



Institute of Advanced Legal Studies Annual Review 2015



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This Review can only be a selection from the continuing and changing mix of activities at IALS which is more fully recorded from day to day on its website and each year more fully documented in an annual report whose appendices make for primary research material in themselves (see ials.sas.ac.uk/about/docs/IALS_Annual_Report_2014_2015.pdf).



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Foreword



The Annual Review of the Institute of Advanced Legal Studies (IALS) for 2015 covers a broad range of activities in the promotion and support of legal research in its widest sense. The Institute has an inclusive approach to legal studies embracing the theoretical basis of law, the sources and documentation of the law, and the direct impact of the law on human lives. I hope that the following pages give an indication of some of the ways in which the IALS serves its various constituencies of researchers, nationally and locally, both at Charles Clore House on Russell Square in Bloomsbury, through its digital free-to-internet resources, and through its outreach activities around the country.

Among the news of established scholars, promising researchers, and a senior member of the Canadian judiciary at the Institute (p. 11–12), the departure of Professor Helen Xanthaki for the Faculty of Laws at University College London is also regretfully recorded (p. 10). The work of the Sir William Dale Centre for Legislative Studies, which she created, continues as a core element of the Institute. In addition to its LLM and cadre of PhD students, it ran courses for legislative drafters from Nepal and India (p. 24). The Centre was successful in partnership with the Universidad Complutense in Madrid and the LUISS Università Guido Carli in Rome, in securing an Erasmus Mundus postgraduate laws programme in the three capital cities. The new Information Law and Policy Centre was launched with a day of events, and among its many other activities a topical session was held on the new ‘Prevent’ policy (p.18–19).

The library is at the heart of the Institute and serves as the national legal research library both in terms of its collections and the expertise of its staff. Its outreach activities are celebrated in the ‘IALS on the road’ section (p. 13–15), its hosting of the British and Irish Legal Information Institute (BAILII) online service reached record levels of usage (p. 8), and its Legal Records at Risk project seeks to ensure the survival of the history of law.

Jules Winterton
Director



Institute of Advanced Legal Studies

The Institute of Advanced Legal Studies supports and promotes legal research in its broadest sense, both nationally and internationally, provides services to the law schools of the University of London, and brings together the academic and the practicing legal professions for the benefit of the legal system as a whole. Founded in 1947, it houses specialist research centres and innovative partnerships and is home to an active community of researchers, fellows and postgraduate students. It promotes new research agendas in specialist and interdisciplinary areas of law with direct effect on policy and practice. It provides research training and online services, a meeting place for organisations and legal scholars from around the world, one of the world's great legal research libraries, and a busy programme of seminars and public events.

The IALS is a member institute of the School of Advanced Study of the University of London, a unique institution in UK higher education. Located in Bloomsbury, the School unites nine prestigious institutes to form the UK's national centre for the support of researchers and the promotion of research. The School receives special funding from the Higher Education Funding Council for England.

The International Crossroads for Legal Research

The Institute provides diverse and engaging programmes of academic events, dedicated research space, and meeting rooms, lecture halls and social space. It houses one of the world's great comparative legal research libraries which provides a national shared resource for UK legal researchers and attracts over 6,000 scholars each year from the UK and overseas for research, collaboration and knowledge exchange. From its location in Russell Square and online over the web, IALS maintains extensive networks of institutional and personal contacts to which it promotes its events and services and attracts scholars from UK and overseas universities to enrich the intellectual life of the Institute. It is a 'home from home' for many PhD students in law at UK universities.

In the past year over 3,000 academic staff and researchers (including nearly 600 from overseas), and some 2,000 postgraduate law students joined the Institute for the full year, and many other short-term academic visitors took part in research and other activities.

Learn more at: ials.sas.ac.uk

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Dr Constantin
Stefanou

Erasmus Mundus joint Master's degree

The Institute has been successful in an application for Erasmus Mundus funding to develop a joint Master's degree in Parliamentary Procedures and Legal Drafting. The joint degree has been developed in partnership with the Centre for Parliamentary Studies and the School of Government at LUISS Guido Carli University (Rome) and the Parliamentary Law Institute of Complutense University (Madrid). The programme will run for three years and has

been awarded €1.82 million to provide scholarships to students from overseas and within the EU.

Students will spend a term each in Rome, Madrid and London and we look forward to welcoming our first students on the course in 2017. Dr Constantin Stefanou, director of taught programmes at IALS said: 'I am delighted to have led this project from our side and I look forward to collaborating with our partners in Spain and Italy. In addition to the joint LLM, this project allows IALS and SAS to lead in a newly developed European research agenda.'

Hamlyn seminar series 2015

The overarching theme of this year's Hamlyn lectures delivered by Professor Michael Freeman and organised by IALS, was the slow progress of

children to citizenship. The first lecture, entitled 'Are children human?' was hosted by the School of Law and Centre for Social Justice, University of Leeds. In it, Professor Freeman uncovered the roots of children's rights, the rise of children's rights in recent times and the reasons for their prior marginalisation. Why, asked Professor Freeman, having been marginalised for so long, were children ghettoised into their own convention? What did this say about our attitudes to human rights, about human rights proponents – were children not human?

In the second lecture, 'Even lawyers were children once', hosted by Nottingham School of Law, Professor Freeman posed the question as to whether a good childhood required a framework such as the Convention on the Rights of the Child. Is this what lawyers remembering their own childhood would have wanted? The values supporting rights for children, such as dignity, respect and equality, were examined as well as the principles and some of the main norms. The view was presented that the Convention was a great achievement but only a beginning. The lecture concluded with an exploration of what citizenship for children involved. Were votes for children the right answer or just a diversionary tactic? Had the time come to rethink children's rights? How relevant were children's views as to the reforms needed?

The final lecture, 'A Magna Carta for children?', was hosted by University College London. Professor Freeman looked beyond the Convention to the future, in particular to the future of childhood. He took the view that rights taken by themselves were not enough and argued that, given we have fought for a rights regime for children, we should look to improve it, by re-thinking the rights in the Convention, for example by moving beyond participatory rights to citizenship. He went on to ask what alternatives there were to this approach. Were there better ways to affect improvements in



the lives of children: an emphasis on wellbeing, on happiness? Would an emphasis on the ethics of care achieve more for children than a simple rights regime? Do children need a separate code? Or should they be brought in from the 'ghetto' and be just accepted as human beings with human rights?

The Cambridge University Press will be launching the lectures in book form later in 2016 at IALS.

The Humanity of Lawyers

The 'humanity' of barristers was the theme of IALS's contribution to the 2015 Being Human festival, a national celebration of the humanities led by the School of Advanced Study, University of London, in partnership with the Arts & Humanities Research Council and the British Academy. The success of the 'Humanity of Judging' event at the Supreme Court for the 2014 inaugural festival encouraged the event's coordinator Dr Judith Townend, lecturer in information law and policy, to extend the theme to the bar. Funding was awarded through the School of Advanced Study's public engagement innovators' scheme.

The venue for the 'Humanity of Lawyers' event on 19 November was the Parliament Chamber at the Inner Temple, a place most members of the public would not usually visit – and therefore appropriate to the festival theme, 'Hidden and Revealed'. Speakers from academia and practice joined a lively panel chaired by Atalanta Goulandris, City University London. Dr Justine Rogers, University of New South Wales (by pre-recorded video), Professor Andy Boon, City University London, Robin Howard of 1 Gray's Inn Square Chambers, Mavis Maclean, University of Oxford and Caoilfhionn Gallagher, Doughty Street Chambers, explored how barristers manage their personal beliefs and emotions and balance their own humanity with the complexity of their task in representing others.

Once again, the event was warmly received by a general public audience, who were also invited to view a mini-exhibition of accompanying visual materials and texts in the lobby at 17 Russell Square, prepared by IALS with the assistance of Atalanta Goulandris.



Rt Hon Sir Vince Cable, keynote speaker at the 'Prevent' conference

'Prevent' in practice

The Counter Terrorism and Security Act 2015 gives universities and colleges a new duty to have 'due regard to the need to prevent people from being drawn into terrorism', prompting tense debates across the country. In response, the Institute of Advanced Legal Studies (IALS) and the Institute of Commonwealth Studies (ICWS), with financial support from the University of London, organised a one-day public conference involving expert academics, policymakers and higher education professionals. The 'Universities and counter-terrorism: Prevent in practice' event at IALS on 27

October, explored debates surrounding academic freedom and freedom of expression, and the practical questions which universities will need to address in the light of their new statutory obligation. In his keynote address to the conference, reported by national media, the Rt Hon Sir Vince Cable, former business secretary and member of the Coalition cabinet, considered the Conservative government's current counter-extremism strategy and argued that it is highly problematic to introduce new duties for universities, beyond the existing legal constraints on freedom of speech.

W G Hart Legal Workshop

In 1966, with funds donated by the Ford Foundation, the Institute organised the first ever legal workshop to be held in the United Kingdom based on a concept pioneered a few years earlier by the Law School of New York University. These workshops, which address a different theme each year, have been held annually ever since. The Ford Foundation grant terminated in 1978, but fortunately in 1981 IALS was able to secure alternative funding under the terms of the bequest of the residuary estate of Dr Walter Gray Hart to the University of London, which was to be used 'for the advancement of legal education'. Consequently, since 1981 the workshop has been named the W G Hart Legal Workshop.

The 2015 W G Hart Legal Workshop was held at the end of June on the topical subject of 'Law and the ageing of humanity' under the direction of Professor Jonathan Montgomery, University College London (UCL), and Professor Richard Ashcroft, Queen Mary University London (QMUL). The Workshop explored the legal responses to the changing demography of Western European society and the implications of the expected dramatic demographic reversal from a young population to an old population.



Building of the Supreme Court, © chris2766 / Shutterstock

Judicial Committee of the Privy Council case papers

Funding from the School of Advanced Study supported the digitisation of case papers deposited by the Privy Council at IALS, providing further access to this research resource. The project covered the years 1930–85 (effectively a full set from 1950–85) and some selected earlier case papers, amounting to more than 317,000 page scans. These have been loaded into BAILII alongside the judgments. The Institute would like to thank Professor Catharine MacMillan and Dr Charlotte Smith (University of Reading) and Dr Nandini Chatterjee (University of Exeter) who are kindly acting as research advisors.

Wedderburn Gift

In 2015 the Institute received a substantial donation of books and journals – over 1,500 items – by Frances Wedderburn from her late husband's library. Bill Wedderburn, Lord Wedderburn of Charlton, academic, lawyer and politician, who died aged 84 in March 2012, was the leading figure in English labour law of his time. When Sir Otto Kahn-Freund, many of whose collections reside in the Institute's library, went to Oxford as professor of comparative

law, Lord Wedderburn in 1964 was appointed to Kahn-Freund's chair at the LSE Law Department. There, he produced outstanding research and many distinguished alumni. He published innumerable books, articles and lectures, the first of which was *The Worker and the Law* in 1965. His work



Bill Wedderburn

News review

extended to the implications of Britain's entry into the European Communities and further afield in comparative studies. He was general editor of the *Modern Law Review* for 17 years. Lord Wedderburn was a member of the Institute's Committee of Management from 1965–78 and 1980–84. The donation strengthens the Institute's collections in labour law and especially in comparative labour law and related fields. In addition, a large number of volumes already held by the library were passed to the growing library of the Ghana Institute of Advanced Legal Studies. The archival material was mainly taken by the Modern Records Centre at the University of Warwick.

Schwarzenberger Prize

The Georg Schwarzenberger Prize in International Law was endowed by friends and former students of the late Professor Georg Schwarzenberger, formerly emeritus professor of international law of



Emma Hynes,
winner of the
Schwarzenberger
Prize

the University of London. It is awarded annually to a student, or students, in the University's Faculty of Law who is considered by the director of IALS to be outstanding in the field of public international law. The 2014 prize was awarded to Ms Emma Hynes of King's College London in respect of an outstanding performance in her LLM in International Business Law.

Emma Hynes had a completely different career before following her passion for international law. For seven years she worked in communications (particularly digital communications to business) as a coordinator and senior editor. After deciding to pursue law, she has won recognition for her oral and written advocacy skills. She received an Honourable Mention in the Vis International Commercial Arbitration Moot as part of the King's College London team (2014). Her team won the University of Law BPTC Moot (2013) and the College of Law GDL Moot (2012). Her achievements have been recognised by a scholarship from the Honourable Society of the Inner Temple and she went on to take up a pupillage at Essex Court Chambers, which is one of the renowned sets for public and private international law.

The British and Irish Legal Information Institute

The British and Irish Legal Information Institute (BAILII), www.bailii.org, hosted at IALS, provides access to the most comprehensive set of British and Irish primary legal materials that are available, for free and in one place, on the internet.

According to the annual Society of Legal Scholars and British and Irish Association of Law Librarians survey of academic law libraries, BAILII is the most popular free website with legal content for both teaching staff and students. In August 2015, BAILII had 78 databases covering seven jurisdictions.



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Weekly users come from about 3,000 domains and usage is around 2.6 million page requests per week. BAILII is also constantly adding historic materials for research. It has recently created a database of historic Scottish Law Reports comprising more than 20,000 reports from 1540 to 1861.

IALS Film Club

IALS Film Club has been meeting after work on the last Friday of each calendar month. Set up in November 2014 to take advantage of the screening facilities of the refurbished IALS lecture theatre, the Club is free and open to all members of staff of the School of Advanced Study (SAS) and Senate House

Library. The films shown are selected by members on a rolling basis, with each selector being free to choose any film he or she likes from a list of titles authorised by Filmbankmedia, the UK licensing company from which the Institute purchases a Public Video Screening License (PVSL) annually. The emphasis on personal choice in selection has resulted in a variety of titles being shown: over the last year the Club has enjoyed watching and discussing films as different as *Night and the City* (Jules Dassin, 1955), *Boom!* (Joseph Losey, 1968), *Radio Days* (Woody Allen, 1981), *Drive* (Nicolas Winding Refn, 2011), and *Whiplash* (Damien Chazelle, 2014). The screenings are advertised in the SAS Briefing as well as by internal email in IALS, and have been attended by staff members from SAS and SHL as well as from IALS.

PROFESSOR HELEN XANTHAKI joins UCL Faculty of Laws

Professor Helen Xanthaki, the first UK professor of legislative drafting, and academic director of the Sir William Dale Centre for Legislative Studies left IALS at the end of 2015 to join the Faculty of Laws of University College London as director of the international postgraduate laws programme, which is jointly led by UCL and Queen Mary University of London. Professor Xanthaki joined IALS in 1998 as a Fellow in Legislative Studies and worked with Sir William Dale at the Centre for Legislative Studies. She became its academic director and proceeded to reform the Centre and its activities, which until then mainly centred around the annual legislative drafting course. Within 10 years the renamed Sir William Dale Centre for Legislative Studies had become the world's most prestigious academic institution carrying out work in the field of legislative studies with various professional courses, a Master's

degree programme and a strong cohort of PhD students. Moreover, under the academic direction of Professor Xanthaki, the Centre completed 14 major funded programmes (funding coming from the EU, Department for International Development (DFID), the World Bank among others) in areas related to legislative studies and EU criminal law.

IALS thanks Professor Xanthaki for her work and wishes her every success in her new post. Her academic presence will certainly be missed and her work will be very difficult to emulate. Professor Xanthaki will complete her IALS duties for this academic year and will remain in the Institute's broad academic community as a Fellow. Dr Constantin Stefanou succeeds Professor Xanthaki as director of the Centre.

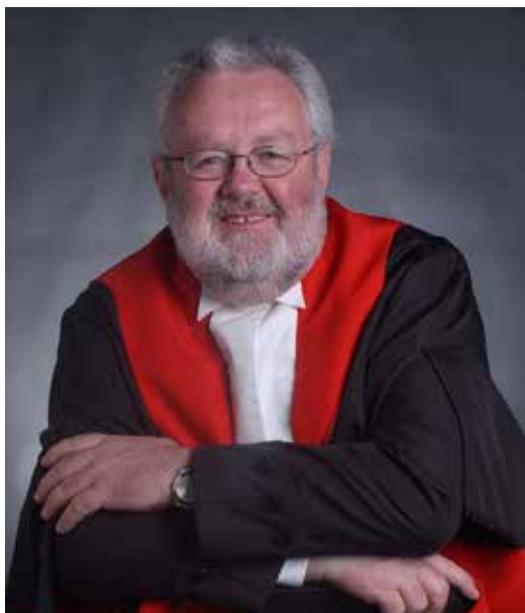
PRIYA RAI, Visiting Fellow in Law Librarianship 2015

This year's Visiting Fellow in Law Librarianship and Commonwealth Professional Fellow (funded by the Commonwealth Scholarship Commission) was Dr Priya Rai, deputy librarian of the National Law University, Delhi. During her time with the Institute Library she reviewed the IALS Indian collection, created a new free legal research guide on India which is now available to researchers via the IALS website, wrote a report on 'Open Access policy and resources as a supporting tool for legal research: a comparative analysis of India and UK', reviewed the development of institutional repositories in India and the UK, and undertook a comparative analysis of copyright laws in India and the UK in order to better understand how common law jurisdictions handle copyright law. The aim of the Fellowship is to facilitate home country benefits through shared best practice, introduction of successful innovative approaches and development of global partnership opportunities.

JAMES WILLIAMS, 2014–15 Inns of Court Fellow

The annual Inns of Court Fellowship was awarded to The Rt Hon Justice James Williams of the Supreme Court of Nova Scotia (Family Division). He visited the Institute from February to April, undertaking research on family law reform and judging. He gave an IALS evening lecture on 'Family law reform: moving beyond the reports' and an IALS lunchtime seminar





on 'Judicial training: the Canadian model'. He also established links with members of the bench, bar and other education institutions and government, had direct contact with the under treasurers of each of the four Inns of Court and educational and consultative contact with many of their members during his stay.

JAMES PARKER, Learning Technologist

James Parker joined IALS in May 2015 to manage the Law PORT (Postgraduate Online Research Training) project.

The Institute is engaged in a project with the School of Advanced Study to create free, open learning resources for postgraduate research students in law, extending the existing training in research skills provided by the IALS Library to a wider audience across the UK. These resources will be available on the IALS website and through the SAS learning platform, Postgraduate Online Research Training (PORT). His role as learning technologist is to facilitate the creation of content and support members of staff in the IALS Library on aspects of course writing.

The project has already delivered many of its key objectives. First a survey was conducted

to establish the kind of resources postgraduate law researchers need to support the writing of their theses. This report is available at ials.sas.ac.uk/library/lawport/lawport.htm. Then a development tool was chosen for the IALS librarians to use to create their online courses. It was decided to use Articulate Storyline for this task because the skills required are easy to pick up and it will produce high quality, engaging resources. As well as training IALS staff, James Parker delivered additional training workshops, with Dr Matt Phillpott (SAS), to give SAS staff the basic skills required to create courses for PORT.

In response to the results of the user needs survey, and following feedback from researchers at the Library roadshows, it was decided that the first course will be on using OSCOLA to cite UK and EU legal materials. Courses on several aspects of public international law research and on citing international law materials using OSCOLA will follow. In addition, content for PORT for the Information Law and Policy Centre will be produced.

RUTH FREND, Archivist

Dr Ruth Frendo joined the Institute as part-time archivist in March 2015. She formerly worked as archivist of the Shakespeare Globe Trust, at the LSE and the Courtauld Institute of Art. During 2015, some 128 items from the archives were consulted, with researchers being assisted in person as well as remotely. Some substantial further accruals to existing collections were received, including records from the International Law Association. Three cataloguing projects were completed over the course of the year, with the financial support of the depositors. IALS hosted the Women's Legal Landmarks Archival Training Workshop in June. This provided an opportunity for archivists from various repositories of legal records, including the former and current IALS archivists, to explain to researchers how to make best use of their collections.

ADAEZE OKOYE, Visiting Fellow

Adaeze Okoye, Senior Lecturer, Canterbury Christ Church University, undertook a visiting fellowship at IALS between October 2015 and April 2016.

Dr Okoye's time at IALS was stimulating and productive, with work that focused on corporate social responsibility and legal approaches, with a special emphasis on Llewellyn's law-jobs approach. This is the subject-matter of her monograph to be published by Routledge Research in Corporate Law Series in April 2016. While at IALS, she was also appointed an Inner Temple Academic Fellow (2015–18). This dual opportunity has given Dr Okoye the opportunity to work with other colleagues to organise a one-day conference at IALS, exploring critical legal perspectives and corporate social responsibility (to be held in June 2016). This platform will enable critical analysis and the exchange of ideas. The aim is to build a research network in this emerging area of law, with the potential for future publications and collaborative research projects. The conference received support from IALS and the Honourable Society of the Inner Temple. Dr Okoye also presented some

of her work on corporate legitimacy at a lunch-time seminar in December 2015. It was titled 'Revisiting Hurst's legitimacy of corporations: utility-responsibility dichotomy in company law'. This was an excellent opportunity to expose her ideas to critique and to engage in profound dialogue on several aspects of corporate legitimacy. Dr Okoye says she is very grateful for this excellent opportunity to reinvigorate her research.

GIULIA PENNISI, Associate Fellow

Giulia Pennisi is a tenured researcher in English language and translation at the University of Palermo (Italy). She is currently working on specialised languages with a particular attention to lexico-grammatical and textual analysis of legal discourse genres within multilingual and multicultural contexts. She is associate fellow at the Institute of Advanced Legal Studies (IALS), Sir William Dale Visiting Fellowship, University of London, where she is responsible together with Professor Helen Xanthaki and Dr Constantine Stefanou, for the 'Legislation and Language' project. She also serves as a reviewer for the *Statute Law Review* and *European Journal of Law Reform*. At the Sir William Dale Centre she has come to explore the crossroads between legislative drafting and language/linguistics and opened a new agenda for the IALS: the use of teachings from linguistics in applications useful to legislative drafting. Three workshops on 'Legislative drafting and language' have been organised at the IALS, and she is now organising a fourth that will be hosted by the Institute in June 2016.

Other projects have been accomplished during this time, such as publications and seminars at the Legislative Drafting Course, and others are still in progress. In April 2014 she interviewed Professor Peter Butt (University of Sydney) about new trends in 'legal drafting'. This interview was filmed and used during a seminar on 'Legislative drafting: new trends in plain language' that took place at the IALS in November 2014. In March 2015, she organised a seminar on 'Clarification and easification of legislative drafting' in association with Clarity (International Association for Plain Legal Language) and hosted by IALS.



IALS on the road

From Bangor to Berlin, IALS takes to the road.



The International Association of Law Libraries (IALL) held its 2015 conference in Berlin, with the theme 'Within and in between: German legal tradition in times of internationalisation and beyond'. Image: 360b / Shutterstock.com



IALS roadshows: Lisa Davies

The Institute Library, holding the national collections of foreign, comparative and international law, acts as the crossroads of legal research for the nation attracting national and international scholars. The Institute provides a neutral venue for the discussion of law and policy matters, bringing together academic legal researchers with members of the practising profession, the judiciary and government.

January marks the beginning of the roadshow season at the IALS Library. After the very busy autumn term, when the energies of the Library team are spent inducting and training new students, our attention turns towards another important aspect of our work: reaching out to and supporting PhD students in law across the UK. Providing a library service to all researchers and academics in this country is a core part of the Institute's national role and each year we visit several law schools as part of our roadshow programme. The purpose of each visit is to highlight the breadth of the Library's collections and services, and to provide training on the many free databases available on the IALS website that are maintained for the benefit of all researchers, wherever they are located.

Part of my role as access librarian is to co-ordinate and take part in the roadshows. I aim to include a good mix of law schools in the programme each year; both those with which we already have a good working relationship and others we have not yet visited, and I also endeavour to cover a variety of locations. In 2015 we visited the University of Aberdeen, Bangor University, the University of Birmingham, the University of Brighton and the University of Surrey, training around 100 researchers and encouraging them to make use of the many e-resources they can access through their IALS Library membership.

The roadshows are very well received, after all we are bringers of good news: a free library service, access to world-class collections, tailor-made training and remote access to several law databases! The benefits of running the roadshows are far from one-sided though; they also provide us, the librarians at IALS, with the valuable opportunity to speak to researchers and academics from across the country to find out what they really need in terms of library provision. They also allow us to tap in to the national network of law librarians with whom we can share tips and discuss best practice. I would like to take this opportunity to express my sincere

thanks to everyone who hosted an IALS Library roadshow in 2015.

Research skills training in Paris: Laura Griffiths

As a research library with a national remit, we here at the IALS Library of the IALS have long been concerned with not only providing services to those of our user base unable to access the physical library, but also facilitating use of these services with training and guidance. When the programme administrator of Queen Mary University's LLM in Paris contacted us for assistance in training their students in legal research skills, we were only too happy to help (the trip to Paris being a bonus!). The Paris programme, which was developed by Queen Mary's Centre for Commercial Law Studies, has been running since 2013, with IALS being involved since 2014, as QMUL are keen to ensure that this commercially focused course – appealing to those already in practice and seeking to specialise – has the same level of support as their London based programmes. I head over twice a year, once in January and once in September, to speak to new students about research skills, hold workshops on using legal databases, and to speak to students about their research needs. It's a fairly intensive couple of days each time, but well worth it to be able to provide some face to face assistance to this remote group of students. It also gives me the opportunity to let these students know how we can go on helping them from across the channel through our various online research tools, or (as is more common) by email.

Following on from the success of the LLM in Paris, QM's Centre for Commercial Law Studies last year launched the LLM in Piraeus, focussing on maritime and shipping law within an international commercial framework. IALS Library was invited to provide the research training element due to our successful involvement with the Paris programme, and are very proud to be associated with such a prestigious new programme. While the docks of

downtown Piraeus couldn't be more different from the leafy 7th arrondissement, the calibre of students and quality of programme remain the same, as do the research requirements of the students. IALS looks forward to continuing to support these international programmes, showing that we truly are a 'global law library'.

International Association of Law Libraries Conference, Berlin: Hester Swift

The International Association of Law Libraries (IALL) held its 2015 conference in Berlin, with the theme 'Within and in between: German legal tradition in times of internationalisation and beyond'. I attended the conference along with the IALS deputy librarian, David Gee, who is on the IALL's board of the Association.

Three days of academic sessions took place at Berlin State Library. Highlights included Professor Dr Kirstin Drenkhahn's presentation on the criminology of state crime, which raised interesting questions about the extent to which definitions of crime and established criminological approaches can be applied to criminal behaviour by states. Many speakers had a pan-European perspective: Dr Marion Röwekamp gave a survey of the history of European women's rights and there were lectures about Germany's role in the European Union and on civil rights protection in Germany and Europe. In addition to the academic parts of the programme, we heard from representatives of database publishers, who updated us about new features and recently added content on HeinOnline, Kluwer Law Online and Getting the Deal Through.

Berlin was my fifth IALL conference. As always, it offered an excellent opportunity to meet other librarians specialising in foreign and international law and to develop my knowledge of the law, legal publications and online resources for legal research.



IALS Library entrusted with the SLS / BIALL Academic Law Library Survey

The Annual Academic Law Library Survey, conducted by David Gee and Laura Griffiths at the Institute of Advanced Legal Studies on behalf of the Society of Legal Scholars (SLS) and British and Irish Association of Law Librarians (BIALL), provides a useful snapshot of the staffing, expenditure on acquisitions, subscriptions to databases and range of library services provided in the academic year by university and college law libraries in the UK and Ireland. SLS is the learned society for those who teach law in a UK university or similar institution or who are otherwise engaged in legal scholarship, and BIALL represents the interests of legal information professionals in the UK and the Republic of Ireland.

Each year David and Laura start this prestigious research project by making suggestions for improvements to the survey questionnaire and either the SLS or BIALL decide on the final version which is circulated to the 113 academic law libraries across the UK and Ireland. On receipt of the completed questionnaires SPSS software is used to calculate the anonymised statistics. David then uses these statistics to identify trends and to write his annual report on the survey which is published in the journal, *Legal Information Management* and in SAS-Space: sas-space.sas.ac.uk. Previous reports are also available on the IALS website at: ials.sas.ac.uk/library/SLS_BIALL_survey.htm.

Through the survey, information professionals and their library users are able to use comparative year-on-year data and analysis on law library usage, opening times, acquisitions and the location of the law library within the university library. The most popular law databases, ebook publishers, free websites with legal content and suppliers of library management systems are also identified. In addition trends in acquisitions expenditure, sources of income, contributions from law schools, staffing levels, qualifications

of library staff, contributions to providing legal research skills training, support for distance learning students, support for students based overseas, law librarian activities, and future service trends are explained.

The Annual Academic Law Library Survey has been running since 1996 and has established itself as the leading survey of its kind for the UK and Irish academic legal communities. It provides authoritative and trusted data, which academic law library managers use to benchmark their own services, collections and funding requirements, and law course validation bodies note when appraising the provision of institutions seeking to run law courses. The report also greatly assists the Society of Legal Scholars in monitoring the continuing influence of its 2009 statement of standards for university law library provision in the UK: www.legalscholars.ac.uk/documents/SLS-Library-for-a-Modern-Law-School-Statement-2009.pdf.

IALS Library is very pleased to be entrusted with the task of managing this annual survey project. It is well placed as a centre for national legal research to help update the survey questionnaire and collect, analyse and report on the useful data.

The flow of digital data

In February 2015 the Institute of Advanced Legal Studies launched a new Information Law and Policy Centre, which explores digital communication and the way in which data moves through contemporary society.

Data are – or is – everything and everywhere, flowing through everyday life, our workplaces, our homes and our minds, documenting personal and collective social, political and legal activity. The question of how this data and information is regulated is a priority area of public policy, with an important role for academic research.

Producing and promoting scholarly research in this area is the goal of the new Information Law and Policy Centre at the Institute of Advanced Legal Studies, which hosts research on the way in which law both restricts and enables the sharing and dissemination of different types of information.

The Centre is led by Dr Judith Townend, lecturer in information law and policy, whose socio-legal research concerns access to information, particularly in relation to media and courts. She was recently joined by early career researcher Christina Angelopoulos, who will pursue a three-year programme of research activity on the European harmonisation of information law, and

whose expertise lies in intermediary liability and copyright. Affiliated associate research fellows, among others, include: Professor Lorna Woods, University of Essex, a specialist in internet law and freedom of expression; Dr Richard Danbury, whose research at the University of Cambridge looks at copyright and the news media; and Dr David Goldberg, a freelance consultant and lecturer specialising in the regulation of drones for journalistic activity.

An expert advisory board of legal and policy practitioners and academics is chaired by IALS senior associate research fellow, James Michael, and includes leading professors and practitioners, such as Christopher Millard, professor of privacy and information law, Queen Mary University of London; Timothy Pitt-Payne QC, barrister, 11KBW; Graham Smith, partner, Bird & Bird; and Gillian Phillips, director of editorial legal services, Guardian News and Media.

As well as building up its own research and hosting visiting international scholars, the Centre acts as a hub for national research. For example,



Dr Judith Townend
at the launch of the
Information Law and
Policy Centre

in the autumn it hosted meetings on the draft Investigatory Powers Bill, which has resulted in an ad hoc group of researchers and practitioners, led by Professor Lorna Woods, submitting evidence to the joint parliamentary committee scrutinising the Bill.

We are working closely with colleagues in other institutes of the School of Advanced Study, such as the Institute of Historical Research to look at legal issues for internet archives, and the Ministry of Information digital research project at the Institute of English Studies.

After launching the Centre in February 2015 with a very well attended academic workshop and evening lecture by Timothy Pitt-Payne QC, we have hosted numerous seminars, including an event on global reputation and privacy in collaboration with ARTICLE 19 featuring special guest Frank LaRue, former UN special rapporteur on freedom of expression.

In the autumn a debate co-organised with the Media Society at Reed Smith LLP considered

surveillance, national security and freedom of expression with a specialist panel including Dominic Grieve QC, chair of the Intelligence and Security Committee of Parliament and Ewen MacAskill, the Guardian's intelligence and defence correspondent who reported Edward Snowden's revelations about GCHQ and NSA surveillance activity.

In the autumn the Centre ran workshops on law and ethics for researchers in the social sciences, arts and humanities; and public policy engagement in government, civil society and law as part of a wider programme co-ordinated by the London Arts and Humanities Partnership (LAHP) and funded by the Arts and Humanities Research Council (AHRC).

Alongside this stimulating range of events, the Centre continues to build a network of researchers and practitioners and develop resources to support their work.

Find out more: bit.ly/infolawcentre (website) and [@infolawcentre](https://twitter.com/infolawcentre) (Twitter).



His Lordship
Professor Justice S.K.
Date Bah with Jules
Winterton

IALS supports the new Ghana Institute of Advanced Legal Studies

The Institute of Advanced Legal Studies (IALS) has played a major role in helping towards the establishment of the Ghana Institute of Advanced Legal Studies by its founding director, Professor Stephen Offei.

The new headquarters of the Ghana Institute of Advanced Legal Studies (GIALS) in Accra was inaugurated on 18 June 2015 at a ceremony attended by a large audience including leading figures in the legal community in Ghana. Jules Winterton, director of IALS was among the speakers. The ceremony, chaired by His Lordship Professor Justice SK Date Bah, was held at the new Faculty of Law building of the University of Ghana followed by the cutting of the ribbon at the new premises by His Lordship assisted by Professor Stephen Offei, director of

GIALS, and Jules Winterton. Five Supreme Court justices, the attorney general and deputy minister of justice, the deputy chief justice, deans of all the University Law Schools, president of the Bar Association and many others were present.

On the preceding evening a public lecture was delivered by Jules Winterton, director of IALS, at the British Council in Accra and chaired by Nana Dr SKB Asante, chairman of the GIALS Advisory Council, to celebrate the inauguration of GIALS. The programme, 'Legal education

at the crossroads', included a lecture written by Professor Avrom Sherr of the IALS with a survey of recent developments in legal education in England and Wales by Jules Winterton, remarks by the chairman and an open discussion from the audience.

GIALS is a legal scholarship and research-orientated independent institution and the second of its kind in Africa aimed at leading legal research in Ghana and Africa. The IALS in London has played a part in the establishment of both GIALS and some years ago the Nigerian Institute of Advanced Legal Studies. IALS has provided books to develop the GIALS Library and negotiated sponsorship by HeinOnline, a product of William S Hein & Co., and by LLMC Digital.

GIALS will provide a world-class legal think-

tank and research institution whose work and influence will transcend the country. It will provide the necessary leadership and focus in legal research and policy dialogue. GIALS has been established to pursue, among others, the following goals: to provide a platform for legal advocacy and law reform initiatives; to initiate research into important issues of law reform and legal institutional development; to provide an avenue for the discussion and cross-fertilisation of ideas regarding the development of law in Ghana; to contribute towards the legal education in Ghana; to initiate and implement social development projects; to contribute towards the capacity building of law faculties and law schools in the country. A national summit of legal education in Ghana is high on the list of priorities.



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The Legal Records at Risk project

The Legal Records at Risk project, based at the Institute of Advanced Legal Studies, University of London, commenced in September 2015.

The Legal Records at Risk project, based at the Institute of Advanced Legal Studies, University of London, commenced in September 2015 to:

An example of unsuitable storage

- Broaden the concept of 'legal' records from

their traditional definition as court records or deeds to the business records of private sector institutions specialised to law (ISLs), including arbitration and mediation services, barristers, insolvency practitioners, legal executives, licensed conveyancers, multi-disciplinary practices, notaries, patent attorneys, pro bono legal services, scriveners, solicitors, trade mark attorneys and providers of ancillary services such as law publishers and legal stationers.

- Identify and facilitate the rescue of legal records of potential value which may be at risk through globalisation, digital obsolescence, physical neglect, lack of interest on the part of information owners or reduced archival resources to preserve and provide access to the records.
- All private sector institutions in the UK face similar information management challenges, but modern legal records (C20–C21) are particularly vulnerable due to recent developments in legal services which





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are transforming the nature, organisation, regulation and economics of legal services. It follows that the traditional processes by which legal records are managed, disposed of or preserved for posterity also need to change.

The project will not collect records but will act as a conduit through which legal records of value (in all formats and media) are identified, preserved and made available for research.

In doing so we hope to raise the awareness of the information owners of legal records as to the value of their records and assist them to unlock the potential of the records for both internal business reference and external research use. We will achieve this aim by:

- Creating a census of private sector ISLs in England and Wales, with details of what, if any, provision has been made to preserve their archives.
- Identifying legal records of research value and

relevant repositories.

- Facilitating the process by which information owners deposit with or donate records to repositories.
- Providing generic record keeping advice to information owners.
- Recognising and advocating best practice.
- Working with the archives and research communities on a coordinated strategy for the identification and preservation of legal records of value.

The project is being led by Clare Cowling, an experienced archivist and records manager (clare.cowling@sas.ac.uk). For the latest project news, see our website: ials.sas.ac.uk/research/lrar/lrar.htm, which includes details of our introductory seminar/workshop. Further workshops are planned – watch this space!

Sir William Dale Centre provides insight into UN's focus on global sustainability

The Sir William Dale Centre hosted two specialised drafting courses, in addition to its annual professional legislative drafting course, in 2015. The first course, offered in cooperation with the United Nations Development Programme (UNDP), was the 'UNDP-IALS course in legislative drafting and international treaties' (28 September – 3 October). The course was offered to a group of Nepalese officials and was taught by Professor Helen Xanthaki and Dr Constantin Stefanou.

The second course, the 'IALS Indian drafting course 2016', was offered in cooperation with the Foreign and Commonwealth Office (FCO). Sponsored by the FCO, a group of Indian legislative drafters completed a specially designed IALS course in legislative drafting. The training was undertaken as the first engagement activity under the memorandum of understanding between the Sir William Dale Centre for Legislative Studies and the FCO.

WORKING TO BUILD LASTING PEACE IN NEPAL

The United Nations Development Programme (UNDP) in Nepal works to pursue equitable and sustainable human development goals. Currently the overarching priority of their work in Nepal is to help the government and its people build a lasting peace. Nepal's ongoing peace process is anchored in the principles of democracy and access to justice as well as the fundamental human rights to equality, inclusion, and participation. Among the many initiatives to strengthen the institutions and systems for running democratic elections, facilitate the provision of justice, safeguard human rights, and enable central level planning is the project to strengthen the rule of law through revised legislation to meet international standards and treaty obligations. As a part of this effort, IALS has partnered with UNDP to offer a course in

legislative drafting and international treaties. Funded by the UNDP and delivered by IALS to Nepalese officials, the course is now in its second year and is taught by Professor Helen Xanthaki and Dr Constantin Stefanou, who use a combination of in-house training sessions and study visits to deliver instruction. For example, study visits have been undertaken to the Office of Parliamentary Counsel, the Tax Simplification Office, and the Foreign and Commonwealth Office.

The course is building up the capacity of the Ministry of Law and Justice to draft laws and support the drafting of new criminal and civil legal codes, with an ultimate aim of restoring the rule of law, and ensuring access to justice for all citizens is essential to building a lasting peace.

Selection of publications, 2015

European Journal of Law Reform **Edited by Constantin Stefanou (2015)**

Dr Constantin Stefanou is the managing editor of the *European Journal of Law Reform* (EJLR), transforming the approach of the EJLR so that it becomes a 'textbook journal' with three special issues on different aspects of law as well as a general issue per year. The key purpose of the journal is to respond to growing demand among scholars, legislators and practitioners of law in the private and public sectors for a forum for authoritative views on law reform in Europe and the world. A related purpose is to provide a systematic review of major initiatives for reform of laws and legal practice.

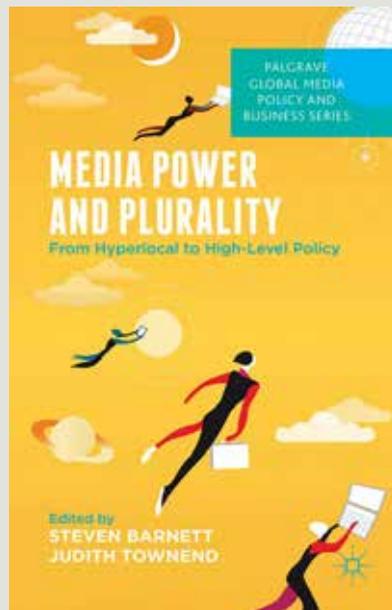
Digital Evidence and Electronic Signature Law Review

Established in 2004, the *Digital Evidence and Electronic Signature Law Review* brings articles, legal developments and case reports to academics, practitioners and the industry in relation to digital evidence and electronic signatures from across the world. The review also seeks to include reports on technical advances and book reviews, and is issued annually in October/November. The Open Access version of *Digital Evidence and Electronic Signature Law Review* has been developed by Stephen Mason (founder, publisher and general editor) with the Institute of Advanced Legal Studies (IALS) on the

SAS Open Journals System – further raising the visibility and accessibility of the journal and its contents:
journals.sas.ac.uk/deeslr

Media power and plurality: from hyperlocal to high-level policy **Judith Townend with Steven Barnett** **(eds., Palgrave Macmillan, 2015)** **ISBN: 9781137522832**

This edited collection, featuring international scholars from a range of disciplines, examines contemporary and emerging policy issues around media plurality from grassroots local initiatives to high-level policy debates in both mature and emerging democracies, in each case drawing out generalisable initiatives and ideas for policy thinking in an increasingly complex area.



IALS Student Law Review

The *IALS Student Law Review* is run by IALS PhD legal research students assisted by an academic member of staff at IALS. It aims to provide a unique forum for all those who are interested in legal studies to present their scholarly contributions. The unique offering of the *IALS Student Law Review* is that it allows for publication on multi-dimensional legal studies. In addition, it proactively encourages analytical and comparative studies. Papers that investigate legal issues from single or multiple vantage points whether topically or jurisdictionally are equally welcomed, as are papers examining law-related interdisciplinary work. It is an Open Access review and can be found at: journals.sas.ac.uk/lawreview

Amicus Curiae **Edited by Julian Harris (2015)** **Published by the Institute of Advanced Legal Studies**

Amicus Curiae is published quarterly and its archive of past issues is freely available online from the first issue (originally published in print in October 1997) to the pre-current issue. This online delivery is via the SAS Open Journal System, which overlays the School's shared institutional e-repository, SAS-Space. Edited by Julian Harris, *Amicus Curiae* had 3 issues in 2015:
journals.sas.ac.uk/amicus

Financial summary

	Institute 2014–15 £	Library 2014–15 £
Income		
Funding Body Grants (HEFCE)	509,933	1,134,163
Other Grants	14,158	800
Tuition Fees & Educational Contracts	817,570	0
Research Grants and Contracts	200,893	0
Subscriptions from Colleges	35,549	889,451
Commercial Income	220,074	5,177
Other income	29,862	226,491
Finance & Endowment Income	4,818	3,500
Internal Income	105,238	324,411
Total	1,938,095	2,583,993
Expenditure		
Staff Costs	872,846	922,858
Professional Fees	3,000	0
Estates Expenditure	61,199	25,308
Academic Expenditure	27,119	786,594
IT Expenditure	70,186	72,773
Administrative Expenditure	76,105	59,441
Finance Expenditure	18,816	4,397
Restructuring	0	0
Internal Charges & Recharges	520,797	824,703
Total	1,650,067	2,687,074
Surplus/(Deficit)	288,029	(103,082)
Transfers to Reserves		
	184,947	

Staff and fellows

Headcount of IALS Staff:	49
Number of Visiting Fellows:	17
Total number of Research Fellows and Associates:	46

Students

	Full-time	Part-time
Postgraduate Taught	17	14
Postgraduate Research	42	14
Distance learning		14
Total Student Numbers:	59	42

Library Readers

Total	6,661
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Digital resources and information platforms provided

Number of digital resources and information platforms:	28
Number of visits made to digital resources and information platforms:	9,152,557
Number of page views requested:	66,579,775
Number of unique users:	2,347,622

Research networks and collaborations

Number of networks led or administered by IALS:	38
Number of networks of which IALS holds membership:	48
Number of participants in networks led or administered by IALS:	1,919

Conferences, seminars and workshops held

Number of research dissemination events:	89
Number of hours:	356
Number of speakers and participants in research dissemination events:	4,292
Number of speakers and participants from across the UK:	3,794
Number of speakers and participants from the rest of the world:	498

Research training provided

Number of research training events:	84
Number of hours:	288
Number of speakers:	141
Number of participants:	2,755





Last word

The Institute of Advanced Legal Studies exists to support, facilitate and promote excellence in legal research. Do please let us know whether we are sufficiently serving your needs. We benefit hugely from the network of researchers, students, fellows and friends who support us. If you wish to be kept informed about activities at IALS, contact us at:

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Acknowledgements

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