

Year In Review

and AustLII Foundation Limited Annual Report

www.austlii.edu.au



Australasian Legal Information Institute
Australia's largest provider of online free-access legal materials

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



2016 AT A GLANCE

AUSTLII COMMUNITIES LAUNCHES

AustLII launched a new wiki-based collaborative and free-access platform which allows those with interest and expertise to write commentary and publish information on Australian law and legal issues ('AustLII Communities'). Content is searchable via AustLII and is automatically linked to the primary and secondary legal resources. In May, the Northern Territory Law Handbook Online, an easy-to-read guide to law in the NT, became the first resource located on the platform. This new approach to providing the community with 'plain English' information on a comprehensive range of legal topics was developed by AustLII, the NT Legal Aid Commission and the Darwin Community Legal Service.

AUSTLII 20.0 – A NEW LOOK WEBSITE

Towards the end of 2016 a 'beta' version of a new user interface was released publicly for user testing and feedback. The new look website includes a responsive homepage 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.

INTERNATIONAL LAW LIBRARY

The ARC LIEF funded International Law Library project has resulted in an expansion of the

International Law resources available through the WorldLII platform, including the decisions of many previously unavailable United Nations organisations and other international treaty related resources as well as the development of a database of historical monographs on international law dating back to the seventeenth century. A number of technical improvements have been made to improve discoverability of the new resources.

AUSTRALASIAN LEGAL HISTORY PROJECT - STAGE TWO

The second year of the ARC LIEF funded Australian Legal History Stage Two project saw an increase in historical content including the digitisation of a number of monographs on Australian Law published during the nineteenth century. In addition, a number of important early law report series from Australia and New Zealand have been added, as well as filling gaps in historic all Australasian. With the support of the State Library of South Australia, the South Australian Government Gazettes for the period 1919 to 1999 were digitised and made available online.

AUSTRALIAN INDIGENOUS LAW RESOURCES

A UNSW MREll grant enabled the Indigenous Law Resources database to be redeveloped. The database contains more than 1200 documents, dating from 1768 to 2016. The collection includes parliamentary papers, government reports and policy documents affecting Indigenous peoples, reports and submissions by civil society organisations and documents related to significant test cases and legal proceedings. Also included is a significant collection of documents related to Indigenous civil society and representative organisations.



Australasian Legal Information Institute (AustLII)

AustLII Research Centre

A joint facility of UTS and UNSW Faculties of Law

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AUSTRALASIAN LEGAL INFORMATION INSTITUTE

2016 YEAR IN REVIEW

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AUSTLII FOUNDATION LTD CHAIR'S REPORT

It is very pleasing to be able to report that, after 21 years, AustLII continues to improve the electronic law library services it provides free of charge to all Australians. In addition to expanding the range of legal information which can be accessed through it, AustLII is in the process of introducing a 'new look' website to provide a significantly improved user experience involving not only more visual appeal but greater and more "intuitive-to-use" functionality. Equally significant has been the introduction of the AustLII Communities platform which, inter alia, offers the prospects for an exciting range of improved free access to Australian law. One of its applications is already in early implementation—the new Northern Territory Law Handbook Online which makes access to legal information about the basic content of the Law much more realistically and comprehensibly available for non-lawyers. Initiatives are already underway to extend comparable access to the Law in the other states and territories.

The use being made of AustLII continues to increase impressively: the number of separate accesses to AustLII data rose from 254 million in 2015 to 285 million in 2016 - an average of close to 800,000 separate page-views per day. That continuing increase reflects not only increased use by an increased number of users, but also the additional access being made to information in the newly added databases which have increased AustLII's historical depth (e.g. Legge's Supreme Court Cases in NSW 1830-1863) and contemporary breadth (e.g. Local Court of the Northern Territory 2016).

During 2016, the Foundation received very significant ongoing financial and other support from the Foundation's two member universities: the University of Technology Sydney and the University of New South Wales. It also received more than one million dollars from donors and contributors across its wide user and supporter 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 organisations. We are most grateful to all those contributors. It is disappointing, however, to have to record that there are still a substantial number of organisations and firms which contribute nothing towards the cost of maintaining AustLII's services although their members and employees make very substantial and regular use of those services. The Board continues to do what it can to ensure that this situation is remedied and, more generally, that the Foundation's income flow is sufficient and sufficiently reliable to guarantee continued and improved electronic legal information services to all.

The management and staff of AustLII have worked with dedication and effectiveness throughout 2016 to ensure that AustLII has remained online and available to meet the varying needs of its many users.

During 2016, Professor Graham Greenleaf, co-founder of AustLII, resigned from his Director's responsibilities but continues to work as a Senior Researcher with AustLII on several important and innovative projects. During the year the Board also farewelled Professor David Dixon who ended his term as Dean of Law at UNSW. The Board is grateful for the contributions of both and looks forward to working with Professor George Williams, David's successor as Dean at UNSW.

It has continued to be a pleasure and a privilege to Chair the AustLII Foundation's Board and to work with its members during 2016. Together with all members of the Board, I look forward to using some of the future enhancements that we will provide in 2017 and beyond.

Jeff FitzGerald (Chair, AustLII Foundation Limited)

AUSTLII CO-DIRECTORS' REPORT

AustLII has a rich and diverse user base which encompasses considerable legal knowledge. In 2016, AustLII adopted a new strategic initiative to leverage content from this resource.

One of the elements of AustLII's strategic direction is the development of a new platform which we call 'AustLII Communities'. This is a wiki-based collaborative and free-access platform for user-generated content. We intend for this platform to become a powerful tool for all sectors of the legal community to deliver interesting and informative legal information to their various communities of interest.

The first public use of the new platform was the creation of a new version of the Northern Territory Law Handbook Online, which was launched by the Administrator of the Northern Territory on 16 May 2016. Law Handbooks for other jurisdictions are in preparation.

In addition to plain language law materials we envision the platform accommodating a wide range of other useful applications including: user-generated case notes and summaries, law firm insights, teaching materials and free access textbooks.

Work continued on three major research projects – working with industry partners to re-consider the Authority and Integrity of Primary Legal Materials, the expansion of international tribunal resources in the International Law Library located on the WorldLII platform and making available a number of interesting and valuable historical legal reports and monographs as part of Stage Two of the Australasian Legal History Library project.

An important research infrastructure project to be completed was the Australian Indigenous Law Library, a national collection of significant primary legal resources relating to Indigenous legal issues. It includes parliamentary papers, government reports and policy documents affecting Indigenous Peoples, reports and submissions by civil society organisations, documents related to significant test cases and legal proceedings and Indigenous advocacy.

At the end of the year we launched another of our initiatives – a new user interface we are calling AustLII 20.0. The new look website incorporates a number of significant innovations including: more sophisticated search capabilities, greater capacity to sort and interrogate search results and richer information about the databases.

Stakeholder engagement continues to be one of the most important tasks undertaken by the Directors. We try to make sure that we travel to all jurisdictions throughout the year, meeting with our data providers and financial supporters, seeking feedback from them about how we can maintain and improve the services we provide. As always we are delighted to acknowledge the tremendous financial support we receive from the many communities we service: courts and tribunals, government agencies, universities, the many branches of the legal profession, business and industry and the growing number of general community contributors.

We are grateful for the support we receive from our member universities, in particular our Law Deans. Professor Lesley Hitchens from UTS continues as a member of the Foundation board and the Research Centre management committees. During the year Professor David Dixon completed his term as Dean of Law at UNSW. We thank him for his continuous strong support and welcome Professor George Williams as his successor.

Also during the year Graham Greenleaf, Co-founder and Co-Director of AustLII for 21 years, decided to step down from his roles as a Co-Director, and an Executive Director of the AustLII Foundation, but will continue to play a major role as Senior Researcher, supporting all aspects of AustLII's operations. He continues as Professor of Law and Information Systems at UNSW.

The staff and interns who work at AustLII are our most important resource. They continue to ensure that AustLII is always available as a vital resource 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 Free Access to Law Movement, 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: 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 2016 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) Senior Lecturer, Faculty of Law, UNSW Sydney; Co-Director and Executive Director, AustLII Research Centre
- **Prof Graham Greenleaf AM (Executive Director)** (appointed to the Board on 22 December 2008 and resigned on 24 June 2016) Professor, Faculty of Law, UNSW Sydney; Co-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
- **Prof David Dixon** (appointed to the Board on 22 December 2008 and resigned on 8 June 2016) Dean, Faculty of Law, UNSW Sydney
- **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

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



AustLII Foundation Limited Board of Directors - Front row (L to R); Dr Jeff FitzGerald (Chair), Prof Lesley Hitchens and Prof David Dixon Back row (L to R): Mr Ian Govey, Prof Carrick Martin, Mr Tim Bugg, Prof Andrew Mowbray (Executive Director), Prof Graham Greenleaf (Executive Director) and Dr Philip Chung (Managing Director). Board member not in photograph: Prof George Williams.

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 Committee that comprises the following:

- **Dr Philip Chung** (Co-Director and Executive Director, AustLII Research Centre; Senior Lecturer, Faculty of Law, UNSW Sydney)
- **Prof David Dixon** (to June) and **Prof George Williams** (from June) (Dean, 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)
- **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 2016, the AustLII Research Centre was jointly managed by three co-directors:

- Andrew Mowbray (Professor of Law and Information Technology, Faculty of Law, UTS) (Co-Director)
- Philip Chung (Senior Lecturer, Faculty of Law, UNSW Sydney) (Co-Director and Executive Director)
- Graham Greenleaf (Professor of Law and Information Systems, Faculty of Law, UNSW Sydney) (Co-Director) (to June 2016)

The Managing Director of the AustLII Foundation Limited is Philip Chung. Graham Greenleaf (to June 2016) and Andrew Mowbray serve as Executive Directors of the Company.



AustLII staff (L to R): Jones Olatunji, Hannah Figueroa, Kent Soesanto, Jennifer Kwong, Graham Greenleaf, Cathy Quigley, Catherine Cottrell (Graphic Designer), Jill Matthews, Chris Kenward, Armin Wittfoth, Giovanni Crasto. Not in photograph: Philip Chung, Andrew Mowbray, Richard Hunter, David Bramston, Stijn Denayer, Dominic Smith.

Full-time Staff

- David Bramston (Project Officer) from February 2016
- 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)
- Kent Soesanto (Project Officer) to January 2016
- Armin Wittfoth (Project Officer)

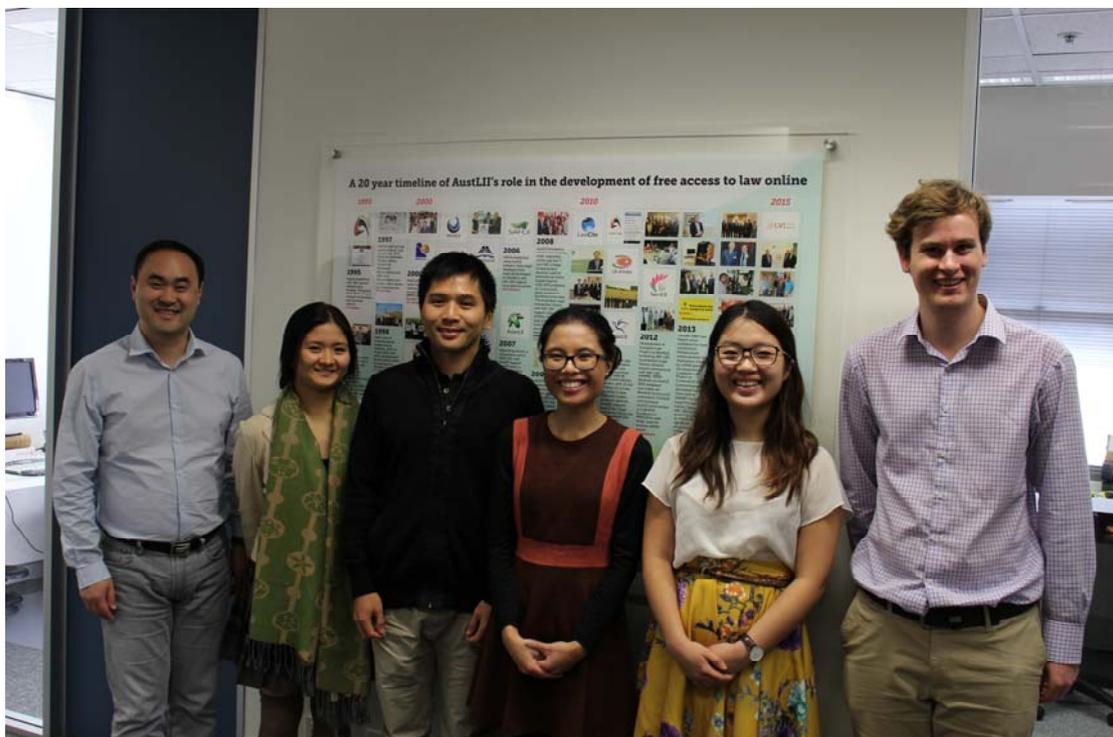
Part-time Staff

- Stijn Denayer (Project Officer)
- Hannah Figueroa (Project Officer)
- Graham Greenleaf (Senior Researcher) from July 2016
- Jill Matthews (Project Officer)
- Trevor Roydhouse (Systems Developer) to January 2016
- Robert Size (Project Officer) to February 2016
- Dominic Smith (Project Officer) to December 2016
- Michael Xia (Project Officer) to February 2016

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 2016 were: Don Nguyen, Michelle Zhang, Timothy Chan, Clarissa Sukkar and Jessie Nguyen



AustLII staff and 2016 interns (L to R): Philip Chung, Jennifer Kwong, Don Nguyen, Hannah Figueroa, Michelle Zhang, Dominic Smith

AUSTRALIAN DEVELOPMENTS

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 LIIs, and to citation information in other cases. The linkages will be two-way between AustLII content and AustLII Communities content.

The following are some examples of 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 that 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.

On 16 May 2016 the Administrator of the Northern Territory launched the Northern Territory Law Handbook Online <<http://www.ntlawhandbook.org/>> – an easy-to-read guide to law in the Northern Territory, as the first public application of the new AustLII Communities platform. This innovative approach to providing the community with information on a comprehensive range of legal topics was developed by AustLII, the Northern Territory Legal Aid Commission and the Darwin Community Legal Service with the support of the NT Law Society Public Purposes Trust.

The production of the new NT Law Handbook was a collaborative effort and could not have been updated and produced online without the voluntary assistance of its contributors. Over 70 people from the legal community, government and community agencies donated their time, expertise and effort to ensure that the text is up-to-date and accurate.

Since its launch the Handbook has received nearly 80,000 page accesses.



The launch of the Northern Territory Law Handbook at the Administrator's Residence in Darwin, Monday 16 May 2016.
 (L to R) Richard Hunter (AustLII), Melinda Schroeder (NTLAC), Philip Chung (AustLII), Caitlin Perry (Darwin CLS), Suzan Cox QC (NTLAC), Stephanie Booker (NTLAC)

For **FREE** online legal information go to...

The NT Law Handbook
www.ntlawhandbook.org



Did you know
 there is a new website full of legal information,
 that is updated by experts and **free** for you to use?

Go to the NT Law Handbook at www.ntlawhandbook.org
 to find current information on the law and services
 that can help you.

- Families
- Children and young people
- Housing
- Neighbours
- Accidents and injuries
- Debts
- Criminal offences
- Complaints
- Employment
- Wills
- Discrimination
- Environment

AUSTLII 20.0 – A NEW LOOK WEBSITE

Towards the end of 2016 a 'beta' version of a new user interface was released publicly for user testing and feedback. The new look website includes a responsive homepage 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 screenshot shows the AustLII website search results page. At the top, the AustLII logo is on the left, and navigation links (About, Contact, Copyright & Usage, Privacy, Disclaimers, Feedback, Help) are on the right. A search bar contains the query '(refugee or "asylum seeker") near detention' and shows '7,821 documents found for ((refugee or "asylum s...'. Below the search bar is a red navigation bar with links to 'All Databases', 'Cases & Legislation', 'Journals & Scholarship', 'Treaties', 'Libraries', and 'LawCite'. The main content area has sorting options: 'By Relevance', 'By Citation Frequency' (selected), 'By Database', 'By Date', and 'By Title'. There is also a 'Show Excerpt' checkbox which is checked. Below the sorting options are two sub-sorting options: 'Least often cited' and 'Most often cited'. The search results are displayed as a list of document entries. Each entry includes the document title, a brief excerpt, and citation information. The first entry is 'Chen Shi Hai v Minister for Immigration and Multicultural Affairs [2000] HCA 19; 201 CLR 293; 170 ALR 553; 74 ALJR 775 (13 April 2000)'. The second entry is 'De Losa, Paige --- "Minister for Immigration and Ethnic Affairs v Guo and Another (1997) 144 ALR 567" [1998] NewcLawRw 7; (1998) 3(1) The Newcastle Law Review 104'. The third entry is 'Abebe v Commonwealth [1999] HCA 14; 197 CLR 510; 162 ALR 1; 73 ALJR 584 (14 April 1999)'. The fourth entry is 'Mok Gek Bouy v the Minister of Immigration, Local Government and Ethnic Affairs and Malcolm Paterson [1993] FCA 545; (1993) 47 FCR 1 (15 November 1993)'. On the right side of the page, there are three sections: 'REPEAT SEARCH OVER' with links to 'WorldLII Databases', 'Legal Publishers', 'Catalog & Websearch', and 'Law on Google'; 'SUGGESTED GUIDES' with links to 'Search Help', 'Results Interface Help', and 'Advanced Search'; and 'PRINT' with links to 'Print (web view)', 'Print (pretty)', and 'Print (eco-friendly)'. The page is clean and modern, with a clear layout and easy-to-use navigation.

NEW DATABASES ON AUSTLII

In 2016, 27 new databases were added to AustLII, primarily as a result of Stage Two of the Australasian Legal History Libraries project of back-capturing historical law report series. In addition, the Supreme Court of Western Australia made available its collection of unreported judgments from the 1960s and the Indigenous Law Resources were significantly expanded.

The following **new Australian legal databases** were added in 2016:

- ABA Update: Newsletter of the Australian Broadcasting Authority 1992-2005
- ACMAsphere Newsletter (Australian Communications and Media Authority) 2005-2011
- Argus Law Reports, Current notes 1896-1950
- Argus Law Reports 1895-1950
- Australian Federal Police – Platypus Journal/Magazine 1979-
- Australian Journal of Legal Philosophy 1996-
- Australia & New Zealand Law & History E-journal 2005-2013
- Australian Plant Breeder's Rights Office Decisions 2016 -
- Australian Press Council News 1989-2010
- Australian Press Council Update 2011-
- Bulletin of the Australian Society of Legal Philosophy 1977-1995
- Coroners Court of Victoria 2002-
- Crime and Justice Bulletin (NSW) 1987-
- Flinders Law Journal 2010-
- Legge's Supreme Court Cases (NSW) 1830-1863
- Local Court of the Northern Territory 2016-
- NSWOSR Jobs Action Plan Revenue Rulings 2015-
- South Australian Civil and Administrative Tribunal 2015-
- South Australian Return to Work Premium Review Panel 2015-
- Supreme Court of Victoria Law Research Series 2016-
- Tasmanian Motor Accidents Compensation Tribunal 2012-
- The Victoria Law Times and legal Observer 1856-1857
- Victorian Commission for Gambling and Liquor Regulation 2016-
- Webb, A'Beckett and William's Reports (Victoria) 1870-1872
- Wyatt and Webb's Reports (Victoria) 1861-1863
- Wyatt, Webb and A'Beckett's Reports (Victoria) 1864-1869
- Young Lawyers Journal 1996-

The following **Australian legal databases** were updated and expanded in 2016:

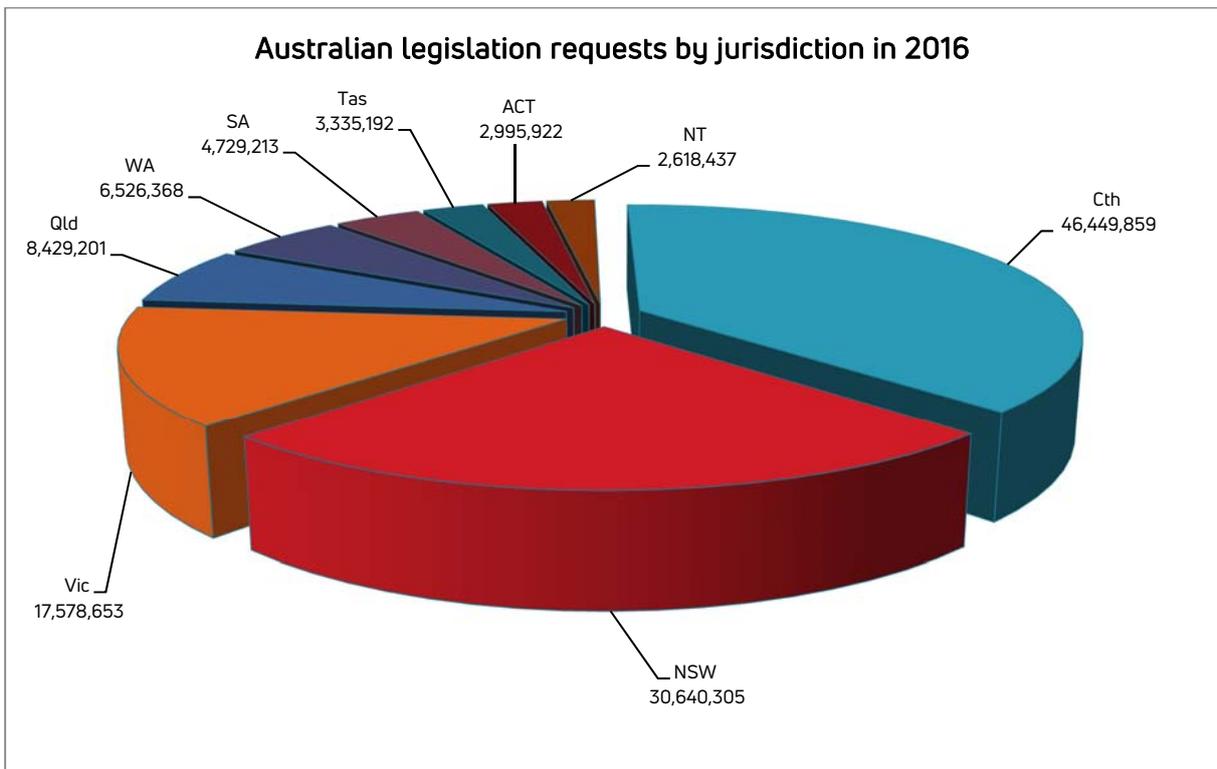
- Supreme Court of Western Australia now includes cases starting from 1964 (over 30 years and an addition of more than 10,000 documents)
- Indigenous Law Resources expanded to cover over 1,200 rare and significant documents

AUSTRALIAN LEGISLATION REQUESTS BY JURISDICTION IN 2016

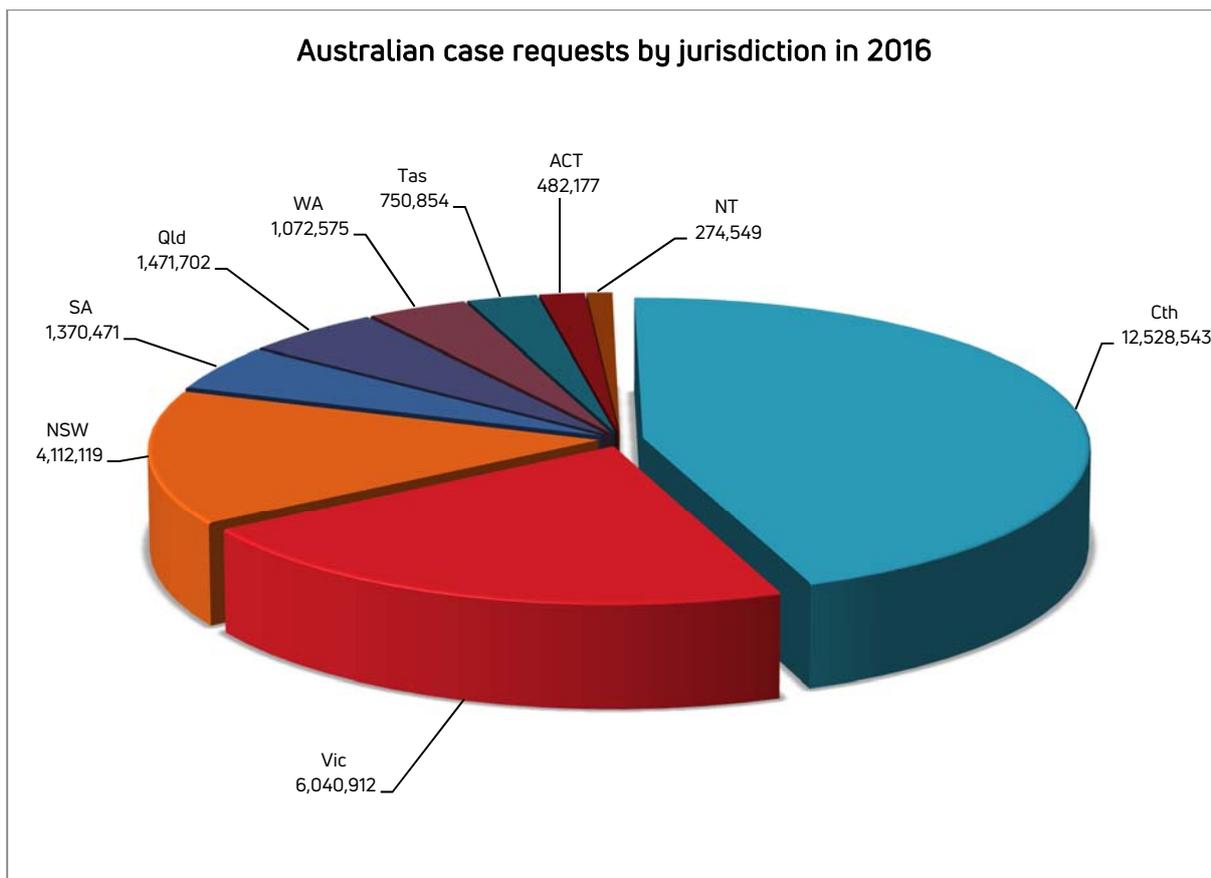
AUSTRALIAN LEGISLATION REQUESTS BY JURISDICTION IN 2016

Total hits for 2016 exceeded 285 million and averaged 781,528 hits per day.

The most popular databases on AustLII in 2016 were the Commonwealth legislation databases, followed by NSW and Victorian legislation. Overall, access to case law collections in most jurisdictions increased in 2016. 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.



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 2016 (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 30.51 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 30% of all accesses cannot be identified. Over 30% are from commercial ISPs serving their millions of individual clients.

Of the 35% of identifiable users from Australia we can classify them into four sectors:

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

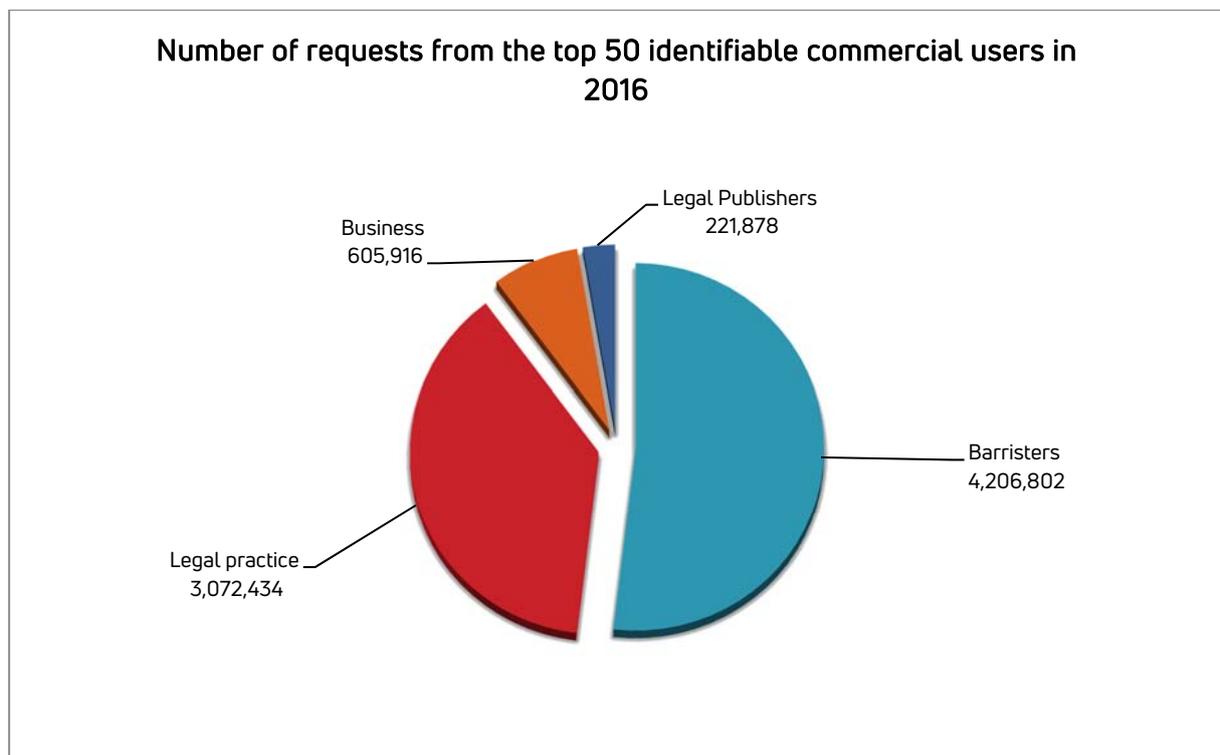
In 2016 of the top identified users, 44% are from the commercial sector, 28% from the government sector, 27% from the education sector and less than 1% from the community sector. This confirms a trend that commercial use of AustLII is increasing as a percentage of overall use compared to the other sectors.

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 14 of the top 50 identifiable commercial users (20,000 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.



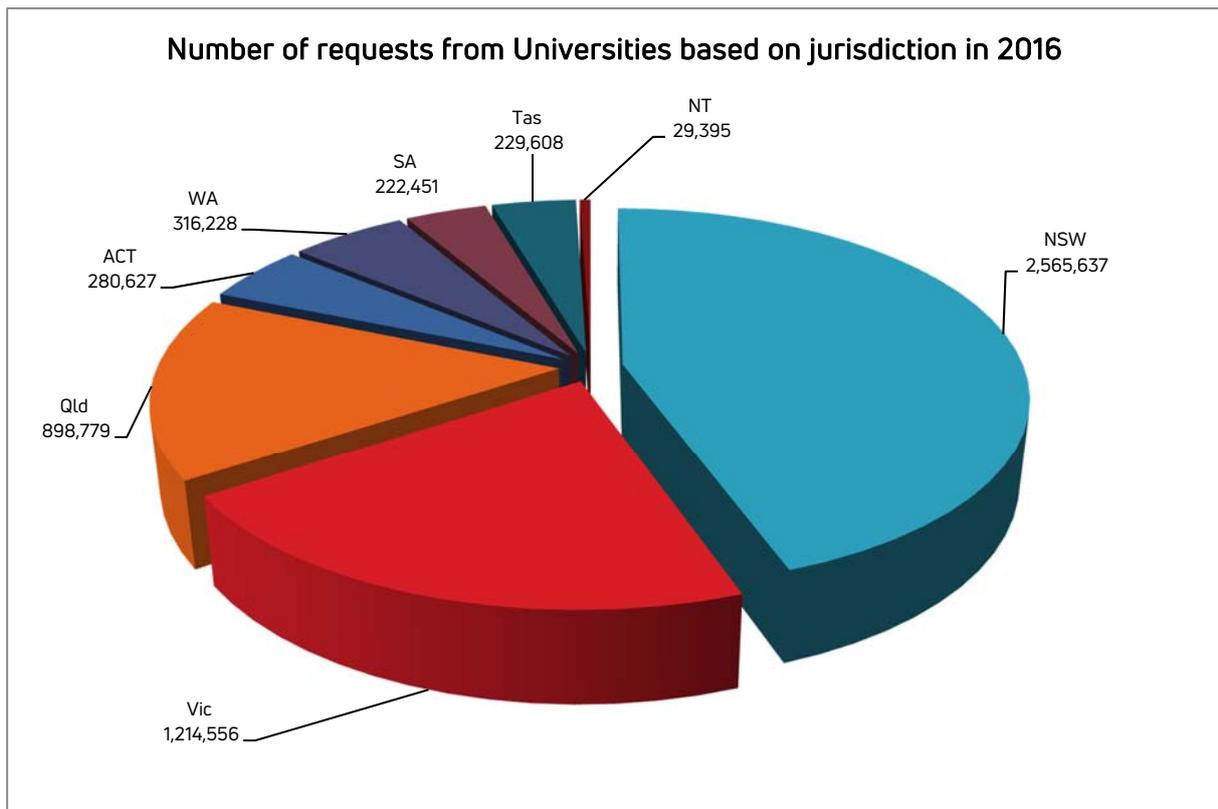
COMMERCIAL USAGE OF AUSTLII IN 2016

	Commercial Category	Number of requests	Contributor in 2016
1	Barrister – NSW	2,084,792	
2	Barrister – NSW	1,174,023	<input checked="" type="checkbox"/>
3	Barrister – Vic	693,443	
4	Legal Practice	573,847	<input checked="" type="checkbox"/>
5	Legal Practice	560,673	<input checked="" type="checkbox"/>
6	Legal Practice	367,430	<input checked="" type="checkbox"/>
7	Business	255,544	
8	Barrister – WA	195,191	<input checked="" type="checkbox"/>
9	Business	163,190	
10	Legal Practice	158,271	
11	Legal Practice	151,048	<input checked="" type="checkbox"/>
12	Business	149,130	<input checked="" type="checkbox"/>
13	Legal Publisher	143,164	
14	Legal Publisher	78,714	
15	Legal Practice	77,430	
16	Legal Practice	75,802	
17	Legal Practice	75,566	
18	Legal Practice	72,545	<input checked="" type="checkbox"/>
19	Legal Practice	67,427	
20	Legal Practice	58,674	
21	Legal Practice	54,131	<input checked="" type="checkbox"/>
22	Legal Practice	53,500	
23	Legal Practice	47,363	
24	Legal Practice	47,038	<input checked="" type="checkbox"/>
25	Legal Practice	46,021	
26	Legal Practice	41,859	
27	Business	38,052	<input checked="" type="checkbox"/>
28	Barrister – SA	37,208	
29	Legal Practice	35,206	
30	Legal Practice	33,208	
31	Legal Practice	32,262	
32	Legal Practice	31,913	
33	Legal Practice	28,703	
34	Legal Practice	28,664	<input checked="" type="checkbox"/>
35	Legal Practice	28,446	
36	Legal Practice	27,939	<input checked="" type="checkbox"/>
37	Legal Practice	27,021	<input checked="" type="checkbox"/>
38	Legal Practice	26,454	
39	Legal Practice	26,253	
40	Legal Practice	25,524	
41	Legal Practice	25,270	
42	Legal Practice	25,029	
43	Legal Practice	24,506	
44	Legal Practice	24,023	
45	Legal Practice	23,848	
46	Legal Practice	23,666	
47	Legal Practice	23,136	
48	Legal Practice	22,738	
49	Barrister – Qld	22,145	
50	Legal Practice	22,068	

EDUCATION SECTOR

The education sector in Australia represented over 27% of AustLII's top identified users in 2016. All universities in Australia use AustLII and almost all of them provide a contribution towards its funding. Total usage from the University sector in 2016 was 5.7 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. We are hopeful that in future years all Australian universities will be in a position to provide financial support.

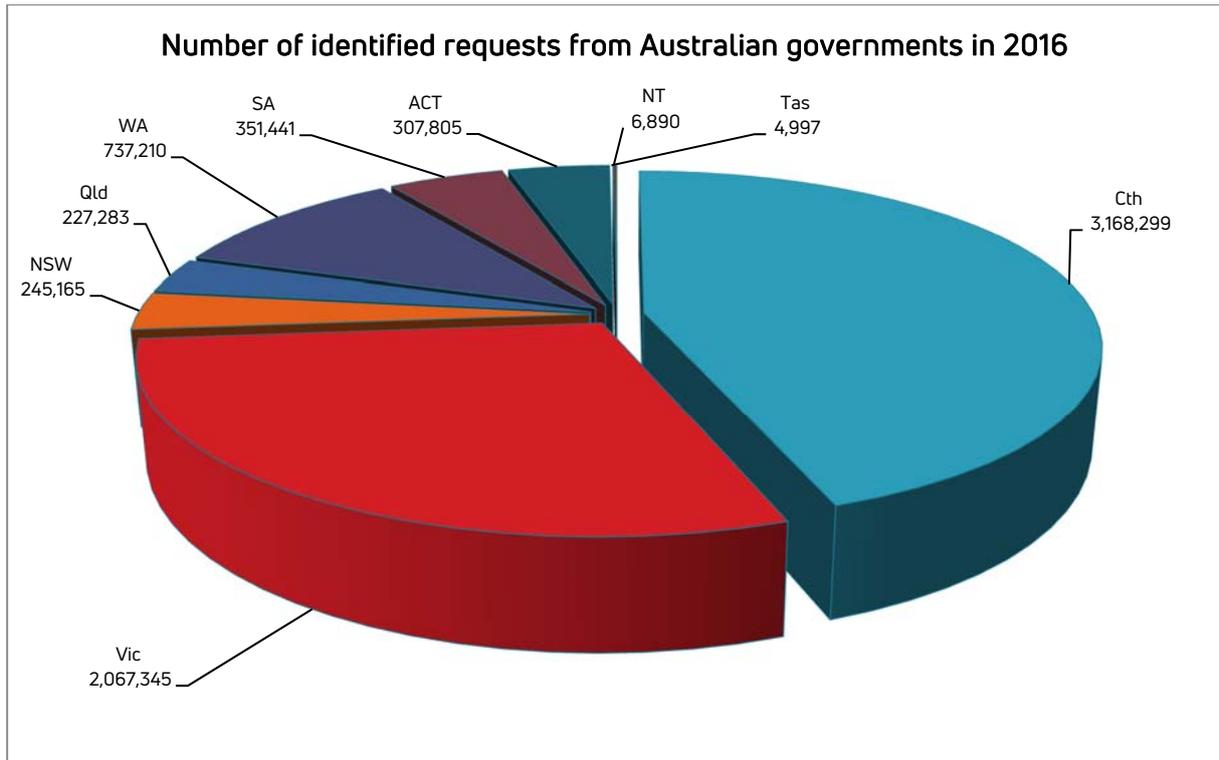


GOVERNMENT SECTOR

The government sector in 2016 represented 28% 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 2016
Federal Government Usage	3,168,299
State/Territory Government Usage	3,948,136
Total Identified Government Usage	7,116,435

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 2016, 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.

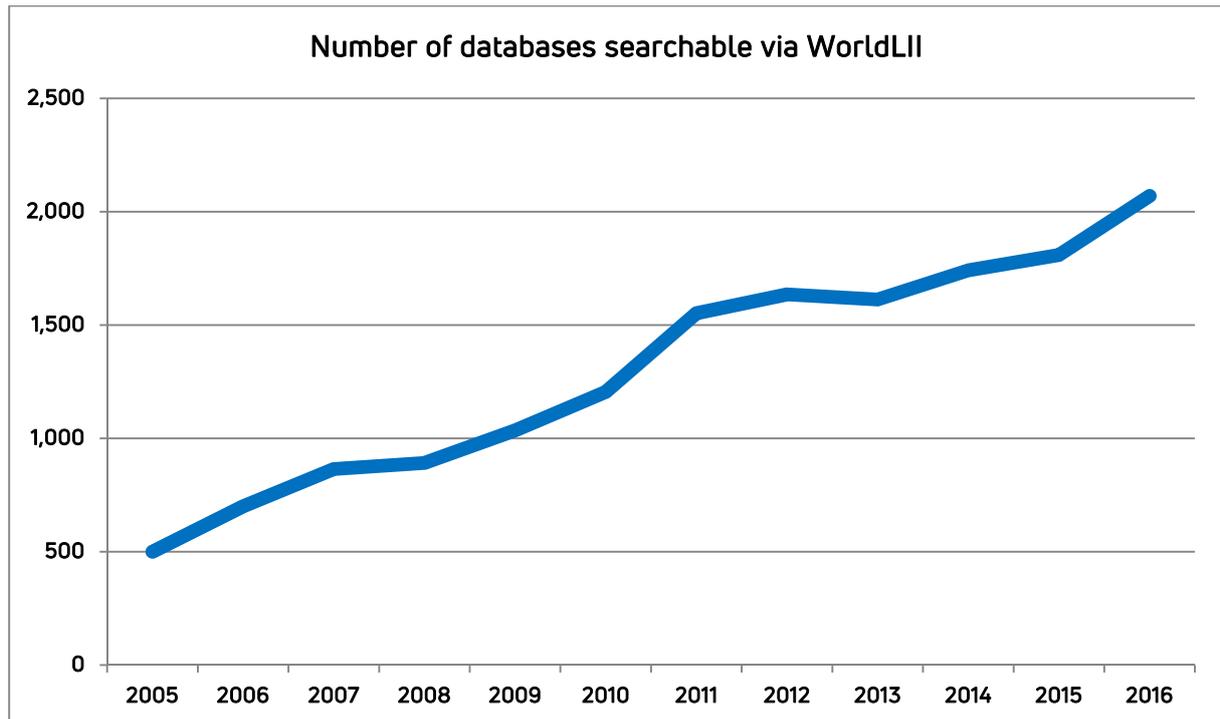
Table of searchable databases in multi-LII systems (as at 31 December 2016)

Systems	AsianLII	CommonLII	WorldLII	Countries	
AsianLII	324	0	324	28	*
AustLII	0	588	588	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	32	32	32	1	
LawPhil	20	0	20	1	
LII Cornell	0	0	3	1	
LiberLII	0	0	10	1	*
NZLII	0	142	142	1	*
LII of India	154	154	154	1	*
PacLII	37	329	329	20	
SAFLII	0	124	124	16	
SamLII	0	27	27	1	*
ULII	0	16	16	1	
WorldLII	0	0	115	55	*
2016 Total	603	1,597	2,070	165	848
<i>2015 Total</i>	<i>453</i>	<i>1,489</i>	<i>1,809</i>	<i>152</i>	<i>678</i>
<i>2014 Total</i>	<i>442</i>	<i>1,430</i>	<i>1,742</i>	<i>152</i>	<i>652</i>
<i>2013 Total</i>	<i>431</i>	<i>1,312</i>	<i>1,613</i>	<i>142</i>	<i>612</i>
<i>2012 Total</i>	<i>433</i>	<i>1,279</i>	<i>1,635</i>	<i>183</i>	<i>595</i>
<i>2011 Total</i>	<i>430</i>	<i>1,204</i>	<i>1,552</i>	<i>182</i>	<i>555</i>
<i>2010 Total</i>	<i>300</i>	<i>905</i>	<i>1,205</i>	<i>164</i>	<i>408</i>

During 2016, the total number of databases available for searching via WorldLII increased by 261 to 2,070, whereas the total number available via CommonLII increased to 1,597 and AsianLII to 603.

AustLII maintains 848 of these international databases (an increase from 678 in 2015), in addition to the 588 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

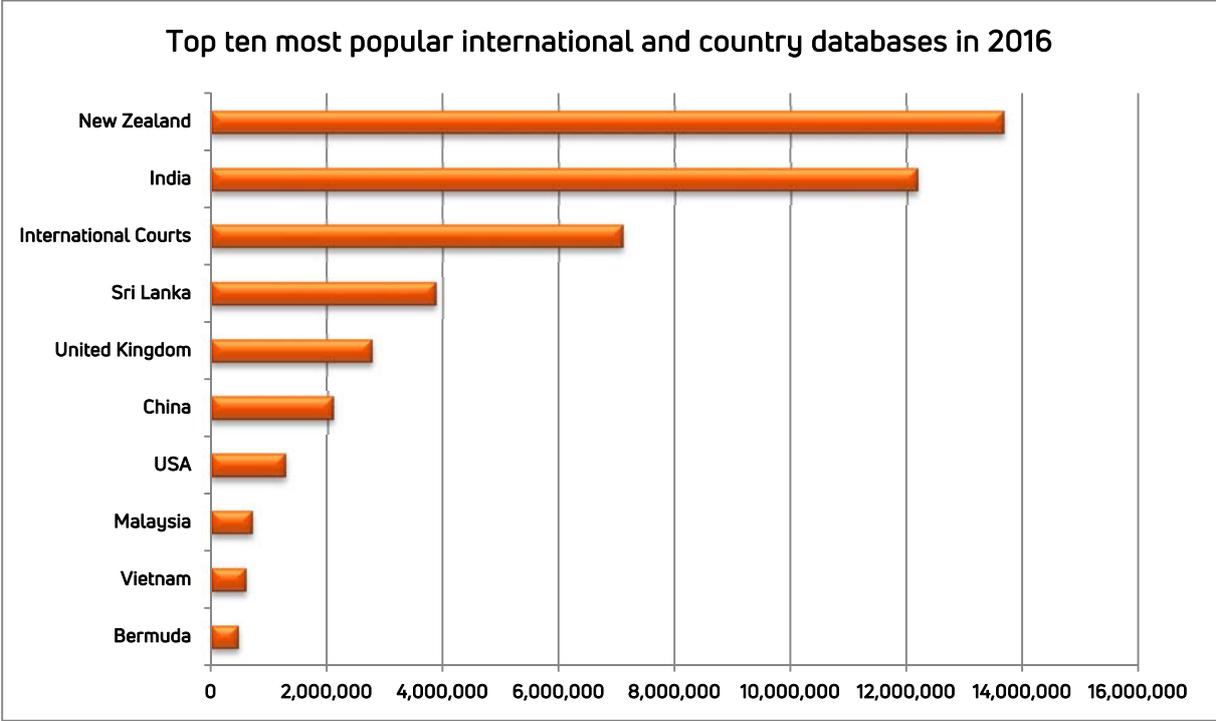
There are two measures of accesses to the multi-LII systems with which AustLII cooperates (WorldLII, CommonLII and AsianLII): (i) access to the databases of collaborating LIIs resulting from searches via the multi-LII systems; and (ii) accesses to databases maintained by AustLII located on the multi-LII 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 2016, there were over 170 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 2016 are from New Zealand, India and the International Courts and Tribunals (as well as inter-government

organisations), Sri Lanka, the UK and USA. 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 2016 are as follows.



There were significant developments made to WorldLII as a result of the International Law Library research project. The decisions of many previously unavailable United Nations organisations and other international treaty related resources were added as well as the development of a database of historical monographs on international law dating back to the seventeenth century. A number of technical improvements were made to improve discoverability of the new resources.



The Commonwealth Legal Information Institute (CommonLII) provides access to laws from 59 Commonwealth and common law jurisdictions. With funding assistance from the Commonwealth Secretariat's Rule of Law Division, AustLII continues to develop and maintain the Caribbean Law Project resulting in more than 10,000 searchable documents in the project's databases. AustLII also continued to maintain the Commonwealth Criminal Law Library. Work was also undertaken to build a prototype for the International History of the Common Law Library.



During 2016 the successful partnership between NZLII and AustLII continued, with 21 new databases being added to NZLII.

The new databases are:

- Canterbury Provincial Ordinances 1853-1875
- Auckland Provincial Ordinances 1854-1875
- New Zealand Workers Compensation Cases 1901-1940
- Family Court of New Zealand 2005-
- District Court of New Zealand 1981-
- New Zealand Gazette Law Reports 1876-1953
- New Zealand Motor Spirits Licensing Appeal Authority 1965-
- New Zealand Legal Aid Review Authority 1992-
- New Zealand Licensing Control Commission 1970-
- New Zealand Indecent Publications Tribunal 1964-
- New Zealand Compensation Court 1967-
- New Zealand Sports Tribunal 2003-
- New Zealand Arbitration Commission 1988-
- New Zealand Arbitration Court 1986-
- New Zealand Regulations As Made 1936-2007
- New Zealand Historical Bills 1949-2008
- New Zealand Magistrates' Court Reports 1898-1952
- New Zealand Native Appellate Court 1894-1947
- New Zealand Native Land Court 1869-1945
- New Zealand Human Rights Commission Submissions 2002-
- New Zealand Jurist Reports 1859-1879

The following New Zealand database was updated and expanded in 2016:

- New Zealand Historical Bills expanded to cover 1854 to 2008



AustLII currently maintains the Legal Information Institute of India (LII of India). AustLII is seeking further funding sources to further develop databases on LII of India, particularly those concerning the history of the common law.

COLLABORATIONS WITH OTHER LEGAL INFORMATION INSTITUTES

AustLII continues to collaborate with a number of international partners. In 2016, it worked with the Pacific Islands Information Institute (PacLII) to assist with IT Infrastructure support and on policy matters. AustLII personnel travelled to Fiji and Vanuatu during the year to participate in the PacLII Advisory Board and to provide general technical and other assistance.

PacLII staff also visited Sydney during the year to share experiences with AustLII staff.



Jennifer Kwong (AustLII) demonstrates the Treventus non-destructive scanner to Kym Freriks (PacLII). Jones Olatunji (AustLII) and Wilford Gibson (PacLII) swap IT stories.

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



L to R: Andrew Mowbray (AustLII) with SAFLII staff

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 2016, with four new members being admitted: GovRight (USA), LII of Austria, the Publications Office of the Netherlands and the New Zealand Parliamentary Counsel Office.

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 2016 Lvi Conference was hosted by Cylaw and held at Limasol in Cyprus from 7-9 September <<http://www.lvi2016.org/>>. AustLII Directors presented three papers at the Conference.



Conference delegates to the Law via the Internet Conference 2016 including AustLII Co-Directors Prof Graham Greenleaf, Prof Andrew Mowbray and Dr Philip Chung

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 (including the Court of Arbitration for Sport and Justis Publishing - UK) 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 2016, AustLII worked on three Australian Research Council (ARC) research grants.

AUTHORITY AND INTEGRITY OF PRIMARY LEGAL MATERIALS

In 2013, AustLII (via its host universities UTS and UNSW) and seven collaborating partner institutions were successful in obtaining an ARC Linkage grant entitled “Re-inventing authority and integrity of primary legal sources for the online world, using free access to make the legal system more efficient and just”. This is a three year grant for \$150,000 from the ARC with an additional \$114,000 from partner institutions. Our industry partners in this project include the High Court of Australia, the Family Court of Australia, the Federal Circuit Court, the Supreme Court of Victoria Library, the Department of Foreign Affairs and Trade, the Office of the Queensland Parliamentary Counsel and the Office of the Chief Parliamentary Counsel of Victoria.

The Investigators of this project are: Prof Andrew Mowbray (UTS), Prof Graham Greenleaf (UNSW), Prof Dan Svantesson (Bond), Prof Anita Stuhmcke (UTS), Prof Jill Hunter (UNSW), Mr David Mason (Department of Foreign Affairs and Trade), Mr John Butera (Office of the Chief Parliamentary Counsel of Victoria), Ms Lyn Newlands (Family Court of Australia), Ms Laurie Atkinson (Supreme Court of Victoria Library), Mr Andrew Phelan (High Court of Australia), Judge Grant Riethmuller (Federal Circuit Court), and Ms Stacey Talbot (Office of the Queensland Parliamentary Counsel).

The primary outcome of the project was the development and release of a digitally signed and watermarked (“Signed by AustLII”) version of most of the judgments that it holds (around 600,000 cases), from all Australian courts and Tribunals, most of which do not appear in any conventional reports). 293,635 of these documents were served in 2016.

The following courts and tribunals have issued practice directions or other statements indicating acceptance of the ‘Signed by AustLII’ version:

- Family Court of Australia
- Federal Circuit Court of Australia
- Licensing Court of South Australia
- South Australian Industrial Relations Court
- Health Practitioners Tribunal of South Australia
- South Australian Workers Compensation Tribunal
- Environment Resources and Development Court of South Australia
- Western Australian Industrial Relations Commission

We continue to encourage other courts and tribunals to 'accept' this format.

Discussions regarding alternative approaches for preparing and distributing authorised reports with the participating superior courts have been held with various heads of jurisdiction and other relevant bodies. These discussions continue.

There were also discussions with Department of Foreign Affairs and Trade (DFAT) in relation to the applicability of the Signed by AustLII format to Australian Treaties.

Other government agencies have indicated interest in examining the technical solution AustLII developed for its applicability to the publication of legislation.

THE INTERNATIONAL LAW LIBRARY

In 2016, the International Law Library project was finalised. This was funded under an ARC LIEF grant entitled "The international law library on WorldLII: New content and facilities for the leading repository and citator for international law". This research infrastructure grant was for \$284,000 with an additional \$395,000 contribution from partner institutions.

The Investigators of this project were: Prof Andrew Mowbray (UTS), Prof Graham Greenleaf (UNSW), Prof Andrew Byrnes (UNSW), Prof Erika Techera (UWA), Prof Donald Rothwell (Sydney), Prof Chester Brown (Sydney), A/Prof Anthony Cassimatis (UQ), Prof Dan Svantesson (Bond), Prof Jane McAdam (UNSW), Prof Ross Buckley (UNSW), Prof Ana Vrdoljak (UTS), A/Prof Julie Debeljak (Monash), Prof Dianne Otto (Melbourne), Prof Michael Blakeney (UWA), A/Prof Timothy Stephens (Sydney), Prof Michael Adams (UWA), Dr Hitoshi Nasu (ANU), Prof Vai lo Lo (Bond), Mr Andrew Wells (UNSW), Prof Holly Cullen (UWA), and Dr Richard Joyce (Monash).

25 new databases of decisions were added to WorldLII:

- Asian-African Legal Consultative Organization – Reports
- Asian-African Legal Consultative Organization – Resolutions
- Council of Europe Data Protection Convention 108 Resources
- Council of Europe Venice Commission
- Court of Arbitration for Sports
- Eritrea-Ethiopia Claims Commission
- Extraordinary Court of Cambodia Transcripts
- International Labour Organization Administrative Tribunal
- Special Tribunal for Lebanon; Extraordinary Court of Cambodia
- UN Committee Against Torture - Concluding Observations
- UN Committee on Economic, Social and Cultural Rights - Concluding Observations
- UN Committee on Economic, Social and Cultural Rights - State Party Reports
- UN Committee on Migrant Workers - Concluding Observations
- UN Committee on the Elimination of Discrimination Against Women - Concluding Observations
- UN Committee on the Elimination of Discrimination Against Women - General Comments
- UN Committee on the Elimination of Discrimination Against Women - State Party Reports
- UN Committee on the Elimination of Racial Discrimination - Concluding Observations
- UN Committee on the Elimination of Racial Discrimination - General Comments
- UN Committee on the Elimination of Racial Discrimination - State Party Reports

- UN Committee on the Rights of the Child - States Parties Reports
- UN Compensation Committee
- UN Reports of International Arbitral Awards
- UN Working Group on Arbitrary Detention Opinions
- United Nations International Law Commission
- World Bank Administrative Tribunal

19 high priority databases were updated:

- Caribbean Court of Justice
- Eastern Caribbean Supreme Court
- International Court of Justice Transcripts
- International Court of Justice
- International Criminal Court Decisions [Includes 11,156 decisions]
- International Criminal Court Transcripts
- International Criminal Tribunal for Former Yugoslavia
- International Criminal Tribunal for Rwanda
- International Tribunal for the Law of the Sea Decisions
- Permanent Court of Arbitration Decisions
- Special Court for Sierra Leone
- UN Committee against Torture Decisions
- UN Committee on the Elimination of Discrimination Against Women Decisions
- UN Committee on the Elimination of Racial Discrimination Decisions
- UN Dispute Tribunal Decisions
- UN Human Rights Committee Decisions
- WTO Appellate Body Decisions
- WTO Arbitrators Decisions
- WTO Panel Decisions

4 new treaty and conventions databases were released:

- North Atlantic Treaty Organization Basic Texts
- Organization of American States Multilateral Treaties
- US Treaties and other International Acts Series
- World Intellectual Property Organization Administered Treaties

Key international law journals have been added (Goettingen Journal of International Law) and updated (Cornell International Law Journal; Melbourne Journal of International Law; Virginia Journal of International Law) and a new historical database of scholarship on international law was created. Processes to semi-automate updating of the databases have been developed wherever possible.

Research was conducted into referencing styles for ICJ, ITLOS and PCIJ decisions and parallel citations have been added to enhance the recognition of these cases within the LawCite citator. This will improve citation histories for these cases. Relevant cases, treaties and journals located both on WorldLII and on collaborating LIIs have been indexed in the citator. We have collaborated with other Legal Information Institutes to incorporate additional content where possible. For example, the ECHR, ECJ and Privy Council databases are maintained by BAILII and form part of the Library.

The Library provides the only comprehensive free access collection of international law materials in a single location and is heavily used. It is freely available to all researchers and the public generally. In 2016, materials in the International Law Library received over 5.5 million accesses with treaties receiving over 1.5M accesses, and international courts and tribunals cases receiving over 800,000 accesses.

THE AUSTRALASIAN LEGAL HISTORY LIBRARIES: STAGE II

At the end of 2014, AustLII (via its host universities UNSW and UTS) and 12 partner institutions were successful in obtaining another ARC grant entitled "The Australasian Legal History Libraries: Stage II". This is a LIEF research infrastructure grant for \$410,000 with an additional \$445,000 contribution from partner institutions. The aim of this project is to update and expand the Australasian Legal History Libraries <<http://www.austlii.edu.au/au/special/legalhistory/>>.

The Investigators of this project are: Prof Graham Greenleaf (UNSW), Prof Andrew Mowbray (UTS), Prof Anne Twomey (USYD), A/Prof Warren Swain(UQ), Prof Mark Lunney (UNE), Prof Rocque Reynolds (SCU), Prof Michael Adams (UWS), Dr Ann Genovese (Melbourne), Prof Leroy Certoma (Notre Dame), A/Prof Stefan Petrow (Tasmania), Prof John Williams (Adelaide), Prof Mark Finnane (Griffith), Ms Judith Jones (ANU), Prof Maree Sainsbury (Canberra) and Prof Peter Handford (UWA).

In the second year of this project the addition of significant historical report series such as the Webb and A'Beckett Reports, the Legge Reports and the Argus Reports have been welcomed by legal scholars and practitioners. A large amount of important New Zealand historical material has also been added. The Australian Colonial Law Monographs database now contains 142 monographs dating from 1833 to 1900.

With the financial support of the State Library of South Australia, the South Australian Government Gazettes for the period 1919 to 1999 were digitised and made available online.

AUSTRALIAN INDIGENOUS LAW RESOURCES

The development of the Australian Indigenous Law Resources database was a project of the Indigenous Law Centre (UNSW) and AustLII with financial support provided by two UNSW Major Research Equipment Infrastructure Initiative (MREII) Grants in 2015 and 2016, and with previous assistance from the Council for Aboriginal Reconciliation and the Australian Research Council.

A priority was to collate and digitise rare, vulnerable and hard to access key materials, drawing upon personal collections, key agencies and specialist libraries. The majority of documents in the Indigenous Law Resources database are materials that have been made available online for the first time.

The database currently contains more than 1,200 documents, dating from 1768 to 2016. It includes parliamentary papers, government reports, policy documents and other legal material related to important litigation. Also included is a significant collection of documents related to Indigenous civil society and representative organisations.

Thematic areas covered include:

- *Violence against Indigenous people* - approximately 60 documents relating to 19th century laws and policies affecting Indigenous people in the 'killing times' and early 'protection' eras, including previously undigitised materials

- *Indigenous land justice* - more than 200 key documents relating to land rights and native title
- Indigenous representation - including a comprehensive collection (approx. 260 documents) of Aboriginal and Torres Strait Islander Commission (ATSIC) annual reports, speeches and other documents
- *Cultural heritage* - more than 60 reports and policy documents
- *Treaty or makarrata* - around 45 significant papers, presentations, reports and speeches
- *The struggle against discrimination* – including a collection of significant pastoral and industrial award cases and civil society reports (approx. 100 documents)
- *Intellectual property* - a substantial collection (190 documents) of materials relating to a number of significant court cases on the appropriation of Aboriginal and Torres Strait Islander art and culture, from the personal collection of Colin Golvan QC
- *Deaths in custody* - including previously unpublished materials (around 50 documents) from the collection of Hal Wootten AC QC relating to the Royal Commission into Aboriginal Deaths in Custody
- *Indigenous advocacy*- including an important collection of rare and vulnerable Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) documents, now available online for the first time (approx. 80 documents)

OTHER GRANTS FOR INTERNATIONAL PROJECTS

During 2016, AustLII completed work on a small grant project funded by the Commonwealth Secretariat Rule of Law Division to improve the resources on CommonLII relating to the Caribbean and East Africa.

Work was also undertaken to build a prototype 'History of the Common Law Library'. This prototype Library includes databases of material covering the first seven centuries of the common law from 1215 (Magna Carta) to 1914 (World War One), drawn from the Legal Information Institutes that cooperate with CommonLII.

Funding support for this prototype was provided by the UNSW Sydney Library, Deakin University and the Commonwealth Secretariat Rule of Law Division. This project is supported by collaborating Legal Information Institutes across the Commonwealth (including BAILII, NZLII, PacLII, LII of India, HKLII, CyLaw and SAFLII, covering about 40 Commonwealth members), plus CommonLII itself. Support was also provided by the Institute of Advanced Legal Studies (IALS), University of London.

The prototype is intended to support applications for the funding of a more ambitious research facility of major significance for the Commonwealth and the common law world: the creation of an online library of research resources concerning the international history of the common law.

RESEARCH PUBLICATIONS AND PRESENTATIONS

AustLII Co-Directors published the following papers and made the following presentations in 2016:

- Greenleaf G, Chung P and Mowbray A, "Digitising and researching the international history of the common law" – *16th Law via Internet Conference*, Limassol, September 2016
- Mowbray A, Chung P and Greenleaf G, "Improving case citation recognition in an international free-access law citator" – *16th Law via Internet Conference*, Limassol, September 2016
- Chung P, Greenleaf G and Mowbray A, "Multi-author collaborative LII resources: Starting with the Northern Territory Law Handbook" – *16th Law via Internet Conference*, Limassol, September 2016
- Chung P, Greenleaf G and Mowbray A, "Models for a global system for free access to legal information: the WorldLII approach", Chapter in *Festschrift für Maximilian Herberger* (Stephan Weth, Samuel van Oostrom, eds.), juris GmbH, Saarbrücken 2016
- Chung P, Greenleaf G and Mowbray A "Introduction to AsianLII's Myanmar/Burma Legal Databases", *UNSW Law Research Paper* No. 2016-34, May 2016
- Mowbray A, Chung P and Greenleaf G, "A free access, automated law citator with international scope: the LawCite project", (2016) 7(3) *European Journal of Law and Technology*.

AustLII offers a series of seminars on aspects of legal information systems. The 2016 seminars were as follows:

- Graham Greenleaf and Philip Chung, "Myanmar / Burma resources on AsianLII" – *AustLII Seminar Series*, UNSW Sydney Law Faculty - 23 May 2016
- Graham Greenleaf "Open Access to the global history of the common law" – *Institute for Advanced Legal Studies*, London – 4 October 2016



Prof David Dixon introducing the presentation by Graham Greenleaf and Philip Chung of the "Myanmar / Burma resources on AsianLII" at UNSW Law Faculty, 23 May 2016

FOUNDATION INCOME

The AustLII Foundation Limited raises donations to maintain AustLII's Australian infrastructure and services. In 2016, the Foundation revenue was \$1,168,134 (including \$1,101,522 in donations and \$66,612 in interest and other income).

AustLII thanks all donors for their support in 2016. 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 2016 contributors, which are listed below by sector.

GOVERNMENT

GOVERNMENT AGENCIES

Australian Taxation Office	National Legal Aid Commission
Department of Foreign Affairs and Trade *	National Library of Australia
National Justice and Policing Senior Officials Group	NSW Office of the Director of Public Prosecutions

COURTS, TRIBUNALS & REGULATORS

ACT Civil and Administrative Tribunal	NSW Workers Compensation Commission
Administrative Appeals Tribunal	Nursing and Midwifery Council of New South Wales
Crime and Corruption Commission Queensland	Planning Panels Victoria
Fair Work Commission	Supreme Court of Tasmania
Fair Work Ombudsman	Takeovers Panel (Department of Treasury)
Family Court of Australia	Victorian Civil & Administrative Tribunal
Federal Circuit Court	Victorian Commission for Gambling and Liquor
Federal Court of Australia	WA Industrial Relations Commission
Legal Services Council	

EDUCATION

Australian Catholic University
Australian Institute of Administrative Law
Australian National University
Bond University
Central Queensland University
Charles Darwin University
Charles Darwin University Library
Curtin University
Deakin University*
Flinders University
James Cook University
La Trobe University
Monash University
Murdoch University
Queensland University of Technology
RMIT University
The College of Law Ltd
The University of Queensland

Top Education Institute
University of Canberra
University of Melbourne
University of New England
University of Notre Dame
University of Notre Dame Library
University of South Australia
University of Southern Queensland
University of Sydney
University of Tasmania
University of Technology Sydney **
University of the Sunshine Coast Library
University of Western Australia Library
University of Wollongong, Library
UNSW Sydney ***
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
Alec Leopold
Alistair Pound
Allens
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Andrew Monisse
Andrew Sinclair
Arnold Bloch Leibler
Arnold Thomas & Becker
Ashurst
Aushine Lawyers
Aviation Law Assoc. of Australia and New Zealand
Bar Chambers
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Bell Lawyers Pty Ltd
Bernard Standish
Boris Pogoriller Solicitor
Castledine Gregory
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Chris Othen
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Clayton Utz
Cogill Woods Legal Services Pty Ltd
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Connolly Suthers
Cooper Grace Ward Lawyers
Corrs Chambers Westgarth
Cowell Clarke
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Minter Ellison
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O'Loughlins Lawyers
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Peter Jacobson
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Phillips Ormonde & Fitzpatrick
Piper Alderman
R Tyson Wodak
Robinson Locke Litigation Lawyers
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Schweizer Kobras
Scott Aspinall
Simpsons Solicitors
Sixth Floor St James Hall Chambers
South Geldard Laywers
Spruson & Ferguson
Standley Legal
Staunton & Thompson
Stephen Vorreiter
Steve Rickards Legal
Streeterlaw Sydney Lawyers
Stuart Wood
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Suzanne Kirton
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BUSINESS & INDUSTRY

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CCH Australia Publishing
CFMEU Mining and Energy Division
Civil Technology
Coal Mining Industry (LSL Funding) Corporation
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Workers Compensation Seminar

LAW SOCIETIES & BAR ASSOCIATIONS

Commercial Bar Association of Victoria
Law Council of Australia
Law Institute of Victoria
Law Society Northern Territory
Law Society of New South Wales

Northern Territory Bar Association
Queensland Bar Association
The Law Society of Tasmania
Western Australian Bar Association

COMMUNITY

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Antony Comanos
Bob Kelson
Christopher Jarvis
Emma Cummings
Harrison Simons
James Dagger
James Lim
Jennifer Weate
Julian Ensbey
Louise and John Southalan

Mark Dreyfus
Mark Suss
Merinda Northrop
Nick O'Neill
Paul Bugler
Paul Parker
Penchan Teo
Richard Hunter
Shaun Reynolds
Tony Pick
Anonymous (21)

CONTRIBUTIONS FOR AUSTLII'S INTERNATIONAL PROJECTS

Court of Arbitration for Sport
Justis Publishing Ltd (UK)
PacLII (USP)

AustLII Foundation Ltd

ABN 41 134 717 972

Annual Report
For the year ended 31 December 2016

AustLII Foundation Ltd

Directors' Report for the year end 31 December 2016

Your directors present their report on the company for the year end 31 December 2016.
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 Australia (The University of New South Wales); Executive Director, AustLII Research Centre

Prof Graham Greenleaf AM (Executive Director) (appointed to the Board on 22 December 2008 and resigned on 24 June 2016)

Professor, Faculty of Law, UNSW Australia (The University of New South Wales); Co-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

Prof David Dixon (appointed to the Board on 22 December 2008 and resigned on 8 June 2016)

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

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

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

Dean, Faculty of Law, UNSW Australia (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 Australia (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 2016 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 surplus for the year end 31 December 2016 was \$29,208.

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

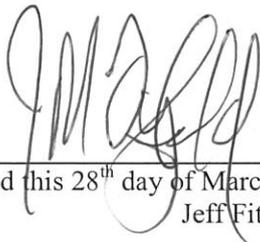
The number of meetings of directors held during the year and the number of meetings attended by each director were as follows:

Directors' Meetings		
	Eligible to attend	Number attended
Dr Jeff FitzGerald	4	4
Dr Philip Chung	4	4
Prof Graham Greenleaf	4	2
Prof Andrew Mowbray	4	4
Mr Tim Bugg	4	3
Prof David Dixon	1	0
Prof George Williams	3	1
Mr Ian Govey	4	2
Prof Lesley Hitchens	4	3
Prof Carrick Martin	4	4

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 28th day of March 2017, in Sydney.
Jeff FitzGerald (Director)



Signed this 28th day of March 2017, 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 2016, 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

28 March 2017
SYDNEY

AustLII Foundation Ltd

Statement of Comprehensive Income For the year end 31 December 2016

	Note	2016 \$	2015 \$
Revenue from Continuing Operations			
Donations & Contributions	1i, 2	1,101,522	1,138,763
Interest & Other Income	2	66,612	121,074
Total Income		<u>1,168,134</u>	<u>1,259,837</u>
Expenses			
Employment Costs	1f, 3, 13	876,041	840,988
Equipment Charges	1d, 3	118,659	66,683
Accounting and Audit Fees	3, 7	18,598	18,107
Consultancy Costs	3	38,045	50,909
Occupancy Costs	1m,3,14	-	77,037
Insurance	3	5,684	5,684
Conference Costs	3	-	42,525
Travel and Accommodation	3	14,610	23,724
Other Operating Costs	3	67,289	132,277
Total Expenses		<u>1,138,926</u>	<u>1,257,934</u>
Surplus for the Year		<u>29,208</u>	<u>1,903</u>
Other Comprehensive Income		-	-
Total Comprehensive Income		<u>29,208</u>	<u>1,903</u>

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 2016**

	Note	2016 \$	2015 \$
ASSETS			
Current Assets			
Cash at Bank	8	1,380,262	1,480,356
Trade and Other Receivables	4	259,966	295,295
Other Financial Assets	5	787,137	752,436
TOTAL ASSETS		2,427,365	2,528,087
LIABILITIES			
Current Liabilities			
Trade and Other Payables	6	327,143	457,073
TOTAL LIABILITIES		327,143	457,073
NET ASSETS		2,100,222	2,071,014
EQUITY			
Retained Surplus	1h, 9	2,100,222	2,071,014
TOTAL EQUITY		2,100,222	2,071,014

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 2016**

	Note	Retained Surplus \$	Total Equity \$
Balance as at 1 January 2015		2,069,111	2,069,111
Total comprehensive income for the year		1,903	1,903
Balance as at 31 December 2015		2,071,014	2,071,014
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

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 2016

	Note	2016 \$	2015 \$
Cash flows from operating activities			
Cash receipts in the course of operations		1,136,732	1,074,565
Payments to suppliers and employees		(1,268,856)	(1,154,398)
Net interest received/(paid)		32,030	40,610
Net cash provided / (used by) operating activities	8	<u>(100,094)</u>	<u>(39,223)</u>
Cash flows from investing activities			
Payments for Financial Assets		-	(150,000)
		<u>-</u>	<u>(150,000)</u>
Net (decrease) in cash held		(100,094)	(189,223)
Cash and cash equivalents at the beginning of the year		1,480,356	1,669,579
Cash and cash equivalents at the end of the year	8	<u>1,380,262</u>	<u>1,480,356</u>

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

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR END 31 DECEMBER 2016

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. Cash and Cash Equivalents

Cash on hand and in banks is stated at its nominal value. For the purposes of the statement of cash flows, cash includes cash on hand and in banks.

c. Trade and Other Receivables

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.

d. Property, Plant & Equipment

No property, plant or equipment is owned by the Foundation at 31 December 2016. 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.

AustLII Foundation Ltd

e. Trade and Other Payables

Liabilities for trade creditors and other amounts are carried at cost, which is the fair value of the consideration to be paid in the future for goods and services received, whether or not billed to the entity.

f. 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.

g. Income Tax

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

h. 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 surplus of \$29,208 for the year. The Accumulated balance in Retained Surplus as at 31 December 2016 was \$2,100,222. The Board resolved to designate \$650,000 of the Retained Surplus as available for AustLII Sustainable Initiatives.

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.

i. 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*.

j. Going Concern

The company has generated a surplus for the year end 31 December 2016. 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.

k. 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.

l. 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.

m. Lease Commitments

In the Year 2015, AustLII Foundation Limited subleased part of its office space from Brain Resource Limited. The operating lease was originally for the period from 1 August 2011 to 28 February 2013 and was extended until 31 December 2015. Therefore, there are no commitments.

n. 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.

o. New and revised Australian Accounting Standards

Where new or revised Accounting Standards and Interpretations have been published that are not mandatory for 31 December 2016 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

	2016	2015
	\$	\$
Donations & Contributions (by sector)		
Education	319,750	132,500
Legal Profession	239,510	265,754
Law Societies & Bar Associations	61,000	66,500
Business & Industry	170,020	165,600
Government Agencies	131,000	218,500
Courts, Tribunals & Regulators	169,500	187,500
Community & Other	10,742	102,409
Total Donations & Contributions	1,101,522	1,138,763
Interest & Other Income		
Term Deposits & Other Income	31,911	97,860
Financial Assets designated FVTPL -Note 11	34,701	23,214
	66,612	121,074
Total Income	1,168,134	1,259,837

3. EXPENSES

	2016	2015
	\$	\$
Employment costs	876,041	840,988
Equipment charges	118,659	66,683
Accounting Fees	8,609	8,362
Audit Fees	9,989	9,745
Consultancy Costs	38,045	50,909
Occupancy Costs	-	77,037
Insurance	5,684	5,684
Conference Costs	-	42,525
Travel and Accommodation	14,610	23,724
Other Operating Costs	67,289	132,277
	1,138,926	1,257,934

4. TRADE AND OTHER RECEIVABLES

	2016	2015
	\$	\$
Goods and Services Tax	51,350	47,760
Accrued Interest	1,601	1,720
Trade Debtors	156,840	190,720
Allowance for Impairment of Receivables	-	-
Prepaid Expenses	50,175	55,096
	259,966	295,295

AustLII Foundation Ltd

5. OTHER FINANCIAL ASSETS

	2016	2015
	\$	\$
Other Financial Assets at FVTPL		
Managed Funds – New South Wales Treasury Corporation – Note 11	787,137	752,436
	787,137	752,436

6. TRADE AND OTHER PAYABLES

	2016	2015
	\$	\$
Trade Creditors	315,811	397,951
Accrued Expenses	11,332	59,122
	327,143	457,073

7. AUDITOR'S REMUNERATION

	2016	2015
	\$	\$
Audit Fees to Audit Office of NSW	9,989	9,745

8. CASH

	2016	2015
	\$	\$
a. <u>Cash and Cash Equivalents</u>		
Cash at Bank	292,289	422,581
Term Deposit	1,087,973	1,057,775
	1,380,262	1,480,356

	2016	2015
	\$	\$
b. <u>Reconciliation of Cash from Operations</u>		
Reconciliation of Surplus for the Year to		
Net Cash flows from Operating Activities	\$	\$
Surplus	29,208	1,903
Non Cash flows in Operating Surplus		
Unrealised gains in Other Financial Assets	(34,701)	(23,214)
Changes in Assets and Liabilities:		
(Increase)/Decrease in Trade Debtors and		
Prepayments (Operating)	35,329	(121,448)
Increase/(Decrease) in Payables	(129,930)	103,536
Net Cash (used)/provided by Operating Activities	(100,094)	(39,223)

9. RETAINED SURPLUS

	2016	2015
	\$	\$
Retained Surplus at the beginning of the Year	2,071,014	2,069,111
Total Comprehensive Income for the Year	29,208	1,903
Retained Surplus at the end of the Year	2,100,222	2,071,014

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) Net Fair Values

All financial assets and financial liabilities (cash, trade debtors, and trade creditors), and their net carrying amounts are equal to their fair value.

Financial assets at Fair Value through Profit and Loss (FVTPL) include financial assets that are designated at FVTPL upon initial recognition. Assets in this category are measured at fair value with gains or losses recognised in profit or loss. The fair values of financial assets in this category are determined by reference to unit prices.

(b) 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.

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.

AustLII Foundation Ltd

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.

	2016 \$	2015 \$
Financial Assets		
<u>Cash</u>	1,380,262	1,480,356
<u>Others</u>		
Accrued Income	1,601	1,720
Accounts Receivable	156,840	190,720
Other Financial Assets	787,137	752,436
	2,325,840	2,425,232

(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					
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
2015	Cash	1,480,356	-	1,480,356	-
	Other Financial Assets	752,436	-	752,436	-
	Receivables	192,440	192,440	-	192,440
		2,425,232	192,440	2,232,792	192,440
Financial Liabilities					
2016	Trade Payables	327,143	327,143	-	327,143
		327,143	327,143	-	327,143
2015	Trade Payables	457,073	457,073	-	457,073
		457,073	457,073	-	457,073

(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.

AustLII Foundation Ltd

(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			
2016	Cash	1,380,262	13,803
	Other Financial Assets	787,137	(39,357)
	Total	2,167,399	(53,160)
2015	Cash	1,480,356	14,804
	Other Financial Assets	752,436	(37,622)
	Total	2,232,792	(52,426)

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 David Dixon – Director
Dr Philip Chung – Managing Director	Mr Ian Govey – Director
Prof Graham Greenleaf–Executive Director	Prof Carrick Martin – Director
Prof Andrew Mowbray– Executive Director	Prof Lesley Hitchens – Director
Mr Tim Bugg – Director	Prof George Williams - 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 Graham Greenleaf – Executive 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.

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.

	2016 Nos	2015 Nos
<u>Remuneration of executive officers</u>		
\$0 to \$150,000	3	3
Total benefits	3	3

AustLII Foundation Ltd

The remuneration of Key Management Personnel is as follows:

	2016	2015
	\$	\$
Short-term benefits	254,249	243,275
Post-employment benefits	-	-
Total benefits	254,249	243,275

14. COMMITMENTS

In the Year 2015, AustLII Foundation Limited subleased part of office space from Brain Resource Limited. The operating lease was originally for the period from 1 August 2011 to 28 February 2013 and was extended until 31 December 2015. Therefore, there are no commitments.

15. CONTINGENT ASSETS

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

16. CONTINGENT LIABILITIES

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

17. 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 2016 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 financial position as at 31 December 2016, the statement of comprehensive income, 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 2016 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
- have been prepared in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012* and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013

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 also fulfilled my other ethical responsibilities in accordance with APES 110.

The PF&A Act further 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, but precluding the provision of non-audit services.

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

Directors' Responsibility 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 *Corporations Act 2001*, the *Australian Charities and Not-for-profits Commission Act 2012* 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 must assess the Company's ability to continue as a going concern unless they intend to liquidate the Company or cease operations. The assessment must disclose, as applicable, matters related to going concern and the appropriateness of using the going concern basis of accounting.

Auditor's Responsibility 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_files/ar3.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

28 March 2017
SYDNEY

AustLII Foundation Ltd

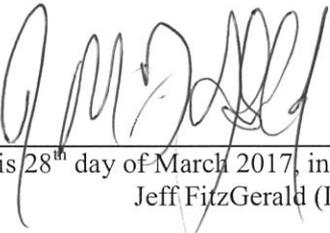
DIRECTORS' DECLARATION

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 2016 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 2008; 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 28th day of March 2017, in Sydney.
Jeff Fitzgerald (Director)


Signed this 28th day of March 2017, in Sydney.
Philip Chung (Director)



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