After this session, you should have...

- An understanding of how to identify issues & keywords from a question or scenario
- An understanding of how to use secondary sources to build understanding around primary sources.
The resources we’ll cover today

- Encyclopaedias
- Journal articles on a case
- Commentary/Looseleaf
- Case Citators
Library Resources Available to you

Law Library Resource Guide
http://libguides.csu.edu.au/law

Legal Research Skills Guide
http://libguides.csu.edu.au/legal_research

Videos
https://youtu.be/zwQa17s5Vmo?list=PLx1cPoNOMe3O8MDK-2xpycWFdwViqcJ
What is the Legal Research Process?

Legal Research Strategy
IRAC & Library Resources

The IRAC method provides a structure to help you answer legal problem questions.

- **Issue**
  - What happened?
  - Who did it happen to?
  - Where did it happen?
  - What is the area of law?

- **Identify the issues & principles**

- **Rules/Relevant law**
  - Identify the relevant case law & legislation
  - Remember! It is really important to research legal principles rather than facts of the case.

- **Gather background information**
  - Use textbooks, dictionaries, encyclopedias, journals & commentaries

- **Locate key case law or legislation**

- **Update the law**
  - Use Case Citators & check Legislation Amendments

- **Apply the facts**
  - Why are the plaintiff's claims or aren't justified?
  - How will the law be used to argue the case?

- **Apply the law**
  - Use the Legal Research Skills Guide for help with Legal Research
  - Use the CSU Law Library Guide for Law Resources
  - Contact the Library for further help

- **Conclusion**
  - Stand back and play judge - who is liable and to what extent?
  - How could this have been avoided?

https://create.piktochart.com/output/33241532-legal-research-strategy-copy
You are a Judge’s Associate in the High Court. Your Judge, Justice Edelman, comes to you with a statutory interpretation task. The case was the recent NSW Court of Appeal case *Hunter Quarries Pty Ltd v Alexandra Mexon as Administrator for the Estate of the Late Ryan Messenger* [2018] NSWCA 178. This case involved interpretation of the *Workers Compensation Act 1987* (NSW) and the meaning of “permanent impairment”. Your Judge is interested in the case history of this decision and asks you to look at its treatment in the NSW Court of Appeal.

Locate the NSW Court of Appeal judgment then draft a memo outlining the key aspects of statutory interpretation that the case involved. In your memo, answer the following:

1. Outline the relevant legal issue(s) in the NSW Court of Appeal; (200 words maximum)
2. Critically analyse and compare the interpretive criteria applied by Justice Payne in the NSW Court of Appeal (located at paragraphs 17 to 98) with the interpretative criteria applied by Justice Schmidt in the earlier NSW Supreme Court decision in *Hunter Quarries Pty Ltd v Alexandra Mexon as Administrator for the Estate of Ryan Messenger* [2017] NSWSC 1587; (1200 words)
3. In your own words, explain the conclusion reached by the NSW Court of Appeal; (200 words)
4. Do you agree/disagree with the conclusion reached by the NSW Court of Appeal? Give reasons for your answer. (400 words)
Divided into sections by the relevant legal issue(s) in the NSW Court of Appeal; (200 words maximum)

Critically analyse and compare the interpretive criteria applied by Justice Payne in the NSW Court of Appeal (located at paragraphs 17 to 98) with the interpretive criteria applied by Justice Schmidt in the earlier NSW Supreme Court decision in Hunter Quarries Pty Ltd v Alexandra Mexon as Administrator for the Estate of Ryan Messenger [2017] NSWSC 1587; (1200 words)

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Issues/Keywords – an abbreviated list!

- Meaning of “permanent impairment”
- Interpreting the meaning of words in statutes
- Joining of two defined terms to provide meaning
- Use of dictionaries for meaning of words

Legislation

*Workers Compensation Act 1987 (NSW) ss 65 and 66*
*Workplace Injury Management and Workers Compensation Act 1998 (NSW) s 322*
*Interpretation Act 1987 (NSW) s 35*
Dictionaries/Encyclopaedias


eBooks/Textbooks


Journal Articles


Commentaries/Loose leaf

Case Citators

- Law Library Resource Guide – Case Law

Case Citators can help you find a case if you don't have the full citation or want to check if your case is still 'good law'.

They can also give useful information around a case, such as:
- whether the case has been reported multiple times
- the cases that have considered this case
- the cases that were considered by the case
- legislation considered by the case
- whether any journal articles have discussed the case
Let’s find the case citator records in Firstpoint & CaseBase for the Court of Appeal judgment

Hunter Quarries Pty Ltd v Alexandra Mexon as Administrator for the Estate of the Late Ryan Messenger [2018] NSWCA 178