

Law Libraries and their Users

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Introduction¹

Law libraries in Britain and Ireland form a distinct and dynamic group within the information world. They are defined by their focus on the discipline and practice of law and their close connection with, and mission to serve, the various parts of the legal system, notably the Bar, the courts and the judiciary, solicitors, government, those in professional legal education and those learning the law and researching it as an academic discipline.

Law libraries are a cross-sectoral group; they have parent institutions which range across the private and public spheres but they retain a common identity through their dealings with the legal profession in its various branches and their management of legal information in its various proliferations. Many libraries serve legal institutions directly; some are collections forming part of larger libraries, such as the national libraries and those of many of the universities. They are diverse in nature and size and in the ways in which they seek to provide for their users. Their scope and number have grown enormously in recent years. They include some of the most ancient libraries and the newest information units, repositories of centuries of learning and virtual systems distilling the knowledge bases of extraordinarily successful commercial firms.

Law librarians have responsibility for the selection, acquisition, maintenance,

¹ This chapter was completed in November 2011 with minor corrections in November 2012. I am very grateful to Susan Mansfield, Jennefer Aston, George Woodman and other friends and colleagues who provided information to assist me.

management, and delivery of information of legal relevance in convenient and speedy ways suited to the nature of the legal research of their users. In doing this they play a vital part in the administration of justice, in the support of scholarship and legal education, and in the functioning of a social system which adheres to the rule of law.

Law librarians identify themselves as a distinct group within librarianship despite the wide diversity of their libraries and have formed an active and successful professional community. The British and Irish Association of Law Librarians (BIALL) and many other local, regional and topical associations successfully sponsor professional development and the promotion of standards, professional collaboration and networking, on a cross-sectoral basis. Law librarianship in the latter part of the twentieth century became and remains a desirable career path, particularly in the commercial sector, despite the recent economic downturn. Law libraries have been at the forefront of many developments in information management and are currently at the leading edge of exploring new roles for libraries and librarians in serving their constituencies.

This chapter will describe and set law libraries in Britain and Ireland in context and relate their present state and their historical development to the various branches of the legal profession and the legal systems. There is a brief comparative outline of law libraries in other countries. The chapter will also describe professional collaboration, networking and professional associations of law librarians in Britain and Ireland and internationally. A survey of the underlying directions of change and strategic drivers as they affect law libraries concludes the chapter and seeks to give some sense of the future for law libraries. This can only be a brief survey and there is a need to define a research agenda in law

librarianship² to investigate present practice and inform the redefinition of our profession.

The Role of Law Libraries

The law has always been information-based and information-intensive, particularly in common law systems. As organizations seek to harness and derive value from information ever more efficiently, the net for relevant information is thrown more widely, particularly in law firms. Relevant legal information is no longer contained solely in published form or in occasional ‘unpublished’ judgments. Information may take the form of in-house documentation, expertise, and information deriving from the practice of law and from discrete legal transactions. Many types of information are now drawn into more formal information systems and become intellectual capital within these vigorous competitive environments. This is a road along which other organizations in other sectors, such as universities, are also beginning to travel.

The know-how database on the law firm’s intranet and the management of intellectual assets and knowledge in other forms raise questions about the definition of law libraries and the roles of law librarians. This is a fundamental change from the situation described in the first chapters of the predecessors to this work, the two editions of the *Manual of Law Librarianship* (Daintree 1976, Logan 1987)³ where the description of

² The International Association of Law Libraries has recently produced a ‘Research Agenda for International Law Librarianship’ (Garavaglia 2011).

³ The chapters, then as now, were intended to include the historical background to the development of law libraries. There are other overviews of the contemporary state of law libraries by Daintree (1983) and also by Miskin (1981), the latter with more emphasis on electronic databases and the future of law libraries.

libraries could generally be satisfied by reference to libraries in the more traditional sense which dealt for the most part with published sources of information in print acquired from outwith the organization.

The complex series of processes conveniently swept up in the term globalization in all its manifestations and ramifications is noted at several points in this chapter and is having profound effects on legal practice and legal education and therefore on legal information management (Winterton 2011).

In contrast to these ongoing developments, the most dramatic single change from the corresponding chapter of the first edition of this book (Winterton 2006) is a more tangible development and derives from a defining moment in the constitutional history of the United Kingdom: the establishment of the new Supreme Court of the United Kingdom and its new library in a historic setting on Parliament Square in Westminster.⁴

Types of Libraries and Their Users⁵

Law libraries in Britain and Ireland date from medieval times and were established to serve legal institutions such as the Inns of Court and are closely tied to the development of those institutions.⁶ There were still very few law libraries by the middle of the nineteenth century

⁴ See below under 'Libraries Serving the Courts and the Judiciary'.

⁵ 'Lawyers and their libraries' by Guy Holborn (2006), a chapter in the *Cambridge History of Libraries in Britain and Ireland*, provides a scholarly account, with detailed bibliography, of the practising legal profession and its libraries between 1850 and 2000 and is an invaluable source.

⁶ This chapter does not cover personal law libraries.

and they generally served professional organizations of barristers and solicitors and were located in the capital cities.

Since the middle of the nineteenth century there has been an enormous growth in all emanations of the legal system. Dramatic reforms of the legal system and the conduct of its business affected different branches of the profession at different times during the period. There is a detailed account of the development of the legal profession in England and Wales until 1988 by Richard Abel; he has also written a study of the legal profession in the 1990s, which was a period of particularly turbulent change (Abel 1988, 2003).⁷

The amount of legislation and litigation has increased the potential sources of law dramatically and there has been a growth in legal publishing to try to satisfy an inexorable desire to access more of that law. The impact of other national and international legal regimes and proliferating transnational legal relationships have increased both the quantity and the geographical extent of relevant law. The legal profession itself has grown and the legal educational systems which offer the routes to join that profession have grown in scope and number.

These increases fuelled an expansion in the numbers of law libraries and the number of law librarians. However, since 2006, particularly in the current economic climate, the value and sustainability of libraries have increasingly been questioned and there have been losses both of jobs and opportunities (Small 2009). Private and public institutions have

⁷ Abel (1988) and Abel (2003) both have very extensive bibliographies. See also Hogan (1986) for an earlier history in Ireland. Histories of particular institutions in the various jurisdictions such as the Faculty of Advocates or the Law Society of Ireland are cited below at the appropriate points.

sought to reduce overall costs or curtail the growth in costs and there has been a considerable process of institutional merger and consolidation, especially among law firms. Law libraries are no longer considered as a uniquely vital asset which they traditionally represented. Ironically library expenditure is seen by some institutions in terms of what libraries once were rather than the diverse and progressive services which they now supply.

Libraries Serving the Bar in England and Wales

The Bar is the branch of the practising legal profession which has enjoyed, until relatively recently, the exclusive right of audience in the higher courts.⁸ This right has been conferred on their members since the sixteenth century by the four Inns of Court, independent and unincorporated bodies which developed a collegiate form: Gray's Inn, Inner Temple, Middle Temple and Lincoln's Inn.⁹ They date from medieval times when there was a larger number of inns in existence for those lawyers and others who needed to be in London when Parliament and the courts were in session. These four had reached a predominant position by 1400 and had developed into settled academic establishments. They became the source from which almost every judge was appointed and they remain the centre of the barristers' profession. They collectively bear responsibility for the regulation of the profession

⁸ Until the Courts and Legal Services Act 1990 and section 24 of the Law Reform (Miscellaneous Provisions) Scotland Act 1990 began the process throughout the 1990s of removing the exclusive rights of audience. The separate classification of libraries serving the Bar and those serving solicitors is a convenience here but is rooted in the history and the current provision of library facilities for the profession.

⁹ <http://www.graysinn.org.uk/>; <http://www.innertemple.org.uk/>; <http://www.middletemple.org.uk/>;
<http://www.lincolnsinn.org.uk/>

including matters of discipline, the admission of members, and the required standards of legal education. In physical terms each Inn provides collegiate space in the centre of legal London near to the courts, renting out space as chambers for barristers to conduct their business, and each providing shared facilities and services including, from earliest times, a library.¹⁰

Practising barristers now number about 12,500 and a little over a third practise outside London.¹¹ In addition to advocacy, they are primarily concerned with drafting legal documents, writing opinions, advising clients and the preparation of pleadings. The Bar has traditionally been termed the senior or learned branch of the legal profession and has for generations provided the opportunity for specialization and been the source of expertise in particular areas of law.

Over the past twenty years the threat of competition to the Bar from law firms, especially those employing in-house specialists, and increased competition within a rapidly expanding Bar has led to fundamental changes within the profession and the modernization of the running of barristers' chambers and of the Inns. This has included the establishment of libraries, managed by trained staff, within some sets of chambers, building on the personal and shared collections of basic materials located there, and an increased

¹⁰ There is a very considerable body of writing about the Inns. Inner Temple and Lincoln's Inn have recently published lavishly illustrated volumes (Rider and Horsler 2007; Holdsworth 2007) and a history of Middle Temple appeared in 2011 (Havery 2011). Each has a useful section on the Inn's library.

¹¹ The Bar Council provides extensive statistics about the composition of the Bar and entry to the Bar including analysis by gender and ethnicity at <http://www.barcouncil.org.uk/about-the-bar/facts-and-figures/statistics/>

recognition of the importance of the Inn libraries.

The libraries of the Inns maintain some of the few great collections of books on foreign and international law in Britain and Ireland, as well as magnificent collections on English law. Their early establishment ensured that their historical collections of legal materials and manuscripts are extremely rich and, where possible, they still supplement those collections with selected materials when they become available. The scope of the early collections was far wider than law. In common with most society and professional libraries of their age, they collected works of literature, history, topography, travel, biography and similar learned subjects. Much of this remains, though depleted through disposal in recent years.

The libraries of the Inns are private libraries not open to the general public; they serve members of their own Inn, including student members training for admission to the Bar, and barristers who have chambers in the Inn and their pupils. Barristers who are members of the other Inns and have chambers elsewhere are also admitted if their own Inn does not hold the material which they seek. Solicitors may be admitted by prior arrangement as a library of last resort for material unavailable in other London law libraries. Scholars are welcomed by appointment to use the rare books, manuscripts and archives of the Inns. The libraries of the Inns are principally reference collections rather than lending libraries, although lending was always extended to Benchers, those senior members who manage the affairs of their societies, and for the purposes of taking a particular item to court. The libraries of the Inns now offer automated catalogues¹² which

¹² <http://www.innertemplelibrary.org/external.html>. The catalogues are available independently. However, Inner Temple

can all be searched from each Inn, and union lists of current law reports, periodicals, looseleaf services and electronic resources.¹³ They also provide a wide range of electronic services, distance services to members of the provincial Bar, collaborate over admission and opening hours, and have a co-operative collection development policy which concentrates provision for particular jurisdictions and subjects. Each Inn library maintains special collections and takes a primary responsibility for collecting the law of certain foreign and international jurisdictions and of other jurisdictions of Britain and Ireland in addition to its core collections of the law of England and Wales.¹⁴ Overall co-operation is within the terms of reference of an Inns of Court Libraries Liaison Committee which reports to the Council of the Inns of Court and Bar. The issue of whether four such fine libraries, representing the heart of four societies with independent identities but carrying out similar functions, can be even more closely combined has yet to be resolved.¹⁵

Libraries Serving the Bar in Scotland and Ireland

regularly uploads the records of the other three Inns into its system, providing a combined search facility. Lincoln's Inn and Gray's Inn produce their catalogue as a joint venture and their combined holdings can be searched.

¹³ <http://www.innertemplelibrary.org.uk/collections/legal-collections/inns-of-court-libraries.htm>

¹⁴ Commonwealth law and the law of Scotland in Inner Temple; Commonwealth law and the law of the Isle of Man and the Channel Islands at Lincoln's Inn; US law, European Union law and the law of Ireland in Middle Temple; and international law and the law of Northern Ireland in Gray's Inn, <http://www.innertemplelibrary.org.uk/collections/legal-collections/special-collections.htm>

¹⁵ There were discussions in 2009 between Inner Temple and Middle Temple about the possibility of joint library provision, beyond the current co-operative agreements, but no suitable arrangement was identified.

Scotland is a separate jurisdiction with a distinct legal system based on Roman civil law whereas the English common law forms the basis of the jurisdictions in Ireland. They do, however, share the practical implications of the relatively small size of their legal professions.

The Advocates Library¹⁶ in Edinburgh is the private library of the Faculty of Advocates; it was founded in 1689 by a small professional society of lawyers and became a national cultural and intellectual institution; see Cadell and Matheson (1989), St. Clair and Craik (1989), John (1992), and Longson (2009). In common with many libraries for lawyers it began to develop as a general scholarly library. In 1710 it received copyright deposit status and by the nineteenth century it had begun to operate as a national library. This placed a huge burden on the private resources of the Faculty but it discharged them so successfully that, when the situation was resolved in 1925, it transferred by gift three quarters of a million volumes of non-legal holdings to form the National Library of Scotland.¹⁷ From that date, retaining its copyright deposit privilege for legal materials, it has continued as a dedicated law library, it 'is widely regarded as the finest working law library in the British Isles',¹⁸ and it possesses the best collection of continental European civil law works in Britain and Ireland and great collections of the papers of judges and advocates relating to court cases. Collections are also maintained in the High Court

¹⁶ <http://www.advocates.org.uk/library>

¹⁷ Non-members of the Faculty can access the majority of the holdings of the Advocates Library via the National Library of Scotland.

¹⁸ From the 'Welcome to the Advocates Library' at <http://www.advocates.org.uk/library/index.html>

buildings in Edinburgh and Glasgow and at the Supreme Court in London. In common with the Law Library system in Dublin, the Faculty provides the working space and place of business for advocates and the administrative infrastructure to support them.

In Belfast the Bar Council of Northern Ireland operates the Bar Library, which is the base for all practising barristers in Northern Ireland, providing office and other support services as well as library and information services.¹⁹ In a development similar to that in Dublin, new Bar Library accommodation was opened in April 2003 while retaining the Old Bar Library. The Main Library in the Royal Courts of Justice houses the printed collection of some 60,000 volumes and access to electronic services including OLIB, the in-house database of Northern Ireland law, is available to members in-house and remotely.

The King's Inns²⁰ in Dublin is a single society founded in 1541 which has a rather different history from the English Inns (Kenny 1992); it is the headquarters of the Benchers, who include all the judges of the Supreme and High Courts, and the home of the School of Law. It historically played a smaller role in the education of lawyers and is not a central physical focus of the Bar. Its library was formed in 1788 when it purchased the library of Mr Justice Robinson, but was not properly housed until 1832 when it was established in its present premises in Henrietta Street as part of a new complex of buildings giving the Inns its first dedicated home (Neylon 1973). The collections developed as a general learned and scholarly library, in common with the English Inns and the libraries

¹⁹ <http://www.barlibrary.com/>

²⁰ <http://www.kingsinns.ie/>

servicing the profession in Scotland, and ‘about 40% of the library’s 96,000 volumes are still today non-legal’ (Holborn 2006: 457). Although it is an excellent law library, it is not the first resort for the practising Irish Bar since it does not form their place of business. For over two hundred years the place of business for the Bar in Ireland has been at the Four Courts, housed in a magnificent building on the Quays, which provides accommodation both for the courts, ranged around a central Round Hall which has been imitated in other jurisdictions, and for barristers, first in the Hall and then in the Law Library.²¹

The Law Library Society was founded in 1816 when members of the Bar and subscribers to an existing library in the Four Courts bought that library from its impoverished owner (Aston 2011). The Benchers of the King’s Inns provided a room in the Four Courts and the Library as it grew moved several times, occupying a purpose-built library in the east wing from 1897-1922. Today the Law Library provides the working desk space, consultation rooms, support services and meeting and hiring place for barristers as well as housing the law collection, now numbering over 130,000 volumes. The Library in the Four Courts was under tremendous pressure for space and in 1994 the Bar Council of Ireland bought its first property and built office space for barristers on Church Street. In 1998 it opened its second modern facility a hundred yards away from the Four Courts, named the Distillery Building because it is built into the old walls of the Jameson’s Distillery. This facility preserves and extends the Law Library way of working, providing desks as office space for barristers alongside a library which houses relatively small book collections but also makes extensive provision for electronic legal research. The building

²¹ <http://www.lawlibrary.ie/>

also houses the Dublin International Arbitration Centre.²² Satellite libraries also operate at the Criminal Courts of Justice in Dublin and at Washington Street in Cork.

Libraries Serving the Courts and the Judiciary

Libraries serving the courts and the judiciary in London have experienced profound changes since 2006 because of constitutional changes and changes to government departments concerned with the legal system. The consequential changes to the libraries have been profound and the moves, mergers and transfer of materials have been a huge project and restructuring is continuing.

The new Supreme Court for the United Kingdom was established following the implementation of fundamental constitutional reform enacted in 2005 under government proposals to create a new ‘free-standing Supreme Court, to separate the highest court of appeal for the United Kingdom from the second chamber of Parliament and the most senior judges from the legislature’ (*Constitutional Reform . . . 2003*).²³ The newly styled Justices of the Supreme Court of the United Kingdom, comprising professional judges who may be drawn from all jurisdictions of the United Kingdom, first sat in October 2009. The Court is now the final court of appeal for all United Kingdom civil cases, and criminal cases from England, Wales and Northern Ireland. Under the Constitutional Reform Act 2005, devolution cases from the jurisdictions of the United Kingdom are now heard by the Supreme Court.

The new Supreme Court is housed on Parliament Square in the refurbished and re-

²² <http://www.dublinarbitration.ie/>

²³ The Court was established by the relevant sections of the Constitutional Reform Act 2005.

modelled Middlesex Guildhall, in a location ‘linked with justice and the law for over a millennium’²⁴ and in a building which housed courts since the nineteenth century and which itself replaced an earlier courthouse. The centrepiece of the new building is a magnificent triple-height library, newly-created from legal materials transferred from the House of Lords Library, both the main library and the Law Lords’ Collection, and from the Judicial Committee of the Privy Council, together with some additional material from the Royal Courts of Justice (Rowe 2009). This is a very large-scale investment in the Court’s future accommodation and services, not least in the library services. The new building heralds an era of enhanced accessibility by accommodating visitors, offering exhibitions and tours, and also via the new website. The hearings are televised live both to monitors in the building and via the Sky broadcasting company.²⁵

Until 2009 the Appellate Committee of the House of Lords formed the highest court of appeal in the United Kingdom. A volume with contributions by Law Lords and leading academics commemorated the achievements of the final court of appeal (Blom-Cooper, Dickson and Drewry 2009). The judicial role of the House of Lords had evolved over more than 600 years, originally from the work of the royal court. The professional judges were accommodated in the Palace of Westminster, were members of the House of Lords, styled

²⁴ <http://www.supremecourt.gov.uk/about/middlesex-guildhall.html>

²⁵ <http://news.sky.com/home/supreme-court>. The ban on television broadcasting of other courts in England and Wales may be partially lifted following proposals in May 2012

<http://www.justice.gov.uk/downloads/publications/policy/moj/broadcasting-filming-recording-courts.pdf>. Powers to implement the proposals are in the Crime and Courts Bill, <http://services.parliament.uk/bills/2012-13/crimeandcourts.html>

Lords of Appeal in Ordinary, and drew on the Palace for the necessary support services including library services. The House of Lords Library was established in 1826 and was primarily devoted to the support of the appellate function of the House and continued to place considerable emphasis on that function. The library had considerable holdings of the law of England and Wales and Scotland, including early legislation, selected materials from other common law jurisdictions, and collections on legislative drafting and statutory interpretation, European Union law and human rights (Jones 1998) and, in addition, a separate Law Lords' Collection was housed close to the offices of the judges. On the establishment of the new Supreme Court, relevant legal materials were transferred to form the core of the library serving the new Court. However, a considerable legacy of records relating to the judicial function of Parliament until 2009 remains in the Parliamentary Archives (Shenton 2011).

The Judicial Committee of the Privy Council²⁶ has also transferred to the new Supreme Court building from its Downing Street location. It continues to hear appeals from a reduced number of Commonwealth and former Commonwealth jurisdictions, from Overseas Territories, Crown Dependencies such as Guernsey, Jersey and the Isle of Man, and it has some other rarely-used jurisdictions.²⁷ Selected library collections which were housed in the Downing Street building have been transferred. Some materials were donated to other major law libraries, a set of the judgments were made available to the British and

²⁶ <http://www.jcpc.gov.uk/>

²⁷ <http://www.jcpc.gov.uk/about/role-of-the-jcpc.html#UK> gives details of the jurisdictions.

Irish Legal Information Institute for digitization²⁸, and a set of the case papers was transferred to The National Archives.

The Ministry of Justice Library and Information Services²⁹ provide services to Her Majesty's Courts and Tribunals Service (HMCTS).³⁰ HMCTS was created on 1 April 2011, bringing together the separate Courts Service and the Tribunals Service, to provide support for the administration of justice in courts and tribunals in partnership with the judiciary. Library services are provided to the courts and the judiciary and tribunals in England and Wales and to the Law Commission. There are major libraries in London, including a library for the judiciary at the Royal Courts of Justice, and a regional library and information service with libraries based on the circuit system at Crown Courts and Combined Court Centres in England and Wales, and judges in chambers are provided with the necessary books, access to electronic information and a comprehensive reference service.³¹ Services were formerly provided to the Judicial Committee of the Privy Council, whose library is now collocated with the library of the new Supreme Court.

An organized national library and information service in support of the courts and

²⁸ <http://www.bailii.org/uk/cases/UKPC/>

²⁹ See also the section on Government Libraries below.

³⁰ <http://www.justice.gov.uk/about/hmcts/index.htm>. Previously the Court Service was an executive agency of the Department for Constitutional Affairs.

³¹ The original law library rooms at Cardiff Crown Court and at Birmingham Magistrates' Court are described on the HMCTS website as ideal spaces for drinks receptions or an intimate dinner party.

the judiciary is a fairly recent development (Holborn 2006: 459). Even within the Royal Courts of Justice, what was called the ‘Supreme Court Library’ was relatively recent, having been established in 1968, incorporating several earlier private ventures by the judiciary and the Bar, see Best (1983).³² A separate library service based on the Bar Library, which had been originally established by the Inns when the Royal Courts of Justice were built in 1884, used to admit members of the legal profession and latterly litigants in person to consult material not readily available to them elsewhere; the Bar Library has now closed and this service no longer exists. The extensive collections of transcripts and indexes of transcripts from the Court of Appeal (Civil Division) (1951 onwards) and the Court of Appeal (Criminal Division) (1963 to 1989) as well as from the Employment Appeal Tribunal and the Immigration Appeal Tribunal appear to be no longer publicly available.³³ As noted above, the library collections remaining within the Royal Courts of Justice have been reorganized into a RCJ Library for the judiciary.

The short history and relative paucity of provision for the judiciary generally is in part explained by the availability of other library resources for judges, notably at their respective Inns or their own private libraries, but more importantly by the traditions of the English legal system in which judges do not rely on their own legal research but on research by counsel.

³² The Supreme Court Library at the time incorporated the Chancery Library, later the Probate Library, and the Bar Library.

³³ It is to be hoped that they will be made freely available through a service such as the British and Irish Legal Information Institute rather than solely through an arrangement with a commercial supplier.

In Scotland the Supreme Courts Library serving the Court of Session and the High Court of Justiciary is located in Parliament House amid a concentration of other law libraries nearby, including of course the Advocates Library, described above. The Northern Ireland Courts and Tribunals Service, an agency of the Department of Justice for Northern Ireland,³⁴ maintains a library within the Royal Courts of Justice in Belfast and at its headquarters from which it serves the regional courts' offices and distributes most of its resources to the chambers of judges.

In Ireland, the Judges' Library housed in a building alongside the Four Courts, comprising over 20,000 volumes and a range of online subscription databases, provides services to the judiciary of the High Court and the Supreme Court and various branches of the administration of the court system, and also at a distance to judges of the District and Circuit Courts (Donnelly 1996, 2011). The King's Inns Library also serves as a resource for the judiciary.

Libraries for Solicitors in England and Wales

There are about 120,000 practising solicitors in England and Wales. The majority of solicitors' firms are distributed around the country and the high street business mainly comprises conveyancing, probate, family, employment and social welfare law. The city law firms however tend to deal primarily with civil law areas such as corporate finance, banking, financial services, media, pensions, litigation, and so on. The profession in England and Wales first made provision for libraries not nationally but in the context of the formation of local law societies outside London in the late eighteenth and early nineteenth

³⁴ <http://www.courtsni.gov.uk/>

centuries, including Bristol,³⁵ Yorkshire, Manchester,³⁶ Plymouth, and Birmingham.³⁷ These and many others³⁸ are independent non-profit organizations which do not form part of the Law Society of England and Wales; libraries often figured prominently in their original objectives³⁹ and still provide valuable services to their members (Martin 2001).

The Law Society of England and Wales⁴⁰ is the professional body for solicitors, first chartered in 1831 and established in Chancery Lane in London since 1832, some time later than some of the local law societies, and it was granted a Royal Charter in 1845 to regulate the profession. The Law Society operated a library from the time of its establishment and in common with the other professional libraries it amassed considerable collections of non-legal materials but much of these have been disposed of over the past thirty years. The library maintains extensive working collections of the law of England and

³⁵ <http://www.bristollawsociety.com/>

³⁶ The Manchester Incorporated Law Library serves and lends to both solicitors and barristers and is one of the oldest purpose-built law libraries in the UK. See <http://www.manchester-law-library.co.uk/>

³⁷ <http://www.birminghamlawsociety.co.uk/>. Birmingham Law Society has come to a merger agreement with Aston University Library and Information Services and its collections are now housed at the University.

³⁸ Links to the websites of 51 such local law societies can be found on the various regional pages of the Law Society of England and Wales website.

³⁹ In the same way as 'law library associations' sprang up in the US during the same period; see Pound (1953: 215–9).

⁴⁰ <http://www.lawsociety.org.uk/>

Wales, fine historical collections, and an excellent collection of European Union legal material, housed in splendid rooms. Services to all solicitors, in larger firms in London and in practices around the country, include enquiry services and a speedy document delivery service. In common with many organizations, the Law Society has been seeking economies in recent years and reorganizations have affected the library and appear to have eliminated one of the most senior posts in law librarianship in the country.

The largest and most well established law firm library services are found in firms in and around the City of London which are extremely large and successful global businesses and have generally weathered the economic downturn albeit with reductions in legal and business support teams. The largest law firm in 2010 had over 560 partners, almost and 3,400 fee-earners worldwide in 33 offices in 23 countries, employed 6,300 staff; and fee income can be measured in hundreds of millions of pounds. Nationally some firms in metropolitan areas outside London have grown large enough to deal with large-scale commercial business or have formed groups and consortia to do so. The largest law firms are at the leading edge of law library development in the broadest sense; they invest heavily in information management both in terms of information itself, technology to store and manipulate it, and in professional skills to devise and implement information and knowledge management strategy. Law firms have increasingly adopted legal process outsourcing, initially in support services, to deliver better value. For many years there was little need for a significant library in a solicitor's office. In about 1900, 'the amount of legislation was not large, case reports tended to be short and pithy, and a legal library of 20 books was perceived as adequate' (Cruikshank 2003: 33). In 1976, in an earlier edition of this work, the existence of a small number of libraries in solicitors' firms was noted, 'in

some cases a librarian has been appointed to exploit these materials . . . ' (Daintree 1976: 50-51). The large increase in professional law library jobs since the early 1970s, when the first professional law librarians were appointed in law firms, can be attributed to the growth of large law firms. The removal of the restriction in the number of partners to 20 by s.120 of the Companies Act 1967 was a major factor in the dramatic expansion in the size of law firms as they grew with the growth of financial and commercial activity in the City of London. The introduction of 'alternative business structures' regarding the ownership of law firms by non-lawyers in October 2011 may have an equally profound impact on the provision of legal services.⁴¹

Libraries for Solicitors in Scotland

The Law Society of Scotland⁴² was created by statute in 1949 and acts as the regulatory body for about 10,400 solicitors in around 1,200 firms but the formal organization of lawyers who were not advocates and came to be called solicitors began much earlier.

The Society of Writers to Her Majesty's Signet (WS)⁴³ dates from the Middle Ages and remains a private society of lawyers in general legal practice; the acronym WS appears after members' names. The Signet was the private seal of the early Scottish Kings, and the Writers to the Signet were those authorized to supervise its use and, later, to act as clerks to the Courts. The Society took definite shape in 1594, when the King's Secretary, as Keeper

⁴¹ Legal Services Act 2007, Part 5.

⁴² <http://www.lawscot.org.uk/>. The Law Society of Scotland does not maintain a library for members, unsurprisingly given the alternatives available.

⁴³ <http://www.thewssociety.co.uk/>

of the Signet, granted Commissions to a Deputy Keeper and eighteen other writers.

The WS Society is particularly noted for its ownership of the Signet Library, whose history from 1722 has been fully chronicled by George Ballantyne in 1979, with a briefer account in 1971. The Signet Library is now housed in one of the finest Georgian buildings in Scotland which originally comprised a Lower Library for the Society, completed in 1815, and an Upper Library for the Faculty of Advocates, completed in 1822. The Faculty of Advocates moved to a newly constructed building soon after and the Society linked the Upper and Lower libraries. From the late eighteenth century and early nineteenth century the library expanded greatly and, in similar fashion to the Advocates Library, broadened its collections beyond law, and made its library available to general readers. The burden on a small society proved too much and, after increasing financial constraints, a period of contraction and sales began in 1958 and continued until 1979. In 1879 the library had contained about 65,000 volumes, at the turn of that century over 100,000 books, and today it again contains about 65,000, of which almost half are legal and, of the rest, about 15,000 are of historical and topographical interest devoted mainly to Scotland.⁴⁴ The collections and services are described by Bird (2009) and include the provision on a commercial basis of consultancy, research, document delivery and customized electronic information services. More recently restructuring has taken place, affecting the level of professional staffing of the library.

⁴⁴ Special collections include the Scottish collection, comprising works published in or about Scotland and Scottish life, to which books are still added, and the Roughhead Collection on murders in Britain, donated by the late William Roughhead, editor of the Notable British Trials series, see <http://www.thewssociety.co.uk/index.asp?lm=4>

The other national society in Scotland is the Society of Solicitors to the Supreme Court (the SSC Society),⁴⁵ which was formed in 1784 and is incorporated by Royal Charter. It is located in Parliament House in Edinburgh and continues to play a central role in the life and work of the courts of Scotland and the legal profession generally. Membership is open to all solicitors who are members of the Law Society of Scotland but is mostly drawn from those involved in the conduct of litigation in the Court of Session, the High Court of Justiciary, and Sheriff Courts throughout Scotland. The Library of the Society is a private library with particular collections of Scottish law as well as UK and European Union law.

Larger firms in the major cities operate their own libraries. Practitioners in the lower courts with local practices, called procurators, formed their own local organizations originally with rather more powers in regulating the profession than the local law societies in England. The Royal Faculty of Procurators in Glasgow⁴⁶ and the Society of Advocates in Aberdeen,⁴⁷ both founded in the second half of the seventeenth century, are the two remaining societies with libraries. Although both organizations sold collections in the second half of the twentieth century, they both maintain significant libraries and library services and that in Glasgow is ‘the largest law library in the west of Scotland’.⁴⁸

⁴⁵ <http://www.ssclibrary.co.uk/>

⁴⁶ <http://www.rfpg.org/>

⁴⁷ <http://www.socofadvocates.com/>

⁴⁸ <http://www.rfpg.org/library.html>. The library has been maintained since 1817 and is described with photographs by the

Libraries for Solicitors in Ireland

A scholarly history of the Law Society of Ireland⁴⁹ provides considerable information about the profession (Hall and Hogan 2002) and Furlong (2011) provides a recent overview of the law firm sector with a statistical analysis of the profession. In 2010 there were about 8,200 practising solicitors in about 2,200 law firms; only eighteen firms had ten or more partners.

The Society, originally granted a charter in 1852 as the Society of Attorneys and Solicitors in Ireland, existed in an earlier form from at least 1830. It is the professional body which educates, regulates and represents solicitors in Ireland. The Society and its library were provided with premises in the Solicitors' Buildings in the Four Courts by the Benchers of King's Inns, which governed the solicitors' profession until 1866. The library and its contents of approximately 3,000 volumes were destroyed in 1922 but the losses had been recouped by 1931 when the Society moved back into the rebuilt Four Courts complex. The Society moved from there to its present premises in Blackhall Place which opened in 1978. In 2000 the Society opened a new library in refurbished accommodation on the Blackhall Place campus serving members and students in conjunction with its new educational centre on the same site. The library with its history was described by Margaret Byrne (2002), Librarian from 1974 to 2010, and Mary Gaynor (2011) describes the past decade and the current services. The Law Society of Northern Ireland⁵⁰ was set up under

Faculty Librarian, John McKenzie (2009).

⁴⁹ <http://www.lawsociety.ie/>

⁵⁰ <http://www.lawsoc-ni.org/>

Royal Charter in 1922 and an authoritative account of its history has recently appeared (Hewitt 2010). The Society opened the new Law Society Hall in 2009⁵¹ and its library, information services and business centre provides a range of services to over 2,300 solicitors currently practising in Northern Ireland.

Legal Education

The early history of legal education in England is described briefly by Baker (2002). The relatively modern origins of our current systems of legal education should be appreciated. Following a long decline, by 1850 professional legal education was completely moribund and academic legal education other than in the field of Roman law was virtually nonexistent. Even the House of Commons Select Committee on Legal Education could report in 1846, ‘no legal education worthy of the name is at this moment to be had either in England or Ireland’.⁵²

The recent history of legal education in England and Wales has not yet been fully documented although an extensive article by Boon and Webb (2008) gives a historical overview and a detailed account of recent years. Reference can also be made to the periodic official reviews touching legal education such as the Ormrod Report (Committee on Legal Education 1971), the Benson Report (Royal Commission on Legal Services 1979), the Marre Report (Committee on the Future of the Legal Profession 1988) and the reports of

⁵¹ See ‘Official Opening of Law Society House’, *Writ: Journal of the LSNI*, 200, Oct-Dec 2009, 4-10 available at <http://www.lawsoc-ni.org/publications/>

⁵² See the sections on university law schools and on professional legal education below for further description of the role of the Inns of Court and the establishment of law courses and law schools.

the Lord Chancellor's Advisory Committee on Legal Education and Conduct in the 1990s, together with the studies which they commissioned (Lord Chancellor's Advisory Committee . . . 1996). A major new review of legal education and training, the Legal Education and Training Review, was announced in mid-2011 by the Solicitors' Regulation Authority, the Bar Standards Board, and the Institute of Legal Executives Professional Standards; a final report is expected in December 2012.⁵³ These reviews generally concentrate on education for the legal profession rather than law as an academic discipline.

The education and training of solicitors has been under review by the Law Society of Scotland since 2006 and changes are being implemented in 2011 (Campbell 2011).⁵⁴ In Northern Ireland there is a wide-ranging review by the Law Society of Northern Ireland of education and training to qualify as a solicitor, 'shaping the future of legal education'.⁵⁵ Paris and Donnelly (2010) provide a description of legal education in Ireland.

Useful summaries of legal education and the routes to professional qualification in England and Wales, Scotland and Northern Ireland, with links to relevant websites, used to be compiled by the UK Centre for Legal Education (UKCLE). UKCLE closed in July 2011 following the decision of the UK Higher Education Academy to discontinue funding to subject centres. Reference should be made to the regulatory bodies in each jurisdiction (see the section on professional legal education below).

In England and Wales, legal education is in three stages: academic, vocational and

⁵³ <http://www.sra.org.uk/review2020/> and the Review's own website at <http://letr.org.uk/>

⁵⁴ <http://www.lawsoc.org.uk/becomingasolicitor/>

⁵⁵ <http://www.lawsoc-ni.org/joining-the-legal-profession/education-review/>

apprenticeship. One might now add continuing professional development. There has been scepticism among the practising profession in the past about the relevance of academic study of law as a preparation for practice. In 1883 Dicey gave an inaugural lecture at All Souls College entitled: 'Can English law be taught at the universities?' (Dicey 1883). He suggested that a body of eminent counsel would reply with unanimity 'that English law must be learned and cannot be taught, and the only places where it can be learned are the law courts or chambers'.

The existence of an 'academic' stage within the universities which is properly academic is now accepted. However, the tension between the vocational and the academic roles of university law schools, between the notion of the 'trade school' and the academic faculty has not been wholly left behind. The past dominance of the practising legal profession, particularly the Bar, in legal training and education limited the role of university law schools. The syllabus of a qualifying law degree is still the subject of considerable discussion between the academic branch of the profession and the professional bodies which monitor the syllabus on a subject by subject basis and allow exemptions from the professional examinations for 'core subjects' taught at the academic stage, conferring the status of 'qualifying law degree'.

Unlike the situation in other jurisdictions of Britain and Ireland, the vocational stage in England and Wales does not attract public funding and has for most of its history been conducted by privately financed and professional law schools outside the university system. The main interest groups have failed to agree an integrated and unified system of legal education which would operate within the scope of public funding. The recent franchising of the legal practice course and the Bar Professional Training Course, formerly the Bar

Vocational Course, to be taught by individual universities has not changed that essential framework.

University Law Schools

The universities from earliest times taught civil and canon law but there was no formal and comprehensive system of education in the common law for much of its history.

Blackstone's lectures at Oxford in the 1750s were primarily not for professional law students but for country gentlemen and clergymen. The publication of the lectures as the *Commentaries* in 1765–69 has a history of its own in terms of the understanding and the spread of the common law. However, the lectures and the subsequent endowment of the Vinerian chair in 1758 did not firmly establish the study of English law. During the next fifty years similar chairs were established at Trinity College Dublin and at Cambridge (the Downing Chair in English Law in 1800). The establishment of the law school at University College London (UCL) in 1826⁵⁶ was a radical departure in many ways as UCL was the first university in England founded to open up higher education to students of any race, class or religion and later the first university to welcome women on equal terms with men. Law departments were subsequently established at Queen's College Birmingham in 1850 (Pue 1989), at Owen College Manchester in 1880 and at University College Liverpool in

⁵⁶ Then London University 'but in 1836 the University was reconstituted as a federal body comprising the 1826 foundation (now given a new charter as University College) together with King's College (incorporated by charter in 1829, built on a site in the Strand, and opened in 1831). The new University of London was given the power to award degrees, and its Bachelor of Law degrees – the first university degrees in English law – were awarded three years later in 1839' (Baker 2007, 26-7).

1892.⁵⁷

The Society of Public Teachers of Law (SPTL), now the Society of Legal Scholars (SLS), held its first meeting in 1909 by which time the President, Henry Goudy, could speak in his introductory address of the reforms in legal education at Oxford and Cambridge and:

. . . the recent organization of legal studies in the metropolis both by the Inns of Court and the Law Society, . . . the prospects for the future development of a great Law Faculty in connection with the University of London, . . . the Schools of Law in the new universities in the provinces . . . seven in number. (Goudy 1909)

A few years later the SPTL published a small booklet of legal curricula at ‘various centres of public legal education in England and Wales’; it listed the Universities of Oxford, Cambridge, London, Manchester, Liverpool, Leeds, Sheffield and Wales, and also the Council of Legal Education, the Law Society, and eight Boards of Legal Studies which prepared students for the qualifying examinations of the Law Society (SPTL no date).⁵⁸

These Boards formed a focus for the collaboration of local law societies and universities in legal education. The Law Society had begun to provide grants to local law societies in the provinces in the late nineteenth century and, after the introduction of the compulsory one-year course in 1922 (the ‘academic’ or ‘statutory’ year), it gave grants directly to universities to teach the course until 1962. The provincial law faculties in universities were formally established or grew from this initiative and still continue a local co-operation with

⁵⁷ The situation can be compared with legal education in the US of the period; see Stevens (1983)

⁵⁸ The ‘Boards of Legal Studies’ were variously constituted but generally comprised representatives of the local university, the local law societies, and individual solicitors and barristers practising in the district.

practitioners. A brief account of law teaching in many colleges, some of which were to become polytechnics and over time ‘new universities’, can be found in *A History of the Association of Law Teachers* (Marsh 1990).

University law schools were not the only, or even the preferred, route into the profession until relatively recently. Many distinguished lawyers of the period from 1850 to 1950 were not graduates or were graduates in other subjects, and there was a persistent view that members of the Bar, as members of a liberal profession, should be graduates in the humanities or other subjects and add law through vocational training at a professional law school at a later date.

Law is now a graduate profession and the law degree is generally the route for those intending to qualify as lawyers. The UK Centre for Legal Education lists 90 university law schools in England and Wales, eleven in Scotland and two in Northern Ireland and provides a directory of the law courses which they provide.⁵⁹ The Privy Council granted degree-awarding powers to the College of Law in 2006 and BPP College, a commercial provider, in 2007. BPP College of Professional Studies was awarded the university college title in 2010 in a move to involve the private sector further in higher education, a policy which may have a profound impact on the education landscape in future.

According to official statistics⁶⁰ there were 94,375 law students in higher education

⁵⁹ <http://www.ukcle.ac.uk/students/directory/>but, as noted above, the website will not be updated from July 2011 onwards.

Reference can be made to the regulatory bodies in each jurisdiction, for example the Bar Standards Board and the Solicitors Regulatory Authority in England and Wales which maintain lists of the qualifying law degrees and the institutions which offer them, <https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/academic-stage/>

⁶⁰ From the Higher Education Statistics Agency at <http://www.hesa.ac.uk>

in the UK in 2009/10. Undergraduates numbered just over 72,000 compared to about 1,500 in 1938/39 (62 per cent at Oxbridge). In 2009/10 universities made 28,070 awards in law, of which 65.8 per cent were to women; 16,250 of the awards were first degrees. In common with most subjects, there has been an increase in part-time study and distance learning in recent years.⁶¹ In common with most subjects there was a dramatic growth in the number of postgraduate students in law since the 1960s and an even faster growth since the 1980s in numbers of students reading for master's degree courses in specialized legal topics and the emergence of a global market for such LLM degrees. In 2009/10 there were 22,240 postgraduate law students in the UK including master's degree and doctoral students and those in vocational courses taught at universities, a slight drop from earlier in the decade probably occasioned by the recession, and 275 PhDs were awarded in law in the UK.⁶²

The SLS and the Association of Law Teachers (ALT), whose existence as two organizations reflects their origins on the two sides of the binary divide, have both published surveys of legal education: Wilson (1966), Wilson and Marsh (1975), Wilson (1993), Harris and Bellerby (1993). The description and analysis in *Blackstone's Tower: The English law school* by William Twining (1994) is essential reading and one might add *What Are Law Schools For?* (Birks 1996). The study of law has in recent years become broader and more diverse and has grown to value other disciplines in its study and begun to

⁶¹ Currently just over 23 per cent of university law students in the UK study part time.

⁶² In 2002/03 there were nearly 24,000 postgraduate law students and 255 doctorates were awarded.

produce truly interdisciplinary study and research.⁶³ The increased mobility and diversity of students, before and after qualification, and of teaching staff have added new dimensions to the teaching of law; Crommelin and Hinchcliff (2011) discuss ‘global legal education and its implications for legal information management’.

Much research in law includes a comparative element and this study grew at a fast pace in the second half of the twentieth century through the effects of the move to the UK of eminent legal scholars from continental Europe, the establishment of new international legal and economic orders, and the effects of changes usually now signified by the term globalization. The effects of the inter-disciplinary patterns of study associated with socio-legal studies⁶⁴ have also had a profound impact on legal research. An ‘inquiry on empirical research in law’ reported in 2006 (Genn 2006) and a Centre for Empirical Legal Studies was established at University College London in 2007.⁶⁵ These developments will continue to have a direct impact on the range of library resources required.

Academic Law Libraries

The law library remains a crucial resource in legal education. University law libraries in Britain and Ireland have been well documented in recent years. In an admirable

⁶³ Although ‘We have not quite reached the point where the law is once again seen as one of the great humane subjects, along with history and literature, as it was in classical and medieval times . . . ’ (Twining, 1994, p. 13).

⁶⁴ The Socio-Legal Studies Association (SLSA) provides information about socio-legal studies on its website at <http://www.slsa.ac.uk/>

⁶⁵ <http://www.ucl.ac.uk/laws/socio-legal/index.shtml>

collaboration, the SLS and BIALL have carried out an annual survey of academic law libraries. This replaced a long-running annual survey of expenditure on legal materials in academic law libraries carried out by BIALL and published in the *Law Librarian*.⁶⁶ A report of the findings of each survey appears in *Legal Information Management*. The report of the 2008/09 survey of academic law libraries (Clinch 2010)⁶⁷ is based on 92 returns from a possible 111 law libraries. The detailed survey shows considerable diversity but gives a picture at the median of a typical law school with 694 students, in a separate location or shelved as a single identifiable unit, with one study seat for every 5.4 students and one computer workstation for every 3.44 students, open for 81 hours per week in term and 49.6 hours in vacation, spending £164,000 each year on legal materials (about £173 per student), including a little over £24,000 each year on provision of web-based legal databases, and 1.5 library staff with law service as their principal or sole function. A large number of law schools contribute directly towards the maintenance of the library resource and on average a typical law school provides £18,000 each year towards library funds. The analysis which appears in the report of these and other figures shows the considerable diversity concealed by these averages, particularly between types of institution such as ‘old universities’ and ‘new universities’.

Academic law libraries generally provide for undergraduate students of law and also may support students of law as part of a non-law degree. Those universities which run

⁶⁶ The Survey contributes to the maintenance of the Standards for University Law Libraries maintained by the Society of Legal Scholars (SLS 2010); see the section on Standards below.

⁶⁷ Clinch (2010) gives the references for previous survey reports which form a considerable body of data.

vocational courses also make specific provision for their support. Academic law libraries often now support students on taught courses at master's degree level in certain specialized subjects which are an area of dynamic growth in law schools. Many law schools register students for research degrees in areas of particular expertise of their staff and the library has a responsibility to support their research along with the research needs of their academic staff, although this may well include recourse to other law libraries, regionally or nationally. The university law library may be the largest law library in the area and may well come to arrangements with readers other than those for whom it is funded, perhaps on payment of a fee, in order to support the needs of local practitioners and others.

Academic law librarians are likely to be more closely involved in the mission of the law school than ever before, to place greater emphasis on skills training, to be actively engaged in the teaching of information skills themselves and to be formally acquiring teaching skills, to be involved in the management, organization and delivery of electronic information locally and at a distance, perhaps be collaborating in constructing a portal or a virtual learning or research environment, and be assisting in the selection and administration not only of information products but also their delivery mechanisms.

The law library as a physical place in universities is still important even though a great deal of legal information is now delivered remotely in electronic form. Recent data suggests that in 49% of libraries numbers of visits have remained constant and in 29% visits have increased (Clinch 2009: 209). Law libraries have traditionally been used intensively and required the highest ratio of seats to students of any subject. There has also been some controversy in the past about the location of law libraries, whether in the law school or in an identifiable area within the main university library or interspersed among

materials of other subjects. The precursor of this book devoted a section to ‘centralization versus decentralization’. The scope of legal studies is increasingly inter-disciplinary and requires reference to materials relevant to other subjects although intensive use of core legal materials has not lessened. Current practice appears to show 37% of academic law libraries are in a separate location, a third are not separated from the main university library but in a single identifiable unit, 8% of academic law libraries materials are dispersed wholly or partly among other subject collections and 23% had several law libraries in separate locations.⁶⁸

Although all academic law libraries may excel for the purpose for which they are designed, three libraries are outstanding in terms of their research collections, particularly of foreign, comparative and international law, and for their facilities: the Bodleian Law Library at the University of Oxford,⁶⁹ the Squire Law Library at the University of Cambridge,⁷⁰ and the Institute of Advanced Legal Studies at the University of London.⁷¹ Representatives of the three libraries contributed to a symposium on law libraries (Symposium on Law Libraries 1964) to mark the opening in 1964 of the new Bodleian Law

⁶⁸ The responses citing ‘several law libraries’ may derive from the need to maintain a separate specialist library to serve the requirements of students on professional legal courses.

⁶⁹ <http://www.bodleian.ox.ac.uk/law>

⁷⁰ <http://www.squire.law.cam.ac.uk/>

⁷¹ <http://ials.sas.ac.uk/library/library.asp>

Library building designed by Sir Leslie Martin. In 1976 the Institute of Advanced Legal Studies was installed in a new building designed by Sir Denys Lasdun and most recently (1995) the Squire Law Library moved to the new Faculty of Law building by Sir Norman Foster. The Librarians of the three libraries appeared together, with a representative of the British Library, at the Joint Study Institute in Cambridge in 1998. They each spoke about collaboration in a national context (National Legal Collections 1999) and soon after that the successful bid was launched for the Foreign Law Guide project, FLAG.⁷²

The Bodleian Law Library holds the largest collections of law of any academic library in Britain and Ireland; it receives all law books deposited under the terms of the Copyright Act because it is administratively part of the Bodleian Library. All stock is on open access in a classified arrangement which renders the copyright deposit material much more accessible than material housed in the national libraries. ‘The Codrington Library at All Souls College also has a fine law collection which often supplements the Bodleian in respect of older material’ (Logan 1987: 25).

The Squire Law Library of the University of Cambridge has outstanding collections, particularly in international law, but its activities were constrained for a period until its move, by inadequate accommodation and less than generous staffing and funding. The Radzinowicz Library⁷³ of the Institute of Criminology at the University of Cambridge was founded in 1960 and has the most comprehensive collections in its subject in the UK

⁷² See below in the ‘Collaboration’ section

⁷³ <http://www.crim.cam.ac.uk/library/>

and is now housed in modern accommodation alongside the Faculty of Law building.

The library of the Institute of Advanced Legal Studies (IALS) of the University of London performs many of the functions of a national legal research library and has a formal agreement for collaboration and coordinated collection development with the British Library.⁷⁴ The principle of cooperation on a national basis has always been at the heart of the IALS Library. Its primary constituency comprises the national academic legal research community and it admits postgraduate research students and academic staff from any university worldwide. It is also the postgraduate research law library of the University of London and forms the most prominent part of a network of law provision within the University, whose law-teaching colleges (Birkbeck College,⁷⁵ King's College London, the London School of Economics, Queen Mary University of London, the School of Oriental and African Studies, and University College London) each have significant research collections in addition to their undergraduate provision.

Although established in 1947, the IALS Library is the second largest legal research library in the UK in terms of collections, with more than 300,000 volumes, and it has foreign law collections of international significance and the largest law library staff of any academic law library in Europe. It plays a significant role in the training of law librarians and legal research skills training. The library was well known for its printed bibliographical

⁷⁴ http://ials.sas.ac.uk/flare/flare_origins.htm

⁷⁵ Birkbeck College School of Law teaches law and carries out legal research but does not have extensive legal research collections in its college library.

works including union lists and the *Index to Foreign Legal Periodicals*. Recently it is known better for its electronic publications such as the national Internet portal for law, Eagle-i,⁷⁶ the Current Legal Research Topics database,⁷⁷ Current Awareness for Legal Information Managers,⁷⁸ hosting the British and Irish Legal Information Institute, BAILII, and extensive collaborative digitization programmes.⁷⁹

The IALS library is used, on a fee-paying basis, by members of the practising profession and by government and the judiciary. The library also operates a premium information and document delivery service and subscribers include many of the largest law firms and sets of chambers, both Houses of Parliament, the Courts and Tribunals Service, various government departments and overseas institutions. The service was introduced on the basis of full cost recovery after a review chaired by Sir Robert Megarry, recognizing the duty of the Institute to the profession, as a matter of public interest and as a contribution to the administration of justice (IALS 1986).

In Scotland, ten universities offer the Bachelor of Laws degree, either as an ordinary degree over three years or as an honours degree over four years.⁸⁰ These institutions and

⁷⁶ <http://ials.sas.ac.uk/eaglei/project/eiproject.htm>. IALS contributed the law content to the national internet gateway, Intute. When Intute was discontinued by JISC, IALS added the data to its portal, Eagle-I, to maintain the national service.

⁷⁷ <http://ials.sas.ac.uk/library/clrt/clrt.htm>

⁷⁸ <http://www.ials.sas.ac.uk/library/caware/caware.htm>

⁷⁹ <http://www.bailii.org/>

⁸⁰ There are two-year accelerated programmes for graduates in another subject.

their libraries vary in size and age but include some of the oldest university institutions in Britain and their libraries also vary in size and scope and degree of separateness from the main university library system. The extensive law collections at Edinburgh University, comprising over 60,000 volumes, are in separate accommodation in the Law School alongside the Europa Library which includes the European Documentation Centre. There are recent descriptions of the libraries at the University of Glasgow (Munro 2009) and the University of Strathclyde (Ryan 2009), and there are plans to incorporate the law library at the University of Dundee into a separate area within the main library. As Scots law is a mixed legal system of civil law drawing on elements of common law, collections are likely to be stronger in civil law, Roman law, as well as the institutional writers of Scots law, than elsewhere in Britain and Ireland.

In Northern Ireland, Queen's University Belfast and the University of Ulster (on two sites) offer university legal education. Queen's University Belfast has its outstanding collection of law housed within the main library. The School of Law of the University has contributed to access to law in other ways through the Servicing the Legal System⁸¹ programme which is the only regular publisher on Northern Ireland law.

In Ireland all seven universities offer law degrees, of which Trinity College Dublin has the most extensive collections of law and receives publications on copyright deposit both from Ireland and the United Kingdom. The Law Faculty at University College Cork

⁸¹ <http://www.sls.qub.ac.uk/>

hosts the Irish Legal Information Initiative⁸² which complements the British and Irish Legal Information Institute.

Professional Legal Education and Libraries

The libraries supporting professional legal education have generally been those serving the legal profession in each jurisdiction and increasingly the academic law libraries of educational institutions now providing teaching for the professional examinations.

The Inns of Court and Chancery were once known as the third university of England and the early history of their role as teaching institutions is described by John Baker (Baker 1990, 2007).

The Inns of Court were undoubtedly part of an educational system from the very beginning, a system which had been developing for at least eighty years before they came into existence and which, at its best, provided students with a rigorous introduction both to legal practice and to legal method. (Baker 2007: 9)

By the early fifteenth century an academic community had been established. An elaborate system of readings (lectures) and moots developed which provided for the instruction of aspiring barristers but the English Civil War effectively killed it off in the seventeenth century, ‘...so that the law student after the 1670s was left entirely to his own devices ...’ (Baker 2007: 15). The primary means of education in the common law for lawyers became self-help and attendance at the courts and at lawyers’ offices in London, and the discipline and regulation of the profession was lax. Many lawyers, until at least the middle of the nineteenth century, rather than study civil law at the universities, would read

⁸² <http://www.ucc.ie/law/irlii/>

other subjects prior to their professional training, a tradition in England that lasted long beyond the establishment of modern law schools.

As university law schools began to teach the common law in the mid-nineteenth century, so the Inns revived their lectures and the Law Society began a course of lectures for articled clerks. The Council of Legal Education (CLE) was established by the Inns in 1856 and a compulsory Bar examination was introduced in 1872. In 1967 the CLE opened the Inns of Court School of Law (ICSL) near Gray's Inn as the principal place of education for the vocational stage of training for the Bar. In 1997 the Council ceased to operate⁸³ and transferred many of its responsibilities to the ICSL. The Law Society introduced examinations in 1836 and a three-tier system was instituted under the terms of the Solicitors Act 1860, although otherwise supervision of the profession was rudimentary. The Law Society established its own School of Law in 1903 which became the College of Law in the 1960s incorporating the tutorial firm Gibson and Weldon before becoming an independent provider in the late 1990s.

In recent years, following the end of the monopoly position of the Bar and the Law Society in the provision of professional legal education, there has been a rapid diversification of providers and access routes to professional qualification. In 2000 ICSL merged with the Department of Law of City University and in 2008 the ICSL name was discontinued and the City Law School created. The Bar Professional Training Course (BPTC), formerly the Bar Vocational Course is now taught by several public and private institutions in England and Wales including the College of Law and universities. The

⁸³ Records of the Council of Legal Education were deposited at the Institute of Advanced Legal Studies Library, <http://www.ials.sas.ac.uk/library/archives/cle.htm>

College of Law, at several sites in England, was the body set up by the Law Society to teach and administer the vocational stage of education to qualify as a solicitor. A development similar to the arrangements for the BPTC has taken place and the Legal Practice Course (LPC) is taught by the College of Law and now by several universities. The College of Law was granted university title in November 2012 and in future will be known as the University of Law; at the same time it ceased to be an educational charity and became a for-profit provider.⁸⁴

Study for these professional courses can now be extended to the award of a master's degree at several institutions, some by innovative means.⁸⁵ Other professional awards such as the Common Professional Examination, now known as the Graduate Diploma in Law,⁸⁶ the graduate entry LLB, or Institute of Legal Executives qualification are usually taught by the same institutions.

The Bar Standards Board and the Solicitors Regulation Authority are now the authorities in England and Wales which oversee standards for admission to the two

⁸⁴ <http://www.college-of-law.co.uk/About-the-College/College-of-Law-change-of-ownership---FAQs/>

⁸⁵For example, 'The Master of Laws degree (LLM) gives you the chance to build on your LPC or BVC qualification by topping this up to an LLM. This can be done by research into law in practice or a period of reflective legal practice', <http://www.plymouth.ac.uk/courses/postgraduate/taught/3235/LLM+Legal+Practice> although this programme is currently postponed.

⁸⁶ 'Conversion' courses which enable graduates in other subjects to obtain the same exemptions from the professional examinations as graduates with qualifying law degrees.

branches of the profession but do not provide teaching.⁸⁷ Institutions offering the BPTC and the LPC have to meet a range of requirements in order to be validated, including the provision of particular library facilities which are monitored and assessed by means of a programme of visits by an expert panel. The Bar Standards Board, endorsing and building on the Standards for University Law Library Provision issued by the Society of Legal Scholars (SLS 2010),⁸⁸ and the Solicitors Regulation Authority promulgate guidance including requirements for library facilities (BSB 2011: A5.3, SRA 2011).⁸⁹ Several universities maintain collections and facilities separate from their university law library to support the courses. The former ICSL first opened a library in 1997, having formerly relied on the Inns of Court libraries, and opened a new Legal Training Resources Centre in 2002 with considerable emphasis on networked information services which has developed into the dedicated Gray's Inn campus library of the City Law School. The four Inns of Court libraries admit student members of their own Inn.

In Scotland and Northern Ireland vocational training remains within the university system, and within the public funding system, and library services are combined with the

⁸⁷ <http://www.sra.org.uk/>, <http://www.barstandardsboard.org.uk/>

⁸⁸ See the section on Standards below

⁸⁹ The Bar Standards Board issues the *Bar Professional Training Course: Course Specification Requirements and Guidance*. London: BSB. 2011, available at https://www.barstandardsboard.org.uk/media/28049/bptc_final_pdf.pdf, see Part A 5.3, and the Solicitors Regulation Authority *Information for providers of Legal Practice Courses* 2012 London: SRA, available from <http://www.sra.org.uk/lpc/>

university systems. After completion of the LLB Degree or professional examinations, intending solicitors and advocates take the Diploma in Legal Practice, which is of 26 weeks duration taught over one academic year, at the universities of Aberdeen, Dundee, Edinburgh, Glasgow, Strathclyde and Robert Gordon University. The governing bodies for entry to the two branches of the profession are the Law Society of Scotland and the Faculty of Advocates.⁹⁰ In Northern Ireland the Institute of Professional Legal Practice was established at Queen's University Belfast to offer vocational training to trainee barristers and trainee solicitors and the University of Ulster now offers a postgraduate Diploma in Professional Legal Practice. The governing bodies are the Law Society of Northern Ireland and the General Council of the Bar.⁹¹

In Ireland, the governing bodies of the two branches of the profession not only play a regulatory role but are also still the sole providers of professional legal education for qualification to enter the profession. The Honorable Society of King's Inns,⁹² whose library has already been described, administers the one-year vocational course at its Law School somewhat confusingly called the 'degree course' enabling admission to the degree of barrister-at-law and to be called to the Bar of Ireland. The Education Department of the

⁹⁰ <http://www.lawscot.org.uk/>, <http://www.advocates.org.uk/>

⁹¹ <http://www.lawsoc-ni.org/>, <http://www.barlibrary.com/about-us/the-general-council-of-the-bar-of-northern-ireland/>

⁹² <http://www.kingsinns.ie/>

Law Society of Ireland⁹³ is responsible for the Law School which runs courses for those intending to become solicitors; their new combined education building and library has been described above. A report by the Competition Authority (2006) has urged reforms to achieve a diversification of providers of professional education and training.

National Libraries

The national libraries are generally more suitable as a supplementary resource for particular materials rather than a first choice for most legal research.

The British Library has very extensive collections of law books and official publications, including some of the founding collections of the British Museum Library, and it benefits from copyright deposit of publications from both Britain and Ireland (Cheffins 1999). It has particularly strong collections relating to legal history. However, the British Library has never been able to offer a legal research library service for foreign, comparative and international law and the UK has never had the equivalent of the Law Library of Congress in the US (Law Library of Congress 1982). In the British Library, no one person has overall responsibility for acquisition of legal publications; rather they are acquired by the language sections, other than those handled by the Legal Deposit Office or the Overseas English Section. The law books in the British Library are not arranged as a law library and have no unity as a collection. Access to the collection is in the Social Science Reading Room, as part of official publications and social sciences provision, which contains a reading area with a selection of legal textbooks and journals recently published in the UK along with key reference works and United Kingdom and European Union

⁹³ <http://www.lawsociety.ie/>

legislation. Until recently staffing did not include a legally qualified librarian or a trained law librarian even at junior level. A law and socio-legal studies librarian has recently been appointed in line with the strengths of the broader collections. A content strategy document is available,⁹⁴ drawn up after a review of collection development and provision which describes collecting policy, including for law, and a general description of the law and legal studies collection is also available.⁹⁵

The British Library has for many years co-operated with the nearby Institute of Advanced Legal Studies rather than try to emulate the depth of expertise and collections there. Collaboration with existing centres of excellence was advocated, among other improvements, by the SPTL in their evidence to the National Libraries Committee in 1968 (SPTL 1968) and elaborated by the British Library Working Party on Provision for Law whose chair was the Director of the IALS and whose Secretary was the Librarian of IALS in the early 1980s (British Library Working Party [1985]). The recommendations of the latter were not implemented because central funding for the collaborative mechanisms was not forthcoming.

The British Library concluded a formal collaborative agreement with the IALS regarding services and collections some years ago. Some enquiries are referred to the IALS, staff training at the Institute is now attended by selected British Library staff, there is active investigation of gaps and overlaps in provision, and joint events are held. Collaboration has further increased through the British Library's participation in the FLAG project and the

⁹⁴ <http://www.bl.uk/aboutus/stratpolprog/contstrat/contentstrategyappendices.pdf>

⁹⁵ <http://www.bl.uk/reshelp/findhelpsubject/busmanlaw/legalstudies/intro/lawpage.html>

more recent establishment of the FLARE partnership led by the IALS. This provides a means for the great academic law libraries in Oxford, Cambridge and London and the national library to collaborate (Bird, Wills and Winterton 2009).

The National Library of Scotland is in a unique position since it was created through the transfer of collections from the Advocates Library described above. There are arrangements to facilitate the consultation by members of the public in the National Library of the legal materials which are retained by the Advocates Library. The National Library of Wales receives UK copyright deposit material. The National Library of Ireland receives copyright deposit of Irish publications and naturally holds a good collection of Irish law. However, it should be noted that Trinity College Dublin receives both British and Irish publications by copyright deposit in addition to the extensive law collections held in support of its School of Law.

Public Libraries

Generally law collections in public libraries in Britain and Ireland are limited to basic collections of the law of the local jurisdiction and European Union law, with an emphasis on official publications; they do not provide sufficient resources for in-depth legal research. It is thought that legal enquiries in public reference libraries do not form a significant percentage of all enquiries numerically but form a large proportion of complex enquiries, defined as those which take more than ten minutes of staff time to answer. Enquiries from the public pose difficult challenges in guidance and recommendation of materials while avoiding communicating legal advice. The number of such enquiries may well rise in the current climate when the public are likely to encounter more law-related problems at a time when funding difficulties are reducing the capacity of advice centres and other routes to

free legal advice. Public libraries face considerable difficulties in maintaining collections of law in the face of declining budgets, price inflation on legal materials, and difficulties in training staff adequately to perform legal reference work. Public libraries will usually be able to offer referral to local community legal advice services.

In London, English law reference collections can be found at the Westminster Reference Library,⁹⁶ at Hammersmith and Fulham by reason of an earlier allocation of law under the former LASER (London and South Eastern Library Region) subject specialisation scheme among public libraries, and at the Guildhall Library which realistically warns that it is not a law library and does not stock up top date legal textbooks although it holds a good collection of English law, including early material, and 'our files of English law reports are the most extensive likely to be found outside a specialist library'.⁹⁷ Holborn Library, which in the past had substantial holdings now advertises only a small law collection. Central reference libraries of public library systems such as Birmingham, Manchester, Liverpool and Sheffield have a collection of law for the public and to support local government. Public library systems are now likely to subscribe to one of the major commercial online legal information databases although these too require training and practice to use effectively. They also make use of free-to-Internet services such as the British and Irish Legal Information Institute,⁹⁸ and specialist services on citizen's

⁹⁶ <http://www.westminster.gov.uk/libraries/special/law.cfm>

⁹⁷ <http://www.cityoflondon.gov.uk/things-to-do/visiting-the-city/archives-and-city-history/guildhall-library/collections/Pages/English-law.aspx> has guides to the law collections

rights such as the Citizen's Advice Network Information Service,⁹⁹ and CANS Legal Information.¹⁰⁰

In a paper from BIALL to the Library and Information Services Council in 1985, it was noted that:

. . . perhaps because of the complexity of the literature and the absence of staff trained in its use, the standard of collections and level of legal reference service in public libraries is so abysmally low (with one or two honourable exceptions) as to be useless. (BIALL 1985)

Very little research is available on actual provision of legal information by public libraries. A detailed study of access to legal information in East Kilbride, Glasgow and Paisley in 1997 did not go so far as the BIALL criticism (Mansfield 1997). The study nevertheless found that legal collections were out of date and basic in nature, collection development lacked a customer focus, and training in legal reference work was woefully inadequate.

In part, but only in part, provision of legal information to the public has been overtaken by e-government initiatives. The UK government, somewhat later than in some other countries, has accepted that the statutes and other products of our democratic system should be made freely available on the Internet and be available for republication by others. The range of government and non-profit initiatives to make legal material on the Internet

⁹⁸ <http://www.bailii.org/>

⁹⁹ <http://www.citizensadvice.co.uk/en/about-us/CAS/Advicefinder/>

¹⁰⁰ <http://www.cans.org.uk/>

available without charge is detailed elsewhere. Government initiatives to publish legal materials on the Internet in both the UK and Ireland form part of a larger agenda to make available national and local government services online.¹⁰¹ However, although digital technology offers the possibility of making legal texts available to the general public, legal materials remain complex to retrieve and even more complex to read and interpret and demand is for meaningful legal information likely to grow.

Parliamentary Libraries

The parliamentary libraries in Britain and Ireland, which are complex and sophisticated information services, hold good collections of domestic and European Union law to serve legislators, among much broader collections in other subjects. The law collections are not generally of national significance. The libraries do not have large collections of foreign law, unlike their counterparts in some other countries, notably in the United States.

The House of Commons Library and the House of Lords Library are both within the Palace of Westminster. Until 2009 the House of Lords Library had much more extensive holdings of law since one of its main roles had been to serve the Appellate Committee of the House which was the highest court of appeal in the United Kingdom until the establishment of the new Supreme Court. The core of the new library of the Supreme Court was created with legal materials transferred from the House of Lords Library (see above

¹⁰¹ The UK programme is exemplified by <http://www.gov.uk> (although the website of the E-government Unit of the Cabinet Office has now been overtaken by political developments and is archived, see <http://webarchive.nationalarchives.gov.uk/20100807034701/http://archive.cabinetoffice.gov.uk/>) or in Ireland by Citizens Information at <http://www.citizensinformation.ie/en/>

under ‘Libraries serving the Courts and the Judiciary’). The House of Commons Library¹⁰² contains legal materials, with some emphasis on statutory law, for Members of Parliament and the considerable body of research officers serving them. The public are not admitted to the libraries and, in general, enquiries should be directed to the House of Commons Information Office or the House of Lords Information Office, although the House of Lords Library responds to research enquiries regarding unique historical materials held there. The House of Commons Information Office produces useful factsheets, a *Weekly Information Bulletin* of activities of the House together with a *Sessional Information Digest* and various other materials including research briefings, which are all available in full text on the Parliament website.¹⁰³ The website itself now has extensive information about the workings of Parliament including the full text of Hansard, the record of proceedings of Parliament, back to November 1988, historic Hansard since 1803, and live television coverage of the debates via the Internet. The sophisticated database of parliamentary business maintained by the Library, formerly POLIS, ‘is no longer a free service’ and enquirers are referred to the commercial Justis service for parliamentary data.¹⁰⁴

The Scottish Parliament, the National Assembly for Wales and the Northern Ireland

¹⁰² See the detailed factsheet dated September 2010 at <http://www.parliament.uk/about/how/guides/factsheets/general/g18/>

¹⁰³ <http://www.parliament.uk> particularly the page offering the House of Commons Information Office publications at <http://www.parliament.uk/mps-lords-and-offices/offices/commons/hcio/>

¹⁰⁴ <http://www.polis.parliament.uk/>. The factsheet dated 2010 noted that ‘Members have access to the Parliamentary Information Management System (PIMS), a central database that provides access to the majority of information produced by parliament. A limited subscription based version of PIMS data is available to the public at www.polis.parliament.uk.’

Assembly, which form the devolved parliaments and assemblies in the UK, have information services, whose coverage naturally includes law, for their members. They also place considerable emphasis on information to the public. The Scottish Parliament Information Centre (SPICe), for example, provides non-partisan research and information services to Members of the Scottish Parliament (Seaton 2000, Mansfield 2009) but it does not seek to emulate the accumulated collections of resources in the House of Commons Library and takes full advantage of an Internet and intranet platform for the delivery of electronic services. The Scottish Parliament website was an innovation in providing a comprehensive account of all aspects of parliamentary business, both in the Chamber and committees. It includes information on forthcoming meetings, current motions, proposed Members' bills, as well as the progress of legislation, has a searchable database of the full text of all proceedings since May 1999 and a complete archive of all other parliamentary publications. In addition all SPICe research briefings are published including those relating to bills currently progressing through the Parliament.¹⁰⁵ The Library and Research Services of the national parliament of Ireland, the Houses of the Oireachtas, are described by Dennison (2011); physical access is restricted to Members of the Oireachtas, Deputies and Senators, but a comprehensive website is maintained.¹⁰⁶

Government Libraries

The Ministry of Justice was formed in May 2007 and is one of the largest government

¹⁰⁵ <http://www.scottish.parliament.uk/>, <http://www.wales.gov.uk/>, <http://www.niassembly.gov.uk/>

¹⁰⁶ <http://www.oireachtas.ie/>

departments and this, together with the creation of the United Kingdom Supreme Court, precipitated a major reorganization of law collections in government libraries. The Ministry of Justice Library and Information Services (jLIS) operate a Headquarters Library, set up in December 2008 combining parts of the Home Office Library with the Department for Constitutional Affairs Headquarters Library, previously the headquarters library of the Lord Chancellor's Department, in the new headquarters building at 102 Petty France. The Headquarters Library provides services to the Lord Chancellor and Secretary of State, and the ministers and staff based in the Ministry's Headquarters as well as to Her Majesty's Courts and Tribunals Service and some of the agencies and bodies sponsored by the Ministry.

Although there was a substantial library at the Lord Chancellor's Department, latterly the Department for Constitutional Affairs, and significant provision of law library services to the courts, neither the UK nor Ireland have had a major government law library of the type facilitating comparative legal research maintained by continental European ministries of justice.¹⁰⁷ This was probably because of the dispersal of responsibility for aspects of the legal system among several government departments and perhaps through a historical disinclination to engage in comparative legal research.

Most government libraries hold official publications and basic legal materials within the area of the department's competence, particularly to assist in the preparation of legislation and allow the department's legal advisers to perform research. Government

¹⁰⁷ Although in the scale of provision, the services to the courts, as opposed to government, were major law library services.

libraries are generally not open to the public; enquiries are sometimes directed to dedicated information hotlines or special public information units, and increasingly to websites.

In recent years government libraries with large accumulated collections have disposed of considerable amounts of stock which did not serve the current working needs of the department; this process often accompanied relocation. The FCO Library maintains collections of international law including treaties and collections of the law of British Overseas Territories. Its magnificent collection of legislation from Commonwealth countries since the earliest colonial times is held in trust by the IALS Library and complements the strong Commonwealth law collections there. Large collections of non-legal material were transferred to a range of other university libraries during the early 1990s. More recently the Inland Revenue has disposed of many overseas tax materials to other institutional libraries, retaining working collections of recent materials.

The library of the Law Commission, which is an independent body keeping the law of England and Wales under review and recommending reform, collects Commonwealth law reform publications in particular and is serviced through the Courts and Tribunals Service.

In Scotland lawyers working for the Government Legal Service for Scotland are served by the Solicitor's Legal Information Centre, which is based within the Scottish Government Legal Directorate in Edinburgh (Waldhelm 2009). The library's collections specialise in legislation, administrative and public law, human rights, European Union and Scots law and contain a number of historically rare and important works. The Scottish Law Commission in Edinburgh has an extensive collection of legal materials relating to Scotland, the UK and Commonwealth jurisdictions.

Lorrimer (2011) and Sleator (2011) describe a range of government legal libraries and information services in Northern Ireland. From the same issue of *Legal Information Management* in 2011, primarily devoted to Ireland, several articles focus on libraries serving the Irish government: the Office of the Attorney General, the Chief State Solicitor's Office, the Office of the Director of Public Prosecutions, the Legal Aid Board, and the Law Reform Commission (O'Flaherty, Cassidy, McCabe, Melling, Kennedy).

Law Libraries in Other Countries

The types of law libraries and their users in many common law countries are similar to those in Britain and Ireland. Important law libraries are maintained by universities and by the legal profession. Court libraries may have a wider remit and readership than in Britain and Ireland. Very few countries provide law library services for the public and even in the USA there is considerable discussion of the role and funding of the 'county law libraries' or 'public law libraries' many of which have a mission to provide legal information and therefore access to the justice system to members of the local community (Adams and Smith 2006, Meadows 2006). The scale and level of sophistication of library services in private law firms in Britain are matched in very few other countries. In some countries, notably those with a civil law system, there is a major government legal research library with considerable amounts of comparative as well as domestic material, for example the library of the Italian Ministry of Justice. In many countries the parliamentary library holds one of the most significant legal collections; the parliamentary library may be combined with the national library. The Law Library of Congress¹⁰⁸ in the United States has the

¹⁰⁸ <http://www.loc.gov/law/>

largest and most comprehensive collection of legal materials in the world, with over 2.6 million items.

There is no current international directory of law libraries.¹⁰⁹ Descriptive material about law libraries around the world can be traced in the professional literature, particularly in the publications of organizations noted under ‘Professional Associations’ below. For example, articles about law libraries in 22 countries or regions are listed in the cumulative index to the *International Journal of Law Libraries*. The *IALL International Handbook of Legal Information Management* has a chapter on law librarianship around the world (Danner and Winterton 2011, 135-79) which contains an account of the profession of law librarianship, its practice and regulation, the major law libraries and research resources, in several countries.¹¹⁰

Resources for law libraries and the availability of published legal materials are limited in many countries. The proceedings of the 22nd Annual Course in International Law Librarianship of the International Association of Law Libraries¹¹¹ describe examples of the varying circumstances of law libraries in several African countries. In many such countries a law library in one sector may service the research needs of large parts of the

¹⁰⁹ The most recent such directory was published by the International Association of Law Libraries in 1988. Some law libraries are listed in more general directories and research guides and many have a presence on the Internet.

¹¹⁰ The countries are India, Moldova, Nigeria, the Philippines, Turkey, and Vietnam. The International Association of Law Libraries intends to extend the coverage of these profiles to other countries and make them available on its website.

¹¹¹ *International Journal of Legal Information*, 32: 2, Summer 2004.

legal system. The rapidly developing library of the Constitutional Court of South Africa, in the Court's wonderful building on Constitution Hill in Johannesburg, is of particular significance and has the aim of becoming the heart of a national and international research centre.

There are outstanding legal research libraries in many countries, including great comparative legal research libraries such as those maintained by the Max Planck Society in Germany¹¹² or by the Institut suisse de droit comparé.¹¹³ However, law libraries in their various forms are most fully represented in the United States, which has outstanding examples in all sectors. In addition to the Law Library of Congress, there are great law libraries at law schools including those at the universities of Harvard, Yale, Columbia, New York, Michigan, Minnesota, Texas and California (Berkeley), and also great public law libraries such as the Los Angeles Law Library. The annual *AALL Directory and Handbook*, published by the American Association of Law Libraries, lists approximately 2,000 law libraries. As described below under 'Professional Associations', there are more law librarians in the United States than in any other country and the branch of the profession was first formally recognized there. The profession has issued professional handbooks (for example Mueller and Kehoe 1983, Kehoe, Lyman and McCann 1995) as part of a continuing series of professional literature, and two contrasting histories of law libraries

¹¹² There are libraries at eight legal research institutes of the Max Planck Society listed on its main website, <http://www.mpg.de/english/portal/index.html>, including the Institute for Comparative and International Private Law, <http://www.mpipriv.de/ww/en/pub/news.cfm>, and the Institute for Comparative Public Law and International Law, <http://www.mpil.de/ww/en/pub/news.cfm>

¹¹³ <http://isdc.ch/>

and law librarians in the US give a broad survey of their development (Brock 1974, Gasaway and Chiorazzi 1996).

Collaboration

One of the watchwords of librarianship is collaboration because no one collection can serve every need of its users. Collaboration is necessary to make the most efficient use of available funds and ensure that no project or initiative unnecessarily duplicates the efforts of another. Librarians need to combine to agree standards of performance and professional behaviour. In technical terms librarians adopt standards by utilising international formats for data, for electronic manipulation of metadata, and for metadata content. Professional librarians have always been convinced of the benefits of collaboration and have often worked hard to convince their institutional management. Networking and the formation of professional associations (see below) are themselves expressions of collaboration and many initiatives and collaborative projects rely on contacts, sometimes on contact between relatively few people.

BIALL in its second year of existence formed a Committee on Co-operation and the Committee issued a Report in 1971 which remains an impressive document and an agenda for action to improve provision of legal information (BIALL 1971).¹¹⁴ One can see the origin of most collaborative strategy in the Report since it dealt with a national policy for acquisitions based on centres of excellence, standards for law collections and principles of access, recommendations on exchange of duplicates (the origin of the successful scheme operated by BIALL), standards for classification and cataloguing of legal materials, an

¹¹⁴ The Report is described in some detail by Blake (2000: 25–8).

early recognition of the need for co-ordination in the work of libraries in the harnessing of automation, and training of law librarians.

Collaboration and Collections

The range of printed union lists of legal materials issued by the Institute of Advanced Legal Studies (IALS) between the late 1940s and 1987 were staple reference materials of their time. They helped law librarians to identify materials and locate holdings for their users and also encouraged co-ordination in acquisitions. The contacts made in the compilation of these lists also played a part in the growing awareness of the profession.

Today many law libraries have catalogues available on the web and the largest academic libraries contribute records to the joint catalogue of the Consortium of University Research Libraries, COPAC. However, there is no one place easily to ascertain law holdings of libraries across the country. Smaller libraries and private libraries do not necessarily make their catalogues freely available. The value of union lists in facilitating the sharing of legal resources among a group has been recognized by the City Legal Information Group, the Scottish Law Librarians Group and the BIALL Irish Group.

Collaboration in collection building has been promoted for many years. BIALL advocated on a number of occasions that a national service for rarer materials should be based on established centres of excellence, in particular the IALS Library and the Bodleian Law Library, and even that the British Library should help to fund inter-library loans posts at the two libraries. The British Library funded the purchase of foreign law reports at IALS for some years in the 1970s and early 1980s in recognition of the existing collections and expertise there. The informal collaboration between the British Library and its near neighbour, IALS, over the years was developed into the current formal agreement to

enhance collaborative collection building, services and training.

The Foreign Law Guide (FLAG) was a major project on collaborative collection management undertaken from 1999 to 2002 by the IALS Library, the Bodleian Law Library, the Squire Law Library, the British Library and the library of the School of Oriental and African Studies. The project produced a major report on academic needs for foreign, comparative and international law materials (Clinch 2001), created a publicly accessible database of holdings based on a painstaking audit of UK law libraries which continues to be updated,¹¹⁵ and issued a final report on coordinated collection management (Clinch 2002). The FLAG project had drawn together the lead institutions to such an extent that they formed the Foreign Law Research group (FLARE)¹¹⁶ at the conclusion of the project to take forward collaboration, coordination and the sustainable coverage of foreign law in the UK.

Collaboration and Standards

BIALL was from the outset concerned that law libraries should collect at least the basic materials of English law and it supported applications for financial provision by colleges of education to meet that standard. BIALl set up a Sub-Committee on Standards in 1973 and published the *BIALL Standards for Law Libraries* in 1981 (BIALL 1981). At that time the emphasis placed on services and staffing levels was in contrast to the other main work on standards by the Society of Public Teachers of Law (SPTL), now the Society of Legal Scholars (SLS).

¹¹⁵ The searchable database, final report and documentation are available at <http://ials.sas.ac.uk/library/flag/flag.htm>

¹¹⁶ <http://ials.sas.ac.uk/flare/flare.htm>

The SPTL had provided guidance to law schools and law librarians since 1958 through statements of ‘minimum holdings’ of specified legal publications, which had a significant effect on the expansion of academic law libraries. In 1995, a new Statement of Standards for University Law Library Provision was prepared on behalf of the SPTL by a consultative group comprising all major stakeholders. This Statement was first published in 1995 with a major research report on law libraries and legal education in the UK which was funded by the Lord Chancellor’s Advisory Committee on Legal Education and Conduct (SPTL 1995).

The new Statement takes account of major changes in university legal education as law schools have become more diverse in their resources, missions and styles of teaching and more thoroughly monitored and assessed for quality, including the quality of library provision. The standards recognize that a law library is more than collections of information but is a complex operation whose level and quality of services depend on a range of factors. The statement provides a comprehensive set of standards covering all aspects of law library provision from organizational relationship with the law school and staffing to space, equipment and collections of both print and electronic resources, but specifies no single prescription for adequate provision. The standards are accompanied by a detailed commentary incorporating data from an annual survey of academic law libraries financed in alternate years by BIALL and the SLS (Clinch 2010) to indicate current practice. The Statement was most recently revised in 2009 (SLS 2010). The SLS, representative of independent academic opinion, is unique in making this continuing commitment to the investigation, analysis and expression of what is needed for effective library provision for its discipline. The Standards, as noted above in the section of

professional legal education, have been adopted by the Bar Standards Board and have drawn the interest of law schools in other countries (Crawford 2009a, 2009b).

Professional Ethics and Professional Liability

There has been limited engagement by BIALL with the ethical issues relating to the practice of law librarianship (Gordon-Till 2003, 2006) but there is a Statement of Ethical Principles and a more extended Code of Professional Practice promulgated by the Chartered Institute of Library and Information Professionals (CILIP).¹¹⁷ CILIP also maintains an Ethics Panel to keep the Statement and Code up to date and also to be a source of confidential advice for professionals. The American Association of Law Libraries (AALL) adopted a statement of ethical principles in 1999.¹¹⁸

The work of many librarians inevitably involves them in responsibilities and sensitivities and calls for careful exercise of judgement and sometimes more than an intuitive ethical awareness. The information world is permeated with conflicting rights, some legal and some moral, whether it is privacy and the right to information, divulging patron information sometimes required by governments, taking a view of fair use, or knowing the line between legal information and legal advice. Information ethics is now an established subject of academic study with journals dedicated to it.¹¹⁹ Some of these ethical issues may be exacerbated in the legal field particularly within an adversarial system and

¹¹⁷ <http://www.cilip.org.uk/professionalguidance/ethics/>

¹¹⁸ <http://www.aallnet.org/main-menu/Leadership-Governance/policies/PublicPolicies/policy-ethics.html>

¹¹⁹ The International Centre for Information Ethics has useful pages at <http://icie.zkm.de/>

the question of legal information rather than legal advice may be less than clear-cut particularly when assisting litigants in person. Many of these issues, with which librarians have been familiar for many years, are also now matters of legal compliance and the Information Commissioner's Office offers extensive guidance in the area of data privacy and freedom of information.¹²⁰

The related matter of professional liability might have a direct impact on individuals and their employers. However, the legal liability of librarians for offering incorrect or incomplete information has been little more than a matter of academic speculation. It is rare for a law librarian to take out professional indemnity insurance and insurance cover extended by many employers to their employees may well not foresee this risk.¹²¹ Cannan (2007) discusses the liability of law librarians in the US and the issue has been discussed in the context of medical and health-care librarians in the UK (Muir and Oppenheim 1995). Neither could cite a case of an information professional sued for liability in the provision of information. Healey reviews the literature on professional liability of law librarians and the unauthorised practice of law by giving legal advice but notes that 'an astonishing number of article are written by nonlawyers who, in the course of telling people not to give legal advice or practice law, end up giving legal advice ...' (Healey 2002: 134).

One of the ways to reduce liability is the adherence to good professional practice and that would include any guidelines produced by professional associations. The

¹²⁰ <http://www.ico.gov.uk/>

¹²¹ 'When there is professional liability insurance for librarians we shall have really arrived.' (Jeffries 1992, 92).

American Association of Law Libraries (2001) has produced an extremely useful and detailed framework of competencies for law librarianship which are useful in a wide variety of situations from drawing up job descriptions to matters of professional conduct.

Professional Associations

The British and Irish Association of Law Librarians (BIALL)

BIALL¹²² is well established as the professional group for law librarians in Britain and Ireland and provides support for all those working with legal materials across the four jurisdictions. The history of the Association has been documented by Mary Blake, its Honorary Secretary from 1976 to 1987 and its Honorary Archivist from that time until 2010 (Blake 2000) and a chronology of important events is available on its website.¹²³

Membership of BIALL has risen from 47 personal and institutional members in the year of its formation in 1969, to over 300 in 1986 to over 750 at present.¹²⁴

The Association's membership is as diverse as the sector and draws its strength from the diversity of experience which is brought to its activities. At its formation, members were drawn primarily from academic law libraries, libraries of the Inns of Court and the law societies, and from government departments. One obvious trend in membership, apart from the steady rise in numbers, has been the increase in the proportion

¹²² www.biall.org.uk

¹²³ <http://www.biall.org.uk/pages/history.html>

¹²⁴ 'The Association has continued to increase its membership since its formation without recourse to any intensive recruitment drive' (Blake 2000: 69).

of law firm librarians, after an initial wave of new academic librarians. There was one law firm librarian on the original 1969 list of members, six in 1970, 25 in 1980, 108 in 1988 and now over 350, about half of the total membership. In a recent BIALL salary survey, only 56 (possibly as many as 59) ¹²⁵ people (38%) claimed to be members or fellows of CILIP, although some respondents from Ireland might belong to the Library Association of Ireland (McTavish 2012:40, table 7.13).

BIALL was formed to fill a vacuum in support for those working with legal information. There was no doubt an awareness of the work of the American Association of Law Libraries (AALL) and the International Association of Law Libraries (IALL), itself a result of an initiative from AALL. The famous workshop in Harrogate in February 1968 which led to the foundation of BIALL was organized by Don Daintree of Leeds Library School and arose from the perceived need for training in legal bibliography.

Following the final talk of the Workshop by Willi Steiner and Betty Moys on the International Association of Law Libraries (IALL) it was resolved to set up a British section, and an ad hoc Committee was appointed to look into the possibility and invite people's views. The members of this committee were Wallace Breem (who volunteered to send a circular to all law libraries), Don Daintree, Betty Moys, Willi Steiner and Derek Way. Replies to the circular were so encouraging that at the second Workshop in April 1969 the Association of Law Librarians was formally established. (Blake 2000: 4)

The Association's current constitution, including governance and membership, is available on its website.¹²⁶ The organization is managed by a Council comprising an

¹²⁵ The *Survey* shows <5 where the number of respondents is less than five to preserve confidentiality.

¹²⁶ Available from <http://www.biall.org.uk/pages/about-biall.html>

annually elected President, four other elected officers and five elected Council members. There is no permanent secretariat. There are standing committees on Awards and Bursaries, Conferences, Legal Information (the Legal Information Group to liaise with publishers), Membership Services, Nominations and Volunteers, PR and Promotions, Professional Development, Publications, Strategy and Finance, the Web, and the Editorial Board of *Legal Information Management*.¹²⁷ This demonstrates the breadth of its activities.

BIALL has no powers to regulate law librarianship but undertakes a wide range of activities to support law librarians, provide opportunities for the discussion of law library work, promote the better administration of law libraries, promote the improvement of the position and qualifications of law librarians, promote and encourage bibliographical study and research, to publish, and to collaborate with other organizations.

BIALL has provided continuing professional development for its members since its inception. There is a major annual study conference held since 1970, currently in June each year, which is now attended by over 400 people, supplemented by a regular pre-conference seminar. There have also been study weekends on key management skills. There are short courses such as a regular one-day course in 'legal reference materials' and various specialist one-day or half-day courses and visits. A regular Legal Foundations Course by distance learning through online lectures over a period usually from October to April is offered by the BIALl Professional Development Committee in conjunction with the University of Westminster, Department of Professional Legal Studies. The course originally began in 1984, with traditional lectures, as the 'Law for Law Librarians' course.

¹²⁷ See <http://www.biall.org.uk/pages/biall-committees.html> for the remit and membership of the committees.

The Association administers several bursaries to provide financial assistance for members to attend its own conference and to attend conferences overseas.

BIALL has published a journal, *Legal Information Management*, formerly the *Law Librarian*, since 1970, now published by Cambridge University Press, and issues newsletter for members six times per year; both publications are available in electronic and print form. The BIALL Blog was launched in 2007.¹²⁸ The Association has published the leading work on law librarianship in Britain and Ireland, the *Manual of Law Librarianship* in two editions (Moys 1976, 1987), succeeded by the *BIALL Handbook of Legal Information Management* (Worley 2006) of which this volume is the second edition. The *Directory of British and Irish Law Libraries* was published in seven editions between 1976 and 2006. The Association does not publish a membership list, although one did appear among the AGM papers until 1979 and subsequently appeared in the *Law Librarian* during the first half of the 1980s. The annual *BIALL Salary Survey* (McTavish 2012) has developed into a sophisticated statement of the profession in terms of age, experience and geographical and sectoral spread, as well as a tool for ascertaining best practice in rewards.

The Association has issued a range of other publications over the years including a timely bibliography of *Community Law* (Lutyens 1973), an *Index to Legal Essays 1975–79* (Tearle 1983), *Standards for Law Libraries* (BIALL 1981), the *Bibliography of Commonwealth Law Reports* (Breem and Phillips 1991), *Sources of Biographical Information on Past Lawyers* (Holborn 1999), the *History of the British and Irish Association of Law Librarians 1969–1999* (Blake 2000), and a series of legal research

¹²⁸ <http://biall.blogspot.com/>

training packs now in their fourth edition (BIALL 2011). The Association, in addition to its own publishing, has sponsored or funded research including a survey of academic law libraries and a survey of trends in legal information provision. The Association also operates a duplicates exchange scheme to allow unwanted stock to be transferred to more appropriate libraries.

BIALL administer a range of awards for outstanding achievement in the profession. The Wildy-BIALL Law Librarian of the Year is a prestigious annual award, established in 2005 and sponsored by Wild & Sons Ltd. The Wallace Breem Memorial Award, sponsored by the Inner Temple and BIALl, is designed to recognize excellence through published contributions to law librarianship, or provide financial assistance for special research or other projects at doctorate level or above. The Award was inaugurated in 1990 in memory of Wallace Breem, former librarian of the Inner Temple Library and a founder member of BIALl (Noel-Tod 1990). In 2005 BIALl introduced awards for excellence which became, in conjunction with LexisNexis, the Halsbury's Awards in 2007 and which recognize dedicated performance and outstanding service by law libraries. BIALl also make an annual Legal Journals Award and a BIALl Supplier of the Year Award. The Willi Steiner Memorial Lecture was set up in 2004 by the Association in memory of Willi Steiner, an outstanding member of the law library profession, librarian of two outstanding law libraries, the Squire Law Library in Cambridge and the IALS in London and a founder member of BIALl (Winterton 2003).

BIALL, among many other activities, has a strong interest in the public policy arena although it has never been able to emulate the participation in advocacy, lobbying and policy-making at regional and national level achieved by the much larger AALL. BIALl

has in the past submitted responses to various official enquiries including submissions to the British Library, the University Grants Committee, the Royal Commission on Legal Services, the Law Society and the Lord Chancellor's Advisory Committee on Legal Education and Conduct. It responds to proposals for changes to copyright legislation although these issues are now increasingly decided on a global stage.

Other Professional Associations of Law Librarians in Britain and Ireland

There is a range of other groups within Britain and Ireland providing support and networking for law librarians in geographical areas, regions and cities, or concerned with particular subjects, or in similar law libraries, for example the BIALL One Man Band/Small Teams Group, the Freelancers and Solos Group, and the BIALL Academic Law Librarian Special Interest Group. These groups are not necessarily explicitly affiliated to BIALL and are financially independent and self-sustaining but all maintain co-operation with BIALL, with which they share many of their members. There is a list of groups on the BIALL website¹²⁹ with contact details and a few are noted under member libraries in the *Directory of British and Irish Law Libraries* and in *A History of the British and Irish Association of Law Librarians* (Blake 2000: 86–8).

The City Legal Information Group (CLIG),¹³⁰ formerly the City Law Librarians Group, was established in 1976 and has over 300 members. It is one of the earliest specialist groups and one of the most prominent, with a fine website and a tradition of

¹²⁹ <http://www.biall.org.uk/pages/affiliate-groups-.html>

¹³⁰ <http://www.clig.org/>

collaboration despite the intense competition of members' employers. An early project was a union list of law reports and serials held by its members. It provides both educational and social events convenient for legal information professionals in and around the City of London.

Groups based on geographical area offer a range of events which supplement those arranged by BIALL and form a focus for local issues. The groups include the Scottish Law Librarians Group (SLLG)¹³¹ established in 1988 which has issued a Directory (Wilcox 1995) and a union list of serials (Wilcox 1997) and has over a hundred members (Black 2009); the BIALL Irish Group formed in the late 1980s which issues a union list (Clavin 2000). ALLICE (Association of Law Librarians in Central England) established as the Birmingham Association of Law Librarians in 1987; BLINE, the Business and Legal Information Network based in the north-east of England, originally established in 1990 as the Newcastle Law Librarians Group; BRILL (Bristol Law Librarians Group) established in 1989; the Commercial, Legal and Scientific Group of CILIP with whom BIALL runs a graduate open day; the East Midlands Legal Information Professionals; the Liverpool Legal Information Group; the Manchester Legal Information Group established in 1990 with over 50 members; and the US Law Firms Librarians Network.¹³² Many members of such groups are law firm librarians and others from the Court Service, barristers' chambers, local law

¹³¹ <http://www.sllg.org.uk/>

¹³² The Cardiff Law Librarians Group was established in 1989 and the Leeds Law Librarians Group in 1990 but neither are currently listed on the BIALL website.

societies and other sectors also belong.

Groups based on subject areas include government, insurance, business information, and specialised subjects such as property legal information. The European Information Association,¹³³ formerly the Association of European Documentation Centre Librarians, though accommodating interests much wider than law, has produced many useful publications and runs courses relevant for law librarians.

Overseas and International Associations of Law Librarians

There are national or regional associations of law librarians in many countries, from the Nordic Countries to South Africa and from the United States to Russia, including recently formed associations in Turkey in 2007 and in China (the Beijing Law Libraries and Legal Information Research Society) in 2010. Many of these associations are listed on the BIALL website¹³⁴ and more comprehensively on IALL site.¹³⁵

The American Association of Law Libraries (AALL)¹³⁶ is by far the largest and oldest law library association, founded in 1906, with a membership of over 5,000 and an annual meeting that attracts over 2,000, including a small contingent from Britain and

¹³³ <http://www.eia.org.uk/>

¹³⁴ List of national and international law library associations compiled by the British and Irish Association of Law Librarians, <http://www.biall.org.uk/pages/useful-links.html>

¹³⁵ <http://iall.org/linksOtherAssns.html>

¹³⁶ <http://www.aallnet.org/>

Ireland each year. It publishes the quarterly Law Library Journal and a monthly magazine *AALL Spectrum*. Membership of AALL and attendance at its conference no doubt inspired some of those who founded BIALL. It has an extraordinarily broad range of activities, maintains a permanent secretariat in Chicago and an office in Washington D.C. responsible for government relations.

The International Association of Law Libraries, founded in 1959, is a worldwide organization dedicated to bringing together and facilitating the work of law librarians who use foreign and international legal resources. A brief description of its activities together with detailed lists chronicling its history appear in the *IALL International Handbook of Legal Information Management* (Danner and Winterton 2011, 358-75). It publishes the *International Journal of Legal Information* and holds a conference and annual course in international legal information and law in a different city around the world each year in association with prestigious legal institutions. The courses do not address transferable skills and other areas generally covered at the conferences of national associations; they address aspects of foreign and international legal systems both in substance and in their expression in legal information, seeking to give an understanding of the legal environment and the law underlying the information.

Professional Networking in Britain and Ireland

Professionals form communities of practice to share knowledge and skills, both through personal contacts and through the formation of professional bodies such as those described above. Networking is an enjoyable and important part of professional life.

Networking can start at home and can be virtual. Many people participate through electronic lists and discussion groups, joining associations and reading their publications,

and building up contacts by e-mail. Discussion lists provide much-needed expertise, support and the mobilisation of opinion. Lis-law is the most commonly used electronic discussion list for law librarians in Britain and Ireland; it is hosted by Jiscmail, an agency of the joint funding councils of UK universities, which offers web-based list management and maintains archives of messages posted.¹³⁷ The list has over 800 members mainly based in Britain and Ireland. There are many specialised lists and in fact there are so many lists that there is a searchable list of lists at the Jiscmail site in order to identify the relevant one for your purpose. INT-LAW is a list for the discussion and sharing of information concerning foreign, comparative, and international legal resources.¹³⁸ BIALL, in common with many associations, has a list open to its members only. Delia Venables maintains a list of blogs, news feeds podcasts, video blogs and wikis.¹³⁹

There is no substitute for meeting people in person. Conferences, such as the annual study conference of BIALL, often give you an insight into other approaches to law librarianship, perhaps the philosophical underpinnings of our profession or perhaps a good solution to a particular problem, a new way of expressing one's aspirations or a simple new procedure. Conferences of other organizations such as the SLS or the Society of Computers and Law can be equally rewarding.

International Networking

¹³⁷ <https://www.jiscmail.ac.uk/cgi-bin/webadmin?A0=lis-law>, <http://www.jiscmail.ac.uk>

¹³⁸ <http://listserver.ciesin.columbia.edu/cgi-bin/wa?A0=Int-Law>

¹³⁹ <http://www.venables.co.uk/blogs.htm>

Law librarians increasingly need to be aware of foreign and international legal systems, understand the sources of law, and have recourse to expertise beyond local resources.

Today there is not only a growth of transborder economic activity, but every aspect of law is affected by the interconnected nature of our world. International contacts not only broaden our horizons and make us aware of other legal systems and responsive to enquiries about them; contacts also give us back-up for materials, language and expertise (Winterton 2004, 2011).

Conferences overseas are opportunities to build those contacts. There is an international calendar of events on the IALL website and it also appears in the *International Journal of Legal Information*. Most of the national and regional associations hold a regular conference. Since 1998 the American, British and Irish and Canadian associations, now joined by the Australian Law Librarians Group, have held a biennial Joint Study Institute to cultivate interchange and give an opportunity to learn about the legal system, heritage and traditions of the host countries. The IALL conference is in a different country each year and over the past few years has taken place in association with the High Court in Mumbai, in Association with the University of Puerto Rico in San Juan, at the Bilgi University in Istanbul, and at the Peace Palace, home of the International Court of Justice in The Hague.

The conference of the International Federation of Library Associations is a massive meeting and not one which concentrates on law librarianship. There are a couple of sessions each year to bring law library matters to the attention of a wider audience of librarians in different sectors, traditionally arranged by the IALL but now by a Section of

Law Libraries¹⁴⁰ set up in 2005 and sessions organized by parliamentary and government librarians of interest to law librarians. However, the importance of IFLA is its role in international policy issues, such as intellectual property and international trade, which now impinge on all libraries so strongly. These issues were addressed for AALL by the late Robert Oakley (Oakley 2003).

BIALL has, with the financial assistance of law publishers, sent an official representative to the conferences of overseas law library organizations and has also offered bursaries to its members to attend overseas conferences since the early 1990s. IALL maintains a scholarship programme not limited to association members to provide financial assistance for law librarians to attend its conferences.

An extended visit to a library in another country can provide a more immersive experience than a conference and is potentially a much more valuable experience. The IALS has a Visiting Fellowship in Law Librarianship which brings eminent overseas law librarians to London and such visitors have given seminars and spoken at the BIALL Conference. There is no formal programme for job exchanges with overseas law librarians although AALL maintains a clearinghouse of information on job exchanges¹⁴¹ and IALL now offers a grant to support international placements and internships.¹⁴²

Law Librarianship

¹⁴⁰ <http://www.ifla.org/law-libraries>

¹⁴¹ <http://www.aallnet.org/sis/fcilsis/internships.html>

¹⁴² <http://iall.org/internships.html>

Law librarianship has been an increasingly attractive career with the expansion of law libraries since the mid-1970s, especially in law firms. Advertisements for law librarians generally figured prominently and in large numbers over the past twenty years in the major recruitment publication for the wider profession.¹⁴³ Numbers in the law library profession have risen over the period, as the membership of BIALL demonstrates. There have been redundancies and a curtailment of recruitment following economic downturns and this was been repeated rather more trenchantly after the ongoing financial crisis of 2008. A survey in 2002 (Young) appeared to provide reassurance that employment in the academic law library sector is at least stable and this conclusion is generally supported by the findings of the SLS / BIALL annual survey of academic law libraries although there is a continuing fear that the roles of specialist law librarians may be diluted.

The annual *BIALL Salary Survey* gives a detailed statistical account of the employment of law librarians in Britain and Ireland (McTavish 2012). The latest survey for 2011/12, received 147 usable responses,¹⁴⁴ of which over half were from law librarians employed in the London area. The *Survey* reports salaries for full-time librarians ranging from £18,500 to £150,000 with a median of £35,954 (£30,855 in central and local government, £36,483 in the academic sector, £36,250 in law firms, £35,000 in professional bodies and £40,880 in the in-house sector). Salaries are analysed by a large number of factors including location; the highest salaries are paid in the City of London (a median

¹⁴³ Now named *CILIP Update*, available online as Lisjobnet at <http://www.lisjobnet.com/>.

¹⁴⁴ Compare this with 343 responses for the 2002/03 *Survey*; this introduces the risk that some results may be distorted by a small number of atypical responses.

salary of £41,995) and South East England (a median salary of £43,000), if one excludes responses by less than five people. The lowest full-time salaries are in North England (a median salary of £26,390) with Scotland not far behind (a median salary of £25,400). 80% of full-time and 85% of part-time respondents were female. Generally those employed in law libraries are graduates with library and/or information qualifications, predominantly postgraduate LIS qualifications. Of the 147 respondents, 129 had a LIS qualification and only 18¹⁴⁵ had a law degree.¹⁴⁶

There are no specialist qualifications in law librarianship although several library schools offer options in legal information as part of their programmes. At the University of Aberystwyth it is possible to combine information management with law as a joint honours degree. There has been, since the establishment of BIALL, continuing professional education available for law librarians, but no formal system of the type introduced by the legal profession and proposed by CILIP. The specialist programmes of law librarianship in the United States and the difficulties of combining a postgraduate library / information course and the postgraduate JD law degree are described by Hazelton (2011).

There has been scope for lateral movement and increase in salary for successful law librarians, particularly in the law firm sector. There has generally been rather less mobility between sectors. Perhaps not surprisingly the larger law libraries (which have a staff structure which allows for a career progression) also participate in training, both by taking graduate trainees before they attend library school and by providing approved training

¹⁴⁵ Possibly as many as 24. Fewer than 5 responses, whether 1 or 4, are recorded as <5.

¹⁴⁶ Fewer than 30 per cent of members of AALL hold a JD degree (Whisner 2008).

schemes for career entrants after library school. The IALS Library, the Law Society Library and the Inns of Court libraries have acted as feeder libraries for those entering all sectors of the profession.

There is a small number of senior and prestigious posts in law libraries but, as noted some time ago by Logan (1987, 32), they are so few in number that they can scarcely be said to represent realistic career goals. In such posts, management skills become as important as specialist knowledge of legal information. Subject librarians engaged in day-to-day reference work in law may find it difficult to gain sufficient experience of management to achieve the most senior posts. If achieved, a blend of management and subject work may provide great satisfaction but it is often difficult to tackle the one while maintaining the other. Those who gain sufficient management expertise may move out of law libraries because opportunities in Britain and Ireland for further advancement in law libraries are limited.

The Future Role of Law Librarians

The impact of digital technology is mutating traditional models of information management. This goes far beyond difficult questions of collection development regarding format of material to be acquired and what particular nature of hybrid library to adopt at a particular time. It involves a redefinition of the role of law librarian (Danner 1998, 2011, Susskind 1999, 2011).

There has been a dramatic vertical integration of the processes of communication. Digital technology has allowed publishers to perform some functions of traditional libraries in the storage and delivery of information since it allows the publication of far more material than a system based on the traditional printed medium and allows delivery direct to

the researcher. Long-term preservation of information which was once one of the roles of libraries now needs to be addressed at the birth of digital material and cannot be separated from its production, throwing the responsibility onto the producer, whether commercial or institutional.

During these changes, which might threaten the existence of libraries in the traditional sense, new opportunities have arisen for law librarians. Aspects of the work of law librarians can be identified in the capture and description of content, more sophisticated management of resources, in aspects of the publishing of information, in retrieving and packaging information for research, and in education and training.

The paradigm shift in the role of law librarians has been exemplified in law firm libraries which are dynamic environments for the management of information rather than repositories of material; see Mansfield (1999) and McTavish and Duggan (1999). The opportunities of emerging roles in information and knowledge management are accompanied by needs for re-skilling and by potential threats as the boundaries between roles of law librarians and practitioners become less well-defined. Some aspects of the role of the professional support lawyer may suggest the emergence of a true hybrid post combining legal and information skills but this remains unproven and most firms do not presently require an information management qualification for those posts.

Although issues of disintermediation will continue to concern libraries as services are delivered and marketed directly to end-users, law librarians are taking responsibility for the management of increasingly broad definitions of information and services in a trend likely to reinforce the intermediary function. This may be seen as an extension of the traditional role of selecting and organizing content. Librarians are involving themselves

further up the communication chain in the creation of information products; they capture content, organize it and make it available internally or externally on the Internet, taking over some roles of publishers. Librarians are also involving themselves further down the communication chain by processing information for particular uses and by assisting and training end-users in using information. These roles may be an extension of the traditional role of advising the reader and may take the form of training in research skills, creating virtual learning or research environments, or undertaking the research and pre-processing of information which amounts to part of the end-user's work. Roles including legal information officer, knowledge manager, publisher and teacher will require increasing subject expertise, increasing collaboration with others, a blurring of the boundaries of their roles and the roles of users, and an evolving range of skills and attitudes.

The Future of Law Libraries

The Future of Law, Transforming the Law and *The End of Lawyers* (Susskind 1998, 2000, 2008) are among the best known writing in the United Kingdom about the future development of the law and the legal profession. There are major pieces of research by law library organizations about the future of their profession. *Law and Order: Trends in legal information provision* is a study for BIALL of the key issues in the management and provision of legal information within the United Kingdom and Ireland (McTavish and Ray 1999). A series of articles appeared in *Legal Information Management* considering the future of law libraries and law librarianship in several sectors including a paper on the findings of the Sweet & Maxwell survey 'Information Managers in the 21st Century' (Allbon and Wakefield 2008, Holborn 2008, Steer 2008, Tearle 2008, Winter 2008).

Beyond the Boundaries is a report by the AALL Special Committee on the Future of

Law Libraries in the Digital Age which contains the most comprehensive analysis of issues surrounding the evolution of virtual and physical law libraries in all sectors in the US (AALL 2002).¹⁴⁷ The findings and conclusions are summarized below. In 2006 a series of short articles by distinguished members of the US law library profession appeared in *AALL Spectrum* considering the future for law firm libraries (Todd 2006), academic law libraries (Axtmann 2006) and public law libraries (Meadows 2006). In 2009 a conversation between the librarians of Duke, Harvard and Yale law schools on the twenty-first century law library appeared in the *Law Library Journal* (Danner, Kauffman and Palfrey 2009) with comments from a US law firm perspective following two issues later (Heller 2009). In November 2011 AALL hosted a Futures Summit which focussed on maintaining the relevance of AALL to its members.¹⁴⁸

In a period of rapid change, law librarians will continue to be flexible in serving lawyers and their parent organizations and innovative in defining the direction and boundaries of their mission. Law librarians will continue to balance a strong commitment to the legal system and the legal profession with a professional allegiance to the wider librarianship community. It is likely that many law librarians will work more closely with other information workers and become part of larger structures. The roles of law librarians will become blurred with other actors in the information chain and law librarians may adopt their skills more easily than others acquire the skills of the librarian. Although libraries

¹⁴⁷ <http://www.aallnet.org/Archived/Leadership-Governance/committees/final-report-including-appendices.pdf>

¹⁴⁸ <http://www.aallnet.org/main-menu/Leadership-Governance/committee/cmte-final-reports/2011-2012/board-futuressummit.pdf>

serving the different sectors of the legal system will continue to develop differently and offer different levels and styles of services, common development themes can be discerned.

The strategic drivers for change operating on law libraries can be grouped into those centred on: legal publishing, the nature of access to legal information, preservation, authentication, intellectual property law and licensing, user expectations, information, and communications technology, with globalization playing a part in each (AALL 2002: 3).

In commercial publishing the transition from print to electronic and the consolidation of publishing companies will continue. There will be considerable emphasis on customization and personalization of information products, embedding them within the workflow, aiming at the level of integration and market saturation of the type achieved by Microsoft. There will be competition between commercial publishers and a growing number of non-commercial and free-to-Internet sources of information and increasing pressure on commercial companies to demonstrate real added value. Government delivery of information and services by electronic means will extend greatly. However, in terms of access to legal information, the digital divide both within Britain and Ireland and internationally will be an increasing concern. Law librarians will play an important role in making law available in a convenient and meaningful way to the citizen for whom access to legal support may become more limited.

Information and communications technology continues to evolve at a very rapid pace. While developments in electronic legal publishing tend to reduce the amount of clerical work in maintaining an up-to-date collection, other demands are being made which require higher skills. Law libraries not only need to be provided with support and development potential by their parent organization but also need in-house expertise among

their staff as they build their intranets, extranets and portals.

The concern over the preservation of the print record and the born-digital record of the law will continue after the present period of transition with its inadequate measures for electronic record management. The need for limited numbers of print repositories will need to be considered. The issue of permanent URLs will need to be addressed or much of the work of cataloguing and evaluating materials on the web will become unsupportable, however far the generation of metadata is automated. Born-digital materials will require more rigorous authentication which was unnecessary for print materials. New models of publishing will require content creators to assign citations at the point of creation rather than publication, as the English courts have now started to do.

As libraries license content for access rather than owning content, their control over access becomes more stringently limited by private agreement rather than public law. The plethora of licence agreements under different terms for different materials and different users may be managed by sophisticated technology based on user identity and status but requires expertise in negotiation and contract management. It also strikes against some of the values of libraries in creating a shared resource and against practices of scholarship in the discovery of new relationships between unsought materials. The expansion of copyright protection and reduction of fair dealing (the doctrine of limitations and exceptions to copyright), database protection and the general absorption of scholarly material under the same terms as publishing of entertainment media will impact on many libraries and their users adversely.

User expectations have always driven libraries and in future there will be an expectation that all information should be accessible at any time and in any place. Remote

24-hour access has or will become a legitimate expectation of many users and, depending on licence restrictions and therefore on budget, this will be possible. However, greatly increased guidance and training both in individual systems and general information management will be required in order for users to fulfil their expectations of the efficiency of modern searching and to enhance critical awareness of the relative value of information retrieved. The issue of information literacy and the librarian's role in education will become increasingly important (Bird 2011).

Law libraries will operate increasingly in a virtual environment and the library as a physical space will change. However, librarians and their users still generally believe that the hybrid library environment of both electronic and print, to different degrees in different sectors, will remain the dominant model for many years. The library is likely to remain, certainly in collegiate environments, a physical focus of the institution, and the librarian, even as manager of a virtual law library, will need to provide the human interface.¹⁴⁹

...law librarians have for long recognised that lawyering is a type of information processing and indeed much of their work has been built on this premise. Law librarians have also been some way ahead of most lawyers in embracing the power of IT and recognising the significance of the Internet for legal practice. ... With the explosive growth in various information technologies will come great vindication of the past claims and work of law librarians. Calls for better analysis of information needs, more rigorous management of content, greater vigilance in relation to security and privacy, deeper consideration of whether superior information control

¹⁴⁹ 'The virtual law library offers many opportunities and challenges and we will each see our world changing to take advantage of these. Librarians can cement their roles in the virtual library by ensuring that the clients never forget that the human component is integral to any library, virtual or physical' (Whelan, 2001, p. 16).

can offer competitive advantage – all of these and more will need to be answered by top managers in law firms, legal departments, and law faculties. (Susskind 2011)

Law librarians will play an important role in strategic management within their institutions and in determining the information environment in which those institutions operate.

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