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2022 Year in Review

and AustLII Foundation Limited
Annual Report

Australasian Legal Information Institute
A joint facility of UTS and UNSW Faculties of Law



2022 AT A GLANCE

THE AUSTRALIAN ROYAL COMMISSIONS AND PUBLIC INQUIRIES LIBRARY

The ARC LIEF funded Australian Royal Commissions and Public Inquiries Library has been completed. The project resulted in the creation of 40 new databases, including Reports of Royal Commissions, Boards and Commissions of Public Inquiry, and Reports of Parliamentary Select Committees of Public Inquiry, and the addition of more than 500,000 new pages to AustLII.

THE AUSTRALIAN CORONIAL LAW LIBRARY

With funding from the Australian Research Data Commons, AustLII has constructed a comprehensive 'Australian Colonial Law Library' which provides an expansive perspective and free access to legislation, case law, scholarship and law reform materials pertaining to colonial law. The Australian Colonial Law Library is comprised of 14 colonial databases. Nearly 10,000 findings, recommendations and responses have been processed and metadata extracted to enable a seamless integration with all other primary legal resources on AustLII.

APPLYING DATALEX 'RULES AS CODE'

We have continued to develop the AustLII DataLex Rules as Code (RaC) platform. AustLII and Standards Australia have commenced a project applying AustLII's world leading DataLex Rules as Code technologies to develop and apply a prototype 'standard as code'. RaC can make the law more accessible and more understandable by allowing anyone to see not only what laws say, but also how they operate in particular situations. AustLII's DataLex system is at the forefront of global developments in this field and significant technical advances were introduced during the year.

SUCCESSFUL STRATEGIC PARTNERSHIP WITH UNIVERSITY LIBRARIES

AustLII is excited to be working with the Council of Australian University Librarians (CAUL) to change the way that Open Access legal publishing is funded in Australia. In October 2021 CAUL included AustLII in its ConsortiaManager application, which allows member libraries to make a voluntary financial allocation to the AustLII Foundation. In 2022 a number of university libraries took up this challenge. We are hopeful of extending the arrangement further in 2023.



Australasian Legal Information Institute

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2022

YEAR IN REVIEW

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AUSTLII FOUNDATION LTD CHAIR'S REPORT

As a not-for-profit organisation dedicated to providing free access to law in support for the Rule of Law, the AustLII Foundation is completely reliant upon the donations and contributions it receives. It is very pleasing to be able to report once again that the support received in those forms has continued to grow in a way which has enabled the Foundation's staff to expand the scope of the legal materials being made freely and effectively to all who require access to it. It is equally pleasing to be able to report that that support, combined with various grants to the Australasian Legal Information Institute, has enabled the Foundation to take effective advantage of developments in the deployment of Artificial Intelligence to upgrade the facility and ease with which its legal data can be assessed and used. The Australian community owes a great debt of gratitude to all who have supported AustLII financially and in other ways, and to the staff of AustLII who have put that support to very good and effective use.

The major strategic goals which the Foundation has set for itself, and which are reflected in its current Strategic Plan, are:

1. **Free Access:** To provide and maintain essential national legal research infrastructure to support the Australian legal system and Australian research in the law.
2. **Innovation:** To implement and enhance effective and innovative technological and policy approaches to free access to law in Australia.
3. **Engagement:** To develop and strengthen strategies and processes to engage, collaborate and respond to stakeholders and users.
4. **Sustainability:** To ensure financial sustainability and good corporate governance.

Progress in meeting the free access goal is being demonstrated by the continuing and expanded usage being made of the AustLII service by a diverse range of users for an impressive variety of purposes.

The Foundation's approach to, and success with the innovation goal is well exemplified in a current project which it is undertaking in conjunction with Standards Australia to seek to apply the innovative DataLex 'Rules as Code' (RaC) technologies. This project aims to enable the development of a 'Standards as Code' approach to selected Australian Standards so as to make those Standards much more comprehensible and effectively "usable" by those who need to embed them in multiple contexts and situations.

Stakeholder engagement continues to involve the staff of AustLII in meeting and communicating with state and federal government ministers and senior bureaucrats, university law deans and librarians, judges and court administrators, partners with a number of law firms, and members of various other organisations which provide legal services to disadvantaged sectors of the community. Towards the end of the year AustLII was delighted to welcome the Governor of NSW, Her Excellency the Hon Margaret Beazley AO, KC who toured the AustLII facilities at UTS and was provided with a demonstration of the DataLex technologies.

A major element of the Foundation's sustainability strategy has been the development of a co-operative funding arrangement with the Council of Australian University Librarians (CAUL), which recognises AustLII as an essential open access information resource for academic teaching and research in law, as well as the many other university disciplines where knowledge of the Australian legal system is necessary. A number of university libraries now provide a good level of financial support for AustLII through this scheme.

Finally, it is pleasing to be able to report that the Board of the Foundation (the members of which act on a pro-bono basis) continues to operate effectively in providing the appropriate type and level of governance oversight over the past year.

Jeff FitzGerald (Chair, AustLII Foundation Limited)

AUSTLII CO-DIRECTORS' REPORT

During 2022, AustLII focused on developing plans and strategies to advance our core mission of providing a critical national research infrastructure facility supporting access to justice and enabling the Rule of Law for Australia and internationally. We are certain that AustLII's work will continue to enable research outcomes that are of significant economic and social benefit to Australia and internationally.

Ensuring the sustainability of AustLII to enable us to achieve these ambitious plans remains our most important challenge. We have been analysing options and planning ways in which we can substantially increase income to fully cover operating expenditure.

To achieve this, we plan to concentrate on three main strategies:

- grow income by ensuring all sectors with the capacity to pay contribute appropriately;
- extend existing relationships and establish new linkages with partners; and
- increase the number of funded projects and agreements to contribute to overall income.

Our relationship with the Council of Australian University Librarians (CAUL) forms a major component of this strategy. The arrangements that we have put in place with CAUL provide for Australian-based university libraries to make a voluntary financial allocation using an agreed formula to spread the cost equitably. The arrangement recognises that AustLII is the fundamental day-to-day resource that all law academics and students rely upon, and that it is vital to research and teaching. It also recognises that outside of law, AustLII is also used extensively by many other university disciplines.

We were pleased to meet with the Commonwealth Attorney-General the Hon. Mark Dreyfus and the NSW Minister for Science, Innovation and Technology, the Hon. Alister Henskens during the year to seek increased support from the government sector. We continue to pursue competitive funding opportunities and in 2022 made submissions to

the NSW Government's Access to Justice Innovation grant scheme and the Tech Central Research and Innovation Infrastructure Fund. We also engaged with the Department of Foreign Affairs and Trade to advocate for Australian government support for PacLII.

During the year, the AustLII Foundation finalised an agreement with Standards Australia (SA) to provide funding to apply AustLII's DataLex 'Rules as Code' (RaC) technology to Australian Standards. The project will utilise the suite of DataLex technologies to provide Standards Australia with a prototype solution that will enable a 'Standards as Code' approach for the delivery by Standards Australia to organisations and individual consumers, with the outcome of making standards easier to access and more productive to use and apply.

Major research infrastructure projects undertaken in 2022 included the ARC LIEF funded 'Australian Royal Commissions and Public Inquiries Library' and the ARDC funded 'Creating a National Free Access Collection of Coronial Findings with Recommendations and of Responses to Recommendations' project. Outcomes of these projects are reported in detail in the following pages.

AustLII continues to receive support from our many and varied users. We thank all those who made a financial contribution to AustLII during 2022.

We thank the AustLII staff for their commitment to providing the best AustLII service possible. Their efforts are deeply appreciated.

We are grateful for the support and encouragement we receive from the AustLII Foundation Board and from the Deans of Law at UNSW and UTS.

Andrew Mowbray and Philip Chung (Co-Directors, AustLII)

ABOUT AUSTLII

- **AustLII was founded in 1995 and is the largest free-access provider of online Australian legal materials serving about 250 million page access requests every year.**
- **AustLII develops and maintains critical national legal research infrastructure to support the provision of free access legal information to the community.**
- **AustLII is a founding member of the international Free Access to Law Movement (FALM), and one of the largest providers of worldwide free-access legal content.**

AustLII is comprised of two entities:

- The AustLII Foundation Limited (a charity operating as a public company limited by guarantee), which is responsible for maintaining the systems, programs and databases that delivers the online library of Australian legal information to the community. The AustLII Foundation is governed by an independent Board of Directors.
- The Australasian Legal Information Institute (a joint facility of the University of Technology Sydney and UNSW Australia), which develops new legal research infrastructure and conducts leading edge international research in technologies for developing legal information systems. The Australasian Legal Information Institute is governed under an MOU between the two host universities.

These two arms of AustLII operate in a symbiotic partnership – the Institute obtains academic research infrastructure grants which often involve collaboration with other Universities and industry to extend and develop free access legal resources, whilst the Foundation supports the AustLII service and its maintenance and development through stakeholder engagement activities, contracts and contributions.

AUSTLII FOUNDATION LIMITED

The AustLII Foundation Limited provides and maintains AustLII's Australian service and associated infrastructure.

The Foundation's objects are to:

- Be a not for profit entity to promote the sound administration and development of the law by:
 - Promoting and supporting free and effective access to public legal information in Australia by means of an electronic public library;
 - Providing, and supporting the provision by its members of, free anonymous public access in Australia to a searchable and regularly updated comprehensive and reliable internet-based electronic public library of Australian public legal materials;
- Maintain systems, programs and databases for the effective handling of an electronic public library of information and related policy development, collaborate with other researchers and providers of such information, and develop, implement and disseminate improvements and associated technical assistance and advice;
- Advance legal education by promoting and encouraging research in the field of legal information systems and dissemination of the useful results thereof; and
- Do all other things, as may be incidental or ancillary to the attainment of these objects.

The AustLII Foundation Limited is a charity and is incorporated as a company limited by guarantee. The Foundation has obtained Deductible Gift Recipient status from the Australian Taxation Office, hence donations are tax deductible.

AUSTRALASIAN LEGAL INFORMATION INSTITUTE

The mission of the Australasian Legal Information Institute is to be the leader in the development of legal information systems through research, the creation of public free access legal research facilities, and education in legal research techniques and infrastructure. We will advance the public interest in free access to public legal information at the national and global level.

By pursuing our mission, we will advance the missions of each of our host Law Faculties to be recognised as national leaders in research, research infrastructure provision and legal education; to contribute to broader community objectives; and to be recognised as Law Faculties of international standing with a major commitment to impact and engagement in national and international legal affairs. The Australasian Legal Information Institute aims to achieve its mission by pursuit of the following objectives:

1. Research and development

- To develop world leading research infrastructure and to conduct applied research in technologies for building legal information systems, and to create policies and standards necessary to enable such technologies.
- To develop tools for building legal information systems wherever appropriate, so as to maintain AustLII's public access facilities as innovative examples of international standard systems.
- To collaborate with similar organisations internationally to apply these tools, policies and standards internationally.
- To advance the missions of our host Universities and Law Faculties by pursuit of consistent goals that delivers high impact and community engagement.

2. Public policy

- Through our advocacy and example, to achieve and defend free public access via the Internet to public legal information.
- To assist and partner with others to achieve free public access via the Internet to public legal information from all countries.
- To uphold and promote the Declaration on Free Access to Law adopted by the Free Access to Law Movement (FALM).

3. Public access law facilities

- To build free access public facilities for access to law in a cost-effective way, by maximising innovative approaches to automation and processing.
- To develop new resources based on Australian legal information (legislation, case law, legal scholarship, treaties, law reform reports and others of like importance), which can be made available for free access and other legal databases of strategic importance in advancing the public interest, and which advance AustLII's aims.
- To collaborate with other free access providers of legal information in the development of international services of value to Australian legal researchers, and to legal information which contributes to AustLII achieving its other objectives.

4. Operational

- To apply for grants and other sources of funding that are consistent with AustLII's aims to ensure its sustainability.
- To develop and maintain relationships with collaborating institutions, nationally and globally.
- To provide a stimulating and satisfying long-term work environment for staff.

INTERNATIONAL ACTIVITIES

AustLII collaborates with other free access LIIs around the world to operate international multi-LII systems for legal information:

- Asian Legal Information Institute (AsianLII);
- Commonwealth Legal Information Institute (CommonLII);
- World Legal Information Institute (WorldLII);
- LawCite international citator.

In addition, AustLII jointly operates the New Zealand Legal Information Institute (NZLII), the Pacific Islands Legal Information Institute (PacLII) and the LII of India, in cooperation with local partners in those countries.

AustLII is part of the international Free Access to Law Movement and adheres to the following principles:

- Public legal information from all countries and international institutions is part of the common heritage of humanity. Maximising access to this information promotes justice and the rule of law;
- Public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge;
- Organisations such as legal information institutes have the right to publish public legal information and the government bodies that create or control that information should provide access to it so that it can be published by other parties.

GOVERNANCE

The **AustLII Foundation Limited** is a charity and is incorporated as a company limited by guarantee. The Foundation has obtained Deductible Gift Recipient status from the Australian Taxation Office, hence donations are tax deductible. It is governed by an independent Board of Directors.

The AustLII Foundation Limited Board as at 31 December 2022 comprised:

- **Dr Jeff FitzGerald (Chair)** (appointed to the Board on 22 December 2008) Former Registrar of the University of Technology Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department
- **Mr Tim Bugg AM** (appointed to the Board on 23 June 2009) Partner, Dobson Mitchell & Allport; Former Chair, International Legal Services Advisory Council (ILSAC); Past President, Law Council of Australia
- **Mr John Cameron** (appointed to the Board on 24 April 2018) Former Deputy Vice-Chancellor (Administration and Resources) at Australian Catholic University
- **A/Prof Philip Chung (Managing Director)** (appointed to the Board on 23 June 2009) Associate Professor, Faculty of Law and Justice, UNSW Sydney; Co-Director and Executive Director, Australasian Legal Information Institute
- **Mr Ian Govey AM** (appointed to the Board on 23 June 2009) Former Australian Government Solicitor
- **Prof Andrew Lynch** (appointed to the Board on 14 August 2020) Dean, Faculty of Law and Justice, UNSW Sydney
- **Ms Miranda Milne** (appointed to the Board on 29 April 2020) Former Chief Executive Officer, Victorian Legal Practitioners Liability Committee (LPLC)
- **Prof Andrew Mowbray (Executive Director)** (appointed to the Board on 27 April 2009) Professor, Faculty of Law, University of Technology Sydney; Co-Director, Australasian Legal Information Institute
- **Prof Anita Stuhmcke** (appointed to the Board on 21 October 2021) Dean, Faculty of Law, University of Technology Sydney

The Company Secretary was Giovanni Crasto (appointed 31 January 2014).



AustLII Board Members (l to r): Prof Andrew Mowbray, Prof Anita Stuhmcke, Dr Jeff FitzGerald, Ms Miranda Milne, A/Prof Philip Chung. Missing from photo: Mr Tim Bugg, Mr John Cameron, Mr Ian Govey, Prof Andrew Lynch.

The **Australasian Legal Information Institute** is a joint facility of the Faculties of Law at the University of Technology Sydney and the University of New South Wales and is governed under an MOU between the two Universities. It is overseen by a Management/Steering Committee that is comprised of the following:

- **A/Prof Philip Chung** (Co-Director and Executive Director, Australasian Legal Information Institute; Associate Professor, Faculty of Law and Justice, UNSW Sydney)
- **Prof Andrew Mowbray** (Co-Director, Australasian Legal Information Institute; Professor, Faculty of Law, University of Technology Sydney)
- **Prof Lyria Bennett Moses** (Associate Dean Research, Faculty of Law and Justice, UNSW Sydney)
- **Prof Shaunnagh Dorsett** (Associate Dean Research, Faculty of Law, University of Technology Sydney)
- **Mr Paul Holt / Mr John Connolly** (Faculty Manager, Faculty of Law, University of Technology Sydney)
- **Prof Andrew Lynch** (Dean, Faculty of Law and Justice, UNSW Sydney)
- **Prof Anita Stuhmcke** (Dean, Faculty of Law, University of Technology Sydney)
- **Ms Fei Wong / Ms Marise Andrews / Ms Sandra Rheinbay / Ms Rebecca Lawrence** (Faculty Executive Director, Faculty of Law and Justice, UNSW Sydney)

MANAGEMENT AND STAFF

Managing and Executive Directors

In 2022, the Managing and Executive Directors of AustLII were:

- Andrew Mowbray (Professor of Law and Information Technology, Faculty of Law, UTS)
- Philip Chung (Associate Professor, Faculty of Law and Justice, UNSW Sydney)

The Managing Director of the AustLII Foundation Limited is Philip Chung. Andrew Mowbray serves as Executive Director of the Company.

The Co-Directors of the Australasian Legal Information Institute are Andrew Mowbray (Co-Director) and Philip Chung (Co-Director and Executive Director).

Full-time Staff

- David Bramston (Project Officer)
- Giovanni Crasto (Finance and Administration Manager)
- Richard Hunter (Development Manager)
- Chris Kenward (Australian Databases Manager)
- Jennifer Kwong (Project Officer)
- Jones Olatunji (Systems Administrator)
- Armin Wittfoth (Project Officer)

Part-time Staff

- Graham Greenleaf AM (Founding Co-Director and Senior Researcher)
- Jill Matthews (Project Officer)



AustLII Staff (l to r): Giovanni Crasto, Philip Chung, Jones Olatunji, Chris Kenward, Jill Matthews, Armin Wittfoth, Andrew Mowbray, Richard Hunter, David Bramston, Jennifer Kwong, David Barker, Graham Greenleaf.

Researchers / Interns / volunteers

- Emeritus Professor David Barker is an AustLII Senior Researcher. He makes a substantial contribution to AustLII's research work and provides valuable assistance in maintaining links with the profession and professional organisations.
- The AustLII intern / volunteer programme is available to law students from UNSW and UTS. Interns / volunteers are able to participate in AustLII's projects including digitisation of historical legal materials in print (using both destructive and non-destructive scanning approaches), extraction of metadata, as well as stakeholder engagement activities. Anthea Dinh-Tram and Olga Makin from UTS were student interns in 2022.

AUSTRALIAN DEVELOPMENTS

DATABASES AND LIBRARIES

The heart of the AustLII service is its collection of primary and secondary Australasian legal materials, including:

- Comprehensive legislation and related legislative materials from all jurisdictions
- Case law from most courts, tribunals and regulators (past and present)
- The text of all treaties to which Australia is a party
- An extensive collection of law journals, law reform reports and judicial scholarship
- Aggregated subject specific collections and virtual databases

The following **new Australian legal databases and resources** were added or expanded in 2022:

- Australian Environment and Planning Policies 1995-
- Australian Environmental Planning Instruments 2005-
- Australian Royal Commission Reports 1902-
- Constitutional Reform Unit, The University of Sydney - Papers 2011-2015
- Coroners Court of New South Wales - Responses 2010-
- Coroners Court of Queensland - Responses 2008-
- Coroners Court of Queensland 2004-
- Coroners Court of South Australia - Responses 2005-
- Coroner's Court of South Australia 2000-
- Coroners Court of Victoria - Responses 2009-
- Coroners Court of Western Australia - Responses 2012-
- Coroners Court of Western Australia 2012-
- New South Wales Coroners Court Findings 1979-
- New South Wales Law Reform Commission - Consultation Papers 2007-
- New South Wales Law Reform Commission - Question Papers 2012-
- Northern Territory Coroners Court 1979-
- Northern Territory Work Health Court 2022-
- Northern Territory Youth Justice Court 2022-
- Queensland Crime and Misconduct Commission Investigation Reports 2002-2014
- Queensland Crime and Misconduct Commission Legislative Reviews 2002-2014
- Queensland Crime and Misconduct Commission Performance Reports 2002-2014
- Queensland Crime and Misconduct Commission Research Reports 2002-2014
- Queensland Criminal Justice Commission Investigation Reports 1989-2001
- Queensland Criminal Justice Commission Performance Reports 1989-2001
- Queensland Criminal Justice Commission Research Reports 1989-2001
- Tasmanian Coroners Court - Responses 2015-
- Tasmanian Coroners Court 2001-
- Victorian Boards and Commissions of Public Inquiry 1856-
- Victorian Joint Select Committees on a Public Inquiry 1887-
- Victorian Law Reform Commission - Consultation Papers 2004-
- Victorian Law Reform Commission - Discussion Papers 2001-
- Victorian Law Reform Commission - Issues Papers 2002-
- Victorian Law Reform Commission Information Papers 2001-
- Victorian Law Reform Commission Interim Reports 2003-
- Victorian Law Reform Commission Options Papers 2003-
- Victorian Law Reform Commission Position Papers 2005-
- Victorian Legislative Assembly Select Committees on a Public Inquiry 1852-
- Victorian Legislative Council Select Committees on a Public Inquiry 1852-

- Victorian Royal Commissions - Reports 1858-
- Victorian Sentencing Advisory Council Reports 2005-
- Victorian Sentencing Advisory Council Snapshots 2005-
- Western Australian Mining Warden 2022-
- Western Australian Warden's Court 2022-

AUSTLII COMMUNITIES

AustLII Communities is a platform for innovation in the creation of free-access legal information that is provided by a wide range of 'trusted' user communities and that is fully integrated with all the legislative, case law, treaty and legal scholarship resources on AustLII. The content on AustLII Communities is easily updatable by authors and information providers and contains:

- Plain language law handbooks and other guides to the law
- Legal textbooks, annotations and case summaries
- Collaborative educational resources for the teaching of law
- Codebases for use with DataLex

Current resources available on the platform are as follows:

Law Handbooks

- ACT Law Handbook, maintained by Legal Aid ACT
- ACT Environmental Law Handbook, maintained by the Environment Defenders' Office (ACT)
- Northern Territory Law Handbook, maintained by the NT Legal Aid Commission, and the Darwin Community Legal Service
- New Zealand Accident Compensation Law Handbook, maintained by NZLII
- Victorian Discrimination Law, maintained by the Victorian Equal Opportunity and Human Rights Commission
- Residential Tenancy Law and Practice Western Australia, maintained by Tenancy WA
- Western Australian Law Handbook, maintained by the Sussex St Community Law Service Inc.

Law Books and Monographs

- Capacity and the Law by Nick O'Neill and Carmelle Peisah, maintained by the authors
- Animal Law Case Book by Sophie Riley, maintained by the author

Rules as Code

- DataLex, maintained by AustLII

Research Resources

- Annotated Bibliography of COVID-19 Legal Literature, maintained by the University of Melbourne Law School COVID-19 Research Network
- Australian Cyber Law Map, maintained by the University of Melbourne, Centre for AI and Digital Ethics; UNSW Sydney, the Allens Hub for Technology, Law and Innovation; and the Defence Science Institute
- New Zealand Law Style Guide, maintained by NZLII and the New Zealand Law Foundation

AustLII would welcome expressions of interest from community groups and organisations to add useful resources to the AustLII Communities platform.

DATALEX APPLICATIONS DEVELOPMENT SYSTEM

DataLex is an applications development platform that can be used to create Rules as Code applications, document assembly systems and 'chat bots' including legal advisory services and regulatory compliance applications. DataLex interacts with the AustLII Communities platform, which enables the sustainable collaborative development of codebases.

'RULES AS CODE'

DataLex has been developed to suit the needs of the evolving concept of 'Rules as Code' (RaC), the process of rendering rules in legislation, regulation and policy as code so they can be consumed and interpreted directly by computers.

There are many proposals for governments to adopt policies to implement 'Rules as Code'. DataLex has great potential to support the development of applications that demonstrate the effectiveness of the RaC approach to dealing with making legislation and regulation more accessible for humans and machines.

Rules as Code is a field of research that is transforming law and policy making globally, and interest in its development is flourishing in both academic and policy circles.

DATALEX APPLICATIONS – 'STANDARDS AS CODE'

During the year the AustLII Foundation finalised an agreement with Standards Australia to provide funding to apply AustLII's DataLex 'Rules as Code' (RaC) technology to Australian Standards. The project will utilise the suite of DataLex technologies to provide Standards Australia with a prototype solution that will enable a 'Standards as Code' approach for the delivery by Standards to organisations and individual consumers, with the outcome of making standards easier to access and more productive to use and apply.

It is hoped that this initial agreement will form the basis of a broader cooperative arrangement with Standards Australia and may form the basis of a joint research projects to generate new knowledge and develop new technologies related to 'Standards as Code', that support both public policy and commercial outcomes for both organisations and lead to a continuing program of cooperation between AustLII and Standards Australia to improve access to and foster more productive use of Australian Standards.



Kick-Off Workshop for Standards as Code project (l to r): Richard Hunter, Philip Chung, Andrew Mowbray (AustLII) and Kylie Beveridge, Andrew Davies, Karen Riley-Takos (Standards Australia)

VIRTUAL DATA LAB FOR LEGAL RESEARCH

AustLII wants to encourage valuable research uses of the data in the AustLII databases, but at the same time needs to maintain its policies in relation to bulk downloading. These policies particularly relate to the ways in which case-law documents on AustLII can be copied and used. AustLII specifically blocks all spiders and other automated agents from accessing its case-law via the Robots Exclusion Standard. AustLII's policy is the same as nearly all similar organisations internationally. The reason for these policies include:

- the need to balance personal privacy against open access and to comply with Australian and international privacy legislation;
- the need to comply with take-down, anonymisation and other modification directions from courts and parties;
- the need to avoid being liable for contempt and breaches of the various legislative provisions relating to individual courts and tribunals;
- the need to comply with licence conditions under which data has been provided to AustLII.

In a similar way to that of other similar organisations that have responded to the problem of supporting research access to sensitive and copyright data, AustLII has developed a virtual environment, to allow researchers to carry out research over data held by AustLII, without removing a copy of the data from AustLII.

These 'Virtual Lab' facilities can be made available to researchers who are able to make a proportionate contribution to AustLII Foundation Ltd from their research and development funds. Such contributions are intended to reflect a portion of all of the costs that have gone into developing and maintaining the AustLII databases, and the costs of providing the Virtual Lab facilities.

In 2022 researchers from the School of Accounting, Auditing and Taxation (incorporating ATAX) at the UNSW Business School proposed a research project to undertake quantitative research into aspects of Australian taxation law and policy and sought access to data contained within AustLII databases in order to undertake specific detailed analysis of taxation litigation in Australia, focused on databases of judgments of:

- Administrative Appeals Tribunal (AATA) 2000-2021
- Federal Court of Australia (FCA) 2000-2021
- Federal Court of Australia – Full Court (FCAFC) 2002-2021
- High Court of Australia (HCA) 2000-2021

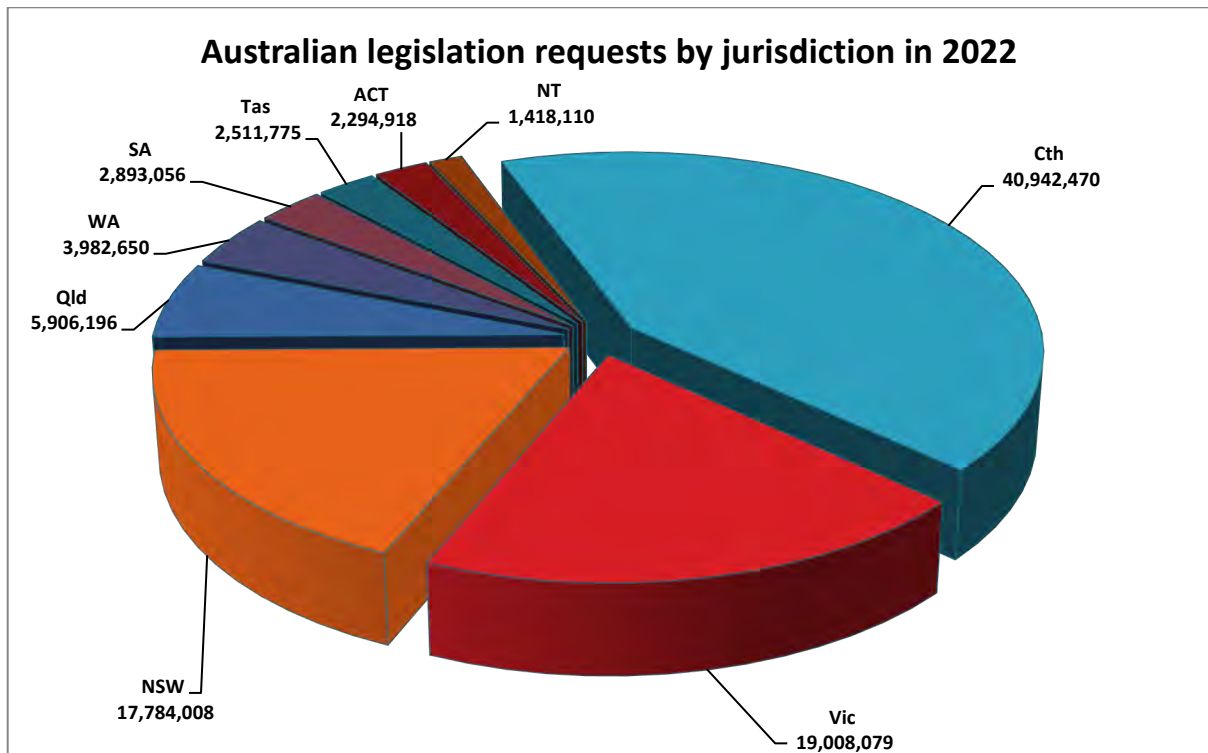
Access to these databases was provided, together with specific software within the virtual environment to enable detailed analysis of the factors that lead the ATO and taxpayers to appeal tax judgments to higher courts.

AUSTLII USAGE

AUSTLII'S DATABASE USAGE

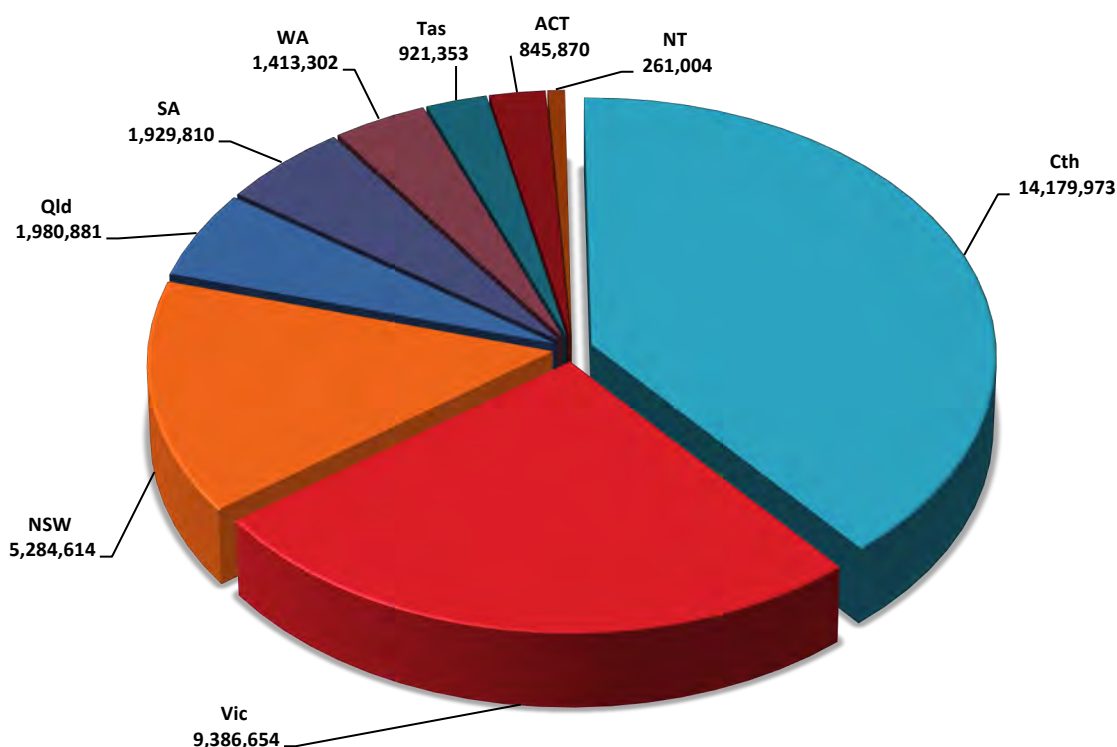
- **Total hits for 2022 exceeded 250 million and averaged 685,973 hits per day.**
- **Over 6.1 million distinct hosts were served.**
- **Data downloaded in 2022 was over 24 terabytes.**
- **AustLII continues to be ranked within the top 1,000 most accessed websites in Australia.**

The most popular databases on the AustLII service in 2022 were the Commonwealth legislation databases, followed by NSW and Victorian legislation. The following graph show the number of accesses to AustLII's legislation and case law databases by jurisdiction.



Legislation requests included permitted accesses by search engine web spiders and included requests to access individual sections of legislation.

Australian case requests by jurisdiction in 2022



Case law requests did not generally include accesses by search engine web spiders, which AustLII excludes from access.

The AustLII service is consistently ranked within the top 1,000 most accessed websites in Australia and maintained the number one market position in the 'business and finance – legal' category throughout 2022 (SimilarWeb data). This category included websites from government, publishers, courts and tribunals, law societies, legal firms and barristers.

AUSTLII'S MAJOR USERS

Because AustLII operates as a free and anonymous service, no log-in or user identification is required. Consequently, AustLII is unable to identify a high percentage of its users because it does not receive Internet protocol addresses (IP addresses) specific to them.

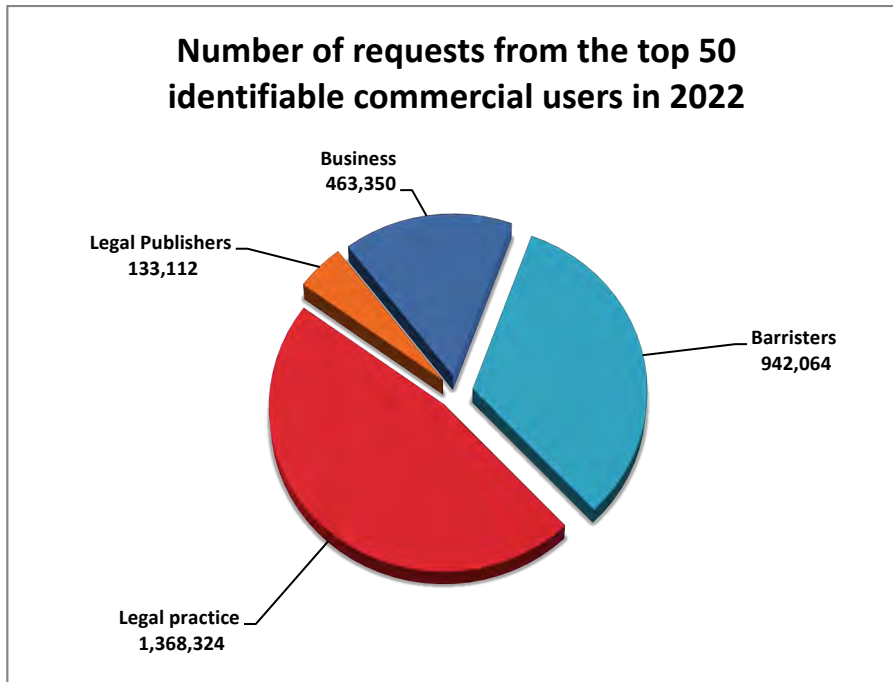
About 47% of all accesses cannot be precisely identified. Around 47% of requests are from large national and international commercial internet service providers (ISPs) serving millions of individual clients, which will include most of the general community accesses, as well as from large organisations that maintain multiple unidentifiable IP addresses. Of those IP addresses that can be identified the major users of the AustLII service fall into the following categories:

- commercial (mostly comprising the legal profession)
- education
- government
- general community

COMMERCIAL SECTOR

Identified users in the commercial sector fall largely into the following categories:

- barristers (identified through specific bar internet service providers and chambers)
- legal practices (including private law firms and patent and trade mark attorneys)
- legal publishers
- businesses



While usage of AustLII by the commercial sector continues to grow it is disappointing to note that only 10 of the top 50 identifiable commercial users (10,000 or more requests per annum) contribute to AustLII's running costs, and only four of the top 10 identifiable commercial users support AustLII.

Contributions from AustLII's largest identifiable users from the commercial sector continue to remain below their rates of usage. We continue to urge all AustLII users that can afford to do so to contribute towards the maintenance of the AustLII service.

COMMERCIAL USAGE OF AUSTLII IN 2022

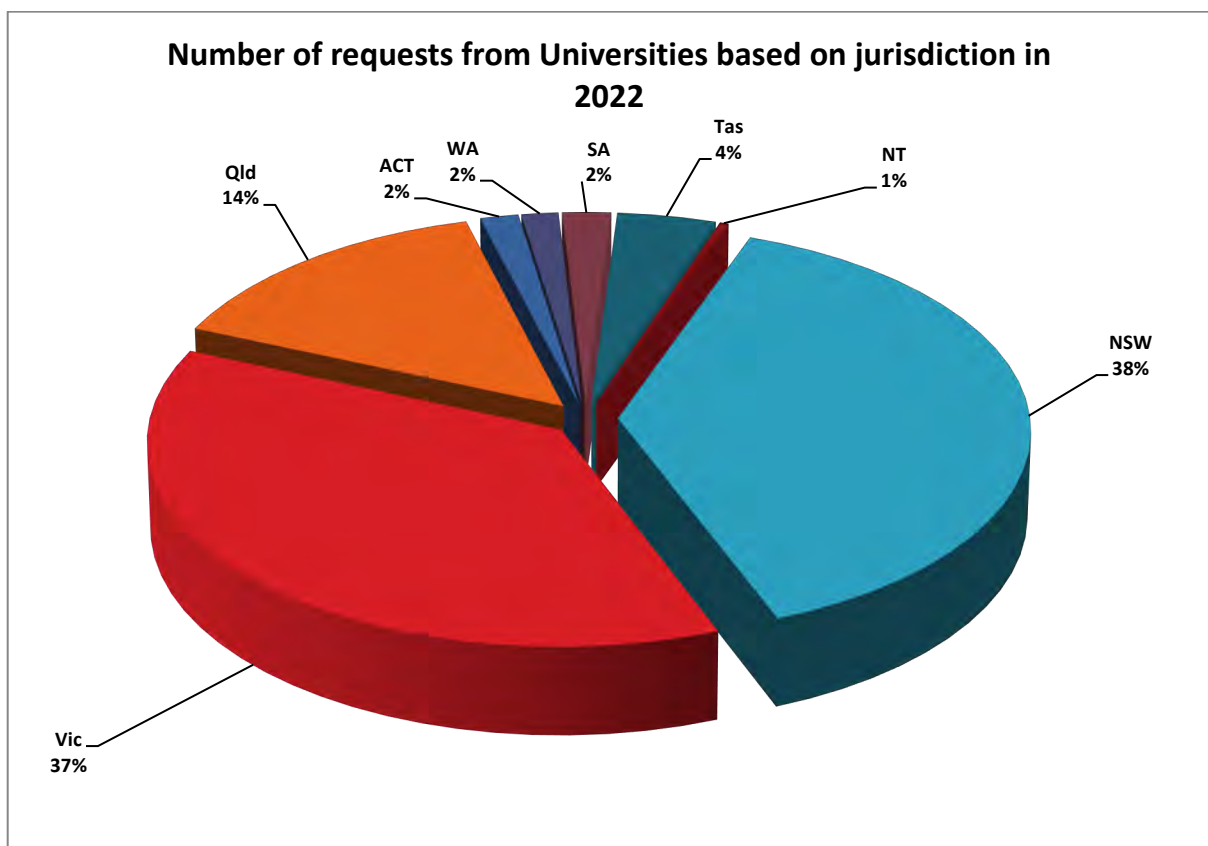
	Commercial Category	Number of requests	Contributor in 2022
1	Barristers	781,469	<input checked="" type="checkbox"/>
2	Legal Practice	568,515	<input checked="" type="checkbox"/>
3	Business	160,928	
4	Barristers	115,852	<input checked="" type="checkbox"/>
5	Business	94,551	
6	Business	75,689	
7	Business	75,016	
8	Publishers	69,625	
9	Publishers	63,487	
10	Legal Practice	55,098	<input checked="" type="checkbox"/>
11	Legal Practice	51,102	
12	Legal Practice	50,412	
13	Legal Practice	48,156	<input checked="" type="checkbox"/>
14	Barristers	44,743	<input checked="" type="checkbox"/>
15	Business	43,272	
16	Legal Practice	38,427	
17	Legal Practice	36,932	
18	Legal Practice	30,318	
19	Legal Practice	29,349	
20	Legal Practice	27,305	
21	Legal Practice	23,581	
22	Legal Practice	22,632	<input checked="" type="checkbox"/>
23	Legal Practice	22,367	
24	Legal Practice	21,796	
25	Legal Practice	20,495	
26	Legal Practice	19,696	
27	Legal Practice	18,280	
28	Legal Practice	17,826	
29	Legal Practice	17,810	
30	Legal Practice	16,661	
31	Legal Practice	15,053	<input checked="" type="checkbox"/>
32	Legal Practice	14,709	
33	Legal Practice	14,160	
34	Business	13,894	<input checked="" type="checkbox"/>
35	Legal Practice	13,736	
36	Legal Practice	13,703	
37	Legal Practice	13,616	
38	Legal Practice	13,362	
39	Legal Practice	12,642	
40	Legal Practice	12,202	
41	Legal Practice	12,165	
42	Legal Practice	11,935	
43	Legal Practice	10,914	
44	Legal Practice	10,822	
45	Legal Practice	10,624	
46	Legal Practice	10,553	
47	Legal Practice	10,470	
48	Legal Practice	10,448	
49	Legal Practice	10,365	
50	Legal Practice	10,087	<input checked="" type="checkbox"/>

EDUCATION SECTOR

The education sector in Australia is a major user of AustLII. In addition to the usage recorded from university servers, many students and staff access the AustLII service from home via their domestic ISP services.

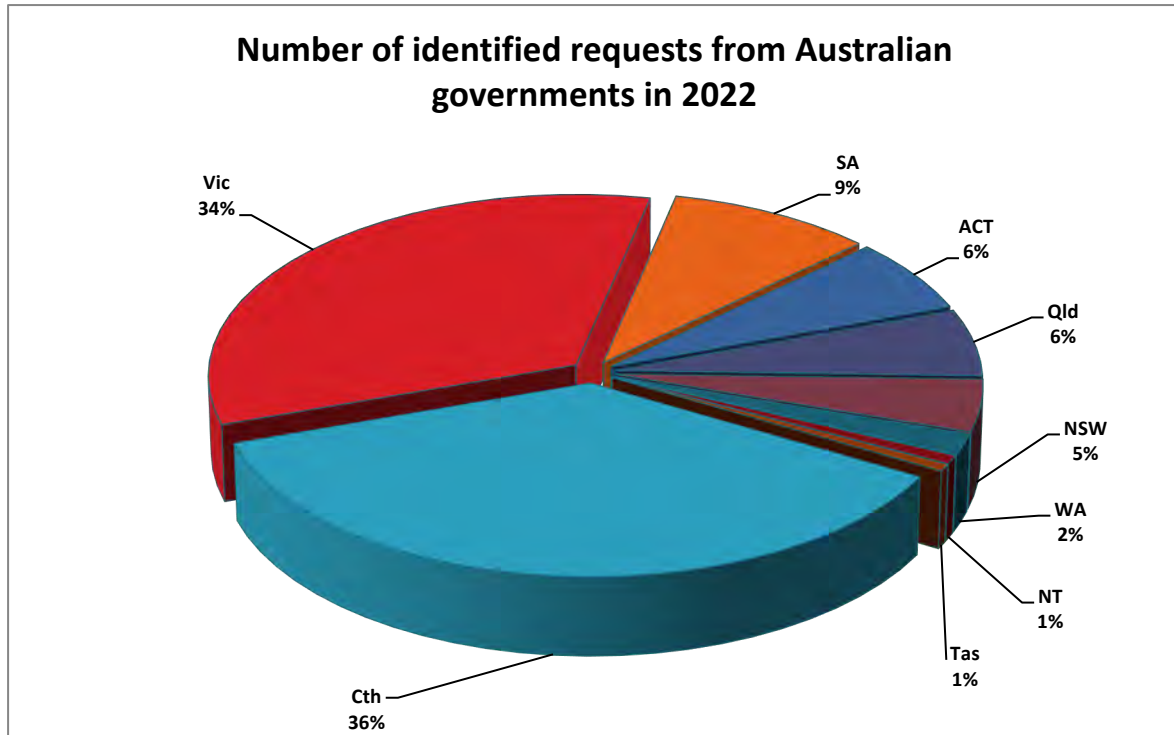
All universities in Australia use AustLII and almost all of them provide a financial contribution because they recognise AustLII's value to their teaching and research, and that the costs of its operation need to be widely shared. The receipt of financial support from all Australian universities is a sustainability goal.

During the year AustLII worked with the Council of Australian University Librarians (CAUL) to establish a mechanism whereby Australian university libraries can contribute equitably towards the maintenance of the AustLII service. In 2022, the number of university libraries that supported AustLII through this mechanism increased and it is hoped that this support will become standard practice for all Australian universities.



GOVERNMENT SECTOR

A significant amount of government use is identifiable at agency level, including Commonwealth, State and Territory government agencies. Also included in this figure is the substantial use of AustLII resources by the various courts, tribunals and other regulators, most of whose decisions AustLII re-publishes on its service.



INTERNATIONAL ACTIVITIES

INTERNATIONAL SYSTEMS AND DEVELOPMENTS

AustLII has assisted other nations and regions to develop online access to their laws since 1999, using open-source software and other LII tools developed by AustLII. All of AustLII's development of multi-LII systems, its joint operation of overseas LIIs, and the assistance it gives to other collaborating LIIs for maintenance and development of their systems is funded by grants for these purposes.

MULTI-LII SYSTEMS

AustLII operates three multi-LII systems for international free access legal information (AsianLII, CommonLII and WorldLII) in cooperation with a group of collaborating Legal Information Institutes based in other countries (which we call the 'WorldLII Consortium'). AustLII has developed the only international free-access case and journal article citator (LawCite) and operates it in conjunction with the same group of collaborating LIIs.

WORLIDLII



The World Legal Information Institute (WorldLII) continued to expand coverage of searchable content to include 2,429 national databases from collaborating LIIs. The system also contains a significant collection of international law resources from the United Nations and other international organisations.

COMMONLII



The Commonwealth Legal Information Institute (CommonLII) provides access to laws from 60 Commonwealth and common law jurisdictions. AustLII continues to maintain the Caribbean Law Project, the Commonwealth Criminal Law Library as well as the Foundations of the Common Law Library.

ASIANLII



The Asian Legal Information Institute (AsianLII) provides free access to legal information from all 28 countries and territories in Asia.

LAWCITE



LawCite is an automatically generated international legal case and journal article citator used to locate judgments and to see how these have been subsequently dealt with and commented upon or to see where journal articles have been cited. It uses data-mining techniques to examine the content provided by participating LIIs and can be thought of as the 'glue', which binds together the data contained within the multi-LII systems. In 2022 LawCite indexed over 6.3 million documents.

DATABASES SEARCHABLE THROUGH MULTI-LII SYSTEMS

Seventeen LIIs now collaborate in providing the databases searchable via WorldLII. The following table sets out the approximate numbers of databases searchable from each of the portals operated by AustLII (AsianLII, CommonLII and WorldLII) as at 31 December 2022, and the number of databases found on each cooperating LII allowing their data to be searched as part of these systems. The 'Countries' column indicates the number of countries that a particular LII adds to the total number of countries whose databases are searchable via WorldLII.

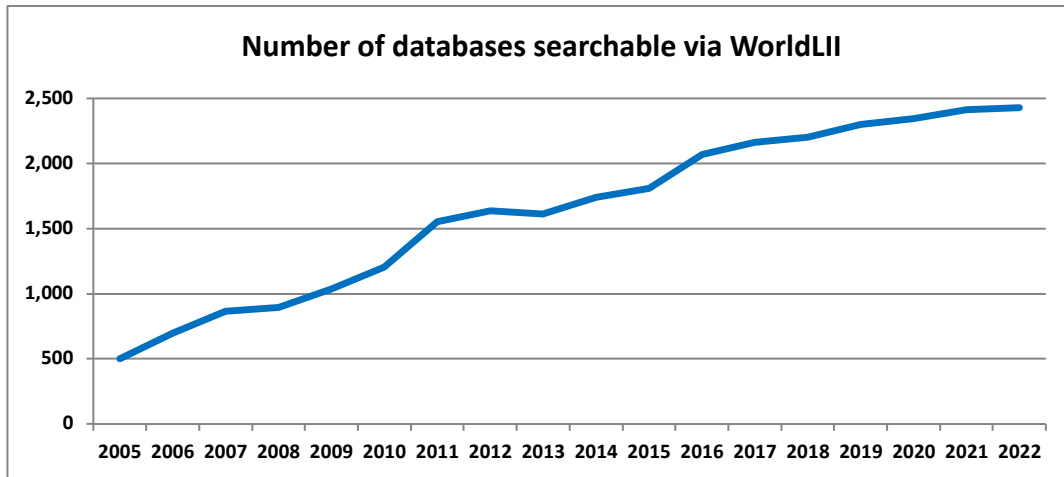
Table of searchable databases in multi-LII systems (as at 31 December 2022)

Systems	AsianLII	CommonLII	WorldLII	Countries	
AsianLII	330	0	330	28	*
AustLII	0	765	765	1	
BAILII	0	110	110	7	
CanLII	0	2	2	1	
CommonLII	43	122	122	27	*
CyLaw	0	16	16	1	
Droit.org	0	0	1	1	
HKLII	47	47	47	1	
LawPhil	20	0	20	1	
LII Cornell	0	0	3	1	
LiberLII	0	0	8	1	*
NZLII	0	217	217	1	*
LII of India	172	172	172	1	*
PacLII	39	361	361	20	
SAFLII	0	93	93	16	
SamLII	0	28	28	1	*
ULII	0	19	19	1	
WorldLII	0	0	115	55	*
2022 Total	651	1,952	2,429	165	992
2021 Total	651	1,937	2,414	165	985
2020 Total	657	1,869	2,346	165	976
2019 Total	640	1,823	2,300	165	968
2018 Total	620	1,725	2,202	165	900
2017 Total	617	1,683	2,163	165	886
2016 Total	603	1,597	2,070	164	848
2015 Total	453	1,489	1,809	152	678
2014 Total	442	1,430	1,742	152	652
2013 Total	431	1,312	1,613	142	612
2012 Total	433	1,279	1,635	183	595
2011 Total	430	1,204	1,552	182	555
2010 Total	300	905	1,205	164	408

During 2022, the total number of databases available for searching via WorldLII increased by 15 to 2,429, whereas the total number available via CommonLII was 1,952 and AsianLII was 651.

AustLII maintains 992 of these international databases (an increase from 985 in 2021), in addition to the 765 Australian databases on AustLII. They are on seven LIIs (marked *).

The number of databases searchable via WorldLII was not recorded for its first few years of operation from 2002, but over the past few years (as recorded in AustLII reports to LII meetings, and in these annual reviews), the rate of expansion of searchable databases is as follows:

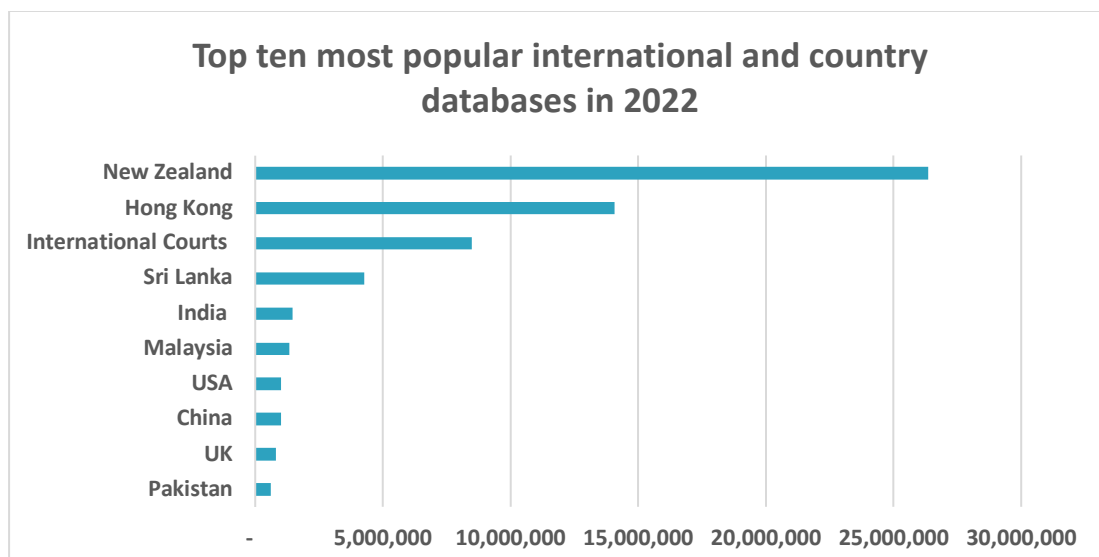


INTERNATIONAL SYSTEMS USAGE

There are two measures of accesses to the multi-LII systems with which AustLII cooperates (WorldLII, CommonLII and AsianLII): (i) access to the databases of collaborating LIIs resulting from searches via the multi-LII systems; and (ii) accesses to databases maintained by AustLII located on the multi-LII systems. AustLII does not hold access statistics on (i), as those accesses are only recorded on the systems concerned. Because the numbers of documents on AustLII, BAILII, PaCLII etc. are far larger than the numbers of documents in databases located on AsianLII, WorldLII or CommonLII, it is likely that (i) is much larger than (ii). The statistics below relate only to (ii).

In 2022, there were over 77 million accesses to the non-Australian databases maintained by AustLII and located on AsianLII, CommonLII, NZLII, LII of India, LiberLII, SamLII and WorldLII plus citator records on LawCite and Catalog pages. AustLII blocks spidering of case law on any of these services.

The following chart shows the top 10 most requested databases maintained by AustLII, by country or grouping (excluding databases on AustLII). The most popular international databases in 2021 are from New Zealand, the International Courts and Tribunals (as well as inter-government organisations), Sri Lanka, United Kingdom, India, Hong Kong, Malaysia, Pakistan, Singapore and USA. The UK accesses refer to the English Reports 1220-1873 located on CommonLII. Because there is a high level of overlap between databases maintained by AustLII searchable via AsianLII, CommonLII and WorldLII, separate statistics are not given below for each of these multi-LII systems.



DEVELOPMENTS IN NATIONAL LII SYSTEMS

AustLII also cooperates with a number of partner institutions in individual countries by jointly managing (using AustLII infrastructure) the databases of these LIIs (NZLII, LII of India, PacLII, SamLII, and LiberLII).

Highlights of some of the developments on some of these systems in 2022 are as follows.



During 2022 the successful partnership between NZLII and AustLII continued, with 7 new databases added. The new databases are:

- New Zealand Royal Commission Reports 1868-
- New Zealand Feminist Law Bulletin 1993-2002-
- New Zealand Journal of Environmental Law 1997-
- New Zealand Journal of Industrial Relations 1976-1996
- New Zealand Bills Legislative Statements 2020-
- New Zealand Book of Awards 1958-
- New Zealand Book of Awards - Decisions 1960-



AustLII currently supports the maintenance of: Legal Information Institute of India (LII of India), the Samoan Legal Information Institute (SamLII), the Pacific Islands Legal Information Institute (PacLII) and the Liberian Legal Information Institute (LiberLII) by providing backup data storage and hosting.

During the year AustLII made representations to the Australian Department of Foreign Affairs and Trade (DFAT) seeking support for a sustainable funding solution to enable PacLII to continue to operate. Negotiations with DFAT and other interested parties, including the University of the South Pacific and the Law Council of Australia, are continuing.

COLLABORATIONS WITH OTHER LEGAL INFORMATION INSTITUTES

AustLII continues to collaborate with a number of international partners. In 2022, it worked with the Southern African Legal Information Institute (SAFLII) and the Hong Kong Legal Information Institute (HKLII) to develop and maintain their facilities as well as exploring areas of research collaboration. Philip Chung serves as a trustee on the BAILII Board. Mowbray and Chung serve on the Advisory Council of SAFLII.

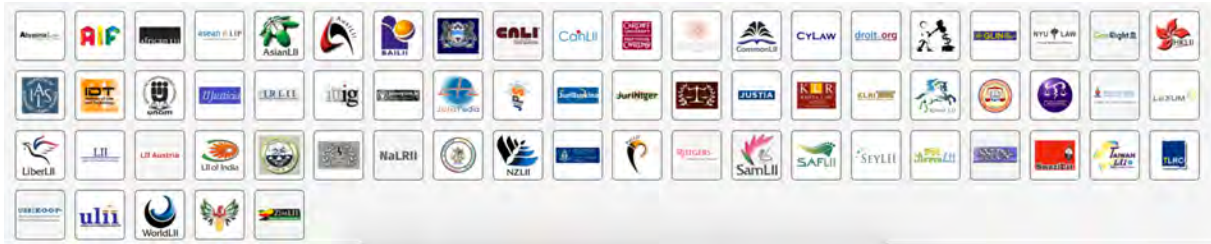
International relationships continue to be challenged by the effects of the COVID-19 pandemic, as no international travel could be undertaken, though meetings still took place via video conferencing services.

AUSTLII INVOLVEMENT IN THE FREE ACCESS TO LAW MOVEMENT



AustLII is one of the founders, and a very active participant in the global Free Access to Law Movement (FALM), which had 65 members at the end of 2022.

A full list of members is at the FALM website <<http://www.fatlm.org>>, as is the Declaration of Free Access to Law (2002, as amended) to which AustLII and other members subscribe. The logos of the members of FALM are shown below.



RESEARCH ACTIVITIES

The Australasian Legal Information Institute undertakes research in the field of legal information systems, which can usually be characterised as ‘applied research’. Funding for this research comes from various sources, including from research infrastructure grants (such as ARC LIEF and the ARDC) as well as conventional research grants (such as Australian Research Council Linkage grants) or international development grants where the goals of infrastructure development pose research issues which must be resolved.

RESEARCH AND RESEARCH INFRASTRUCTURE GRANTS

Researchers affiliated with the Australasian Legal Information Institute apply for competitive grants for research and research infrastructure development of new databases and services. In 2022, AustLII finalised work on one major Australian Research Council (ARC) Linkage Infrastructure Equipment Fund (LIEF) research grant and on a project funded by the Australian Research Data Commons (ARDC).

PUBLICATIONS, SUBMISSIONS AND PRESENTATIONS

AustLII Co-Directors, Senior Researchers and staff published the following papers and made the following submissions and presentations in 2022:

- Mowbray Andrew; Chung, Philip; Greenleaf, Graham: panel members on the Australian Society for Computers and the Law “Rules as Code 2.0 Global Plenary”, 15 March 2022
- Chung, Philip; Mowbray, Andrew: Presentation to the Legal Studies Association of NSW Annual Conference, Masonic Centre, Sydney, 31 March 2022
- Chung, Philip; Mowbray, Andrew: Presentation to the Law Library of Victoria webinar – “AustLII: New features and Content”, 13 April 2022
- Mowbray, Andrew; Chung, Philip: Presentation to Legal Innovation & Tech Festival 2022, Hilton Hotel, Sydney, 3 May 2022
- Barker, David: *A Sense of Common Purpose: A History of the Australian Academy of Law*, Federation Press, 2022 (launched by Federal Court of Australia Chief Justice Allsop, 21 June 2022)
- Chung, Philip; Mowbray, Andrew: Presentation to Rules as Code Workshop, Allens Hub Technologies and Legislation, UNSW, 29 July 2022
- Chung, Philip; Greenleaf, Graham; Mowbray, Andrew: Poster Presentation, Launch of the UNSW AI Institute, 13 September 2022

FUNDED RESEARCH PROJECTS

AUSTRALIAN CORONIAL LAW LIBRARY

Coroners investigate the cause and circumstances of reported death and may make recommendations in their findings following investigations into the cause and circumstances of deaths. Recommendations are often directed to governments and other relevant parties, to encourage them to make changes to procedures and practices to reduce the risk of preventable death. These recommendations can and do make important contributions to public policy and legislation development, particularly regarding reform processes in such areas as the health system, aged care and disability service providers, policing, corrections, public health and safety as well as human rights concerns such as deaths in custody. Coroners operate within State or Territory jurisdictions and their findings are not aggregated nationally. There is no national collection of coronial information. While each state and territory jurisdiction publish coronial findings on their own website, these are not integrated within the broader context of legal information made available online. Also, only a limited number of the responses to recommendations are available online and they are not specifically linked to the original coronial recommendation. Comparable reports and recommendations across jurisdictions are difficult and time-consuming to find.

In 2020 AustLII, via its host university UNSW, received \$264,925 funding from the Australian Research Data Commons (ARDC) through its 'Public Sector Bridges' program, to provide free access to coronial findings with recommendations available in digital form, from all Australian jurisdictions in one central location on AustLII. The project was also intended to gather together, and link responses made by agencies to coronial recommendations. These resources would then be searchable and cross-indexed to the relevant legislation and case law through citation mining. Partners in the project included UNSW (lead institution) UTS and Curtin University. Partner institutions also made investments of \$90,000 in cash and \$163,000 in-kind.

AustLII has undertaken a wide consultative process involving all eight coronial courts in each state and territory jurisdiction. Each coronial court has supplied AustLII with a copy of all existing findings with recommendations in either an RTF file format (so that they can be made available as HTML files) or as searchable PDF files.

During 2022 AustLII engaged with Coronial court officers to locate and secure published responses to recommendations from other government agencies to the extent possible. AustLII is also seeking to coordinate processes with each coronial court to enable the ongoing regular delivery of findings to AustLII in a more automated and efficient manner as part of the standard operating procedure and workflow process in each jurisdiction. The Australian Coronial Law Library is comprised of 14 coronial databases. Nearly 10,000 findings, recommendations and responses have been processed and metadata extracted to enable a seamless integration with all other primary legal resources on AustLII.

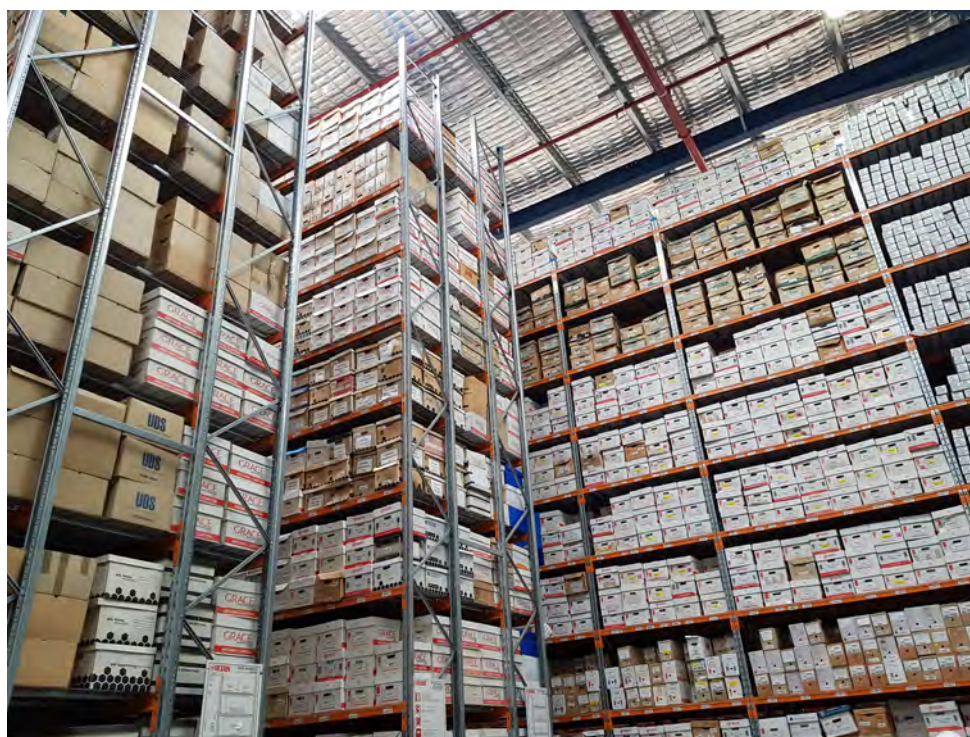
AUSTRALIAN ROYAL COMMISSIONS AND PUBLIC INQUIRIES LIBRARY

Among the most important public documents in Australia are the reports of royal commissions and other executive or legislatively mandated public inquiries, select committees of parliament, and other quasi-legislative or judicial inquisitorial bodies. These documents provide essential context to legislative and judicial developments over time. They are often the best source for finding contributions to law reform by industry and interest groups, analysis of the operation of current laws, and well-considered recommendations for law reform. Public inquiries are a trusted mechanism for the investigation of allegations of wrongdoing and maladministration and for the provision of independent policy advice to the executive. They are an essential element of the Australian historical record, providing a valuable resource for researchers in the areas of law, history, politics and public policy.

Until the late twentieth century the reports of royal commissions were only made available as selectively issued paper reports included in tabled parliamentary papers, which are of limited accessibility, and were not available online. More recently commissions have established their own websites and publish extensively using this means. However, once the commission has reported, the ongoing maintenance of the website and the material it contains is at some risk and may well be less discoverable. Furthermore, there are no consolidated and searchable collections of royal commission reports even for a single jurisdiction, let alone Australia-wide. It is therefore very difficult or impossible to undertake comparative research across jurisdictions, or across time.

To address these problems, in 2021 AustLII (via its host universities UNSW and UTS) together with ten partner universities (Sydney, Melbourne, Monash, Deakin, Queensland, Adelaide, UWA, ANU and UNE) was awarded Australian Research Council (ARC) funding of \$539,000 to support the development of a new facility on AustLII to be called the 'Australian Royal Commissions and Public Inquiries Library'. University partner contributions of \$630,000 provided the balance of the \$1,169,000 project budget. The project was intended to provide comprehensive free access online to the reports of all royal commissions and other public inquiries held in Australia since colonial times, to support a wide understanding of the pivotal role public inquiries play in the development of Australian law and public policy.

During the year an extensive program of digitisation was undertaken. Utilising the resources of several libraries that generously made available many rare volumes from their collections. We are particularly grateful to the staff of the University of Sydney Library, as well as the libraries of the University of Technology Sydney, Macquarie University, Western Sydney University, Monash University, Flinders University, the University of Tasmania and the Tasmanian Parliamentary Library. The project has resulted in the creation of 40 new databases, including Reports of Royal Commissions, Boards and Commissions of Public Inquiry, and Reports of Parliamentary Select Committees of Public Inquiry, and the addition of more than 500,000 new pages to AustLII.



Finding historical Parliamentary Papers to digitise for the Royal Commissions project from the Grace Information and Records Management repository used by the University of Sydney Library.

ENGAGEMENT ACTIVITIES

AustLII participated in the following engagement activities over the course of 2022.

TRAINING AND TEACHING

AustLII offers CLE programs delivered through UNSW and UTS, to train practitioners and government representatives in the use of the DataLex legal referencing system. Classes are also offered to students at UTS and UNSW as part of undergraduate and postgraduate courses.

PUBLIC ENGAGEMENT

AustLII Directors continued a regular meeting schedule with key stakeholders throughout the year. This included our important data providers and financial supporters from around Australia: courts and tribunals, government agencies, universities, the legal profession and from business and industry.

On 31 May AustLII hosted a visit by the Hon. Alister Henskens SC MP, NSW Minister for Science, Innovation and Technology and the NSW Chief Scientist and Engineer, Professor Hugh Durrant-Whyte. The Minister toured the AustLII facility and received a briefing on DataLex.



Visit to AustLII of the NSW Minister for Science, Innovation and Technology, Hon. Alister Henskens SC MP (from l to r): Prof Chris Turney (Pro Vice-Chancellor of Research UTS), Mr Henskens, Prof Andrew Mowbray (AustLII), A/Prof Philip Chung (AustLII), Prof Lyria Bennett Moses (Associate Dean Research UNSW Law & Justice).



During the DataLex presentation (front row l to r): Prof Chris Turney, Prof Hugh Durrant-White (NSW Chief Scientist and Engineer), Mr Henskens, Prof Bennett Moses.

In October the Directors met with the Commonwealth Attorney-General, the Hon. Mark Dreyfus KC MP. The Minister was provided with a presentation on AustLII's strategic direction and its funding needs and was briefed about the situation regarding the Pacific Islands Legal Information Institute.

On 4 November 2022 AustLII was included in a tour of UTS facilities by Governor of NSW Her Excellency the Hon Margaret Beazley AO, KC. Her Excellency was hosted by the Chancellor of UTS Catherine Livingstone AO and the Vice Chancellor and President Professor Andrew Parfitt. The Governor was shown around the AustLII facilities and was provided with a demonstration of the DataLex technologies. As a former Justice of the NSW Supreme Court Her Excellency was most interested in the possibilities of DataLex to support access to justice and the rule of law.

Engagement with our large number of general community users occurs through feedback notices received each year. These notices cover many topics including: alerting us to errors and technical issues that need rectification, requests for new resources, and questions about the legislation and case law available on AustLII. In 2022 there were 1,056 feedback engagements recorded. Of the valid identifiable reports (i.e. not spam), roughly half are from courts and tribunals requesting action regarding the publication of their decisions. This may be requesting removal of decisions, issues with the appearance of the decision (eg. missing images or tables), minor corrections to metadata, a decision not being uploaded correctly, urgent requests to make available a notable decision available and the like. Of the remaining half about 10% are comments regarding aspects of the AustLII service, 10% are queries regarding aspects of content on AustLII, 30% are reporting perceived faults in some aspect of the service and the remainder are requesting AustLII to provide or support some type of legal information.

Social media interactions with our community of users accessing our Twitter profile are becoming more important. Our Twitter followers grew by more than 300 over the year and now exceed 7,600. We also maintained a LinkedIn organisational profile with nearly 1,000 followers in 2022

AUSTLII FUNDING

The AustLII Foundation Limited raises donations and other contributions to maintain AustLII's Australian infrastructure and services.

Two major fundraising appeals were conducted - an End of Financial Year campaign in May and June and an End of Year campaign in November and December.

Fundraising activities included initiating and managing multi-year pledge donations, solicitation of donations from contributors in previous years by mail and email, posting a request for support addressed to all AustLII users on the AustLII homepage and search pages and via our Twitter profile.

In 2022, the Foundation's total revenue was \$1,294,155, including \$1,370,011 in donations and contributions and (\$75,856) in interest and other income.

LIST OF DONORS, CONTRIBUTORS AND RESEARCH PARTNERS

The legal profession, business and industry, courts and tribunals, government agencies, educational institutions and the general community all make contributions to support AustLII. In 2022, nearly 300 organisations and individuals made contributions ranging in value from \$5 to \$125,000.

Contributors fall into three categories, those that provide donations and contributions to maintain AustLII's Australian infrastructure and services, those who fund projects that support free access to legal information and those that are research partners to grants for research and development. Research partners are denoted with *.

Contributors are publicly acknowledged for their contribution on AustLII contributor's page (unless anonymity is requested) with the amounts of contribution recorded:

<<http://www.austlii.edu.au/austlii/contributors/>>

AustLII thanks all its 2022 contributors, which are listed below by sector.

GOVERNMENT

GOVERNMENT AGENCIES

Attorney-General's Department	National Legal Aid Commission
Australian Government Solicitor	Office of the Victorian Information Commissioner
Australian Taxation Office	

COURTS, TRIBUNALS & REGULATORS

ACT Civil and Administrative Tribunal	Personal Injury Commission
Australian Health Practitioner Regulation Agency	South Australian Employment Tribunal
Fair Work Commission	Supreme Court of Tasmania
Fair Work Ombudsman	Takeovers Panel
Mental Health Tribunal	Victorian Civil & Administrative Tribunal

EDUCATION

Australian Catholic University	University of Adelaide
Australian National University	University of Canberra
Bond University	University of Melbourne
Charles Darwin University	University of New England
Electoral Regulation Research Network (University of Melbourne)	University of New South Wales ***
Flinders University	University of Newcastle
Griffith University Law School	University of Notre Dame
La Trobe University	University of Queensland
Macquarie University	University of Southern Queensland
Monash University	University of Sydney
Queensland University of Technology	University of the Sunshine Coast
Southern Cross University	University of Western Australia
The College of Law Ltd	University of Technology Sydney **

** In addition to its financial contribution, UTS provides physical premises from which AustLII staff operates.

*** In addition to its financial contribution, UNSW provides physical premises for some AustLII staff members and for backup server equipment.

COMMERCIAL

LEGAL PROFESSION

(Includes law firms, barristers' chambers, individual solicitors and barristers, patent & trademark attorneys and migration agents)

Adam D'Andretti	Lance Marke
Adrian Batterby Lawyer	LawCPD
Alec Leopold	Legal Made Easy Pty Ltd
Alistair Pound	Lydia Kinda
Allens	Maddocks
Allison Benson	Marque Lawyers
Anchor Legal	Martin Musgrove Lawyers
Andrew Monisse	Martin Willoughby-Thomas
Andrew Norman	MathasLaw
Anthony Lang	Matthew Bogunovich
APX Law Pty Ltd	Maurice Blackburn
Ashurst	Maya Rozner
Astor Legal	McNally Jones Staff Lawyers
Australian Institute of Administrative Law	Merthyr Law
B W Duckham & Co	Michael Coe
Bar Chambers	Michael Jones Solicitor
Bartier Perry	Michael Sassella
Bennett + Co	Minter Ellison
Canberra Chambers	Neil Foster
Carolyn Kelly Legal	Nevetts Lawyers
Chambers Russell	Nicholas Dettmann
Chris Dent	Nick Seddon
Chris McKeown	Nitra Kidson
Chris Walsh	Norman Waterhouse Lawyers
Christopher Lum	Page Seager Lawyers
Clayton Utz	Pamela Wilkinson
CMM Quay Legal Group	Paul Bard Lawyers

Cooper Grace Ward	Paul Batley
Corrs Chambers Westgarth	Paul McGorry
Daniel Robinson	Peter Bobbin
David Maddox	Peter Brindal
David Martin	Peter Hanks
David Rolls	Peter Jacobson
Dever's List	Peter Vitale
DLA Piper Australia	Philip Solomon
Elson Pow & Associates	Philippe Doyle Gray
ERA Legal	R Tyson Wodak
Family Law Practitioner's Association WA (Inc)	Rankin Ellison Lawyers
Francis Burt Chambers	Richard Cogswell
Frederick Turner	Robertson McCullough
Gall Standfield & Smith	Robinson Locke Litigation Lawyers
Gibbs Wright Litigation Lawyers	Rogers & Gaylard Lawyers Brighton
Gilbert + Tobin	Rohan Millar
Graeme Orr	Rolf Sorensen
Grant Donaldson	Russell Cocks
Hector Douglas HR Legal	Sandra Littlewood Pty Ltd
Herbert Smith Freehills	Schweizer Kobras
Hopgood Ganim Lawyers	Sharpe Ivo
HWL Ebsworth Lawyers	Simon Bowden
IDA Legal	Simon Moglia
Jane Muir	South Geldard Laywers
Jane Sharp	Stephen Odgers
Jeffcott Chambers	Stephen Rebikoff
Jenny Blokland	Stephen White
John Sheahan	Steven Penglis
John Southalan	Stuart Wood
Johnson Winter & Slattery	Terrence Lynch
Jonathan Brett	Terry Murphy
Joseph Lenczner	The Family Law Book
Judith Cocks	The Property Law Group
Julianne Jaques	Tina Jowett
Kate Eastman	Turner Freeman
Ken Shiu	Twelfth Floor Chambers Pty Limited
King & Wood Mallesons	Victor Kerr
KJK Legal	Ward Keller
Lachlan Armstrong	Anonymous (22)
Lachlan Macquarie Chambers	

LAW SOCIETIES & BAR ASSOCIATIONS

Law Council of Australia	Queensland Bar Association
Law Society of New South Wales	The Law Society of Tasmania
New South Wales Bar Association	Western Australian Bar Association

BUSINESS & INDUSTRY

Australian Academy of Law	Legalwise Seminars Pty Ltd
C Group	Northern Heavy Haul
CFMEU Mining and Energy Division	Omni Bridgeway
Counsel's Chambers Limited	Singapore Academy of Law
Exam Success	Standards Australia Limited
Filament Pty Ltd	Trailer Cash
Legal Practitioners' Liability Committee	Wolters Kluwer CCH Australia Limited

COMMUNITY

Alasdair Dougall	John Woods
Bill Spragg	Joseph Campbell
Craig Jackson	Matthew Thomas
Dough Matthews	Nick O'Neill
Dung Lam	Paul Skyes
Dush Shan	Richard Harding
Elizabeth Evatt	Richard Hunter
Eugene Wasilenia	Tim Visscher
Ewart Allen	Tung Tang
Greg Chalker	Vivienne Bath
James Lim	Anonymous (18)
Jeremy LeFevre	

LIST OF RESEARCH FUNDING PARTNERS

The Australasian Legal Information Institute applies for competitive grant funding from national and international research funding bodies. These grants are often made in partnership with university partners. The following funding partners supported AustLII research projects in 2022.

Australian Department of Foreign Affairs and Trade	University of New South Wales
Australian Research Data Commons	University of Technology Sydney
Curtin University	

Financial Statements
for the year ended 31 December 2022

AustLII Foundation Limited
ABN 41 134 717 972

AustLII Foundation Ltd

ABN 41 134 717 972

Annual Report
For the year ended 31 December 2022

AustLII Foundation Ltd

Directors' Report for the year end 31 December 2022

Your directors present their report on the company for the year end 31 December 2022.

The names of the directors in office during the financial year and at the date of the report were:

Dr Jeff FitzGerald (Chair) (appointed to the Board on 22 December 2008)

Former Registrar of the University of Technology Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department

Dr Philip Chung (Managing Director) (appointed to the Board on 23 June 2009)

Associate Professor, Faculty of Law, UNSW Sydney (The University of New South Wales); Executive Director, Australasian Legal Information Institute

Prof Andrew Mowbray (Executive Director) (appointed to the Board on 27 April 2009)

Professor, Faculty of Law, University of Technology Sydney; Co-Director, Australasian Legal Information Institute

Mr Tim Bugg AM (appointed to the Board on 23 June 2009)

Managing Director - Dobson Mitchell Allport; Past Chair at International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia

Mr Ian Govey AM (appointed to the Board on 23 June 2009)

Former Australian Government Solicitor (AGS)

Ms. Miranda Milne (appointed to the Board on 29 April 2020)

Former CEO at Legal Practitioners' Liability Committee

Prof Anita Stuhmcke (appointed to the Board on 21 October 2021)

Dean, Faculty of Law, University of Technology Sydney

Prof Andrew Lynch (appointed to the Board on 14 August 2020)

Dean, Faculty of Law, UNSW Sydney (The University of New South Wales)

Mr. John Cameron (appointed to the Board on 24 April 2018)

Former Deputy Vice-Chancellor (Administration and Resources) at Australian Catholic University

The Company Secretary was: **Giovanni Crasto** (appointed on 31 Jan 2014)

AustLII Foundation Ltd

Principal Activity

AustLII Foundation Ltd (AustLII) is a public company limited by guarantee that is incorporated and domiciled in New South Wales, Australia. The registered office is at Level 14, 61 Broadway, Ultimo, New South Wales 2007.

The principal activities of the company during the financial year were to provide an online free-access public library of Australian legal materials. Previously the library was jointly provided by the University of Technology Sydney (UTS) and UNSW Sydney (The University of New South Wales). AustLII Foundation Ltd began operations on 1 October 2009.

AustLII's objectives are to:

- Promote the sound administration and development of the law by providing free, effective and anonymous access to public legal information in Australia by means of an electronic public library;
- Maintain systems, programmes and databases for the effective handling of an electronic public library of legal information; and
- Advance legal education by promoting and encouraging research in the field of legal information systems.

AustLII's strategies to achieve these objectives are:

- Timely addition of new primary materials databases from all jurisdictions as they become available;
- Continuing development of technical features; and
- Undertake stakeholder engagement activities to ensure financial sustainability.

AustLII Foundation Ltd is a company limited by guarantee and has no authorised or paid-up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. As at 31 December 2022 the number of Members was two.

Review of operations

AustLII Foundation Ltd commenced operations on 1 October 2009. Initial equity consisted of net income received and held on behalf of the Foundation by the University of Technology Sydney prior to the Foundation's commencement of operations. The net amount of surplus for the year end 31 December 2022 was \$273,845. (2021 – \$83,326)

Significant changes in the State of Affairs

No significant change in the state of affairs of the company occurred during or after the period that would render any amount stated in the accounts misleading.

Events Subsequent to Balance Date

No matter or circumstance has arisen since the end of the year which significantly affected or may significantly affect the operations of the company, the results of these operations, or the state of affairs of the company in subsequent financial years.

Future Developments

There are no extraordinary developments foreseen for the coming financial year.

AustLII Foundation Ltd

Environmental Issues

The organisation's operations are not regulated by any significant environmental regulations under a law of the Commonwealth or of a State or Territory.

Directors' Meetings

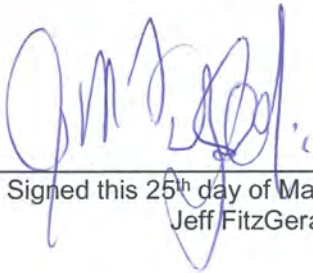
The number of meetings of directors held during the year and the number of meetings attended by each director were as follows:

Directors' Meetings		
	Eligible to attend	Number attended
Jeff Fitzgerald	4	4
Philip Chung	4	4
Tim Bugg	4	3
John Cameron	4	3
Ian Govey	4	4
Andrew Lynch	4	3
Miranda Milne	4	4
Andrew Mowbray	4	4
Anita Stuhmcke	4	4

Auditor Independence

A copy of the auditor's independence declaration as required under section 307C of the Corporations Act 2001 is set out on page 5.

Signed in accordance with a resolution of directors.



Signed this 25th day of May, in Sydney.
Jeff FitzGerald (Director)



Signed this 25th day of May, in Sydney.
Philip Chung (Director)



To the Directors

AustLII Foundation Limited

Auditor's Independence Declaration

As auditor for the audit of the financial statements of AustLII Foundation Limited for the year ended 31 December 2022, I declare, to the best of my knowledge and belief, there have been no contraventions of:

- the auditor independence requirements of the *Corporations Act 2001* in relation to the audit
- any applicable code of professional conduct in relation to the audit.

Cathy Wu
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

25 May 2023
SYDNEY

AustLII Foundation Ltd

Statement of Comprehensive Income For the year end 31 December 2022

	Note	2022 \$	2021 \$
Revenue from Continuing Operations			
Donations & Contributions	1f, 2	1,370,011	1,187,516
Other Income including investment gains/(losses)		(75,856)	74,186
Total Income		1,294,155	1,261,702
Expenses			
Employment Costs	1c, 3, 13	884,481	957,449
Equipment Charges	1b, 3	76,047	147,665
Accounting and Audit Fees	3, 7	18,130	14,660
Consultancy Costs	3	-	40,000
Insurance	3	6,925	6,595
Travel and Accommodation	3	-	416
Other Operating Costs	3	34,727	11,591
Total Expenses		1,020,310	1,178,376
Surplus for the Year		273,845	83,326
Other Comprehensive Income		-	-
Total Comprehensive Surplus		273,845	83,326

The above statement of comprehensive income should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Financial Position As at 31 December 2022

	Note	2022 \$	2021 \$
ASSETS			
Current Assets			
Cash at Bank	8	1,080,780	685,499
Trade and Other Receivables	4	208,665	171,129
Other Financial Assets	5	1,048,512	1,126,010
TOTAL ASSETS		2,337,957	1,982,638
LIABILITIES			
Current Liabilities			
Trade and Other Payables	6	363,898	282,424
TOTAL LIABILITIES		363,898	282,424
NET ASSETS		1,974,059	1,700,214
EQUITY			
Retained Surplus	1e, 9	1,974,059	1,700,214
TOTAL EQUITY		1,974,059	1,700,214

The above statement of financial position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity for the year end 31 December 2022

	Note	Retained Surplus \$	Total Equity \$
Balance as at 1 January 2021		1,616,888	1,616,888
Total comprehensive income for the year		83,326	83,326
Balance as at 31 December 2021	9	1,700,214	1,700,214
Balance as at 1 January 2022		1,700,214	1,700,214
Total comprehensive income for the year		273,845	273,845
Balance as at 31 December 2022	9	1,974,059	1,974,059

The above statement of changes in equity should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Cash Flows For the year end 31 December 2022

	Note	2022 \$	2021 \$
Cash flows from operating activities			
Cash receipts in the course of operations		1,332,474	1,295,560
Payments to suppliers and employees		(938,836)	(1,643,110)
Net interest received		1,642	299
Net cash used from/ (used by) operating activities	8	<u>395,280</u>	<u>(347,251)</u>
Cash flows from investing activities			
Payments for financial assets		-	1,524
Net cash used from/ (used by) investing activities		<u>-</u>	<u>1,524</u>
Net increase/(decrease) in cash held		395,280	(345,727)
Cash and cash equivalents at the beginning of the year		<u>685,500</u>	<u>1,031,227</u>
Cash and cash equivalents at the end of the year	8	<u>1,080,780</u>	<u>685,500</u>

The above statement of cash flows should be read in conjunction with the accompanying notes.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR END 31 DECEMBER 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

AustLII Foundation Ltd (AustLII) is a 'not for profit' company limited by guarantee, incorporated, and domiciled in Australia. Its registered office and principal place of business is at Level 14, 61 Broadway, Ultimo, NSW, 2007. The principal activities are to provide an online free-access public library of Australian legal materials.

The principal accounting policies adopted in the preparation of this general-purpose financial report are set out below.

The Australian dollar is both the presentation and functional currency.

a. Basis of Preparation

This general-purpose financial report has been prepared in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board) and Corporations Act 2001 and Corporations Regulations 2001, the Government Sector Audit Act 2018 and Government Sector Audit Regulation 2021, the Charitable Fundraising Act 1991 and the Charitable Fundraising Regulation 2008.

These financial statements have been prepared on an accrual basis and are based on the historical cost convention, unless otherwise stated within these accounting policies. Amounts have been rounded off to the nearest dollar.

b. Property, Plant & Equipment

Property, plant and equipment and intangible assets costing \$10,000 and above individually (or forming part of a network costing more than \$10,000) are capitalised. No property, plant or equipment is owned by the Foundation as at 31 December 2022. All plant and equipment used by the Foundation in its operations is wholly owned and maintained by the Member Universities, provided free of charge to the Foundation. The Foundation pays the Universities for the maintenance of this equipment on a quarterly basis. The Foundation does not pay any costs towards using this equipment. The amounts are unsecured and are usually paid within 30 days of recognition.

c. Employment Costs

AustLII Foundation Limited's management and operational staff are employed under contract with the Member Universities. Employment costs for these staff are charged to the Foundation by the respective Universities on a quarterly basis. As such, no provisions for employee benefits are maintained by the Foundation.

d. Income Tax

The company is exempt from income tax under Div 50 of the Income Tax Assessment Act 1997.

e. Equity

The entity is a company limited by guarantee and has no authorised or paid-up capital. The initial equity of \$1,194,068 (denoted as Retained Surplus) consists of amounts paid to AustLII Foundation Ltd from the University of Technology Sydney which represents net income earned by the Foundation as an office within the University prior to commencement of independent operations on 1 October 2009.

AustLII Foundation Ltd made a surplus of \$273,845 (2021 Surplus- \$83,326) for the year. The Accumulated balance in Retained Surplus as at 31 December 2022 was \$1,974,059. The Board resolved to designate \$650,000 of the Retained Surplus as available for AustLII Sustainable Initiatives.

AustLII Foundation Ltd

The purpose of the AustLII Sustainable Initiatives designation is to achieve AustLII's objective of advancing and promoting "free access to legal information". In a rapidly evolving technological and regulatory environment this requires an ongoing need for capital and infrastructure outlays into the future. A prudent risk management strategy recognises the need to differentiate the accumulated equity between amounts available for meeting operating expenses for at least one year and those available to meet those challenges which will enable AustLII to sustain into the future its core mission of providing free and effective electronic access to public legal information in Australia.

Each member of the company, whilst a member, or within one year after ceasing to be a member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute a maximum of one hundred dollars (\$100) each towards meeting any outstanding obligations of the company. At balance date, there were two eligible members.

f. Revenue

As per AASB 1058 *Income of Not-for-Profit Entities*, Donations & Contributions are recorded as revenue either when tax invoices are raised at the request of the donor/contributor or otherwise when donations/contributions are received through cheques or credit cards or directly deposited in our bank account. Interest is recognised using the effective interest rate method as set out in AASB 9 *Financial Instruments: Recognition and Measurement*. As per AASB 15 *Revenue from Contracts with Customers*, AustLII recognises fees for services as and when the contractual obligation is completed.

g. Going Concern

The ability of the company to continue as a going concern is dependent on the ongoing support of its donors and the success of its fundraising program. The Directors believe that the company will be successful and accordingly have prepared the accounts on a going concern basis.

h. Goods and Services Tax (GST)

Revenue, expenses, and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the statement of financial position are shown inclusive of GST. Cash flows are presented in the statement of cash flows on a gross basis, except for the GST components of investing and financing activities, which are disclosed as operating cash flows.

i. Fundraising

According to Constitution of AustLII Foundation Limited 3.4, funds raised by means of a collection within the meaning of the Charitable Fundraising Act 1991 (NSW) and corresponding legislation in other jurisdictions must be maintained in accordance with those Acts.

j. Significant Accounting Judgments, Estimates and Assumptions

The directors evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume an expectation of future events and other factors considered to be reasonable.

k. Impact of COVID-19 on Financial Statements

Management has considered the consequences of COVID-19 and other events and conditions, and it has determined that they do not create a material uncertainty that cast significant doubt upon AustLII Foundation's ability to continue as a going concern. COVID-19 may have some impact on some sector's capacity to contribute as much as they did in previous years especially the Education sector. There is also some impact of the income generated from the Medium-Term Growth Fund invested through NSW Treasury Corporation. AustLII has \$1.9 million in Reserves which is equivalent to maintaining AustLII for a year.

AustLII Foundation Ltd

I. New standards and interpretations not yet adopted

Certain new accounting standards and interpretations have been published that are not mandatory for 31 December 2022 reporting periods and have not been early adopted. These standards are not expected to have a material impact on the entity in the current or future reporting periods and on foreseeable future transactions.

2. REVENUE FROM CONTINUING OPERATIONS

	2022	2021
	\$	\$
Donations & Contributions (by sector)		
Education	398,810	266,530
Legal Profession	247,730	283,081
Law Societies & Bar Associations	56,000	72,000
Business & Industry	229,550	199,967
Government Agencies	160,900	113,350
Courts, Tribunals & Regulators	144,350	141,750
Community & Other	132,671	110,838
Total Donations & Contributions	1,370,011	1,187,516
Other Income including investment gains/(losses)		
Term Deposits & Other Income	1,642	290
Financial Assets designated FVTPL -Note 11	(77,498)	73,896
	(75,856)	74,186
Total Income	1,294,155	1,261,702

3. EXPENSES

	2022	2021
	\$	\$
Employment costs	884,481	957,449
Equipment charges	76,047	147,665
Accounting Fees	-	760
Audit Fees	18,130	13,900
Consultancy Costs	-	40,000
Insurance	6,925	6,595
Travel and Accommodation	-	416
Other Operating Costs	34,727	11,591
	1,020,310	1,178,376

4. TRADE AND OTHER RECEIVABLES

	2022	2021
	\$	\$
Goods and Services Tax	33,315	36,746
Accrued Interest	-	-
Trade Debtors	156,801	123,675
Allowance for Impairment of Receivables	-	-
Prepaid Expenses	18,549	10,708
	208,665	171,129

AustLII Foundation Ltd

5. OTHER FINANCIAL ASSETS

	2022	2021
	\$	\$
Other Financial Assets at FVTPL Managed Funds – New South Wales Treasury Corporation – Note 11	1,048,512	1,126,010
	1,048,512	1,126,010

6. TRADE AND OTHER PAYABLES

	2022	2021
	\$	\$
Trade Creditors	346,691	268,675
Contract Liabilities	-	-
Accrued Expenses	17,208	13,749
	363,898	282,424

7. AUDITOR'S REMUNERATION

	2022	2021
	\$	\$
Audit Fees to Audit Office of NSW	18,130	13,900

8. CASH

	2022	2021
	\$	\$
a. Cash and Cash Equivalents		
Cash at Bank	1,000,559	605,912
Term Deposit	80,221	79,587
	1,080,780	685,499
b. Reconciliation of Cash from Operations		
Reconciliation of Surplus/(Deficit) for the Year to Net Cash flows from Operating Activities Surplus	273,845	83,327
Non-Cash flows in Operating Surplus/(Deficit) Unrealised losses/(gains) in Other Financial Assets	77,498	(73,896)
Changes in Assets and Liabilities: (Increase)/Decrease in Trade Debtors and Prepayments (Operating)	(37,537)	108,053
Increase/(Decrease) in Payables	81,474	(464,734)
Net Cash used by Operating Activities	395,280	(347,251)

9. RETAINED SURPLUS

	2022	2021
	\$	\$
Retained Surplus at the beginning of the Year	1,700,214	1,616,888
Total Comprehensive Income for the Year	273,845	83,326
Retained Surplus at the end of the Year	1,974,059	1,700,214

10. EVENTS SUBSEQUENT TO REPORTING DATE

The directors are not aware of any item, transaction or event of a material and unusual nature not otherwise dealt with in the report or financial statements that has significantly affected, or may affect the operations of the company, the results of those operations or the state of affairs of the company in subsequent years.

11. FINANCIAL INSTRUMENTS

(a) Financial Assets

The Company initially recognises receivables on the date that they are originated. All other financial assets are recognised initially on the date at which the Company becomes a party to the contractual provisions of the instrument.

The Company derecognises a financial asset when the contractual rights to the cash flows from the asset expire, or it transfers the rights to receive the contractual cash flows on the financial asset in a transaction in which substantially all the risks and rewards of ownership of the financial asset are transferred. Any interest in transferred financial assets that is created or retained by the Company is recognised as a separate asset or liability.

The Company has the following categories of financial assets those measured at amortised cost (cash and cash equivalents and trade and other receivables) and financial assets at Fair value through profit or loss (FVTPL).

Cash and cash equivalents

Cash and cash equivalents comprise cash balances and call deposits with original maturities of three months or less from the acquisition date that are subject to an insignificant risk of changes in their fair value and are used by the Company in the management of its short-term commitments.

Trade and Other Receivables

Trade and other receivables are financial assets with fixed or determinable payments that are not quoted in an active market. Trade receivables are recognised and carried at original invoice amount less any allowance for impairment. An allowance for impairment of receivables is recognised when collection of the full amount is no longer probable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy or financial reorganisation, and default or delinquency in payments (more than 90 days overdue) are considered indicators that the trade receivable is impaired.

The amount of the provision is recognised in the statement of comprehensive income. When a trade receivable for which an impairment allowance had been recognised becomes uncollectible in a subsequent period, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the income statement. Bad debts are written off as incurred.

Financial assets at FVTPL

A financial asset is classified as at FVTPL if it is classified as held-for-trading or is designated as such on initial recognition. Directly attributable transaction costs are recognised in profit or loss as incurred. Financial assets at FVTPL are measured at fair value and changes therein, including any interest or dividend income, are recognised in Statement of Comprehensive Income.

(b) Non-derivative financial liabilities

Financial liabilities are recognised initially on the date at which AustLII becomes a party to the contractual provisions of the instrument.

AustLII derecognises a financial liability when its contractual obligations are discharged, cancelled or expire.

AustLII classifies non-derivative financial liabilities into the other financial liabilities category. Such financial liabilities are recognised initially at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial liabilities are measured at amortised cost using the effective interest method.

Financial liabilities pertain to trade and other payables.

(c) Fair value hierarchy

When measuring the fair value of an asset or a liability, the Company uses market observable data

as possible. Fair values are categorised into different levels in a fair value hierarchy based on the inputs used in the valuation techniques as follows:

- Level 1: quoted prices (unadjusted) in active markets for identical assets or liabilities.
- Level 2: inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly (i.e., as prices) or indirectly (i.e., derived from prices).
- Level 3: inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Financial assets at FVTPL as reported in the statement of financial position is within the scope of Level 2 as of 31 December 2022 and 2021. The Company has no financial instrument based on Level 1 and Level 3 as of 31 December 2022 and 2021.

(d) General Objectives, Policies and Processes

In common with all other businesses, the company is exposed to risks that arise from its use of financial instruments. This note describes the company's objectives, policies and processes for managing those risks and the methods used to measure them. Further quantitative information in respect of these risks is presented throughout these financial statements.

The Board has overall responsibility for the determination of the company's risk management objectives and policies and, whilst retaining ultimate responsibility for them, it has delegated the authority for designing and operating processes that ensure the effective implementation of the objectives and policies to the company's finance function. The company's risk management policies and objectives are therefore designed to minimise the potential impacts of these risks on the results of the company where such impacts may be material. The Board received quarterly reports, with which it reviews the effectiveness of the processes put in place and the appropriateness of the objectives and policies it sets.

The overall objective of the Board is to set policies that seek to reduce risk as far as possible without unduly affecting the company's competitiveness and flexibility. Further details regarding these policies are set out below.

12. FINANCIAL RISK MANAGEMENT

AustLII's activities expose it to market risk including interest rate risk, credit risk and liquidity risk. The company's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the company.

Risk management is carried out under policies approved by the Board of Directors.

(a) Credit Risk

Credit risk is the risk that the other party to a financial instrument will fail to discharge their obligation resulting in the company incurring a financial loss. This usually occurs when debtors fail to settle their obligations owing to the company.

There is minimal credit risk with respect to current receivables. The company's policy is that services are only provided to clients that are credit worthy.

	2022	2021
	\$	\$
Financial Assets		
Cash	1,080,780	685,499
Others		
Accounts Receivable	156,801	123,675
Other Financial Assets	1,048,512	1,126,010
	2,286,093	1,935,184

(b) Liquidity Risk

Liquidity risk is the risk that the company may encounter difficulties raising funds to meet

AustLII Foundation Ltd

commitments associated with financial instruments, e.g., borrowing repayments. The company manages liquidity risk by monitoring cash flows and ensuring that adequate cash reserves are maintained.

		Carrying Amount	Contractual Cash Flows	No Maturity	< 6 months
Financial Assets					
2022	Cash	1,080,780	-	1,080,780	-
	Other Financial Assets	1,048,512	-	1,048,512	-
	Receivables	156,801	156,801	-	156,801
	Total	2,286,093	156,801	2,129,292	156,801
2021	Cash	685,499	-	685,499	-
	Other Financial Assets	1,126,010	-	1,126,010	-
	Receivables	123,675	123,675	-	123,675
	Total	1,935,184	123,675	1,811,509	123,675
Financial Liabilities					
2022	Trade Payables	363,898	363,898	-	363,898
	Total	363,898	363,898	-	363,898
2021	Trade Payables	282,424	282,424	-	282,424
	Total	282,424	282,424	-	282,424

(c) Market Risk

The organisation has exposure to market risk for changes in interest rate due to investments in Term Deposits and overall performance of the financial markets due to investments in Managed funds.

(d) Sensitivity Risk

		Carrying Amount	+1% interest change/ +5% performance change Profit and Equity	-1% interest change/ -5% performance change Profit and Equity
Financial Assets				
2022	Cash	1,080,780	10,808	(10,808)
	Other Financial Assets	1,048,512	52,426	(52,426)
	Total	2,129,292	63,233	(63,233)
2021	Cash	685,499	6,855	(6,855)
	Other Financial Assets	1,126,010	56,301	(56,301)
	Total	1,811,509	63,156	(63,156)

This analysis assumes a change in interest rate of +/-1% and performance rate of +/-5%, which in the Directors' opinion is the largest expected movement over the next 12 months, assuming all other variables remain constant.

13. RELATED PARTY DISCLOSURES

(a) Names of Responsible Persons and Executive Officers

AustLII Foundation Ltd is governed by a Board of Directors which was comprised of the following persons during the year:

Dr Jeff FitzGerald- Chair	Mr Ian Govey - Director
Dr Philip Chung – Managing Director	Prof Lesley Hitchens - Director
Prof Andrew Mowbray– Executive Director	Prof Andrew Lynch – Director
Mr Tim Bugg – Director	Ms Miranda Milne – Director
Mr John Cameron – Director	Prof Anita Stuhmcke - Director

AustLII Foundation Ltd

(b) Key Management Personnel

The Board of Directors appointed the following persons the authority and responsibility for planning, directing, and controlling the activities of the Foundation during the year:

Dr Philip Chung – Managing Director
Prof Andrew Mowbray – Executive Director

(c) Remuneration of Board Members and Executives

Remuneration of Board Members

The board members of AustLII Foundation Ltd do not receive any remuneration in respect of their work as members of the board.

Remuneration of Executive Officers

Two executive directors were remunerated by the Member Universities and then on-charged to the Foundation for the management of AustLII Foundation Limited.

	2022 Nos	2021 Nos
<u>Remuneration of executive officers</u>		
\$100,000 to \$300,000	2	2

The remuneration of Key Management Personnel is as follows:

	2022 \$	2021 \$
Short-term benefits	349,760	332,347
Post-employment benefits	-	-
Total benefits	349,760	332,347

(d) Staff Employment Costs & Equipment maintenance costs

Staff costs and Equipment maintenance costs are incurred by the respective Member Universities and then charged to the Foundation. The amounts incurred below include GST.

	2022 \$	2021 \$
UNSW Sydney	669,584	761,028
University of Technology Sydney	375,988	397,881
Total benefits	1,045,572	1,158,909

(e) Accommodation

UTS provides rent free accommodation to AustLII Foundation.

14. CONTINGENT ASSETS

AustLII Foundation does not have any material contingent assets as at balance sheet date.

15. CONTINGENT LIABILITIES

AustLII Foundation Limited is not subject to any material contingent liabilities as at 31 December 2022.

16. MEMBERS' GUARANTEE

AustLII Foundation Ltd is a company limited by guarantee and has no authorised or paid up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. At 31 December 2022 the number of Members was two.



INDEPENDENT AUDITOR'S REPORT

AustLII Foundation Limited

To Members of the New South Wales Parliament and Members of AustLII Foundation Limited

Opinion

I have audited the accompanying financial statements of AustLII Foundation Limited (the Company), which comprise the Statement of Comprehensive Income for the year ended 31 December 2022, the Statement of Financial Position as at 31 December 2022, the Statement of Changes in Equity and the Statement of Cash Flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information of the Company, and the directors' declaration.

In my opinion, the financial statements have been prepared in accordance with the *Corporations Act 2001*, including:

- giving a true and fair view of the Company's financial position as at 31 December 2022 and its performance for the year ended on that date
- complying with Australian Accounting Standards and the Corporations Regulations 2001.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Company in accordance with the requirements of the:

- Australian Auditing Standards
- *Corporations Act 2001*
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I confirm the independence declaration, required by the *Corporations Act 2001*, provided to the directors of the Company on 25 May 2023, would be in the same terms if provided to the directors as at the time of this Independent Auditor's Report.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Other Information

The Company's annual report for the year ended 31 December 2022 includes other information in addition to the financial statements and my Independent Auditor's Report thereon. The Directors of the Company are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprises the Directors' Report.

My opinion on the financial statements does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

Directors' Responsibilities for the Financial Statements

The Directors of the Company are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the *Corporations Act 2001*. The Directors' responsibilities also includes such internal control as the Directors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Directors are responsible for assessing the Company's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Company carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Cathy Wu
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

26 May 2023
SYDNEY

AustLII Foundation Ltd

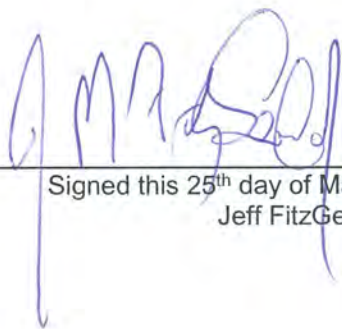
DIRECTORS' DECLARATION

In the opinion of Directors:

1. The financial statements and notes of the company are in accordance with the Corporations Act 2001, including:
 - a) Giving a true and fair view of the financial position as at 31 December 2022 and the performance for the year end on that date of the company; and
 - b) Complying with Accounting Standards and the Corporations Regulations 2001; and
 - c) The Charitable Fundraising Act 1991 and Charitable Fundraising Regulation 2015; and
 - d) The internal controls are appropriate and effective in accounting for all income received and applied by the organisation from its fundraising appeals; and
 - e) The Government Sector Audit Act 2018 and Government Sector Audit Regulation 2021

2. There are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

On behalf of the board



Signed this 25th day of May, in Sydney.
Jeff Fitzgerald (Director)



Signed this 25th day of May, in Sydney.
Philip Chung (Director)

AustLII

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