



Sir William Dale

Sir William Dale, KCMG, has been Director of Studies of the Government Legal Advisers Course since 1976. Based at the Institute of Advanced Legal Studies, his role is about to expand as head of the newly-created Centre for Legislative Studies.

The annual Government Legal Advisers Course (GLAC), initiated by Sir William Dale, has operated for over 30 years and trained 600 legal officers from 60 countries as legislative draftsmen. A number of these legal officers have since gone on to attain leading posts within their own governments and international organisations. The scope of the course – and Sir William’s role – continue to grow, and in 1993 the GLAC took in subject matter from the Institute’s International and Professional Training Unit’s course on the negotiation and drafting of commercial agreements across international borders.

In 1997, the Institute of Advanced Legal Studies formed the Centre for Legislative Studies, headed by Sir William. He will be receiving assistance from Ms Helen Xanthaki, the newly-appointed Research Fellow in Legislative Studies who has joined the IALS from the University of Belfast, Professor Alessandro Pizzorusso, currently a Visiting Fellow at the Centre, and Richard Alexander, Research Officer in European Financial Services Law at Garrett & Co, solicitors. They will work on a number of projects in association with the Institute and outside bodies.

Sir William will continue to oversee the GLAC, which has been restructured and will lead to the award of a Diploma in Legislative Drafting to those who complete the 12 week course satisfactorily, and a subsequent dissertation. A student may go on to the degree of MPhil or PhD.

HISTORY OF THE COURSE

In 1964 when the GLAC began Harold Macmillan had recently announced that the ‘wind of change’ was blowing through Africa and the governments of a number of newly independent (or soon to be independent) countries were facing up to the fact that once members of the Colonial Legal Service returned home, there was no-one on whom they could

call to provide them with legal advice and assistance, particularly in the fields of international law and legislation. Sir William, who at the time was legal adviser to the Commonwealth Relations Office, had the idea of creating ‘a kind of “school” in London to provide solid courses of training’, and the scheme took wing. His approach broke new ground, given that legislative drafting had never been taught before in a formal setting and draftsmen had traditionally acquired their skills within the office from more experienced colleagues.

The first ‘course for government legal officers from overseas’ was held at Marlborough House from 6 October 1964 until 5 March 1965. Legislative drafting was covered as comprehensively as possible, with time also devoted to international law centred around discussion of the particular problems that can arise in the conduct of external affairs and general topics of public law. Responsibility for administration and accommodation was taken by the Ministry of Overseas Development, which also provided most of the finance through the British Council.

It was soon clear that what came to be called the Government Legal Advisers Course had identified a real need, with around 20 students attending each year from a long list of countries. The first Director of Studies was Sir Edgar Unsworth, a former Chief Justice of Nyasaland, and the Chief Lecturer in International Law (subsequently Director) was Sir James Fawcett, who had been on the legal staff of the Foreign Office and later became President of the European Commission on Human Rights. They were assisted in the conduct of the course by over 50 people at various times, many of whom were already leading names in their field. A distinguished Board of Governors was chaired by Sir William.

The course subsequently had to leave Marlborough House to make way for the

Commonwealth Secretariat, and after leading a somewhat nomadic existence for a few years, settled at Charles Clore House in 1980 at the invitation of the then Director of the Institute of Advanced Legal Studies, Professor Aubrey Diamond. The approach to Professor Diamond was made by Sir William, who after a break spent working abroad had been asked to take over the course by the Foreign and Commonwealth Office on the death of the previous incumbent.

By then Sir William had made a study of the legislation of Civil Law countries particularly France, Germany and Sweden to see whether he could find a simpler style of legislative drafting than that which obtained in the UK. This resulted in the publication of *Legislative drafting: a new approach* (Butterworths, 1977) and students being introduced to the simpler, more conceptual style of the Civil Law systems. With the help of Catherine Hand, from Queen Mary College, tuition in legislative drafting was reformed; the new approach was enthusiastically received by students, many of whom had tended to be overawed (with their keenness to become draftsmen correspondingly reduced) when presented with UK Acts as models.

NEEDS OF THE PRESENT

The GLAC and the Centre for Legislative Studies must now address the current need for advice in areas such as central Europe, where the former Communist countries are having to adapt their political, social and legal systems to the demands of a market economy. There is also the opportunity for Sir William and his team to liaise with initiatives being taken by the IALS, for example by assisting in the legal processes being undertaken by the Chinese government to help combat corruption. 

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