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Emmanuel Owushi

University of Port Harcour, Port Harcour, Nigeria, emmaowushi@gmail.com

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LAW REPORTS EXPLOITATION IN A LAW LIBRARY: THE CASE OF UNIVERSITY OF BENIN FACULTY OF LAW LIBRARY

EMMANUEL OWUSHI
LAW LIBRARY
FACULTY OF LAW
UNIVERSITY OF PORT HARCOURT
NIGERIA.

Abstract

This study was intended to investigate law reports exploitation in a faculty of law library, University of Benin, Edo State, Nigeria. A descriptive survey design was adopted in carrying out the study. In order to achieve the stated objective, research questions and hypothesis were developed to guide the study. A total of one hundred and eighteen (118) copies of the structured questionnaire were distributed among the law students, one hundred and four(104) were properly filled and retrieved making up an 88.1% response rate. Data was analyzed using frequency tables, simple percentages and chi-square.

The study revealed that the likely factors that are accountable for the insufficiency of law reports in law library are insufficient fund to be able to acquire law reports, stealing and mutilation of the reports by the users, number of students exceeds the available copies of the law reports, the absence of judgement of counts online has made it practically difficult for many students to have access to judgements. Based on the research findings, it is therefore recommended that law library should be adequately funded to be able to acquire sufficient copies of weekly and monthly law reports needed in the library for the users. The law library management should try to increase the number of copies of law reports that are being subscribed to, as it will help to reduce theft and mutilations of the law reports. Also judgements of the courts in Nigeria should be digitalized so that they can be accessed online, since no law library can afford to satisfy her patrons no matter how rich the law library can be, there is the need for law libraries to form consortium to assist one another, finally subscription to weekly and monthly law reports should be acquired as when due to avoid acquiring them as back issues.

Key Word: Law Library, Law Reports, Exploitation

INTRODUCTION

The University of Benin (Uniben) faculty of law library came into existence in 2002. Prior to its existence, the law collection was located in the main library which is about half a kilometer from the faculty of law. The distance between the main library and the faculty of law meant that students had to shuttle between the two places to use the library. Using the library in between lectures and quick consultation of law materials during lectures posed a serious challenge. The location of the library in the faculty of law has resulted to a heavy use of the library.

Uniben law library is well stocked with various information packages such as books, journals, magazines, law reports, e-resources etc. Although books seem to be very popular in most libraries, it is the law reports that have the highest utility in the law library. They are so heavily consulted and demanded that not only that most of the reports are placed on reserve, most of the law reports are being acquire in duplicates.

The law reports in the library include both foreign and local (Nigerian) ones. They include *ALL ENGLAND LAW REPORTS*, *CRIMINAL APPEAL REPORTS*, *INTERNATIONAL LAW REPORTS*, *KINGS BENCH DIVISION LAW REPORTS*, *QUEENS BENCH DIVISION LAW REPORTS*, *LAW REPORTS OF THE COURTS OF NIGERIA*, *SUPREME COURT OF NIGERIA QUARTERLY LAW REPORTS*, *FEDERATION WEEKLY LAW REPORTS*, *NIGERIA WEEKLY LAW REPORTS* etc. just to mention but a few. Most of these law reports have indexes to enhance their utility.

The value of law reports in law and legal profession cannot be over emphasized. They can be regarded as the life-wire of legal profession. The students, lecturers, practicing and non-practicing lawyers and the Bench must consult the law reports for one benefit or the other. This is why they attain dominance over other library materials. The decision of the superior courts, the *ratio decidendi*, reported in the law reports provides easy accessible precedent in subsequent cases of similar or identical facts. This makes it possible to predict how cases will go in courts. To this extent, they represent the judges' companion. The usefulness of law reports is not limited to the judges, the language of the law and legal logic and reasoning is embedded in them. Consequently students always have needs to embrace law reports. The law reports are favorites of resourceful lecturers who are interested in knowing the latest trend in law and growth in legal

profession. These are always available in law reports. Any lecturer that is research conscious must always have recourse to law reports as they constitute primary sources of law since they contain the decisions of the courts which are judicial-made laws. As primary source of law, law reports form the basis for legal development. Several authors rely on law reports to source materials for their work. Law reports are therefore a veritable tool in legal profession with the attendant utility.

A law report contains certain features: They are the court that decided the case (usually a superior court) where it was decided, the names of the parties involved, the justice before whom the case came, the date of the judgment, the suit number, the catch words indicating the legal subject heads treated, the issue for determination, a brief fact of the case, the ratio, the cases and statutes canvassed, and the final fate of the case whether it succeeded or failed. All these are important in identification, citation and references. Most law reports have indexes for easy references.

OBJECTIVES OF THE STUDY

Law reports are the engine room of legal development. They present the state of the law and not what law ought to be as shown in journals. It is because of their immense legal value that the law libraries are heavily used. This survey is designated to support or refute the hypothesis that law reports are heavily exploited in law libraries and that they account for the high population of readers in any law library.

In order to achieve the stated objective, the following research questions and hypothesis were developed

Research Questions

1. What are the reasons why law reports seem to be heavily exploited in the law libraries?
2. To what extent does the consultation of law reports account for the high population of readers in any law library

Research Hypothesis

For the purpose of this work, the null hypothesis was adopted as follows:

Hypothesis 1

H₀: Law reports are not heavily exploited in the law libraries

H₁: Law reports are heavily exploited in the law libraries

Hypothesis 2

H₀: Law reports does not accounts for the high population of readers in any law library

H₁: Law reports accounts for the high population of readers in any law library

REVIEW OF RELATED LITERATURE

Literature search on the law reports exploitation reveals that not much have been done in this area of study. According to Ogbeide-Ihama (2003), law reports are systematic and professional analysis of the judgment of superior courts and records which identifies the proper issues that arose for determination in a case, the *ratio decidendi* or decision of the case with a view to providing an easily accessible precedent in subsequent cases in similar or identical facts. Inferior courts decisions such as Magistrate courts, area courts and customary courts are not reported. The reason for this is that decisions of the inferior court are not binding on any court while that of superior courts are binding. In acknowledging the importance of law reports Ikpolor (2003) asserts that law reports are the authentic and acceptable publications which can be referred to in the judicial proceedings as veritable records of judgments delivered in superior courts of records and in this role have no alternative. He added that it is the reports themselves and statutes that contain what the law is, while the textbooks contain what the authors think is ought to be. Reinforcing this assertion Ifebuzor (2005) opines that law reports are veritable sources of judge-made law. He maintained that they contain among other things, cases which introduce new principles or new rule of law, cases which materially modify an existing principle or rule of law, cases which settle or tend to settle questions upon which the law is doubtful and cases which for any reason are peculiarly instructive as to the principles of law. Commenting on this, Tobi

(2004:160) avers that if books are important to the lawyers, then law reports are not only a *desideratum* but also a *sine qua non* to the practice of the profession. He stressed that it is the most authentic source of current Supreme Court decisions. Balogun (2011) re-echoing on this, stresses that it enables judgment to be cited and referred to as a standardized form by both the bar and the bench. He reiterated that it makes the strength and jurisprudence of our courts open to assessment by every strata of the society. Aname (2011) remarked that Law Report are the records of the decisions or judgments of courts of law in view of conflicts brought before them for settlement usually published in bound volumes for public use. Inegbedion (2005) depicted that law report is an indispensable tool for both the legal practitioner and researcher. For the research he says, it assists in advancing the course of research either for the purpose of supporting settled principles of law or as a basis for canvassing for a change in settled principles of law, or to demonstrate that the case in question does not accord with the settled principles of law. He maintains that, whatever the case may be, such a position is only possible where a review of the case has been carried out.

METHODOLOGY

The design for the study is descriptive survey. The study adopted two research instruments in gathering relevant data from students in the faculty of law library. These are questionnaire and observation methods. These approaches were selected because they seem to be most appropriate for the study to elicit required information.

The questionnaire has two major sections. The first section sought demographic information about the respondents, their levels of study to determine whether or not they play any significant role in the law reports exploitation. The second section sought to translate the research objective to specific questions. A total of one hundred and eighteen (118) copies of the structured questionnaire were distributed among the law students and one hundred and four (104) copies were properly filled and retrieved making up a 88.1% respondent rate .The researcher analyzed and interpreted the response using sample percentages. Chi square was used to test the hypothesis. Thus, the statistics package for social sciences (SPSS) was employed in the analysis and conclusions were inferred from the findings.

Table 1

Table 1: Questionnaire Response Rate

PARAMETER	No. of Questionnaire Administered	No. of valid Questionnaire Retrieved from Respondents	No. of invalid Questionnaire (not retrieved/retrieved but not usable)	Percentage Respondent %
Student Of Law Faculty Of UNIBEN	118	104	12	88.1

Table 1.1. Showing how often students use the law reports

How often the students uses the law report in the law library	Frequency	Frequency %
Very often	41	39.4
Often	36	34.6
Occasionally	21	20.2
Never	0	0
No Response	6	5.8
Total	104	100

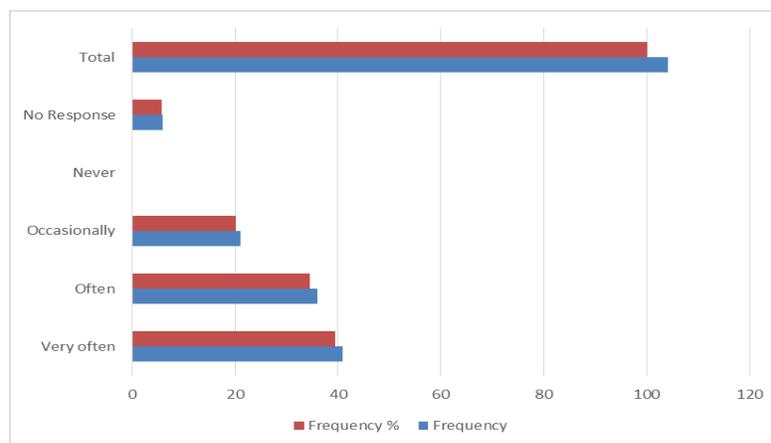


Figure 1. Showing the use of law reports by students

Table 2. Socio-Demographic Information of Respondents

Sex	Frequency	Percentage %
Male	57	54.8
Female	47	45.2
Total	104	100

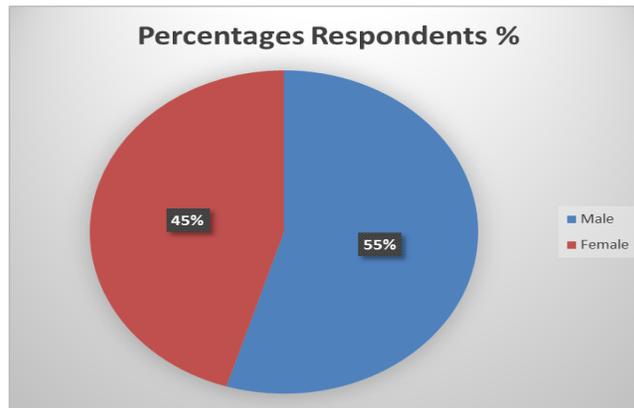


Figure 2. Socio-Demographic Information (Sex) of Respondents

SECTION B

Table 3 Question 2

Level of Students	Frequency	Percentage %
100	0	0
200	51	49
300	17	16.3
400	24	23.1
500	12	11.6
Total	104	100

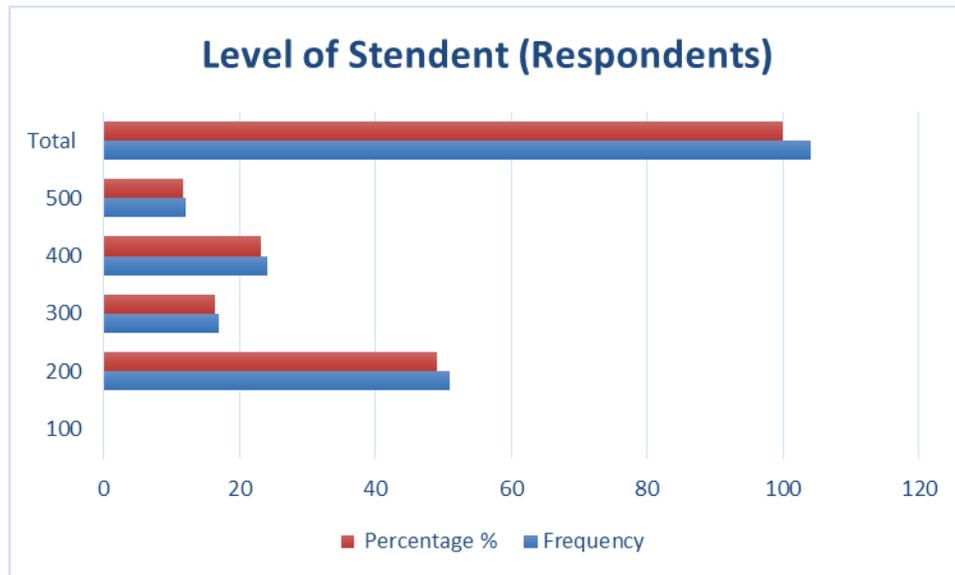


Figure 3. Showing the levels of respondents

RESULT AND DISCUSSION OF FINDINGS

Answers to Research Questions and Test of Research Hypothesis

Research Question 1

What are the reasons why law reports seem to be heavily exploited in the law libraries?

Test of Hypothesis 1

The research hypothesis were tested using Chi square (χ^2) based on the anticipated relationships. Using the statistical Package for social Sciences (SPSS)

Hypothesis 1

H₀: Law reports are not heavily exploited in the law libraries

H₁: Law reports are heavily exploited in the law libraries

To provide answer to the research questions and tests this hypothesis, the responses given by respondents from questions 3, 5, 6 and 7 were considered.

Question 3: The doctrine of *stare decisis* or binding precedent would be virtually impracticable without the use of law reports.

In response to question 3, a total of 86.5% of respondents strongly agreed while 12.5% agreed but only about 1% disagreed (see Table 4). This indicates that a total of 99% of students believe in the efficacy of law report thus, the high rate of usage by law practitioners.

Table 4 ANASWERS TO QUESTIONS FOR TEST OF HYPOTHESIS 1

Parameters	Responses to Questions				Row Total (RT)
	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Disagree (%)	
Q3	C1 90 (86.54)	C2 13(12.5)	C3 1(0.96)	C4 0(0)	104
Q5	C5 74(71.2)	C6 26(25)	C7 2(1.9)	C8 2(1.9)	104
Q6	C9 51(49)	C10 40(38.5)	C11 11(10.6)	C12 2(1.9)	104
Q7	C13 12(11.5)	C14 19(18.2)	C15 37(35.6)	C16 36(34.7)	104
Column Total	227	98	51	40	Grand Total = 416

Question 5: A law student who is curious in the mastery of the law, the language of the law and legal logic and reasoning should embrace law report.

In response to question 5, a total of 71.2% of respondents strongly agreed while 25% agreed, 1.9% disagreed and another 1.9% strongly disagreed (see Table 4).. This result shows that a total number of 96.2% of respondents believes that the law report is a key document that serious minded student regularly exploits in other to master the law, the language of the law, legal logic and reasoning.

Question 6: Given a set of facts and a legal practitioner, law student and law lecturer can say with certainty what the outcome would be in the event of litigation through the use of law reports.

Responding to this question 6, 49% of respondents strongly agreed while 38.5% agreed. Thus , a total of 87.5% of respondents insisted that ‘Given a set of facts and a legal practitioner, law

student and law lecturer can say with certainty what the outcome would be in the event of litigation through the use of law reports' whereas only 10.6% disagreed and 1.9% strongly disagreed respectively.

Question 7: Do you agree that nobody needs the law reports as much as the judges who decides the cases?

In response to the above question, the result show that only 27% are in agreement with the idea (11.5% and 18.2% of respondents strongly agreed and agreed respectively) while 37% disagreed, 36% strongly disagreed. This implies that a total of 73% were of the opinion that not only the judges that decide cases but all law student, law practitioners and law lecturer needs the law report for their studies and practice. This is no doubt an indication that the law reports are heavily exploited in the law libraries.

Question 8 – Law reports present the state of the law not what law ought to be as always shown in journals.

In response to question 8, a total of 43.3% strongly agreed while 34.6% agreed, 15.4% disagreed and 6.7% strongly disagreed. This indicates that a total of 77.9% of the students are of the view that law reports present the state of the law not what law ought to be. While 22.1% has a contrary view.

Table 5 Response to Question 8

Parameters	Responses to Questions				Total
	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Disagree (%)	
Q8	45 (43.3)	36(34.6)	16(15.4)	7(6.7)	104

Test of Hypothesis 1

The research hypothesis were tested using Chi square (χ^2) based on the anticipated relationships. Using the statistical Package for social Sciences (SPSS)

Table 6: Chi Square values for test of Hypotheses One using SPSS

Variable	X^2 (cal)	X^2 (tab)	df	P-values	Decision
Exploitation of law reports in law libraries	230.266	16.919	9	0.05	X^2 (cal) is greater the X^2 (tab) . Hence the H_0 is rejected and the H_1 is accepted

The value of X^2 (cal) as seen in **Table 6** is 230.266 with a degree of freedom of 9 and confidence level of 0.05, the X^2 (tab) is 16.919. Since X^2 (cal) is greater than X^2 (tab) the H_0 is rejected and the alternate hypothesis H_1 which states that *Law reports are heavily exploited in the law libraries* is accepted.

ANSWERS TO RESEARCH QUESTION 2 AND TEST OF HYPOTHESIS 2

Research Question 2

To what extent does the consultation of law reports account for the high population of readers in any law library

Hypothesis 2

H_1 : The consultation of Law reports accounts for the high population of readers in any law library

H_0 : The consultation of Law Law reports does not accounts for the high population of readers in any law library

To answer research question 2, and test the second hypothesis, the answers given by respondents to questions 4, 9, 10 were considered from the structured questionnaires (see details in **Table 7**)

Question 4: The dynamics of the law in found in the law reports.

In response to question 4, a total of 43.3.5% of respondents strongly agreed while 45.2% agreed but only about 6.7% disagreed while 4.8% strongly disagreed (**see Table 7**). This indicate that a total of 88.5 % of respondents believe that the consultation of Law reports accounts for the high population of readers in any law library.

Questions 9: Any law student, legal practitioners, lecturer, that wants to keep abreast with the current trend in law must have recourse to law report.

Responding to question 9, a total of 65.4% of respondents strongly agreed while 27% agreed, 6.7% disagreed and another 0.9% strongly disagreed (**see Table 7**). This result means that a total number of 92.4% of respondents believes that any law student, legal practitioners, lecturer, that wants to keep abreast with the current trend in law must have recourse to law report.

TABLE 6 ANASWERS TO QUESTIONS FOR TEST OF HYPOTHESIS 2

Parameters	Responses to Questions				Row Total (RT)
	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Disagree (%)	
Q4	C17 45(43.3)	C18 47(45.2)	C19 7(6.7)	C20 5(4.8)	104
Q9	C21 68(65.4)	C22 28(27)	C23 7(6.7)	C24 1(0.9)	104
Q12	C25 37(35.6)	C26 49(47.1)	C27 15(14.4)	C28 3(2.9)	104
Q10	C29 14(13.5)	C30 22(19.2)	C31 57(54.8)	C32 13(12.5)	104
Column Total	164	144	86	22	Grand Total = 416

Question 10: Law reports are more important than books and journal.

Using the responses to question 10, there is a high divergence in the answers to this question. While 13.5% of respondents strongly agreed, only 22% agreed, but as high as 54.8% disagreed and another 12.5% strongly disagreed (see table 6).

From the result presented in Table 6 a total of 67.3% of respondents insisted that law reports are not more important than books and journals. This result shows the relevance of books and journals and does not rule out the fact that law reports are heavily exploited in law libraries.

Question 12:

Responding to question 12, a total of 35.6% of respondents strongly agreed while 47.1% agreed, 14.4% disagreed and another 2.9% strongly disagreed (see Table 6). From the result presented in table 6 a total number of 82.7.4% of respondents insist that law reports are regarded as the life wire of the law profession which also implies that most readers tend to exploit the law reports in the library.

Question 11: Uniformity of the Law in a given jurisdiction is made possible through law reports.

Responding to question 11 a total of 42.3% strongly agreed while 46.1% agreed, 8.65% disagreed also 2.9% strongly disagree (See table 7). It is evident from the table that 88.45% indicate that uniformity of the law in a given jurisdiction is made possible through law reports.

Table 7 Response to Question 11: Uniformity of the law in a given jurisdiction is made possible through law reports.

Parameters	Responses to Questions				Total
	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Disagree (%)	
Q11	44 (42.3)	48(46.15)	9(8.65)	3(2.9)	104

In response to question 13, there is divergence opinions in answer to the question while 10.5% strongly agreed, 23% agreed but as high as 36.5% disagreed and 27% strongly disagreed. (See **Table 8**) the implication of this is that law reports in the library under study are not sufficient.

Table 8: Response to Question 13 – As a law student of the faculty of law, are the law reports in the law library sufficient?

Parameters	Responses to Questions				Total
	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Disagree (%)	
Q13	11 (10.5)	24(23)	38(36.5)	28(27)	104

Test of Hypothesis Two

Using Chi square (χ^2) and the statistical package for social science (SPSS) the hypothesis were tested as shown in **Table 9**

Table 9: Chi Square values for test of Hypothesis one using SPSS

Variable	χ^2 (cal)	χ^2 (tab)	Df	P-values	Decision
Law reports accounts for the high population of readers in any law library	146.849	16.919	9	0.05	χ^2 (cal) is greater the χ^2 (tab) . Hence the H_0 is rejected and the H_1 is accepted

The value of X^2 (cal) as seen in **Table 9** is 146.849 with a degree of freedom of 9 and confidence level of 0.05, the X^2 (tab) is 16.919. Since X^2 (cal) is greater than X^2 (tab) the H_0 is rejected and the alternate hypothesis H_1 which states that *Law reports accounts for the high population of readers in any law library is accepted.*

FINDINGS

Based on this work, the findings are imperative:

- Law reports accounts for the high population of readers in any law library
- Law reports are not heavily exploited in the law libraries
- Law reports are not sufficiently made available for law students to really get enough as it is expected

Respondents were asked to state likely factors accountable for insufficiency of law reports in the law library. Selected comments and recommendations of the respondents are as follows:

- The law library is not well funded and as such, cannot afford to acquire sufficient law reports for the users.
- The number of students wishing to consult the law reports exceeds the available copies of law reports.
- The absence of judgement of courts online has made it practically difficult for many students to have access to the judgement.
- Stealing and mutilation of law reports by students and other library users due to inadequacy of the law reports in the library contribute so much to it inevitable exploitation.
- Late subscription to law reports, some of which are often acquired many months after judgement.
- Increase in the cost of law reports. Weekly law reports used to be purchased at the cost of N1,500 per copy sells at the cost of N3,000.
- The law library management should try to increase the number of copies of law reports that are being subscribed to as it will help to reduce theft and mutilations of the law reports.
- Judgements of the courts in Nigeria should be digitalized so that they can be accessed online.
- Subscription to weekly, and monthly law reports should be acquired as and when due to avoid acquiring them as back issues.
- Since no law library can afford to satisfy her patrons no matter how rich the law library can be, there is the need for law libraries to come together to form collaboration to assist one another.
- In order to promote and enhance effective law library services, there is the need for the recruitment of qualified and competent law librarians in librarianship. Such librarians will be in the position to know the needs of the faculty members and students better than non-law degree holders.

CONCLUSION AND RECOMMENDATIONS

The study has demonstrated the relevance of law reports to law students and to legal practicing lawyers. Due to their immense benefits they attain dominance over other library materials. The study shows that the usefulness of law reports is not limited to the judges alone as the language of the law, legal logic and reasoning are embedded in them. The study also advocates that any lecturer that is research conscious must always have recourse to law reports as they constitute decisions of the courts which are judicial-made laws. The study also depicts that it assist in advancing the course of research either for the purpose of supporting settled principles of law or as a basis for canvassing for a change in certain principle of law.

The following recommendations are made based on the findings of the study.

- Adequate funding: With adequate funding the library should be able to acquire sufficient copies of weekly and monthly law reports needed in the library for the users.
- The law library management should try to increase the number of copies of law reports that are being subscribed to as it will help to reduce theft and mutilations of the law reports.
- Judgments of the courts in Nigeria should be made available online so that they can be accessed.
- Subscription to weekly and monthly law reports should be acquired as and when due to avoid acquiring them as back issues.
- Since no law library can afford to satisfy her patrons no matter how rich the law library can be, there is the need for law libraries to come together to form collaboration to assist one another.
- In order to promote and enhance effective law library services, there is the need for recruitment of qualified and competent law librarians with a degree in law and professional training in librarianship. Such librarian would know the needs of the faculty members and students better than non-law degree holders

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