

RSLP 1999/2 Annexe B

Research Support Libraries Programme: Cover Sheet [Back to FLAG Foreign Legal Materials Project page](#)

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Title of project					
COLLABORATIVE COLLECTION MANAGEMENT OF FOREIGN LEGAL MATERIALS					
Programme strand					
	Collaborative Collection Management Strand				
	Research Collections in the Humanities and Social Sciences				
Length of project (months)	36 MONTHS				
Total cost of project	£147,050				
Total RSLP contribution requested	£147,050				
Outline description					
<p>Foreign law collections are well-defined and the large collections are concentrated in a small number of academic research libraries, all of which are represented in this bid. Law as a discipline has the advantage of an organised academic constituency with an active interest in libraries and a specialist professional library organisation. Considerable work has been already been done on collaborative provision for law. The core partner libraries believe foreign legal materials offer an ideal area both to benefit directly from collaborative collection management and on which to base a demonstrator project.</p> <p>The project will develop web tools to facilitate collaborative collection management. The web tools will contain an inventory of collections by jurisdiction, form of legal literature (legislation, law reports, digests, etc.), subject where relevant, with an indication of strength at a range of libraries. Phase one will ascertain the collections of the core partner libraries, establishing and testing the methodology and standards. Phase two is a separately costed additional year to extend participation to all other appropriate UK HE libraries and invite participation from further relevant libraries outside the sector. The project will be informed and supplemented by a survey of present academic research needs throughout the UK. The project will actively co-operate with research into standards for collection description and with research into the methodology to link collection-level metadata to individual title information.</p> <p>The web tools will also serve as a guide for researchers to enhance access to the various collections regionally and nationally, addressing issues under strand c of the Programme within the context of the resource discovery hub initiative.</p>					

RESEARCH SUPPORT LIBRARIES PROGRAMME: PROPOSAL

Collaborative Collection Management of Foreign Legal Materials

1. SUMMARY

This is a proposal to the Research Support Libraries Programme for a project to facilitate national collaborative collection management of foreign, comparative and international legal materials by UK libraries holding research material in the field. The project will also improve access to those materials by providing information directly to researchers on collections of foreign legal materials regionally and nationally.

2. BACKGROUND

There is a strong history of collaboration by law libraries to provide more information about, and wider coverage of, foreign legal materials.

Previous initiatives include the production by the Institute of Advanced Legal Studies (IALS) in the 1950s to 1970s of a range of UK-wide union lists, now dated but still used. There is a subject specialisation scheme for law amongst the libraries of the University of London which employs simple collection level descriptions to define primary research responsibilities. There is a published union list of overseas legal materials drawn up by the Scottish Law Librarians Group in 1994. There have been non-funded co-operative initiatives to co-ordinate and improve holdings of foreign legal materials between the BL and, principally, IALS. The British Library Working Party on Provision for Law, chaired by the then Director of IALS, which reported in 1981, attempted to set up a broad collaborative scheme for national provision. An opportunity has now arisen to revive that work through the Programme and the BL's strategic commitment to collaborative activity.

3. IMPORTANCE OF COLLECTIONS

Definitions

We exclude from our working definition of collections of foreign law the law of the various jurisdictions which exist or have existed in the United Kingdom and also the law of the European Union. We propose to include public and private international law.

Importance of Collections of Foreign Law

The academic community in RSLP focus groups identified legal material from non-UK jurisdictions as one of the categories of material about which improved information and access is required (para F.2.2.17 of the RSLP Call for Proposal: Guidelines).

The project is supported by the Society of Public Teachers of Law (SPTL), whose Libraries Committee specifically endorsed the proposal at its meeting on 27 January 1999. The Committee is attended by representatives from 8 law schools (Edinburgh University, LSE, Inns of Court School of Law, University of Reading, University of Central Lancashire, University of Wales, Cardiff, Queen Mary and Westfield College); it commissions a regular survey of academic law libraries in the UK and promulgates standards for university law libraries. The British and Irish Association of Law Librarians (BIALL) has over 700 members including most academic law librarians; delegates to its annual conference in September 1998 welcomed the proposed project. The project has subsequently been discussed with law librarians in England, Scotland and Wales who have agreed its strategy.

Law has a rich and massive literature. The salient features of legal literature are: the central place of extensive runs of serial primary sources (legislation and law reports) which are essential for authoritative research; the importance of both up to date and older materials; and the unique character of the law of each jurisdiction. The uniqueness of the law and legal literature of each jurisdiction means that the researcher of the law of a non-UK jurisdiction needs access to as good a range of materials for that jurisdiction as he would if researching the law of a UK jurisdiction. The material involved in maintaining world-wide coverage is complex, voluminous and expensive.

It is essential to the well-being of legal research in the UK, and to the well-being of the legal system in general, that there is a full collection of the world's law available to researchers in the UK. Foreign law collections are important to legal research but are also relevant to a wide range of research in the humanities and social sciences. Research in law increasingly requires reference to foreign law for reasons such as: globalisation, mobility of persons and goods, development of new principles in other countries, realignment of the common law systems of the UK and Ireland with the civil law systems in the rest of Europe, the construction of new legal systems in developing democracies. Legal materials also provide a continuous verifiable record relating to a wide range of human experience for historians. The legal system as an expression of and influence on economic and social forces is an expanding subject and the area of law and the humanities is only recently being exploited.

Importance of the collections in the partner libraries

The project will draw up a guide to foreign law collections throughout the UK in two phases, firstly the five core partner libraries listed in the bid, secondly extending coverage to all appropriate libraries in the UK. This strategy is founded on the dispersion pattern

of collections of foreign legal materials in the UK.

The core partner libraries are the only extensive libraries of foreign legal materials on a global scale in the UK HE sector. It has been the policy of these libraries for many years to maintain research collections in law from non-UK jurisdictions. It is their intention to continue this policy. A high percentage of the national holdings of essential primary and secondary materials for foreign legal research is concentrated in these libraries. They already play a major role in supporting the national academic research community and make national provision for access to research materials which are not available elsewhere in the UK.

The existence of the major collections has enabled other law libraries to tailor their collections more narrowly to their local needs and resources, further emphasising this pattern and going some way towards a de facto national research support network.

Most university law libraries do not attempt long-term systematic coverage of primary and secondary research sources for foreign jurisdictions. Outside the partner libraries there is likely to be less than 5% of the UK stock of unique foreign law primary materials. Most university law libraries contain a relatively small and similar subset of foreign law since the main interests of home lawyers lie with a small number of countries such as USA, Australia, Canada, New Zealand, India, France and Germany. Libraries were guided by the consensus on priorities embodied in the SPTL Minimum Holdings List first promulgated in 1958. There will be, in addition, widely dispersed pockets of very specialist and possibly unique material built to support particular research, e.g. mining and petroleum law at Dundee.

The Bodleian, the Squire and IALS libraries are specialist law libraries and maintain staff expertise on foreign law not available elsewhere. They attract a high level of use by members of other HEIs and overseas academic visitors in a range of disciplines. Internationally, these law libraries are among the finest in the world, overshadowed only by the largest law school libraries in the USA. The libraries attract scholars from all over the world and contain better collections of materials relating to some countries than are available in those countries themselves. For example legislative revision programmes of some Commonwealth countries rely on access to materials at these libraries.

There are very few collections of foreign law in the UK outside the HE sector. There are no extensive collections in government or court libraries since the transfer of the Commonwealth Law Library from the Foreign and Commonwealth Office to IALS. The only other libraries which maintain broad foreign collections are the four Inns of Court libraries. It may be indicative to record that the Inns of Court libraries and many major non-HE organisations pay annual subscriptions and other fees to use the IALS, mainly for its foreign law collections. These organisations include, for example: the Advocates Library in Edinburgh, the Bar Library of Northern Ireland, the Court Service of England and Wales, the Department of Foreign Affairs of the Irish Government, the Foreign and Commonwealth Office, the House of Commons Library, the House of Lords Library, the Bar Council of Ireland, the Legal Aid Board, the Northern Ireland Court Service.

4. DESCRIPTION OF COLLECTIONS

The Bodleian Law Library, IALS, and the Squire Law Library hold the largest collections of foreign legal material in the HE library sector in the British Isles. Their combined holdings of about 700,000 volumes cover legal material from more than 150 jurisdictions in addition to near-comprehensive collections of law for the British Isles. Much of this material is in serial form. They currently subscribe to approximately 9000 titles and spend over 80% of their annual budgets on subscriptions and standing orders. Approximately 60-70 per cent of these collections is foreign law and a further 15-20 per cent is non-jurisdictional material (jurisprudence, general comparative law, public and private international law). The libraries are very strong in US, Commonwealth, Latin American, European and international law. No systematic comparative investigation of the collections has yet been attempted.

The Library of SOAS collects African and Asian law and related materials in Western, Asian and African languages with special responsibility within the existing subject specialisation scheme of the University of London for South Asia. SOAS holds very significant collections of legal materials, many unique in the UK, in non-western languages in particular over 50,000 items in African and Asian languages. There is a large degree of complementarity between SOAS and IALS libraries.

The British Library's holdings of legal materials are around 300,000 volumes, with a similar proportion of foreign legal materials at 60-70 per cent. The collections are not organised as a comparative legal research library and are not readily ascertainable or accessible by the researcher. For several decades the British Library has leaned heavily on the resources and accessibility of IALS, including unofficial partnership arrangements, and more recently has scaled down its acquisition of foreign law material.

5. PURPOSE

The project will achieve several aims of the Programme. The project will provide information on the extent and distribution of foreign legal materials and on the research community's requirements. This information will facilitate joint activities in collection development: to ensure that research level collections are maintained and to encourage expansion in some locations. It will assist in the identification of overlap and gaps in national coverage, for example coverage of the new legal systems of eastern Europe. It will help to ensure that individual libraries make informed decisions about acquisitions and cancellations with reference to materials available regionally and nationally. It will provide the tools to facilitate agreements amongst libraries regionally and nationally for co-operative collection and retention responsibilities. The British Library will be able to ascertain its foreign legal collections and their importance and come to more formal collaborative arrangements with IALS and other major HE libraries.

In the area of services, a quick reference source will be provided for HE researchers to identify the most appropriate and convenient library both in terms of holdings and geographical location in their field and will facilitate electronic document supply.

6. IMPACT ON RESEARCH

There are two different impacts envisaged: indirectly through better collaborative collection management on a national basis and directly through provision of information to researchers on location of resources.

Research should be assisted because librarians will be able to plan their collection development, or contraction, with a better knowledge of regional and national collections. Such planning will be facilitated not just at title level but on the basis of coherent collections, i.e. not just that libraries avoid all cancelling the same title but that libraries plan to maintain a viable collection of one country's law in one place regionally or nationally. There will continue to be an increase in comparative legal research, which will gradually knock on to teaching requirements. Overall this project may mitigate the steady erosion of these resources and hopefully ensure that comparative legal research will not develop into an expatriate activity. It may release funds to be spent on areas of foreign law materials which are at present inadequately covered.

Researchers will be assisted to discover the nearest collections suitable and sufficient for their interests, saving them time and unnecessary travelling. Researchers at universities without long-standing research contacts with the major holding libraries will become more aware of the national resources available to them. Researchers in other disciplines will become more aware of the specialist law collections and assistance available to them. Researchers will be able to discover library-held resources of information through the same network, i.e. a resource discovery hub, that they access other information resources; this may help to prevent the dislocation sometimes associated with the move to new information discovery patterns.

7. PARTNERS AND COLLABORATORS

The Steering Group's comment on the initial expression of interest identified the issue of national coverage of the project as a key area of concern. A strategy has been devised to ensure the project has national coverage. There are no comparable national collections in the field outside the existing partners, although they are geographically closely grouped. There are enough libraries with limited collections to make the addition of partners arbitrary or the group unworkably large and still not achieve true national coverage. Instead we have been more ambitious. We have retained the original partners as core partners to establish the project and we shall then enable all other HE law libraries to participate.

The lead library will be the Institute of Advanced Legal Studies, School of Advanced Study, University of London. The other core partner libraries who have agreed to participate are the Bodleian Law Library, University of Oxford, the Squire Law Library, University of Cambridge, the British Library, and the School of Oriental and African Studies Library, University of London. These libraries will form the focus of phase one of the project.

The second phase of the project will survey all appropriate libraries in the UK HE sector and invite participation from other libraries with relevant collections in other sectors. This strategy will maximise participation and minimise work for the majority of libraries who will submit data based on lists of controlled terms drawn up with reference to large collections and in conformity with standards already established and tested. The Project Manager will then be able to target visits to any substantial holdings in any UK library. Various law librarians have been consulted in drawing up this strategy including leading law librarians in Scotland and Wales and all have indicated their agreement. The Inns of Court Libraries Liaison Committee will be discussing the project if it proceeds.

8. MANAGING THE PROJECT

The Project Manager would make monthly written reports and attend a small Project Management Committee which would meet every two months. The Management Committee would comprise partner libraries and representatives of the Project Advisory Committee.

A Project Advisory Committee of academic researchers and librarians to direct the project would include librarians from Scotland, Wales and various regions of England and researchers in law and other disciplines. It would draw on existing UK-wide organisations such as BIALL, the UK National Committee on Comparative Law, the British Institute of International and Comparative Law, the Law Technology Centre, the National Centre for Legal Education, the Libraries Committee of SPTL.

David Hart, Law Librarian at Dundee University and former Chairman of BIALL, Dr. Peter Clinch, Information Specialist in Law at University of Wales at Cardiff, who conducts an annual survey of academic law libraries in the UK and Guy Holborn, Librarian at Lincoln's Inn have been approached for participation in the committee.

The Law Librarian of the University of Victoria in British Columbia, Visiting Fellow at IALS Library in 2000, has considerable experience in the methodology of collection assessment through the Canadian National Collection Inventory Project and would act as a consultant.

9. DATES

The project will start on 1 August 1999 and finish on 31 July 2002. It will be necessary to start the project almost immediately in terms of recruitment, initial contacts, convening the Advisory Committee and starting to commission the survey of legal researchers.

10. MILESTONES AND ANNUAL TARGETS

Year 1

Appointment of Advisory Committee

Appointment of Project Manager

Commissioning of survey of researchers by December 1999

Delivery of survey data and analysis by May 2000

Establishment of metadata elements and format

Completion of analysis of first core partner library by July 2000

Year 2

Review of metadata elements after practical application

Commissioning of webmaster and consultation

Completion of analysis of the four other core partner libraries

Establishment of first phase web site by 31 July 2001

(Year 3)

Commissioning of survey of other law libraries

Delivery of survey data and analysis

Visits to law libraries

Completion of web site by 31 July 2002

11. DELIVERABLES

Law Web Map: The project will develop web tools available on the resource discovery hub for social sciences, business and law to facilitate collaborative collection management and a transferable methodology for collection mapping at single discipline level.

The web-based mapping tool will contain an inventory of collections by jurisdiction, form of legal literature (legislation, law reports, digests, etc.), subject where relevant, with an indication of strength for each library, employing drop-down menus for the various categories. A link to the web catalogues of individual libraries would be provided. Comparable sites are the SCURL Research Collections Online (<http://bubl.ac.uk/org/scurl/>) and to a lesser degree the M25 Group site (<http://www.m25.ac.uk/m25>).

The resulting guide would not list titles but would quantify and describe foreign legal collections in sufficient depth to answer questions such as "What library holds current collections of Swedish legislation" or "♦ law reports from Hong Kong". These are questions which subject and title searches in traditional catalogues cannot answer efficiently because law is poorly served by AACR2, uniform title practice and subject headings.

A survey and analysis of research needs for foreign legal materials. A survey of researchers in law and other disciplines (e.g. history and social studies) will be carried out to establish the present and future requirements for foreign, comparative and international legal materials. It will aim to discover what information they need on foreign law, how they obtain it and what they expect libraries to provide. It would provide essential information to inform decision-making on collection development and influence the production of the mapping tool. The results would be published on the web.

Participation in research

a. on collection description metadata

The project will actively co-operate with UKOLN as described below under standards.

b. to link collection level metadata to existing individual title information

The project will investigate linking the law web map to existing serial title information. One option, for acquisitions purposes, would be a simple list of current subscriptions from the major libraries combined with order/cancellation notification. Another would be to co-ordinate with any project which addresses requests for improved online access to periodical title and holdings statements (. F.2.2.5 of the RSLP Call for Proposals). The work of the CAIRNS project in relation to the SCURL RCO service would be of particular importance.

12. STANDARDS

The Steering Group identified the need for consideration of whether it would be appropriate for any existing metadata standard to be employed in the project. The project would employ a system of metadata to describe collections, compatible as far as possible with data standards adopted nationally for this purpose. Within the metadata format it will utilise standard descriptions of jurisdiction, form and subject.

It is clearly desirable for a data standard to be adopted by all collection description or mapping projects. This should allow electronic exchange and aggregation of collection description data. RSLP should develop and sponsor a standard as a matter of corporate policy. We have learned that RSLP has recognised this opportunity and awarded a project. I have discussed the matter with Lorcan Dempsey at UKOLN to ensure a compatible strategic approach. It would dissipate the energies of UKOLN to participate or provide consultancy services to individual projects. Having consulted with UKOLN and signalled our interest, I can confirm that this project is keen to participate in the consensus-building activity and collaborate in the design and benefits of a shared approach.

Metadata Standards

Dempsey and Heery in *Metadata: a current view of practice and issues* (*Journal of documentation* 54, 1998, 145-172) quote Lynch, " metadata as a descriptive term has become so debased by overuse (and means so many different things in different communities and contexts) that it is now virtually meaningless without extensive qualification". There is no clear standard which is sufficiently elaborated at present for a robust application.

The Dublin Core, although it was not developed for collection description, probably offers the best hope of consensus at least as a base for interoperability. The project would seek to retain compatibility with the Dublin Core but would need to incorporate other attributes. The work of the Collection Description Working Group has focussed on the Dublin Core and the ROADS template and has proposed some new attributes which would be important, e.g. relationship attributes. Presumably the UKOLN project would extend and consolidate the work of this Group. It is here that participation of actual projects may inform that work.

Data Content

The data required for the project must be simple and use existing standards for content. The sets of attributes would be an established list of geographical names, a list of qualifiers by form of legal information, a list of subject indicators, probably a subset of Library of Congress Subject Headings. Data will include quantification and evaluation of collections. The work of SCURL in the RCO project using fast-track Conspectus is relevant to this process. The use at a detailed sub-disciplinary level on essentially serial-based collections will mitigate the shortcomings of this procedure. The allocation or moderation of evaluative descriptors by a single person, the Project Manager, will offer consistency.

ITEMS PROCESSED

This is not an appropriate measure of the work to be undertaken. The project would, for example, survey about 530,000 items (BLL 200,000; IALS 200,000; SLL 130,000), including about 5,000 current serials in the three main legal research libraries. The more relevant measure will be the number of collections (i.e. jurisdictions and subjects) and the number of libraries in which those collections are found (a total of about 110 relevant libraries).

TOTAL COST

The total cost of the project will be £147,050 (including £46,090 for phase 2). There are implicit costs to the participating libraries and these will be donated to the project. The costs have not been specified in the budget as their quantification would be arbitrary and serve more for presentation than financial planning. They include management by librarians on AR5 & 6 and considerable consultation from collection development librarians on AR3 & 4.

TOTAL RSLP CONTRIBUTION

The total contribution sought from RSLP is £147, 050.

BUDGET

Profiling. The budget shows the separately costed phase 2 to extend the project to all appropriate UK libraries. If phase 2 is approved, the profiling will need adjustment without increasing any line of the budget. Some costs in year 2 would transfer to year 3: an element of dissemination and evaluation, some contingency and some webmaster fees. The impact would be to reduce year 2 costs by £7,000 and increase year 3 costs by the same amount.

Survey Consultancy Fees. A contract will be issued to a university-based researcher with suitable experience (a preliminary approach has been made to someone who has experience of surveys of both law schools and law libraries).

Project Manager. The post has been graded at AR3 (lowest point with annual increments, pay inflation at 4%) because s/he will be expected to proceed with the minimum of supervision. S/he must have technical expertise, in-depth bibliographical and subject knowledge, and administrative ability. Failing a suitable applicant, an appointment at AR2 might be possible, (saving up to £6,000 p.a.) but a much greater burden would fall on local management. S/he will be based at IALS which will administer salary and expenses. Only 10 months pay is budgeted in Year 1 to take account of recruitment time but recruitment costs are included.

Travel, subsistence and accommodation. Travel is train fares, subsistence at University of London rates, university accommodation rates. Visits to examine collections for one month each to Oxford, Cambridge and two weeks to Boston Spa will take place in year 2. Visits to libraries around the UK, necessitating overnight stay in some cases, will take place in year 3.

RSLP					
Collaborative Collection Management of Foreign Legal Materials					
	Year 1	Year 2	Year 3	Total	
Phase 1					
<u>Survey of Academic Researchers</u>					
Survey Consultancy fees	8,000	0	0	8,000	
<i>sub total</i>	8,000	0	0	8,000	
<u>Web Guide</u>					
Staff costs					
Project Manager AR3	28,046	36,241	0	64,287	
Secretarial support	500	500	0	1,000	
<i>sub total - staff</i>	28,546	36,741	0	65,287	
Non-staff costs e.g.					
Recruitment	1,500	0	0	1,500	
Equipment	3,000	0	0	3,000	
Consumables	200	200	0	400	
Travel and subsistence	500	2,850	0	3,350	
Webmaster fees	0	10,000	0	10,000	
Management costs (travel)	1,200	1,225	0	2,425	
Dissemination costs	0	4,000	0	4,000	
Evaluation costs	0	1,000	0	1,000	
Contingencies	0	2,000	0	2,000	
<i>sub total non-staff</i>	6,400	21,275	0	27,675	

total phase 1	42,946	58,016	0	100,962	
Phase 2					
<u>Web Guide</u>					
Staff costs					
Project Manager AR3	0	0	39,039	39,039	
Secretarial support	0	0	1,000	1,000	
<i>sub total ♦ staff</i>	0	0	40,039	40,039	
Non-staff costs e.g.					
Survey consultancy fees	0	0	3,500	3,500	
Consumables	0	0	300	300	
Dissemination costs	0	0	0	0	
Evaluation costs	0	0	0	0	
Travel and subsistence	0	0	1,000	1,000	
Management costs (travel)	0	0	1,250	1,250	
Contingencies	0	0	0	0	
<i>sub total non-staff</i>	0	0	6,050	6,050	
total phase 2	0	0	46,089	46,089	
Total Phase 1 and Phase 2	♦42,946	♦58,016	♦46,089	♦147,051	

EVALUATION

The Advisory Committee of the project, whose broad academic and law librarian membership is described above under ♦Management♦, will play a major part in ongoing monitoring and evaluation of the project. Phase two of the project will enable all law libraries to input into the final shape of the Law Web Map.

DISSEMINATION STRATEGY

Information about the project and progress reports will be disseminated on a Web site.

The budget includes costs for design and printing of leaflets to be mailed to law schools, university libraries and law libraries. It will be important to promote ownership of the web site by its participants and links from related sites. The content would be expected to form part of a JISC resource discovery hub and benefit from collective promotion of that initiative.

It will be important to forge early alliances, built on existing contacts and goodwill, with various other organisations with an interest in the provision and use of foreign legal materials and in legal information generally and use their networks for dissemination. Such organisations are listed under ♦Management♦ above. It is proposed to make presentations at least at the annual conferences of SPTL, the Association of Law Teachers, and BIALL and articles and news items can be run in a variety of newsletters and journals.

The project is expected to generate interest in the broader field of legal information for government and the practising profession. It will be necessary to consider routes to inform researchers in other disciplines and the neighbour Institutes to IALS (such as the Institute of Historical Research, Institute of Commonwealth Studies, etc.) will provide assistance in targeting such constituencies.

EXIT STRATEGY

The web site would be maintained by IALS. We would hope that this would be within the context of IALS participation in the proposed resource discovery hub in the areas of social sciences, business and law. Unlike union lists or catalogues, there should not be

a large number of changes in the current collecting policies or transfers of material which would alter the collection descriptions. There is already a stable arrangement funded by SPTL and BIALL by which all academic law libraries in the UK and Ireland are surveyed annually to provide a statistical base for the SPTL Standards for Law Libraries and monitor expenditure. This may provide an economic mechanism for gathering the data to update the site.

POLICY ON ACCESS

The conditions for access by researchers contained in Annexe D of the RSLP Call for Proposals are met by the HE partners and will continue to be met.

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