

A library for the modern law school: a statement of standards for university law library provision in the United Kingdom - 2009 revision prepared by the Libraries Sub-Committee of the Society of Legal Scholars

INTRODUCTION

About the Standards

The Statement of Standards for University Law Library Provision is a comprehensive and flexible set of standards providing authoritative guidance, for law schools and law librarians. It represents a broad and authoritative consensus of views. The Standards were originally drawn up by a consultative group established by the Libraries Sub-Committee of the Society of Legal Scholars in 1995 and approved by the Society after consultation with academic, professional and governmental bodies. Since then the Standards have been updated periodically. They have now been comprehensively revised by a working party of the Libraries Sub-Committee and this 2009 revision has been adopted by the Society after extensive consultation.

The law library remains a crucial resource in legal education. These standards aim to assist law libraries to meet the needs of the research and teaching objectives of different university law schools. The Standards are not the basis for a system of accreditation but they will enable law libraries to achieve and measure the quality which is sought by internal and external regimes of monitoring and assessment. They may also assist law schools in ensuring that their law library has adequate and consistent funding to support the mission of the law school.

The Standards themselves are expressed briefly and were designed to be of general application to libraries serving an increasingly diverse range of law schools and law school activities. The Standards recognise that a law library is more than collections of information, in whatever format, but is a complex operation whose level and quality of services depend on a range of factors including its relationship with the law school, staffing, management, resources, access and delivery policies, equipment and buildings. They generally focus on outputs rather than inputs. They seek to provide guidance to law libraries wherever they currently choose to place themselves on the spectrum between traditional book-based library and virtual electronic library.

The Standards are supported by a more detailed commentary, which provides a guide to their interpretation and local application. The commentary also supplies information about current practice gathered by an annual survey of university law library provision conducted in collaboration with the British and Irish Association of Law Librarians. The accumulated research data from these surveys indicate the range of

success which has been achieved by libraries in meeting the Standards and the gap in performance remaining for those who aspire to achieve them, providing the basis for realistic benchmarks and targets. The data also form the basis for a series of analytical research reports which monitor trends in university law library provision.

Law is unique among disciplines in having such a set of standards and the Society, as representative of independent academic opinion, is unique in making this continuing commitment to the investigation, analysis, and expression of what is needed for effective library provision for its discipline.

Development of the Statement of Standards

The Statement of Standards for University Law Library Provision in England and Wales was originally published in 'A Library for the Modern Law School' in a special issue of *Legal Studies* in December 1995. That special issue also contained an 'Indicative List of Law Library Holdings' and the full text of a research report on law libraries and legal education in the United Kingdom, which formed a vital tool in the preparation of the Statement.

The Standards which have been developed and maintained by the Society demonstrate its long-standing commitment to the task of providing guidance to law schools and law librarians on library needs. The Society originally produced a Statement of Minimum Holdings in 1958 and it was revised four times during the thirty-seven years until 1995. At that time it was recognised that a new approach was required in response to the substantial changes which had taken place in legal education. The new form of the Statement in 1995 moved from a prescriptive list of holdings to a flexible document which allows law libraries to measure their work against the needs and objectives of their own law school.

The Statement was revised three times in the next fourteen years. It was extended in 1997 to take explicit account of the positions in Northern Ireland and Scotland and a brief account of the process and details of the adjustment of the Statement can be found in the Introduction to the 1997 revision. The 1999 and 2003 revisions of the Statement took the form of updates to the commentary.

The radical changes in legal education observed in the introduction to the 1995 Statement have continued at a pace which is at least as rapid. The diversification in the style of teaching, range of courses and qualifications, the monitoring and assessment of quality throughout the system both within universities and through the active involvement of government and the professions continues to figure prominently in the work of law schools. The need for the Standards as a tool created by independent academic opinion to measure quality and responsiveness to need has not fallen away and neither has interest in them.

The 2009 revision was carried out by a working party on behalf of the Libraries Sub-Committee of the Society, chaired by the Honorary Secretary of the Society and the Convener of the Sub-Committee. The working party conducted a full review of the Statement including both Standards and commentary and of the Indicative List of Law Library Holdings which accompanied the Statement. It is indebted to Dr Peter Clinch of Cardiff University, who undertook much of the detailed work. During 2008 two questionnaire surveys were conducted, one among heads of law schools and the other among university and college law librarians, to obtain their views on where the Statement and Indicative List were thought to be lacking and in need of revision, and on the form the revision might take. Particular attention was paid to the balance between print and electronic sources of information, remote access to information resources and services, the use of wireless technology, the relative roles of the library and the law school in teaching research skills, the growing incorporation of information literacy objectives, the comprehensive collection statements, and the standards for franchising and distance learning.

The revision benefited at various stages from comments arising from extensive consultation with individuals and organisations including the Association of Law Teachers, the British and Irish Association of Law Librarians, the Committee of Heads of University Law Schools, the Socio-Legal Studies Association, and a range of professional bodies, and advisers from the jurisdictions covered by the Statement.

It is the intention of the Libraries Sub-Committee to continue to update the comments on the Standards and the supporting data on current practice at regular intervals and to keep the Standards themselves under review for revision at more extended intervals.

Surveys and Research Reports

One of the essential aspects of the Standards is that they are linked to levels of actual provision. The measurements of provision were originally obtained from the results of surveys which formed part of the 1994 Research Report published with the 1995 Statement. The measurements appear in the commentary to the Standards and enable a library in possession of its own key performance indicators to gain a useful comparison with general and above average library performance.

The figures to update these indicators in the commentary are obtained by an annual survey of university law libraries in the United Kingdom which has taken place since 1996. This survey and the associated research report on its findings are funded in alternate years by the Society and by the British and Irish Association of Law Librarians. The Society is most grateful to BIALL for its collaboration in this important process. The data are shared and representatives of the two organisations agree the form and content of the surveys which follow a consistent methodology. A detailed report of each survey with comparative and trend analysis has appeared in *Legal Information Management* (formerly *The Law Librarian*) and a list of those reports appears below.

The Society would also like to express its appreciation to the Information Services staff at Cardiff University who have undertaken the survey and its analysis since its beginning. In particular, the Society is indebted to Dr. Peter Clinch, who served as principal researcher to the Consultative Group in preparing the original Research Report and most of the subsequent surveys. Their careful and conscientious work and the improvements they have made to the survey have underpinned the Statement and provided essential input into the work of the Libraries Sub-Committee.

The Indicative List of Sources for Law Libraries

The Indicative List of Sources for law Libraries accompanies the Statement of Standards but does not form part of it. The Indicative List does not seek to offer a prescriptive list of publications to which law libraries should adhere and is not intended for use as a tool to appraise the stock of a law library in support of validation or accreditation exercises. The Indicative List provides guidance on the specific materials referred to in Standards and is designed as an aid to the selection of major items of law library stock. It has been fully revised in 2009 to take into account of materials in electronic form and its original name, 'Indicative List of Law Library Holdings', has been changed for the same reason. The Society would like to thank Dr. Peter Clinch of Cardiff University for undertaking this work and David Hart of Dundee University and John Knowles of Queens University Belfast for their advice on sources for Scotland and Northern Ireland respectively. Further detail appears in the introduction to the Indicative List.

Publication of the Statement of Standards

Society of Public Teachers of Law (1995) A Library for the Modern Law School: a statement of standards for university law library provision in England and Wales. *Legal Studies*, Special Issue, December 1995

Society of Public Teachers of Law (1997) A Library for the Modern Law School: a statement of standards for university law library provision in the United Kingdom – 1997 revision. *Legal Studies* **17**, 363-414

Society of Legal Scholars (2003) A Library for the Modern Law School: a statement of standards for university law library provision in the United Kingdom – 2003 revision. *Legal Studies* **23**, 690-710

The original 1995 Statement, the 1997, 1999, 2003 revisions and this 2009 revision, and the Indicative List of Sources for Law Libraries can be found on the Society's website, <http://www.legalscholars.ac.uk/>.

Publication of the reports of surveys of university law libraries

Clinch, Peter (1995) Research report into law library provision in England and Wales during the academic year 1993/94. *Legal Studies*, Special Issue, December 1995, 53-141

Clinch, Peter (1997) The SPTL-BIALL survey 1995/96. *The Law Librarian* **28**, 25-32

Clinch, Peter (1998) The BIALL academic law library survey 1996/97. *Law Librarian* **29**, 165-177

Clinch, Peter (1999) The SPTL academic law library survey 1997/98: part I. *Law Librarian* **30**, 202-208. Part II. *Law Librarian* **30**, 254-261

Jackson, Cathie (2000) BIALL academic law library survey 1998/99. *Law Librarian* **31**, 227-239

Jackson, Cathie (2001) SPTL/B IALL academic law library survey 1999/2000. *Legal Information Management* **1**, 28-39

Jackson, Cathie (2002) SPTL/B IALL academic law library survey 2000/2001. *Legal Information Management* **2**, 38-49

Young, Helen. (2002) Law librarians' survey; are academic law librarians in decline? *Legal Information Management* **2**, 50-55

Clinch, Peter (2003) The SLS/B IALL academic law library survey 2001/2002. *Legal Information Management* **3**, 107-118

Jackson, Cathie (2004) The SLS/B IALL academic law library survey 2002/2003. *Legal Information Management* **4**, 171-182

Clinch, Peter (2005) The SLS/B IALL academic law library survey 2003/2004. *Legal Information Management* **5**, 240-253

Clinch, Peter (2006) The SLS/B IALL academic law library survey 2004/2005. *Legal Information Management* **6**, 212-223

Clinch, Peter (2007) The SLS/B IALL academic law library survey 2005/2006. *Legal Information Management* **7**, 184-199 and 304

Clinch, Peter (2008) The SLS/B IALL academic law library survey 2006/2007. *Legal Information Management* **8**, 188-204

Clinch, Peter (2008) Getting the picture: UK academic law library standards. *Legal Information Management* **8**, 185-188

Definitions

"European Union" includes "European Community";

"Head of the Law School" includes any other person or persons within the Law School to whom the relevant function of the Head under these standards may have been delegated, whether by the Head or otherwise;

"Law Library" means the printed, electronic and other materials held by the University Library which are directly concerned with law, wherever those materials may be located and however they may be arranged; and the services provided by the Library in relation to those materials;

"Law School" means the organisational unit within the University to which are assigned the majority of staff with responsibilities for teaching or research in law, or both, whether or not that unit belongs to some larger organisational unit (such as a faculty) or is itself divided into smaller units (such as departments);

"Postgraduate research provision" means the provision of supervision or training or both to students preparing a dissertation or thesis for a doctorate, Master's degree or other postgraduate degree or diploma to be awarded on the basis of research on a legal topic;

"Postgraduate taught course provision" means the provision of teaching for Master's or other postgraduate degrees or diplomas awarded wholly or principally on the basis of successful completion of advanced courses in law and of the examinations or other assessments related to those courses;

"Primary legal materials" means, unless otherwise indicated, legislation, secondary legislation, and law reports;

"Provision of LPC teaching" means provision of teaching leading to the award of a Diploma in Legal Practice by a provider approved by the Law Society to offer a Legal Practice Course which leads to the completion of the vocational stage of training;

"Provision of BVC teaching" means provision of teaching leading to the award of a Bar Vocational Course ("BVC") certificate of competence by a provider approved for this purpose by the regulatory body for the BVC;

"Provision of qualifying degree teaching" means, in England and Wales, provision of teaching leading to a degree, whether or not styled "LLB", satisfying the requirements of the Solicitors Regulation Authority or of Bar Standards Board for entry to the LPC or BVC respectively; a Law School which provides all the courses needed to prepare for the Common Professional Examination or for a Diploma in Law recognised by the Solicitors Regulation Authority shall be regarded as making qualifying degree provision, even if it does not deliver a law degree;

"Provision of qualifying degree teaching" means, in Northern Ireland, provision of teaching leading to a degree, whether or not styled "LLB", satisfying the relevant requirements of the Council of Legal Education (Northern Ireland) for

entry to the Certificate in Professional Legal Studies course in the Institute of Professional Legal Studies;

"Provision of qualifying degree teaching" means, in Scotland, provision of teaching leading to a degree, whether or not styled "LLB", satisfying the requirements of the Law Society of Scotland or the Faculty of Advocates for entry as a Scottish solicitor or advocate respectively, whether or not such degree includes all courses necessary for such entry; a law school which offers any degree whose title includes the word "Law" or "Legal" or any equivalent term and in which a majority of courses or credits may be accumulated in law subjects shall also be regarded as making qualifying degree provision;

"Provision of teaching for the Scottish DLP" means provision of teaching leading to the award of a Diploma in Legal Practice by a provider approved by the Law Society of Scotland or the Faculty of Advocates to offer such a Diploma as a requirement for entry as a Scottish solicitor or advocate respectively;

The Quality Assurance Agency for Higher Education (QAA) was established in 1997 to provide independent assessment of how higher education institutions in the UK maintain their academic standards and quality, <http://qaa.ac.uk>.

"Service or subsidiary provision" means any provision of teaching in law subjects at degree level which falls within none of the preceding definitions.

The Society for College National and University Libraries (SCONUL) promotes excellence in library services in higher education and national libraries across the UK and Ireland, <http://www.sconul.ac.uk>, gathers and compiles library statistics and carries out significant work on library performance, measurement, assessment and evaluation.

1 Policy, management and staffing

1.1 The core function of the Law Library is to provide services, premises, facilities and collections sufficient in quality and quantity to permit the attainment by the Law School of its teaching and research objectives.

Comment A. Linkage between the operations of the Law Library and the objectives of the Law School is the central concept of these standards, and in particular, of the management standards set out in the remainder of this section.

Comment B. "Core function" does not imply the absence of other functions, such as the provision of service to readers from other disciplines, to non-University readers in the local community, or to the national or international scholarly community. It is recognised that such activities may be of considerable significance to some Law Libraries.

1.2 In its arrangements for the management and direction of library and information services, the University should identify one person (the Law Librarian) who has formal responsibility for the management of the Law Library, and should ensure that that person can participate fully in the determination of Law Library policy.

Comment A. The purpose of this standard is to ensure that the Law Library is managed with proper regard to the distinctive requirements of the teaching and research programmes of the Law School.

Comment B. The standard does not require the University to maintain its law collection in separate accommodation: see 3.1 below.

Comment C. Nor does it require the appointment of a Law Librarian who carries no other responsibilities; though a commitment of less than 50 per cent of the Law Librarian's time should be regarded as insufficient.

Practice. In 2006, regrettably, 6 per cent of Universities employed a librarian whose commitment to servicing the information needs of the law school occupied less than 50% of their time. (2008 Survey).

Comment D. Where a library administration is organised on a functional rather than a subject basis, this standard will be met where one person is given responsibility for the co-ordination of functions as they affect the Law Library.

1.3 The Law Librarian should be appointed only after consultation with the Head of the Law School, should be properly qualified for the discharge of the responsibilities of the post, and should hold an appointment on an academic grade or one of equivalent responsibility.

Comment A. In most cases the Law Librarian will be a member of the University Library staff rather than of the Law School and formal responsibility for the appointment will therefore rest with the University Library. "Appointment" includes assignment, within the University Library, of an existing member of staff to the duties of Law Librarian.

Comment B. The Law Librarian should possess a professional librarianship or information science qualification, or equivalent experience.

Practice. In 2006, only 91 per cent of Universities appeared capable of meeting this criterion (2008 Survey).

Comment C. The Law Librarian should hold an appointment on an academic grade or one of equivalent responsibility.

Practice. Performance does not yet reach the criterion, for in 2006, 9 per cent of institutions had no one of academic or academic-related grade with their principal or sole function as the care and servicing of the law collection (2008 Survey).

Comment D. It is desirable that the Law Librarian also hold a law degree or other legal qualification or equivalent experience.

Practice. In 2006, 70 per cent of institutions had no member of library staff with a legal qualification (2008 Survey).

1.4 The Law Librarian should be assisted by staff who are properly qualified and adequately experienced, and sufficient in numbers, to provide library services appropriate to the size and mission of the Law School and to the forms of provision it offers.

Comment A. For library services see standards 2.1-2.7 below.

Comment B. For forms of provision see definitions, above.

Practice.. In 2006, it was evident that law schools need to take action on this matter for 47 per cent of institutions had no one on a clerical grade with their principal or sole function as the care and servicing of the law collection (2008 Survey).

Comment C. Training should be provided to Law Library staff to enable them to acquire, and to up-date as necessary, the skills required in order that support may be provided for the full range of services the Library offers.

1.5 There should be effective formal machinery for communication and liaison between the Law Librarian, the Head of the Law School and the academic staff of the Law School so that all decisions affecting the Law Library are properly informed by the academic programme of the Law School, and vice versa.

Comment A. The purpose of this standard is to ensure that the Law Librarian is properly informed in advance of any developments within the Law School, such as new programmes or courses, or changes in teaching methods, which might have implications for library provision, and that the Law School is similarly informed of any changes in library provision, such as the discontinuance of subscriptions, which might affect its academic programme.

Comment B. The requisite formal machinery might include membership of the Law Librarian on relevant academic committees of the School, participation in formal arrangements for vetting new courses, and machinery for consultation of the Law School on decisions affecting the Law Library.

Comment C. The formal machinery should be such as to ensure that any law teaching and research staff in the University who are assigned to posts outside the Law School have adequate opportunities to participate in processes of consultation on Law Library matters.

1.6 In particular, there should be adequate means for ensuring that Law Library resource requirements of new teaching and research developments are identified, and adequately provided for, in advance; and for reviewing periodically the adequacy and appropriateness of Law Library provision for continuing teaching and research activities and for addressing any resource requirements or other matters disclosed by such reviews.

Comment A. This standard provides for concrete application to the Law Library of widely accepted principles of academic planning, see Quality Assurance Agency for Higher Education, Code of Practice for the assurance of academic quality and standards in HE, particularly Section 1: Postgraduate research programmes, Section 2: Collaborative provision and flexible and distributed learning (including e-learning), and Section 7; Programme Design, approval, monitoring and review, <<http://www.qaa.ac.uk/academicinfrastructure/codeOfPractice/default.asp>>

The Aide Mémoire for reviewers evaluating learning resources, published by the Society for College National and University Libraries in 2003 at http://www.sconul.ac.uk/groups/quality_assurance/papers/Aide_MemoireFeb2003.pdf remains a useful supplement to the Handbook for Institutional Audit in England and Northern Ireland, Handbook for Institutional Review in Wales, and the Enhancement-led Institutional Review Handbook in Scotland, <http://www.qaa.ac.uk/publications/RMguides/default.asp>.

Comment B. Relevant new developments may include not only new degrees involving studies of a nature new to the institution, and new courses, but also new specialist subjects within existing courses.

Comment C. The adequacy and appropriateness of provision for continuing activities may be affected by such factors as increase of student numbers, changes in the pattern of student choice, new methods of teaching, new publications or sources of information, new ways of accessing information, and the outdating of existing library stock through the appearance of new editions or through simple passage of time. While revisions reflecting such changes are likely to occur on a rolling basis, there should be some effective system for periodically taking stock.

1.7 There should be effective means of obtaining and considering the views of users of the Law Library.

Comment A. Means might include users' committees, student representation on committees of the law school considering library matters, surveys, and suggestions boxes.

Comment B. In applying this standard, regard should be paid to the particular interests or requirements of distinct academic groups such as full-time undergraduates, postgraduates, research students, staff, part-time students and mature students.

2 Services

2.1 The Law Library's opening hours should be adequate to meet the needs of users.

Practice. In 2005, median weekly term-time opening hours were 79 hours, with 75 per cent of Universities offering at least 71 hours, and 25 per cent 93 hours or more; median weekly vacation hours were 45 hours. All libraries were open on Saturdays in term-time and 85 per cent of libraries open on Sundays during term-time (2007 Survey). Two libraries stated that they provided 24 hour access throughout the term to their paper-based collections..

Comment A.. In determining what opening hours are adequate, regard must be had to the character of the Law School and of users of the Library. Some students (e.g. part-time students) may find access difficult during ordinary opening hours and may need late evening and weekend opening, with full services. Opening hours may also need to be extended where reader places or library services are under pressure because of the weight of student numbers. Libraries serving Law Schools with a high percentage of part-time students, and libraries showing high student/seat ratios (below, standard 3.2), may properly be expected to provide above-median opening hours.

Comment B.. Flexibility in opening hours is desirable, so as to provide e.g. for the needs of students in periods of preparing assessments or examinations.

2.2 The Law Library should maintain a comprehensive and up-to-date catalogue of its holdings, conveniently accessible to users.

Comment. "Conveniently accessible" implies an online catalogue that can be freely accessed and searched on the internet.

2.3 The Law Library should, having regard to the teaching and research objectives of the Law School, formulate a loans policy distinguishing the types of material available for loan from those for use within the library only, and specifying loan periods and conditions for

different types of loanable material. The policy should be subject to periodic review.

Comment A. In determining the loan periods, if any, for which materials shall be available, regard should be paid to the format of the item, its cost, the number of copies and the demand.

Comment B. In determining the hours over which the loan service should be available, regard should be paid to the factors noted in comment B to standard 2.1 above.

Practice. In 2005 the median weekly term-time hours for which a book loan service was available were 71 hours. Two institutions reported the replacement of the staffed loan service with an entirely self-issue service (2007 Survey).

2.4 There should be adequate means of providing assistance to users and answering enquiries.

Comment A. The normal means of offering assistance is by means of a properly staffed enquiry desk, open for adequate periods of time each week. Periods of opening totalling less than 35 hours per week, in the absence of alternative means of providing assistance, would not generally be considered adequate.

Practice. In 2005, the median weekly period of availability of a professionally staffed enquiry service was 37 hours, 57% of respondents provided an enquiry service for between 35 and 40 hours per week (2007 Survey).

Comment B. Assistance to users might additionally be provided by means of self-study packs, plans and guides, and electronic help.

2.5 The Law Library should provide users with appropriate information about the services available to them and, by agreement with the Law School, with appropriate induction or training in the use of those services.

Comment. This standard refers to induction and training in use of the library and its services. It refers to topics such as how to use the library catalogue effectively, find different types of library stock at the shelves, understand and use loan and return facilities, locate fire exits and toilets. For legal research skills training see standard 2.7, below. Views differ as to whether an introduction to library services should be provided by academic staff, or by library staff, or by both. It is for each institution to judge, according to its own circumstances, how new library users, particularly students, should be given an adequate induction, and post-induction instruction. Induction

should include an introduction of the law librarian and his/her support staff to law students.

2.6 The Law Library should make available to users information about other services which may be used to supplement its own direct provision.

Comment. Users should be informed about the collections and services available through other libraries within the University's Library service, the availability of inter-library loans and the terms on which they may be obtained; and other libraries or services (including electronic services) to which the user might have access.

2.7 The Law Library and Law School should work together to ensure students receive adequate grounding through tuition and training, in the effective and efficient access to, and ethical and legal use of, information held in both paper and electronic formats.

Practice. In 2006, legal research skills instruction was a joint responsibility of Law Library and Law School staffs in 83 per cent of institutions, solely a law library responsibility in 10 per cent, and in the remainder, other professional library staff and IT training officers in the law school were involved. 69% of responding institutions took advantage of free training provided by major database suppliers and in 40% of institutions Lexis student associates contributed to the training (2008 Survey).

Comment A. The principles of information literacy within the higher education curriculum in the UK may be traced back to the Society of College, National and University Libraries (SCONUL) position paper on Information Skills in Higher Education (SCUNUL, 1999) <http://www.sconul.ac.uk/groups/information_literacy/papers/Seven_pillars2.pdf>.

Practice. In 2006, 40% of institutions required undergraduates studying law to follow a course based on the principles of information literacy. Of this number, 87% embedded the principles within a law course rather than a generic information literacy programme (2008 Survey).

Comment B. These standards do not prescribe that institutions adopt the principles of information literacy in training students but, whilst it is fundamental to the development of good lawyering that a student develops effective and efficient skills to access information, the importance of skills related to the ethical and legal use of information, embracing good citation practice, avoidance of plagiarism and adherence to copyright law should be recognised. Tuition and training should be directed to developing in students a full range of information seeking and use skills.

Comment C. Optimum learning is achieved if skills training is integrated with the rest of the syllabus. Assessment of the skill is highly desirable. The skill of effective legal research underpins the development of all lawyering skills and should be developed throughout the undergraduate programme. Training should not be restricted only to the first term of the first year.

Comment D. Appropriate library skills training should be provided for students on all degree programmes, both undergraduate and postgraduate.

2.8 The Law Library should provide support services (such as, for electronic sources: technical fault-finding generally and support in particular to enable remote access to electronic sources through access control or authentication systems; and for paper sources: conservation, binding and repair) which are of sufficient quality and availability to sustain the Law School's teaching and research objectives.

3 Space and physical facilities

3.1 The extent of the Law Library's premises should be sufficient, and their layout appropriate, to accommodate its services, collections, staff operations and equipment in a manner consistent with the teaching and research mission of the Law School and the consequent needs and practices of its users.

Comment A. Space provision for the Law Library needs to reflect the tasks associated with educational provision in law: for qualifying degree provision, the inculcation of the skills of discovering, tracing, stating and applying legal rules and principles through the use of both primary and secondary materials. These activities imply a much higher level of in-library consultation of material than is requisite in other disciplines. The level increases further where there is postgraduate teaching or research provision, or where teaching approaches call for group work with in-library access to collections.

Comment B. More specifically, this pattern of reader use implies the housing of all relevant collections in regular use as a unified whole in one place, so that readers may conveniently make simultaneous reference to different types of hard copy material (law reports, statutes, legal periodicals, monographs etc) and, so far as practicable, to electronic sources. Legal research monographs may be housed together with other legal materials or alternatively integrated into the social science collection if this is more appropriate for the mission of the law school. (From a socio-legal perspective the housing of legal research monographs in one separate section together with formal legal materials is considered of less importance since law is viewed as one field of study within the social sciences).

Practice. In 2006, 69 per cent of law libraries either occupied a location separated from other subject collections or, while not so separated, formed a single identifiable unit. It would appear not to be satisfied by the 11 per cent of law libraries whose collections were dispersed, wholly or in part, among other subject collections (2008 Survey). Clearly, a few law schools need to take action to meet this Standard.

Comment C. For implications for reader seating see standard 3.2.

Comment D. These requirements do not preclude closed-access or off-site storage of material which is not in regular use, so long as the material is properly organised and catalogued and readily available to users on request. Nor do they preclude the shelving apart from the law collections of relevant material the principal users of which are from outside the Law School.

Comment E. A wireless network should be available, permitting access to the institution's network and electronic resources, effective within the main study areas of the Law Library.

3.2 Sufficient seating should be provided for Law Library users, in close proximity to the law collections.

Comment A. Seating provision, like opening hours (above, standard 2.1) should take account of the character of the Law School and of library users.

Practice. In 2005 the median ratio of students per seat "in reasonable proximity to the law collection" was 5.64:1; reported ratios ranged up to 24.05:1 (2007 Survey). This indicates that study space is under increasing pressure from both student numbers and conversion to PC workstation use.

Comment B. Whilst a ratio of students per seat exceeding the median ratio given in Comment A, above should be regarded as less than satisfactory and in need of reduction, or of compensation through extended opening hours, the study habits of today's students are different from those of five or more years ago. Increasing ease of remote access to electronic databases and the increasing number of hours that libraries are open for study, have resulted in seat availability becoming less of an issue than hitherto, except perhaps at examination time.

Comment C. "Close proximity" implies provision of seating on the same floor(s) as the collections. It is admitted that where several subject collections including law are located together on the same floor of a library, it

is difficult to distinguish the 'law seating' from that for other subjects. The determination should be pragmatic.

Comment D. Ideally, provision of one or more small rooms for group discussion should be made in close proximity to the law collection. This will be particularly relevant to enable postgraduate research students to network and build a postgraduate research community.

3.3 The Law Library should provide adequate equipment to access, use and, within legal limits, copy all information in whatever formats are represented in the collection.

Comment A. On multiple copies of books, periodicals etc see standard 4.6 below.

Comment B. Adequate printing from the computer network and photocopying facilities should be provided in a convenient location and at a reasonable price.

Comment C. While these standards do not prescribe any particular balances between hard copy and electronic materials in the law collection (below, standard 4.7), any significant reliance on electronic sources, particularly as a means of ensuring adequate simultaneous access to materials, must be accompanied by adequate provision of computer workstations, whether in proximity to the law collection or elsewhere in the Law School. In addition, the major study areas of the Law Library should be wireless-enabled.

Practice. In 2005, the median number of workstations available in proximity to the law collections was 96. 56 per cent of respondents reported that there were workstations in the Law School building, with a median number of 52 workstations (2007 Survey). The median ratio of students to workstations in 2005 was 3.25:1. The trend is for provision of computer workstations to be in clusters or large shared facilities. The provision of wireless-enabled areas continues to increase.

Comment D. Important efforts continue to be made by universities to provide the hardware necessary to support the shift to electronic provision of materials. Continuing improvements in remote access to databases and study materials over the web have the potential to speed up existing trends for study to be undertaken away from the library, in places such as halls of residence or at home. Nevertheless, the number of workstations available at any time for consultation of electronic materials is one of the factors that a Law Library should take into account in determining its provision of multiple copies of law materials, in whatever format (below, standard 4.7).

4 Collections

4.1 The Law Library's collections must be adequate, in terms of range and quantity, to permit the Law School to attain its teaching and research objectives.

Comment A. Actual expenditures on acquisition of law materials, that is, on all law materials in all formats, coupled with indications of the degree to which law library holdings permit the attainment of the Law School's teaching and research objectives, may together afford some guidance on what levels of current expenditure are needed to maintain adequate collections.

Practice. In 2006 the median expenditure by law libraries on acquisition of law materials in all formats was £106,422. This is equivalent to a median figure of £164 per student (not a full time equivalent figure).

Practice. Within the overall picture of expenditure described above, there is clearly a continuing increase in provision of information in electronic format (see comment A to standard 4.6). There appears to have been a relative fall in expenditure on other materials and particularly in expenditure on monographs. In 2006 the median expenditure on monographs was £23,000 and, on average, expenditure on monographs represented 24 per cent of total law material expenditure, recording a slight fall after several stable years. The median expenditure on serial publications was £54,490 and on average represented 56 per cent of total law material expenditure – a fall on previous years. The median expenditure on electronic databases was £18,000 and electronic databases on average accounted for 20 per cent of total law materials expenditure. The average percentage spent on electronic databases has been rising steadily in recent years.

Comment B. The succeeding standards in this section are designed to indicate, in greater detail, the minimum range of materials likely to satisfy the general standard in relation to each of the different types of educational provision by Law Schools (4.2-4.5); to deal with questions of format (4.6) and to provide guidance on multiple copies of materials (4.7). Further guidance as to the identity of specific materials may be obtained from the Indicative List.

Comment C. A significant amount of legislation and case law is now available over the internet either through commercial databases or from free web sites. Commercial databases generally provide the text of consolidated legislation and the full text of decisions with a variety of value-added services relating to case law such as headnotes, citators and commentary. Free web sites frequently provide only unconsolidated legislation and the transcripts of cases without value-added features. Whatever mix of commercial databases and free web sites an institution

chooses to select for access to primary legal materials, it will need to demonstrate how the resources it makes available to its staff and students embody the essential qualities of currency, accuracy and authority.

4.2 Where the law school offers only service or subsidiary provision, the law library should provide access to, as a minimum,

- 1. a selection of Public General Acts in official or reprint form appropriate to the subjects taught;**
- 2. leading reported decisions of the superior courts of the United Kingdom, relevant to the subjects taught;**
- 3. a selection of European Union primary materials (treaties, legislation and case-law) appropriate to the subjects taught;**
- 4. such secondary works as are needed to support the teaching of the subjects offered.**

Comment. "Support of teaching" (4.2.4) includes meeting the needs of teachers for varied and up-to-date sources of information and commentary for the purpose of teaching preparation.

4.3 Where the law school offers provision of qualifying degree teaching, or postgraduate course provision, or both, the law library should provide access to, as a minimum,

- 1. all Public General Acts currently in force in official or reprint form;**
- 2. a selection of Statutory Instruments and other secondary legislation, in original or reprint form, relevant to the subjects taught;**
- 3. the treaties and legislation of the European Union in original or reprint form, relevant to the subjects taught;**
- 4. all reported decisions of the superior courts of the jurisdiction in which the law school is located that are relevant to the subjects taught, together with such decisions of other courts as are necessary to the understanding of those subjects;**
- 5. all reported decisions of the European Court of Justice relevant to the subjects taught;**
- 6. Parliamentary materials of the United Kingdom and its constituent jurisdictions, to include Bills, Parliamentary Papers, and reports of Parliamentary proceedings, appropriate to the subjects taught;**
- 7. such other official publications of the United Kingdom and its constituent jurisdictions as are necessary to support the teaching and research objectives of the School;**
- 8. where teaching is provided in the law of any legal system other than that of the European Union and of the jurisdiction in which the law school is located, primary legal materials and official publications from that legal system, in official or reprint (including,**

where appropriate, translated) form, sufficient to support the objectives of such teaching;

9. such secondary works (including textbooks, monographs and periodicals) relating to the law of the jurisdiction in which the law school is located, of the European Union, and of other legal systems which are the subject of study, to comparative law, legal history, jurisprudence, and analyses and critiques of law and laws by other disciplines, as are necessary to support the teaching and research objectives of the school;

10. those tools, such as general law encyclopedias, citators, periodical indexes, and current awareness services, which are necessary for the identification and up-dating of primary and secondary legal materials for the legal systems in which teaching and research are undertaken.

Comment A. In 4.3.1 and 4.3.2, as applied to Scotland, "Public General Acts" includes Acts of the Scottish Parliament, and "Statutory Instruments" includes Scottish Statutory Instruments. As applied to Northern Ireland, "Public General Acts" includes Orders in Council made pursuant to the Northern Ireland Act 1974, and "Statutory Instruments" includes Northern Ireland Statutory Rules. As applied to Wales, "Public General Acts" includes Measures of the National Assembly for Wales and "Statutory Instruments" include Statutory Instruments made by the National Assembly for Wales.

Comment B. The latter part of 4.3.4 refers to decisions of courts in other parts of the United Kingdom, and of foreign courts, which contribute to an understanding of the law of the jurisdiction; 4.3.8, by contrast, refers to such decisions, and other primary materials, in relation to the teaching of the relevant foreign law. A law school located in one jurisdiction within the United Kingdom which makes qualifying degree provision in relation to the law of another should for that purpose be treated as if it were located in the latter jurisdiction.

Comment C. The term "legal system" in 4.3.8-10 is intended to be broad enough to encompass non-State as well as State systems of law, including international law and specific components thereof such as the European Convention on Human Rights and its organs; canon and other religious laws; private legal orders; etc.

4.4 Where the law school offers provision of LPC or BVC teaching, or, in Scotland, of teaching for the DLP or for subjects recognised by the Conveyancing and Executry Services Board, the law library should provide, as a minimum, in addition to the materials specified in 4.3 above (to the extent that they are not already included in 4.3.9), an appropriate range of practitioner works (treatises, encyclopedias, precedents) in the most common areas of practice of the relevant branch of the legal profession.

Comment A. It is assumed that, in practice, provision of this teaching will only be undertaken by Law Schools which are providing qualifying degree teaching, as defined above.

Comment B. Detailed indicative lists of holdings needed for the purpose of LPC and BVC teaching have been prepared by the Solicitors Regulation Authority, the regulatory body for the LPC and by the Bar Standards Board, the regulatory body for the BVC, and copies may be obtained from them.

4.5 Where the Law School offers postgraduate research provision, the holdings of the Law Library, taken with those of the University Library as a whole and those of any other readily accessible library with which formal collaborative arrangements exist for this purpose, should be sufficient to provide the principal research resource in any field of law in which the School offers supervision.

Comment A. "Formal collaborative arrangements" refer to arrangements of the kind described in the Joint Funding Councils' Libraries Review Group Report (the Follett report) (paras. 176-185) and the Report of a Group on the National / Regional Strategy for Library Provision for Researchers (the Anderson report) paras.16-17, whereby different institutions - not necessarily all in the higher education sector - co-ordinate stock acquisition, opening hours, etc., with a view to providing a wider range of facilities for all their users.

Comment B. It is to be expected that postgraduate legal research, especially at doctoral level, will entail the use of the resources of a range of libraries, archives etc. This standard, consistent with the general requirement in 4.1, requires only that the relevant holdings in any field in which research supervision is offered be strong enough to serve as the core library resource for the research student, and to avoid the necessity for the student to rely on the resources of some other, unconnected University as the main support for his or her work.

4.6 The collections of the Law Library should be held in the format, or combination of formats, that best serves the needs of its users and the teaching and research objectives of the Law School.

Comment A. It is for the Law School and the Law Library to determine, within the general framework of these standards, what mix of formats - paper, remote on-line databases, in-house databases (CD-ROMs), microforms - should be adopted for this purpose. A collection restricted to paper sources should, however, be regarded as inadequate for the purposes of any School offering more than merely subsidiary or service provision of legal education.

Practice. In 2006, all respondents subscribed to at least two legal databases. The median number of databases accessible in responding libraries was four, a steady fall in recent years. At the time of the 2006 survey, virtually every legal database in academic law libraries was Internet-based. These figures and the expenditure figures at standard 4.1, comment B confirm the very significant movement towards electronic sources since 1994. A fall in the median number of databases since the 1999 survey, from 10 to 4, indicates a trend of subscribing to large services which include an increasing number and variety of legal materials. The move towards web-based databases has been swift and decisive; in 1999 the CD-ROM was the delivery medium for 68 per cent of databases in libraries, at the time of the 2002 survey it was used for 11 per cent and in 2006 was practically nil.

Comment B. The impact of the Internet on access to legal materials is apparent. Some institutions may be tempted to tip the balance of resources considerably in favour of electronic access to the detriment of the maintenance of a paper-based collection. There are advantages in terms of remote access, multiple access, and access at any time. However, there are also significant disadvantages attached to this policy:

- 1 the institution is paying for access and not ownership;
- 2 if a database provider alters the terms or cost of access to make it unfavourable for the institution to subscribe, the institution has no paper collections to fall back on;
- 3 publishers of materials which appear on electronic databases negotiate at intervals licences with each database provider for the display of their publications. There have been instances where because negotiations failed materials disappeared from an electronic source without notice;
- 4 students have limited opportunities to be taught and undertake paper-based research – this is frequently commented on adversely by the professional bodies as not equipping students for vocational training and the practice of law;
- 5 some students and teaching staff wish to read and use paper sources rather than pay for and depend on downloading and printing from a PC.

Comment C. When providing access to library materials in electronic format libraries should consider users with special needs, such as the visually impaired etc.

4.7 Materials which are likely to be required for simultaneous use by significant numbers of users should be made available by the Law Library for multiple access. Multiple access may be provided either by multiple log-ins to an electronic source or by the purchase of multiple copies of a paper-based publication. The Library should draw up a policy for multiple access, which should be kept under review within the framework of the machinery referred to in standard 1.5 above. In justifying its level of provision of multiple access to any given material, the Law Library should show evidence of having taken into account

1. the number of persons who may be expected to need multiple access to the material;
2. the nature of the material and its importance to the teaching objectives of the School;
3. the availability of the material in different formats;
4. the desirable balance as between ownership of and mere access to material in different formats, bearing in mind 4.6, Comment B above;
5. the extent to which the material is made available outside the framework of library services, e.g. through inclusion in study packs;
6. copyright law and practice.
7. fluctuating demand for access to multiple copies over the academic year, including examination periods.

Comment A. These guidelines present a procedural, rather than a substantive standard for multiple copies (the approach of earlier SPTL statements). A wide variety of approaches to the provision of multiple copies of paper publications are in use (RR 7.7), and the increasing diversity of both teaching approaches and materials formats precludes the formulation of quantitative standards suitable for all libraries.

Comment B. Estimates of demand (4.7.1 and 2 above) should where possible be based on empirical data generated by an adequate library management information system, as opposed to "best guesses".

Comment C. On the significance of the availability of material in electronic formats, see standard 3.3, Comment C above.

Comment D. The need for multiple copies may legitimately be reduced where the Law School has a policy of providing study packs or IT courseware as an alternative means of multiple access to materials.

Comment E. Copyright law and practice will be relevant both to the provision of study packs and IT courseware, and to the provision by the Law Library of a collection of photocopies of selected parts of law reports, books or periodicals. Recent developments in the copyright regime with regard multiple copying under the terms of the Copyright Licensing Agency blanket licence for higher education institutions have reduced the administrative burden in making such provision.

5 Franchising and distance learning

5.1 Where the legal education provision made by a University is secured, wholly or in part, through teaching or other services furnished by other educational institutions, whether in the United Kingdom or abroad ("franchising"), it is the responsibility of the University ("the franchisor"), by agreement with those institutions ("the franchisees"), to ensure, in consultation with the Head of its Law School, that at all

stages of the relevant course or courses of study students enjoy convenient and reliable access to a Law Library whose services, premises and collections satisfy the requirements of these standards, as judged by reference to the teaching and research objectives of its Law School in respect of the relevant stage of the course of study.

Comment A. Franchise operations are far from uniform, both as to the type and level of teaching that may be contracted out, and as to the division of responsibility for such matters as library support between franchisor and franchisees. While this standard is designed to be consistent with a wide variety of such arrangements, it insists on two principles: that these standards generally are fully applicable to franchised degrees and other provision of legal education; and that it is the responsibility of the franchisor University to ensure that they are met.

Comment B. Particular standards may call for different forms of adaptation to meet the circumstances of franchised provision. Thus while it is not expected that each franchisee institution will necessarily appoint a Law Librarian in terms of standards 1.2 and 1.3, in the absence of such an appointment it would be expected both that the franchisor's Law Librarian should be able to exercise adequate oversight over any library provision made by the franchisees, and that the machinery for consultation in standard 1.5 be extended to the academic staff at the franchisee institution. Most standards relating to services, premises and collections may be taken as applying, without substantive modification, to the overall Law Library operation of the franchisor and franchisee institutions, though it should be borne in mind that where such resources are distant from one another, duplication of services or collections or both may be needed in order to ensure that the standards are met.

5.2 Law Schools which deliver degrees or diplomas, falling within the definitions of legal education provision to which these standards apply, and for which students prepare through distance learning or privately arranged studies, should ensure that those students enjoy access to legal materials, and advice and instruction in their use, functionally equivalent to that afforded to students on equivalent attendance-based courses by the provision of a Law Library in accordance with the foregoing standards.

Comment. The fact that a qualifying law degree or other qualification is conferred on the basis of distance learning or analogous arrangements should not imply any difference in the standards of competence in library and research work reached by the students. The onus is therefore on the relevant Law School to provide equivalent access to learning materials by such means as library sessions during any attendance-based parts of the course; special arrangements with other academic or professional law libraries conveniently placed for the student; provision of study packs; or provision of access to electronic materials whether held at the Law School or elsewhere.