



Ministry of Justice

FAMILY PROCEDURE RULE COMMITTEE

At 11:00 a.m. – 12:55 pm on Monday 1 December 2025,

Hybrid, in person at Royal Courts of Justice and online via Teams

ANNOUNCEMENTS AND APOLOGIES

Present:

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| • Sir Andrew McFarlane | President of the Family Division |
| • Mr Justice Keehan | High Court Judge (Chair) |
| • Mr Justice Peel | High Court Judge |
| • Her Honour Judge Suh | Circuit Judge |
| • District Judge Foss | District Judge (County) |
| • Poonam Bhari | Barrister |
| • Laura Coyle | Solicitor |
| • Jennifer Kingsley JP | Magistrate |
| • Shabana Jaffar | Cafcass |
| • Vicki Mulligan | Lay Member |
| • District Judge Cassidy | District Judge |
| • Helen Sewell | Legal Advisor |
| • Robert Edwards | Cafcass Cymru |
| • Rhys Taylor | Barrister |

1.1 The Chair welcomed everyone to the Family Procedure Rule Committee meeting, noting the appointment of Vicki Mulligan to the Committee and confirming the renewal of Laura Coyle's membership for a second term.

1.2 Apologies were received from Mrs Justice Knowles, HHJ Gareth Humphreys, Lord Justice Baker, Graeme Fraser, and District Judge Nelson.

MINUTES OF THE PREVIOUS MEETING

2.1 The Committee approved the minutes and the priorities table from the 3 November 2025 meeting.

Action Point 1: Secretariat to arrange for the November 2025 minutes and the Priorities Table to be published on the FPRC webpages

ACTIONS LOG

3. The Committee noted that 18 actions points were recorded from the 3 November 2025 Committee meeting.

MATTERS ARISING

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

- Web inaccuracies
 - The Committee was informed that a few inaccuracies remain outstanding on the FPRC webpages, and the Secretariat is following up with the web team. A further update will be provided once all corrections have been completed.
- Family Procedure (Amendment) Rules 2025 and Practice Direction Update No.6 of 2025
 - The Committee noted that the Family Procedure (Amendment) Rules ('the 2025 Rules') were circulated to members out of Committee for signing. Following this they were submitted to the Minister on 18 November and signed by her on 20 November and laid before Parliament on 27 November.
 - The 2025 Rules made the following amendments:
 - Amend r16.4 FPR to remove an obsolete cross-reference.
 - Amend r29.1 FPR to allow one party to indicate that another's contact details should remain confidential to the court
 - Amend Part 30 FPR to introduce a permission to appeal stage for appeals from magistrates' decisions in the family court.
 - The Committee were informed that Practice Direction Update No. 6 of 2025 introduced one new Practice Direction (PD27A) on court bundles and amended several existing practice directions including:
 - PD5B - Communication and filing of documents by email
 - PD5D - Procedure for bulk scanning of certain documents
 - PD6D - Service on a person where there are reasonable grounds to believe that the person is residing in a refuge
 - PD12J - Child Arrangements & Contact Orders: Domestic Abuse and Harm
 - PD27A - Court bundles (with consequential amendments to PD5D, PD12B, PD29B and PD36Z)
 - PD30A – Appeals
 - PD36G - Pilot Scheme on using an online system to generate applications in certain private law proceedings relating to children
 - PD36Z - Pilot Scheme on Private Law Reform: Investigative Approach

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- PD36ZD - Pilot Scheme on an online system for certain private law proceedings relating to children and for certain protective orders
- The Update has been signed by the Minister, and both the Rules and Update have been published on GOV.UK with relevant commencement dates.

SUBSTANTIVE ITEMS

FINANCIAL REMEDY TRANSPARENCY ORDERS

- 5.1 The Committee received a paper outlining the proposed approach to a consultation on transparency orders in financial remedy proceedings, following the Committee's agreement at its November 2025 meeting that the President be invited to extend the current pilot pending the consultation and the subsequent making of any rule and Practice Direction provision. Officials noted that the consultation is planned to launch in January 2026, with draft rule and Practice Direction provisions to be prepared over the summer, aiming for sign-off in the autumn and implementation in 2027.
- 5.2 Members queried why it is proposed that questions about disclosure of information to reporters in children's proceedings (as well as in financial remedy proceedings) be included in the consultation. MoJ Legal highlighted ongoing concerns about what documents can be disclosed to reporters or legal bloggers before a transparency order is made, which arise in both children and financial remedy cases.
- 5.3 The Committee agreed that, if children's proceedings are brought within scope, the consultation should focus on the disclosure of documents to reporters or legal bloggers prior to the making of a transparency order, to avoid reopening broader issues, given all of the work already undertaken in relation to transparency orders in children proceedings. Officials agreed to make this clear in the consultation paper.
- 5.4 The Committee considered whether the consultation should also invite views on the disclosure of additional documents, such as the 'ES2' in financial remedy proceedings, albeit it was noted such documents may contain confidential information, which may have to be redacted. Members agreed a general question on the disclosure of further documents to reporters and legal bloggers pre-transparency order could be included in the consultation paper.
- 5.5 The Committee noted that, if disclosure to reporters and legal bloggers pre-transparency order children's proceedings are included within scope of the consultation, the Association of Lawyers for Children should be included among the consultees.
- 5.6 The Committee agreed that the Information Sharing and Transparency Working Group should be notified of the proposed expansion of the consultation to children's proceedings, as this had not previously been on their agenda.
- 5.7 The Committee agreed that officials should seek the views of Mrs Justice Lieven on the proposed inclusion of children's proceedings in the consultation, given her expertise in this area.
- 5.8 The President of the Family Division queried why the consultation and subsequent rule changes would require such an extended period as is outlined in the paper

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before the Committee. The President requested that Officials review the proposed timeline to identify opportunities for acceleration. Officials agreed to undertake this review, aiming to streamline the process where possible. It was confirmed that an update on the revised timeline will be provided to the Committee at the February 2026 meeting, while the consultation itself will be launched in the interim.

Action point 2: MoJ Officials to review and, where possible, shorten the proposed consultation timeline, reporting back at the February 2026 meeting.

Action point 3: MoJ Officials to approach Mrs Justice Lieven for her views on expanding the consultation to include questions relating to pre-transparency order disclosure to reporters and legal bloggers in children's proceedings and report back at the next meeting.

Action point 4: MoJ Officials to notify the Transparency Working Group of the proposed consultation, including the potential inclusion of children's proceedings.

Action Point 5: MoJ Officials to commence the Committee's consultation exercise in January 2026.

NOTIFICATION NON-MOLESTATION ORDERS TO THE POLICE – PD36ZA AND PD36ZI

6.1 Officials presented a paper on the automatic notification system for non-molestation orders (NMO) (PD36ZI as part of PD Update No.2). The Committee was asked to give in principle approval for two proposed amendments to strengthen the notification arrangements:

- o To allow parties' non-confidential contact details (specifically their email addresses and telephone numbers) where known to HMCTS to be sent to the police and
- o To provide notification of service status together with a copy of the certificate of service, to the police in support of enforcement.

6.2 Early work to assess the longer-term proposal considering whether contact details for parties which are available to HMCTS, but which currently fall outside the pilot could be included within the automatic notification solution is ongoing. These proposals as developed will also be informed by feedback from the Domestic Abuse Working Group (DAWG).

6.3 Officials noted the work and input provided by the DAWG on this issue and mentioned that a reference in the papers (paper 6, page 58, paragraph 8) should read HMCTS rather than HMRC.

6.4 The Committee was content with the proposals to include the parties contact details (specifically email addresses and telephone numbers) in the material shared with the police when a NMO is made, as well as the notification of service status of the NMO, and a copy of a certificate of service to them.

6.5 Officials also noted the early work to consider the inclusion of contact details for parties currently outside of the pilot within the notification system would be taken to a future meeting of the DAWG for consideration where developed. The Committee made clear the safeguards need to be very strong before any changes could be made, and that this included protections around the handling of the information once it is communicated to the police.

- 6.6 The Committee noted that discharged orders were not included in the scope of the pilot. The Chair asked officials to consider including discharged orders within the pilot. HMCTS noted that at present discharged orders aren't included because it is difficult to identify them on the existing system (but noted the police are notified of the discharge under existing provisions in the Family Procedure Rules (FPR 10.10 (4) (b))).
- 6.7 Officials will return to the Committee in February 2026 to seek formal approval and sign-off of the amendments to the PD to reflect the additional information to be provided to the police as agreed in principle by the Committee and to provide a performance update on the automatic notification solution. Officials will return in due course to provide an update on the progress with the provision of contact details currently out of scope once developed, and subject to engagement with the DAWG.

PD36ZA

- 6.8 Officials noted that the North Yorkshire pilot (PD36ZA) will conclude on 28 February 2026, and police and other operational colleagues are content with this. The pilot no longer adds significant value given the national solution since introduced for automatic notification of non-molestation orders (PD36ZI).

STANDARD ORDERS VOLUME 2

- 7.1 The Committee received an update from Ms Justice Harris on the provisional changes to the standard orders for financial remedy and children cases which are aimed at supporting earlier resolution.
- 7.2 Ms Justice Harris explained the amendments aim to reinforce the importance of supporting parties to engage in non-court dispute resolution prompting both the judiciary and parties to consider alternatives to court at every stage.
- 7.3 Ms Justice Harris noted that the updated orders contain recitals written in user friendly language, highlighting the availability of non-court dispute resolution and emphasising that court should be a last resort.
- 7.4 Ms Justice Harris explained that the operational provisions in both gatekeeping and case management orders are intended to encourage and, where appropriate, direct parties to attend Mediation Information and Assessment Meetings (MIAMs), even if an exemption has been claimed or a MIAM has already been attended. Alongside this, following urgent hearings, even if an urgency exemption was claimed, the judiciary may redirect parties to a MIAM for longer-term resolution once the urgent matter is addressed.
- 7.5 The Committee was invited to indicate whether it was content for this work to proceed.
- 7.6 The Committee sought clarification on whether a notice from Designated Family Judges (DFJs) would be included in every order. Officials confirmed that general wording would be used instead, rather than including direct references to DFJs.
- 7.7 Ms Justice Harris indicated that the updated standard orders are expected to be published in late December 2025 or early 2026, incorporating the finalised amendments.

DISCLOSURE OF INFORMATION BETWEEN FAMILY AND CRIMINAL AGENCIES AND JURISDICTIONS ('THE 2024 PROTOCOL')

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- 8.1 Officials updated the Committee on the status Annex 5 template order under the 2024 Protocol. This aims to streamline and clarify the process for police disclosure orders in family proceedings, particularly in cases involving child protection concerns.
- 8.2 The Committee was asked if the revised Annex 5 template order favoured by the police should be adopted as the standard order under the 2024 Protocol or if further amendments should be made.
- 8.3 Officials reported that the police representative on the Disclosure Working Group provided feedback on the draft previously developed by the Committee's Domestic Abuse Working Group (DAWG), including the structure of the order, the inclusion of preamble warnings, estimated timeframes, terminology, information requirements, proportionality guidance, structural issues, summary reports, and payment of police expenses.
- 8.4 The Committee discussed the need to balance the police's stated requirements for background information about the proceedings with the practicalities faced by magistrates, district judges, and legal advisers who must draft these orders, often under time pressure and with high caseloads. There was broad agreement that the order should be as simple and focused as possible.
- 8.5 The Committee acknowledged that certain elements such as clear timeframes within which disclosure should be provided by the police are essential for police cooperation but emphasised that only necessary content should be included.
- 8.6 Officials noted that the police request a preamble warning at the front of the order. The Committee agreed this could be moved from paragraph 12 to the front of the draft or included as an additional warning under the confidential information section.
- 8.7 District Judge Foss explained that the last version submitted by DAWG draft order includes headings for different types of police checks (basic, standard, advanced, advanced plus), which can be deleted if not applicable. That draft also specifies the information required for police checks (names, dates of birth, addresses, emails).
- 8.8 The Committee queried the meaning of LIT in the order. MoJ officials will clarify this terminology.
- 8.9 District Judge Foss and Poonam Bhari agreed to incorporate the amendments discussed, including relocating the preamble warning, clarifying payment terms, and ensuring the order remains concise. Following this, officials will circulate the revised draft to HHJ Moradifar and Steven Howard (from the Standard Orders Group) and invite them to check consistency with other standard orders and address any outstanding issues.
- 8.10 Following amendments, the resulting version will be sent by Officials to the police representative of the Disclosure Working Group, noting that that is the version approved by the Committee. It will then be for the owners of the 2024 Protocol to determine if they are content to include that version in any revised publication of the 2014 Protocol.
- 8.11 The Committee asked to be updated at the February meeting.

Action point 6: District Judge Foss and Poonam Bhari to produce a further draft of the draft Annex 5 order.

Action point 7: MoJ Officials to share the resulting draft with Her Honour Judge Moradifar and Steven Howard for any amendments they wish to make.

Action point 8: MoJ Officials to send the resulting version to the police representative of the Disclosure Working Group.

Action point 9: MoJ Officials to provide an update at the Committee's February meeting.

CONTEMPT OF COURT RULE DRAFTING PROJECT

9.1 Officials noted the first part of the Law Commission's report on contempt had been published and particularly drew the Committee towards the recommendations around aligning the contempt rules across jurisdictions.

9.2 Alongside the Law Commission's consultation Lord Justice Edis has convened a cross-jurisdictional Contempt Working Group to draft a set of procedural rules relating to contempt. Her Honour Judge Suh has been nominated as the Committee's representative on the Contempt Working Group. The Contempt Working Group has asked for the Committee to provide a position paper in relation to the proposal to draft a single set of contempt rules.

9.3 Her Honour Judge Suh noted that many of the tribunals and other groups on the Contempt Working Group don't have existing primary legislation on contempt so it may be a long running project.

9.4 The Committee asked for the CPRC's views; officials noted they will be meeting on Friday to discuss their approach. Members were happy for Her Honour Judge Suh to continue attend the Contempt Working Group and to provide updates on its activities.

9.5 The Committee was content with draft position paper which was included in the bundle for this meeting to be shared with the Contempt Working Group without any amendments.

Action point 10: Her Honour Judge Suh to provide the Committee's position paper to the Contempt Working Group.

Action point 11: MoJ Officials to share the Committee's position paper with the CPRC Secretariat.

Action point 12: Her Honour Judge Suh to update the Committee on the work of the Contempt Working Group as appropriate.

FEEDBACK: NOVEMBER OPEN MEETING

10.1 The Chair explained that the Secretariat received positive feedback from a magistrate who attended the November open meeting. The Chair noted that the magistrate praised the Committee's commitment to transparency, found the annotated agenda particularly helpful in navigating technical discussions, and valued the clear and robust responses to public questions.

10.2 The Committee agreed to continue allowing follow-up questions from the public in

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future open meetings.

SECRETARIAT ITEMS

PRIORITIES TABLE

11.1 The Committee noted that the Priorities Table has been updated following the last meeting.

11.2 The Committee confirmed that they are content for the Priorities Table to be published.

11.3 The Secretariat confirmed that they are currently triaging new requests for matters to be considered by the Committee and will present the triage outcomes at the February 2026 meeting, including an item on Reciprocal Enforcement of Maintenance Orders forwarded to the Secretariat by Jennifer Kingsley.

Action point 13: Secretariat to publish Priorities Table.

Action point 14: Secretariat to present Triage forms at February 2026 meeting.

OTHER PROCEDURE RULE COMMITTEES

- **Online Procedure Rule Committee (OPRC)**
 - The OPRC has agreed its next steps following consultation on the inclusion framework and the pre-action model. The OPRC will now focus on refining the inclusion framework to ensure the requirements are proportionate.
 - The OPRC will shortly publish draft Online Procedure Rules in relation to possession claims for consultation. The link will be shared with the Committee once available.
- **Civil Procedure Rule Committee (CPRC)**
 - The CPRC has confirmed the launch of an Access to Public Domain Documents Pilot, intended to improve access for non-parties to documents filed in civil proceedings following the Supreme Court decision in *Cape v Dring*.
 - The pilot will commence on Thursday 1 January 2026 and run until Friday 31 December 2027.

FPRC WORKING GROUPS

12.1 The Committee received an updated table of FPRC Working Groups, which confirmed District Judge Cassidy has joined both the DAWG and the Information Sharing and Transparency Working Group, and that the table has now been expanded to include the GvH Working Group, although no members have yet been assigned to it on the table.

12.1 Members were informed that the Information Sharing and Transparency Working Group and the Cape v Dring Working Group have been merged into a single group, with Rhys Taylor volunteering to join if it is considered necessary to have a member

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specialising in financial remedy matters on that Group. It was also raised that Lucy Reed KC should be added to the table as a member of that same Group.

12.2 Members further observed that several working groups have concluded, such as the Permission to Appeal Working Group.

12.3 The Committee queried what the Children Working Group was involved in.

12.4 The Secretariat was asked to review all inactive or dormant working groups and to clearly separate active and inactive groups within the table.

Action point 15: Secretariat to update the Working Group Table:

- **To clearly separate active and non-active groups within the table: Groups that are no longer active should be moved under a dedicated “Inactive Groups” section.**
- **To update the members of the listed groups, as appropriate.**

DATE OF NEXT MEETING: 2 February 2026

The next meeting will be held on Monday 2 February 2026 at 11:00am and will take place in person in QB1M, Queens Building, Royal Courts of Justice and remotely via MS Teams.