



Scottish Law Commission

promoting law reform

news release • news release

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION
NOT FOR PUBLICATION OR BROADCAST
BEFORE 0001 HOURS FRIDAY 25 FEBRUARY 2011

SCOTTISH LAW COMMISSION PUBLISHES ITS ANNUAL REPORT FOR 2010

In its Annual Report, published today, the Scottish Law Commission outlines progress on its law reform projects and gives details of its publications during 2010. It also lists the discussion papers and reports it plans to publish in 2011.

A strong theme in the Commission's Annual Report is the record of implementation of its recommendations for reform of different areas of Scots law. In his foreword, the Chairman of the Commission, Lord Drummond Young, welcomes the progress made by the Scottish Government and the Scottish Parliament in implementing the Commission's recent reports on criminal law topics. Progress on implementing some of the Commission's Reports on civil law topics has been more limited, but he acknowledges recent moves such as the Long Leases (Scotland) Bill which would implement the Commission's Report on Conversion of Long Leases.

He voices disappointment at the general rate of implementation of reports in the field of Scots private law, something which he suggests may be connected to insufficient capacity in the Scottish Parliament to deal with law reform measures. He points to the importance for the Scottish economy of keeping Scots law up to date, so as to attract business to Scotland. The Commission will continue to press for ways to increase the capacity of the Scottish Parliament in the area of law reform.

The Report contains a section recording progress with implementation of some of its more recent reports.

2010 - a productive year for the Commission

2010 was a productive year for the Commission. In addition to publishing its Eighth Programme of Law Reform, outlining projects it intends to undertake up to the end of 2014, the Commission also published five discussion papers (one of which was published jointly with the Law Commission for England and Wales) and one Report recommending reforms to land registration in Scotland.

Progress on Law reform projects in 2010

The report outlines the progress which the Commission made on its wide range of law reform projects during 2010. Most of its current work stems from the Eighth Programme of Law Reform, but the Commission has one remaining reference – a criminal law one reviewing the law on similar fact evidence and the *Moorov* doctrine. Some of the Commission's current work is being undertaken in collaboration with the Law Commission in London. The Report outlines progress during 2010 on these joint projects.

Working with the Malawi Law Commission

2010 saw the Commission building on its links with the Malawi Law Commission, as part of the Scottish Government's Programme on Capacity Building for Justice in Malawi. In September one of the Commission's legal assistants was posted to Malawi for a six-month placement to assist the Law Commission there with its work on intellectual property law.

Publications planned for 2011

The first of the Commission's publications for 2011 – a discussion paper on contract law – was published earlier this week. A further five discussion papers are due to be published during the course of the year, including another one on contract law and one on criminal liability of partnerships. The Commission also expects to publish two joint consultation papers with the Law Commission for England and Wales and four Reports, including one on the consolidation of Bankruptcy legislation.

NOTES TO EDITORS

1. The Scottish Law Commission was set up in 1965 to promote the reform of the law of Scotland. The Chairman is the Hon Lord Drummond Young, a Court of Session judge. The other Commissioners are Laura J Dunlop QC, Professor George L Gretton, 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 paper may also be viewed on our website at www.scotlawcom.gov.uk or purchased from TSO (www.tsoshop.co.uk).