



## ANNOUNCEMENTS

### Increasing public awareness

- There was an article by our Chairman in the March edition of "Counsel" magazine on "Making a Better Society". Sir Terence writes about the ways in which our work "affects the lives of an astonishing number of people".
- Sir Terence's latest stakeholder interview with ePolitix appeared on 19 March. <http://www.epolitix.com/EN/ForumInterviews/>
- An article by Kenneth Parker on public remedies is due to appear in the April edition of "Counsel".

### Online discussion forum

For the first time, we are using the internet to engage the public in telling us what they think our priorities for law reform should be. Until 30 March, we are running a public web discussion forum at <http://forum.lawcom.gov.uk>.

The responses we receive will help us to decide the projects we will present to the Lord Chancellor for our next programme of work, which is due to begin in April 2008.

### A new project

On 9 March, the Government asked us to consider the options for further reform of the law of bribery. Our previous work on this subject was in 1998. Our new review will take into account the issues and views that subsequently emerged, and will consider the full range of structural options for a scheme of bribery offences. <http://www.lawcom.gov.uk/bribery.htm>

## EXTERNAL RELATIONS

We regularly meet a wide range of individuals, including Government ministers, and judicial and other visitors from overseas. The Chairman and the Chief Executive, and in some cases one of our Commissioners, are normally involved. During the past three months, we have met:

- Baroness Ashton (DCA)
- Vera Baird QC, MP (DCA)
- Baroness Scotland (Home Office)
- Ed Balls MP (Economic Secretary, Treasury)
- Ian McCartney MP (Trade and Industry)
- Judge Narin Ferdi Sefik (North Cyprus)
- The Hon Mr Kimiposa (Minister of Justice, Papua New Guinea)
- Dr Lakshman Marasinghe (Chairman, Law Commission of Sri Lanka)

During March, we hosted a group of overseas visitors who were taking part in the Chevening Fellowship Programme. Also, Hugh Beale attended a conference on contract law organised by the European Commission in his capacity as a member of the Joint Network of Excellence.

## PROJECTS UPDATE

The "What's New" section and the "A-Z of Projects" on our website <http://www.lawcom.gov.uk> will keep you-up-to-date with all the latest developments.

### Codification of the Criminal Law

We are revisiting Part 1 of the draft Criminal Code that we published in 1989. By around the middle of the year, we hope to publish consultation papers on 3 topics:

- intoxication
- attempt
- conspiracy.

### Remedies against Public Bodies

On 10 October 2006, we published a scoping report. This project is concerned with remedies against public bodies both in public law and in tort. The scoping paper sets out the basis on which we will proceed with the substantive project. We expect to publish a consultation paper in autumn 2007.

The scoping report is available on our website at [http://www.lawcom.gov.uk/docs/remedies\\_scoping\\_report.pdf](http://www.lawcom.gov.uk/docs/remedies_scoping_report.pdf).

### Assisting and Encouraging Crime

Following the publication of our short report in July 2006 (covering inchoate liability for encouraging or assisting the commission of an offence), we plan to publish in May our recommendations on secondary liability in a second report (on participating in crime). This report will be available on our website at [http://www.lawcom.gov.uk/docs/participating\\_crime.pdf](http://www.lawcom.gov.uk/docs/participating_crime.pdf).

### Judicial Review of Decisions of the Crown Court Service

We distributed a discussion paper in July 2005. In this we invited comments on a number of issues relevant to resolving the problems experienced in interpreting the exclusionary words "relating to trial on indictment" in the Supreme Court Act 1981, section 29(3). We hope to publish a consultation paper in May/June.

### **Cohabitation**

We published a consultation paper – “Cohabitation: the Financial Consequences of Relationship Breakdown” – in May 2006. This paper and the media coverage it received prompted a large number of responses from a wide range of individuals and organisations. We have completed our analysis of these responses and are well advanced in drafting a report with our recommendations. This is on course to be published before the end of August 2007.

### **Housing Dispute Resolution**

We published an issues paper in April 2006, setting out the values which should underpin a proportionate dispute resolution system in housing and which the current system lacks. We are currently considering the best way to take the project forward in the light of the responses.

### **Easements and Covenants**

Work continues on our examination of easements and covenants. We are grateful to the Chancery Bar Association for organising a workshop on 28 March to discuss the practical problems caused by various aspects of the current law.

We intend to publish a consultation paper on the general law of easements and covenants towards the end of the year. This paper will address the characteristics of such rights, how they are created, how they come to an end and how they can be modified.

### **Insurance Contract Law**

Insurance contract law has been criticised as outdated and unduly harsh to policyholders. Where the law gives rise to problems, consumers and small businesses can refer disputes to the Financial Ombudsman Service. In our view, this should not be regarded as a substitute for law reform, and in any case medium and large businesses do not have recourse to Ombudsmen.

We published an Issues Paper on Intermediaries and Pre-Contract Information in March. This paper and the previous two issues papers are available on our website at

[http://www.lawcom.gov.uk/insurance\\_contract.htm](http://www.lawcom.gov.uk/insurance_contract.htm).

We hope to publish a consultation paper, jointly with the Scottish Law Commission, in Summer 2007.

### **Indirectly Held (Intermediated) Investment Securities**

We published three seminar papers during Summer 2006, each followed by a public seminar to discuss a variety of legal and policy issues affecting the ownership, transfer and pledge of indirectly held investment securities.

The project is currently focused upon a review of the UNIDROIT Convention on Intermediated Securities. In October 2006 we published our interim advice to HM Treasury on the draft Convention.

We aim to publish a final advice on the UNIDROIT Convention in the first half of 2007. The seminar papers, the advice to HM Treasury and other background material are available on our website at

[http://www.lawcom.gov.uk/investment\\_securities.htm](http://www.lawcom.gov.uk/investment_securities.htm).

### **Ensuring Responsible Renting**

This project takes a broad approach to the question of how the private rented sector can be appropriately regulated, with the aim of ensuring that landlords and tenants adhere to their obligations. We held a stimulating seminar in March 2006, at which we sought to apply the academic learning on regulation to this particular market. We hope to publish a consultation paper in May.

### **Statute Law Reform**

We continue to assemble material for inclusion in our next draft Statute Law (Repeals) Bill, which we hope to publish with a report at the end of the year, or early in 2008. We have completed consultations on repeals relating to: police, armed forces, county gaols, the former East India Company, turnpikes, and tax and duties. In May we will complete our consultation on Acts relating to London. We hope to conclude further consultations, on local taxes and Indian railways, in time for inclusion in the final report.

### **Consolidation**

We are currently working on consolidations of the law relating to charities, private pensions and the Health Service Commissioner for England.

### **We welcome comments and suggestions on this newsletter.**

#### **You can contact us at:**

[communications@lawcommission.gsi.gov.uk](mailto:communications@lawcommission.gsi.gov.uk).

### **March 2007**