



FAMILY PROCEDURE RULE COMMITTEE
Remotely via Microsoft Teams
At 11.00 a.m. on Monday 3 November 2025

Present:

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

ANNOUNCEMENTS AND APOLOGIES

1.1 The Chair welcomed all everyone to the annual Family Procedure Rule Committee (FPRC) Open meeting.

1.2 The Chair recognised the work of Bill Turner who was attending his final meeting.

1.3 Apologies were received from Mrs Justice Knowles and Rhys Taylor.

MINUTES OF THE PREVIOUS MEETING

2.1 The Committee approved the minutes for the October 2025 meeting subject to one clarification concerning the Private Law Portal update.

2.2 The earlier record noted that several cases at Chelmsford and Wolverhampton had progressed from issue to completion through the portal. On review those cases were found to have closed early because the applications were withdrawn. One case in Chelmsford had completed from issue to final order and none in Wolverhampton.

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

Action Point 2: Secretariat to amend the October minutes to correct the record on Private Law Portal cases at Chelmsford and Wolverhampton.

ACTIONS LOG

3. The Committee noted that 16 actions were recorded from the October 2025 FPRC meeting.

MATTERS ARISING

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

- Web Inaccuracies
 - The Committee was informed that a small number of errors on the FPRC webpages are being addressing by the Web Team. A further update will be provided once all corrections have been made.
- Restriction of the exercise of Parental Responsibility
 - The Committee noted an update on the restriction of the exercise of parental responsibility provisions within the Victims and Courts Bill.
 - On 20 October 2025, the Government tabled amendments to extend these measures to cover serious child sex offences committed against any child not just those where the offender hold parental responsibility.
 - A further amendment introduced at Report Stage on the same date (20 October 2025) which will provide for the restriction of the exercise of parental responsibility of offenders who father a child through rape.
 - The Bill now proceeds to the House of Lords and MoJ Policy officials will continue to update the Committee as it progresses.
- Online Procedure Rule Committee (OPRC)

- The Committee received a brief update on the developments from the OPRC. The consultation on the Inclusion Framework and Pre-Action Model closed on 19 September 2025 with 47 responses received. A summary of the main themes has been published on the OPRC website.
- Work continues on developing the first set of Online Procedure Rules which as are expected to be issued for consultation late 2025.
- Family Procedure (Amendment) Rules 2025 and Practice Direction Update No.6 of 2025
 - The Family Procedure (Amendment) Rules and Practice Direction Update No.6 of 2025 are being prepared and will reflect the recent matters agreed and approved by the Committee.
- Refuges Rule and Practice Direction Changes
 - The Safer Serve system introduced on 13 January 2025 allows HMCTS to contact a refuge through a named person to confirm residency and arrange safe electronic service when ordered by the court.
 - The use of the system has been limited so far with one case reported in Wales and similar numbers expected in England. A short delay in a Cardiff case was resolved and no wider issues have been identified yet.
 - MoJ officials continue to work with Welsh Women's Aid and the Women's Aid Federation of England to monitor the process.
 - A Committee member asked for more detailed information on the number of cases in England.

Action Point 3: MoJ officials/ HMCTS to provide a fuller update on the use of the Safer Serve system in England including figures and feedback by email or at the next meeting.

- Rule 29.1 Changes
 - The Committee noted the progress on the amendment to Rule 29.1.
 - The necessary technical work to support this change is now underway and is scheduled for completion by February 2026.
- Unregulated Experts
 - Officials have reviewed the responses to the public consultation and discussed the findings with the Domestic Abuse Working Group on 18 September 2025.
 - Some responses raised concern that the draft rules might unintentionally exclude certain forensic experts as in some areas the methods or equipment are accredited rather than the individual expert.
 - Officials are working to make sure the revised rules reflect the concern. Updated proposals will return to the Domestic Abuse Working Group and then to the Committee once progress has been made on this point.
- PD Update No.5 of 2025
 - The Committee noted that Practice Direction Update No.5 of 2025 has been submitted to the President and the Minister.
 - The update corrects an omission and ensures the Pathfinder model applies to the new courts listed in PD 36Z from 11 November 2025.

SUBSTANTIVE ITEMS

TRANSFER OF CASES BETWEEN COURTS

5.1 The Committee was invited to consider proposals to amend the Family Procedure Rules (FPR) and associated Practice Directions to clarify and strengthen the process for transferring cases between Family Court locations.

5.2 The paper outlined three main issues:

- how private law children cases are initially allocated to a court location;
- whether current rules and practice directions on transfers between court locations are sufficient; and
- whether similar considerations should apply to other types of family proceedings.

5.3 Officials explained that the current rules contain no express requirements to obtain safeguarding information before a transfer decision is made. Possibly areas for improvement included clearer processes for confidential or safeguarding cases, guidance for digital transfer decisions and a specific rule court initiated transfers.

5.4 The Chair highlighted that the purpose of the proposal is to ensure courts have the information they need before making a transfer decision especially where confidentiality or safety concerns arise.

5.5 Alongside points raised by officials members also suggested exploring whether applications should be able to indicate a preferred court location (for example for safety or travel reasons) when completing the C100 form or an online application on the Private Law Portal and whether the Find a Court service could better reflect real travel routes rather than straight line distance. Consideration also needs to be given to cases on the Pathfinder pilot (where there is no separate safeguarding letter) and to cases with a Welsh aspect – for example if a parent and child have fled from England to Wales, then Cafcass Cymru will undertake safeguarding checks.

5.6 The Committee agreed that the matter should be referred to the Domestic Abuse Working Group for further consideration. Members noted the expected next steps and welcomed the offer from Helen Sewell to join the Working Group to provide representation from legal advisers.

Action point 4: Domestic Abuse Working Group supported by MoJ officials to consider the issues raised and report back to the Committee.

Action Point 5: Secretariat to record the additional membership of the Working Group.

PRACTICE DIRECTION 12J

6.1 Officials invited the Committee to consider further changes to Practice Direction 12J insofar as it relates to Scott Schedules, following the recent report of the Domestic Abuse Commissioner.

6.2 Working with the Domestic Abuse Working Group officials developed amendments to Paragraph 19(c)(i) to make clear that where a table or schedule is used it should highlight patterns of behaviour and help the court take a holistic view of allegations rather than considering only individual incidents.

6.3 Committee members suggested further adjustments:

- Replace the word “evidence” with “details” or “examples” to avoid confusion about what should be included in the schedule.
- Use the phrase “a pattern of coercive or controlling behaviour” which is more familiar in both practice and public understanding.
- Update the reference from “chairperson of the lay justices” to “presiding justice” to reflect current terminology.

6.4 The Committee approved the amendments subject to the revised wording and agreed that the amendments should be included in the next PD update.

Action Point 6: MoJ Officials to amend PD 12J in accordance with the Committee’s steers and include in the next PD Update.

PATHFINDER PD36Z

7.1 Officials provided an update on the amendments to Practice Direction 36Z to support the next phase of the rollout of the Pathfinder model. The changes will add the Hampshire and Isle of Wight courts to the Pathfinder model and make amendments consequential upon the new Practice Direction 27A on court bundles.

7.2 Members highlighted the importance of maintaining the child’s voice as central to Pathfinder approach and referred to recommendations from the Domestic Abuse Commissioner. Officials confirmed that the Commissioner’s office sits on the Pathfinder Programme Board and that its feedback is being incorporated into ongoing evaluation work.

7.3 A question was raised about further review dates. Officials explained that the new provisions will align with existing Pathfinder areas. The Committee agreed the proposed amendments and supported the planned rollout and timings. A further update will be brought to the Committee before March 2026.

Action Point 7: MoJ Officials to provide a progress update before March 2026 including evaluation findings and ongoing engagement with the Domestic Abuse Commissioner’s Office.

PRIVATE LAW PORTAL – PD36ZD AND PD36G

8.1 An update was provided on the Private Law Digital Service (‘the Portal’) and proposed amendments to Practice Directions 36ZD and 36G.

8.2 HMCTS sought the Committee’s approval to exempt applications from the agreed new requirement for legal representatives to use the Portal in areas where it is rolled out where the application is made outside court hours under Practice Direction 12E or through local arrangements for out of hours cases in the family court, as judges and staff handling urgent business may not yet have received training on the Portal.

8.3 Alongside the proposed exemptions HMCTS confirmed the reference to appeals in family court will be amended to remove the reference to the family court, to reflect that the Portal will also be used in the High Court in due course.

8.4 The Committee agreed to the proposed exemptions and amendments. The amendments to PD36ZD and PD36G will be submitted to the President and the Minister for approval as part of a Practice Direction Update in November 2025.

MEDIATION VOUCHERS AND EARLY RESOLUTION

9.1 Officials provided update on the Mediation Voucher Scheme and wider Early Resolution work.

9.2 The future of the Scheme beyond March 2026 has not yet been confirmed but planning is underway for its potential continuation with further consideration to be given through the Early Resolution Sub-group.

9.3 The Committee discussed the uncertainty over the future of the Scheme beyond March 2026, noting this causes stress for mediators when planning their work and suggested that funding be confirmed for longer periods. Officials are keeping the Family Mediation Council informed and committed to updating the Committee once a decision is made.

9.4 Officials noted the Early Resolution webinar held on 9 October 2025 which brought together professionals from the family justice system, local authorities and voluntary sectors to promote non-court dispute resolution. Speakers included AdviceNow and feedback from was very positive.

9.5 Key learning from the event is being shared through Local Family Justice Boards and the Early Resolution Sub-group while work continues to evaluate the 2024 rule changes and deliver digital improvements on Gov.UK, including clearer guidance, a Child Arrangement Planners and an AI chatbot due to launch before the end of the financial year.

9.6 A question was also raised about child inclusive mediation and the average number of sessions. Participants take one to two sessions and child inclusive mediation remains low (around one in ten cases). Efforts are underway to increase awareness and training in this area.

9.7 The Committee also discussed digital innovation including AI tools to support separating families. Members expressed interest in a future demonstration.

Action point 8: MoJ Officials to update Committee on child-inclusive mediation uptake and steps to increase availability and awareness.

Action 9: MoJ Officials to update Committee on status of the Voucher Scheme beyond March 2026

Action point 10: MoJ Digital/ OPRC teams to arrange a future session for the Committee on the Digital Justice team's private family law project including a demonstration of the developing chatbot.

TRANSPARENCY REPORTING PILOT IN FINANCIAL REMEDY PROCEEDINGS

10.1 Officials provided an update on the Transparency Reporting Pilot which is due to end on 29 January 2026.

10.2 Officials asked the Committee to consider introducing a new “hook rule” and accompanying Practice Direction to make the pilot permanent. The proposed rule to follow FPR 9.46 would link to a new PD 9C making provision about courts issuing transparency orders in financial remedy cases. This would mirror the approach already taken in children proceedings (rule 12.73/ PD12R)

10.3 The Committee agreed that the summary of the underlying law in the paper accurately reflected current law and practice, confirming that information from financial remedy proceedings should not be shared with or by reporters without the court’s permission.

10.4 Members supported a limited consultation on the practical operation of the proposed transparency PD. In particular, questions should be asked about how documents are shared with accredited media and bloggers before a transparency order is made. Consultees should be Resolution, FLBA, the Transparency Project, the Press Association and the Law Society.

10.5 The Committee also agreed that the pilot should be extended until the new provisions are ready and that using a hook-rule mechanism is the most efficient approach.

10.6 A separate point was raised about the ability of parties to disclose court orders in children cases to organisations such as schools and contact centres. It was agreed that this should be discussed between the Policy Lead and the Association of District Judges, and feed into the work of the Information Sharing and Transparency Working Group.

Action point 11: MoJ officials to conduct a limited consultation on the practical operation of the proposed transparency provisions relating to financial remedy proceedings.

Action point 12: Policy Lead to liaise with the Association of District Judges regarding frequent application to disclose court orders in children cases and feed this into the work of the Information Sharing and Transparency Working Group.

INFORMATION SHARING AND TRANSPARENCY

11.1 Officials confirmed that following the agreement at the October meeting, the Information Sharing and Transparency Working Group is now being established. Invitations to members are being issued and the Group is expected to meet for the first time in late November 2025.

11.2 The Group will begin by considering the question of disclosure of information to reporters in children proceedings before a transparency order has been made.

11.3 It was noted that MoJ Policy and legal teams are reviewing issues raised at the October meeting and will bring forward a proposal at the December meeting.

Action point 13: Secretariat to update Membership Working Group Table.

Action point 14: MoJ Policy team to convene the first meeting of the Information Sharing Working Group by late November.

FAMILY DRUG AND ALCOHOL COURT (FDAC) CODE

12.1 The Committee considered options for formally incorporating the FDAC Code into the FPR and Practice Directions.

12.2 Members recognised the FDAC's established role with the family justice system and agreed it should have a dedicated place within the FPR. The Committee therefore agreed that officials should explore further the option of amending the FPR and having a new PD to include the FDAC Code. It was agreed that officials should return with an update once progress has been made.

Action point 15: MoJ Officials to work with the Department for Education to explore incorporating the FDAC Code into the FPR via a new PD and report back once progress is made.

SECRETARIAT ITEMS

PRIORITIES TABLE

13.1 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.

13.2 A member suggested that Item 10 (Transparency Reporting in Financial Remedy Proceedings) currently listed as a second-tier priority be brought within the remit of the Information Sharing and Transparency stream of work. The Committee agreed.

13.3 There were no substantive changes since the last meeting though minor layout updates had been made to improve clarity.

Action point 16: Secretariat to add Item 10 (Transparency Reporting) to the Information Sharing and Transparency work stream.

Action point 17: Secretariat to update and publish the updated Priorities Table.

OTHER PROCEDURE RULE COMMITTEES

14.1. After discussions with other Committees' Secretariats there are no relevant updates to share with the Committee.

FPRC WORKING GROUPS

15.1 The Committee reviewed the updated list of the FPRC Working Groups. It was noted that the list will be updated to include Helen Sewell as a member of the Domestic Abuse Working Group following her offer earlier in the meeting

15.2 Members observed that G & H Group was not yet listed and should be added. It was noted that District Judge Cassidy had previously expressed interest in joining both the Domestic Abuse and Information and Sharing Transparency Working Groups but that his inclusion had been held pending formal Committee approval. The Committee confirmed his membership of both groups noting his valuable role as transparency lead for the Central Family Court.

15.3 Members also discussed the overlap between the Information Sharing and Transparency and Cape v Dring. It was agreed that their work could be merged as their remits are closely aligned. The Committee approved these updates.

Action point 18: Secretariat to update the Working Group Table to include:

- **Helen Sewell in the Domestic Abuse Working Group.**
- **District Judge Cassidy in the Domestic Abuse Working and Information Sharing and Transparency Working Groups.**
- **Include the G & H Group in the Table**
- **To merge the Information Sharing and Transparency and Cape v Dring Working Groups into a single Working Group**

AOB

16. There was no other business raised.

OPEN MEETING Q & A

17.1 The Chair introduced the Question and Answer session noting that it forms an important part of the Committee's annual Open Meeting and reflects its commitment to transparency and engagement with the public.

17.2 Nine questions were submitted in advance and were answered by nominated Committee members and for the first time, attendees were also invited to ask a follow-up question live making the session more interactive.

- **Set 1** – Asked how the Committee ensures that the Family Rules remain both legally precise and accessible for people representing themselves.

In response, it was explained that the Committee works to make the Family Procedure Rules both legally accurate and easy to understand recognising that many users represent themselves. The Committee uses plain English wherever possible and draw on its diverse membership including judges, lawyers and lay members. In addition, public consultation help gather feedback on clarity and accessibility and guidance on the Justice website supports court users in understanding the rules in practice.

The response was welcomed and there was no follow up question.

- **Set 2** – related to the Committee's ongoing work on transparency in family proceedings and the establishment of the new Information Sharing and Transparency Working Group.

In response, it was explained that the new Information Sharing and Transparency Working Group approved in October 2025 is being established and will meet for the first time in late November 2025. The Group will review the Family Procedure Rules and Practice Directions on transparency including recent proposals. It will also consider the safety and security of expert witnesses and other participants in family proceedings.

The update was welcomed and there were no follow up questions.

- **Set 3** – asked whether the Family Procedure Rules will be updated to reflect the introduction of the new Private Law Digital Platform and what timeframes and processes will apply as the service expands.

In response, it was explained that the Family Procedure Rules already provide for the pilot of the new Private Digital Platform which is being test in several areas before national rollout. The service allows both legal representatives and unrepresented parties to make and manage applications online, upload evidence and view court orders immediately while retaining the option to use paper forms.

The national rollout subject to judicial consultation and approval is expected between January and March 2026 with training and support provide for court users and staff. While the platform will not change existing court timeframes or compliance requirements it is expected to improve case management and reduce administrative delays

The update was welcomed and there were no follow up questions.

- **Set 4** – a few related questions were received about how the Committee monitors the effectiveness of the Family Procedure Rules, how it assesses the impact of new rules and how it consults with practitioners.

In response, it was explained that the Committee monitors the Family Procedure Rules continuously drawing on feedback from the judiciary, HMCTS and practitioners. Issues identified are prioritised for review and the impact of new rules is assessed through feedback from user groups and professional bodies supported by post-implementation review by policy teams.

Before changes are made the Committee may convene expert working groups, collaborate with other government departments and carry out consultations with both professional and public stakeholders.

The response was welcomed and there was no follow up question.

- **Set 5** – A question was raised about the increasing use of AI-generated material by litigants in person and whether the Family Procedure Rules should require parties to disclose when AI has been used and clarify who is responsible for the accuracy of such content.

In response, it was explained that the current Family Procedure Rules already require applicants to confirm the accuracy of information they provide. While the Committee remains interested in the potential and risks of new technologies including AI it confirmed that existing verification requirements continue to apply in all cases.

The response was welcomed and there was no follow up question.

- **Set 6** – A question was asked about whether the rules (PD22A Annex 3) on taking evidence from abroad by video link will be updated following recent judicial comments and guidance from the Foreign Commonwealth and Development Office (FCDO)

In response, it was explained that there are currently no plans to amend Annex 3 to PD22A and that the existing provisions already allow a party or witness to give evidence from abroad by video link under Rule 22.3. This long-standing practice has not caused any reported difficulties with other jurisdictions.

Members and practitioners were reminded that guidance from the FCDO on giving or taking evidence abroad is available on Gov.UK and that the FPRC Secretariat can provide the direct link on request.

The response was welcomed and there was no follow up question.

DATE OF NEXT MEETING: 1 December 2025

18. The next meeting will be held on Monday 1 December 2025 and will be a hybrid meeting both at the Royal Courts of Justice and via MS Teams.

FPRC Secretariat
November 2025
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