



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 6 October 2025

Present

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

1) ANNOUNCEMENTS AND APOLOGIES

1.1 The Chair warmly welcomed all attendees to the Committee meeting, noting that November would be Bill Turner's final Committee meeting.

1.2 Apologies were received from His Honour Judge Humphreys.

2) MINUTES OF THE LAST MEETING

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- 2.1** The Committee approved the minutes from 14 July meeting and agreed for them to be published.

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

3) ACTIONS LOG

- 3.1** The Secretariat informed the Committee that 7 action points were recorded from the June 2025 FPRC Meeting

4) 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 Rule 30.3 (related to appeals) was updated on the website to correct the formatting of the subparagraphs.

Jade's Law

- 4.3** The Committee received a brief update on the implementation of the primary legislation to automatically restrict the exercise of parental responsibility (PR) where one parent is sentenced for the murder or voluntary manslaughter of the other parent (known as Jade's Law). The Jade's Law Implementation Board is due to reconvene in the coming months to continue implementation planning.

- 4.4** The Victims and Courts Bill currently progressing through parliament includes measures to restrict PR for child sex offenders. The Report Stage for the Bill has not yet been scheduled.

Online Procedure Rule Committee (OPRC)

- 4.5** The OPRC held a public engagement exercise in July 2025 on its draft Inclusion Framework and Pre-Action model. The OPRC will discuss a summary of the responses at its October meeting. Work is underway to develop the first Online Procedure Rules which will apply to possession proceedings.

Deprivation of Liberty (DoL) Form C66 Changes

- 4.6** Following discussion in July, officials from the Department for Education (DfE), HM Courts and Tribunals Service (HMCTS) and MoJ have been discussing amendments to the form C66 to capture ethnicity data in relation to DoL orders. There is an associated cost with making these changes which officials are considering.

Rule 29.1 Changes

- 4.7** HMCTS will update the private law digital system ('the Service') by 31 March 2026 to allow parties to notify the court that another party's contact details are to be kept confidential. This requires an amendment to Rule 29.1, for which the Committee has already agreed a proposed amendment in May 2024.

- 4.8** The Committee was content with the amendment to Rule 29.1 and agreed the amendment should be made as soon as possible and certainly no later than March 2026.

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The Committee agreed no further consultation was required. Rule 29.1 will be amended in the next Family Procedure Rule (FPR) amending Statutory Instrument scheduled for late November.

Action Point 2: HMCTS to consider whether the implementation date for the amendment to Rule 29.1 can be brought forward.

Unregulated Experts

4.9 MoJ Policy has met with the Domestic Abuse Working Group to discuss potential amendments to the FPR and Practice Directions (PDs) in relation to the instruction of unregulated experts. This item will return to the Committee once the drafting has been agreed with the Working Group – either in December 2025 or early in 2026

November Open Meeting

4.10 The Committee discussed preparations for the November Open Meeting taking on board feedback received last year.

Forms Update

4.11 Officials are finalising updates to the C100 and C1 forms in respect of permission to apply and residency in Scotland and Northern Ireland. The digital C100 is due to be updated in late 2025 or early 2026. Members noted Gareth Evans, a barrister and recorder based in Cardiff, had some further suggested changes to the C100 based on experiences in the delivery of the Pathfinder model in private law.

4.12 The C2 form will be updated to remove colour for accessibility reasons. Other paper-based forms are under review to remove colour make other minor updates.

Action Point 3: Recorder Gareth Evans to outline the suggested changes to the C100 to the Committee Chair.

Family Procedure (Amendment) Rules 2025 and future Practice Direction Updates

4.13 MoJ provided an outline of the current proposed provisions to be included in the Family Procedure (Amendment) Rules 2025 and accompanying Practice Direction Update which are both currently planned for late November 2025.

SUBSTANTIVE ITEMS

5) FORM E IN FINANCIAL REMEDIES

5.1 MoJ Policy proposed a discreet number of changes to Form E used in financial remedies proceedings to include the following: any seamless cohabitation before marriage, a request for a state pension forecast and the date of expiry of a mortgage redemption penalty. MoJ Policy recognised further changes suggested for Form E required further exploration in due course, providing a triage form recommending these be added to the Committee's Priorities Table.

5.2 Members discussed the importance of the Form E to financial remedy proceedings and agreed it needed to be updated with the changes as proposed. The Committee agreed with all changes being made but asked that 'seamless' is not used on the revised Form E to describe cohabitation. MoJ Policy agreed to consider whether other asset classes such as

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dowries (and equivalents) could be added to 2.14 on Form E. The Committee agreed further amendments to Form E be added to the Priorities Table with certain members suggesting the imperative indicated in the triage form was higher than MoJ had recommended.

Financial Remedies Sitting Days in London

5.3 The President acknowledged the impact on financial remedies proceedings in London following the rebalancing of sitting days to prioritise public law cases as agreed between the Lord Chancellor and the Lady Chief Justice through the Concordat process.

Action Point 4: MoJ Policy to consider specifying other asset classes to 2.14 on the revised Form E and provide a revised Form E to the Forms Working Group for final approval.

Action Point 5: FPRC Secretariat to add Form E to the Priorities Table.

6) BUNDLES PRACTICE DIRECTION 27A

6.1 The Committee received an update from MoJ Policy on the work on the draft new PD27A relating to the preparation of court bundles. MoJ Policy and MoJ Legal provided the Committee with a new draft of PD27A, which had been updated over the summer following discussion at the July Committee meeting and written feedback provided by Committee members in July and August.

6.2 The Committee agreed the draft PD27A presented should be approved once updates were made to allow orders in bundles which were unsealed but approved by the court. They agreed with the proposed amendments which have separate sections relating to the preliminary documents in public law proceedings relating to children. The Committee also agreed with several consequential amendments proposed to other PDs. Officials noted that some consequential amendments needed further revision.

6.3 The Committee agreed there should be three months between the new PD27A being published and it coming into force, to allow practitioners and courts sufficient time to prepare. MoJ Policy explained the final version of new PD27A would be included in the next PD Update, currently scheduled for in late November.

6.4 MoJ Policy and the Bundles Working Group will now begin work on writing an easy-to-read guide to explain the provisions in PD27A. The Family Justice Council will be consulted in this task. Members also suggested the Working Group invite a representative from the advice sector to assist writing the guidance.

Action Point 6: The Family Justice Council (FJC) to be consulted as part of the development of the PD27A guidance.

Action Point 7: The Bundles Working Group to invite a representative from the advice sector to assist with the drafting of the PD27A easy to read guide.

7) DEED POLLS

7.1 MoJ Policy provided an update on the long-running issue whereby it is proposed that child name change applications should go to the family court (for a specific issue order) before applying for deed poll enrolment in the High Court. Concerns are ongoing about the resulting need to pay two court fees. Officials explained the High Court enrolled deed process now has an online application system. Following this the number of applications has risen sharply, though the proportion of these involving children is not known. Concerns have been raised by Cafcass and HMCTS about the impact on the family court if more child name change applications are made.

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7.2 The Committee noted the update and agreed that MoJ Policy should look at the issue afresh considering the primary legislation underpinning this process. Members asked officials to maintain focus on the fees issue in particular.

Action Point 8: MoJ Policy to return in February 2026 with an update on Deed Poll.

8) INFORMATION SHARING AND TRANSPARENCY UPDATE

8.1 MoJ Policy presented a paper recommending the creation of a new 'Information Sharing and Transparency' priority for the Committee. Officials recommended this be supported by re-establishing, and renaming, the Transparency Work.

8.2 As a first proposal, MoJ suggested amending PD12G and PD14E to make provision that it would not be contempt of court for parties to disclose information to reporters - which would bring it into line with the new PD12R relating to transparency orders.

8.3 The Committee agreed this workstream should be led by a new Transparency and Information Sharing Working Group. Shabana Jaffar, Helen Sewell, Laura Coyle and HHJ Suh volunteered to join the working group. Members suggested inviting representatives from Resolution and the Transparency Project to join. Mrs Justice Lieven and DJ Jack Harrison will also be invited given their experience with the Transparency Implementation Group.

8.4 Regarding the proposal to amend PD12G and PD14E, the Committee agreed in principle that the PDs should be amended to allow parties to disclose information to reporters without being in contempt, but this should be once a Transparency Order (PD12R) had been made. Members noted concerns that the proposed amendment would remove the judicial decision-making over what would be considered a contempt of court. Officials indicated that the concern was about information sharing with reporters before a Transparency Order had been made and agreed to establish the detail. MoJ Policy agreed to return in November with an update.

Action Point 9: MoJ Policy to return in November with an update on the question of parties disclosing information to reporters.

9) PD12J UPDATE AND PROPOSED AMENDMENTS

9.1 MoJ Policy presented the Committee with proposed changes to PD12J, related to domestic abuse, and a consequential amendment to PD6D related to the definition of 'refuge'. All these changes were agreed with the Committee's Domestic Abuse Working Group. Officials explained they had also sought the input from specialists in domestic abuse support and with other government departments. The proposed changes to PD12J included:

- Referring to honour-based 'abuse' rather than 'violence'
- Removing the term Scott Schedules
- Clarify how the court should consider risk before ordering interim contact with a child residing in a refuge
- Providing for qualified legal representatives
- Clarify that the court has the power to make an order for meeting the costs of supervised contact.

9.2 The Committee discussed the implications of removing the term Scott Schedules considering Court of Appeal judgments on their utility. Members noted a report from the Domestic Abuse Commissioner (DAC) was due later in October which may make recommendations in relation to Scott Schedules. The Chair asked MoJ Policy to return on this specific issue following the publication of the DAC's report. The Committee approved all

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the other amendments to PD12J and the amendment to PD6D and was content further consultation was not required.

Action Point 10: MoJ Policy to provide an update on removing 'Scott Schedules' from PD12J following the report from the Domestic Abuse Commissioner.

Action Point 11: MoJ Policy to include the agreed amendments to PD12J and PD6D in the next Practice Direction Update later in the Year (2025)

10) MANDATING THE PRIVATE LAW DIGITAL SERVICE (PD36G AND PD36ZD)

10.1 HMCTS provided an update on the progress of the end-to-end digital service and explained they were seeking the Committee's approval to amend PD36ZD and PD36G to require legal representatives to use the digital services for submitting applications in courts in which the digital service is active. HMCTS explained the amendments would apply to early adopter courts and any additional courts which adopt the digital service over the course of the national rollout.

10.2 Before inviting discussion, the Chair noted the Committee had received a late paper from Mrs Justice Arbutnot summarising views from the judiciary on the proposal, these particularly concerned whether any cases had yet used the digital service from end-to-end. Members discussed issues with the service in the areas in which it had already been implemented. HMCTS officials explained they were addressing the issues identified by judges and other court users. Members also raised the issue of the 'Find a Court and Tribunal' service which sometimes directed applicants to the wrong court.

10.3 It was clarified that while earlier information had suggested several cases at Chelmsford and Wolverhampton had progressed from issue to completion through the Private Law Portal those cases in fact closed early because applications were withdrawn. One case in Chelmsford had completed from issue to final order and none in Wolverhampton.

Summarising discussion, the Chair confirmed there was agreement to amend PD36G and PD36ZD to mandate the digital service for legal representatives, albeit the Committee had reservations. The Committee asked HMCTS to work to resolve the technical issues.

Action Point 12: HMCTS to provide the judiciary with the schedule of cases which have concluded from end-to-end on the digital service.

Action Point 13: HMCTS to address the issues raised by judges and other court users including inaccuracies in the Find a Court and Tribunal Service tool which can direct applicants to the wrong court.

Action Point 14: MoJ Policy to include the agreed amendments to PD36G and PD36ZD in the next Practice Direction Update later in the Year (2025)

11) UPDATE TO FORM FP301

11.1 MoJ Policy presented an update 'Form 301: Notice of attendance of duly authorised lawyers' and amendments to the associated webpage. These updates include correcting references to the correct PDs, clarifying that only one form is needed per case and removing a request for reporters to share their blog with the office of the President of the Family Division for evaluation purposes. The Committee noted the changes without comment.

12) NOTIFICATION OF NON-MOLESTATION ORDERS TO THE POLICE (PD36ZI)

12.1 MoJ Policy provided an update on the pilot providing for automatic electronic

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notification of non-molestation orders made by the Family Court and the Family Division of the High Court to the police. The pilot Practice Direction came into force on 14 July 2025 and commenced on 15 September. Officials sought the Committee's approval to invite the Domestic Abuse Working Group to consider the proposals to share (i) confidential contact details with the police only, while maintaining confidentiality from all other parties which reflects the intention of victims to protect their address confidential from respondents not from safeguarding authorities; and (ii) amendments to share non-confidential contact details; and (iii) notification of service status so that the police will know when the court has been notified that an order has been served and include sharing the certificate of service with the police

12.2 The Committee noted the progress made in advancing the capability of the electronic notification system (which is currently only operational in the FamilyMan system but is anticipated to go live on the Manage Cases system before the end of 2025). Members noted the amendments to the PD needed further consideration regarding appropriate safeguards including the security of the data and issues of confidentiality to protect against onwards transmission when the confidential address details are shared with the police. The Committee agreed MoJ Policy's recommendation to discuss the proposals to share the information outlined at 12.1 (i)-(iii) above with the Domestic Abuse Working Group and return to Committee with a revised version of the Practice Direction to reflect proposed changes in due course.

Action Point 15: MoJ Policy to discuss amendments to PD36ZI with the Domestic Abuse Working Group.

SECRETARIAT ITEMS

13) PRIORITIES TABLE

13.1 The Committee reviewed the Priorities Table and the 'Wish List' and noted a potential new proposal to update Form E in financial remedies proceedings. Members noted the Priorities Table had a long list of very important items on it which had not progressed recently.

13.2 MoJ Policy presented a triage form on the Family Drug and Alcohol Court (FDAC) Code with a recommendation it is added to tier 2 in the Priorities Table. Members noted disagreement with some of the scores on the triage form, suggesting it should be assigned a higher priority. MoJ Policy agreed to return to the Committee in November with an item on the FDAC Code.

Action Point 16: MoJ Policy to return to the Committee in November 2025 with an update on the FDAC Code following feedback on the triage form and priority scoring.

14) OTHER PROCEDURE RULE COMMITTEES

14.1 The Secretariat has spoken with other Secretariats from other Rule Committees and there is nothing of relevance to update the Committee at this stage.

15) FPRC WORKING GROUPS

15.1 The Working Groups table has been updated to reflect the addition of a new Sub-group, Cape v Dring, which includes four Committee members. The most recent meeting was the Domestic Abuse Working Group on 18 September.

16) DRAFT OCTOBER AGENDA

16.1 The Committee noted the draft agenda for November.

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17) ANY OTHER BUSINESS

17.1 Date of Next meeting will be Monday 3 November 2025 at 11:00am. The meeting will be remote only via Microsoft Teams.

FPRC Secretariat

October 2025

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