

# Librarians & Lawyers

Legal Research Escape Rooms

# ABout us

We are librarians! Not lawyers. Despite this we have found ourselves working in law libraries.

hi



# The plan of attack

## Introduction

- To us
- To the legal system

## Legal Resources

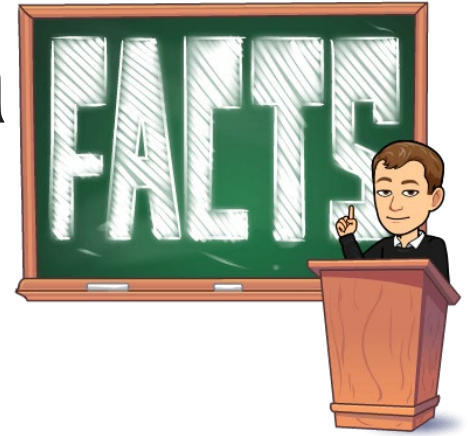
- Legislation
- Caselaw

Use what we've learned to ESCAPE!



# Sources of law in australia

The legal system is built on different  
forms of law



## Constitution

Supreme law

## Statute Law

Made by the Government at  
State and Federal levels

## Common Law

Built on precedent made by  
the courts

Follows court hierarchy

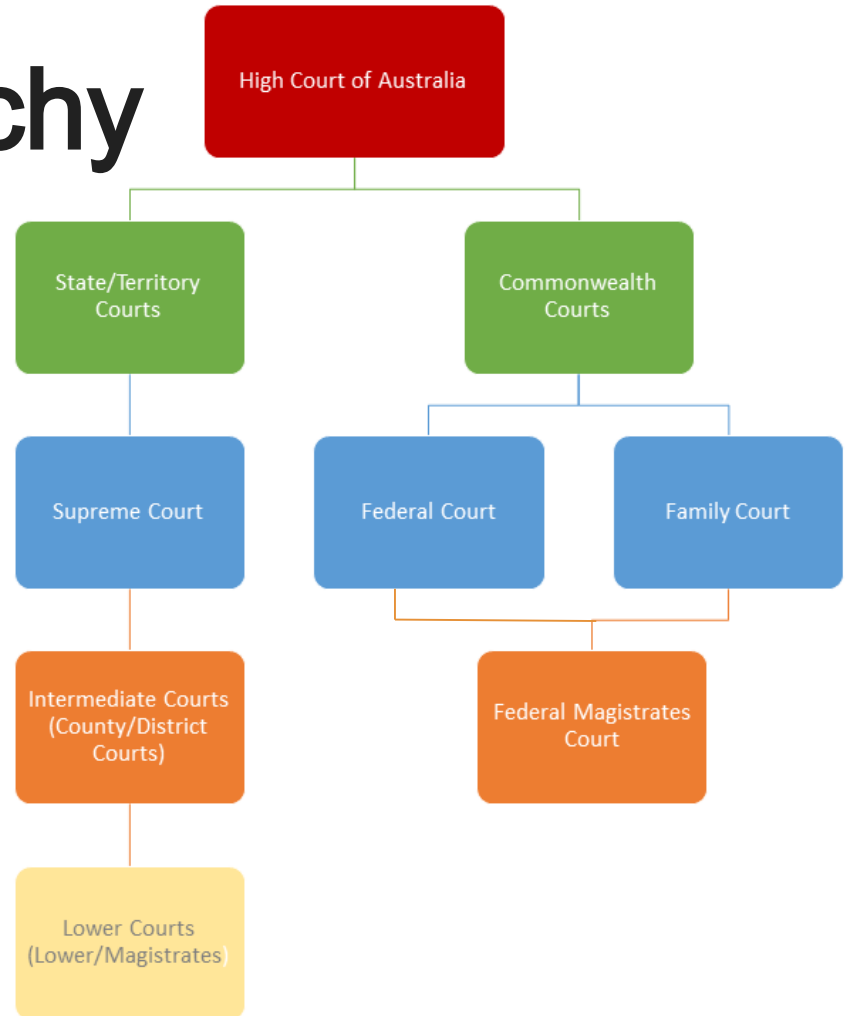
# DOCTRINE OF PRECEDENT

Courts use the judgments and principles set out by earlier decisions when determining their own outcomes.

Higher court decisions have more precedence than smaller courts - High Court of Australia is the top of this pyramid.



# The Court hierarchy



THINKING...



# Legal research process

Identify the facts of the case



Note the legal issues



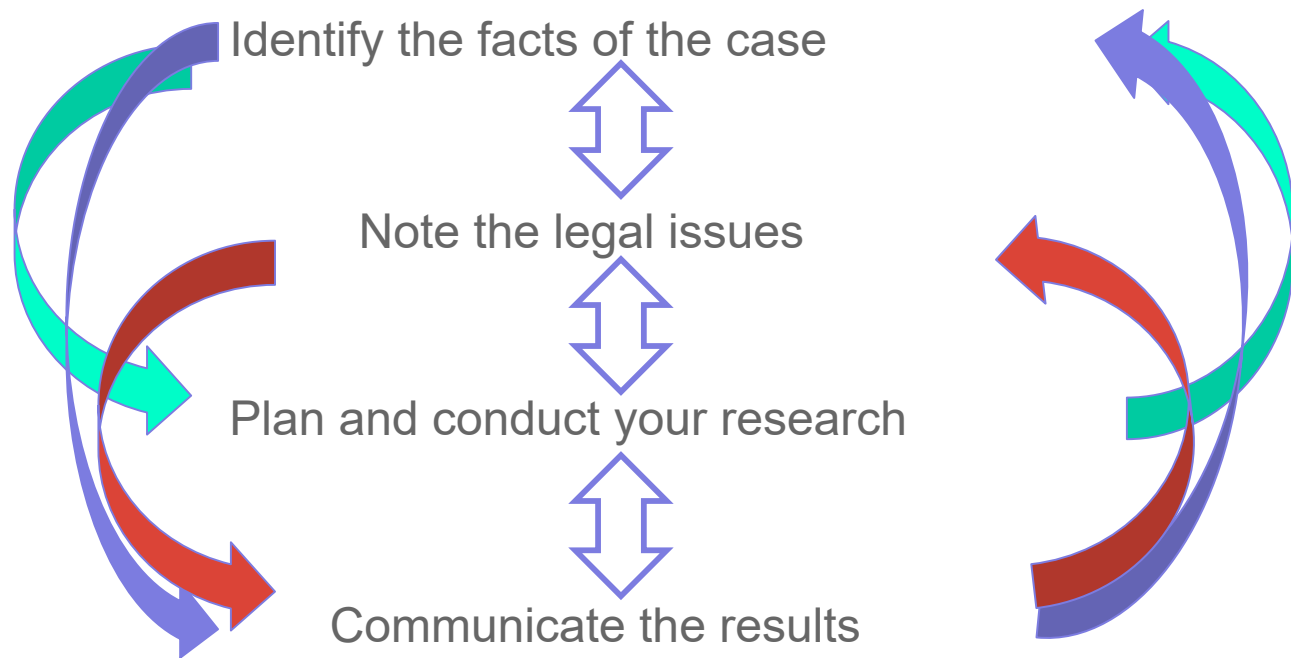
Plan and conduct your research



Communicate the results



# Legal research process in reality





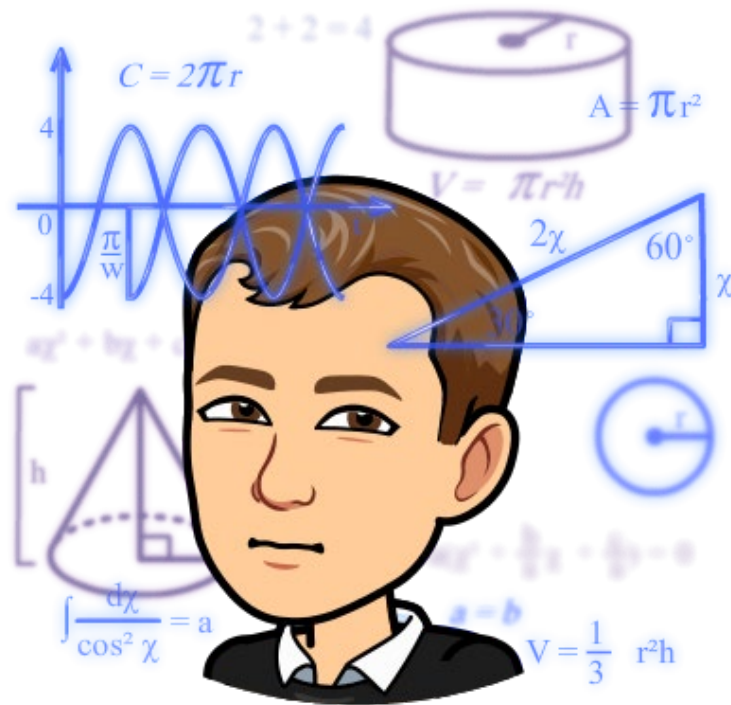
# AGLC4

Australian Guide to Legal Citation

Standard referencing style used  
across Australia

Footnoting style <sup>1</sup>

<sup>1</sup> Bane of many existences...

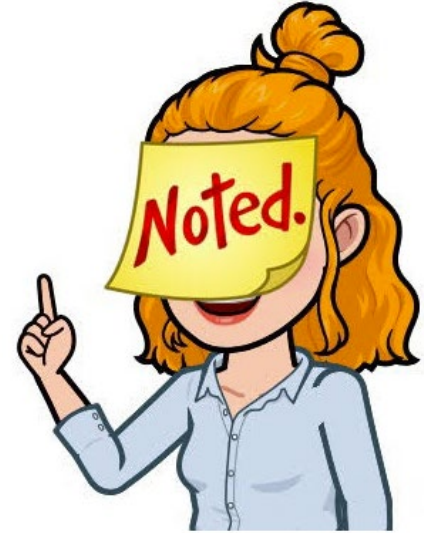
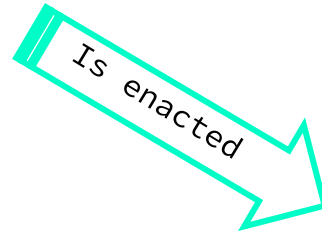


# Legislation

A Bill usually has...

Explanatory Notes

Parliamentary Speeches



An Act can have...

Reprints

Amending acts

Subordinate/delegated  
legislation

# Legislation: Long and the short of it

## Long Title -

An Act for the Interpretation of Acts of  
Parliament and for Shortening their  
Language

## Short Title -

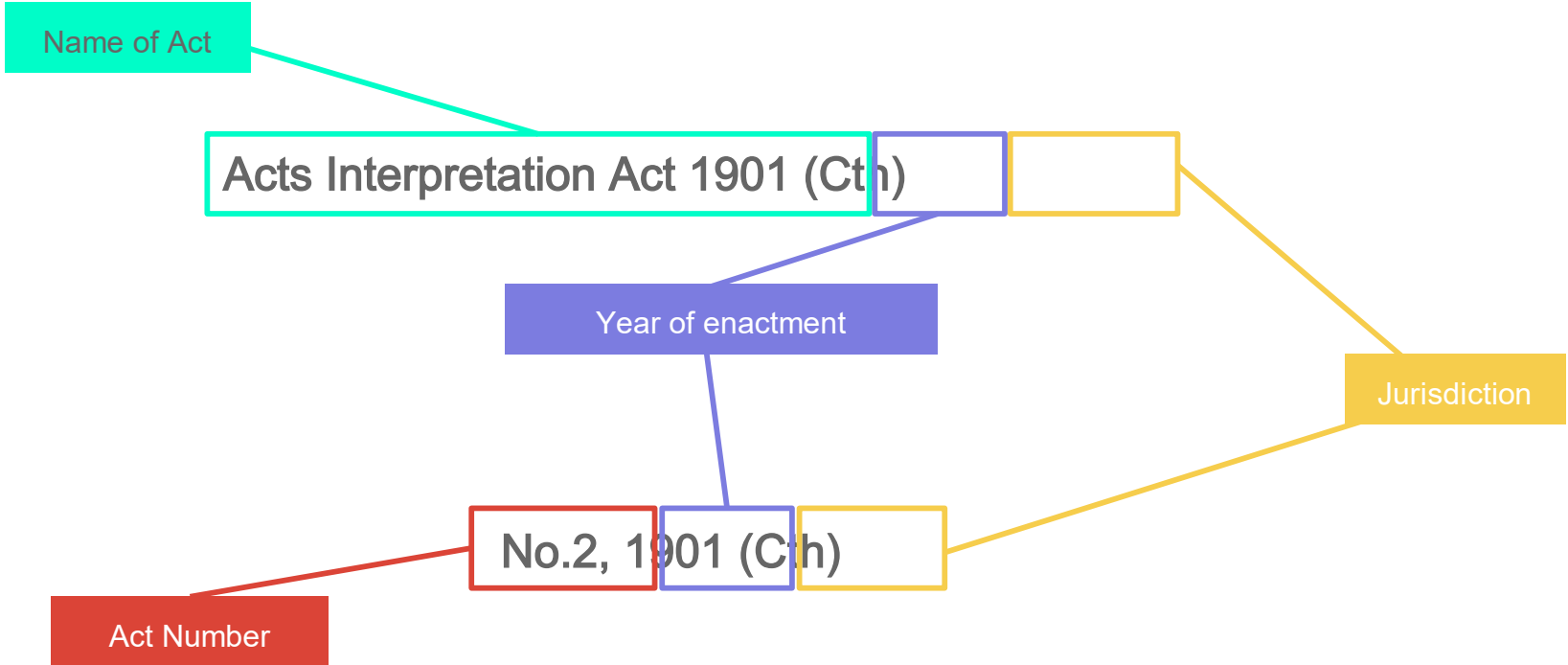
Acts Interpretation Act 1901 (Cth)

## Number & Year -

No. 2, 1901



# LEGISLATION: Breaking it down



# LEGISLATION: Breaking it down to the

Acts Interpretation Act 1901 (Cth) s13



Pinpoint

Designation	Abbreviation	Plural	Abbreviation
Appendix	app	Appendices	apps
Article	art	Articles	arts
Chapter	ch	Chapters	chs
Clause	cl	Clauses	cls
Division	div	Divisions	divs
Paragraph	para	Paragraphs	paras
Part	pt	Parts	pts
Schedule	sch	Schedules	schs
Section	s	Sections	ss
Sub-clause	sub-cl	Sub-clauses	sub-cls
Subdivision	sub-div	Subdivisions	sub-divs
Sub-paragraph	sub-para	Sub-paragraphs	sub-paras
Subsection	sub-s	Subsections	sub-ss



# Legislation: let's get searching



**Federal Register of Legislation**

**Tasmanian Legislation**  
Tasmania's consolidated legislation online

**SOUTH AUSTRALIAN  
LEGISLATION**



**New South Wales Government  
NSW legislation**



**Queensland Government  
Queensland Legislation**

**Western Australian Legislation**



**Victorian Legislation and Parliamentary Documents**

**ACT Legislation Register**

# Legislation: More legislation



**AustLII**

Contains most Australian jurisdictions' most recent legislation

Note - Up: The ability to find further information that has cited a particular provision

Run by UTS & UNSW

[www.AustLII.edu.au](http://www.AustLII.edu.au)



**Barnet JADE**

Contains most Australian jurisdictions' most recent legislation

Note - Up: The ability to find further information that has cited a particular provision

Very comprehensive and FREE legal database

[www.jade.io](http://www.jade.io)



**Google Advanced**

A powerful search engine that can be used to find hard to locate legislation

Ideal for limiting to .edu or .gov sites so you know the information should be reliable

[www.google.com.au/advanced\\_search](http://www.google.com.au/advanced_search)

# Case Law

Judgments

Citations

Unreported Judgments

Law Reports

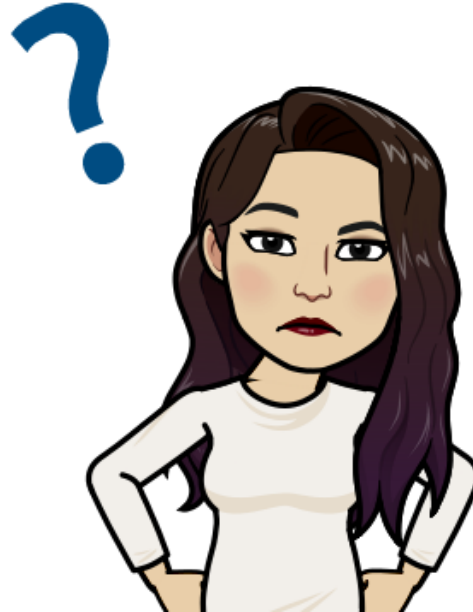
Authorised Reports

Common law

Decisions by court or  
tribunal

Medium neutral  
citations

Party names





# Case Law: Glossary of terms

- Criminal Cases = “Against”
- Civil Cases = “and”
- R = Regina or Rex (the sitting Queen or King)

**WE GOT THIS!**



For example...

Criminal case = R v Browne

Civil case = Smith v Jones

# Case Law: Breaking it down (unreported judgments)

Party names

Court abbreviation (High Court of Australia)

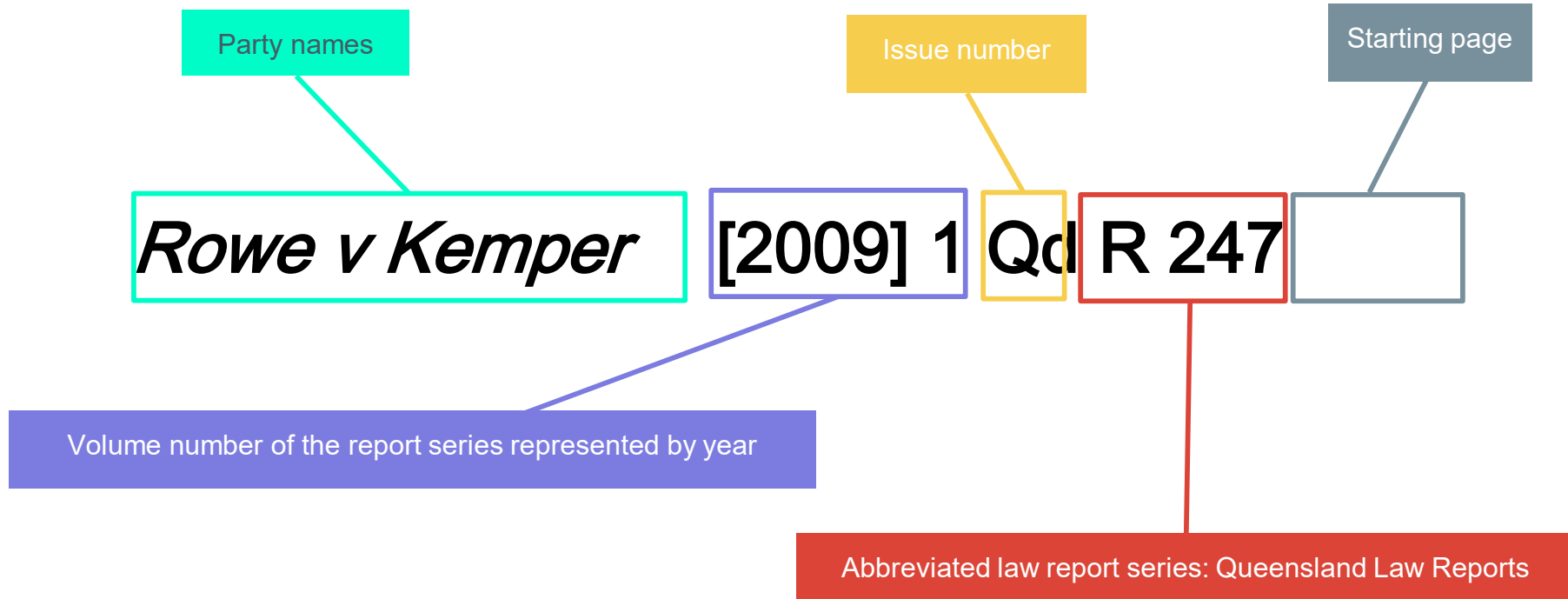
*Mabo v Queensland (No 2)*

[1992] HCA 23

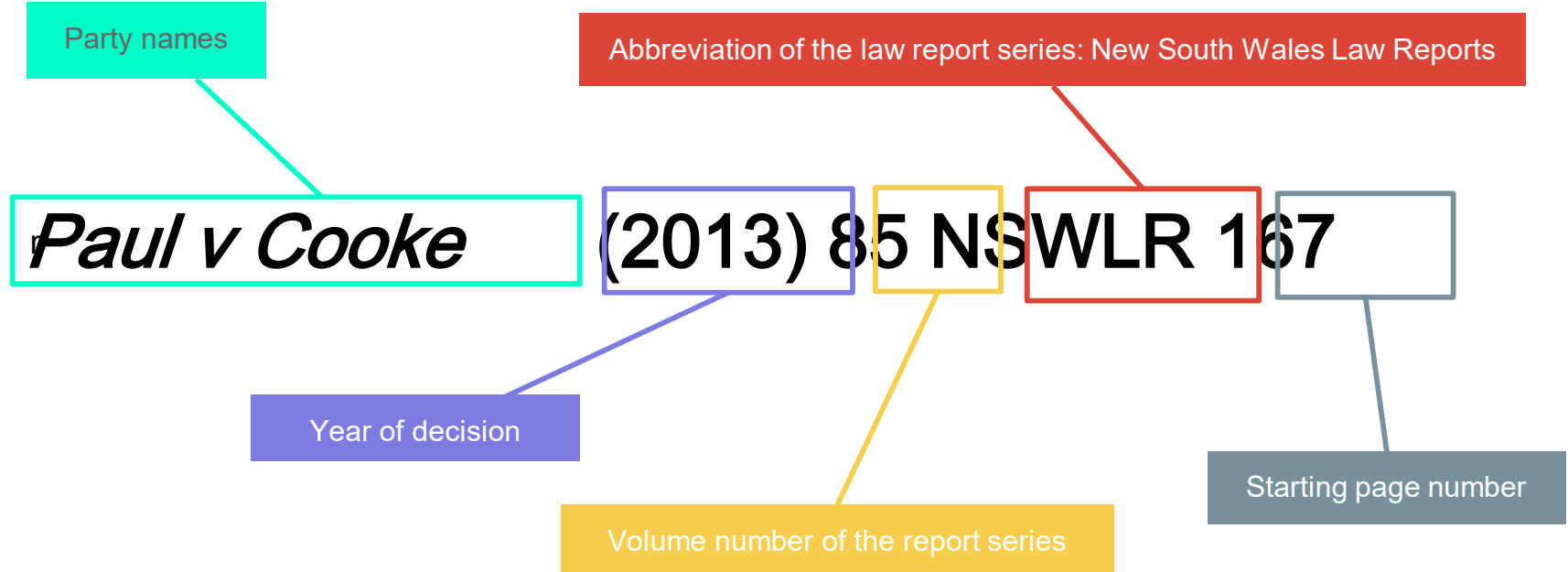
Year of decision

Sequentially assigned judgment number

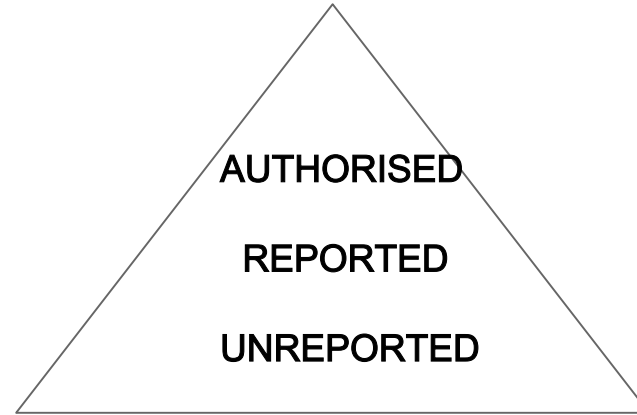
# Case Law: Breaking it down [reported citations]



# Case Law: Breaking it down (reported citations)



# Case Law: the case hierarchy (author



**Authorised:**      *Mabo v Queensland (No 2)*      (1992) 175 CLR 1

**Reported Judgment:**      *Mabo v Queensland (No 2)*      ) (1992) 107 ALR 1

**Unreported Judgment:**      *Mabo v Queensland (No 2)*      [1992] HCA 23 (3 June 1992)

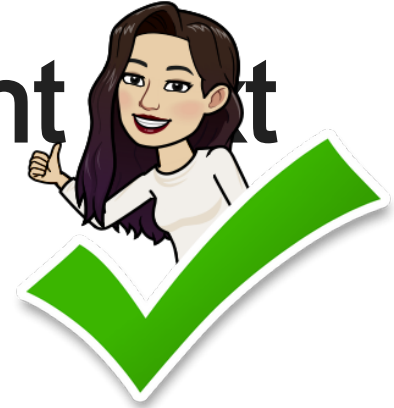
# Case Law: Tips & tricks

What if you don't know what an abbreviation stands for?

- Cardiff Legal Abbreviations
- A “C” in the abbreviation usually stands for court which lets you know it is unreported: NSWSC, HCA, QCA



# Case Law: The judgement



*Al - Kateb v Godwin*

(2004) 219 CLR 562, 564 [27].



Pinpoint

# Caselaw: let's get searching



eCourts Portal of Western Australia

 **Jade** Professional

 **SUPREME COURT  
LIBRARY QUEENSLAND**



NEW  
SOUTH  
WALES

**Caselaw**



Courts Administration Authority  
of South Australia



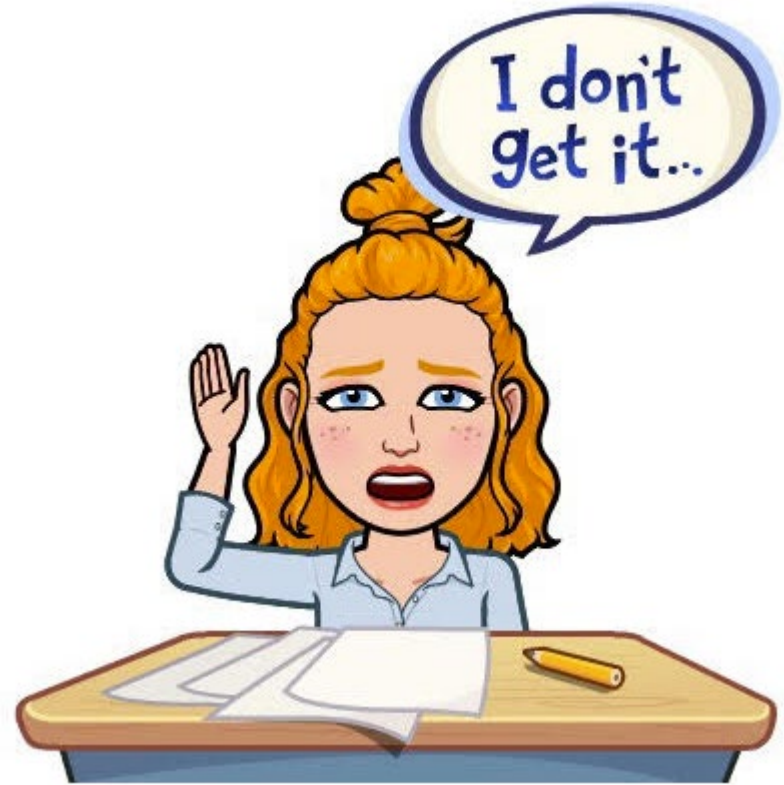
**COURTS AND TRIBUNALS TASMANIA**



# Escape room

Rules of the game...

1. Anything could be a clue. Make sure to look everywhere, pick things up, open things etc.
2. Nothing needs to be opened with force.
3. If you are stuck, ask for a hint.



# DIGITAL ESCAPE ROOM

The same rules apply as the physical room...



1. Anything could be a clue. Make sure to look everywhere, click on things, particularly arrows, interesting objects etc.
2. Nothing needs to be opened with force i.e. no need to break the computer
3. If you are stuck, ask for a hint.

# Let's escape!

## Group 1

Head over to your escape room.



## Group 2

Get your devices out & go to

<https://bit.ly/2W2kYza>



# Wrap Up

