



Success and Sustainability of Free Access to Law:

A Case Study on **HKLI**

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Background of the Study

- Project “*Free access to law – Is it here to stay*”
 - Commenced by *LexUM* (Canada) and *Southern African Legal Information Institute* (SALII) in collaboration with the *Center for Internet and Society* (India)
 - Covers LIIs of Eastern Africa (Kenya, Uganda), Asia (Hong Kong, Indonesia, India, the Philippines) and Canada
 - Seeks to understand the benefits and real contribution of free access to law on society in general; to understand the external and internal factors affecting the long-term sustainability of LIIs.



Research Questions

- What factors, both external and internal, impact HKLII's success?
- What outcomes are resulting from HKLII?
- Are the outcomes sufficient to create incentives among target audience or stakeholders to sustain free law publishing?



Methods

- Environmental scan
- Written questionnaire
- Interview
 - Project manager
 - Stakeholders
 - Users
 - Non-users

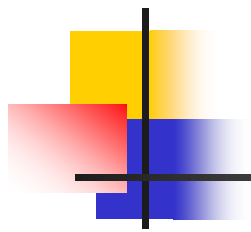


Table of Interviews

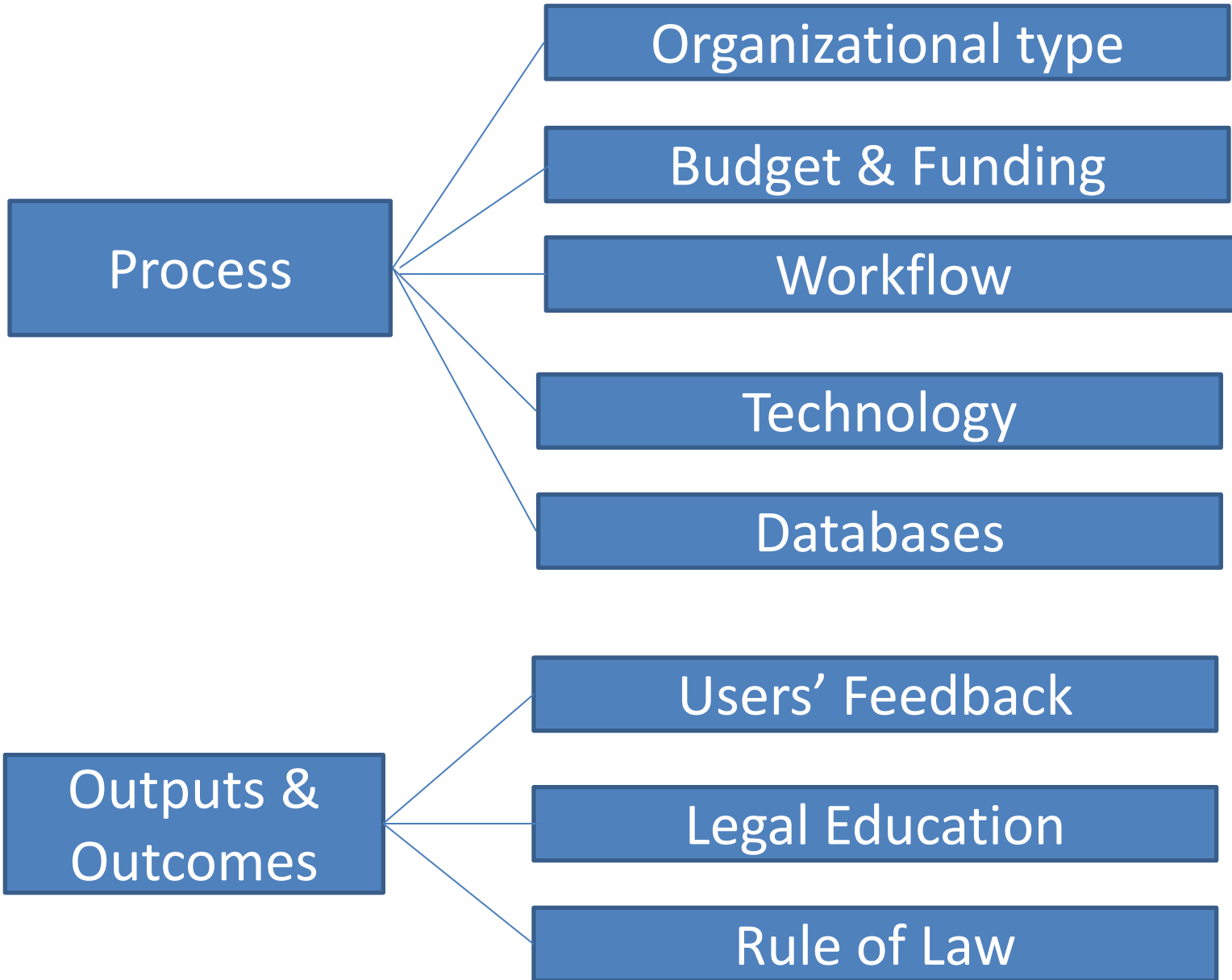
| Category | Names of Person or Entity | Interview Date |
|-----------------------|--|----------------------------------|
| HKLII Project Manager | Prof. Kevin Pun (HKLII Director) | March 11, 2010 & May 25, 2010 |
| Stakeholders | Department of Justice (DOJ) (answered via email) | June 8, 2010 |
| | Judiciary (answered via email) | June 9, 2010 |

| Category | Profession | Code | Gender | Interview Date |
|------------------|------------------------------|-------------|---------------|----------------------------|
| Users: Students | Fresh graduated Student | Student A | F | July 24, 2010 |
| | J D Student | Student B | F | Aug 15, 2010 |
| | J D Student | Student C | F | July 31, 2010 |
| | Ph.D Student | Student D | M | Aug 5, 2010 |
| Users: Lawyers | Solicitor | Lawyer A | F | Aug 18, 2010 |
| | Commercial Lawyer | Lawyer B | F | July 29, 2010 |
| | Corporate Lawyer | Lawyer C | F | July 28, 2010 |
| | Commercial Lawyer | Lawyer D | F | Aug 15, 2010 |
| Users: Academics | Research Assistant Professor | Teacher A | M | Aug 2 nd , 2010 |
| | Associate Professor | Teacher B | F | July 28, 2010 |
| | Assistant Professor | Teacher C | M | Aug 3, 2010 |
| | Senior Lecture | Teacher D | M | Aug 12, 2010 |

| Category | Profession | Code | Gender | Interview Date |
|-----------------|---------------------------------|-------------------------|---------------|-----------------------|
| Non-users | Student | Student E (Non-user) | M | August 5, 2010 |
| | Government Lawyer | Lawyer E (Non-user) | M | July 23, 2010 |
| | Research Assistant Professor | Teacher E (Non-user) | F | July 25, 2010 |



Findings





Organizational Type

- Small-scale HKLII Team
 - One part-time technical staff member
 - Several academic staff members from the *Law & Technology Centre*, a centre jointly established by *Department of Computer Science* and *Faculty of Law* of the University of Hong Kong (voluntary)



Budget & Funding

- Budget
 - HK\$120, 000 (approx. US\$17,000) annual budget
For salary payment of the part-time staff member
- Funding
 - Starting fund: HK\$500,000 (approx. US\$60,000), jointly provided by the two Faculties of HKU (Law and Engineering)
 - Currently, no special fund, but supported by the funding of the university through projects which also encourage open access to law



Workflow, Technology & Databases

- Easy Workflow
 - Judgments: automatically transformed from the Judicial to HKLII
 - Legislation: the technical staff member will check DOJ website, find any updates at least once a week, and then transform these updates into HKLII's database manually
- Technology (*search engine*)
 - English documents: *SINO* (“Size Is No Object”) (AustLII)
 - Chinese documents: new technology based on *mnoGoSearch* (Open source software)
- Databases
 - Free licenses from various sources



HKLII Databases and Sources

| Database | Source |
|--|--|
| Ordinances | Department of Justice |
| Regulations | |
| Court & Tribunal Judgments | Judiciary |
| Decisions by Hong Kong International Arbitration Centre | Hong Kong International Arbitration Centre |
| Hong Kong Law Reform Commission Publications | Hong Kong Law Reform Commission |
| Practice Directions | Judiciary |
| Case Notes by Office of the Privacy Commissioner for Personal Data Decisions | Office of the Privacy Commissioner |

Outputs & Outcomes of HKLII



Hong Kong Legal Information Institute

Free access to legal information in Hong Kong [繁體中文](#)

Find in

Tip: First time users should read [basic search tips](#) [[Search Help](#)]

HKLII has been accessed* **2,606,798** times since 14 October 2003 (750 times today)

HKLII Databases

- [Court of Final Appeal](#)
- [Court of Appeal](#)
- [Court of First Instance](#)
- [Other Courts & Tribunals](#)
- [Practice Directions](#)
- [Ordinances](#)
- [Regulations](#)
- [Law Reform](#)
- [Hong Kong International](#)

News & Addition

- [LAW VIA THE INTERNET 2011, Hong Kong, 8-10 June 2011](#)(updated on 10 November 2010)

Welcome to HKLII

HKLII is a project of [Law & Technology Centre](#), a centre jointly established by [Department of Computer Science](#) and [Faculty of Law](#) of the [University of Hong Kong](#). HKLII has obtained the kind assistance of the [Australasian Legal Information Institute](#) (AustLII) in its development. With a view to promoting and supporting the rule of law in Hong Kong, HKLII is a free, independent, non-profit Internet facility providing the public with legal information relating to Hong Kong. HKLII supports and participates in the [free access to law movement](#).

(Visited on May 27, 2010)



Users' Feedback

- Free and easy of access
“HKLLII is very useful because it is free of charge and can easily be accessed” (Student A)
- Comprehensive on primary materials: generally acknowledged
- Updated
“It is quite difficult to find local cases especially recent cases from commercial legal databases, and this is the main reason why I use HKLLII.” (Student D)
- User-friendly
“The searching speed of HKLLII is a bit quicker than government website (Student D, Teacher C)



Users' Feedback

- Aspects that need improvement

“The function of search engine is not strong enough because it sometimes requires the exact and accurate key words for search (Lawyer B)

“If the names of parties cannot be spelt out, it is a little hard to locate documents” (Lawyer C)

“The design of the website is not suitable to eyes” (Teacher A)



Reasons of non-users' choices

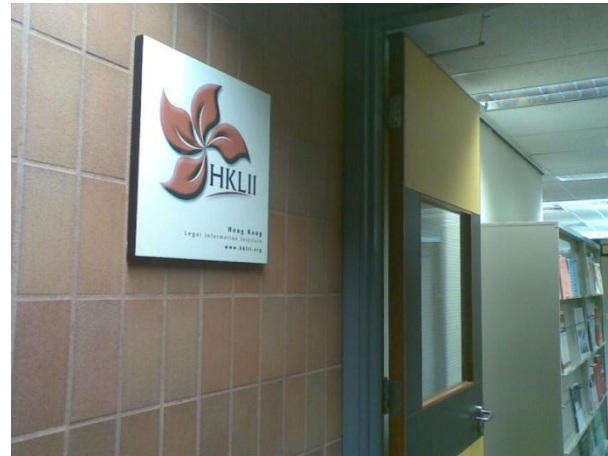
- Not aware of it
- Preferring government websites

“If the data are the same and the extents of searching convenience are all most the same, as a government lawyer, why don't I relay on government website?”

Lawyer E (Non-user)

HKLII and Legal Education

Involved in legal teaching & learning



HKLII Online Tutorial

Lui Che Woo Law Library, University of Hong Kong Libraries

Introduction Legislation NoteUp Case Law Expanding to WorldLII A to Z HKLII Quizzes e-Exhibition

HKLII Workshop Exercise

This tutorial is an introduction to the basic features of HKLII. It will take you through the following tasks.

- Searching legislation
 - With known citation
 - On a topic
- Using Noteup
- Searching case law
 - With party names
 - With court listing number
 - With publisher-designated citation [i.e. non-neutral citation]



HKLII and Rule of Law

“HKLII provides an alternative way for public to access the judgments. It supports the concept of open justice in Hong Kong.”

——The Judiciary of HKSAR Government



HKLII and Rule of Law

“We believe that wide and unimpeded access to the law is fundamental to the rule of law. We agree that the wealth of legal information provided through HKLII is of benefit to the local community.”

——The Department of Justice of HKSAR Government



Key Issues and Discussion



What factors impact HKLII's success?

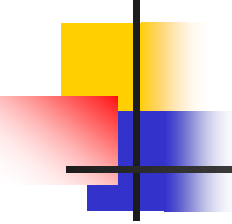
- *Excellent ICT infrastructure*
- *Legal policy framework of Hong Kong*
- *Free licenses of technology and data*
- *Creative technology for Chinese documents*
- *Cooperation with university and library*



What outcomes are resulting from HKLII?

Positive influence

- *Convenience of users*
- *Alternative source for legal education and research*
- *Promotion to rule of law of Hong Kong*



Are those outcomes sufficient to create incentive among users and stakeholders to sustain free law publishing?

——*Yes, at least at the current scale*

- Users
 - Free access to comprehensive and reliable legal information
 - Advantages in both technology and content
- Government
 - Recognition of values of free access to law
 - Consistent support
- Law & Technology Centre
 - cost is affordable



How about the future?

- Challenges and strategies
 - *Developing technology to improve the **performance of Chinese searching system***
 - *Developing a system to connect current **citation style** of judgments and the commercial one, so that users may easily locate cases in HKLII via a citation from commercial databases.*
 - *Incorporating **more data collections**, e.g., the administration appeal cases, NGO consultation paper, etc.*

- Other sources of funding needed?
 - *Lawyer society*
 - *Other donators*



Conclusion

- The excellent ICT infrastructure and favorable legal policy framework provide indispensable foundation of HKLII.
- The assistance from AustLII in terms of technology and the support from government in terms of content are the most important factors that contribute to HKLII's success and sustainability as well.
- Nevertheless, HKLII still face the challenges of achieving and maintaining advantages in technology and content. Alternative funding sources might be required for the purpose of the further development of HKLII.



*Thank you &
Welcome questions!*



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