

LAW LIBRARIES – A REGIONAL APPROACH

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Importance of Australian aid in the pacific

A key objective for Australia in the Pacific is the enhancement of the capacity of regional states to pursue sustainable governance reform and work collectively to address shared problems.

The Pacific Island Forum Pacific Plan proposes a new and innovative approach to the unique challenges that Pacific Island Countries face through a framework of greater regional cooperation and integration. Central to the Pacific Plan are a number of 'initiatives' that have been identified as a way to progress development across the region. The 'initiatives' have been developed around four 'pillars': economic growth; sustainable development; good governance; and security.

Australian assistance for improved governance addresses five areas:

- Improving economic and financial management
- Promoting public sector reforms
- Strengthening law and justice
- Development of civil society
- Strengthening democratic institutions and processes

Our aim within the work we undertake in the Pacific is to strengthen law and justice through improved transparency, accountability, equity and efficiency in the management and use of resources in the Pacific.

We achieve this through funding provided by the AusAID Pacific Governance Support Program (PGSP). This program has been established to provide a pool of contestable funding for governance activities linking Australian Commonwealth Government Agencies directly with Pacific counterparts and supporting shared regional governance approaches.

This directly aligns with the historical aims and philosophy of linking like agencies in Australia and the Pacific in order to support access to legal information under the Twinning Program.

History of Twinning

In 1986 the Secretary of Attorney-General's Department, on his return from the Pacific Island Legal Officers Meeting (PILOM,) now called Pacific Islands Legal Officers Network (PILON), requested the then Principal Librarian of Attorney-General's Department, Lorraine Weinman, to "do something for the Pacific Islands!"

A small group of energetic and willing librarians belonging to the Australian Law Librarians' Association committed to assist a few Pacific nations by sending loose parts, superseded texts and legislation. It became clear that despite the assistance being greatly appreciated by the Pacific recipients' the material sent was not necessarily suitable for the agency and the volume of material sent was overwhelming.

In 1991 Lorraine Weinman presented a paper at the ALIA Special Law and Health Librarians Conference in Canberra, suggesting that volunteer law libraries in Australia and New Zealand could be 'twinned' with a like library in the Pacific. The twinning concept would allow agencies to develop a closer working relationship. The paper was warmly received by attendees and with Jacqui Elliot, the then High Court Librarian as the volunteer coordinator, the official ALLA Pacific Law Library Twinning Program began.

The Twinning program essentially provides legal texts, librarian assistance and training to Pacific law and justice sector workers.

During the years between 1991 and her retirement in 2005 Jacqui's oversight of the Program saw it grow to include 18 Pacific agencies that were twinned with 12 Australian and New Zealand partners.

Many Australian twinned libraries were not only able to provide legal materials and research assistance but were able to gain support and funding from management within their agencies to travel to the Pacific to assist their twin. In some Pacific agencies books were found still in the boxes in which they were sent or piled in towers in cupboard like rooms. Useful material was being sent but no staff member was allocated to sort and maintain a 'collection'. This was due to both a lack of skills and the many conflicting financial priorities and workloads within agencies. Australian's visiting their Pacific partner's sort and catalogued material, set up simple borrowing systems and gave basic training to Pacific staff in collection management. Agencies were encouraged to allocate a staff member to be responsible for the library collection. Other issues noted during these visits included the potential for damage to library material in the Pacific due to environmental conditions, for example mould and book worm.

The work done within the Pacific was funded by Australian Departments and Agencies and not through the Twinning Program, although the inter-agency relationships which made this assistance possible were developed under the Twinning Program.

The voluntary nature of coordination and participation and lack of centralised reporting has meant that it has been difficult to know exactly the volume and regularity of assistance being provided across agencies. However, the establishment of and improvements to Law libraries in twinned agencies has been well recorded in the Samoan Attorney-General's Office, Tongan Supreme Court, Vanuatu Supreme Court and Fiji High Court. These libraries have developed from a few shelves of out of date material

supplied by expatriate Justices and left behind, to staffed libraries with small but relevant collections

AusAid Involvement

In 2005 AusAID's Pacific Governance Support Program provided an opportunity for agencies to apply for funding for small Pacific projects. This allowed for Information Services Branch to successfully apply for a grant to assess the library twinning and information management needs of its twinned partners in Tonga and Samoa in that same year. In 2006 ALLA requested the Australian Attorney-General's Department take on the role of Pacific Twinning Co-ordinator. The combination of these two events meant the Twinning Co-ordination role could be taken on as part of the work of the Information Services Branch of the Department. Taking the burden off a volunteer having to coordinate this in their own time, and ensuring that despite the movement of people, the role will stay with the Lionel Murphy Library for as long as funding is available. This formal coordination role will assist with developing solid communication channels, up to date guidelines, procedures, reporting mechanisms, a knowledge bank and support for the volunteer agencies in Australia and New Zealand as well as the Pacific States.

The Information Services Branch formally took on the Twinning Co-ordination role at the end of 2006. The position *Administrative Co-ordinator (Pacific)* was created within the Lionel Murphy Library in 2007 to work with the Director Library Services and Assistant Secretary Information Services in the management of the Twinning Program and the development of future plans.

There are currently 25 Pacific agencies twinned with 14 Australian agencies.

AGD Work in the Pacific

The Attorney-General's Department has been able to utilise funding under the PGSP to expand the work with their twins in Tonga, Nauru and Samoa. In 2005 we were successful in our first PGSP bid to fund a visit to Tonga and Samoa in 2006 to discuss the needs of staff and agencies in the law and justice sector. There was a specific focus on the Department's 'twinned' agencies, but meetings were also held with the law societies in each jurisdiction. Other work has included assistance with legal materials, the purchase of metal shelving, providing legal research training in-country and a range of legal information management and technology work.

In April 2007 a team from the Attorney-General's Department travelled to Tonga and Samoa. Two members of the team trained around 200 Pacific staff in hands-on basic computer, internet and legal research skills. Attendees ranged from Magistrates to clerks and private law firm staff. All attendees received quick reference guides. The demand for training was so high that some staff, eager to attend, had to be turned away due to lack of space. Manuals were left with key staff for further training. The training revealed diverse levels of skills from those who had never used a computer to those who were just sitting in as observers. Some attendees thought they didn't need training but confessed at the end to have still learnt something. The feedback revealed a need for more workshop

style legal research training and Microsoft Word and Excel training. The training revealed the difficult circumstances some agencies still work in with regard to computer and internet access. In one session the internet connection took 10 minutes to load a page. During this trip seven laptops were donated to the Tongan Ministry of Justice and Crown Law Office for training purposes and for the Magistrates to take on circuit.

Other members of the team concentrated on looking at information management systems in the twinned agencies. In one agency all that was required was some advice and negotiation with their IT supplier to upgrade their IT environment to a secure and backed up system. This is something that we take for granted. Once done, work began in assisting with documents, file structures and templates for better work flows and electronic document management. This is making a big difference to the productivity of the Office. As a contrast in another agency where bandaid fixes were applied in a chaotic IT environment which, unknown to the users, was not secure or sustainable. To add any electronic database or workflow would have been irresponsible. It has given a greater appreciation of the difficult circumstances sometimes faced by Pacific staff and an understanding of how we can help in improving the sustainability of the law and justice sector.

In addition, a solution to the ongoing issue of access to legal hard copy material for the private legal practitioners in Samoa was negotiated with the National University of Samoa

During the visit the team were able to promote the PacLII site including the importance of providing legislation and decisions to PacLII as well as the benefits of the Legal Research Gateway soon to be introduced for the Pacific. This gateway is a one click entry point to many free legal research sites that are relevant in the Pacific. It also supplies access to some commercial legal databases such as Brookers and Westlaw for users in senior Judicial and Legal Sector positions across the Pacific. This will be an enormous benefit to Pacific agencies as it will supplement the hard copy texts supplied through the Program.

In 2007 two surveys of the Pacific Law Library Twinning Program participants were undertaken, one for Pacific staff and another for the Australian twins. The collation and interpretation of the data resulted in the determination that twinning arrangements should be documented and set up on an Agency to Agency basis and that a minimum level of support should be provided. This led to the publication and distribution of two booklets, 'Information for Pacific Agencies' and 'Guidelines for Australian Twins'.

In Samoa work has continued towards equitable access to legal research information through provision of over 20 boxes of donated texts to the National University of Samoa library and other support such as assistance with drafting letters to the Law Society regarding access to the new legal collection.

In May 2008 a team from the Department travelled to Tonga and Samoa to train over 150 Pacific law and justice sector staff in hands-on, basic computer, Internet and legal research skills consolidating the training undertaken in 2007. Participants again ranged from magistrates to clerks and private law firm staff. During this visit library staff in-country were trained in basic cataloguing and collection maintenance practices.

In addition to training and library work an Attorney-General's Department records manager spent a week in Samoa with the team to undertake a review of the record keeping practices of the Samoan Attorney-General's Office. A comprehensive report outlining 23 recommendations has been prepared and will form the basis of co-operative work with the office in the next round of PGSP activities.

This work in-country has obviously needed a higher commitment of resources than applies to the Twinning Program however it has allowed for significant improvements across the law and justice sectors speeding the progress towards sustainability.

Future plans

The Program has allowed for a range of co-operative working relationships to be developed. We work very closely with other Sections within our own Department such as International Crime Co-operation, International Assistance and the Anti- Money Laundering initiative. We have developed strong working relationships with AusAid, PacLII, legal publishers, other law libraries and the general public. Word has spread about the Program and it is not uncommon for an email to arrive from a retiring judge offering his private collection to the Pacific program.

In May 2009 with PGSP funding we will be able to host the first Pacific Regional Librarians Workshop in Vanuatu. This workshop will allow law library staff working in the Pacific to meet and discuss common issues, undertake training and build a community of practice.

Conclusion

The most important factor for the future of the twinning program is the willingness of Australian and New Zealand agencies to continue to be part of the program and to encourage new partners to join the program. This will depend on the capacity of Law Librarians to promote the work to their agency management. It should be noted the assistance required to become a 'twin' is not onerous to an agency: regular contact, a standing offer to assist with library management or legal research questions, keeping a back up copy of the titles in the collection, and the willingness to forward suitable material. The goodwill generated and the value to the Pacific of having up to date material is immeasurable, not to mention the benefit to staff within Australia who often feel a sense of community and purpose knowing that they are contributing.

The Information Services Branch remains committed to regional assistance to the Pacific law and justice sector through the coordination of the Law Library Twinning Program.

Should you wish to become part of the Program or for more information please contact the Australian Attorney-General's Department, Information Services Branch, Lionel Murphy Library at pacifictwinning@ag.gov.au

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