



### LATEST NEWS

#### Cohabitation

On 31 July, following extensive consultation, we published our recommendations on “cohabitation: the financial consequences of relationship breakdown”.

On the day of publication, we held a press launch led by the Chairman and Stuart Bridge. In addition, Stuart has given several interviews. The report has received extensive media coverage.

The report and an executive summary are available on our website at <http://www.lawcom.gov.uk/cohabitation.htm>.

#### Serious Crime Bill

The recommendations in our July 2006 report on inchoate liability for assisting and encouraging crime are contained in the Serious Crime Bill currently before Parliament.

#### Tenth Programme

Following extensive consultation, we are continuing to consider the projects for inclusion in our next programme. This is with a view to finalising our proposals in December for agreement by the Lord Chancellor and the Ministerial Committee early in 2008.

The tenth programme is scheduled to begin on 1 April 2008.

### 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:

- Rt Hon Lord Falconer of Thoroton (while still Lord Chancellor).
- Paddy Tipping MP (while still Deputy Leader of the House of Commons).
- Dr Tony Wright MP, Chair of the Public Administration Select Committee.
- Rt Hon Alan Williams MP, Chair of the Liaison Committee.
- Rt Hon Alan Beith MP, Chair of the Constitutional Affairs Committee.
- Lord Holme of Cheltenham, Chair of the Constitution Committee (House of Lords).
- Lord Lester of Herne Hill QC, Member of Joint Committee on Human Rights.
- Peter Hennessy, Executive Director, New South Wales Law Reform Commission.

In April, we had a ministerial visit by the then Parliamentary Under Secretary at DCA, Vera Baird MP, QC.

We have received several groups of lawyers from overseas, who have come to discuss areas of mutual interest and to share best practice.

- In June, we received visitors from the University of Wisconsin Oshkosh, from the Saginow Valley State University, and a group of draftsmen from Tanzania.
- In July, we received a delegation of lawyers from China, who were particularly interested in our project on bribery and corruption.

In May, we went to Edinburgh for one of our regular meetings with our sister body, the Scottish Law Commission.

In July, the Chairman and the Chief Executive visited the Irish Law Reform Commission for the annual meeting of the Chairmen or Presidents and Chief Executives of the four law reform bodies of the British Isles.

Also in July, the Chairman and the Chief Executive addressed the Law Reform Board of the Law Society.

### 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, in particular the following topics:

- conspiracy and attempts – we expect to publish a consultation paper in October;
- intoxication – we hope to publish a report and draft Bill early in 2008.

#### Bribery

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.

We expect to publish a consultation paper in November.

Further information is available on our website at <http://www.lawcom.gov.uk/bribery.htm>.

### **Assisting and Encouraging Crime**

Following the publication of our first report in July 2006 (covering inchoate liability for encouraging or assisting the commission of an offence), we published our recommendations on secondary liability in a second report (on participating in crime) on 10 May.

This report is available on our website at [http://www.lawcom.gov.uk/docs/participating\\_crime.pdf](http://www.lawcom.gov.uk/docs/participating_crime.pdf).

### **The High Court's jurisdiction in relation to criminal proceedings**

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 expect to publish a consultation paper in October.

Further information is available on our website at [http://www.lawcom.gov.uk/judicial\\_review.htm](http://www.lawcom.gov.uk/judicial_review.htm).

### **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).

### **Housing Dispute Resolution**

On 29 June 2007 we published a consultation paper on Housing: Proportionate Dispute Resolution – the Role of Tribunals. The main issue in the paper is whether a specialist tribunal should be established to resolve housing disputes.

We are inviting comments until 28 September.

The consultation paper is available on our website at [http://www.lawcom.gov.uk/housing\\_disputes.htm](http://www.lawcom.gov.uk/housing_disputes.htm).

### **Easements and Covenants**

Work continues on our examination of easements and covenants.

We hope to publish a consultation paper on the general law of easements and covenants by the end of the year or early in 2008. 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.

Further information is available on our website at <http://lawcom.gov.uk/easements.htm>.

### **Insurance Contract Law**

We published our first joint consultation paper with the Scottish Law Commission on 17 July. It covers non-disclosure, misrepresentation and breach of warranty.

We are asking for responses by 17 November.

Copies of the consultation paper (380 pages) and a summary (19 pages) are available on our website at [http://www.lawcom.gov.uk/insurance\\_contract.htm](http://www.lawcom.gov.uk/insurance_contract.htm).

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

It is increasingly likely that the European Union will adopt the UNIDROIT's international Convention on Intermediated Securities, once the convention is finalised in early 2008. We have therefore focused on analysing the draft convention, and providing advice to the Government on the issues it raises.

In May 2007 we published an Updated Advice to HM Treasury on the UNIDROIT Convention. It is available, together with background materials and our seminar papers, on our website at [http://www.lawcom.gov.uk/investment\\_securities.htm](http://www.lawcom.gov.uk/investment_securities.htm).

### **Encouraging Responsible Letting**

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. On 13 July 2007 we published a consultation paper.

We are inviting comments until 12 October.

The consultation paper is available on our website at

[http://www.lawcom.gov.uk/housing\\_renting.htm](http://www.lawcom.gov.uk/housing_renting.htm).

### **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 early in 2008.

We have completed consultations on repeals relating to: police, armed forces, county gaols, the former East India Company, turnpikes, tax and duties, and London.

We hope to conclude further consultations on rating 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 are reviewing work so far done on a consolidation of the law relating to elections.

### **August 2007**

**We welcome your comments and suggestions on this newsletter:** [communications@lawcommission.gsi.gov.uk](mailto:communications@lawcommission.gsi.gov.uk).