

Jacqueline Elliott

High Court of Australia

Email: jelliott@hcourt.gov.au

Fiji

The 1994 Commission of Inquiry on the Courts included a section on the court libraries of Fiji. The Commissioner, The Honourable Sir David Beattie had these words to say:

‘There are, of course, no law library facilities available in the islands. The principal libraries are in the High Court. In my opinion, all the libraries are inadequate in terms of the range of books required for reference purposes; their other facilities for judges and counsel need upgrading.

Proper management of a law library is vital to promote up-to-date library resources and preservation of valuable legal materials. Relevant and up-to-date publications as to developments in the law are essential to the efficient and effective running of the Courts.

A trained law librarian should also promote access to resources of the library, providing research facilities and programmes to keep judges, magistrates and practitioners aware of amendments and developments in the law’

The Commissioner acknowledged the generous gift of Australia that had recently been announced for A\$2 million aid to provide for a new law library at the University of the South Pacific.

The final recommendations of the reports are summarised as follows:

- substantial improvement as to the range of books and physical facilities

- appointment of a trained law librarian, wherever possible, or failing that, a judge’s clerk act as librarian
- provision of computer technology allocation towards law libraries of one-third of the interest on solicitors’ trust accounts
- re-activation of the Library Committee
- establishment of a sub-committee of the Library Committee in Lautoka
- establishment of an electronic security system in Suva and Lautoka

The twin libraries for Fiji are Bond University (DPP Library) and the University of New South Wales Law Library (High Court of Fiji). There is clearly plenty of scope for improving the court collections in Fiji. The twin libraries in Fiji will appreciate whatever assistance the Australian twins can offer

Kiribati

The High Court of Australia faxed a list of available books to the Chief Justice of Kiribati in May. The titles required were then despatched. We seem to have got into a pattern of sending one box of about 12 to 20 books each year. This assists the Court in a small way and does not take too much time to prepare. The most important factor is to ensure that the twin library confirms that they want what we send before anything is despatched.

CLE for Tonga

The Law Society for Tonga has asked AusAid for assistance to provide a course on criminal practice and advocacy. It will be for all members of the Law Society, government, as well as private lawyers, although the emphasis will probably be on those members of the Society who do not hold full law degrees.

This initiative follows through on work done by the last Chief Justice Gordon Ward, as well as the present CJ Nigel Hampton. They have made huge efforts to establish a working library so that lawyers would be able to prepare their cases better. Both CJs stressed that if the level of argument in the court was raised, the judiciary could make better decisions.

The completion of the new Supreme Court Library in Tonga late last year has clearly made an impact and an impression. The lawyers have an incentive to improve their courtroom skills. The course is to focus on such matters as legal ethics, court practice and procedure, preparation

and presentation of a case, how to handle witnesses, and general advocacy skills.

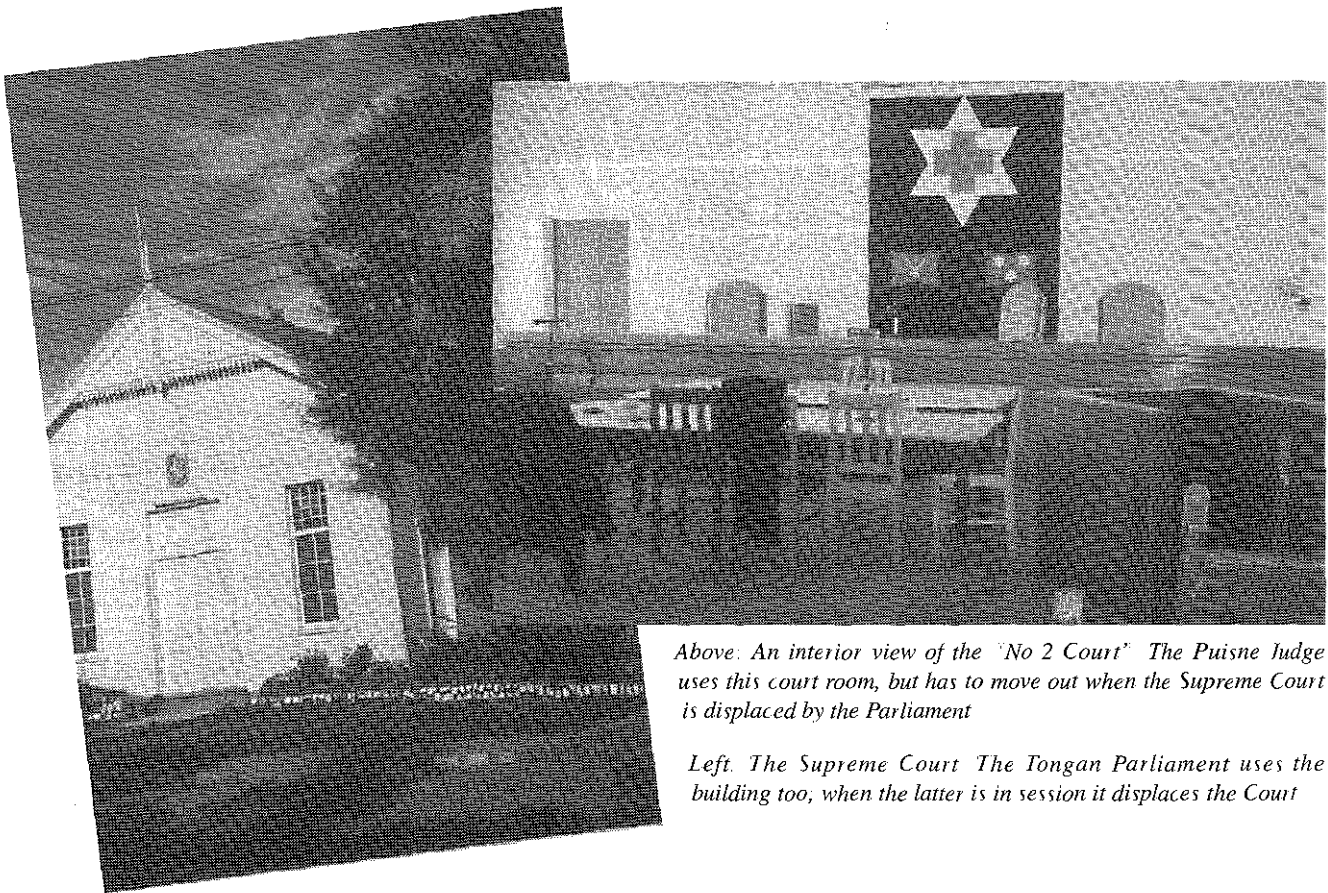
The AusAid contract has gone to the Attorney-General's Legal Practice DPP lawyer Michael Edwards, currently on a six-month secondment to A-G's Criminal Law Division, will run the course for a week at the end of June. He is preparing it in association with Tony Thew, formerly of the Australian National University legal workshop. Michael was Principal State Solicitor in Western Samoa for three years, doing the bulk of all government cases for the Supreme Court and Court of Appeal, so he is eminently suited to the job.

It is really good to see the improvements and benefits that flow from the work and assistance contributed by so many in Australia, which helped to get the library resurrected after the fire.

Lorraine Weinman

Lionel Murphy Library

Attorney-General's Department



Above: An interior view of the "No 2 Court". The Puisne Judge uses this court room, but has to move out when the Supreme Court is displaced by the Parliament.

Left: The Supreme Court. The Tongan Parliament uses the building too, when the latter is in session it displaces the Court.