

Sir William Dale Centre for Legislative Studies

Course in Legislative Drafting 2018

Monday 25th June – Friday 20th July

➔ **The Course**

The Course in Legislative Drafting was first offered in 1964, under the name of “The Government Legal Advisers Course”. Since then it has been attended by more than 5,000 legal officials from 100 countries, mostly from within the Commonwealth. Many of these officers have attained posts of great distinction either in the service of their Governments or in international organisations. From its modest beginnings in the 1960s, the Course in Legislative Drafting has grown to become the most renowned training programme in legislative drafting. Since 1998 the course is offered under the auspices of the Sir William Dale Centre for Legislative Studies at the Institute of Advanced Legal Studies (IALS), School of Advanced Study (SAS), University of London. The host institution follows and is audited on the basis of the UK’s framework for academic quality assurance in all its programmes of study. Emphasis is placed on the quality of its lecturers, coherence in structure, encouragement of participation, an academic (rather than commercial) approach to learning, regular review of courses, and post hoc monitoring through regular feedback.

The *aim* of the course is to empower, rather than prescribe, national drafters to apply best international drafting practices to their own legal system reflecting their own political, cultural, and social intricacies.

The course *promotes* best practices in statutory drafting, as exemplified in the work of Sir William Dale, Professor Helen Xanthaki, and Dr. Constantin Stefanou. Central to the programme is the belief that barriers between “developed” and “transitional” jurisdictions, between common and civil law traditions, between continents and countries are overrated: all drafters can learn from the experience of others provided that lessons learnt serve the same functionality test, and are subsequently naturalised in the context of national eccentricities. The rich multi-cultural, multi-lingual, and multi-jurisdictional tradition of the Course as a learning environment enriches drafters with innovative solutions, and a unique preview of the insight of others who have already applied and reviewed them.

The Course is suitable for both experienced and inexperienced drafters.

The Course has created a distinctive school of drafting which encourages modern drafting techniques

with emphasis on effective and user-friendly legislation, and exposure to a variety of drafting styles and lecturers, thus allowing participants to select elements that best suit their national laws, and their own tradition, culture, and jurisprudence.

This culture of respect and collegiality is carried through to our *post-training initiatives*, such as:

1. the IALS forum for legislative drafters, a unique opportunity for alumni and others to exchange views and experiences online;
2. the Sir William Dale Legislative Drafting Clinic, the only free advisory service in legislative drafting run by volunteers from our PhD, LLM, and Course participants;
3. the extensive free lectures and evening seminars in legislative drafting offered at the IALS; these include: the Annual Sir William Dale Memorial Lecture, the series of joint evening seminars offered in cooperation with the Statute Law Society, and the IALS Graduate Series of Seminars in Legislative Drafting offered from members of our drafting community;
4. the extensive publication initiatives of our Centre for members of our drafting staff and graduate community; these include: the Sir William Dale Memorial Book “Legislative Drafting: A Modern Approach”, the annual Sir William Dale Memorial Issue of the *European Journal of Law Reform*; and guest Sir William Dale Memorial issues at the *Commonwealth Law Bulletin* and the *Statute Law Review*.

We are proud to declare that many of our past Course participants have come back to the Centre to take one of our academic programmes, including the LLM in Advanced Legislative Studies (traditional and via Distance Learning), and the PhD programme in legislative drafting.

The *main lecturers* of the Course are Dr Constantin Stefanou, Professor Helen Xanthaki and Dr. Maria Mousmouti. Dr Constantin Stefanou is the Director of the Sir William Dale Centre, and IALS Director of Taught Programmes. Dr. Stefanou is the LLM Director for the LLM in Advanced Legislative Studies, a full-time academic of the University of London, an international author and consultant in the field of the legislative process; Professor Helen Xanthaki is the former Director of

the Sir William Dale Centre for Legislative Studies and currently Director – International PG Laws, University of London, based at UCL. Prof Xanthaki was Professor of Law and Legislative Drafting at the IALS and she is a well-known international author and consultant in Legislative Drafting; she is also the Convenor of the Legislative Drafting module at the LLM programmes. Dr Maria Mousmouti is a Lecturer at the Sir William Dale Centre and an international expert in Legislative Drafting (Legislative effectiveness). Dr Mousmouti currently Heads the Legislative Drafting Clinic at the Sir William Dale Centre for Legislative Studies. The course *draws additional expertise* from a pool of serving and retired public figures of international standing among whom are senior professional drafters, practising lawyers, and Sir William Dale Fellows. These include Richard Nzerem, former Director of the Legal and Constitutional Affairs Division of the Commonwealth Secretariat; Daniel Greenberg, former OPC, IALS Fellow, General Editor of the Westlaw UK Annotated Statutes, editor of *Craies on Legislation*, *Stroud's Judicial Dictionary* and *Jowitt's Dictionary of English Law*; Jonathan Teasdale, former Law Commission, IALS Fellow; John Moloney, Department for the Environment, EIRE, IALS Fellow; John Gilhooly, former Executive, PCO, IALS Fellow; Sir Stephen Laws, former OPC, IALS Fellow; Hayley Rogers, OPC, IALS Fellow; and Lydia Clapinska, OPC, IALS Fellow.

➤ **Course structure, textbooks, Certificate**

The course is taught in intensive daily morning lectures and afternoon exercises over a period of 4 weeks. Each lecture lasts 2 hours. Each exercise session lasts 1.5 hours. Lectures provide the theoretical background of each topic, and exercises provide practical experience in drafting “by doing” through practical drafting tasks. Interactive lecture sessions enable course participants to share common problems, and to identify best practices.

The two textbooks for the Course are the 2014 edition of *Thornton's Legislative Drafting* edited by Professor Xanthaki; and her monograph *Drafting Legislation: Art and Technology of Rules for Regulation* published in 2014 by Hart Publishers, Oxford. Both textbooks are included in the fees for the Course.

Upon completion of the Course participants are awarded a Certificate of Attendance to the Course in Legislative Drafting from the IALS (University of London). Participants whose performance in lectures and exercises demonstrates proficiency in drafting may be admitted to the LLM in Advanced Legislative Studies (Taught or via DL), and to the research degrees of MPhil or PhD in Legislative Drafting.

➤ **Additional curricular Activities**

Participants undertake study visits to institutions of relevance to the course, such as the Office of Parliamentary Counsel, the Law Commission, the Foreign and Commonwealth Office, and the Home Office. The study visits offer participants a unique insight to their work through a dedicated programme of activities.

➤ **Centre Facilities**

Participants have full, free use of the internationally renowned IALS library and research facilitation centre, which has one of the most extensive holdings of books, manuscripts, research papers and documents published in Britain, the EU, the Commonwealth and beyond. Free internet access is provided in situ.

➤ **Fees**

The fee for the Course is £5,350. This includes tuition, the two textbooks, Course materials, access to the IALS library, and access to the encrypted dedicated webpage with additional Course materials. Independent accommodation options can be found at <http://www.london.ac.uk/accom>.

In response to sponsors' requests, the Course also offers a package option of £6,900. This includes all of the above, plus single room with shared facilities, buffet breakfast, and dinner from Sunday 25 June until Saturday 22 July [inclusive] at the International Hall of Residence of the University of London: see <http://www.halls.london.ac.uk/visitor/international/Default.aspx>

The Hall is safe, and it is within walking distance from the IALS [approximately 5 minutes]; but it offers basic, student style accommodation.

➤ **Funding**

Funding assistance is not provided by the IALS. Possible funding sources are the regional Legal Officer of the FCO at the local British High Commission, the regional officer of DFID at the local British High Commission, the British Council, the World Bank, the United Nations Development Programme, SIGMA, the Karim Rida Said Foundation at www.krsf.org, and the Commonwealth Secretariat.

➤ **Application Form and Further Information**

If you would like further information about the Centre for Legislative Studies, you may access its website at <http://ials.sas.ac.uk/study/courses/legislative-drafting-course>

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