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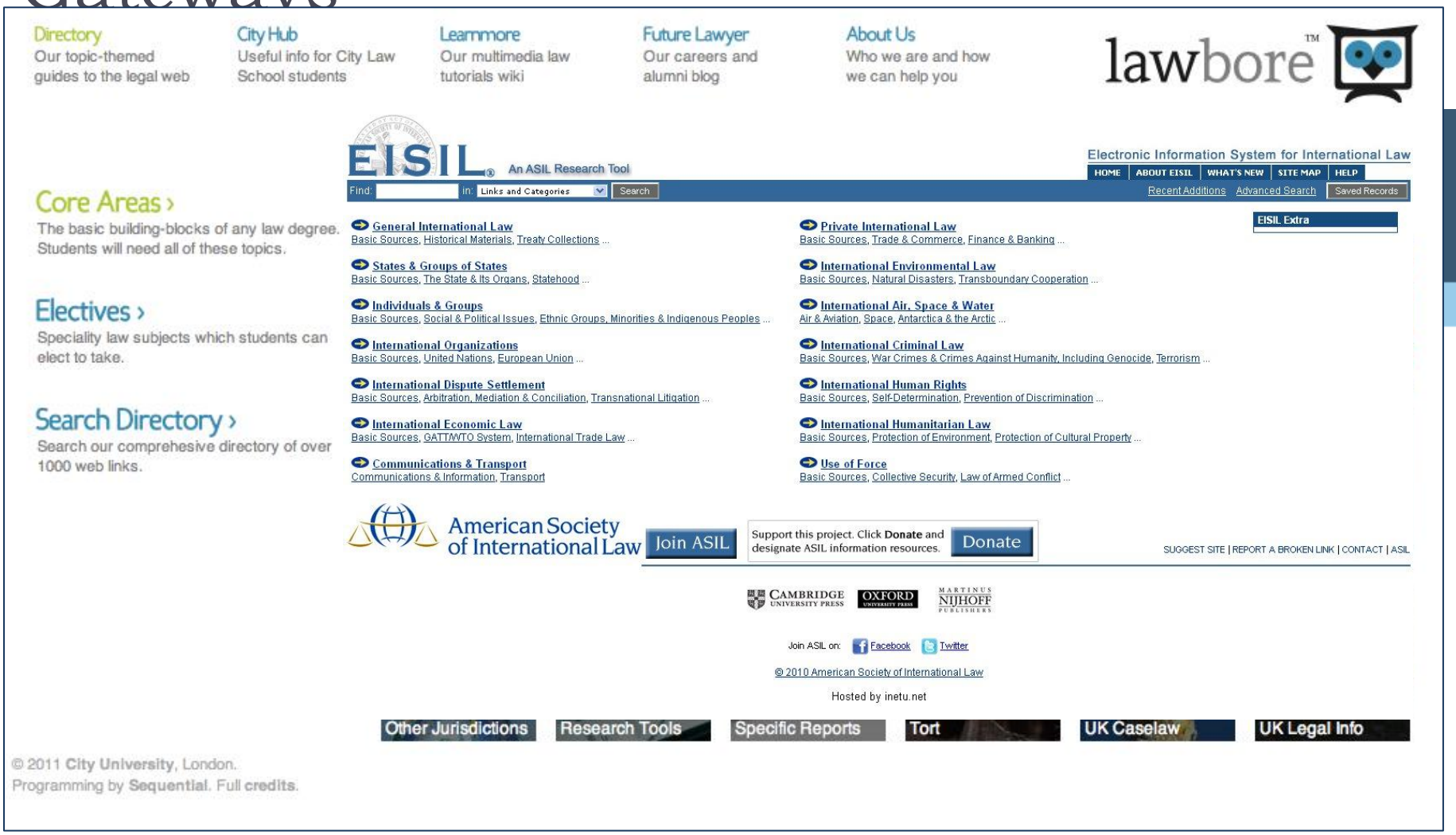
The free legal info landscape: treacherous quagmire or inspiring view?

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

Gateways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International Air, Space & Water
Air & Aviation, Space, Antarctica & the Arctic ...
International Criminal Law
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International Human Rights
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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
- 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

AustLII

CanLII

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

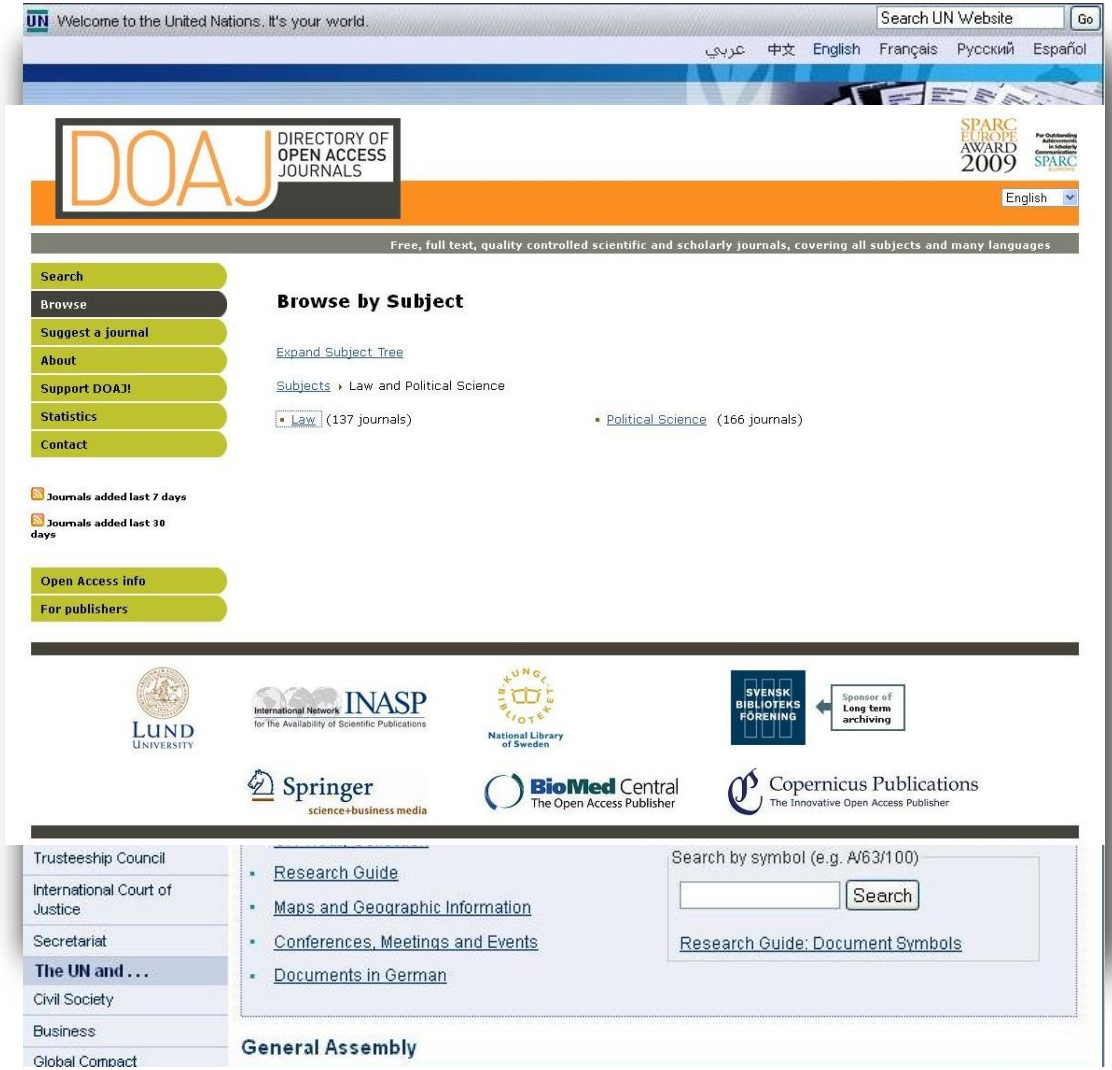
- GLIN

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



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.

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