

The FLAG Database – 2010 Update

Abstract: This report by Peter Clinch describes the procedures followed and the results obtained through updating the FLAG (Foreign Law Guide) database¹, which took place during the Spring and Autumn 2010.

Keywords: international law; comparative law; online databases; academic law libraries; national libraries

Introduction

The results indicate generally a decline in the acquisition of new, primary legal material in traditional paper format, within the foreign, international and comparative law collections of UK universities, national libraries and other major law libraries.

From a small number of observations and comments noted by contributors to the survey, there appear to be the same three reasons, as noted in the report on the 2007 update:

- The availability of an increasing number of materials on the internet. A few titles are now no longer published in paper format;
- Difficulties in regularly acquiring material from some countries, where publishing and distribution of publications are intermittent or severely delayed;
- The cancellation of subscriptions due to budget cuts and a re-appraisal of the value to the individual institution of maintaining particular collections.

In contrast with the update in 2007 no libraries were found to have been disbanded and the stock no longer available. Since 2007, 39 collections have been disposed of either totally or in part, by six libraries. This compares with the disposal of 184 collections of mainly United States, Canadian and Indian law between 2004 and 2007.

On the positive side, SOAS started 12 new collections of the official gazettes of various African nations, the Inner Temple commenced eight new collections of legislation (mainly for small island nations) the British Library started two collections of official gazettes and the Advocates Library one collection of law reports. Two libraries re-activated 12 hitherto closed collections. The overall number of new collections begun between 2007 and 2010 is roughly the same as between 2004 and 2007.

How the update was carried out

The original database was built using data collected between mid-2000 and mid-2002. For detail on the

development of the database between 2000 and 2002, see Clinch (2002). The 2010 update followed the methodology described for the 2007 update – see Clinch and Bird (2008).

I am grateful once again to all those librarians who made time to check their holdings and current acquisitions against the data sent to them. The print-outs were despatched in April 2010. Over Summer 2010 the Official Papers Section of the Bodleian Library, University of Oxford was split and relocated either to the Law Library or the Bodleian book stack, so it was decided to wait until the autumn to accept and incorporate an up-to-date return. In addition, the survey of British Library holdings carried out in July raised many queries about collections for which recent publications appeared not to have been received. These were resolved by mid-October.

Results

Response rate

In total 47 (86%) of the 56 libraries with active collections responded. This compares with 92% in 2007 and 87% in 2004.

Only four (2007: 9) libraries reported no changes to their collections between 2007 and 2010.

Libraries and collections disbanded, disposed of, relocated etc

A smaller number of collections than in 2007 were disposed of, relocated, rearranged or reclassified. In these cases every class mark entry on the database for a particular library had to be amended.

- Libraries disbanded:
None (two in 2007)
- Libraries re-locating collections:
Official Papers Collection, Bodleian Library, University of Oxford – split between Law Library and Bodleian Book Stack – library staff kindly agreed to

update both closed and active entries to ensure FLAG contains accurate shelf mark data

- Libraries where complete or partial reclassification or rearrangement of stock had occurred:

Nine libraries reported minor reclassifications of stock, but at one, The Templeman Library, University of Kent, the entire collection had been reclassified – again, library staff kindly agreed to amend both closed and active collection data to maintain accuracy in the FLAG database

As a result of checking at the Bodleian Law Library 71 changes were identified: 26 to class marks, 42 to the dates of holdings and three miscellaneous changes

- Libraries which disposed of stock between 2004 and 2007:

Lincolns Inn – four collections of Australian material either partly or totally disposed of

Templeman Library, University of Kent – 13 collections relating to European, African and Far Eastern countries

Hartley Library, University of Southampton – 10 United States law reports

Gray's Inn – small disposals of US material

Squire Library, University of Cambridge – all Shepard citators

IALS – a number of minor disposals

Glasgow University - Organisation of American States law reports

Thames Valley University – German law reports

University College London – European Court of Human Rights digests

The FLAG database now contains 13,675 entries as compared with 13,680 entries in 2007 and as compared with 13,920 at the close of the 2004 update.

Changes to the number of active collections

Between 2007 and 2010 the number of active collections fell by 185 or 9.2% (2004 to 2007: 9.1%) to 2,244. Between 2001 and 2004, the number of active collections fell by 6%. Thirty-nine collections which were active in 2007 were amongst the collections disposed of between 2007 and 2010 (compared with 62 collections between 2004 and 2007). In addition, 231 (2007: 209) previously active collections were no longer acquiring material by mid-2010. Twenty-three (2007: 28) new collections had commenced. Twelve at SOAS relating to official gazettes for African nations, eight at Inner Temple on legislation for a variety of small island jurisdictions, two at the British Library and one at the Advocates' Library, Edinburgh. Twelve (2007: 31) hitherto closed collections had restarted: seven at Inner Temple relating to legislation for a variety of West Indies islands and five at the British Library relating to legislation for the Seychelles and Uganda.

This general picture of decline in active collecting requires clarification. When reviewing acquisitions records it is sometimes difficult to tell whether acquisition of some library stock has actually ceased. This is especially so for the largest libraries (British Library and IALS, for example) where some publications are acquired as gifts or from parts of the world where publishing and despatch of material can be erratic.

In 54 of the 231 collections now rated as closed in this update, the last item received pre-dated the time of the first survey in 2001. Now, nine years on, it is clear to the staff controlling those collections that acquisition ceased before 2001 and the source of supply has dried up.

Some patterns emerge from a detailed analysis of the changes. The impact of the internet has been felt in two ways: first, an increasing number of materials are now available only via the internet and paper publication has ceased, for example, a number of official gazettes and some publications of the Council of Europe and United Nations. Second, the free availability of case law through the Legal Information Institutes, AUSTLII (Australian Legal Information Institute) and CANLII (Canadian Legal Information Institute) in particular, has encouraged five libraries to cancel subscriptions to many Australian state reports, four to New Zealand materials and three to Canadian law reports. In addition, some United Nations publications are now available both over the internet and in print (in particular, the UN Treaty Series), encouraging a few libraries to cancel the paper copies in preference to internet access.

Amendments to active collection records

In addition to those instances where the acquisition of material has ceased completely there were 32 (2007: 47) instances where amendments to records on FLAG were required to take account of a reduction in the number of active titles in a collection because of the cancellation of some subscriptions. There were 28 (2007: 3) instances where a collection had been enhanced since 2007.

New collections

As was noted above, since 2007 only four libraries (2007: 3) have created new collections, covering 23 different topics or countries (2007: 28). All featured back runs and current subscriptions.

Changes to contact information

Finally, quite apart from changes to collections shown on FLAG in the collections database, the survey has highlighted changes to institutional information within the survey population of 56 national, university and Inns of Court libraries. Six institutions have changed their names wholly or in part since 2007 (2007: 5). Four have changed their address. Nineteen (2007: 15) web or e-mail

addresses and ten phone or fax numbers have also changed (2007: 20).

Conclusions

The challenge of updating the FLAG database for a third time has been successfully met. The methodology proved appropriate and workable. Apart from the largest contributor, it was well within the capacity of individual libraries to carry out the re-appraisal of their collections themselves. The timing of the update survey in the Spring and Summer was better than in 2007, but even though two months was allowed for responses to be made, under half of libraries made a return within the specified period.

In the nine years since the database was originally compiled, a number of significant changes to collections and institutional contact information have occurred. The increasing availability of foreign, international and comparative law over the internet presents libraries with alternative methods of collection building and will influence the character of law collections in the future.

The impact of the internet, changes of emphasis in law teaching and research and budgetary restraint within libraries will continue to shape the collections of the future. A full re-survey of FLAG within the next five years, involving visits to all contributing libraries, would ensure that no changes to collections have escaped the attention of librarians. A number of newly appointed law librarians noted difficulty in identifying materials from the shelf lists. Every entry includes a shelf mark or class mark but individual titles are not listed, since FLAG is intended as an inventory rather than a catalogue. To ensure FLAG remains an accurate and up-to-date guide to foreign, comparative and international law holdings, the FLARE Group of libraries

(the partners in the original FLAG Project) are considering undertaking a comprehensive survey in the near future, conducted by a single individual familiar with the way in which materials are described on the database as in the original work conducted in 2000 to 2002. In addition, the FLARE Group is looking at ways in which the data on the FLAG database might be updated at more regular intervals.

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Without funds provided through the Institute of Advanced Legal Studies Library, which hosts the FLAG database, the update would not have been possible. The total time spent updating the database, from specifying the printout from the database to be sent respondents to completing this report, was 55 hours.

References

¹<http://ials.sas.ac.uk/flag.htm>

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Biography

Dr Peter Clinch has recently retired as Senior Subject Librarian for Law, Cardiff University and is a well-known writer and lecturer on legal topics.