

OSALL

Organisation of SA Law Libraries

"OSALL aims to link and support everyone interested in Law Librarianship in South Africa"



NEWSLETTER

Vol. 27 No. 1
February 2016

*This newsletter is published
four times a year*

OSALL

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Editorial

Valentine's Day has been and gone, Easter is just around the corner but far more importantly, here is our first newsletter for 2016; chock-full of interesting articles which are guaranteed to keep you entertained during your tea/coffee break accompanied by a biscuit of your choice.

Up first is Samuel Simango from the Stellenbosch University with his submission *The Quest to Identify Legal Information Literacy*; where he explores the concept of legal information literacy.

South African Library week is fast approaching 11 – 21 March 2016 and the theme this year is "#libraries4lifelonglearning". Nikki Crowster gives a bit of background and reasoning behind it.

[3 Geeks and a Law Blog](#) had a post which piqued my interest and so I asked permission to reproduce it here for all of us to read – "In the Age of Google, Law Librarians Manage Your Time, People, and Money" I hope you find it as interesting as I did.

De Rebus had an article on the renovation of the Gauteng Local Division High Court Library which if you recall, was written about by Lydia Craemer in the November 2015 newsletter. I felt this article was a good companion to that.

Finally a word from Charmaine Bertram regarding the 13th SAOIM conference:

"Are you doing something innovative or different in your Library? Why not tell your colleagues about it at SAOIM 2016? Never mind new or different, how about just better and faster? Don't you want to share your secrets with us?"

Seriously, I strongly feel that it is the duty of those more experienced librarians to help those starting out in the profession by sharing their life and professional experiences with them. Don't you wish you had someone to tell you their secrets? We are after all a profession aimed at sharing information; why not share with each other.

The closing date for submissions has been extended until 15 March 2016. Please think about sharing. And if you are a bit shy, I really hope that you have at least booked the dates out in your Calendar. Come listen to our fantastic international speakers as well as a dynamite closing speaker whom I can promise you, you will not want to miss out on. The organising committee has put in a lot of work to make the conference exciting but still affordable. We hope to see you there for a chat and a cup of coffee."

News

The Quest to Identify Legal Information Literacy

By Samuel Simango

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Introduction

The search for legal information is an activity which has probably occupied the legal researcher for as long as the legal profession itself has existed. For countless millennia, the legal field has developed as a direct consequence of the legal information which has been retrieved through the process of legal research. In the quest for relevant legal information, the legal researcher has had to develop efficient strategies for identifying, retrieving, and analysing legal information. Such strategies encompass what may be viewed as legal information literacy. In this article I shall endeavour to briefly explore this concept of legal information literacy.

The quest to identify legal information literacy entails the conceptualisation of information literacy within the context of legal research. For this purpose, this article will be divided into two main sections:

- (1) firstly, a brief examination of the concept of information literacy; and
- (2) secondly, an analysis of legal information literacy.

The concept of information literacy

I shall commence this discussion by considering an authoritative source for the definition of the term 'information literacy'. It is common cause that the various definitions afforded this term by numerous authors or organisations make it rather difficult to come up with a single definition. This problem can be by-passed by placing reliance on an organisation with a certain degree of authority in the library profession. In this case the organisation in question is the International Federation of Library Associations (hereafter referred to as IFLA). Through the standards which it issues, IFLA is able to define certain concepts in a manner which renders some form of assistance in the task of deriving uniform definitions for various concepts.

The term information literacy itself has actually been extensively defined in an IFLA standard. This definition may be found in the IFLA Guidelines on Information Literacy and Lifelong Learning (hereafter referred to as 'The Guidelines'). Based on this premise, this article shall place reliance on the definition of the term 'information literacy' that is to be found in the IFLA Guidelines.

In terms of the IFLA Guidelines (Lau, 2006: 17), information literacy is defined in the following manner:

In summary, information literacy is assumed to be the knowledge and skills necessary to correctly

identify information needed to perform a specific task or solve a problem, cost-efficiently search for information, organize or reorganize it, interpret and analyse it once it is found and retrieved (e.g. downloaded), evaluate the accuracy and reliability of the information, including ethically acknowledging the sources from whence it was obtained, communicate and present the results of analysing and interpreting it to others if necessary, and then utilize it for achieving actions and results.

According to the IFLA Guideline (Lau, 2006: 16), the abovementioned definition encompasses three core components namely: access, evaluation and use. The information literate user must be able to perform the following three core tasks:

1. accessing information effectively and efficiently;
2. evaluating information critically and competently; and
3. applying/using information accurately and creatively.

Now that the definition of the term information literacy has been derived from a general perspective along with its constituent components, we can move on to considering the application of information literacy to legal research.

The concept of legal information literacy

Legal research, loosely defined, is research conducted within the field of law as well as research conducted in relation to the field of law (Chynoweth, 2008). The former refers to research that employs the doctrinal research methodology. In contrast the latter category relates to research which adopts an interdisciplinary methodology and happens to straddle the line between law and other disciplines. This article shall only dwell on the former – for it is to this category that the term legal research is ordinarily applied. To a large degree research conducted within the field of law concerns itself with sources of the law (both primary and secondary sources) as well as grey literature.

In order to perform his/her research tasks adequately the legal researcher must possess a certain degree of legal information literacy. If one were to apply the definition of information literacy that is found in IFLA's Guidelines to legal research one would arrive at the following conclusion. The legal researcher must be able to fulfil certain tasks:

1. he/she must be able to access legal information effectively and efficiently;

2. he/she must be able to evaluate legal information critically and competently; and
3. he/she must be able to apply/use legal information accurately and creatively.

It should be clear from the above that the legal researcher needs to be a master at dealing with legal information for it is in relation to legal information that he/she must carry out his task of conducting legal research. The IFLA Guidelines make repeated use of the term 'information' in the breakdown of components encapsulated by the concept "information literacy". An argument could be advanced to the effect that a more refined breakdown could be derived. This argument is founded upon the distinctions drawn between data, information and knowledge. Such a breakdown would appear in the following manner:

1. Firstly, the legal researcher must be able to access legal data effectively and efficiently.
2. Secondly, the legal researcher must be able to evaluate the legal data, which he/she has accessed, in a critical and competent manner. By virtue of such evaluation the legal data would be converted to legal information.
3. Thirdly, the legal researcher must then be able to apply/use the evaluated legal information accurately and creatively. In this final step the evaluated legal information would be converted to legal knowledge.

In fulfilling the requirements of legal information literacy the legal researcher must be capable of answering the following key questions:

1. What type of data should be retrieved?
2. Why should the data in question be retrieved?
3. Where is the data to be found?
4. How is the data to be retrieved?

In the process of answering these questions the legal researcher would be able to identify crucial aspects relating to the legal data namely: the nature of the data, the purpose for retrieving the desired data, the location of the data and the manner in which the data is to be retrieved.

Since information literacy entails something more than mere data collection, it suffices to state that legal information literacy also entails an activity that goes beyond the mere retrieval of legal data. Not only must the legal research process lead to the retrieval of legal data but it must ultimately lead to the conversion of retrieved

legal data. There are two conversions that should take place. Firstly, legal data must be converted into legal information and then subsequently into legal knowledge. This essentially entails the comprehension of two key aspects of the entire legal research process: the manner in which legal data is converted into legal information and the manner in which legal information is converted into legal knowledge.

Conclusion

It should be apparent from this analysis that the end result of the legal research process is the conversion of legal data into legal knowledge. It is imperative that the information literate legal researcher be able to understand this process so that he/she can be able to convert legal data accordingly. In conclusion it is submitted that the ability to retrieve legal data and successfully convert it, firstly into legal information, and thereafter into legal knowledge is what constitutes legal information literacy.

***Disclaimer:** The views and opinions expressed in this article are the views of the author not necessarily those of Stellenbosch University.*

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SOUTH AFRICAN LIBRARY WEEK – 11-21 MARCH 2016

The Library and Information Association of South Africa (LIASA) is celebrating South African Library Week from 11-21 March 2016 with the theme "**#libraries4lifelonglearning**"

The theme "**#libraries4lifelonglearning**" frames the substantial contribution of libraries to the efforts that strive to address our country's educational, social, cultural and recreational needs and prevalent inequalities. It provides insight into the role of libraries in South Africa and demonstrates how this slots into the objective of ensuring equitable access to quality information and to social advancement opportunities. This makes libraries complicit in the intention to realize the vision of an informed nation.

South Africa's National Development Plan (NDP) 2030 proposes to eradicate poverty and inequality by 2030 using a robust economy driven by skilled workers. However, the competencies needed for entry to the job market need to be developed especially among the youth. Innovation - shaping products and services from knowledge acquired through learning - contributes to the growth of the economy and social improvement as envisaged in the NDP 2030. Also, the current global mindset calls for digital literacy as a learned skill that enables people to access, evaluate and apply information within the digital environment. These proficiencies, accompanied by a sense of responsibility for, and awareness of, the impact of technology on the world are seen as norms of behavior encompassed by the term 'digital citizenship' and aspired to in the NDP 2030.

Lifelong learning is a purposeful learning activity undertaken on an ongoing basis with the aim of improving knowledge, skills and competencies that includes developing the ability to search for information and actively and independently create knowledge. It embraces various forms of education and training: formal, non-formal and informal; the traditional school system from primary to tertiary level; adult education, informal training and so on. It is undertaken individually, in a group setting or within the framework of social movements.

Libraries share in the responsibility for evolving further a knowledgeable, technological adept and prosperous society by harnessing its resources and redirecting these towards client and community services while providing physical and virtual spaces for lifelong learning.

Therefore, libraries:

- ✓ provide learning resources in various formats
- ✓ advance literacy through intellectual and creative support
- ✓ provide access to global knowledge and information to advance research and create new knowledge
- ✓ foster a spirit of enquiry and curiosity
- ✓ create a desire for lifelong learning
- ✓ instil respect for diverse beliefs, opinions and views
- ✓ contribute towards the development of South Africans as an informed nation
- ✓ develop a digitally literate nation
- ✓ empower people for prosperity

Our country remains characterized by divisions two decades after liberation. Lifelong learning provides opportunities to dissolve boundaries that may be in place among traditional sectors: education, the labour market and industry; or, other facets of society whether these are regional/geographic, socio-cultural or political. Through library services, people have insights to the ways of

others which is hoped will lead to improved understanding and tolerance.

ABOUT LIASA

LIASA is the national professional association that represents libraries and information institutions; all library and information workers; and millions of users & potential users of libraries in South Africa. LIASA aims to unite, develop and empower all people in the library and information field. It represents the interests of and promotes the development and image of library and information services in South Africa. More information can be found at: <http://www.liasa-new.org.za/>

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In the Age of Google, Law Librarians
Manage Your Time, People, and Money

<http://www.geeklawblog.com/2016/01/in-age-of-google-law-librarians-manage.html>



image [cc] [Alex Proimos](#)

I saw mentioning of *The Wall Street Journal* opinion piece by Steve Barker, "[In the Age of Google, Librarians Get Shelved](#)," this weekend, but didn't actually read it until this morning. I found the opinion piece to be a little bit lazy, and playing up the old fear of "everything is on the Internet," and that "the public library of the future might be a computer center, staffed by IT professionals and few books or librarians." I usually just roll my eyes and move on about my daily business, but the fact that the WSJ would run this, and that a number of my colleagues within the legal industry would possibly read it, I thought I would chime in with some feedback.

First and foremost, I want to remind my colleagues that a public librarian plays a very different role from what a law librarian does. I'll let public librarians defend their own, and I'll start by stating what I see as the number one role of a law librarian, regardless of if that law librarian is in government, academia, or private legal environment:

Law Librarians manage the risk within the organization they serve, ensuring the organization's mission is met through the acquisition, management, distribution, and analysis of legal information needed for the organization to perform its mission in a timely manner and at an appropriate cost.

Our job isn't about pointing people to the nearest bathroom, or locating lost keys. It is about positioning lawyers, educators, judges, administrators, and the public, in the best possible position to fulfill their responsibility within the legal framework they represent. If we do help you find the bathroom or your lost keys, we do so because we tend to be nice people and want to help. Don't view that as a weakness, view it as a strength

in that we feel empathy for your current situation, not that we have nothing better to do.

It's not about knowing how to do a Google search; it is about knowing how to interpret a Google search and the knowledge to know when that is enough, or it is time to dive deeper into specialized tools vetted, obtained, and managed by the law librarians. It's not about understanding technology; it is about understanding how technology can be applied to increase the availability of resources and the knowledge rejecting technology when the rewards do not outweigh the risk /costs /effectiveness of that technology. I've always heard that any problem can be solved given the unlimited supply of three things:

1. Time
2. People
3. Money

None of us have unlimited time, people, or resources. That's why the law librarian is such a valuable resource, in that he or she reduces all three of these things by applying our expertise and experience of managing the risks associated with time, people, and money.

If you think that a law library is about Google and books, or even Westlaw and Lexis, then you truly do not understand what's really going on. Thinking that just anyone can run a law library because they have technology skills is like thinking anyone can drive a Formula 1 car because they can replace the oil in their car.

Law Librarians manage risk.
Law Librarians save you time.
Law Librarians save you money.
Law Librarians reduce your headcount.

We make sure that you have the resources when you need them, and within the needs and budget of the organization. If you confuse technology for knowledge, you've just increased your risk substantially. Be prepared to tap into more time, money, and people.

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**RENOVATION OF THE GAUTENG LOCAL
DIVISION HIGH COURT LIBRARY**

*Kevin O'Reilly
De Rebus*



From left: Johannesburg Bar representative on the Gauteng Local Division (GLD) Library Committee, Seena Yacoob; Chief Librarian, Thulisile Nzimande; Chairperson of the GLD Library Committee, Judge Fayeeza Kathree-Setiloane; Deputy Judge President Phineas Mojapelo; Judge President Dunstan Mlambo; former Chief Librarian, Salome Vranas; former Chairperson of the Library Committee, Justice CJ Claassens; and members of the GLD Library Committee: Judge Bashier Vally, Judge Segopotje Sheila Mphahlele, and Judge Roland Sutherland.

In September last year Judge Fayeeza Kathree-Setiloane, the Gauteng Local Division High Court Library Committee Chairperson, welcomed guests to the refurbished Gauteng Local Division High Court Library. Among the guests were Judge President of both the South and North Gauteng Division of the High Court, Dunstan Mlambo; Deputy Judge President of the South Gauteng High Court, Phineas Mojapelo; and Deputy Judge President of the North Gauteng Division of the High Court, Aubrey Ledwaba.

As part of the renovation project of the court, the library was renovated from a single storey resource facility to a double storey. The ground floor of the library continues to house various collections of legal texts, loose-leaf journals and law reports both national and international for use by lawyers as well as members of the public involved in litigation in the court. The second floor houses a collection of legal texts, loose-leaves and law reports for exclusive use by judges.

This new space offers judges a quiet place for research and writing with access to computers and network points to access digital resources, as well as a kitchen with tea and coffee.

Judge Kathree-Setiloane, said between the years 2007 and 2010 it was particularly challenging for the library. Senior librarians were poached by law firms and universities offering competitive salaries and better employment conditions.

Judge Kathree-Setiloane said `to put it simply, the library was in "tatters". The texts and collections in the library and judge's chambers lacked integrity and dependability. The *Government Gazettes* and loose-leaf collections had not been updated since 2008, new edition legal texts were not purchased and the cataloguing systems were non-existent,' said Judge Kathree-Setiloane.

Judge Kathree-Setiloane said Justice CJ Claassens in his capacity as then Chairperson of the Library

Committee expressed his concern at the state of the library.

In 2011 the library committee employed Salome Vranas as acting Chief Librarian. Ms Vranas was tasked with doing a complete "clean up" and "revamp" of the library,' said Judge Kathree-Setiloane.

With the assistance of LexisNexis the library staff updated over 4 000 loose-leaves. In 2014 the library upgraded the judges chamber libraries to the value of R 1,5 million. Judge Kathree-Setiloane said the Gauteng Local Division Library is the largest High Court library in the country with approximately 76 000 books.

The library has finally developed into a major repository for judges, lawyers and members of the public,' said Judge Kathree-Setiloane. The library is currently led by Thulisile Nzimande.

Reproduced from De Rebus:

<http://www.derebus.org.za/renovation-of-the-gauteng-local-division-high-court-library/>

SAOIM CALL FOR PAPERS

Submission date, guidelines and specifications:

- Concise papers (30 minutes maximum) based on practical experience or practical applications of information technology are preferred. Supporting and supplementary detail may be included in the complete, written paper.
- Papers focusing on innovative and best practice 'show and tell' will be allowed in short 10 minute sessions. All aspects of good online practice will be welcome. Case studies most welcome.
- Due to time constraints only one presenter per paper will be allowed.
- Proposals should include the following details:
 - Title of proposed presentation
 - Abstract of proposed paper (no more than 300 words)
 - Name and Surname of presenter
 - Position and/or title
 - Company / Institution / Affiliation
 - Address
 - Contact information:
 - Telephone (w)
 - Cell phone number
 - E-mail address
 - Short biographical statement of presenter
 - Date of submission

Proposals should be sent by email to Susan Scheepers (susan.scheepers@up.ac.za), by Monday 15th March 2016. Finalists will be notified by March 31st, 2016.

Publications Noted



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**Pieter du Plessis &
Samuel Simango**
Stellenbosch University



Journal articles noted

Ahern, A & Beattie, J. 2015. Embedding library and information management techniques into business processes: A case study. *Business Information Review*. Vol. 32, Iss. 3: p171-174.

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New Journals noted

The Journal of Corporate and Commercial Law & Practice (JCCLP)

This journal is a bi-annual periodical published by Juta for the University of the Witwatersrand Law School. This journal covers the area of corporate and commercial law, with specific emphasis on how constitutional law, foreign law and public policy imperatives help improve and develop corporate and commercial law principles. The JCCLP is supported by an eminent editorial committee and editorial advisory board of thought leaders in academics and practice.

Books noted

Bent, M.J. *Practical Tips for Facilitating Research*. 2016. 9781783300174.

Critical Literacy for Information Professionals/ edited by Sarah McNicol. 2016. 9781783300822.

Crumpton, M. *Strategic Human Resource Planning for Academic Libraries*. 2015. 9781843347644.

Exploring Discovery: The front door to a library's licensed and digitized content/ edited by Kenneth J Varnum. 2016. 9781783300969.

Friedman, D. *Trademarks and social media: towards algorithmic justice*. 2016. 9781783479535.

Gervais, D. J. *Re-structuring copyright*/ 2016. 9781785369490.

Ginsburg, J. C. *International copyright law: US & EU perspectives*. 2016. 9781783477999.

Handbook of space law edited by Frans von der Dunk. 2016. 9781781000359.

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Kolb, R. *The law of treaties: an introduction*. 2016. 9781785360145.

Metaliteracy in Practice/ edited by Trudi E Jacobson & Thomas P Mackey. 2015. 9781783300938.

Preserving Our Heritage: Perspectives from antiquity to the digital age/ edited by Michele V. Cloonan. 2015. 9781856049467.

Secker, J & Morrison, C. *Copyright and E-learning: A guide for practitioners, 2nd ed*. 2016. 9781783300600.

Shared Collections: Collaborative stewardship/ edited by Dawn Hale. 2016. 9781783300952.

Stuart, D. *Practical ontologies for information professionals*. 2016. 9781783300624.

Superior Courts Act 10 of 2013 & Magistrates' Courts Act 32 of 1944 and Rules. 2016. 9781485109860.



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