



THE CAYMAN ISLANDS LAW REFORM COMMISSION



ANNUAL REPORT NO. 18

1st APRIL, 2022/31st MARCH, 2023



Mr. Hector Robinson, K.C.
Chairman

CHAIRMAN'S FOREWORD

I am pleased to present to the Honourable Attorney General the Eighteenth Annual Report of the Cayman Islands Law Reform Commission (“the Commission”). The Report covers the activities of the Commission for the period 1st April, 2022 to 31st March, 2023.

As in previous years, the Commission continued its mandate to keep the laws of the Cayman Islands under review in a systematic way by assessing areas in need of reform on its own initiative and by receiving and evaluating law reform referrals from the Attorney General, the legal profession and other stakeholders.

The Commission finalised several existing projects and added new projects to its agenda during the reporting period. The Commission was particularly pleased to submit to the Honourable Attorney General three Final Reports, each supported by draft legislation. Each Report follows the publication of a Discussion Paper in the previous reporting period, and is the culmination of extensive research, consultation and deliberation.

The Final Report titled **“Usury: The Common Law and Statutory Position in the Cayman Islands?”** was submitted to the Honourable Attorney General on 4th October, 2022. The Report examines whether any prohibition against usury exists in the Cayman Islands, whether at common law, by statute, or both, and recommends enacting legislation to provide certainty in this area.

The Final Report titled **“Part 1 – The Penal Code: Is It Compatible With The Bill of Rights?”** was also submitted to the Honourable Attorney General on 4th October, 2022. The Report assesses the compatibility of certain provisions of the *Penal Code (2019 Revision)* with the Bill of Rights, Freedoms and Responsibilities contained in Schedule 2 of the Cayman Islands Constitution Order, 2009. The Report recommends a number of amendments to, and

replacements of, existing provisions. In this case, the Commission did not advance all the recommendations contained in the relevant Discussion Paper in the Final Report, but elected to set aside the issue of abortion for a dedicated Discussion Paper and Final Report to be progressed in the next reporting period.

The third Final Report, titled “**Appeals Tribunals**”, was submitted to the Honourable Attorney General on 18th November, 2022. The Report recommends establishing a centralised Administrative Appeals Tribunal to replace the majority of existing appeals tribunals.

During the reporting period, law reform recommendations resulted in significant legislation being introduced into and progressed through Parliament for implementation. Our research and subsequent Final Reports respectively titled “**Regulation of Queen’s Evidence: Immunity from Prosecution, Restricted Use Undertakings and Reduced Sentences**”, “**Contempt of Court**” and “**Bullying: Legislation, Policy or Both?**” culminated in the enactment of the *Criminal Justice (Offenders Assisting Investigations and Prosecutions) Act, 2022*, the *Contempt of Court Act, 2022*, the *Penal Code (Amendment) Act, 2022*, and the *Education (Amendment) Act, 2022*, and the making of the *Anti-Bullying (Schools) Regulations, 2022*.

The *Criminal Justice (Offenders Assisting Investigations and Prosecutions) Act, 2022* empowers the Director of Public Prosecutions to grant immunity from prosecution in certain cases, allows the court to make sentence reductions on guilty pleas where a defendant has provided assistance in relation to an offence, and facilitates the review of sentences. The Act enhances the ability of prosecutors to secure convictions by codifying mechanisms for securing accomplice assistance in prosecutions.

The *Contempt of Court Act, 2022* restricts and codifies the strict liability rule as it applies to contempt of court in relation to publication of information about court proceedings. The Act also sets out a procedure for dealing with contempt of court that is consistent with the fundamental right to a fair trial as enshrined in the Bill of Rights. The *Penal Code (Amendment) Act, 2022* makes a range of amendments to the Penal Code to ensure consistency with the new *Contempt of Court Act, 2022*.

The *Education (Amendment) Act, 2022* introduced a requirement for every school to have a written anti-bullying policy, and empowered Cabinet to make regulations specifying the matters to be included in such a policy. The resulting *Anti-Bullying (Schools) Regulations, 2022* specify a range of matters to be included in an anti-bullying policy, such as prevention, reporting, investigation and disciplinary procedures.

It is indeed gratifying to see the work of the Commission come to fruition in the passage of these laws.

The Commission continues work on several ongoing projects, including consumer protection, adverse possession, succession, defamation, severance of joint tenancies, hate speech and menstrual leave.

The Commission owes a debt of gratitude to the many organisations and individuals who take the time to provide considered feedback during the consultation phase of the law reform process. The importance of a genuinely consultative process cannot be understated and the quality of law reform outcomes is greatly enhanced by this community and stakeholder engagement.

To further our goal of enhancing our outreach to members of the public, organisations and professional bodies, the Commission launched its presence on a number of social media platforms during the reporting period. The Commission can now be found on LinkedIn, Facebook and Instagram. We look forward to increasing our social media presence in the future to enhance public awareness of our work and engagement with the law reform process.

It would not be possible to produce high quality Final Reports and Discussion Papers without the meticulous research and analysis conducted by the staff of the Commission. I thank them as always for their dedication and professionalism. I also congratulate paralegal officer Ms. Felicia Connor on commencing her Articles of Clerkship with the Portfolio of Legal Affairs. As part of her Clerkship, Ms. Connor will be completing a rotation with the Law Reform Commission in the next reporting period.

The Commission continues to benefit from the extensive expertise and experience of my fellow Commissioners. Our deliberations continue to be enlightening and exhaustive and I extend my gratitude to the Commissioners for the energy and commitment with which they approach the task.

As always, the Commission thanks the Honourable Attorney General for his continued support of the work of the Commission and for continuing to refer to the Commission important areas for examination and potential reform.

I look forward to the year ahead with confidence that the Commission will continue to make a valuable contribution to the development of the law in the Cayman Islands.



Mr. Hector Robinson, K.C.
Chairman

31st March, 2023

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OVERVIEW OF THE LAW REFORM COMMISSION

The Commission was established by the *Law Reform Commission Act, 2005* (Act 6 of 2005) and commenced operations on 16th September, 2005.

In accordance with the Act, the Commission's mandate is to study and keep under constant review the statutes and other laws comprising the laws of the Cayman Islands with a view to its systematic development and reform, including in particular —

- (a) the modification of any branch of the law as far as that is practicable;
- (b) the elimination of anomalies in the law, the repeal of obsolete and unnecessary enactments and the simplification and modernisation of the law;
- (c) the development of new areas in the law with the aim of making them more responsive to the changing needs of Cayman Islands society;
- (d) the adoption of new or more effective methods for the administration of the law and the dispensation of justice; and
- (e) the codification of the unwritten laws of the Cayman Islands.

The Commission, in the performance of its functions, may —

- (a) review and consider any proposals for the reform of the law which may be referred to it by any person or authority;
- (b) prepare and submit to the Attorney General from time to time, a programme for the study and examination of any branch of the law with a view to making recommendations for its improvement, modernisation and reform;
- (c) initiate and carry out or direct the initiation and carrying out of, studies and research necessary for the improvement and modernisation of the law;
- (d) undertake, pursuant to any such recommendation approved by the Attorney General, the formulation and preparation of drafts in the form of Bills or other instruments for consideration by the Cabinet and the Legislative Assembly;
- (e) provide, at the instance of Government departments and other authorities concerned, advice, information and proposals for reform or amendment of any branch of the law; and
- (f) with the approval of the Attorney General appoint or empanel committees, whether from among members of the Commission or from among persons outside the Commission or both, to study and make recommendations to the Commission on any aspect of the law referred to it by the Commission.

The work of the Commission is conducted by six Commissioners and the staff of the Commission, which consists of two full time attorneys-at-law (the Director and Senior Legislative Counsel), a Paralegal Officer and an Administrative Secretary.

The Commission is a department of the Portfolio of Legal Affairs, but it acts independently in its review of matters. Its recommendations are based on its own research and analysis of ideas submitted by stakeholders and by the public.

The Honourable Attorney General refers matters to the Commission, but the Commission may initiate and carry out studies and research necessary for the improvement and modernisation of any area of the law of the Cayman Islands, based on comments from the public, recommendations from interest groups or on the Commission's independent research.

The law reform process is extensive and comprises of legal research, writing and consultation. The Commission usually prepares two publications during the course of a project. The first publication, which is an Issues Paper or Discussion Paper, sets out the Commission's preliminary suggestions for reform. The preliminary suggestions are usually made after legal research is carried out by the staff of the Commission and after such research has been considered by the Commissioners. The Commission either publishes the Discussion or Consultation paper on www.lrc.gov.ky and www.gov.ky or it submits the Consultation paper to identified stakeholders for comments.

The second publication is a Final Report, which is submitted to the Honourable Attorney General. It contains the final recommendations of the Commission which, in the majority of cases to date, are supported by draft legislation.

The Commission makes its final recommendations after it takes into account the responses it receives to the Discussion or Consultation Paper. Since its establishment, the Commission has produced several project papers, final reports and seventeen Annual Reports. These are listed in the Appendix.

THE CAYMAN ISLANDS LAW REFORM COMMISSION

COMMISSIONERS



CHAIRMAN
Hector Robinson, K.C.
Partner at Mourant Ozannes (Cayman) LLP



COMMISSIONER
Hon. Justice Alexander Henderson (ret'd.), K.C.
Senior Counsel at Dentons



COMMISSIONER
Vaughan Carter, Attorney-at-Law
Principal at Savannah Law



COMMISSIONER
Abraham Thoppil, Attorney-at-Law



COMMISSIONER
Reshma Sharma, K.C.
Solicitor General



COMMISSIONER
Simon Davis, Attorney-at-Law
Director of Public Prosecutions

THE CAYMAN ISLANDS LAW REFORM COMMISSION

LEGAL AND ADMINISTRATIVE STAFF



DIRECTOR
José Griffith, Attorney-at-Law



SENIOR LEGISLATIVE COUNSEL
Catriona Steele, Attorney-at-Law



PARALEGAL
Felicia Connor



ADMINISTRATIVE SECRETARY
Milicia Boddén

YEAR IN REVIEW

PROJECTS OF THE LAW REFORM COMMISSION

1st APRIL, 2022 TO 31st MARCH, 2023

MEETINGS OF THE LAW REFORM COMMISSION

The Law Reform Commission (“the Commission”) met five times between 1st April, 2022 and 31st March, 2023 on the following dates —

- (a) 7th April, 2022;
- (b) 19th May, 2022;
- (c) 26th July, 2022;
- (d) 27th October, 2022; and
- (e) 16th March 2023.

COMPLETED PROJECTS

(a) Penal Code

On 4th October, 2022, the Commission submitted for the consideration of the Honourable Attorney General its Final Report titled “**The Penal Code: Is it Compatible with the Bill of Rights?**”. The Final Report contains recommendations to amend those provisions in the Penal Code (2019 Revision) that are incompatible with the Bill of Rights, Freedoms and Responsibilities contained in Part I to Schedule 2 of the Cayman Islands Constitution Order, 2009.

The examination into this issue was based on a referral by the Honourable Attorney General in 2017 requesting that the Commission review the Penal Code to assess its compatibility with the Bill of Rights. The Penal Code plays a fundamental role in defining the rules governing some of our most important relationships as a society. There can be little doubt that it is necessary that the provisions of the Penal Code should conform with the standards of human rights prescribed by our Bill of Rights.

The initial research findings of the Commission suggest that certain offences need to be reformed and in some cases repealed to remove issues of incompatibility between the Bill of Rights in the Constitution and the Penal Code. The Commission formulated, for public consultation, a Discussion Paper published on 17th December, 2021 containing recommendations for the necessary amendments and repeals. Among the provisions identified were those relating to immature age (minimum age of criminal responsibility), compulsion by spouse, insulting the modesty of a woman, procuring abortion, unnatural offences, indecent assault and incest.

Stakeholders were invited to respond to the issues and a range of questions posed in the Discussion Paper. The consultation period commenced on 29th December, 2021 and concluded on 15th March, 2022.

As was anticipated by the Commission, the issue of abortion and, in particular, the question of whether bespoke legislation should be introduced to provide for safe access to termination of pregnancy or whether the Penal Code should be amended to expand the grounds for legal abortion, solicited numerous comments during the consultation period. A wide range of deeply held views were expressed in relation to this controversial and emotive topic. The Commission determined that the issue of abortion should be treated as a separate reform project to allow further consideration of all the complexities involved.

The Final Report recommends amending, and in some cases replacing, provisions of the Penal Code relating to the age of criminal responsibility, compulsion by spouse, insulting the modesty of a woman, unnatural offences and indecent assault to address issues of incompatibility between the Bill of Rights and the Penal Code. In summary, the Commission recommended –

- (a) that the minimum age of criminal responsibility as provided under section 12 of the Penal Code be increased from ten years of age to twelve years;
- (b) that the defence of compulsion by spouse in section 16 of the Penal Code be repealed as the offence only covers married persons and excludes persons in common law unions and civil partnerships;
- (c) the repeal of the offence of insulting the modesty of a woman as provided under section 133 of the Penal Code and the deletion of the reference to the word “insulting” in sections 88, 88A and 88B of the Penal Code - the offence of insulting the modesty of a woman is applicable only in relation to a woman and therefore prohibits a man from being the complainant or victim in relation to the offence;
- (d) that the provisions in sections 144 of the Penal Code dealing with unnatural offences and which prohibit sexual activity between consenting same sex adults be repealed on the grounds that they are discriminatory;
- (e) the repeal of sections 132 and 145 of the Penal Code which deal respectively with indecent assault on a woman and indecent assault on a man on the grounds that they are discriminatory, and the enactment of a general offence of indecent assault which removes any gender distinction;

The Final Report was supported by the proposed *Penal Code (Amendment) Bill, 2022*.

(b) Usury

On 4th October, 2022, the Commission submitted for the consideration of the Honourable Attorney General its Final Report titled **“Usury: The Common Law and Statutory Position in the Cayman Islands?”**. The Final Report was supported by the proposed *Usury (Common Law Abrogation) Bill, 2022*.

The examination into this issue came against the background of questions being raised by legal practitioners querying whether there are any usury laws in the Cayman Islands. Specifically, the Commission examined whether any prohibition against usury exists in the Cayman Islands, whether at common law, in statute, or both. The Commission traced the common law and statute law, presenting its findings in a Discussion Paper published on 1st November, 2021. Stakeholders were invited to respond to the issues and a range of questions posed in the Discussion Paper. The consultation period commenced on 29th December, 2021 and concluded on 15th March, 2022.

The Commission determined that the common law and statute law portray a complex and uncertain picture about the status of usury in the Cayman Islands. The Discussion Paper articulated the constitutional relationship between Cayman Islands and Jamaica and established that, despite the express repeal of all acts, statutes and laws by the *Usury Repeal Act, 1854*, the Cayman Islands did not receive the *Usury Repeal Act, 1854*. Given that the *Interpretation Act (1995 Revision)* provides that laws before 1728 *George II* should be saved, the evidence suggests that the common law still existed in 1729 and was saved by the *Interpretation Act*. The Commission therefore formed the view that there is a strong basis to argue that the common law prohibition on usury remains applicable in the Cayman Islands.

Given the views on this issue emerging from case law and legal commentators, the Law Reform Commission believes that legislative clarity would be beneficial to stakeholders operating within the commercial and financial sectors.

To facilitate legislative certainty, in its Final Report the Commission recommended the enactment of the *Usury (Common Law Abrogation) Bill, 2022*, which would abrogate any existing common law rule in relation to usury.

(c) Appeals Tribunals

On 18th November, 2022, the Commission submitted for the consideration of the Honourable Attorney General its Final Report titled **“Appeals Tribunals”**. The Final Report contains recommendations which seek to respond to issues that relate to the structure, quality, accessibility and efficiency of appeals tribunals in the Cayman Islands.

The examination into this issue was based on a referral by the Honourable Attorney General, aimed at determining whether a centralised appeals tribunal should be established in substitution

for the current arrangements for separate appeals tribunals for planning, immigration, labour and other administrative matters.

The development of appeals tribunals to hear and determine appeals against decisions of public authorities recognises the importance of government decision-making to the lives of ordinary people in the Cayman Islands and the need for accountability in decision making. The courts provide an avenue for judicial review of an administrative decision, but an appeals tribunal can examine the entirety of the decision and review it on its merits.

The international trend towards consolidating tribunals reflects a view that the practice of establishing tribunals on an ad hoc basis has led to a system that is overly complex and inaccessible, resulting in sub-optimal outcomes for users. The Commission conducted a comprehensive review of the operation of tribunals in the Cayman Islands with a view to determining whether reform is necessary and, if so, the shape that reform should take. The Commission formed the view that the Cayman Islands has the opportunity to improve access to justice and increase accountability in administrative decision-making by creating a well-resourced and professionally operated administrative appeals tribunal. The appropriate model should aim to provide a consistent, high-quality appeals process while ensuring the system is not burdened by the formality and complexity of court procedures.

The options for reform were outlined in a Discussion Paper published on 13th December, 2021. Stakeholders were invited to respond to the options and a range of questions posed in the Discussion Paper. The consultation period commenced on 6th January, 2022 and concluded on 15th March, 2022.

The responses to the Discussion Paper received from members of the public and stakeholders indicated broad support for the proposal to establish a centralised appeals tribunal for the Cayman Islands. While a range of views were expressed in relation to certain aspects of the tribunal model, the concept of consolidating individual tribunals into a single body was widely endorsed by the majority of respondents.

The Final Report recommends establishing a centralised Administrative Appeals Tribunal to replace the majority of existing appeals tribunals. The Final Report was supported by the proposed *Administrative Appeals Tribunal Bill, 2022*.

CURRENT PROJECTS

(a) Adverse Possession

The Commission has formulated a draft Discussion Paper on reform of the law relating to adverse possession for stakeholder consultation in 2023. Adverse possession (colloquially known

as “squatters’ rights”) is the doctrine under which a person who is not the legal owner of land may acquire title to it following a period of continuous possession of the land.

The draft Discussion Paper examines the historical origins and purpose of adverse possession, and considers whether it should be retained in its current form, modified by legislation or abolished entirely. The arguments for and against retaining adverse possession in some form are examined, in addition to recent reforms in other jurisdictions.

(b) Penal Code – Abortion

In its 2021 Discussion Paper, “**The Penal Code: Is it Compatible with the Bill of Rights?**”, the Commission examined the provisions of the Penal Code relating to abortion. After receiving extensive feedback during the consultation period, the Commission determined that the issue of abortion should be treated as a separate reform project to allow further consideration of all the complexities involved. This will result in a dedicated Discussion Paper on the issue of abortion.

(c) Other projects

The other current projects forming part of the Commission’s work during 2022 that will continue into 2023 are as follows -

- review of the *Settled Land Act (1998 Revision)*;
- consumer protection;
- reform of the *Defamation Act (1995 Revision)*;
- severance of joint tenancies;
- reform of the *Succession Act (2021 Revision)*;
- cremation;
- jury trial;
- hate speech; and
- the common law forfeiture rule.

CONCLUSION

In order to enhance justice and legal efficiency and to contribute to socio-economic development, reform needs to be of a high standard and done in a manner which helps to ensure that our legal system can respond appropriately and effectively. The approach of the Commission in the next year will continue to be one where we continue to reflect on the laws in our society, and make sound recommendations which inform the required legislative reforms.

APPENDIX

PUBLICATIONS

ISSUES PAPERS

- Enforcement of Foreign Judgments and Interim Orders – 6th March, 2012
- Directors’ Duties: Is Statutory Codification Needed? – 16th January, 2014
- Conditional Fees: Legislative Recognition and Regulation in the Cayman Islands – 3rd September, 2015
- Bullying: Legislation, Policy or Both? – 19th January, 2016
- Cybersecurity: Strategic Policy and Legislation – 29th November, 2017

DISCUSSION/CONSULTATION PAPERS

- Review of the Legal Aid System in the Cayman Islands – Preliminary Paper – 28th March, 2006
- Review of the Law of Landlord and Tenant – Discussion Paper – 30th September, 2006
- Review of the Law of Landlord and Tenant – Consultation Paper – 29th January, 2007
- Review of the Law Regulating Legal Practitioners in the Cayman Islands – 29th January, 2007
- Review of Corporate Insolvency Law in the Cayman Islands and Recommendations for the Amendment of Part V of the Companies Law (2004 Revision) – 20th July, 2007
- Review of the Legal Aid System in the Cayman Islands – 14th December, 2007
- Enduring Power of Attorney – Preliminary Discussion Paper – 12th January, 2009
- Regulation of Charitable Non-profit Organisations in the Cayman Islands – 26th January, 2009
- Review of the Arbitration Laws of the Cayman Islands – Discussion Paper – 11th May, 2009
- Review of the Law of Contempt of Court in the Cayman Islands (Part 1) Contempt in the Face of the Court - September 2010
- Tort Reform – Caps on Non-Economic Damages and Reducing the Limitation Period – Consultation Paper – 22nd October, 2010
- Family Law Reform (Part 1) - Review of the Matrimonial Causes Law (2005 Revision) – Discussion Paper – 18th February, 2011
- Modernisation of the Regulation of Strata Titles in the Cayman Islands (Part 1) – Management of Strata Schemes – 4th April, 2011
- Introduction of the Office of the Administrator-General in the Cayman Islands – Preliminary Paper – 2nd June, 2011

- Introduction of the Office of the Administrator-General in the Cayman Islands – 22nd March, 2012
- Modernisation of the Regulation of Strata Titles in the Cayman Islands (Part 2) – Review of the creation, management and termination of strata schemes – 3rd January, 2013
- Family Law Reform (Part 2) – Review of the Matrimonial Causes Law (2005 Revision), the Maintenance Law (1997 Revision) and the Family Property (Rights of Spouses) Bill, 2013 – 9th July, 2013
- Contempt of Court – 10th January, 2014
- Contempt of Court: The Sub Judice Rule – Discussion Paper – 21st March, 2014
- Legislative Protection of Whistle Blowers – an Examination of the Legislation in the Cayman Islands and other Jurisdictions – 14th April, 2014
- The Way Forward for Regulation of Timeshares in the Cayman Islands – 15th September, 2014
- Consumer Protection: Entrenching Consumer Supremacy in the Cayman Islands Legislation – Discussion Paper – 27th November, 2015
- Litigation Funding – Conditional and Contingency Fee Agreements – Discussion Paper – 29th December, 2015
- Contempt of Court – 15th January, 2016
- Contempt of Court – Consultation Paper – 15th July, 2016
- Trusts Law Reform – Discussion Paper – 5th April, 2017
- Regulation of Queen’s Evidence – Immunity from Prosecution and Reduced Sentences – Discussion Paper – 25th September, 2017
- Enforcement of Mortgage-type Security over Real Estate: Is Reform of the Law Necessary? – Discussion Paper – 23rd November, 2018
- Decriminalisation of Suicide – Discussion Paper – 16th August, 2019
- Usury: The Common Law and Statutory Position in the Cayman Islands – Discussion Paper – 1st November, 2021
- Appeals Tribunals – Discussion Paper – 13th December 2021
- The Penal Code: Is it Compatible with the Bill of Rights? – Discussion Paper – 17th December, 2021

FINAL REPORTS

- Review of the Corporate Insolvency Law and recommendations for the amendment of Part V of the Companies Law – Final Report – 12th April, 2006
- Review of the Law Regulating Legal Practitioners in the Cayman Islands – Final Report – May 2007
- Review of Corporate Insolvency Law in the Cayman Islands and recommendations for

the Amendment of Part V of the Companies Law (2004 Revision) – Final Report – 15th July 2007

- Review of the Law Regulating the Relationship of Landlords and Tenants in the Cayman Islands – Final Report – July 2008
- Review of the Legal Aid System in the Cayman Islands – Final Report – July 2008
- Is there a need for enduring Powers of Attorney in the Cayman Islands? – Final Report – 30th April, 2009
- Protection against Domestic Violence – Final Report – 31st March, 2010
- Review of the Law regulating Charitable Organisations in the Cayman Islands – Final Report – 31st March, 2010
- Tort Reform – Final Report – 26th November, 2010
- Review of the Arbitration Law of the Cayman Islands – Final Report – 4th January 2012
- Introduction of the Office of the Administrator-General in the Cayman Islands – Final Report – 8th August, 2012
- Enforcement of Foreign Judgments and Interim Orders Part I: Interim Orders in Aid of Foreign Proceedings – Final Report – 8th March, 2013
- Enforcement of Foreign Judgments and Interim Orders Part II: Enforcement of Foreign Judgments – 8th March, 2013
- Sexual Harassment – Final Report – 1st May, 2013
- Review of Legislative Protection for Whistleblowers in the Cayman Islands – Final Report – 3rd December, 2014
- Legislative Protection of Whistle Blowers – an Examination of the Legislation in the Cayman Islands and other Jurisdictions – Final Report – 5th December, 2014
- Stalking Legislation – Final Report – 5th February, 2015
- The Way Forward For the Regulation of Timeshares in the Islands – Final Report – 24th August 2015
- Review of the Matrimonial Causes Law (2005 Revision) and the Maintenance Law (1997 Revision); the Family Property (Rights of Spouses) Bill, 2016 – Final Report – 24th August, 2015
- Modernisation of the Regulation of Strata Titles in the Cayman Islands – Final Report – 9th November, 2016
- Directors Duties: Is Statutory Codification Needed? – Final Report – 30th March, 2017
- A Review of Litigation Funding in the Cayman Islands – Conditional and Contingency Fee Agreements – Final Report – 26th January, 2018
- Trusts Law Reform – Final Report – 1st May, 2018
- Contempt of Court – Final Report – 23rd January, 2019
- Litigation Funding – Final Report – 30th September, 2019

- Contempt of Court – Final Report – 31st March, 2020
- Decriminalisation of Suicide – Final Report – 31st March, 2020
- Anti-Bullying Final Report: Bullying: Legislation, Policy or Both? – Final Report – 5th November, 2020
- The Enforcement of Mortgage-Type Security Over Real Estate: Is Reform of the Law Necessary? – Final Report – 28th July, 2021
- Regulation of Queen’s Evidence: Immunity from Prosecution, Restricted Use Undertakings and Reduced Sentences – Final Report – 30th November, 2021
- Usury: The Common Law and Statutory Position in the Cayman Islands – Final Report – 3rd October, 2022
- Appeals Tribunals – Final Report – 18th November 2022
- The Penal Code: Is it Compatible with the Bill of Rights? – Final Report – 3rd October, 2022

BILLS

- Legal Aid Bill, 2005
- Companies (Amendment) Bill, 2006
- Residential Tenancies Bill, 2006
- Companies (Amendment) Bill, 2007
- Legal Practitioners Bill, 2007
- Residential Tenancies Bill, 2008
- Charities Bill, 2009
- Trusts (Amendment) Bill, 2009
- Protection Against Domestic Violence Bill, 2009
- Arbitration Bill, 2012
- Strata Titles Registration (Amendment) Bill, 2011
- Administrator-General Bill, 2012
- Foreign Judgments Reciprocal Enforcement (Amendment) Bill, 2012
- Grand Court (Amendment) Bill, 2012
- Sexual Harassment Bill, 2012
- Family Property (Rights of Spouses) Bill, 2013
- Foreign Judgments Reciprocal Enforcement (Scheduled Countries and Territories) Order, 2013
- Foreign Judgments Reciprocal Enforcement (Amendment) Bill, 2013
- Grand Court (Amendment) Bill, 2013

- Maintenance Bill, 2013
- Sexual Harassment Bill, 2013
- Charities Bill, 2014
- Penal Code (Amendment) Bill, 2014
- Protected Disclosures Bill, 2014
- Strata Titles Bill, 2014
- Timeshare Bill, 2014
- Stalking (Civil Jurisdiction) Bill, 2014
- Funding of Litigation Bill, 2015
- Legal Aid Bill, 2015
- Whistleblower Protection Bill, 2015
- Penal Code (Amendment) Bill, 2016
- Contempt of Court Bill, 2016
- Matrimonial Causes Bill, 2016
- Timeshare Bill, 2016
- Tourism (Timeshare) (Amendment) Bill, 2016
- Plea Bargains Bill, 2017
- Consumer Protection and Guarantees Bill, 2017
- Trusts (Amendment) Bill, 2017
- Contempt of Court Bill, 2018
- Criminal Justice (Offenders Assisting Investigations and Prosecutions) Bill, 2018
- Trusts (Amendment) Bill, 2018
- Private Funding of Legal Services Bill, 2018
- Contempt of Court Bill, 2019
- Penal Code (Amendment) Bill, 2019
- Anti-Bullying (Schools) Bill, 2019
- Private Funding of Legal Services Bill, 2019
- Private Funding of Litigation Bill, 2019
- Registered Land (Amendment) Bill, 2019
- Penal Code (Amendment) Bill, 2019
- Health Care Decisions (Amendment) Bill, 2019
- Penal Code (Amendment) Bill, 2020

- Contempt of Court Bill, 2020
- Education (Amendment) Bill, 2020
- Health Care Decision (Amendment) Bill, 2020
- Private Funding of Legal Services Bill, 2020
- Registered Land (Amendment) Bill, 2021
- Usury (Common Law Abrogation) Bill, 2021
- Penal Code (Amendment) Bill, 2022
- Administrative Appeals Tribunal Bill, 2022
- Criminal Justice (Offenders Assisting Investigations and Prosecutions) Bill, 2022
- Contempt of Court Bill, 2022
- Education (Amendment) Bill, 2022
- Penal Code (Amendment) Bill, 2022

REGULATIONS

- Legal Aid Regulations, 2006
- Accountant's Reports Regulations, 2007
- Legal Aid Regulations, 2015
- Private Funding of Legal Services Regulations, 2018
- Private Funding of Legal Services Regulations, 2019
- Private Funding of Litigation Regulations, 2019
- Anti-Bullying (Schools) Regulations, 2020
- Private Funding of Legal Services Regulations, 2020
- Anti-Bullying (Schools) Regulations, 2022

ANNUAL REPORTS

- Annual Report no. 1 – 16th September, 2005/31st March, 2006
- Annual Report no. 2 – 1st April, 2006/31st March, 2007
- Annual Report no. 3 – 1st April, 2007/31st March, 2008
- Annual Report no. 4 – 1st April, 2008/31st March, 2009
- Annual Report no. 5 – 1st April, 2009/31st March, 2010
- Annual Report no. 6 – 1st April, 2010/31st March, 2011

- Annual Report no. 7 – 1st April, 2011/31st March, 2012
- Annual Report no. 8 – 1st April, 2012/31st March, 2013
- Annual Report no. 9 – 1st April, 2013/31st March, 2014
- Annual Report no. 10 – 1st April, 2014/31st March, 2015
- Annual Report no. 11 – 1st April, 2015/31st March, 2016
- Annual Report no. 12 – 1st April, 2016/31st March, 2017
- Annual Report no. 13 – 1st April, 2017/31st March, 2018
- Annual Report no. 14 – 1st April, 2018/31st March, 2019
- Annual Report no. 15 – 1st April 2019/31st March, 2020
- Annual Report no. 16 – 1st April 2020/31st March, 2021
- Annual Report no. 17 – 1st April 2021/31st March, 2022



**The Cayman Islands
Law Reform Commission**

**The Cayman Islands Law Reform Commission
Attorney General's Chambers
Portfolio of Legal Affairs
4th Floor Government Administration Building
133 Elgin Avenue, George Town,
P.O. Box 1999, KY1-1104
Grand Cayman, Cayman Islands**

Telephone: (345) 244-2338
Email: cilawreform@gov.ky
Website: www.lrc.gov.ky