

***JUDICIAL LIBRARY SERVICE IN NIGERIA:
ISSUES AND CHALLENGES***

BY

***NIKE AKINYEMI, CLN
LIBRARIAN, HIGH COURT OF JUSTICE
LAGOS STATE***

***PRESENTED AT THE BIENNIAL NATIONAL WORKSHOP FOR JUDICIAL LIBRARIANS
NATIONAL JUDICIAL INSTITUTE, ABUJA***

8TH - 12TH MAY, 2017.

ABSTRACT

This paper focuses on the types of libraries which include judicial libraries. It also discusses the contemporary method of service, the skills expected of a judicial librarian to effectively discharge this duties. It highlights the materials or tools through which the services are rendered, and of course, the challenges encountered in the course of service delivery to the library users and the possible way out.

INTRODUCTION

Library is a collection of information, sources, resources and services, organized for use, and maintained by a public body, an institution, or a private individual (Issa, 2009). The primary concern of the library, right from the very beginning, has been the communication of knowledge, ideas and thoughts from one person, group of persons or generation to the other.

There are four major types of libraries:

- Academic libraries serve colleges and universities.
- Public libraries serve cities and towns of all types.
- School libraries serve students from Kindergarten to high school.
- Special libraries are in specialized environments, such as hospitals, corporations, museums, courts, the military, private business, the government.

The judicial library falls into the category of a special library.

Conceptually, judicial libraries are specifically designed to provide materials to enhance legal information provision for education, research, and practices. These libraries are manned by professional librarians that have a cognate experience in the field of librarianship. The libraries play a unique and integral role in shaping the quality of the legal system at all levels by the virtue of their unique collection and services. There are many services rendered in these libraries; such as current awareness services, selective dissemination of information, indexing services, user education, answering users query, information and reference services among others.

However, with the advent of Information and Communication Technology (ICT) in this 21st century, there are tremendous changes in the way judicial libraries render their services to their patrons and this has posed serious challenges to the librarians. These changes can be termed as the modern trends in the judicial libraries. These changes are characterized by the processing and conversion of information from the known conventional formats to electronic and digital formats hence, the consequences and challenges are expectedly high (Dada, 2011).

This is the reason why Marke (1964) remarked that the future for law librarianship is highly challenging, exciting and pregnant with the seeds of great changes. More importantly, the implication of these changes on the judicial librarians is the sourcing and usage of these ICTs by users of law libraries which poses serious challenges to law librarians in order to deliver their services effectively. Therefore, judicial librarians must anticipate these changes and plan for them rather than fear them.

This paper therefore focuses on the attendant changes in the rendering of library services, the implication on librarians and the challenges faced. Recommendations were made on the issues thereof.

2.0 CONCEPT OF JUDICIAL LIBRARIES

Anaeme (2015) described judicial libraries as the libraries usually found within the court premises. In other words, they are often referred to as court libraries. They are established to serve the judicial arm of government. They serve the judges, magistrates and practicing lawyers in the preparation of cases and dispensation of justice. They include the Supreme Court Library, Abuja, Court of Appeal Libraries including Sharia Court of Appeal in the FCT and States, Federal and States High Court Law Libraries, National Industrial Court libraries and

Magistrate Court libraries across the country. The basic function of the libraries is to acquire and provide basic law materials in print and non-print formats for research, and to enhance quick and efficient justice administration by the courts. These libraries should be stocked with basic materials such as are listed under library holdings.

2.1 CATEGORIES OF INFORMATION RESOURCES IN THE JUDICIAL LIBRARY TO SUPPORT LIBRARY SERVICES

In this 21st century, information resources have become an important factor to people in diverse vocations. In the legal profession, Judges, Lawyers and Law students require information in their day to day activities. This is because, law is a specialized and highly technical subject and this attribute has made it the preserve of a professional body of practitioners. This profession needs information on how to determine the case (judges), argue or represent a client before the law court (lawyers), and how to pass the law examination (Olorunfemi & Mostert, 2012). Information resources are a vital instrument required for the day-to-day activities of people in the legal profession, who need legal information to make vital and rational decisions that may directly involve human life. If the retrieved legal information is accurate, then there is a high probability of making good decisions. On the other hand, if information is inaccurate, the ability to make correct decisions is diminished. Therefore, better information usually leads to better decisions (Walonick, 2004).

Judicial Libraries therefore house different information materials related to legal affairs which require special skills to handle; especially court judgments, legislative enactments, constitutions, treaties, ordinances and administrative rules and regulations. Apart from these, text books, reference books and professional

journal publications are the core contents of any law library. The judicial library holdings can be categorized into three:

a. Primary Sources

These are the information resources that have not been diluted, manipulated or rearranged. They are original in nature. These materials include; Constitutions of the Nations, Statutes, Acts, Rules, Ordinances - Federal and State Government bodies, Parliament Debates/Proceedings - both Upper and Lower Houses, Gazettes - both Federal and State Governments, Court Judgments /Reports - of Supreme Court, State High Courts, Tribunals, Special Courts, Commissions, Legal Periodicals, Government Publications and other similar documents. A number of publications are brought out from time to time by the Federal as well as State governments. Most of them consist of reports of various Committees and Commissions. The reports of such bodies are of great help in any legal research and are valuable resources for the Judicial Library.

b. Secondary Sources

Secondary sources are the information resources extracted from the primary sources after they have been manipulated, diluted and rearranged. These are Text books, Periodicals, Journals. Popular examples include:

- Encyclopedia of Forms and Precedents
- Common Law Series
- Atkins Court Forms
- Archibolds Pleading Evidence and Practice in Criminal Cases
- Aguda- Practice and Procedure of the Supreme, Court of Appeal and High Courts of Nigeria etc.(by local and foreign publishers).

c. Online Legal Information Sources

There are several online legal information sources such as Law Pavilion, Legalpaedia, Law Companion, LexisNexis etc.

2.2 SERVICES RENDERED BY THE JUDICIAL LIBRARY

Azubuike (1999) identified some information services offered in the libraries such as; Indexing and Abstracting, Bibliographic Instruction, Selective Dissemination of Information (SDI) , Bibliographic Services Inter-Library Loan, Library tours, library exhibitions including display of new additions to the library, compilation of bibliographies, Current Awareness Services (CAS) reference services, internet/e-mail services, circulation services, photocopying services etc.

Some of these services are discussed below;

- 1. Indexing and abstracting service:** This is an essential service offered in every library. It has to do with recording useful information on slips or cards which can be consulted for providing information to the readers, while indexing enable users to locate the books that are available in the subject areas they need. Abstracting services produce the summaries of the contents of reading materials in the library thereby serving as time saver for the library users. Most of the law reports now contain the name and subject index.
- 2. Current Awareness Services:** Information is an important resource for the legal profession and without it the profession cannot function effectively. The Current Awareness Service can be very useful to inform researchers in the legal field, because the slightest change to legislations, rules or interim report on any ongoing trials can alter the legal world and practice. The CAS can be made more effective by using modem communication technologies like group mail facility, SMS through the mobile phones, by creating Online ‘blog’, or a

News letter for providing CAS this will help the entire legal fraternity including practitioners.

3. **Library Orientation and Instruction:** The reference librarian conducts orientation for registered users; this will enable users to know where the materials are stocked, whether the resource is available and how to locate materials in the library. Nuhu (1999) saw user instruction as a process of making library patrons to learn how to make effective and efficient use of the library resources through the acquisition of skills in identification, location, retrieval and exploitation of information.
4. **Assisting in Legal research:** The judicial librarians' duty goes beyond merely training users to find sources of legal information. The judicial librarians must teach library users not only how legal authority is located within published electronic and print sources, but also how to select and adopt the most reliable, cost-effective, and efficient research strategies and sources.
5. **Bibliographic verification:** The bibliographic tool is used for the purpose of verifying the correctness and completeness of the use of information. He further stated that it provides information about publications. To achieve this, the reference librarian consults and searches both manual and electronic versions of standard bibliographic work. The bibliographic tools for this verification include:- catalogue bibliographies, abstracts and indexes, yearbooks, travel guides, gazettes, dictionaries, almanacs and encyclopedia.
6. **Selective Dissemination of Information (SDI):** In attending to the needs of Hon. Judges and Magistrates in the library, there is the need for individualized library services. This is because of their different divisions and specialty. Selective dissemination of information therefore offers such individualized service delivery. According to Ugwona et al (2003) libraries have developed a wide range of activities to keep the clientele abreast of new and current

developments. Such services may be directed to the organization as a whole or tailored to individual client. This sophisticated service is selective dissemination of information (SDI).

7. **Information Services:** Edoka (2006) described information services as activities that involve the in-depth analysis of the intellectual content of literature of specialist subject area and its systematic organization and dissemination in form of bibliographies, indexes, abstracts, review journals current contents, other alerting reporting and journal literature for the use of specialists.

Other traditional services offered by law librarians for effective and efficient service delivery include:

8. **Acquisitions:** This involves acquiring legal and non-legal information materials necessary for practice and procedure of the law. There is usually an acquisition policy which varies from one library to the other. The policy guides the libraries at ensuring that relevant and appropriate materials are selected, ordered and acquired for the Judicial Library.
9. **Technical Services:** The librarian is responsible for the cataloguing and classifying of the acquired materials, either in print or electronic format in order to facilitate the proper organization of the materials. This enhances quick access to the materials when needed. Moy's Classification scheme was adopted in classifying legal materials.
10. **Noter-Up Service:** This service entails updating of enacted legislation whenever changes to law occur. In effecting noter -up services, the amendment is noted, typed out and pasted on the appropriate page in the statute book. In addition to this, copies of the amendment or changes are sent to Honourable Judges and other library users are notified of the changes. This

will in no doubt guide them in the adjudication of justice and forestall errors in the dispensation of justice. Some of the terms used are ‘repealed’, ‘deleted’, ‘amended’, ‘substituted’ etc.

3.0 CURRENT ISSUES IN THE SERVICES DELIVERY OF JUDICIAL LIBRARY

Virtually every field of endeavour is affected by the impact of rapid technological advancement. In fact, the legal system and judiciaries now acknowledges the role of technology and has adjusted provisions of statutes, practice and procedure to accommodate the incidence of technology in today’s society.

For example, by virtue of *Section 84 of the Evidence Act 2011*, computer-generated documents are now admissible in evidence. This position has received judicial affirmation in cases like *Kubor & anor v. Dickson & ors (2013) All FWLR (pt. 392)*. Furthermore, electronic signature is now recognized as proof of execution of documents in accordance with *Section 93(2)* of the same Evidence Act.

Judges, Lawyers and Law students now have access to endless materials and law reports at the click of a button. Electronic law reports may rightly be cited before any courts in Nigeria too. An example is the Law Pavilion Electronic Law Reports (LPELR).

The library is not left out of this revolution; it cannot afford to be. The emergence of Information and Communication Technology (ICT) has brought tremendous changes to the service delivery of the judicial libraries. Modern court libraries are increasingly being redefined as places to get unrestricted access to information in many formats and from many sources. The services now goes beyond the physical walls of a building, by providing material accessible by

electronic means, navigating and analyzing very large amounts of information with a variety of digital tools. These changes will now be looked into.

3.1 INFORMATION AND COMMUNICATION TECHNOLOGY PLATFORMS USED IN THE JUDICIAL LIBRARY.

Modern library services promote knowledge creation rather than knowledge consumption. Unlike the library services of the past that focused on distributing books and research materials and a one-sided provision of information and resources, the modern library creates a space where patrons engage with information—process it, reflect on it, have conversations about it, and develop new ideas, conversations, and opportunities as a result of it.

The following are the popular Information and Communication Technology platforms that can be used by the judicial library;

- a) *E-mail Communication:*** Through electronic mail, resources and questions may be posted to librarian from the library users which in turn the librarian will reply back via electronic mail. It saves the problem of sourcing for the materials physically. The only problem associated with this medium is that it removes the values derived from social contact with library users as well as absence of face-to-face discussions.
- b) *Diverse Electronic Discussion Forum:*** An online forum such as facebook enables participants to pose questions and articulate views.
- c) *Legal Data Bases:*** Online legal databases are now being used by many law libraries across the world to access legal resources. LEXISNEXIS and WESTLAW are the most common ones. Data bases house a huge amount of data and research

In addition to the aforementioned, the application of interactive social media technology to the service delivery of the library has made the services to be more effective. The social media tools are web based and mobile technologies that can be used to turn communication into an interactive dialogue. They include Wikis, Blogs, RSS, Facebook, Podcast, Twitter, iPad, iPhone, iPod, YouTube, 2Go. Germain (2007) identified some applications used in law libraries such as law blogs, collaborative encyclopedias, RSS.

d) Law Blogs: A blog (derived from web blog) is a web site made up of posts that are arranged chronologically, and are achieved by date and category. A blawg is a Blog on law. Blogs have become useful updating services for various legal specialties, keeping law professionals immediately up to date on developments and issues in their areas of practice. Blogs have acquired a certain status, being cited by court

e) Collaborative Encyclopedia: Wikipedia is the best example of a collaborative encyclopedia where everyone can freely contribute and edit. It is based on the wiki technology. Wikipedia is one of the most visited web sites worldwide.

f) Really Simple Syndication (RSS): This is a syndication format developed by Netscape in 1999, which has become very popular for aggregating updates to blogs and new sites. RSS presents an alternative delivery platform because the user gets only relevant content, is notified automatically when new content arrives, and is not required to learn new technologies. The user can decide which content to subscribe to automatically from the millions of blogs, new service, and content provider offering RSS feeds.

3.2 IMPLICATION ON THE LIBRARY STAFF.

With the application of Information and Communication Technology to the service delivery in the judicial library, librarians are expected to possess some Information Technology (IT) skills. Work that used to be done by individuals can now be done by machines easier and faster, almost rendering human input irrelevant. Furthermore, information resources are now widely available to users on the Internet (World Wide Web, Google). The use of an actual library is now easily dispensed with.

From the foregoing, it is apparent that library staff must necessarily be tech-savvy and up to date with technological trends in the field. They must master the use of ICT and then improve upon it by innovation. T.H.E Journal (2005) identified twenty-five (25) necessary technology skills which every librarian should have. They include: Word Processing Skills, Spreadsheets Skills, Database Skills, Electronic Presentation skills, Web Navigation skills, Web site Design skills, E-mail management skills, Digital Camera, Computer Network knowledge Applicable to school system, File Management and Windows Explorer Skills Downloading Software from the Web (knowledge include e Books), Installing Computer Software onto a Computer System, Web CT or Blackboard Teaching skills, Computer-Related Storage Devices (knowledge: disks, CDS, USB devices, zip disks, DVCS etc), Scanner Knowledge, Knowledge of PDAS, Deep Web Knowledge, Educational Copyright Knowledge, Computer Security Knowledge, Blogs Knowledge, RSS Knowledge, IM knowledge, Wikis knowledge, and Audio eBooks Knowledge. These are the knowledge/skills that law librarians are expected to possess in order to remain relevant in the field of librarianship.

4.0 CHALLENGES TO THE EFFECTIVE DELIVERY OF LIBRARY SERVICES

Despite the importance of judicial library services with the use of ICT, there are some challenges that militate against the effective delivery of these services. These challenges include; Funding, Obsolete library resources, Epileptic power supply, Scarcity of professional librarians, lack of technological know-how (technophobia), Non-conducive operational hours, poor telecommunication facilities amongst others. In the same vein, Adekunmisi (2005:28), also reported that the challenges that the judiciary faced are inadequate and qualified staff to man the libraries, lack of funds and a lack of a constant power supply. In corroboration to this, Akpoghome and Idiegbeyan-Ose (2010) agree that inadequate technical staff, unstable staff and insufficient computer literate manpower are the other problems experienced. The constant electricity power supply is the backbone of the virtual library, since the electricity power supply is required to power air conditioners, computer systems and make hardware and software work. Akpoghome and Idiegbeyan-Ose (2010) corroborate that a lack of a constant power supply, as experienced in Nigeria, is a serious drawback and that it is a challenge to the libraries.

5.0 HOW RELEVANT IS THE JUDICIAL LIBRARY OF TODAY?

The relevance of the Judicial Library lies in our hands as Judicial Librarians. We need to make impact and go the extra mile in providing excellent services to the library users. We must have what it takes to discharge our duties professionally; we must be versatile in the selection, acquisition, organization and dissemination of information to our users.

It is a known fact that our major library users (Hon. Justices, and Magistrates) who are primarily Legal Practitioners, cannot effectively adjudicate and dispense justice

without recourse to the library; but a lot has changed lately and there is the onus on us to prove our worth and understand the crucial role we have to play. When we discharge our duties efficiently, then we can enjoy premium support from our parent bodies.

6.0 RECOMMENDATIONS

In the light of issues and challenges discussed, the following actions are recommended to all judicial libraries;

- ✓ Adequate funding by the parent body. The parent body should allocate more funds for the library in order to deliver their services effectively
- ✓ Acquisition of recent and relevant materials
- ✓ Employment and Retaining of professionally-trained Librarians
- ✓ Consistent Training of Library staff especially on ICT
- ✓ Motivation of Library staff

CONCLUSION

There is no doubt that judicial libraries contribute positively to the law profession by providing relevant information resources and services to legal practitioners throughout the world. It is becoming increasingly obvious that providing relevant information services to the legal practitioners regularly will to a large extent help them to be more active and perform better in their profession. In order for the library to render their service better, it is necessary for the library to integrate Information and Communication Technologies tools into the library and more importantly for library staff to possess the necessary skills to use the ICTs tools available in the library. This way, libraries will contribute meaningfully to the administration of justice and practice of the law.

REFERENCE

- Adegbore, A.M. (2010). "Automation in two Nigerian university libraries". *Library Philosophy and Practice (e-journal)*. Paper 425., <http://digitalcommons.unl.edu/libphilprac/425>.
- Adekunmisi, S. O. (2005). The information needs and information seeking behaviour of academic staff in the college of agricultural sciences, Olabisi Onabanjo University, Ayetoro Ogun State. *Journal of Library and Information Science*, 2 (1 & 2).
- Akpoghome, U.T. & Idiegbeyan-Ose, J. (2010). The role of digital library in law research. *International Journal of Information Science*, 2(6), 108-113.
- Anaeme, F. O. (2015). Strengthening the Nigerian Judicial Libraries: A call for Standards. A paper delivered at the National Workshop for Judicial Librarians, 27th -31st July, 2015, Organised by the National Judicial Institute, Abuja.
- Azubuike, K.A. (1999). *Knowledge and use of libraries*. Onitsha: Hambec prints.
- Dada,T (2011) *Law librarianship and legal research in the digital age*. Lagos: NIALS.
- Edoka, B.E. (2000). *Introduction to library science*. Onitsha: Palma Publishing and Links Company Ltd.
- Germain, C.M. (2011). "Legal information management in a global age: revolution and tradition" <mhtml:file://C:\Documents and Settings\User\Desktop\INFORMATION AGE 2.mht> retrieved 27/04/2017.

Marke, Julius (1964) “The glorious uncertainty of law librarianship”*Law Library Journal* vol.57. p.1.

Nuhu, A. (1994). Public librarianship in Northern Nigeria: Limitation and challenges. *African Journal of Archive and Information Science* 4(1).

T.H.E.Journal (2005) “Technology skills every educator should have”
<http://www.theshiftedlibrarian.com/archives/2005/07/21/20-technology-skills-every-libra> retrieved on 27/4/2017.

Ugwona, S.C., Dike, V.M. and Ugwu, C.I. (2003). Problems and prospects of SDI in government funded Nigeria research institutes. *Libraries journals of Nigerian Library Association*.

Walonick, D. S. (1997-2010). *A selection from survival statistic: Designing and using questionnaires*. Retrieved August 19, 2011, from <http://statpac.com>.