



NEWSLETTER

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Project Pegasus Update

An application was received by Historic England in September 2015 asking it to recommend to the Department for Culture, Media and Sport (DCMS) that the Inner Temple Treasury Office, Library and Hall be added to the List of Buildings of Special Architectural or Historic Interest. The DCMS has reviewed Historic England’s recommendation and has decided that the buildings are not of special architectural interest and do not, therefore, meet the Government’s criteria for listing.

The implementation of the Treasury Building redevelopment plan will now be considered by the newly formed Project Pegasus Steering Group, chaired by David Pittaway QC, Master Reader.

Summer Opening Hours

Summer opening hours begin on Monday 1 August.

The Library will be closed from 15-29 August inclusive so that general maintenance work may be carried out.

During the first half of the months of August and September the Library will open at 9.00 a.m. and close at 5.30 p.m. Late opening will resume on Monday 19 September.

[This timetable](#) gives details of the summer opening hours for all four Inn Libraries.

There is no Saturday opening during August and most of September. Saturday opening will resume on 24 September at the Inner Temple.

The Saturday Opening Timetable up to July 2017 is available [here](#).

Lexis PSL Special Offer

LexisNexis are offering discounts on their Lexis PSL service to members of the Inner Temple and the other Inns who work within chambers that do not have a Lexis PSL subscription, and to sole practitioners who do not currently subscribe to the service. The offers are valid until the end of August 2016. More information is available [here](#).



Inns of Court Libraries Special Offer

Welcome to New Students

The Library is involved in a series of events in the autumn for the benefit of new BPTC students.

Tours

The Library will be hosting tours for BPTC students from **Monday 12 September to Friday 23 September 2016 from 10.30 a.m. to 4.30 p.m.**

Tours take about 15 minutes; there is no need to book in advance. Just come in and speak to a member of staff at the Enquiry Point.

We are happy to give Library tours at any time throughout the year to students who are unable to visit during the period advertised above.

Open Afternoon

On **28 September** students are invited to an open afternoon at the Library.

The event will last from 1.00 p.m. to 5.00 p.m. and will begin in the Lawson Room, which is on the first floor just below the Library.

Attendees will be welcomed by Library staff who will explain about the services on offer to students and how the Library is arranged. The afternoon will include tours, demonstrations of the databases and our web-based services. There will be an orientation quiz with a prize draw for those who complete it. All attendees will receive a tote bag containing an assortment of goodies.

Introductory Evenings

On **27 and 30 September** the Deputy Librarian will be attending the Inn's introductory evenings for new students and will be happy to answer any questions about the Library and what it can offer.

Qualifying Sessions

The Qualifying Sessions Sub-Committee has given its approval for the Library to organise a training session for new BPTC students. This will take place in the autumn and will give attendees a basic introduction to legal research and will help them make the most of the resources available in the Library.

The training session will be run twice as part of the Inn's BPTC Advocacy Day on **24 September** and once as a separate event on the evening of **18 October**.

This will be the first time that the Library has been involved in qualifying sessions and we look forward to contributing in this more direct way to the education and training of new students.

Gibraltar Training

At the request of Inner Temple members at the Gibraltar bar, two of the library staff, Tracey Dennis (Deputy Librarian) and Simon Hindley (Senior Library Assistant), will be providing legal research training for junior practitioners in Gibraltar over half a day on 17 November. This is an exciting opportunity and demonstrates how the Library continues to find ways of offering services to Inner Templars wherever they are based.



Legal Research Training

Dates for our next series of training sessions for new pupils are as follows:-

Session 1: Essentials of Legal Research

Tuesday 4 October 2016, 6.00 p.m. to 7.30 p.m.

Location: Inner Temple Luncheon Room

Session 2: Legal Research Workshop: Case Law

Tuesday 25 October 2016, 6.00 p.m. to 7.00 p.m.

Location: Inner Temple Committee Room

Session 3: Legal Research Workshop: Legislation

Tuesday 1 November 2016, 6.00 p.m. to 7.00 p.m.

Location: Inner Temple Committee Room

Refreshments will be provided at all the sessions.

To register for a place on one or more of the sessions please email trainingsessions@innertemple.org.uk.

Visitors

Recent visitors to the Library have included University of Westminster Erasmus scholar, Claudia Cristina Saltão, Head Librarian of the Faculty of Law at the New University of Lisbon, and members of library staff from the Institute of Advanced Legal Studies and the Institute of Classical Studies, as well as a group of art students doing a course on legal aesthetics.

The Indian High Commissioner and Deputy High Commissioner also called in to the Library to view the Indian material in our Commonwealth collection during their recent visit to the Inn.

OVERNIGHT LOANS

- Available to barristers (including pupils) who are members or tenants of the Inner Temple, and barristers (including pupils) from chambers adjacent to the Inn
- See website or ask staff for full details

BIALL Conference

In June three members of the Library team attended the annual conference of the British and Irish Association of Law Librarians (BIALL). The theme of the conference was “The value of change” and the many speakers looked at how law libraries continue to develop services and react to changes in the area of legal information provision.

At the conference the Deputy Librarians from the Inner Temple and Lincoln’s Inn, Tracey Dennis and Catherine McArdle, gave a presentation entitled “A tale of two libraries: Inner Temple and Lincoln’s Inn: Past, present and future”, which covered the history of the Inns, their role and the services offered by the Libraries. It also looked at why the Inn Libraries are unique and are recognised as libraries of national importance, as well as examining how the Inn Libraries have moved with the times and are offering services that are tailored to modern practitioners’ needs.



Tracey Dennis (right) and Catherine McArdle (left)

The idea for the talk arose following feedback from delegates at previous BIALl conferences who had expressed an interest in learning more about the Inns of Court Libraries. The presentation was very well received; one delegate tweeted enthusiastically: “‘Great law libraries are the treasures of a legal system’. Hear hear! Wonderful presentation about London's Inn Libraries.”

“It’s all Online, isn’t it?” Revisited

Kris Gledhill, Inner Temple barrister and legal academic, writes

I would like to offer a regular user’s support for the views expressed by the Deputy Librarian, Tracey Dennis, in “It’s all online, isn’t it?” in [the last issue](#) of the Library Newsletter. It is clearly misguided to suggest that all legal research can be carried out from online sources. The Inner Temple Library provides an incredibly valuable resource of materials that simply cannot be found online. I hope that as much as possible can be done to preserve future access to the enormously useful collection of old textbooks and reports, which I imagine is one of the most extensive in London.

The ability to consult such material is important for the accuracy of legal argument in various contexts. For example, one important area for the Court of Appeal Criminal Division is the correction of miscarriages of justice. In that context, it may often be relevant to assess the state of the law at the time of the case, in case directions to the jury are part of the appeal. A good starting point for assessing the law of the time of the trial might well be an old edition of Archbold or Blackstone’s. They are readily available in the Inner Temple Library.

The value of historical research in the criminal context has just been made clear by the Supreme Court in *Jogee* [2016] UKSC 8: its correction of the erroneous extension of joint enterprise liability was made possible only because there was extensive historical research into the common law approach to the issue.

Another example arises from statutory interpretation in criminal law: when the House of Lords in *R v G* [2003] UKHL 50 corrected the mistake of *Caldwell* recklessness, an important feature was that further material relevant to the proper understanding of the term “recklessness” when the Criminal Damage Act 1971 was passed was cited to the court in *RvG*.

This leads to a more general point about such research: it applies in all statutory contexts, and indeed in the construction of documents. The understanding of the meaning intended by the drafter of a phrase may well turn on what was the contemporaneous law on how a phrase was to be interpreted. A book from that time will often have collated material relevant to assessing that meaning.

Of course, there is a growing resource of digitised material, including most (but by no means all) case law. Similarly, useful sources such as reports from the Law Commission going back to 1965 are available on BAILII. Moreover, organisations have put online a wealth of out of copyright legal texts onto platforms such as Google scholar, which can be very useful, albeit that they are rarely collated in a careful way. But there are significant collections of textbooks that are unlikely to be digitised because they remain within copyright but are not sufficiently current for their publishers to go to the expense of digitising them. As a result, they will be accessible only in the context of a traditional library space.

Once we accept that “the internet of everything” is probably not going to happen, and that - as the Deputy Librarian points out - there is a lot of material that is not available online, we can plan accordingly. The Inn needs to make sure that it provides facilities for research that are fit for the 21st Century: and this involves accepting the limitations of the digital world. It would be a crying shame if a false belief that everything of value can be found online were to lead to the removal of the Inner Temple Library’s extensive and useful collection of historical texts. I hope future access to them will be assured.

Pride Timeline

Pride in London was held between 10 and 26 June. To mark the occasion we put together a [timeline](#) charting the first Pride marches in 35 countries and a snapshot of current LGBTI-related laws.



2012
UGANDA

First Pride held in Entebbe in 2012 - protesting the 'Kill the Gays Bill' which would later become the Anti-Homosexuality Act 2014*

The law as it stands:

- X Same-sex sexual activity**
- X Equal age of consent
- X Anti-discrimination laws
- X Same-sex marriage
- X Legal gender recognition

*Human Rights Watch World Report 2016: "Although the Constitutional Court nullified the Anti-Homosexuality Act on procedural grounds in 2014, there are concerns that a similar bill or similar repressive measures could become law. Given widespread homophobia and transphobia, the NGO bill could, if signed into law, provide a legal basis for restricting advocacy on the rights of LGBT people on the grounds that such work violates the 'dignity of all Ugandans'"

**See Penal Code 189: "Same-sex conduct remains punishable with life imprisonment under Uganda's colonial-era law prohibiting 'carnal knowledge against the order of nature.' Police subject some men arrested on homosexuality charges to forced anal exams, a discredited method of seeking 'proof' of homosexual conduct that amounts to torture."

2005
GREECE

First Pride held in Athens in 2005

The law as it stands:

- ✓ Same-sex sexual activity
- ✓ Equal age of consent
- ✓ Anti-discrimination laws
- X Same-sex marriage*
- ⊗ Legal gender recognition**

*Amnesty International World Report 2015/2016: "On 22 December, Parliament passed a law extending civil unions to same-sex couples. The new law enables same-sex couples to enjoy some of the rights granted to married couples, including emergency medical decisions and inheritance rights, but does not guarantee adoption rights and legal gender recognition for transgender people."

**Sterilisation/GS requirement

ILGA report 2016: "On 22 December, transsex people's rights were included in Greek legislation for the first time under Law 4356/2015. Two articles were approved by 191 of the 241 MPs who voted; the first article will protect transsex people against hate crime on the ground of sex characteristics and the second article relates to protection from discrimination when accessing goods and services. These changes came into force on 24 December."

City Business Library Visit

Mark Leonard, Library Assistant, writes

On 23 March I visited the City Business Library, a short walk from the Inner Temple on Aldermanbury. A specialist part of the City of London libraries, the Library is "the only dedicated public library for business information, offering free access to the UK's most comprehensive collection of business databases and publications".

The Library is particularly focused on helping new businesses to start up, offering access to key journals, texts and electronic resources that might otherwise be prohibitively expensive. Another part of the Library's remit is to help those out of work, and it offers training and seminar sessions to cover matters such as CV development. Training is also offered for new and expanding businesses, and some notably successful businesses have begun life as an idea developed in the Library.

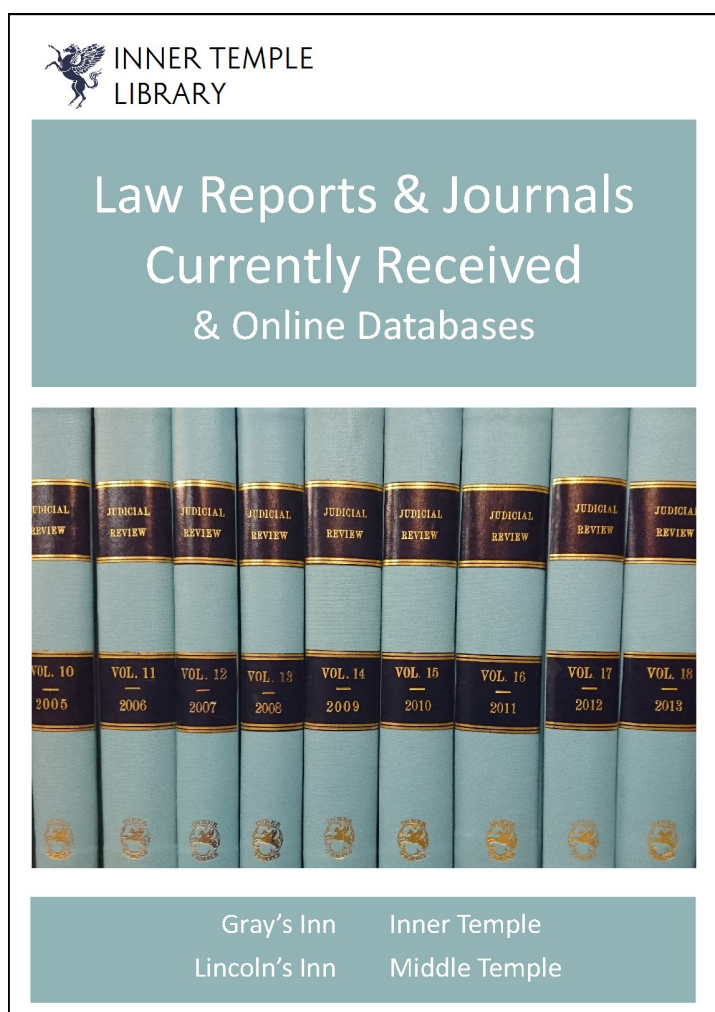
As part of the visit we were given a brief presentation on the history of the Library and on the main services that the staff offer, and a demonstration of the statistical research that can be done using two of the main electronic databases that the Library subscribes to and makes freely available to the public. We were then given a tour of the Library, which contains many PCs and seating areas so that users can always find somewhere to work, with shelves containing the main collections running around the room.



The layout of the Library may soon change if, as was mentioned by our guide, it switches locations with the neighbouring Guildhall Library, but the service should remain the same. As a free reference library offering business information to anyone who may need it, the City Business Library is an excellent resource, and the staff members who welcomed us were knowledgeable and friendly. I was very impressed, and should anyone have the inklings of a business idea, or need help in restarting their career, I would highly recommend a visit.

New Publication

The new edition (May 2016) of [Law Reports & Journals Currently Received](#) by the four Inn Libraries is available in the Library and in the Guides section of our website. It also includes a summary of the subscription-based online services available in each Library.



HeinOnline Trial

We have been given access to HeinOnline on a trial basis until October. This database includes full text US and International legal journals as well as US primary materials.

We would be interested in having feedback on the usefulness of this service.

World Cup 1966 - 50th Anniversary

On 30 July 1966 England's football team won the FIFA World Cup - their first, and to date only, major international trophy. This year marks the 50th anniversary of this victory, and we thought it appropriate to celebrate the achievement at a time when Roy Hodgson and his current England team were at the 2016 UEFA European Championship in France attempting to end the subsequent 50 "years of hurt" (now set to continue for at least two more years following their elimination by Iceland).

In a display in the Library we have highlighted some sports law books we hold, an intellectual property case relating to the mascot "World Cup Willie" (Jules Rimet Cup Ltd v Football Association Ltd, Chancery Division, 18 October 2007 [2007] EWHC 2376 (Ch)), the team's route to the final, and the infamous theft of the Jules Rimet Trophy and its recovery by Pickles the dog.

We have also created a Panini sticker in honour of Pickles the dog and his famous exploit. You can read more about the story of Pickles and his recovery of the trophy in this [Guardian article](#).



AccessToLaw: Competition Law

Most of the websites which feature in the **Competition Law** section of **AccessToLaw** are of United Kingdom competition bodies and organisations. But competition law and policy has been an important part of the European project since the establishment of the European Economic Community in 1957. As in many other areas of law, the present UK competition regime involves both national laws and an EU framework.

European Commission: Competition is the section devoted to competition law and policy on the European Commission's website. It provides information on, and links to, a wide range of documents on competition, cartels and mergers within the EU, including relevant *Official Journal* content, legislation and case law.

Within the United Kingdom, competition is amongst the many business-related responsibilities of the **Department for Business, Innovation and Skills**. Information on the GOV.UK site covers its activities, policies, announcements and publications.

The **Competition and Markets Authority**, a non-ministerial government department, is the UK's economy-wide competition authority, responsible for promoting business competition and preventing and reducing anti-competitive activities. It became fully operational just over two years ago, on 1 April 2014, but information and documentation in the CMA section of the GOV.UK website also covers the six months before that date when it already existed in shadow form.

The website of the body which the CMA replaced in 2014, the **Competition Commission**, has been archived by the UK Government Web Archive but remains readily accessible via a link provided on the GOV.UK site. It is possible via that archived site to locate and download not only the inquiry reports and other publications of the Competition Commission (1999-2014), but also, by following further links, those of the three earlier competition authorities which preceded it, right back to 1949: the Monopolies and Mergers Commission (1973-1999),

the Monopolies Commission (1956-1973), and the Monopolies and Restrictive Practices Commission (1949-1956).

The CMA also replaced the **Office of Fair Trading**, another non-ministerial government department which had been responsible for promoting and protecting consumer interests in the UK and ensuring that businesses were fair and competitive. Again we provide an annotated link to the GOV.UK web page from which the content of its archived website, including its reports, decisions and other publications, may be accessed.

Within the business sector there are about ten individual regulators which exercise concurrent competition and consumer powers with the Competition and Markets Authority, and we provide entries for all of these. They include for example the **Civil Aviation Authority**, the **Financial Conduct Authority**, **Ofcom** and **Ofgem**.

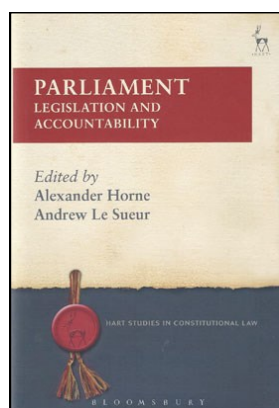
There is also an entry for the **Competition Appeal Tribunal**, the specialist judicial body which hears and decides appeals and other applications or claims involving competition or economic regulatory issues. Its website has rules, a guide to proceedings, FAQs and judgments.

All of the AccessToLaw entries described so far are for the websites of government or other official bodies and organisations involved in competition. The remaining two are for sites which provide independent comment and analysis.

Competition Bulletin is a blog on EU and UK competition law, produced by a group of barristers at Blackstone Chambers in London, and with an archive of posts extending back to 2012.

Competition Law Review is a refereed online journal published since 2004 by ClaSF, the Competition Law Scholars Forum, an organisation which aims to promote competition law scholarship in the UK, member states of the EU, and states which may accede to the EU.

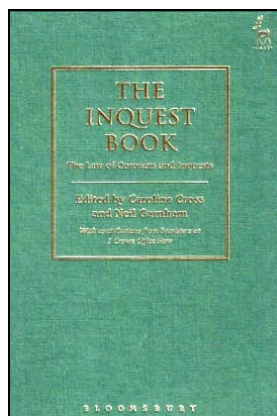
New Acquisitions



Parliament: legislation and accountability edited by Alexander Horne and Andrew Le Sueur (Hart) Is a collection of essays by leading academics, parliamentarians and parliamentary officials providing a critical assessment of the UK Parliament's two main constitutional roles: as a legislature and as the pre-

eminent institution for calling government to account. Part 1 (legislation) includes chapters on Parliament's emerging responsibilities for pre-legislative scrutiny of government bills and for evaluating proposed legislation against explicit constitutional standards. Part 2 (accountability) investigates how Parliament operates to scrutinise areas of executive action previously often shielded from effective parliamentary oversight, including national security, war-making powers, European Union decision-making, and administrative justice.

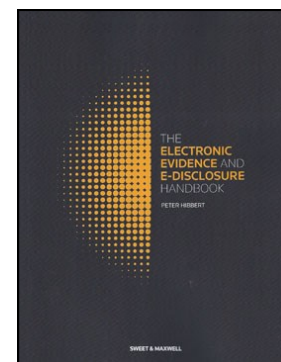
The law of coroners and inquests is an area that attracts great public scrutiny, and its legal, political and social significance is reflected in the recent establishment of the office of Chief Coroner and the frequency with which Judges of the High Court and the Court of Appeal have been made deputy assistant coroners to conduct particularly sensitive inquests. In addition, the new Coroners and Justice Act came into force in 2013. The aim of *The inquest book* by Caroline Cross and Sir Neil Garnham (Hart) is to provide practitioners with summaries of relevant inquest cases in a format that is easy to search and use, and to enable them to anticipate the often unfamiliar issues that arise in coronial law.



Dr Yvonne McDermott, an Inner Temple Academic Fellow, recently presented her *Fairness in international criminal trials* (Oxford) to the Library. With the acceptance of international criminal

procedure as a self-sustaining discipline and as the tribunals established to try the most serious crimes in the former Yugoslavia, Sierra Leone and Rwanda have completed or are beginning to wind up their activities, the time is ripe for a critical evaluation of these international criminal tribunals and their legacy. Through an in-depth exploration of the right to a fair trial, the author concludes that international criminal tribunals should have a role in setting the highest standards of due process protection in their procedures, and that in so doing, they can have a positive impact on domestic justice systems.

E-disclosure has emerged as a new and important facet of disclosure, as noted by Lord Justice Jackson in his Report on Civil Litigation Costs. It is now seen as inevitable in many cases, rather than an optional course for parties. It is therefore of great importance that judges and practitioners



have a full, detailed and up-to-date understanding of the process, the ever-increasing and developing technology available and how it functions. Peter Hibbert's *Electronic Evidence and E-Disclosure Handbook* (Sweet & Maxwell) provides practical step-by-step guidance on how to seek out, manage, preserve and analyse electronic documents for legal review, and offers detailed insight on compliance with CPR Part 31 in civil litigation cases in England and Wales.

We would like to express our thanks to the following who (in addition to Dr McDermott) have kindly presented new titles, or new editions of titles, to the Library recently: Master Christie (joint author with Master Tugendhat) for *The law of privacy and the media*, 3rd edition; Michael McParland for *The Rome I Regulation on the law applicable to contractual obligations*, and James M. Turner QC (joint author with Sarah Derrington) for *The law and practice of Admiralty matters*, 2nd edition.

A list of the [new law titles and editions](#) received from April to June 2016 is available on our website.