

# Westlaw IE



## INFORMATION GUIDE

Westlaw.IE is a database that offers online access to Irish legal materials such as legislation, case reports, case digests, unreported judgments and legal journals. The range of coverage is as follows:

*Annotated Statutes (1984 – current)*

*Employment Law Reports (1990 – current)*

*Irish Current Law Monthly Digest (1995 – current)*

*Irish Law Times (1983 – current)*

*Tottel Irish Tax Reports (1923 – current)*

*Unreported Judgments (2002 – current)*

*Irish Legal Journals (up to 15 years available for most titles.)*

*European Human Rights Reports (1979 - current)*

*Human Rights Law Reports (2000 – current)*

*Irish Law Reports Monthly (1976-current)*

*Irish Law Times Reports (1871-1980)*

*Irish Current Law Monthly Digest (1995 – current)*

*Irish Current Law Statutes Annotated (1984 – current)*

## HOW TO ACCESS WESTLAW.IE

Within DIT you can access Westlaw IE from the Library Databases Web Page at:-

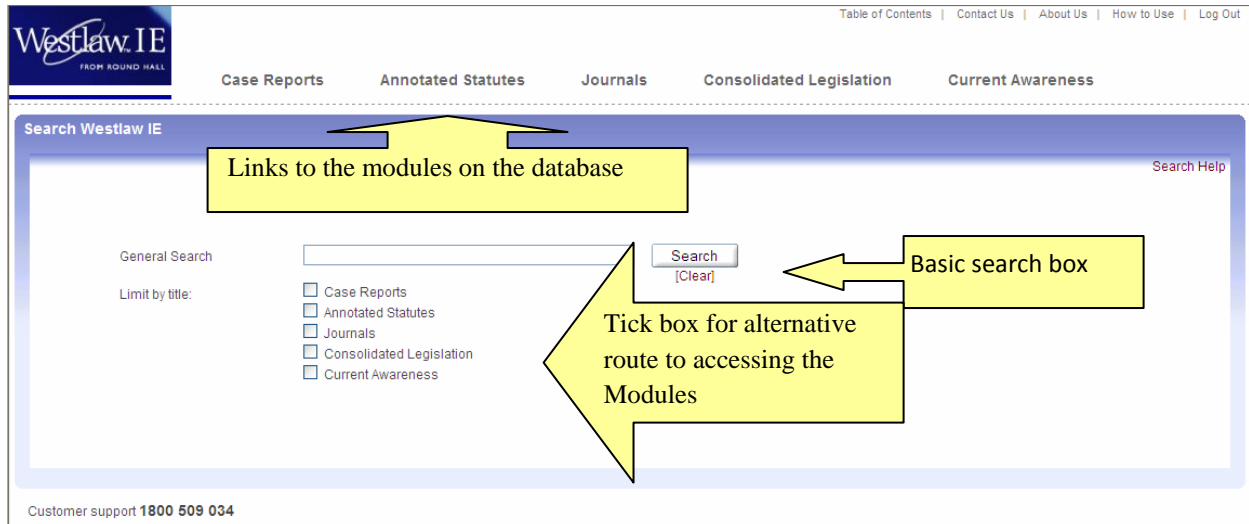
<http://www.dit.ie/DIT/library/resources/databases/index.html>

Within DIT you can also access Westlaw from the Mountjoy Square Library Criminology Databases Web Page at <http://www.dit.ie/library/subjects/criminology/databases/>

If you wish to access Westlaw IE from home you will need the Student Intranet username and password.

## CARRYING OUT A SEARCH ON WESTLAW.IE

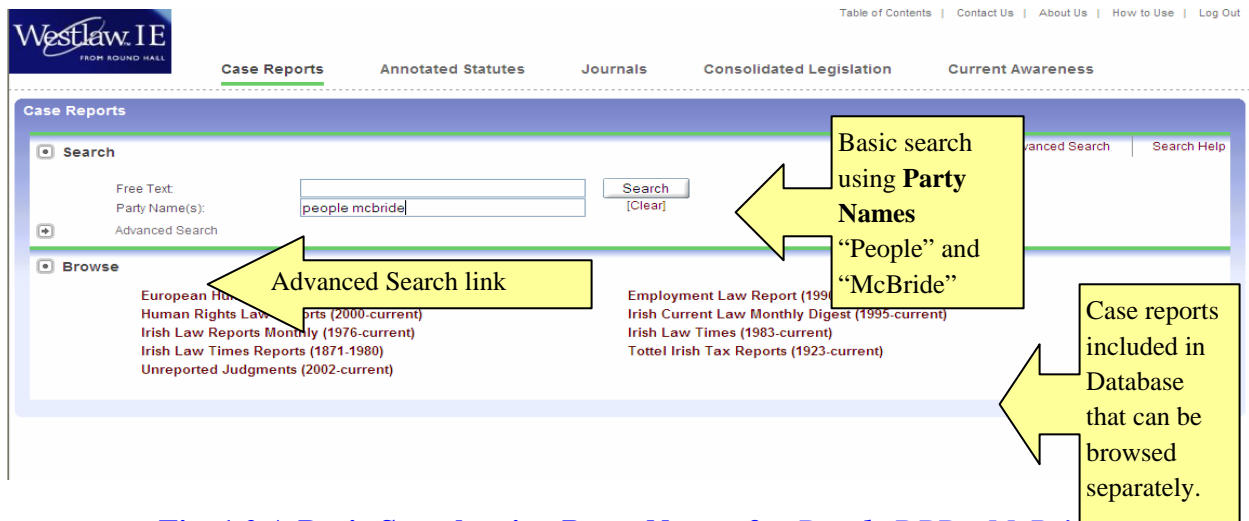
You can carry out a search for **Case Reports**, **Annotated Statutes** (i.e. Legislation with commentary attached), **Journals**, **Consolidated Legislation** (i.e. text of legislation which includes amendments to the legislation), and **Current Awareness** materials (i.e up to date materials on the field in which you are interested.) Each of these modules appear as a link at the top of the Westlaw.IE screen. See Figure. 1.1.



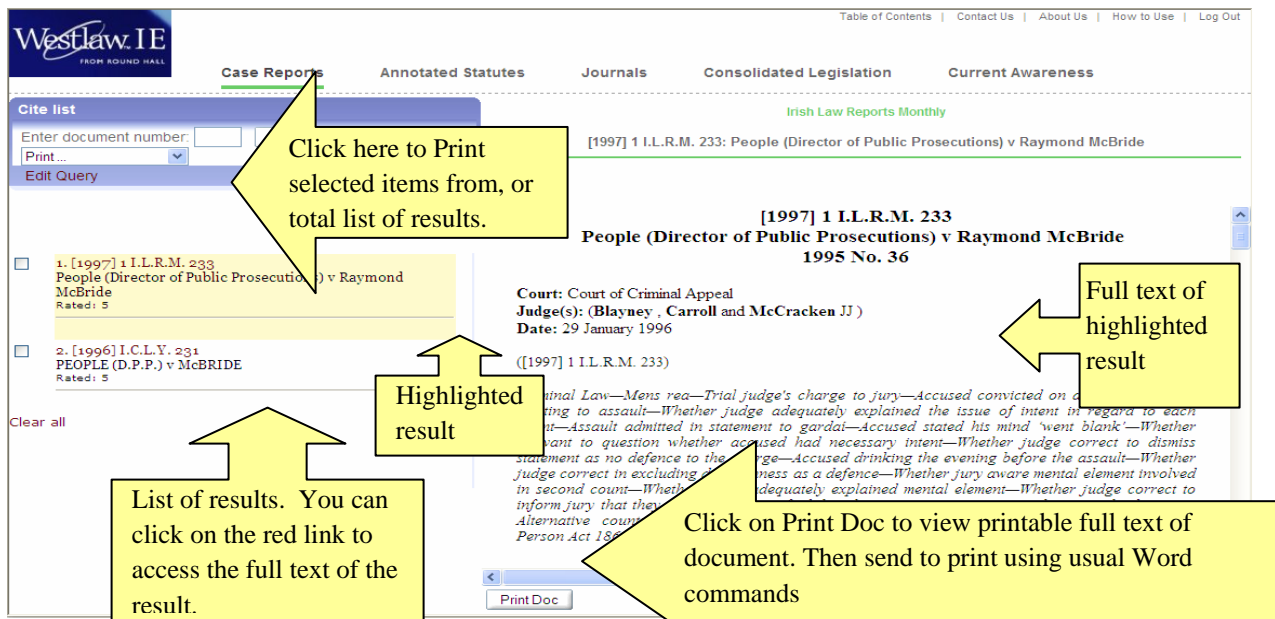
**Fig. 1.1 The Westlaw IE Home Page**

## CARRYING OUT A BASIC SEARCH FOR THE FULL TEXT OF A CASE REPORT

Click on the **Case Reports** module link on the top left hand corner of the Westlaw IE screen. This defaults to a basic search screen where you can search using either: (a) the **Free text** search box, or (b) **Party Name(s)**. For example to search for *People (DPP) v McBride [1997] 1 I.L.R.M 233* enter “People” and “McBride” and then click **Search**.



**Fig. 1.2 A Basic Search using Party Names for *People DPP v McBride***



**Fig. 1.3 Results of Basic Search for *People (DPP) v McBride***

## PRINTING AND SAVING RESULTS

### 1. Printing/Saving from within the viewed document

The viewed document opens up in the right hand pane of the page. You can print the viewed document by, first, clicking the **Print Doc** icon at bottom of the page. Clicking on this icon will download the document into MS Word. The document will appear on the screen in Rich Text Format (RTF). You can then either save the document or use the standard MS-Word print commands to print it.

### 2. Printing from the search hits area.

Whenever you have conducted a search enquiry you will see a drop down menu at the top left hand side of the results page. Clicking on the relevant item on the drop down menu gives you the option to print the following items **Current Document**, **Selected Documents** or **Cite List Tab**. Clicking on the last of these items will print a list of the search results.

## ADVANCED SEARCH FOR THE FULL TEXT OF A CASE REPORT

Alternatively you can opt for the **Advanced Search**. To do so click on the **Advanced Search** option below the basic search box.

The Advanced Search option allows you to search using free text and party name and also other search criteria such as (i) **Case Citation** [1997] 1 I.L.R.M 233 or (ii) **Legislation Cited**

You can also limit the search by reference to (i) **date restriction** and (ii) the report series (“**title**”) in question.

Westlaw.IE  
FROM ROUND HALL

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Free Text: [ ] Search [Clear]  
Party Name(s): [ ]  
Search in Headnotes: [ ]  
Case Citation: [1997] 1 I.L.R.M. 233  
Legislation Cited: [ ]  
Provision No: (section etc) [ ]

Date Restriction: From: ALL to: ALL  
Order by: relevance (selected) | date  
Limit by title:  
 European Human Rights Reports  
 Human Rights Law Reports  
 Irish Law Reports Monthly  
 Irish Law Times Reports  
 Unreported Judgments  
 Employment Law Reports  
 Irish Current Law Monthly Digest  
 Irish Law Times (Digest)  
 Tottle Irish Tax Reports

Browse  
European Human Rights Reports (1979-current)  
Human Rights Law Reports (2000-current)  
Irish Law Reports Monthly (1976-current)  
Irish Law Times Reports (1871-1980)  
Unreported Judgments (2002-current)  
Employment Law Report (1990-current)  
Irish Current Law Monthly Digest (1995-current)  
Irish Law Times (1983-current)  
Tottle Irish Tax Reports (1923-current)

**Fig. 1.4 Advanced Search for Case Report using Case Citation**

## FINDING A CASE REPORT ON A PARTICULAR ISSUE

Click on the **Case Reports** link at the top left hand side of the Westlaw IE screen.

Click on the **Advanced Search** Link and enter your keyword(s)/subject e.g. “sentencing” in the **Free Text** Box and apply any limiters that you think appropriate.

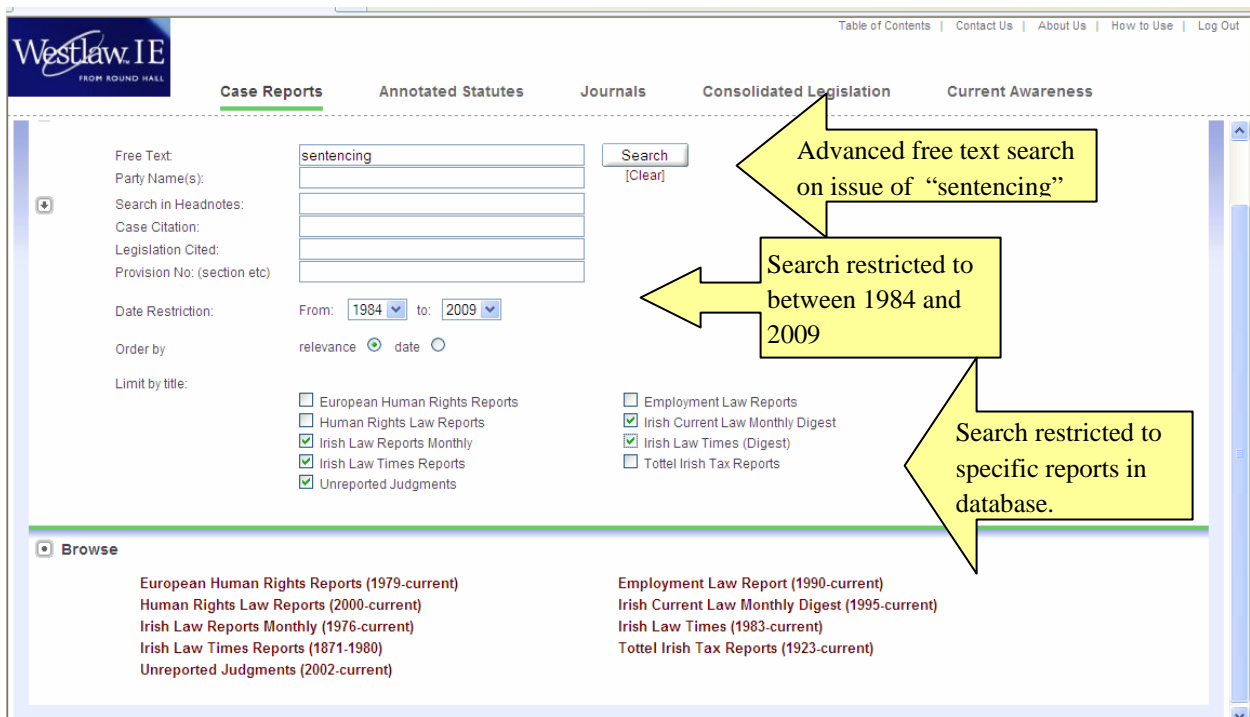


Fig. 1.5 An Advanced Search for a case on the issue of “sentencing”.



Fig. 1.6 Results of Advanced Search on issue of “sentencing” – 7<sup>th</sup> item.

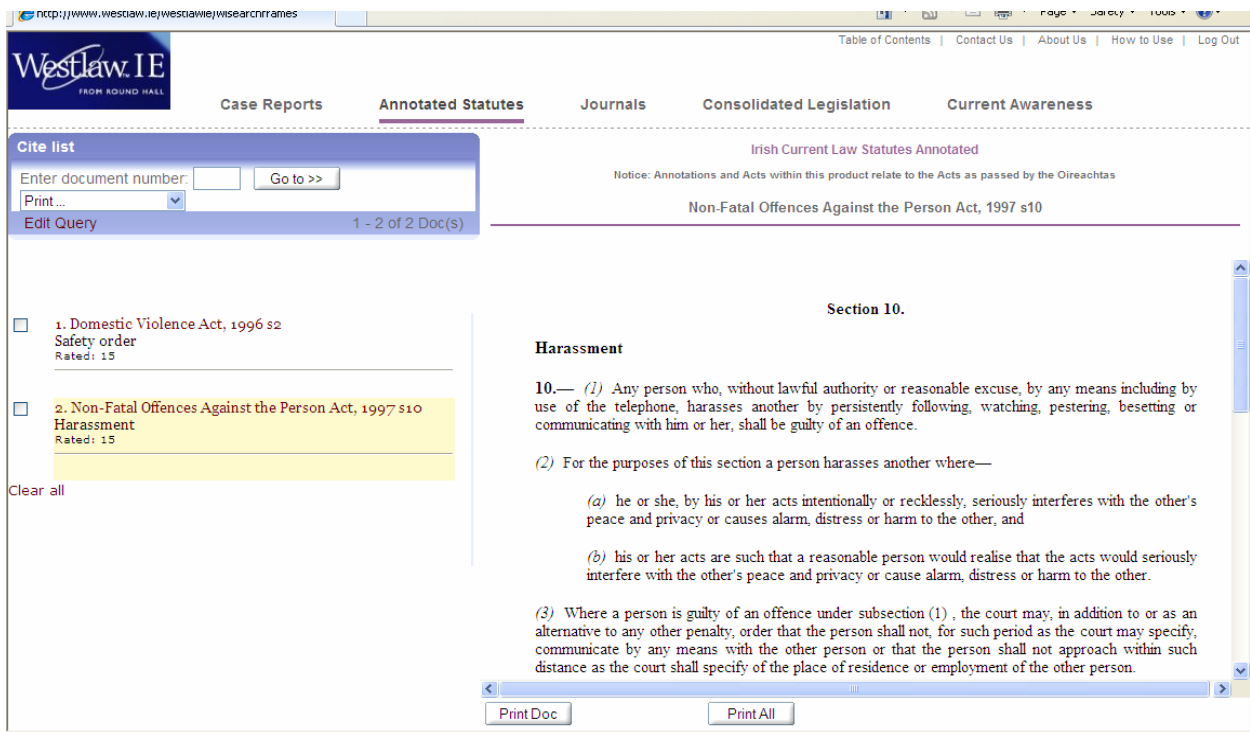
## SEARCHING FOR AN ANNOTATED STATUTE

The Westlaw. IE database contains an Annotated Statutes module containing legislation with notations or commentary attached that have been enacted since 1994. These notated statutes have been incorporated into the database from the Roundhall publication, *Irish Current Law Statutes Annotated* (“ICLSA”). The notations are up to date to the date of the enactment of each statute.

You can search for statutes combined with notations by clicking on the **All ICLSA** tab. To search enter your search term in the **Free Text** box. If you require the text of the legislation only or annotations only click either on the **Legislation** tab or the **Annotations** tab respectively and enter the details either in the **Free text** box or the **Act title** or **Year/No/Section** boxes on either the **Legislation** or **Annotations** search screens.

The screenshot displays the Westlaw. IE website interface for searching annotated statutes. At the top, there is a navigation bar with links for 'Table of Contents', 'Contact Us', 'About Us', 'How to Use', and 'Log Out'. Below this is a secondary navigation bar with tabs for 'Case Reports', 'Annotated Statutes' (which is highlighted), 'Journals', 'Consolidated Legislation', and 'Current Awareness'. The main content area is titled 'Annotated Statutes' and contains a 'Search' section. The search section includes a 'Search Help' link and a description: 'Commentary from legal experts who have interpreted original Acts, enacted 1994 to date. (Commentary up-to-date only to the date of publication of the Act.)'. There are three tabs: 'All ICLSA' (selected), 'Legislation', and 'Annotations'. Below the tabs, there is a 'Free Text' search box containing the word 'stalking'. To the right of the search box are 'Search' and '[Clear]' buttons. Below the search box, there are two radio buttons for sorting: 'Order by relevance' (selected) and 'Order by date'. Below the search section is a 'Browse' section with a link to 'Browse Annotated Statutes' and a note: 'Statutes are up-to-date to the date of annotation. They are not consolidated.'

**Fig. 1.7 Searching for annotated legislation with the term “stalking” in the All ICLSA screen.**



**Fig. 1.8** Second result of search in All ICLSA with the term “stalking”

## FINDING A JOURNAL ARTICLE ON A PARTICULAR CASE OR TOPIC

Click on the **Journals** link at the centre/ top of the Westlaw IE page. This defaults to basic search screen where you can search using either (a) **Free Text** in the general search box, or (b) **Words in the Article Title**, for example “goal of rehabilitation”.



**Fig. 1.9** Basic Search for an Article with the words “goal of rehabilitation” in the title.

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Irish Law Times

(2005) 23 ILT 154: Article: Recent Penal Policy is Losing Touch with the Goal of Rehabilitation : Paul O'mahony Criminologist, Trinity College, Dublin.

Penology

**Recent Penal Policy is Losing Touch with the Goal of Rehabilitation**

Paul O'mahony [Criminologist, Trinity College, Dublin.]

**INTRODUCTION** This paper critically examines recent developments in Irish penal policy, especially those that impact on the rehabilitation and constructive treatment of prisoners. This critique is premised on the now relatively uncontroversial view that the purely punitive and deterrent use of custody, without the addition of rehabilitative treatment and positive sentence management, is ineffective. [ For example D. Andrews in "The Psychology of Criminal Conduct and Effective Treatment" (in What Works: Reducing Offending James McGuire (ed.), 1995 Chichester: Wiley) states "criminal sanctioning without the delivery of correctional treatment services does not work". ] apart that is from the inherent, temporary benefit of incapacitation of the offender, and may even be counterproductive when it comes to the prevention of future crime and recidivism.

The prefix *re* in rehabilitation means *back or d* is the word refers to bringing a person *back* to normal functioning or establishing where the term rehabilitation is q describes physical therapy aimed at bringing back strength and flexibility term is often inappropriately applied to prisoners, who tend to be people who have known the outer limits of adversity, deficiency and deprivation. A similar difficulty applies with the phrase "the reintegration of prisoners" which was used by the National

Print Doc

Clear all

1. (2005) 23 ILT 154  
Article: Recent Penal Policy is Losing Touch with the Goal of Rehabilitation : Paul O'mahony Criminologist, Trinity College, Dublin.  
Rated: 8

List of articles in search result.

Full text of article

**Fig. 1.10 Results of the article search using Article Title terms “goal of rehabilitation”**

## ADVANCED SEARCH FOR JOURNAL ARTICLE

Alternatively you can opt for the **Advanced Search**. To do so click on the **Advanced Search** link to the left of the basic search box.

Here in addition to searching using **Free text** and **Article title** you can use other search criteria such as (i) **Author name(s)** (ii) **Cases Cited** e.g. *DPP v Ryan*, (iii) **Legislation Cited**.

If you are looking for an article that was published in a particular journal, tick the box beside the relevant journal in the list of titles on the lower half of the Westlaw IE screen. Then complete the search boxes and hit **Search**.

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**Journals**

Search Basic Search Search Help

Free Text:

Article Title:

Author Name(s):

Case Cited:

Legislation Cited:

Date Restriction: From: ALL to: ALL

Order by: relevance  date

Limit by title:

Irish Law Times

Irish Planning and Environmental Law Journal

Conveyancing and Property Law Journal

Irish Criminal Law Journal

Dublin University Law Journal

Commercial Law Practitioner

Irish Employment Law Journal

Irish Journal of Family Law

Journal of Civil Practice and Procedure

Hibernian Law Journal

**Advanced Search using Author Name(s)**

**Search limited to specific journal**

**Browsable journals in database**

**Browse**

Commercial Law Practitioner (CLP)  
Dublin University Law Journal (DULJ)  
Irish Criminal Law Journal (ICLJ)  
Irish Journal of Family Law (IJFL)  
Irish Planning and Environmental Law Journal (IPELJ)

Conveyancing and Property Law Journal (CPLJ)  
Hibernian Law Journal (HLJ)  
Irish Employment Law Journal (IELJ)  
Irish Law Times (ILT)  
Journal of Civil Practice and Procedure (JCPP)

**Fig. 1.11 Advanced Search for an article by author, Ian O'Donnell, in the Irish Criminal Law Journal**

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**Cite list**

Enter document number:  Go to >>

Print...

Edit Query 1 - 15 of 15 Doc(s)

Irish Criminal Law Journal

(1997) 7(2) ICLJ 134: Article: Crime, Punishment and Poverty : IAN O'DONNELL\*

**Crime, Punishment and Poverty**

**IAN O'DONNELL\***

**WHO GETS PUNISHED?**

There is little doubt that those committed to Irish penal institutions have life histories characterised by poverty and multiple disadvantage. It would appear that it has ever been so. In their review of the research relating to young offenders in Ireland, Burke *et al.*<sup>2</sup> [ Burke, H., Carney, C. and Cooke, G., *Youth and Justice: Young Offenders in Ireland* (Turoe Press, Dublin, 1981), p. 38. ] described them as urban dwellers from large families where the father was likely to be unemployed, or if working, in an unskilled occupation. In many cases another family member (usually a brother, but sometimes the father) had been in prison. The Whitaker Committee, which completed one of the most comprehensive inquiries into the state of the Irish penal system, reported that young people who become involved in crime "come from homes where they suffer from physical, emotional or cultural deprivation";<sup>3</sup> [ Report of the Committee of Inquiry into the Penal System (Whitaker Report) (Stationery Office, Dublin, 1985), p. 31. ]

This point was reinforced by the deliberations of a joint working party of the Irish Commission for Justice and Peace and the Irish Council of Churches which observed that:

**1. (1997) 7(2) ICLJ 134**  
Article: Crime, Punishment and Poverty : IAN O'DONNELL\*  
Rated: 7

**2. (1998) 8(1) ICLJ 51**  
Article: Challenging the Punitive Obsession This article is based on an address to the Annual Conference of the Irish Penal Reform Trust, which took place in the Jesuit Conference Centre, Milltown Park on May 1, 1998 : IAN O'DONNELL  
Rated: 7

**3. (2000) 10(4) ICLJ 2**  
Article: A Comment on Sentencing : Ian O'Donnell\*  
Rated: 7

**4. (2001) 11(1) ICLJ 2**  
Article: Why is Crime Decreasing : Eoin O'Sullivan\*, Ian O'Donnell\*\*  
Rated: 7

Print Doc

**Fig. 1.12 Results of Advanced Search using Author Name with limiters**

## BROWSING JOURNALS

You can also browse the contents of a particular journal title. To do so select the title, the year of publication and browse right down to a specific article in the journal.

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**Journals**

**Browse**  
Table of contents > Journal Titles > Irish Criminal Law Journal

Irish Criminal Law Journal

|             |      |      |      |
|-------------|------|------|------|
| 2009        | 2004 | 1999 | 1994 |
| <b>2008</b> | 2003 | 1998 | 1993 |
| 2007        | 2002 | 1997 | 1992 |
| 2006        | 2001 | 1996 | 1991 |
| 2005        | 2000 | 1995 |      |

Browsing for the 2008 Irish Criminal Law

Fig. 1.13 Browsing the *Irish Criminal Law Journal*

Westlaw.IE FROM ROUND HALL

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Table of contents > Journal Titles > Irish Criminal Law Journal > 2008

Irish Criminal Law Journal 2008

|                      |   |
|----------------------|---|
| (2008) 18(1) ICLJ 1  | Article: EDITORIAL  |
| (2008) 18(1) ICLJ 2  | Article: The Principle of Ne Bis in Idem in Criminal Proceedings : Dr Gerard Coffey*  |
| (2008) 18(1) ICLJ 10 | Article: The Decline of Due Process and the Right to Silence's Demise : Rebecca Coen*   |
| (2008) 18(1) ICLJ 19 | Article: The Mental Element in Murder: Tales from the Archives : Mary Olivia Rogan*   |
| (2008) 18(1) ICLJ 24 | Article: Evidence and Procedure update : John P. Byrne  |
| (2008) 18(1) ICLJ 28 | Cases and Comment: DPP (respondent) v Adam Keane (applicant). [CCA 67 of 2007]Court of Criminal Appeal, Mur...  |
| (2008) 18(1) ICLJ 30 | Cases and Comment: DPP (applicant) & DPP (applicant) v Ronan McGrath (respondent) Fergal Cagney (respondent) [SC 481/04 & 464/04], Supreme Court, Hardiman and Geoghegan JJ., October 25, 2007. |
| (2008) 18(2) ICLJ 33 | Article: EDITORIAL  |
| (2008) 18(2) ICLJ 34 | Article: The Representative and Impartial Jury in the Criminal Trial: An Achievable Reality in Ireland Today? : James M. Jeffers*   |
| (2008) 18(2) ICLJ 42 | Article: Californication of Irish Sentencing Law : Clara Fitzgerald*  |
| (2008) 18(2) ICLJ 48 | Article: Sentencing Provisions in Part 10 of the Criminal Justice Act 2006 : Gerard Murphy*   |
| (2008) 18(2) ICLJ 55 | Article: Evidence and Procedure update : John P. Byrne  |
| (2008) 18(2) ICLJ 57 | Cases and Comment: Michael Joseph Kelly (respondent) v DPP (applicant). Court of Criminal Appeal, ...   |
| (2008) 18(2) ICLJ 58 | Cases and Comment: Keith Farrell (respondent) v DPP (applicant) High Court, Edwards J., February 5, 2008.   |
| (2008) 18(3) ICLJ 61 | Article: EDITORIAL  |
| (2008) 18(3) ICLJ 62 | Article: Measuring the Level of Crime : Colin King*   |
| (2008) 18(3) ICLJ 70 | Article: Duress and Necessity in Ireland: Reform on the Horizon : Eimear Spain*   |
| (2008) 18(3) ICLJ 77 | Article: Restrictions on the Right to Silence under the Criminal Justice Act 2007 – Part 1 : Tony McGillicuddy*   |
| (2008) 18(3) ICLJ 89 | Article: Evidence and Procedure update : John P. Byrne  |
| (2008) 18(3) ICLJ 93 | Cases and Comment: DPP (respondent) v Abdulakim Yusuf (applicant) Court of Criminal Appeal, Kearns, Herbert and Hedigan JJ., March 13, 2008   |

Articles in the 2008 Irish Criminal Law Journal

Click on the article title to view the full text of the article

Fig. 1.14 Articles in the 2008 issues of the *Irish Criminal Law Journal*

## SEARCHING FOR CONSOLIDATED LEGISLATION

**Consolidated legislation** contains up to date amendments in the text of the legislation.

To search for consolidated legislation click on the **Consolidated Legislation** link on the top centre/right side of the Westlaw IE screen.

This defaults to a basic search screen where you can search using either (a) **Free text** in the general search box for example “Bail”, or (b) **Act/SI title**. Then click **Search**.

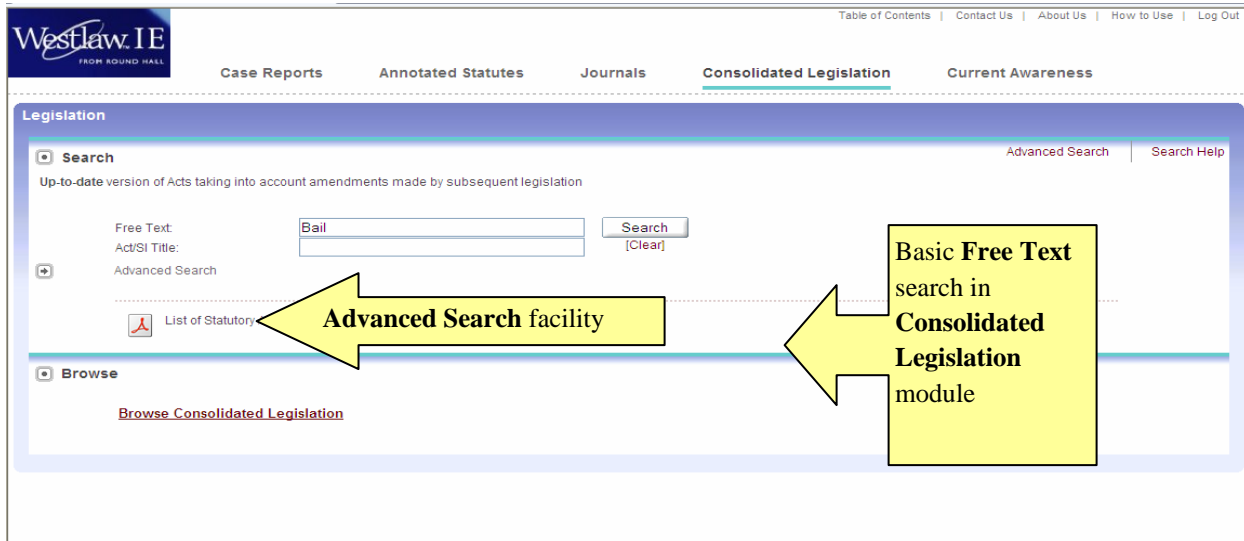


Fig. 1.15 Free Text Search for Consolidated Legislation on “Bail”



Fig. 1.16 Results of Consolidated Legislation Search on “Bail” – 10<sup>th</sup> item

## ADVANCED SEARCH FOR CONSOLIDATED LEGISLATION

Alternatively you can opt for the **Advanced Search**.

Here in addition to using **Free Text** and **Act/SI title(s)** you can search using other search criteria such as (i) **Year/Act No.** e.g. 1997 e.g 16 and/or (ii) The Roundhall publishers Volume of Consolidated Acts (i.e. “**title**”) in which the legislation is likely to appear.

The screenshot displays the Westlaw.IE interface for the 'Consolidated Legislation' section. At the top, there are navigation links: 'Table of Contents', 'Contact Us', 'About Us', 'How to Use', and 'Log Out'. Below these are menu items: 'Case Reports', 'Annotated Statutes', 'Journals', 'Consolidated Legislation' (highlighted), and 'Current Awareness'. The main content area is titled 'Legislation' and contains a search box. The search box includes a 'Search' button and a '[Clear]' link. Below the search box, there are input fields for 'Free Text', 'Act/SI Title', and 'Year/Act No.' (with '1997' and '16' entered). A 'Limit by title:' section contains several checkboxes, with 'Consolidated Criminal Legislation' checked. A yellow callout box points to the search fields with the text 'Advanced search for legislation using Year/Act No.' Another yellow callout box points to the 'Limit by title:' section with the text 'Search limited to specific volume of consolidated legislation'.

**Fig. 1.17 Advanced Search for Bail Act 1997, “No. 16 of 1997”**

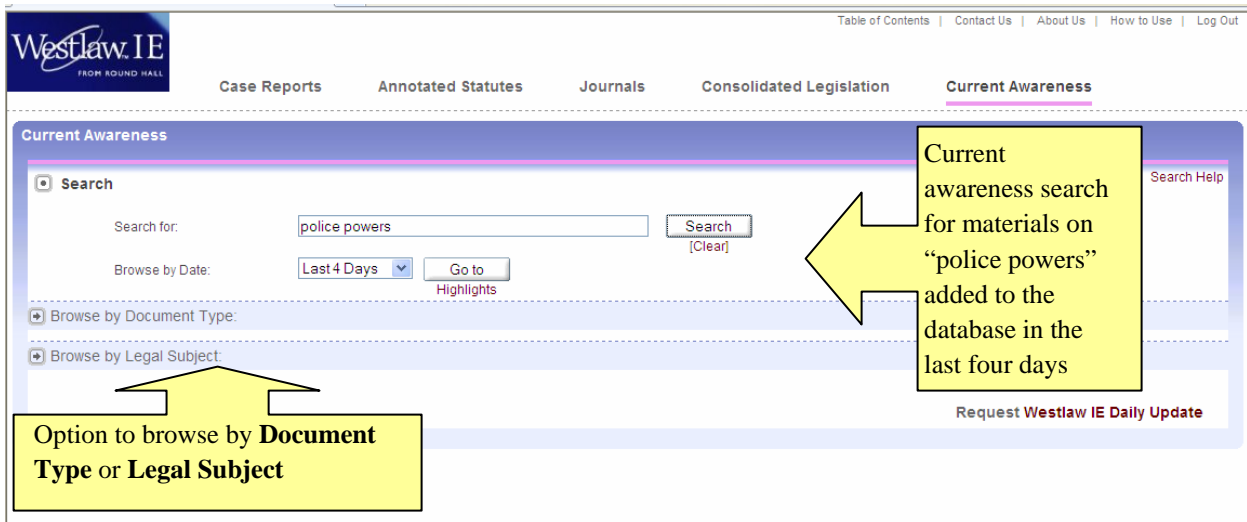
## USING THE CURRENT AWARENESS SERVICE

The **Westlaw Current Awareness service** is of value if you wish to keep up to date with a particular subject or issue. The **Current Awareness** service gives you access to Irish legal developments added to the database in the last 8 weeks.

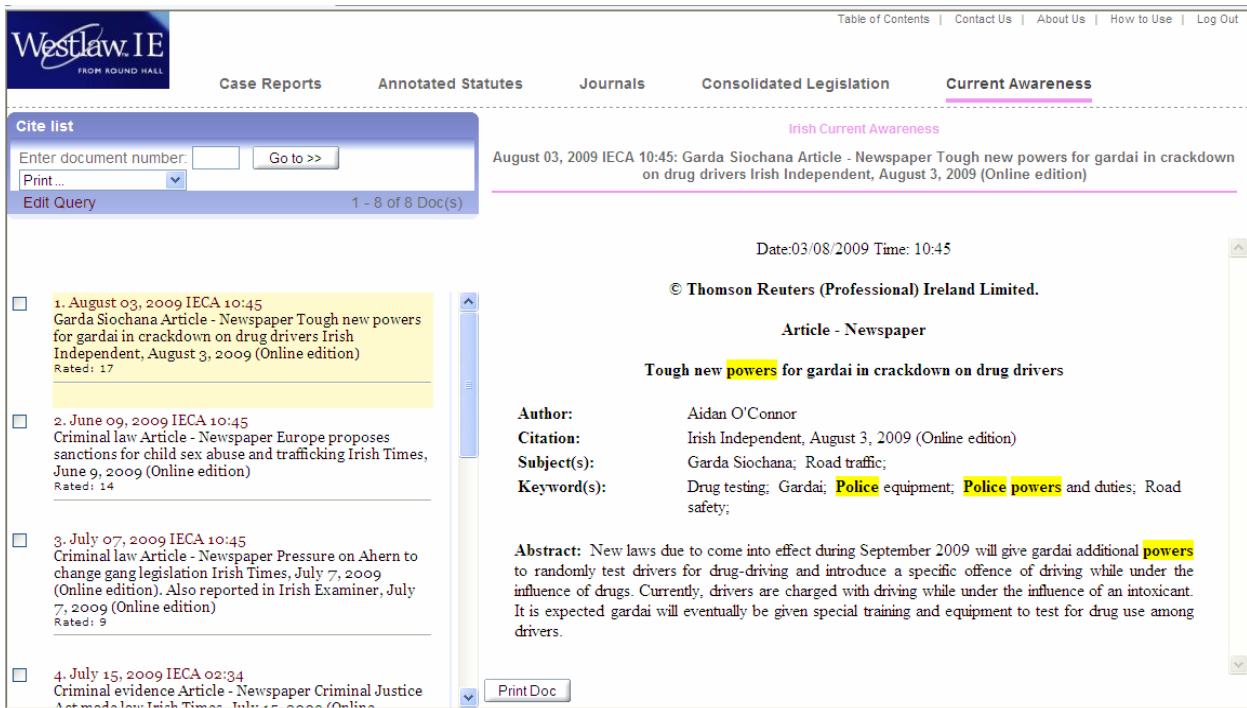
To access the Current Awareness Service click on the **Current Awareness** module link on the top right hand side of the Westlaw IE screen.

Enter your terms in the search box to find the latest information on a particular topic. You can limit your search to a particular date range by clicking the down arrow beside the **Browse by Date** box.

Alternatively you can browse the Current Awareness entries by **Document Type** or **Legal Subject** by clicking on those links on the lower part of the search screen.



**Fig. 1.18 Searching the Current Awareness Service for materials on “police powers” entered on the database in the last 4 days.**



**Fig. 1.19 Results of search of Current Awareness service for materials on “police powers”**

## **BROWSING THE MODULES**

You can browse the total contents of each of the modules (**Case Reports, Annotated Statutes, Journals, Consolidated Legislation and Current Awareness**) on the top of the Westlaw IE screen. Just click on the module link on the top of the Westlaw IE screen. This will take you the module search screen and you will then see the **Browse** link on the lower half of each of the module search screens.

Each module has browsable links by, for example, Title, Year and right down to a particular article, case or piece of legislation.

### **Help**

The **Help** link at the top of each West Law IE web page provides information about using the database. Also Westlaw IE's homepage (<http://www.westlaw.ie>) offers **User Guides** which give instructions on using the database.

If you require any further assistance please do not hesitate to ask a member of the library staff at the Mountjoy Square Library desk.