

## *An Australian Law Librarian in London!*

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From April until August 1999 I was lucky enough to hold the second Visiting Fellowship in Law Librarianship, at the Institute of Advanced Legal Studies, University of London. I first saw the Fellowship advertised in the *New Zealand Law Journal* at the end of 1997. My application required letters from referees, an outline of my research interests, and how they related to the interests of the Institute

The Institute of Advanced Legal Studies was founded in 1947 after half a century or more of discussion. It was originally conceived and funded as a national academic institution and that remains its prime mission today. Although constitutionally part of the University of London, its role is to support and promote legal research throughout the UK. Extensive information about the Institute can be found on its web site – [www.sas.ac.uk/ials](http://www.sas.ac.uk/ials).<sup>1</sup>

Fortunately, I was able to visit Jules Winterton, Librarian at Institute of Advanced Legal Studies in September 1998 while attending conferences in the UK. We were able to discuss arrangements for my forthcoming visit, which settled my slight apprehension. On arrival at the Institute I was made to feel very welcome as part of the IALS library staff.

As an Australian law librarian, I felt immediately at home in the largest law library in the UK. Our common legal heritage explains the similarity of legal materials, and I found myself amongst familiar titles of law reports, textbooks and journals. During my time at the Institute Library I was able to avail myself of substantial hands-on experience with both United Kingdom and European Union legal materials, plus those of a great many other jurisdictions. I was able to go straight behind the reference desk and to work! I soon found myself at home with the collection, assisting with clients' inquiries, both by phone, and in person at the inquiry counter. Popular CD products were *Current Legal Information* by Sweet & Maxwell, and EU materials and UK statutes, both by Context.

I was extremely impressed by the breadth of the Institute's international collection. I noted material from jurisdictions that are very difficult to get hold of in Australia. The extensive research collection at the Institute covers UK law, European law, European Union law, United States law, Commonwealth law and international law. For details of the commercial information services, particularly the distance access document delivery service, offered by the Institute Library, see David Gee's article in the *Law Librarian*.<sup>2</sup>

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

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<sup>1</sup> Winterton, Jules "The Institute of Advanced Legal Studies Library" 30 (2) *The Law Librarian* June 1999 pp 128-130.

<sup>2</sup> Gee, David "Charging for Information Services at the Institute of Advanced Legal Studies Library" 30 (3) September 1999 *The Law Librarian* pp 169-172.

As one of my major areas of interest and research whilst in the UK was the provision of legal information electronically, I met 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. I also had similar meetings in Dublin with staff of the Courts Service there, and was able to preview their website, due to be launched in October of this year.

Having spent some time behind the inquiry desk at the Supreme Court Library, at the Royal Courts of Judicature, I noticed a reassuring similarity between inquiries received there, and at the Law Courts Library in Sydney. Litigants in person needing a great deal of staff assistance, ushers rushing in from court for books the judge needed urgently, and young judicial assistants fresh out of university and appointed to a judge for about a year, needing help with research.

There are however, significant differences in the way primary legal materials are provided. There is a significantly different attitude between our two countries to the provision of information free via the Internet. The amount of United Kingdom case law in particular available free of charge via the Internet is very limited.

Australian law librarians are highly regarded in the UK, and everywhere I went, UK law librarians volunteered praise of AustLII, the Australasian Legal Information Institute, which provides free access to a great deal of Australian primary legal materials through its case and statute law databases.

Statistics for AustLII usage in 1998 reveal 3.25 million accesses to AustLII's case law databases, or an average of 9,000 per day.<sup>3</sup>

It is also interesting to note that there was identifiable access to nearly 75,000 Australian cases from the United Kingdom in 1998.<sup>4</sup> This begs the question 'what did UK lawyers and librarians do to access Australian cases before AustLII?'

During my stay in the UK, I was invited to present a paper at the British and Irish Association of Law Librarians Conference in Glasgow on June 21st. BIALL conferences are held annually, and are extremely well attended, with this year's conference attracting almost half of the total number of BIALL members, with over 400 delegates attending the weekend meeting. The conference was accompanied by the usual trade exhibition, and a full evening program. Social activities included an evening of Scottish dancing, which was great fun, although I am glad that no photographs of me dancing the Gay Gordons seem to have surfaced!

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.

<sup>3</sup> Greenleaf, Graham; Chung, Philip; Austin, Daniel; Mowbray, Andrew. "Courts and Case-law on the Internet: Approaching the Millennium" paper given at Supreme and Federal Court Judges Conference 1999. Sydney 27 January 1999.

<sup>4</sup> Ibid

The session I spoke at 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 law library sectors were 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 in relation to the provision of primary legal materials freely via the Internet, in particular via AustLII.<sup>5</sup>

I was also invited to be guest speaker at the annual Court Service library staff meeting in London, which is attended by circuit court library staff from around the UK. This afforded me an excellent network of contacts!

In addition, I spoke at an evening seminar on Australian law in London, conducted an Australian legal resources workshop in Dublin, and a series of five workshops in London. These were attended by law librarians from such organisations as Trinity College Dublin; University of Limerick; University of Cambridge Law Library; Lincolns Inn Library; Inner Temple Library; the Supreme Court Library, London; the Four Courts Library, Dublin; the British Library; and a variety of leading London law firms

I must admit to envy at some of the opportunities available to UK law librarians. An example is an annual three-day visit to the European Parliament in Brussels, an initiative of the City Law Librarians Group

A particular achievement of my time in London was to negotiate free access to UK judgments. The UK Court Service has awarded the contract for court reporting to a London-based company called Smith Bernal. Smith Bernal in turn provide copies of the approved judgments on their Casetrack website, at a charge of 20 pounds sterling a decision. However, I took the opportunity to visit the company, and was successful in negotiating free access for Federal and Supreme Court judges and their staff to Casetrack. To access Casetrack, clients must first register for a password. Charges are made only per decision downloaded.<sup>6</sup> Decisions available are Court of Appeal and Crown Office judgments from April 96 – present and High Court judgments from July 98 – present.

Prior to this date, Court of Appeal decisions are available on Lexis. For judgments not available on Lexis, the best option is to get in touch with the appropriate Circuit librarian, who could suggest the best way of accessing the decision, or perhaps assist in obtaining it. The official advice is to apply to the appropriate court reporting service to purchase a copy of the required decision.

On November 8th, a meeting entitled 'Free the Law' took place in London. It was jointly sponsored by a number of organisations, including the Institute Of Advanced Legal Studies, the Society for Computers and the Law, and the British and Irish Association of Law Librarians. Professor Graham Greenleaf of AustLII had asked for my assistance in setting up an opportunity for him to give a paper in London. Through various contacts I had made in London, and much lobbying of people in positions of influence to effect the development

<sup>5</sup> O'Meara, Vanessa. "An Australian Perspective on Charging: Changes and Challenges" 30 (3) September 1999, *The Law Librarian* pp 178-179.

<sup>6</sup> For further information see [www.smithbernal.com](http://www.smithbernal.com)

of free web based legal information, I was able to assist him. According to Jules Winterton the meeting was attended by a "high powered audience from government, practitioners and judiciary of around 200 with unanimous agreement. Very complimentary about AustLII. There is quite a groundswell to do something similar which we are trying to build on between IALS and University of Warwick"<sup>7</sup> The interim name for the concept is UKELELI! I hope that the 'Access to Justice' reforms in the UK will soon support maximising access to the law's raw materials of that country, without charge via the world wide web.

The Visiting Fellowship unfortunately does not include any salary component, so it is a matter of persuading your employer to fund you, or funding yourself. However, the experience was one of the most rewarding of my career, and well worth pursuing if your circumstances permit. Thanks are due to Jules Winterton and his staff at the Institute, who made me so very welcome; Sally Phillips, Librarian at the Supreme Court, Royal Courts of Justice; and Stuart Cole, Head of Library and Information Support Services of the Court Service, who were most accommodating of my requests to experience an insiders view of their working environment. Joe Donnelly of the Four Courts Library, and Jennefer Aston of the Bar Council, Dublin were both extremely hospitable and facilitated an excellent and informative program for me.

Finally, my manager Lesley O'Loughlin, and my colleagues here at the Law Courts Library also deserve a vote of thanks, for cheerfully putting up with my five-month absence!

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<sup>7</sup> The transcript of the meeting is available at [www.scl.org](http://www.scl.org)