***noslegal***

**Taxonomy release notes**

**Release 1.0** / 31 March 2022

# 1. Overview

These are the release notes for a taxonomy of four facets designed for describing work done in relation to legal issues, and the related processes and artifacts.

The four facets are Legal (1) Work (2) Subjects (3) Perspectives and (4) Places.

We envisage that many organisations using these facets will likely also adopt a fifth facet, industry or sector, though we don’t propose to develop a new one.[[1]](#footnote-1)

## Who’s done the work?

Our work has been done on a voluntary basis, starting in late 2020 and proceeding over a number of iterations in the 18 months since then.

Input has been received mainly from large commercial law firms in the UK (though with some significant inputs from elsewhere) and from UK (or KU arms of) technology companies focused on legal topics.

In future iterations, we aim to expand the diversity of perspectives involved - we’re very conscious of the tendency of many legal knowledge projects to be dominated by US / UK perspectives, something which will limit the success of this project unless acknowledged and managed.

## Who and what is this for?

|  |  |
| --- | --- |
| **Designed for** | **Not** designed for |
| *People:* | |
| 1. Providers of legal services (e.g. law firms, NewLaw, corporate legal department) 2. Buyers of legal services (e.g. corporate legal in their buying/coordinating capacity, buyers who aren’t lawyers) 3. Providers and users of technology in connection with legal work (e.g. for describing information stored in such technology) | 1. Writers, researchers and educators on legal rules and doctrines 2. Legislators and regulators |
| *Need:* | |
| 1. Describing, analysing and reporting on legal matters, including internally (e.g. within a law firm or legal department) and to clients, and including analysis to compare work done for different clients or by different providers 2. Organising and finding practical legal knowledge (e.g. documents, process templates, examples, how-to guides, training courses) 3. Describing and finding legal services (e.g. on a law firm’s website or in a legal services marketplace) 4. Describing how legal services providers are organised and what they do (e.g. law firms, NewLaw providers, corporate legal departments or others) 5. Describing and finding individual legal experience and specialisms for individuals (e.g. for work allocation or training purposes) | 1. Researching and analysing legal rules and doctrines, including legal research databases, textbooks and theoretical legal analysis 2. Describing legal roles and activities within a matter (e.g. drafting, negotiating, adjudicating, advocating) 3. Describing phases and tasks within a legal matter (e.g. due diligence, trial) 4. Describing legal document types (e.g. pleadings, contracts) and their parts (e.g. provisions) (a project has been proposed for us to look at this together, but we are still considering whether to do so) 5. Deep dives into local or specialist topics (if required, we envisage these being added as modules which can fit into the higher level categories we have defined) |
|

We’re not dismissing the importance of the roles and needs on the right. It’s a question of focus. There are real trade-offs here. Many existing projects focus on the right hand side of this table whereas ours focuses on the left hand side. Of course, if our work nevertheless turns out to be useful for roles and needs on the right hand side, so much the better.

## Simplicity and detail

**Legal Work**, **Subjects** and **Perspectives** are deliberately simple.

In this initial release, they have a total of 70 concepts.

There are nevertheless a huge number of useful combinations possible. Examples of descriptions which can be built using them and Legal Places -

* an investigation in France involving a corporate body concerning regulation
* litigation in Texas involving individuals concerning land and buildings
* a transfer of tangible property governed by Kenyan law

Problems with excessive splitting include:

1. Distinctions tend to turn out to be more difficult and arbitrary than envisaged
2. They are less relevant internationally - it doesn’t take much detail to lose comprehensibility between legal systems
3. They are likely to be less stable over time, as societies, economies, technologies and laws change
4. They are more onerous for humans to apply
5. The distinctions are likely, we suspect, to be less accurate for machines to apply even as technology progresses
6. The splitting is likely to be of less usefulness
7. Any given type of splitting is likely to appeal more to certain niches than others. For example, splitting something in a legal-conceptual way for the purpose of better legal research within a particular system of case law may not be relevant for use cases involving better pricing, or better lawyer-finding.

That said, we do envisage further detail being built on to these simple taxonomies where relevant, for example by

1. private efforts within organisations,
2. recommending that our users use it in conjunction with other taxonomies and ontologies, for example those focused on one or more national legal systems (e.g. [SALI](https://www.sali.org/)) international topics (e.g. [Regulatory Genome](https://www.regulatorygenome.org/)), other professional perspectives (e.g. accounting - [Engine B](https://engineb.com/)) and many more (see e.g. this [collection of legally relevant ontologies](https://github.com/Liquid-Legal-Institute/Legal-Ontologies) curated by Liquid Legal Institute),
3. developing some further details within noslegal, where there is no adequate third party taxonomy.

**Legal Places** is considerably more detailed, with over 7,000 rows of data organised across 11 sheets . This has been viable because places are already quite well-defined legally in most of the world. We have been able to build on this public domain foundation in various ways, described below.

## Maturity

**Legal Places** is largely quite mature, though certain points have been highlighted for feedback. The other three facets are earlier stage. We believe that **Legal Work** is fundamentally robust in that it

1. has undergone some testing in large organisations against real data;
2. has been validated verbally by a significant range of knowledgeable people as making relevant distinctions of practical significance for the intended use cases;
3. is relevant across a range of legal work and places;
4. Is simple enough to have a prospect of being applied with reasonable accuracy, first by humans and over time with machine assistance

However, the details will definitely evolve. **Legal Subjects** and **Legal Perspectives** are the least mature, having been developed in 2022 Q1 as a result of feedback on earlier iterations of Legal Work plus an earlier concept known as Legal Contexts.

If you come from the software world, you may find it helpful to think of Legal Places as a [1.0 release](https://en.wikipedia.org/wiki/Software_versioning#Version_1.0_as_a_milestone), Legal Work as a [public beta](https://en.wikipedia.org/wiki/Software_release_life_cycle#Open_and_closed_beta) and the other two as a [public alpha](https://en.wikipedia.org/wiki/Software_release_life_cycle#Alpha).

## Next steps

During 2022, we will be building on the foundation represented by this release.

* **Format.** At this stage, we have published in the form of spreadsheets as we wished to focus attention first on content, and present this quickly for wider feedback. In future, we envisage presenting an [OWL](https://en.wikipedia.org/wiki/Web_Ontology_Language) format (probably via Web Protege). We are also considering publishing in [SKOS](https://en.wikipedia.org/wiki/Simple_Knowledge_Organization_System) and [JSON](https://en.wikipedia.org/wiki/JSON).
* **Testing and iteration.** We will work with interested organisations to test the taxonomy facets in their systems, implement them where possible and determine how to develop them.
* **Versioning and maintenance.** We plan to track changes and release versions periodically which include updates (e.g. to places), enhancements and correction of any errors. Feedback is sought on various points below, but please let us know any other points which occur. You can contact us through the noslegal website, noslegal.org
* **Governance.** We plan to put in place more robust governance structures to ensure the long term success of this work.
* **Interoperability.** We plan to explore interoperability with other relevant taxonomy projects.
* **Diversifying.** We have a good range of perspectives from the US-UK large commercial law firm world already, including its tech providers. That’s great, and more people from that world are always welcome, but we also want to increase involvement from outside that world so that noslegal can become widely relevant.

# 2. Legal Work, Subjects and Perspectives

## Summary of Legal Work, Subjects and Perspectives

These three facets provide, for a legal matter, a systematic way of articulating the characteristically legal work done (Legal Work - the ‘verb’), the legally-conceptualised things affected (Legal Subjects - the ‘noun’) and the practical needs or impacts from a relevant perspective (Legal Perspectives).

### Legal Work

**Legal Work** has three top-level concepts - Resolving, Transacting and Operating.

Each has five sub-categories.

Resolving breaks down into

* Disputes
* Enforcement and prosecution
* Investigations and inquiries
* Administrative issues
* Public affairs

We believe these are broadly-recognised as relevant, major categories and are quite readily distinguishable, though inevitably there are edge cases, and complex matters may involve more than one.

Transacting breaks down into

* Establishing
* Changing
* Dissolving and administering
* Transferring
* Financing

The first three are ‘lifecycle’ concepts. The fourth and fifth are obviously important.

Operating also has five elements

* Advising
* Managing knowledge
* Governance
* Complying and managing risk
* Legal operations

The first and second are obviously central to what lawyers do, and clients need. The third and fourth are key for organisations with complex activities. The fifth is relatively new, but important.

All of the above concepts are - of course - capable of further subdivision.

We have, in fact, sub-divided Resolving into ten third-level concepts as there was a fairly clear and useful basis on which to do so. Further sub-division is more debateable, so we’ve decided not to do so at this stage, and instead to consult as to whether this would be useful, and if so how to do it.

### Legal Subjects

**Legal Subjects** also has three top-level concepts, which are based on the legal thinking of millennia. We’ve called them People, Property and Duties.

**People** has five sub-divisions

* Individual
* Family
* Group
* Corporate body
* Authority

We believe the line between these is fairly clear, and useful.

**Property** has three sub-divisions

* Land and buildings
* Tangible property - *defined to exclude land and buildings*
* Intangible property - *defined as, in effect, all other types of property*

This is not an entirely straightforward topic, as national legal systems have developed highly technical distinctions in this area over the centuries.

Historically, the major issues in property law involved the first two categories.

These days, much value is wrapped up in intangible property - everything from bank accounts to shares to derivatives to intellectual property.

We envisage sub-dividing intangible property in future iterations, but thought at this stage it would be less distracting to stop with this simple initial sub-division.

**Duties** is perhaps the most debateable category.

We’ve created three subdivisions

* Contracts
* Non-contractual obligations
* Public powers, rights and duties

We think this is a practically meaningful approach given the importance of contracts. The other two concepts capture the rest of the private and public spheres, respectively. Inevitably the boundary line will be drawn differently in different societies and legal systems, but we offer this as a simple robust set of distinctions of wide relevance. It is certainly capable of further sub-division in future.

### Legal Perspectives

This facet is perhaps the most unconventional.

Typical legal taxonomies have sought to define legal work in ‘objective’ terms not affected by the perspective of the participant. Of course there can be value in that, but we think that it may be more useful in some ways to characterise a problem from a particular perspective.

The three top-level perspectives we have proposed are

* Personal life
* Business
* Society and authority

These are broken down provisionally in ways set out in the spreadsheet.

To give an example, assume that a person slips and falls in a supermarket and breaks her arm.

To her, this may raise legal questions relating to the implications of inability to work while the injury is healed, perhaps issues relating to payment for healthcare (depending on the legal system) and issues relating to compensation for damage if the supermarket can be said to be legally responsible.

To the supermarket, the issues are more one of customer relationships, reputation and financial liability. Perhaps there will be regulatory issues as well, depending on the circumstances.

The perspectives, in short, are very different.

For the Society and authority perspective, we have adopted the [Classification of the Functions of Government (COFOG) taxonomy](https://unstats.un.org/unsd/classifications/Family/Detail/4) for significant elements. The details are noted in the relevant rows of the Excel file. This seems to us more appropriate than creating a new taxonomy in that area.

This facet of the taxonomy seeks to recognise that and to build out important elements of different perspectives. Feedback is welcome, recognising that this is the least ‘mature’ element of the project.

# 3. Legal Places

## Summary of Legal Places

Legal Places is more detailed than the other facets, but only because we have built it upon the invaluable public domain foundation made available by the United Nations and the International Standards Organisation in cooperation with various national standards organisations.

Legal Places has five main data sheets, each with one or more supporting sheets.

Each sheet is intended to be modular. You can use it individually (or even just use parts of it). But the sheets are also designed to work well together.

They are largely independent from our other taxonomy facets (Legal Work, Subjects and Contexts) though sheet 4.0 (connecting factors) ties in closely with Legal Work and Legal Subjects.

In summary, the sheets cover:

### 1.0 Countries and areas

* This lists the 249 top-level countries and areas which have top-level (two-letter) ISO codes. Most are independent sovereign states, but a considerable number are not.
* Each country or area has a row of the spreadsheet.
* Sheet 1.0 has 19 columns in total, each modelling a different attribute or relationship of each country or area.
* Many of these contain public domain information taken from ISO or UN sources, but we have made some refinements. For exampl -
  + shorter names where we think these are likely to be regarded more convenient than the official ISO short names (which in some cases are rather long);
  + addition of some unofficial regions defined by us – AMER together with variants of EMEA and APAC.
* We have also indicated whether a country or area is a UN member and, if not, any linked UN member. We have, in addition, cross-referenced to alternative codes, as this can otherwise cause confusion. For example, Aruba has the top-level code AW but also appears in the Netherlands taxonomy as NL-AW.
* Supporting sheets 1.1 and 1.2 define the UN regions and unofficial regions used in 1.0. Supporting sheet 1.3 lists names in a number of languages other than English.
* We may in future expand the list of unofficial regions and different languages if there is demand.

### 2.0 Systems

* This sheet gives a summary of the type, or types, of legal system of almost all of the places listed in sheet 1.0. It includes an indication of particularly important historical influences from other places (in most cases, of a colonial nature).
* This is inevitably an approximate and imperfect approach, as legal styles which are superficially reminiscent of, say, French or English law, may mask hugely important differences. There are also many examples in which elements of national law derive from different traditions (for example, commercial laws influenced by a former colonial power and family laws are based on local customary or religious legal concepts).
* Nevertheless, there is some usefulness here so we have proceeded with this approach, recognising its imperfections.
* Supporting sheet 2.1 defines twelve types of system used in 2.0.
* Feedback is sought as to what extent you find it useful to maintain and develop this approach.

### 3.0 Subdivisions

* This sheet contains over 5,000 subdivisions of the countries and areas in sheet 1.0, including parent-child relationships between subdivisions (for example, Kampala is a subdivision of the Central Region which in turn is a subdivision of Uganda).
* These subdivisions are almost all based on ISO, but
  + In two cases - the UAE and UK - we have defined some additional subdivisions which are legally relevant. In the case of UAE, these are the Free Zones within each Emirate. In the case of the UK, we have defined England and Wales as a legally-relevant jurisdiction, and have defined Greater London as an area comprising the ISO-recognised City of London (‘the Square Mile’) and the ISO-recognised London boroughs.[[2]](#footnote-2)
  + We have edited the set of names to identify those which we think will be most practically recognisable for English-speaking users of legal systems. So, for example, we use ‘Damascus’ for the capital of Syria, instead of the ISO name ‘Dimashq’ and ‘West Pomerania’ for a region of Poland instead of the ISO name ‘Zachodniopomorskie.’ This inevitably involves judgements which not everyone will agree with, so we’ve been careful to show the ISO names (of which there are sometimes a number of alternatives) so that users of this dataset can conveniently choose.
  + Another policy decision we have taken is to present subdivision names without accents and special characters not familiar to most English native speakers. So, for example, we use ‘Thingeyjarsveit’ instead of ‘Þingeyjarsveit’ for a municipality of Iceland, and ‘Dashkasan’ instead of ‘Daşkəsən’ for a rayon of Azerbaijan.
  + We welcome feedback on all of this.
* Supporting sheet 3.1 lists 111 subdivision types used in sheet 3.0. Almost all of these are derived from ISO 3166. The other three are unofficial. One (‘Jurisdiction’) is used for the legally-relevant non-ISO subdivision of ‘England and Wales’ within the United Kingdom. The other two (‘Free Zone’ and ‘Park’) are used for some legally-relevant non-ISO subdivisions within the United Arab Emirates.

### 4.0 Connecting factors

* This expresses six main types of legally relevant relationship that something (for instance, a legal matter or knowledge artifact) may have with a place.
* Three of them are related to the three top level categories of Legal Work, and the other three are related to the three top level categories of Legal Subjects.
* One of these is subdivided into seven further types as this is possible to do so in that context in ways which we think are reasonably clear and useful.

### 5.0 Memberships

* This captures the membership of 54 international organisations and treaties of practical legal relevance, including the dates on which membership started.
* This list is easily expanded. Suggested additions are welcome.

More detailed notes are in **annex 1** to this document.

## 

## Legal basis of using ISO 3166 codes

The International Standards Organisation (ISO) publishes many of the codes and related information which we used as a foundation for building up this dataset.

This information is known as ISO 3166 and is maintained by the ISO 3166 Maintenance Agency, which includes representatives from various international and national organisations. ISO 3166’s history and scope are [described here](https://www.iso.org/obp/ui/#iso:std:iso:3166:-1:ed-4:v1:en).

Given the wide public and private usage of these codes, it clearly made sense for us to build upon these rather than re-invent them. We therefore examined the legal ability to do so.

This information is made available by ISO in two formats:

1. ISO offer a commercial product called the [Country Codes Collection](https://www.iso.org/publication/PUB500001.html). This is a spreadsheet which can be purchased for CHF300 and is updated each year. However, this product is licensed on a single-user basis so was not suitable for our purposes. We therefore did not purchase or use it.
2. ISO also make the codes publicly available free of charge on an [‘Online Browsing Platform.’](https://www.iso.org/obp/ui/#search) This is kept up to date and a [change log](https://isotc.iso.org/livelink/livelink?func=ll&objId=16474544&objAction=browse&sort=name&viewType=1) is published.

Our understanding is that the information on the Online Browsing Platform is public domain and can be used freely. We corresponded with ISO to verify this. The relevant correspondence is below, and confirms this.[[3]](#footnote-3)

|  |  |
| --- | --- |
| **noslegal first email** | *Please could you help me understand the copyright status of ISO-3166.*    *My understanding is that*    *1. The ISO-3166 codes published on the Online Browsing Platform are open source / public domain - https://www.iso.org/obp/ui/#search/code/*    *2. However, copyright is asserted by ISO in respect of the CHF300 product sold on the ISO website - https://www.iso.org/terms-conditions-licence-agreement.html#Customer-Licence*    *Have I understood this correctly?* |
| **ISO first email** | *If you are asking if you can use these country codes in an application or software for free, the answer is yes. ISO allows free of charge use of the country codes.* |
| **noslegal second email** | *It's great to have your confirmation that we're free to use the codes. Please could you confirm whether there are any restrictions or conditions? I can't find any restrictions on the ISO website, and there are examples all over the internet of the ISO codes being used publicly. However, I just wanted to check whether they're actually public domain (i.e. legally free for anyone to use).*    *What we're planning to do is to use the codes to link the various countries, districts etc to various legal topics e.g. the legal system type, the legal organisations that they belong to. We plan to publish this information as an open source taxonomy for anyone to use, free of charge. We would note as part of this publication that the country codes are the ISO ones.*    *I'd appreciate any clarification you can add.* |
| **ISO second email** | *Unfortunately, I can't speak for the content that you have found on certain websites.*  *ISO allows the use of the codes found* [*here*](https://www.iso.org/obp/ui/#search) *as you wish to use them.*  *However, ISO does not allow to post on the internet the codes from* [*this product*](https://www.iso.org/obp/ui#iso:pub:PUB500001:en)*.* |
| **noslegal third email** | *Thank you very much. Yes, it's the codes derived from your first link (i.e. online browsing platform) that we're planning to use. So, we'll go ahead on that basis.*    *I read the licence terms for the spreadsheet version at your second link and it was clear that the licence terms wouldn't permit what we're intending, so we're not going to do so.*    *Has your legal department provided any guidance on the actual legal status of the codes on the online browsing platform. My interpretation is that they're public domain but I thought it was strange I couldn't find it expressly stated on the ISO website.* |
| **ISO third email** | *Your interpretation as regards to the usage of the publicly available codes is correct. It is not mentioned on the website but we are here to provide that information.* |

1. There are various industry / sector taxonomies already, originally designed for custom authorities (e.g. [ISIC](https://en.wikipedia.org/wiki/International_Standard_Industrial_Classification), [UK SIC](https://en.wikipedia.org/wiki/United_Kingdom_Standard_Industrial_Classification_of_Economic_Activities), [NACE](https://en.wikipedia.org/wiki/Statistical_Classification_of_Economic_Activities_in_the_European_Community), [NAICS](https://en.wikipedia.org/wiki/North_American_Industry_Classification_System), [US SIC](https://en.wikipedia.org/wiki/Standard_Industrial_Classification#Uses)) or investors (e.g. [Refinitiv/TRBC](https://en.wikipedia.org/wiki/The_Refinitiv_Business_Classification), [GICS](https://en.wikipedia.org/wiki/Global_Industry_Classification_Standard), [ICB](https://en.wikipedia.org/wiki/Industry_Classification_Benchmark)). . We don’t think it’s useful to seek to create another, but do envisage in future producing a short guide on how to use what’s already out there in a legal context. [↑](#footnote-ref-1)
2. Since November 2021, ISO 3166 at least recognises England, Wales, Scotland and Northern Ireland as entities. The old British Standard recognised England and Wales as an entity, and we have adopted the old British Standard code for that, GB-EAW. [↑](#footnote-ref-2)
3. Salutations and courtesies have been excluded from the extracts. [↑](#footnote-ref-3)