

# Australasian Legal Information Institute

## User Guide to AustLII



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### Australasian Legal Information Institute

Free, comprehensive and independent access to Australasian law

Search all databases

[All Databases](#) [Cases & Legislation](#) [Journals & Scholarship](#) [Law Reform](#) [Treaties](#) [Libraries](#) [Communities](#) [LawCite](#)

[Australia](#) [CTH](#) [ACT](#) [NSW](#) [NT](#) [QLD](#) [SA](#) [TAS](#) [VIC](#) [WA](#) [New Zealand](#)

#### Announcements

**Welcome to the new AustLII website** with new and enhanced features. For the time being, we will continue to support the 'classic' AustLII interface.

[Law via the Internet Conference 2017](#), Newark, USA, 19-21 October 2017

#### News & Database Additions

[Transport Accident Commission v Katanas \[2017\] HCA 32 \(17 August 2017\)](#)

[Plaintiff S195-2016 v Minister for Immigration and Border Protection \[2017\] HCA 31 \(17 August 2017\)](#)

[Forrest & Forrest Pty Ltd v Wilson \[2017\] HCA 30 \(17 August 2017\)](#)

[Knight v Victoria \[2017\] HCA 29 \(17 August 2017\)](#)

[Ramsay Health Care Australia Pty Ltd v Compton \[2017\] HCA 28 \(17 August 2017\)](#)

[Plaintiff: Journal of Australian Plaintiff Lawyers Association 1997-2004](#)

#### New and enhanced features (AustLII 20.0 release)

- Responsive AustLII homepage with touch-friendly features
- Enhanced navigation based on document type and jurisdiction
- Redesigned jurisdictional pages
- Contextual search scope integrated with search box on jurisdiction and legislation pages
- Redesigned search results page and new option: *Show Excerpt*
- Autosuggest search feature
- Redesigned database homepages
- New database homepage options: *Most Cited* and *Most Accessed* (popular) documents
- Access statistics for each database
- RSS feed for each case law database
- Enhanced document presentation
- New document side bar options:
  - Print (pretty or eco-friendly)
  - Download (RTF or Signed PDF/A formats)
  - Cited By (LawCite or Noteup)
  - Share (Twitter)
- Redesigned *Year* and *Alphabetical* indexes

#### CONTRIBUTORS

[All Contributors](#)

[By Jurisdiction](#)

[By Type](#)

[Contribute Now](#)

[Annual Reports](#)

#### STATISTICS

**23 August 2017**  
last updated

**776**  
databases

**841,686**  
cases and decisions

**67,509**  
journal articles and commentary

#### UPDATE STATUS

[Case Law Updates](#)

[Journal Updates](#)

[Legislation Updates](#)

#### JOIN THE DISCUSSION

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Australasian Legal Information Institute

# User Guide to AustLII

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Version: 28 August 2017 - Check the AustLII website <<http://www.austlii.edu.au/>> for later versions.

## Essentials: Free access, Australia-wide coverage

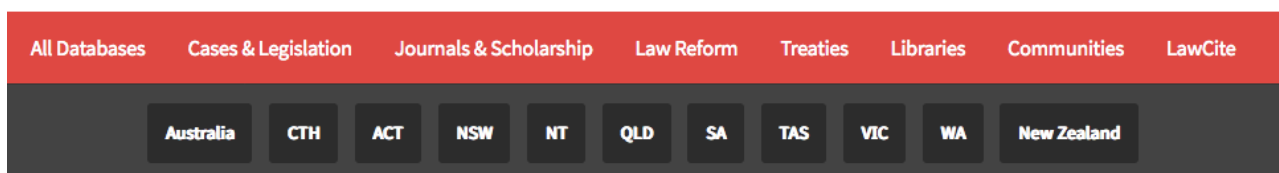
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The Australasian Legal Information Institute (AustLII) <<http://www.austlii.edu.au/>>, a joint facility of UNSW and UTS Faculties of Law, provides free access to over 770 full text Databases from all Australasian jurisdictions. They can be searched together, separately, by jurisdiction, or as individual databases. They include over 500,000 cases, all forms of legislation from all jurisdictions, plus treaties, law journals, law reform reports and other content. The LawCite <<http://www.austlii.edu.au/lawcite/>> international free access citator is fully integrated into AustLII, allowing citations of Australian cases, journal articles and other content to be tracked across AustLII and collaborating LIIs internationally. AustLII includes New Zealand content from the New Zealand Legal Information Institute (NZLII).

## Browsing the Databases

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There are two tiers of navigation from AustLII's front page: (i) By Type and (ii) By Jurisdiction.



The first (red) ribbon groups all databases for a particular type of documents, namely, 'Cases & Legislation', 'Journals & Scholarship', 'Law Reform', and 'Treaties'. Special resources or collections like 'Libraries', 'Communities' and 'LawCite' are also listed there.

'All Databases' lists all Australasian databases available via AustLII. Further grouping options are available on that page to filter by type and jurisdiction.

The second (dark grey) ribbon groups all databases for a jurisdiction, select it from AustLII's front page to go to the jurisdiction's page on AustLII: 'Cth', 'ACT', 'NSW', 'NT', 'Qld', 'SA', 'Tas', 'Vic', and 'WA'.

Select the name of a database to go to its home page, which shows the number of items in the database, the range of years from which they are derived, the date of the most recent item added and both annual and alphabetical tables of contents (both may not be available in some cases).

## Jurisdictional databases

By default, all databases relevant to a particular jurisdiction are displayed. Further browsing filters are available, for example, on the Commonwealth Resources page: 'Cth Case Law', 'Cth Legislation', 'Other Cth Materials', 'ATO Rulings.' The 'Cth Legislation' limits the display to only Commonwealth Legislation and related databases.

## Legislation databases

*Front page of each database*

**[Most Recent]**

Default view: Lists the most recent cases added, by date of the case

**[Starts with... ]**

Displays alphabetical listing, click on the individual letters

**[Most Accessed]**

Lists the popular ("most accessed") pieces of legislation

**'Last updated'**

Most recent date database was updated on system;

NOTE: *does not indicate legislation is consolidated to that date.*

*Each piece of legislation or section (if available)*

The screenshot shows the AustLII website interface. At the top, there is a navigation menu with links for 'About', 'Contact', 'Copyright & Usage', 'Privacy', 'Disclaimers', 'Feedback', and 'Help'. Below this is a search box with the text 'Search this legislation only'. The main content area is divided into several sections: 'Type' (Legis), 'Jurisdiction' (New South Wales), 'Database' (New South Wales Consolidated ...), 'Legislation' (Legal Profession Uniform Law (...)), and 'Section' (SECT 10). The main heading is 'LEGAL PROFESSION UNIFORM LAW (NSW) - SECT 10 Prohibition on engaging in legal practice by unqualified entities'. Below this, there is a sub-heading 'LEGAL PROFESSION UNIFORM LAW (NSW) - SECT 10' and a section title 'Prohibition on engaging in legal practice by unqualified entities'. The main text of the section is '10 PROHIBITION ON ENGAGING IN LEGAL PRACTICE BY UNQUALIFIED ENTITIES'. The text includes two paragraphs: (1) 'An entity must not engage in legal practice in this jurisdiction, unless it is a qualified entity.' and (2) 'An entity is not entitled to recover any amount, and must repay any amount received, in respect of anything the entity did in contravention of subsection (1)'. There is also a penalty clause: 'Penalty: 250 penalty units or imprisonment for 2 years, or both.' On the right side, there is a sidebar with several sections: 'NAVIGATE' with links for 'Next Section', 'Previous Section', 'Table of Provisions', and 'Notes'; 'PRINT' with links for 'Print (pretty)' and 'Print (eco-friendly)'; 'DOWNLOAD' with a link for 'RTF/Word format (1.03 MB)'; and 'CITED BY'.

- [Next Section]** Goes to the next section; use to ‘step through’ sections
- [Previous Section]** Goes to preceding section; use for ‘stepping back’ through sections
- [Table of Provisions]** Goes to the table of contents, at the entry for this section
- [Notes]** Displays associated notes; amendment histories etc.
- [Related Materials]** (If available) lists related items: Explanatory Memorandum, Statement, Notes etc
- [Download]** Downloads copy of whole legislation (not single section); choose RTF (Word format) or PDF format (if available)
- [Cited By]** ‘Noteup’ searches automatically for all materials on AustLII which refer to this section.

*Search box on document page (top right hand corner)*

The screenshot shows a search box with a dropdown menu. The search box contains the text 'Search AustLII'. The dropdown menu has the following options: 'All databases' (radio button), 'This database only' (radio button), 'This legislation only' (radio button, selected), 'Full text' (radio button, selected), 'Titles only' (radio button), and 'Advanced Search...'. There are red vertical bars on the left and right sides of the dropdown menu.

**Contextual search scope:**

- ‘All databases’: Searches over all AustLII databases
- ‘This database only’: Searches only in the database named at the top of page
- ‘This legislation only’: Searches only the sections within a particular piece of legislation (named on the page)

**Search field type:**

- ‘Full text’: Searches the whole document
- ‘Titles only’: Searches only names of legislation. Search with key words in the title or section titles of a known piece of legislation.

## Case Law databases

### Front page of each database

The screenshot shows the High Court of Australia database interface. At the top, there is a navigation menu with links for About, Contact, Copyright & Usage, Privacy, Disclaimers, Feedback, and Help. Below this is the High Court of Australia logo and a search bar labeled 'Search this database only'. The main navigation bar is red and contains filters for Type (Cases), Jurisdiction (CTH), Database (High Court of Australia), Year (Any), and Starts with (Any letter). A 'Specific Year' dropdown menu is set to 'Any'. The main content area shows a list of cases sorted by 'Most Recent'. The cases listed are: Forrest & Forrest Pty Ltd v Wilson [2017] HCA 30 (17 August 2017), Knight v Victoria [2017] HCA 29 (17 August 2017), Transport Accident Commission v Katanas [2017] HCA 32 (17 August 2017), Ramsay Health Care Australia Pty Ltd v Compton [2017] HCA 28 (17 August 2017), Plaintiff S195-2016 v Minister for Immigration and Border Protection [2017] HCA 31 (17 August 2017), and Commissioner of Taxation v Jayasinghe [2017] HCA 26 (9 August 2017). To the right of the list, there are 'DATABASE STATISTICS' showing '26 August 2017' as the last updated date, '17 August 2017' as the most recent document date, and '7,561' as the number of documents. Below the statistics is an 'ABOUT THIS DATABASE' section stating 'This database contains all'.

- [Most Recent]** Default view: Lists the most recent cases added, by date of the case
- [Most Cited]** Lists the cases most cited by subsequent documents
- [Most Accessed]** Lists the popular ('most accessed') cases
- [Subscribe with RSS]** Click on link to subscribe to database feed

### Listing by Year

Click on 'Specific Year' to see all the years available for the database.

The screenshot shows the High Court of Australia database interface with the 'Specific Year' dropdown menu open. The dropdown menu displays a grid of buttons for each year from 1903 to 1931, along with an 'Any' button. The buttons are arranged in three rows: the first row contains 'Any', '1903', '1904', '1905', '1906', '1907', '1908', '1909', '1910', and '1911'; the second row contains '1912', '1913', '1914', '1915', '1916', '1917', '1918', '1919', '1920', and '1921'; the third row contains '1922', '1923', '1924', '1925', '1926', '1927', '1928', '1929', '1930', and '1931'. The rest of the page layout is identical to the previous screenshot.

### Alphabetical listing

Click on 'Starts with...' to see the [A-Z] listing for the database.

The screenshot shows the High Court of Australia database interface with the 'Starts with' dropdown menu open. The dropdown menu displays a row of buttons for each letter of the alphabet from A to T, along with an 'Any' button. The buttons are arranged in a single row: 'Any', 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O', 'P', 'Q', 'R', 'S', and 'T'. The rest of the page layout is identical to the previous screenshots.

To see the individual listing of case names starting with a particular letter, click on the letter.

## Individual case

**High Court of Australia**

Search this database only

Type	Jurisdiction	Database	Year	Citation
Cases	Commonwealth	High Court of Australia	2017	[2017] HCA 30

### Forrest & Forrest Pty Ltd v Wilson [2017] HCA 30 (17 August 2017)

Last Updated: 17 August 2017

**HIGH COURT OF AUSTRALIA**

KIEFEL CJ,  
BELL, GAGELER, KEANE AND NETTLE JJ

FORREST & FORREST PTY LTD APPELLANT

AND

STEPHEN MCKENZIE WILSON & ORS RESPONDENTS

**PRINT**  
[Print \(pretty\)](#)  
[Print \(eco-friendly\)](#)

**DOWNLOAD**  
[RTF/Word format \(457 KB\)](#)  
[Signed PDF/A format](#)

**CITED BY**  
[LawCite records](#)  
[NoteUp references](#)

**JOIN THE DISCUSSION**  
[Tweet this page](#)

- [Print]** Two print options: 'pretty' for formatted layout; 'eco-friendly' for paper saving print outs
- [Download]** Different download options including: RTF (Word document); Signed by AustLII (PDF/A); image PDF files. Not all formats are available for each document.
- [Cited By]** Finds documents that subsequently refer to this document using: 'Noteup' and 'LawCite'
- [Join the Discussion]** 'Tweet this page' uses Twitter to share the details of this document on social media

## Searching the Databases

There are 5 'contextual' search options: from the front page, a jurisdiction page, a database front page, a legislation (or section) page, or the Advanced Search form.

- The **Front page search** is at the top of AustLII's front page - use to search all databases available via AustLII.
- A **Jurisdiction page search** limits searches only to databases from the jurisdiction that has been chosen.

**Commonwealth Resources**

Search selected databases

**Jurisdiction**  
Commonwealth

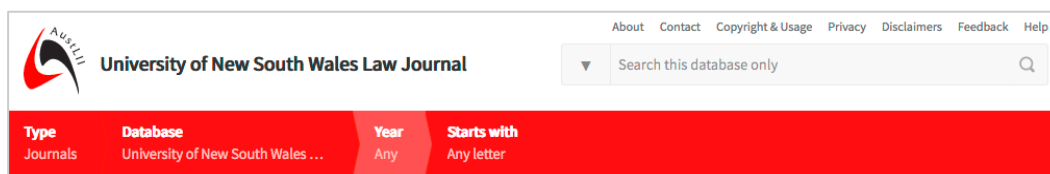
**Database**  
Select a database

All  Cth Case Law  Cth Legislation  Other Cth Materials  ATO Rulings

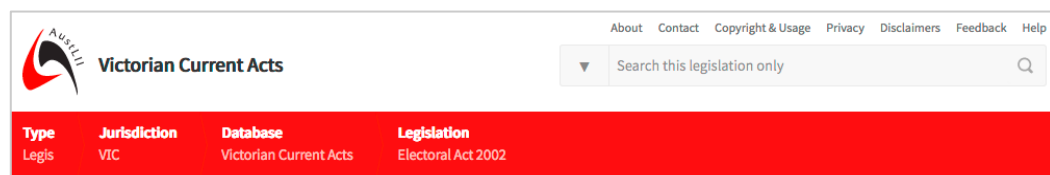
**Commonwealth Case Law**  Select / Clear All

- High Court of Australia (HCA) 1903- (AustLII)
- Privy Council Appeals (UKPCHCA) 1903-1980 (AustLII)
- Family Court of Australia (FamCA) 1976- (AustLII)

- A **Database front page** limits searches only to a particular database (eg High Court of Australia, NSW Consolidated Legislation, UNSW Law Journal).



- A **Legislation front page** (and associated section pages) limit searches only to a particular piece of legislation (eg Electoral Act 2002).



- The **Advanced Search Form** allows various special searches (eg date range search; legislation only); it also allows special search types (eg this Boolean query).

## Connectors (used for all 5 search options)

Operator	Meaning	Example
and	page contains both terms	negligen* and defam*
or	page contains either of two terms	weapon or gun or firearm or pistol
not	page contains 1st term but not 2nd	trust not family
near	1st term is within 50 words of 2nd	disclos* near offence
w/n or /n/	1st term is within <i>n</i> words of 2nd	court w/5 jurisdiction
pre/n	1st term must precede 2nd term by less than <i>n</i> words	contempt pre/3 court
( )	Always use parentheses if search includes two types of connectors	contempt near (radio or television)
<i>n</i> *	Use * for truncation	'negligen*' finds negligent, negligence, negligently etc
	Regular plurals, and singulars, are searched automatically	'firearm' = 'firearms' and vice-versa 'treaty' = 'treaties' and vice-versa

**Searching for phrases** – To search for a phrase, put it in double quotes (eg “freedom of information”). This is not necessary for a Boolean search (ie if connectors are used) but it is better to be sure.

**Search terms the same as connectors** – If a phrase is searched for which contains a connector, the whole phrase should be put in double quotes (eg “fit and proper person”).

## Display of Database search results

Where Databases are searched, five options allow different displays of search results (Display 'By Citation Frequency' is shown below).

**By Relevance** – The default results display is by order of likely relevance to the search request, most relevant first. The percentage ranking ('relevance ranking') next to each document shows 100% for the first document if it contains all search terms. All others are ranked pro-rata to that document according to number, frequency and location of search terms they contained. The 'Collapse Multi-sections | Show All Sections' option makes search results which contain numerous references to legislation more readable by reducing the number of sections visible.

**By Citation Frequency** – Results are sorted by the frequency with which items (cases, journal articles, treaties or law reform reports) are cited in the LawCite citator. The LawCite logo following each search result item is a link to that item's citation record in LawCite. The number of stars (1-5) indicates the frequency with which the item is cited. See the separate user guide page for LawCite.

By Relevance	By Citation Frequency	By Database	By Date	By Title	Show Excerpt
Least often cited <u>Most often cited</u>					
<b>Abebe v Commonwealth [1999] HCA 14; 197 CLR 510; 162 ALR 1; 73 ALJR 584 (14 April 1999)</b>					
High Court of Australia (AustLII) · 14 April 1999 · 381 KB · LawCite ★★★★★    Cited by 2,514 documents					
<b>Lange v Australian Broadcasting Corporation ("Political Free Speech case") [1997] HCA 25; (1997) 189 CLR 520; (1997) 145 ALR 96; (1997) 71 ALJR 818 (8 July 1997)</b>					
High Court of Australia (AustLII) · 8 July 1997 · 127 KB · LawCite ★★★★★    Cited by 957 documents					
<b>Australian Broadcasting Corporation v O'Neill [2006] HCA 46; 80 ALJR 1672; 229 ALR 457 (28 September 2006)</b>					
High Court of Australia (AustLII) · 28 September 2006 · 418 KB · LawCite ★★★★★    Cited by 918 documents					
<b>ABC v Lenah Game Meats Pty Ltd [2001] HCA 63; 208 CLR 199; 185 ALR 1; 76 ALJR 1 (15 November 2001)</b>					
High Court of Australia (AustLII) · 15 November 2001 · 492 KB · LawCite ★★★★★    Cited by 707 documents					

**By Database** – The search results are displayed grouped into the databases on which they are located. The databases are displayed in the order in which they appear in AustLII's menu structure (not by number of results found in each). To view the results from only one database, click on the number of documents next to the name of the database (Note: to see the results from all databases again, it is necessary to use the 'back' button). The 'Collapse Listing | Expand Listing' option is only available with the 'By Database' display.

**By Date** – Results are sorted by date order, most recent date displayed first (ie reverse chronological order). Legislation is displayed by the date the Act was passed or the Regulation made, not by the date on which a particular section or clause was amended. The 'Collapse Multi-sections' option is available.

**By Title** – The results are sorted alphabetically by the title of the document, and displayed from A-Z. The 'Collapse Multi-sections' option is available. The 'Collapse Title' option groups the results together based on the first alphanumeric character in the title, that is, 'A' to 'Z' and then '0-9'.



By clicking on 'Show Excerpt', search terms are shown in the context of a document (not available for PDF files).

The screenshot shows the AustLII search results page for the query 'workplace near surveillance'. At the top, it indicates '1,100 documents found for (workplace near surveillance)'. The search bar contains the query. Below the search bar, there are navigation tabs: 'All Databases', 'Cases & Legislation', 'Journals & Scholarship', 'Treaties', 'Libraries', and 'LawCite'. A filter menu is open, showing options: 'By Relevance' (selected), 'By Citation Frequency', 'By Database', 'By Date', and 'By Title'. A 'Show Excerpt' checkbox is checked. The main results area displays two document entries. The first entry is 'Workplace Surveillance Act 2005 - Workplace Surveillance Regulation 2012 (2012-322) LW 13 July 2012' with a relevance of 100%. The second entry is 'Surveillance: an interim report [2001] NSWLRC 98' with a relevance of 94%. On the right side, there are two sections: 'REPEAT SEARCH OVER' with links to 'WorldLII Databases', 'Legal Publishers', 'Catalog & Websearch', and 'Law on Google'; and 'SUGGESTED GUIDES' with links to 'Search Help', 'Results Interface Help', and 'Advanced Search'. At the bottom right, there is a 'PRINT' section with links to 'Print (web view)' and 'Print (pretty)'.

**Modifying searches** - The Search Results page always displays your current search (or stored search) at the top of the page, allowing it to be modified and another search run.

**The 'Repeat search over:' box** - On the right side of each display of Database search results, the options in this box allow the same search as has just been executed to be repeated over any of 4 other broader sets of data: (i) All AustLII databases (valuable if only one database has been searched); (ii) WorldLII Databases (all databases in the World legal Information Institute); (iii) Catalog & Websearch (all countries); and (iv) 'Law on Google' (no limitation to one country or jurisdiction).

The screenshot shows the 'REPEAT SEARCH OVER' box. It contains a list of four options: 'All Databases', 'WorldLII Databases', 'Catalog & Websearch', and 'Law on Google'. Each option is a blue hyperlink.

**'Search Context' - going to the occurrences of search terms** - The 'Show Context' link appears at the top of most documents found in a search. Click on this link to go to the first search term, then forward (or back) on further green arrows to go from one occurrence of search terms to the next. The 'Hide Context' will hide the green arrows. **Wait until the whole document has loaded** before using the 'context' button ie when the status line at the bottom of the screen says 'Document done'.

## Advanced search

Advanced Search is used principally to choose special selections of databases, date range searching, and also to select some special search types which it may be easier to use here.

### Search type options

The screenshot shows the 'Advanced Search' search type options. At the top, there are five tabs: 'Auto Search' (selected), 'Boolean Query', 'Any of these words', 'All of these words', 'Exact Phrase', and 'Document Title'. Below the tabs is a search input field with the placeholder text 'Enter your search' and the example text 'e.g. consumer near protection'.

The 'Auto Search' method used on the front page of AustLII tries to work out which type of search the user is conducting and automatically uses that type. The advanced search page allows the choice of 5 other search types (**for advanced users**):

- **Boolean query** – Assumes logical and proximity connectors (see above) will be used. Equivalent to including any logical or proximity connector in a search from the front page or a jurisdiction page. Hint - use reasonably broad searches (to aid completeness), and rely on the relevance ranking then to provide more precision.

- **Any of these words** – Equivalent to putting a Boolean OR between each separate word. Simply enter a few words to indicate the main concepts for which you are looking (eg ‘pollution river’ or ‘program patent’). Equivalent to entering search terms with no connectors on the front page or jurisdiction page (default option).
- **All of these words** – Equivalent to putting a Boolean AND between each separate word.
- **Exact phrase** – words entered are treated as a literal phrase even if they contain terms normally connectors (eg ‘and’, ‘or’, ‘near’). There is no need to put inverted commas around the phrase. You can achieve the same thing by putting double quotes around a phrase in any search.
- **Document title** – only titles are searched, not the text. This option is used rarely. You can also limit searches to titles only by using the ‘title()’ or ‘@’operator (eg ‘title(privacy)’).

### **Date range search**

This option limits the search results to a particular date range. Specify the ‘From date’, ‘To date’ or both to limit date range of results.

### **Special selections of databases**

The following special selections of databases are available (the default is ‘All Databases’).

Click on ‘**Show all**’ to see a longer list of database options. While not every database is individually listed, every database is included in one or more group listings (eg Commonwealth: All Cases)

## **Browsing the Catalog**

The Catalog of some thousands of Australasian law-related websites may be browsed from ‘Catalog’ (and the links under it) at the bottom of the right hand side of AustLII’s front page.

The relevant parts of the Catalog may be browsed from the categories listed on a jurisdiction page under the heading ‘Catalog’ on the side bar on that page. The categories listed relate only to the jurisdiction concerned.