



# Inner Temple Library Newsletter

Issue 32, April 2013

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## Saturday Opening

One of the four Inn Libraries is open from 10.00 a.m. to 5.00 p.m. on each Saturday during the legal terms.

### April

27 April Middle Temple

### May

4 May Gray's Inn  
11 May Inner Temple  
18 May Lincoln's Inn  
25 May CLOSED

### June

1 June Middle Temple  
8 June Gray's Inn  
15 June Inner Temple  
22 June Lincoln's Inn  
29 June Middle Temple

### July

6 July Gray's Inn  
13 July Inner Temple  
20 July Lincoln's Inn  
27 July Middle Temple

To view a Saturday Opening Timetable to the end of 2013 click [here](#).

## Prize Draw

Respondents to the recent Library surveys who supplied their contact details were entered into a draw to win a bottle of champagne. The Treasurer drew the winners' names at Benchers' Night on 14 February: these were Brendan L'Heureux, Nadine Seymour, Jonathan Walters and Anna Watterson.



*The Treasurer selects the winning entries*



*Nadine Seymour*



*Anna Watterson*

## Observations on the 2013 Survey Results

As part of the strategic review of library services currently being conducted by the Library Committee a survey was carried out via the Library's website from 24th January to 10th February 2013. A link to the online questionnaire was included in an email which was sent out to members of the Inner Temple, to chambers in the Inner and Middle Temple, and to chambers in the vicinity of Temple (excluding Lincoln's Inn and Gray's Inn).

The survey questions aimed to find out how collections and services are being used within the Library and remotely, how the services are rated, what additional services or facilities may be required in future, and what other print and online resources (e.g. chambers' library) are available to users.

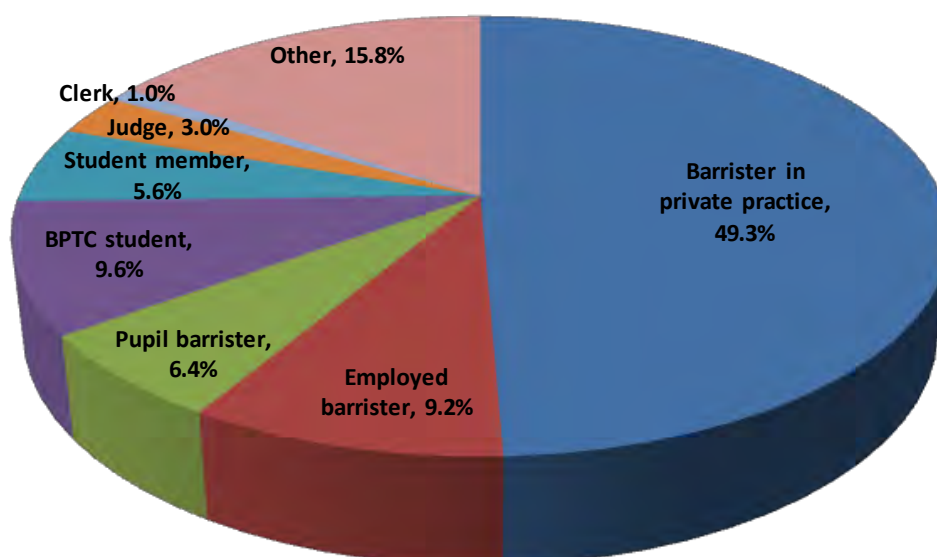
A total of 795 responses were received to the online survey. (A similar survey in 2011 received 231 responses.) In addition a two-day survey of those coming into the Library in person was carried out on 5th and 6th February 2013. On the survey days 194 people visited the Library and 67 of these made second visits. 100 questionnaires were handed out and 88 were returned. 38 Library users had already completed the survey online, and the remaining users said they were too busy to complete the questionnaire.

The results of the two 2013 surveys are complementary and broadly consistent. The 2013 online survey has a much higher response rate from members based outside the Inns than a similar survey carried out in 2011. The response rate is as follows: other London (32.1%), outside London (28.6%) and overseas (6.3%). Many of these respondents, who do not have regular access to the Library in person, feel that they cannot benefit from its collections and services. Of the 795 respondents, 157 indicate that they never use the Library in person.

49.3% of the respondents to the online survey are barristers in private practice and of these 38.1% have practices that are predominantly publicly funded. 76.1% of respondents to the in-house survey are barristers in private practice and of these 34.3% have practices that are publicly funded.

77.1% of respondents to the online survey are members of the Inner Temple. 18.6% of respondents are located in chambers in the Inner Temple. 51.1% of respondents to the in-house survey are members of the Inner Temple and 41.7% of respondents are in chambers within the Inner Temple.

**Which of the following are you? (Online survey)**



## Observations on the 2013 Survey Results

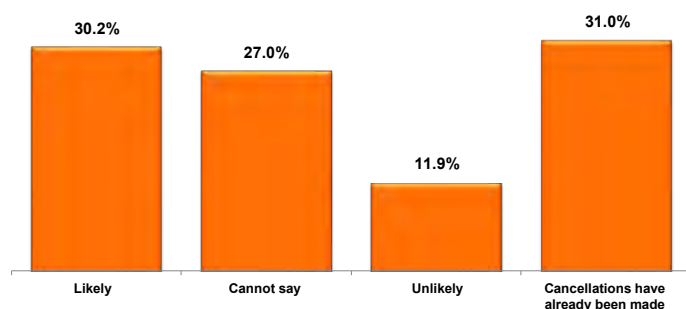
39.5% of respondents to the online survey and 60.2% of respondents to the in-house survey say they regularly need to use additional hard copy resources as well as personal copies or copies provided by chambers, BPTC providers or employers. 25.2% of respondents to the online survey and 35.6% of respondents to the in-house survey say they regularly need to use additional online resources. The figure is higher in the in-house survey for those with publicly funded practices. 65.2% of these respondents say they regularly need to use additional hard copy sources and 52.2% need additional online resources. The main additional hard copy resources needed are law reports, current textbooks, journals and looseleaves. Responses and comments show that the Inner Temple Library or one of the Inn Libraries is where most respondents in London expect to find these additional hard copy and online resources.

Responses show that more hard copy titles have been cancelled, or are likely to be cancelled, in chambers than was indicated in an earlier survey carried out in 2009. 48.2% of respondents to the in-house survey say that cancellations have been made or are likely to be made.

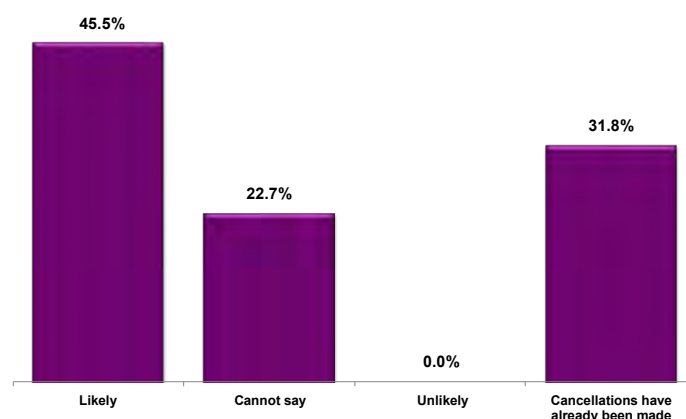
In some cases chambers have moved to equivalent online sources. Other comments mention more reliance on an Inn Library, and point out that even if books are retained in chambers, they are often missing when required or out-of-date. Sharing of textbooks in chambers is also mentioned. Respondents from chambers doing publicly funded work indicate that a higher level of hard copy cancellations (61.2% online survey; 77.3% in-house survey) has been made or is likely. Some responses say that publicly funded chambers can no longer afford a library.

There is less likelihood of online subscriptions being cancelled; however, some respondents indicate that their chambers do not have any online subscriptions or that they do not subscribe to one of the two major services. Others say that the cost of personal and chambers' subscriptions to databases is too high and that they rely on the range of online services provided by the Inn Library. Respondents also complain about publishers who bundle hard copy and online resources together and then charge subscribers a much higher rate for a format they do not wish to use.

**How likely is it that your chambers' subscriptions to hard copy titles will be cancelled in the near future?  
(Publicly funded Chambers)  
(Online survey)**



**How likely is it that your chambers' subscriptions to hard copy titles will be cancelled in the near future?  
Publicly funded Chambers)  
(In-house survey)**



## Observations on the 2013 Survey Results

Apart from using the resources of the Inn Libraries, barrister respondents have recourse to their own books, free Internet services, chambers' libraries, chambers' subscriptions to electronic services and employers' resources. Usage of most of these resources is similar in both the 2011 and 2013 surveys, apart from use of chambers' libraries, for which the result in the online survey was 65.8% in 2011 and 51.1% in 2013, and use of personal subscriptions to electronic services, which had similarly dropped from 37.8% to 17.5% (online survey) and from 35.2% to 17.4% (in-house survey).

The main reasons given in the online survey for **not** using the Library regularly are that it is located too far away (58.3%) or that personal/chambers/employer's/BPTC provider's library is sufficient (34.2%).

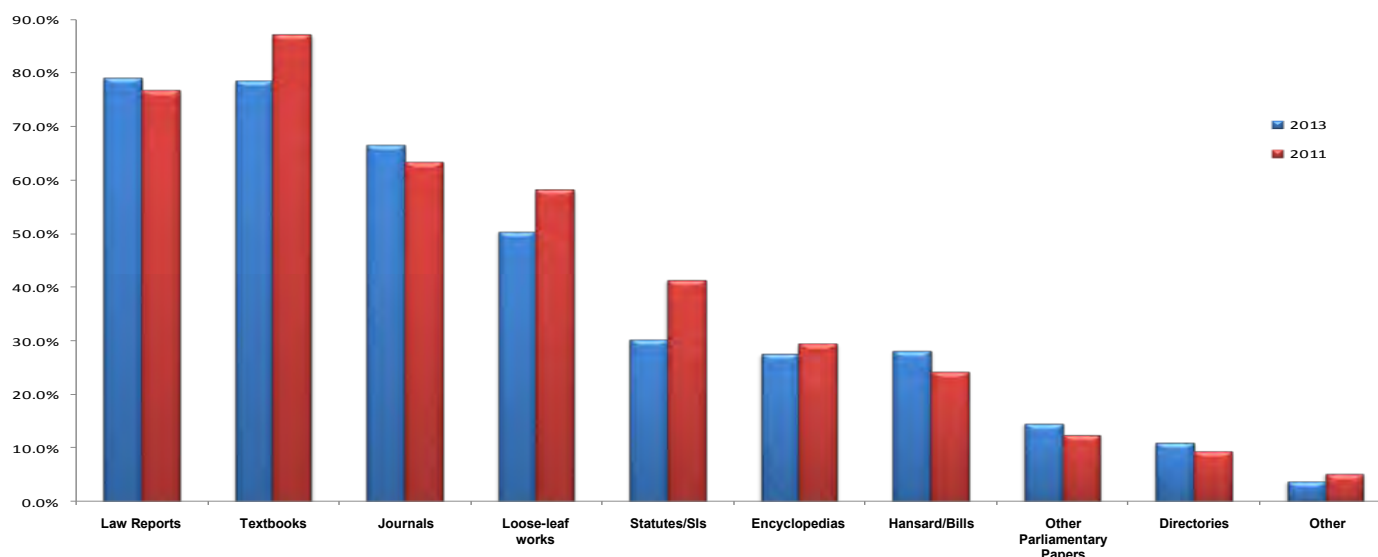
The main reasons given for visiting the Library are to research for a case or opinion, followed by the need to use hard copy resources and to copy specific material. The number of respondents who value the Library as a 'quiet and convenient place to work or study' has increased from 12.2% in a 2002 survey to 51.9% (online survey) and 55.3% (in-house survey) in 2013.

Interestingly it is the most important factor for BPTC students answering this question, in both surveys.

Responses show that the Library's print collections continue to be as well used as they were in 2011, if not more so. The in-house survey responses show an increase in the use of some materials. The most popular categories of material are law reports, textbooks, journals and looseleaves, which are the main categories of material identified as the additional resources not available in chambers. Survey responses from pupils and barristers in the in-house survey show a very high level of use of current textbooks.

The categories of material (both current and non-current) which are most frequently used for research are English law, EU law, human rights and Commonwealth law. The majority of users consult the current print collections but the availability of non-current material, most of which is not available online, is also much valued. In the online survey use of non-current English law material shows an increase from 41.9% in 2011 to 89.5% in 2013 and in the in-house survey from 88.2% to 95.5%.

### Which hard copy resources do you use within the Library? (Online survey)





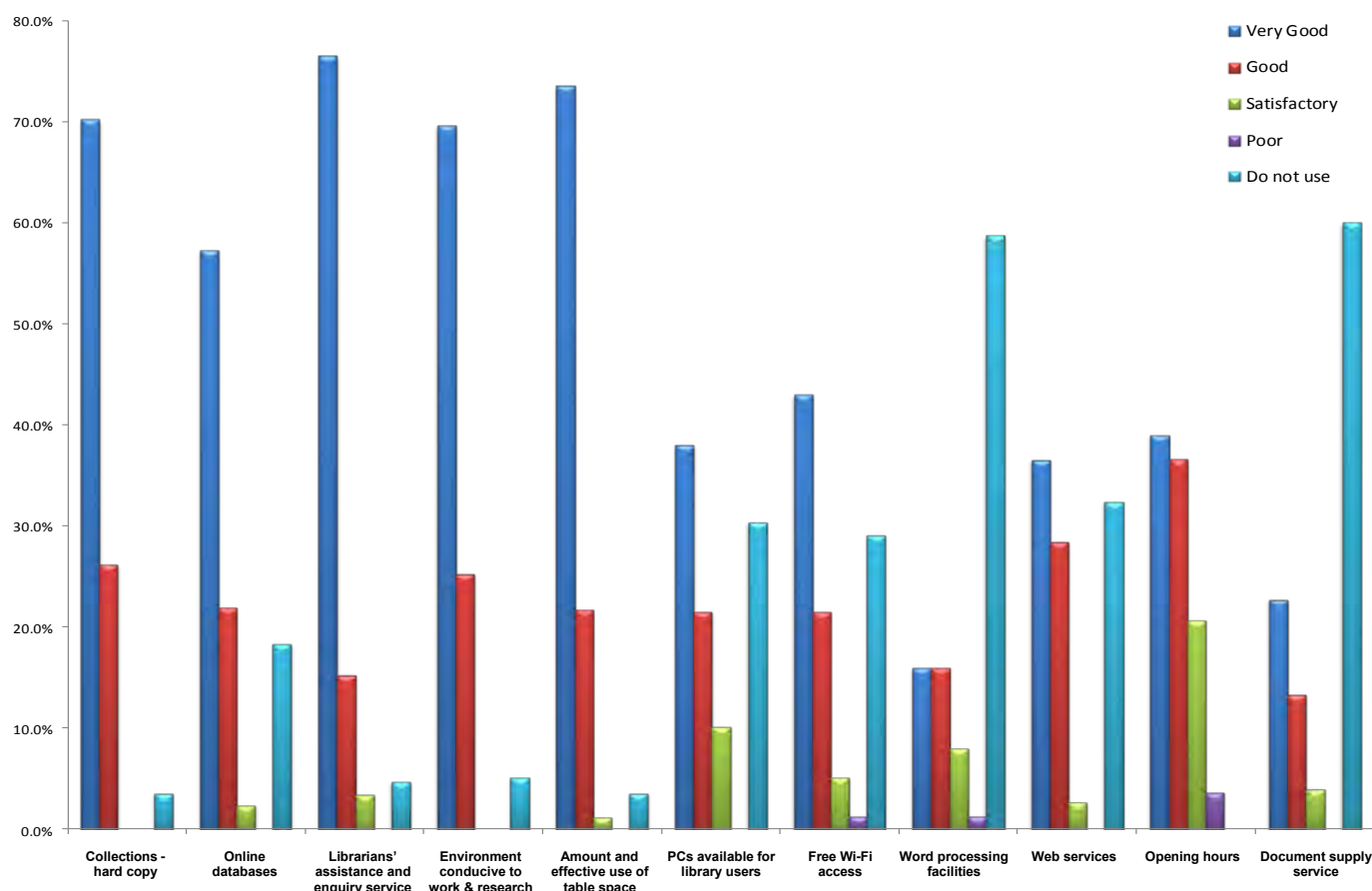
## Observations on the 2013 Survey Results

The increasing use of online subscription databases within the Library (and in chambers) is evident. The relative usage of each of the individual services has not changed very much since 2011. Westlaw continues to be the most popular service and in chambers this seems to have taken over from Lawtel as the most popular subscription service.

The Library's collections and services (online databases, enquiry service, web services, research PCs, free Wi-Fi access, word processing facilities, document supply service, opening hours) continue to be rated highly by the majority of those who use them. One facility in which there has been a marked increase in usage since 2011 is access to Wi-Fi.

Responses to the question which asked if certain services (subscription databases, free Wi-Fi, PCs for research, librarians' assistance with research, Current Awareness blog, AccessToLaw, Library website) would make it more likely for a respondent to use the Library indicate that for the majority of respondents who have easy access to the Library, librarians' assistance, the subscription databases, free Wi-Fi and PCs for research (in that order) are the most important factors in using the Library. BPTC students rate librarians' assistance and the range of web services available more highly than do other categories of respondent.

### How do you rate the Inner Temple Library as regards the following? (In-house survey)



## Observations on the 2013 Survey Results

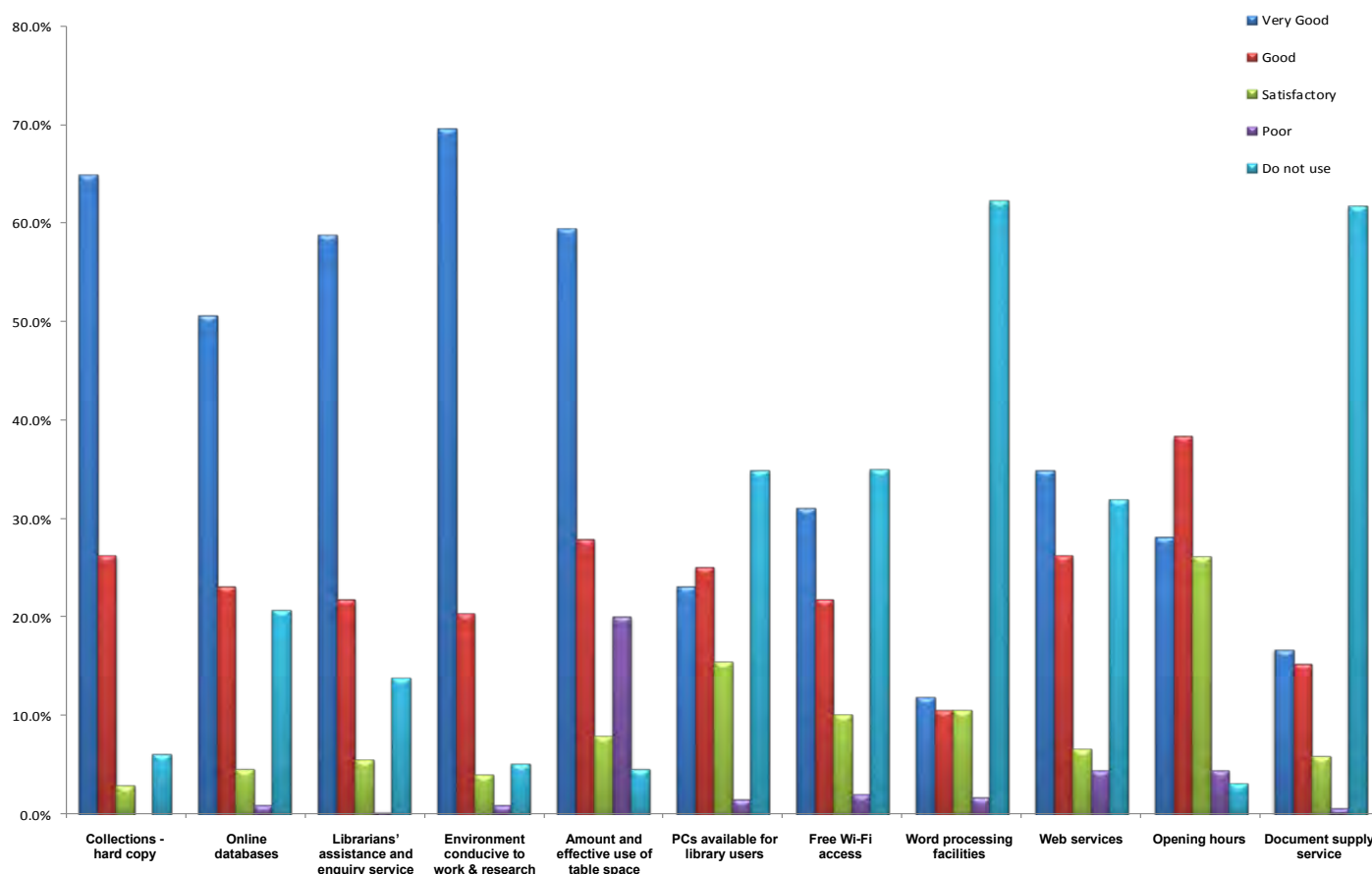
Use of the online catalogue (in-house and remotely) remains high and readership of the Current Awareness blog has increased since the last survey. There are also some very favourable comments on the blog. Responses from pupils and students in the online survey show a higher level of use of web-based services, such as the blog and AccessToLaw, than those from other user groups.

A very large number of respondents to both surveys are still not aware of the document supply service. Others say that they have not needed to request documents (online survey: 34.6% in 2013; 63.6% in 2011). This charged-for service can be used by barristers who require photocopies by email, fax or post, whatever their location. The minority who use the service do seem to value it. Since the last survey this

service has been publicised in the Library's and the Inn's newsletters and on the website but it is apparent that other ways need to be found to increase awareness.

50.3% of respondents to the online survey and 16.0% respondents to the in-house survey say that they read the quarterly electronic newsletter, a link to which is emailed to all members and tenants. This should be a good way of publicising Library services. However, we need to find a way to persuade recipients to read the newsletter and to check the website to keep up to date on developments in the Library. Some of the respondents who indicate that they are not aware of our web services, for example, would certainly have been alerted to them by these means.

### How do you rate the Inner Temple Library as regards the following? (Online survey)



## Observations on the 2013 Survey Results cont.

### Remote Access

There are numerous requests in the online survey for remote access to subscription services, such as Westlaw or Lexis, from respondents located outside the Inns and outside London. Respondents suggest this could be provided free of charge, or pay-as-you-go, or for a small subscription charge. This issue has been raised by respondents to previous surveys. The matter has been discussed with service providers several times. The position is that the only licence which they will allow is for use of the databases within the Library. They are not willing to agree to a remote access arrangement for what could be thousands of members of the Inn at a lower rate than subscribers currently pay, and the Library could not afford to finance such an arrangement. The major suppliers have said that they prefer to negotiate chambers/individual subscription rates with users directly.

### Finally

We would like to thank everyone who participated in the surveys. Library staff, the Strategic Review Group and the Library Committee are keen to seek ways of improving services for users and will be looking very carefully at all the suggestions and criticisms made by survey respondents.

The full results and comments from the in-house and online surveys are available on the [Library website](#).

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## Annual Review

The Library's Annual Review for 2012 is now on the website. Click [here](#) to view.

## IT Changes

A number of respondents to our recent surveys suggested changes that could be made to improve current services and Library staff have already taken action to implement some of the IT changes suggested, which include:

- making word-processing and email available on the Main Floor PCs.
- doing away with the booking system and login access for PCs at Gallery level.
- extending Wi-Fi access to Room C, in addition to Rooms E, F and G.

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## New Display of Silver in Hall

The collar of esses worn by Lord Abinger (1769-1844) as Chief Baron of the Exchequer, which was formerly housed in the Library, now features in a spectacular permanent display of the Inn's silver, behind the high table in Hall. The collar, and other treasures, have until now been exhibited only on special occasions such as Grand Day.



## BAILII Update

*Joe Ury, BAILII Executive Director, writes*

In 2012 we conducted a user survey and the responses provided us with a great deal of very helpful information, both about who our users are and about their experiences of using the [BAILII](#) website.

The chart below provides details of who uses BAILII. This shows for example that over 11% of BAILII's users are barristers or Scottish advocates.

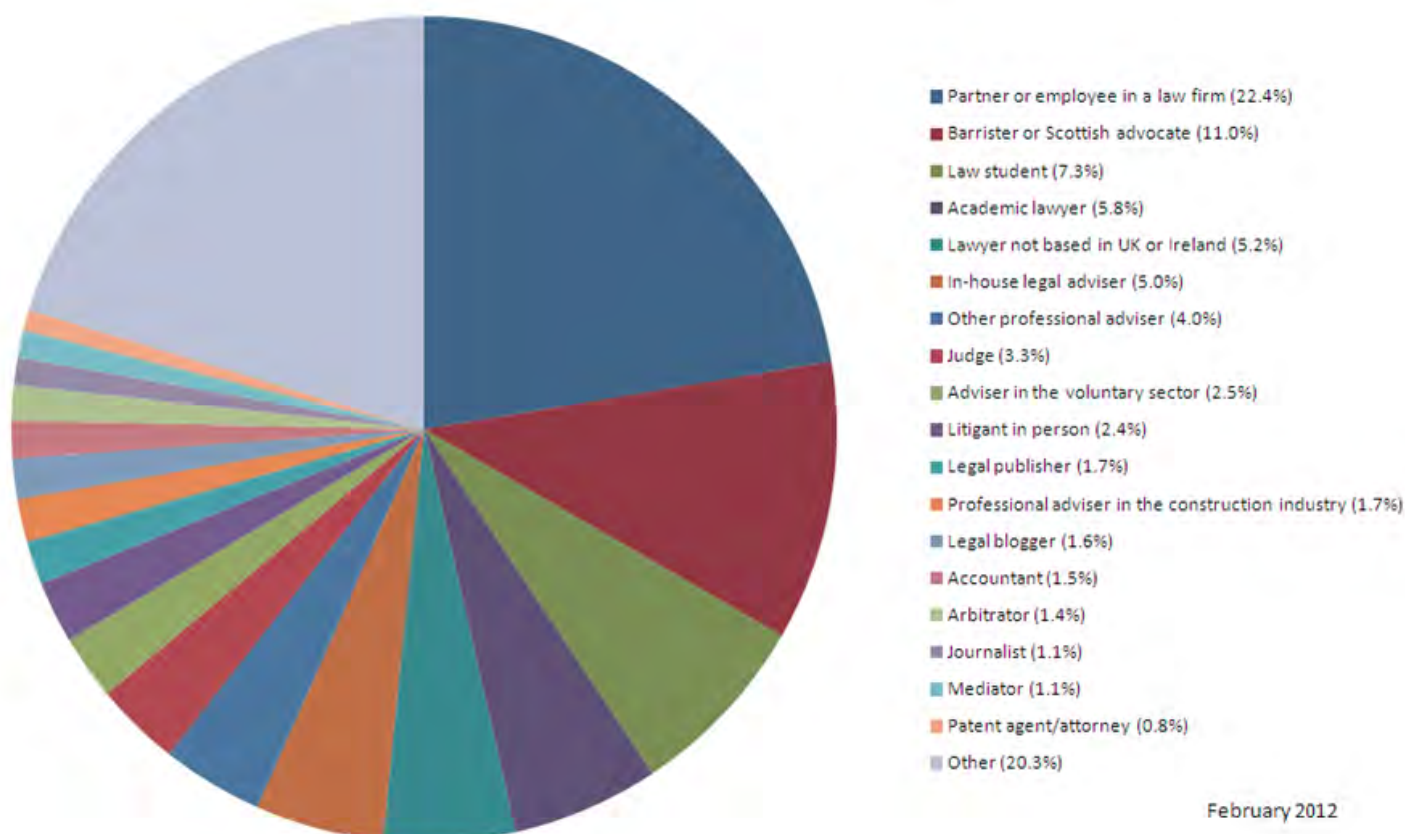
### Improvements

As a result of the responses to the survey we have made a number of changes to BAILII's website and are considering further changes. There are several options on BAILII for retrieving a judgment when the user has citation and/or title information, but comments

indicated that some users are unaware of the options or of what to do when their search yields no results, despite the fact that the case they seek is in fact in the BAILII database. We have made several changes to BAILII in an effort to make the citation and title search options and functionality more apparent and accessible, and these are set out below.

- The Home Page now has direct links to "Find by Case Citation" and "Find by Case Title". The label "Basic Search" was removed because it had no real functionality – i.e. it was not a link.
- When a title search yields no result, the user is now prompted to try again using only the most distinctive terms or alternatively to click on the link to browse alphabetical case lists.

**Who uses BAILII?**





## BAILII Update

- When a citation search yields no result, users are now prompted to try again if they have another citation for the same case. This is because users can mistakenly conclude that the judgment they seek is not available on BAILII when in fact it is there and the difficulty is simply that BAILII does not have all the parallel citations for every case and the user has chosen a citation that is not included in our records. The prompt also suggests searching by title.
- Changes have been made to the Title Keyword Search Help screen in order to advise users how to search when they are uncertain of spelling.

As a result of a collaboration between BAILII and the [Incorporated Council of Law Reporting](#), since 1 October 2012 judgments on BAILII contain links (where available) to the ICLR summary of the judgment. Also, starting in 1867 with [1867] UKPC 21 and continuing up to the most recent judgments, we are providing links to the page at which the official ICLR Law Report of the judgment, with headnote, can be viewed (by ICLR subscribers) or purchased (by non-subscribers).

### Funding

BAILII's principal source of funding continues to be voluntary donations. Although BAILII receives a quarterly contribution from H.M. Courts & Tribunals Service, we have no assurance that this will continue, and the formal arrangement under which this is paid has already expired.

In order to remain in operation BAILII has to appeal for funding from its users. This met with a good response during 2012, but many of the donations offered are one-off donations, and in order to remain in operation BAILII is dependent on a continuing flow of donations.

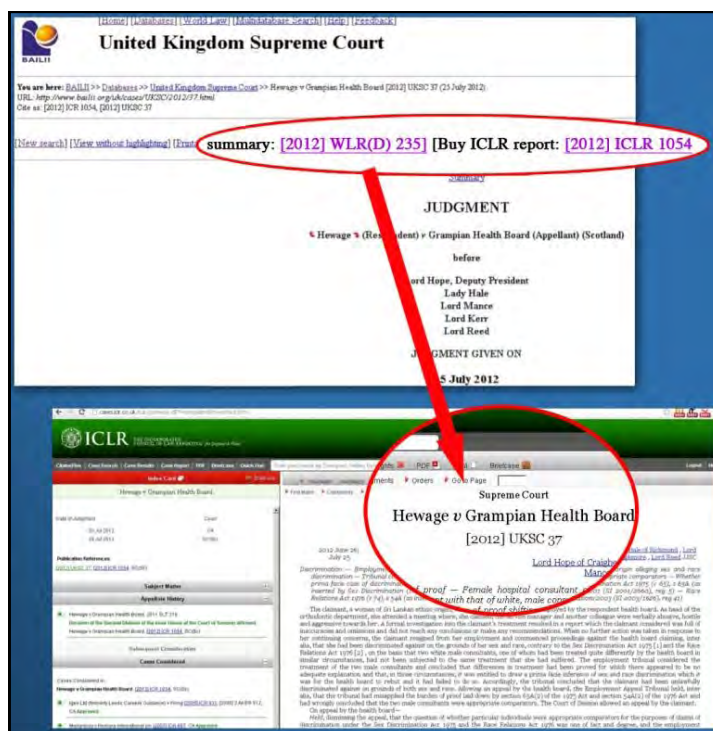
We hope that individuals and chambers will decide to support, or to continue to support BAILII, in recognition of

- the benefit they derive from a website for which no subscription is required, and
- the benefit to those who cannot afford subscriptions to commercial databases, such as providers of pro bono legal advice in the community, and lawyers and students in developing countries.

The amount which might be donated should also be viewed in comparison with the cost of subscriptions to online commercial databases (many thousands of pounds for large firms), and in relation to your overall library or knowledge management budget.

Further information about BAILII's funding is available [here](#).

*The four Inns of Court have been sponsors of BAILII since 2006.*



## Database Search Tips – Lexis Library

In this issue we look at the different ways of finding and of searching within individual sources on Lexis Library. If you need to find out how a phrase has been judicially defined, for example, you can do this by searching the source *Words & Phrases Legally Defined*, or if you want to find an article in the *New Law Journal*, or a case in the *Ontario Reports*, you can search just that source.

### Home page

On the home page there is a **Find a source** box. Here you can enter the name of the source you are looking for e.g. *New Law Journal*

Click on **Find** and you will be given a list of possible matches. Tick the one you want and then click on **OK – Continue**.

The next screen allows you to search within the source you have selected.

### Sources Tab

Clicking on the **Sources** tab at the top of the home page will allow you to browse through an alphabetical list of titles found on the database.

The initial list displayed is for the UK only, but you can specify another jurisdiction, as required. All the sources for that jurisdiction will then be listed. Tick the title(s) you need and click on **OK – Continue**.

Now you can search within the specified title(s) using the **Search Terms** box.

### Browse Sources

The **Browse Sources** option allows you to search for titles within categories of material, e.g. cases, commentary, legislation and legal journals. You can also choose a jurisdiction.

Click on the **Sources** tab and then the **Browse Sources** tab. Select a jurisdiction from the Country drop-down menu, e.g. Canada. You can then choose the type of material you wish to search for and click on the appropriate category, e.g. Cases.

From the list displayed select the title(s) you are interested in.

You can then search within the specified titles(s).

# Westlaw UK Insight

Rory Crone, Marketing Manager, Thomson Reuters writes

Insight launched on the Westlaw UK platform in December 2012. The encyclopaedia, written specifically for online, contains authoritative articles which interpret and analyse the law as it stands today. Utilising the updating tools that power Westlaw UK, the cases, legislation and other primary law sources referred to in the articles maintain their currency. New articles are added daily – ensuring that the encyclopaedia becomes the most comprehensive source possible and continually leads the way in covering new legal developments.

Westlaw UK Insight can be found on the first tab of the main navigation bar on Westlaw UK.




## Searching

Westlaw UK Insight includes intuitive searching via the suggested terms drop-down menu. Suggested terms can help you identify a legal concept or term quickly as well as find terms that match your search criteria, or related terms that you may not be aware of.



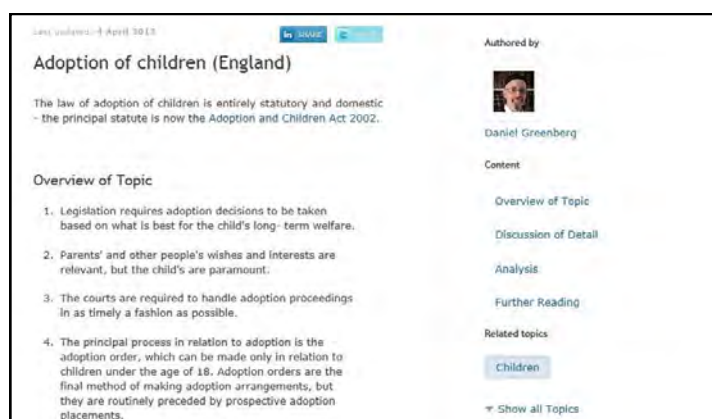
## Browsing

The Insight home page displays 24 top-level topics which cover the main broad areas of law in the UK. Clicking on the  icon next to these top-level topics will allow you to browse down into the more specific fields of law.



## Article Overview

Articles are structured in a way that allows you to read and absorb the facts quickly, then follow the links to related materials to read further around the subject.



## Seamless Linking

Created specifically for online, Westlaw UK Insight is designed to be relevant, comprehensive and yet concise. Links throughout each topic take you directly to essential case law, statutory material, key concepts and areas of complexity/change.



## Westlaw UK Insight cont.

### Author Profiles

Each article also has a link to the Author's biography so you can find out more about the authority behind it, as well as links to blogs and websites where applicable. All Insight topics are written by experts in their field – barristers, solicitors and academics.

### Social Media

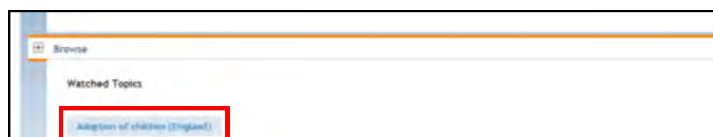
Westlaw UK Insight is integrated with social media. This means you can share any article via LinkedIn or Twitter using the buttons at the top of the page.



The Westlaw UK Twitter feed is also built into Insight, and the editors will be tweeting when new articles are added or updated to ensure that followers are kept abreast of changes to the law.

### Keep Updated

If you have a personal Westlaw subscription, simply click the 'Watch' button at the top of an article and it will be added to a Watched Topics section on your Insight home page. Next time you log in you will know when an article has been updated by the icon next to the topic button. You can also set up alerts to be emailed when an article is updated, or build updates into your Outlook, Lotus Notes or intranet via RSS feeds.



For more information on Westlaw UK Insight, or if you would like to become a contributor, please contact [rory.crone@thomsonreuters.com](mailto:rory.crone@thomsonreuters.com).

## Visitors

During February and March the Library received visits from a number of law librarians, including Paul Sandles from the Supreme Court Library, Maria Alexiova from Kaplan Law School, and Barbara Anderson, Agnieszka Dyzma and Monika Gasiorowska from Kaplan Holborn College.



*Paul Sandles*



*Barbara Anderson and Agnieszka Dyzma*



*Monika Gasiorowska and Maria Alexiova*



## AccessToLaw: Mental Health Law

On 1 April 2013 many sections of the Health and Social Care Act 2012 came into force, bringing major changes in the structure of the National Health Service in England. For those seeking information on healthcare law in general, AccessToLaw's [Health and Social Care Law](#) section will provide an appropriate starting point for online research. In this issue however we focus on AccessToLaw's section devoted to a narrower topic, which was the subject of reform a few years ago: [Mental Health Law](#). (This also includes the related topic of mental capacity law.)

The website now called **Mental Health Law Online**, having been originally created under the name Wiki Mental Health, is a large and comprehensive resource designed primarily to meet the needs of the practitioner. It was created by Jonathan Wilson, a solicitor specialising in mental health law. Each of its three main sections - case law, legislation and general information - provides commentary and links to sources, and there is a free email updating service, with updates also posted online. Since about a year ago these updates have also been posted on the website of the **Mental Health Lawyers Association**. The association represents approximately 80 per cent of mental health law practitioners in England and Wales, and its website includes press releases and other documents besides lists of members and some members-only content.

The Department of Health website was recently decommissioned and its content transferred into the government's vast new GOV.UK site. Since there is no single section devoted to mental health, as there was on the old Department of Health site, AccessToLaw provides a link to GOV.UK's **Department of Health** page, from which it is possible to search for relevant information and publications.

For the practitioner the most useful government-provided source of information is likely to be the Justice portal site, specifically the section there entitled **Protecting the Vulnerable**. There is information, with links to legislation and many guidance documents, on the Mental Capacity Act

2005; forced labour and forced marriage; care proceedings reform; and on relevant statutory bodies - the **Official Solicitor**, the **Public Trustee** and the **Court of Protection**. For convenience, direct links are provided to these last three site sections, and to another important body, the **Office of the Public Guardian**.

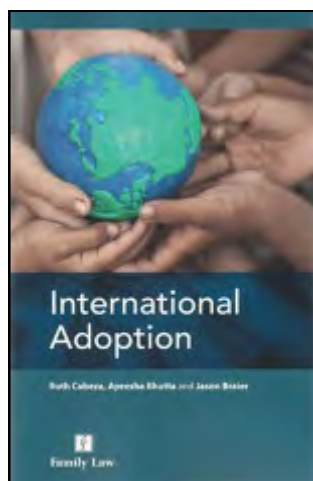
The Court of Protection makes decisions in relation to those who lack the capacity to make decisions for themselves. Information accessible via its web page includes the current Court of Protection Rules. Cases relating to detention under the Mental Health Act are heard by the **Mental Health Tribunal** (formerly the Mental Health Review Tribunal), whose site has forms, guidance leaflets and links to legislation.

The regulation of all health and adult social care in England, including the care of those detained under the Mental Health Act, has since April 2009 been the responsibility of the **Care Quality Commission**. Its website contains consultations, guidance documents, and a variety of other publications such as reports, surveys and reviews, and it also includes key publications of the three bodies it replaced in 2009, one of which was the Mental Health Act Commission.

There are several entries in the Mental Health Law section of AccessToLaw relating to some of the most important official inquiries in which mental health services were a factor. Two examples are the **Michael Stone Inquiry** and the **John Barrett Report**.

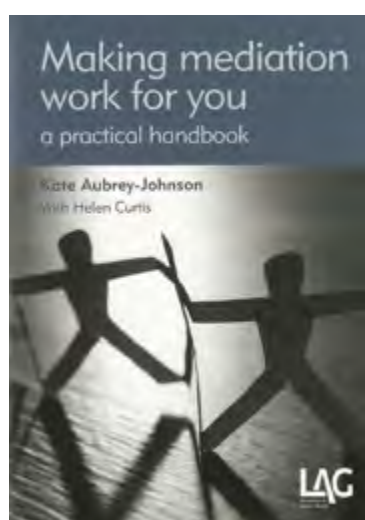
Health and social care is one of the services which were transferred some years ago from the United Kingdom government to the devolved administrations of Scotland, Wales and Northern Ireland. Most entries in this section of AccessToLaw relate specifically to England, but there are a few others too, particularly for some Scottish bodies which are close counterparts of English ones - the **Mental Health Tribunal for Scotland**, the regulator **Mental Welfare Commission for Scotland**, and the **Office of the Public Guardian (Scotland)**.

## New Acquisitions



Two new titles reflect our responsibility, among the Inn Libraries, for family law. *International adoption* by Ruth Cabeza, Ayesha Bhutta and Jason Braier (Family Law) aims to equip practitioners with the tools required to advise a client on how to adopt a child in the UK who is habitually resident abroad, or obtain legal

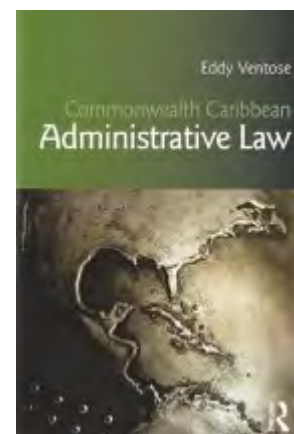
recognition in the UK for a foreign adoption, or arrange for the adoption of a child who is habitually resident in this country, where the prospective adopter is domiciled and habitually resident outside the British Isles. Nigel Lowe and Michael Nicholls's *The 1996 Hague Convention on the Protection of Children* (Jordan) provides a comprehensive guide to the complexities of the Convention, which entered into force last November, and includes detailed coverage of its relationship with other international instruments such as the revised Brussels II Regulation. The appendices contain all relevant source material including the full text of the Convention.



*Making mediation work for you* by Kate Aubrey-Johnson and Helen Curtis (LAG) offers guidance to parties and legal advisers on how to set up and prepare for a mediation, highlighting the strategies, skills and techniques mediators can employ to achieve the best possible

outcome for the parties involved. There is detailed coverage of civil, family, workplace and community mediation and information on professional standards, ethics and training.

*Commonwealth Caribbean Administrative Law* by Eddy Ventose (Routledge), the latest in the popular Commonwealth Caribbean law series, explores the nature and function of administrative law in contemporary Caribbean societies. It considers the administrative machinery of Caribbean states: Parliament, the executive and the judiciary. Ventose also takes account of the alternative methods by which the rights of citizens are protected, including the use of tribunals and inquiries, and looks forward to the increasingly significant role of Caribbean Community law and bodies such as CARICOM and the OECS.



Many thanks are due to the following members of the Inn, and others, who have presented new titles or editions to the Library: Iain Goldrein QC for *Ship sale and purchase*, 6th edition; Simon Mortimore QC (editor) for *Company directors: duties, liabilities and remedies*, 2nd edition; Master Toulson (co-author with C.M. Phipps) for *Confidentiality*, 3rd edition; Andrew Francis for *Restrictive covenants and freehold land*, 4th edition (presented in memory of Miles Shillingford); Alix Beldam (co-author with Susan Holdham) for *Court of Appeal Criminal Division: a practitioner's guide*; Nelson Enonchong for both *The independence principle of letters of credit and demand guarantees* and *Duress, undue influence and unconscionable dealing*, 2nd edition; Master Tugendhat (consultant editor) for *The illicit trade in art and antiquities* by Janet Ulph and Ian Smith; Master Stephen Bickford-Smith for *Private rights of way*; Jason McNerlin (consulting editor) for *Product recall, liability and insurance: a global guide*; Sadakat Kadri for *Heaven on Earth: a journey through Shari'a law*; Gregory Treverton-Jones QC (co-author with Andrew Hopper) for *The solicitors' handbook 2013*; and Karon Monaghan QC for *Monaghan on equality law*, 2nd edition.