

# Westlaw NZ

## How to find Case Law

WLNZ provides a collection of Reported and Unreported Cases, case summaries are available through BriefCase and citation information from our market leading case Citator, CiteCase.

You can choose to search the case summaries only or full text only or both. PDFs are available for both unreported and reported cases. We publish approximately 8,000 new cases per year which equates to 25 a day.

### Find a Case by Citation

1. Enter the citation number into the search bar of the homepage.
2. Select the "Citation" Radio Button.
3. Click Search

(Note: WLNZ will also accept parallel citations, not published by Thomson Reuters –(Eg 2008 3 NZLR 794.)

The screenshot shows the Westlaw NZ homepage. On the left, there's a sidebar with 'Search Templates' and a 'Basic' section containing 'Cases'. The main area has a 'Search Westlaw' input field where '2008 ERNZ 401' is typed. To the right of the input field are three radio buttons: 'Free Text', 'Title', and 'Citation', with 'Citation' being selected. Below the input field are several icons for file formats (Word, PDF, etc.) and a 'Content Type' dropdown menu. At the bottom of the search area, there's a list of categories: 'Select all', 'Cases', 'Legislation and Commentary', and 'Journals'. On the far right, there are user profile links for 'ELIZABETH - Logout' and other navigation icons.

4. Open the Judgment by selecting the citation you require by either opening the link or downloading the PDF.

This screenshot shows the case details for 'Air New Zealand Ltd v McAlister'. The citation '[2008] NZCA 264, [2008] 3 NZLR 794, (2008) 8 NZELC 99.429, [2008] ERNZ 401, (2008) 5 NZLR 637' is displayed. Below the citation, there are sections for 'Documents:' (BriefCase, Personal Grievance Tracker, CiteCase, [2008] ERNZ 401, Judgment Text) and 'Classification:' (Civil procedure, Employment law, Professions and trades). A red arrow labeled '4' points to the 'Judgment Text' link. At the bottom, there's a 'Hit terms in context:' section with a link to 'BriefCase'.

### Find a Case by Party Name

1. When you know the parties' names to a case, enter one or more names into the search bar on the homepage
2. Select the "Title" Radio Button
3. Click Search.

This screenshot shows the search interface again. The search bar contains the text '"Air New Zealand"'. Below the search bar are three radio buttons: 'Free Text', 'Title', and 'Citation', with 'Title' being selected. To the right of the radio buttons is a 'Search' button. Red arrows labeled '1', '2', and '3' correspond to the steps in the list above: '1' points to the search term, '2' points to the 'Title' radio button, and '3' points to the 'Search' button.

- When the result list appears, click the name of the case you wish to view.

Search Results

New Zealand Air Line Pilots' Association Inc v Air New Zealand Ltd [H](#)

[2016] NZSC 84  
Supreme Court of New Zealand, 13/7/2016, SC48/2016, Glazebrook J, O'Regan J, Arnold J  
Cases, New Zealand (NZ)

**Documents:**  BriefCase,  CiteCase,  Judgment Text [D](#)

**Classification:**

- » Civil procedure > Appeals > Leave to appeal > Supreme Court
- » Employment law > Jurisdiction > Court of Appeal

## Find a Case by Classification

BriefCase provides topic classifications of cases, written by our team of Editors. Topic classifications relate to the general subject matter of the case which give the researcher a sense of whether the case is relevant and provide memorable key words and phrases to enhance online searching.

- Enter legal term into the Classification Field. Select from the drop-down list to view a list of relevant cases.

Search Cases

[Return to basic search](#)

Free Text

Case Summary/Digest

Case Title/Party Name

Citation

Classification  1

Catchwords

Judge(s)

Court

Jurisdiction

Judgment Date

Terms & Connectors [Search](#) [Clear](#)

copy|  
Intellectual property > Copyright > Creation of interests  
Intellectual property > Copyright  
Intellectual property > Copyright > Protection of interests > Artistic works  
**Intellectual property > Copyright > Protection of interests > Artistic works > Copying** 2  
Intellectual property > Copyright > Protection of interests  
Intellectual property > Copyright > Protection of interests > Artistic works > Substantial reproduction  
Intellectual property > Copyright > Protection of interests > Infringement > Adaptation of original work

- A list of Classifications are located under BriefCase, FindCase located on the left hand side of the Advanced Search Template

Advanced Search Options

Browse Westlaw

Other Search Templates

You are in:

- ▼ Home
- ▼ Content Type
- Cases

[Select all](#)

- ★ ⚖ New Zealand
- +  ★ ⚖ ⓘ BriefCase
- ★ ⚖ ⓘ Q BriefCase - FindCase 2
- ★ ⚖ ⓘ Classification
- +  ★ ⚖ ⓘ Accident compensation
- +  ★ ⚖ ⓘ Administrative law
- +  ★ ⚖ ⓘ Alternative dispute resolution

## Find a Case Cited in Commentary

- Enter the section of the Act. Open the cases in the body of the commentary by clicking on the hyperlinked title.

**103 Personal grievance**

Commentary Legislation Historic Version Updater Cited Documents Related Documents

**ER103.03Constructive dismissal**

(1) Essential elements

In *Wellington etc Clerical etc Iuow v Greenwich It/a Greenwich and Associates Employment Agency and Complete Fitness Centre* (1983) ERNZ Sel Cas 95 (AC) at 112-113, the Arbitration Court referred to *Wellington Road Transport etc Iuow v Fletcher Construction Co Ltd* (1983) ERNZ Sel Cas 59 (AC) (Hep's case) and stated that the essential questions to be addressed in constructive dismissal cases are:

- (a) What were the terms of the contract?
- (b) Was there a breach of those terms by the employer that was serious enough to warrant the employee leaving?

- Find a linear list of case cited in the Commentary in the "Cited Documents" Tab.

**103 Personal grievance**

Commentary Legislation Historic Version Updater **Cited Documents** Related Documents

**Legislation:** Employment Relations Act 2000 (New Zealand) | View all PDF versions

CASES Sort by Year | Title

- [McLeod v Envirowaste Services Ltd](#) [2016] NZERA Christchurch 103
- [Taylor v IDEA Services Ltd](#) [2016] NZERA Auckland 155

## Case Navigation

Case information as displayed as a document family. Giving you all the different versions of the cases. Click to view the case.

- BriefCase tab** – administrative data for the case, case summary, leg & cases cited, words and phrases and noted in journals.
- Personal Grievance Tracker Tab** enables the user to view key information found in the judgment in a tabular view.
- Cite Case tab** – Litigation history of case (ie: whether it has been affirmed or reversed on appeal). Cite Case also identifies cases that have considered the case and in what way for example: either negatively, by overruling it or positively, by following it or applying it. Citecase uses flags and symbols to indicate that status of a case. Please see guide
- Judgment & Reported tabs** – Full Judgment Text or reported and unreported judgments published by Thomson Reuters.
- Cited Documents tab** – Summary of legislation and cases cited in this case.
- Related Documents tab** –Westlaw NZ online products that refer to this case.

**Air New Zealand Ltd v McAlister**

BriefCase Personal Grievance Tracker CiteCase Judgment Text [2008] ERNZ 401 Cited Documents Related Documents

**Court:** Court of Appeal  
**Judges:** Arnold J, Panckhurst J, Keane J  
**Judgment Date:** 30/7/2008  
**Jurisdiction:** New Zealand (NZ)  
**Court File Number:** CA216/07  
**Citations:** [2008] NZCA 264 | [2008] 3 NZLR 794, [2008] 8 NZELC 99.429, [2008] ERNZ 401 | [2008] 5 NZELR 637  
**Party Names:** Air New Zealand Limited (Appellant), David McAlister (Respondent)  
**Legal Representatives:** A H Waalkens QC and K M Thompson counsel for appellant (Air New Zealand Ltd); R E Harrison QC counsel for respondent (David McAlister)  
**Classification:**

- » Civil procedure > Appeals > Question of law
- » Employment law > Personal grievance > Discrimination > Age
- » Professions and trades > Regulation > By industry or trade

Jump to: » Digest » Legislation Considered » Cases Cited » Noted in Journals

**DIGEST**

Successful appeal by ANZL against Employment Court (EC) decision that M had personal grievance due to ANZL demoting him as flight instructor by reason of prohibited deployment policy

## Conduct a Topic Based or Key Word Search

1. Key words in judgements can be searched by entering terms into the "Free Text" field.
2. See the Terms & Connectors (Boolean Search Terms) by opening the link found above the search bar. Hover over the field title for an example of information to enter into each field.

Search Cases

[Return to basic search](#)

Free Text  1

Case Summary/Digest

Case Title/Party Name

Citation

2 [Terms & Connectors](#)