

## The Australasian Legal History Library



## An ARC research infrastructure Project

Ten Universities led by UTS have collaborated to obtain an Australian Research Council LIEF (Linkage, Infrastructure, Equipment and Facilities) grant to build *The Australasian Legal History Library: Creating historical depth in legal data on AustLII, to improve all legal research* in 2012-13. The ARC has provided \$330,000, with the partner institutions providing the balance of the total project budget of \$751,000 - one of the largest research infrastructure projects AustLII has undertaken. It will change Australasian legal history research.

In summary, the Australasian Legal History Library, to be located for free access on the Australasian Legal Information Institute (AustLII) < <a href="http://www.austlii.edu.au">http://www.austlii.edu.au</a>, will provide comprehensive legislation and case law from all colonies (subsequently Australian States, Territories or New Zealand) up to 1950. Its citator will show how these historical materials are used in current legal decisions. It will include many other historical sources including commentary.

The Library is expected to **benefit** the research of specialist legal historians; researchers in all aspects of the humanities because of the extent to which law and legal institutions permeate their work; family and local history researchers; and all practising lawyers because of the long 'half life' of legal information and the continuing relevance of old case law and legislation to current legal problems. AustLII's 2010 user survey showed a high level of user demand for greater historical depth of content. The **need** for this infrastructure development stems from the following factors: the desirability of more digitisation (destructive and non-destructive) and online availability; currently inadequate access tools; increasing storage problems; the difficulties of researching comparative colonial legal history; and the limitations of commercial and government systems.



The project's six key elements in the creation of the Library will be:

- (i) Creating a comprehensive collection of free access court decisions: The largest task in the project, now feasible, is to scan (where necessary) and make searchable all decisions in the main law report series, from inception of a series up to 1950, for each State and Territory and New Zealand (25-30,000 decisions). Other available case law outside the report series will also be included.
- (ii) Creating a comprehensive historical collection of legislation: Victorian, NSW and New Zealand historic legislation databases are already completed and on AustLII or NZLII. Annual legislation will be scanned for the remaining seven jurisdictions up to 1950, unless available in digital form from other sources. Scanning of Bills and Explanatory Memoranda is being undertaken with ALLA and law firm assistance.

- (iii) Including other key historical materials and more legal scholarship: Many key documents in Australasian legal history now only available from State archives, libraries and other sources, will be digitised with non-destructive equipment provided by the project, and made more conveniently available to researchers. Articles on legal history from over 70 law journals on AustLII, and scholarship repositories, will be included in the Library's searches.
- (iv) Enhancement of cases, journal articles and treaties by a citator: AustLII's LawCite citator <a href="http://www.lawcite.org">http://www.lawcite.org</a> will be used to track how the newly-added historical cases cite other cases, or are cited by later cases. LawCite, an innovative research tool already developed by AustLII from an ARC Linkage grant, is the only free access legal citator which provides international coverage of cases or journal articles.
- (v) Supplementary research tools: We will add a catalog of web sites relating to Australasian legal history, and a 'Law on Google' search that automatically converts an 'AustLII syntax' search of the Legal History Libraries into a properly formatted Google search.
- (vi) Creating interfaces for access to all Australasian legal history, and all types of users: A separate 'Australasian Legal History Library' page from which all pre-1950 materials can be searched, and another 'Colonial Legal History Library' from which pre-1900 materials can be searched will cater for specialists, but all of the databases will be searchable with the rest of AustLII's content.

The project's **Chief Investigators**, who will guide the Library's development, comprise AustLII's UTS and UNSW Co-Directors, and eighteen leading Australasian legal historians from ten Universities. They are: Prof Andrew Mowbray, A/Prof Shaunnagh Dorsett (University of Technology, Sydney); Prof Graham Greenleaf, Dr Lisa Ford, Dr Catherine Bond (The University of New South Wales); Prof Amanda Nettelbeck, Prof John Williams, A/Prof Robert Foster, Em/Prof Wilfrid Prest (The University of Adelaide); Prof Andrew Buck, Prof Bruce Kercher (Macquarie University); Prof Ross Grantham, A/Prof Peter McDermott (The University of Queensland); Prof Mark Finnane (Griffith University); Prof Mark Lunney, Ms Judith Jones (The Australian National University); Prof Helen Irving, A/Prof Anne Twomey (The University of Sydney); Prof Margaret Otlowski, A/Prof Stefan Petrow (University of Tasmania); and Prof Michael Adams (University of Western Sydney). The Australian Law Librarians Association (ALLA) and three leading law firms are partners in the digitisation of legislative materials. The New Zealand Legal Information Institute (NZLII) based at Otago University is AustLII's partner in hosting the NZ databases.

AustLII welcomes **other collaborators** on this project. Any organisation holding collections of historical Australasian legal data in digital or print form is invited to contact < <a href="feedback@austlii.edu.au">feedback@austlii.edu.au</a> to discuss their possible inclusion in the Library.

Andrew Mowbray, Graham Greenleaf & Philip Chung, AustLII Co-Directors, 9 November 2011



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