



**Law
Commission**
Reforming the law

1st Floor
Tower
52 Queen Anne's Gate
London
SW1H 9AG

Lucy Frazer QC MP
Parliamentary Under-Secretary
of State for Justice
102 Petty France
London, SW1H 9AJ

t 020 3334 5304
f 020 3334 0201
e nicholas.hopkins@lawcommission.gov.uk

15 August 2018

Dear Minister,

Thank you for your letter of 23 July providing the Government's full response to our report on the enforcement of family financial orders, published in December 2016.

I am delighted to hear that you will be taking forward those of our recommendations which do not require changes to primary legislation – which, as your letter says, is the case for much of what we recommend. We agree that a comprehensive and clear procedure for enforcement, supported by changes to operational processes, court procedure and court forms, and, importantly, detailed user-friendly guidance, will go a long way towards making enforcement in this area more efficient, effective and accessible.

We do understand the current difficulties in taking primary legislation through parliament. However, we believe that the recommendations that we have made requiring primary legislation are also necessary to ensure that debtors who are able to pay cannot shelter funds from enforcement, or escape their obligations under court orders. I am pleased to see that you are reserving your view on whether it may be possible, in due course, to take forward these further reforms. We hope that the Government will, in time, decide to do so.

Yours sincerely

Professor Nick Hopkins
Law Commissioner