

The Brand van Zyl Law Library @ the University of Cape Town (UCT)

This article by Dilshaad Brey, Reference Librarian, is a description of the Brand van Zyl Law Library at the University of Cape Town (UCT), South Africa. The author met Gillian Sands whilst on an internship at the IALS Library in June 2004.

Introduction

The University of Cape Town Law Faculty

The University of Cape Town's Law Faculty is one of Africa's leading law schools, attracting some of the brightest and most talented students from all parts of the continent. A Quality Assessment Survey conducted in 2003 shows that students choose UCT for its academic excellence, the calibre of its research and teaching staff, and its well-resourced and well-appointed library. At present, there are 950 students registered in the Faculty. Of these, 450 are registered for the LLB degree, while 500 are reading for one of our post-graduate programmes: the PhD, the LLM, and various post-graduate diplomas. More than half of our postgraduate students are foreign, which greatly enriches the cultural diversity of our student body.

Since the ending of the academic boycott in the 1990s, the Faculty has made an effort to reintegrate itself into the international scholarly community in a variety of ways. For example, the Faculty has concluded exchange agreements with several foreign law schools including Duke, NYU, Cornell, Aberdeen, Humboldt and Melbourne. Some of these agreements facilitate student exchange, while others emphasise research co-operation. Some are more informal with no specific focus beyond the building of international ties.

The UCT Law Faculty is one of the oldest on the African continent and last year celebrated its 145 years of existence with the publication of *The University of Cape Town Law Faculty: a history 1859–2004* by Professors Denis Cowen and Daniel Visser. The publication coincided with UCT's 175th anniversary and South Africa's tenth year of constitutional democracy.



Dilshaad Brey
Reference Librarian

The Law Library

The Brand van Zyl Law Library is named after the Right Honourable Major Gideon Brand van Zyl, (1873–1956), Governor General of the Union of South Africa from 1946 to 1950, who donated his family's library to the University of Cape Town in 1949. At that time, South African legal practice and legal education relied heavily on the major works of Roman-Dutch law. The Van Zyl family had collected such works over a period of 70 years, starting with Brand's father, Dr Casper van Zyl, who had practised as an attorney in Cape Town in the nineteenth century, and had lectured at the fledgling UCT Law School from 1890 to 1896. This donation of major Roman-Dutch works was the backbone of the Library for many years.

The Law Library became a separate branch library of the UCT Libraries system in 1962. At that time, the Library was situated on the University's Orange Street Campus in central Cape Town. The Library moved on to the University's Upper Campus on the slopes of Devil's Peak in the 1970's, before moving down the hill to its current location on the Middle Campus in July 2000. At present, we occupy the two lowest floors of the Wilfred and Jules Kramer Law School Building. The Kramer Building was completed in 1986, and is a spacious, contemporary, award-winning building with ample natural light. From the issue desk, staff can enjoy a panoramic view of the Cape Peninsula.

The Collection

Our collection development policy is guided by the teaching and research needs of the Faculty, and is based on the understanding that researchers need both local



Dilshaad Brey with members of the IALS staff during her secondment there. Gillian is first right.

materials and comparative sources if they are to produce work of a high calibre.

We spent about R1.8 million (£150,000) last year in acquiring materials. The bulk of the materials budget comes from the University's General Operating Budget. This funding, however, does not permit us to purchase the highly specialised material needed to support world-class research. The Faculty places increasing emphasis on foreign, international and comparative law, and most of our budget is spent on materials from the United Kingdom, Europe and North America. Not only do we face the challenge of the wide fluctuations in the Rand, but add-ons such as VAT (14%) and delivery charges of up to 10% add almost 25% to the price of a book. Needless to say this impacts negatively on our buying power. The Law Faculty, however, recognises that the quality of its legal research is strongly influenced by the quality of its law library, and thus provides generous supplementary funding. Small donations from various organisations and individuals make up the rest of the funding. As a result, the Library has been able in recent years to purchase most of the materials needed for current research and teaching, and thus support UCT's aim of becoming a world-class research university.

Africanisation of the collection is underway in support of UCT's mission to be a "world-class African university". Acquiring material from other African countries can be very challenging. We rely greatly on a staff member from UCT's Main Library, who makes buying trips to African countries, to obtain materials which cannot be obtained via bookshops and other traditional distribution channels.

The Library has one of the best legal collections in Africa, with holdings of 85,000 volumes. We have a comprehensive collection of South African legal monographs, and a respectable core collection of monographs

dealing with foreign and international law. During 2004, 819 monographs were added to the collection. The Library currently subscribes to 384 serials in print form (many more are available electronically). Of these, 292 legal periodicals are published outside Southern Africa. The Library subscribes to 86 series of law reports in print form (many more are available electronically). Of these 60 are foreign law reports series, and include a comprehensive collection of the most important reports published in England, the rest of the Commonwealth and the United States, as well as selected series from jurisdictions such as Germany and the Netherlands. The Library holds several series of South African and foreign statutes and several core reference works in print form, including the English publications: *Halsbury's Laws of England* and *The Digest*, and the American publications: *Corpus Juris Secundum*, *American Jurisprudence*, and *The Restatement of the Law*.

The print collection is complemented by an ever-expanding range of electronic resources. About 30 of the large number of the UCT Libraries database subscriptions are especially important to legal researchers. Foreign publications include full text databases such as LexisNexis Professional, Westlaw International, HeinOnline, and indexing databases like the *Index to Legal Periodicals* and the *Index to Foreign Legal Periodicals*.

We also subscribe to local legal databases such as LexisNexis Butterworths and Jutastat. Staff and students have off-campus access to several of the electronic resources including e-journals via the EZproxy system.

The Collection may appear small in comparison to major law libraries in the United Kingdom or the United States. In part, this is because South Africa produces far less legal material – our comprehensive collection of domestic material is thus far smaller than domestic collections in larger jurisdictions. Inadequate funding

impeded our acquisition of foreign and international materials for much of the 1990s. However, as explained above, we are now in a position to redress this, and are making progress in this regard.

The Brand van Zyl Collection

A hidden treasure in the Library is the Brand van Zyl Collection of *Ius Commune* books. Major Brand Van Zyl's original donation of Roman-Dutch works forms the nucleus of this antiquarian collection, which currently comprises over 3,000 volumes. In addition, we have about 1,000 volumes on indefinite loan from the University of the Western Cape (UWC). The Collection includes many rare and valuable items by Grotius, Voet and other authorities on Roman-Dutch Law. Most of the books were published in the 17th and 18th centuries. The oldest work in the collection is *Opus restitutionum usurarum et excommunicationum* by Franciscus de Platea. This rare and valuable incunabula was published in Venice in 1472.

This is a 'living' collection in that we add both purchases and donations regularly (90 new volumes in 2004, for example). Purchases are made by virtue of a bequest received for this purpose from the estate of the late Mrs M.E.C. van Zyl. Recently there have been substantial donations to the Collection by Judges J.J. Fagan and M.M. Corbett.

The Van Zyl Collection is acknowledged as one of the finest collection of antiquarian legal works outside Europe and the United States. This collection is kept in a temperature controlled environment behind glass.

Users

The staff and students of the UCT Law Faculty comprise the Law Library's primary user base. Members of the legal profession have free access, but usage is restricted to the print resources and no borrowing is permitted. Staff and postgraduate law students from South African universities have access on a similar basis. Subscription to the Library is limited and is offered at the discretion of the Law Librarian.

Staff

The Law Library has nine full time staff members. This staff complement is supplemented by the staff of the Main Library, who perform most backroom and technical operations (including, for example, acquisition of materials, cataloguing, physical processing, and IT support). Student assistants staff the circulation desk to issue and return library materials. They are supervised by library assistants.

There are four reference librarians. They are well qualified: in addition to their undergraduate degrees and formal library qualifications, two of them hold the LLB and LLM degrees, while a third holds a B.Soc. Science and an Honours degree in Library Science, and is currently

registered for an LLB. The fourth staff member has a BA and a Library Diploma and is also currently registered for an LLB.

Facilities

The library has 275 study spaces, which at 3.4 seats per registered student is relatively generous by international standards. Some of these study spaces are in sound-proof discussion rooms for group study. There are five individual study carrels for thesis students. Three rooms can be used for teaching purposes. One of these has 12 PCs and a data-projector, and is used for hands-on training on the legal databases. The Library also has access to classrooms with state-of-the-art equipment elsewhere in the building, and we use these when teaching larger classes.

The Faculty believes that all its graduates should be computer literate. Students are expected to use on-line databases to find relevant material, and to use word processing packages to prepare their essays and theses. Students have access to 80 computers in the Library with the following specifications: P4, 2.4 GHz CPU, 512 MB RAM, 40 GB hard drive and 17" LCD flat screen monitors. Each machine runs Windows XP. These computers provide access to subscription databases, the Internet and word processing software, and are linked to a networked printer. Two OPAC terminals are located on each floor of the Library. Power and data sockets for 22 laptop computers are available. In the next few months two WiFi hotspots will be installed: one in the Library and one elsewhere in the Law building, giving laptop users further access to the Library's resources. IT support is provided by the UCT Libraries IT team, who in turn are supported by the University's ICTS (Information Communication and Technology Services) department. The efficient provision of electronic resources is still occasionally hampered by inadequate bandwidth and an obsolescent ICT infrastructure.

Services

The Library is open until 10 pm on weeknights and until 5 pm on Saturdays. During examination periods, the Library stays open until 11 pm during the week, and until 5 pm on both Saturday and Sunday. One of the reference librarians is on duty at all times.

Reference services are directed at helping users, especially students, to find sources for themselves (rather than finding sources on their behalf) so that they develop the necessary legal research skills. Reference services are provided to users in person, by telephone and by email. One-on-one sessions double up as short training sessions. Formal legal research training is discussed below.

The Library is mainly a reference library and limited borrowing is permitted. Borrowing privileges are determined by the category of membership, for example, undergraduate or postgraduate student or staff.

The Short Loan Collection (SLC) includes high-demand materials, prescribed to students by academic staff. As is typical of all SLCs there is a time limit on all items issued from this Collection and the penalty is heavy for items returned late. A small collection of the books may be borrowed on long loan varying from one week to three months. As part of the circulation function users may request items from other branches in the University Library system.

The Library participates in the interlending network in Southern Africa. The Interlibrary Loans (ILL) Department of the Main Library handles requests for loans and photocopies of items on behalf of the Law Library. The highly efficient ILL service is regarded as one of the best in the country both because of the number of transactions and the turnaround speed. Our ILL statistics indicate that the Law Library is a lending library rather than a borrowing library. We are thus relatively self-sufficient, as we are able to satisfy most of our users' requests from our own collection. In exceptional cases, the Library goes beyond the formal ILL network, by acquiring material for academic staff from ITN partner libraries (see below).

Legal Research Training (LRT)

Legal Research Training is offered to a diverse user community ranging from first year LLB students to emeritus professors. Training is also offered to students in other faculties reading for a law course, students from the School for Legal Practice and to participants on Professional Education Project short courses.

We provide a comprehensive training programme for all LLB students, introducing a few resources each year as appropriate to their needs at that stage of their degree. In this way, over the years, students are exposed to a comprehensive range of resources. Over the last four years the LRT programme has progressed from a combination of library tours, 'show-and-tell' or Powerpoint presentations, and hands-on database training sessions, to interactive web-based tutorials.

In 2005 we introduced a series of interactive web-based tutorials using the Computer-Assisted Legal Instruction (CALI) Authoring software. These tutorials, written by Library staff in consultation with the Law Faculty academic staff, comprise both specific library skills training and a reinforcement of the substantive law covered in the LLB lectures. The software allows us to create a rich interface using text, images, charts and tables to make the learning experience fun and enjoyable. Rather than just giving the information in a text heavy fashion, we incorporate 'hard facts' into the questions and responses to quizzes. The tutorials are accessible off campus via the EZProxy system and are thus available 24/7.

These LLB library tutorials are compulsory, time-tabled within the overall tutorial programme, and have the same status as other tutorials. First year students complete three CALI tutorials dealing with primary and secondary sources of South African law in print and electronic form. After completing the tutorials students

print out a score sheet, which is submitted to the tutor. Students will lose 5% of their year mark if they fail to do the tutorials satisfactorily. Second year students complete one CALI tutorial dealing with foreign and international sources of law in print and electronic form. This tutorial is a duly performed (DP) requirement.

The response to the tutorials has been very positive. Students have found them enjoyable and worthwhile, and a few staff members have even expressed interest in writing their own CALI tutorials to supplement their coursework. It is widely accepted that students respond well to this form of training and learn much more than in a passive classroom situation. Individual self-teaching also helps us manage problems such as the size of the classes, diversity of the students and different skill levels.

Presently we have only developed CALI tutorials for first and second year LLB students. Training for third (final) year students is subject-specific with exposure to the full range of possible resources that may be useful by way of hands-on sessions. Postgraduate and diploma classes are offered similar training to final year students. One-on-one training is provided, on demand, to researchers and staff.

The Library has become the first non-UK library to have a portfolio set up for the INFORMS software. We intend to use INFORMS to write 'just-in-time' ('point-of-need') tutorials to the databases.

Training sessions are supplemented by a comprehensive set of guides to the print and electronic collection and to legal research. The Faculty has adopted the *Standard Citation Convention* guide compiled by Law Library staff as the official citation style for the Faculty. Staff members Amanda Barratt and Pamela Snyman published the first electronic guide to South African law on the Internet called *Researching South African Law* on the LLRX.com website. A completely revised and updated version of the guide is now included in *GlobaLex*. It is published by the Hauser Global Law School Program at NYU School of Law (see http://www.nyulawglobal.org/globalex/South_Africa.htm for further details).

The Law Library web page at <http://www.lib.uct.ac.za/law/> is designed as a starting point for all legal research, and is, in its own right, an educational tool.

Regional and International Cooperation

The Library is active in several cooperative initiatives. It is a partner in the Cape Library Consortium (CALICO). CALICO is a partnership of the libraries of the tertiary institutions in the Western Cape Province. The key benefit of this partnership is that ALPEH, the integrated LIS, was bought consortially.

In respect of electronic resources, the South Africa Site Licensing Initiative (SASLI), a consortium of tertiary and research institutions, negotiates favourable pricing models and licensing terms on behalf of partners.

Pamela Snyman, one of the reference librarians, attended the Southern and Eastern Regional Centre for

Women's Law (SEARCWL) Colloquium held at Victoria Falls and Harare (Zimbabwe) last year where she presented a paper on "Researching Women's Law on the Web". On SEARCWL's invitation she returned to Zimbabwe in January this year to teach courses on legal research to the Masters programme in Women's Law class.

UCT's participation in the SEARCWL programmes forms part of our commitment to regional co-operation with other African law libraries. We have previously hosted an intern from the University of Zimbabwe, and in July 2005 we will host two interns from the University of Joss in Nigeria. Their brief is to study the Library's approach to electronic resources and legal research training. In 2003, we hosted a very successful three-day workshop on Foreign, Comparative and International Legal Research which was attended by law librarians from the Western Cape as well as from African countries including Namibia, Lesotho, Swaziland, Zimbabwe, Kenya, Uganda, Malawi, and Rwanda.

International networking is crucial for law libraries in South Africa. We have requests for foreign, comparative and international legal information almost every day. Section 39(1)(b) and (c) of the 1996 South African Constitution requires that interpretation of the Bill of Rights (Chapter 2 of the Constitution) be guided by considerations of international and foreign law.

The Library is a partner of the Information Transfer Network (ITN) which is funded by the American Starr Foundation (see <http://www.law.nyu.edu/library/itn> for further details). The ITN aims to establish a global network of law libraries which can offer a 24/7 virtual reference service, both to its own partner libraries and to the academic legal communities in the developing world, which are working to stabilise the rule of law. The ITN thus encourages international law library cooperation. The Institute of Advanced Legal Studies (IALS Library) (University of London), the New York University Law Library and the University of Cape Town Law Library in South Africa are among the current ITN partners.

Workshops between partner libraries have been held in New York, Lausanne and China. In the week preceding the International Association of Law Librarians (IALL) conference in 2003 the UCT Law Library staff joined law librarians from the universities of London, New York, Toronto and Melbourne in presenting the Workshop on Foreign, Comparative and International Legal Research at the UCT Law School. As noted above, participants included law librarians from many African countries.

Biography: Dilshaad Brey is a Reference Librarian at the Brand van Zyl Law Library. Her main areas of responsibility are: provision of information services, coordination of the library's electronic resources and the legal research training programme, and assisting in the maintenance and development of the web page. Dilshaad holds the B.Soc.Science and B.Bibl (Hons) degrees from the University of Cape Town and is currently registered for the LLB degree with the University of South Africa (UNISA).

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The Law Library staff played a pivotal role in organising and hosting the 22nd Annual IALL Conference in Cape Town, in September 2003 and several UCT Law Faculty members presented papers at the Conference. This was the first IALL conference to be held in Africa. See the reports on the Conference in the Autumn 2004 issue of *LIM* for further details. The Law Librarian, Amanda Barratt, is currently serving on the IALL Executive Board for the term August 2004 – October 2007.

Conclusion

One way of achieving the objective of the ITN is for libraries from developed countries to host interns (librarians) from developing countries. I met Gillian while I was on such an internship hosted by the IALS Library in June 2004.

It was during the train trip from London to Edinburgh, to attend BIAL's 35th Annual Study Conference that I got to know Gillian on a personal level. Throughout the trip, and at the Conference, she was deeply concerned about my welfare and I found this comforting. She was the perfect companion: she helped me negotiate the escalators with my bag, we chatted about South Africa, our families and our interests. In between, she would point out all the landmarks as we made our way up north: the Cathedral in Durham, the Angel of the North. She had intended to read Alexander McCall Smith's *The No. 1 Ladies Detective Agency* on the train, but I suppose she did not get beyond a few lines, as we were too absorbed in conversation. In the short space of time I got to know Gillian I was also touched by her kind, warm and friendly personality. I was emotional when I said goodbye to her and at the time I could not understand why. I know now.....

Hamba Kahle, Gillian! (Xhosa expression meaning "Go well").

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