

Online Procedure Rule Committee

Minutes of meeting on 17 November 2025

Conducted in a hybrid format at The Royal Courts of Justice, Rolls Building, 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

- The Chancellor of the High Court (CHC)
- Lord Justice Jonathan Baker
- Mrs Justice Joanna Smith
- Lady Justice Cockerill
- Sarah Rose, MoJ
- Harriet Ainsworth-Smith, MoJ
- Helen Timpson, MoJ
- Irram Khan, OPRC Secretariat
- Graeme Wood, MoJ
- Fola Shodeinde, OPRC Secretariat team
- Jennifer Tugman, MoJ
- Amrita Dhaliwal, MoJ
- Abdul Hudson, MoJ
- Crystal Hung, MR's Legal Advisor
- Rachel Tocknell, PS to MR
- Amy Shaw, JO
- Nick Lee, JO
- Joshua Gibson, JO
- Thomas Atfield, MR's DPS
- Heidi Bancroft, SPT's Private Office
- Bee Ezete, Private Secretary to the PFD
- Emily Wickens, HMCTS
- Tom Matley, HMCTS
- Alasdair Wallace, Drafting Lawyer
- Rosemary Rand, HMCTS
- Rachael Peters, HMCTS
- Flora Freeman, HMCTS
- Emma Petty, HMCTS

Item 1 - Welcome, Apologies and Introductory Remarks

1. **Apologies:** None.
2. **Minutes:** the minutes from the last meeting on 20 October 2025 were approved.

Item 2 – Open Meeting Feedback

3. HAS updated the committee with the feedback received from the Open Meeting. Ten responses were received, and overall feedback was positive. The feedback included requests to circulate meeting details earlier and provide access to meeting papers. The feedback also highlighted the difference between OPRC minutes and CPRC minutes, and the Committee reflected that, being in the early stages of rule development, OPRC discussions took a different format to those of the CPRC. The committee reflected on the positive feedback received and agreed that the open meeting was productive.

Item 3 – Consultation responses

4. CHC updated the OPRC on how the sub-committee intend to prioritise work on the draft Inclusion Framework through three workstreams: Inclusion, Technology and Communication.
5. **Inclusion Framework** – led by SS: will develop options for a self-certification approach to give providers a clear and consistent way to set out how they will meet the expectations around accessibility, usability, design, data handling, accountability and justice outcomes.
6. **Technology** – led by GB: will focus on different approaches to a decentralised digital justice system model and data standards.
7. **Communications** – led by Mrs Justice Joanna Smith: will identify stakeholders, and methods of engagement for the next phase of the committee's work.
8. It was confirmed that the Pre-Action Model workstream will be paused until the new year due to resourcing constraints.

Item 4 - Expansion of OPRC rulemaking powers

9. IK confirmed that the submission seeking agreement in principle to extend the rule-making powers of the OPRC to include civil money claims, damages, claims and Employment Tribunals is with Minister Sackman. The Secretariat will provide a further update at the next meeting including, if approved, the timetable for the introduction of an affirmative Statutory Instrument conferring these powers.
10. GW presented proposals for the transfer of rulemaking powers from the CPRC to the OPRC for online civil money claims and damages claims. Both services are currently operating under pilot practice directions which are due to expire in October 2026.
11. GW proposed establishing a working group comprised of OPRC and CPRC members. The working group will develop Online Procedure Rules to replace the current practice directions and ensure a joined-up approach.

12. GW noted that this proposal was also presented to the CPRC in November and received broad agreement.
13. The committee agreed to establishing a working group with membership from both OPRC and CPRC. The Core Group will finalise membership and report back at the next meeting. The SPT emphasised the importance of including representatives from all CFT jurisdictions on the working group.

Item 5 – Property & Possession

Online Procedure Rules:

14. HT updated the committee on the latest draft of the Online Procedure Rules (OPR). HT clarified that the main change from the previous version was the notation of list levels following legal advice. HT invited further discussion on this point and sought the committee's agreement to proceed to publishing the draft OPR for consultation.
15. The OPRC agreed:
 - a. That the draft OPR could be published for consultation, subject to inserting a definition of online proceedings.
 - b. That the consultation should include the complete SI text.
 - c. That they are content with the draft consultation document.

Paper forms:

16. FF introduced the item on paper forms following a discussion at the recent Property and Possession Working Group. The design stage highlighted questions about how unrepresented users interact with the digital service via paper forms and whether new paper forms were needed. She noted that current paper forms lack the same level of guidance and data captured by the new digital service, which could disadvantage users.
17. FF recommended creating new forms that broadly match the online journey to ensure consistency and to enable HMCTS staff to upload data into the digital system efficiently.
18. It was noted that Part 2 of the draft core rules as at 9th November 2025 (rules 19 and 25) contain the provision for HMCTS to publish and accept downloadable/printable copies of approved forms for unrepresented persons.
19. The committee agreed that they are committed to ensuring that users who can't make use of a digital system are not disadvantaged.
20. JT also highlighted the statutory requirement of non-electronic access for unrepresented users and noted that paper forms could serve as a contingency in the event of a court system server failure
21. It was agreed that:
 - a. There should be no separate track for cases involving non-digital users.
 - b. Non-digital users should not be disadvantaged by using paper forms.

- c. Digital copies of paper forms should be retained even after data has been entered into the digital system so that they can be referred to in the event of any concerns about the quality of data entry.
 - d. Design of paper forms should not attempt to fully replicate the digital journey as this will result in very complex forms and create an administrative burden to maintain.
 - e. Those requiring paper forms may have other needs or vulnerabilities, further reinforcing the need to make sure the paper forms are not unnecessarily complex.
 - f. The purpose of paper forms is not to create a separate paper system but to be used as an entry point to the digital system for those unable to use it.
22. GB agreed to liaise with FF on next steps and set out some of the issues and concerns raised. The committee requested that some draft forms be provided to assist in agreeing the direction of travel.

Item 6 – Residential Property Tribunal update

23. EP provided an update on the preparations within the Residential Property Tribunal for anticipated increase in volume as a result of the Renters Rights Act and Leasehold and Freehold Reform Act. This includes plans for digitisation, funding was approved for this work in November so they will be soon commencing the discovery and design stage. EP confirmed that HMCTS is developing an interim service for May 2026 to coincide with the commencement of the new legislation. Full digitisation will take 18-24 months, with delivery expected between April-October 2027. EP noted that lessons from the possession project will inform this work.
24. The committee stressed the importance of ensuring coherence across all property routes. Members reiterated that possession and residential property tribunal matters should be handled by a single integrated digital service, rather than delivered through parallel services.
25. RR confirmed that both the Possession Service and the planned Residential Property Tribunal Service will be built on HMCT's CFT digital platform. She explained that HMCTS still needs to decide through their design process whether the tribunal platform will be an extension of the digital possession service or a separate service.
26. SPT also highlighted the need for coherence between the platforms, noting caseloads are likely to increase under the new legislation. He observed that separate systems could cause operational and judicial complexity where issues overlap.
27. MR highlighted risks from earlier work during the Reform Programme where separate builds on the same platform created fragmentation between services. He emphasised the importance of expanding the possession service

to incorporate the residential property tribunal work rather than creating two parallel services.

28. RR confirmed that HMCTS understood the committee's expectation of a fully integrated service.
29. It was agreed that EP would return with a further update in the new year once plans are further developed.

AOB

30. The OPRC agreed to appoint Lord Justice Dove (deputy Senior President of Tribunals) to the OPRC sub-committee and to the Core Group.
31. The OPRC confirmed Mrs Justice Joanna Smith will continue in her role as part of the sub-committee and the Core Group.

Actions

- The secretariat will publish the core Online Procedure Rules for consultation once the additional definition of online proceedings has been included.
- The Secretariat will provide an update on the proposal to extend the OPRC's rule making powers at the next meeting, and if approved, will share the proposed timetable for the SI.
- The Core Group will finalise membership of the OCMC and Damages Working group and report back at the next meeting.
- GB will work with FF to agree next steps on paper forms for the property and possession service.
- EP to provide a further update in the new year once plans are further developed.