

## FIRSTPOINT QUICK GUIDE

**FirstPoint** is Thomson Reuter’s case research hub providing access to case references, citation, history, and digest information. All case material is classified to a detailed classification scheme. Using this classification you can browse, and locate information on legal topics.

### 1. Browsing the Classification List

Browsing allows you to drill down through the subject titles to display a list of cases. Simply click on a title to display all relevant classification subheadings in that title and the relevant cases.

#### Example 1: Banking and finance > Banks > Liabilities of banks > Mistake

Click on the subject to expand and display a list of cases classified to that subject area

The bullet points list the relevant points of law in a case click to display more cases like this

Status Symbols alert you to the litigation history of the case

Click on the citation or PDF link to display the case

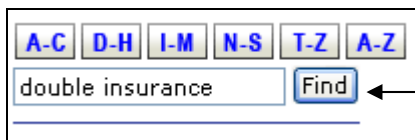
**TIPS:**

- By default the Hitlist is sorted chronologically. Click Case title, Citation or Jurisdiction to change the display.
- Use the **Refine Search** box search to narrow the scope of a search.

## 2. FINDING CONCEPTS IN THE CLASSIFICATION LIST


Use the **Find** box to search for terms within the classification list.

**Example 2:** To locate the terms double insurance



A-C D-H I-M N-S T-Z A-Z  
 double insurance Find

**Step 1:** Enter term(s) into the box and click **Find**



LEGAL ONLINE Home Cases Commentaries Current Awareness Encyclopaedia Journals

Refine Search  Go

Current Search >> Title Search: double insurance

Showing documents from 1 to 2 of total 2 hits

FirstPoint Title ▲  
 Insurance > Double insurance


Workers' compensation > Insurance and levies > Liability of insurers and statutory authorities > Double insurance

Showing documents from 1 to 2 of total 2 hits

**Step 2:** A list of classifications containing that term(s) highlighted will be displayed

**Step 3:** Click on any of these to display a list of cases

Digital Support 1800 020 548  
 Copyright © 2008 Thomson Reuters (Professional) Australia Limited ABN 64 058 914 668 | Privacy Policy | Terms of Use



**TIPS:**

- Use the breadcrumb trail as a reference to your location within the classification.
- Keep the Find search simple.

**3. SEARCHING**

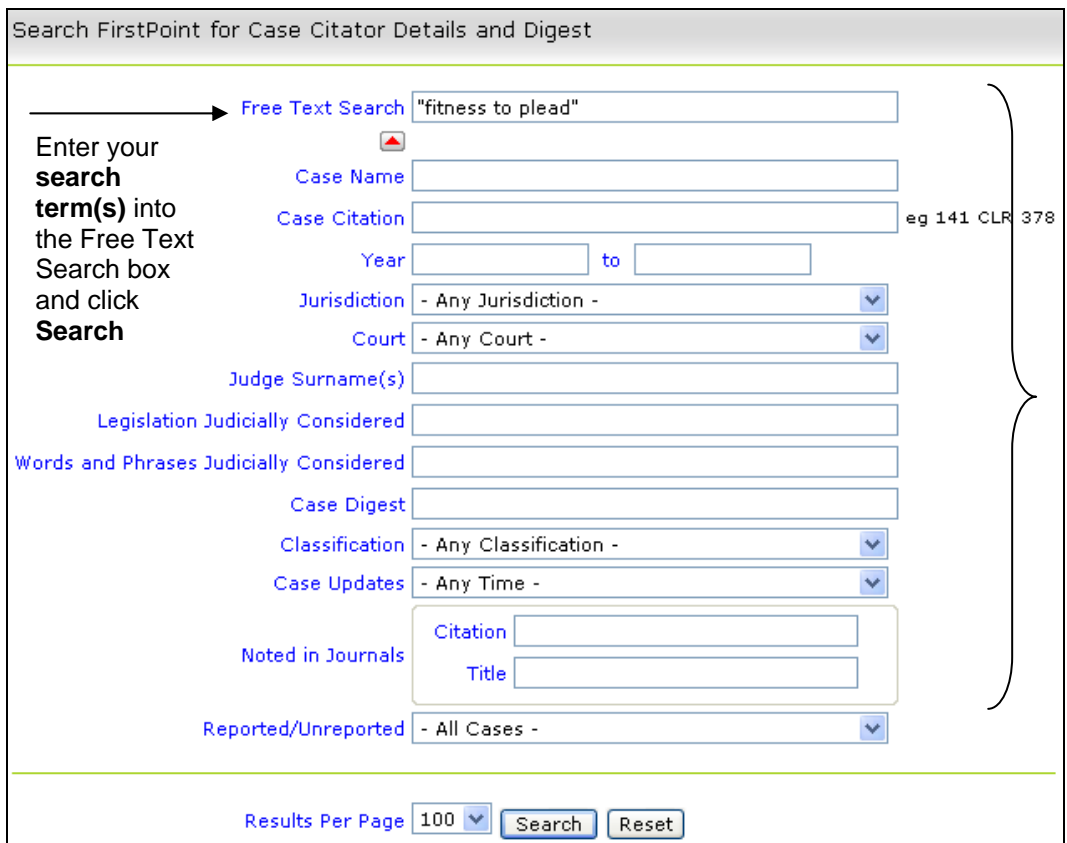
There are two search options available in FirstPoint – Free Text and Field Searching.

**Free Text Searching**

Enter term(s) into the Free Text Search box and click Search to display a list of relevant cases. Search term connectors may be used to construct a search. To view a list of these click on the Free Text Search field label.

**Example:** To find FirstPoint records containing the terms *“fitness to plead”*

**Step 1:** Enter the terms *“fitness to plead”* into the Free Text Search box and click search. This will find case records where the terms appear as an exact phrase.



Enter search terms into one or more fields.

Dropdown lists can be used to narrow the scope of a search.

**Field Searching**

This will restrict the search to one or more of the specific fields within a FirstPoint record. For example to restrict your search to a particular jurisdiction and find if there has been any new cases added or updated in the last 60 days follow the below steps:

**Example:** To search for Commonwealth cases on *dangerous driving* in the last 60 days.

**Step 1:** Enter *dangerous driving* into the Free Text Search box

**Step 2:** Select **Commonwealth** from the Jurisdiction dropdown list

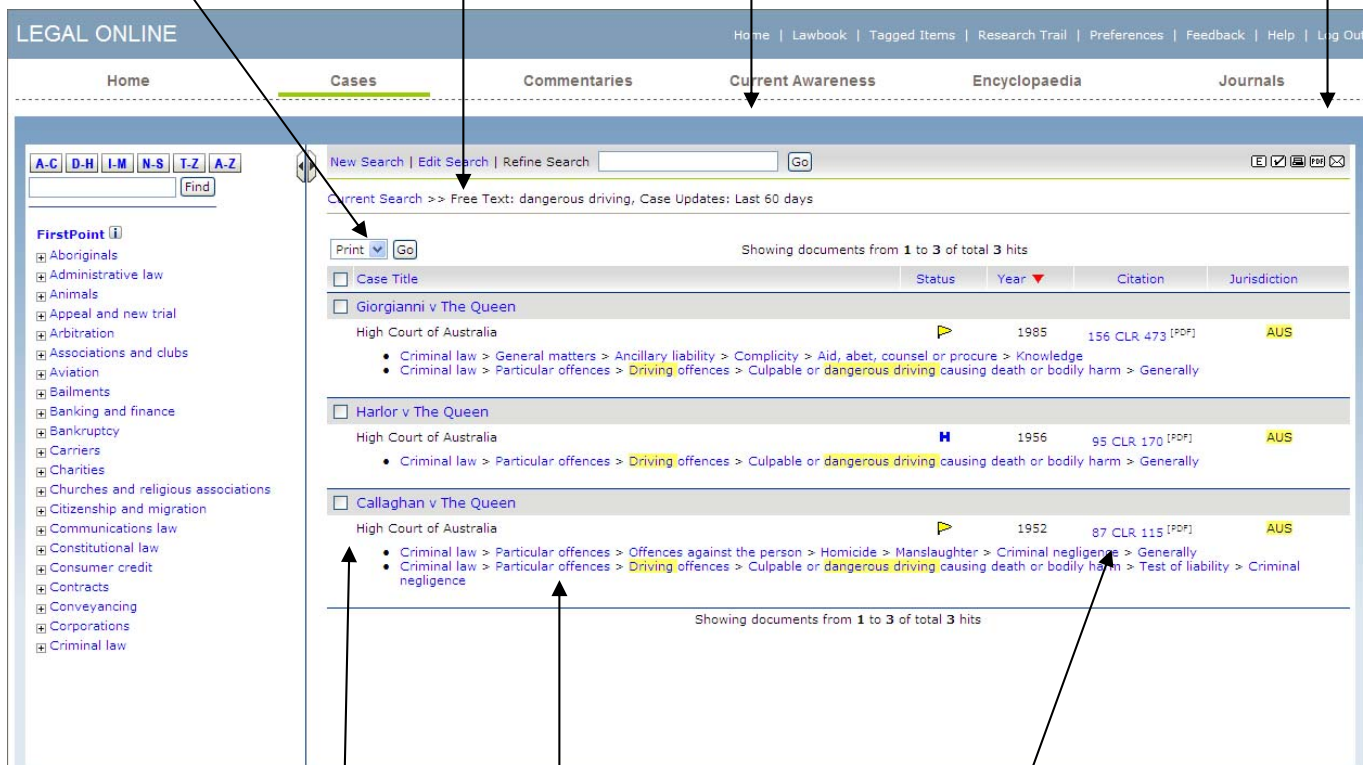
**Step 3:** Select **Last 60 days** from the Case Updates dropdown list, click Search.

**TIPS:**

- When selecting an option from the Case Updates dropdown list records which have been **added** and **updated** within that timeframe (ie 60 days) will be displayed.
- To view help on a field click the field name.

**4. The FIRSTPOINT Hitlist**

The FirstPoint Hitlist contains the following information and features:



**Print and Go.** See method below

**Current Search** is displayed at the top of the Hitlist

Use **Refine Search** to narrow the scope of your search

Use the buttons to **Print, Tag, PDF or Email** the Hitlist

The **Case Name** appears shaded grey at the top of each result in the Hitlist. Click to display the case record

The bullet points display the **Digest classification** click the link for a 'more like this' search

Click the **citation or PDF** to display the full text

**TIPS:**

- The list of Cases are displayed by default in date order.
- The Tag, Print and Email tools located in the top right hand corner of the screen will print and tag the Hitlist/Results only. The Email option will insert the url for this page into an email. The recipient will need to be a FirstPoint subscriber to view the page link.

**Print and Go**

Use the Print and Go feature to print or tag multiple FirstPoint records from the "hitlist".

- Step 1.** Place a tick in the corresponding check box(s) from the hitlist
- Step 2.** Select **Print, PDF or Tag** from the dropdown list
- Step 3.** Click **Go**

**Note:** The full record will be printed. This may include the following information - the case details, digest summary, litigation history, cases citing, cases cited, legislation judicially considered, words and phrases judicially considered and noted in journals.



5. FIRSTPOINT RECORD

Select a quick link to navigate the record

Edit, Tag, Print or Email the case record

<< Hitlist | Digest | Cases Citing | Cases Cited | Legislation Judicially Considered << Previous Hit | 3 of 3 [E] [P] [Print] [Email]

Current Search >> Free Text: dangerous driving, Case Updates: Last 60 days

Callaghan v The Queen

Citation: 87 CLR 115 [PDF], [1952] ALR 941, 47 QJP 9, 26 ALJ 456  
 Court: High Court of Australia (AUS)  
 Judges: Dixon, Webb, Fullagar, Kitto  
 Judgment Date: 29/10/1952

Click Next or Previous Hit to move through the Hitlist

Digest classification

Digest | Top

Criminal law > Particular offences > Driving offences > Culpable or dangerous driving causing death or bodily harm > Test of liability > Criminal negligence

Degree of negligence

Case digest summary

Held: The degree of negligence required to warrant a conviction under the Criminal Code WA, s 291A, of failure to use reasonable care and take reasonable precautions in the use and management of a vehicle thereby causing death is the same as the degree of negligence required to warrant a conviction for manslaughter under the Code where death is caused by negligence. In both cases the standard of negligence applicable is that set by the common law where negligence amounts to manslaughter.

Criminal law > Particular offences > Offences against the person > Homicide > Manslaughter > Criminal negligence > Generally

Generally - Criminal Code WA

Search terms appears highlighted in yellow

Cases Citing

Cases Citing | Sort by Court | Sort by Year | Top

Distinguished by

- R v D [1984] 3 NSWLR 29 [PDF], 14 A Crim R 198 [PDF]
- Fehlberg v Gallahar [1957] Tas SR 286

Considered by

- Re Lamperd (1983) 8 A Crim R 417 [PDF], 46 ALR 371, 63 FLR 470 [PDF]
- Vines v Australian Securities & Investments Commission (2007) 62 AC SR 1, 25 ACLC 448, [2007] NSWCA 75
- R v Lavender (2004) 41 MVR 492, [2005] ALMD 3332, [2005] ALMD 3333, [2004] NSWCCA 120, [2005] ALMD 3336
- R v Osip (2000) 2 VR 595, 116 A Crim R 578 [PDF], [2000] VSCA 237
- R v Pacino (1998) 105 A Crim R 309 [PDF]
- R v Vallance [1960] Tas SR 51
- Roberts v Western Australia (2007) 34 WAR 1, [2007] ALMD 7128, [2007] WASCA 48
- Mouritz v Western Australia [2006] WASCA 165
- Australian Securities and Investments Commission v Vines (2005) 55 AC SR 617, [2005] NSWSC 738, [2006] ALMD 3104, [2006] ALMD 3105, [2006] ALMD 3115, [2006] ALMD 3108, [2006] ALMD 3107, [2006] ALMD 3106
- R v Leskinen (1978) 23 ACTR 1, 36 FLR 414 [PDF]
- Re Mustac (2003) 36 SR (WA) 123, [2005] ALMD 3713, [2005] ALMD 3714, [2005] ALMD 3712

Click the Case Name to display the FirstPoint record

Click the Case Citation or PDF link to display the full text

Cases Cited

Applied by

- Evgeniou v The Queen (1964) 37 ALJR 508, [1965] ALR 209
- R v Stott [2002] 2 Qd R 313, 123 A Crim R 359 [PDF], [2001] QCA 313
- R v Rau [1972] Tas SR 59
- Nydam v The Queen [1977] VR 430
- R v Holness [1970] Tas SR 74

Followed by

- R v Hodgetts [1990] 1 Qd R 456, 44 A Crim R 320 [PDF]

Referred to by

- AJS v The Queen (2007) 171 A Crim R 436 [PDF], 81 ALJR 1208 [PDF], [2007] ALMD 5864, [2007] HCA 27, [2007] ALMD 5884, 235 ALR 633
- Dyers v The Queen (2002) 210 CLR 285 [PDF], 192 ALR 181, [2002] HCA 45, 76 ALJR 1552
- Murray v The Queen (2002) 211 CLR 193 [PDF], 131 A Crim R 215 [PDF], 76 ALJR 899, [2002] HCA 26, 189 ALR 40
- Ugle v The Queen (2002) 211 CLR 171 [PDF], 189 ALR 22, 76 ALJR 886, [2002] HCA 25
- Griffiths v The Queen (1994) 69 ALJR 77, 125 ALR 545, 76 A Crim R 164 [PDF]
- Medical Board (WA) v Roberman (2005) 39 SR (WA) 47, [2005] WASAT 81
- R v Powell [2002] 1 NZLR 666, 24 TCL 49/3, [2001] BCL 58, NZCLD, 5th Series, 4540
- Long v R [1995] 2 NZLR 691, (1995) 13 CRNZ 124, 18 TCL 28/5, [1995] BCL 815, NZCLD, 4th Series, C-1073
- R v Yogasakaran [1990] 1 NZLR 399, (1989) 5 CRNZ 69, 13 TCL 1/7, [1990] BCL 136

Cases Cited | Sort by Court | Sort by Year | Top

Approves

- R v Scarth [1945] St R Qd 38, 39 QJPR 73

Legislation Judicially Considered | Top

Criminal Code, s 219A WA  
 Criminal Code, s 291A WA

Legislation Judicially Considered

Click Next or Previous Hit to move through the Hitlist