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1. Introduction

These notes are compiled as a research reference tool for LLM and LLD students. Please keep these notes for future use. For the online version of this document go to our website and then ‘Research Support’ (on the left) or go directly to: http://www.library.up.ac.za/law/research.htm (‘Library Research Manual for LLM and LLD’)

Research in law requires the student to use a great many information sources. Take note of the many categories of sources in law. Broadly speaking the primary sources are common law, legislation (national and regional; statutes and regulations) and law reports. The secondary sources are encyclopedias, books and journal articles. In addition, one deals with information from various countries and jurisdictions. Government Gazettes, policy documents and treaties may also be used.

2. BOOKS - South African and other countries

Textbooks, monographs or books are a very good source for starting research on any topic and may be seen as your first port-of-call. However, do take care to use the latest editions. Follow up on the footnotes to legislation, regulations, case law and other material. Books on the same subject are found together on the shelves. Once you have found books on your topic do browse the shelves for more on the same topic.

Looseleaf books are very useful tools. Once again make sure that they have been kept up-to-date. They are kept up-to-date by means of replacement pages. In South Africa there are a great many of these books published mostly by Jutas and Butterworths and they cover many different subject areas. Other jurisdictions also make use of this format for publishing law books.

Finding books:

• To find books one may start by searching our own catalogue at: http://www.library.up.ac.za/law/index.htm (see screenshot above) Go to the Search tab and then select Catalogue. Choose Advanced Search. Use ‘Keyword’ when searching for a topic. Use “..“ for a phrase. (The Catalogue is available free on the internet.) See the screen shots below. The example is for “disability rights” in the Title field.

• The second place to go to is Sabinet Reference, http://www.library.up.ac.za/law/index.htm Go to the Search tab and then select Databases, select S and then Sabinet Reference Once there select SACat (the catalogue of all the books in South African libraries combined).

• Both LexisNexis Butterworths and Jutastat provide their users with numerous electronic books. From http://www.library.up.ac.za/law/index.htm go to the Search tab and then select Databases, select L or J for these. Take note of the lists of subject areas on the left on the webpages and open each one to see what material is included under each heading.

• Books from other libraries can usually be obtained through Inter-library loan – speak to the librarians. Of course, searches on the Internet and Google Scholar may also bring good results.
3. **ENCYCLOPAEDIA**

*The Law of South Africa (LAWSA)* is an encyclopaedia of our laws. It is kept up-to-date by means of new volumes, cumulative supplements and a monthly publication called “*Current Law*”. Used together they are very helpful with regard to new developments in law. Locate any topic by using the index to main volumes and then use the “Key” in the “*Current Law*” issues, to find the latest cases, legislation and literature on a specific topic. Material is arranged by Volume and paragraph numbers. Follow up all footnotes. For the electronic version go
to our webpage http://www.library.up.ac.za/law/quick.htm and then go to the LexisNexis Butterworths. Scroll down to ‘Reference works, etc.’ and do your search in both LAWSA (Law of South Africa) and Current Law.

**LAWSA** is modelled on the UK publication – *Halsbury’s Laws of England*. *Halsbury’s* is kept up to date with a monthly publication called “Current Service”. It is very comprehensive and a good starting point for any aspect of UK law.

**Corpus Juris Secundum** is the encyclopaedia that covers the law of the USA. Currently it consists of over 100 volumes. It is very comprehensive, contains many footnotes to case law and is an excellent place to start with research on US law.

4. **LEGISLATION (South African)**

Free online, updated South African legislation - http://www.lawsofsouthafrica.up.ac.za/

Includes Acts and Regulations and historical versions of Acts and Regulations. It is free for everyone to use or share. It is a work in progress and does not yet contain all the Acts.

4.1 Acts.

- The acts and their amendments are published separately in the Government Gazettes. However, although these are the authority for the statutes they are not generally used for the purposes of looking up legislation.

- Instead one uses the hardcopy and electronic versions of the legislation from the publishers Jutastat or LexisNexis Butterworths or the electronic Sabinet Legal - NetLaw These are updated regularly. From http://www.library.up.ac.za/law/quick.htm go to these databases.

- The free acts on the Government websites at this stage do not include the amendments. You can therefore use these sites if it is a brand new act you need – but if not, it is probably outdated.
- Electronic versions of the Government and Provincial Gazettes can be obtained from Sabinet Legal and LexisNexis Butterworths.

4.2 Finding case law that refers to the legislation.

- HARDCOPY. In the printed set of Butterworths Statutes you will find very useful additional information. For each act you will find “References to Decided Cases”. The material is arranged by the sections within the act. Besides this there are also “References to Regulations, etc. Published in Government Gazettes” for each act. In the hardcopy version of the set of Juta’s Statutes of South Africa one finds a section titled “Legislation judicially considered”.

- ONLINE. Jutastat: added to many of the Acts (found under Statutes and Regulations of South Africa) is a list of CASES where sections of Acts have been considered. Go to either “Statutes of South Africa” or “South African Law Reports 1947 to date” and then open “Legislation judicially considered” – go to the year and the Act you wish to look at – e.g. 1936 for the Insolvency Act 24 of 1936. These cross-references are very useful for research. LexisNexis Butterworths - go to “Legislation – South Africa” then to the Act you wish to look at and then Legal Citator on the right of the screen. This takes one to a list of cases for the Act and its sections.

4.3 Other useful information added to the commercially available legislation.

- RULES OF COURT: Jutastat contains the Magistrate’s Rules of Court and the High Court Rules of Court. Go to the “Statutes and Regulations of South Africa”, “Statutes of South Africa” and then to “Regulations and Rules” and “Rules”, etc – see screen shot below.

- FORMS: Still in Jutastat, “Statutes and Regulations of South Africa” the High Court Rules of Court and then Uniform Rules of Court, and then First Schedule and Second Schedule. Below is a screen shot to illustrate the route to take. Forms can also be found on Sabinet Legal. You may also find forms in Sabinet Legal - Netlaw: select Court Forms from the tabs.
4.4 Regulations.
- Regulations are published in the Government Gazettes. Once again, though, this is not the preferred source as all the material covering one topic would be very scattered through many Gazettes.
- In the library we have access to the online regulations on the *Jutastat* and *LexisNexis Butterworths* - see screenshot below. The regulations are included with the Acts. In addition, the Acts in the online *Sabinet Legal’s - Netlaw* include the relevant regulations. These are good to use provided you have access through subscriptions to them.
- Many of the subject-specific looseleaf books do have the relevant regulations included in them.

![Screen shot of Jutastat regulations](image)

4.5 Bills.
- Bills and draft bills are mostly published in Government Gazettes.
- [http://www.polity.org.za](http://www.polity.org.za) – Go to ‘Legislation’ (scroll down to the end) and then ‘Bills’.

- Probably the best source is still the databases from *Sabinet Legal*. Find this by going to Law Library’s Quick links page: [http://www.library.up.ac.za/law/quick.htm](http://www.library.up.ac.za/law/quick.htm) - then in *Sabinet Legal* use ‘Bill Tracker’ and ‘Policy Documents’. The latter contains Draft Bills as well as Government Policy documents. If you do not have access to these use the free material from the internet.
- **Memoranda** of the objects of the bills are obtainable from the online *Jutastat* “Statutes and Regulations of South Africa” “Statutes of South Africa” and “Selected memoranda…”. One may also find them in the paper copy of the bills themselves. The memorandum is always given at the end of the bill.

4.6 Repealed acts / Prelex.
In the *LexisNexis Butterworths* and *Jutastat*: from the legislation one can also access the repealed acts. The online *Jutastat* refers to it as Prelex – repealed and amended wording.

We suggest that you subscribe to “Legalbrief” – it is a newsletter on legal matters and is sent on a daily basis by email. There is an alert section dealing with new legislation and there is also information on some new case law. [Legalbrief@legalbrief.co.za](mailto:Legalbrief@legalbrief.co.za) or for students: [lfaro@juta.co.za](mailto:lfaro@juta.co.za)
5. CASE LAW (South African)

5.1 Reported cases

In practice it is most important to find the latest case law on a particular point. For academic research it may be necessary to find much more than the latest case law. As mentioned before you should use an up-to-date textbook on the subject as a guide, and then search the law reports for the judgments. (Authors of textbooks may leave out important case law). Print copies of all the South African Law Reports are kept on the shelves on level 1 of the Law Library.

For the online material go to Jutastat and LexisNexis Butterworths (Find this by going to Law Library’s quick links page - http://www.library.up.ac.za/law/quick.htm) Remember that there is considerable duplication in the published case law from these 2 publishers.

Juta’s publish:

- SA - South African Law Reports (from 1947 up to today),
- SACR - South African Criminal Law Reports and
- ILJ - Go to “Labour Library” then to Industrial Law Journal. Appears in hardcopy and online formats.
- In addition, they also have the Unreported Judgments (also called Juta’s Daily Law Reports – or simply JDR)
- Tax Cases under Tax Library.

Butterworths publish:

- All SA - All South African Law Reports 1828 -1946
- All South African Law Reports 1947- date
- BALR - Arbitration Law Reports
- CPLR - Competition Law Reports
- BCLR - Constitutional Law Reports
- JOL - Judgments Online
- BLLR - Labour Law Reports
- BPLR Pension Law Reports
- SATC – South African Tax Cases Reports

5.2 Noter-up (Legal Citator) or Annotations:

The Noter-up or Annotations refers to the subsequent history of a case in the courts, i.e. cases that are referred to or considered judicially in subsequent judgements. You may not have used this information in your undergraduate studies but you will find invaluable for practice and research. It is contained in the following:

Print form -

- Butterworths Index and Noter-up to the All South African Law Reports and the South African Law Reports. Noter-up section – “The table below lists the cases which have been referred to or considered judicially in the judgements…….” The index is also very useful.

- Print - Juta’s Index and Annotations to the South African Law Reports. The “Case Annotations” contains the same information as in the Noter-up. Useful index.

- “Fontes Juris. (Being the SOURCES OF THE LAW which were noted in South African Supreme Court judgments)” These lists supplement the subject index of the law reports. It leads the reader from a case or source to further cases or sources. “Under each reported case is listed, in
chronological order, the cases (if any) which noted that case.” This reference tool consists basically of 3 long lists.

**Online** –
- **Jutastat** – go to the **South African Law Reports** (for example) and in the fulltext of the cases you will find “Annotations” or “Link to Case Annotations”. (See screen shot below for an example.)

![Screen shot of Jutastat](image1)

- **The LexisNexis Butterworths** the Noter-up is available with each case - Go to **Legal Citator** on the right of the screen. Open this to find information on the subsequent treatment of the case in the courts, the legislation considered, and other information.

![Screen shot of LexisNexis Butterworths](image2)
5.3 Unreported cases.

First try a Google search. Also SAFLII, which is a free website - [http://www.saflii.org.za/](http://www.saflii.org.za/)
You may also find unreported cases in the JOL (Judgements Online from LexisNexis Butterworths), the Jutastat’s ‘Unreported Judgements’ (also known as the Jutas Daily Law Reports). Besides that, such cases may be obtained from the Clerk of the court in which the case was heard.

5.4 Free Case law.

Be aware of free case law obtainable from the internet - these are especially useful:

- Supreme Court of Appeal (UOFS) - [http://law.ufs.ac.za/templates/supreme_judgements.aspx](http://law.ufs.ac.za/templates/supreme_judgements.aspx)
- Constitutional Court [http://www.constitutionalcourt.org.za/site/home.htm](http://www.constitutionalcourt.org.za/site/home.htm)
- Competition Tribunal - [http://www.comptrib.co.za/](http://www.comptrib.co.za/)

5.5 Acts and linked case law:

- The hardcopy version of the set of Juta’s Statutes of South Africa gives a section titled “Legislation judicially considered”. In the online Jutastat there are, added to many of the Acts, a list of CASES where sections of Acts have been considered. Refer to 4.2 above
- The hardcopy Butterworths Statutes have the lists of “References to Decided Cases” (see above). Online: LexisNexis Butterworths – go to the Act you wish to look at and then from Legal Citator go to the sections you wish to research. This takes one to a list of cases for the Act and its sections.

6. JOURNALS: South African law journals

6.1 In general.

There are about 30 academic law journal titles in South Africa and these are listed below. The hardcopy versions of the journals are kept in the law library, but some are also available in electronic or online format. The 5 databases that offer law journals in full-text, are SAePublications, Jutastat, LexisNexis, SAFLII and HeinOnline. (Note that none are comprehensive in their coverage.)

<table>
<thead>
<tr>
<th>Journal title</th>
<th>Jutastat</th>
<th>SAePublications</th>
<th>Hein Online</th>
<th>LexisNexis Butterworths</th>
<th>SAFLII-free access</th>
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<tr>
<td>Acta Juridica</td>
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<td>Acta Criminologica</td>
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<tr>
<td>African Disability Rights Yearbook</td>
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<tr>
<td>African Human Rights Law Journal</td>
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<td>✓</td>
<td>✓</td>
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<tr>
<td>Annual Survey of South African Law – also see Jutastat under Juta’s Review of SA Law</td>
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<td>✓</td>
<td>✓</td>
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<td>Codicillus</td>
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<tr>
<td>CILSA – Comparative and International Law Journal of South Africa</td>
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<tr>
<td>De Jure (also <a href="http://www.dejure.up.ac.za">www.dejure.up.ac.za</a>)</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>(some years only)</td>
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<tr>
<td>Fundamina – a Journal of Legal History</td>
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<tr>
<td>Industrial Law Journal</td>
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<td>Journal of Estate Planning Law</td>
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<tr>
<td>Journal of Juridical Science (Tydskrif vir Regswetenskap)</td>
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<tr>
<td>Juta’s Quarterly Review of SA Law. <strong>Jutastat</strong> under Juta’s Review of SA Law</td>
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<td>SADC Law Journal</td>
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<tr>
<td>South African Journal of Criminal Justice</td>
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<td>South African Journal of Environmental Law &amp; Policy</td>
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<td>South African Journal on Human Rights</td>
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<tr>
<td>South African Law Journal</td>
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<tr>
<td>South African Mercantile Law Journal</td>
<td>✓</td>
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<tr>
<td>South African Public Law – SA Publiekreg</td>
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<tr>
<td>South African Yearbook of International Law</td>
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<tr>
<td>Speculum Juris</td>
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<tr>
<td>Stellenbosch Law Review – Stellenbosse Regstydskrif</td>
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<td>✓</td>
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<tr>
<td>Tydskrif vir die Suid-Afrikaanse Reg – Journal of South African Law - TSAR</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Tydskrif vir Hedendaagse Romeinse-Hollandse Reg – Journal for Contemporary Roman Dutch Law</td>
<td>✓</td>
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<tr>
<td>Without Prejudice</td>
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The free online academic journals in this country are:

- “**Potchefstroom Electronic Law Journal**” [http://www.nwu.ac.za/p-per/index.html](http://www.nwu.ac.za/p-per/index.html);
- “**De Jure**” at [http://www.dejure.up.ac.za/](http://www.dejure.up.ac.za/);
- “**African Disability Rights Yearbook**” [http://www.adry.up.ac.za/](http://www.adry.up.ac.za/);
6.2 Finding articles in South African journals.

Indexes. There are 2 indexes to Southern African journals. These indexes give only references to articles (not full-text access). One can search by author, title, keywords, etc.

- **Sabinet Reference** The most widely used is the use *Journal articles: ISAP - Index to South African Periodicals.*
  - The other is a free index on the Johannesburg Bar Library website [http://johannesburgbar.co.za/library/](http://johannesburgbar.co.za/library/) - go to *Bar Library* and then *Journal Article Index.* Take care to use “Format: Journal article index” for your searches. This is a highly recommended database.

Full-text. For full-text coverage one can use the following databases, which hold some (see table above) of SA law journals in full-text:

- **SAePublications** is local and is found in the *Sabinet Reference* database. Contains full-text access to a number of South African journals. It covers the last 7-10 years only.
- **HeinOnline** is from the USA but contains some South African journals. The coverage is retrospective and usually covers the journal from volume 1 up to a year or two ago. It does not always have the latest volumes.
- **LexisNexis Butterworths** has some years of a few law journals online. Click on “Journals” on the left of the screen to see all the journal titles available.
- **Jutastat** for some fulltext journals – see under “Juta’s Electronic Law Journals”
- **SAFLII** has a number of open access journals on their website.

7. JOURNALS: Journals from foreign jurisdictions

A full discussion of this follows. However, the quickest and easiest sources to use are *Westlaw* and *HeinOnline.* See 7.3.1 and 7.3.2 for details of these.

7.1 Hardcopy journals

Legal research almost always involves acquiring journal articles from other countries. The library subscribes to a number of overseas titles in print or hardcopy form. Use the *Catalogue* and search under “Title”. Take note that this only gives information on the titles that the library holds in hardcopy form. These journals are found on the shelves on level 2 of the Law Library.

7.2. Indexes to journal articles.

The databases below are located on the Library’s webpage under ‘Search’; then ‘Databases’,

- **Index to Legal Periodicals** and **Index to Foreign Legal Periodicals**, The former database deals with the US and UK material, whilst the latter has foreign (including South African) journals.

7.3. Electronic or online journals – full-text.

For foreign journals in electronic form there are a number of options:

- For specific titles - use the library page [http://www.library.up.ac.za/law/quick.htm](http://www.library.up.ac.za/law/quick.htm) - then *Search* and *e-Journals.* This provides access to specific journal titles only – but not for a keyword or other search within the journals. It takes one to the platforms that make the journals available in full-text.

- For general searching - use the full-text legal databases, namely *Westlaw* and *HeinOnline.* Go to Law Library - Quick Links page: [http://www.library.up.ac.za/law/quick.htm](http://www.library.up.ac.za/law/quick.htm) and select *Westlaw* and
HeinOnline. It is advisable to go to these when doing a search for articles in general on any topic in law. Also use Information Resources: Journals - ‘Oxford’ and ‘Cambridge’ Journals for their full-text journals.

7.3.1 Westlaw:

A very large, full-text legal information database that is used extensively in the English-speaking world. It contains many journals and its coverage of case law and legislation is extensive. Other types of documents are also found on Westlaw. Access the Westlaw website only from the Law Library Quick Links page: http://www.library.up.ac.za/law/quick.htm. Select Westlaw International

Westlaw consists of 3 parts:

A. Westlaw UK;
B. International Materials and World Journals and
C. Westlaw (US)

A. Westlaw UK:

Go to Westlaw. The default homepage is titled Westlaw UK and it gives various options for searching. Note the tabs at the top of the page: Cases, Legislation, Journals, EU, etc. Select one and commence searching. See below for a search in the Journals for “sentencing guidelines” as an exact phrase in the title field (remember to use “ “). The results are in the next screenshot:

Results of the search for “sentencing guidelines” are shown below:
Full text access to the articles in the above screenshot is gained by clicking on the yellow highlighted area. Note the tabs for searching for UK *Cases* and *Legislation*. Note also the *EU* tab.

**B. International Materials and World Journals:**

From *Westlaw UK* go to the tab ‘Services’ (see above) at the top right of the page, drop it down and select ‘International Materials’. A new page called “Thomson Reuters *Westlaw*” opens which offers access to the legal information for several countries, and note that this page includes “*World Journals*”:
"World Journals" – click on this to search all the journals from all countries. Select “advanced” next to the “Search” button. Do a search in the name/title box for “Transitional justice” (use the inverted commas – “ “), click on the orange “Search”. Note the “Connectors and Expanders”.

Select “All Results” –

Note that page numbers in the fulltext documents are preceded by an *, e.g *466
C. USA material:
Now click on the words “Thomson Reuters WESTLAW” at the top left.

You may find Cases, Secondary Sources (journals and law reviews) and Statutes useful. See arrows above.

If you use “Connectors” in your search (which we would recommend) you will need to search for a phrase by using “inverted commas”. Using “ “ for the phrase keeps the words together. Other searching tips:

" "   Phrase
&    AND
space OR

/n    Within n terms of
%

7.3.2 HeinOnline:

This is also a full-text international legal database, but the difference is that it is a retrospective database. It usually holds the full-text of the journals (and other documents) from the first volume. The focus is on journals.

To familiarise yourself with the database, try this exercise:

- Gain access via our Law Library - Quick links webpage: [http://www.library.up.ac.za/law/quick.htm](http://www.library.up.ac.za/law/quick.htm) and Select HeinOnline:
  - Select “Law Journal Library”
• Use the ‘Advanced Search’
• Type in “transitional justice” using the ‘Article title’ field - as in the following screen:

• The results of your search (which may be downloaded, printed and emailed) -

![Image of the search results page]

1. Transitional Justice review.
   [Download PDF] [Download Options]
   [Email] [MyHil]
   Cited by 4 Articles Accessed 84 Times

2. Transitional Justice review.
   Harvard University Press Journal, pp. 29-34
   [Download PDF] [Download Options]
   [Email] [MyHil]
   Cited by 25 Articles Accessed 83 Times

3. Transitional Justice: Professor Legacies (comments).
   [Download PDF] [Download Options]
   [Email] [MyHil]
   Cited by 1 Articles Accessed 43 Times

4. Encyclopedia of Transitional Justice [review].
   International Encyclopedia of Comparative Law, pp. 978-980
   [Download PDF] [Download Options]
   [Email] [MyHil]
   Full Text Not Currently Available in HeinOnline

5. Transitional Justice and impunity [article].
   [Download PDF] [Download Options]
   [Email] [MyHil]
   Full Text Not Currently Available in HeinOnline
7.3.3 The journals published by Oxford University Press and Cambridge are not included in these 2 databases and so you should also consult their 2 websites. Go to the Law Library homepage, choose Information Resources: Journals http://www.library.up.ac.za/law/resources_journals.htm and then Cambridge and Oxford journals.

8. OTHER FOREIGN LEGAL MATERIAL (Legislation, Law Reports, etc)

8.1 Case law

Starting on our webpage http://www.library.up.ac.za/law/index.htm select, from “Information Resources” on the left “Case law”. A list of “Foreign” and “International Sources” on case law is displayed.

Note that the “International Sources” cover mostly the International and European courts.

One of the free options is WorldLII http://www.worldlii.org/. The acronym stands for “World Legal Information Institute”. Open the website and select ‘All Countries’. It contains some law reports and legislation for many countries. In some cases there is a great deal of information, but for others there may be very little. See below:

For foreign case law also use Westlaw.

8.2 Legislation

Starting on our webpage http://www.library.up.ac.za/law/index.htm select from “Information Resources” on the left “Legislation”. A list of ‘Foreign Resources on Legislation’ is given.
The free site WorldLII is very useful. See above on p.17 for more information.

For legislation also try Westlaw.

9. GOVERNMENT INFORMATION

Starting on our webpage http://www.library.up.ac.za/law/index.htm select, from on the left, “Government Info”. A list of South African, Foreign, International and Regional Resources on Governments is given to assist you with this material. Beyond this, a general internet search is suggested.

10. AFRICA – Legal information

For a number of years this library has endeavoured to collect the primary legal material of the African countries. The emphasis is on Legislation and Law Reports. Not all countries are covered. To see the list of material available go to the “Law of Africa collection” at http://www.library.up.ac.za/law/law_of_africa.htm. This lists the holdings of this library of both ‘Legislation’ and ‘Law Reports’, arranged by country.

LexisNexis (Gambia, Ghana, Mauritius, Nigeria and Botswana) and Jutastat (Zimbabwe, Namibia) also provide some access.

Legislation and Law reports in hardcopy

These are housed separately in the library – in a section marked “Law of Africa Collection” on Level 1. The arrangement is alphabetical by country.

In addition to the above, in the book and journal collections there are some textbooks and journals on African law.

11. HUMAN RIGHTS LAW

With regard to Human Rights law important sources will be given below. These should be used in addition to the general information described above.

11.1 Books. A generous donation from the EU enabled the library to build a strong collection of books and journals in the area of Human Rights Law. Use the catalogue to find books on this subject, using keywords, titles, authors, etc. Go to http://www.library.up.ac.za/law/index.htm and then the Search tab and then Catalogue (see page 2 above).

11.2. Human Rights Case law

See our website – ‘Case law’ on the left under ‘Information Resources’ http://www.library.up.ac.za/law/resources_case_law.htm - in particular the “International resources on Case Law” (e.g. European Court of Human Rights; International Court of Justice, etc)

11.3 Documents and treaties

Go to our website and ‘Documents and Treaties’ on the left under ‘Information Resources’ - http://www.library.up.ac.za/law/resources_documents.htm

12. OLD AUTHORITIES

The library possesses a fairly large collection of books known as the old authorities. There are many very old Roman and Roman-Dutch law books and they are kept in a separate locked collection. Some books were
Roman law. The Roman emperor Justinian, who died in 565 AD, had the law codified. Justinian's code consists of four parts and is known as the Corpus Iuris Civilis. This code was the vehicle for carrying the Roman law to the rest of Western Europe and is still used today. The 4 parts are the:

- The Codex
- The Digesta or Pandectae
- The Institutiones
- Novellae

These books have been translated into English. These books are sometimes referred to, in footnotes or bibliographies, simply as “D” for Digest, or “C” for Codex, together with chapter and section numbers.

Roman-Dutch Law

Roman-Dutch law is a synthesis of Roman law, Germanic customary law, feudal law, canon law and so on. There are a number of old writers who are considered authorities on classical Roman-Dutch law. Their works appeared from about 1550 to 1800. Researchers should be aware of the following names in this regard:

- Hugo de Groot (Grotius) wrote “Inleidinge tot de Hollandsche Rechtsgeleerdheid” and “De Jure Belli ac Pacis, Libri tres”. His “Introduction”, a treatise on Roman-Dutch law, is a very important work
- Antonius Matthaeus
- Simon Groenewegen van der Made
- Simon van Leeuwen was the first writer to use the term “Roman-Dutch law”
- Johannes Voet – Best known works are “Compendium Iuris” which follows the sequence of the Digest or Pandects and “Commentaries ad Pandectas”.
- Merula wrote “Manier van Proceduren” on civil procedure.
- Cornelius van Bynkershoek
- Van der Keessel
- Johannes van der Linden who is known as the author of “Rechtsgeleerd, Practicaal en Koopmans Handboek”

13. BOOKS ON LEGAL RESEARCH

In the catalogue you will find a number of books to assist you in your research and writing up. Amongst others you may consult the following books. Included are the call numbers which you use to find the books on the shelves (e.g.: 340.072073 SHAPO):

- Volokh, Eugene (2007) Academic legal writing : law review articles, student notes, seminar papers, and getting on law review - LAW 808.06634 VOLOKH
- Webley, Lisa (2005) Legal writing - LAW 808.06634 WEBLEY
- Block, Gertrude (2004) Legal writing advice : questions and answers - LAW 808.06634 BLOCK
- Strong, Stacie (2006) How to write law essays and exams - LAW 808.06634 STRONG
- Bronsteen, John (2006) Writing a legal memo - LAW 80806634 BRONSTEEN
• City Law School (2007) Opinion writing - LAW 808.06634 CITY

• Hofstee, Erik. (2006) Constructing a good dissertation : a practical guide to finishing a Master's, MBA or PhD on schedule - LAW 001.42 HOFSTEE


*January 2017: Shirley Gilmore, Oliver R Tambo Law Library, University of Pretoria