

## Internet and the law – Part 2

Suman Barua Johannesburg Bar

This is a follow up on a previous article (see Wilson and Barua “The internet and legal research” 2001 April *Advocate* 28), and seeks to highlight other sites which may be of assistance. Although the Bar library provides a wonderful array of foreign publications, the advantage of the internet is that it offers online search engines of cases, statutes and other legal resources (such as treaties, conventions and constitutions) as well as providing relatively up to date decisions of various courts. The search engines should be used in much the same way that one would use Jutastat or Butterworths search engines, that is, by the use of keywords, bearing in mind that foreign jurisdictions may employ terms that differ from ours.

The following sites may be useful in your internet research and are by no means exhaustive.

### Canada

The Canadian Native Law Cases: <http://library.usask.ca/native/cnlch.html> – The site is categorized under cases/ subject and deals with what will be equivalent to our customary law cases. It is useful in the customary and constitutional/human rights law field.

University of Toronto/Canadian website: <http://jurist.law.utoronto.ca/locate.htm> – This is a relatively good search engine extending to various Canadian courts, federal and provincial legislatures and statutes, and administrative rulings. It provides a number of different databases.

### United States

United States Supreme Court cases: <http://supct.law.cornell.edu/supct/index.php> – This site is up to date as at the end of January 2003. The search engines are very user-friendly, and includes both historic

and current law search engines, information on the US supreme court, its justices, and rules of that court.

John Marshall Law School website: <http://www.jmls.edu/cyber/index/index.html> South Africa has not, as yet, truly dealt with internet law or the legal problems confronted by the internet. This site deals with United States cases on internet/cyberspace legal cases. The judgments can be found under the “WWW” link for each case and the search engines have categories of topics such as advertising, protection of children, anti-trust and unfair competition, free speech, privacy, unsolicited email, child pornography issues, constitutional law, etc. There are also links to relevant statutes dealing with cyberspace/internet law.

The UCLA Online Institute for Cyberspace Law and Policy is similar to the John Marshall Law School site: <http://www.gseis.ucla.edu/iclp/hp.html> This is a compilation of US cases on cyberspace law including recent decisions (as recently as 20 January 2003) including Attorney-General John Ashcroft cases in which there were various challenges to freedom of speech issues involving the internet.

Washburn University School of Law: <http://www.washlaw.edu/> or <http://www.washlaw.edu/searchlaw.html#City%20Codes> – This is a website of various United States courts including state courts, federal circuit and Supreme Court, and includes useful search by month and year of case, if known.

[http://www.alllaw.com/law/federal\\_law/admin\\_law/](http://www.alllaw.com/law/federal_law/admin_law/) – This site contains various United States administrative law cases involving tribunals, including labour tribunal cases, securities and exchange commission opinions and initial decisions, and occupational safety and health administration decisions.

### United Kingdom

For United Kingdom selected cases and statutes as at 2003: <http://www.swarb.co.uk/>. The site is quite extensive, going all the way back to the Magna Carta; it has summaries and links to various topics in UK law such as immigration, constitutional law, European Union law, commercial and criminal law, financial services, internet law, etc.

### Australia

The following site contains an Australian cases and statutes search engine of various courts: <http://homes.jcu.edu.au/~lbsew/cases.html>

### Europe

European court and commission decisions: <http://europa.eu.int/jurisp/cgi-bin/form.pl?lang=en>. The search engine is probably the most user unfriendly as one needs to know case number, etc. Search engine runs from 1997 to 2003.

### Commonwealth

The Commonwealth Human Rights Case Law Database: <http://www.interights.org/ccl/> – This search engine of commonwealth human rights cases includes a search by countries but is not very up to date on eg SA cases which go up to 1999. The links are only to a summary of cases but are useful as a starting point. The site is an excellent research tool because it makes use of linkable catch phrases that link up to various other commonwealth decisions dealing with similar topics eg customary law. The site deals with various decisions for each country and not just of the highest courts. It includes treaties and other international instruments of commonwealth countries.

### General legal searches

[http://www.lawguru.com/search/law\\_search.html](http://www.lawguru.com/search/law_search.html) includes precedents of forms. 

## World Women Lawyers' Conference

The IBA's Women Interest Group's second World Women Lawyers' Conference will be held in London from 30 June – 1 July 2003. The conference will offer two days of focused conference sessions and networking events. Over 1 000 lawyers from over 100 countries are expected to attend.

In addition to the usual legal topics a full day's session will be devoted to “The role of women in conflict resolution” with Mary Robinson, former UN High Commissioner for Human Rights, as keynote speaker.

The GCB will be represented by its assistant honorary secretary, Fayeza Kathree of the Johannesburg Bar.

For further information please contact the IBA : e-mail: [confs@int-bar.org](mailto:confs@int-bar.org); website: [www.ibanet.org](http://www.ibanet.org).