

# Legal Publishing

**A barrister's office says alot about the law. The furniture is books. It also says a lot about the barrister. If you've got a set of *Halsbury's*, you're a serious player. If you've got your own four volume set of *Australian Stamp Duties Law* within arm's reach, you drink alone.**

With electronic products accessible through a computer terminal on the desk, no-one will see, and no-one will know.

After a deal of caution, legal publishing is now embracing digital and on-line products and services. It's being driven by the volume of printed material required by lawyers and law libraries, the need for up-to-date legislation, cases and commentary, the value of sophisticated cross-referencing and searching capabilities and the convenience of accessing electronic products from the desk.

The three major legal publishing companies in Australia - Butterworths, CCH and the Law Book Company - all have a range of electronic products available already. These include titles available on disk (including precedents which can be downloaded into word processing systems), updates to loose-leaf services delivered by fax or e-mail and customised information services drawing from a wide range of subject categories. Federal and state legislation and cases have been available in electronic forms for several years and the major publishers sell electronic products made by their overseas parent companies.

The first Australian-produced 'value added' CD-ROM is likely to be the Law Book Company's *The Laws of Australia*, due for release at around the time this issue of *CU* goes to press.

Butterworths are currently testing two different CD-ROM versions of its competitor product *Halsbury's Laws of Australia* with 200 customers. The final product is expected to be released by the end of the year.

These are intended to be the 'access points' for much legal research. They will be the centre-pieces of the legal information systems being developed by their publishers, eventually cover-

ing all areas of law in Australia. They will answer the key questions a researcher is likely to ask and direct them to more specialised material where appropriate.

CCH will be launching a number of CD-ROM products in 1995, according to Andrew Bird, General Manager Customer Division.

Rod de Beer, Marketing Director at Butterworths, predicts electronic products will grow from 1% to 20% of Butterworths' Australian turnover over the next five years - 'significant but not a revolution. It's volatile. We expected to publish the CD-ROM version of *Halsbury's* five years after the first paper volume was released. We've done it in less than half that time. A lot of customers now are saying they're interested in electronic.'

Peter Mariani, Electronic Publishing Manager at the Law Book Company, predicts that by the year 2000, the Law Book Company's business will be 60% electronic, 40% paper.

Particular factors likely to increase the use of electronic products include the availability of hardware (currently, it is estimated that there are 200 Australian legal offices with electronic capacities); the availability of product (Mariani sees it as 'a bit like a swimming pool at the moment. To do a research task, you can swim parts of the way with electronic products, but you have to keep getting out and walking with paper products. Once you can swim the whole way, there'll be a big increase in use') and the availability of more friendly and familiar software ('the next version of Windows will make technology-based research take off').

The logic of electronic products is so compelling that one wonders if there will be any paper publications left.

de Beer says paper will still be used for works 'which are meant to be read from start to finish, like an excellent monograph'. Mariani 'severely doubts that there will be another wholly new paper issue of *The Laws of Australia*, although we will continue to support the paper product as long as customers want it. There will still be a market for 'legal coffee table books' and 'practitioner works', like Fleming's *The Law of Torts* or books on very specialised topics. Bird thinks the convenience of a paper copy of a title like CCH's *Master Tax Guide* will still be valuable.

There may also be new opportunities in multimedia. 'Don't assume legal publishing is all text,' says Mariani. He sees multimedia happening first in the education market. 'It will provide a way into the law that hasn't existed before.'

*Continued on page 17 ...*



## Local or Global?

Legal publishers produce some titles for an international market, but many for the highly localised legal systems of different countries and provinces. The business choice, as for producers of films and TV programs, is often between products targeted mainly at local audiences, products which target Australian audiences as part of a wider international audience, and products directed solely at overseas markets.

de Beer says Butterworths' decision to produce an Australian version of *Halsbury's* was taken because of the increasing divergence between Australian and English law.

The independence of Australian parliaments and judges from English precedents created a niche market familiar to publishers in Australia who now serve a country with nine separate federal, state and territory jurisdictions. 'You don't have the kind of world market you would have if you were publishing a book about medicine,' says de Beer.

'We have to think globally but publish locally,' he says. At CCH, Bird says 'We are actively seeking to produce products which have a market in more than one country'.

There are at least four areas of opportunity for 'global' titles - titles covering the same kind of law in different countries of particular interest to organisations operating internationally (eg CCH Australia's *International Tax Planning* library); areas of law subject to international agreements, like copyright; regional legal systems, such as in the EC (Butterworths has extended the coverage of case law in *The Digest* beyond common law jurisdictions to EC countries); and research and policy development, which considers experience in other countries.

Nation states may increasingly seek the consistency of internationalisation, but their subjects - from tax planners to Majorcan-resident Los Magnatos - search for opportunities in jurisdictional arbitrage. □

ian subsidiaries of multinationals like Pan Macmillan, HarperCollins (which includes the Angus and Robertson imprint) Penguin, Random House, Transworld and Hodder Headline are responsible for exporting their Australian lists.

Bob Webb, currently a First Assistant Commissioner with the Australian Taxation Office, who undertook an earlier stage of the project on export strategy as a consultant, sees this as limiting Australia's export potential. 'The multinationals have been very good at increasing the number of Australian titles in their lists. But there is still a tendency to see the Australian subsidiaries as publishing for Australia and New Zealand. With a few exceptions, Asia is a market for the parent companies'.

Blackwell says this kind of practice might have been common in the 1960s and 70s, but believes 'These days, it's more of a stand alone industry in Australia. If a local subsidiary can see an export opportunity, it goes after it. At international book fairs like Bologna, the Australian subsidiaries of international companies like HarperCollins and Macmillan conduct their business on the Australian national stand and sell in competition with their parent companies.'

## Looking North

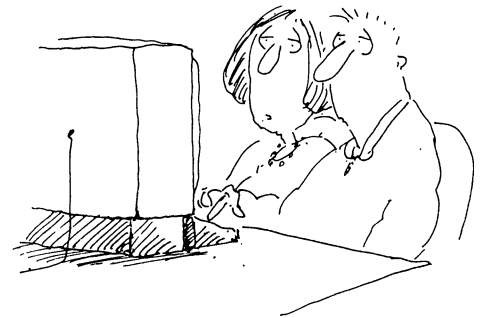
In 1991, less than 10% of Australian publishers' export revenues came from the Asia Pacific area.

'There are limits to what you can publish for Asia in English,' says Dow. Translation rights are not always a particularly profitable business. 'You might earn a royalty of only 6-8% of the local retail price'. Although Dow feels Australian-based publishers are a little late in turning their attention to Asia, she sees real opportunities for particular kinds of books, and for co-publishing ventures between Australian and Asian publishers, to publish in local languages.

She has already travelled to Malaysia, Indonesia, Singapore, Hong

Kong and China, and plans to visit Taiwan, Japan and Korea as part of the consultancy.

The opportunities vary considerably for different areas of publishing and across different territories. 'With educational texts, it's very hard to have a title chosen as a main text,' says Dow. 'It's also very hard if you're not in the country. The multinational companies with local operations in Asian countries have a real advantage. But supplementary material, which might be bought by parents to help their children to succeed in the very competitive education systems, provides opportunities.'



'Australian children's fiction and non-fiction is very strong. When you see what the US and UK publishers are doing in this area, Australia's stands out. We have good, original authors, unusual illustrators and good publishers.' (Between mid-1992 and mid-1993, Penguin UK took nearly half the children's titles on offer from its Australian subsidiary.)

'Adult fiction and non-fiction prospects vary greatly from country to country. Singapore and Malaysia are very interested in business, management, finance and investment titles - they take up 40% of many bookstores. China is interested in style, fashion and interior design. Some territories are interested in fiction, but only if there is a film or TV tie-in.

'You don't sell Australia as Australiana anywhere in Asia. It's far more sophisticated than that.' □

