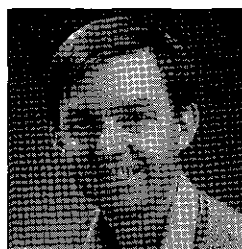


Australian Legal Literature: Gaps in the Indexing

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CD-ROM storage has proved an effective technology for distributing large databases to libraries. With the widespread adoption of this technology end-user searching rather than mediated searches, via library staff, has become the norm. To a large extent, the use of CD-ROM indexes has replaced direct inspection of the literature (sometimes known as browsing!) or the use of other printed indexes. However, CD-ROM indexes should not be regarded as a complete substitute for other research techniques because there is still a considerable time lag between journal issue publication and the appearance of corresponding indexing in the database(s) and, secondly, each database selectively reports a portion of the entire literature.

This paper reports on a comparison between three major legal indexes which cover the scholarly legal literature of Australia and which are distributed on CD-ROM. The three indexes used for the comparison were *Index to Legal Periodicals and Books (ILPB)*, *AGIS* and the *Australasian Legal Literature Index (ALLI)*. ILPB is produced by Wilson, AGIS is produced by Lionel Murphy Library, Attorney-General's Department, Canberra and is distributed by RMIT Informit as one of the databases on AUSTROM and, since October 1995, ALLI produced by the Law Library at Monash University has been available from Computer Law Services as a DISKROM database. A number of other indexes were not included: APAIS and CINCH (both also available on AUSTROM) and LegalTrac (distributed by Information Access) were not included in the survey.

There are a number of criteria which can be used to evaluate subject indexes. In a detailed study of materials science databases¹ which focused on objective measures for databases, three criteria were used: currency, subject content and journal coverage. In a paper delivered at the Asian Pacific Specials, Health and Law Librarians' Conference, Jenny Wood and Petal Kinder compared three indexes (APAIS, AGIS and ALLI) according to various criteria, including subject content and journal coverage² but not according to currency. The criteria of currency refers to the speed with which databases provide access to the published literature. This study focuses on currency as a criteria for evaluating legal databases.

¹ Hightower, C & Schwarzwalder, R A Comprehensive look at materials science databases (1991) 14(2) *Database* 42-53.

² *Creating our future: Asian Pacific Specials, Health and Law Librarians' Conference*. Hotel Conrad, Gold Coast, 23-27 August 1993.

Methodology

A sample of 29 titles were used to compare the three databases on two criteria. To be selected, the titles had to have been indexed over a number of years by all three indexes. Initially, 37 titles were identified as the Australian titles indexed by ILPB. However, a closer examination revealed that 8 titles could not be included because they were not comprehensively indexed in ILPB, AGIS and ALLI. The *Annual Survey of Australian Law* and the *Australian Yearbook of International Law* were not included because they are not 'indexed' in any depth by ILPB, AGIS or ALLI. The *Australasian Gay and Lesbian Law Journal* was excluded because, although it is claimed that it will be indexed in the future in ILPB, no issues had been indexed at the time of this review. Finally, *Australian Bar Review*, *Australian Journal of Labour Law*, *Insurance Law Journal* and *Queensland University of Technology Law Journal* were excluded because ILPB has not systematically indexed these titles, despite claiming to provide comprehensive indexing them. Only two volumes of the *Australian Bar Review* (vols 6 and 7) are indexed in ILPB, no volumes of the *Australian Journal of Labour Law* have been indexed since 1990, no volumes of *Insurance Law Journal* have been indexed since August 1991 and only volume 5 (1989) of the *QUT Law Journal* is indexed in ILPB. Finally, it was not possible to include *Legal Education Review* because this journal is not indexed in AGIS (although this title is indexed in ALLI and ILPB).

The 29 titles are given in Table 1. It can be seen that a range of scholarly and 'popular' (e.g. *Law Institute Journal*) titles are included. New titles (*Insolvency Law Journal*, *Competition and Consumer Law Journal*) and specialised titles (*Building and Construction Law*) are represented in the sample.

For each title in the sample, two pieces of information were gathered. How many records in the database come from that title (and, as a subset, how many have a year of publication of 1990 or a more recent year of publication). This statistic provides some indication of the depth of indexing. The other data compiled was the latest issue indexed. How up-to-date is the indexing? Are there any patterns to be found in terms of currency of indexing?

The searches were conducted in February 1996 using the January 1996 release of ILPB (8/81 to 28/12/95), AGIS on the SilverPlatter version of AUSTROM which was released late in November 1995 (1975 to 31/8/95) and the January 1996 release of ALLI.

Results

Table 1 gives the total number of records from these source publications and the number of records with year of publication of 1990, or more recent. Table 2 indicates the latest issue indexed in AGIS, ALLI and ILPB at the time of the survey. Each index was then ranked according to currency, scoring one point, two points or three points according to whether it was ranked first, second or third in terms of recency of indexing. Also listed in Table 2 is the latest issue of each title which was available in the La Trobe University Library as at 14 February 1996.

Discussion

The indexes reviewed here obviously serve different purposes and audiences. It could not be suggested that ILPB could ever be a completely adequate Australian legal index. Clearly it covers only a small number of titles and many frequently cited Australian law serials (for example, *Public Law Review*) are not included.

A close inspection of the various indexes reveals strengths and weaknesses for each index that might not be apparent to a casual user.

As noted in Table 1, both AGIS and ALLI provide more extensive indexing of the sampled titles. Taking the post 1990 literature into account, ALLI with 4742 records from the sampled titles and AGIS with 4699 records from the sampled titles provides more comprehensive indexing than ILPB with 2784 records. Both ALLI and AGIS provide better 'cover to cover' indexing than ILPB. This is particularly obvious when the indexing of the *Australian Law Journal* and *Australian Business Law Review* are taken into account. There are only 188 records from the *Australian Law Journal* in ILPB, compared with 927 records in ALLI and 942 in AGIS. In the case of the *Australian Business Law Review* there were 102 records in ILPB compared with 201 records in ALLI and 224 records in AGIS.

In terms of currency of indexing, perhaps rather surprisingly, ILPB is an obvious winner. In February 1996, in 26 cases (out of 29) ILPB provides access to the latest issues (compared with the other two indexes) and generally the gap between issues available in the library and issues indexed is small. For example, only two issues of the *Australian Law Journal* were available in the library that had not been indexed in ILPB. In only one case (*Criminal Law Journal*) was ILPB significantly behind ALLI and AGIS in indexing currency. ILPB seems to maximise the opportunity provided by distribution of the CD-ROM on a monthly basis and clearly is reasonably up-to-date in its indexing practices. The major weakness with ILPB is that, as previously noted, four titles which ILPB claims to index have not, in fact, been indexed consistently for a number of years.

ALLI, whilst also updated monthly, offers few advantages in terms of currency of indexing. In 14 cases the January release of ALLI was behind the November release of AGIS in terms of currency of coverage. This trend is even more alarming when a closer inspection of ALLI is made. In a number of cases earlier issues were also absent from the ALLI database. For example, issue 69(3) of the *Australian Law Journal* had been indexed but 69(1) and 69(2) had not been indexed. Issue 19(3) of the *Criminal Law Journal* had been indexed but 19(1) and 19(2) had not been indexed and with *Melbourne University Law Review*, issue 19(3) had been missed. The delays in indexing are particularly significant for the *Australian Law Journal*, *Company and Securities Law Journal* and the *Law Institute Journal*.

For a small number of key Australian law journals, ILPB provides rapid access to recent issues. For depth of indexing ALLI and AGIS are clearly more comprehensive. Despite being distributed on a monthly basis, ALLI is consistently

behind AGIS in terms of currency of indexing. Whilst it could be easily argued that an Australian index updated monthly has the advantage of providing more timely access to recently published issues of journals, this does not appear to be the practice. Obviously, if this review were carried out again in March, based on the current versions of the databases available at that time then the results may have changed considerably. However, given that ALLI is consistently behind AGIS it may well be that the gap will have closed rather than the case that ALLI is significantly ahead

In guiding users in the use of legal indexes it may be useful to draw attention to the limitations of indexes, as well as to their various strengths. Whilst CD-ROM indexes have clearly improved access to scholarly Australian legal literature they need to be used with just a degree of caution

Table 1

Title of Journal	AGIS		ALLI		ILPB	
	Total	1990s	Total	1990s	Total	1990s
Adelaide Law Review	187	52	153	72	226	69
Australian Business Law Review	662	224	405	201	112	102
Australian Journal of Corporate Law	98	98	89	89	102	102
Australian Journal of Family Law	170	110	212	102	116	101
Australian Journal of Law and Society	64	27	77	33	124	47
Australian Law Journal	2974	942	1570	927	545	188
Australian Tax Review	319	104	203	101	71	58
Bond Law Review	88	71	88	71	68	68
Building and Construction Law	158	97	24	24	54	44
Company and Securities Law Journal	479	298	476	288	66	60
Competition and Consumer Law Journal	38	38	28	28	14	14
Corporate and Business Law Journal	65	46	58	50	29	29
Criminal Law Journal	428	210	402	251	256	97
Environmental and Planning Law Journal	320	160	265	203	169	152
Federal Law Review	250	62	105	52	206	71
Griffith Law Review	18	18	18	18	19	19
Insolvency Law Journal	68	68	29	29	25	25
Journal of Contract Law	151	122	166	137	61	61
Journal of Law and Medicine	86	86	85	85	44	44
Law in Context	75	38	103	44	67	67
Law Institute Journal	3122	1132	1888	1167	1073	470
Melbourne University Law Review	297	119	264	136	342	163
Monash University Law Review	202	59	195	95	181	89
Sydney Law Review	265	129	224	129	328	212
Torts Law Journal	43	43	42	42	34	34
University of NSW Law Journal	271	109	244	81	295	110
University of Queensland Law Journal	136	48	107	71	136	61
University of Tasmania Law Review	154	72	97	60	144	80
University of WA Law Review	295	117	196	156	250	147
TOTAL NUMBER OF RECORDS	11507	4699	7813	4742	5157	2784

Table 2

Title of Journal	Latest Issue Available 14/2/96	AGIS		ALLI		ILPB	
		Latest	Rank	Latest	Rank	Latest	Rank
Adelaide Law Review	17(1)	16(2)	2	16(2)	2	17(1)	1
Australian Business Law Review	23(6)	23(3)	2	23(3)	2	23(4)	1
Australian Journal of Corporate Law	5(4)	5(2)	2	5(1)	3	5(3)	1
Australian Journal of Family Law	9(3)	9(1)	2	9(1)	2	9(2)	1
Australian Journal of Law and Society	11	9	2	9	2	10	1
Australian Law Journal	70(1)	69(8)	2	69(3)	3	69(11)	1
Australian Tax Review	24(4)	24(2)	1	24(1)	2	24(2)	1
Bond Law Review	7(1)	6(2)	1	6(2)	1	6(2)	1
Building and Construction Law	11(6)	11(4)	2	11(1)	3	11(6)	1
Company and Securities Law Journal	13(8)	13(5)	2	13(1)	3	13(8)	1
Competition and Consumer Law Journal	3(2)	2(2)	2	2(3)	1	2(2)	2
Corporate and Business Law Journal	8(2)	7(2)	1	7(2)	1	7(2)	1
Criminal Law Journal	19(6)	19(4)	1	19(3)	2	19(1)	3
Environmental and Planning Law Journal	12(6)	12(3)	2	12(2)	3	12(4)	1
Federal Law Review	23(2)	23(1)	1	22(2)	2	23(1)	1
Griffith Law Review	3(2)	2(2)	2	2(1)	3	3(3)	1
Insolvency Law Journal	3(4)	3(2)	1	3(2)	1	3(2)	1
Journal of Contract Law	9(1)	8(3)	1	8(1)	2	8(3)	1
Journal of Law and Medicine	3(3)	3(1)	1	3(1)	1	3(1)	1
Law in Context	13(2)	13(1)	1	12(1)	2	13(1)	1
Law Institute Journal	70(2)	69(8)	2	69(4)	3	69(10)	1
Melbourne University Law Review	20(1)	19(4)	2	19(4)	2	20(1)	1
Monash University Law Review	21(2)	20(2)	1	20(2)	1	20(2)	1
Sydney Law Review	17(4)	17(2)	2	16(3)	3	17(4)	1
Torts Law Journal	3(3)	2(3)	1	2(3)	1	2(3)	1
University of NSW Law Journal	18(2)	17(2)	1	17(2)	1	17(1)	2
University of Queensland Law Journal	18(2)	18(1)	1	18(1)	1	18(1)	1
University of Tasmania Law Review	13(2)	13(1)	2	13(1)	2	14(1)	1
University of WA Law Review	25(1)	24(2)	1	24(1)	2	24(2)	1
Totals			44		57		33