



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 9 June 2025

Present:

Mr Justice Keehan	Chair of the Family Procedure Rule Committee
Lord Justice Baker	Court of Appeal Judge
Mr Justice Peel	High Court Judge
His Honour Judge Humphreys	Circuit Judge
Her Honour Judge Suh	Circuit Judge
Poonam Bhari	Barrister
Rhys Taylor	Barrister
Graeme Fraser	Solicitor
Laura Coyle	Solicitor
Jennifer Kingsley JP	Magistrate
Shabana Jaffar	Cafcass
Bill Turner	Lay Member
Helen Sewell	Legal Advisor

ANNOUNCEMENTS AND APOLOGIES

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

1.2 Apologies were received from District Judge Foss, District Judge Nelson, the President and Mrs Justice Knowles.

Action Point 1: Secretariat to update the May 2025 meeting minutes to include Graeme Fraser.

MINUTES OF THE LAST MEETING: May 2025

2.1 The Committee approved the minutes for the May 2025 meeting.

Action Point 2: Secretariat to arrange for the May 2025 minutes to be published on the FPRC webpages.

ACTIONS LOG

3.1 Nine actions were recorded from the May 2025 meeting.

MATTERS ARISING

4.1 The Ministry of Justice (MoJ) tabled a paper which contained updates on the following:

Web Inaccuracies

4.2 The Committee was informed that the link to PD41H on the Justice website remains unavailable. Further actions are being taken to resolve this issue.

Jade's Law

4.3 The Committee was updated on Jade's Law. The Implementation Board established by MoJ continues to meet to develop the overarching process for cases affected by the changes.

4.4 MoJ Policy will bring any recommendations from the Implementation Board to the Committee for consideration, expected in July, depending on the progress that can be made in the meantime.

Restricting Parental Responsibility for Child Sex Offenders

4.5 The Committee was informed that the second reading of the Victims Courts and Public Protection Bill took place on 22 May which includes a measure on restricting parental responsibility for child sex offenders.

Online Procedure Rule Committee (OPRC)

4.6 The Committee was informed that the OPRC plans to launch a consultation in July, intended to gather views from a wider range of stakeholders on the inclusion framework and the pre-action model.

4.7 These outline the early ideas of how the court can better support people online by making digital services more inclusive and helping parties resolve disputes before going to court.

PD12J Update

4.8 The Committee was informed that there was a meeting in March 2025 with the Domestic Abuse Working Group to consider amendments. MoJ Policy met with stakeholders including Women's Aid and the Domestic Abuse Commissioner's Office.

4.9 Stakeholders have raised various concerns with the amendments and the PD as it currently stands, including a lack of clarity around 'honour-based' abuse and counter-allegations about domestic abuse, as well as the limited guidance on Independent Domestic Violence Advisors (IDVAs) attending hearings and the use of Scott Schedules.

4.10 MoJ officials are drafting the amendments following feedback and intend to share these again with the Domestic Abuse Working Group over the summer. The Committee will have a further update in October.

Cape v Dring

4.11 The Committee was informed that the Civil Procedure Rule Committee (CPRC) has been leading on this work. The Committee has previously agreed to set up a small working group. Poonam Bhari, Rhys Taylor, His Honour Judge Humphreys and Her Honour Judge Suh agreed to join the group.

Forms Update

4.12 The Committee was informed there was a meeting of the Forms Working Group where amendments were considered to the C100 and the C66.

4.13 The Working Group agreed on which amendments should be made. It was noted that updates to the digital version of the C100 form will not be made before early 2026, due to digital backlogs.

4.14 With regards to updates to Form E, Graeme Fraser noted that proposals for change are being gathered from stakeholders and will then be put to Mr Justice Peel for consideration.

Police Disclosure Orders

4.15 The Committee was informed that District Judge Foss and Poonam Bhari have agreed on a revised draft of the Annex 5 template, which has been shared with Mrs Justice Knowles and the Disclosure Working Group.

4.16 Feedback from the Disclosure Working Group was that the revised draft order did not have enough information, and so there are still some discussions to be had. It is understood that Mrs Justice Knowles is endeavouring to arrange to meet with

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members of the Disclosure Working Group. The Committee suggested that any work done on the revision should be shared with Mr Justice Garrido's Working Group.

Bundles Update

4.17 The Committee was reminded that the additional public consultation it had requested in April on PD27A remained had closed on 3 June. MoJ officials had started to review and analyse the responses which will be discussed with the Bundles Working Group on 18 June 2025. The matter will return to the Committee in July 2025.

Deprivation of Liberty Orders

4.18 The Committee was reminded that the Nuffield Family Justice Observatory published a report on children subject to Deprivation of Liberty Orders (DoLs) in September 2023. After this the Committee accepted a suggestion to consider amending the C66 Form (related to DoLs) to include ethnic details of the children involved. The Department of Education (DfE) is now considering this and will provide an update in July's meeting which will also include amendments to Section 25 of the Children's Act, 1989

SUBSTANTIVE ITEMS

5. Early Resolution / Mediation Voucher Scheme

5.1 The Committee received a verbal update on the progress of the Early Resolution Programme. The MoJ Early Resolution Subgroup team meets each month to discuss priorities and actions to further the early resolution work programme. MoJ officials have now worked with DJ Charles Prest, to include information on early resolution, as well as promoting the Pre-Action Protocols, in the newly published Red Book.

5.2 Proposals have been made for amendments to standard orders and recitals on child arrangements orders, which look to add references to the FM5 forms, to promote Non-Court Dispute Resolution (NCDR) throughout court proceedings, and to encourage MIAM attendance. Similar work is now being undertaken in relation to standard orders and recitals in financial remedy proceedings.

5.3 MoJ officials have been working on plans to further increase the uptake of the mediation voucher scheme. So far, changes to GOV.UK content have made small changes to support families in understanding mediation, which has seen a 14% increase in users accessing the 'find a mediator tool' and a 13% increase in voucher scheme uptake compared to 2024 data. Mediators also confirmed they have seen a steady increase in voucher scheme uptake.

5.4 Over the summer, MoJ officials confirmed they will be continuing plans for stakeholder events to further promote Pre-Action Protocols and the mediation voucher scheme, to ensure all stakeholders provide parents with consistent information and guidance.

5.5 The Committee was informed that MoJ officials are further exploring the evaluation of the 2024 rule changes and hope to provide further updates post-summer 2025.

Action Point 3: Rhys Taylor to discuss the potential for additional members in, and renaming of, the Early Resolution Subgroup with MoJ officials.

Action Point 4: MoJ Officials to engage with Mr Justice Peel on standard orders and recitals, earlier in the process.

6. Deed Poll Name Changes

6.1 The Committee was provided with an update on the Deed Poll name change work strand. MoJ officials are developing submission of advice on fees across various jurisdictions. Beyond the continued groundwork, there were no further updates for the Committee.

7. Notification of Non-Molestation Orders to the Police (draft PD36ZI)

7.1 The Committee was provided with a further update on the notification of Non-Molestation Orders to the police. The purpose of the paper was to seek the Committee's approval of PD36ZI, to make provision for notification of Non-Molestation Orders by HMCTS to the police. MoJ officials previously attended the Committee in May 2025 and agreed to return following discussions with Domestic Abuse Working Group (DAWG).

7.2 MoJ officials confirmed that meetings with DAWG took place, and further amendments were made to the draft PD to address any issues raised.

7.3 The Committee approved the new revision to the draft PD36Z1 which will next go to the President of the Family Division and the Minister for approval. The Committee also agreed to launch the pilot in July 2025, subject to final testing.

7.4 The Committee asked if officials will be monitoring the effectiveness of the pilot to understand its value from the police's perspective. Officials agreed to share further detail on evaluation outside the meeting.

Action Point 5: MoJ officials to share further details with the Committee on how they will be evaluating the effectiveness of the pilot.

8. Pathfinder (PD36Z)

8.1 The Committee was provided with an update on the Pathfinder pilot and proposed changes set out in Paper 6, which reflect the live learning from implementation. The Committee was given early sight of these changes, ahead of proposed PD amendments which will be worked up ahead of July's meeting. Proposals included:

- **Engagement with children:** Amendments to the Practice Direction to clarify that not all children are expected to be seen by Cafcass and Cafcass Cymru.

It was noted that although significantly more children are seen and engaged compared to CAP, there will remain instances where Cafcass, Cafcass Cymru or local authorities will deem it not appropriate to engage directly with the child such as if it is not in the interests of the child's welfare. Also, provision is proposed to clarify that virtual engagement with children is a form of direct engagement. This might be appropriate with older children and teenagers.

- **Clarification of the DASH assessment:** to make clear that a professional summary of any DASH assessment (rather than the assessment itself) will be prepared by the Independent Domestic Violence Adviser (IDVA) and appended to the Child Impact Report (CIR).
- **Enforcement cases:** To clarify that the gatekeeping assessment is essential in enforcement cases and will be used to determine the need for a hearing, whether CIR is required ahead of any hearing, the extent of any such CIR and the filing deadline.
- **Terminology clarification for CIR:** To reaffirm the policy intent that CIRs are not a two-stage process and should be a single assessment and a single report (albeit one which could be updated if necessary), and to remove any implication of a multi-stage process.
- **Pathfinder expansion:** To make provision for the additional Pathfinder court areas in the Midlands was agreed.

8.2 The Committee welcomed the further extension of Pathfinder to further areas in England this year and noted positive feedback they had heard about the project.

8.3 The Committee asked officials to confirm if the amendments to the DASH assessment had been approved by Programme Board members. MoJ officials confirmed that the proposals had been discussed within Pathfinder governance. It was noted that Mrs Justice Knowles had not been able to attend the last Programme Board, but officials confirmed they had received written feedback from her on the proposals. Officials confirmed that further feedback would be sought from Mrs Justice Knowles when the proposals have been drafted as amendments to the PD.

Action Point 6: MoJ officials to discuss child engagement further with Cafcass.

Action Point 7: MoJ officials to share draft PD amendments with Mrs Justice Knowles

SECRETARIAT ITEMS

9. Priorities Table

9.1 There were no updates to report, beyond those set out in the paper submitted to the meeting.

Action point 8: Secretariat to update and publish the updated Priorities Table.

10. Other Procedure Rules Committees

10.1 There were no updates to report following the Secretariat's discussions with the Secretariats of other Rule Committees.

11. FPRC Working Groups

11.1 The Committee were informed that the bundles working group are due to meet on the 18 June.

12. Draft July 2025 Agenda

12.1 The Committee had no observations on the draft July agenda.

13. AOB

13.1 Nothing raised.