

# BOOK REVIEWS

## Julie Montgomery

Column Co-ordinator

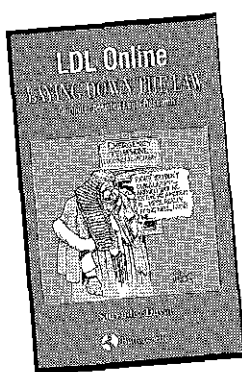
Law Society of South Australia

Ph: (08) 229 0235 Fax: (08) 231 1929

### ***LDL Online: Laying Down the Law: Computer Assisted Legal Research***

by Surendra Dayal

Butterworths, Sydney, 1996 \$15.00



The aim of this book, a companion volume to *Laying Down the Law*, is to provide practical instruction in using electronic legal research tools. The book covers databases produced by Computer Law Services, Info-One, LawPac, LEXIS/NEXIS, FolioViews,

Butterworths, and LBC Information Services, as well as legal resources on the Internet.

The theory of boolean searching is covered in some detail, and includes discussion of search operators, stop words and default search order for operators. Natural language searching and its advantages and disadvantages are briefly discussed.

However, the focus of the book is on Boolean searching because of its greater precision and availability. It discusses how to formulate a search query so as to avoid missing relevant information, without retrieving too much which is irrelevant. A common problem faced by new searchers is the retrieval of too much information because of lack of precision in their search. There is also a useful table which shows what each database covers.

Subsequent chapters of this book are devoted to specific search engines and databases. The approach taken in each chapter is to show how to perform specific tasks such as finding a case by subject in each database. This is done through use of screen shots, and by working through sample problems.

The chapter on Lawpac looks at the structure of the database, the operators available and their search order. It then gives examples of how to find cases by subject, how to find the citation for a case and how to find its subsequent history. A minor criticism is that it displays a search by entering the full name of a case to find its citation or subsequent history. Whilst this works well for most cases, it does not always work for complex case names where the form of the party names may vary. In these cases it can be better to enter only one party name. Other useful areas covered in this chapter include how to print and download, which is not intuitive in Lawpac because of the need to mark text.

The chapter on Lexis covers finding cases and legislation, but does not give examples of using secondary materials. A useful addition to this chapter would be a brief mention of some of the useful features available only in the US Lexis libraries, such as hypertext links to cited cases and use of the Lexsee service to retrieve the full text of a case by entering its citation. More screen shots would be useful in the Lexis chapter.

The final chapters of the book cover using the Internet to find legal resources and AustLII. The Internet chapter examines how to use Netscape, and gives some useful World Wide Web addresses. The AustLII chapter provides examples of how to find caselaw and statutes.

This book fills a need by providing a single volume which gives practical instruction in the use of a number of legal databases. It would be useful to both students and legal practitioners, and is suitable for the novice user. Whilst there are other books which cover individual databases in greater detail, such as Jean McKnight's excellent book entitled *The Lexis Companion*, it provides a good practical introduction to some widely used legal databases. For the more experienced user it is useful to have a single volume to remind you how to do a particular task, without the need to refer back to the software manual.

**Miranda Morfey**

Reference Librarian, Flinders University Library

***Recipe Book Service of Online Searching.***  
***14th ed.***

Doncaster, Vic., *Online Information Resources*,  
1995 \$195.00



This looseleaf publication provides a brief overview of the major Australian online services and overseas online information services which are represented in Australia. Other well-known overseas services which do not have Australian agents (eg. KIWINET) are also included. Some telecommunications networks (eg. AUSTPAC) and gateway services (eg. ILANET) have entries. In all, details of 25 services are provided

Information on each service has been provided by the service operators, and includes details such as contact address, hours of operation, available databases, pricing schedules, equipment required, access conditions, and documentation and training available. Logon procedures, basic search commands and sample searches are provided. Entries range from three to twenty eight pages in length, but in my opinion, some are a little too brief.

An appendix lists additional services not covered in the main work, and I was disappointed to see such resources as SCALE, AARNet, ABS, ASC, Dow Jones, the Internet and Reuters among those listed. A broader coverage would certainly increase the usefulness of this publication.

In her introduction to the book, editor Sherrey Quinn states that the publication will be updated twice yearly in April and October. At the time of writing, a supplement had not been received, and it will be interesting to see when this actually becomes available, and what is included.

Unlike *LDL Online*, which concentrates on legal electronic resources and provides more practical instruction in the use of a limited number of databases, the *Recipe Book* provides limited information on a broader range of resources. Both serve different purposes, but are useful additions to any law library, depending upon the needs of the individual.

**Dianne Thompson**

Librarian, Legal Services Commission of SA

***Law on the Line***

by Jason Romney

*Law Press, Melbourne, 1996, \$32.50*



This book purports to be a "how to do it book" for lawyers (and other professionals) wanting to increase their computer literacy and gain an understanding of what the Internet has to offer as a professional tool. Written by lawyer, journalist and Web page developer Jason Romney, *Law on the Line* succeeds in presenting a complex and, to the uninitiated, frequently overwhelming subject in a clear, easy to read manner. Romney adopts a "softly, softly" approach and literally takes the reader by the hand as he guides us from computer illiteracy to mastery of the Internet.

*Law on the Line* is aimed squarely at that group of lawyers who are yet to dabble in the murky waters of the Internet and thus includes chapters on such fundamental issues as purchasing and upgrading computer hardware and software, selecting a modem, printer and scanner, using email, newsgroups and listservs, and searching the Web. Although Romney recommends, as one would expect, reading the entire text, he does offer the reader a variety of short-cuts to mastery of a specific topic in his Introduction. Thus, readers interested only in upgrading to Windows 95, for example, are instructed to read stipulated sections of chapters 3 and 5, whereas someone interested in World Wide Web construction is directed to chapter 5, and so on. Also included is a table of commercial Internet service providers, with geographical coverage, contact details and pricing information, a simple to understand glossary of the main computer and Internet terms, and an index.

Essentially a journalistic, "chat-style" text, *Law on the Line* is a practical guidebook rather than a philosophical discourse, and spells out in the Introduction the importance of technology for lawyers yet to be converted to its merits. Citing the need for professional versatility, progressiveness, independence, and marketing flair, Romney makes a valid argument for the important part technology has to play in the

professional life of today's lawyer. The first chapter then goes on to detail the mechanics of purchasing computer hardware and software for the first-time user, including advice on specific product features and pricing.

Herein lies the problem inherent in all guidebooks of this type - such information, whilst being extremely useful, also dates very quickly, often rendering the entire text redundant within a short period of time. In the case of *Law on the Line*, however, Romney manages to both put forth a great deal of current product information and advice, covering all areas of computer usage, as well as standard information about computer and online usage which will, in turn, educate and provide a more ongoing service to the reader. It is to be anticipated that, whilst this text would certainly require regular updating by the author, the reader would become sufficiently computer literate to engage independently and quite confidently in the type of product analysis which Romney supplies.

Given the largely conservative nature of much of the legal profession, and the increasing requirement to be "online", this guide may well fill a need within this sector, and find a niche for itself within the myriad of "Internet Guides" currently on the market.

**Lisa Smith**

Monash University Law Library

### ***Quality Management for Legal Practice***

by R Howell, C Macqueen, C Stein & D Stein  
LBC, Sydney, 1994, \$52.00



In the preface to *Quality Management for Legal Practice*, John Hayes, Secretary General of the Law Society of England and Wales is quoted as saying,

*"The biggest hypocrisy is to preach that the law is a profession rather than*

*a business and to use that to justify an unwillingness to change working methods to match the standards which the most successful businesses constantly achieve."*

The rationale of this book is to overcome that hypocrisy by providing a useful tool to aid transition of the practice of law to that of a successful business without losing sight of the ethics of the profession. It is particularly insightful in the manner in which it links legal practice to client needs and translates the esoterics of the quality movement for the legal practitioner.

The need for continuous improvement and staff involvement in the quality process is covered in some detail; simple examples of the use of measurement tools to test the efficacy of quality initiatives are also provided.

The chapters covering "What is the Best Approach for My Practice" and "Making a Start" take the theoretical and turn it into the practical - a step-by-step approach which should be attractive to even the most cynical of legal practitioners.

This book is a useful, practical guide for practitioners who choose to adopt current management practices which have proven to be successful in the progressive corporate sector.

**Kate Costello**

Costello Consulting

### ***Lipton and Herzberg's Understanding Company Law in Malaysia***

By K Arjunan, K, and C K Low  
LBC, Sydney, 1995, \$85



Surprisingly, practical texts on the law of Asian countries are difficult to find in Australia. Practitioners searching for either a general overview of a particular area of law in an Asian

country, or a quick answer to a pressing question, have to rely on often inadequate, or out of date, editions of statutes and whatever case material they can find. Unfamiliarity with a country's overall legal system may compound the uncertainty practitioners feel, so that they never feel certain about any conclusions made. In a similar position with a question of Australian law, consulting a text book will often provide the confirmation or guidance required. However, at the moment, when researching Asian legal systems, there is often either no or only sketchy English language references available.

The situation is no different for an Australian lawyer researching Malaysian law. One area in which the paucity of materials is becoming increasingly problematic is companies and securities law. As Malaysian investment and corporate activity in Australia grows and vice versa, it is becoming increasingly important to become familiar with the companies and securities laws of Malaysia (and other Asian countries) as many Australian lawyers are already familiar with the laws of New Zealand, the US and the UK.

The new text, *Lipton & Herzberg's Understanding Company Law in Malaysia*, by Dr Krishnan Arjunan and Mr Chee Keong Low, both from the Chinese University of Hong Kong, is therefore a welcome addition to the material available to Australian lawyers to help them understand Malaysian companies and securities laws.

The book is similar in style and structure to its sister Australian text, *Understanding Company Law*, by Phillip Lipton and Abraham Herzberg. Like this book, *Lipton and Herzberg's Understanding Company Law in Malaysia*, provides a clear explanation of the content of and rationale for the principles of Malaysian company law.

The book covers the full breadth of company law including incorporation, corporate structure and governance, debt and equity finance, accounts and auditing and external administration. The

book also contains sections on prospectuses, takeovers and the securities industry. (Interestingly, the Malaysian Companies Act rather than the Securities Industry Act regulates fundraising.)

The book offers a competent and easy to understand analysis of the basic principles of the law in all these areas. The book is simply and clearly laid out, with a comprehensive index. In addition it contains short bibliographies of further reading at the end of each chapter.

A lot of Malaysian company law will be familiar to the Australian lawyer, as both Malaysia and Australia share a common law heritage and the Malaysian *Companies Act* has evolved from a Malaysian adaptation of the Australian 1962 Uniform Companies Act. Further, many of the authorities and references cited in the book are Australian. However, Australian and Malaysian companies laws have diverged since then, particularly with the adoption in Australia of the *Corporations Law (Cth)* and the present simplification program. There is no room for a complacent assumption by Australian lawyers that they can simply rely on their knowledge of Australian law. The book would be a useful reference on Malaysian law in this regard. Also, some features of Malaysian law the book discusses may prove interesting as models for an alternative approach in Australia, particularly the non-statutory *Malaysian Code on Takeovers and Mergers*.

*Lipton and Herzberg Understanding Company Law in Malaysia* would be a useful purchase for those who need or want a basic familiarity with Malaysian companies and securities laws. However, it would not provide a definitive answer to such fine questions as when a company is financially assisting the acquisition of its own shares. People seeking a complex analysis of such points of Malaysian company law will have to wait a little longer.

**Eugene Goyne**

Policy and International, Office of the Chairman  
Australian Securities Commission