

THE LAW REFORM COMMISSION
AN COIMISIÚN UM ATHCHÓIRIÚ AN DLÍ
(LRC 51-1995)

REPORT
ON
INTOXICATION

IRELAND
The Law Reform Commission
Ardilaun Centre, 111 St. Stephen's Green, Dublin 2

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Cover: Entrance to the Courtyard of the King's Inns, Dublin.

THE LAW REFORM COMMISSION

The Law Reform Commission was established by section 3 of the *Law Reform Commission Act, 1975* on 20th October, 1975. It is an independent body consisting of a President and four other members appointed by the Government.

The Commissioners at present are:

The Hon. Anthony J. Hederman, former Judge of the Supreme Court, President;
John F. Buckley, Esq., B.A., LL.B., Solicitor;
William R. Duncan, Esq., M.A., F.T.C.D., Barrister-at-Law, Professor of Law and Jurisprudence, University of Dublin, Trinity College;
Ms. Maureen Gaffney, B.A., M.A. (Univ. of Chicago), Senior Lecturer in Psychology, University of Dublin, Trinity College;
Simon P. O'Leary, Esq., B.A., Barrister-at-Law.

The Commission's programme of law reform, prepared in consultation with the Attorney General, was approved by the Government and copies were laid before both Houses of the Oireachtas on 4th January, 1977. The Commission has formulated and submitted to the Taoiseach or the Attorney General fifty Reports containing proposals for the reform of the law. It has also published eleven Working Papers, nine Consultation Papers and Annual Reports. Details will be found on pp.14-19.

Alpha Connelly, B.A., LL.M., D.C.L., is Research Counsellor to the Commission.

Ms. Nuala Egan, B.C.L., LL.M. (Lond.), Barrister-at-Law, Ms. Sarah Farrell, LL.B., LL.M. (Lond.), and Ms. Lia O'Hegarty, B.C.L., LL.M. (Michigan), LL.M. (Harvard) are Research Assistants.

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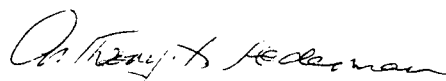
An Taoiseach John Bruton T.D.,
Office of the Taoiseach,
Government Buildings,
Dublin 2.

Dear Taoiseach,

Pursuant to the provisions of the Law Reform Commission Act, 1975, I have the honour to transmit to you herewith the Commission's Report on Intoxication.

The Commission proposes to publish this Report in the near future.

Yours sincerely,



ANTHONY J. HEDERMAN
PRESIDENT

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REPORT ON INTOXICATION

Introduction

In its First Programme for Law Reform, the Commission proposed to examine various aspects of the criminal law. Among those aspects was the law relating to "criminal responsibility, including such matters as intoxication, necessity, duress and age". In this Report, we examine the law relating to intoxication.

As a first step, the Commission published a Consultation Paper in February this year which examined the law in Ireland and in other jurisdictions. We discussed the options open to the Government and made a provisional proposal for reform.

We asked for observations on our Consultation Paper by 1st May, 1995.

We invited a group of experts to a meeting in our offices on July 7th to discuss issues which arose in the responses received. A number of judges and other experts attended and provided the Commission with helpful observations on these issues and a stimulating critique of its provisional recommendation.

A list of those who made written submissions is to be found in Appendix A. A list of the experts who met the Commission is to be found in Appendix B.

Except to a very limited extent, we will not repeat our examination of the law and options for reform in this Report and the Report and Consultation Paper should be read together.

CHAPTER 1

Definitions

The definition of intoxication or intoxicant does not appear to have given rise to any difficulty in any jurisdiction we studied and was not raised by any of our experts.

"Intoxicant" has already been defined for the purposes of the Road Traffic Acts as including "alcohol and drugs and any combination of drugs or of drugs and alcohol".¹

For the purposes of this Report, a satisfactory definition of intoxication is to be found in para. 2.08 of the American Law Institute's Model Penal Code i.e.:

"A disturbance of mental or physical capacities resulting from the introduction of substances into the body."

The Present Law

In practice, intoxication is not a defence to a criminal charge in Ireland. The President of the Commission can confirm that, in his extensive experience, no judgment of the Court of Criminal Appeal or of the Supreme Court has ever held it to be the law in Ireland that voluntary intoxication was a defence to a criminal charge.

However, no Irish Court has specifically overruled the decision in *D.P.P. v. Beard*² that, in the words of Birkenhead L.C.:

¹ S.50(1)(b) of the *Road Traffic Act, 1961* as inserted by S.11 of the *Road Traffic Act, 1978*.
² [1920] A.C. 479.

"where a specific intent is an essential element in the offence, evidence of a state of drunkenness rendering the accused incapable of forming such an intent should be taken into consideration in order to determine whether he had in fact formed the intent necessary to constitute the particular crime. If he was so drunk that he was incapable of forming the intent required he could not be convicted of a crime which was committed only if the intent was proved."³

This passage and in particular the use of the word "specific" has led to a controversial development in the criminal law in England. As the English Law Commission observe in their recent Report on Intoxication:

"It is arguable from the context in which these words appeared that Lord Birkenhead did not mean to add anything to the meaning of the word "intent" in the opening words of this passage by his use of the word "specific" to qualify it. He may merely have meant to reiterate the law as formulated by Stephen J, or the successful argument of the Crown in *Beard*, which referred to specific intent as being a case where intent is an important ingredient of the offence. However, the phrase "specific intent" was picked up by judges in later cases and given a distinct, technical meaning, and this has formed the basis of the way in which the law now treats a defendant's intoxication in different ways depending on the type of offence charged."⁴

Courts ultimately drew a distinction between offences of specific intent and offences of "basic" intent. Once the distinction is drawn, intoxication is, in theory, capable of affording a defence to a crime involving the doing of an act with an intent to achieve a particular objective, e.g., wounding with intent to maim. Intoxication can form a defence to such an offence in circumstances where the accused was so drunk as to be incapable of forming this "ulterior" intent. Even a drunken intent would still be a sufficient intent to support guilt. However, intoxication cannot constitute a defence to offences of basic intent, i.e. offences which can be grounded on recklessness.

The development of the law in England is explored in great detail in our Consultation Paper.

The distinction between crimes of specific and basic intent is illogical and has been attacked by such as Smith, Hogan and Glanville Williams. The availability of intoxication as a defence ultimately depends on the particular style of drafting adopted for different offences. Even some of the Law Lords themselves acknowledged the illogicality of the distinction.⁵ While the public policy reasons which led to the drawing of the distinction are clear, logic demands that intoxication should always be a possible defence or never be a defence. A

3 At pp.501-2.
4 Law Com. No. 226, para. 3.8, footnote references omitted.
5 See Consultation Paper, paras. 3.9 to 3.17.

compromise with a good basis in logic, which has emerged in the writings of Smith, Glanville Williams and Ashworth, among others, on the topic, would be to isolate intoxication itself as a mischief to be addressed and to create offences of intoxication or of committing criminal acts while intoxicated. Happily, the law in Ireland has not, as yet, developed in this fashion and in practice, self-induced intoxication has not afforded a defence to a charge.

The Commission's Provisional Recommendation

The Commission's provisional recommendation was:

"We provisionally recommend that self-induced intoxication should never ground a defence to any criminal charge. This might be given legal form in a general provision (adapting the provision in s.4 of the Criminal Justice Act, 1964)⁶ that a person shall be presumed to intend his or her actions and the natural and probable consequences of those actions but that these presumptions may be rebutted, except by evidence of self-induced intoxication."

We suggested that the Smith/Glanville Williams approach, i.e. the creation of a distinct offence of committing a criminal act while intoxicated, afforded the best alternative option.

⁶ S.4 of the 1964 Act sets out the *mens rea* required for murder. In its *Consultation Paper on Sentencing* (1993), the Commission provisionally recommended the abolition of mandatory sentences for all offences, including murder.

CHAPTER 2: RESPONSES TO THE CONSULTATION PAPER

Non-Legal Sources

Responses from non-legal sources were almost universally in favour of our provisional recommendation. The recommendation was intended to ensure that voluntary intoxication should not enable a person evade conviction, it was certainly not intended to interfere with a court's discretion in sentencing or to act as a signal to a court to sentence alcoholics more severely. Whereas alcohol may act as an aggravating factor in some cases, the Commission can envisage it being a neutral or perhaps even a mitigating factor in others. Nothing in this Report is intended to impinge on the sentences that might be imposed following conviction of a person who was intoxicated at the time of the commission of the offence.

Legal Sources

Responses from legal sources, with one exception, divided between those who supported our provisional recommendation and those who supported the alternative, the ability to find the accused guilty of the offence charged "while intoxicated".

We invited a cross-section of lawyers to a meeting in our offices on 7th July, 1995. A very valuable meeting was held at which both points of view had impressive advocates. Lists of those who sent in submissions and who attended the seminar are to be found in the Appendix.

Results Of Consultation

Happily, no point of view or argument emerged that had not been anticipated in our Consultation Paper. Again, no one took issue with the list of "realities" in the Consultation Paper in the context of which our provisional recommendation was

grounded. The realities listed were:

- (a) In practice, intoxication is not accepted as a defence in Irish Courts. If anything, it has been found to be an aggravating factor. The Majewski 'bacillus' has not as yet found an agreeable 'host' in Ireland. However, it is central to the discussion of intoxication in the leading text-books (including Charleton), and will be brought to prominence again by this Consultation Paper. We must proceed on the basis that the "hard case" that may lead to its introduction is simply waiting to happen.
- (b) Intoxication can result from consumption of drugs as well as of alcohol. It is important not to base conclusions exclusively on intoxication brought on by alcohol. There would appear to be no boundary to the effects which can be brought about by drugs, 'designer' drugs being the phenomenon of the day.
- (c) It is universally accepted that a drunken intent is still an intent. It has not been definitively decided how much a person can be affected by an intoxicant and still be capable of forming an intoxicated intent. However, the degree of intoxication which might afford a defence must be so advanced as to render it questionable whether a person in that state, from alcohol in any case, would be physically capable of performing the, ostensibly, criminal act.
- (d) The public is injured by the criminal act whatever the state of the criminal mind.
- (e) The discussion is often expressed as a conflict between principle, the *mens rea* approach, and policy, the discouragement of intoxicated endangerment. Could there not equally be a principle that self-induced intoxication does not afford a defence to crime?

The one exception among the submissions mentioned above advocated, in essence, the adoption of the Majewski approach, i.e. the drawing of a distinction between crimes of specific intention and crimes of recklessness. This expert also urged the Commission to work towards the emergence of a criminal code by adopting consistent concepts and standards in our Reports.

The Commission has not been asked, specifically, to codify the criminal law but between the criminal law topics in the Commission's First Programme and topics specifically referred by the Attorney General, the Commission has already addressed most of the criminal law in its reports. The Commission has already reported on: *Dishonesty; Malicious Damage; Sexual Offences; Non-Fatal Offences Against the Person; Minor Offences Under the Dublin Police Acts; and Vagrancy*

Acts. A Discussion Paper on Homicide is in preparation.

A consistent feature of these reports is the recommendation that offences be based on intention (knowledge in the context of receiving) or recklessness. Without wishing to anticipate any provisional recommendations on homicide, it would not be unreasonable to anticipate a similar approach to such offences. It can safely be said that the Commission would wish to be consistent and that, ultimately, it would hope that its recommendations on the criminal law would lend themselves easily to codification.

The more offences are framed in terms of intent and recklessness, the more unreal the Majewski distinction becomes as less and less offences become offences of specific intent. While the recommendations in their recent report on *Intoxication and Criminal Liability*¹ should bring a degree of clarity to the murky waters of existing English law on this topic, the English Law Commission cement and maintain the distinction between offences of "intention or purpose", "knowledge or belief", "fraud or dishonesty" and offences involving any other mental element. So, we are not inclined to follow their central recommendations. These are:

"Allegations of intention or purpose

2. Where the prosecution alleges any intention or purpose, evidence of intoxication should be taken into account in determining whether that allegation has been proved.

Allegations of knowledge or belief

3. Where the prosecution alleges any knowledge or belief, evidence of intoxication should be taken into account in determining whether that allegation has been proved.

Allegations of fraud or dishonesty

4. Where the prosecution alleges fraud or dishonesty, evidence of intoxication should be taken into account in determining whether that allegation has been proved.

Allegations of other mental elements

5. Where the prosecution alleges any mental element of the offence charged other than intention, purpose, knowledge, belief, fraud or dishonesty, in determining whether the allegation has been proved a defendant who was voluntarily intoxicated at the material time should be treated as having then been aware of anything of which he would then have been aware but for his intoxication.

¹ Law Com. No. 229 (1995).

Automatism

6. A person who was at the material time in a state of automatism caused by voluntary intoxication should not escape liability on the ground of automatism alone; but Recommendations 2-5 above should apply to such a person as appropriate."

CHAPTER 3

The Final Choice

As in the Consultation Paper, the final choice lies between the abolition of intoxication as a defence and the creation of the offence of committing any criminal act while intoxicated. Those advocating the latter divided between those who favoured the same penalty for the new offence as for the "main" offence and those who favoured a lesser penalty for the new offence.

One expert recommended that voluntary intoxication leading to a state of automatism should attract a special verdict, like insanity. The Commission could not accept this approach. Insanity would usually be considered to be an *involuntary* condition and, as in the Consultation Paper, we would not accept any form of "temporary" insanity, brought about by voluntary intoxication, as a defence.

The argument against our proposal was in essence that the *mens rea* requirement was an immutable principle of the criminal law whether one was dealing with an offence of ulterior intent or an offence of recklessness and if intoxication led to an inability to form an intent or to inadvertence to risk, one would not have the necessary ingredients for the offence. One significant grouping who held this view expressly acknowledged that they were taking no account of public policy considerations.

As we said in the Consultation Paper, the traditional *mens rea* doctrine is an appropriate one for the sane and sober criminal, but to adhere to it in an unbending and inflexible fashion enables the offender himself, voluntarily, not just to "move the 'goalposts'" but to remove them altogether! The point was, neatly, couched in more traditional terms by Lord Mustill, dealing with offences of

recklessness in the judgement of the House of Lords in *Kingston*,¹ when he held, first, that the intentional taking of an intoxicant without regard to its possible consequences is a substitute for the mental element normally required; and secondly, that the defendant is "estopped" (that is, debarred) from relying on the absence of a mental element if it is absent *because of his own acts*.

One reasonable distinction which may be made between offences of ulterior intent and offences of recklessness is that a lesser degree of intoxication would lead to inadvertence to risk than would lead to the inability to form, even a drunken, intent.

The Commission cannot put public policy considerations to one side. If the Oireachtas were to create the offence of committing a criminal act while intoxicated, there is a very real danger that this would be taken as a proclamation that intoxication was an ameliorating factor, lessening guilt and attracting a lesser sentence. To avoid this, it would *not* be sufficient to *make available* to the Court the same penalty as for the main offence. There would have to be a specific provision to the effect that a Court in sentencing for committing an offence while intoxicated must impose exactly the same sentence as it would have imposed for the main offence, committed sober. Even if this provision were made, one could not rule out a Court's, perhaps unconsciously, giving a discount for intoxication, while protesting otherwise.

The danger also exists that such a new offence would create difficulties for juries. Under the law as it stands, the question of intoxication constituting a defence is rarely, if ever, left to an Irish jury. As we have pointed out in our statement of realities, it is very difficult to envisage the state of intoxication which precludes the formation of, even, a drunken intent. It must be more difficult still to explain the defence to a jury. The exact same threshold of helplessness would have to be reached before the new offence of offending while intoxicated could be committed. Would juries appreciate that the new offence differed in a merely technical or academic way from the principal crime in respect of which the same penalty was imposed? Would the jury not wonder why the trial judge directed their attention to the new offence while at the same time reminding them that it was a crime of the same seriousness as the principal crime? The jury might form the view that if a distinction were being drawn by the trial judge, there must be a reason for this distinction and something about this crime that made it less grave.

Judicial opinion was divided on these considerations. A Senior Counsel assured the Commission that the availability of the new finding would not, as he said, "open the floodgates", in the particular context of offences of specific intent. Even if this were so, we have seen how a verdict or sentence in an isolated case can lead to serious public disquiet and insecurity. The likelihood is that the floodgates would open in offences of recklessness and in all cases, the D.P.P.'s

¹ [1994] 3 W.L.R. 519, 530 E-G.

office would be inundated by offers of pleas to the offence perceived as less serious.

Involuntary Intoxication

There was universal acceptance that involuntary intoxication should always be a defence provided it rendered one incapable of forming an intent.² Put another way, the defence would only arise where the circumstances *created* the offence rather than *facilitated* it.³ In addition, we consider a particular recommendation of the English Law Commission to be valuable, i.e., that relating to medication:

"A person's intoxication should be regarded as involuntary if he took the intoxicant solely for a medicinal purpose, and *either* he was not aware that taking it would or might give rise to aggressive or uncontrollable behaviour on his part *or* he took it on medical advice and in accordance with any directions given to him by the person providing the advice."

Murder

As in the Consultation Paper, our recommendation is made on the assumption that the mandatory, life sentence for murder will be abolished, as provisionally recommended in our Consultation Paper on Sentencing.⁴ This would permit the sentencing judge to take intoxication into account in sentencing, if appropriate, as either an aggravating or mitigating factor.

Recommendation

Accordingly, we adhere to our provisional recommendation. In the Consultation Paper, we set it out as a variant of the presumption in s.4 of the *Criminal Justice Act, 1964* and asked for views on the drafting. We did not receive any. On reflection, we feel that a more straightforward provision might be preferable. Accordingly, we recommend that:

- (i) *express provision be made that self-induced intoxication should never afford a defence to a charge;*
- (ii) *involuntary intoxication should always afford a defence on the lines indicated in the judgement in R. v. Kingston;*
- (iii) *a person's intoxication should be regarded as involuntary, inter alia, if the person took the intoxicant solely for a medicinal purpose, and either was not aware that taking it would or might give rise to aggressive or uncontrollable behaviour on her or his part or took it on medical advice and in accordance with any directions given to her or him by the person providing the advice.*

2 See Consultation Paper, paras. 1.13 to 15 and *R. v. Kingston* [1994] 3 AER 353.

3 See Smith and Clements, 'Involuntary Intoxication, the Threshold of Inhibition and the Instigation of Crime', *Northern Ireland Legal Quarterly*, (1995) pp.210 to 224.

4 LRC March 1993.

APPENDIX A

LIST OF PERSONS WHO FURNISHED WRITTEN SUBMISSIONS

Peter Charleton, S.C.
Dr. Anthony W. Clare
M.M.D. Dunne
Kevin Haugh, S.C.
Vincent Keoghan
Christopher A. Murphy, Director, Drugs Awareness Programme, Crosscare
Shiela Roche, Alcohol Counsellor, Stanhope Centre
Judge Peter Smithwick, President of the District Court
Aiden Traynor

APPENDIX B

LIST OF EXPERTS WHO MET THE COMMISSION

Judge Gerard Buchanan, Judge of the Circuit Court
Ms. Patricia Casey, The Law Society
Mr. Barry Donoghue, Office of the Director of Public Prosecutions
Judge Gillian Hussey, Judge of the District Court
Mr. Justice Frederick Morris, Judge of the High Court

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LIST OF LAW REFORM COMMISSION'S PUBLICATIONS

First Programme for Examination of Certain Branches of the Law with a View to their Reform (Dec 1976) (Prl. 5984) [out of print] [photocopy available]
[10p Net]

Working Paper No. 1-1977, The Law Relating to the Liability of Builders, Vendors and Lessors for the Quality and Fitness of Premises (June 1977)
[£ 1.50 Net]

Working Paper No. 2-1977, The Law Relating to the Age of Majority, the Age for Marriage and Some Connected Subjects (Nov 1977) [out of print] [photocopy available]
[£ 1.00 Net]

Working Paper No. 3-1977, Civil Liability for Animals (Nov 1977) [£ 2.50 Net]

First (Annual) Report (1977) (Prl. 6961) [40p Net]

Working Paper No. 4-1978, The Law Relating to Breach of Promise of Marriage (Nov 1978) [£ 1.00 Net]

Working Paper No. 5-1978, The Law Relating to Criminal Conversation and the Enticement and Harboursing of a Spouse (Dec 1978) [out of print] [photocopy available]
[£ 1.00 Net]

Working Paper No. 6-1979, The Law Relating to Seduction and the Enticement and Harboursing of a Child (Feb 1979) [£ 1.50 Net]

Working Paper No. 7-1979, The Law Relating to Loss of Consortium and Loss of Services of a Child (March 1979) [£ 1.00 Net]

Working Paper No. 8-1979, Judicial Review of Administrative Action: the Problem of Remedies (Dec 1979) [£ 1.50 Net]

Second (Annual) Report (1978/79) (Prl. 8855) [75p Net]

Working Paper No. 9-1980, The Rule Against Hearsay (April 1980) [out of print] [photocopy available]
[£ 2.00 Net]

Third (Annual) Report (1980) (Prl. 9733) [75p Net]

First Report on Family Law - Criminal Conversation, Enticement and Harbours of a Spouse or Child, Loss of Consortium, Personal Injury to a Child, Seduction of a Child, Matrimonial Property and Breach of Promise of Marriage (LRC 1-1981) (March 1981) [£ 2.00 Net]

Working Paper No. 10-1981, Domicile and Habitual Residence as Connecting Factors in the Conflict of Laws (Sep 1981) [£ 1.75 Net]

Fourth (Annual) Report (1981) (Pl. 742) [75p Net]

Report on Civil Liability for Animals (LRC 2-1982) (May 1982) [£ 1.00 Net]

Report on Defective Premises (LRC 3-1982) (May 1982) [£ 1.00 Net]

Report on Illegitimacy (LRC 4-1982) (Sep 1982) [£ 3.50 Net]

Fifth (Annual) Report (1982) (Pl. 1795) [75p Net]

Report on the Age of Majority, the Age for Marriage and Some Connected Subjects (LRC 5-1983) (April 1983) [£ 1.50 Net]

Report on Restitution of Conjugal Rights, Jactitation of Marriage and Related Matters (LRC 6-1983) (Nov 1983) [£ 1.00 Net]

Report on Domicile and Habitual Residence as Connecting Factors in the Conflict of Laws (LRC 7-1983) (Dec 1983) [£ 1.50 Net]

Report on Divorce a Mensa et Thoro and Related Matters (LRC 8-1983) (Dec 1983) [£ 3.00 Net]

Sixth (Annual) Report (1983) (Pl. 2622) [£ 1.00 Net]

Report on Nullity of Marriage (LRC 9-1984) (Oct 1984) [£ 3.50 Net]

Working Paper No. 11-1984, Recognition of Foreign Divorces and Legal Separations (Oct 1984) [£ 2.00 Net]

Seventh (Annual) Report (1984) (Pl. 3313) [£ 1.00 Net]

Report on Recognition of Foreign Divorces and Legal Separations (LRC 10-1985) (April 1985) [£ 1.00 Net]

Report on Vagrancy and Related Offences (LRC 11-1985) (June 1985) [£ 3.00 Net]

Report on the Hague Convention on the Civil Aspects of International Child Abduction and Some Related Matters (LRC 12-1985) (June 1985) [£ 2.00 Net]

Report on Competence and Compellability of Spouses as Witnesses (LRC 13-1985) (July 1985)	[£ 2.50 Net]
Report on Offences Under the Dublin Police Acts and Related Offences (LRC 14-1985) (July 1985)	[£ 2.50 Net]
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Report on the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters (LRC 16-1985) (August 1985)	[£ 2.00 Net]
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Eighth (<u>Annual</u>) Report (1985) (Pl. 4281)	[£ 1.00 Net]
Report on the Statute of Limitations: Claims in Respect of Latent Personal Injuries (LRC 21-1987) (Sep 1987)	[£ 4.50 Net]
Consultation Paper on Rape (Dec 1987)	[£ 6.00 Net]
Report on the Service of Documents Abroad re Civil Proceedings - the Hague Convention (LRC 22-1987) (Dec 1987)	[£ 2.00 Net]
Report on Receiving Stolen Property (LRC 23-1987) (Dec 1987)	[£ 7.00 Net]
Ninth (<u>Annual</u>) Report (1986-1987) (Pl 5625)	[£ 1.50 Net]
Report on Rape and Allied Offences (LRC 24-1988) (May 1988)	[£ 3.00 Net]
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Report on Malicious Damage (LRC 26-1988) (Sep 1988)	[£ 4.00 Net]

Report on Debt Collection: (1) The Law Relating to Sheriffs (LRC 27-1988) (Oct 1988) [£ 5.00 Net]

Tenth (Annual) Report (1988) (PI 6542) [£ 1.50 Net]

Report on Debt Collection: (2) Retention of Title (LRC 28-1989) (April 1989) (out of print) [£ 4.00 Net]

Report on the Recognition of Foreign Adoption Decrees (LRC 29-1989) (June 1989) [£ 5.00 Net]

Report on Land Law and Conveyancing Law: (1) General Proposals (LRC 30-1989) (June 1989) [£ 5.00 Net]

Consultation Paper on Child Sexual Abuse (August 1989) [£10.00 Net]

Report on Land Law and Conveyancing Law: (2) Enduring Powers of Attorney (LRC 31-1989)(Oct 1989) [£ 4.00 Net]

Eleventh (Annual) Report (1989) (PI 7448) [£ 1.50 Net]

Report on Child Sexual Abuse (September 1990) (LRC 32-1990) [£ 7.00 Net]

Report on Sexual Offences Against the Mentally Handicapped (September 1990) (LRC 33-1990) [£ 4.00 Net]

Report on Oaths and Affirmations (LRC 34-1990) (December 1990) [£ 5.00 Net]

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Consultation Paper on the Civil Law of Defamation (March 1991) [out of print] [£20.00 Net]

Report on the Hague Convention on Succession to the Estates of Deceased Persons (LRC 36-1991) (May 1991) [£ 7.00 Net]

Twelfth (Annual) Report (1990) (PI 8292) [£ 1.50 Net]

Consultation Paper on Contempt of Court (July 1991) [out of print] [£20.00 Net]

Consultation Paper on the Crime of Libel (August 1991) [£11.00 Net]

Report on The Indexation of Fines (LRC 37-1991) (October 1991) [£ 6.50 Net]

Report on The Civil Law of Defamation (LRC 38-1991) (December 1991) **[out of print]** [£ 7.00 Net]

Report on Land Law and Conveyancing Law: (3) The Passing of Risk from Vendor to Purchaser (LRC 39-1991) (December 1991); (4) Service of Completion Notices (LRC 40-1991) (December 1991) [£ 6.00 Net]

Report on The Crime of Libel (LRC 41-1991) (December 1991) [£ 4.00 Net]

Report on United Nations (Vienna) Convention on Contracts for the International Sale of Goods 1980 (LRC 42-1992) (May 1992) [£ 8.00 Net]

Thirteenth (Annual) Report (1991) (PI 9214) [£ 2.00 Net]

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