

### Understanding Litigation Document Analyser

The Litigation Document Analyser on Westlaw Precision Australia™ securely analyses your legal document to suggest highly relevant authorities that traditional research may have missed. Upload your document and in just minutes, Litigation Document Analyser delivers an easy-to-review report that includes relevant recommendations.

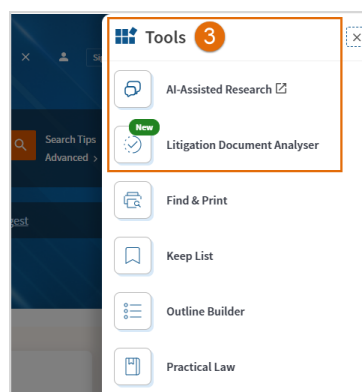
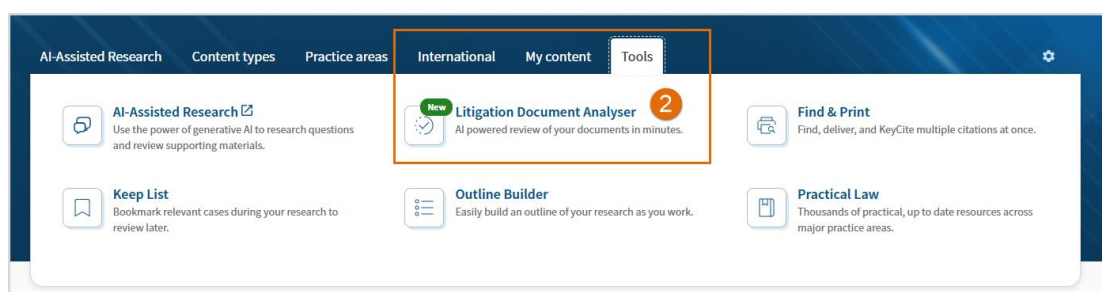
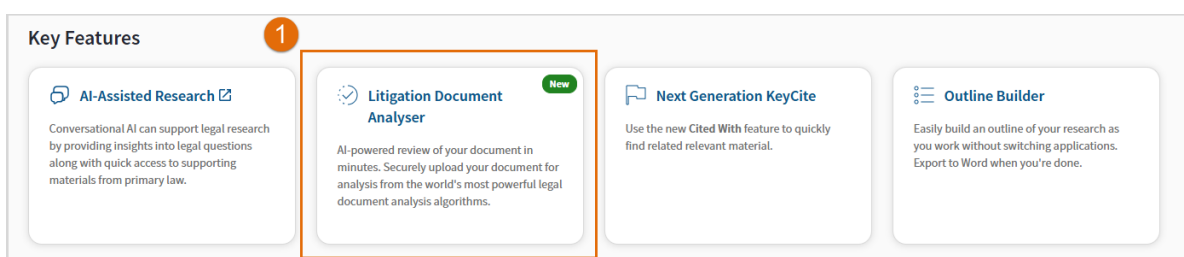
You can use Litigation Document Analyser to:

- Quality check a final draft.
- Reveal potential errors or omissions in a document.
- Refresh a past winning argument.
- Compare multiple documents from a matter.
- Review outside counsel's work before submission.
- Refresh internal documents which rely on cases, statutes and regulations.

### Where to Access

The Litigation Document Analyser is accessible on Westlaw Precision Australia™.

1. From the **Key Features** section on the homepage.
2. The **Tools** tab on the Westlaw Precision Australia homepage.
3. The **Tools** fly out menu.



## Check your work

The “Check your work” skill in Litigation Document Analyser enables you to:

- Examine an early draft of your submission to finish research much faster
- Double-check your work to see if you missed anything important
- Update an older document that may cite outdated law or require newer authorities
- Identify potential issues with quotations

You can upload your document (PDF or Word) or input a legal issue and text (up to 5000 characters).

### What makes it a litigation document?

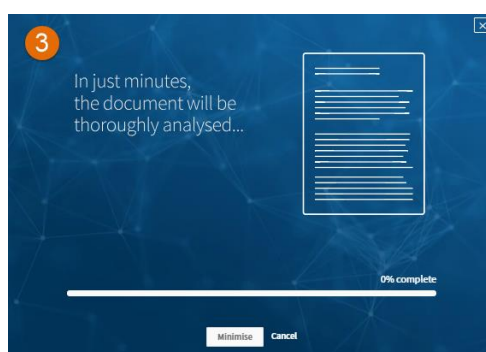
Litigation Document Analyser detects the references to Australian primary law (cases and legislation) to then build further analysis of the uploaded document/text.

**Note:** Because of this your document must include at least one case citation.

### Uploading a Document

1. Click on **Tools tab** or **Tools fly out menu** and select **Litigation Document Analyser**
2. Select Choose file button or drag and drop the Word or PDF file

3. Once you have uploaded or dragged the document a processing screen will be displayed while the AI is checking the document.



- You can wait for the AI to complete checking your document or minimise the pane and continue researching. Once available the Litigation Document Analyser report will be available from the download tab in the bottom right of the screen.

## Recommendations Tab

The **Recommendations** tab provides cases and best version recommendations. These are grouped together based on the sections detected in your document.

- You can jump to the heading of your document that is most important to you by selecting **Navigate headings**.
- In addition, you can use the **Document headings** pop up filter in the left column to view recommendations for specific parts of your documents.

## Recommendations Type

### Cases recommendations

Case recommendations are generated by the AI. The AI identifies the sections of the document, analyses the legal issues within those sections and generates search queries. These search queries are then run on the cases collection in Westlaw Precision Australia.

1. The recommendations are divided under your **document's headings**. Only parts of the document that are identified as providing legal argument are given recommendations.
2. To help quickly review the recommendations, the catchwords/digest note for the case is available so the user can get a quick overview of the key issues in the case.
3. Within the recommendations you can **filter** by: Document headings, jurisdiction, date and whether the case was previously viewed, saved to a folder or annotated.



**What sections of the document do not get recommendations?**

Litigation Document Analyser detects sections of the document and classifies them as either argument or non-argument blocks. Non-argument blocks like statements of fact, procedural history, jurisdiction statements, details of relief sought, and other formatting within the document (table of contents etc) will not receive further analysis and no case recommendations will be generated.

## Best version recommendations

Litigation Document Analyser checks all the cases cited in the uploaded document and checks whether there is an authorised version of the case.

- If you have already cited the best version – there will not be a recommendation.
- If you have cited a non authorised version, and an authorised version is available one will be recommended.

The screenshot displays the Thomson Reuters Westlaw Precision Australia Litigation Document Analyser interface. The top navigation bar includes the logo, 'Litigation Document Analyser', and various user links. The main content area is divided into tabs: 'Recommendations' (selected), 'Warnings for cited authority', 'Quotation analysis', and 'Table of authorities'. A sidebar on the left shows 'Recommendation type' with 'Cases' (15) and 'Best version' (5) highlighted. Below this is a 'Filter' section with options like 'Document headings', 'Previously Viewed', 'Documents in folders', and 'Annotated documents'. The main panel is titled 'Best version (5)' and contains a message: 'Authorised citations have been identified for cases included in the analysed document. Consider updating the document with the below citations.' It lists three sections: 'A. INTRODUCTION' with one recommendation for 'Adams v Lambert', 'B. THE SCOPE OF THE POWER TO ISSUE THE WARRANT' with one recommendation for 'Clubb v Edwards; Preston v Avery', and 'C. INVALIDITY ON THE FACE OF THE WARRANT' with three recommendations for 'Minister for Home Affairs v Ogawa'. Each recommendation is highlighted with an orange box, and an orange arrow points from the 'Best version' tab in the sidebar to the first recommendation box.

Thomson Reuters  
Westlaw Precision Australia

Litigation Document Analyser

TRAINERS KEY JL History Folders My links Notifications CoCounsel Sign out

Recommendations Warnings for cited authority Quotation analysis Table of authorities Select report

Recommendation type

Cases 15

Best version 5

All recommendations 20

Filter

Clear

Document headings +

Previously Viewed +

Documents in folders +

Annotated documents +

Best version (5)

Authorised citations have been identified for cases included in the analysed document. Consider updating the document with the below citations.

Select all items 0 items selected Collapse all

A. INTRODUCTION

Best version (1)

1. Adams v Lambert  
High Court of Australia • CTH • 04 April, 2006 • (2006) 228 CLR 409

Unauthorised version cited in the analysed document.  
Adams v Lambert (2006) HCA 10

B. THE SCOPE OF THE POWER TO ISSUE THE WARRANT

Best version (1)

1. Clubb v Edwards; Preston v Avery  
High Court of Australia • CTH • 10 April, 2019 • (2019) 267 CLR 171

Unauthorised version cited in the analysed document.  
Clubb v Edwards; Preston v Avery (2019) 93 ALJR 448

C. INVALIDITY ON THE FACE OF THE WARRANT

Best version (3)

1. Minister for Home Affairs v Ogawa  
Federal Court of Australia Full Court • CTH • 19 June, 2019 • (2019) 269 FCR 536

## Warnings for cited authorities

In addition to finding new authority related to the issues in your document, you can also use Litigation Document Analyser to review the validity of the cases you've already cited.

The **Warnings for cited authority** tab, lists any cases cited in your document that have received negative treatment, in order of severity.

1. Below the Litigation Document Analyser displays the most **negative treatment** along with a relevant portion of the text.
2. Filter by **KeyCite®** treatment for fast review and delivery of only selected KeyCite warning categories.

The screenshot shows the 'Warnings for cited authority' tab in the Litigation Document Analyser. The sidebar on the left has a 'Filter' section with 'Cases' (29) and 'KeyCite treatment' (Severely negative: 2, Negative: 27). The main area displays a list of cases with negative treatment, including 'Rogers v Moore' and 'Williams v Keelty'. A '3' icon is placed over the 'Unverified citations (4)' button in the top right corner.

3. **Unverified Citations:** To quickly locate any case citations that could not be found on Westlaw Precision Australia, select Unverified citations. Typically, citations cannot be verified if there is a typo or misspelling, or the document is not available on Westlaw Precision Australia. This tab helps to identify errors before you share the document.

The screenshot shows the 'Unverified citations' pop-up window. The window lists four citations that cannot be verified: (2011) 243 CAR 181, 220; (2018) 92 ALJR 789; Criminal Code (Cth), s 73A(1); and Evidence Act 2008 (Vic), s 131A(2) (g). A '3' icon is placed over the 'Unverified citations' button in the top right corner.



## Quotation analysis

Litigation Document Analyser can also be used to review and analyse case quotes from your document.

1. The **Quotation analysis** tab displays a side-by-side comparison showing missing, added, or changed language between case quotes in an uploaded document and the cited case language on Westlaw Precision Australia.
2. The report automatically displays all case quotations, but you may filter by **Quotation type**, **Differences**, and **Content type**.

The report offers crucial context for identifying when quotes have been taken out of context and allows you to jump into the quoted cases to see additional context.

The screenshot shows the Litigation Document Analyser interface. The top navigation bar includes the Thomson Reuters Westlaw Precision Australia logo, the Litigation Document Analyser title, and various user links. The main content area is divided into a sidebar and a main panel. The sidebar contains filters for Quotation type, Differences, Title search, and Content type. The main panel displays a side-by-side comparison of quotations from the analysed document and the cited case (Wotton v Queensland). Red boxes highlight specific features: the Quotation analysis tab, the Quotation type filter, the Differences filter, and the side-by-side comparison of quotations.

**Quotation analysis**

**Quotation type**

- Matched quotations: 20
- Unmatched quotations: 9
- All quotations: 29

**Filter**

Clear

**Differences**

- ☐ All textual differences: 6
- ☐ No textual differences: 14

**Title search**

**Content type**

**4. Quotation from the analysed document**

rs v Moore (1992) 39 FCR 201, 217; Lord v Commissioner, AFP (1997) 74 FCR 61, 86-7., if the issuing officer is satisfied of the matters set out in that provision. It is well established that, where an Act confers a discretion on an administrative decision-maker, the exercise of that discretion is "constrained by the constitutional restrictions upon the legislative power"

**Wotton v Queensland**  
High Court of Australia • 29 February, 2012 • (2012) 246 CLR 1

...in these reasons, with particular reference to what was said by Brennan J in Miller, while the exercise of legislative power may involve the conferral of authority upon an administrative body such as the Parole Board, the conferral by statute of a power or discretion upon such a body will be

**constrained by the constitutional restrictions upon the legislative power**

**constrained by the constitutional restrictions upon the legislative power,**

(Wotton v Queensland (2012) 246 CLR 1, 14 [21] (French CJ, Gummow, Hayne, Crennan and Bell JJ)).4 That is per Miller (1986) 161 CLR 556, 614 (Brennan J): The discretion is effectively confined so that an attempt to exercise the discretion inconsistently with [the Constitution] is not only outside c

**5. Quotation from the analysed document**

n an administrative decision-maker, the exercise of that discretion is "constrained by the constitutional restrictions upon the legislative power"(Wotton v Queensland (2012) 246 CLR 1, 14 [21] (French CJ, Gummow, Hayne, Crennan and Bell JJ)).4 That is per Miller (1986) 161 CLR 556, 614 (Brennan J):

**The discretion is effectively confined so that an attempt to exercise the discretion inconsistently with [the Constitution] is not only outside constitutional power - it is equally outside statutory power and judicial review is available to restrain any attempt to exercise the discretion in a manner obnoxious to the [Constitution].**

**The discretion is effectively confined so that an attempt to exercise the discretion inconsistently with s. 92 is not only outside the constitutional power — it is equally outside statutory power and judicial review is available to restrain any attempt to exercise the discretion in a manner obnoxious to the**

8. It follows that an issuing officer cannot exercise the discretion in s 3E(1) in a way that is inconsistent with the implied freedom - such an exercise of discretion could not be authorised by the Crimes Act and would therefore be ultra vires (See Miller (1986) 161 CLR 556, 613-4 (Brennan J); Wot

...is amenable to judicial review pursuant to s. 75(v) of the Constitution or pursuant to the Administrative Decisions (Judicial Review) Act 1977 (Cth) and any procedural obstacles to discovery of the ground on which a discretion has been exercised have been legislatively removed by that Act.

freedom guaranteed by s. 92. It follows that the statutory rationing scheme of which the discretion is an essential part is valid. Section 92 does not affect the validity or operation of ss. 4, 5, 6(1) and 7(1) of the Act. An alternative argument for denying the application of those provisions of the...

**6. Quotation from the analysed document**

**George v Rockett**  
High Court of Australia • 20 June, 1990 • (1990) 170 CLR 104

## Table of authorities

The **Table of authorities** tab puts the cases already cited in your document in a sortable list for easy printing, emailing, or downloading. Cases are listed alphabetically by default.

You can also sort the list by the order of appearance, severity of negative treatment, or date.

The screenshot displays the 'Litigation Document Analyser' interface. The top navigation bar includes 'Thomson Reuters Westlaw Precision Australia', 'Litigation Document Analyser', and various user links. The main content area is titled 'Cases (47)'. On the left, a sidebar shows 'Content type' with 'Cases' selected (47 items), and a 'Filter' section with expandable categories like Jurisdiction, Date, and KeyCite treatment. The main list shows seven cases, each with a checkbox, a brief description, court information, date, citation, and a 'Depth of discussion' progress bar. An orange box highlights the 'Table of authorities' tab in the top navigation. Another orange box highlights a dropdown menu on the right side of the cases list, which is currently set to 'Table of Authorities' and includes options for 'Appearance in document', 'Depth of discussion', 'Severity of treatment', and 'Date'. A button for 'Unverified citations (4)' is also visible in the top right.

Something missing from the Table of authorities? Check the **unverified citations**. You may have a citation error in the uploaded document/text.

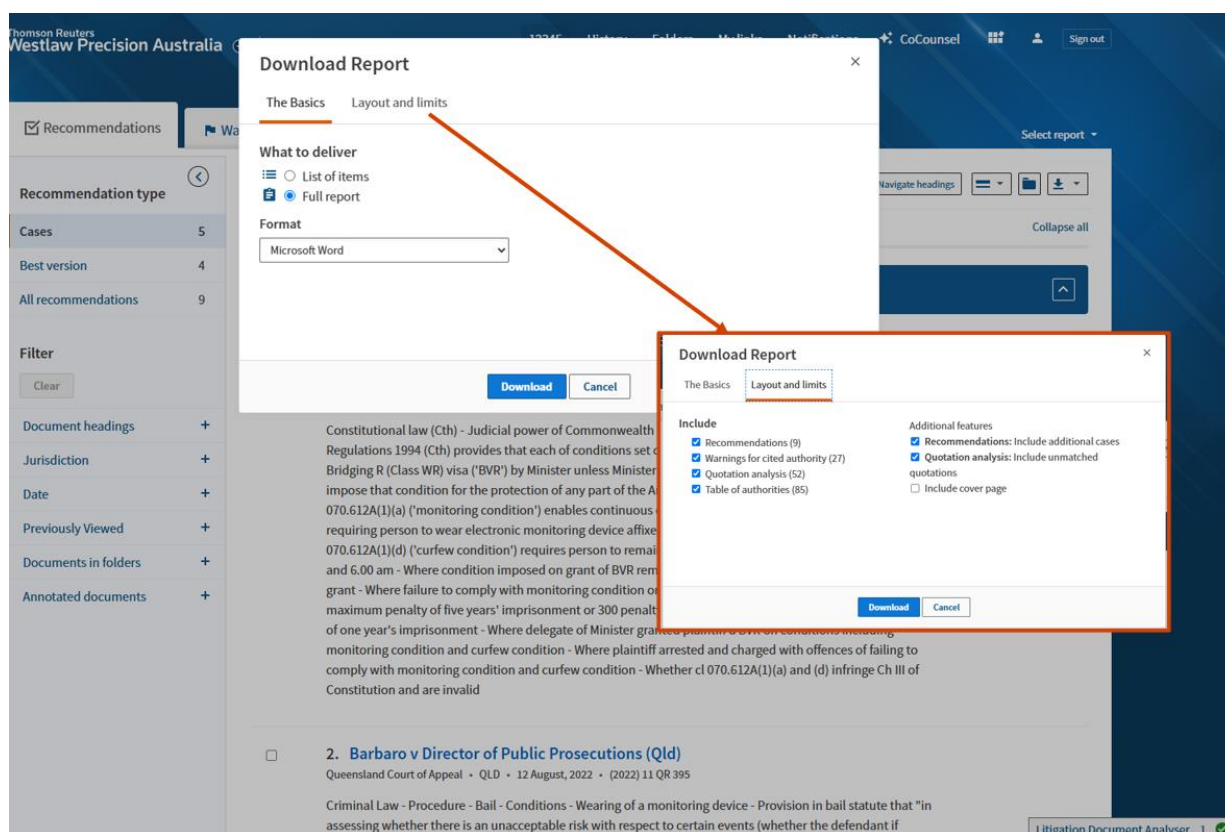
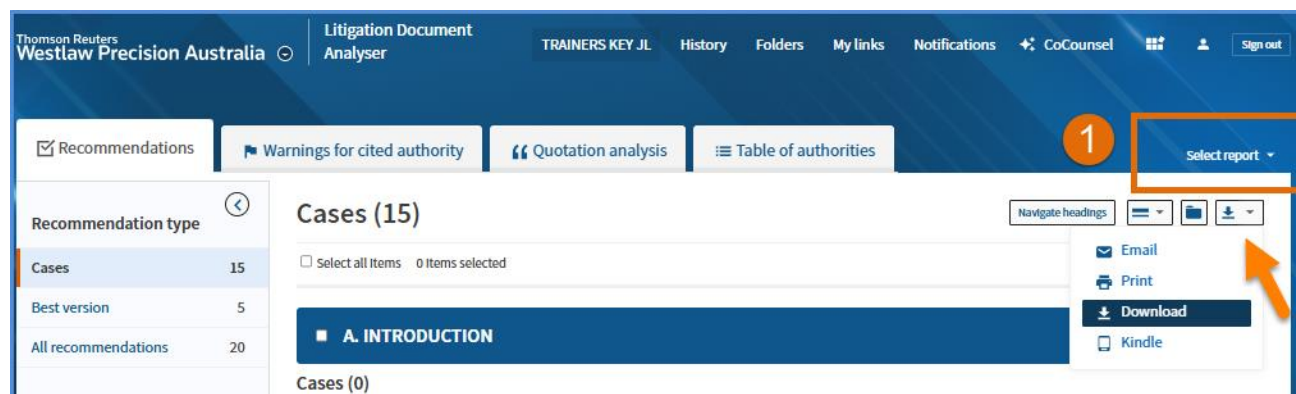
This screenshot shows the 'Unverified citations' dialog box overlaid on the main interface. The dialog box contains the text: 'Below are items from your document that appear to be citations but cannot be verified. The citations may contain potential errors, cite documents that are not available, or match multiple documents on Westlaw.' It lists four items: 1. (2011) 243 CAR 181, 220; 2. (2018) 92 ALJR 789; 3. Criminal Code (Cth), s 73A(1); and 4. Evidence Act 2008 (Vic), s 131A(2) (g). An orange arrow points from the 'Unverified citations (4)' button in the top right of the main interface to the dialog box. The background interface shows the same 'Cases (47)' list as the previous screenshot.



## Storing your report

Your report from Litigation Document Analyser will be available up to 24 hours. To keep it longer, you can deliver the whole report or a selected tab/s.

1. Click **Select report** then the **Deliver Menu>Download**



## Looking for more information?

To sign into Westlaw Australia Precision, visit <https://aulaw.thomsonreuters.com>

For assistance using Westlaw Precision Australia, call 1800 020 548

To request training, click <https://support.thomsonreuters.com.au/request-training>