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Australian Law School Libraries: A Position Statement and Standards

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AUSTRALIAN LAW SCHOOL LIBRARIES: A POSITION STATEMENT AND STANDARDS

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Committee of Australian Law Deans, *Australian Law School Libraries: A Position Statement and Standards*, Centre for Legal Education, Sydney, June 1995 (Revised September 1995), pages 1–52. Price $20.00 (softcover) ISBN 0908475 578.

There is a certain sense of "deja vu" about this publication. It deals again with issues that have been discussed for over 20 years. At least in the first section, much of it has been said before — in the *ALTA Report* 1974, the *Pearce Report* 1987. *In* 1994 increasing concern at the running down of university law libraries prompted a feeling that the law schools "need to establish benchmarks" to prevent further reductions to Australian universities' collections of legal material. This publication is the result.

The 52 page book is presented in two parts: "Law libraries, law teaching and legal research", a position statement by the Committee of Australian Law Deans (20 pages), and "Australasian Universities Law Library Standards 25 August 1995" (32 pages). The whole is a positive effort on the part of law deans and law librarians to explain the need and to establish standards for law school libraries. Clearly it is an attempt to stop the damage caused by continual cancelling of highly valued serial and monograph holdings, damage which has been going on since the seventies. There is a limit to what a law school needs in its library to function effectively. This is an attempt at a definitive statement not only on what standard is required for minimum law holdings but also for staffing, equipment, technical services, etc.

AULSA (now ALTA) first adopted law school and library standards in 1961. Concern in the early seventies about the changing scene in tertiary law education produced the 1974 Richardson Report for AULSA on *Law Libraries in Australian Universities.* Shortly after this report the law libraries began to make cancellations. Every year since the late seventies law libraries have been cancelling titles, some commonly held in Australia, some unique.

Further concern at the state of law libraries was expressed in the *Pearce Report* in 1987.

Now, 20 years later, the situation has become much worse. In the last ten years it has become financially advantageous for tertiary institutions to offer law courses. New courses and student numbers have burgeoned but increased funding for libraries to support the new courses and large classes adequately has not always been forthcoming. While the price of law material has risen 10–12% each year, some libraries have been getting less money each year. Less money to provide for more students studying a wider range of courses has naturally resulted in a reduced capacity for law libraries to support the law schools' needs.

The libraries are in a difficult position for which there is no obvious remedy. New areas of law are opening up; for example, understanding and application of European Community law. Although what is happening in Europe, particularly in the area of human rights, is affecting Australian law, many of these publications are simply unaffordable on current budgets. Research and teaching in the law schools must inevitably suffer.

At the same time larger student numbers mean a greater need for multiple copies. The law deans and librarians have tried to respond positively with this publication. Have they succeeded?

POSITION STATEMENT

This is a clear statement detailing the facts of the deteriorating position of law libraries. It emphasises the new topics of law that require library support, the problems of loose-leaf publications being categorised as serials, and the need for the library to keep up with the new technology and provide access to legal material in electronic formats (CD-ROM5 and online). It also states the fact that a good research collection attracts good staff. Law schools

whose collections cannot fully support the faculty's teaching have already lost staff to overseas universities.

In 1997, two years on from this report, libraries are still expected to keep up with expensive new publications and to provide access to both print and electronic formats. With the rise in serial prices far out-stripping the annual CPI increase and faculty's expectations that electronic formats will be provided, the library budget can clearly not keep up.

The Position Statement is clear, well-constructed and to me, persuasive. It is particularly damning in its listing of six areas of law where no university law collection is adequate. Regrettably, this is true. The drawback for the deans is that whereas anyone connected with legal education knows law libraries are a special case, others are not so easily persuaded.

STANDARDS

Before discussing this section of the book I should mention that I took part in some of the early meetings concerning the core collection. If my memory is correct the standards were more detailed at the time and there are many changes in the final version.

Written standards are rarely satisfactory. Either they are too general or too specific. The law librarians have taken the general approach here in an effort to make the standards apply to both New Zealand and Australian libraries as well as to avoid the "sins of omission" which accompany attempts at the specific.

Are these standards going to set the desired benchmark? The short answer is that they may be too general to be taken seriously, with a few exceptions.

There are eight Standards in all: Human resources; Management and planning; Information resources and the core law library collection; Teaching duties and responsibilities; Technical support services; Client services; Building/Accommodation; and Equipment. There are Guidelines which expand on the first six of these.

The Human Resources Guideline deals very well with aspects of staffing including providing specific ratios of library to faculty staff. Libraries will find in this Guideline useful support for establishing a working standard of staffing levels.

The Management and Planning Guideline gives a clear direction

on the collection of statistics but perhaps would be enhanced by some indication of their application. It would help to have it spelt out that some analysis of statistics at regular intervals would be a useful tool for the librarian to pass on to both faculty and main library for their particular planning purposes.

There are difficulties with Guideline 3 on the core collection. As a statement of what the library should collect it suffers some lack of credibility by overuse of the word "all". For example, it would seem to be irresponsible for the university library to aim to collect "all legal texts, treatises and loose-leaf services published in or about Australia or New Zealand, but excluding texts for secondary schools". Many such texts are simply not worth collecting and a first class collection will be testament to its librarian's selection skills. Unfortunately generalisation in this form pervades this Guideline and detracts from its value. For the primary material it is valid, but for secondary material the standard would have been more effective if it reflected the title's intent: "the *core* law library collection".

In my view there is more useful guidance to be gained in the 1974 AULSA Report which succeeded to some degree in mixing the general with the specific. The earlier report also gives a good listing for international law which does not have its own section in the 1995 standards. It is useful to have some classic titles mentioned rather than a statement such as "Basic legal texts from major bibliographies" (44) followed by a list of eight works which between them probably contain most current legal publications. It is rather bewildering to a new law librarian to be directed to look in *International Legal Books in Print* 1990–1991 (2 vols.). Perhaps some guidelines by topic such as the AALS *Law Books Recommended for Libraries* (1967–76) would be more useful, at least for the classic texts up to the 1970s.

Electronic publishing in the last two years has expanded so quickly that this section of Guideline 3 is already out of date. It relies on the direction to select "relevant" products but as a standard it may be better now to couch it in terms of, for example, "one comprehensive database of federal case-law with satisfactory search facility and standard of printout".

The development of the Internet and the reduction of budgets has put more emphasis on access to rather than purchase of material. Some titles that were previously considered part of a core

collection are now electronically available and found to be sufficient in that format. It is however extremely difficult to envisage a suitable standard for electronically available titles when the technology is changing so fast.

Guideline 4 on Teaching Duties and Responsibilities is a concise and adequate outline of aims and topics. The assessment paragraph seems to take it for granted that the work will count towards a student's marks, but not all law schools include legal research skills in their curriculum. Perhaps it should be spelt out that: "Overall assessment of a student's performance should [not 'may'] form part of the assessment of a law school subject to which the legal research skills course is attached. This section could also perhaps be enhanced by spelling out the reasons for the standard favouring, for example, serials being addressed to, received and entered in the law library, rather than the central library.

The last Guideline on Client Services could again have added some explanatory phrases, such as "Given the inherent reference function of a law collection . . ." the law library should open at weekends. If the main library is closed at weekends the Standard for the law library would, I feel, make more sense to non-law people if there were a few such statements on the face of the record.

CONCLUSION

Overall this publication is an interesting document with a somewhat uneven effect. The Position Statement is an effective and careful outline of the state of Australian university law libraries and reflects the justified concern at the law library situation in 1995. The Standards themselves may suffer from being too general.

One could ask why the law librarians would put forward a seemingly ineffective document? The answer is, of course, that they did not. Their original document was subsequently put through such a process of argument, discussion and compromise that the Standards were watered down to become less than useful. What started out as a bold attempt to set a benchmark was reduced by compromise to a statement with little or no impact. Future law school deans may wonder why.

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