



Anonymisation and Publication of Judgments Sub-group: minutes

Date 27 February 2024: 4.30pm – 5.30pm (via MS Teams)
Author: PFD Office
Attendees: HHJ Madeleine Reardon, HHJ Adem Muzaffer, Jack Harrison, Jack Cordery, Femi Ogunlende Julie Doughty, Helen Lincoln, MoJ Policy, Judicial Office's Private Office, Lucy Reed KC, Clare Walsh and Andrew Wood JP

Apologies: Charles Hale KC, Natalie Byrom and Jennifer Gibbon-Lynch

1. Minutes of the meeting on 5 December 2024

1.1 The minutes were approved.

2. Draft publication guidance

2.1 There was a discussion regarding whether the draft guidance should be published now, or whether the group should wait for establishment of an anonymisation unit pilot. The unanimous view was that publication should go ahead as there was a need for clarity on this topic. It was suggested that the President of the Family Division could be approached about writing an introduction to the guidance which could also include information on the ongoing attempts to secure funding for an anonymisation unit.

Action: HHJ Madeleine Reardon to contact the President of the Family Division regarding the publication of the Publication of Judgments Guidance

3. Rubrics

3.1 HHJ Madeleine Reardon explained what rubrics were, i.e. the section, at the beginning of judgments, which set out the basis on which publication was allowed.

3.2 There was a working group, headed by Lord Justice Fulford, which was looking at judgment publication generally, including creating a judgment template with drop-down boxes, for different courts, and drop-down rubrics. Family Division Judges were also drafting a set of rubrics for use in different categories of family cases.



President of the Family Division

- 3.3 There was a discussion about whether transcribers should leave a blank space for judges to insert the appropriate rubric, or whether transcribers should insert the standard rubric themselves (which would then be checked by the judge prior to publication).

Action: HHJ Madeleine Reardon to write to transcribers and seek their views on the suggestions which are set out in Para. 3.3 (above).

Action: HHJ Madeleine Reardon to ask the President of the Family Division to make reference to the fact that there could be amendments to the guidance's suggested rubric, i.e. in his accompanying note to the guidance.

4. The National Archives (TNA)

- 4.1 The National Archives had sent the group some questions for consideration. HHJ Madeleine Reardon had drafted a response, on behalf of the group, following the discussion which took place during the last meeting.
- 4.2 HHJ Madeleine Reardon encouraged group members to take part in TNA's ongoing *Find Case Law* service's survey on the family court.

Action: Group members to send HHJ Madeleine Reardon their comments on the draft response to TNA's questions (by 1 March).

5. Data Protection

- 5.1 It was decided that the group would write to the Judicial Data Protection Panel and alert them to the fact that the possibility of data breaches, in published judgments, had arisen within the group's work. The letter would explain that the guidance would refer judges (who had concerns about data breaches) to the Judicial Data Protection Handbook's guidance and contact e-mail address (if this was publicly available).

Action: HHJ Madeleine Reardon to write to the Judicial Data Protection Panel as set out in Para. 5.1 (above).

6. Funding Update

- 6.1 Discussions with the MoJ were ongoing. An AI-based solution was not, currently, a possibility.

7. CJ and DJ publication rate

- 7.1 Since June 2023, the number of published judgments had increased from approximately six per month to approximately 10 per month; it was thought that this was probably due to an increase in general awareness about transparency.



President of the Family Division

8. Any other Business

- 8.1 HHJ Madeleine Reardon would e-mail the group to update them on the progress of the matters which were discussed during the course of the meeting.