

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION
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BEFORE 0001 HOURS WEDNESDAY 29 FEBRUARY 2012

SCOTTISH LAW COMMISSION PUBLISHES ITS ANNUAL REPORT FOR 2011

The Commission's Annual Report 2011 is published today. It outlines progress on the Commission's law reform projects and gives details of its publications in 2011. It also outlines the discussion papers and reports we plan to publish this year.

In his last foreword as Chairman of the Scottish Law Commission, Lord Drummond Young returns to the theme of implementation of the Commission's recommendations for reform of different areas of Scots law. He records that matters improved significantly on this front in 2011 and he is pleased that the Scottish Government and Scottish Parliament have both shown a clear desire to improve the rate of implementation of Commission reports.

He particularly welcomes the introduction in the Scottish Parliament of the Long Leases (Scotland) Bill which would implement the Commission's Report on Conversion of Long Leases, published at the end of 2006, and the Land Registration etc. (Scotland) Bill which is based on the Commission's Report on Land Registration, published in 2010.

In the last Annual Report he had voiced disappointment at the general rate of implementation of reports in the field of Scots private law, suggesting that it may be connected to insufficient capacity in the Scottish Parliament to deal with law reform measures. In this Annual Report he welcomes the discussions that are underway to enhance the procedures for law reform measures in the Scottish Parliament.

Publications in 2011

The Commission published six discussion papers in 2011 (two of which were published jointly with the Law Commission for England and Wales) and one Report – on Criminal Liability of Partnerships.

Progress on law reform projects in 2011

The Report outlines the progress which the Commission made on its wide range of law reform projects during 2011. Most of our current work stems from the Eighth Programme of Law Reform, but the Commission has one remaining reference from Scottish Ministers – relating to criminal law, which is reviewing the law on similar fact evidence and the *Moorov* doctrine.

The Report outlines progress during 2011 on its joint projects with the Law Commission for England and Wales. The Commission has had a long tradition of working closely with the Law Commission in London on joint projects. For the first time the Commissions in Edinburgh and London are working on a joint project involving the Northern Ireland Law Commission and the Annual Report outlines progress on this project which started in 2011.

Working with the Malawi Law Commission

2011 saw the Commission continuing to build its links with the Malawi Law Commission, as part of the Scottish Government's Programme on Capacity Building for Justice in Malawi.

Publications planned for 2012

The Commission aims to publish six reports in 2012 on a variety of topics, of which two will be published jointly with the Law Commission. Reports are expected on trust law, on the criminal law reference on similar fact evidence and the *Moorov* doctrine, on prescription and title to moveable property and on judicial factors, in addition to joint reports with the Law Commission on consumer redress for misleading and aggressive practices and on the law relating to level crossings.

NOTES TO EDITORS

1. The Scottish Law Commission was set up in 1965 to promote the reform of the law of Scotland. The acting Chairman is the Hon Lord Drummond Young, a Court of Session judge. The other Commissioners are Laura J Dunlop QC, Dr Andrew J M Steven, Patrick Layden QC TD, and Professor Hector L MacQueen. The Chief Executive is Malcolm McMillan.
2. Further information can be obtained by contacting Malcolm McMillan, Chief Executive, Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR (Tel: 0131 668 2131, Fax: 0131 662 4900, email: info@scotlawcom.gsi.gov.uk).
3. The Annual Report 2011 is available on our website at www.scotlawcom.gov.uk or can be purchased from TSO (www.tsoshop.co.uk).