

POLICE AND LAW ENFORCEMENT

The Law Commission has published a [consultation paper](#) that sets out provisional proposals for reform of the way that evidence is used in sexual offences prosecutions in England and Wales. The proposed reforms have three goals: improving understanding of consent and sexual harm by countering the effects of rape myths, improving the treatment of complainants, and ensuring that defendants receive a fair trial.

The consultation paper is necessarily detailed and covers a range of topics within the trial process. This document sets out the parts of the paper that may be of most relevance to **police and others working in law enforcement**. In addition to this, our [summary document](#) provides an introduction and overview of all of the topics we cover in the full consultation paper. We have also published a document that gives a very brief overview of our [key proposals](#) (and does not therefore cover all the areas we consider in the full consultation paper).

How to respond

We welcome responses to the questions posed in our consultation paper. The easiest way to do this is to access the consultation questions using our online form [here](#). You can navigate to the relevant sections to you, and answer any or all questions. You can also respond to our summary consultation [here](#). Alternatively, you can email us your answers at evidence.rasso@lawcommission.gov.uk

For details on how to respond anonymously or how to provide us with confidential information, please see page iii of the full consultation paper. Most relevant areas in the consultation paper.

As our review is concerned with the use of evidence in trials, we generally do not consider matters that arise at other stages of the criminal justice process. This means we have not specifically considered for example: the police investigation stage, charging decisions, or bail. However, there are some aspects of our review that directly impact the work of police and others in law enforcement, and others have an indirect impact. Below we set out the areas of the consultation paper we think will be of most relevance to you, with paragraph references and consultation question numbers for ease of reference.

Police requests for access to personal records held by third parties

See paras 3.146-3.219 and 3.247-3.261

Consultation Questions 7, 8, 9, 10, 11, 12, 13, 15, and 16

Complainants' access to independent legal advice in respect of police requests for personal records held by third parties and choice of measures to assist them give evidence

See paras 8.104-8.162 and 8.175-8.181.

Consultation Questions 66, 69, 70 and 74

Witness liaison and court familiarisation

See paras 7.60-7.76

Consultation Question 42

[Pre-recording of the complainant's evidence including the ABE interview](#)

See paras 7.110-7.140

Consultation Questions 47 and 48

[Guidance on the use of non-conviction bad character evidence](#)

See paras 5.39-5.72

Consultation Question 30

[Criminal Injuries Compensation claims](#)

See paras 6.28-6.55

Consultation Question 38