

# Equal access to law reports in new publishing commons: 3 case studies from Australia

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Session Stream: Tools for Facilitating Access to Justice

Wider access or “democratisation” of technology emerges as one of the most powerful force of change in the way we think, learn, exchange information and knowledge, and most importantly, in inspiring new ways to effect social change. With specific reference to the Internet, the very characteristic of being a free-to-all environment and that it crosses boundaries, have made it the prime post-modern means to improve social reality on a local and global level. The affordability of Internet connection however, has not meant equitable access to legal information. In fact, the Internet’s dynamism is predominantly driven by private sector and private individual innovation. Private sector interests are in turn driven by the imperative to increase shareholder value and lucrative monetisation strategies, while crowd-sourced sites only last as long as the entrepreneurial drive is sustained or when equity funding is located.

In Australia, the legal profession traditionally sources its information from primarily commercial legal resources like LexisNexis and Thomson Reuters and non-profit publishers like AustLII and JADE. In the last 3 years, the profession has increasingly resorted to smaller, specialised publishers in light of cheaper access, more agile technology and more flexible access points.

In this paper, I will discuss that the advancements and emerging community outcomes as witnessed in the law-reporting field in Australia in the last 2 years. I will be focussing on the impacts to legal community following the introduction of equitable access by the Victorian Reports, New South Law Reports, JADE and UK Reports.

I further argue that the next stage of evolution for online legal publishing has to include the collaboration of private sector, private citizens and public sector to facilitate equitable access. This approach means that every stakeholder level will not only have a say, but has an obligation to effect a change in the commons: may it be in enforcing civic rights or pursuing commercial pragmatism. If the public sector and private citizens remain a passive voice in ‘netizenship’ then the paradigm will always be one, which prioritises commercial interest.<sup>1</sup>

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<sup>1</sup> Preminger, J. (2017) Effective citizenship in the cracks of neocorporatism. *Citizenship Studies*, Vol.21:1, pp. 85-99; Waters, S. (2004) Mobilising against Globalisation: Attac and the French Intellectuals, *West European Politics*, Vol. 27: 5, pp. 854-874.