



**Law
Commission**
Reforming the law

Annual Report 2024-25

The Law Commission

Annual Report 2024-25

(Law Com No 418)

The Fifty Ninth Annual Report of the Law Commission

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Law Commission Annual Report 2024-25

The Law Commission was set up by section 1 of the Law Commissions Act 1965 for the purpose of promoting the reform of the law.

This annual report covers the period 1 April 2024 to 31 March 2025.

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Chair's introduction



To the Right Honourable Shabana Mahmood MP, Lord Chancellor and Secretary of State for Justice.

I am delighted to introduce the Law Commission's 59th Annual Report. Over the past twelve months, the Law Commission has been exceptionally busy and productive. We are currently engaged in 17 law reform projects, looking at areas such as Homicide, Wills, Disabled children's social care and Digital assets. The Law Commission delivers projects that result in a wide range of benefits, beyond just the immediate law reform: economic benefits; benefits to individuals; efficiency gains; technology driven growth; harm prevention; well-being improvement; rule of law and access to justice. Our hard work and success deserve to be acknowledged and only serve to emphasise why we are considered world leaders in law reform.

This year marks the Law Commission's 60th anniversary and it is an important milestone for us. Celebrations for this have already started, with a series of events planned over the course of the year, recognising all that has already been achieved by the Law Commission over the years, but also looking at what is to come in the future and how we can continue to thrive and grow over coming years.

Since last summer we have been working constructively with the new Government, and we are grateful to new Ministers and their officials, both in the Ministry of Justice and in other government departments, for their ongoing support for the work we are doing. We are in the process of finalising our 14th programme of law reform and are looking to commence work on a number of new projects in a wide variety of fields as soon as possible.

I am pleased to report that our international work has gone from strength to strength. We have pro-actively strengthened ties with jurisdictions that we had an existing relationship with, as well as seeking out new countries that are keen to learn about and better understand our law reform process. We have taken part in overseas visits to Singapore, Cyprus, Jersey, Canada, Namibia, South Africa and the United States of America, promoting the work of the Law Commission and the value and benefit of our law reforms.

The Law Commission's annual report is an essential way of providing information to Parliament on the work we are doing, and we place great importance on maintaining a strong relationship. I met with the new Chair of the Justice Committee, Andy Slaughter MP, shortly after he took up post and I am due to give evidence to that Committee in June of this year. I speak on behalf of the other Commissioners when I say that we really do value the opportunity to give evidence to parliamentary committees and see this as an important part of our role. We hope to find other opportunities to do this over the next year.

We have seen a period of change at the Law Commission. Professor Sarah Green stepped down from her position as Commissioner for Commercial and Common Law last autumn, and Professor Nick Hopkins will be leaving us this summer following ten years as the Commissioner for Property, Family and Trust Law. I would like to take this opportunity to thank them both for the

outstanding contributions that they made during their time at the Law Commission. We have been very lucky to welcome David Hertzell, a former Commissioner, back to the organisation to act as Senior Counsel to the Commercial and Common Law team whilst we await the outcome of the recent Commissioner recruitment campaign. We hope that announcements on the new appointments will be made soon. I would like to express my appreciation to Stephanie Hack for her leadership as Joint-CEO from April to July of this reporting period. We welcomed Roshnee Patel who took over from her as Joint-CEO in August 2024.

Finally, I would like to thank everyone who works at the Law Commission for their continued hard work and dedication to what we do. We are a small organisation that is in demand and exceptionally busy. Without the extraordinary work that is produced we would not be the success that we are. It has been a great pleasure to help lead the Law Commission over this period.

Sir Peter Fraser
Chair

Chief Executives' comment



We are pleased to introduce the 2024-25 Annual Report of the Law Commission. As an independent and impartial organisation of 60 years' standing, the Law Commission is deeply rooted in its purpose and commitment to delivering law reform to make the laws of England and Wales fair, simple, modern and cost effective. Our work to fulfil our statutory duty both generates significant economic gains (for example, efficiency gains) and has a range of other positive impacts, including promoting justice, the rule of law, citizen wellbeing and technology driven growth. Internal analysis carried out during this reporting period, looking at just four of our concluded projects in 2022 and 2023,¹ indicates that for every £1 invested in the Law Commission's running costs, £16 of financial and social return would be delivered if our recommendations were implemented in full.

A change in Government, as we saw in summer 2024, affects the context within which we operate and the ministers with whom we interact across Whitehall but, due to the independent and non-political way our projects are selected, we continue to deliver our 17 projects just as before. With the dissolution of Parliament immediately prior to the General Election, we were pleased that the Law Commission's Autonomous Vehicles Act 2024 and Leasehold and Freehold Reform Act 2024 (which implemented many of our recommendations)

were passed into legislation, and in the early days of the new Government the Law Commission's Arbitration Bill was reintroduced (receiving Royal Assent in February 2025) and the Property (Digital Assets etc) Bill was introduced using the Law Commission Special Parliamentary Procedure². This has therefore been another productive year for turning law reform into legislation.

Looking back over our 60 years, we have a history of undertaking projects and making recommendations that help businesses by modernising the law and removing unnecessary inefficiency. Currently, our project on cooperative and community benefit societies is looking at ways to simplify the legal landscape for the more than 7000 co-operatives in the UK, which have around 14 million members and contribute about £40 billion to the economy, and our work on commercial leases has the potential to provide huge efficiency savings to free up businesses to invest and grow. A key part of our duty in promoting good law reform is to offer thought leadership in national and international debates on complex and nuanced areas. Building on our experience of developing the law for emerging technologies, this year we have progressed projects on autonomy in aviation and digital assets and electronic trade documents in private international law, each of which will support growth in these sectors.

Law reform and simpler and easier to understand laws can also lead to direct and indirect improvements in public wellbeing, whether it's how people buy a home, care for a disabled child, bury or cremate a loved one, divide financial assets on divorce, or make a will. Taken with our wide-ranging criminal law projects, our projects touch these and many other aspects of human life, developing modern legal frameworks that are fit for purpose for the 21st century.

¹ Weddings (2022); Confiscation (2022); Electronic Trade Documents (2023); Surrogacy (2023).

² The Law Commission and Law Commission Bill Procedures - House of Commons Library

We are, however, vigilant for opportunities to be innovative and ensure we are delivering value for money for the taxpayer. This year we have begun to capture aggregated, anonymised data from those responding to our consultations to better understand who is engaging with us. We have also developed different ways of communicating our work to reach new audiences, for example an animation to support engagement with our disabled children's social care project³.

We are able to deliver our quality and considered outputs due to the staff within the organisation who are extremely committed, purpose-led and hard working as well as the expert assistance and engagement we enjoy from our wide stakeholder base. We extend our sincere thanks to all of the people and organisations who worked with the Commission during this reporting period. We also express our thanks to officials at the Ministry of Justice, who have supported the Commission's work.

Looking ahead to 2025/26, we are pleased to be publishing the Law Commission's business plan alongside this annual report, which sets out four new priorities for the organisation. There are important milestones on the horizon – the arrival of two new Law Commissioners and publication of our 14th programme of law reform, as well as a review of our funding model alongside the Comprehensive Spending Review process to ensure we have the resources necessary to continue to deliver world-leading law reform.

Finally, we would like to express our thanks and appreciation to Stephanie Hack for her leadership as Joint Chief Executive from April to July of this reporting period.

Joanna Otterburn and Roshnee Patel
Joint Chief Executives

3 Disabled Children's Social Care Consultation 2024 - Animation

Part One:

Who we are and what we do



The Law Commission

The Law Commission is headed by five Commissioners, all of whom are appointed by the Lord Chancellor. At 31 March 2025, the Law Commissioners were:

- Sir Peter Fraser,⁴ Chair.
- Professor Nicholas Hopkins,⁵ Property, Family and Trust Law.
- Professor Penney Lewis,⁶ Criminal Law.
- Professor Alison Young,⁷ Public Law and the Law in Wales.

The Commissioners are supported by the staff of the Law Commission. The staff are civil servants and are led by our two Joint Chief Executives Joanna Otterburn and Roshnee Patel. Over the period 2023-24, Stephanie Hack was the serving Joint Chief Executive with Joanna Otterburn until July 2024, with Roshnee Patel joining in August.

David Hertzell joined the Law Commission as Senior Counsel in September 2024 to provide support to the Commercial and Common Law team pending the appointment of a Commissioner to replace Professor Sarah Green.

The Law Commission was created by the Law Commissions Act 1965 for the purpose of reforming the law. It is a statutory advisory Non-Departmental Public Body, which is sponsored by the Ministry of Justice (MoJ).

The Law Commission's principal objective is to promote the reform of the law. We do this by reviewing areas of the law and making recommendations for change. We seek to ensure that the law is as simple, accessible, fair, modern and cost-effective as possible.

A number of specific types of reform are covered by the Law Commissions Act 1965:

- Simplification and modernisation of the law.
- Codification.
- Removal of anomalies.
- Repeal of obsolete and unnecessary enactments.
- Consolidation of legislation.

The progress we have made on our law reform projects between 1 April 2024 and 31 March 2025 is recorded in Part Two of this report.

Non-executive board members

The Law Commission's non-executive board members provide support, independent challenge and expertise to the Commission when it is meeting as a Board. The selection of projects and the content of Law Commission reports and consultation papers are, however, the responsibility of Commissioners.

We have in place three very experienced and knowledgeable non-executive board members, Dr Hannah White, Claire Bassett and Baroness Shaista Gohir.

⁴ Sir Peter Fraser joined the Commission on 1 December 2023.

⁵ Professor Nicholas Hopkins joined the Commission on 1 October 2015.

⁶ Professor Penney Lewis joined the Commission on 1 January 2020.

⁷ Professor Alison Young joined the Commission on 18 March 2024.

Our objectives

The Law Commission aspires:

- To be the authoritative voice on law reform.
- To make a difference through our law reform work.
- To be proactive in promoting the need for law reform in key areas and achieve “good law”.
- To have a strong reputation in the UK and abroad for being effective in the delivery of law reform.
- To attract the best talent and be an excellent place to work.

During the reporting period our key deliverables have been:

- Ensuring that the law is fair, modern and clear.
- Reviewing how we engage with stakeholders.
- Developing our future ways of working.
- Enhancing our approach to Diversity and Inclusion.

Our relationship with the Ministry of Justice

In July 2015, we agreed a Framework Document with the MoJ,⁸ which sets out the broad framework for the MoJ's sponsorship of the Commission and how the relationship between us and the MoJ should operate.

The current Framework Document outlines the responsibilities of the MoJ sponsorship team in relation to the Commission. The sponsorship team and ALB Centre of Expertise are our primary contacts within the MoJ. Its members act as advocates for us within MoJ and other departments and ensure that we are aware of MoJ's views and any relevant departmental policies.

The Framework Document makes it clear that, while the sponsorship team and ALB Centre of Expertise have a role in monitoring the Commission's activities, the MoJ has “no involvement in the exercise of the Commissioners' judgment in relation to the exercise of their functions”.

The frequency with which Ministers of the MoJ and other departments meet members of the Commission, and the scope of the Commission's relationship with Parliament are also set out in the Framework Document, albeit that, in recent times, these arrangements have tended to operate more flexibly. The Framework details the Lord Chancellor's statutory duties in relation to the Commission and the direct relationship we have with Parliament through, for example, maintaining contacts with Parliamentarians and committee chairs, and giving evidence in relation to our functions or projects.

14th Programme of law reform

In our 2021-22 Annual Report we outlined the initial steps that had been taken to prepare for the Commission's 14th programme of law reform. In February 2023 we announced on our website that we had extended the timetable for finalising the programme. We explained that we had taken this decision in view of the Government's focus on priorities for the remainder of the Parliament. Sir Nicholas Green reported at his appearance before the Justice Committee in October 2023 that the Commission would pick up discussion of a new work programme with Government after the general election. In the meantime, the Commission had been fully engaged on a range of projects, including new Ministerial references in areas suggested to us by consultees as candidates for inclusion in a new programme.

Discussions with Government departments about potential projects for the 14th Programme

⁸ Framework Document: Ministry of Justice and the Law Commission for England and Wales (2015) - **Microsoft Word - Law Commission_MoJ_Framework_2015.doc**

restarted after the general election. We have made good progress in a range of important areas and hope to put a draft programme to the Lord Chancellor in the coming months. In the meantime, we have continued to take on projects as Ministerial references. Our future work will therefore continue to be a mix of programme projects and references.

Measuring success

The implementation of our recommendations for reform is clearly an important indicator of the success of the Law Commission. This is covered in detail in Part Three of this report.

However, implementation does not fully demonstrate the breadth of our impact. In an effort to assess our impact and influence, we take note of instances when the Law Commission is cited in judgments or during business in the Houses of Parliament and Senedd Cymru. During the reporting period the Commission's name appears 197 times in Hansard, the official report of Parliamentary proceedings.

Our work is also widely quoted in academic journals and the media. Some were supportive, others not. This shows that we continue to engage the attention of people with an interest in the law and what can be achieved through its reform.

Impact assessments continue to be integral to our commitment to delivering value for money and evidence-based policy recommendations. They play a crucial role in highlighting costs and benefits that may otherwise be overlooked. Over the past year, our assessments have provided nuanced, well-evidenced recommendations that contribute to more equitable and effective policy outcomes. For example, in our recent work on improving disabled children's access to social care, we employed the wellbeing metric of WELLBYs to help capture often under-represented benefits arising from our policy proposals. This approach

enabled us to give appropriate weight to impacts that are not easily quantified in monetary terms, but which are nonetheless critical to understanding the full implications of law reform.

The Law Commission in Wales

When working on reform of areas of law that are devolved to the Senedd, the Law Commission is acting in a sense as the Law Commission of Wales. We have continued to support the Welsh Government in its implementation of our recommendations on planning law in Wales, in anticipation of a consolidation Bill being introduced in the current Senedd. We have also continued to engage with stakeholders in Wales, including by convening our Wales Advisory Committee and participating in the Legal Wales conference in October.

At Legal Wales, our Commissioner Professor Alison Young led a presentation about our current project on an agricultural law code for Wales, which was attended by members of the senior judiciary and leading lawyers in Wales. She also gave evidence, in January 2025, to the Senedd Climate Change Committee on the Disused Mine and Quarry Tips (Wales) Bill 2024 which implements recommendations in the Law Commission's report on Regulating Coal Tip Safety in Wales.

Part Two:

Review of our work in 2024-25



Commercial and Common Law

Commissioner: Professor Sarah Green

Project	Update	Date published	Page
Co-operative and community benefit societies	Consultation paper published	September 2024	page 10
Decentralised autonomous organisations (DAOs)	Scoping paper published	July 2024	page 11
Digital assets	Supplemental report and draft Bill published	July 2024	page 11
Digital assets and electronic trade documents in private international law	FAQ documents published	October 2024 and January 2025	page 12
Friendly societies	Consultation paper published	March 2025	page 12
Review of the Arbitration Act 1996	Arbitration Act 2025 received Royal Assent	February 2025	page 13

Cooperative and community benefit societies

Co-operatives and community benefit societies register under the Co-operative and Community Benefit Societies Act 2014. One of the review questions is how to define them. In broad terms, we think that these associations exist other than to reward financial investors. Co-operatives also tend to operate on the basis of one vote per member (rather than, as with most companies, one vote per share), whereas community benefit societies carry on for the benefit of the community or a section of the community. Co-operatives include retail co-operatives (like supermarkets), worker co-operatives, and producer co-operatives (especially agricultural producers). Community benefit societies range from local businesses (like a community pub), through green energy producers, to housing associations. The current

law is based on consolidated 19th century legislation and is in need of modernisation.

We published a consultation paper in September 2024. Our proposals for reform included:

1. New statutory definitions for co-operatives and for community benefit societies, and the regulation of charitable community benefit societies.
2. An overhaul of the law relating to society shares, with definitions of withdrawable and transferable shares, prescribed conditions for withdrawal and transfer, protections for class rights and when writing down shares, limits to interest payable on shares, as well as confirmation

that shares can be issued with varying rights and to non-user investors.

3. Society officers to be listed on the Mutuals Public Register, with statute to prescribe duties owed by officers.

The paper also discussed a long list of further potential reforms, reflecting the fact that parts of society law have not been systematically reviewed for over a century.

We received 241 consultation responses and are currently analysing the responses and preparing a final report.

The sponsoring department is HM Treasury.

Decentralised autonomous organisations (DAOs)

Decentralised autonomous organisations or “DAOs” are a new kind of internet-based collaborative organisation that coordinates people and resources using rules expressed in computer code. DAOs are part of what might be called the “crypto ecosystem”.

So-called DAOs control billions of dollars of assets. They have already been the subject of litigation in the US, and potentially expose participants to significant legal liabilities. And yet, beyond the very high-level description above, they are difficult to describe, practically or legally, largely because the term “DAO” does not refer to any one type of arrangement.

We were asked by Government to undertake a scoping study on DAOs, to explain how they might be regarded in law and identify options for future reform. We were not asked to make formal recommendations for law reform.

We published our scoping paper on DAOs on 11 July 2024. The paper focuses on the aspects of DAOs that are significant for policy and legal purposes. It is designed to be an introduction to the topic, rather than a comprehensive review

of the technical features of DAOs, or everything going on in the market, with all the intricacies of practice. It identifies some of the implications of different structures used by DAOs, and situations in which stakeholders involved with such arrangements may be exposed to risk, to raise awareness and encourage participants to consider their exposure.

This project was sponsored by the Department for Business and Trade (DBT) and is also of interest to HM Treasury.

Digital assets

Digital assets are used for an expanding variety of purposes – including as valuable things in themselves, as a means of payment, or to represent or be linked to other things or rights – and in growing volumes.

We published our final report on digital assets in June 2023. We concluded that certain types of digital assets – notably crypto-tokens – are capable of being things to which personal property rights can relate, even though they do not easily fit within the traditional categories of personal property and are better regarded as belonging to a separate category. We recommended legislation to confirm this.

We also recommended that Government create a panel of industry experts who can provide guidance on technical and legal issues relating to digital assets, and made recommendations for further work to provide market participants with legal tools that do not yet exist in England and Wales, such as new ways to take security over crypto-tokens and tokenised securities.

In February 2024, we consulted on draft legislation that would implement our “third category” recommendation above. We published our final recommendations for legislation in a supplemental report in January 2024.

A Bill reflecting these recommendations – the Property (Digital assets etc) Bill – was introduced into Parliament in September 2024 under the special parliamentary procedure for Law Commission bills. At the time of writing it is part-way through the parliamentary process. The Law Commission continues to assist the Ministry of Justice in the passage of the Bill through Parliament.

The sponsoring department is the Ministry of Justice.

Digital assets and electronic trade documents in private international law

In recent years, a significant aspect of the Law Commission’s work has focused on emerging technologies, including electronic trade documents, and digital assets such as crypto-tokens. These technologies often rely on distributed ledger technology, which uses a network of computers – potentially located all over the world – to record and store data.

These technologies raise issues of private international law. Private international law is engaged when the parties to a private law dispute are based in different countries, or where the facts and issues giving rise to the claim cross national boundaries. In these circumstances, questions arise as to which country’s courts the parties should litigate the dispute in, which country’s private law should be applied to resolve the claim, and how any resulting judgment can be enforced in other countries. Private international law supplies the rules used to determine these questions.

This project seeks to examine and clarify the legal framework in which questions of private international law arising from the use of emerging technologies will be resolved.

We published a call for evidence in February 2024, introducing the law in this area and asking stakeholders for input on the main challenges and priorities so that we can focus our future work appropriately. We have subsequently published two “FAQ” documents addressing some of the concerns and misunderstandings arising around private international law as relevant to electronic trade documents (October 2024) and digital assets (January 2025) respectively. We are currently working on a consultation paper which we hope to publish in the first half of 2025.

The sponsoring department is the Ministry of Justice.

Friendly societies

A friendly society is an organisation that provides insurance or other benefits to its members, funded by its members. In providing schemes of mutual support, friendly societies can serve an important commercial purpose, especially in terms of fostering economic corporate diversity and financial inclusion. Friendly societies, similar to co-operatives, subscribe to a mutual ownership model. This means they are owned by their members, and profits are reinvested amongst or for the benefit of the membership. Unlike in companies, there are no shareholders or outside investors.

Some friendly societies are regulated and authorised by the Prudential Regulation Authority, in addition to the Financial Conduct Authority, which acts as the conduct regulator and registrar for all friendly societies.

This project is reviewing the Friendly Societies Act 1974 (“1974 Act”) and the Friendly Societies Act 1992 (“1992 Act”). We have been asked to review these Acts to ensure that they are fitting to the nature and needs of friendly societies, and to ensure that the regulation is proportionate and predictably certain.

We started work on this project in March 2024. We published a consultation paper in March 2025. Many of our proposals are aimed at making the statutory regime more modern and efficient, in the form of technical updates. We also consider a range of other issues to support the growth of the sector, including:

1. Ways of accessing external capital.
2. Protection against demutualisation.
3. Creating a more efficient process for transfer of business engagements.

The sponsoring department is HM Treasury.

Review of the Arbitration Act 1996

The Arbitration Act 1996 sets out an enduring framework for arbitration which has helped to make the UK – and London in particular – a leading destination for commercial arbitrations. We undertook a review of the 1996 Act with a view to ensuring it is as clear, modern and efficient as possible. The aim is to maintain the attractiveness of England and Wales as a “destination” for dispute resolution and the pre-eminence of English law as a choice of law.

We published our final report in September 2023. We made recommendations on a range of matters including:

1. Introducing the capacity for arbitrators to dispose of issues that have no real prospect of success;
2. Codifying a duty on arbitrators to disclose potential conflicts of interest;
3. Strengthening arbitrator immunity;
4. Strengthening court orders in support of arbitral proceedings; and
5. Resolving difficulties over the law governing international arbitration agreements.

We published a draft Bill along with our final report. An Arbitration Bill, based very closely on that draft Bill, was introduced into Parliament in November 2023. The Bill fell due to the calling of the general election in 2024 but was reintroduced by the new Government (with some amendments) in July 2024. Law Commission staff assisted the Ministry of Justice in the passage of the Arbitration Bill through Parliament. The Arbitration Act 2025 received Royal Assent on 24 February 2025.

The sponsoring department was the Ministry of Justice.

Criminal Law

Commissioner: Professor Penney Lewis

Project	Update	Date published	Page
Contempt of court	Consultation paper published	July 2024	page 14
Criminal appeals	Consultation paper published	February 2025	page 15
Reviewing the law of homicide	Project announced	December 2024	page 16
Defences for victims of domestic abuse who kill their abusers	Background paper published	December 2024	page 16
Evidence in sexual offences prosecutions	Consultation paper published	May 2023	page 17

Contempt of court

“Contempt of court” refers to a wide variety of conduct that may impede or interfere with a court case or the administration of justice.

Examples include deliberately breaching a court order, refusing to answer the court’s questions if called as a witness, or releasing photographs or publicly commenting on developments in court when reporting restrictions are in place.

The development of the law of contempt has been unsystematic, resulting in a regime that is often disordered and unclear. Problems arise from the confusing distinction between civil and criminal contempt of court, the multiple ways in which contempt can be committed, and the overlap between the law of contempt and criminal offences relating to the administration of justice, such as perverting the course of justice. There are also growing concerns about the impact of social media and technological advancements on the administration of justice.

The Ministry of Justice and the Attorney General’s Office asked the Law Commission to review the law of contempt.

On 9 July 2024 we published a consultation paper containing our provisional proposals.

Our objective in making these proposals is to produce a law of contempt that is easier to understand, fairer, and that better protects the administration of justice.

Our proposals seek to:

- Clarify and codify the law of contempt;
- Enhance transparency and accountability;
- Bring greater consistency and ensure fairness for defendants;
- Improve some of the fundamental protections provided by the rule of law.

The public consultation closed on 29 November 2024. We will publish our report in two parts. Following a request from the Home Secretary, Attorney General and Lord Chancellor, to expedite work on some of the issues in our project, part one will be published in autumn 2025 and will address liability for contempt and the role of the Attorney General in contempt proceedings. Part two will be published in 2026 and will address all remaining issues.

Criminal appeals

In July 2022, the Government asked the Law Commission to review the law relating to criminal appeals.

In recent years several leading bodies and organisations – including the House of Commons Justice Committee and Westminster Commission on Miscarriages of Justice – have argued that the law in relation to criminal appeals is in need of reform. This is in part because the piecemeal way in which the law has developed means that there are inconsistencies, uncertainties and gaps in the law on criminal appeals.

Concerns have also been expressed about requirements for new evidence and the tests used by the Court of Appeal and the Criminal Cases Review Commission (CCRC) – the body responsible for investigating potential miscarriages of justice. Some groups have claimed that the current system can make it difficult for wrongly convicted people to appeal where exculpatory evidence was available but not used at trial, and/or to obtain and analyse evidence which might suggest a person's innocence.

The Commission review of the law governing appeals in criminal cases is considering the need for reform with a view to ensuring that the courts have powers that enable the effective, efficient and appropriate resolution of appeals. It will also consider whether a consolidation of the current legislation on appeals would make the law clearer and more consistent.

The review includes the powers of the Court of Appeal (Criminal Division) (CACD); the powers of the Attorney General to refer matters to the CACD; the conditions for allowing a referral to the CACD by the CCRC; the various mechanisms of appeal from findings in the Magistrates' courts; and laws covering retention and access to evidence and records of proceedings.

In July 2023, we published an Issues Paper, in which we asked questions to scope out areas for potential reform in criminal appeals and respondents' provisional views on them. We received over 150 responses to the paper, including from serving prisoners, state bodies such as the Crown Prosecution Service (CPS), individual lawyers, academics and campaigners, professional bodies such as the Law Society, Bar Council and the Criminal Appeals Lawyers Association and charities and groups such as APPEAL, the Centre for Women's Justice and JENGbA (Joint Enterprise Not Guilty by Association). Responses have fed directly into the formulation of our consultation paper.

As a result of the number of representations we received on the issue, Ministers agreed that we would examine whether the law relating to compensation to victims of a miscarriage of justice was satisfactory. Expanded terms of reference for the project were agreed.

In February 2025 we published a consultation paper in which we made provisional proposals for reform. These include:

1. Replacing the "real possibility" test used by the Criminal Cases Review Commission ("CCRC") when considering an appeal against conviction;
2. Making the CCRC subject to an independent inspectorate.

3. Replacing the current requirement for the wrongly convicted to prove their innocence beyond reasonable doubt in order to receive compensation, so that those who can prove their innocence, on the balance of probabilities, would be eligible.
4. Simplifying appeals to the High Court in summary proceedings by abolishing the “case stated” procedure.
5. Giving courts and the CCRC greater powers to investigate claims that a conviction is unsafe due to misconduct by jurors.
6. Enabling more appeals to be considered by the Supreme Court, by removing the requirement for the Court of Appeal to certify that an appeal involves a question of law of general public importance.

We also sought views on whether the offences for which a sentence could be referred to the Court of Appeal by the Attorney General should be expanded; whether the offences for which a person might be retried following acquittal on the basis of fresh evidence should be expanded; whether it should be lawful to disclose evidence received under pre- or post-trial disclosure where this was for the purposes of responsible journalism; and whether a National Forensic Archive Service should be established to take over responsibility for long-term storage of evidence used in trials.

We expect to publish a final report in 2026.

The sponsoring department is the Ministry of Justice.

Reviewing the law of homicide (including defences for victims of domestic abuse who kill their abusers)

The law of homicide was subject to a thorough review by the Law Commission of England and Wales in the early 2000s. We published recommendations for reform of partial defences to murder in 2004. Many of our recommendations were implemented in the Coroners and Justice Act 2009.

We published recommendations for the reform of murder, manslaughter and infanticide in 2006. The Government decided not to implement the changes we recommended.

In the almost 20 years since we last looked at homicide, the problems we identified with the way the homicide offences work have remained largely unchanged. In our 2006 report we described the law governing homicide as a “rickety structure set upon shaky foundations. Some of its rules have remained unaltered since the seventeenth century, even though it has long been acknowledged that they are in dire need of reform. Other rules are of uncertain content, often because they have been constantly changed to the point that they can no longer be stated with any certainty or clarity”.⁹

As society and the law has moved on, new problems and possible limitations with the existing law have emerged. These include the operation of the law of joint enterprise, how diminished responsibility should be reflected in any new classification of homicide offences, and the extent to which the law reflects a modern understanding of the effects of domestic abuse.

⁹ Murder, Manslaughter and Infanticide (2006) Law Com No 304, para 1.8.

In December 2024, the Commission agreed with the Ministry of Justice that we should revisit homicide law. We have agreed to reconsider and update our 2006 recommendations, to consider defences and partial defences to murder, especially now that the 2009 reforms have had time to bed down, and to conduct a complete review of the statutory sentencing framework for murder.

Our existing project on defences to murder for victims of abuse who kill their abuser will now form part of the wider project on homicide. This will allow us to consider this issue holistically, moving beyond defences to consider the homicide offences themselves for this group of defendants. In December 2024 we published a background paper, summarising what we need to understand about victims of domestic abuse who kill their abuser in order to analyse how the law does, and should, apply to this group of defendants.

Evidence in sexual offences prosecutions

The Government's End to End Rape Review found that the prevalence of rape and sexual violence has remained steady in the last five years but there has been a sharp decrease in the number of prosecutions since 2016/2017.

Some argue that jurors need more assistance with assessing evidence in relation to sensitive and challenging issues that may fall outside their own experience and understanding. We are considering whether more needs to be done in our criminal courts to tackle misconceptions.

Government has asked the Law Commission to examine the trial process and to consider the law, guidance and practice relating to the use of evidence in prosecutions of sexual offences. We are considering the need for reform in order to improve understanding of consent and sexual harm and the treatment of complainants and ensure that defendants receive a fair trial.

The project considers the current approach to addressing misconceptions during the trial process including:

- The use of jury directions and juror education generally;
- The admission of expert evidence to counter misconceptions surrounding sexual offences;
- The admission of evidence of the complainant's sexual history;
- The admission of the complainant's personal records including their medical and counselling records;
- The admission of evidence of the character of the defendant and complainant; and
- The use of special measures during the trial.

We published a background paper in February 2022 which outlined the scope of the project, provided an introduction to the main legal concepts and issues, and answered some frequently asked questions.

In May 2023 we published a consultation paper containing our provisional proposals for reform. Conscious that our work is only the latest in a long line of similar reviews, we concluded the consultation paper by considering some ideas for radical reform. We did not make proposals in this chapter but instead considered arguments for and against some significant changes to the trial process for sexual offences. For example, we asked for views on the use of specialist examiners and specialist courts, and the introduction of juryless trials.

We held a public consultation which closed on 29 September 2023. We are now in the process of analysing consultation responses and expect to publish a report with final recommendations in summer 2025.

The sponsoring department is the Ministry of Justice.

Property, Family and Trust Law

Commissioner: Professor Nicholas Hopkins

Project	Update	Date published	Page
Burial, cremation and new funerary methods	Consultation paper	October 2024	page 18
Business tenancies: the right to renew	First consultation paper	November 2024	page 19
Chancel repair liability and registration	Project launched	September 2024	page 19
Financial remedies on divorce	Scoping report	December 2024	page 20
Kinship care	Preliminary work commenced	January 2025	page 20
Making a will	Supplementary consultation paper	October 2023	page 21
Residential leasehold and commonhold	Leasehold and Freehold Reform Act 2024	May 2024	page 21

Burial, cremation and new funerary methods

Our 13th Programme of Law Reform included a project entitled “A Modern Framework for Disposing of the Dead”. Following a scoping phase, in November 2023 we agreed terms of reference that divided the overall project, retitled “Burial, Cremation and New Funerary Methods”, into three sub-projects.

The sub-project on “New Funerary Methods” began last year, being conducted by the Public Law Team. It is considering what an appropriate regulatory framework might be for new methods already practised in other jurisdictions, such as alkaline hydrolysis and human composting, as well as those which might arise in the future.

The sub-project on Burial and Cremation which is being conducted by the Property, Family and Trust Law team has reached the post-consultation phase. A consultation paper was published in October 2024, and the consultation period ended in January 2025. We are currently analysing responses in order to determine our final recommendations to Government.

Burial law is governed by a complex patchwork of legislation, some dating to the 1850s. The different legislation applying to different types of burial grounds means that safeguards to protect the dignity of the dead are lacking.

Burial space is running out across England and Wales, and grave reuse has been proposed as a solution to this problem. But any reform to permit wider reuse of graves would need to include sufficient safeguards to enable public support.

Cremation law has been subject to more recent reform, but some issues remain unresolved, such as who has the right to object to cremation, who is entitled to ashes, and ownership of medical implants removed before cremation.

The final sub-project, “Rights and Obligations Relating to Funerals, Funerary Methods and Remains” will begin when the Burial and Cremation sub-project finishes, and consider how funeral disputes should be resolved, and whether a person should be able to make binding wishes on the matter.

The sponsoring department is the Ministry of Justice.

Business tenancies: the right to renew

Part 2 of the Landlord and Tenant Act 1954 gives business tenants – from café owners to companies occupying factories – the right to renew their tenancies when they would otherwise come to an end, allowing them to remain in their premises. This right is often referred to as “security of tenure”.

Most business tenants automatically have security of tenure unless, before any lease is granted, they agree with their landlord that the right to renew should not apply. In order to do that – by a process known as “contracting out” – various formalities must be followed.

The legal framework is over 70 years old and it is now more than 20 years since the last significant update. In that time, the rise of the internet and other major events, including the financial crisis of 2008 and the COVID-19 pandemic, have impacted the commercial leasehold market. Government priorities have also evolved; for example, there is now an increased focus on the environmental sustainability of commercial properties.

We have heard that the Act is not working well for tenants or landlords, with criticism including that the law is burdensome, unclear and out-of-date. The project comprises a wide review of Part 2 of the Landlord and Tenant Act 1954.

The Law Commission published its first consultation paper in November 2024. In that consultation paper key questions were asked about which model of security of tenure is appropriate and about the scope of the Act. The consultation closed on 19 February 2025 and we are now analysing responses. A second, technical, consultation paper will be published in due course.

The sponsoring department is the Ministry of Housing, Communities and Local Government.

Chancel repair liability and registration

Chancel repair liability is an obligation on a landowner to pay for certain repairs to a local church. It has its origins in pre-Reformation ecclesiastical law and is rarely enforced, but liability can be large when enforced.

The intention of the Land Registration Act 2002 was that chancel repair liability should not bind purchasers of registered land from October 2013 unless the liability is recorded in the register.

However, since the 2002 Act was brought into force, a question has arisen about the legal status of chancel repair liability, and whether purchasers of land may nevertheless be bound by unregistered liabilities despite that Act.

As a result, home buyers and other purchasers of land spend millions each year on searches and insurance to help protect themselves from unexpected costs. In addition, the 2002 Act also only governs registered land. Purchasers of unregistered land can still be bound by unexpected and undiscoverable chancel repair liabilities.

The project commenced in September 2024. It will examine whether any changes to the law are required to ensure that chancel repair liability does

not bind purchasers of land unless it is registered, and therefore visible to purchasers. This has the potential to help avoid the need for purchasers to undertake chancel repair searches, or to pay for insurance – potentially saving millions.

The Law Commission aims to publish a consultation paper in the first half of 2025.

The sponsoring department is the Ministry of Justice.

Financial remedies on divorce

Every year, tens of thousands of couples seek financial remedy orders to determine how their finances are divided on divorce or dissolution of their civil partnership. These orders can include the sale and transfer of property, maintenance for spouses, civil partners and children, and the splitting of pensions.

The laws which govern financial remedy orders date back to the Matrimonial Causes Act 1973, subsequently mirrored in the Civil Partnership Act 2004.

Government asked the Law Commission to review whether the current law is working effectively and delivering fair and consistent outcomes for divorcing couples.

In its scoping review, the Law Commission carried out a detailed analysis of the current laws on financial remedies, to determine whether there are problems with the current framework which require law reform.

The project considered the financial orders made by courts in England and Wales, as well as – for comparative context – the law in other countries.

During the course of the project, we engaged extensively with stakeholders interested in the area, including those in other jurisdictions.

The project ended in December 2024 with the Law Commission publishing a scoping report. We concluded that financial remedies law requires reform and that the law does not

provide a cohesive framework in which parties to a divorce or dissolution can expect fair and sufficiently certain outcomes. We set out four potential models for reform of the law, ranging from codification of the existing law to the adoption of a "matrimonial property regime", which would strictly confine the court's discretion. Should Government agree that reform is needed, our work provides the basis for a full review of financial remedies law.

The sponsoring department was the Ministry of Justice.

Kinship care

Kinship care has been described as "Any situation in which a child is being raised in the care of a friend or family member who is not their parent for a significant amount of the time. The arrangement may be temporary or longer term."

It is estimated that 141,000 children live in kinship care arrangements in England and Wales. Most commonly, kinship care will be an alternative to the child entering the care system, or a way of caring for a child who is the subject of a care order. The variety of methods by which kinship care can be formalised, including by way of special guardianship orders, child arrangements orders and by fostering, is complex to navigate, and confusing for kinship carers, who do not always feel confident that the order underpinning their arrangement is right for their circumstances.

This project will consider the scope for reform to simplify and streamline the orders available to kinship carers, and how to better support the consideration of kinship care as an option for looked after children.

The sponsoring department is the Department for Education.

Making a will

The law governing wills is largely a product of the Victorian era. Our project is a general review of this important area of law to ensure that it remains fit for purpose today.

We published a consultation paper in July 2017. We consulted on a variety of proposals, including to introduce a dispensing power enabling the court to dispense with the formalities for a will where a document nevertheless represents the testator's final wishes, to update the test for capacity to make a will, to amend the law governing undue influence, and to lower the age to make a will from 18 to 16.

In 2019, we agreed with Government to pause completion of the wills project to undertake a review of the law concerning weddings. We recommenced the wills project in autumn 2022.

In October 2023, we re-consulted on two topics where we thought developments may have caused consultees' views to shift: electronic wills and the rule that a marriage or civil partnership revokes a will.

The remaining stages of our work are to develop our final policy on all the topics within our review, and to prepare a final report and to instruct Parliamentary Counsel to draft a Bill that would give effect to our recommendations. We aim to publish the final report and draft Bill in May 2025.

The sponsoring department is the Ministry of Justice.

Residential leasehold and commonhold

In England and Wales, properties can be owned either as freehold or as leasehold. Leasehold is a form of ownership where a person owns a property for a set number of years on a lease from a landlord, who owns the freehold. Flats are almost always owned on a leasehold basis, but more recently leasehold has also been used for newly built houses. There are millions of leasehold properties, but the law which applies to them is far from satisfactory.

In 2020, we published four reports covering all aspects of the following:

1. Enfranchisement, which is the statutory right of leaseholders to obtain a leasehold extension or buy their freehold and which was the topic of two of our reports;
2. The right to manage, which gives leaseholders the ability to take over the management of their building without buying the freehold; and
3. Commonhold which provides an alternative form of ownership to leasehold.

The recommendations made by the Law Commission have the potential to improve the lives of millions of homeowners.

In November 2023 the Government introduced the Leasehold and Freehold Reform Bill into Parliament. Significant aspects of the Bill were based on the work of the Law Commission. During the passage of the Bill, Professor Nick Hopkins, the Commissioner for Property, Family and Trust Law, gave evidence to the House of Commons' committee that considered the Bill in detail.

The Bill successfully passed through Parliament, receiving Royal Assent on 24 May 2024. The Act includes various options and recommendations put forward by the Law Commission in its reports on enfranchisement and the right to manage. The Law Commission undertook work to support Government in developing those parts of the Bill.

The sponsoring department was the Department for Levelling Up, Housing and Communities (now the Ministry of Housing, Communities and Local Government).

Public Law and the Law in Wales

Commissioner: Professor Alison Young

Project	Update	Date published	Page
Administrative review	Project paused	N/A	page 22
Agriculture law in Wales	Project ongoing	N/A	page 23
Aviation autonomy	Consultation paper published	February 2024 (CP2 due in April 25)	page 23
Compulsory purchase	Consultation paper published	December 2024	page 23
Disabled children’s social care	Consultation paper published	October 2024	page 24
New funerary methods	Project ongoing	N/A	page 24
Planning law in Wales	Government support	N/A	page 24

Administrative review

This project considers the internal systems used by public decision-making bodies to ensure they are making correct decisions. These may be called internal appeals or reconsiderations – and the process is sometimes a prerequisite to formal appeals before a tribunal, or judicial review.

Administrative review decisions determine many more social security, immigration, and tax claims than courts and tribunals, which consider only a small subset of decisions. Still, the success rates at appeals remains in some areas very high. Our review would aim to identify principles for effective administrative review which:

1. Promote correct decisions, first time,
2. Reduce the number of successful appeals before tribunals and courts,

3. Promote organisational learning and positive feedback loops between the formal judicial processes and internal decision making processes,
4. Promote confidence in administrative decision making, including accommodating the anticipated growth in the use of automation to assist public decision making.

Subject to agreeing terms of reference for the project, we expect it to begin when resource allows. The sponsoring department is the Ministry of Justice.

Agricultural law in Wales

The Law Commission has been asked by the Welsh Government to consider, whether, and how, agricultural law in Wales could be modernised, simplified and made more accessible through a process of codification.

Codification involves bringing all the law on a specific subject matter, such as agriculture, together under a code of law. In practice, this could mean that all of the agricultural law in Wales is consolidated into one or more pieces of legislation, and that consolidating legislation is identified as forming a code of law for agriculture.

Agriculture is a devolved area of law in Wales. However, the law which governs the agricultural sector in Wales is spread across a patchwork of legislation including assimilated EU law, Acts of the Senedd Cymru and Acts of the UK Parliament.

The project is currently scoping what a code of agricultural law for Wales might look like. A scoping paper will be released in autumn 2025.

Aviation autonomy

The aviation autonomy project is sponsored by the Future Flight Challenge at UK Research & Innovation (UKRI) and supported by the UK Civil Aviation Authority (CAA) and Department for Transport (DfT). The project considers the reforms necessary to provide a robust and future-proofed legal framework capable of supporting the safe deployment of high automation and autonomous systems in aviation. It focuses on three use cases: drones (remotely piloted, non-passenger carrying vehicles), Advanced Air Mobility (such as electrical vertical take-off and landing vehicles providing short journeys for up to ten people), and Air Traffic Management and Air Navigation Services (ATM/ANS).

The project started in late 2022 by reviewing the existing legislation to identify any legislative blocks, gaps or uncertainties. We published a consultation paper early in February 2024, and will publish a further consultation paper in April 2025.

The sponsoring department is the Department for Transport, jointly with the Civil Aviation Authority.

Compulsory purchase

The ability of public authorities to purchase land using compulsory powers is essential to the implementation of large-scale projects to improve both local and national infrastructure, to support the regeneration of towns and cities, and for the provision of housing. But compulsorily acquiring property can have a significant detrimental impact on the individuals and businesses affected.

The procedures of compulsory purchase, and the compensation payable to those affected, have therefore been tightly controlled by laws dating back to the Victorian era. But that law is fragmented, hard to access and in need of modernisation.

The Law Commission's 2003 and 2004 reports were very favourably received, but not implemented in full. Some recommendations have been implemented by case law, or by legislative changes since then. But calls for comprehensive, simplified and modern laws have persisted.

Our review examines the current law governing the procedure for compulsory purchase, and compensation. Its core aim is to simplify the law, making technical changes with a view to consolidating, simplifying and modernising the legislation.

We published our consultation paper in December 2024, and aim to produce a report and draft Bill in 2026. The sponsoring department is the Ministry for Housing, Communities and Local Government.

Disabled children's social care

The law on disabled children's social care in England is governed by a patchwork of legislation, some of which dates back more than five decades. This has contributed to inconsistency in the amount and quality of support provided by local authorities, and unnecessarily complicated routes to accessing support for the parents and care givers of disabled children.

This review was set up following a recommendation in the 2022 Independent Review of Children's Social Care, which underpins the Government's plans for reform of children's social care. Our project will review the patchwork of legislation currently governing social care for disabled children, including section 17 of the Children Act 1989 and section 2 of the Chronically Sick and Disabled Persons Act 1970. Our overarching aim is to simplify and strengthen the law, ensuring that the system is fair and works for children, parents and other care givers, and local authorities. Our focus is on the provision of support and services in family-based care, but we will also seek to ensure that the law fits in with social care law more broadly, and to modernise the legislation.

We published our consultation paper in October 2024. The sponsoring department is the Department of Education.

New funerary methods

As we note elsewhere, (page 18, Burials and cremation) in our 13th Programme of Law Reform we stated that the law governing how we deal with the bodies of the deceased is unfit for modern needs. In addition to issues with burials and cremation, the law is not fit for purpose in relation to new and emerging funerary methods, such as alkaline hydrolysis, or natural organic reduction, sometimes called "human composting", which are claimed to be more environmentally sustainable. In this sensitive context, the uncertainty arising from the absence of regulation can be a barrier to investment, limiting choice for individuals and families.

The new funerary methods sub-project aims to create a future-proof framework that encompasses existing practices and is flexible to accommodate safe and dignified new practices. We are aiming to publish a consultation paper in June 2025 and a report in spring 2026.

Planning law in Wales

Following the publication of our final report in December 2018, we continue to work closely with the Welsh Government on the preparation of the Historic Environment (Wales) Bill and the Planning (Wales) Bill, which will incorporate many of our recommendations, and associated secondary legislation. The resulting Code will modernise and simplify the law on planning in Wales and will be the first fruit of the ambitious programme of consolidating and codifying Welsh statute law, set out by the Counsel General in September 2021.

Part Three:

Implementation of Law Commission law reform reports 2024–25

There are several mechanisms in place which are designed to increase the rate at which Law Commission reports are implemented:

- The Law Commission Act 2009, which places a requirement on the Lord Chancellor to report to Parliament annually on the Government's progress in implementing our reports.
- Protocols between the Law Commission and the UK and Welsh Governments, which set out how we should work together.
- The Law Commission parliamentary procedure.

A dedicated parliamentary procedure, approved by the House of Lords on 7 October 2010, has been established as a means of improving the rate of implementation of Law Commission reports. Bills are suitable for this procedure if they are regarded as “uncontroversial”; this is generally taken to mean that all front benches in the House are supportive in principle.

Ten Law Commission Bills have now followed this procedure:

- Electronic Trade Documents Act 2023, received Royal Assent on 20 July 2023.
- Charities Act 2022, received Royal Assent on 24 February 2022.
- Sentencing (Pre-consolidation Amendments) Act 2020, received Royal Assent on 8 June 2020. The Sentencing Code received Royal Assent on 22 October 2020 and came into force on 1 December 2020.
- Intellectual Property (Unjustified Threats) Act 2017, received Royal Assent on 27 April 2017.
- Insurance Act 2015, received Royal Assent on 12 February 2015.
- Inheritance and Trustees' Powers Act 2014, received Royal Assent on 14 May 2014.

- Trusts (Capital and Income) Act 2013, received Royal Assent on 31 January 2013.
- Consumer Insurance (Disclosure and Representations) Act 2012, received Royal Assent on 8 March 2012.
- Third Parties (Rights against Insurers) Act 2010, received Royal Assent on 25 March 2010.
- Perpetuities and Accumulations Act 2009, received Royal Assent on 12 November 2009.¹⁰

The Arbitration Bill was introduced into Parliament under the special procedure in November 2023, but fell due to the 2024 general election. It was re-introduced in July 2024, under the standard procedure.¹¹ The Property (Digital assets etc) Bill was introduced into Parliament in September 2024 under the special procedure.

In our report on The Form and Accessibility of the Law Applicable in Wales, we recommended that the Senedd should adopt a similar procedure, echoing an earlier call for this from the Senedd's Constitutional and Legislative Affairs Committee. The Senedd has since introduced a Standing Order 26C procedure for introducing Consolidation Bills, including those implementing Law Commission recommendations. There is also scope for the Law Commission to advise whether certain changes proposed in a Bill are appropriate for inclusion in a Consolidation Bill under the standing order.

¹⁰ The Bill passed through Parliament as part of a trial for the Law Commission parliamentary procedure.

¹¹ The Arbitration Act 2025 received Royal Assent in February 2025.

Implementation of our reports 2024-25

The statistics from the creation of the Commission in 1965 to 31 March 2025 are:

- Law reform reports published – 257.
- Implemented in whole or in part – 162 (63%).¹²
- Accepted in whole or in part, awaiting implementation – 20 (8%).
- Accepted in whole or in part, will not be implemented – 7 (3%).
- Awaiting response from Government – 27 (10%).
- Rejected – 30 (12%).
- Superseded – 11 (4%).

Reports implemented during the period

Following publication of our joint report on automated vehicles in January 2022, the Department for Transport broadly accepted our recommendations and launched a consultation on a number of points with a view to developing proposals to legislate on self-driving vehicles. This led to the introduction of a Bill in late 2023. The Automated Vehicles Act 2024 now lays down a framework for safely deploying self-driving cars on UK roads. Work on detailed regulation under the Act is ongoing.

The Arbitration Act 2025, based closely on the recommendations and draft Bill coming out of our review of the Arbitration Act 1996. The Act ensures that arbitration law in England, Wales and Northern Ireland remains state of the art, and that London remains the world's first choice for international arbitration.

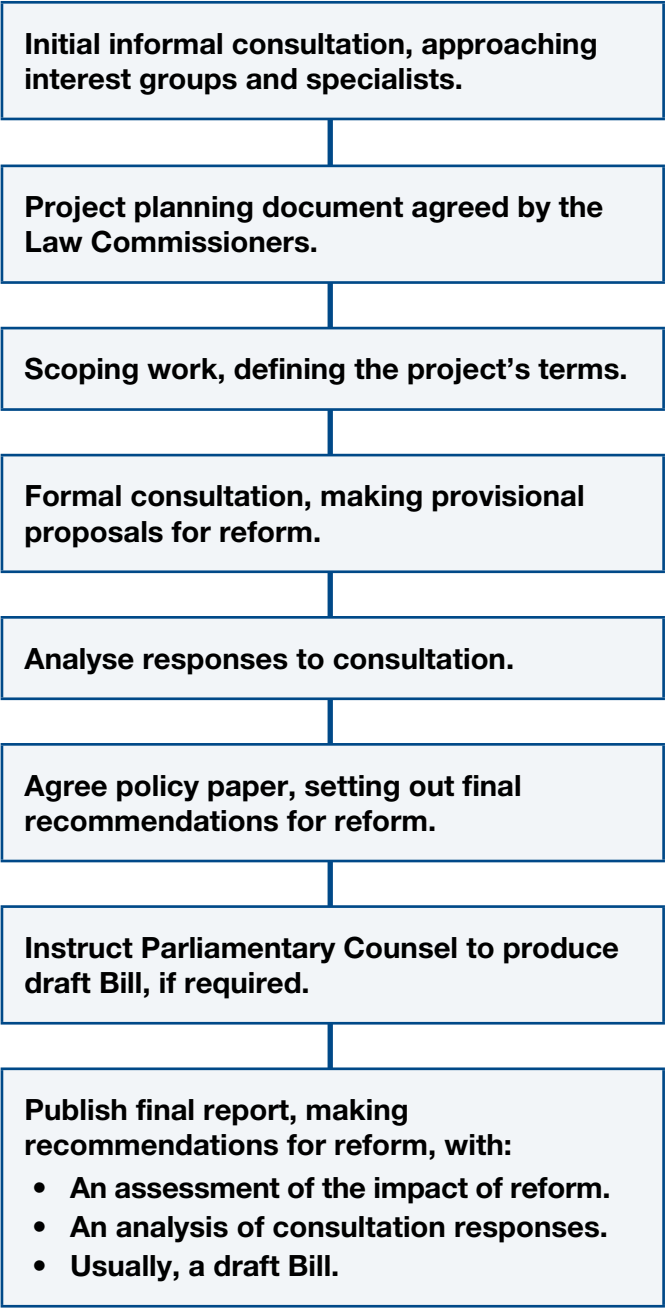
Our reports on residential leasehold and commonhold were published in 2020. The Leasehold and Freehold Reform Bill was introduced into Parliament in November 2023. The Leasehold and Freehold Reform Act 2024 received Royal Assent in May 2024. It includes various options and recommendations made by the Law Commission in its reports on enfranchisement and the right to manage.

The Crime and Policing Bill introduced on 25 February 2025 contains provisions that will implement recommendations made in a number of criminal law projects. This includes substantial reform following the recommendations in our project on the confiscation of the proceeds of crime after conviction. Additionally, there are provisions that will implement recommendations in our projects on modernising communications offences (relating to: encouraging or assisting serious self-harm, and exposure); criminal corporate liability (relating to the identification doctrine); intimate image abuse (relating to the taking and installing offences) kidnapping and related offences (relating to child abduction).

The Senedd Cymru introduced the Disused Mine and Quarry Tips (Wales) Bill in December 2024. This implements the recommendations of the Coal Tip Safety report, many of them fully, while others are implemented partially.

¹² This includes reports that have been accepted by Government and implementation is underway.

Figure 3.1 Common stages of a law reform project



Part Four:

Our people and corporate matters

The Law Commission is grateful to everyone within the organisation for their hard work, expertise, and support, as well as their contribution to the work of the Commission.

Budget

The Law Commission’s core funding, provided to us by Parliament and received through the MoJ, for 2024–25 was £4.83m.

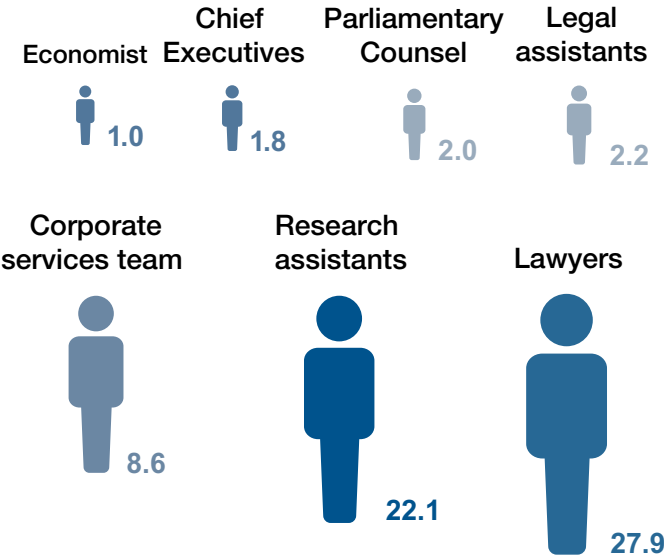
Our running costs for the 2024-25 financial year equated to £5.9m (excluding the accommodation recharge met by MoJ detailed in the financial appendix). As agreed with MoJ under our new Financial Model, we were able to return funds amounting to £533k (a planned underspend) over and above our actual running costs due to receiving more financial contributions than expected from Whitehall departments towards the individual law reform projects undertaken on their behalf.

Staff at the Commission

The Commissioners are supported by the staff of the Law Commission. The staff are civil servants and are led by the Chief Executives.

In 2024–25, there were 73 people working at the Law Commission (full-time equivalent: 65.6 as at 31 March 2025).

Figure 4.1 People working at the Commission (full-time equivalent, at 31 March 2022)¹³



External engagement

Engaging effectively with people and groups outside of the Commission is absolutely critical to the success of our work. We work hard to establish strong links with a wide range of organisations and individuals who have an interest in law reform, and we greatly value these relationships. We are indebted to all those who send us feedback on our consultation papers, contribute project ideas for our programmes of law reform, and provide input and expertise at all stages of the process of making recommendations to the Government.

As well as those with an interest in law reform, we actively seek to engage anyone with an understanding and experience of the areas of law we seek to reform. This includes creating accessible formats of our consultations for different audiences.

13 Excluding the Chair, Chair’s Clerk and Commissioners.

It would not be possible in this annual report to individually thank everyone who provides us with guidance or offers us their views. We would, however, like to express our gratitude to our Wales Advisory Committee and all those organisations and individuals who have worked with us as members of advisory groups on our many projects and who have contributed in so many ways to our work during the course of the year.

We also acknowledge the support and interest shown in the Commission and our work by a number of ministers in Westminster and in Cardiff, Members of Parliament and of the Senedd and peers from across the political spectrum, and by public officials. We continue to make progress in extending the number of ways in which we engage with our friends and supporters.

In the Westminster Parliament and the Welsh Senedd, we are often invited to give evidence to special committees and sessions to assist with their inquiries and their consideration of Bills, some of which may include provisions that have derived from Law Commission recommendations. (See “The Law Commission in Wales page 8).

We have a statutory duty to promote the reform of the law and continue to work hard in this area. Alongside the production of various infographics and other alternative formats to explain in plain English each new law reform project, we regularly speak to students and engage with law reformers and officials from across Britain and the world.

We have continued to expand the Law Commission's international engagement work, promoting international law reform, enhancing the worldwide reputation of the law of England and Wales and supporting the rule of law. Highlights this year include a successful visit by the Chair to Singapore in August and a high-profile visit to Nicosia in November at the invitation of the Law Commissioner of the Republic of Cyprus which was referenced in the UK-Cyprus Joint Statement. We attended the annual 5 Nations

Law Commissions meeting in Jersey with representatives of the Scottish, Irish and Jersey Commissions. We supported law reform in Namibia by participating in training organised by the Commonwealth Secretariat. In March, the Chair and Dr Nicholas Hoggard travelled to the US (Washington DC and New York). The visit featured meetings with Chief Justice Roberts of the US Supreme Court and other senior judiciary; speaking engagements at Yale and with the American Society of International Law; and discussions with the UN International Law Commission Secretariat and the New Jersey Law Revision Commission.

We also hosted a number of overseas visitors including a delegation from Indonesia, and met virtually with other individuals and organisations involved in law reform overseas. This year, we continued our usual programme of outreach visits to individual universities, with several more events already planned for 2025. We were delighted to host our fourth annual online session for potential new research assistants, which received over 800 registrations and has already been viewed over 7500 times online. We also published a series of videos on legal research and writing skills for law students on our YouTube channel.

This year we launched a new and re-designed website. The design and functionality were based on user research and the site now has a simplified navigation that makes it easier for users to find projects, reports, consultation papers and other information they are interested in.

We continue to use a variety of channels to reach a wide range of audiences. Our X (formerly Twitter) account continues to grow and now reaches more than 25,300 followers. We now also regularly use LinkedIn to engage with some of our audiences and have gained over 1000 new followers over the last year. We have also opened an Instagram account to reach a more diverse range of audiences.

Speaking on law reform

As an outward facing organisation, the Commission's Chair, Commissioners and staff have been active speaking at many different events both virtually and in-person. Many have been hybrid events allowing for increased access for stakeholders.

Some examples of our speaking engagements between April 2024 and March 2025 are:

- Participating as a panellist at an event to discuss the Arbitration Bill at 39 Essex Street;
- Presenting to a group of Egyptian judges on our work on digital assets and on the Online Safety Act 2023, at an event organised through the Slynn Foundation;
- Presenting at Co-operatives UK annual Practitioners Forum;
- Speaking at the 2nd International Surrogacy Forum in Copenhagen;
- Giving the keynote speech at the Compulsory Purchase Association's National Conference;
- Speaking at the annual Legal Wales Conference on the Law Commission's work in Wales;
- Giving the keynote speech at the annual LawWorks conference;
- Speaking on: Opening up the International Dispute Resolution Toolbox: are Existing Methods Fit for Purpose? at London International Disputes Week;
- Giving the Law and Digitised Assets Keynote at Manchester Law and Technology Conference;
- Speaking at the Bank of England on the Law and Tokenisation;
- Speaking in Parliament at a Legislative Strengthening Seminar to Address Gender-Based Violence and Modern Slavery in Supply Chains organised by the Commonwealth Parliamentary Association;
- Giving a keynote speech at the Criminal Appeal Lawyers Association annual conference;
- Giving a lecture on reform of contempt of court as part of the Inner Temple Reader's Lecture Series;
- Participating in a conference at Hong Kong University in October 2024 on Criminalising Surrogacy, organised by the Centre for Medical Ethics and Law, Hong Kong University and Aalborg University. The conference examined how the criminal law is used in surrogacy across a number of countries. Including a presentation on the use of criminal law in the joint report on surrogacy of the Law Commission and the Scottish Law Commission;
- Speaking about the Law Commission's work on financial remedies at the At A Glance Family Law and Financial Remedies annual conference, in October 2024
- Speaking at the 3rd International Surrogacy Forum and 27th Annual Miller du Toit / University of the Western Cape conferences in Cape Town, South Africa, in March 2025;
- Giving the annual lecture of the Association of Contentious Trust and Probate Specialists in November 2024, entitled: Reflections on law reform: marriage, death and predators;
- Recording a podcast on financial remedies law in December 2024 in the Law and Disorder series presented by Sir Nicholas Mostyn, Baroness Helena Kennedy, Lord Charlie Falconer;
- Keynote address on the Law Commission's work on leasehold and commonhold and the Leasehold and Freehold Reform Act for a Westminster Legal Policy Forum conference in November 2024;
- Giving the Royal Aeronautical Society summer air law lecture;
- Speaking at the Compulsory Purchase Association's annual reform lecture. Giving

evidence to the Senedd Climate Change Committee on the Disused Mines and Quarry Tips (Wales) Bill;

- Speaking at a series of events in Birmingham, London, Coventry and Sheffield on disabled children's social care to a mixture of audiences including social workers, parents and children;
- Speaking at the ICCM Annual Conference in Kenilworth on burials, cremation and new funerary methods.

Diversity and inclusion

1. The Law Commission is committed to fostering an inclusive culture and ensuring we attract diverse people to the organisation. Our Diversity and Inclusion (D&I) initiatives for 2024-2025 are guided by our D&I Strategy 2023-25, which focuses on four key priorities: Inclusion, Recruitment, Geographical Reach, and Consultation. These initiatives have played a crucial role in shaping our approach to law reform, ensuring it is more inclusive and representative. We track progress against our D&I strategy regularly and this includes an annual D&I survey and focus groups to gauge staff experiences.
2. For a second year running, we are members of the UK Boardroom Apprentice Scheme which aims to provide aspiring board members with an opportunity to gain experience within a central government non-ministerial board.
3. To attract a broad and diverse talent pool that reflects the communities we serve, we continued our Lawyer and Commissioner Diversity Work Shadowing Scheme. This program helps diversify our future applicant pool by providing individuals from underrepresented backgrounds with opportunities to shadow lawyers and Commissioners. In addition, for our 2025 research assistant recruitment campaign, we are piloting longer contract terms of two years (instead of one) in order to mitigate financial barriers that previously discouraged applicants, particularly given the high cost of living in London.
4. We also strengthened our engagement with legal organizations and universities, promoting research assistant roles both virtually and in person; specifically we have targeted universities with a higher proportion of students from underrepresented backgrounds in the legal profession.
5. We have continued to build strong partnerships with organisations that support underrepresented groups in the legal profession, including Bridging the Bar and the Lord Edmund Davies Legal Education Trust (LEDLET). These collaborations aim to strengthen the pipeline of future lawyers and researchers who are domiciled throughout England, Wales and Scotland – beyond the immediate London vicinity.
6. Finally, we are at our core a consultative body. Each project benefits from comprehensive and carefully considered consultation with a diverse range of stakeholders in the course of their projects. In order to understand more about who responds to our consultation, we recently piloted a Consultation Engagement Questionnaire alongside two consultation papers; disabled children's social care, and burial and cremation. This initiative sought insight into the demographic profile of our consultees, helping us ensure diverse stakeholder engagement. All data was anonymously collected using Citizen Space, a public body sanctioned engagement platform for public consultations. Through this activity we can identify underrepresented groups early in the consultation process and take proactive steps to tailor our engagement more effectively.

Our partner Law Commissions and the devolved authorities

We were pleased to attend a joint meeting of the law commissions of England and Wales, Scotland, Ireland and Jersey in November 2024, hosted by the Jersey Law Commission. We continue to work particularly closely with our colleagues in the Scottish Law Commission, seeking views as appropriate and engaging on a regular basis.

The Northern Ireland Law Commission has not been operational since 2015 but remains on a statutory footing under the Justice (Northern Ireland) Act 2002 and has a designated judge to lead on law reform matters. We are pleased that support for the formal re-establishment of the Northern Ireland Law Commission was expressed by the Lady Chief Justice of Northern Ireland in March 2024 in her evidence to the Committee for Justice.¹⁴ We remain hopeful that the Northern Ireland Law Commission will be re-established so that we can work together on individual projects and at a more corporate level.

Health and safety

During the year, there were no notifiable incidents in relation to staff of the Commission and the Health and Safety at Work etc Act 1974.

¹⁴ committee-32349.pdf

Senior Leaders



Sir Peter Fraser,
Chair



Professor Sarah Green
(Commissioner to
September 2024)



Professor Nick Hopkins



Professor Penney Lewis



David Hertzell,
Senior Counsel



Professor Alison Young



**Joanna Otterburn
and Roshnee Patel,**
Joint Chief Executives

Appendices



Appendix A:

Implementation status of Law Commission law reform reports

LC No	Title	Status	Related Measures
2023			
413	Review of the Arbitration Act 1996	Implemented	Arbitration Act 2025
412	Digital assets	Accepted in part, implementation in progress	Property (Digital assets etc) Bill
411	Building families through surrogacy: a new law	Pending	
2022			
410	Confiscation of the proceeds of crime after conviction	Accepted, in process of implementation	Crime and Policing Bill
408	Celebrating Marriage: A New Weddings Law	Pending	
407	Intimate image abuse	Accepted, implemented in part	Online Safety Act 2023; Criminal Justice Bill
406	Regulating Coal Tip Safety in Wales	Accepted, implemented in part	Disused Mines and Quarry Tips (Wales) Bill
405	Electronic Trade Documents Final Report	Implemented	Electronic Trade Documents Act 2023
404	Automated Vehicles Joint Report	Accepted, in process of implementation	Automated Vehicles Act 2024
2021			
403	Devolved Tribunals in Wales Report	Accepted	
402	Hate crime laws: Final report	Implemented in part. Further response pending.	
401	Smart legal contracts: advice to Government	Accepted	
399	Modernising Communications Offences	Accepted, implemented in part	Online Safety Act 2023; Criminal Justice Bill
398	Consumer sales contracts: transfer of ownership	Pending	
2020			
397	Misconduct in Public Office	Pending	
396	Search Warrants	Pending	
395	Protection of Official Data	Accepted in part, implemented in part	National Security Act 2023
394	Commonhold	Accepted in part	
393	Right to Manage	Implementation of part in progress; pending in part	

LC No	Title	Status	Related Measures
392	Leasehold Enfranchisement	Implemented in part; pending in part	
390	Employment Law Hearing Structures	Pending	
389	Electoral Law	Pending	
388	Simplification of the Immigration Rules	Accepted	
387	Leasehold Enfranchisement - options to reduce the price payable	Implemented	
2019			
386	Electronic Execution of Documents	Accepted	
384	Anti-money Laundering: the SARS Regime	Accepted in part, implemented in part	Economic Crime and Corporate Transparency Act 2023
2018			
383	Planning Law in Wales	Accepted in part; pending in part	
382	Sentencing Code	Implemented	Sentencing (Pre-Consolidation Amendments) Act 2020
381	Abusive and Offensive Online Communications: A Scoping Report	Accepted	
380	Updating the Land Registration Act 2002	Accepted in part; Pending in part	
2017			
376	From Bills of Sale to Goods Mortgages	Accepted but will not be implemented	
375	Technical Issues in Charity Law	Implemented	Charities Act 2022
374	Pension Funds and Social Investment	Accepted; implemented in part	Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations 2018
373	Event Fees in Retirement Properties	Accepted in part; pending in part	

LC No	Title	Status	Related Measures
372	Mental Capacity and Deprivation of Liberty	Implemented in part	Mental Capacity (Amendment) Act 2019
371	Criminal Records Disclosures: Non-Filterable Offences	Pending	
2016			
370	Enforcement of Family Financial Orders	Accepted in part (of which recommendations, some have been implemented) and pending in part	
369	Bills of Sale	Superseded	Superseded by LC 376
368	Consumer Prepayments on Retailer Insolvency	Accepted; implemented in part	
366	Form and Accessibility of the Law Applicable in Wales	Implemented	Legislation (Wales) Act 2019
365	A New Sentencing Code for England and Wales Transition	Superseded	Conclusions carried forward into LC382
364	Unfitness to Plead	Accepted	
2015			
363	Firearms Law – Reforms to Address Pressing Problems	Implemented	Policing and Crime Act 2017 (Part 6); Antique Firearms Regulations 2021
362	Wildlife Law	Implemented in part; rejected in part'	Infrastructure Act 2015
361	Reform of Offences against the Person (HC 555)	Pending	
360	Patents, Trade Marks and Designs: Unjustified Threats	Implemented	Intellectual Property (Unjustified Threats) Act 2017
358	Simplification of Criminal Law: Public Nuisance and Outraging Public Decency	Implemented in part	Police, Crime, Sentencing and Courts Act 2022, section 78
2014			
356	Rights to Light (HC 796)	Pending	
355	Simplification of Criminal Law: Kidnapping and Related Offences	Accepted in part	Crime and Policing Bill
N/a	Social Investment by Charities	Implemented	Charities (Protection and Social Investment) Act 2016

LC No	Title	Status	Related Measures
353	Insurance Contract Law (Cm 8898;SG/2014/131)	Implemented	Insurance Act 2015; Enterprise Act 2016
351	Data Sharing between Public Bodies: A Scoping Report	Pending	
350	Fiduciary Duties of Investment Intermediaries (HC 368)	Accepted	
349	Conservation Covenants (HC 322)	Implemented	Environment Act 2021
348	Hate Crime: Should the Current Offences be Extended? (Cm 8865)	Accepted in part	
347	Taxi and Private Hire Services (Cm 8864)	Implemented in part, pending in part	Deregulation Act 2015
346	Patents, Trade Marks and Design Rights: Groundless Threats (Cm 8851)	Superseded	Superseded by LC360
345	Regulation of Health Care Professionals: Regulation of Social Care Professionals in England (Cm 8839 / SG/2014/26 / NILC 18 (2014))	Accepted	
344	Contempt of Court (2): Court Reporting (HC 1162)	Pending	
343	Matrimonial Property, Needs and Agreements (HC 1039)	Implemented in part; pending in part	
342	Wildlife Law: Control of Invasive Non-native Species (HC 1039)	Implemented	Infrastructure Act 2015
2013			
340	Contempt of Court (1): Juror Misconduct and Internet Publications (HC 860)	Implemented	Criminal Justice and Courts Act 2015
339	Level Crossings (Cm 8711)	Accepted but will not be implemented	
337	Renting Homes in Wales/Rhenttu Cartrefi yng Nghymru (Cm 8578)	Implemented	Renting Homes (Wales) Act 2016
336	The Electronic Communications Code (HC 1004)	Implemented	Digital Economy Act 2017
2012			
335	Contempt of Court: Scandalising the Court (HC 839)	Implemented	Crime and Courts Act 2013 (s33)
332	Consumer Redress for Misleading and Aggressive Practices (Cm 8323)	Implemented	Consumer Protection (Amendment) Regulations 2014; Consumer Rights Act 2015

LC No	Title	Status	Related Measures
2011			
331	Intestacy and Family Provision Claims on Death (HC 1674)	Implemented in part	Inheritance and Trustees' Powers Act 2014
329	Public Service Ombudsmen (HC 1136)	Pending	
327	Making Land Work: Easements, Covenants and Profits à Prendre (HC 1067)	Accepted	
326	Adult Social Care (HC 941)	Implemented	Care Act 2014 and Social Services and Well-Being (Wales) Act 2014
325	Expert Evidence in Criminal Proceedings in England and Wales (HC 829)	Implemented	Criminal Procedure Rules
2010			
324	The High Court's Jurisdiction in Relation to Criminal Proceedings (HC 329)	Pending	
322	Administrative Redress: Public Bodies and the Citizen (HC 6)	Rejected	
320	The Illegality Defence (HC 412)	Rejected	
2009			
319	Consumer Insurance Law: Pre-Contract Disclosure and Misrepresentation (Cm 7758)	Implemented	Consumer Insurance (Disclosure and Representation) Act 2012 (c6)
318	Conspiracy and Attempts (HC 41)	Accepted but will not be implemented	
317	Consumer Remedies for Faulty Goods (Cm 7725)	Implemented	Consumer Rights Act 2015
315	Capital and Income in Trusts: Classification and Apportionment (HC 426)	Implemented	Trusts (Capital and Income) Act 2013
314	Intoxication and Criminal Liability (Cm 7526)	Rejected	
2008			
313	Reforming Bribery (HC 928)	Implemented	Bribery Act 2010 (c23)
312	Housing: Encouraging Responsible Letting (Cm 7456)	Rejected	
309	Housing: Proportionate Dispute Resolution (Cm 7377)	Accepted in part	

LC No	Title	Status	Related Measures
2007			
307	Cohabitation: The Financial Consequences of Relationship Breakdown (Cm 7182)	Pending	
305	Participating in Crime (Cm 7084)	Pending	
2006			
304	Murder, Manslaughter and Infanticide (HC 30)	Implemented in part	Coroners and Justice Act 2009 (c25)
303	Termination of Tenancies (Cm 6946)	Pending	
302	Post-Legislative Scrutiny (Cm 6945)	Implemented	See Post-Legislative Scrutiny: The Government's Approach (2008) Cm 7320
301	Trustee Exemption Clauses (Cm 6874)	Implemented	See Written Answer, Hansard (HC), 14 September 2010, vol 515, col 38WS
300	Inchoate Liability for Assisting and Encouraging Crime (Cm 6878)	Implemented	Serious Crime Act 2007 (c27)
297	Renting Homes: The Final Report (Cm 6781)	Rejected for England, Accepted in principle for Wales	
2005			
296	Company Security Interests (Cm 6654)	Implemented in part	
295	The Forfeiture Rule and the Law of Succession (Cm 6625)	Implemented	Estates of Deceased Persons (Forfeiture Rule and Law of Succession) Act 2011
292	Unfair Terms in Contracts (SLC 199) (Cm 6464; SE/2005/13)	Implemented	Consumer Rights Act 2015
2004			
291	Towards a Compulsory Purchase Code: (2) Procedure (Cm 6406)	Accepted but will not be implemented	
290	Partial Defences to Murder (Cm 6301)	Implemented	Coroners and Justice Act 2009 (c25)
288	In the Public Interest: Publication of Local Authority Inquiry Reports (Cm 6274)	Accepted but will not be implemented	
287	Pre-judgment Interest on Debts and Damages (HC 295)	Rejected	

LC No	Title	Status	Related Measures
2003			
286	Towards a Compulsory Purchase Code: (1) Compensation (Cm 6071)	Accepted but will not be implemented	
284	Renting Homes (Cm 6018)	Superseded	See LC 297
283	Partnership Law (SLC192) (Cm 6015; SE/2003/299)	Implemented in part; Accepted in part; Rejected in part	The Legislative Reform (Limited Partnerships) Order 2009
282	Children: Their Non-accidental Death or Serious Injury (Criminal Trials) (HC 1054)	Implemented	Domestic Violence, Crime and Victims Act 2004 (c28)
281	Land, Valuation and Housing Tribunals: The Future (Cm 5948)	Rejected	
2002			
277	The Effective Prosecution of Multiple Offending (Cm 5609)	Implemented	Domestic Violence, Crime and Victims Act 2004 (c28)
276	Fraud (Cm 5560)	Implemented in part	Fraud Act 2006 (c35)
2001			
273	Evidence of Bad Character in Criminal Proceedings (Cm 5257)	Implemented	Criminal Justice Act 2003 (c44)
272	Third Parties – Rights against Insurers (SLC 184) (Cm 5217)	Implemented	Third Parties (Rights Against Insurers) Act 2010 (c10); Third Parties (Rights against Insurers) Regulations 2016
271	Land Registration for the Twenty-First Century (jointly with HM Land Registry) (HC 114)	Implemented	Land Registration Act 2002 (c9)
270	Limitation of Actions (HC 23)	Rejected	
269	Bail and the Human Rights Act 1998 (HC 7)	Implemented	Criminal Justice Act 2003 (c44)
267	Double Jeopardy and Prosecution Appeals (Cm 5048)	Implemented	Criminal Justice Act 2003 (c44)
1999			
263	Claims for Wrongful Death (HC 807)	Rejected	
262	Damages for Personal Injury: Medical and Nursing Expenses (HC 806)	Rejected	

LC No	Title	Status	Related Measures
261	Company Directors: Regulating Conflicts of Interests (SLC 173) (Cm 4436; SE/1999/25)	Implemented	Companies Act 2006 (c46)
260	Trustees' Powers and Duties (SLC 172) (HC 538; SE2)	Implemented	Trustee Act 2000 (c29)
257	Damages for Personal Injury: Non-Pecuniary Loss (HC 344)	Implemented in part	See Heil v Rankin [2000] 3 WLR 117
1998			
255	Consents to Prosecution (HC 1085)	Accepted (Advisory only, no draft Bill)	
253	Execution of Deeds and Documents (Cm 4026)	Implemented	Regulatory Reform (Execution of Deeds and Documents) Order 2005
251	The Rules against Perpetuities and Excessive Accumulations (HC 579)	Implemented	Perpetuities and Accumulations Act 2009 (c18)
249	Liability for Psychiatric Illness (HC 525)	Rejected	
248	Corruption (HC 524)	Superseded	See LC 313
1997			
247	Aggravated, Exemplary and Restitutionary Damages (HC 346)	Rejected	
246	Shareholder Remedies (Cm 3759)	Implemented	Companies Act 2006 (c46)
245	Evidence in Criminal Proceedings: Hearsay (Cm 3670)	Implemented	Criminal Justice Act 2003 (c44)
1996			
243	Money Transfers (HC 690)	Implemented	Theft (Amendment) Act 1996 (c62)
242	Contracts for the Benefit of Third Parties (Cm 3329)	Implemented	Contracts (Rights of Third Parties) Act 1999 (c31)
238	Responsibility for State and Condition of Property (HC 236)	Accepted in part but will not be implemented; Rejected in part	
237	Involuntary Manslaughter (HC 171)	Implemented in part	Corporate Manslaughter and Corporate Homicide Act 2007 (c19); see LC 304

LC No	Title	Status	Related Measures
1995			
236	Fiduciary Duties and Regulatory Rules (Cm 3049)	Rejected	
235	Land Registration: First Joint Report with HM Land Registry (Cm 2950)	Implemented	Land Registration Act 1997 (c2)
231	Mental Incapacity (HC 189)	Implemented	Mental Capacity Act 2005 (c9)
230	The Year and a Day Rule in Homicide (HC 183)	Implemented	Law Reform (Year and a Day Rule) Act 1996 (c19)
229	Intoxication and Criminal Liability (HC 153)	Superseded	See LC 314
1994			
228	Conspiracy to Defraud (HC 11)	Implemented	Theft (Amendment) Act 1996 (c62)
227	Restitution: Mistakes of Law (Cm 2731)	Implemented in part	See <i>Kleinwort Benson v Lincoln City Council</i> [1999] 2 AC 349
226	Judicial Review (HC 669)	Implemented in part	Housing Act 1996 (c52); Access to Justice Act 1999 (c22); Tribunals, Courts and Enforcement Act 2007 (c15)
224	Structured Settlements (Cm 2646)	Implemented	Finance Act 1995 (c4); Civil Evidence Act 1995 (c38); Damages Act 1996 (c48)
222	Binding Over (Cm 2439)	Implemented in part	In March 2007, the President of the Queen's Bench Division issued a Practice Direction
221	Termination of Tenancies (HC 135)	Superseded	See LC 303
220	Delegation by Individual Trustees (HC 110)	Implemented	Trustee Delegation Act 1999 (c15)
1993			
219	Contributory Negligence as a Defence in Contract (HC 9)	Rejected	
218	Legislating the Criminal Code: Offences against the Person and General Principles (Cm 2370)	Implemented in part	Domestic Violence Crime and Victims Act 2004 (c28)

LC No	Title	Status	Related Measures
217	Effect of Divorce on Wills (Cm 2322)	Implemented	Law Reform (Succession) Act 1995 (c41)
216	The Hearsay Rule in Civil Proceedings (Cm 2321)	Implemented	Civil Evidence Act 1995 (c38)
215	Sale of Goods Forming Part of a Bulk (SLC 145) (HC 807)	Implemented	Sale of Goods (Amendment) Act 1995 (c28)
1992			
208	Business Tenancies (HC 224)	Implemented	Regulatory Reform (Business Tenancies) (England and Wales) Order 2003
207	Domestic Violence and Occupation of the Family Home (HC 1)	Implemented	Family Law Act 1996 (c27), Part IV
205	Rape within Marriage (HC 167)	Implemented	Criminal Justice and Public Order Act 1994 (c33)
1991			
204	Land Mortgages (HC 5)	Rejected	
202	Corroboration of Evidence in Criminal Trials (Cm 1620)	Implemented	Criminal Justice and Public Order Act 1994 (c33)
201	Obsolete Restrictive Covenants (HC 546)	Rejected	
199	Transfer of Land: Implied Covenants for Title (HC 437)	Implemented	Law of Property (Miscellaneous Provisions) Act 1994 (c36)
196	Rights of Suit: Carriage of Goods by Sea (SLC 130) (HC 250)	Implemented	Carriage of Goods by Sea Act 1992 (c50)
194	Distress for Rent (HC 138)	Implemented in part	Tribunals, Courts and Enforcement Act 2007 (c15), Part III (enacted, but not yet brought into force)
1990			
193	Private International Law: Choice of Law in Tort and Delict (SLC 129) (HC 65)	Implemented	Private International Law (Miscellaneous Provisions) Act 1995 (c42)
192	Family Law: The Ground for Divorce (HC 636)	Implemented	Family Law Act 1996 (c27), Part II (enacted, but never brought into force)

LC No	Title	Status	Related Measures
1989			
188	Overreaching: Beneficiaries in Occupation (HC 61)	Implemented in part	Trusts of Land and Appointment of Trustees Act 1996 (c47)
187	Distribution on Intestacy (HC 60)	Implemented in part	Law Reform (Succession) Act 1995 (c41)
186	Computer Misuse (Cm 819)	Implemented	Computer Misuse Act 1990 (c18)
184	Title on Death (Cm 777)	Implemented	Law of Property (Miscellaneous Provisions) Act 1994 (c36)
181	Trusts of Land (HC 391)	Implemented	Trusts of Land and Appointment of Trustees Act 1996 (c47)
180	Jurisdiction over Offences of Fraud and Dishonesty with a Foreign Element (HC 318)	Implemented	Criminal Justice Act 1993 (c36), Part I
178	Compensation for Tenants' Improvements (HC 291)	Rejected	
177	Criminal Law: A Criminal Code (2 vols) (HC 299)	Superseded	Superseded by the criminal law simplification project: see Tenth Programme.
1988			
175	Matrimonial Property (HC 9)	Rejected	
174	Landlord and Tenant: Privity of Contract and Estate (HC 8)	Implemented	Landlord and Tenant (Covenants) Act 1995 (c30)
173	Property Law: Fourth Report on Land Registration (HC 680)	Superseded	See LC 235
172	Review of Child Law: Guardianship (HC 594)	Implemented	Children Act 1989 (c41)
1987			
168	Private International Law: Law of Domicile (SLC 107) (Cm 200)	Rejected	
166	Transfer of Land: The Rule in Bain v Fothergill (Cm 192)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)

LC No	Title	Status	Related Measures
165	Private International Law: Choice of Law Rules in Marriage (SLC 105) (HC 3)	Implemented	Foreign Marriage (Amendment) Act 1988 (c44)
164	Formalities for Contracts for Sale of Land (HC 2)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)
163	Deeds and Escrows (HC 1)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)
161	Leasehold Conveyancing (HC 360)	Implemented	Landlord and Tenant Act 1988 (c26)
160	Sale and Supply of Goods (SLC 104) (Cm 137)	Implemented	Sale and Supply of Goods Act 1994 (c35)
1986			
157	Family Law: Illegitimacy (Second Report) (Cmnd 9913)	Implemented	Family Law Reform Act 1987 (c42)
1985			
152	Liability for Chancel Repairs (HC 39)	Rejected	
151	Rights of Access to Neighbouring Land (Cmnd 9692)	Implemented	Access to Neighbouring Land Act 1992 (c23)
149	Criminal Law: Report on Criminal Libel (Cmnd 9618)	Rejected	
148	Property Law: Second Report on Land Registration (HC 551)	Implemented	Land Registration Act 1988 (c3)
147	Criminal Law: Poison Pen Letters (HC 519)	Implemented	Malicious Communications Act 1988 (c27)
146	Private International Law: Polygamous Marriages (SLC 96) (Cmnd 9595)	Implemented	Private International Law (Miscellaneous Provisions) Act 1995 (c42)
145	Criminal Law: Offences against Religion and Public Worship (HC 442)	Implemented	Criminal Justice and Immigration Act 2008 (c4)
143	Criminal Law: Codification of the Criminal Law: A Report to the Law Commission (HC 270)	Superseded	See LC 177
142	Forfeiture of Tenancies (HC 279)	Rejected	

LC No	Title	Status	Related Measures
141	Covenants Restricting Dispositions, Alterations and Change of User (HC 278)	Implemented in part	Landlord and Tenant Act 1988 (c26)
138	Family Law: Conflicts of Jurisdiction (SLC 91) (Cmnd 9419)	Implemented	Family Law Act 1986 (c55), Part I
1984			
137	Private International Law: Recognition of Foreign Nullity Decrees (SLC 88) (Cmnd 9347)	Implemented	Family Law Act 1986 (c55), Part II
134	Law of Contract: Minors' Contracts (HC 494)	Implemented	Minors' Contracts Act 1987 (c13)
132	Family Law: Declarations in Family Matters (HC 263)	Implemented	Family Law Act 1986 (c55), Part III
127	Transfer of Land: The Law of Positive and Restrictive Covenants (HC 201)	Rejected	
1983			
125	Property Law: Land Registration (HC 86)	Implemented	Land Registration Act 1986 (c26)
124	Private International Law: Foreign Money Liabilities (Cmnd 9064)	Implemented	Private International Law (Miscellaneous Provisions) Act 1995 (c42)
123	Criminal Law: Offences relating to Public Order (HC 85)	Implemented	Public Order Act 1986 (c64)
122	The Incapacitated Principal (Cmnd 8977)	Implemented	Enduring Powers of Attorney Act 1985 (c29)
121	Law of Contract: Pecuniary Restitution on Breach of Contract (HC 34)	Rejected	
1982			
118	Family Law: Illegitimacy (HC 98)	Implemented	Family Law Reform Act 1987 (c42)
117	Family Law: Financial Relief after Foreign Divorce (HC 514)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
116	Family Law: Time Restrictions on Presentation of Divorce and Nullity Petitions (HC 513)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
114	Classification of Limitation in Private International Law (Cmnd 8570)	Implemented	Foreign Limitation Periods Act 1984 (c16)

LC No	Title	Status	Related Measures
114	Property Law: The Implications of Williams and Glyn's Bank Ltd v Boland (Cmnd 8636)	Superseded	See City of London Building Society v Flegg [1988] AC 54
1981			
112	Family Law: The Financial Consequences of Divorce (HC 68)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
111	Property Law: Rights of Reverter (Cmnd 8410)	Implemented	Reverter of Sites Act 1987 (c15)
110	Breach of Confidence (Cmnd 8388)	Rejected	
1980			
104	Insurance Law: Non-Disclosure and Breach of Warranty (Cmnd 8064)	Rejected	
102	Criminal Law: Attempt and Impossibility in Relation to Attempt, Conspiracy and Incitement (HC 646)	Implemented	Criminal Attempts Act 1981 (c47)
99	Family Law: Orders for Sale of Property under the Matrimonial Causes Act 1973 (HC 369)	Implemented	Matrimonial Homes and Property Act 1981 (c24)
1978			
96	Criminal Law: Offences Relating to Interference with the Course of Justice (HC 213)	Rejected	
95	Law of Contract: Implied Terms in Contracts for the Sale and Supply of Goods (HC 142)	Implemented	Supply of Goods and Services Act 1982 (c29)
91	Criminal Law: Report on the Territorial and Extra-Territorial Extent of the Criminal Law (HC 75)	Implemented in part	Territorial Sea Act 1987 (c49)
89	Criminal Law: Report on the Mental Element in Crime (HC 499)	Rejected	
88	Law of Contract: Report on Interest (Cmnd 7229)	Implemented in part	Administration of Justice Act 1982 (c53); Rules of the Supreme Court (Amendment No 2) 1980
86	Family Law: Third Report on Family Property: The Matrimonial Home (Co-ownership and Occupation Rights) and Household Goods (HC 450)	Implemented	Housing Act 1980 (c51); Matrimonial Homes and Property Act 1981 (c24)

LC No	Title	Status	Related Measures
1977			
83	Criminal Law: Report on Defences of General Application (HC 566)	Rejected	
82	Liability for Defective Products: Report by the two Commissions (SLC 45) (Cmnd 6831)	Implemented	Consumer Protection Act 1987 (c43)
79	Law of Contract: Report on Contribution (HC 181)	Implemented	Civil Liability (Contribution) Act 1978 (c47)
1976			
77	Family Law: Report on Matrimonial Proceedings in Magistrates' Courts (HC 637)	Implemented	Domestic Proceedings and Magistrates' Courts Act 1978 (c22)
76	Criminal Law: Report on Conspiracy and Criminal Law Reform (HC 176)	Implemented in part	Criminal Law Act 1977 (c45)
75	Report on Liability for Damage or Injury to Trespassers and Related Questions of Occupiers' Liability (Cmnd 6428)	Implemented	Occupiers' Liability Act 1984 (c3)
74	Charging Orders (Cmnd 6412)	Implemented	Charging Orders Act 1979 (c53)
73	Report on Remedies in Administrative Law (Cmnd 6407)	Implemented	Rules of Supreme Court (Amendment No 3) 1977; Supreme Court Act 1981 (c54)
1975			
69	Exemption Clauses: Second Report by the two Law Commissions (SLC 39) (HC 605)	Implemented	Unfair Contract Terms Act 1977 (c50)
68	Transfer of Land: Report on Rentcharges (HC 602)	Implemented	Rentcharges Act 1977 (c30)
67	Codification of the Law of Landlord and Tenant: Report on Obligations of Landlords and Tenants (HC 377)	Rejected	
1974			
62	Transfer of Land: Report on Local Land Charges (HC 71)	Implemented	Local Land Charges Act 1975 (c76)
61	Family Law: Second Report on Family Property: Family Provision on Death (HC 324)	Implemented	Inheritance (Provision for Family and Dependants) Act 1975 (c63)
60	Report on Injuries to Unborn Children (Cmnd 5709)	Implemented	Congenital Disabilities (Civil Liability) Act 1976 (c28)

LC No	Title	Status	Related Measures
1973			
56	Report on Personal Injury Litigation: Assessment of Administration of Damages (HC 373)	Implemented	Administration of Justice Act 1982 (c53)
55	Criminal Law: Report on Forgery and Counterfeit Currency (HC 320)	Implemented	Forgery and Counterfeiting Act 1981 (c45)
53	Family Law: Report on Solemnisation of Marriage in England and Wales (HC 250)	Rejected	
1972			
48	Family Law: Report on Jurisdiction in Matrimonial Proceedings (HC 464)	Implemented	Domicile and Proceedings Act 1973 (c45)
1971			
43	Taxation of Income and Gains Derived from Land: Report by the two Commissions (SLC 21) (Cmnd 4654)	Implemented in part	Finance Act 1972 (c41), s 82
42	Family Law: Report on Polygamous Marriages (HC 227)	Implemented	Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c38); now Matrimonial Causes Act 1973 (c18)
1970			
40	Civil Liability of Vendors and Lessors for Defective Premises (HC 184)	Implemented	Defective Premises Act 1972 (c35)
35	Limitation Act 1963 (Cmnd 4532)	Implemented	Law Reform (Miscellaneous Provisions) Act 1971 (c43)
34	Hague Convention on Recognition of Divorces and Legal Separations: Report by the two Commissions (SLC 16) (Cmnd 4542)	Implemented	Recognition of Divorces and Legal Separations Act 1971 (c53); now Family Law Act 1986 (c55), Part II
33	Family Law: Report on Nullity of Marriage (HC 164)	Implemented	Nullity of Marriage Act 1971 (c44), now Matrimonial Causes Act 1973 (c18)

LC No	Title	Status	Related Measures
31	Administration Bonds, Personal Representatives' Rights of Retainer and Preference and Related Matters (Cmnd 4497)	Implemented	Administration of Estates Act 1971 (c25)
30	Powers of Attorney (Cmnd 4473)	Implemented	Powers of Attorney Act 1971 (c27)
29	Criminal Law: Report on Offences of Damage to Property (HC 91)	Implemented	Criminal Damage Act 1971 (c48)
1969			
26	Breach of Promise of Marriage (HC 453)	Implemented	Law Reform (Miscellaneous Provisions) Act 1970 (c33)
25	Family Law: Report on Financial Provision in Matrimonial Proceedings (HC 448)	Implemented	Matrimonial Proceedings and Property Act 1970 (c45); now largely Matrimonial Causes Act 1973 (c18)
24	Exemption Clauses in Contracts: First Report: Amendments to the Sale of Goods Act 1893: Report by the Two Commissions (SLC 12) (HC 403)	Implemented	Supply of Goods (Implied Terms) Act 1973 (c13)
23	Proposal for the Abolition of the Matrimonial Remedy of Restitution of Conjugal Rights (HC 369)	Implemented	Matrimonial Proceedings and Property Act 1970 (c45)
21	Interpretation of Statutes (HC 256)	Rejected	
20	Administrative Law (Cmnd 4059)	Implemented	See LC 73
19	Proceedings against Estates (Cmnd 4010)	Implemented	Proceedings against Estates Act 1970 (c17)
18	Transfer of Land: Report on Land Charges affecting Unregistered Land (HC 125)	Implemented	Law of Property Act 1969 (c59)
17	Landlord and Tenant: Report on the Landlord and Tenant Act 1954, Part II (HC 38)	Implemented	Law of Property Act 1969 (c59)
1968			
16	Blood Tests and the Proof of Paternity in Civil Proceedings (HC 2)	Implemented	Family Law Reform Act 1969 (c46)

LC No	Title	Status	Related Measures
1967			
13	Civil Liability for Animals	Implemented	Animals Act 1971 (c22)
11	Transfer of Land: Report on Restrictive Covenants	Implemented in part	Law of Property Act 1969 (c59)
10	Imputed Criminal Intent (Director of Public Prosecutions v Smith)	Implemented	Criminal Justice Act 1967 (c80), s 8
9	Transfer of Land: Interim Report on Root of Title to Freehold Land	Implemented	Law of Property Act 1969 (c59)
1966			
8	Report on the Powers of Appeal Courts to Sit in Private and the Restrictions upon Publicity in Domestic Proceedings (Cmnd 3149)	Implemented	Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c63)
7	Proposals for Reform of the Law Relating to Maintenance and Champerty	Implemented	Criminal Law Act 1967 (c80)
6	Reform of the Grounds of Divorce: The Field of Choice (Cmnd 3123)	Implemented	Divorce Reform Act 1969 (c55); now Matrimonial Causes Act 1973 (c18)
3	Proposals to Abolish Certain Ancient Criminal Offences	Implemented	Criminal Law Act 1967 (c58)

Appendix B

The cost of the Law Commission

The cost of the Commission is met substantially from core funding provided by Parliament (section 5 of the Law Commissions Act 1965) and received via the Ministry of Justice. The Commission also receives funding contributions from departments towards the cost of some law reform projects, in accordance with the Protocol between the Government and the Law Commission.

	2023–2024 (April–March)		2024–2025 (April–March)	
	£000	£000	£000	£000
Commissioner salaries (including ERNIC) ¹⁵	577.8		582.0	
Staff costs ¹⁶	4366.5		5154.9	
		4944.3		5736.9
Research and consultancy	0.3		0.0	
Communications (printing and publishing, translation, media subscriptions, publicity and advertising)	148.9		161.8	
Design, print and reprographics				
Events and conferences (non-training)				
Information technology				
Equipment maintenance				
Library services (books, articles and on-line subscriptions)				
Postage and distribution				
Telecommunications				
Accommodation recharge (e.g. rent, rates, security, cleaning) (met by MoJ) ¹⁷	537.2		629.2	
Travel and subsistence (includes non-staff)	26.6		46.0	
Stationery and office supplies	56.4		53.8	
Recruitment				
Training and professional bodies membership				
Recognition and reward scheme awards				
Childcare vouchers				
Health and Safety equipment/services				
Hospitality	0.6		0.9	
		770.0		891.7
TOTAL		5714.3		6628.6¹⁸

¹⁵ Excludes the Chair who is paid by HM Courts and Tribunals Service (HMCTS).

¹⁶ Includes ERNIC, ASLC, bonuses (not covered under recognition and reward scheme), secondees and agency staff.

¹⁷ In November 2013 the Law Commission moved to fully managed offices within the MoJ estate. This cost is met by MoJ directly.

¹⁸ Figures will form part of the wider MoJ set of accounts which will be audited.

Appendix C

Targets for 2024–25 and 2025–26

2024–25

Target	Outcome
To publish reports on:	
Digital assets as personal property	Report published July 2024
Decentralised autonomous organisations (DAOs) (scoping report)	Scoping paper published July 2024
Financial remedies on divorce and dissolution (scoping report)	Published in December 2024.
Making a will	The final report and draft Bill are expected to be published early in financial year 2025-26.
To publish consultations on:	
Co-operative and community benefit societies	Consultation paper published September 2024.
Friendly societies	Consultation paper published March 2025
Evidence in sexual offences	Consultation paper published May 2023
Burial and cremation	Consultation paper published in October 2024.
Business tenancies: the right to renew	First consultation paper published in November 2024.

2025–26

Target	
To publish reports on:	To publish consultations on:
Co-operative and community benefit societies	Digital assets and electronic trade documents in private international law
Digital assets and electronic trade documents in private international law	
Friendly societies	Contempt of court
Evidence in sexual offences prosecutions	Criminal appeals

Target	
Agriculture law in Wales (scoping report)	Autonomy in aviation (2nd consultation)
Financial remedies on divorce (scoping report)	New funerary methods
Disabled children’s social care	Business tenancies: the right to renew (consultation paper 2)
Autonomy in aviation	Chancel repair liability and registration
Making a will	
Burial and cremation	

