Australian Legal web sites: Who are we relying on?

As the legal system in Australia increasing turns to the Internet as a means of communication and for the dissemination of information, it is not surprising to see that on-line publishers are being urged to raise their standards. Draft Best Practice Guidelines for Australian Legal web sites developed by the Law Foundation in association with the Legal Information Standards Council are being circulated to legal web site producers for comment. Many of the problems found with legal sites the world over relate to: poor identification of who is responsible for the site; failure to distinguish between legal advice and legal information; no indication of currency; and a lack of clarity as to the relevant jurisdiction. It is crucial that Internet users, especially legal practitioners take the time to appraise the Internet site from which they are obtaining information. At the very least, you should know who the author is, and when the information was last updated. A good rule of thumb is that if you do not know where the information comes from, do not use it!

The Draft Practice provides eleven recommendations designed to make explicit who is responsible for the site; ensure the information is checked by a lawyer with expertise in that particular area; show the jurisdiction to which the information applies; distinguish clearly between information and advice; link users to other quality sites and, where appropriate, to further advice; and provide links to primary legislation and case law. You can view the guidelines on the Legal Information Standards Council web site (www.lawfoundation.net.au/lisc/recommend/bpguide.html).

I intend to look at compliance with the Draft Practice in future reviews of Australian legal web sites, to see how well Australian legal information is faring on-line.

GST Web site spotlight

This months spotlight is shining on the ATAX (www.atax.unsw.edu.au) web site. ATAX is the Australian Taxation Studies Program offered by the University of New South Wales. ATAX is of course now offering GST specific units, and as part of that, its librarians have developed a GST related links page. In particular, the Research on GST link should be useful to

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professionals of many disciplines. The GST related links page can be found at www.atax.unsw.edu.au/students.htm

Women's Justice Network
(www.wjn.legalaid.qld.gov.au)

A major pilot project being funded by Networking The Nation, the Women's Justice Network, is a Legal Aid Queensland specialist unit. The aim is to increase access to justice through technology to legal information and advice, through community organisations via videoconferencing and a legal information database in South West Queensland.

While this writer applauds the efforts of Legal Aid Queensland in addressing women's issues, the web site, in the writer's opinion, has some problems. While looking very artistic and pleasant to the eye, the writer experienced significant download delay for the graphics intensive site. Eventually, the writer was able to find a 'text only' link, however this left the user confronting a confusing, but fast, link system. This problem is not limited to the Women's Justice Network, but appears to be a flow on from the Legal Aid Queensland site, which also makes extensive use of graphics. While not opposed to aesthetically pleasing web sites, this writer would make the comment that if the aim of a web site is to increase access to justice, then web page design should cater for the some base level.

There are many guidelines on accessibility that provide guidance on this topic. After all, if we are to assume that the main users of the web site will have the latest technology and a fast Internet connection, then perhaps the web site is being pitched at the wrong client group.

International Judicial Assistance
(http://law.gov.au/cld/int_judicial_asst/Welcome.html)

The Attorney-General's Department web site is a warren of useful information. Re-

cently found (though presumable always there) was the International Judicial Assistance web site. Though many of the pages seem dated (i.e. 1997 and 1998), it is a very good starting point for finding out how to service documents abroad; how to enforce judgments abroad; taking of evidence abroad; and intercountry adoption. Each country covered by the web site is listed alphabetically.

Internet Hypertext linking: Usermark v1.0
(www.austlii.edu.au/austlii/usermark/)

The AustLII Automated Legal Markup Tool, Usermark v1.0 provides a interface to build the hypertext links throughout the AustLII databases. Given that Usermark is a subset of the markup tools in use by AustLII, then you can appreciate just how powerful AustLII really is.

What Usermark allows you to do is feed in text - I find it best a paragraph or two (2) at a time. Usermark will then process the text looking for legislative and case references. Usermark then returns the text complete with any references on AustLII that it found, already hypertext linked!! This can save hours on the preparation of legal information for web publishing. The are three (3) catches as I see it:

1. Usermark may not be used to prepare any commercial product without AustLII consent - I am unclear how readily consent is given.
2. Usermark will only find references to materials on AustLII.
3. Usermark is not perfect - the markup is heuristic in nature.

Having said that, I have not found any difficulty in using the tool. I tried the Copyright Act 1968. I even tried section numbers of acts, but Usermark took it all in its stride, referencing both the section and the contents page of the Act! Usermark also works on cases! I thoroughly recommend any web based publisher of legal information to test drive Usermark as it has the potential to truly save you time and considerable effort.

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