Sound research skills are essential for both students and law professionals and you will use the skills that you develop throughout your career.

Legal research can be broken down into 6 steps.

Step 1: Identify the relevant facts.

When presented with a legal question, you need to distinguish the legal issue from material facts.

This means identifying the 'who', 'what' and 'when' of an issue.

Start by listing some of the relevant facts such as:

- What happened?
- When did it happen?
- Who was responsible?
- Why did it happen?
- and, How did it happen?

Step 2: Identify the relevant legal issues.

Start broadly by considering what outcomes are being sought.

For example, if an individual was harmed by the actions of another, how does Tort Law relate to the specific issues that you are considering? What remedies could be applied?

Step 3: Consider how could the law could be applied.

The relevant laws may have precedents (such as statute or case law), legal principles and related policies.

Considering how the law has been previously applied may help you decide where to start your research. It is likely that you will need to consult several sources.

Legal sources can be divided into two types: primary sources and secondary sources.
Primary sources are the actual text of the law, that is, legislation and case law, as created by the parliaments and the courts.

Secondary sources are the tools that assist you in locating and understanding the relevant primary sources.

Step 4: Access good quality resources

At Swinburne you have access to a wide range of resources and most of them are available online.

You can use Swinburne Library search to access legislation and case law via legal databases such as CCH, Westlaw Au and LexisNexis.

While we have one of the strongest intellectual property collections in Australia, we also have significant collections to support research focused on a range of topics including international law, contract law and copyright law.

Contact a member of the library team if you need help with any of these resources.

Step 5: Review your research findings.

Take the time to evaluate the information that you have found and ask yourself if you’ve answered the questions being asked.

If not, repeat the previous steps.

Step 6: Apply your research findings

Use your skills in both legal reasoning and argument to apply your research findings.

So to recap, good legal research has 6 key steps:

1. Identify the relevant facts
2. Identify the relevant legal issues
3. Consider how the law could be applied
4. Access good quality resources
5. Review your research findings
6. Apply your research findings

If you have any other questions speak to a member of the library team or contact us online.

[END OF TRANSCRIPT]