

FLORENCE MAY THURLES THOMAS 1908 - 1997

Florence May Thurles Thomas, BA, LLB Fellow of the Australian Library Association of Australia died 6 November 1997 aged 89. A tribute is being prepared for the next issue of the *Australian Law Librarian* by Lynn Pollack and Helen Lawrence. If anyone would like to contribute recollections of Miss Thomas for inclusion in this tribute, please contact Lyn Pollack, 9/363 Edgecliff Road, Edgecliff NSW 2027 Ph/Fax (02) 9328 2060. Amongst her many achievements, Thurlle Thomas graduated from the University of Sydney Law School in 1933 with the Rose Scott Prize for International Law, was the Law Librarian for Sydney University 1959 - 1966 and from 1972 - 1976 guided the development of the Macquarie University Law Library.

BUTTERWORTHS CCH MERGER - SOME POSSIBLE IMPLICATIONS FOR AUSTRALIAN CONSUMERS

The legal publishing conglomerates Reed-Elsevier and Wolter Kluwer have announced their betrothal to form a 17.5 billion pound conglomerate. Reed-Elsevier is the parent company of Butterworths and Kluwer is the parent company of CCH. Both Butterworths and CCH were taken over by their parent companies in the past few years. The last major international legal publishing takeover occurred last year when the Thomson Group took over West Publishing of the US. In Australia, Butterworths took over Info-One at the

beginning of 1997 and rebadged it together with other products as Butterworths Online. Then in July 1997, Computer Law Services sold off its legal subscription business to LBC Information Services.

What implications will the Butterworths/CCH merger have on the Australian legal publishing industry? In 1995, Butterworths sold off its income tax looseleaf services and book titles to LBC Information Services. This seemed ironic as LBC sold off its then income tax service to CCH in 1969. Once LBC acquired the Butterworths income tax titles, it published them under a separate entity called Australian Tax Practice, with products such as books, looseleaf services CD-ROMs and online services via the Internet.

What is likely to happen is that as both CCH and Butterworths compete in many similar looseleaf and electronic services, some of these may be offered to their rivals: LBC Information Services, Federation Press or Prospect. As Federation Press do not, as yet, offer looseleaf services or electronic products, this leaves LBC and Prospect as the likely candidates, though other smaller publishers such as FI Law & Tax (an imprint of Pearson Professional (Australia) Pty Ltd) may enter the current awareness market.

The areas where both Butterworths and CCH have rival products, either in looseleaf or electronic formats are the following: NSW Conveyancing; Stamp duties; High Court and Federal Court practice; Family law; Corporations and securities; Labour law; Victorian Court practice; Corporate practice; Occupational health and safety; Workers compensation; Victorian accident compensation; Building Code of Australia; ASC releases; Consumer credit; Intellectual property.

The following are some of the likely options

- sell off titles to various rivals, as happened in the past and outlined above
- cease publishing the service as happened when CCH bought out the Customs Act Legislation Service from Serendip Publications in 1990
- retain both services

The latter option is unlikely as mergers inevitably mean cutting to the bottom line. It wouldn't surprise me if a number of similar titles in the more widely used subject areas are retained.

Generally speaking, the Australian legal publishers have enjoyed a competitive environment for almost thirty years. CCH, in 1969, introduced innovative and prompt looseleaf reporting to the Australian market. Today, whenever there are two or more looseleaf services in a particular area, then both services tend to be very prompt in providing information to their customers. Note the frenzy between CCH and Australian Tax Practice in getting their federal Budget Report to your desk.¹ If there is only one looseleaf service or electronic product, then the promptness in providing information can sometimes not be evident. In many of the subject areas listed above, LBC and others do not publish services, so customers will be hoping they, or some other white knight, will buy some of those services to provide much needed competition.

Section 50 of the *Trade Practices Act 1974 (Cth)* forbids acquisitions which are "likely to have the effect of substantially lessening competition in a market." The following is a "guesstimate" (and I am prepared to admit I could be way off the mark in the percentages) of how the Australian commercial legal market share looks at present (omitted are the various government printers):

Butterworths	30%
CCH	29%
LBC	35%
Federation Press	2%
Prospect	3%
Others	1%

(Others include: Oxford University Press; Redfern Legal Centre Publishing; Business Law Education Centre; College of Law; Leo Cussen Institute; Longman; FT Law & Tax)

Provided the Australian Competition and Consumer Commission gives the green light, then Butterworths CCH would have a market share of over 50%. Some would argue this would result in a substantial lessening of competition as per the Section 50 threshold test. In their defence, Butterworths CCH could argue that the legal publishing market is much larger than that depicted above. One could easily include all the government printers, together with the various sites on the Internet, such as the Australasian Legal Information Institute (AustLII), SCALEplus, LawNet etc.²) The latter together attract thousands of hits every day.

We eagerly await LBC Information Services announcement regarding its online service to match Butterworths Online³. Perhaps the proposed merger will hasten along the developments.

Colin Fong

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Research Librarian, University of Sydney Law Library

1 Fong, Colin "Australian commercial publishing and law libraries" *Australian Library Review* 13 (1996) pp163- 172

2 Note Burchett J's comments re the market, ss 45 & 46 of the *Trade Practices Act 1974 (Cth)* in the *Super League* case (1996) 58 Federal Court Reports 447 at 474 onwards

3 See the forthcoming announcement on LBC Information Services Homepage under LBC Online <http://www.lbc.com.au>

NEW LEGAL INFORMATION STANDARDS COUNCIL LAUNCHED

Combating information overload and simplifying access to electronic legal information will be the role of the new body, the Legal Information Standards Council, launched 22 October 1997

President of the Law Society of NSW, Mr Patrick Fair, said the council would bring together the key players involved in publishing legal information on the Internet to ensure the public was getting the best quality information possible.

Mr Fair said the Council, an initiative of the Law Society and the Law Foundation of NSW, would ensure resources were spent to create a body of legal information on the Internet that was easy to find and genuinely useful.

Membership of the Council comprises of the Parliament of NSW, the Attorney-General's Department, Office of Parliamentary Counsel, the Law Society of NSW, the NSW Bar Association, the College of Law, the Council of Law Reporting, the Judicial Commission, AustLII and the commercial publishers

The aim of the Council is to ensure that people wanting to find legal information on the Internet can find the right information and find it quickly. By bringing together all those involved in publishing legal information, we can avoid the duplication of services and ensure people get a valuable and effective resource" he said.

The key objectives of the Council are:

- to develop technical and publishing standards for the delivery of electronic legal information in New South Wales
- to provide a forum for communication and collaboration amongst key NSW-based online legal publishers
- to make recommendations for the co-ordination of electronic legal information in New South Wales

The Council will enable the co-ordination of

activities, and sharing strategies to solve common problems. It will result in information about the law and legal system becoming easier to find and easier to understand.

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HISTORICAL ORIGIN OF THE BOOKMARK

Denis Le May recently posted this gem on the Canadian Law Librarians' Internet Discussion List.

"Dear call-l-eagues,

I would like to support the opinion that the first author in history who used the bookmark as a time-saving device, much in the same way and meaning as we do today in the context of the Internet, is Seneca (c 4 BC - AD 65):

"I shall send you, accordingly, the actual books themselves, and to save you a lot of trouble hunting all over the place for passages likely to be of use to you, I shall mark the passages so that you can turn straight away to the words I approve and admire" Letter Vi, par. 5

Letters from a Stoic: Epistulae morales ad Lucillum / Seneca: selected and translated with and introduction by Robyn Campbell. Harmondsworth, Penguin, 1969, 254p, at p40

If anyone can claim an earlier instance of the concept of the bookmark, I'm willing to be challenged dually

- i) as being the first to note that the fact,
- ii) on the merits, that Seneca is not the father of all bookmarks.

Until then, I remain your most humble servant,
Dionisius Maius, servus tuus

Denis LeMay

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ON THE INTERNET

A number of interesting sites have been noted over the past few months and been posted on the ANZ Law List and the Canadian Law List. They are reproduced for your reference.

Proceedings of the 7th Specials, Health & Law Librarians' Conference

The proceedings of the conference held in Perth 12 to 16 October 1997 are available on the web for one year at Trimagic's site.

URL <http://www.trimagic.com.au/edge.htm>

A very limited number of printed proceedings are available for \$60 plus \$10 postage and handling from Motive Conventions PO Box Z5327 St Georges Terrace, Perth 6831
Ph: (08) 9322 2666
Fax: (08) 9322 1417
Email: motive@vianet.net.au

Law Report Citations on the Web

LBC Information Services list of law report abbreviations is available via their Website. The best reference is simply:

URL <http://www.lbc.com.au>

but to go directly to the page itself (without the LBC navigation bar) use:

URL <http://www.lbc.com.au/res/lrreport.html>

Citations for Court Opinions

You may wish to review a document entitled "An international system for the citation of court opinions: QUICKLAW proposal". It is available at URL <http://www.qsys.ca> under the What's New Section. Comments are welcome.

Summit on authenticating, preserving and citing electronic legal information

Canada held a summit on this topic in Toronto from 20 to 22 November 1997. The Summit Homepage can be found at URL <http://www.kingston.net/iknet/call/summit/>

Liaison: The Council of Federal Libraries Newsletter

The Council of Federal Libraries newsletter is written by staff of the Canadian federal government libraries and is available on the Internet. The 1997-5 issue includes brief articles on: Rare finds on the Federal Library Web Scene, Building the Corporate Intranet Knowledge Centre, Digital libraries: definitions, issues and challenges, I changed careers..., and Council of Federal Libraries - 13th Annual Fall Seminar - Knowledge Management: Strengthening what we know.

The newsletter can be found at:

URL <http://www.nlc-bnc.ca/cfl/cbgt/liaison/eliason.htm>

Bytes in Brief

Is a FREE monthly digest of Internet law and technology news from the United States delivered to you by email, published jointly by Sensel Enterprises Inc (a Website development, Internet and computer consulting company) and Nelson & Wolfe (a business and technology law firm). You may view the current and past issues of *Bytes in Brief* or subscribe at:

URL <http://www.senseient.com>

University of Western Australia Law Review

The University of Western Australia Law Review now has a site on the Internet. The site includes a cumulative index to the review from 1982 onwards, plus abstracts and notes published in the review over the past four years. Full text of some articles may be included in the future.

URL <http://www.law.ecel.uwa.edu.au/lreview/>

New Service from Australian Government Publishing Service

The Australian Government Publishing Service is pleased to announce that the Commonwealth Bills are now available on the Internet. It is a

similar product to the serial, the Commonwealth Bills Table. The list contains details about Bills before parliament and includes explanatory memoranda and other related material released. If the Bill or explanatory memorandum are available on Parliament's BillNet Internet site, the Bills List provides a link to the document.

URL <http://www.agps.gov.au/law/bills.htm>

Another recent development is online subscriptions. The Australian Government Publishing Service now also offers Commonwealth Acts (numbered) and Commonwealth Bills as an online subscription rather than just hardcopy. Further details on these subscriptions can be located at

Commonwealth Acts

URL <http://www.agps.gov.au/aboutus/actsint.htm>

Commonwealth Bills

URL <http://www.agps.gov.au/aboutus/billsint.htm>

As an additional service for customers trying to locate 1996 explanatory memoranda, we have included most of the 1996 explanatory memoranda in the sample area of the Commonwealth Bills Online subscription.

For more information contact:

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Legislation Products Manager

Australian Government Publishing Service

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CYBER BOOKS - THE FUTURE?

The following article featured in *the Australian* Wednesday October 8 1997 p7 and is reproduced with their kind permission.

Cyber books just like the real thing by Belinda Hickman and has been reproduced with the kind permission of the Australian.

One electronic book made of reusable paper will give readers unlimited access to library and Internet books from next year.

"Within a few minutes it writes the entire book with a look as good as ink on paper, and you can

take it off and read it however you would normally read books... at the beach or whatever." said Nicholas Negroponte, founder and director of the Massachusetts Institute of Technology's renowned media laboratory.

"When you've finished reading it, you close it and plug it back in. The letters are sucked out and a new book is written."

Dr Negroponte said his students were just "a year to a year and a half" away from developing the book which would revolutionise the printing industry.

Speaking at an NCR's Partners Conference, the world's oldest computer company best known for its work developing automatic teller machines, Dr Negroponte said the idea was devised by a group of "kids at the lab" and that it "actually will probably work".

The new approach involves imbedding microscopic balls, about one tenth of an inch in diameter - in a coating on the top of each page. One half of each ball is coloured black and the other white.

An electronic charge is used to rotate individual balls, so that they turn to the black side to form a letter and to the white to create a space.

A printer can then be used to supply the electronic charge. So the paper just needs to be run through the printer to replace the old text with the new.

Dr Negroponte said a transparent grid containing electronic circuitry overlaid on the paper would allow it to change without being run through a printer. "This (paper) is 100 percent working" he said, adding that media companies were the groups most interested in the potential.

"Some of their readers would like to print their newspapers at home", he said, "They would have six sheets of this paper and they would feed it through the printer and out comes their newspaper for the morning. When they have finished reading they can stick it in the printer the following morning and out will come tomorrow's paper."