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**The free legal info landscape:
treacherous quagmire or
inspiring view?**

Emily Allbon

Librarians and free stuff

- ▶ Concerned with getting the best quality information out there to our users
- ▶ Skills in selection
- ▶ Trust and authority issues with free legal info
- ▶ Not concerned with format necessarily
- ▶ Before digitisation hard enough to get hold of domestic law, never mind other jurisdictions



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The current UK situation - £

- ▶ Paid-for sources still rule
- ▶ Big two still dominate, but other contenders now
- ▶ Makes sense to pay for the value-added features but not for basic legal materials



The current UK situation - free



- ▶ Lots out there, but not necessarily easy to find. Not joined up.
- ▶ BAILII
- ▶ [Legislation.gov.uk](http://legislation.gov.uk)
- ▶ Parliament

If only...

How did it all begin?

- ▶ With universities!
- ▶ In early-mid 1990's
- ▶ Cornell (LII) published US Supreme Court judgments & NY Court of Appeals (1992)
- ▶ University of Montreal publishes Supreme Court of Canada judgments
- ▶ AustLII (1995)
- ▶ CanLII (2000)

Legal Information Institute [LII]
OPEN ACCESS TO LAW SINCE 1992



Legal Information Institutes

- ▶ CanLII – one million judgments, hundreds of thousands of legislative texts. More than 165 case law databases maintained.
- ▶ AustLII –
- ▶ WorldLII – portal containing data from 14 LII's plus other databases hosted. Allows searching of 1165 databases of case law, legislation, treaties, law reform reports and journals from over 100 jurisdictions.
- ▶ CommonLII -



Different types of LIIs

- ▶ Different kinds of LIIs

- ▶ Universities and Research centres

- ▶ AustLII, ITTIG, LII (Cornell), HKLII, NZLII

- ▶ Non-profit Trusts or Foundations or NGOs

- ▶ BAILII (Trust comprises Courts, Universities, legal profession), SAFLII, Kenya Law reports (non-profit government)

- ▶ Legal profession, as a professional and public service

- ▶ CanLII (Law Societies of Canada), Juri Burkina, CyLaw



Collaborations

- ▶ GLIN



Wider initiatives

▶ Free access to law movement:

- ▶ A collaborative and decentralised initiative
- ▶ More than 900 databases from over 130 countries
- ▶ Support principles of free access to law
- ▶ Cooperation in software development for open standards in legal information management
- ▶ Aims:
 - ▶ Effectiveness of use and re-usability
 - ▶ Sustainable models
 - ▶ Translation in other languages & cross-language retrieval functionalities
 - ▶ Adoption of open standards and metadata schemes for primary materials

▶ FreeLegalWeb



What can you get for free?

- ▶ Judgments
- ▶ Legislation
- ▶ Treaties and agreements between international bodies e.g. U.N.
- ▶ Journal articles

The screenshot displays the DOAJ website. At the top, there is a navigation bar with the UN logo and a search bar. Below this, the DOAJ logo and the text 'DIRECTORY OF OPEN ACCESS JOURNALS' are prominent. A sidebar on the left contains links such as 'Search', 'Browse', 'Suggest a journal', 'About', 'Support DOAJ!', 'Statistics', and 'Contact'. The main content area features a 'Browse by Subject' section with a tree view showing 'Law' (137 journals) and 'Political Science' (166 journals). Below this, there are sections for 'Journals added last 7 days' and 'Journals added last 30 days'. The footer includes logos for various institutions and publishers, including LUND UNIVERSITY, INASP, National Library of Sweden, Springer, BioMed Central, and Copernicus Publications. A search bar is also present in the bottom right corner.

Legal professionals use of free sources

- ▶ 36.7% of lawyers from 100+ lawyer firms using Google rather than subscription services (Oct 2010)
- ▶ 43% of Canadian lawyers surveyed said they could do more than half of their legal research via CanLII



Keeping up to date

- ▶ Much more option for this now – emergence of blogs and easy publishing means we can all publish
- ▶ Twitter, personal blogs, Inner temple
- ▶ No longer about getting stuff out there but now a conversation
- ▶ Worried about trustworthiness of source?
Everyone more accountable.



Barriers to FAL

- ▶ **Limited access to:**
 - ▶ Technological expertise
 - ▶ Investors
 - ▶ People



Why so important?

- ▶ Making legal information accessible = making justice more accessible
- ▶ Allowing access to legal information for those fighting for justice, smaller law firms and pro bono work. Savings for lawyer – savings for clients?
- ▶ Man on the street unlikely to pay for access to legal databases. Ignorance of the law no excuse.
- ▶ Transparency cornerstone of judicial system – for anyone to see why each judgment was given guarantees openness and fairness.



References

- ▶ Claire M. Germain, Digitising the world's laws Chapter 9 and Graham Greenleaf, Free access to legal information, LII and the Free Access to Law movement Chapter 10 from Richard A. Danner & Jules Winterton, *The IALL International Handbook of Legal Information Management* (Ashgate 2011)
- ▶ Swiss Institute of Comparative Law, Directory of Official Gazettes <http://isdc.ch/en/bibliotheque.asp/6-0-1637-7-4-0/4-0-10552-5-4-1/5-0-1630-11-4-2/>
- ▶ Various papers from the Law via the Internet conference in Hong Kong (8-10 June 2011) <http://www.hklii.hk/conference/programme> including Daniel Poulin, Free access to law in Canada <http://www.hklii.hk/conference/paper/IDI.pdf>

