

<sup>14</sup> Feline reactions to bearded men <<http://www.improbable.com/airchives/classical/cat/cat.html>> accessed 21 June 2017

<sup>15</sup> Colin Fong, 'Using Humour to Teach Legal Research' (2012) 14 *Austl. L. Libr.* 14

## Biography

Adam Woellhaf started his career in law librarianship in 2009 as a Graduate Trainee Library Assistant at the Institute of Advanced Legal Studies. He then moved on to the position of Document Supply Services Supervisor at the IALS, managing the library's commercial service as well as taking part in legal information literacy training and authoring legal research web guides. He joined Middle Temple as the Training & Development Librarian in October 2015, responsible for designing and delivering legal research training sessions, as well as coordinating outreach and marketing activities on behalf of the library.

*Legal Information Management*, 17 (2017), pp. 162–170

© The Author(s) 2017. Published by British and Irish Association of Law Librarians

doi:10.1017/S1472669617000330

# Law PORT: an Online Training Initiative to Improve the Legal Information Skills of Postgraduate Researchers

**Abstract:** In this article Lisa Davies, Access Librarian at the Institute of Advanced Legal Studies, reports on a recent initiative to create online tutorials to improve the legal information skills of postgraduate researchers. She describes the aims of the project, outlines the steps that were taken to create the new training resources, details the content of the tutorials, looks back on the main challenges faced and considers plans for the future.

**Keywords:** research methods; skills training; legal information; online tutorials

## ABOUT THE INSTITUTE

The Institute of Advanced Legal Studies (IALS), though attached to the University of London and based in central London, receives government funding to be a national academic institution whose core function is to promote and facilitate legal research at an advanced level across the country. The IALS Library therefore has a rather unique remit; to provide a service for all postgraduate researchers in the UK. In fact membership is free for all PhD students and academics from higher education institutions anywhere in the world, and we are considered by many to be the national library for legal research.

## TRAINING REMOTE USERS

Most librarians will recognise that providing a library service for remote users presents a unique set of challenges, the most obvious being how to make available as many resources as possible to as many people as possible. Over the years the librarians at IALS have devised new ways to open up the collections to those who are unable to come to the library in person. For example, we have digitised rare materials and made them available on our website and we have negotiated remote access to e-resources for our members.

Another key challenge we face is in ensuring that researchers from across the country can benefit from the

expertise of the large team of professional law librarians in London. The librarians at IALS run legal information skills training throughout the academic year on many topics including the following hands-on sessions and demonstrations:

- Introduction to Lexis<sup>®</sup>Library and Westlaw
- Sources of public international law
- EU law databases
- Citing legal authorities
- Advanced use of legal databases
- Understanding foreign law resources
- Keeping up-to-date with the law
- Finding legal journal articles
- Thesis formatting

As well as the group training listed above, we also provide very popular one-to-one reference advice appointments. At these sessions researchers have the opportunity to ask questions about their specific research topic and will receive more tailored support than we can provide during group training. We give advice on citation, finding relevant materials in the library, selecting and searching databases, and tracking down hard-to-find references, amongst other things.

Though any researcher may attend our training, the practicalities and expense involved in travelling to London can make attendance prohibitive for many. One way we have traditionally addressed this problem is through our annual series of road shows, during which we visit several law schools across the country to speak to postgraduate researchers, academics and law librarians. At each road show we provide training on those e-resources that researchers can access remotely through their IALS library membership, as well as the open-access research tools that we host on our website (such as Eagle-i, the FLARE Index to Treaties, Current Legal Research Topics and BAILII). Though it is hugely beneficial to meet researchers in person at the road shows, the reality is that we are training a very small proportion of our potential user group at these events. Creating online training was the obvious step for us to take to reach a wider audience.

## FUNDING

In 2015 IALS applied for funding from the University of London's School of Advanced Study (SAS) to produce a suite of online training resources for UK-wide postgraduate researchers in law. The proposed resources would be hosted on SAS's existing platform for Postgraduate Online Research Training (PORT) and would be collectively known as Law PORT<sup>1</sup>.

The need to apply for funding forced us to establish the essential attributes of our training resources at an early stage. We wanted the tutorials to improve the legal information literacy skills of researchers in some way, be

pitched at a level suitable for PhD students, be open-access, online, interactive (with quizzes, screen casts, audio, video, drag-and-drop elements and so on) and sufficiently intuitive to be used without tuition. We also needed them to be designed in such a way that would allow researchers to dip in and out according to their own interests. We wanted to utilise the latest e-learning technology to create modern, visually appealing resources that would meet the expectations of researchers in the twenty-first century. Also on our funding wish list was the appointment of a Learning Technologist to work with us – the Academic Services librarians – to make our vision a reality. Fortunately we were successful in our funding bid and a Learning Technologist was duly appointed, leaving us free to address the issue of content.

## TRAINING PRIORITIES

The Academic Services librarians at IALS have many years of collective experience in training postgraduate researchers and as a result we have developed a good awareness of the needs of this user group. In my experience, the PhD students we train at IALS tend to come from very diverse backgrounds; some have taken a direct academic route to PhD level whereas others have worked as practitioners for many years, returning to academia in retirement; some are extremely tech-savvy and others quite the opposite; many are from overseas, bringing with them a unique set of skills, experiences and expectations. Postgraduate researchers are subject experts with very specific research needs that group training can only partly address. I would like to confess that at the beginning of project we discussed amongst ourselves whether or not it would be actually possible to create effective online training for such a diverse user group, whether we would succeed in pitching our training at the right level and whether postgraduate researchers would actually use the new resources.

Undeterred, we drew up a short list of training topics that we thought would be the most suitable. We tried to avoid subjects that were too basic, too general, that would go out-of-date too quickly and for which online training was already readily available. It also seemed logical to focus on the strengths of the library collections and our experience in teaching legal information literacy. After much discussion we decided that our preferred topics were the effective use of the Oxford University Standard for the Citation of Legal Authorities (OSCOLA)<sup>2</sup> and public international law (PIL) research.

OSCOLA was an obvious first choice. This citation standard has been widely adopted by law schools across the UK and we receive a large number of requests for assistance in its use. Our group training sessions are incredibly popular; our online guide to OSCOLA<sup>3</sup> receives by far the greatest number of hits of all of our LibGuides, and researchers seem to have a limitless need for support in this area. Though other libraries have made available online resources to support students' use

of OSCOLA<sup>4</sup> we wanted to produce a tutorial more comprehensive than anything already available, by including guidance on citing not only UK and EU primary law sources and secondary sources, but also international law materials.

We chose PIL research for a number of reasons. Firstly, the collections in IALS Library are very rich in public international law and the librarians have the necessary expertise to provide training in this relatively niche field. Secondly, though PIL has a large array of associated paper and online resources for researchers to get to grips with, few libraries have created open-access training resources to support research in this area. Thirdly, the start of the project coincided with the publication of the International Association of Law Libraries' *Guidelines for Public International Law Research Instruction*<sup>5</sup> and we thought that basing the learning objectives of our tutorials on these guidelines would provide them with a targeted and authoritative focus.

To establish whether there was a real need for us to create online tutorials in our preferred areas, we conducted a user needs survey. The survey aimed to assess the training needs of MPhil and PhD students in the UK. In the survey we asked researchers to rate their confidence levels when conducting certain research tasks, how likely they were to carry out those tasks during the course of their research, and whether or not they already received support from their home institution in the specified areas. The survey focused on our preferred topics but also allowed researchers to suggest subjects on which they would like us to create training.

We used SurveyMonkey for the survey and sent it to all law schools in the UK with PhD students. 130 responses were received in total. The results suggested that researchers were not fully confident with public international law research tasks and the use of OSCOLA, and either did not receive support in these areas, or did not know whether support was available. As a result of the survey we decided to continue with our first choice of subjects for the Law PORT tutorials. A more detailed summary of the results of the survey is available on the IALS website<sup>6</sup>.

## CHOICE OF SOFTWARE

One of the most important tasks for the project's Learning Technologist was to select and acquire the most appropriate software for the creation of the new resources. For reasons beyond our control we were not able to use a software that required hosting on the University server, which immediately ruled out our first choice, Xerte. After examining alternatives including Adobe Captivate, Abode Presenter, Microsoft Office Mix and Quandary, Articulate Storyline was selected for the project.

Storyline had many apparent advantages. It would allow us to create high quality, professional-looking, engaging tutorials with interactive elements. It could be

used to create resources that were both open-access and interactive, meaning researchers could access the tutorials without having to register their personal details and still take part in the quizzes. Crucially, Storyline was also selected for its ease of use. This was important because we – the librarians – were tasked with the creation of the tutorials and we needed to be proficient in the use of the software once our project was complete and we no longer had a Learning Technologist to rely on.

## CREATING ONLINE TUTORIALS

We decided to create four tutorials initially; one on the effective use of OSCOLA and three on different aspects of PIL research; customary international law, treaties and international conventions, and judicial decisions. Four librarians from the Academic Services team were each assigned a tutorial to work on. We approached the writing of the tutorials for Law PORT in much the same way as with any new training session. First we set the overarching learning objectives followed by the specific learning outcomes, then we wrote the content that would help the learner achieve the outcomes, and finally we wrote practical exercises to allow learners to put into practice what they had been taught and consolidate their learning.

I was responsible for the tutorial on researching treaties and international conventions. Though I train on this topic fairly regularly it soon became apparent that I had a lot to learn in order to successfully address all of the learning objectives. It was a steep learning curve and I spent a lot of time reading research guides and exploring the key print and online resources in this area.

Once the content was written we started producing our tutorials in Storyline. This involved creating *slides* – a bit like in PowerPoint – and adding our content to them (such as text, images, screencasts, quizzes and other interactions). Then we had to decide how the learner would progress through the tutorial and move from one slide to the next. The most straightforward method was to use buttons marked “next” and “previous”, but we could also choose to add *objects* to slides (such as shapes, information icons or images) which the learner could click on to access additional slides and content. These objects could have multiple *states*, meaning that they could, for example, change colour once the learner had clicked on them. A single slide could also have several *layers* which could be activated by the learner to reveal further information (Figure 1).

With so many options available it was important that we standardised certain elements of our tutorials to ensure they would be recognisable as a cohesive suite of training resources. To this end, we all used the same design template, displayed a navigation menu on the left-hand-side of the screen (Figure 2), set links to open in new windows, and made quizzes optional rather than compulsory. We also took care to use the same terminology throughout our tutorials (*tutorials* instead of

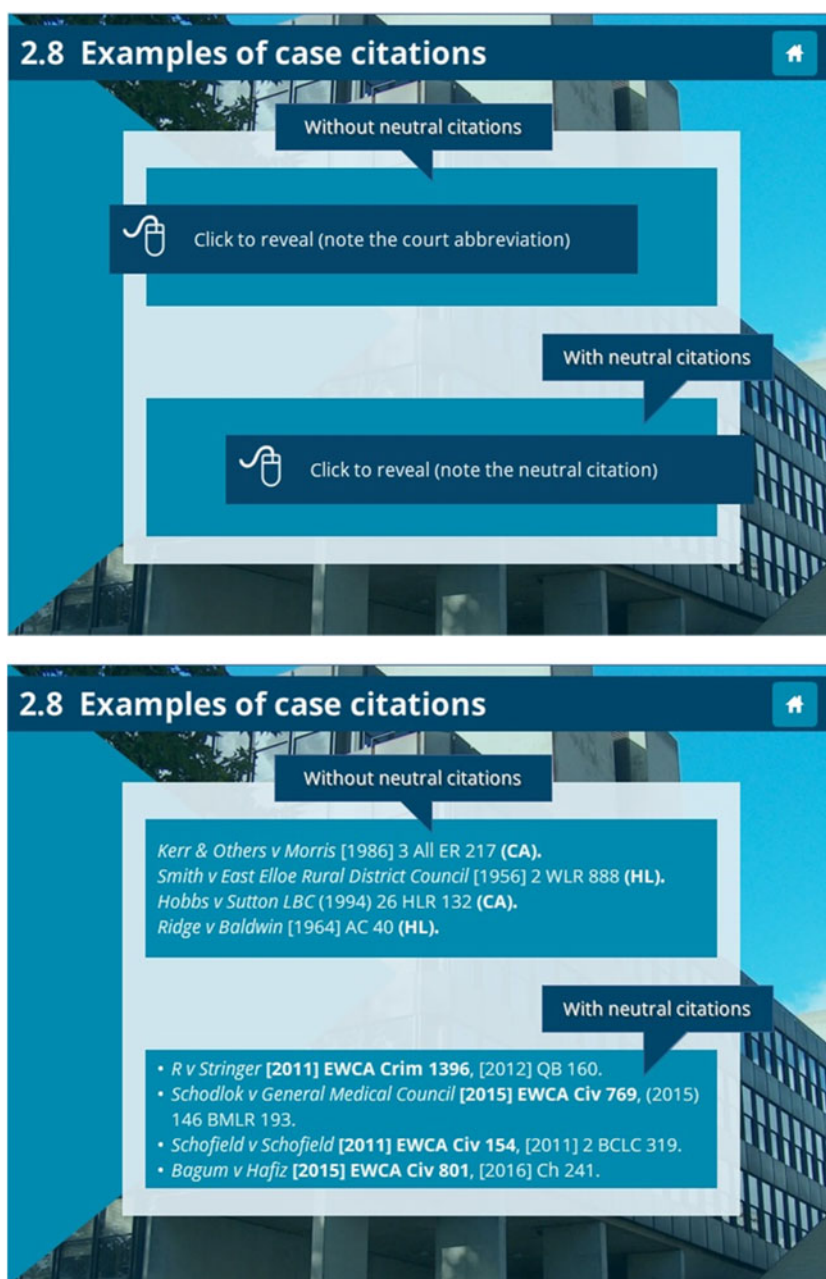


Figure 1. Slides from tutorial on OSCOLA showing how layers can be used to display additional information.

courses, sections instead of parts and so on). Other than that we agreed that we should have the freedom to create our tutorials as we saw fit.

To begin with I experimented with a non-linear navigational structure in my tutorial in an attempt to make it more engaging, though I had to abandon this after the first round of internal testing suggested that the structure was too confusing and the tutorial too difficult to navigate. As a result I went back to the drawing board and adopted a more traditional (and much better) linear structure, which required the learner to use the standard “next” and “previous” buttons to progress through the tutorial. I devised many and various interactions that required clicking on

behalf of the learner, which I also had to tone down following feedback that this was slightly overdone and had resulted in “clicking for clicking’s sake”, which is never a good thing. In summary, I discovered that creating effective online training is – at least in my case – very much trial and error and I learnt that incorporating interactions is all about finding that delicate balance between *not enough* and *too much*.

## TESTING, FEEDBACK AND LAUNCH

As I have alluded to, our tutorials went through a thorough testing process before their launch. We ran several rounds of internal assessment to review each other’s

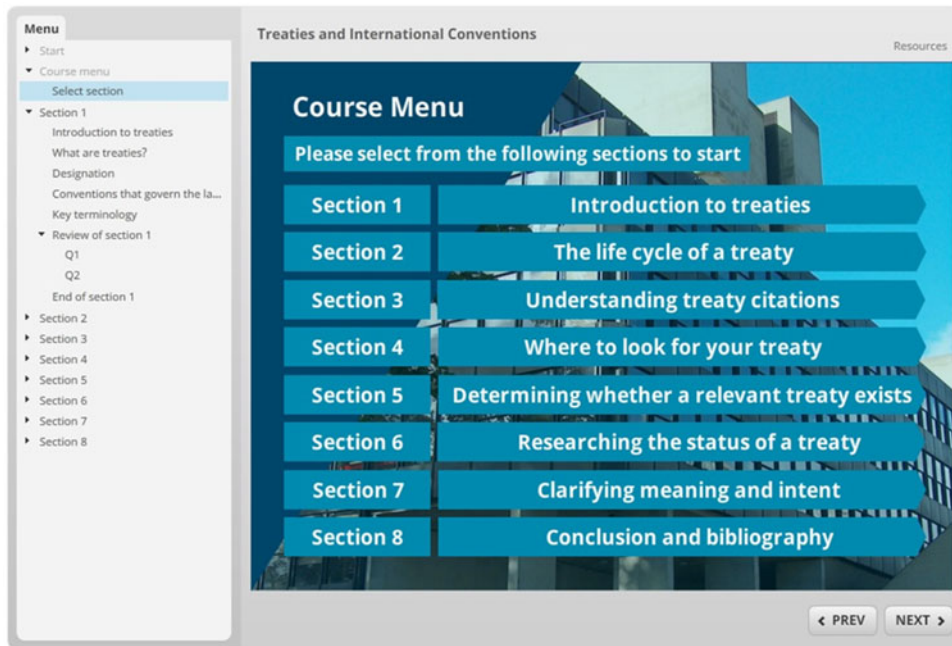


Figure 2. Screenshot of the tutorial on *Treaties and International Conventions* showing the navigational features that are common to all Law PORT tutorials.

work, checking for errors and providing suggestions for improvement. When we were satisfied that the tutorials were ready, we sought feedback from postgraduate researchers, academics and law librarians from other institutions on the following points:

- Structure
  - Is the tutorial well structured? It is easy to navigate and intuitive to use?
- Content
  - Is the content clear? It is accurate and of good quality? Are there any errors?
- Usefulness for PhD researchers
  - Will PhD researchers benefit from this tutorial? Is it pitched at the right level?
- Any other feedback

We were extremely pleased with the feedback we received, some of which I have included below following the outline of each tutorial. We were gratified (and relieved) that our tutorials elicited such high praise from key stakeholders. Our suspicion that online training was not suitable for postgraduate researchers was proven to be unfounded as we did not receive a single comment that this was the case, even though we specifically asked for comments on the tutorials' usefulness for PhD research. In fact the general consensus was that Law PORT is a welcome addition to the support that is already available. After making some final adjustments, in May 2017 we published our first three tutorials, brief descriptions of which are provided below.

## TREATIES AND INTERNATIONAL CONVENTIONS

This tutorial covers the fundamentals of treaty research. It begins by introducing the learner to key terminology, the treaty-making process and conventions that govern the law of treaties. It then addresses the following research tasks:

- Determining whether a treaty exists that may apply to a particular issue
- Finding a treaty in an authoritative source
- Determining if a treaty is applicable by establishing:
  - Entry into force
  - Parties, ratification and signature
  - Declarations and reservations
  - Modification, withdrawal, suspension and termination
- Finding background documents to clarify meaning and intent

The tutorial outlines some of the main print and online resources that can be consulted for a particular treaty research task (Figure 3). Optional videos are available throughout the tutorial, should the learner wish to see a demonstration of how to search the United Nations Treaty Collection database, or the United Kingdom Treaty Office database, for example. Quiz questions are set at the end of each section, allowing the learner to test his or her knowledge using online sources. Questions include finding the date of entry into

force for the Treaty on the Non-Proliferation of Nuclear Weapons, identifying the official source of treaties in Belgium, and locating the text of a bilateral treaty involving the United Kingdom and Germany.

Here is a selection of the comments received for this tutorial:

*Immensely useful for doctoral research.* ~ Dr Maria Xiouri, LL.M (Cantab, Athens), PhD (QMUL).

*Fantastically accessible tutorial to treaties and international conventions. Whether you're a total beginner or just need to clear up a few minor confusions, the Law PORT tutorial is comprehensive and engaging.* ~ Emily Allbon, Senior Lecturer and Director of Mooting, City, University of London.

## RESEARCHING CUSTOMARY INTERNATIONAL LAW

This tutorial gives an overview of the key print and online sources for researching customary international law. The introduction explains how evidence of state practice must be examined to research customary international law, and gives examples of the types of documents that may constitute state practice. The tutorial then addresses the following learning objectives:

- Finding evidence of state practice in the records of states' foreign relations and diplomatic practice
- Finding evidence of state practice in legislation concerning states' international obligations

- Finding documentation concerning the practice of the UN Security Council, UN General Assembly and UN human rights committees

The tutorial outlines the kinds of documents that can be found in print sources and includes video demonstrations for some online databases, such as Hansard, the UN Official Document System and British Foreign & State Papers (via HeinOnline). Exercises are provided to enable the learner to practise finding particular types of document. Examples include searching India's Foreign Affairs Record, locating guidance issued by the US State Department, and finding evidence of state practice in the Australian Yearbook of International Law (Figure 4).

Here is a selection of the comments received for this tutorial:

*A succinct but scholarly introduction to PIL materials.* ~ Diamond Ashiagbor, Professor of Law and Director of Research, IALS

*A good general survey of the field of information available.* ~ Ronan Cormacain, PhD student, IALS

## CITING REFERENCES USING OSCOLA

This tutorial offers an introduction to the rules for the citation of legal and other authorities according to OSCOLA. The introduction to this tutorial introduces the learner to the concept of plagiarism and sets out the guiding principles of OSCOLA. It includes fundamental information such as how to format quotations, the position of the footnote marker in a sentence, and the



Figure 3. Slide from tutorial on *Treaties and International Conventional concerning official treaty sources in the United Kingdom*.

**Legislation exercises**

**Question 2**

Find the section entitled 'Australian Legislation Concerning Matters of International Law' in the [Australian Yearbook of International Law](#) 2008, on the AustLII website. The sixth act listed is the Corporations (Aboriginal and Torres Strait Islander) Act 2006. With which international convention is this Act concerned?

- International Convention on the Elimination of All Forms of Racial Discrimination (21 December 1965), 660 UNTS 195.
- Convention on the Settlement of Investment Disputes Between States and Nationals of Other States (18 March 1965), 575 UNTS 159.
- International Labour Convention (No 87) Concerning Freedom of Association and Protection of the Right to Organise (09 July 1948), 68 UNTS 17.

Figure 4. Exercise from the tutorial on Researching Customary International Law requiring the learner to search the Australian Yearbook of International Law.

difference between primary and secondary sources. The rest of the tutorial explains the rules for citing the following authorities:

- UK legislation and cases (including Scotland, Wales and Northern Ireland)
- EU legislation and cases
- Secondary sources including:
  - Books
  - Journal articles
  - Websites and blogs
  - Sources cited in secondary sources
  - Podcasts, speeches, e-books and more

The tutorial also gives guidance on pinpointing, cross-referencing, round and square brackets, neutral citations, bibliographies and tips on what to do if the type of document you want to cite is not covered by OSCOLA. The tutorial contains numerous examples and scenarios (Figure 5) as well as questions to test learning. For example learners are asked to identify the correct citation from a multiple choice, or to construct a citation from scratch following the OSCOLA rules.

Here is a selection of the comments received for this tutorial:

*It will be greatly appreciated by postgraduate researchers and taught-course students alike. I will certainly be an early adopter for the overseas users who email me asking for training.* ~ Dr Elizabeth Wells, Foreign,

Comparative, & International Law Librarian, Bodleian Law Library.

*This will be useful for all levels of student that I support from LLB to PhD. The ability to look at the essential information for a citation type then click more for the extra detail hopefully means that no one is overwhelmed by information but it is all there if required!* ~ Rob Hodgson, Subject Librarian for Law, City, University of London.

## CHALLENGES

The Law PORT project was not without its challenges. I outline them here in the hope that this will be beneficial to others embarking on a similar project.

One of the major obstacles we faced was the software itself. Though the basic functions of Storyline were relatively easy to master we relied heavily on the project's Learning Technologist and a colleague in the library's Computing Services team who had the required technical skills to make our resources sufficiently engaging and visually attractive.

Because of the open-access nature of Law PORT, we were restricted in our use of other people's content from a copyright point of view. We could only use images and screenshots of resources which were out of copyright, to which IALS owned the copyright, which were subject to the appropriate creative commons licence, or which we had been granted express permission to reproduce. Sometimes permission was not given or took a long time to arrive.

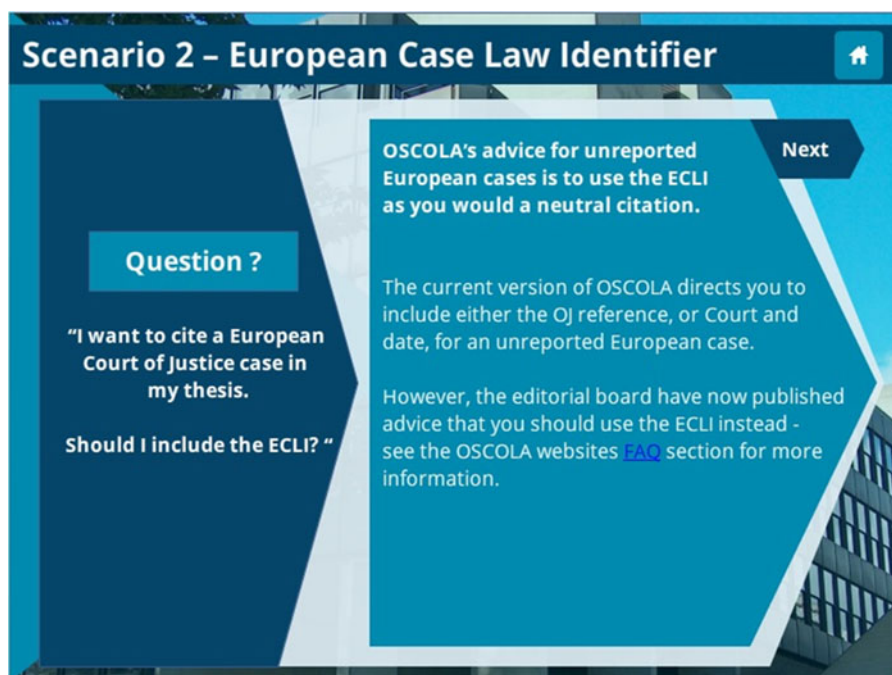


Figure 5. Scenario from tutorial on OSCOLA giving advice on whether to include the ECLI in ECJ case references.

Though we are pleased with our choice of subjects overall, it is now apparent that we had an unrealistic view of what could be achieved in the allocated time and our over-ambition contributed to the project overrunning. For instance, it would have been more sensible to have chosen smaller, self-contained legal information literacy skills which could have been built upon at a later date, instead of tackling the entire sphere of public international law research from the outset.

As time was against us we were not able to incorporate some of the audio or video elements which would have been useful to increase learner engagement. Nor were we able to include the citation of international law materials in our OSCOLA tutorial, which had been in the original plan.

Law PORT's Learning Technologist, who also managed the project, had to leave us before we had completed any tutorials and before we had agreed on our final design template. By adopting a logical and pragmatic approach to the rest of the project we were able to maintain momentum and complete our tutorials nonetheless.

## FUTURE PLANS

In the coming months we will launch the third of our PIL tutorials – on judicial decisions – which is currently going through the final stages of testing. We will also be very busy promoting the new resources to our target

audience, namely postgraduate researchers in law from across the country. We hope that by maintaining and regularly updating the tutorials in Law PORT they will remain a useful national resource for years to come. We do not see Law PORT as a replacement for the group training we provide in London – which we shall continue to run – but rather as a means of supporting those researchers who are not able to attend, and who do not receive training from their home institutions.

Though Law PORT was devised with postgraduate researchers in mind, we anticipate that our tutorials will be useful to students at all levels who need an introduction to OSCOLA or PIL sources, as well as to practitioners and law librarians working in the commercial sector. All of the tutorials are accessible from the IALS website at <http://ials.sas.ac.uk/lawport>.

## ACKNOWLEDGMENTS

The tutorials in Law PORT were written and created by Hester Swift, Katherine Read, Laura Griffiths and Lisa Davies. Technical support was provided by Matt Phillpott, Lindsey Caffin and James Parker. The project was overseen by David Gee. Many thanks to SAS for funding the Law PORT project.

## Footnotes

<sup>1</sup> Institute of Advanced Legal Studies, 'Law PORT', (IALS website) <<http://ials.sas.ac.uk/lawport>> accessed 11 July 2017.

<sup>2</sup> Donal Nolan and Sandra Meredith (eds), *OSCOLA: Oxford University Standard for the Citation of Legal Authorities* (4<sup>th</sup> edn, Hart 2012).



<sup>3</sup> Laura Griffiths, 'Referencing and citations – OSCOLA' (*IALS Library Guides*) <<http://libguides.ials.sas.ac.uk/referencing>> accessed 11 July 2017.

<sup>4</sup> Cathy Jackson and others, 'Citing the Law' (*Cardiff University website*) <<https://ilrb.cf.ac.uk/citingreferences/oscola/tutorial/index.html>> accessed 11 July 2017.

<sup>5</sup> International Association of Law Libraries, 'Guidelines for Public International Law Research Instruction' (*IALL Blog*, 2004) <<http://iall.org/wp-content/uploads/2014/11/PIL-guidelines-Nov-2014.pdf>> accessed 11 July 2017.

<sup>6</sup> James Parker, 'Law PORT user needs survey' (*IALS website*, November 2015) <<http://ials.sas.ac.uk/sites/default/files/files/IALS%20Digital/Digital%20resources/Docs/lawport-survey-results.pdf>> accessed 11 July 2017.

## Biography

Lisa Davies has been the Access Librarian at the Institute of Advanced Legal Studies for five years, where she is responsible for the provision of reference advice, user training and outreach projects. Before joining the Institute Lisa worked as an Information Officer at Norton Rose (now Norton Rose Fulbright) providing an enquiry and current awareness service for lawyers and business development staff. She is currently a member of the BIALL Council.

*Legal Information Management*, 17 (2017), pp. 170–172

© The Author(s) 2017. Published by British and Irish Association of Law Librarians

doi:10.1017/S1472669617000342

# Algorithms and the Rule of Law

**Abstract:** In this short article Rónán Kennedy explores fundamental issues surrounding the use of algorithms in the context of the rule of law in our society. He states, 'The issues that are buried in these systems should be a matter of serious concern for law and lawyers as we try to protect fundamental values in the 21<sup>st</sup> century, and we try to properly represent our clients' interests against systems errors that we cannot easily identify'.\*

**Keywords:** algorithms; rule of law

\*The editor of *Legal Information Management* is grateful to Laurence Eastham, the Editor of *Computers & Law*, and the author, Rónán Kennedy for permitting this article to be reprinted in LIM. The original article was published in *Computers & Law* as follows: Rónán Kennedy (2017) 'Algorithms and the Rule of Law'. *Computers and Law*, April/May, 23–25.

## INTRODUCTION

The increasing prevalence of software in decision-making processes raises very important and urgent questions regarding how society protects fundamental and basic values, such as equality, fairness and the rule of law.

## EXAMPLES

Consider for a moment these examples of the application of machine learning that may alter the balance of power

in relationships between private individuals and landlords, and criminal defendants and the state.

'Tenant Assured' enables landlords to vet potential tenants in advance by scraping information from various social networks, build a picture of their personality and financial situation, and provide an overall score.<sup>1</sup> The privacy implications are obvious, but these are not the most interesting issues. The profile for a prospective tenant is assembled by algorithms drawing conclusions from data from a variety of sources. The Tenant Assured website claims 'If an applicant is using a lot of negative words and regularly argumentative online, then he/she will likely have a negative online reputation. And vice versa.' Leaving aside the question of whether this is a legitimate processing of personal data, a valid conclusion, or a relevant consideration in deciding whether to rent a property, consider the number of subjective choices implicit in that statement, and how these must be