

LIBRARY NEWSLETTER

Middle Temple Library, Middle Temple Lane, London, EC4Y 9BT
library@middletemple.org.uk ; 020 7427 4830



Welcome!

Vanessa Hayward, Keeper of the Library

Welcome to our autumn newsletter. If you have not visited the library over the summer, why not? If you have, you will see that we have a brand new, state of the art enquiry desk and we are also in the process of having the library redecorated in a tasteful and tranquil green, although personally I would have preferred pink. On the other hand, maybe not.

The Prime Minister portraits around the library have now all been framed and rehung in the right order and when the painting has been completed they will all have labels in case anyone should ever have a problem identifying any of them. I have also produced a short guide to them containing a few interesting facts and dates about each prime minister. In fact I have now carried out so much work and research on them, I could easily use them as my specialist subject on Mastermind.

We are just about to begin our library tours for new students (or old ones, or anyone else for that matter). You will find further details later in the newsletter, but if you cannot make any of the dates, please just come along and we will take you round and show you how to get the best out of the library and tell you about our many services.

Inside This Issue

Welcome	1
Collections on the Move	1
Legal Research Training	2
Tacit Urns	2
Law Journals	3
New Acquisitions	3
Library Tours	4

Library Tours

The Library will be offering 30 minute tours of its facilities on the following dates:

Monday 24 September: 4pm
Wednesday 26 September: 11am
Friday 28 September: 11am
Monday 01 October: 6pm
Wednesday 03 October: 6pm
Friday 05 October: 4pm
Monday 8 October: 4pm
Wednesday 10 October: 6pm
Friday 12 October: 11am
Monday 15 October: 6pm
Wednesday 17 October: 11am
Friday 19 October: 4pm

All participants will be entered into a prize draw to win either a bottle of champagne or a gift certificate. Please sign up at the Enquiry Desk, or book your place via email (library@middletemple.org.uk) or phone 020 7427 4830.

*Visit the library and reflect upon the
nature of silence until 9 November*

Legal Research Training

Middle Temple Library will be offering a new legal research training session, lasting one hour. This informal session reviews how to find print and electronic legal information (law reports, journal articles, textbooks, etc.) and how to use legal citations. We will mainly cover English legal sources, but will give brief overviews of US & EU sources as well, time permitting. The dates are:

- 1- Tuesday 25 September, 3-4pm
- 2- Wednesday 10 October, 3-4pm

Both sessions will take place on the third floor of the Ashley Building, Sherrard Room. Tea and coffee will be served. The sessions are open to everyone, and are free. Please RSVP to: library@middletemple.org.uk or 020 7427 4830. Please indicate your name and which session you will attend.

New American Sources

Bernadette Keeley, U.S. Librarian

American Maritime Cases: We are happy to announce that the library now has access to American Maritime Cases online. The Baltimore-based company provides online access to all American maritime cases from 1923 to the present. This will be a valuable addition to our maritime collection and useful for all members with an interest in admiralty law.

U.S. Congressional Documents: We now have access to the U.S. Congressional Documents collection on HeinOnline. This new subscription includes access to the Congressional Record from 1873 – 2009. The Congressional Record is the U.S. equivalent of Hansard. The collection also includes access to the Congressional Record daily from 1980 to the present and Congressional Hearings from 1927 to 1994.

Tacit Urns – Sophie Arkette

The Library is hosting a special exhibition until 9 November. This collection of glass urns investigates the nature of silence and of the qualities of silence as exemplified in virtue of each glass receptacle. Each urn 'contains' a particular kind of silence, whether it is the mute comedy of Harpo Marx, a two minute silence, Carthusian silence, or a silent musical work. This raises a pertinent question in this context: is it possible to legally protect a work that contains no sound? Copyright of silence is a dominant theme in the exhibition, especially in light of the supposed dispute between Edition Peters (the music publishers of John Cage's work, notably his silent piece 4'33") and Mike Batt, who recorded a one minute extract of Cage's 4'33".

A number of questions can be asked of the nature of silence and of one's perception of it: if silence consists in an absence of sound, how might one maintain that an experience of silence is in any sense auditory? Can silence be said to result from abstracting two essential qualities of sound, i.e. pitch and amplitude, such that it consists purely of duration? If hearing requires a sensory object toward which the hearing is directed, is it possible to treat silence as an object of perception?



*A 'Tacit Urn'
by Sophie
Arkette*

Law Journals on Lexis, Westlaw & Hein

Renae Satterley, Senior Librarian

Did you know that there are 47 journal titles available through Lexis, 97 through Westlaw, and over 1600 (!) through HeinOnline? While the Library's subscription rates do not allow us to offer remote access to these databases, they are available on all of the public computer terminals, where you can print, or email articles to yourself free of charge.

All of the Lexis and Westlaw titles are catalogued in our online catalogue (<http://www.middletemplelibrary.org.uk/uhtbin/webcat>). Each catalogue record shows the date range of each publication, and whether it is available exclusively online, or whether the library has it available in print and electronic format.

For example, the *Journal of Housing Law* is available in print in the Library from 2003-2009 (Bay 117), but it is available full-text electronically via Westlaw from 1997. *Tolley's Health and Safety at Work* is available from Lexis only, from 2002 onwards.

HeinOnline offers such a large number of titles that the Library is still investigating ways of adding all of the titles to its online catalogue. The full title list can be browsed at: <http://home.heinonline.org/content/list-of-libraries/?c=1&sn=journals>.

Hein specializes in American and International law journals, in addition to a large range of historical sources, including *The English Reports*. References to HeinOnline journal articles will occasionally be picked up when doing a general Google search, but it is easier and more efficient to come into the library and search the database directly.

New Acquisitions

Hilary Woodard, Stock & Ecclesiastical Librarian

The library has re-instated its subscription to another loose-leaf work which had been cancelled in 2009: *The Encyclopaedia of Compulsory Purchase*

New titles added to the textbook collection:

ANDREWS, G. – Contractual duties: performance, breach, termination and remedies

CANDISH, J. – Genetics, molecular biology and the law

CPAG Child support: the legislation

FRENCH, D. – Applications to wind up companies

GENTLE, S. – Serious fraud, investigation and trial

GLEDHILL, K. – Defending mentally disordered persons

HAYDEN, A. – Children and same sex families

HOLDHAM, S. – Court of appeal, criminal division: jurisdiction, practice and procedure

LORENZON, F. – Law of yachts and yachting

MIDDLEMISS, S. – Employment law in Scotland

O'MALLEY, N. – Rules of evidence in international arbitration

SOYER, B. – Pollution at sea

STOOKES, P. – Planning and the localism Act 2011

UPTON, D. – Knowles on local authority meetings

WAINWRIGHT, T. – Protest handbook

WALL, W. – Genetics and DNA technology: legal aspects

WELLS, C. – Abuse of process

Donations to the library:

UPEX, R. – Law of termination of employment

Over 1700 journals are available to consult in the Library via the various subscription databases

Some authorities are better than others; and some reports of those authorities are better than others

Daniel Hoadley, Barrister

Business Development Manager and Law Reporter

The Incorporated Council of Law Reporting for England & Wales

On 24 March 2012, the Lord Chief Justice, Lord Judge, issued a new practice direction to clarify the practice and procedure governing the citation of authorities in the Senior and lower courts.

Practice Direction (Citation of Authorities) [2012] 1 WLR 780 reiterates what a previous Lord Chief Justice, Lord Woolf, said just over a decade ago in Practice Direction (Judgments: Form and Citation) [2001] 1 WLR 194, namely that where a case has been reported in the Official Law Reports, published by the Incorporated Council of Law Reporting for England & Wales (ICLR), that version of the report must be cited in preference to any other version.

The new direction emphasises, at para 6, that the Official Law Reports (AC, QB, Ch and Fam) contain a summary of the argument. It is worth pointing out that ICLR law reporters (who sign their own reports) attend hearings in person, and write their own reports: they are not merely a judgment collection or summary writing service. This accounts, of course, for the superiority of the resulting reports.

Where a judgment is not (or not yet) reported in the Official Law Reports, but is reported in the Weekly Law Reports (WLR) or the All England Law Reports (All ER), that version of the report must be cited. Paragraph 7 of the direction equalises the standing of the two main generalist series of reports.

The new direction also gives express recognition to the role played by the British and Irish Legal Information Institute (BAILII) in collecting and making available the official transcripts of judgments delivered not only by the Senior Courts but a range of other courts and tribunals. Though these unreported judgments do not have the status of law reports, they provide an often essential and easily accessible resource for the study and practice of law, and as a charitable organisation ICLR is proud to support and co-operate with BAILII.

Editor's note: the practice direction is available at:

<http://iclr.co.uk/products/practice-direction-citation-of-authorities-2012>



A bat, from Pierre Belon's Histoire de la nature des oyseaux, 1555