



**LAW REFORM CONFERENCE: APRIL 2015
IN EDINBURGH, SCOTLAND,
ORGANISED BY THE COMMONWEALTH ASSOCIATION OF LAW
REFORM AGENCIES, WITH THE SCOTTISH LAW COMMISSION**

**A REPORT FROM
THE COMMONWEALTH ASSOCIATION OF LAW REFORM AGENCIES
(CALRAs)**

The Commonwealth Association of Law Reform Agencies was formed to foster and encourage international cooperation on law reform.

Background

1. A major feature in the legal world over the last 50 years or more has been the establishment and development of Law Reform Agencies (“LRAs”). They have brought whole new features to the legal landscape. At their best, they provide principled and imaginative new law, and are catalysts of change, responsive to the community around and to the public they serve. There are over 60 permanent LRAs across the world, mostly in the Commonwealth -- with names such as Law Reform Commission, Law Reform Institute and Law Commission. National LRAs exist in about half of all Commonwealth countries. There is great variety between these law reform bodies, as is right and proper when one considers the great variety of countries and states which they serve. However, they can usefully learn from each others’ experience.

2. Over the years, some LRAs have given considerable assistance to other LRAs from time to time, including through bilateral exchange of information and views, and providing human resources. However, cross-fertilisation between LRAs is not always easy: they are busy and varied and are often geographically distant and with very limited resources. Their personnel are often with them for a fairly limited period, often without prior involvement in law reform. Inevitably, cooperation has tended to be patchy and more reactive than proactive.

Support and status

3. For many years there was strong and widespread informal support for establishing a Commonwealth Association, to encourage, facilitate and take forward cooperative initiatives in law reform. CALRAs was then formed in 2003/04. CALRAs has the strong support of the Commonwealth Secretariat, swiftly gained formal Accreditation to the Commonwealth and is recognised as a Commonwealth legal partner.

Purpose

4. CALRAs' overall purpose is to encourage international cooperation on law reform – so as ultimately to improve the law and society across the world. It is an Association of Law Reform Agencies and others working or interested in law reform.

5. CALRAs has a broad set of aims and objectives in its founding constitution. Its facilities are available beyond the Commonwealth.

Activities

6. CALRAs is seeking in a modest way to assist capacity-building in law reform internationally by, among other activities:-

(a) Organising international conferences on law reform, including immediately before the Commonwealth Law Conferences:

- (1) in 2005 in England;
- (2) in 2007 in Kenya;
- (3) in 2009 in Hong Kong;
- (4) in 2011 in India; and
- (5) in 2015 in Scotland

-- with the national LRA in the jurisdiction.

The next CALRAs conference is expected to be in 2017.

(b) Engaging with the Commonwealth and Governments to seek high quality law reform geared to the specific country – including: encouraging and assisting the establishment and development of effective and good quality LRAs, both inside and outside the Commonwealth; and becoming significantly involved in triennial Commonwealth Law Ministers Meetings, both those attended by the Law Ministers of all Commonwealth countries and those attended by the Law Ministers of Small Commonwealth Jurisdictions. Outcomes have included providing and presenting papers for some of those Meetings, and presenting reports about CALRAs' activities to all Commonwealth Law Ministers Meetings since 2005.

(c) Providing training courses in-country, regionally and internationally, most recently in Malaysia and Brunei, and regionally in Nigeria (for West Africa) and in Trinidad (for the Caribbean). The General Secretary has led a study course on law reform methodology in London for senior law reformers across the Commonwealth (and beyond) each year from 2008, and is leading a similar course there from 12 to 16 October 2015 (www.public-admin.co.uk).

(d) Reviewing existing law reform machinery and methods in-country; and

(e) Developing strong relationships with many relevant organisations, including as a founder member of the Commonwealth Legal Forum, a group of Commonwealth legal associations, including the Commonwealth Association of Legislative Counsel, Commonwealth Lawyers Association, Commonwealth Legal Education Association, Commonwealth Magistrates and Judges Association, the British Institute of International and Comparative Law, and the Rule of Law Division of the Commonwealth Secretariat.

7. Overall, we encourage international cooperation in law reform. Although our resources are very limited, we believe we have helped put law reform higher on the agenda of the Commonwealth and of many of its members.

Values

8. The Commonwealth's fundamental values relate to human rights and the rule of law, gender equality, democracy and good governance, and sustainable economic and social development. This involves attitudes like respect for the dignity of the individual (and his and her fallibility), respect for the rights and liberties of the citizen, and fair and equal treatment for all. The law has a vital role to play in ensuring the practical application of these values. Law reform is a key leader and participant in that process. CALRAs is committed to those values and has an important place in promoting them.

Membership, organisation and finances

9. Membership of CALRAs is generally open to:-

- institutional LRAs,
- individuals with a current or previous tie to an LRA, and
- other bodies and individuals supporting the aims of CALRAs.

CALRAs is an informal body. It has no paid staff and is run by volunteers. Annual membership fees have deliberately been kept low.

10. Many of the LRAs in the Commonwealth have become members. Both large and small jurisdictions are well represented among the membership, as are both developed and developing countries.

Further information

11. Enquiries about CALRAs are very welcome. Information and membership application forms are available from CALRAs' website or from:-

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