



Sir William Dale Centre for Legislative Studies

Course in Legislative Drafting

Monday 20 June 2022 - Friday 15 July 2022

ials.sas.ac.uk

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 but also from European Institutions and international organisations. 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 practice to their own legal system reflecting their own political, cultural, and social intricacies.

The course promotes best practice in statutory drafting, as exemplified in the work of Sir William Dale, Professor Helen Xanthaki, Dr Constantin Stefanou and Dr Maria Mousmouti. 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 their universal pursuit is to design effective legislation, that lessons learnt serve the same functionality test, and that they are subsequently naturalised in the context of national eccentricities. The rich multi-cultural, multi-lingual, and multi-jurisdictional tradition of the Course offers a learning environment that enables peer learning, allows drafters to experiment with innovative approaches in a stress free environment, promotes reflective practice and offers a unique preview of the insight of others who have already applied and reviewed innovative ideas.

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 Sir William Dale Legislative Drafting Clinic, a free advisory service in legislative drafting run by volunteers from our PhD, LLM, and Course participants;
2. 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;
3. the extensive publication initiatives of our Centre for members of our drafting staff and graduate community;

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 Drafting Legislation, Regulation, and Policy (traditional and via Distance Learning), and the PhD programme (traditional or Distance Learning) in legislative drafting.

The main lecturers of the Course are Dr Constantin Stefanou, Prof 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 directs the LLM in Drafting Legislation, Regulation, and Policy, is a fulltime academic of the University of London, an international author and consultant in the field of the legislative process; Professor Helen Xanthaki (UCL) is a former Director of the Sir William Dale Centre for Legislative Studies and currently Dean, PG Laws Programmes, University of London. 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 is the Convenor of the module Theory and Practice of Legislation at the LLM in Drafting Legislation, Regulation, and Policy and 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, practicing lawyers, and Sir William Dale Fellows.

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; Sir Stephen Laws, former OPC, IALS Fellow; Hayley Rogers, OPC, IALS Fellow; and Lydia Clapinska, OPC, IALS Fellow.

The 2022 Course and the Covid-19 pandemic

This is the second year of the Covid-19 pandemic and at the moment we do not know if travel will be possible in June/July 2022. There are mass vaccination programmes around the world but clearly there is no way to offer guarantees that international travel will be possible or that Universities in the UK will be open for groups of people in June/July 2022. Unfortunately the world is facing a 4th wave of the pandemic and for this reason, the 2022 course will be offered online via synchronous transmission of lectures and exercises. Course participants will receive the same lectures by the same experts, except that these lectures will be online. The simultaneous transmission will offer reasonably "normal" participation allowing students to ask questions and take part in the exercises.

2022 Course structure, Certificate

The 2022 course will be taught in daily morning lectures and afternoon lectures or exercises over a period of 4-weeks. Each lecture will last around 2 hours. Each exercise session will last 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.

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 Drafting Legislation, Regulation, and Policy (taught or via distance learning), and to the research degrees of MPhil or PhD in Legislative Drafting.

2022 Course Facilities

Participants will have online free access of the internationally renowned IALS library (the largest legal Library in Europe and one of the largest in the world).

2022 Course Fees

For the 2022 Course the IALS had kept last year's lowered fee of **£4,750** (usual fee is £5550). This includes tuition, Course materials, access to the IALS library, and access to the encrypted dedicated webpage with additional Course materials (VLE).

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 <https://ials.sas.ac.uk/study/courses/legislative-drafting-course>

Contact Details (email is the preferred option):

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