



Ministry
of Justice

Alex Davies-Jones MP
Parliamentary Under-
Secretary of State

Gweinyddiaeth
Cyfiawnder

Professor Penney Lewis
Commissioner of the Law Commission of England and Wales
Law Commission for England & Wales
1st Floor Tower
52 Queen Anne's Gate
London
SW1H 9AG

MoJ ref: SUB129749

3 December 2025

Dear Penney,

USE OF EVIDENCE IN SEXUAL OFFENCE PROSECUTIONS

I wanted to take the opportunity to write to you and thank you for the work you undertook in your report 'The Use of Evidence in Sexual Offences Prosecutions'. It was a very carefully considered, well evidenced, and comprehensive report. You highlighted many important issues and how these could be addressed. As a result of the recommendations you proposed, the Government has worked at pace to bring forward legislation that we hope will kick start a real culture change in our courts, so that rape myths and misconceptions are no longer used to undermine victims in our court rooms.

Our package will make changes to the admissibility of evidence that can be used to undermine victims – specifically evidence about previous allegations, compensation claim evidence, or sexual behaviour evidence. Legislation will also make clear that previous domestic abuse convictions can be used to show propensity of other incidents of domestic abuse offending – regardless of the specific offence type in question. While I recognise that the latter did not ultimately form part of your recommendations, I know you did consult on the matter and in a domestic abuse context, I think it's so important to recognise that DA offending can emerge in different ways with different victims.

We have also taken account of the recommendations you made regarding special measures. Following this, we will confirm that witnesses should be able to be accompanied by a companion when giving evidence and will clarify the circumstances in which the court can exclude intimidating individuals from the public gallery. Our reforms will also clarify the role of courtroom screens in shielding witnesses from view of the defendant when they give evidence, when they can be combined with other measures, allow victims to use special measures when reading their Victim Personal Statement, and enshrine in law the court's power to edit pre-recorded evidence so it is suitable for use in proceedings and free from inadmissible or irrelevant material.

I hope that these changes will give victims the confidence that they will be treated fairly in court, while preserving judicial independence and the right to a fair trial.

Thank you again for all your work on this issue.

Yours sincerely,

A handwritten signature in dark ink that reads "Alex Davies-Jones". The signature is written in a cursive, flowing style.

ALEX DAVIES-JONES MP
Minister for Victims and Tackling Violence Against Women and Girls