Acknowledgement of Country

We acknowledge and pay respects to the Ancestors, Elders and families of the Woiwurrung and Boonwurrung of the Kulin Nation as the traditional owners of this land. We acknowledge that the land on which our campuses stand is the place of age-old ceremonies of celebration, initiation and renewal.

Welcome Hub - Woiwurrung language
LEARNING HUB

- Study Essentials
- Drop-ins: Writing, Careers, Maths, Research & Referencing
- LH Tutoring (24/7 online tutoring service)
- Student Mentors
- Workshops
- Online Resources & Jobs Board
LAW STUDENT ESSENTIALS

Introduction to Secondary Sources

Murray Greenway
Debra Hutchinson
2020
COMMONWEALTH OF AUSTRALIA
Copyright Act 1968
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Please use the pointing tool (top left of your screen)

Are you able to hear the presenter?

Please point to indicate

YES  NO
Please follow these instructions if you are unable to hear the presenter:
When you first enter the classroom this pop-up (please see below) will invite you to nominate whether you wish make use of the computer or telephone for audio.
Please click the GREEN Call Using Computer button.
If you have closed the dialog box without making a selection then you will not have any audio and will need to close the classroom and click on the link again.

In addition, please check the volume in your computer
This is not a movie – **participation** is essential for learning.

1. Please participate in the Point Exercise and Annotation exercises
2. Ask and Answer Questions
3. Use Chat or Audio – Headset or Earphone with Mic Required
4. Put New Skills into Practice
Please point to the type of device you are using to join this class today:

- Work or home computer
- VU Computer
1. Boolean Logic

2. Legal Dictionary

3. Find Australian legal journal articles – determine if the journal is peer reviewed

4. Ask the law library
Please use the annotation tool to type keywords below.

‘Illegals’ has become a term widely used by the federal government to describe asylum seekers seeking to enter Australia. What are the principal legal obligations of the Australian Government towards asylum seekers?

What are some keywords that could be used in searching?
Consider **Alternatives**

**Alternative keywords**

asylum seekers OR refugees OR boat people

*Hint: consult a thesaurus for alternative and related search terms*

**Alternative spellings**

unauthorized OR unauthorised

If in doubt use wildcard symbol - eg. unauthori?ed

**Singular or plural**

refugee OR refugees

If in doubt use truncation symbols: * or ? or ! or $

eg. refugee* or refugee$ or refugee? or referee!

**Use proximity operators in full text database**

- w/p same paragraph
- w/s same sentence
  
  eg. refugee! **w/20** obligation!
Narrow the topic to reduce search results

Use a more specific term -

*eg.* boat people rather than asylum seekers

*Hint: consult a thesaurus for narrower search terms*

Use the Boolean operator ‘**AND**’ to combine search terms

*eg.* refugees **AND** obligation

The **AND** operator retrieves items which contain both requested keywords.
Broaden the topic to increase search results

Use a broader term
  eg. *immigrants* rather than *asylum seekers*
  Hint: consult a thesaurus for broader search terms

Use the Boolean operator ‘**OR**’ to combine search terms
  eg. *refugee OR asylum*

The **OR** operator retrieves items which contain both requested search terms and those contain either search terms
Eliminate words from search to reduce search results

CAUTION: Be very careful when using NOT – it may exclude useful records

Use the Boolean operator ‘NOT’ to combine search terms
eg. detainee NOT immigrant

The NOT operator retrieves the one requested search term and excludes the other
Phrases

Always enclose phrases within double quote marks

"rule of law" "Victoria University"

If the idea could be expressed in other ways then use the AND operator instead

police AND Victoria (rather than “Victoria Police”)

Which of these three search statements is the broadest and will locate the most results?

- asylum AND obligation
- asylum OR obligation
- asylum NOT obligation
Which of these three search statements would return the highest proportion of relevant results?

- asylum AND obligation
- asylum OR obligation
- asylum NOT obligation
Boolean Search Statement

By using Boolean operators ‘**AND**’, ‘**OR**’ to combine search terms - eg

(asylum seeker* **OR** refugee* **OR** detainee* **OR** alien*) **AND** (law* **OR** legal) **AND** obligation*

Replace **AND** with a **proximity operator** such as **w/p** or **w/s** in full-text databases
CAVAL: a reciprocal borrowing program that allows you to borrow items from other Victorian libraries

- Access individual university library catalogue
- Library Link Victoria
- National Library of Australia's catalogue
SEARCHING ELECTRONIC RESOURCES

Find library resources

Title, author, journal name, ISBN etc.

All resources  Books & e-books  Journal articles  Non-VU access

Databases A to Z
Find specific databases by title, eg Science Direct

Courses resources
Access resources specific to your course.

Journals A to Z
Find specific journals by titles e.g. Harvard Business Review

Library research support
Find resources that support VU researchers
A-Z Databases

Find the best library databases for your research.

334 DATABASES

Search for Databases

Go

All Subjects

All Database Types

All Vendors / Providers

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

#
Have you ever used a legal dictionary?

YES  NO
DICTIONARIES

- **English Dictionaries**
  Macquarie or Oxford dictionaries are considered authoritative and reliable

- **Legal Dictionaries**
  Provide definitions of legal terms or legal concepts
  The Library holds a variety of legal dictionaries
  In print at the Law Reference Collection / Law Main Collection
  eg. Australian Law Dictionary - KL 40 K1 AUS

**Online via A-Z Databases**
- Encyclopaedic Australian Legal Dictionary - via LexisNexisAU
- Oxford Reference Online
Encyclopaedic Australian Legal Dictionary is a reference work containing over 25,000 definitions.

Terms are presented in an Australian context and are supported by Australian legislative and judicial authority, wherever it exists.

Exercise: Find the definition of asylum
asylum

Refuge, particularly from persecution.

Foreign relations

Under Art 14 of the (INT) Universal Declaration of Human Rights 1948, all persons have the right to seek and to enjoy in other countries asylum from persecution.

See also Convention Relating to the Status of Refugees 1951; Universal Declaration of Human Rights 1948.

Civil and political rights

The right to seek asylum in another country from persecution based on political grounds: (INT) Universal Declaration of Human Rights 1948 Art 14. The right to grant asylum belongs to the state concerned which may admit into its territory 'such persons as it deems desirable, without giving rise to complaint by any other state': (INT) United Nations Declaration on Territorial Asylum 1967 Art 1. The humanitarian character of asylum is based on the 'elementary consideration of humanity': Asylum Case (Colombia v Peru) [1950] ICJ Rep 266; Corfu Channel Case (United Kingdom v Albania) (Merits) [1949] ICJ Rep 4. A person granted asylum cannot be taken by his or her country of nationality or another state attempting to exercise jurisdiction over him or her for a particular cause of action. An alien has no inherent right to claim asylum and most states have voluntarily limited their right to offer sanctuary or refuge by entering into international extradition treaties. The (INT) Convention Relating to the Status of Refugees 1951 provides that unauthorised entry of refugees shall not be penalised by states ((INT) Convention Relating to the Status of Refugees 1951 Art 31) and that in general refugees shall not be expelled or returned if their lives or their freedom would by that means be threatened ((INT) Convention Relating to the Status of Refugees 1951 Art 33). These provisions go some way toward securing a true individual right of asylum, but establish no right of entry.

See also alien; Convention Relating to the Status of Refugees 1951; diplomatic relations; extradition treaty; non-refoulement; refugee.
LEGAL ENCYCLOPAEDIA

- Excellent starting point for research
- Provide overview of a specific legal issue
- Brief commentaries on the law
- Citations to Acts or statutory rules applied to the issue
- Citation to leading cases being considered or referred to
Halsbury’s Laws of Australia
- Online via LexisNexisAU
  Provides a comprehensive overview of Australian law

The Laws of Australia
- Online via WestlawAU
  A complete library of legal principles, covers over 320 topics and every Australian jurisdiction.
Exercise: Search for commentary on our topic

‘Illegals’ has become a term widely used by the federal government to describe asylum seekers seeking to enter Australia. What are the principal legal obligations of the Australian Government towards asylum seekers?
(C) Refugees and Stateless Persons

Halsbury's Laws of Australia
Last updated: 03 January 2018
Bridget Kennedy 6 Soc 5 LLB

Halsbury's Laws of Australia > 215 — Foreign Relations > (G) HUMAN RIGHTS

(C) Refugees and Stateless Persons

[215-685] International obligations with respect to refugees

The paragraph below is current to 03 January 2018

Australia has accepted international obligations with respect to refugees.\(^1\) Under the conventional definition a 'refugee' is a person who is:\(^2\)

1. outside his or her country of origin; and
2. unable or unwilling to seek protection from that country or to return there and this unwillingness is attributable to a well-founded fear of persecution based on reasons of race, religion, nationality, membership of a particular social group or political opinion.

States parties have agreed on a number of rights and protections for persons accorded refugee status under the terms of the Convention relating to the Status of Refugees 1951, notably the right of non-refoulement.\(^3\) The Office of the United Nations High Commissioner for Refugees ('UNHCR') was established to assist states in their application of the Convention.\(^4\)

Notes

An invaluable resource and excellent starting point to legal research/writing as they provide:

- Academic discussion or analysis of a specific legal issue
- Recent developments in the law
- Expert opinions of the law
- Interpretation of the law
When looking for an Australian legal journal article, I usually begin by using:

- AGIS Plus Text
- Austlii
- Jade
- Hein Online
- Google

I haven’t had to find an article yet.
AGIS Plus Text is developed in partnership with the Attorney-General’s Information Service Australia and is an authoritative collection of legal resources developed for the legal profession and for the study of Commonwealth-based law.

- A principal index to Australian legal journals, including those from LexisNexisAU & WestlawAU, plus articles from major NZ, Asia-Pacific, UK, Canada and US journals
- Coverage from 1975+
- Some full text
Full text not available on AGIS Plus Text

Articles often do not have the full text appended due to copyright restrictions or embargo periods imposed by the publisher, however the source may be available elsewhere –

1. Click on the **Check for full text button** to check the source in the library catalogue.
2. Another electronic database may hold full text of the required title
3. The library may hold the title in **print**. If so, take note of the call number and locate on the shelves (Periodicals Section - Level 3)
4. If not held at all, search other library catalogues
Which of the following statements is true?

- Most of the journals in AGIS are from the US
- AGIS covers a wide range of subjects – not just law
- AGIS is a database of Australian and NZ legal journal articles
- Comprehensive collection of **full text** international law journals
- Some Australian content
- Legal classic textbooks from 16\(^{th}\)-20\(^{th}\) centuries
- World Constitutions Collection
HeinOnline search results for "asylum obligations Australia".

  Indexed: Vols. 1-105#8 (1915-2019)
- ABA Journal of Affordable Housing & Community Development Law:
  See: Journal of Affordable Housing and Community Development Law
- ABA Journal of Labor and Employment Law:
Journal articles are a primary source of law.

TRUE

FALSE
Westlaw Next – World Journals
Over 1000 full-text law reviews from US, UK, Canada, and some other jurisdictions

Lexis Advance
Library subscribes to a number of LexisNexis published journals – these journals are indexed in the AGIS plus text database

WestlawAU
Library subscribes to a number of Thomson Reuter published journals – these journals are indexed in the AGIS plus text database

APA-FT
*Australian Public Affairs - Full Text (APA-FT)* - is an indexing and full text database that provides internet access to the scanned images of journal articles from published material on the social sciences and humanities

Library Search
Access articles across a broad range of areas including: social sciences, humanities, education, criminology, computer sciences, language and linguistics, arts & literature, medical sciences and many more (limited law content)

Factiva
Local and international newspapers
QUIZ

Which database would you use to locate Canadian legal journal articles?

Google

AGIS Plus Text

Hein Online

HALSBURY’S LAWS OF AUSTRALIA
If the full text of the article is contained within AGIS then click on the name of the journal to discover if it is peer reviewed.

If the full text of the article is NOT contained within AGIS then search of the name of the journal in the Ulrichsweb to discover if it is peer reviewed.

Search for the name of the journal in the Ulrichsweb database to discover if it is peer reviewed.
PEER REVIEWED?
LibGuides (Law) http://guides.library.vu.edu.au/law

- Secondary Sources section
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Email murray.greenway@vu.edu.au

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Sign in to the Victoria University App using a current VU student or staff ID & password.

Continue as a Guest without entering a username & password.

Support with signing in with your VU account.
VU Tab: My Learning Hub

The horizontal scrollbar allows access to:

**My Essentials**: your Essential Activities
**My List**: Complete & incomplete Essential Activities you have ‘added’
**Skills**: Global Skills list & related activities
**Search LH**: Search the entire Learning Hub database for activities, units & courses

**GO TO LEARNING HUB**
CONNECT WITH LEARNING HUB

Connect to My Learning Hub

Permanently connect your Learning Hub by signing in with your VU student ID & password. You will then need to login to Learning Hubs online or create a Learning Hubs online account.
VALIDATE ACTIVITY

My Learning Hub: Book/Validate an Activity from My Essentials

**Validate:** Select a Course/Study Essential from My Essentials. Select an activity, then select Validate. The scanner will open the camera. Scan the activity QR code to validate completion.

**Book:** Select a Course/Study Essential from My Essentials. Select an activity, then select Book. The in-app browser will launch & display available booking times.