

## *Coconuts, Law Reports and I-Matang*

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Kiribati, the string of coral atolls lying across the equator and international dateline, was the site of a recent "twinning" visit by staff of Monash University Law Library. Funded by AESOP (the Australian Executive Service Overseas Program), Nick Pengelley, Lisa Smith and Natalie Pengelley spent nearly three weeks in Kiribati, establishing a law library for the Republic's Attorney-General.

Under the Pacific Islands "twinning" program, run by the Australian Law Librarians' Group for several years, Monash Law Library has been assisting Kiribati with donations of books provided by publishers LBC, Butterworths and Federation Press, while seeking funds for a visit to properly establish a library, ascertain needs for future development and to train local staff. AESOP, which places volunteers in a variety of projects throughout the Pacific made this possible - with help from the University in the form of special leave and some assistance to buy stationery and library supplies. Computer Law Services (Diskrom) very generously provided the full range of their legal CD-ROMs (with ongoing updates) and Applied Micro Systems (Australia) P/L arranged donation of a new Digital PC and CD-ROM reader and a Hewlett Packard printer. Other equipment was donated by Black and Decker and CCH have since donated their *Australian Federal Tax Reporter* on CD-ROM.

### *Getting there*

In the several weeks leading up to our departure for Kiribati we despatched four DHL "jumbo" boxes containing library supplies and stationery and one very large box containing a donated wooden eight drawer catalogue cabinet. Fortunately, AESOP was willing to cover the cost of over two thousand dollars to air freight both this material and an additional five boxes of donated computer equipment, taken with us as "excess baggage", to Kiribati. Anyone who has ever attempted anything similar will know of the trials and tribulations involved in retrieving boxes and luggage unloaded during a transit stop at an airport with extremely basic facilities and dragging them all through customs to ascertain the whereabouts of hoped-for transport - and then to repeat the whole procedure the following morning on the next leg of the journey! And please, forget about airlines routing such freight through to the final destination. We are sure it does happen - somewhere.

The library supplies that we sent on ahead of us were the result of several list compiling exercises, undertaken with the aid of the articles written by those who had gone before<sup>1</sup> Funding from the University Library enabled us to purchase everything on our list of requirements (and it was a very long list) and send it off to Kiribati - where we found it awaiting our arrival, safely and in one piece Nevertheless, we still finished the project with a "what we should have brought" list: *always* more pamphlet boxes - we took one hundred, but could have used five hundred - Blue Tac; some interesting posters; a set of screwdrivers, pliers and a hammer; duty free gin...

Knowing very little about what to expect we set off in late November, covering much of the Pacific en-route - due to a hole in the airport runway, the large jets of Air Nauru could not land at Kiribati, necessitating a last minute change to a circuitous route via Melbourne-Sydney-Guam-Chuuk-Pohnpei-Kosrei-Kwajelein-Majuro-Kiribati! On arrival we found an island which has changed little in decades, having retained much of the lifestyle and appearance described by Sir Arthur Grimble in his famous book, *Pattern of Islands*. Kiribati, formerly the Gilbert Islands, gained independence from Britain in 1979. At first sight, the Island appears to be the embodiment of one of those unbelievably idyllic cinema cigarette advertisements of the 1970s - all white sands, turquoise waters and thatched huts dotted among the coconut palms There is only one climate - hot, with very occasional rain showers. Unlike many places, however, Kiribati survives the first examination well The country is not a tourist destination, lacking the infrastructure and having a Government which (probably wisely) has not encouraged growth in that direction. The Otintai Hotel, our base for the duration of our stay, is first rate, and provided a wonderful variety of fish dishes in addition to being a perfect site, Somerset Maugham-style, to watch the sun sink into the lagoon with the aid of a gin and tonic. The company too, was fascinating, with representatives from seemingly every international aid agency passing through as investigators, advisors or educators. There were people from the UN, ILO, Peace Corps volunteers, environmentalists, builders, engineers and others.

### *What we did*

The Attorney-General's Chambers is a small free-standing building, just off the main square of Bairiki, the administrative centre of the Republic, and close to the Post Office, Parliament building, National Library and other Government offices The building has four offices, not including the Attorney-General's own office, a reception/clerical area and the Library. This was in far better shape than we had expected, having a dedicated room, some book-stacks and a couple of PCs which were used for word processing. A fax and photocopying equipment were also available and the room had an air-conditioner to fight off the tropical heat, which although enervating, did not exactly encourage hard work! The room was not sufficient to contain all of the collection, much of which was spread through the offices of the legal staff

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<sup>1</sup> See the references at Australian Law Librarian 2(3) June 1994, 161.

We first unpacked all of our equipment and stationery, laying it out on a large conference table in the Library and then set up the computer equipment - which is where the screwdrivers would have come in handy. After a good look at the collection we made a work plan setting out the objectives of our project. This approved by the Attorney-General, we set about clearing out rubbish - superseded and obsolete texts and supplements which had accumulated for years. This took about three days and the discarded material was neatly packed in boxes and "wheel-barrowed" to a dump site at the rear of the building. Half an hour later, to our horror, and the delight of the local village children, the contents of our neatly packed boxes was strewn all over the road-way and being carted away - to light fires, thatch huts, or to provide toilet paper. The law had at last found a useful purpose! Wherever we went for days afterwards we found old parts of the *All England Law Reports*, or *Halsbury's Laws*. Rubbish maybe in Melbourne, not in Kiribati.

The collection that we found in the Attorney-General's Office is a good basic one, consisting of major series of UK, Australian and New Zealand law reports as well as a good collection from the Pacific islands jurisdictions. Major reference tools such as *Halsbury's Laws of England* were also available. There was also a very good collection of reasonably current texts, again mostly UK material with a fair collection of Australian items as well. Basic journals including the *Australian Law Journal*, *Modern Law Review*, and *Law Quarterly Review* were held.

After rearranging the collection into a standard order (separating out journals, primary materials and texts), Lisa set about training the office staff in the art of cataloguing and classification while Natalie produced an inventory of the Library holdings and Nick trained the lawyers in the use of the CLS CD-ROMS. Extremely quick on the up-take, the *I-Kiribati* (the name for the indigenous people - whites being *I-Matang* - of the gods) were thrilled with the enhanced research capacity provided by the new technology - and also delighted at being "one-up" on the country's High Court which did not yet have the service. The separation of powers is alive and well in Kiribati! Whilst we were working in the Office, we had the good fortune to see the CD-ROMs being put to good use in research for several trials.

Prior to leaving for Kiribati, it was envisaged that the entire textbook collection of the Library could be catalogued and classified according to low-level AACR2, LCSH and Moys during our stay. However, upon arrival, it soon became apparent that this was an unrealistic goal, and that the aim should be rather to catalogue a reasonable proportion (about half) of the collection and spend the remainder of the time training Library staff in the cataloguing and classification of the material. Indeed, given the small number of texts which are received by the Library annually (around 30), it was important to leave a substantial proportion of material uncatalogued for the staff to continue with in our absence, in order to both reinforce their initial training and grant them "ownership" of their Library and its collection.

A card catalogue was established (with the forgotten divider cards kindly supplied by the National Library of Kiribati), with an author/title and subject card for each

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*“All in  
a days  
work”*



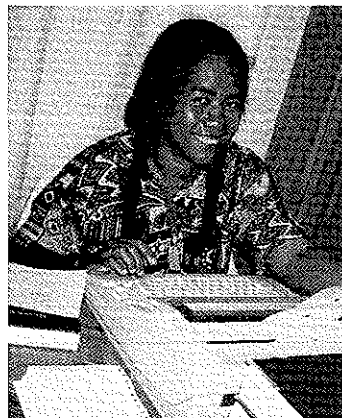
text. We were fortunate in having bright and enthusiastic staff to teach, which made this rather ominous task relatively straight-forward. Initially, one staff member was taught to type the cards and spine labels, then progressing to cataloguing itself. She then went on to instruct other staff in the typing and filing procedures, which created a small "technical services" team within the Library. This "train the trainer" approach worked very well, and can be recommended to other visiting teams as a successful strategy. Whilst it is envisaged that the staff will be able to maintain the Library and its collection using the taught standards, assistance and advice on cataloguing and classification problems is only a fax or phone call away.

### *Law and lawyers*

Most legal work in Kiribati is undertaken by the Attorney-General's Office for the Government of the Republic. Much of this work involves preparation and oversight of contracts with foreign companies or governments as well as Kiribati involvement in entering, or honouring obligations under, international treaties. The Office is also responsible for criminal prosecutions. These last are defended by either the People's Lawyer (a government-appointed position) or one of the Island's two private barristers. At the time of our visit these two gentlemen were



*Nick and Natalie Pengelley (centre back) and Lisa Smith (back right) pictured with staff of the Attorney-General's Office. The A-G, Michael Takabwebwe, is between Natalie and Lisa*



*A G's Office Manager, Kaneba Maan*

involved in a major trial before the Chief Justice of Kiribati, one defending the President, the other the immediate ex-President who is suing the current incumbent over alleged misconduct during the last elections. The Attorney-General's library is only for the use of the staff of that Office although the People's Lawyer appears welcome. The small collection belonging to the High Court, housed in the Chief Justice's chambers is only for the use of the Court officers

We were fortunate to visit the High Court during our sojourn and found that its Library also has a good core collection of basic materials, although its housing makes its effective use difficult and it is inaccessible to private practitioners. The Chief Justice has recognised this and has plans, with British aid, to build a new court complex which will also house a central library facility

Both the Attorney-General and the Chief Justice are very keen to see the Laws of Kiribati revised and republished. This was last undertaken in 1980 and the Attorney-General has just acquired a scanner and software to allow for a new revision to be undertaken locally. Likewise, discussions are being held between the Chief Justice and Attorney-General with a view to arranging for the collection, collation and publication of Kiribati High Court judgments.

### *Out of hours*

Out of office hours there was plenty of time to explore. Hiring a car for the weekend we toured the site of the bloody Battle of Tarawa in which thousands of US and Japanese marines perished during 1943. Giant rusting gun emplacements and concrete pill boxes continue to look out over the beaches of Betio and the litter of war is still evident in the wreckage of landing craft and aircraft engines which can be seen along the reefs at the edge of the lagoon. The Chief Justice of Kiribati, Richard Lussick, with whom we were fortunate to spend some time, said that at low tide, walking along the reef, he had been able to scoop up handfuls of bullets from the spots where the US marines had sheltered from Japanese machine guns. Groups of Japanese return every year in commemoration (they have also provided substantial assistance to Kiribati) and we were invited to join them in watching some traditional dancing after an "umum" - a traditional meal cooked in the earth.

Plenty of time was spent trying the local foods, including the delicious island ice cream with coconut "Kumimi" sauce. A "good food" guide to Kiribati would include the Otintaii Hotel, Mary's Hotel in Bairiki which had an outdoor beer garden and was our favourite spot for lunch away from the office, and Peter Jackson's Cafe in Betio. Apart from the ice-cream and great local chips (not a place for slimmers) a marvellous range of local fish and lobster and a wide variety of Asian dishes formed the basis for our diet during our stay. When we weren't eating we had time to wander through the local villages, float in the warm waters of the lagoon and just lie on the beach, reading and gazing at the horizon.

We hope to return to Kiribati, perhaps in a year or so to review progress and reinforce training. Like those who have gone before us we found the experience to be a richly rewarding one and well worth the effort involved in finding the necessary sponsorship