

A Time Capsule of Australian Legal Websites

a review of

Law on the Internet
by Cate Banks and Heather Douglas
(The Federation Press, 2000)



Over the past few years, the Internet has revolutionised legal research in Australia. This revolution has manifested itself in a number of ways.

First (and foremost), the Internet gives unprecedented access to recent decisions. Any lawyer in Australia can access decisions of the High Court, intermediate Australia appellate courts, and overseas appellate courts (such as the House of Lords, the US Supreme Court and the Canadian Supreme Court) on the same day that the decision is handed down, and often within minutes after the decision is handed down.

Secondly, Internet access has made legal research extraordinarily cheap. No longer is it necessary for lawyers to maintain subscriptions to a wide variety of law reports, legislation services and journals. Subscriptions which used to cost tens of thousands of dollars annually are now entirely superseded by free resources on the Internet.

Thirdly, Internet legal research is highly convenient. No longer is it necessary to visit a law library in order to research even the most recent enactments and decisions from even the most obscure jurisdictions. Now - armed with nothing more than a desktop or laptop computer, a modem, and a subscription to an Internet Service Provider - the lawyer can do all this, and more, whether from the office, from home, from a hotel room, from the client's place of business, or even from an "Internet Café".

Fourthly, the Internet provides searching and indexing facilities which make legal research far more efficient than traditional "hard copy" research. Consider the situation where one is attempting to construe a particular form of words, whether used in an Act of Parliament or in a private contract. Using traditional research methodologies, even for the most competent legal researcher it may be almost impossible to find a decision in which that precise form of words received judicial consideration. Now, in a matter of minutes, Internet research should turn up any case in which the same phrase appears.

Acknowledging that the Internet has so much to offer practising lawyers, the authors of this new publication make a useful contribution by identifying those sites which are most immediately helpful to members of the profession - and, as the authors observe, to "students, consumers [and] commentators" who "want to find web addresses to law-related material on the web quickly, without having to trawl labouriously through fruitless online searches".

For lawyers who are not already adept at Internet legal research, this book will undoubtedly provide a useful starting-point. Even for those who are already experienced Internet legal researchers, this book offers some helpful pointers to less familiar websites, especially in Part Three which collects "Subject Specific Sites" under convenient chapter headings. Yet, the very things which make the Internet such a useful resource for practising lawyers limit the usefulness of this book, or any book like it.

Despite every effort to ensure that the book is up-to-date at the time of publication, the evolutionary nature of the Internet, and the extraordinary speed with which it is growing, necessarily mean that such a book is out of date even before the printer's ink is dry.

Take, for example, a lawyer attempting to find current UK legislation. This book points to Her Majesty's Stationery Office - "*The Stationery Office Online*" - at:
<http://www.tsonline.co.uk>

However, that address has already changed to:

<http://www.hmso.gov.uk/legislation>

In any event, there is a newer and much better website providing access to UK legislation. It is the British and Irish Legal Information Institute (BAILII), at:
<http://www.bailii.org>

Recognising this problem, the authors advise that their work "will be updated periodically on the publisher's website at www.fedpress.aust.com". This is a useful idea, save for the fact that the publisher's own website was "down" when this reviewer attempted to check it. In any event, the need to update this book from a website tends to beg the question as to why one would commence legal research from a "hard copy" publication, rather than one of the many websites which offer up-to-date legal research links.

Apart from the initial guidance which it can offer to people who have almost no Internet experience, the whole concept of a "hard copy" guide to Internet research contradicts all of the benefits which the Internet has to offer legal researchers. Why pay for a book, when equally or more comprehensive collections of legal research links (including several designed specifically for Australian lawyers) are available, on-line, at no cost? Why go to the effort of transcribing website addresses from a book - with the risk that one letter out of place will take you to the wrong website - rather than using "hotlinks" from any of the free links collections available online? Why spurn the extraordinary convenience and efficiency of the Internet, by constricting your research through the use of a "hard copy" guide which cannot replicate the Internet's convenience and efficiency?

To anyone thinking of buying this book, I would suggest that you first try "surfing" a number of the leading Australian Internet legal research sites, such as:

AustLII	http://www.austlii.edu.au
ScalePlus	http://www.scaleplus.law.gov.au
Foundation Law	http://www.fl.asn.au
LawNet	http://www.lawnet.com.au
Jurist Australia	http://www.law.anu.edu.au/jurist
Lex Scripta	http://www.lexscripta.com

Then, if you still feel the need for a "hard copy" guide to Internet legal research, this book is as good as any on the market.