

### **OTHER PROCEDURE RULE COMMITTEES**

**9.** The Secretariat reported that, after discussions with other Committees' Secretariats there are no relevant updates to share with the Committee.

### **FPRC WORKING GROUPS**

**10.** The Secretariat confirmed that Working Groups table will be updated following this meeting.

**AOB**

**11.** There was a fire alarm in the Royal Courts of Justice when this meeting was held. The Secretariat will engage with the building administrators to ensure all Committee members are supported to evacuate the building safely.

**DATE OF NEXT MEETING: 12 May 2025**

**12.** The next meeting will be held on Monday 9 June 2025 and will be a hybrid meeting both at the Royal Courts of Justice and via MS Teams.

FPRC Secretariat

May 2025

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