

PE1727/B

Scottish Law Commission submission of 3 October 2019

Calling on the Scottish Parliament to urge the Scottish Government to introduce legislation that would ensure all citizens in Scotland have a legal duty to report a crime they have witnessed.

I refer to your letter dated 16 September 2019 in connection with the above Petition.

The Commission has not carried out any research or consultation into this matter. The Commission is therefore not in a position to comment on the issue, or on the depth of support for reform.

I should explain that the Commission carries out reviews of particular areas of the law of Scotland in terms of a Programme of Law Reform. Each Programme is prepared following a public consultation and discussions with key stakeholders. This process focuses on the areas of law which are most in need of reform at any particular time, and the extent of support for reform. The process also helps to identify the law reform projects that the Commission is best placed to address in terms of our current expertise and resources.

The Commission is currently working on our Tenth Programme of Law Reform. The Tenth Programme began in 2018, and runs for a period of 5 years until the end of 2022. A consultation exercise was carried out in 2017 to prepare the Programme. The Programme was approved by Scottish Ministers, and laid before the Scottish Parliament. The Programme can be found on the Commission's website. For convenience, a link to the Programme is attached.

<https://www.scotlawcom.gov.uk/law-reform/tenth-programme-of-law-reform-consultation/>

The Commission will in due course carry out a consultation on possible law reform projects for the next Programme of Law Reform. The consultation will be announced on the Commission website. The Commission will be very interested in suggestions from bodies and individuals for possible law reform projects during that consultation.