Institute of Advanced Legal Studies
Annual Review 2014
This review can only be a selection from the continuing and changing mix of activities at IALS which is more fully recorded from day to day on its website and each year more fully documented in an annual report whose appendices make for primary research material in themselves (see ials.sas.ac.uk/about/docs/IALS_Annual_Report_2013_2014.pdf).
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The 2014 Annual Review of the Institute of Advanced Legal Studies covers a wide range of activities in the promotion and support of legal research in its widest sense. I hope that the following pages give an indication of some of the ways in which the IALS serves its various constituencies of researchers, nationally and locally, both at its building on Russell Square in Bloomsbury, through its digital free-to-Internet resources, and through its outreach activities around the country.

The Institute has a broad approach to legal studies, emphasising both the theoretical basis of law and the direct impact on human lives. Exciting new developments include a ground-breaking agreement for interdisciplinary collaborative research with UN Habitat in Kenya to explore Urban Law (p. 16), the new Big Data for Law Project (p. 18), and our new Information Law and Policy Centre (p. 4).

The start of a major refurbishment of the IALS building on Russell Square has improved the working environment for researchers and created state of the art facilities for seminars and conferences.

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

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

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

In the past year over two thousand academic staff and researchers (including nearly 500 from overseas), and 2,747 postgraduate law students joined the Institute for the full year and many other short-term academic visitors took part in research and other activities.

Learn more at: http://ials.sas.ac.uk/

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Urban Law and Policy

UN-Habitat and IALS, led by Dr. Maria Mousmouti, co-Director, Sir William Dale Legislative Drafting Clinic, Institute of Advanced Legal Studies, University of London (UK), Executive Director, Centre for European Constitutional Law (Greece) have agreed to collaborate in furthering academic knowledge and in developing a joint research agenda in the area of Urban Law. (See page 16)

Big Data for Law Project

In early 2014, 21 Digital Transformations in the Arts and Humanities projects were announced as part of the Arts and Humanities Research Council investment in Big Data. Just over £550,000 will support the Big Data for Law Project, co-led by Professor Helen Xanthaki, Professor of Law and Legislative Drafting at IALS, and Director of the Sir William Dale Centre for Legislative Studies. Big Data for Law will transform how we understand and use current legislation by delivering a ‘big data toolkit’. This will include new open data, new tools and new research methodologies, made available through a new service – legislation.gov.uk Research. The project is headed by The National Archives, who are responsible for legislation.gov.uk. Professor Xanthaki, David Howarth, Reader in Law and Director of the MPhil in Public Policy at Clare College Cambridge, and K Krasnow Waterman, a world-leading LawTech specialist are the project’s co-leads. For more information about Big Data for Law visit: www.legislation.gov.uk/projects/big-data-for-law (see page 17)

New Information Law and Policy Centre

Pursuing the plans to create a new research centre at the Institute, Judith Townend was recruited to start work at the Institute as Director of the proposed Centre in October 2014. The Centre’s work will promote and facilitate cross-disciplinary law and policy in collaboration with a variety of national and international institutions. The Centre will be interested in in the law and policy of information and data, and will explore the ways in which law both restricts and enables the sharing and dissemination of different types of information. The Centre will also liaise with the British and Irish Legal Information Institute and aspects of the work of the Library.

BAILII, the British and Irish Legal Information Institute

BAILII, the British and Irish Legal Information Institute (http://www.bailii.org), based at IALS, continues to develop its huge website of legal materials and extend its coverage. It is the single most comprehensive database of primary legal materials in the four jurisdictions and is freely available on the Internet. It is heavily used by the public, law students and practitioners. The system responded to over 44.6 million page views and downloads during the year and has an average of 20,673 visitors each day throughout the year (an increase of nearly 28%). As a major contribution not only to the practice of law and legal education but to the public understanding of law, it is a major contribution to a legal system governed by the rule of law. A judgment mentioned in a newspaper is often available on BAILII the day after it is handed down by the court. Criticism of judges: fair game or off-limits?, the Third Annual BAILII Lecture, hosted by Freshfields Bruckhaus Deringer, was given on 27 November 2014 by Lord Dyson, Master of the Rolls.

Research Students at IALS

IALS is proud to congratulate the following students who completed their research degrees at the Institute during the 13–14 academic year: Dr Paulo Rosenblatt, Dr Tonye Clinton Jaja, Dr Khaled Fahad Benjelayel, Dr Marianne Myriam Feinberg, Dr Maria
Mousmouti, Dr Nikoletta Kleftouri, Dr Alon Margolit, Dr Angharad Miller.

**Hamlyn Trust Lecture Series 2014**

The 2014 Hamlyn Lecture Services on UK, EU and Global Administrative Law: Foundations and Challenges was delivered by Professor Paul Craig. Professor of English Law, St John’s College, Oxford. The first lecture on Foundations of UK Administrative Law: The Common Law Method, Values and Contestation took place at the Faculty of Law, University of Oxford on 19 November; the second lecture, Foundations of Global Administrative Law: Governance, Regulatory Power beyond the State and Administrative Legality was held at Queen’s University of Belfast and the final Lecture on Foundations of EU Administrative Law: Treaty Foundations, Judicial Creativity and the Hierarchy of Norms was held at Gray’s Inn.

**Sir William Dale Annual Memorial Lecture**

The fourteenth annual Sir William Dale Annual Memorial Lecture was given by Sir Geoffrey Bowman, KCB, QC, First Parliamentary Counsel 2002–2006, LLD (Hon) University of London, Senior Associate Research Fellow, IALS on Monday 3rd November 2014 with the title ‘Is Legislation Literature?’. The event was chaired by Lord Dyson, Master of the Rolls and Head of Civil Justice. A workshop organised by IALS Fellow, Dr Giulia Adriana Pennisi of the University of Palermo, on Legislative Drafting: New Trends in Plain Language preceded the lecture with contributions by Professor Peter Butt, University of Sydney; William Robinson, Associate Research Fellow, IALS; Hayley Rogers, Office of Parliamentary Counsel; and Professor Helen Xanthaki, Academic Director, Sir William Dale Centre for Legislative Drafting, IALS.

**Bees on the Roof**

The rooftop honeybees are adapting well to life in Bloomsbury. The University’s honeybee colonies are growing in number and flourishing in their new urban surroundings on the roof of the Institute of Advanced Legal Studies. The project’s beekeeper, Camilla Goddard, explains the success: “Unlike many hives across the country, the University’s bees have not tried to swarm, and so the colonies, which were only small to start with, are building
News review

up nicely.” Since their arrival in June 2013, the University’s honeybees have benefited from the good weather this summer as well as the abundance of natural forage available to them in Bloomsbury. The University of London is also working to ensure that more bee-friendly forage is being planted in the area. The first honey went on sale in mid-2014.

International forum on commercial dispute resolution in China

An International Summit on commercial dispute resolution in June 2014 was held in collaboration with the Beijing Arbitration Commission and Centre for Commercial Law Studies of Queen Mary University of London. This followed the event in June 2013, when the Beijing Arbitration Commission (BAC) and the Institute of Advanced Legal Studies organised an international conference entitled ‘Unlocking the Intricacies of Commercial Dispute Resolution in China’, which was covered extensively in the Chinese press. Its starting point was the launch of BAC’s Annual Review on Commercial Dispute Resolution in China (2013), a comprehensive and expert assessment of various aspects of commercial arbitration and dispute resolution in China during the rapid change of the past year. Speakers from China and the UK included scholars, senior partners of world renowned law firms, leading QCs and a large BAC delegation. Topics included China’s commercial arbitration, mediation, and dispute resolution in construction and engineering, intellectual property, and financial dispute settlement. The Rt Hon. Jack Straw MP gave the concluding remarks.

Records of Legal Education

IALS holds extensive archives relating to Legal Education including the records of the Council for Legal Education, rescued with the aid of a Leverhulme Trust grant when they were under threat as the Council closed its doors. IALS holds the archives of the Society of Legal Scholars, the Socio-Legal Studies Association and the Association of Law Teachers among others. In 2014 IALS received early records of the Bar Council of England and Wales.

Refurbishment

The ground and lower ground floors of the Institute, including the Council Chamber, Conference Room, Lecture Theatre and Seminar Rooms were completely refurbished during the previous two years and the latest display and recording equipment were installed. In addition, a new café and reception area was created on the ground floor which has proved extremely popular for meeting colleagues and as a casual study area.
The transformation of these areas, bringing light into the building and opening up views of Russell Square has improved the environment considerably. A start has been made on renewing the building infrastructure and it is hoped that the University will in phases refurbish the rest of the building to the same high standard. (Please contact Belinda Crothers at the Institute, belinda.crothers@sas.ac.uk, for details of how to hire Institute rooms for conferences and other events.)

**Research Networks and the Ghana Institute**

IALS supports and provides leadership in extensive networks, both subject-based and across geographical and jurisdictional boundaries. It has helped to found and support the Nigerian Institute of Advanced Legal Studies and, more recently, the Ghana Institute of Advanced Legal Studies (GIALS). IALS was represented at the formal launch of the GIALS at the Kwame Nkrumah University of Science and Technology in Kumasi and has since offered support in building capacity and developing a law library. GIALS is currently extending its operations and building a research centre in Accra before launching postgraduate programmes there.
Chair of the Advisory Council, Lord Carnwath of Notting Hill

Lord Carnwath is a Justice of the Supreme Court. After studying law at Trinity College, Cambridge, Lord Carnwath was called to the Bar (Middle Temple) in 1968 and took silk in 1985. He served as Attorney General to the Prince of Wales from 1988 to 1994. He was a judge of the Chancery Division from 1994 to 2002, during which time (1998 to 2002) he was also Chairman of the Law Commission. Lord Carnwath was appointed to the Court of Appeal in 2002. Between 2007 and 2012 he was Senior President of Tribunals and led the planning and implementation of the reforms of the tribunal system following the Leggatt report.

2014 IALS Inns of Court Fellow: A woman of substance – and justice

The first female to sit on the bench of the Caribbean Court of Justice, Désirée Bernard is a legal trailblazer and high achiever. This passionate advocate for justice was the 2014 Inns of Court Fellow.

‘The advice I usually give to anyone aspiring to self-advancement … is that there is no substitute for hard work, and excellence should always be your mantra’, says University of London alumna the Honourable Madam Justice Désirée Bernard. ‘Never settle for mediocrity; pursue your goal relentlessly.’ As a Guyanese woman, the daughter of a teacher and policeman, she should know, since her distinguished global legal career includes being the first and only female judge in the Caribbean Court of Justice (CCJ), the highest court in the region.

Born in Georgetown, in 1939, Justice Bernard has achieved many goals since graduating from the University of London with an LLB (Hons) degree in 1963. On qualifying as a solicitor, she worked in private practice ‘back home’ from 1965–80, the beginning of a meteoric rise and record of ‘firsts’ that has included becoming the first female Judge of the Supreme Court of Guyana, the Court of Appeal and Chief Justice. She is the current recipient of the Inns of Court Fellowship from the School’s Institute of Advanced Legal Studies (IALS).

Her CCJ appointment, held since the Court’s inception in Port of Spain, Trinidad and Tobago, in 2005, was unexpected and a highlight of her 50-year career, she says. Another was her honorary Degree of Doctor of Laws from the University of the West Indies. The biggest challenge, according to Justice Bernard, was her position as Chief Justice of the High Court of Guyana [in 1996] which carried a heavy administrative burden on top of deciding cases, since the limited financial resources available
in a developing country meant a scarcity of suitably qualified support staff. But, she adds, ‘it was a rewarding experience, which took me higher up the ladder … in my country of birth.’

Despite holding many law positions worldwide and tirelessly working on behalf of women who have suffered violence, she found time to scrutinise the economic treaty signed by Caribbean countries to form the CARICOM Single Market and Economy (CSME), and to explore it further.

Justice Bernard has already, drawing on her experience as a sitting CCJ Judge, given talks on the court and its relationship with the Caribbean Community Single Market. The 2001 Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy is the most recent and ‘has several provisions for resolving disputes between member states with adjudication in courts and arbitration being the last options’, she says.

Justice Bernard will be examining this ‘in great detail, and discussing the role of the court [the CCJ], which is specifically charged with the responsibility of interpreting and applying the treaty’. Aiming to clarify ‘some issues and misconceptions about the role of the court within the Caribbean Community’, she will present the results in a public lecture, ‘The Caribbean Court of Justice and the dispute regime of the Economic Treaty of CARICOM States’, on 2 December 2013.

During her time at IALS, interacting with law students, judges and lecturers has been particularly rewarding. It is Justice Bernard’s wish to ‘inspire young persons to blaze a trail in whatever field they choose, and not give up until their dreams become a reality.’
Lawrence Joseph, former PhD student at IALS and now President of the Grenada was based at the Institute of Advanced Legal Studies as the School of Advanced Studies S T Lee Professorial Fellow between 4th to 31st March 2014 in order to undertake research and deliver a number of public lectures at various Universities in the United Kingdom. The overall theme of the UK Lecture Series was entitled “Constitutionalism, Revolutions and the Question of Legitimacy”.

The first lecture was held at The Institute of Advanced Legal Studies on 6th March 2014 and was entitled “Constitutionalism as a Democrat’s Dream: The Grenada Experience.” It was chaired by Professor Sir Jeffrey Jowell, Director of the Bingham Centre for the Rule of Law, British Institute of International and Comparative Law. The lecture touched upon the doctrinal concepts of constitutionalism, the doctrine of necessity, Kelsen’s theory of revolutionary legality and the doctrine of successful revolution. The Court judgments in the Case of Mitchell v DPP following the demise of the usurper regime in Grenada in 1983 were jurisprudentially analysed. The lecture was well attended with a lively participation in the question and answer session.

The second lecture was held at Queen’s University Belfast on the 10th of March 2014, entitled “To What Extent do Citizens have an Obligation to Obey the State?”. It was chaired by Professor John Morrison of the School of Law, Queen’s University. The importance of the state was considered vis a vis Hobbes, Locke, and Rosseau and an examination was made of various theories of obligation: natural law, legal positivism and Hans Kelsen’s normative theory. The concept of legitimacy was also considered. References were made to modern uprisings which took place around the Mediterranean region and which were taking place, in the Ukraine, Syria, Thailand, Venezuela among others.

The third lecture was held at Cardiff University on 20th March 2014 on the topic: “Revolutionary Governments and the Question of Legitimacy” and was chaired by Professor Wincott, the Head of Cardiff Law School. Again, the doctrinal concepts of constitutionalism, the doctrine of necessity, Kelsen’s theory of revolutionary legality and the doctrine of successful revolution were considered and an examination was made as to the concepts of discontinuity of the legal order and legitimacy.

The final lecture was held at Nottingham University on 26th March 2014 on “Revolutionary Governments and the Question of Legitimacy”.

On the 13th of March 2014, Dr Joseph chaired a Lunchtime Seminar at the Institute of Advanced Legal Studies, London at which a Visiting Fellow, Professor Colm Campbell, Professor Emeritus at the University of Ulster, spoke on the topic “Victim–Perpetrators: How Armed Opposition Groups in Transitional Societies Address their own Wrong-Doing.” Whilst in London he also took the
At the request of Julian Harris (Editor), she prepared a short paper outlining this approach in broad brush terms for the IALS journal, Amicus Curiae, Issue 95, Autumn 2013, Of Cubist Paintings and Legal Story Telling: Historicizing Criminal Responsibility in which she provides an outline of how a study of criminal responsibility norms and practices in the twentieth century might appear. Views of criminal responsibility are set in the context of extra-legal developments and socio-historical dimensions through an approach testing an analogy with Cubist painting sensibility.

In addition to these activities, she met with the Law Commission for England and Wales on the unfitness to plead reference (this related to her previous work, and her 2012 monograph, on mental incapacity in criminal law).

She also drafted a chapter with a colleague on the relationship between intoxication and general defences, for inclusion in an edited collection (General Defences, by Alan Reed (ed), Ashgate, forthcoming) and completed a co-authored article on the reform of the provocation defence in NSW (Criminal Law Review, February 2014).

Dr Arlie Loughnan, Visiting Fellow

Dr Arlie Loughnan of the University of Sidney described the period of her Fellowship at the Institute as an ‘enjoyable and productive time’.

During this time she undertook research on my Australian Research Council (ARC)-funded project, Responsibility in Criminal Law. This project examined twentieth (and twenty-first) century developments in criminal responsibility norms, with legal developments set against broader extra-legal changes in responsibility practices. She also worked on draft chapters of the book-to-be, and presented this work at the IALS in both the lunch time seminar and the evening seminar series and gave presentations on this project at UCL, where she held a concurrent Visiting Fellowship, and the LSE.

In these presentations, she spoke to a paper that outlined her (working) approach to this research project. Her approach was structured along three axes: ‘social individuality’, liability in/of collectives and ‘attenuated’ or impaired responsibility. “Taking seriously the developments in criminal principles and practices over the twentieth century allows us to extend the critical lens of socio-historical approaches to this hitherto now somewhat marginalised period”.

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I am very grateful for the opportunity to be a visiting fellow in law librarianship at the Global Law Library at IALS in the spring of 2014. It has been an eventful few weeks for me, I learned more about IALS role as the hub for academic legal research in the UK and experienced first-hand how facilities and services at the Global Law Library are geared towards aiding legal researchers. The practical side of my visit was made possible with the support of the University of Oslo Library, granting me leave to undertake the fellowship, and the University of Oslo Law Library Fund awarding me a grant to offset the living expenses during my time in London. In addition to IALS as my host, I owe them many thanks. The main research undertaking during my time at IALS has been an investigation into academic research support at major law libraries in and around London. By research support I mean facilities and services that are aimed at the need of academic researchers or is particularly useful for this group. As part of my research I talked to key staff at the Global Law Library, but also visited colleagues at City University Law Library, the Squire Law Library at Cambridge and the Bodleian Law Library at Oxford. These talks have given me insight into research support services at these institutions and will yield an article where I discuss different approaches to research support. The article will be written in English and hopefully it will be accepted for publication in a widely available library journal. In addition, my time at IALS gave me the opportunity to work on my part of a forthcoming book on writing a master thesis in law. The book is collaborative effort with a Norwegian legal researcher and will be published by Universitetsforlaget in 2015. The book will be the first of its kind, offering comprehensive tips and guidance to Norwegian law students completing the final part of their law degree. The visiting fellowship in law librarianship has offered me an opportunity to focus on projects that it would be impossible devote enough time to while doing my regular work at the University of Oslo.

Sir Stephen Laws KCB, QC, Honorary SAS Graduate

In December 2014 Sir Stephen Laws was awarded the Degree of Doctor of Laws Honoris Causa from the University of London’s School of Advanced Study in recognition of his outstanding contribution to education and research. Jules Winterton presented him to the Vice Chancellor with these words: ‘Sir Stephen rose during his 37 year career as a lawyer in the Civil Service to the most senior position in the Office of the Parliamentary Counsel, responsible for drafting of all the Government Bills that eventually become Acts of Parliament affecting us all. Stephen was a law undergraduate at Bristol University and displayed an early interest in Parliamentary affairs. The voting age had just been reduced from 21 to 18 and Sir Stephen joined with other students who attempted to register to vote in Bristol, their place of study. When their registration...
was challenged, Stephen took his first steps in research into the interpretation of statutes: the meaning of ‘place of residence’. He argued his own case before the Electoral Registration Officer and lost. However, the matter was resolved in the Court of Appeal and students’ right to vote where they live for their studies was established to the benefit of many of us.

Stephen was the first member of his family to attend university and became the only person in his year to receive a first class honours degree. He took up a university lecturer post, starting a career in higher education to which he has recently returned. He was called to the Bar in 1973, moving within a year to the Office of the Parliamentary Counsel, rising to become First Parliamentary Counsel. This meant he was the permanent secretary in charge of the Office and one of the three most senior lawyers in the Civil Service. He was the first non-Oxbridge graduate to hold this post.

The Office of the Parliamentary Counsel provides a centralised legislative drafting and Parliamentary advisory service to Government departments. Stephen has therefore been able to observe the work of Parliament at first hand. He has applied the skills of a draftsman, plain and clear language, the ability to foresee the possible future interpretation and uses made of legislation, the ability to discern and give form to the aims and policies of government which are complex, confused at times, perhaps at times contradictory.

Stephen has embraced and nurtured the concept of drafting as a subject of academic study and supported the Sir William Dale Centre for Legislative Studies at the Institute of Advanced Legal Studies of the School both as First Parliamentary Counsel and in his recent retirement. Stephen is a talented teacher engaging his students, communicating to them an enthusiasm for his chosen subjects and the importance and the very human implications of a subject which might appear to the unwary to be a technical exercise.

Law is not and should not be conducted without the benefit of a theoretical approach or of firm evidence of its effect on individuals and society. Stephen both in his academic life and in his senior positions in the legal system has been someone who has been most instrumental in bringing about this modern approach and promoting the idea of law being human.

Stephen is rightly proud to have been entrusted with responsibility for an important contribution to the working of Government, to society and to the rule of law. He has achieved this not only with determination and integrity but with a drive to explore and to share his knowledge and his expertise. I can think of no better qualities that this University should recognise.’
Legal Education

The Institute of Advanced Legal Studies has been at the forefront of supporting research into the progress of systems of qualification for the legal profession, regulation of the profession, development of the profession in a digital information world, practice and conduct of the professionals and the sociology of the professional project. This interdisciplinary work marshals research and scholarship from legal history, sociology of the professions, psychology of professional practice, developmental psychology of ethical behaviour, theories of regulation, administration and management.

The Institute houses the national archive of Records of Legal Education and has been closely involved with the UK Centre for Legal Education. The Institute Library acts as the crossroads of legal research for the nation attracting national and international scholars. The Institute provides a neutral venue for the discussion of law and policy matters, bringing together academic legal researchers with members of the practising profession, the judiciary and government.

The W. G. Hart Legal Workshop is a major annual legal research event organised and hosted by the Institute for both established international scholars and early career researchers. Over the years this eponymous series, subsidised by funds from the W. G. Hart Bequest, has focused on a wide range of comparative and international legal issues and topical interests. The 2014 W.G. Hart Legal Workshop: Legal Education and Training and the Professions was held on 23rd and 24th June 2014. Legal education
is going through a period of unprecedented change and the Workshop provided an important opportunity for reflection on these changes and specifically on the report and recommendations published by the Legal Education and Training Review (LETR) which included Emeritus Professor Sherr. The workshop addressed changes proposed by the LETR and broader issues of what is, and what should be, the role of legal education; whether legal education should continue to seek to provide a liberal, humanist education (and whether it will even be able to do so), or whether the emphasis on the market inevitably means that legal education will become tailored to the demands of the profession. The Workshop brought together some 80 academics to discuss these and other issues, both practical and pedagogical, including contributions from America, Australia, Canada, Hong Kong and Israel, and from the regulators for England and Wales. A detailed list of speakers appears at Appendix II. The Academic Directors of the Workshop were Professor Avrom Sherr (IALS), Professor Richard Moorhead (UCL), and Professor Hilary Sommerlad (Birmingham). The keynote addresses were given by Professor Richard Abel from UCLA Law School and Professor Harry Arthurs, Osgoode Hall Law School, Canada.

On the evening of Monday 23rd June at a reception during the W. G. Hart Workshop among family, friends and colleagues, there was a celebration of the contribution of Professor Avrom Sherr to the IALS and to legal education. Speakers included Lord Hope of Craighead, former Chair of the Advisory Council during Professor Sherr’s tenure as IALS Director, and his long-time colleague Professor Alan Paterson of the University of Strathclyde. At the ceremony a portrait of Professor Sherr by Alastair Adams was unveiled and is now in the Conference Room on the ground floor of IALS.
The United Nations Human Settlements Programme (UN-Habitat), is the coordinating agency within the United Nations System for human settlement activities, the focal point for the monitoring, evaluation and implementation of the Habitat Agenda, as well as the task manager of the human settlements chapter of Agenda 21, and, in collaboration with governments is responsible for promoting and consolidating collaboration with all partners, including local authorities and private and non-governmental organizations in the implementation of the Habitat Agenda, Millennium Development Goal of significantly improving the lives of at least 100 million slum dwellers by the year 2020.
UN-Habitat and IALS, led by Dr. Maria Mousmouti, co-Director, Sir William Dale Legislative Drafting Clinic, Institute of Advanced Legal Studies, University of London (UK), Executive Director, Centre for European Constitutional Law (Greece) have agreed to collaborate in furthering academic knowledge and developing a joint research agenda in the area of Urban Law. The MOU provides a framework of cooperation between UN-Habitat and IALS. The following are the primary results of the Project: a joint medium term research agenda for Urban Law; promotion of research in Urban Law; establishment of a joint forum titled ‘Urban Law Day’; boosted research capacity of UN-Habitat through internships of research students and remote legislative drafting assistance.

The Parties work together towards organizing an ‘Urban Law Day’ to take place once a year in March. The event will be hosted by IALS in London, with UN-Habitat as the co-host. The Urban Law Day is a specialised forum aiming to bring together a multidisciplinary circle of academics and practitioners interested in urban legislation, including planners, architects, policy makers, economists, urbanists and lawyers. The purpose of the Urban Law Day is to facilitate multidisciplinary discussion, the exchange of views, networking and the presentation of new research findings or emerging issues.

IALS will launch an invitation for PhD applications in the area of Urban Law. Selected research students will combine academic work with IALS and an internship with UN-Habitat. Research students will be supervised by an academic at IALS and a practitioner from UN-Habitat as co-supervisor for the purposes of joint research activities. The details will be set out in a separate agreement between the parties.

The parties will inform each other on requests for research and technical assistance and will accommodate these when possible through the voluntary resources of the Sir William Dale Legislative Drafting Clinic. The technical assistance to be provided includes: conducting baseline studies, identifications of impacts, ‘effectiveness checks’ of legislation and combinations of the above. The details for the provision of research and technical assistance will be determined in a separate agreement.

The parties will work together to raise information and awareness on Urban Law through the organisation of seminars, workshops, conferences, the publication of academic papers, the elaboration of manuals etc.
Digital Transformations in the Arts and Humanities projects were announced in early 2014 as part of the Arts and Humanities Research Council investment in Big Data. Just over £550,000 will support the Big Data for Law Project, co-lead by Professor Helen Xanthaki, Professor of Law and Legislative Drafting at IALS, and Director of the Sir William Dale Centre for Legislative Studies. Big Data for Law will transform how we understand and use current legislation by delivering a ‘big data toolkit’. This will include new open data, new tools and new research methodologies, made available through a new service - legislation.gov.uk Research.

The project is headed by The National Archives, who are responsible for legislation.gov.uk. Professor Xanthaki, David Howarth, Reader in Law and Director of the MPhil in Public Policy at Clare College Cambridge, and K Krasnow Waterman, a world-leading LawTech specialist are the project’s co-leads. For more information about Big Data for Law visit: www.legislation.gov.uk/projects/big-data-for-law.

Big Data for Law will put big data technologies into the hands of non-technical researchers for the first time. It aims to derive new open data from closed data sets, providing more of the data that researchers need. For example, potentially personally identifiable user data from
legislation.gov.uk cannot be made available as open data, but could be processed using big data tools to identify clusters in legislation, or ‘recommendations’ datasets of ‘people who read Act A or B also looked at Act Y or Z’.

Big Data for Law will also look at new ways of codifying and modelling the architecture of the statute book to make it easier to research in its entirety. It will explore whether the concept of a ‘pattern language’ can be applied to legislation. Pattern languages have revolutionised software engineering over the last 20 years and have the potential to do the same for our understanding of the statute book. A pattern language is simply a method of describing good design practices, structured around problems or issues, with a solution. Patterns are not created or invented. They are identified as good design based on evidence about how useful and effective they are.

The Sir William Dale Centre at IALS will play a critical role in ensuring that the project’s outputs are based on evidenced need and capability. We will also help to identify and test potential patterns in legislation. We hope that the outcomes of the project will help us to understand more effectively what makes good law and that this will lead to changes in how drafting practice is taught.

The project has attracted a range of partners, including the Office of Parliamentary Counsel, commercial legal publishers and The Incorporated Council of Law Reporting.
Law reform in action

The Think Tank on Law Reform is demystifying legislation to transform research into concrete proposals for submission to the Law Commission.

Law has often been accused of being unapproachable, unintelligible and detached from society. In truth, lawyers traditionally interact intellectually, keeping legislative mysteries within their profession, but dramatic, rather rapid changes are afoot, as evidenced by the Coalition government’s new policy agenda that requires minimal use of legislation as a means of regulation – ‘One in, two out’ initiative – and also a turn towards approachable legislation.

At the Institute for Advanced Legal Studies (IALS), the new Think Tank on Law Reform, invites staff, Fellows and students to transform their research into concrete law reform proposals for the Law Commission of England and Wales. A proposal is selected, advice offered on its refinement and endorsed before being submitted for inclusion in the public consultation for the Commission’s programmes. Chaired by Helen Xanthaki, Professor of Law and Legislative Drafting and Academic Director of the Sir William Dale Centre, its members include: Professor Philip Baker, QC; Daniel Greenberg; Professor Andy Haynes; and Dr Simone White. The first proposal selected (submitted to the consultation for the Commission’s 12th programme), was Stephen Mason’s *Mason Report of the IALS Think Tank* on reforming the law concerning the presumption that mechanical instruments (particularly computers – now an out-of-date concept) are ‘in order’. A barrister and IALS Associate Research Fellow, he is author of *Electronic Signatures in Law* and general editor of *Electronic Evidence* and *International Electronic Evidence*.

A second initiative, The Sir William Dale Legislative Drafting Clinic, offers specialist services to governments and NGOs worldwide, Parliamentarians, and individuals. These include: drafting legislation, including Private Members’ Bills; and advising on draft legislation and alternative legislative proposals. Emphasising effectiveness, clarity, unambiguity, plain language and gender-neutral drafting, it pioneers application of the clinical legal education concept to legislative drafting. Students gain practical experience, which feeds into IALS’ theoretical and professional drafting programmes such as the LLM in Advanced Legislative Studies. Ronan Cormacain, Dr Mazhar Ilahi and Dr Maria Mousmouti direct the symbiotic relationship between trainee drafters and clients. Professor Xanthaki is the chair.

The third initiative aims to change the way law is expressed. The Office of the Parliamentary Counsel Good Law team has invited Professor Xanthaki and Dr Constantin Stefanou to join the interdisciplinary good law working group to explore ways of making legislation and statute book architecture more accessible. Sessions will be introduced by Richard Heaton, Permanent Secretary of the Cabinet Office and First Parliamentary Counsel, and Hayley Rogers, Director General at Office of Parliamentary Counsel. It complements the British and Irish Legal Information Institute’s online service, which IALS hosts, providing free primary legal materials, including the full text of most case judgments covered by national newspapers.

ials.sas.ac.uk/news/IALS_Think_Tank.htm
ials.sas.ac.uk/postgrad/LDclinic/LDclinic.htm
www.gov.uk/good-law
www.bailii.org
Selection of publications, 2014

**Drafting Legislation: Art and Technology of Rules for Regulation**
Helen Xanthaki (2014)
ISBN: 9781849464284

The first thorough academic analysis of legislative drafting. By placing the study of legislation and its principles within the paradigm of Flyvbjerg’s phronetic social sciences, this book offers a novel approach which breaks the tradition of unimaginative past descriptive reiterations of drafting conventions.

**Digital Evidence and Electronic Signature Law Review**


**IALS Student Law Review**

The IALS Student Law Review was launched in Autumn 2013 and is run by IALS PhD research students, with the assistance of Institute staff. It aims to provide a unique forum for anyone interested in legal studies to present their scholarly contributions. It actively encourages analytical and comparative studies, papers that investigate legal issues from single or multiple vantage points (whether topically or jurisdictionally), as well as papers examining law-related interdisciplinary work. It is an Open Access review and can be found at: journals.sas.ac.uk/lawreview

**Amicus Curiae**
Edited by Julian Harris (2014)
Published by the Institute

Amicus Curiae is edited by Julian Harris and published by the Institute. It is distributed to subscribers and back issues are freely available on the SAS Open Journal Platform: journals.sas.ac.uk/amicus

Issue 95, (Autumn 2013) included an article by Professor Graham Zellick CBE, QC on ‘Judicial titles and dress in the Supreme Court and Below’.
## Financial summary

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<th>Institute 2013–14</th>
<th>Library 2013–14</th>
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<td><strong>Income</strong></td>
<td>£</td>
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<tr>
<td>Funding Body Grants (HEFCE)</td>
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<td>Other Grants</td>
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<td>Tuition Fees &amp; Educational Contracts</td>
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<td>Finance &amp; Endowment Income</td>
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<td>3,500</td>
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<td>Internal Income</td>
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<td>Surplus/(Deficit)</td>
<td>130,568</td>
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<td><strong>Transfers to Reserves</strong></td>
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<td></td>
<td>51,489</td>
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</table>
**Statistics**

### Staff and fellows

- **Headcount of IALS Staff:** 49
- **Number of Visiting Fellows:** 10
- **Total number of Research Fellows and Associates:** 45

### Digital resources and information platforms provided

- **Number of digital resources and information platforms:** 27
- **Number of visits made to digital resources and information platforms:** 8,544,452
- **Number of page views requested:** 49,315,242
- **Number of unique users:** 2,331,719

### Research networks and collaborations

- **Number of networks led or administered by IALS:** 38
- **Number of networks of which IALS holds membership:** 48
- **Number of participants in networks led or administered by IALS:** 1,902

### Conferences, seminars and workshops held

- **Number of research dissemination events:** 88
- **Number of hours:** 274
- **Number of speakers and participants in research dissemination events:** 5,084
- **Number of speakers and participants from across the UK:** 3,973
- **Number of speakers and participants from the rest of the world:** 1,111

### Research training provided

- **Number of research training events:** 75
- **Number of hours:** 298
- **Number of speakers:** 131
- **Number of participants:** 2,868

### Students

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<tr>
<td>Postgraduate Research</td>
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<td><strong>Total Student Numbers:</strong></td>
<td><strong>52</strong></td>
<td><strong>31</strong></td>
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</table>
The Institute of Advanced Legal Studies works to support, facilitate and promote excellent legal research wherever it is found. Do please let us know what we are doing right but, more importantly, let us know what we might do differently.

Contact us at:
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www.ials.sas.ac.uk

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