FINDING CASE LAW ON A LEGAL TOPIC

WHAT ARE REPORTED AND UNREPORTED JUDGMENTS?
Reported judgments are those which have been recorded and published in law reports.
If a case has been reported you must locate the reported version i.e. just because you find the full-text of a case on a database or website, it doesn’t mean you have the case as it appears in the law report.
Unreported judgments are only available electronically. They may be recent decisions that have not yet been published or they may be cases which have not raised a significant point of law.
Never use unreported versions if the case is published in a law report.

WHAT IS A CASE CITATOR?
Case citators provide information about cases including precedents and legislation used in the decision, subsequent consideration by other cases, articles which have referred to the case and digests or summaries of the legal principles involved in the case.
You have access to a number of case citators online:
- FirstPoint (Westlaw AU) is linked to the Laws of Australia and provides digests of the legal principles of a case.
- CaseBase (Lexis Advance Pacific) provides good coverage of reported and unreported cases from all Australian jurisdictions.
- TimeBase LawOne provides the Cases feature covering all Australian jurisdictions.
- LawCite (AustLII) is a case citator covering common law jurisdictions.
- ICLR Online incorporates the official series of UK Reports dating back to 1865.
- JustisOne is a UK case citator with links to the full-text of all of the major UK law reports.
- Westlaw is an international case citator covering mainly USA, UK, European Union and Canadian law.

WHAT DOES A REPORTED CITATION LOOK LIKE?
- Case citations usually abbreviate the law report title (e.g. ALJR or ACrimR) so you will need to look in an abbreviations index to find the full title. For more information select Legal Abbreviations in the guide index in the Case Law guide.

[ ] numbering is by year of publication (date is essential, it is integral to locating the case)
e.g. [1974] 2 All ER 123

( ) numbering by volume of publication (date is not essential to locate the case, but must be included in a citation) e.g. (1918) 26 CLR 345
WHAT DOES AN UNREPORTED CITATION LOOK LIKE?
But remember, never use a medium neutral or unreported citation for a reported case.

Medium Neutral Citations 1998+
Patrick Stevedores Operations (No 2) v Maritime Union of Australia [1998] HCA 30

Pre 1998 (no medium neutral citation)
Castlemaine Perkins Ltd v Power Brewing Company Ltd (Federal Court, Drummond J, 22 December 1992)

WHAT IF THE CASE HAS NEVER BEEN REPORTED, WHERE CAN I FIND AN UNREPORTED VERSION?
There is no single source of unreported case law. You may have to search more than one source:
- **AustLII**
  Free Australian legal resource particularly good for unreported case law.
- **NSW Caselaw**
  A NSW government site providing unreported judgments from NSW Courts and Tribunals.
- **Websites for the courts**
- **BAILII**
  Free web resources for British and Irish case law.
- **Lexis Advance Pacific**
  Unreported judgments from various superior courts and tribunals across all nine jurisdictions.
- **Westlaw AU**
  Unreported judgments from various superior courts and tribunals across all nine jurisdictions.

HOW DO I FIND A CASE IF I ONLY HAVE THE PARTY NAMES?
It is difficult to find a case without the correct citation, so the best thing to do is use the case citators to locate the citation and find out if the case has been reported.

HOW DO I FIND OUT IF THERE IS ANY CASE LAW ON A PARTICULAR ISSUE?
- Start with textbook and course readings. Use the table of contents or indexes to find relevant information and note any cases referred to.
- Search the Library catalogue for more texts on your topic; some law texts provide full-text cases and other primary materials relevant to the issues they address.
- Legal encyclopaedias (Laws of Australia and Halsbury’s Laws of Australia) outline legal principles and provide references to relevant cases.
- Commentary services contain primary & secondary materials on specific legal topics.
- Use a case citator.

HOW DO I FIND OUT IF A CASE HAS BEEN SUBSEQUENTLY JUDICIALLY CONSIDERED?
Use the party names or the case citation to search the case citators; they list this information for each case.

HOW DO I FIND JOURNAL ARTICLES ON A CASE?
Use the party names or the case citation as your search words in the relevant search terms box in one of the legal journal databases. Consult the HELP link for hints and tips to further enhance your search strategy.