

2017 Year In Review

and AustLII Foundation Limited Annual Report

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Australasian Legal Information Institute
Free, comprehensive & independent access to Australasian law

AustLII is a joint facility of UTS and UNSW Faculties of Law



UNSW
SYDNEY

2017 AT A GLANCE

AUSTLII 20.0 – A NEW LOOK WEBSITE

On 22 August, the AustLII website switched to the new AustLII 20.0 interface that had been in beta testing for the past 18 months. AustLII presented public training sessions on the new interface in Sydney, Melbourne, Brisbane, Perth and Adelaide.

AUSTLII COMMUNITIES

The *NT Law Handbook* has been well received recording over 20,000 accesses each month in 2017. The *ACT Environmental Law Handbook* was published in partnership with the Environmental Defenders Office (ACT). Work is underway to develop Law Handbooks using the AustLII Communities platform in the ACT, Tasmania and Western Australia.

Nick O'Neill and Carmelle Peisah, the authors of *Capacity and the Law* chose to publish the second edition of their book using the platform. The *Animal Law Case Book*, edited by Sophie Riley was also made available, demonstrating another type of community-generated resource that can be supported by the AustLII Communities platform.

COMPLETING FAMILY COURT AUTHORITY ON AUSTLII

The Family Court of Australia, with the support of Wolters Kluwer CCH Australia, made available the text of all reported Family Court judgments from the inception of the Court in 1976. The addition of these decisions to the AustLII database enables a complete record of Family Court of Australia judgments to be made available for free access online.

AUSTRALIAN INDUSTRIAL AND WORKPLACE RELATIONS LAW LIBRARY

Work on this new LIEF funded Australian Industrial and Workplace Relations Law Library commenced. This project will aggregate current primary and secondary industrial legal resources. It will also add significant historical resources not yet available online from Federation to the present day, including a complete collection of the Commonwealth Arbitration Reports.



Australasian Legal Information Institute (AustLII)

AustLII Research Centre

A joint facility of UTS and UNSW Faculties of Law

AustLII Foundation Limited

ACN: 134 717 972 ABN: 41 134 717 972

Level 12, 235-253 Jones St
Ultimo NSW 2007 Australia

Tel: +61 2 9514 4921

Web: www.austlii.edu.au

Fax: +61 2 9514 4908

Email: feedback@austlii.edu.au

AUSTRALASIAN LEGAL INFORMATION INSTITUTE

2017 YEAR IN REVIEW

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AUSTLII FOUNDATION LTD CHAIR'S REPORT

On behalf of the AustLII Foundation Board, I am pleased to report that 2017 has been another productive year for AustLII. The “new look” AustLII website which is more visually appealing and is much more user friendly is the first of several initiatives AustLII is undertaking to take full advantage of recent technological advances to improve the accessibility, quality and usefulness of legal information via the World Wide Web. Moreover, the AustLII Communities platform that was introduced last year is now proving its value in encouraging and supporting the range and quality of community-focused plain language legal resources, such as Legal Handbooks, that are freely available to everyone. As such it is providing a new level of support for the realisation of a key prerequisite for the Rule of Law in Australia—true universal access to accurate, understandable statements of the substantive law. The comprehensiveness of AustLII’s database collection was enhanced during the year by the inclusion of Family Court decisions from the foundation of that Court in 1976 - a complete collection of reported decisions is now available on AustLII. Substantial progress has also been made on a project to include a major collection of legally-related Australian industrial relations material in the database collection.

The AustLII service continues to receive over 700,000 requests for legal information each day and remains the most accessed service for Australian legal resources.

During the past year, the Foundation received financial support of just more than one million dollars from donors and contributors across its wide user base. These included: all segments of the legal profession – law societies and bar associations, large firms and small, bar chambers and individual barristers and solicitors; courts, tribunals and regulators in all jurisdictions; Australian university law schools and faculties; federal and state government departments and agencies; the wider business community and

from individuals and not for profit organizations. The Board is grateful to all those contributors. Despite that support, the Foundation recorded a small deficit in 2017. AustLII’s continuing ability to effectively support access to the law is dependent upon all its regular supporters maintaining or increasing the level of funds that they contribute to AustLII each year. The Board, in turn, is committed both to ensuring maximum efficiency in the deployment and expenditure of AustLII’s funds, and to expand the number of contributors, especially amongst the heavy users of its services in the course of providing their own services on a professional or commercial basis.

The Board acknowledges the significant ongoing support the Foundation continues to receive from its two member universities: the University of Technology Sydney and the University of New South Wales. It is also very gratified that almost all Australian Law Faculties and Schools are contributing to AustLII and that their students and staff are benefiting significantly from its services. The Board acknowledges the effectiveness of the management and staff of AustLII in ensuring that AustLII remains online, is reliably available to service the needs of the community, and is subject to on-going quality control and improvement.

At the end of the year the Board was delighted to welcome Andrew Wells, recently retired University Librarian for the University of New South Wales, as its newest member.

It continues to be a pleasure and a privilege to Chair the AustLII Foundation’s Board and to work with its members and staff to provide this important service. I look forward to future developments with great anticipation.

Jeff FitzGerald (Chair, AustLII Foundation Limited)

AUSTLII CO-DIRECTORS' REPORT

Following 18 months of development, the new look AustLII website was made live on Tuesday 22 August 2017. This was the first major change to the look of AustLII since 2004.

One of the main reasons to develop this new interface was the need to create a mobile-friendly site that would be responsive to the current range of devices used to access our service. We also took the opportunity to enhance many of the browse and search features to improve the user experience. The new design also allows a better framework to incorporate future developments.

We have undertaken to support the Classic AustLII interface as long as there is a demand for it and whilst users adjust to the new system. We are encouraged that feedback suggests that many of the new features are appreciated.

The AustLII Communities platform continued to develop in 2017 with the publication of the *ACT Environmental Law Handbook* in association with the *ACT Environmental Defenders Office*. Law Handbooks for other jurisdictions are in preparation.

In addition to plain language law materials the platform is being used to accommodate a wide range of other useful legal publications. In 2017 the second edition of *Capacity and the Law* by Nick O'Neill and Carmelle Peisah became the first published textbook using the Communities platform. This was followed by Sophie Riley's *Animal Law Case Book*. More legal texts are planned for publication in 2018.

AustLII enjoys a close working relationship with Australia's courts and tribunals and legal publishers. We were delighted when the Family Court of Australia and Wolters Kluwer CCH Australia agreed to make available the text of all reported Family Court judgments from the beginning of the Court, enabling a complete record of judgments to be made available for free access online to legal

researchers, students and the wider community.

Work commenced on a major research project funded by the Australian Research Council's LIEF program - the 'Australian Industrial and Workplace Relations Law Library'. This new Library will bring together and aggregate all currently existing relevant primary and secondary legal resources on AustLII together with the addition of significant current and historical resources not yet available online (from AustLII or elsewhere) from Federation. This will ultimately comprise more than one million searchable items.

During the year we met with many of our important data providers and financial supporters from around Australia. We acknowledge the financial support we receive from the many communities we service: courts and tribunals, government agencies, universities, the legal profession, business and industry, and the growing number of general community contributors.

Our member universities UTS and UNSW Sydney continue to provide substantial support to our activities. We are grateful to the Deans of Law - Professor Lesley Hitchens and Professor George Williams for their support.

We also greatly appreciate the contribution made by the Chair of the AustLII Foundation Board – Dr Jeff FitzGerald as well as the other Board members including our newest board member - Andrew Wells.

The staff, interns and volunteers who work at AustLII are our most important resource. They continue to ensure that AustLII is always available as a vital service to the Australian community. It would not be possible without them.

Andrew Mowbray and Philip Chung (Co-Directors, AustLII)

ABOUT AUSTLII

The Australasian Legal Information Institute (AustLII) was founded in 1995. It is the largest free-access provider of online Australian legal materials, a founding member of the international Free Access to Law Movement (FALM), and one of the largest providers of world-wide free-access legal content. AustLII collaborates with other free access LIIs around the world to operate three international multi-LII systems for legal information: the Asian Legal Information Institute (AsianLII); Commonwealth Legal Information Institute (CommonLII); World Legal Information Institute (WorldLII); as well as developing the LawCite international citator with the same group of collaborators. In addition, AustLII jointly operates the New Zealand Legal Information Institute (NZLII) and the LII of India, in cooperation with local partners in those countries.

AustLII comprises the AustLII Research Centre and the AustLII Foundation Limited, a not-for-profit company limited by guarantee operating as a charity. The Foundation raises donations to operate and maintain AustLII's Australian infrastructure and services. The AustLII Research Centre conducts research and is responsible for AustLII's international collaborations including AsianLII, CommonLII and WorldLII.

AustLII is part of the international Free Access to Law Movement and adheres to the following principles:

- Public legal information from all countries and international institutions is part of the common heritage of humanity. Maximising access to this information promotes justice and the rule of law;
- Public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge;
- Organisations such as legal information institutes have the right to publish public legal information and the government bodies that create or control that information should provide access to it so that it can be published by other parties.

The **AustLII Foundation Limited's** objects are to:

- Be a not for profit entity to promote the sound administration and development of the law by:
 - Promoting and supporting free and effective access to public legal information in Australia by means of an electronic public library;
 - Providing, and supporting the provision by its members of, free anonymous public access in Australia to a searchable and regularly updated comprehensive and reliable internet-based electronic public library of Australian public legal materials;
- Maintain systems, programmes and databases for the effective handling of an electronic public library of information and related policy development, collaborate with other researchers and providers of such information, and develop, implement and disseminate improvements and associated technical assistance and advice;
- Advance legal education by promoting and encouraging research in the field of legal information systems and dissemination of the useful results thereof; and
- Do all other things as may be incidental or ancillary to the attainment of these objects.

The **AustLII Research Centre's** mission is to be a centre of excellence in the development of legal information systems through research, the operation of public free access legal research facilities, and education in legal research techniques and infrastructure. In doing so, AustLII will advance the public interest in free access to public legal information within Australia and internationally.

By pursuing its mission, the AustLII Research Centre advances the missions of each our Law Faculties to be recognised as national leaders in research, research infrastructure provision and legal education; to contribute to broader community objectives; and to be recognised as Law Faculties of international standing with a major commitment to engagement in international legal affairs of significance to Australia.

The AustLII Research Centre aims to achieve its mission by pursuit of the following objectives:

1. Research and development
 - To conduct international standard research in technologies for developing legal information systems, and in the development of standards necessary to make such technologies operational.
 - To develop AustLII's own tools for building legal information systems wherever appropriate, so as to maintain AustLII's public access facilities as innovative examples of international standard systems.
 - Where consistent with AustLII's other objectives, to provide innovations developed by AustLII as open source software and standards to enable their use by others.
2. Public policy
 - Through our advocacy and example, to achieve and defend free public access via the Internet to public legal information in Australia.
 - Through our advocacy and example, our assistance to others by making available AustLII's expertise and software, and our collaborations with other parties, to assist others internationally to achieve free public access via the Internet to public legal information from all countries.
 - To uphold the Declaration of Free Access to Law adopted by AustLII and other Legal Information Institute in Montreal in 2002.
3. Public access law facilities
 - To build cost-effective free access public facilities for access to law by maximising the automated conversion and processing of legal information and minimising the necessity for hand editing.
 - To provide on AustLII's Australasian service (the 'AustLII' website) a comprehensive collection of the most important databases of Australian public legal information (legislation, case law, treaties, law reform reports and others of like importance); legal scholarship that is available for free access; and other legal databases of strategic importance in advancing the public interest, and which advance AustLII's research activities.
 - To provide on international services operated by AustLII (including WorldLII, CommonLII, AsianLII and LawCite), or through collaboration with other free access providers of legal information in the operation of those international services, free access to legal information of value to Australian legal researchers, and to legal information which contributes to AustLII achieving its other objectives.
 - To provide on all of the services operated by AustLII the most effective access mechanisms to online legal information.
 - To achieve a high level of user satisfaction for all of the services operated by AustLII.
 - Through open standards, and through tools AustLII provides, to enable others to build value-added legal services which make appropriate use of data located on services operated by AustLII, but which also respect AustLII's interests in the value it adds to its source data and which also respect the interests of others in that data.

4. Operational

- To advance the missions of our host Law Faculties by pursuit of consistent goals.
- To provide a stimulating and satisfying long-term work environment for AustLII staff.
- To maintain free access to services operated by AustLII, with no access charges to end-users, and with the maintenance of user's reasonable expectations of privacy and freedom from manipulation.
- To cooperate with other providers of legal information, both free access and commercial, in Australia and internationally, to maximise the public benefit in obtaining free access to as wide a range of resources as is feasible.

GOVERNANCE

The AustLII Foundation Limited is an income tax exempt charitable organisation, incorporated as a company limited by guarantee. The Foundation has obtained Deductible Gift Recipient status from the Australian Taxation Office, hence donations are tax deductible. It is governed by an independent Board of Directors.

The AustLII Foundation Limited Board as at 31 December 2017 comprised:

- **Dr Jeff FitzGerald (Chair)** (appointed to the Board on 22 December 2008) Former Registrar of the University of Technology Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department
- **Prof Carrick Martin (Chair, Finance Committee)** (appointed to the Board on 22 December 2008) Former Deputy Vice-Chancellor, Administration, Macquarie University
- **Dr Philip Chung (Managing Director)** (appointed to the Board on 23 June 2009) Associate Professor, Faculty of Law, UNSW Sydney; Co-Director and Executive Director, AustLII Research Centre
- **Prof Andrew Mowbray (Executive Director)** (appointed to the Board on 27 April 2009) Professor, Faculty of Law, University of Technology Sydney; Co-Director, AustLII Research Centre
- **Mr Tim Bugg AM** (appointed to the Board on 23 June 2009) Partner, Dobson Mitchell & Allport; Chair, International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia
- **Mr Ian Govey AM** (appointed to the Board on 23 June 2009) Former Australian Government Solicitor
- **Prof Lesley Hitchens** (appointed to the Board on 18 February 2013) Dean, Faculty of Law, University of Technology Sydney
- **Prof George Williams AO** (appointed to the Board on 8 June 2016) Dean, Faculty of Law, UNSW Sydney
- **Mr Andrew Wells AM** (appointed to the Board on 16 November 2017) Former University Librarian, UNSW Sydney

The Company Secretary was Giovanni Crasto (appointed 31 January 2014).



AustLII Foundation Limited Board of Directors - Front row (L to R): Mr Ian Govey, Prof Carrick Martin, Dr Jeff FitzGerald (Chair) and Dr Philip Chung (Managing Director). Back row (L to R): Prof Andrew Mowbray (Executive Director), Mr Tim Bugg, Prof George Williams, Mr Andrew Wells and Prof Lesley Hitchens.

The AustLII Research Centre is a joint facility of the Faculties of Law at the University of Technology Sydney and the University of New South Wales and is governed under an MOU between the two Law Schools. It is governed by a Management/Steering Committee that comprises the following:

- **Dr Philip Chung** (Co-Director and Executive Director, AustLII Research Centre; Associate Professor, Faculty of Law, UNSW Sydney)
- **Prof Lesley Hitchens** (Dean, Faculty of Law, University of Technology Sydney)
- **Prof Andrew Mowbray** (Professor, Faculty of Law, University of Technology Sydney; Co-Director, AustLII Research Centre)
- **Prof George Williams** (Dean, Faculty of Law, UNSW Sydney)
- **Mr Paul Holt** (Faculty Manager, Faculty of Law, University of Technology Sydney)
- **Ms Fei Wong** (Faculty General Manager, Faculty of Law, UNSW Sydney)

MANAGEMENT AND STAFF

Managing and Executive Directors

In 2017, the AustLII Research Centre was jointly managed by two co-directors:

- Andrew Mowbray (Professor of Law and Information Technology, Faculty of Law, UTS) (Co-Director)
- Philip Chung (Associate Professor, Faculty of Law, UNSW Sydney) (Co-Director and Executive Director)

The Managing Director of the AustLII Foundation Limited is Philip Chung. Andrew Mowbray serves as Executive Director of the Company.



AustLII staff – Front row (L to R): Richard Hunter and Isabella Pearson. Middle row (L to R): Philip Chung, Jennifer Kwong, Cathy Quigley, Hannah Figueroa and Andrew Mowbray. Back row (L to R): David Bramston, Giovanni Crasto and Jones Olatunji. Not in photograph: Chris Kenward, Armin Wittfoth, Mille Grant, Graham Greenleaf, Katherine Le and Jill Matthews.

Full-time Staff

- David Bramston (Project Officer)
- Giovanni Crasto (Finance and Administration Manager)
- Richard Hunter (Development Manager)
- Chris Kenward (Australian Databases Manager)
- Jennifer Kwong (Project Officer)
- Jones Olatunji (Systems Administrator)
- Cathy Quigley (Administrative Officer)
- Armin Wittfoth (Project Officer)

Part-time Staff

- Graham Greenleaf AM (Founding Co-Director and Senior Researcher)
- Hannah Figueora (Project Officer)
- Millie Grant (Project Officer) from May 2017
- Katherine Le (Project Officer) from July 2017
- Jill Matthews (Project Officer)
- Isabella Pearson (Project Officer) from July 2017

Interns / volunteers

The AustLII intern / volunteer programme is available to law students from UNSW and UTS. Interns / volunteers are able to participate in AustLII's projects including digitisation of historical legal materials in print (using both destructive and non-destructive scanning approaches), extraction of metadata, as well as stakeholder engagement activities.

The interns / volunteers in 2017 were: Isabella Pearson, Connor Mulholland, Katherine Le, Emily Truong, Angelica Fazio, Amber Smyth, Cindy Cai, Annie He, Laura Alimbakis.



AustLII 2017 staff and interns (L to R): Hannah Figueora, Angelica Fazio, Amber Smyth, Katherine Le, Emily Truong and Jennifer Kwong

AUSTRALIAN DEVELOPMENTS

AUSTLII 20.0 – A NEW LOOK WEBSITE

Following eighteen months of development, the new look AustLII website was made live on Tuesday 22 August 2017. This was the first major change to the look of AustLII since 2004. The new interface had been publicly available as a 'beta' test site since November 2016.

One of the main reasons to develop this new interface was the need to create a mobile-friendly site that would be responsive to the current range of devices used to access the AustLII service, eliminating the need to continually update the AustLII app to respond to changes made in the mobile device operating systems.

The new look website includes responsive pages with touch-friendly features, enhanced navigation based on document type and jurisdiction, a redesigned search results page with a new option 'Show Excerpt' and autosuggest search feature, redesigned database homepages with additional sort options of 'Most Cited' and 'Most Accessed' documents and access statistics, an RSS feed for each database, enhanced document presentation with new document side bar options for Print, Download, Cited By (LawCite or Noteup) and Share on Twitter.

The new design also allows a better framework to incorporate future developments as they are introduced. LawCite, Subject Libraries and AustLII Communities are now featured as integrated elements within the whole AustLII environment.

To support users transitioning to the new look and feel of the website a revised version of the AustLII User Guide was produced and promoted on the homepage. Free training sessions were also offered in Sydney, Melbourne, Brisbane, Adelaide and Perth in conjunction with the various AustLII stakeholder groups.

The screenshot shows the AustLII search results page for the query "dual citizenship near foreign power". The page features a red navigation bar with options like "All Databases", "Cases & Legislation", "Journals & Scholarship", "Treaties", "Libraries", and "LawCite". Below the navigation bar, there are sorting options: "By Relevance", "By Citation Frequency", "By Database", "By Date", and "By Title". The search results are displayed in a list format, with the first result being "Sue v Hill [1999] HCA 30; 199 CLR 462; 163 ALR 646; 73 ALJR 1016 (23 June 1999)". The snippet for this result reads: "... United Kingdom citizen when nominated - Whether incapable of being chosen as a Senator - Meaning of 'foreign power' in s 44(i) of the Constitution - Whether candidate with dual citizenship is required by ... the United Kingdom answered the description of 'a foreign power' in s 44(i). A foreign power The expression 'a foreign power' in s 44 does not invite attention to the quality of the relationship between Australia ...". The result is from the "High Court of Australia [AustLII]" database, dated "23 June 1999", with a size of "454 KB" and a "LawCite" rating of "*****". It is cited by 217 documents. The second result is "Sykes v Cleary [1992] HCA 60; [1992] 176 CLR 77 (25 November 1992)". The snippet reads: "... on which office held - State school teacher on leave without pay - Whether disqualified - Citizen of foreign power - Dual citizenship - Unilateral renunciation of foreign citizenship - Whether effective to terminate foreign citizenship - The Constitution (63 and 64 Vict., c 12), s ... citizen or entitled to the rights or privileges of a subject or citizen of a foreign power and was therefore under acknowledgment of allegiance to a foreign power within the meaning of ...". This result is from the "High Court of Australia [AustLII]" database, dated "25 November 1992", with a size of "186 KB" and a "LawCite" rating of "*****". It is cited by 148 documents. The third result is "Sharples v Hill & Anor B49/1998 [1999] HCATrans 129 (13 May 1999)". The snippet reads: "... to satisfy the proposition that the person cannot be a subject or citizen of a foreign power. Not because of other arguments based on the meaning of 'foreign power', which would exclude ... to say, 'This is not this', that is to say, the United Kingdom is a foreign power. May I submit first of all that as at 1900 the phrase 'foreign power' did ...". This result is from the "High Court of Australia Transcripts [AustLII]" database, dated "13 May 1999", with a size of "227 KB" and a "LawCite" rating of "*****". On the right side of the page, there are several utility links: "REPEAT SEARCH OVER" (WorldLII Databases, Catalog & Websearch, Law on Google), "SUGGESTED GUIDES" (User Guide, Advanced Search), and "PRINT" (Print (web view), Print (pretty), Print (eco-friendly)).

AUSTLII COMMUNITIES

The AustLII Communities platform aims to enable legal authors of many types to easily create and update very sophisticated online legal resources, linked automatically to the sources they cite, both on AustLII and on participating international LII, and to citation information in other cases. The linkages are bi-directional between AustLII databases and AustLII Communities content.

The following are some examples of how we are using the platform and how we envisage the platform could be used:

- Community legal information provided by the legal aid and community legal sectors as well as factsheets and other plain language resources published by courts, tribunals and regulators to assist members of the community in their interactions;
- Free access legal textbooks and other new forms of teaching and student engagement in any legal subject area;
- Case law annotations (new 'headnotes') for both current and historical decisions prepared by legal scholars and historians and legal practitioners;
- Law firms publish news, information and legal commentary on their websites to highlight the expertise and knowledge strengths of their practitioners. Co-locating these publications on the AustLII Communities platform would benefit greatly from a direct integration with the primary full-text case law and legislation found on AustLII;
- Legal librarians and knowledge managers who provide indexing and abstracting services of law journals and other publications could reach a wider audience through the delivery of this service on the AustLII Communities platform.

The current uses of the platform include community legal information and law handbooks, and free access legal textbooks.

COMMUNITY LEGAL INFORMATION AND LAW HANDBOOKS

The *Northern Territory Law Handbook* <www.ntlawhandbook.org.au> was released publicly in May 2016. Over the course of 2017, use of the Handbook has increased to over 20,000 accesses per month.

The *ACT Environmental Law Handbook* was added to the platform as an easy-to-read guide to environmental law in the Australian Capital Territory. Originally developed as a print text by the Environment Defenders' Office (ACT) it was added to the AustLII Communities platform in August 2017.

Also during 2017, development commenced on additional Handbooks to be made available using the platform:

- By virtue of a WA Public Purpose Trust grant to work in partnership with Sussex Street Community Legal Centre initial work was undertaken re-develop the WA Law Handbook as an online publication;
- AustLII worked with the Hobart Community Legal Service to re-publish the Tasmanian Law Handbook;
- Work on the ACT Law Handbook continued.

It is anticipated that by the end of 2018 four of the eight state and territory jurisdictions in Australia will have Law Handbook resources on the AustLII Communities platform.

FREE ACCESS LEGAL TEXTBOOKS

In June, the Second edition of the book *Capacity and the Law* by Nick O'Neill and Carmelle Peisah became the first textbook published on Communities.

Capacity and the Law is a definitive text on an important area of law and medicine. Nick O'Neill was formerly President of the Guardianship Tribunal of NSW and was a Professorial Visiting Fellow at the Faculty of Law, UNSW. Professor Carmelle Peisah is a Conjoint Professor specialising in Old Age Psychiatry at the Faculty of Medicine, UNSW and was formerly a Professional Member of the Guardianship Tribunal of NSW.

The first edition of the work was published by Sydney University Press in co-operation with AustLII in September 2011. The authors updated the text to take account of recent legislative and policy developments. The AustLII Communities platform will enable the authors to easily update the text in the future and will automatically create links to the legislation and case law sources they cite.

In October, a second text book was added to AustLII Communities - *The Animal Law Case Book* by Sophie Riley. The idea for the book began from the learning experiences of students enrolled in a subject, "Animal Law and Policy" (Animal Law), at the University of Technology Sydney (UTS). The topic of animal law is comparatively new in Australia and this is reflected in the fact that no animal law case book is in publication for the Australian jurisdiction. In 2013, Sophie Riley and Geoff Holland, the teachers of Animal Law, received a Vice-Chancellors Learning and Teaching Grant to compile a series of animal law case notes written by UTS students. In 2014, Sophie Riley was successful in winning a Voiceless Grant to enable the case notes to be edited and compiled into a book.



First anniversary of NT Law Handbook (L to R): Philip Chung, Andrew Mowbray, Dorothy Fauls (Legal Information Coordinator, NTLAC), Richard Hunter, Nicki Petrou (Principal Solicitor, DCLS), Barbara Lelli (Acting Deputy Director, NLAC)

NEW DATABASES ON AUSTLII

The following **new Australian legal databases** were added or expanded in 2017:

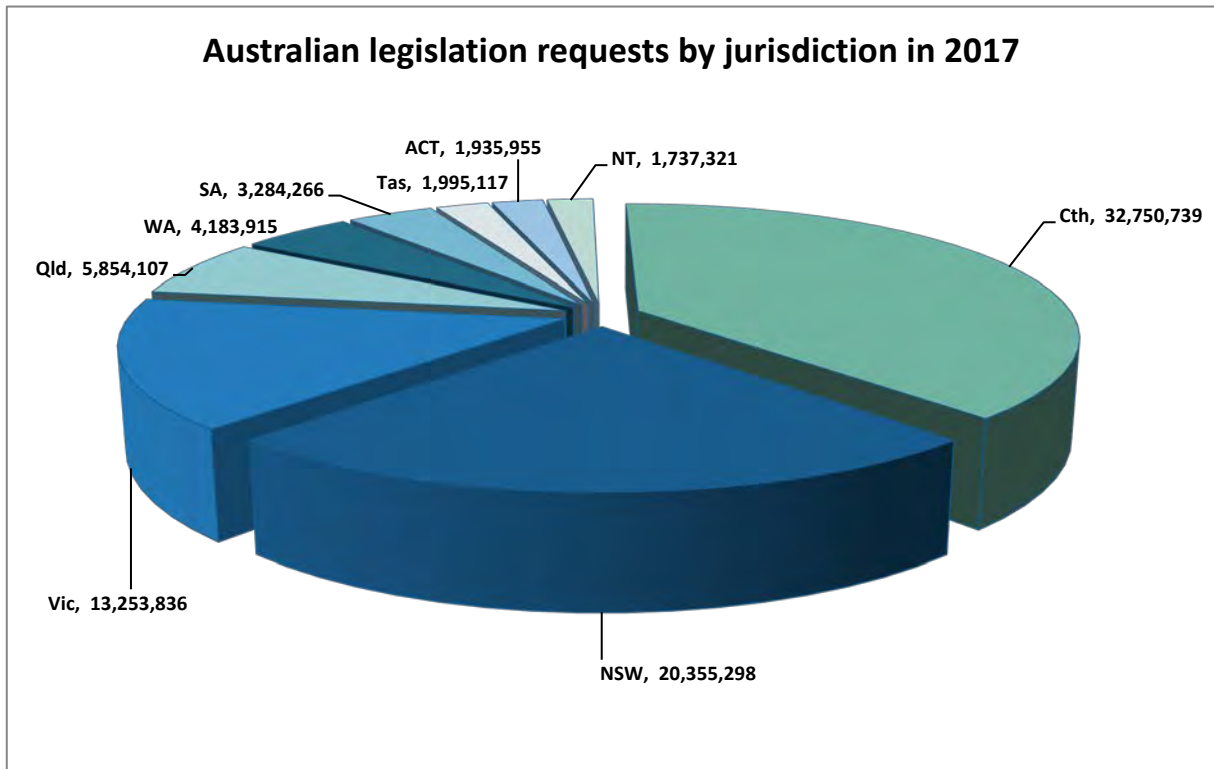
- Aboriginal Law Notes 1982-1990
- About the House Magazine 1999-2015
- ACT Environmental Law Handbook
- Administrative Appeals Tribunal Reports (Victoria) 1986-1988
- Animal Law Case Book
- Australian Crime Prevention News Bulletin 1977
- Australian International Law News 1983-1993
- Australian Journal of Emergency Management 1998-
- Childrens Court of Queensland (Magistrates) 2007-
- Childrens Court of Queensland 2004-
- Commissioner for Uniform Legal Services Regulation – Guidelines and Directions 2016-
- Indigenous Law Resources expanded to cover over 1,200 rare and significant documents.
- Legal Profession Uniform Law Library (Australia)
- Legal Services Council Guidelines and Directions 2016-
- New South Wales Bills Standing in Type 1896-1958
- Northern Territory Consumer Affairs Residential Building Disputes 2016-
- Plaintiff: Journal of Australian Plaintiff Lawyers Association 1997-2004
- Planning Appeals Board Reports (Victoria) 1979-1987
- Precedent (Australian Lawyers Alliance) 2004-
- Supreme Court of Western Australia now includes judgments starting from 1964 (over 30 years and an addition of more than 10,000 documents)
- Tasmanian Motor Accidents Compensation Tribunal 2012-
- UNSW Law Journal Student Series 2013-
- UniSA Student law Review 2015-
- Victorian Commission for Gambling and Liquor Regulation 2016-
- Victorian Legal Services Commissioner 2016-
- Western Australian Industrial Relations Commission decisions reorganised.
- Western Australian Student Law Review 2017-

AUSTRALIAN LEGISLATION REQUESTS BY JURISDICTION IN 2017

AUSTRALIAN LEGISLATION REQUESTS BY JURISDICTION IN 2017

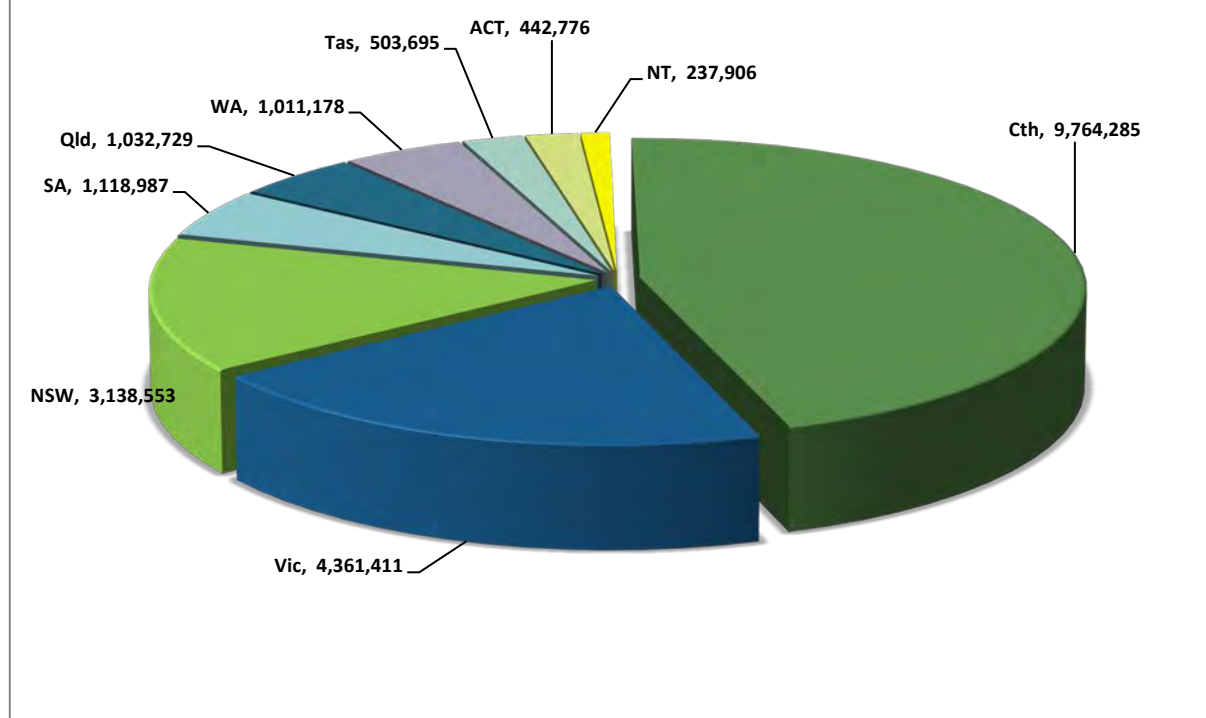
Total hits for 2017 exceeded 258 million and averaged 709,085 hits per day.

The most popular databases on AustLII in 2017 were the Commonwealth legislation databases, followed by NSW and Victorian legislation. The following graphs show the number of accesses to AustLII's legislation and case law databases by jurisdiction.



Legislation requests included permitted accesses by search engine web spiders and included requests to access individual sections of legislation.

Australian case requests by jurisdiction in 2017



Case law requests did not generally include accesses by search engine web spiders which AustLII excludes from access.

AustLII is consistently ranked within the top 1,000 most accessed websites in Australia and maintained the number one market position in the 'business and finance – legal' category throughout 2017 (according to Hitwise). This category included websites from government, publishers, courts and tribunals, law societies, legal firms and barristers. The volume of data downloaded was 40.52 terabytes.

AUSTLII'S MAJOR USERS

Many of AustLII's users access AustLII through large internet service providers, as well as through University services or through other web servers that maintain multiple IP addresses. Consequently, AustLII is unable to identify a high percentage of its users because AustLII does not receive internet protocol addresses (IP addresses) specific to them. Over 50% of all accesses cannot be identified. Over 40% are from commercial ISPs serving their millions of individual clients.

Of the 10% of identifiable users from Australia we can classify them into four sectors:

- commercial (mostly comprising the legal profession)
- education
- government
- general community

In 2017 of the top identified users, 5% are from the commercial sector, 3% from the government sector, 2% from the education sector and less than 1% from the community sector. This confirms a

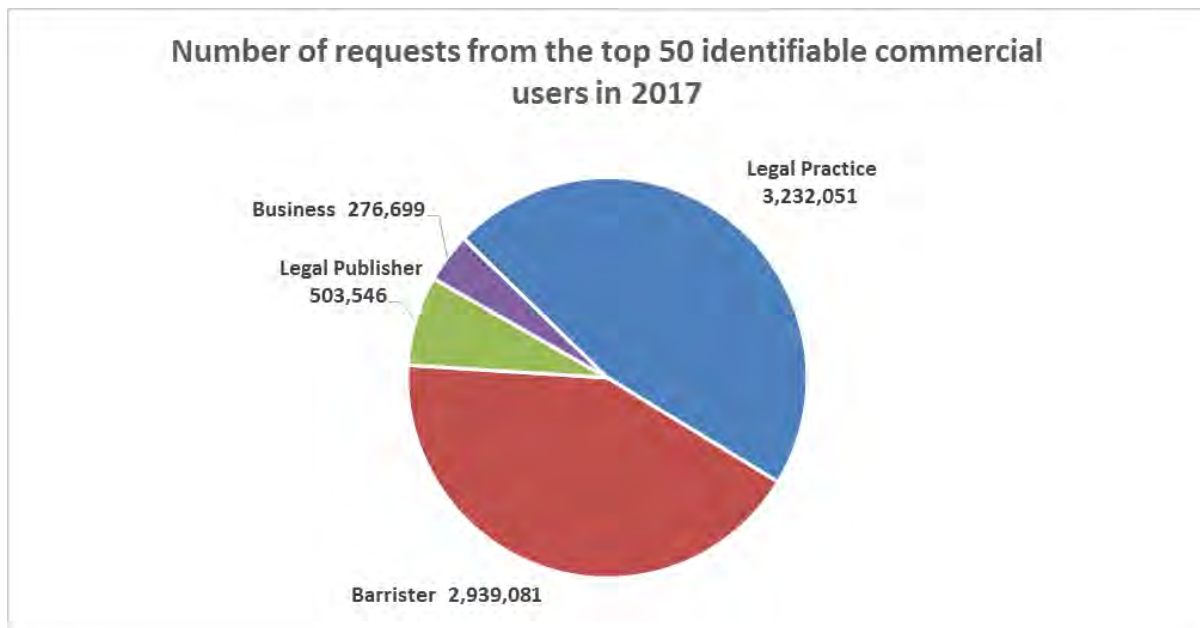
trend that commercial use of AustLII is increasing as a percentage of overall use compared to the other sectors.

COMMERCIAL SECTOR

Identified users in the commercial sector fall largely into the following categories:

- barristers (identified through specific bar internet service providers and chambers)
- legal practices (including private law firms and patent and trade mark attorneys)
- legal publishers
- businesses

While usage of AustLII by the commercial sector continues to grow it is noted that only 13 of the top 50 identifiable commercial users (19,000 or more requests per annum) contribute to AustLII's running costs, and only half of the top 10 identifiable commercial users support AustLII. Contributions from AustLII's largest identifiable users from the commercial sector continue to remain below their rates of usage. We continue to urge all AustLII users that can afford to do so to contribute towards the maintenance of AustLII.



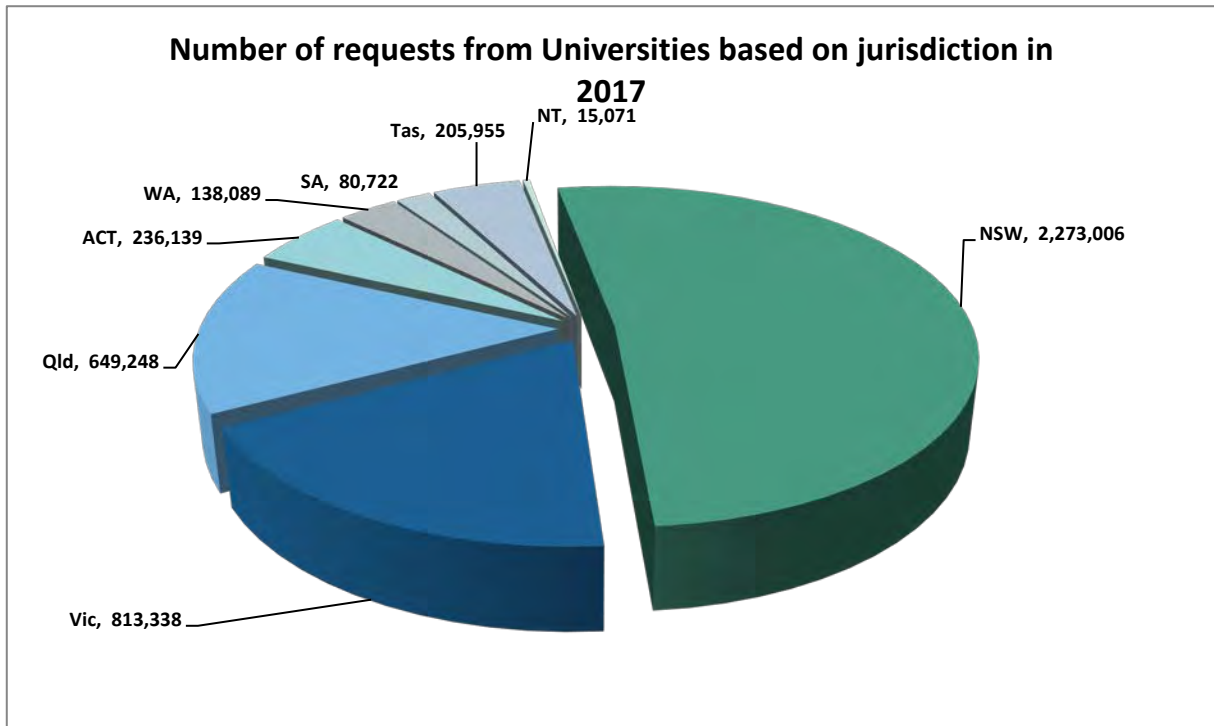
COMMERCIAL USAGE OF AUSTLII IN 2017

	Commercial Category	Number of requests	Contributor in 2017
1	Barrister	1,614,304	
2	Barrister	1,169,654	<input checked="" type="checkbox"/>
3	Legal Practice	578,430	<input checked="" type="checkbox"/>
4	Legal Practice	549,301	<input checked="" type="checkbox"/>
5	Legal Practice	460,417	<input checked="" type="checkbox"/>
6	Legal Publisher	337,389	
7	Legal Practice	191,165	
8	Business	174,604	
9	Legal Practice	166,168	<input checked="" type="checkbox"/>
10	Legal Publisher	166,157	
11	Barrister	132,691	
12	Legal Practice	82,253	
13	Legal Practice	78,831	
14	Legal Practice	78,454	<input checked="" type="checkbox"/>
15	Legal Practice	67,845	
16	Legal Practice	62,269	
17	Legal Practice	58,754	
18	Legal Practice	51,359	
19	Legal Practice	49,398	<input checked="" type="checkbox"/>
20	Legal Practice	46,817	
21	Legal Practice	42,659	
22	Legal Practice	39,803	
23	Legal Practice	38,382	
24	Legal Practice	37,829	<input checked="" type="checkbox"/>
25	Legal Practice	37,046	<input checked="" type="checkbox"/>
26	Legal Practice	36,268	
27	Legal Practice	35,073	<input checked="" type="checkbox"/>
28	Legal Practice	33,253	<input checked="" type="checkbox"/>
29	Business	32,771	
30	Legal Practice	31,217	
31	Legal Practice	26,755	
32	Legal Practice	26,377	
33	Business	26,364	
34	Legal Practice	26,160	
35	Legal Practice	26,160	
36	Legal Practice	26,074	
37	Legal Practice	24,885	
38	Legal Practice	24,848	
39	Legal Practice	24,044	
40	Legal Practice	23,815	
41	Legal Practice	22,923	
42	Business	22,571	
43	Barrister	22,432	
44	Legal Practice	22,216	<input checked="" type="checkbox"/>
45	Legal Practice	21,992	<input checked="" type="checkbox"/>
46	Legal Practice	21,574	
47	Legal Practice	21,335	
48	Business	20,389	
49	Legal Practice	20,113	
50	Legal Practice	19,789	

EDUCATION SECTOR

The education sector in Australia represented over 23% of AustLII's top identified users in 2017. All universities in Australia use AustLII and almost all of them provide a financial contribution. Total usage from the University sector in 2017 was 4.4 million requests.

Most Australian universities make a financial contribution to AustLII because they recognise AustLII's value to their teaching and research, and that the costs of its operation need to be widely shared. The receipt of financial support from all Australian universities is a fundraising goal.

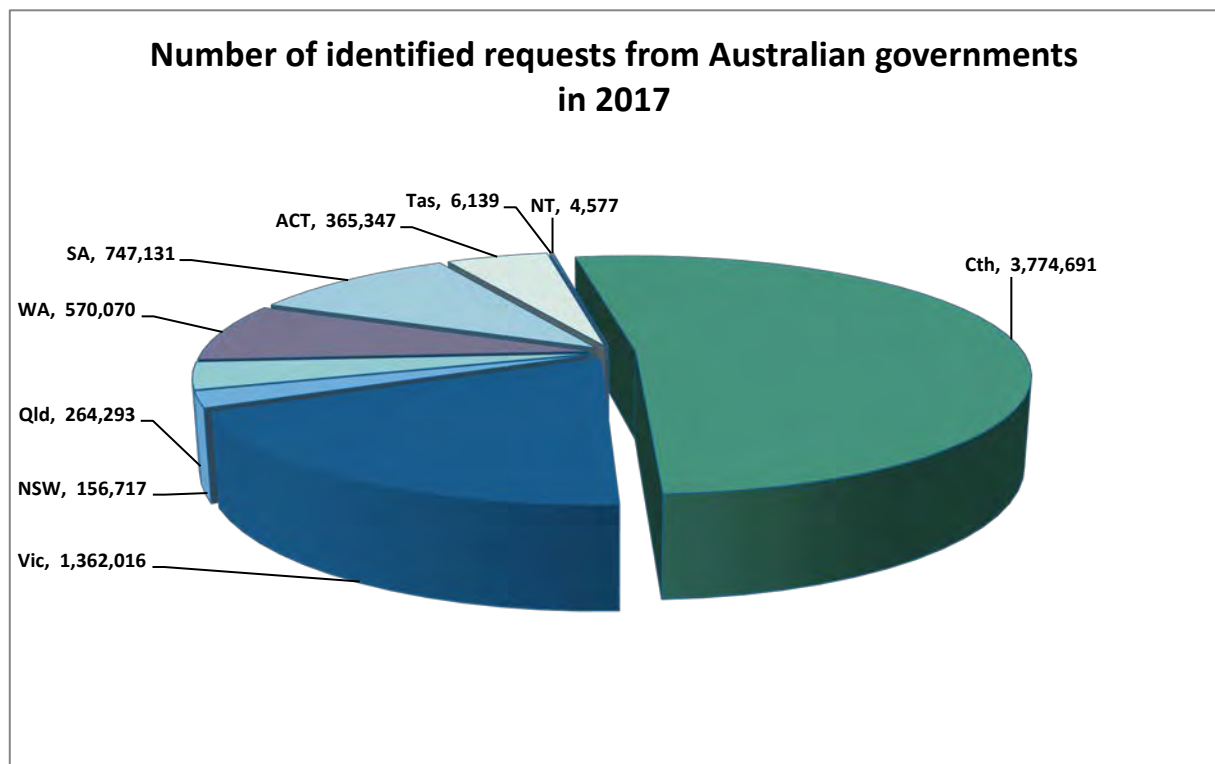


GOVERNMENT SECTOR

The government sector in 2017 represented 37% of AustLII’s top identifiable users. A significant amount of government use is identifiable at agency level, including Commonwealth, State and Territory government agencies. Also included in this figure is the substantial use of AustLII resources by the various courts, tribunals and other regulators, most of whose decisions AustLII re-publishes.

AustLII contends that it is a role of government to provide for the free dissemination of law by all courts and tribunals and legislative bodies in Australia. AustLII provides access to justice by enabling those governed by law to have free-access to law online in an easily searchable manner.

AustLII receives funding support from the federal and state governments through the National Justice and Policing Senior Officers group. Some government agencies such as the Australian Taxation Office also make contributions. In addition, a number of courts and tribunals contribute, recognising the value of the service the AustLII Foundation provides. While AustLII is valued and supported widely by all sections of its user base, and by the community generally, government financial support does not fully reflect government use of the service.



Jurisdiction	Number of Requests in 2017
Federal Government Usage	<i>3,774,691</i>
State/Territory Government Usage	<i>3,476,290</i>
Total Identified Government Usage	<i>7,250,981</i>

INTERNATIONAL SYSTEMS AND DEVELOPMENTS

The AustLII Research Centre operates three multi-LII systems for international free access legal information (AsianLII, CommonLII and WorldLII) in cooperation with a group of collaborating Legal Information Institutes based in other countries (which we call the 'WorldLII Consortium'). AustLII has developed the only international free-access case and journal article citator (LawCite) and operates it in conjunction with the same group of collaborating LIIs. The AustLII Research Centre has assisted other nations and regions to develop online access to their laws since 1999, using open source software and other LII tools developed by AustLII. All of AustLII's development of multi-LII systems, its joint operation of overseas LIIs, and the assistance it gives to other collaborating LIIs for maintenance and development of their systems is funded by grants for these purposes (see next section).

DATABASES SEARCHABLE THROUGH MULTI-LII SYSTEMS

Seventeen LIIs now collaborate in providing the databases searchable via WorldLII. The following table sets out the approximate numbers of databases searchable from each of the portals operated by AustLII (AsianLII, CommonLII and WorldLII) as at 31 December 2017, and the number of databases found on each cooperating LII allowing their data to be searched as part of these systems. The 'Countries' column indicates the number of countries that a particular LII adds to the total number of countries whose databases are searchable via WorldLII.

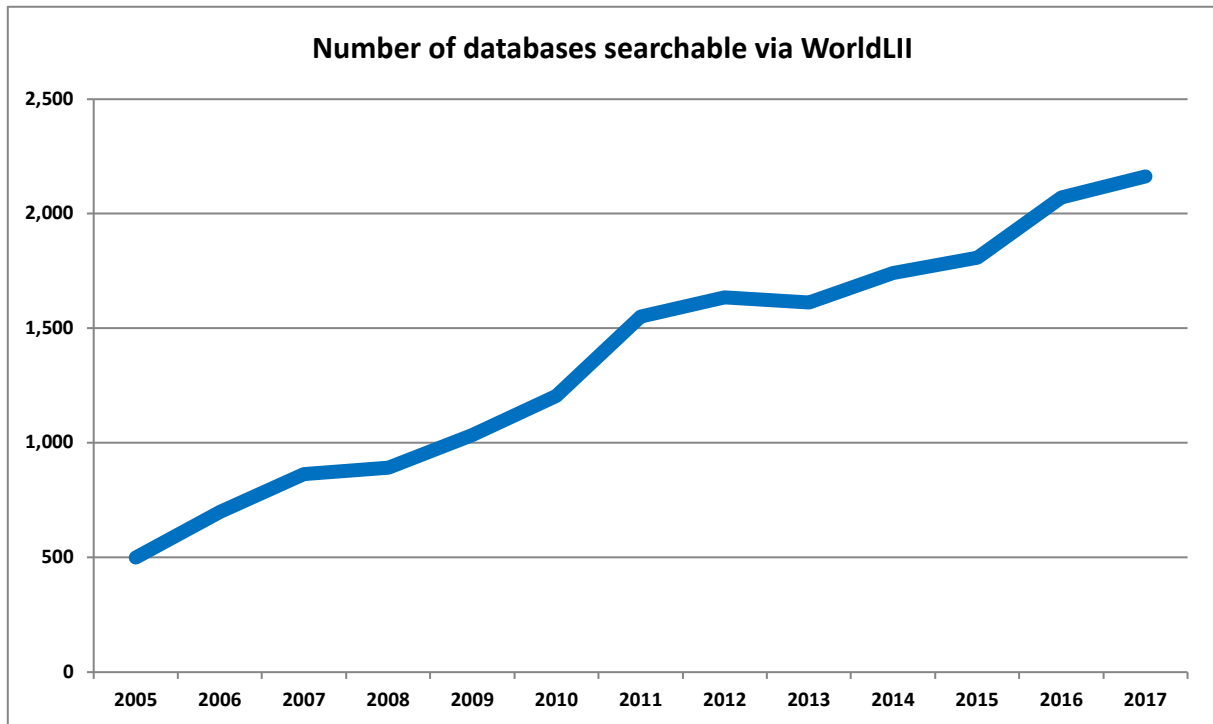
Table of searchable databases in multi-LII systems (as at 31 December 2017)

Systems	AsianLII	CommonLII	WorldLII	Countries	
AsianLII	330	0	330	28	*
AustLII	0	615	615	1	
BAILII	0	99	99	7	
CanLII	0	2	2	1	*
CommonLII	36	76	76	27	
CyLaw	0	10	10	1	
Droit.org	0	0	1	1	
HKLII	35	35	35	1	
LawPhil	20	0	20	1	
LII Cornell	0	0	3	1	*
LiberLII	0	0	11	1	*
NZLII	0	162	162	1	*
LII of India	159	159	159	1	
PacLII	37	341	341	20	
SAFLII	0	135	135	16	*
SamLII	0	33	33	1	
ULII	0	16	16	1	*
WorldLII	0	0	115	55	*
2017 Total	617	1683	2163	165	886
2016 Total	603	1,597	2,070	165	848
2015 Total	453	1,489	1,809	152	678
2014 Total	442	1,430	1,742	152	652
2013 Total	431	1,312	1,613	142	612
2012 Total	433	1,279	1,635	183	595
2011 Total	430	1,204	1,552	182	555
2010 Total	300	905	1,205	164	408

During 2017, the total number of databases available for searching via WorldLII increased by 93 to 2,163, whereas the total number available via CommonLII increased to 1,683 and AsianLII to 617.

AustLII maintains 886 of these international databases (an increase from 848 in 2016), in addition to the 615 Australian databases on AustLII. They are on seven LIIs (marked *).

The number of databases searchable via WorldLII was not recorded for its first few years of operation from 2002, but over the past few years (as recorded in AustLII reports to LII meetings, and in these annual reviews), the rate of expansion of searchable databases is as follows:



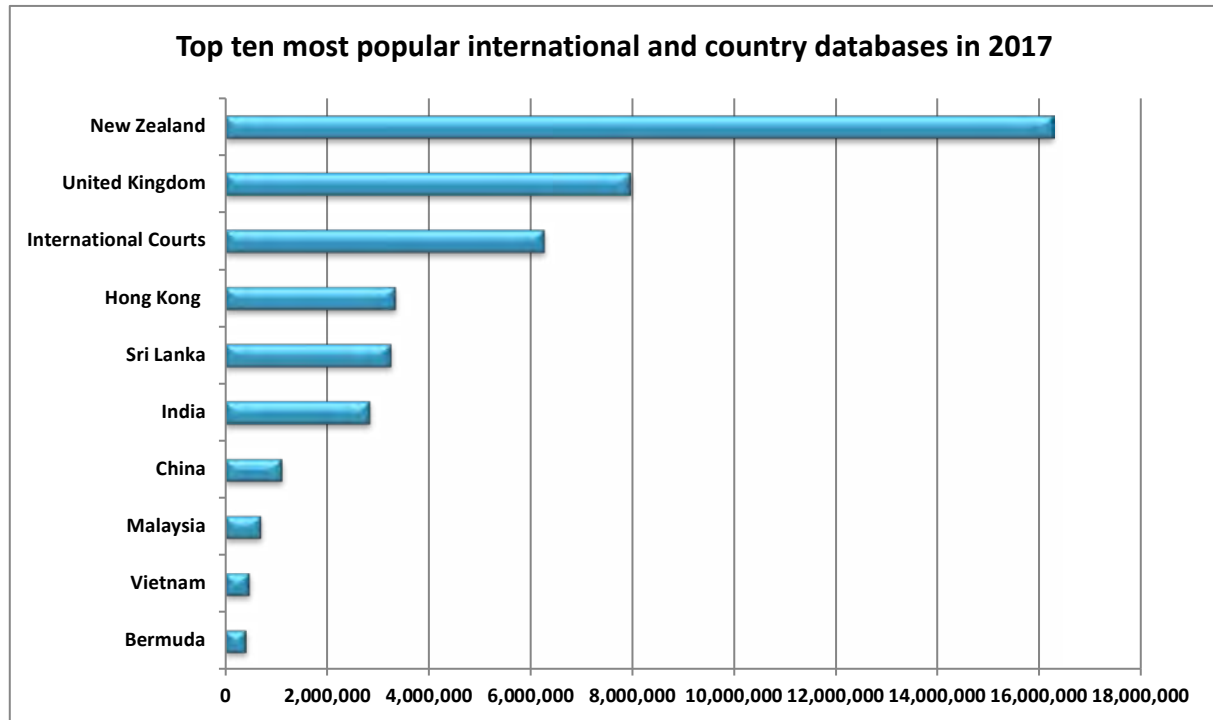
INTERNATIONAL SYSTEMS USAGE

There are two measures of accesses to the multi-LII systems with which AustLII cooperates (WorldLII, CommonLII and AsianLII): (i) access to the databases of collaborating LIIs resulting from searches via the multi-LII systems; and (ii) accesses to databases maintained by AustLII located on the multi-LII systems. AustLII does not hold access statistics on (i), as those accesses are only recorded on the systems concerned. Because the numbers of documents on AustLII, BAILII, PacLII etc. are far larger than the numbers of documents in databases located on AsianLII, WorldLII or CommonLII, it is likely that (i) is much larger than (ii). The statistics below relate only to (ii).

In 2017, there were over 111 million accesses to the non-Australian databases maintained by AustLII and located on AsianLII, CommonLII, NZLII, LII of India, LiberLII, SamLII and WorldLII plus citator records on LawCite and Catalog pages. AustLII blocks spidering of case law on any of these services.

The following chart shows the top 10 most requested databases maintained by AustLII, by country or grouping (excluding databases on AustLII). The most popular international databases in 2017 are from New Zealand, United Kingdom and the International Courts and Tribunals (as well as inter-government organisations), Hong Kong, Sri Lanka, Indian, China, Malaysia, Vietnam and Bermuda. The UK accesses refer to the English Reports 1220-1873 located on CommonLII.

Because there is a high level of overlap between databases maintained by AustLII searchable via AsianLII, CommonLII and WorldLII, separate statistics are not given below for each of these multi-LII systems.



DEVELOPMENTS IN INDIVIDUAL SYSTEMS



In addition to maintaining WorldLII, CommonLII and AsianLII, AustLII also cooperates with a number of partner institutions in individual countries by jointly managing on the AustLII infrastructure the databases of these LIIs (NZLII, LiberLII and SamLII). Highlights of some of the developments on some of these systems in 2017 are as follows.



The World Legal Information Institute (WorldLII) continued to expand coverage of searchable content to include over 2,000 databases from collaborating LIIs. The system also contains a significant collection of international law resources.



The Commonwealth Legal Information Institute (CommonLII) provides access to laws from 59 Commonwealth and common law jurisdictions. AustLII continues to maintain the Caribbean Law Project as well as the Commonwealth Criminal Law Library. In 2017, AustLII (via its host universities) was successful in an ARC LIEF grant application to develop the Foundations of the Common Law Library in 2018-2019.



During 2017 the successful partnership between NZLII and AustLII continued, with 15 new databases and a new plain language resource being added to NZLII.

The new databases are:

- Taranaki Provincial Ordinances 1853-1875
- Hawkes' Bay Provincial Ordinances 1859-1875
- New Munster Provincial Ordinances 1849
- New Zealand Industrial Court Judgments 1974-1978
- New Zealand Constitutional Law Resources 1835-1907
- New Zealand Accident Compensation Law Handbook
- New Zealand Historical Supplementary Order Papers 1939-2007
- New Zealand District Licensing Committee - Waipa 2016-
- New Zealand Broadcasting Tribunal 1980-1990
- New Zealand Magistrates Court 1976-1980
- New Zealand Accident Compensation Reports 1976-1984
- New Zealand Law Commission - Government Responses 1988-
- New Zealand Law Commission - Previously Unpublished Papers 1994-
- New Zealand Supplementary Order Papers 2007-
- Labour Court of New Zealand 1987-1991
- New Zealand Employment Tribunal 1999-2003



AustLII currently maintains the Legal Information Institute of India (LII of India). As part of the new Foundations of the Common Law Library grant further development will take place.



The Asian Legal Information Institute (AsianLII) provides free access to legal information from all 28 countries and territories in Asia.

In 2017, the following databases were added to AsianLII:

- All India Reporter - Oudh 1907-1948
- All India Reporter - Calcutta 1869-1950
- All India Reporter - Madras 1900-1950
- All India Reporter - Nagpur 1910-1950
- All India Reporter - Allahabad 1910-1931
- All India Reporter - Sind 1913-1948

COLLABORATIONS WITH OTHER LEGAL INFORMATION INSTITUTES

AustLII continues to collaborate with a number of international partners. In 2017, it worked with the Hong Kong Legal Information Institute (HKLII) to assist with IT Infrastructure support and on policy matters. AustLII personnel travelled to Hong Kong during the year to general technical and other assistance.



AustLII's Professor Graham Greenleaf and Associate Professor Philip Chung with staff from HKU and HKLII, and the HK Judiciary

AustLII also worked closely with the Southern African Legal Information Institute (SAFLII) and the Pacific Islands Legal Information Institute (PacLII) to develop and maintain their facilities as well as exploring areas of research collaboration.



Delegation from the Indonesian Ministry of Law and Human Rights, led by Professor Dr Widodo Ekatjahjana and hosted by the Australian Attorney-General's Department visited AustLII

AUSTLII INVOLVEMENT IN THE FREE ACCESS TO LAW MOVEMENT



AustLII is one of the founders, and a very active participant in the global Free Access to Law Movement (FALM), which had 63 members at the end of 2017.

A full list of members is at the FALM website <<http://www.fatlm.org>>, as is the Declaration of Free Access to Law (2002, as amended) to which AustLII and other members subscribe. The logos of the members of FALM are shown below.



The Law via the Internet (Lvi) Conference is an internationally focused academic conference held annually to explore issues relating to the delivery of the law and legal information via the internet, including consideration of the technical, intellectual, policy and regulatory issues involved. The 2017 Lvi Conference was hosted by Rutgers Law School and held at Newark in USA from 19-21 October <<https://lawevents.rutgers.edu/LVI2017/>>. AustLII Directors presented two papers at the Conference.



Members of the Free Access to Law Movement at Lvi 2017 including AustLII Directors Associate Professor Philip Chung and Professor Andrew Mowbray

RESEARCH

One of the two main functions of the AustLII Research Centre is to carry out research in the field of legal information systems, which can usually be characterised as ‘applied research’. Funding for this research comes from various sources, including conventional research grants (such as Australian Research Council Linkage grants), but research is also very often generated by research infrastructure grants (ARC LIEF or otherwise) or international development grants where the goals of infrastructure development pose research issues which must be resolved. AustLII is a ‘research in action’ organisation.

RESEARCH AND RESEARCH INFRASTRUCTURE GRANTS

Researchers affiliated with AustLII apply for competitive grants for research and research infrastructure development of new databases and services. In 2017, AustLII worked on a major Australian Research Council (ARC) Linkage Infrastructure Equipment Fund (LIEF) research grant and successfully secured funding for another LIEF grant to commence in 2018. AustLII also finalised and reported upon two other ARC grant projects (one LIEF and one Linkage). It also obtained and worked on a number of smaller non-ARC funded research projects.

AUSTRALIAN INDUSTRIAL AND WORKPLACE LAW LIBRARY

AustLII (via its host universities UTS and UNSW) and six other collaborating Universities were successful in obtaining an ARC LIEF grant entitled “Comprehensive free access to Australian industrial and workplace law”. This research grant was for \$1.05million (\$450,000 from ARC and \$605,000 from partner universities).

The Investigators of this project are: Prof Andrew Mowbray (UTS), Dr Philip Chung (UNSW), Prof Andrew Stewart (Adelaide), Prof Graeme Orr (Qld), A/Prof Anna-Louise Chapman (Melbourne), A/Prof Shae McCrystal (Sydney), Prof Mark Bray (UNE), Prof Peter Sheldon (UNSW), Prof Michael O’Donnell (UNSW), Dr Jillian Murray (La Trobe), Dr Michael Rawling (UTS) and Mr Anthony O’Donnell (La Trobe). The project is also receiving substantial in kind support from the Fair Work Commission.

The new facility will bring together and aggregate all currently existing relevant primary and secondary legal resources on AustLII together with the addition of all significant current and historical resources not yet available online (from AustLII or elsewhere), from Federation to the present day. The Library, when finally completed, could potentially comprise more than one million searchable items.

The online legal information resources to be developed under this proposal will enrich contemporary and historical research into Australian work and labour, the economy, the legal system, culture, class and institutions. It will also materially assist employment, labour, workplace and human relations practitioners by providing improved and easier access to more relevant resources. It will help the community to better understand the context, structure and history of Australian Employment and Industrial Law. The Library is an investment in the rule of law in Australia.

AustLII had received many requests from legal and industrial scholars and researchers, librarians, historians, practicing lawyers, unions, industry groups and associations, and others that these resources be digitised and made searchable on AustLII, given their legal, social and economic significance as well as their unique historical nature and importance.

During 2017 work began on the substantial task of digitising complete collections of the Commonwealth Arbitration Reports, the Industrial Arbitration Reports of NSW and the NSW Industrial Gazette and the South Australian Industrial Reports. Other collections proposed for inclusion in the Library are Tasmanian Industrial Relations Commission decisions, the Queensland Industrial Gazette, the Western Australian Court of Arbitration Reports and the Western Australian Industrial Gazette.

Also being developed are new tools to better recognise citation information in the printed industrial and workplace relations law materials which do not have currently recognisable citations (e.g. citations to awards, print numbers etc.) and these will be incorporated into AustLII's LawCite citator, which will both add to their discoverability and utility, and create capacity for enhanced statistical data and other metric analysis.



Meeting of Chief Investigators – Australian Industrial and Workplace Law Library ARC LIEF project.

ENHANCING THE DISCOVERABILITY AND IMPACT OF AUSTRALIAN LEGAL RESEARCH

AustLII also received a grant for \$122,000 under the UNSW Research Infrastructure Scheme (RIS). The primary aim of the project is to improve the discoverability of legal research published in edited collections by creating a repository of metadata of edited collections - including author names, chapter titles, and where available, abstracts, table of cases, legislation and references.

The project is also intended to facilitate the development of research metrics for legal publications in edited collections that are currently not well represented in available metrics by providing an initial proof of concept for an edited collection database, in partnerships with the publishing industry. The creation of a law book chapter metadata repository incorporated into AustLII by itself, will not resolve the citation capture problem. But a proof of concept will provide a platform to discuss further development of law research metrics around research in edited collections and other legal publications in association with major publishers such as Edward Elgar and Federation Press.

RESEARCH PUBLICATIONS AND PRESENTATIONS

AustLII Co-Directors published the following papers and made the following presentations in 2017:

- Chung P, Mowbray A and Greenleaf G, “AustLII Communities: A platform for collaboratively generated content” - *17th Law via the Internet Conference*, Newark, October 2017
- Mowbray A, Chung P and Greenleaf G, “New standards for case law publishing: the ‘Signed by AustLII’ format” - *17th Law via the Internet Conference*, Newark, October 2017
- Greenleaf G, Chung P and Mowbray A “Free scholarship: Developing a national legal scholarship Library” in Peruginelli, G and Faro, S (Eds.) *Access to legal scholarship: Tools, approaches, technologies* (Giappichelli, Italy, 2017)
- Greenleaf G, Chung P and Mowbray A “Building DataLex Decision Support Systems: A Tutorial on Rule-Based Reasoning in Law” UNSW Law Research Paper No. 68
- Greenleaf G, Mowbray A and Chung, P “Building Sustainable Free Legal Advisory Systems: Experiences from the History of AI & Law” (2017) UNSW Law Research Paper No. 53
- Greenleaf G, “AustLII 1995: What Did We Think We Were Doing?” (January 25, 2017). Legal Information Institute (Cornell) VOXPOPULII series ‘25 for 25’, February 2017
- Mowbray A and Chung P, “Promoting Innovation: Free Access to Law” at the Law Society of NSW Specialist Accreditation Conference, 5 August 2017

EVENTS AND LAUNCHES

- Completing Family Court Authority on AustLII (including the publication of Family Court Judgments from 1976 to 1988) - Launched by the Hon Chief Justice Diana Bryant AO (23 June 2017)
- Nick O’Neill and Carmelle Peisah, “Capacity and the Law (2nd edition)” Launched (29 June 2017)
- Online publication of South Australian Government Gazettes 1919-1999 in collaboration with The Centre of Democracy.



Family Court Judgments from 1976 to 1988 launched by the Hon Chief Justice Diana Bryant

FOUNDATION INCOME

The AustLII Foundation Limited raises donations to maintain AustLII's Australian infrastructure and services. In 2017, the Foundation revenue was \$1,090,922 (including \$1,016,113 in donations and \$74,809 in interest and other income).

AustLII thanks all donors for their support in 2017. These donations play a major part in making AustLII's services sustainable and keeping databases up to date.

LIST OF DONORS AND RESEARCH PARTNERS

Contributors fall into two categories, those that provide donations to maintain AustLII's Australian infrastructure and services and those that are research partners to grants for research and development. Research partners are denoted with *.

Contributors are publicly acknowledged for their contribution on AustLII sponsors' page (unless anonymity is requested) with the amounts of contribution recorded:

<<http://www.austlii.edu.au/austlii/contributors/>>

AustLII thanks all its 2017 contributors, which are listed below by sector.

GOVERNMENT

GOVERNMENT AGENCIES

Australian Taxation Office
Commonwealth Ombudsman
Department of Foreign Affairs & Trade
National Justice and Policing Senior Officials Group

National Legal Aid Commission
NSW Office of the Director of Public Prosecutions

COURTS, TRIBUNALS & REGULATORS

ACT Civil & Administrative Tribunal
Administrative Appeals Tribunal
Australian Health Practitioner Regulation Agency
Council of Australasian Tribunals
Crime and Corruption Commission
Dept of Environment, Land, Water and Planning
Fair Work Ombudsman
Family Court of Australia
Federal Circuit Court of Australia

Federal Court of Australia
Legal Services Council
Licensing Court of South Australia
South Australian Employment Tribunal
Supreme Court of Tasmania
Takeovers Panel (Department of Treasury)
Victorian Civil & Administrative Tribunal
Western Australia Industrial Relations Commission
NSW Workers Compensation Commission

EDUCATION

Australian Catholic University
Australian Institute of Administrative Law
Bond University
Charles Darwin University
Flinders University
James Cook University
La Trobe University *
Monash University
Murdoch University
Queensland University of Technology
Southern Cross University
Swinburne Law School
The Australian National University
The College of Law
The University of Adelaide *
The University of Melbourne *
The University of Newcastle Australia *

The University of Queensland *
The University of Sydney *
The University of Western Australia
The University of Western Australia
University of Canberra
University of New England
University of Notre Dame
University of South Australia
University of Southern Queensland
University of Tasmania
University of Technology Sydney * **
University of the Sunshine Coast
University of Wollongong
UNSW Sydney * ***
Victoria University
Western Sydney University

** In addition to its financial contribution, UTS provides physical premises from which AustLII staff operates.

*** In addition to its financial contribution, UNSW provides physical premises for some AustLII staff members and for backup server equipment.

COMMERCIAL

LEGAL PROFESSION

(Includes law firms, barristers' chambers, individual solicitors and barristers, patent & trademark attorneys and migration agents)

Adam McGrath
Adrian Batterby
Adrian Muller
Alec Leopold
Alistair Pound
Allens Linklaters
Anchor Legal
Andrew Sinclair
Aneesa Parker Pty Ltd
Arnold Bloch Leibler
Ashurst
Aushine Lawyers
Baker & McKenzie
Bar Chambers
Barry Northfield
Bartier Perry
Bell Lawyers Pty Ltd
Bennett + Co
Bob Locke
Caseview Pty Ltd

CBC Lawyers
Chris McKeown
Chris Walsh
CKB Associates Lawyers
Clare Thompson
Clayton Utz
CMM Quay Legal Group
Cogill Woods Legal Services Pty Ltd
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Connolly Suthers
Cooper Grace Ward Lawyers
Corrs Chambers Westgarth
Cowell Clarke
Craig Colvin
Daan Spijer
Dakin Law
David Barker
David Maddox
Davies Collison Cave
Deborah G Marriott Solicitor

Denman Chambers
Dever's List
Dibbs Barker
DLA Piper Australia
Dominic Toomey
Doogue O'Brien George
E & A Lawyers
E W Gray Lawyer
Eakin McCaffery Cox Solicitors
Elizabeth Stahlut
Elson Pow & Associates
Family Law Practitioner's Association of WA (Inc)
Fernandez & Johnson
Focused Legal
Forte Family Lawyers
Frederick Turner
Gary Testro
Gilbert & Tobin
Grace & Grace Plus
Green's List
Greenwoods & Herbert Smith Freehills
Hanson Chambers
Harry Dixon
Harwood Andrews Lawyers
Henry Davis York
Herbert Smith Freehills
Hicksons Lawyers
HWL Ebsworth Lawyers
I & T Solicitors
J Grahame Young
James J Isles
Jane Muir
Jenifer Weate & Associates
John Cranston Thompson
John White
Johnson Winter & Slattery
Joseph Lenczner
Jude Lawyers
Judith Cocks
Julian Burnside
Kate Eastman
Katamaru Legal
Kerin Benson Lawyers
Kevin Burges
King & Wood Mallesons
King Lawyers
Kyrimis Lawyers
Law CPD
Lipman Karas

Lydia Kinda
Lynch Meyer Lawyers
Magistrates Cases
Marcus Clarke
Margaret Riley
Martin Willoughby-Thomas
Matthew Howard
Maurice Blackburn
McCullough Robertson
MDS Legal
Megan Casey
Merthyr Law
Michael Coe
Michael O'Farrell
Minal Vohra
Minter Ellison
Natalie Sheridan-Smith
Neil Andrews
Nevett Ford Ballarat Pty Ltd
Newcastle Chambers Pty Ltd
Nicholas Seddon
Nine Windeyer Chambers
Norman Waterhouse Lawyers
Nunzio Lucarelli
O'Loughlins Lawyers
Omond & Co Pty Ltd
Page Seager Lawyers
Parish Patience Bitel Pty Ltd
Paul Bard Lawyers
Paul Batley
Paul Menzies
Peter Brindal & Co
Peter Hanks
Peter Hannan
Peter Lewis
Peter Vitale
Phillips Ormonde & Fitzpatrick
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Piper Alderman
Pipers Barristers & Solicitors
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Ramon Jimenez
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Richard Arthur
Robert Gordon
Robinson Locke Litigation Lawyers
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Rothstein Lawyers
Russell Kennedy

Sandy Lai
SanLing Chan
Schweizer Kobras
Sharrock Pitman Legal
State Chambers
Stephen Rebikoff
Stuart Wood
Suzanne Kirton
Terry Murphy
The Family Law Book
Thomas Schinckel
Tim Tetley Solicitors
Tina Jowett
Tiphonie Acreman

Torrens Chambers
Turner Freeman
University Chambers
Vance Hughston
Viet Nguyen
Villari Lawyers
W G McNally Jones Staff Lawyers
WA Bar Chambers Limited
Wallmans Lawyers
Ward Keller
Wright Chambers
12 Wentworth Selborne Chambers
Anonymous (10)

BUSINESS & INDUSTRY

Australian Manufacturing Workers' Union
Brookfield Rail
BY Lawyers
CCH Australia Publishing
CFMEU Mining and Energy Division
City of Swan
Coal Mining Industry (LSL Funding) Corporation
Counsel's Chambers Limited
Cumpston Sarjeant Pty Ltd
George Lawrence Chartered Accountant
IMF Bentham Limited

Ken Shiu
Legal Practitioners Liability Committee
Meertens Chartered Accountants
Mercer Consulting (Australia) Pty Ltd
PRT Accountants Pty Ltd
RMA Training Pty Ltd
Samford RSL Sub-Branch
Singapore Academy of Law
Standards Australia Limited
TaxBanter
Tom Lyon Holidays
Zurich Financial Services Aust Ltd

LAW SOCIETIES & BAR ASSOCIATIONS

Bar Association of Queensland
Law Council of Australia
Law Society Northern Territory
New South Wales Bar Association
The Law Society of New South Wales

The Law Society of Tasmania
The Tasmanian Independent Bar
Victorian Bar Inc
Western Australian Bar Association

COMMUNITY

Antony Comanos
Benjamin Lee
Bob Kelson
Christopher Jervis
Darren Thornburgh
Darren Williams
Harrison Simons
James Lim
Jill Matthews
Julian Phillips
Karen Macdonald

Law Society of WA Public Purpose Trust
Louise and John Southalan
Lyndal Mews
Nicholas Phillips
Nick O'Neill
Paul Bugler
Richard Hunter
Robert Burton
Tony Pick
Anonymous (12)

AustLII Foundation Ltd

ABN 41 134 717 972

Annual Report
For the year ended 31 December 2017

AustLII Foundation Ltd

Directors' Report for the year end 31 December 2017

Your directors present their report on the company for the year end 31 December 2017.
The names of the directors in office during the financial year and at the date of the report were:

Dr Jeff FitzGerald (Chair) (appointed to the Board on 22 December 2008)

Former Registrar of the University of Technology Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department

Dr Philip Chung (Managing Director) (appointed to the Board on 23 June 2009)

Senior Lecturer, Faculty of Law, UNSW Sydney (The University of New South Wales); Executive Director, AustLII Research Centre

Prof Andrew Mowbray (Executive Director) (appointed to the Board on 27 April 2009)

Professor, Faculty of Law, University of Technology Sydney; Co-Director, AustLII Research Centre

Mr Tim Bugg AM (appointed to the Board on 23 June 2009)

Chair, International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia

Mr Ian Govey AM (appointed to the Board on 23 June 2009)

Former Australian Government Solicitor (AGS)

Prof Lesley Hitchens (appointed to the Board on 4 February 2013)

Dean, Faculty of Law, University of Technology Sydney

Prof Carrick Martin (appointed to the Board on 22 December 2008)

Former Deputy Vice-Chancellor, Administration, Macquarie University

Mr. Andrew Wells (appointed to the Board on 16 November 2017)

Former Librarian UNSW Sydney (The University of New South Wales)

Prof George Williams (appointed to the Board on 8 June 2016)

Dean, Faculty of Law, UNSW Sydney (The University of New South Wales)

The Company Secretary was: **Giovanni Crasto** (appointed on 31 Jan 2014)

AustLII Foundation Ltd

Principal Activity

AustLII Foundation Limited is a public company limited by guarantee that is incorporated and domiciled in New South Wales, Australia. The registered office is at Level 12, 235 Jones St, Ultimo, New South Wales 2007.

The principal activities of the company during the financial year were to provide an online free-access public library of Australian legal materials. Previously the library was jointly provided by the University of Technology Sydney (UTS) and UNSW Sydney (The University of New South Wales). AustLII Foundation Limited began operations on 1 October 2009.

AustLII's objectives are to:

- Promote the sound administration and development of the law by providing free, effective and anonymous access to public legal information in Australia by means of an electronic public library;
- Maintain systems, programmes and databases for the effective handling of an electronic public library of legal information; and
- Advance legal education by promoting and encouraging research in the field of legal information systems.

AustLII's strategies to achieve these objectives are:

- Timely addition of new primary materials databases from all jurisdictions as they become available;
- Continuing development of technical features; and
- Undertake stakeholder engagement activities to ensure financial sustainability.

AustLII Foundation Limited is a company limited by guarantee and has no authorised or paid up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. At 31 December 2017 the number of Members was two.

Review of operations

AustLII Foundation Limited commenced operations on 1 October 2009. Initial equity consisted of net income received and held on behalf of the Foundation by the University of Technology Sydney prior to the Foundation's commencement of operations. The net amount of deficit for the year end 31 December 2017 was \$13,753.

Significant changes in the State of Affairs

No significant change in the state of affairs of the company occurred during or after the period that would render any amount stated in the accounts misleading.

Events Subsequent to Balance Date

No matter or circumstance has arisen since the end of the year which significantly affected or may significantly affect the operations of the company, the results of these operations, or the state of affairs of the company in subsequent financial years.

AustLII Foundation Ltd

Future Developments

There are no extraordinary developments foreseen for the coming financial year.

Environmental Issues

The organisation's operations are not regulated by any significant environmental regulations under a law of the Commonwealth or of a State or Territory.

Directors' Meetings

The number of meetings of directors held during the year and the number of meetings attended by each director were as follows:

Directors' Meetings		
	Eligible to attend	Number attended
Dr Jeff FitzGerald	4	4
Dr Philip Chung	4	4
Mr Tim Bugg	4	1
Mr Ian Govey	4	4
Prof Lesley Hitchens	4	4
Prof Carrick Martin	4	4
Prof Andrew Mowbray	4	4
Mr Andrew Wells	1	0
Prof George Williams	4	3


Auditor Independence

A copy of the auditor's independence declaration as required under section 307C of the Corporations Act 2001 is set out on page 5.

Signed in accordance with a resolution of directors.



Signed this 20th day of April 18, in Sydney.
Ian Govey (Director)



Signed this 20th day of April 18, in Sydney.
Philip Chung (Director)



To the Directors
AustLII Foundation Limited

Auditor's Independence Declaration

As auditor for the audit of the financial statements of AustLII Foundation Limited for the year ended 31 December 2017, I declare, to the best of my knowledge and belief, there have been no contraventions of:

- the auditor independence requirements of the *Corporations Act 2001* in relation to the audit
- any applicable code of professional conduct in relation to the audit.

A handwritten signature in black ink, appearing to read "C. Karakatsanis".

Caroline Karakatsanis
Director, Financial Audit Services

20 April 2018
SYDNEY

AustLII Foundation Ltd

Statement of Comprehensive Income For the year end 31 December 2017

	Note	2017 \$	2016 \$
Revenue from Continuing Operations			
Donations & Contributions	1f, 2	1,016,113	1,101,522
Interest & Other Income	2	74,809	66,612
Total Income		1,090,922	1,168,134
Expenses			
Employment Costs	1c, 3, 13	837,479	876,041
Equipment Charges	1b, 3	127,094	118,659
Accounting and Audit Fees	3, 7	19,106	18,598
Consultancy Costs	3	32,364	38,045
Insurance	3	5,964	5,684
Travel and Accommodation	3	16,831	14,610
Other Operating Costs	3	65,837	67,289
Total Expenses		1,104,675	1,138,926
Surplus/ (Deficit) for the Year		(13,753)	29,208
Other Comprehensive Income		-	-
Total Comprehensive Income		(13,753)	29,208

The above statement of comprehensive income should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Financial Position As at 31 December 2017

	Note	2017 \$	2016 \$
ASSETS			
Current Assets			
Cash at Bank	8	1,070,392	1,380,262
Trade and Other Receivables	4	231,021	259,966
Other Financial Assets	5	1,089,801	787,137
TOTAL ASSETS		2,391,214	2,427,365
LIABILITIES			
Current Liabilities			
Trade and Other Payables	6	304,745	327,143
TOTAL LIABILITIES		304,745	327,143
NET ASSETS		2,086,469	2,100,222
EQUITY			
Retained Surplus	1e, 9	2,086,469	2,100,222
TOTAL EQUITY		2,086,469	2,100,222

The above statement of financial position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity for the year end 31 December 2017

	Note	Retained Surplus \$	Total Equity \$
Balance as at 1 January 2016		2,071,014	2,071,014
Total comprehensive income for the year		29,208	29,208
Balance as at 31 December 2016		2,100,222	2,100,222
Balance as at 1 January 2017		2,100,222	2,100,222
Total comprehensive income for the year		(13,753)	(15,468)
Balance as at 31 December 2017		2,086,469	2,084,754

The above statement of changes in equity should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Cash Flows

For the year end 31 December 2017

	Note	2017 \$	2016 \$
Cash flows from operating activities			
Cash receipts in the course of operations		1,044,328	1,136,732
Payments to suppliers and employees		(1,127,074)	(1,268,856)
Net interest received		22,876	32,030
Net cash used by operating activities	8	(59,870)	(100,094)
Cash flows from investing activities			
Payments for Financial Assets		(250,000)	-
		(250,000)	-
Net (decrease) in cash held		(309,870)	(100,094)
Cash and cash equivalents at the beginning of the year		1,380,262	1,480,356
Cash and cash equivalents at the end of the year	8	1,070,392	1,380,262

The above statement of cash flows should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR END 31 DECEMBER 2017

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

AustLII Foundation Limited is a 'not for profit' company limited by guarantee, incorporated and domiciled in Australia. Its registered office and principal place of business is at Level 12, 235 Jones St, Ultimo, NSW, 2007. The principal activities are to provide an online free-access public library of Australian legal materials.

The principal accounting policies adopted in the preparation of this general purpose financial report are set out below.

The financial report is presented in Australian currency.

a. Basis of Preparation

This general purpose financial report has been prepared in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board) and Corporations Act 2001 and Corporations Regulations 2001, the Public Finance & Audit Act 1983 and the Public Finance & Audit Regulation 2015, the Charitable Fundraising Act 1991 and the Charitable Fundraising Regulation 2008.

These financial statements have been prepared on an accrual basis and are based on the historical cost convention. Amounts have been rounded off to the nearest dollar.

b. Property, Plant & Equipment

No property, plant or equipment is owned by the Foundation at 31 December 2017. All plant and equipment used by the Foundation in its operations is wholly owned and maintained by the University of Technology Sydney. The Foundation pays the University for the use of this equipment on a quarterly basis. The amounts are unsecured and are usually paid within 30 days of recognition.

c. Employment Costs

AustLII Foundation Limited's management and operational staff are employed under contract with the Member Universities. Employment costs for these staff are charged to the Foundation by the respective Universities on a quarterly basis. As such, no provisions for employee benefits are maintained by the Foundation.

d. Income Tax

The company is exempt from income tax under Div 50 of the Income Tax Assessment Act 1997.

e. Equity

The entity is a company limited by guarantee and has no authorised or paid up capital. The initial equity of \$ 1,194,068 (denoted as Retained Surplus) consists of amounts paid to AustLII Foundation Limited from the University of Technology Sydney which represents net income earned by the Foundation as an office within the University prior to commencement of independent operations on 1 October 2009.

AustLII Foundation Limited made a deficit of \$13,753 for the year. The Accumulated balance in Retained Surplus as at 31 December 2017 was \$2,086,469. The Board resolved to designate \$650,000 of the Retained Surplus as available for AustLII Sustainable Initiatives.

AustLII Foundation Ltd

The purpose of the AustLII Sustainable Initiatives designation is to achieve AustLII's objective of advancing and promoting "free access to legal information". In a rapidly evolving technological and regulatory environment this requires an ongoing need for capital and infrastructure outlays into the future. A prudent risk management strategy recognises the need to differentiate the accumulated equity between amounts available for meeting operating expenses for at least one year and those available to meet those challenges which will enable AustLII to sustain into the future its core mission of providing free and effective electronic access to public legal information in Australia.

Each member of the company, whilst a member, or within one year after ceasing to be a member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute a maximum of one hundred dollars (\$100) each towards meeting any outstanding obligations of the company. At balance date, there were two eligible members.

f. Revenue

Donations & Contributions are recorded as revenue either when tax invoices are raised at the request of the donor/contributor or otherwise when donations/contributions are received through cheques or credit cards or directly deposited in our bank account. Donations received for specific purposes are matched against expenditure as incurred. As per *AASB 118 Revenue*, interest is recognised using the effective interest rate method as set out in *AASB 139 Financial Instruments: Recognition and Measurement*.

g. Going Concern

The ability of the company to continue as a going concern is dependent on the ongoing support of its donors and the success of its fundraising program. The Directors believe that the company will be successful and accordingly have prepared the accounts on a going concern basis.

h. Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the statement of financial position are shown inclusive of GST. Cash flows are presented in the statement of cash flows on a gross basis, except for the GST components of investing and financing activities, which are disclosed as operating cash flows.

i. Fundraising

According to Constitution of AustLII Foundation Limited 3.4, funds raised by means of a collection within the meaning of the Charitable Fundraising Act 1991 (NSW) and corresponding legislation in other jurisdictions must be maintained in accordance with those Acts.

j. Significant Accounting Judgments, Estimates and Assumptions

The directors evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume an expectation of future events and other factors considered to be reasonable.

k. New and revised Australian Accounting Standards

Where new or revised Accounting Standards and Interpretations have been published that are not mandatory for 31 December 2017 reporting period, AustLII Foundation has not exercised the right to early adopt any such accounting standard. The Foundation's assessment of the impact of these new standards and interpretations is not considered material.

AustLII Foundation Ltd

2. REVENUE FROM CONTINUING OPERATIONS

	2017	2016
	\$	\$
Donations & Contributions (by sector)		
Education	147,250	319,750
Legal Profession	250,022	239,510
Law Societies & Bar Associations	65,666	61,000
Business & Industry	159,610	170,020
Government Agencies	131,000	131,000
Courts, Tribunals & Regulators	202,000	169,500
Community & Other	60,565	10,742
Total Donations & Contributions	1,016,113	1,101,522
Interest & Other Income		
Term Deposits & Other Income	22,146	31,911
Financial Assets designated FVTPL -Note 11	52,663	34,701
	74,809	66,612
Total Income	1,090,922	1,168,134

3. EXPENSES

	2017	2016
	\$	\$
Employment costs	837,479	876,041
Equipment charges	127,094	118,659
Accounting Fees	8,867	8,609
Audit Fees	10,239	9,989
Consultancy Costs	32,364	38,045
Insurance	5,964	5,684
Travel and Accommodation	16,831	14,610
Other Operating Costs	65,837	67,289
	1,104,675	1,138,926

4. TRADE AND OTHER RECEIVABLES

	2017	2016
	\$	\$
Goods and Services Tax	3,169	51,350
Accrued Interest	870	1,601
Trade Debtors	178,400	156,840
Allowance for Impairment of Receivables	-	-
Prepaid Expenses	48,582	50,175
	231,021	259,966

AustLII Foundation Ltd

5. OTHER FINANCIAL ASSETS

	2017	2016
	\$	\$
Other Financial Assets at FVTPL		
Managed Funds – New South Wales Treasury Corporation – Note 11	1,089,800	787,137
	1,089,800	787,137

6. TRADE AND OTHER PAYABLES

	2017	2016
	\$	\$
Trade Creditors	296,108	315,811
Accrued Expenses	8,637	11,332
	304,745	327,143

7. AUDITOR'S REMUNERATION

	2017	2016
	\$	\$
Audit Fees to Audit Office of NSW	10,239	9,989

8. CASH

	2017	2016
	\$	\$
a. <u>Cash and Cash Equivalents</u>		
Cash at Bank	238,624	292,289
Term Deposit	831,768	1,087,973
	1,070,392	1,380,262

	2017	2016
	\$	\$
b. <u>Reconciliation of Cash from Operations</u>		
Reconciliation of Surplus/(Deficit) for the Year to		
Net Cash flows from Operating Activities	\$	\$
Surplus	(13,753)	29,208
Non Cash flows in Operating Surplus/(Deficit)		
Unrealised gains in Other Financial Assets	(52,663)	(34,701)
Changes in Assets and Liabilities:		
(Increase)/Decrease in Trade Debtors and		
Prepayments (Operating)	28,945	35,329
Increase/(Decrease) in Payables	(22,399)	(129,930)
Net Cash used by Operating Activities	(59,870)	(100,094)

9. RETAINED SURPLUS

	2017	2016
	\$	\$
Retained Surplus at the beginning of the Year	2,100,222	2,071,014
Total Comprehensive Income for the Year	(13,753)	29,208
Retained Surplus at the end of the Year	2,086,469	2,100,222

10. EVENTS SUBSEQUENT TO REPORTING DATE

The directors are not aware of any item, transaction or event of a material and unusual nature not otherwise dealt with in the report or financial statements that has significantly affected, or may effect the operations of the company, the results of those operations or the state of affairs of the company in subsequent years.

11. FINANCIAL INSTRUMENTS

(a) Non-derivative Financial Assets

The Company initially recognises receivables on the date that they are originated. All other financial assets are recognised initially on the date at which the Company becomes a party to the contractual provisions of the instrument.

The Company derecognises a financial asset when the contractual rights to the cash flows from the asset expire, or it transfers the rights to receive the contractual cash flows on the financial asset in a transaction in which substantially all the risks and rewards of ownership of the financial asset are transferred. Any interest in transferred financial assets that is created or retained by the Company is recognised as a separate asset or liability.

The Company has the following categories of non-derivative financial assets: cash and cash equivalents, trade and other receivables, and financial assets at FVPL.

Cash and cash equivalents

Cash and cash equivalents comprise cash balances and call deposits with original maturities of three months or less from the acquisition date that are subject to an insignificant risk of changes in their fair value, and are used by the Company in the management of its short-term commitments.

Trade and Other Receivables

Trade and other receivables are financial assets with fixed or determinable payments that are not quoted in an active market. Trade receivables are recognised and carried at original invoice amount less any allowance for impairment. An allowance for impairment of receivables is recognised when collection of the full amount is no longer probable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy or financial reorganisation, and default or delinquency in payments (more than 90 days overdue) are considered indicators that the trade receivable is impaired.

The amount of the provision is recognised in the statement of comprehensive income. When a trade receivable for which an impairment allowance had been recognised becomes uncollectible in a subsequent period, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the income statement. Bad debts are written off as incurred.

Financial assets at FVTPL

A financial asset is classified as at FVTPL if it is classified as held-for – trading or is designated as such on initial recognition. Directly attributable transaction costs are recognized in profit or loss as incurred. Financial assets at FVTPL are measure at fair value and changes therein, including any interest or dividend income, are recognized in profit or loss.

AustLII Foundation Ltd

(b) Non- derivative financial liabilities

Financial liabilities are recognised initially on the date at which the Company becomes a party to the contractual provisions of the instrument.

The Company derecognises a financial liability when its contractual obligations are discharged, cancelled or expire.

The Company classifies non-derivative financial liabilities into the other financial liabilities category. Such financial liabilities are recognised initially at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial liabilities are measured at amortised cost using the effective interest method.

Financial liabilities pertains to trade and other payables.

(c) Fair value hierarchy

When measuring the fair value of an asset or a liability, the Company uses market observable data as possible. Fair values are categorised into different levels in a fair value hierarchy based on the inputs used in the valuation techniques as follows:

- Level 1: quoted prices (unadjusted) in active markets for identical assets or liabilities.
- Level 2: inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly (i.e., as prices) or indirectly (i.e., derived from prices).
- Level 3: inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Financial assets at FVTPL as reported in the statement of financial position is within the scope of Level 2 as of 31 December 2017 and 2016. The Company has no financial instrument based on Level 1 and Level 3 as of 31 December 2017 and 2016.

(d) General Objectives, Policies and Processes

In common with all other businesses, the company is exposed to risks that arise from its use of financial instruments. This note describes the company's objectives, policies and processes for managing those risks and the methods used to measure them. Further quantitative information in respect of these risks is presented throughout these financial statements.

The Board has overall responsibility for the determination of the company's risk management objectives and policies and, whilst retaining ultimate responsibility for them, it has delegated the authority for designing and operating processes that ensure the effective implementation of the objectives and policies to the company's finance function. The company's risk management policies and objectives are therefore designed to minimise the potential impacts of these risks on the results of the company where such impacts may be material. The Board received quarterly reports, with which it reviews the effectiveness of the processes put in place and the appropriateness of the objectives and policies it sets.

The overall objective of the Board is to set policies that seek to reduce risk as far as possible without unduly affecting the company's competitiveness and flexibility. Further details regarding these policies are set out below.

AustLII Foundation Ltd

12. FINANCIAL RISK MANAGEMENT

The company's activities expose it to market risk including interest rate risk, credit risk and liquidity risk. The company's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the company.

Risk management is carried out under policies approved by the Board of Directors.

(a) Credit Risk

Credit risk is the risk that the other party to a financial instrument will fail to discharge their obligation resulting in the company incurring a financial loss. This usually occurs when debtors fail to settle their obligations owing to the company.

There is minimal credit risk with respect to current receivables. The company's policy is that services are only provided to clients that are credit worthy.

	2017	2016
	\$	\$
Financial Assets		
Cash	1,070,392	1,380,262
Others		
Accounts Receivable	178,400	156,840
Other Financial Assets	1,089,800	787,137
	2,338,592	2,324,239

(b) Liquidity Risk

Liquidity risk is the risk that the company may encounter difficulties raising funds to meet commitments associated with financial instruments, e.g. borrowing repayments. The company manages liquidity risk by monitoring cash flows and ensuring that adequate cash reserves are maintained.

		Carrying Amount	Contractual Cash Flows	No Maturity	< 6 months
	Financial Assets				
2017	Cash	1,070,392	-	1,070,392	-
	Other Financial Assets	1,089,800	-	1,089,800	-
	Receivables	178,400	178,400	-	178,400
		2,338,592	178,400	2,160,192	178,400
2016	Cash	1,380,262	-	1,380,262	-
	Other Financial Assets	787,137	-	787,137	-
	Receivables	158,441	158,441	-	158,441
		2,325,840	158,441	2,167,399	158,441
	Financial Liabilities				
2017	Trade Payables	304,745	304,745	-	304,745
		304,745	304,745	-	304,745
2016	Trade Payables	327,143	327,143	-	327,143
		327,143	327,143	-	327,143

AustLII Foundation Ltd

(c) Market Risk

The organisation has exposure to market risk for changes in interest rate due to investments in Term Deposits and overall performance of the financial markets due to investments in Managed funds.

(d) Sensitivity Risk

		Carrying Amount	+1% interest change/ +5% performance change Profit and Equity	-1% interest change/ -5% performance change Profit and Equity
Financial Assets				
2017	Cash	1,070,392	10,704	(10,704)
	Other Financial Assets	1,089,800	54,490	(54,490)
	Total	2,160,192	65,194	(65,194)
2016	Cash	1,380,262	13,803	(13,803)
	Other Financial Assets	787,137	39,357	(39,357)
	Total	2,167,399	53,160	(53,160)

This analysis assumes a change in interest rate of +/-1% and performance rate of +/-5%, which in the Directors' opinion is the largest expected movement over the next 12 months, assuming all other variables remain constant.

13. RELATED PARTY DISCLOSURES

(a) Names of Responsible Persons and Executive Officers

AustLII Foundation Ltd is governed by a Board of Directors which was comprised of the following persons during the year:

Dr Jeff FitzGerald- Chair	Prof George Williams - Director
Dr Philip Chung – Managing Director	Mr Ian Govey – Director
Prof Andrew Mowbray– Executive Director	Prof Carrick Martin – Director
Mr Andrew Wells - Director	Prof Lesley Hitchens – Director
Mr Tim Bugg – Director	

(b) Key Management Personnel

The Board of Directors appointed the following persons the authority and responsibility for planning, directing and controlling the activities of the Foundation during the year:

Dr Philip Chung – Managing Director
 Prof Andrew Mowbray – Executive Director

(c) Remuneration of Board Members and Executives

Remuneration of Board Members

The board members of AustLII Foundation Ltd do not receive any remuneration in respect of their work as members of the board.

AustLII Foundation Ltd

Remuneration of Executive Officers

Three executive directors were remunerated by the Member Universities and then on-charged to the Foundation for the management of AustLII Foundation Limited.

	2017	2016
	Nos	Nos
<u>Remuneration of executive officers</u>		
\$0 to \$150,000	2	3

The remuneration of Key Management Personnel is as follows:

	2017	2016
	\$	\$
Short-term benefits	218,951	254,249
Post-employment benefits	-	-
Total benefits	218,951	254,249

(d) Accommodation

UTS provides rent free accommodation to AustLII Foundation.

14. CONTINGENT ASSETS

AustLII Foundation does not have any material contingent assets as at balance sheet date.

15. CONTINGENT LIABILITIES

AustLII Foundation Limited is not subject to any material contingent liabilities at balance date.

16. MEMBERS' GUARANTEE

AustLII Foundation Limited is a company limited by guarantee and has no authorised or paid up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. At 31 December 2017 the number of Members was two.



INDEPENDENT AUDITOR'S REPORT

AustLII Foundation Limited

To Members of the New South Wales Parliament and Members of AustLII Foundation Limited

Opinion

I have audited the accompanying financial statements of AustLII Foundation Limited (the Company), which comprise the Statement of Comprehensive Income for the year ended 31 December 2017, Statement of Financial Position as at 31 December 2017, Statement of Changes in Equity and Statement of Cash Flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the directors' declaration.

In my opinion, the financial statements:

- are in accordance with the *Corporations Act 2001*, including:
 - giving a true and fair view of the Company's financial position as at 31 December 2017 and its performance for the year ended on that date
 - complying with Australian Accounting Standards and the Corporations Regulations 2001
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Company in accordance with the requirements of the:

- Australian Auditing Standards
- *Corporations Act 2001*
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Directors' Responsibilities for the Financial Statements

The directors of the Company are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the PF&A Act, *the Corporation's Act 2001*, and for such internal control as the directors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/am4.pdf. The description forms part of my auditor's report.

My opinion does not provide assurance:

- that the Company carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Caroline Karakatsanis
Director, Financial Audit Services

20 April 2018
SYDNEY

AustLII Foundation Ltd

DIRECTORS' DECLARATION

In the opinion of Directors:

1. The financial statements and notes of the company are in accordance with the Corporations Act 2001, including:
 - a) Giving a true and fair view of the financial position as at 31 December 2017 and the performance for the year end on that date of the company; and
 - b) Complying with Accounting Standards and the Corporations Regulations 2001; and
 - c) The Charitable Fundraising Act 1991 and Charitable Fundraising Regulation 2015; and
 - d) The internal controls are appropriate and effective in accounting for all income received and applied by the organisation from its fundraising appeals; and
 - e) The Public Finance and Audit Act 1983 and Public Finance and Audit Regulation 2015.

2. There are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

On behalf of the board



Signed this 20th day of April 18, in Sydney.
Ian Govey (Director)



Signed this 20th day of April 18, in Sydney.
Philip Chung (Director)



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