

## *How to do Legal Research on the Internet (Australian Legal Information Institute)*

The Australian Legal Information Institute (AustLII) was established by the law faculties of the University of Technology, Sydney and the University of New South Wales to provide free access to current public legal information via the internet. It is said to be one of the best internet sites of its type in the world. By visiting [www.austlii.edu.au](http://www.austlii.edu.au) one gains access to over 80 databases of Australian case law, legislation and secondary legal materials such as journal articles.

In laying the foundations for electronic legal research, it is important to begin with broad search categories and search requests in order to establish the breadth of material available on the given topic. If such initial searches yield unworkable figures, progress will be made by refining the searches with variations of "boolean" phrases, or perhaps modifications of the words and terms applied.

**A quick guide to boolean operators:** AustLII has adopted a specialised boolean search method in order to limit search results to only the most relevant material. By using the features below, one is able to easily expand or contract a search request to obtain a manageable number of highly relevant articles.

**“and”** eg "assault and weapon" will return all cases, legislation and materials containing both assault" and "weapon."

**“or”** eg "speeding or dangerous driving" will find documents containing either of the two terms. This will expand the number of articles if there appears to be few articles available which discuss the two issues together.

**“near”** eg "rights near child", will find documents where the word "rights" is within 50 words of the word "child" within a case or act.

**“w/x”** A more helpful alternative to the word “near” above. This will return "rights" within "x" words of "child", thus limiting searches to highly relevant material.

**“not”** eg "rights not land" will find information on rights but will exclude documents involving land rights. This is once again a useful restrictive tool.

**Truncation (\*)** by eliminating the end of the word, one searches all related words. For instance, judic\* will return articles containing judicial, judicature, judiciary and so on.

Once appropriate documents have been located, a toolbar will appear at the top of each open page.

*For legislation:* The [**Noteup**] facility will access case law where the specific section of the legislation has been considered. [**Previous**] and [**Next**] moves forwards and backwards through sections of the chosen act.

*For case law:* [**Context**] highlights within the selected article your search terms, allowing quick location of the relevant sections of the case report or article.

### **Finding Legislation**

There are two methods for finding legislation on AustLII. One is to select the " Full Search Form" from the homepage. This will allow you to select a particular database to search. To find a specific Act, select "All legislation" and use the boolean operators to create an effective search term. The second method is to select the relevant state or jurisdiction from the left hand side of the homepage. Once you have accessed the New South Wales state selection list, for example, select the "Consolidated Acts" option. From here, a toolbar will appear at the top of the page and double click on [Alphabetical

List]. Choose the starting letter of the Act you are searching, and an alphabetical list is displayed. Scroll down the list to the desired act and double click on the title. The act will be displayed by numbered sections and title only. By clicking on the blue numbers, the specific section can be viewed. Remember that **[Noteup]** can now be used to find case law relating to the section you have opened.

### Finding A Specific Case

Again, the most effective method is to start with the [Full Search Form]. From here, it is not recommended to narrow the search by selecting a jurisdiction, as the particular state or court in which a case may have been heard is not always known. Type in a boolean term involving the name of one or both parties involved and a one word description of the issue, such as "Towers Perrin and Restraint of Trade". Remember that AustLII will only return searches if the particular words in your search were contained in the case report, so it is best to be quite general at first, and use more specific legal terminology if this is not successful. The boolean connector "**and**" is useful here.

If you know which court the case was heard in, it is faster to select the state then court from the left hand side of the homepage, and select [Alphabetical List] from the top of the page. All cases involving parties starting with that letter heard in that particular court will be displayed.

One area that may be of use to those commencing legal action for the first time is the "Community Legal Information" page, which is a plain English guide to several areas of law. The topics covered here include:

- Family Law
- Small Business
- Immigration
- Homes and Property

The Community Legal Information page can be accessed from the left hand side of the AustLII homepage, under "Other Legal Material."

AustLII also provides direct links to other legal internet sites, such as the Federal Court of

Australia, the Family Court and so on. By selecting "Home Pages Hosted" from the left hand side of

AustLII's homepage, one can visit the homepages of many legal institutions which may be of further assistance in legal research enquiries.

Finally, AustLII has an excellent help page, accessed from the bottom of the homepage to answer any further questions.

This facility aims to assist the public in being fully informed on current authorities and statutes that may be relevant to any potential legal action. However, the use of electronic legal research cannot substitute for the services of a certified legal practitioner and should be used only as a guide in conjunction with professional services.

*Comasters is able to assist you in your legal research.*

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**Important:** This is not advice. Clients should not act solely on the basis of the material contained in this paper. Our formal advice should be sought before acting on any aspect of the above information.

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