

Online Procedure Rule Committee

Minutes of meeting on 20 October 2025

Conducted in a hybrid format at The 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 James Dingemans (SPT)
- Sarah Stephens (SS)
- Brett Dixon (BD)
- Gerard Boyers (GB)

Non-members in attendance

- Lord Justice Birss
- Lady Justice Cockerill
- Harriet Ainsworth-Smith, MoJ
- Helen Timpson, MoJ
- Irram Khan, OPRC Secretariat
- Graeme Wood, MoJ
- Fola Shodeinde, OPRC Secretariat team
- Jennifer Tugman, MoJ
- Elena Birchall, MoJ
- Rachel Tocknell, PS to MR
- Bee Ezete, PS to PFD
- Naomi Bruneel DPS to SPT
- Amy Shaw, JO
- Alasdair Wallace, Drafting Lawyer

Item 1 - Welcome, Apologies and Introductory Remarks

1. **Welcome:** The MR welcomed the new Senior President of Tribunals, Sir James Dingemans, to the meeting. Apologies were noted from Lord Justice Baker and Mrs Justice Joanna Smith.
2. The MR outlined the proposed structure for the open part of the meeting which would focus on the feedback from the consultation exercise and the questions and answers section from members of the public.

Item 2 - Update on OPRC timelines - Paper 1a – HT

3. HT gave an update on the timelines for the work on the rules for the possession service. It was agreed that further detail would be provided at the next meeting.

Item 3: Any Other Business and Close

4. The MR noted the paper outlining the proposal to put the Court of Protection Rule Committee on a statutory footing, amending the Judicial Review and Courts Act at the same time to expand the statutory remit of OPRC to include the Court of Protection.
5. The date of the next OPRC meeting is 17 November 2025.

Open meeting

Item 1 - Welcome, Apologies and Introductory Remarks

6. The MR welcomed all attendees to the first open meeting of the OPRC and confirmed that all committee members were present. Special mention was made of Sir James Dingemans, attending his first meeting as Senior President of Tribunals.
7. Apologies were noted from Lord Justice Baker and Mrs Justice Joanne Smith.
8. The minutes from the last meeting held on 14 July were approved and would be published on the OPRCs website within a week.
9. The MR confirmed there was one outstanding action; the nomination of a member for the working group tasked with creating unified contempt of court rules across different areas of justice. The MR invited suggestions for suitable nominees, emphasising the need for cross-jurisdictional experience (not limited to contempt experts or criminal judges, but ideally including experience in tribunals, civil, and family courts). The SPT agreed to consider and provide a nomination.
10. No further comments were made on the action log.

Item 2: Consultation summary responses

11. The MR provided context for the consultation, which was launched in July. The consultation focused on two main proposals:
 - a) A digital inclusion framework considered central to the work of the OPRC.
 - b) The committee's Pre-Action Model (PAM), based on Part 2 of the Judicial Review and Courts Act 2022, aiming to create an integrated digital justice system across civil, family, and tribunals.
12. The consultation received 47 detailed responses from individuals and organisations, showing broad support for the overall aims, though with differing views on implementation.
13. Feedback on the Digital Inclusion Framework was mixed: some called for stronger regulation to ensure inclusivity, while others preferred a lighter-touch approach. For the Pre-Action Model, views varied on its feasibility and the

appropriate level of regulation that would be required to implement the approach.

14. Two key questions were posed for the committee: whether, given limited resource the OPRC wished to prioritise finalising the digital inclusion framework or the pre-action model; and how the committee wished to proceed in response to the consultation feedback.
15. The committee unanimously agreed to prioritise the Inclusion Framework as the foundation of its work, recognising its importance for access to justice. They noted upcoming reports from the Administrative Justice Council and the Civil Justice Council as key references for further development.
16. The committee noted their intention to make progression the Pre-Action Model within a reasonable timeframe. It was agreed that the Core 6 group and the sub-committee would review the consultation feedback and bring forward recommendations.

Item 3: Possession Rules

17. The committee discussed the new and previous drafts of the Core Online Procedure Rules. The MR stated that the new version was much improved but not yet complete and invited further comment from the committee members.
18. The committee agreed that the draft was close to completion but required further work to ensure clarity and simplicity. The complexity of consolidating rules across the civil, family and tribunal jurisdictions was noted, as well as the importance of achieving clarity in the rules.

Item 4: Question & Answer Session

19. **Question 1: Harmonisation and Simplification of Rules:** The MR addressed questions regarding the Committee's approach to creating one unified, simplified set of Online Procedure Rules with appendices for specific details and the steps being taken to ensure their structure and language are accessible and usable across civil, family, and tribunal jurisdictions.
20. It was noted that section 19.3(b) requires rules to be simple and simply expressed, which the committee considers critically important. The committee's approach would be to develop guiding principles and simple rules applicable across CFT, with specific provisions for each type. Initial rules would be issued as practice directions. The first to be issued would be rules for possession proceedings being dealt with on the new digital service being created by HMCTS.
21. **Question 2: ADR Recommendations and Pre-Action Protocols:** The MR responded to questions about the implementation of recommendations from

the Civil Justice Council's Pre-Action Protocol review, in particular whether participation in ADR should pause the limitation period.

22. It was clarified that responsibility for implementing the CJC's report lay with the Civil Procedure Rule Committee, not the OPRC. Pre-Action Protocols are issued by the Master of the Rolls, who receives advice from the CPRC. It was noted that the review of Pre-Action Protocols is ongoing and complex. Pausing limitation periods for pre-action processes would require legislative amendment. The aim was for pre-action processes to be speedy and not delay necessary litigation.
23. **Question 3: The Development of the Digital Justice System:** The MR explained the committee's process and timeline for engaging third-party technology and advice providers to support the digital justice system, and plans for encouraging alignment with rules and standards.
24. The recent consultation and Law Society event were part of this engagement process. It was confirmed that there was general support for the committee's direction, and next steps would be to set out plans for data standards to support interoperability. The adoption of data standards would be encouraged but not compulsory at this stage; voluntary alignment was preferred due to the ecosystem's size and complexity. The Committee anticipated that providers and the public would recognise the benefits of alignment and interoperability.
25. **Question 4: Stakeholder Engagement:** SS responded to questions about stakeholder involvement in developing the Pre-Action Model and consultation on rules and procedures.
26. SS confirmed that this consultation marked the beginning of ongoing engagement. She clarified that the OPRC was not developing online portals by which people could access the justice system. As a rule-making body the OPRC was focused on fostering coherence and integration across existing public and private pre-action online dispute resolution and information services. The Committee would consult on the Pre-Action Model, Inclusion Framework, and any rules or guidance it develops.
27. **Question 5: Online Platforms and Public Access to Data:** GB responded to questions about how public access to data on digital claims platforms might be improved and whether the Judicial Review and Courts Act 2022 empowered the OPRC to mandate electronic information transfers.
28. GB clarified that public access to data was not currently within the committee's formal scope. The committee's focus was on creating common standards to enable seamless digital transfer between pre-action/early resolution spaces and HMCTS systems, with the expectation of voluntary

adoption. It was noted that alternative routes (paper, assisted digital) would remain available to ensure access to justice for all.

29. Question 6: Extension to Personal Injury Claims and Litigants in Person:

BD responded to questions on extending the OPRC's remit to personal injury claims and the application of the pre-action model to existing portals, considering low uptake by unrepresented claimants.

30. BD explained that the OPRC's current rulemaking power extended to specified proceedings (property proceedings in civil/tribunals and financial remedy cases in family). Subject to the views of ministers, the OPRC's jurisdiction was expected to expand in 2026 to include employment tribunals, money claims, and damages claims. Uptake by litigants in person was expected to improve as the digital justice system became more established, integrated, and accessible.

31. **Question 7: Consumer Access and Financial Inclusion:** The MR responded to questions about ensuring private dispute resolution providers are visible and financially accessible, including through legal aid or other inclusion measures.

32. The MR confirmed that the committee was considering ways to raise the profile and visibility of the digital justice system as part of implementing the pre-action model. It was emphasised that the availability of online legal advice was crucial, and the OPRC would work with third-sector providers and the Legal Aid Agency to promote joined-up thinking and increase online legal advice provision.

33. **Question 8: International Comparators:** The MR responded to questions about lessons learned from other jurisdictions (e.g., Canada, Singapore, US) with pioneering online courts.

34. He noted that the model in England and Wales was fundamentally different. While informed by international developments, it was grounded in domestic legislation—specifically Part 2 of the Judicial Review and Courts Act 2022. It was noted that the OPRC's approach was more ambitious, aiming for interoperability and data standards across a diverse ecosystem of public and private providers rather than creating a centralised online pre-action dispute resolution platform. These standards would also enable seamless transmission of data from the pre-action digital justice system into HMCTS's court-based online systems.

Item 5: Any Other Business and Close

- 35. The MR congratulated Sarah Stephens and Brett Dixon on their reappointment to the committee to 2029. He thanked them for their continued contribution.
- 36. Date of next meeting is November 17 2025.

ACTIONS:

- 37. Secretariat to ensure a substantive item on the timeline for draft online procedure rules.
- 38. SPT to suggest nominee for the working group on Unified Contempt of Court Rules.
- 39. MR and Birss LJ to review the draft rules and provide feedback to the secretariat.
- 40. Core 6 group and sub-committee to review consultation responses and bring recommendations to the next meeting.