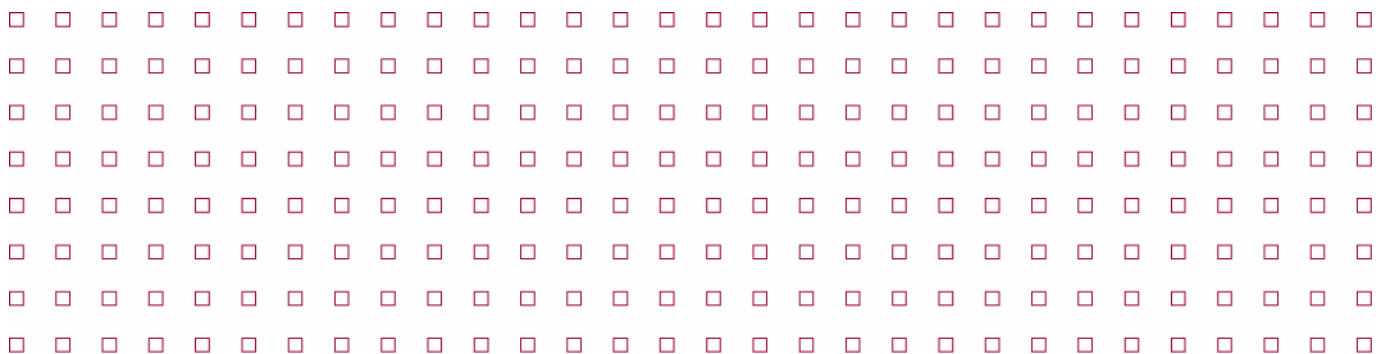




Civil Procedure Rule Committee

Freedom of Information Publication Scheme

December 2007





Ministry of
JUSTICE

Civil Procedure Rule Committee

Freedom of Information Publication Scheme

**This information is also available on the Ministry of Justice website:
www.justice.gov.uk**

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Part 1: Introduction

Role of the Civil Procedure Rule Committee

The Civil Procedure Rule Committee is an Advisory Non-Departmental Public Body, established under the Civil Procedure Act 1997 which paved the way for the most extensive reforms in the civil justice system for over a century.

The function of the Committee is to make:

rules of court (to be called “Civil Procedure Rules”) governing the practice and procedure to be followed in –

- a) the civil division of the Court of Appeal,
- b) the High Court, and
- c) county courts.

Schedule 1 to the 1997 Act makes further provisions about the extent of the power to make Civil Procedure Rules.

Section 2 of the 1997 Act provides:

- the statutory composition of the Committee;
- a requirement that the Lord Chancellor consult before making certain appointments;
- arrangements for the reimbursement of Committee members’ expenses;
- the terms under which the Committee operates; and
- a requirement that a specified proportion of the Committee sign rules before they are submitted to the Lord Chancellor.

Freedom of Information Act 2000: Introduction

The Freedom of Information (FOI) Act 2000¹ (the Act) received Royal Assent on 30 November 2000. It establishes a **general right of access to all types of recorded information held by public authorities**, sets out limitations to that right and places a number of obligations on public authorities. The Act applies to a large number of public authorities, including Non-departmental Public Bodies. Under the act, you are entitled, on making a request for information to this Non-departmental Public Body (unless the information falls under one of the specific exemptions in the Act):

- a) to be informed in writing by the Committee whether it holds information of the description specified in your request, and
- b) if that is the case, to have that information communicated to you.

The Act provides for a time limit for dealing with a request for information – that is, within 20 working days. The Act also provides for an appeal mechanism whereby you may apply to the Information Commissioner for a decision as to whether a specified request was dealt with in accordance with the Act.

A fee may be charged for processing Freedom of Information requests. The fee will be prescribed by secondary legislation. Most requests will be free.

Publication Scheme: Introduction

Under the Act all public authorities are obliged to adopt and maintain a Publication Scheme specifying:

- classes of information which they publish or intend to publish;
- the manner in which the information is or is intended to be published; and
- whether the material is or is intended to be made available to the public free of charge or on payment.

The purpose of the Publication Scheme is to ensure that information is readily available to members of the public, i.e. without the need for specific consideration under the Act, and to inform the public of the extent of material that is available.

It is for this reason that the information is available on the Civil Procedure Rule Committee's website, may be purchased from Her Majesty's Stationery Office (HMSO), may be obtained from a public library or will be supplied immediately on receipt of a letter or telephone call to the person specified in the publication scheme.

¹ Copies of the Act are obtainable, for a charge, from the Stationery Office. A copy of the Act is also available via OPSI website at <http://www.opsi.gov.uk/> or the Statute Law Database at <http://www.statutelaw.gov.uk/>.

Part 2 below sets out the **classes** of information that the Civil Procedure Rule Committee publishes or intends to publish

Responsibility for the Publication Scheme

The Head of the Rule Committees Secretariat, Daniel Webb, has overall responsibility for the Civil Procedure Rule Committee's Publication Scheme.

The person responsible for maintaining the Publication Scheme on a daily basis is:

Judith Evers
Her Majesty's Courts Service
5th Floor, Selborne House
54 Victoria Street
London SW1E 6QW
judith.evers@hmcourts-service.gsi.gov.uk

Publication Scheme: Contacting the Civil Procedure Rule Committee

If you wish to obtain a hard copy of any of the publications contained within the scheme, please contact Judith Evers as set out above.

Charging for Publications

Single copies of all publications in this scheme are provided free of charge. Requests for multiple copies may accrue a printing or copying charge, depending on the number, type and quantity.

Copyright

The Civil Procedure Rule Committee retains copyright (and database rights, where applicable) in all the material in this Scheme except where individual material shows otherwise e.g. where it is shown as Crown Copyright.

Material in this Scheme in which the Civil Procedure Rule Committee has copyright or database rights may be copied and reproduced without formal permission, provided:

- a) it is copied or reproduced accurately and is not used in a misleading context;
- b) where the material is being copied or reproduced for others, the source of the material is identified and the copyright status acknowledged; and
- c) the copying or reproduction is not for financial benefit.

For material in which copyright or database rights are retained by other organisations formal permission is required before this is copied or reproduced.

Requests for information under the Environmental Information Regulations

If you wish to make a request for information under the Environmental Information Regulations (EIR), please write to:

Judith Evers
Her Majesty's Courts Service
5th Floor, Selborne House
54 Victoria Street
London SW1E 6QW

judith.evers@hmcourts-service.gsi.gov.uk

Comments and complaints about the Publication Scheme

If you have any comments about our Publication Scheme or if you think information has not been supplied in accordance with this scheme then you should write, in the first instance, to:

Daniel Webb
Head of Secretariat Team
Her Majesty's Courts Service
5th Floor, Selborne House
54 Victoria Street
London SW1E 6QW

daniel.webb@hmcourts-service.gsi.gov.uk

If, after the investigation of your complaint, you remain dissatisfied then you may ask for the matter to be reviewed internally. If you are still dissatisfied then you may refer your complaint to the Information Commissioner.

It is intended to deal with the investigation of complaints within twenty working days and to complete internal reviews also within twenty working days.

Review of the Publication Scheme

The Publication Scheme is next due for annual review in October 2008.

Part 2: Classes of Information

The publication scheme is a complete guide to the information routinely published by the Civil Procedure Rule Committee. It is not a list of the actual publications, since this will change as other things are published but rather it is a description of the classes or types of information published.

Information that falls into the classes below will be retained in line with National Archives guidance.

Class: Freedom of Information Scheme
Definition: Scheme detailing documents regularly published by the committee
Format available: Hard copy, web format
Links: Available on Ministry of Justice/DCA website at <http://www.justice.gov.uk/about/civil-proc-rule-committee.htm>

Class: Annual Report
Definition: Annual report on the committee's activities.
Format available: Hard copy, web format
Links: Available on Ministry of Justice/DCA website at <http://www.justice.gov.uk/about/civil-proc-rule-committee.htm>

Class: Code of Practice
Definition: List of values and standards to be upheld in public life
Format available: Hard copy, MS Word File

Class: Terms of reference
Definition: A document setting out the committee's terms of reference
Format available: Hard copy, web format
Links: Available on Ministry of Justice/DCA website at <http://www.justice.gov.uk/about/civil-proc-rule-committee.htm>

Class: List of members
Format available: Hard copy, web format
Links: Available on Ministry of Justice/DCA website at <http://www.justice.gov.uk/about/civil-proc-rule-committee.htm>

Class: Register of members' interests
Definition: As defined by Cabinet Office guidelines
Format available: Hard copy, MS Word document format

Class: Minutes of CPRC meetings and associated papers for the period of two years prior to the request².
Notes: Papers provided by third parties may be excluded from publication.
Older minutes and papers may only be available in hard copy format.
Format available: Hard copy, MS Word document format

Class: Rules made from 1997 onwards
Definition: Amendments or additions to the Civil Procedure Rules.
Format available: Web format
Links: Available on OPSI website at <http://www.opsi.gov.uk/> and the Civil Procedure Rules website http://www.justice.gov.uk/civil/procrules_fin/stat_instr.htm

² Minutes and papers which were produced or considered by the committee outside this period may be available, but should be requested under the standard provisions of the Act.

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Alternative format versions of this report are available on request from Judith Evers
(020 7210 8252, judith.evers@hmcourts-service.gsi.gov.uk).