

Approved

Minutes of the Civil Procedure Rule Committee

Friday 6th March 2026, conducted in a hybrid format, namely, at The Rolls Building (Royal Courts of Justice), Fetter Lane, London and via video conference.

Members attending

Rt Hon Lady Justice Cockerill DBE, Deputy Head of Civil Justice (Chair)
The Hon Mr Justice Trower
The Hon Mr Justice Pepperall
Master Sullivan
His Honour Judge James
Her Honour Judge Emma Kelly
District Judge Clarke
District Judge Johnson
David Marshall
Isabel Hitching KC
Kelly Stricklin-Coutinho
Campbell Forsyth
Elisabetta Sciallis
Ben Roe
Ian Curtis-Nye

Apologies

Tom Montagu-Smith KC

Item 1 Welcome

1. The Chair welcomed everyone in attendance (online and in person) and opened the meeting.
2. The **minutes of the last meeting on 6th February 2026**, were **AGREED**.
3. **Action Log and any matters arising not covered by later items:** The following items were raised and **NOTED**:
 - **AL(25)115 – Small Claims Paper Determination Consultation** –THANKS were expressed to District Judge Johnson and the sub-committee (comprising Ian Curtis-Nye, Ben Roe and Elisabetta Sciallis) for preparing the consultation material, which will be published online in due course. **Action:** Secretariat in liaison with the Chair and HMCTS.
 - **AL(26)03 – Enforcement Sub-Committee** – THANKS were expressed to Campbell Forsyth and Katie Fowkes (MoJ Legal) who are finalising the consequential amendments etc following the enforcement sub-committee's report at the last meeting.

Item 2 Part 75 and PD75: Traffic Enforcement CPR(26)06

4. Samantha Toyn and Tessa Wearing (Ministry of Justice) and Cassie Shingles-Madgen (HM Courts & Tribunals Service Traffic Enforcement Centre) were welcomed to the meeting. The presentation was led by Ms Toyn with input from Ms Shingles-Madgen and Andrew Currans (MoJ Legal).

5. The Chair made some introductory remarks, observing that these reforms highlight, in sharp focus, the need to harmonise practice and procedure in this important area of civil enforcement. **THANKS** were expressed to all concerned and to those who responded to the consultation.
6. This topic was first before the committee in June 2025 when His Honour Judge Ranson (Designated Civil Judge) was present and a suite of amendments to bring Part 75 up to date in relation to practice at the HMCTS Traffic Enforcement Centre (TEC) were explained. The amendments (including to associated forms) comprised general updating (address details, references to the single County Court, compatibility with future anticipated upgrades to the digital systems; other linguistic changes to better reflect certain Regulatory provisions - for example regarding warrants) and in doing so, to provide improved efficiencies overall. The exercise was also intended to clarify practice and procedure in relation to court officer functions at the TEC. Formulated draft proposals were provided to the October 2025 meeting, when it was agreed to consult on proposed changes to Part 75 and PD75. A brief oral update was then given at the December 2025 meeting.
7. Given the scale of the amendments being proposed, the consultation was framed in four areas (Proposals A–D): A. Court officers’ treatment of out-of-time witness statements/statutory declarations; B. Warrants of control and related TEC processes; C. Transfer of cases from TEC to County Court / the HMCTS Civil National Business Centre and D. Updating references, forms, and supporting digitalisation.
8. Each proposal was considered and discussed.
9. It was **NOTED** that:
 - The public consultation took place between 9th October and 21st November 2025 and garnered 15 responses (five from local authorities and charging authorities; six from the enforcement sector, including the Civil Enforcement Association, the British Parking Association and other firms; one from the London Tribunals and Traffic Penalty Tribunals; one from an independent debt advice provider; one from Lord Lucas (the former chair of the Enforcement Law Review Group) and one from a private individual.
 - Broadly, respondents to the consultation supported the proposed changes, in particular:
 - requiring court officers to provide reasons for accepting/rejecting applications; although there was some disagreement about removing the right to request a judge-led hearing (the Tribunals highlighted barriers for some litigants in person being able to express themselves effectively in writing and said that hearings were sometimes necessary to allow judges to clarify the issues);
 - strong support for the reformed CPR 75.7(7) which removes the requirement for a warrant to be re-issued where the address of the respondent has changed since the warrant was issued, because the current practice was seen as an outdated administrative burden. The new rules provide that the warrant will remain valid if a new enforcement notice (as prescribed by The Tacking Control of Goods Regulations) is given to the respondent;

- mixed views on allowing 12-month extensions to the enforcement period of a warrant of control (some respondents indicated it may “reward inefficiency”; enforcement bodies argued persistent evaders justify extensions);
 - most consultees supported streamlining the current process for transferring cases from the TEC to a local County Court / HMCTS Civil National Business Centre, viewing the current process as duplicative and ineffective. Charging Authorities sought the ability to combine multiple Orders for Recovery (OfRs) against one respondent (which the reformed rules provide). Two consultees objected, concerned about treating each OfR as an independent order and the risk of combining debts to meet bankruptcy thresholds.
- The TEC becomes the central point for applications for charging orders, attachment of earnings, orders to obtain information, and third-party debt orders.
 - Master Sullivan is being consulted, out-of-committee, as regards forms changes.
 - MoJ and HMCTS are updating the public guidance for TEC users, so that it will reflect the amendments to the Rules and Practice Directions (PDs); GOV.UK pages will also be updated.
 - MoJ intend to produce a consultation response for publication.
10. The discussion identified several detailed drafting points, which were resolved upon. This included points in response to HHJ Ranson’s comments, which had been provided to the Chair, in advance, out-of-committee.
11. Overall, the view was that the rules could be further simplified. For example, the degree to which a user needed to cross refer between Part 75 and PD75 was unfortunate and did not reflect the overarching principles of simplification or the principle that rules are mandatory. MoJ explained that this exercise was not intended to change the current structure of Part 75 and the main cohort of users were well versed in the practice area. However, a wider review could be considered in slower time. The rationale for applying a *light touch* approach to mandation was also set out and **NOTED**.
12. Ian Curtis-Nye reiterated that this area also involved a high proportion of litigants in person, stressing the need for simplified rules. He pointed out that this includes interaction with the fees regime and sought clarity from MoJ. It was **FURTHER NOTED** that fees policy was raised at the June meeting (**post meeting note:** an MoJ response was provided to the 7th November 2025 meeting: paras 64 – 71 of those minutes refer). MoJ reiterated that it is not normal practice to refer to fees in the rules, but consideration would be given to this when updating TEC user guidance.
13. It was **RESOLVED** to **AGREE, IN PRINCIPLE, the current suite of post-consultation, amendments to Part 75 and PD75, subject to the following points and to final drafting, and to final approval in committee:**
- The review of Part 75 will be phased: Phase One encompasses the current suite of initial amendments; Phase Two comprising a longer-term project, to carry out a more comprehensive review.

- Recast draft CPR 75.5A to substitute “paragraph (2)” with “paragraph (1)” under sub-rule (3)(b) and to incorporate text into draft sub-rule (4), to make clear that where the court officer had made an order, it was under an application prescribed by PD75, para 5.1. The overall length of sub-rule (4) could also be reduced.
- Consider re-ordering the sub-rules under CPR 75.7, with particular attention to be given to sub-rules (8) and (9).
- Recast draft CPR 75.7(10) to make clear that although the application to extend the period in which to take control of goods (under CPR 84.5) is to be “...made to the Centre”, the determination is made by a Judge.
- Introduce a new Schedule to be attached to the application to send cases for further enforcement (form TE10), in the interests of efficiency. The reformed rules provide for the requirement that charging authorities complete a schedule when making an application relating to multiple OfR against the same respondent. The Schedule requires charging authorities to confirm the criteria for sending the case from the TEC have been met for each OfR and to set out the value of the charges and any recoverable fees. The TEC validates the Schedule and forwards the required material to the relevant County Court and/or HMCTS Civil National Business Centre.
- Check all legislation cited is still in force and signpost the underlying primary legislation where relevant.
- Matter to return for final approval before being incorporated into an Update cycle (provisionally, the October 2026 common-commencement date).

14. **Actions:** (i) MoJ, in consultation with HHJ Ranson, to prepare revised, perfected drafting for approval at 27th March 2026 meeting (ii) Secretariat to programme in time on the next agenda.

Item 3 Changes to Senior Courts Act CPR(26)07

15. Rebecca Heywood (Ministry of Justice Policy), Joe White (MoJ Legal) and Nick Lee (Judicial Office) were welcomed to the meeting.
16. The Chair provided some introductory remarks. The reforms are intended to enhance the international profile of UK commercial courts and strengthens the UK’s attractiveness to global litigants, support access to justice, simplify language and process and eliminate overlapping responsibilities between Heads of Division to bring leadership into one structure, but at the same time maintaining judicial flexibility by allowing judges to be ticketed to sit in multiple jurisdictions.
17. A discussion followed and steers were provided to officials in relation to the sequencing of work, including revisions to court forms (during which it was **NOTED** that Court Guides are not within the ambit of the CPCR). It was **FURTHER NOTED** that it was not for the CPCR to consult on the underlying concept. A decision on the scope of any consultation as regards draft rule amendments will be considered when the draft amendments are framed.
18. It was **RESOLVED** to:

- **NOTE** the updates from MoJ and offers of assistance from Judicial Office to facilitate internal engagement between the senior judiciary and other judges, in particular, with the King's Bench Masters.
- **NOTE** that the desired commencement date is 1st October 2026 and **NOTE** the indicative plan to prioritise and phase the work, to meet that timetable.
- **ESTABLISH** a sub-committee, in readiness. Membership to comprise Mr Justice Trower (Chair), Mr Justice Pepperall, King's Bench Master Sullivan and co-opted members: His Honour Judge Cadwallader (Technology and Construction Court Judge at Liverpool) and Chancery Master McQuail. In addition, Insolvency and Companies Court (ICC) Judge Greenwood will be the ICC point of contact if anything arises during sub-committee deliberations. **THANKS**, were also expressed to the various policy, operational and legal officials expected to be part of the sub-committee's work.
- **PROGRAMME** the matter in for a preliminary report from the sub-committee at the next meeting, if possible.

19. **Actions:** (i) Secretariat to (a) provisionally allocate time at the 27th March meeting, in liaison with Trower J and the Chair (b) check if the central forms team can provide a definitive list of related forms for Master Sullivan to review (ii) Nick Lee to facilitate any additional internal judicial engagement.

Item 4 Respect Orders

20. Her Honour Judge Emma Kelly summarised the background and provided an oral update on progress.

21. Respect Orders are provided for within the Crime and Policing Bill, currently before Parliament. The Respect Order is a new civil behavioural order, to enable courts to ban adult offenders from engaging in specified activities relating to their anti-social behaviour (ASB). The Respect Order partially replaces the existing Civil Injunction, however, the Civil Injunction as it applies to under 18-year-olds, and housing related nuisance ASB, is intended to be retained without change, but renamed the "youth injunction" and "housing injunction" respectively. Unlike the current Civil Injunction, breach of a Respect Order will be a criminal offence, meaning suspected breaches can be enforced immediately rather than having to be proved in court. Breaches will be heard in the magistrates' court, which enables a wider range of sentencing options (community sentences, as well as fines and custodial sentences).

22. It was **NOTED** that:

- the Home Office (lead government department) and the sub-committee (comprising HHJ Emma Kelly and Elisabetta Sciallis) have met. The Home Office are considering the sub-committee's feedback on the suggested wording to both a revised Part 65 and draft PD. Implications for court forms (possible creation of a new court form, similar to the N16A (injunction application)) are also being considered.
- the aim is for draft amendments to be tabled at the next meeting, subject to Ministerial decision. However, there remains a strong political imperative to meet the October 2026 common-commencement in-force date. This is ambitious, because it necessitates final approval at the June 2026 meeting.

23. It was **FURTHER NOTED** that Part 51 specifically provides for the introduction and operation of pilot schemes to assess the use of new practices and procedures in connection with proceedings. This enables greater flexibility to update/amend procedures as they develop in practice, on timescales outside the mainstream twice-yearly common-commencement dates. The scope of Pilot PDs can vary and either operate in specific areas or nationally.
24. **Actions:** (i) Secretariat to provisionally allocate time at the 27th March 2026 meeting (ii) MoJ to relay the merits of a Part 51 pilot PD to the Home Office for consideration, if not already done so.

Item 5 Lacuna Sub-Committee (LSC) CPR(25)08

25. This item comprises the following two topics:

26. **Listing of Cost Management Conferences (LSC2026/2):** Master Dagnall presented the matter, which proposed reform of CPR 3.16 (costs management conferences) on the basis that it currently provides for costs management conferences to be conducted by telephone or in writing. This is viewed as unduly restrictive, outdated, and inconsistent with current judicial practice. A discussion followed.

27. It was **NOTED** that the Senior Master has been consulted and is content with the removal of CPR 3.16(2) "Where practicable, costs management conferences should be conducted by telephone or in writing". The Senior Master also raised whether CPR 3.16(1) might also be removed.

28. The LSC has considered this point and agrees that there seems to be little (if any) other reference to "costs management conference" in the CPR and if it is desirable to retain the expression, CPR 3.16(1) or a variation could be relocated to the definitions section in CPR 2.3(1).

29. It was **RESOLVED** to:

- **DELETE** CPR 3.16(2) because it is unduly restrictive, outdated, and inconsistent with current practice. No further consultation is required.
- **LEAVE** CPR 3.16(1) in situ, because there is an interaction currently with the costs budgeting pilot PDs and a risk of unintended consequences. If it was agreed in principle to delete sub-rule (1), consultation would likely be required.

30. **Action:** Drafting Lawyers and Secretariat to incorporate the deletion of CPR 3.16(2) into the next mainstream CPR update cycle, as part of the October 2026 common-commencement date.

31. **Use of the English Language in proceedings (LSC2026/3):** District Judge Clarke presented the matter. It was raised by District Judge Etherington who was considering a case which had been submitted via the Damages Claims portal which was not in English or Welsh. This had highlighting that currently there is no rule expressly requiring English to be used as the default language of civil court proceedings (subject to the Welsh exception where Welsh is used in accordance with the Welsh Language Act 1993), although it is implied. A discussion followed, which demonstrated a potentially wider context to this, including some points of principle. If it was to be considered further, the matter would necessitate policy – and Ministerial – consideration, consultation and

discussion with other jurisdictional rule committees. The scale of the issues was also unclear, but anecdotally, it did not appear to be a significant issue in practice.

32. It was **RESOLVED** to:

- **NOTE** the report with thanks, and that HMCTS are aware and are considering any enhancements to the digital service in consequence;
- **REFER** the matter to MoJ policy. If the matter required further CPRC consideration, MoJ will revert.

33. **Actions:** The Secretariat to liaise with HMCTS and MoJ policy.

Item 6 Future business: strategy planning

34. The Chair provided some introductory remarks. The CPRC's standing strategy provides the framework for committee business. Day to day, the Secretariat, in liaison with the Chair, manages the supporting business programme schedule, which is reviewed and updated monthly in consultation with lead officials from across government and periodic reviews with the Civil Justice Council Secretariat. The programme schedule contributes to building the agenda for each meeting.

35. When a new Chair is appointed, it is timely to hold a roundtable discussion for members to contribute ideas for future business. This last took place in February 2021, when Lord Justice Birss was Chair. The most significant outcomes then were focused on alternative dispute resolution (ADR) and the establishment of the Section 2(7) Sub-Committee which conducted the simplification project led by Mr Justice Kerr. This was the most comprehensive review of the CPR's main generic parts (Parts 1 – 30) since their inception. The project came to a natural conclusion last year with the review of Part 25 and developments with the OPRC. It also refreshed the committee's ongoing simplification principles which are now applied as business as usual.

36. The discussion which followed, raised several topics, covering, wide-ranging subjects to small, but important points.

37. It was **RESOLVED, in principle**, to:

- **ESTABLISH** a Standing Committee on Artificial Intelligence. Its core remit would be twofold: first, to keep the CPR under review in light of the rapidly evolving use of AI in litigation; and second, to explore how AI tools might assist the committee's own work. This links with potential future business expected to flow from the Civil Justice Council's work in this area (see item 7 below). Potentially there is also an overlap with the Law Commission's review of the law on contempt. Ben Roe to lead, with Elisabetta Sciallis, Campbell Forsyth and His Honour Judge James. Involvement with Government (policy and legal) is also envisaged.
- **ESTABLISH** a Sub-Committee and **PROGRAMME** in a review of Part 51 (Pilot Schemes) to consider a new approach/committee guidance for officials considering proposing a CPR pilot and provide more structure and clarity over the numbering conventions and how they are presented online. A guide could also benefit everyone and set out what defines a pilot, how it should run, be evaluated/by whom etc and clarity on the process for regularly reviewing pilots. Master Sullivan to discuss a draft terms of reference with the Secretariat. Pepperall J may also assist.

- **PROGRAMME** in a review Part 75 (Traffic Enforcement) once the initial suite of amendments (see item 2 above) has been settled and in-force. Thereafter, a more comprehensive review can be considered in slower time.
 - **CONSIDER** opportunities for wider work and collaboration/engagement as there was a keenness to work across jurisdictions wherever appropriate and this includes with NI and Scotland (where Campbell Forsyth had recently litigated and informally liaised with the Scottish CJC).
 - **SCOPE** possible work related to Mass/Group Actions. This may provide the opportunity to encompass existing work strands, previously paused due to other priorities. However, this should wait until the Court of Appeal judgment in *Angel & Others -v- Blackhorse Ltd* is known.
38. It was **NOTED** that a new standing committee on transitional provisions (as raised by Mr Justice Pepperall at the last meeting) was established (paras 31 – 37 on the 6th February 2026 minutes refer). Whilst this is being approached as a separate piece of work, it nonetheless, supports and enhances the work of the simplification sub-committee, which is also designated a standing committee.
39. It was **FURTHER NOTED** that:
- The CJC's recent strategy planning event highlighted potential future work on:
 - County Court Track Limits. This is likely to be a potentially large project for the CPRC, albeit not imminent.
 - Mediation and ADR. This also interrelates with the Online Procedure Rule Committee's role concerning pre-action rules and as such, although important, the CPRC would pause pursuing any new work of its own, on this, at present.
 - Some appetite exists to consider disclosure rules further, but this should not be included in the ensuing business programme at present and subject to discussion with the MR.
40. **Actions:** (i) Secretariat to (a) update the programme planner (b) discuss draft terms of reference for newly established sub-committees with lead members and the Chair (c) Secretariat to discuss timing, prioritisation and any other related issues with the Chair (ii) Ben Roe to have preliminary discussions with fellow sub-committee members to develop an outline work plan for consideration by the Chair and MR.

Item 7 Any Other Business

41. The following items of potential future business were **NOTED**:
42. **Transparency and Open Justice Board:** Mr Justice Nicklin (Chair of the Open Justice and Transparency Board) will attend the next meeting to introduce the Board's work plan to implement the Board's Key Objectives. **Action:** Secretariat.
43. **Remedies relating to ownership of chattels:** The Chancellor of the High Court has highlighted an article by Andrew Tettenborn at 2025 4 377 in *The Conveyancer and Property Lawyer*, which may merit consideration. The journal is a subscription-only periodical, published by Sweet & Maxwell. It does not appear to be publicly available

online. It was **RESOLVED** to refer the matter to the Lacuna Sub-Committee in the first instance. **Action:** DJ Clarke to consider.

44. **Court of Appeal judgment in Attersley v UK Insurance, Neutral Citation Number: [2026] EWCA Civ 217:** This matter has been referred by **Lord Justice Miles as the judgment** raises certain questions arising from the interplay of Part 36 and Part 45 in ex-Road Traffic Act Protocol cases, which may require consideration. It was **RESOLVED** to refer the matter to the Lacuna Sub-Committee in the first instance. **Action:** DJ Clarke to consider.
45. The following items of other business were also raised by the Chair and **NOTED:**
46. **Annual Open Meeting in May 2026:** Final plans are taking place to hold the annual open, public, meeting in Birmingham. This will be the first time the meeting has taken place outside London. **THANKS** were expressed to all concerned. The meeting will be conducted in a hybrid format. The public advert will be published in the next week or so inviting expressions of interest to attend (whether online or in person) and to submit any questions in advance, as per normal. The Chair is keen to conduct an engagement event with students and young people in the afternoon. Several members will be available to support this. **Action:** Secretariat.
47. **Annual Report:** The annual report summarises the committee's work, consultations, terms of reference, membership and other information, including the CPR updates made during the 2024-2025 reporting period. It is due to be published imminently, along with a Welsh language version. **Post Meeting Note:** [The Civil Procedure Rule Committee Annual Report can be read here.](#)
48. **Civil Justice Council (CJC) Consultation on the Use of AI for preparing court documents:** The interim report and consultation has been published. The consultation closes on 14th April 2026. Consultation questions can be found on the [CJC's webpage](#). Not all questions need to be answered if only some are of interest or relevance. Answers should be submitted to: CJC.AI.consultation@judiciary.uk.

C B POOLE
March 2026

Attendees:

Carl Poole, Committee Secretary
Kate Aujla, Deputy Committee Secretary & Policy Adviser
Andy Caton, Judicial Office
Ravi Patel, Judicial Office
Amrita Dhaliwal, Ministry of Justice (MoJ)
Andrew Currans, Government Legal Department (MoJ)
Katie Fowkes, Government Legal Department (MoJ)
Faye Whates, HM Courts & Tribunals Service (HMCTS)
John Cuss, Civil Justice Council link member (observer)
Samantha Toyn, MoJ (Item 2)
Tessa Wearing, MoJ (Item 2)
Cassie Shingles-Madgen, HMCTS (Item 2)
Rebecca Heywood, MoJ (Item 3)
Joe White, Government Legal Department (MoJ) (Item 3)
Nick Lee, Judicial Office (Item 3)
Master Dagnall (Item 5)