

CURRENT ISSUES

Free Legal and Official Information on the Web: is it Time to Stop Google-Bashing?

Abstract: Is Google a substitute for using known, authoritative websites for cases, legislation and other official information? Ian Hunter writes about the test searches that he carried out on Google and discusses the results he noted. In this exercise, consideration is given to whether the websites retrieved are authoritative and also attention is paid to Google's ranking of results.

Keywords: free legal information; internet; Google

INTRODUCTION

The starting point for this article came whilst looking for examples of why a Google search was not a substitute for going directly to a commercial database or an authoritative website. I found these examples more and more difficult to find; in most cases it seemed Google was finding the answers. And as Maria Mawson noted, there is no point trying to reverse law students' reliance on electronic sources and Google. Instead, we have to work with it.¹

The traditional arguments for not using Google are that:

- users may miss the authoritative websites;
- users may miss context (e.g. scope notes, disclaimers);
- Google's search algorithms are not reliable;
- some information simply isn't available for free.

In the legal sector it has even been said that free legal information is usually only slightly better than no legal information.² But is this still the case? There seem to be two questions here:

- 1) Are there enough free authoritative websites out there that Google and other search engines are now a credible legal research tool?
and
- 2) Will Google take you to them?

In order to test this, searches were run on Google for UK cases, legislation, treaties, official statistics and company information and the results noted. With all the searches fairly basic search statements were used to mimic a novice searcher (an expert searcher could

possibly improve the results). In the interests of brevity only the first three results are listed here.

CASES

BAILII (British and Irish Legal Information Institute) is arguably the best authoritative free website for case law and, so, it is the website we would hope to find high up in the list of results. BAILII contains only transcripts of judgments. Other free sources include the JustCite and ICLR websites which contain summaries, keynotes and later treatment of selected cases. Used in combination with BAILII these may replicate the commercial databases to a certain extent.

Test searches were run on Google for three cases by case name, two cases that were well-known to law students and one which was a high profile celebrity case:

- Search statement: *Spectrum Plus*
Result:
 - *Wikipedia page about the case*
 - *Practical Law.com (subscription service)*
 - *House of Lords Judgment Index (on parliament.uk).*

The case transcript on BAILII appears near the bottom of the third page of results.

- Search statement: *Rylands v Fletcher*
Result:
 - *Wikipedia page about the case*
 - *e-lawresources.co.uk*
 - *Cambridge Law Journal (abstract only)*

The case transcript on BAILII is the fourth hit.

- Search statement: *McCartney v McCartney*

Result:

- *Family Law.co.uk*
- *Daily Mail*
- *Jordan's Solicitors*

The case transcript on BAILII is the fifth hit.

CASES – CONCLUSION

While BAILII was not the first result it was, at least, near to the top in two of the searches. Wikipedia was the first hit in two of the searches and, while it is often held up to law students as a source *not* to use, it does usually contain links to case transcripts on BAILII. JustCite and ICLR did not appear anywhere in the first three pages of results. Therefore, for cases it seems that Google will find transcripts but not some of the other useful and respected free websites which can add value. (NB CaseCheck did appear high up in the results, and though not free, the cost of a subscription is minimal even for the private individual).

LEGISLATION

The website, legislation.gov.uk is the only authoritative non-commercial source for updated UK legislation (BAILII, for example, also includes legislation but this is not always updated). While legislation.gov.uk can lag behind the commercial services in incorporating updates, the database will flag up any pending changes.

Test searches were run on three pieces of legislation.

- Search statement: *Companies Act 2006 s677*
Result:
 - *the first three hits are from legislation.gov.uk.*
- Search statement: *“Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) Regulations 2001”*
Result:
 - *legislation.gov.uk*
 - *legislation.gov.uk*
 - *US Commodity Futures Trading Association (analysis document)*
- Search statement: *Companies Act 1985 s151* (NB repealed in 2009)
Result:
 - *legislation.gov.uk (correctly shown as repealed)*
 - *KPMG commentary of 2007 (not shown as repealed)*
 - *In House Lawyer article (shown as repealed)*

LEGISLATION – CONCLUSION

As legislation.gov.uk was the first hit in all three searches it seems using Google for legislation works reasonably well. Even the search for the repealed section did not result in any links to out of date law. That said inexpert searchers could find themselves relying on out of date commentary or even a non-UK website.

TREATIES

Searches were carried out for one bilateral treaty and one European Union treaty.

- Search statement: *bilateral investment treaty uk dominica 1987* (signed 23 January 1987 at Roseau)
Result:
 - *Scottish Friendly Society (irrelevant, a sponsored link)*
 - *ICSID database search screen*
 - *Caribbean-Central American Action (non-governmental trade organisation) (list with links to full text)*
- Search statement: *Treaty of Maastricht*
Result:
 - *Wikipedia page about the Treaty*
 - *EU page about the treaty*
 - *Treaty on Eur-Lex*

TREATIES – CONCLUSION

In each search the first few hits were mostly authoritative. Lower down the first page for the UK - Dominica treaty were an UNCTAD list and the UNCTAD database search screen. The fact that the UNCTAD and ICSID links were to lists/search screens rather than directly to the treaty means users have to carry out the search for themselves; therefore minimising the risk of missing context or disclaimers. Whether or not users would do this before moving on to the next hit is obviously a different matter. What is surprising is that the UK Foreign & Commonwealth Office Treaties Database did not appear anywhere in the first three pages of results for this search.

STATISTICS

Test searches were carried out for three UK statistics, two often quoted and one more obscure: the rate of inflation (CPI) for food and non-alcoholic beverages, the population of London (2011 census) and the value of tourism in the East Riding of Yorkshire.

All are contained within the Office for National Statistics website (ONS) or its publications.

- Search statement: *CPI food and non-alcoholic beverages April 2013*
Result:
 - *timetric.com* (subscription site which makes some ONS info available for free but does not link to the original)
 - *countryeconomy.com* (free site funded by advertising)
 - *countryeconomy.com*
The ONS publication Statistical Bulletin: Consumer Price Indices, April 2013 appears near the bottom of the second page of results.
- Search statement: *London population 2011*
Result:
 - *Wikipedia* page about London
 - *Evening Standard* article
 - ONS
The Greater London Authority and the Corporation of London also appear on the first page.
- Search statement: “value of tourism” “east riding”
Result:
 - *the first three hits were policy documents from eastriding.gov.uk but did not mention a figure or table.*
The seventh hit was visitengland.org which mentions an ONS table. The relevant ONS table itself appears on the second page of results (Sub-regional Value of Tourism – NUTS3 Demand Data).

STATISTICS – CONCLUSION

Google found the correct CPI rate on the ONS website in fewer clicks than going straight to the website. The result was on the second page of results however so the user needs to know what they are looking for. The London population search found the ONS publication and several government websites which all contained the correct figure on the first page. In the tourism query the first few hits are from a local authority website but do not give a figure. The ONS table itself does not appear until the second page of results.

With official statistics it seems Google will find the relevant data but the searcher needs to be fairly determined to find the original source.

COMPANY INFORMATION

The most authoritative source for UK companies is usually the companies’ filings at Companies House, or a company’s annual report if available elsewhere. With public companies extracts from the annual report are usually put prominently on the website, and the annual report itself is usually available for download. Company

filings themselves are usually available for download at £1 per document from the Companies House website.

Test searches were carried out in Google for the registered office and date of latest accounts filed for one large public company and one small private company. In each case the information is freely available on the Companies House website.

- Search statement: *Tesco plc registered office*
Result:
 - *Registered Office London* (virtual office service)
 - *Tesco plc*
 - *Tesco plc*
- Search statement: *Laserslide Limited registered office*
Result:
 - *Registered Office London* (virtual office service)
 - *companycheck.co.uk* (commercial company search service)
 - *companylist.co.uk*
- Search statement: *Tesco plc accounts*
Result:
 - *the first three hits were all from the Tesco plc website.*
- Search statement: *Laserslide Limited accounts*
Result:
 - *companycheck.co.uk*
 - *DUEDIL* (commercial company search service)
 - *DUEDIL*

COMPANY INFORMATION – CONCLUSION

For large listed companies it seems a Google search is fine: the website appears near the top of the list of results and information on the website is usually extracted from the annual report which is a required filing at Companies House. For small private companies several websites correctly summarised the free information available (registered office, date of latest accounts filed) but none of these would be considered official. Companies House did not appear anywhere in the first three pages of results in any of the searches. One unexpected finding was that one of the websites charged more for filings than Companies House itself, however others contained information for free that has to be paid for at Companies House.³

CONCLUSION: ARE FREE WEBSITES RELIABLE AND WILL GOOGLE FIND THEM?

It seems there are enough authoritative websites out there for some types of information – legislation, case

transcripts, treaties, public companies and statistics – but not for private companies or law reports. The reason we can not entirely rely on Google is that some information products (e.g. full text law reports) just are not available online for free. As well as making this content available the commercial legal databases add value in terms of links to relevant commentary, citation history and better search facilities.

Google will usually find the official websites (BAILII, legislation.gov.uk, UNCTAD, the ONS, (though not Companies House)) and can even be quicker, or cheaper, than going to the official websites.

The authoritative sources are often not at the top of the list of results however so the searcher has to be reasonably expert at recognising them, and there is a noted tendency among Google searchers to not look beyond the first page.⁴ The advantage in using a commercial service or an authoritative website is that the user knows that the source is reliable rather than having to decide for themselves.

In addition Google's search algorithms mean:

1. Google prioritises and brings to the top websites that the user has looked at before, so the same search in different days could retrieve a different list of results ("In other words, you get your own knowledge tossed back at you again and again and again." Eli Pariser)⁵
2. the number of hits can go up not down when more search terms are added to narrow the search
3. webpages can be optimised to appear near the top of a search so the relevance ranking may not be as reliable as it is in a commercial legal database.

So, while availability of official information continues to improve, we still need to remind our users that, most value-added information simply isn't available for free; they need to critically evaluate any website they find; they need to think about how Google ranks their results carefully. And, above all, to remember to go beyond the first page!

Footnotes

¹ Maria Mawson, (2010) "What do you mean, look it up in the library? Isn't it on the Internet?" *Legal Information Management*, 10 (2), 94

² Carol Ebbinghouse, (2012) The frugal legal researcher. *Searcher*, 20(10), 36

³ Google searches correctly identified the turnover and company secretary for Laserslide via www.companycheck.co.uk and www.opencorporates.com, though neither of these would be considered authoritative.

⁴ C Miller and J Bartlett, (2012) "Digital fluency": towards young people's critical use of the internet *Journal of Information Literacy*, 6(2), 35

⁵ Eli Pariser, *The filter bubble: What the Internet is hiding from you*. Penguin Press, 2011.

Biography

Ian Hunter is Library and Information Manager at Shearman & Sterling (London) LLP. Since qualifying in the early 1990s Ian has worked for law firms, investment banks and a university business school. Ian was a SCOUNL trainee at the British Library in his graduate trainee year. Ian is currently Chair of the PR & Promotions Committee of the British and Irish Association of Law Librarians.