THE INSTITUTE IS KEEN TO DEVELOP ITS RESEARCH ACTIVITIES ACROSS A BROADER SPECTRUM OF LEGAL SCHOLARSHIP, AND ACCORDINGLY INTENDS TO ESTABLISH THREE NEW VISITING SENIOR FELLOWSHIPS IN THE FOLLOWING AREAS:

- Public Law
- Legal History/Jurisprudence/Legal Theory
- International Law (public or private)

Each Fellow will be expected to develop and undertake a programme of research in the relevant field and to disseminate the results. The posts, normally tenable for three years, are non-stipendiary, but each Fellow will be supported by an agreed budget for research expenses. It is anticipated that these part-time appointments will be of interest to senior academics, practitioners and members of the judiciary in full-time employment elsewhere, who wish to take advantage of the excellent research environment provided by the Institute in order to develop their research interests.

Further particulars are available from the Administrative Secretary, Institute of Advanced Legal Studies, Charles Clore House, 17 Russell Square, London, WC1B 5DR. Tel: 020 7637 1731; fax: 020 7581 9613; e-mail: website: www.ials.sas.ac.uk

Closing date for receipt of applications is 8 October 1999
A STATEMENT ON THE DIRECTORSHIP OF THE INSTITUTE
FROM THE CHAIRMAN OF ITS BOARD

I am very pleased to announce that the Vice-Chancellor of the University of London, following extensive consultations with the heads of the law schools of the University, the Dean of the School of Advanced Study, senior staff of the Institute, and myself as Chairman of its Board, has agreed to extend the appointment of Professor B A K Rider as Director. This will result in him continuing to lead the Institute for a further four years up to the end of August 2003, when his position will be reviewed, and enable him to build on his achievements during the first four years of his tenure. The resolution of this matter will now enable the Institute to proceed with the vitally important task of raising funds to support the proposed extension of its current premises on the adjacent vacant site in Russell Square.

The Rt Hon Lord Nolan of Brasted
Chairman, Board of the Institute

Library News

The Law Courts Library in Sydney

The Law Courts Library was established primarily to act as a legal resource and information centre and to provide legal source material in a fast and accurate manner to the Courts, Commissions and Tribunals in the Law Courts Building, Queens Square, Sydney. Those Courts include the High Court of Australia, the Federal Court of Australia, and the Supreme Court of New South Wales, the Federal Police Disciplinary Tribunal, Defence Force Appeals Tribunal, Australian Competition Tribunal and the Copyright Tribunal. Library services are also provided to members of the legal profession engaged in matters before those courts and tribunals and, to a lesser degree, other selected users.

The library serves approximately 120 judges, acting judges, judicial registrars, masters and registrars and at times up to seven appellate courts can be sitting simultaneously. This can create heavy demands on library resources. The Law Courts Library is jointly funded by the New South Wales and Commonwealth Governments.

Barristers, solicitors, litigants and libraries can apply for access to the library’s collection and services on a ‘user pays’ basis. These payments provide funds for the ongoing maintenance of the library collection, such as repairs to damage caused by heavy use and photocopying.

Access is available on a daily, monthly, quarterly and annual basis. This entitles users to access the extensive collection of primary and secondary materials from the common law countries,
with the added value of assistance from Law Courts Library staff. Further information about the Law Courts Library can be found at www.lawlink.asw.gov.au, which is the law website of New South Wales Government.

SIMILARITIES BETWEEN LAW LIBRARIES IN THE UK AND AUSTRALIA

I found many similarities between law libraries and the profession of law librarianship in Australia and in the UK. As Australia is a common law country, with its foundations based in the law of England and Wales, this is of course to be expected.

Having spent some time behind the enquiry desk at the Supreme Court Library at the Royal Courts of Judicature, I noticed a reassuring similarity between enquiries received there and at the Law Courts Library in Sydney. Both institutions receive requests from litigants in person needing a great deal of staff assistance, ushers rushing in for books needed urgently in court and young judicial assistants fresh out of university, who are appointed to a judge for about a year, needing help with research. At the Institute Library I soon found myself at home with the collection and assisting with client enquiries both by phone and in person at the enquiry counter. Enquiries from the large city law firms in London and in Sydney are very similar.

I was extremely impressed by the breadth of the international collection and have noted material from jurisdictions that are very difficult to get information about in Australia. The Law Courts Library may well become a regular client of the IALS Library! The extensive research collection at the Institute covers UK law, European law, European Union law, US law, Commonwealth law and international law.

Some of the inquiries I took involved the use of Nigerian legislation, statutory instruments from Guernsey and equal opportunity laws in Northern Ireland, as well as the more familiar Australian, Canadian and US materials.

CONTRASTS BETWEEN LAW LIBRARIES IN THE UK AND AUSTRALIA

There are, however, significant differences in the way primary legal materials are provided. There is a markedly different attitude between the two countries to the provision of information free via the Internet. In particular, the amount of UK case law available free of charge via the Internet is very limited. We in Australia find it very difficult, if not impossible, to access some UK court decisions required by Australian judges.

The Australasian Legal Information Institute (AustLII) at www.austlii.edu.au is a world leader in this area and has transformed access to both the legislation and case law of the Australian jurisdictions. This has taken about four years to achieve and involved a public policy agenda best summed up by Professor Graham Greenleaf of AustLII:

AustLII’s public policy agenda is to maximise the free availability of legal information via the Internet. To this end it seeks to convince governments, courts, government agencies and other public bodies to make legal data available on a cost recovery basis to those who wish to add value to it and publish it, whether on a non-profit or a commercial basis.

AustLII’s principal purpose will be to provide to legal researchers, via the internet, effective access to Australasian legal materials that are in the public domain or for which licences can be obtained at minimal charge.

As a publicly-funded information utility, AustLII will not charge for access to the materials it provides.’ (Greenleaf et al., 1995)

Statistics for AustLII usage in 1998 reveal 3.25m accesses to AustLII’s case law databases, or an average of 9,000 per day. (Greenleaf et al. 1999). It is also interesting to note that there were identifiable accesses to nearly 75,000 Australian cases from the UK in 1998. (Greenleaf et al., 1999). This begs the question ‘What did you do to access Australian cases before AustLII?’

One of my major areas of interest and research while in the UK was the provision of legal information electronically. In line with this, I had meetings with members of the Court Service, in particular senior library staff, and those responsible for the creation and maintenance of the Court Service website. In addition, I was asked to provide feedback on the website, including what type of information we in Australia would like to access via the website. I also had similar meetings in Dublin at the end of July.

I also presented a paper at the British and Irish Association of Law Librarians Conference in Glasgow on 21 June this year. The BIALL Conference was entitled ‘Competencies, Changes and Challenges to the Legal Information Profession’, and the organisers aimed to combine sessions addressing the current challenges facing the profession of law librarianship with those dealing with the skills and competencies needed by today’s information professional.

The session at which I spoke was a panel discussion about charging for legal library and information services, and I gave a sketch about the position in Australia in the 25 minutes available to me. The aim of the session was to examine how different library sectors are dealing with the issue of charging for time and services. One of the threads I followed in my paper was to provoke discussion and debate by contrasting the position in Australia and the UK regarding the provision of primary legal materials freely via the internet, in particular via AustLII.

Other activities I was involved in included speaking at sessions on Australian legal research for the British and Irish Association of Law Librarians in July in London and in Dublin and conducting training courses/workshops on Australian legal sources and research for Institute staff. I also helped the Institute review and upgrade its Australian collections, particularly electronic resources.

Professor Greenleaf of AustLII will be in London in early November and will be giving a paper at the IALS, to be jointly sponsored by the Institute, the British and Irish Association of Law Librarians and the Society of Computers and Law. I hope that the ‘Access to Justice’ reforms in this country will soon support maximising access to the law’s raw materials without charge via the World Wide Web.

Vanessa O’Meara
Reader Services Manager, Law Courts Library, Sydney, Australia

Ms O’Meara was the holder of the second Visiting Fellowship in Law Librarianship at the IALS Library from April to August 1999.
Workshops

The Financial Services and Markets Bill

A series of workshops on the Financial Services and Markets Bill is being held at the Institute of Advanced Legal Studies, with the support of CCH Editions Ltd.

Each workshop is eligible for one Law Society 'CPD' hour and one General Council of the Bar 'NPP' hour. Those wishing to obtain CPD and NPP accreditation must register on the evening of the workshop.

Workshops on law enforcement and Chinese walls and conflicts of interest have already taken place. Further information on the remaining sessions will be published as it is received.

Monday 27 September, 5.45pm
The impact of money laundering on the Financial Services Authority
Alan Lambert former Advisor to the Foreign Office on Money Laundering
Professor Barry Rider Director, Institute of Advanced Legal Studies
Dr Sandeep Savla Sweet & Maxwell Research Fellow in Commercial Law, Institute of Advanced Legal Studies

Monday 11 October, 5.45pm
The constitutional position
Professor Alan Page Professor of Public Law, University of Dundee

Michael Rose partner, S J Berwin & Co
Monday 15 November, 5.45pm
A comparative perspective (workshop to be confirmed)

Monday 13 December, 5.45pm
The Internet and e-commerce
Colin Bamford Chief Executive, Financial Law Panel
Julian Costley Chief Executive, E*TRADE UK
Asher Knippel Chairman, Knippel Consultants Ltd, Tel Aviv

All workshops will be held at the Institute of Advanced Legal Studies, Charles Clore House, 17 Russell Square, London WC1B 5DR. Admission is free.

For further information please contact Belinda Crothers (tel: 0171 637 1731; fax: 0171 580 9613; e-mail: bcrother@sas.ac.uk). It would be helpful if those who wish to attend one or more of the above workshops could let her know in advance in order to give the IALS an idea of the potential number of participants.

IALS Lectures

The Company Lawyer Lectures – Autumn 1999

The Institute is pleased to confirm the following public lectures under the auspices of the IALS Centre for Corporate Law and Practice and acknowledges with gratitude the support of Sweet and Maxwell, publishers of The Company Lawyer.

Wednesday 13 October, 5.45pm
Burning issues from the Company Law Review
JONATHAN RICKFORD
Project Director, The Company Law Review, Department of Trade and Industry

Monday 25 October, 5.45pm
The new derivative action: an assessment
PROFESSOR TONY BOYLE
Chairman, Advisory Committee, IALS Centre for Corporate Law and Practice

Monday 1 November, 5.45pm
Who owns the company?
PROFESSOR JOHN KAY
Director, Said Business School, University of Oxford; Director, London Economics

Monday 8 November, 5.45pm
Corporate governance and the company law review
PROFESSOR JOHN PARKINSON
Professor of Law, University of Bristol

Monday 22 November, 5.45pm
Investment companies, money and property
DR ALASTAIR HUDSON
Lecturer in Law, Queen Mary and Westfield College, University of London

Monday 29 November, 5.45pm
Directors’ duty of care, skill and diligence
ADRIAN WALTERS
Lecturer in Law, Nottingham Trent University

Monday 6 December, 5.45pm
ANDREW HICKS
Senior Lecturer in Law, University of Exeter

Thursday 9 December, 5.45pm
Title to be announced
RICHARD SYKES, QC

Wednesday 15 December, 5.45pm
Economics and company law
DR SIMON DEAKIN
Lecturer in Law, University of Cambridge; Fellow, Peterhouse College, Cambridge

All lectures will be held at the Institute of Advanced Legal Studies. Drinks and light refreshments will follow.
VISITING SENIOR RESEARCH FELLOWSHIPS

The Institute is keen to develop its research activities across a broader spectrum of legal scholarship, and accordingly intends to establish three new Visiting Senior Fellowships in the following areas:

- Public Law
- Legal History/Jurisprudence/Legal Theory
- International Law (public or private)

Each Fellow will be expected to develop and undertake a programme of research in the relevant field and to disseminate the results. The posts, normally tenable for three years, are non-stipendiary, but each Fellow will be supported by an agreed budget for research expenses. It is anticipated that these part-time appointments will be of interest to senior academics, practitioners and members of the judiciary in full-time employment elsewhere, who wish to take advantage of the excellent research environment provided by the Institute in order to develop their research interests.

Further particulars are available from the Administrative Secretary, Institute of Advanced Legal Studies, Charles Clore House, 17 Russell Square, London, WC1B 5DR. Tel: 020 7637 1731; fax: 020 7581 9613; e-mail: website: www.ials.sas.ac.uk

Closing date for receipt of applications is 8 October 1999
SALS Lectures and News

The Executive Committee of the Society is pleased to confirm the following lectures, which are open to members of the SALS and their guests

Thursday 7 October, 6pm
DR MAHMOOD BAGHERI
Institute of Advanced Legal Studies
Is contract law shrinking? A critique on the erosion of formalism and social dimension of the contract law

Thursday 4 November, 6pm
DR PHILIPPE SANDS
Professor Elect of International Law, School of Oriental and African Studies
After Pinochet: the proper relationship between national and international courts

Thursday 18 November, 6pm
HIS HONOUR JUDGE DAVID PEARL
President, Immigration Appeal Tribunal
A well-founded fear of persecution? (Refugee status determination in the UK)

Thursday 2 December, 6pm
JACOB WERKSMAN
Senior Lawyer, FIELD, School of Oriental and African Studies
Latest developments in climate change conversion

Thursday 16 December, 6pm
CHARLES HARPU M
Law Commissioner
Does feudalism have any role to play in the land law of the 21st century?

If you wish to attend, please contact Juliet Fussell, Society for Advanced Legal Studies, 17 Russell Square, London, WC1B 5DR. tel: 0171 637 1731; fax: 0171 637 5216; email: sals@sas.ac.uk.

New group fights corruption by foreign politicians

The problems facing banks, professional advisers and regulatory bodies in the UK when foreign political leaders send the proceeds of corruption to this country are being examined by a high-profile working group which will also investigate how the victims of corrupt acts may be able to seek redress.

The Expert Working Group on Corruption is being coordinated by the Society of Advanced Legal Studies, and includes leading lawyers, accountants, and academics from the UK and overseas. A report will be produced clarifying the situations where liability arises under the criminal and civil law when banks and others in the UK are involved in ‘handling’ the proceeds of overseas corruption.

By explaining and publishing the current legal position it is hoped that banks and professional advisers will be better able to take steps to discourage those who might seek to involve them in laundering or hiding the proceeds of corruption. The report, which will be published at the end of January 2000, will consider a number of issues including:

- the practical measures that banks, professional advisers and regulatory bodies should implement in order to ensure the proceeds of corruption are not handled intentionally in order to avoid incurring civil and criminal liability;
- an assessment of whether the victims of corruption could recover the proceeds by pursuing a civil claim in the English courts against either the corrupt official concerned or any banks involved.

Six sub-groups will be working on the project in the following areas: criminal law (convenor: Toby Graham, Taylor Joynson Garrett); civil law (convenor: Nicholas Burkhill, Taylor Joynson Garrett); investigations and enforcement issues (convenor: Dr Bruce Butcher, IALS); funding of civil actions (convenor: Andrew Maclay, Deloitte & Touche); compliance (convenor: Mark Tantham, Deloitte & Touche); policy and jurisdictional issues (convenor: Toby Graham).

The Society for Advanced Legal Studies

Annual Dinner

at Middle Temple Hall on Wednesday 3rd November 1999 at 7.30pm
Preceded by a reception at 6.30pm hosted by Publishers CCH New Law

Speaker: The Rt Hon Clare Short MP, Secretary of State for International Development

If you wish to attend, or would like further information, please contact: Juliet Fussell, Secretary, SALS, Charles Clore House, 17 Russell Square, London, WC1B 5DR. Tel: 0171 637 1731; fax: 0171 637 5216; email: sals@sas.ac.uk. Dinner tickets will cost £50 per person. (As places for the dinner are limited, tickets will be allocated on a first come, first served basis.)