



Law  
Commission  
Reforming the law

# Law Commission Business Plan 2021-22

# Chief Executive's Welcome



On reviewing last year's Business Plan it is easy to forget the environment in which it was drafted. We were in the early stages of the Pandemic and, personally and professionally, faced real uncertainty. We had little idea then that it would be over a year until many of us saw one another again.

I am very proud that everyone in the Commission has played their part in maintaining the cohesion of the organisation over the last year. We made the most of virtual working to help us to support one another, not just in terms of social events, but checking in with one another through the work of our Social Committee and Mental Health Allies, who have organised weekly coffee chats and awareness raising sessions. We have also continued to deliver. Our law reform work has been maintained and we have also taken on new high-profile work. Undoubtedly, some of the objectives set out in last year's plan will not have progressed as we might have wished but I do not think we have stood still as an organisation either. For example, I am particularly pleased that we have been able to progress a number of Diversity and Inclusion initiatives, working towards being able to offer, later this year, a number of paid internships at the Law Commission. I am grateful to everyone at the Commission for all they have done over the last year, not only to keep the show on the road but also to develop as an organisation.

I want also to reflect on a further major achievement from 2020/21: a new funding agreement reached with the Lord Chancellor. The Agreement ensures that the Commission is now on a much more sound footing financially and should help us to design a wide-ranging and diverse 14th Programme of work guided by where law reform is most needed and not whether funding is available. I am very grateful to everyone in the Ministry of Justice for working with us to bring this about and look forward to its successful implementation during 2021/22.

At the time of writing, we are obviously not yet out of the woods in relation to Covid, but there are signs that, as an organisation, we can start to ask the question: what next? I know we are not alone in this regard. I have spoken with many colleagues across the public and private sectors and all are grappling with the same issues.

This Business Plan is an attempt to try to put some structure around the uncertainty we still face. In my view, the key will be to take a flexible and measured approach to delivering the objectives in this plan, demonstrating an ability to adapt based on experience and prevailing circumstances. First and foremost, we need to learn what has worked well over the last year and seek to build on that. It seems abundantly clear that we will not go back to the way things were. Homeworking and virtual meetings are now the norm. At the same time, we need to ensure that we remain cohesive and do not lose sight of the myriad, unmeasurable, benefits of face-to-face contact, especially in relation to innovation and socialising. I am determined that we do not rush in. We need to take our time to develop future ways of working which are attractive to our staff – helping to support recruitment and retention – but also ensure that the Commission does not lose its cohesive approach. We will also need to be guided by our stakeholders as our relationships with them are of paramount importance to the Commission; in some instances, virtual working has enabled us to reach a wider audience, but in others it may be that face-to-face meetings are still the preferred approach. Our job will be to try to find the right balance and, for my part, I am keen that it is a collaborative process whereby we put aside our own personal preferences and build a model which ensures the Commission successfully adapts to the new environment in which we find ourselves.

Phil Golding,  
Chief Executive of the Law Commission

# Chief Executive's Welcome

One area of work on which I want to focus renewed attention is our work in relation to diversity and inclusion. I believe we can use our status as a public organisation to offer opportunities to those under-represented in the law, recognising that, although we may benefit directly, we have a wider part to play in making the legal profession more diverse. I am delighted to have been able to allocate funding to recruit a new diversity and inclusion coordinator. Although everyone in the organisation has a part to play in supporting this agenda, the coordinator will help to provide direction and ensure we measure progress. Our new Diversity and Inclusion Strategy sets out in more detail what we will aim to do.

Perhaps unsurprisingly this Business Plan builds on a number of areas from last year's plan where progress has obviously been limited. For example, we were unable to relaunch the Commissioner and lawyer diversity schemes because many of those who might wish to participate were focused on responding to Covid.

Finally, I reiterate my thanks to everyone at the Commission for all they have done over the last year. I believe the Commission will emerge from this experience as a stronger organisation and one which is well placed to adapt to the rapidly changing environment around us, whether that is in relation to delivering law reform work or embracing new ways of working. I am also hugely grateful to all those with whom we work who have continued to support our law reform projects.



Phil Golding,  
Chief Executive of the Law Commission

# Our priorities

Over the next year, we will focus our work on four priorities.



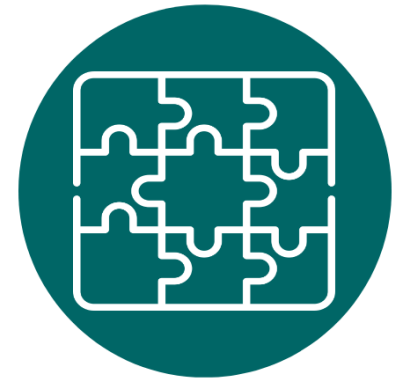
**Ensure that the law is fair,  
modern and clear**



**How we engage with  
stakeholders**




**Developing our future  
ways of working**




**Enhancing our approach  
to Diversity and Inclusion**


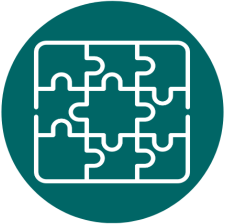
# 2021-22 Key Outputs

	Measure	In 2021-22, we will
 <p><b>Ensure that the law is fair, modern and clear</b></p>	<p>Make recommendations to UK and Welsh Governments that improve current law.</p>	<ul style="list-style-type: none"> <li>• Continue to progress projects contained within the 13th Programme of law reform or those that have been received as Ministerial References.</li> </ul>
	<p>Assist Government with the twin aims of ensuring the law is resilient and also adapts positively to the post-EU environment.</p>	<ul style="list-style-type: none"> <li>• Design and implement the 14th Programme of law reform, following extensive public consultation.</li> <li>• Deliver both existing Welsh-focussed projects and identify future work of benefit to the people of Wales.</li> </ul>
	<p>Ensure that our Programme of law reform is shaped by input from experts, interested stakeholders and members of the public.</p>	<ul style="list-style-type: none"> <li>• Engage with a wide-range of stakeholders to ensure we have a strong evidence base to support potential inclusion of projects in the 14th Programme of law reform.</li> <li>• Build strong relationships across Whitehall to ensure the Commission makes the strongest possible case for law reform in a challenging and uncertain environment, for example, by:               <ol style="list-style-type: none"> <li>i. engaging effectively with Number Ten, Parliament, judiciary and Government Legal Department; and</li> <li>ii. holding a roundtable with MoJ policy colleagues to identify future work.</li> </ol> </li> </ul>
	<p>Implement the Law Commission’s new funding model.</p>	<ul style="list-style-type: none"> <li>• Work with the Ministry of Justice to ensure that the 14th Programme is developed taking into account the new funding model agreed with the Lord Chancellor</li> <li>• Ensure that account is taken of the new model when agreeing Ministerial References, whether from MoJ or elsewhere in Whitehall.</li> </ul>
	<p>Ensure best law reform practice is shared across all teams and consistency of approach achieved wherever possible.</p>	<ul style="list-style-type: none"> <li>• Continue to develop and embed the Law Reform Manual into the working practices of the Law Commission at all levels.</li> <li>• Pilot a new Programme Board to provide oversight of the Law Commission’s project portfolio.</li> </ul>

# 2021-22 Key Outputs

	Measure	In 2021-22, we will
 <p><b>How we engage with stakeholders</b></p>	<p>To be a more outward facing organisation, influencing opinion at home and abroad.</p>	<ul style="list-style-type: none"> <li>• Further develop relationships with academia with a view to greater co-operation between the Law Commission and academia.</li> <li>• Undertake focused international activity, including participation in events concerning the rule of law.</li> <li>• Undertake a number of virtual sessions with sister Law Commissions across the globe to share best practice and ideas for law reform, starting with New Zealand and Australia.</li> <li>• Participate in the 5 Nations Law Conference in Jersey</li> </ul>
	<p>Develop new ways to engage with our stakeholders</p>	<ul style="list-style-type: none"> <li>• Build upon virtual engagement activities brought about by Covid to design new ways to reach wider audiences, for example, online conferences.</li> <li>• Develop new guidance to ensure that law reform is shaped by a greater understanding of its potential impact on a diverse range of communities, for example, making sure our Equality Impact Statements are an integral part of our law reform work.</li> </ul>
	<p>Continue to develop our communications function to help maximise the impact of our work and communicate the benefits of reform to members of the public.</p>	<ul style="list-style-type: none"> <li>• Review our website, including information about the work of the teams.</li> <li>• Improve the social media output to increase engagement with our posts. This includes developing short video clips of each Commissioner discussing potential law reform work and summarising their project proposals for use on social media.</li> <li>• Improving how we secure media coverage of projects with an enhanced focus on securing coverage throughout the consultation period.</li> </ul>

# 2021-22 Key Outputs

	Measure	In 2021-22, we will
 <p data-bbox="136 592 412 727"><b>Developing our future ways of working</b></p>	<p data-bbox="461 309 1189 368">Work with staff across the Law Commission to identify a new Future Ways of Working model.</p>	<ul data-bbox="1256 309 2114 1043" style="list-style-type: none"> <li>• Design and build questionnaire to ascertain staff opinion about returning to the office.</li> <li>• Hold Mental Health Allies sessions to begin the discussion about how staff feel about returning to the office.</li> <li>• Hold workshops to draw together themes and seek staff input into new ways of working.</li> <li>• Develop a coherent and sustainable model based on staff preferences, MoJ guidance and best practice from other organisations.</li> <li>• Continue to support the Social Committee in running its popular and successful events for staff – whether in a virtual environment or face-to-face.</li> <li>• Continue to support the work of the Mental Health Allies in promoting wellbeing across the organisation, including ongoing support as staff begin to return to the office.</li> <li>• Monitor progress towards new ways of working through People Survey results.</li> <li>• Research possible training to reflect new approaches to leadership in a virtual environment and make use of 360 degree feedback to ensure we understand its impact.</li> </ul>
 <p data-bbox="136 1337 405 1517"><b>Enhancing our approach to Diversity and Inclusion</b></p>	<p data-bbox="461 1051 1066 1082">Delivering our Diversity and Inclusion Strategy</p>	<ul data-bbox="1256 1051 2107 1477" style="list-style-type: none"> <li>• Finalise and publish Diversity and Inclusion Strategy</li> <li>• Relaunch the Commissioner diversity work shadowing scheme to help find our Commissioners of the future.</li> <li>• Expand the diversity work shadowing scheme to also target team lawyer roles.</li> <li>• Recruit a diversity and inclusion coordinator to provide oversight of all D&amp;I activity.</li> <li>• Undertake outreach activity to better target law schools, as well as continued engagement with relevant legal charities.</li> <li>• Organise internal L&amp;D events promoting diversity and inclusivity.</li> </ul>

# Ensure that the law is fair, modern and clear

We will continue to deliver law reform work that is high quality, to time and supported by a robust assessment of its impact. We will work closely with our stakeholders and Government so as to make recommendations which have widespread support and therefore have the best chance of future implementation.



## Recommendations to Government

During the course of 2021-22, we will continue our work on a range of existing projects, which either formed part of a Programme of law reform, or have been taken on as references in the intervening period. We will continue work on two existing Welsh-focussed projects and seek to identify further work of benefit to the people of Wales.

## Project references

Although our new funding model reduces the financial necessity for identifying new Ministerial references, it is clearly still vital that the Commission is able to react flexibly to high priority work which Ministers approach us to undertake. In such circumstances, sponsoring departments will ordinarily be expected to cover the costs of their project, but now directly to the MoJ. We will, therefore, continue to work hard to identify new projects and, where possible, commensurate funding. It may be that Covid-19, and the financial aftermath, affect our ability to identify projects which attract funding but we will continue to be transparent with the MoJ about any difficulties in this area.

## 14th Programme

In March 2021 we launched our 14<sup>th</sup> Programme public consultation. It will run until 31 July. This consultation represents one of the few opportunities the Commission has to fulfil our statutory function to keep all of the law of England and Wales under review. We consult widely on potential law reform projects and, for this consultation, have suggested a number of possible themes which might underpin the Programme. They are:

**Emerging technology:** There will be a growing need in the future for law which reflects developments such as AI and the use of algorithms in decision-making.

**Leaving the EU:** Now that we have left the European Union, it is essential that we demonstrate to the world that Britain is a great place in which to live, work and invest. Clarity, modernity and accessibility of the law will help secure that position and ensure that legal services are at the forefront of enhancing the UK's competitiveness.

**The environment:** There is widespread domestic and international interest in promoting

reforms to safeguard our environment and this will affect existing legal structures in a myriad of ways.

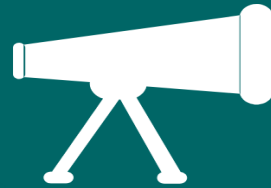
**Legal resilience:** The COVID-19 pandemic has highlighted areas of the law which are outdated or which contain weaknesses which could not bear the stresses of emergency conditions.

**Simplification:** We are interested in hearing about ideas where simplification of the law can bring about real and lasting benefits to individuals or organisations.

Following the close of the consultation we will work with stakeholders and colleagues in Whitehall to refine ideas with a view to seeking approval from the Lord Chancellor in the Spring or Summer of 2022.



# How we engage with stakeholders



We are a valuable resource to Government, providing expert and independent legal and policy analysis.

## Influencing opinion at home and abroad

We had hoped to undertake significant activity in this area as part of last year's plan but, for obvious reasons, such work was curtailed. We hope to make use of technology to organise a number of workshops with sister Law Reform Agencies across the globe to share best practice and strengthen relationships. We envisage the first session, taking place during the summer or autumn, will be with Australian and New Zealand agencies. We plan also to meet with the Law Commissions of Ireland, Scotland and Jersey at our annual conference. We also hope that, this year, we may have law reform input from Northern Ireland as the government there seeks to take steps to bolster support in that area.

Additionally, we currently participate internationally through, for example, observer status on the UCC (Uniform Commercial Code) Committee, Unidroit and Uncitral working groups, which are all concerned with reform in relation to digitisation. We hope to expand this aspect of our work in the coming year, making sure we are at the forefront of international legal developments.

Closer to home, we will continue to work with the judiciary, Parliament and government to help make the case for law reform generally, and individual law reform projects. Of particular note, we are keen to hold a session with Number Ten to raise awareness of our work. We have also had very helpful engagement with All Party Parliamentary Groups and will seek to build on such work during 2021/22.

Additionally, as we continue to ensure our work on law reform is of the highest quality, we will continue to strengthen our relationships with academia, encouraging a wide range of submissions to our 14th Programme consultation.

## New approaches to engagement

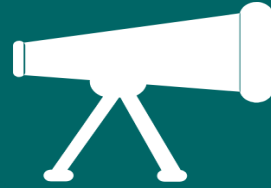
We adapted swiftly to the need to engage virtually with stakeholders during Covid. We now need to identify best practice – both our own and more widely – about how to embed such mechanisms in our future ways of working and, crucially, to understand where the balance lies between virtual and face-to-face engagement. Our experience so far shows there are many positives to virtual engagement, for example attendance rates can be higher because of the absence of time and cost associated with travelling to an in-person event. It may also help to engage with communities traditionally harder to reach. However, less

tangibly, we need also to understand whether the depth of contribution and debate is the same when delivered in a virtual environment. Anecdotal evidence suggests the ability and willingness of people to engage in complex points, followed by robust debate, may be curtailed in such an environment. Likewise, the simple opportunity to network over a coffee can provide immeasurable benefit. We are at the start of this debate and it is important, as a consultative organisation, that the Commission adapts to the new environment in which we find ourselves.

## Assessing the equality impact of law reform

We will continue our work to develop new guidance to ensure that law reform is shaped by a greater understanding of its potential impact on a diverse range of communities, for example, making sure our Equality Impact Statement process is an integral part of our law reform work and reflects current best practice.

# How we engage with stakeholders



We are a valuable resource to Government, providing expert and independent legal and policy analysis.

## Communications

The Law Commission ensures that its projects have end-to-end communications strategies based on best practice in Government. Recent developments have seen greater use of infographics and designed summaries, all of which aim to make our law reform projects more accessible to a wider audience. We will focus more attention on some of our more corporate-facing information, for example, reviewing how we describe the work of our law reform teams or producing short video clips, introduced by Commissioners, seeking ideas for potential law reform work, for use on social media.

# Developing our future ways of working

We need to apply best practice from the last year to develop a new model which best supports the organisation's objectives while also providing a working environment which works for our staff.



## New ways of working

Like most organisations, Covid forced a change in working practices upon the Law Commission. We adapted well to this new environment, however, it was also a challenge for many at an individual level. As we hopefully emerge from forced circumstances we, like most other organisations, need to take the time to design a new approach to working. It is clear there is no going back. This approach must protect the important aspects – often immeasurable – of face-to-face working. However, we must also be prepared to build upon the last year so we have a sustainable model for the longer-term.

There will be practical constraints, such as noise levels in an open-plan environment where virtual meetings are taking place as a matter of routine. Not everyone has an appropriate environment to support home working. And some people enjoy the social side of work. There are also issues outside of our control, for example, how train tickets will operate in the future and the potential for changes to terms and conditions.

We will make sure we take our time to get this right. We may not do so at the first time of

asking. We are also committed to supporting individual staff back to the office; some are anxious about the return and so we will work with all of our staff to ensure this is done gradually and sensitively.

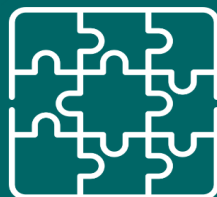
We will ask staff for their opinions about future ways of working and hold workshops so that everyone has an opportunity to contribute their views to the future model, recognising that there will be a wide range of personal perspectives which must be balanced with what works best for the organisation.

It is also important that we monitor progress. Our People Survey results – which have been positive in recent years – will be of particular importance as we seek to identify how staff feel about new working practices. Of particular concern will be to ensure that the vital relationship between staff and their line managers is preserved and, hopefully, enhanced. 360 degree feedback will be a helpful mechanism for gauging how relationships may be affected by greater virtual engagement.

Finally, we must make sure that we do not lose the very real value provided by the Social Network in terms of making the Law Commission

an enjoyable place to work, as well as the work of the Mental Health Allies in making sure that nobody slips below the radar. This latter aspect will be of particular importance if people are spending more time at home, which could result in feelings of isolation.

# Enhancing our approach to Diversity and Inclusion



The Commission should use our positive reputation to provide opportunities to those traditionally under-represented in the law.

## Diversity and Inclusion Strategy

The Commission has in recent years undertaken strong work in this area, for example in relation to our outreach work for future Research Assistants and our Commissioner Diversity Scheme. Some of this work continued during 2020-21 but much of it had to be paused, usually because those affected were focused elsewhere, for understandable reasons.

We have not, however, stood still. We have been working on our Diversity and Inclusion Strategy, a document designed to set out meaningful and realistic diversity and engagement activities. This document was published in June 2021.

We have also identified funding to support the recruitment of a

Diversity and Inclusion Coordinator to ensure that our efforts are monitored and enhanced. We hope the individual will be in post during the Summer of 2021.

We have been building relationships so that we can put in place a small number of paid internships for those wishing to pursue a career in the law. We hope such placements will go ahead in the autumn of 2021.

We look forward to relaunching the Commissioner Diversity Scheme and expanding its reach to lawyers who may be interested in a career at the Commission. We will participate in schemes designed to support those who wish to pursue a legal career, for example our Chair and in-house Parliamentary Counsel will speak at the Government Legal Department's Summer Intern Scheme.

## Annex A – Business plan 2020-21 review

	Target	Actual
<p><b>Ensure that the law is fair, modern and clear</b></p>	<p>We will continue to progress projects that have been included within a Programme of Law, subject to resource constraints.</p>	<p>Despite Covid, the Law Commission has continued to deliver law reform projects. Although some have been delayed due to, for example, difficulties engaging with stakeholders in the early stages of the pandemic, such delays have been kept to a minimum. Overall, the Commission continued to function well during 2020-21 in relation to its law reform work.</p>
	<p>We will commence 1 Welsh focussed project.</p>	<p>The Commission commenced two Welsh-focused projects in 2020-21: Regulating Coal Tip Safety in Wales and Devolved Tribunals in Wales.</p>
	<p>We will publish reports and consultation papers where possible and appropriate, taking into account the evolving position in relation to COVID-19.</p>	<p>As above, we have continued to publish law reform reports and consultations during 2020-21. In one or two cases a decision was taken to delay a project in the early stages of the pandemic so as to ensure stakeholders had the opportunity to engage with us.</p>
	<p>We will seek to hold a joint conference with academia and Government on the technical implications of leaving the EU.</p>	<p>Planning for the conference was well underway, however, these were put on hold following the outbreak of COVID-19. We have therefore sought to identify other ways to engage with stakeholders, both generally, and in relation to possible law reform work linked to the UK's departure from the EU.</p>
	<p>We will continue to regularly engage with Government departments across Whitehall, Parliament, the Justice Committee and other stakeholders to identify potential areas of law reform.</p>	<p>Activity in this area was affected as most organisations, including the Commission, switched to a more reactive environment. In the case of the Commission, we specifically delayed launching the 14th Programme consultation until such time as we could engage effectively with stakeholders.</p>
	<p>We will publish and launch the “economic value of law reform” report.</p>	<p>We successfully launched this report, accompanied by a short summary, in October 2020. The report attracted positive comment from stakeholders in England and Wales but also overseas. The report's profile was raised further because both the Lord Chancellor and Permanent Secretary of MoJ drew it to the attention of colleagues across Whitehall, asking them to liaise with us to discuss potential law reform work.</p>

## Annex A – Business plan 2020-21 review

	Target	Actual
<b>Ensure that the law is fair, modern and clear</b>	We will support the UK in its recovery phase following the COVID-19 outbreak.	This is ongoing work but we have ensured that the consultation for the 14th Programme sets out possible themes to support recovery, for example, potential projects around legal resilience. We are discussing ideas with a wide range of stakeholders, including with colleagues across Whitehall.
	We will continue to engage with the Welsh Government over our participation in the Law Council of Wales	We have engaged with stakeholders in Wales but so far as we are aware progress on the Law Council proposals has been paused during 2020-21.
	We will keep the membership of the Wales Advisory Committee under review to ensure that it represents key interests of the law in Wales.	The membership of the Wales Advisory Committee is kept under constant review and has recently been refreshed.
	We will continue to develop and embed the Law Reform Manual into the working practices of the Law Commission at all levels.	The Law Reform Manual is now accepted as the central repository for all law reform best practice. An editorial board reviews content and makes suggestions for additions, as do all staff at the Commission.
<b>Engage and influence effectively</b>	<p>We will:</p> <ul style="list-style-type: none"> <li>further develop relationships with academia with a view to greater co-operation between the Law Commission and academia.</li> <li>undertake focused international activity, including participation in events concerning the rule of law.</li> <li>work with other Law Commissions and NGOs to share thinking and experience on law reform.</li> <li>continue to work with the judiciary, MoJ and FCO to develop a small but targeted programme of work to draw attention to the value of law reform in other jurisdictions.</li> </ul>	<p>Commissioner Nick Hopkins has led on this area of work during 2020-21, culminating in plans for a joint conference with academics in May 2021 to discuss ideas for the 14th Programme.</p> <p>There has not been much international focus during 2020-21, for obvious reasons. However, plans are now underway for a series of virtual meetings with sister law agencies around the globe to share best practice and potential law reform ideas. We hope to be able to renew our focus on this area during 2021-22.</p>
	We will participate in a conference looking at the effects of emerging technology and AI on law reform.	We were unable to take forward work on this specific objective during 2020-21, however, we have sought to engage with relevant stakeholders to build our understanding of the issues in this important area of developing law. We did have a number of speakers on this topic at the Commission's awayday event.

## Annex A – Business plan 2020-21 review

	Target	Actual
<b>Engage and influence effectively</b>	We will participate in the 5 Nations Law Conference in Jersey.	The 5 Nations conference was, regrettably, postponed during 2020-21 but is being rearranged for the autumn of 2021.
	We will ensure that an OASIS communications strategy is in place for all projects.	Complete – we will ensure that this is continued going forward.
	We will review our external website.	The review of the external website is pending a re-design from the Ministry of Justice digital team. Once complete, this will help us ensure that our website is easy to navigate, improving the user process.
	We will continue to increase our social media output.	Completed but ongoing - The Law Commission has increased its followers on Twitter to almost 20,000 (an increase of 13%). Our monthly average impressions is more than 4 times our followers, reaching 80k people a month.  This shows the effectiveness and impact of our social media posts.
	We will review our approach to the publication of our reports, considering the value and impact of designed summaries and how we produce our documents.	We have had success in producing reports and plain text documents ourselves which saves the teams time and gives them more control over the production timeline. More projects are producing attractively designed, punchier summaries. Feedback from a range of stakeholders has been overwhelmingly positive.
	We will develop digital means of consultation to respond to the required COVID-19 social distancing conditions, and beyond.	The Head of Communications worked with staff from across the Commission to draw up a detailed plan about the practicalities and considerations to be taken into account when undertaking virtual engagement. The guide will have an enduring basis at the Commission given such engagement will no doubt be part of our future operating model. The plan remains under review and is being regularly updated to improve the effectiveness of our virtual engagement.

## Annex A – Business plan 2020-21 review

	Target	Actual
<b>Engage and influence effectively</b>	We will maximise the impact and momentum of our recommendations by working with stakeholders to expand the reach of our publications.	Completed but ongoing - The Law Commission has successfully worked with stakeholders on a number of projects to maximise awareness of the work. In particular, for the launch of the intimate images consultation, we worked with victim support groups and campaigners to secure media coverage and increase the social media impact.
	We will develop and rollout an internal communications strategy within the Law Commission.	Completed but ongoing - The internal communications strategy has been successfully implemented and we continue to publish a range of internal campaigns for the benefit of staff.
<b>A great place to work</b>	We will build upon positive People Survey results and additional feedback from across the Law Commission by working with a cross-section of staff to develop and implement actions.	Our People Survey results have obviously been shaped by the environment faced by staff in 2020-21 because of the move to virtual working. For example, we have focused heavily on supporting mental health issues across the Commission and ensuring that we adapted swiftly to virtual working by putting in place enhanced internal communications and social activities.
	We will review the Law Commission's home working policy following feedback from staff and experience of home working during the COVID-19 outbreak.	The home-working policy is now defunct and will need to be looked at afresh in light of experiences during 2020-21. We will ensure that we engage with all staff to shape the future operating model for the Commission, which will no doubt include elements of home-working.
	We will continue to support the Social Committee in running its popular and successful events for staff.	Social Committee activities have obviously been shaped by the move to virtual working but much excellent work has been done to ensure that staff have options for staying engaged. The Commission is grateful to the Committee for all their work.
	We will continue to support the work of the Mental Health Allies in promoting wellbeing across the organisation, including considering ways to build on the experiences of COVID-19.	The Mental Health Allies have done excellent work in offering support and information to staff who may have been struggling during the last year. As above, the Commission is grateful to them for their support. Their continued involvement will be important as people start to return to the office.



# Annex A – Business plan 2020-21 review

	Target	Actual
<b>A great place to work</b>	<p>We will:</p> <ul style="list-style-type: none"> <li>relaunch the Commissioner diversity work shadowing scheme to help find our Commissioners of the future.</li> <li>expand the diversity work shadowing scheme to also target team lawyer roles.</li> </ul>	The Commission decided to pause the relaunch of the Scheme on the basis that many of those who would have been interested were focused on more immediate priorities. We are very keen to relaunch the scheme when appropriate and will ensure it also includes those who may be interested in a lawyer role at the Commission.
	We will work with staff to develop a diversity and inclusion plan by March 2021.	The Diversity and Inclusion Strategy was delayed, but was launched in June 2021.
	We will nominate a diversity and inclusion champion to provide tips, blogs and facilitate discussion on the topic.	A Champion was appointed during the year and this work will also be enhanced by a Diversity and Inclusion Coordinator, a paid administrative role designed to lend structure and support to this important work. We hope to have an individual in role by the Summer of 2021.
	We will undertake outreach activity to better target law schools, as well as continued engagement with relevant legal charities. organise internal L&D events promoting diversity and inclusivity.	We have continued to engage with law schools but, of necessity, such activity has been heavily constrained. We have also been working with external organisations to design a paid internship scheme for those under-represented in the law and hope to launch the scheme in the Summer/Autumn of 2021.
	We will organise an all staff away day providing staff with an opportunity to discuss the key issues facing the Law Commission.	This event was held as a virtual event in December 2020. The event included a range of sessions covering project themes such as emerging tech and diversity and wellbeing.
	We will arrange lunch time lectures covering both legal and corporate topics.	The Commission has undertaken regular lunchtime sessions for staff, discussing issues of race, the Welsh Language and providing training LGBT+ allies.
	We will give consideration to the creation of a senior lawyer role following engagement with the Law Commission’s lawyer cohort.	This work is on pause as the MoJ considers a new pay deal. Depending on the outcome it may be easier to make a business case for a senior lawyer role.

## Annex A – Business plan 2020-21 review

	Target	Actual
<b>Good corporate governance</b>	We will work with staff to understand what they feel should be the organisational priorities of the Law Commission.	The staff away day considered longer term priorities for the Commission such as D&I and wellbeing. Despite difficult circumstances, we have made progress on some of the issues raised during 2020-21 and we will continue to review how best the Commission can adapt to rapidly changing circumstances, whether in relation to specific law reform work or new ways of working.
	We will update and communicate further information on the Board.	The Board communicates to staff all decisions made. We have not identified any further needs beyond that but will keep under review.
	We will implement recommendations contained within the Tailored Review	We continue to monitor the Tailored Review Recommendations and have made progress on all those where the Law Commission has direct control. Regular updates are provided to the MoJ as part of the ongoing Business Assurance Progress meetings the Commission hold with the MoJ.
	We will consider introduction of a Programme Board to provide oversight of the Law Commission's project portfolio.	Plans for a Programme Board were put on hold as a result of virtual working and prioritising other work. We will, however, rejuvenate our thinking in this area so as to put in place a proportionate process so that we can demonstrate robust corporate governance in relation to our project portfolio.
	We will: <ul style="list-style-type: none"> <li>ensure staff are trained on the use of Kahootz and Citizen Space which act as the primary source of law reform consultation data at the Law Commission.</li> <li>issue regular reminders to staff of our obligations in regard to GDPR.</li> </ul>	Training has been provided in this area and it forms part of the induction process for all new staff. Data Protection guidance was updated in early 2021 to reflect UKGDPR.
	We will ensure annual budget variance of +/- 3%	Our budget variance for 2020-21 was 0.18%.
	We will work with MoJ to finalise funding model proposals put forward by the Law Commission and recommended in the Tailored Review.	The Commission was delighted to agree a new funding arrangement with the Lord Chancellor during 2020-21 for 2021-22 onwards. We believe it represents a major step forward in how the Commission is funded and helps us to be able more effectively to plan our future law reform work. We are grateful to everyone involved for their work in reaching this Agreement.

## Annex B – Upcoming publications

The Law Commission anticipates publishing the following consultations and reports in 2021-22, recognising that we are still operating in an environment of considerable uncertainty.

	Consultation	Report
<b>Commercial and Common Law</b>	<ul style="list-style-type: none"> <li>• Electronic trade documents</li> <li>• Digital assets</li> </ul>	<ul style="list-style-type: none"> <li>• Consumer Prepayments: Transfer of ownership</li> <li>• Electronic trade documents</li> <li>• Smart contracts scoping study</li> </ul>
<b>Criminal Law</b>		<ul style="list-style-type: none"> <li>• Review of the Communications Offences</li> <li>• Hate Crime</li> <li>• Confiscation of the Proceeds of Crime</li> <li>• Corporate Criminal Liability options paper</li> <li>• Intimate Image Abuse</li> </ul>
<b>Property, Family and Trust Law</b>		<ul style="list-style-type: none"> <li>• Weddings</li> </ul>
<b>Public Law and the Law in Wales</b>	<ul style="list-style-type: none"> <li>• Regulating Coal Tip Safety in Wales</li> </ul>	<ul style="list-style-type: none"> <li>• Automated Vehicles</li> <li>• Devolved tribunals in Wales</li> <li>• Regulating Coal Tip Safety in Wales</li> </ul>

## Annex C – Financial budget

	<b>Budget 2021-22 (£000)</b>
Commissioners' Costs	560
Legal Staff Costs	3,613
Non-Legal Staff Costs	527
Other Costs, including: <ul style="list-style-type: none"><li>• Design, print and reprographics</li><li>• Events and conferences</li><li>• Telecommunications</li><li>• Travel and subsistence</li><li>• Stationery and office</li></ul>	286
<b>Total Expenditure</b>	<b>4,986</b>
<b>Core Funding</b>	<b>4,199</b>
<b>Minimum Required Income</b>	<b>787</b>