The aim of this session is to familiarise oneself with Westlaw. Westlaw is one of the primary online legal research services. It consists of many databases (more than 50,000) of case law, statues, law journals, law reviews, annotated cases and so forth. Knowing your way around Westlaw is indispensable when carrying out research for assignments, dissertations and in future in law practice.

This session’s Learning Goals
In going through this task you will:
• familiarise yourself with Westlaw and its web of databases and search options;
• learn how to look up US cases, UK statutes, and journal articles;
• learn how to properly cite US cases, UK statutes, and journal articles;
• reflect on the possibilities and limitations of using Westlaw.

Referencing
Use the Oxford Standard for Citation of Legal Authorities (OSCOLA) found at https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf (or follow the link in the LibGuide). Different pages of the Oxford Standard for Citation of Legal Authorities are relevant this time: sections 2.4.1 and 2.4.2 for UK statutes, section 2.8 for US Supreme Court Cases, and section 3.3 for journal articles.
Searching for materials on Westlaw using a citation

The easiest way of using Westlaw to find a case is by using its citation. Take a look at the presentation found in week 6 of the Legal Skills libguide “Searching for a case using a citation”.

Task 1

Find Shelley v. Kraemar in Westlaw using the case’s citation. Yet you don’t have a citation, so think of options of finding the citation. You might like to use a book that refers to this classic case, but you could also use Google. However, not all the information on the internet can be trusted, so make sure to find a reliable source.

• Once you find the citation, find the case in Westlaw and make a footnote reference to it, correctly following OSCOLA rules.
• Look at the Original Image (make sure to have pop-ups allowed in your browser). Explain what this is in two sentences.
• List, by using “Citing References” two US Supreme Court cases which examined Shelley v. Kraemar and one case which discussed it. Write a footnote reference to the cases (following OSCOLA rules).

Task 2

a. Write a short sentence with footnote reference to the following two UK laws, following OSCOLA rules; and
b. Note down whether they are still in force:
   • UK ST 1984 c 35
   • UK ST 1998 c 29
Searching on a party name

Westlaw allows one to search for a case even if only one of the names of the parties in the case is known. See ‘Searching on party name’ in week 6 of the legal skills LibGuides.

Task 3

- Where is Malone v United Kingdom (A/95) reported? What is the date of this decision? Which court decided this case?
- Where is Brown v. Secretary of state for Scotland reported? What is the date of this decision? Which court decided this case?
- The following are United States Supreme Court decisions – Can you note the date when they were decided? The full citation of where they are reported and whether any of these decisions have been overruled:
  - Miranda v. Arizona
  - Marbury v. Madison
  - Gibbons v. Ogden
- Having completed these searches. What are the benefits of having a full citation of a case?
Searching for Journal Articles

One of the most popular uses of Westlaw is to look up journal articles (predominantly articles in US law journals). It is very important to learn how to use this very useful resource to look up journal articles, especially because SmartCat doesn’t properly link to materials in Westlaw.


Task 4

Use Smartcat and Westlaw to find the following:

- An article entitled “what is privacy worth” by Alessandro Acquisti.
- An article entitled “The European Court of Justice and the future off the German private company (Gesellschaft mit beschränkter Haftung)” by Christoph Jaehne and Johan Henning.
- A recent article published by Joel Reidenberg on privacy issues.
- Have any articles on Twitter and privacy have been written? If any are found, how many articles specifically discuss Twitter and privacy and not just happen to mention both terms in the article or title?

Write a short sentence with a footnote reference (following OSCOLA format) to the articles you’ve found.