UNIVERSITY OF KWAZULU-NATAL

A CONTEXTUAL STUDY OF THE INFORMATION LITERACY OF ASPIRANT BARRISTERS IN NIGERIA

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Submitted: **May 2012**

DECLARATION

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ABSTRACT

This study investigated the information literacy of aspirant barristers in Nigeria and examined the steps undertaken to restructure the legal education system in Nigeria. It explored the connection between contextual influences and professional development, particularly with respect to the concept of legal information literacy and the value of acquired educational skills in the context of legal practice in Nigeria.

The theoretical framework that underpinned the study was derived from the application of Kuhlthau's (1993) Information Search Process (ISP) and Byström's (1999) theory of Information Activity in Work. Kuhlthau's model was relevant for investigating issues of uncertainty in the information seeking behaviour of the aspirant barristers and further confirmed the empirical validity of the model in the educational and workplace contexts. Byström's theory was also valuable in analysing problems of task complexity experienced by the aspirant barristers in information use.

The study employed a case study method; the data collection process involved the administration of questionnaires to the aspirant barristers and law firms to which they were assigned for vocational training. A mixed method approach was used to provide complementary insights to the findings of the study. Key findings from the study were supportive of the importance of information literacy as being central to the development of professional competence of the aspirant barristers which can be achieved through re-structuring the teaching methods and curricula of the Nigerian Law School. Outcomes from the study also pointed to a need for greater collaboration between the legal education system and the legal profession in narrowing the gap between the teaching and practice of law in Nigeria. Collaboration with academic librarians and legal information specialists is also necessary with respect to the role that these two groups can play in the design and implementation of an information literacy framework for the legal education system in Nigeria.

The study makes recommendations for the adoption and integration of information literacy as a conceptual framework into the curriculum of the Nigerian Law School. In this way skills training can be enhanced. The information literacy model, designed as part of the recommendations from this study, provides guidelines for the various processes by which a teaching model that is unique to the context of the legal education system in Nigeria can be developed, tested and implemented.

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DEDICATION

This thesis is dedicated to the memory of **Sam Lawal** (1963-2003) RIP.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACRL	Association of College and Research Libraries
ADR	Alternative Dispute Resolution
B L	Barrister of Law
CALR	Computer Assisted Legal Research
CLE	Council of Legal Education
DOI	Diffusion of Innovation
FCT	Federal Capital Territory
ICFNL	International Centre for Nigerian Law
ICT	Information and Communication Technology
IL	Information literacy
ISP	Information Search Process
LIS	Library and Information Science
LFN	Laws of the Federation of Nigeria
LLB	Bachelor of Laws
MAS	Minimum Academic Standards
NBA	Nigerian Bar Association
NIALS	Nigerian Institute of Advanced Legal Studies
NLS	Nigerian Law School
NUC	National Universities Commission
NULAI	Network of University Legal Aid Institutions
NUNET	Nigerian Universities Network
NSW	New South Wales
NYSC	National Youth Service Corps
OSJI	Open Society Justice Initiative
PFL	Preparation for Future Learning
QC	Queen's Counsel
SAN	Senior Advocate of Nigeria
SCONUL	Standing Conference of National and University Libraries
UBE	Universal Basic Education
UK	United Kingdom

UKZN	University of KwaZulu-Natal
UNESCO	United Nations Educational Scientific and Cultural Organisation
USA	United States of America

CHAPTER ONE

BACKGROUND TO THE STUDY

1. Introduction

Conceptions as to what constitutes legal professionalism have been a particular focus of recent debates in the field of law. These debates are the result of quantitative changes in law as a discipline, specifically, expansion in the various areas of specialisation such as Cyber Law, E-practice of law and so on, which have brought about a qualitative shift in the way law needs to be taught and practiced (Wall & Johnstone, 1997: 98). Consequently, increasing concerns have been expressed about the role of legal educational institutions in instilling generic and specific skills for qualitative legal practice. This study is located within these debates.

Chapter one provides the overview of the rationale behind the study, the statement of the research problem, the research questions and objectives, the purpose of study, the theoretical framework that underpins the study, the research methodology used as well as the study's scope and delimitation. An overview of the structure of subsequent chapters is also provided.

1.1. Overview of the study

Studies in information literacy (IL) education have provided insights into the nature of research being undertaken in the educational sector particularly that which focuses on the skills and attributes of students within the disciplinary context. In the discipline of law, attempts have been made to develop learning strategies based on pedagogical models that convey principles about information search techniques in legal research that are transferable to the workplace. Cuffe (2002) studied the experiences of students in information literacy and information technology in four Australian Universities. Her study noted that the traditional content-based approach of the curriculum does not prepare graduates for the changing legal workplace. Recommendations from the study point to a need to reconceptualise methods of teaching and learning in legal research in ways that facilitate a seamless transition from the educational to the workplace environment. Kuhn's study (2008), which was aimed at designing and assessing the feasibility of an active learning approach to a legal research module at the University of KwaZulu-Natal, provided a comprehensive theoretical and practical framework for developing information literacy within the context of legal education in South Africa. Lawal, (2009) in a comparative analysis of the

information skills of undergraduate law students at the University of Cape Town, South Africa and University of Jos, Nigeria examined the various sources of legal information and their peculiar nature in relation to students' learning. Findings from Lawal's (2009) study identified a limited level of competence for University of Jos students which suggested a gap in current practices in the teaching methods of information literacy with further implications for issues of transferability of acquired skills to the workplace environment. All of these studies helped to chart the future direction of information literacy education particularly in legal education and to create a link between higher education and the workplace thereby reinforcing the importance of the information environment in information literacy within learning organisations (Bruce, 2000: Sectoral location of the research; Edwards, Bruce & McAllister, 2004: 4).

Workplace based research into various professional practices is also gradually being developed. Emphasis in this regard is given to issues of transferability of skills from the educational to the workplace environment. Bruce (2000) specifically noted a growth in research in the workplace, community and cultural settings. Such studies according to Lloyd and Williamson (2008: 3) are based on the perception that research into the nature of the growth of information literacy has indicated that its impact is likely to be manifested differently in different contexts. Within professional settings, it is considered that an investigation into how knowledge is developed will provide insights into the role that information literacy plays as a catalyst for meaningful learning in various contexts (Lloyd, 2007: Introduction).

In conducting this study, Kuhlthau's (1993) Information Search Process (ISP) model and Byström's (1999) theory of Information Activity in Work were selected as the main theoretical frameworks for the study in investigating issues of uncertainty and complexities in work tasks experienced by the aspirant barristers in the use of legal information resources in the workplace. The combination of these models provided a basis for the analysis and interpretation of the data in chapters five and six of the study.

1.2. Research problem and background to the study

Research into information literacy has shown that though considerable attention has been given to studies that focus on teaching information literacy skills and the acquisition of generic and

specific attributes at the educational level, not much has been documented on studies that relate to information literacy within the workplace. In law, a few studies have been conducted which explore the information seeking behaviour of lawyers as practitioners:

Leckie, Pettigrew and Sylvain (1996: 173) in their study of the information seeking behaviour of three professional groups, namely engineers, healthcare professionals and lawyers, noted that most studies have tended to ignore the need for and use of information by lawyers in the course of professional practice. They pointed out that while access to a wide variety of information is essential in legal practice, the immediate impact on information need and use depends on the area of specialisation on which the legal practice is focused. Findings indicated that as compared to engineers who tend to rely on colleagues, oral communication and internal sources of information, lawyers' research behaviour is a deliberate and consistent engagement with the various sources of information which in turn shapes the type of information needed, how it is retrieved and its ultimate use.

Fombad and Moahi (2005: 225-226) undertook a study to determine the perception of the use of ICT by legal professionals in Botswana. The study which adopted Rogers' (1991) theory of Diffusion of Innovation (DOI) noted that the changing competitive climate of legal practice and the opportunities provided by innovations in ICT have created a compelling need for law firms to restructure the working environment by adopting ICTs in all areas of their business and using electronic based information services in order to meet customers' changing needs. This strategy has served to broaden their influence within the legal profession in Botswana and in the global economy.

Kuhlthau and Tama (2001: 27) employed the Information Search Process (ISP) model to investigate the information seeking behaviour of lawyers. The study sought to gain a better understanding of the kinds of steps lawyers undertake in order to accomplish a particular task. Findings indicated the degree to which a constructivist[1] process can be employed in interpreting, learning and creating an order to accomplish a given complex task.

[1]A term referring to the process by which learners are able to construct learning from their experiences (Hein, 1991).

Similarly, a study by Haruna and Mabawonku (2001: 70) assessed the information seeking behaviour of legal practitioners and the challenges faced by law libraries in Lagos, Nigeria. From their results, they noted that legal practitioners had problems in specifying their information needs due to their inadequate research skills especially with regard to electronic databases and the inadequate resources held by law libraries.

Current studies in information behaviour have shifted away from the user to focusing on the user in the context of use. This shift has occurred because it is considered that an increase in the use of information resources consequently requires an investigation into the context in which they are used (Jones, 2006: 357). In information literacy, concerns are being re-directed to the need to explore contextual influences on information seeking behaviour. In legal information, Wilkinson (2001: 258) noted that previous studies have focused more on legal research in educational settings rather than the contextual environment where the skills are practised. Marcum (2002: 11) also noted that insufficient attention seems to have been paid to the socially situated, socio-technical and practical dimensions of learning which comprise essential contextual factors for learning by the individual.

A contextual analysis in a study helps to provide a grounded view of the focus or area of study and to identify the general patterns, modes or processes of information seeking and behaviour. According to Talja, Keso and Pietilainen (1999: 752) context in information seeking behaviour refers to factors and variables that are seen to affect or influence the individual's information seeking pattern particularly in terms of socio-economic conditions, work roles, communities and organisations. Dervin argues that:

> Context is conceptualised usually implicitly as a kind of container in which a phenomenon resides…it is a carrier of meaning (1997: 14).

Aligned to the issue of context, concerns in information literacy research are also being voiced with regard to issues of transferability of graduate skills to the workplace environment. Commentators have noted that definitions of the concept of information literacy are usually associated with the educational sector and the expectation within this context is that acquired

skills are transferable. However Lloyd, (2005a: 83) noted that generalisations from research in the educational sector do not seem to reflect the realities of outcomes to information literacy practices in some workplaces (Lloyd & Williamson, 2008: 5). Lloyd's (2005a: 82) case study explored the role of information literacy among a group of fire fighters and ambulance workers. The study investigated the information use and experience of both groups within a working environment and how they lead to the development of knowledge and a shared sense of meaning about the performance of work. Findings pointed to the fact that while an experience with theoretical sources of information is critical at preparatory (or educational) stages, it may not be sufficient for actual professional practice. Similarly, there are relatively few studies which analyse legal information within the context of practice. Consequently, some studies have been conducted which have sought to understand information experiences within professional work practices:

Howland and Lewis in an earlier study conducted in 1990 sought to determine the degree of competency of law school graduates in specific law firms in the United States. Findings noted the growing awareness of the inadequacy of the research skills of law graduates and emphasised the need to restructure the educational curriculum for more effective methods of teaching legal research skills for the legal workplace (Howland & Lewis, 1990: 381-385). Givelbar and others (1995: 2, 43) conducted a study which sought to identify the gap between legal practice and legal education in the United States. The study employed the Ecological learning theory which emphasises the inevitable link between contextual constraints and cognitive response and the study explored the value of educational skills in the context of legal practice. The authors concluded that deeper learning experiences within the legal field can be attributed to work experiences in the context of engaging with meaningful work under the routine guidance of expert practitioners and collaborative peers.

Gasteen and O'Sullivan (2000: 110-111) investigated a programme for developing an information literate law firm. The study highlighted the impact of applied learning through a systematised training curriculum of a selected law firm. From the findings, they noted that the need for information literacy for law graduates increases within the workplace due to the quantity of information required in legal practice and the unpredictable nature of the context of

work. Macoustra (2004: 131), also in a study to examine the state of information literacy skills of legal practitioners in law firms, found that most newly graduated lawyers seem to lack the creative skills in developing a strategy to solve complex cases.

A review of such studies indicates that there are a number of implications for practical education and training with regard to professional education and development. Specifically, it is noted that studies are yet to probe in-depth issues of information literacy practices within the workplace environment particularly in the legal field. As noted by Tuominen, Savolainen, and Talja (2005: 329), studies in information literacy seem to focus less on organisation and individual interactions with the information environment. They argued that information skills cannot be taught independently of the knowledge domain or context in which it is used. Similarly, Bruce (1999: 35, 45) in her analysis of workplace experiences of information literacy observed that an understanding of information literacy within work practices is helpful in terms of curriculum design for higher education institutions especially with regard to issues of transferability of skills. The ways in which information literacy is experienced in the workplace should influence how it is taught and experienced in professional education and professional educational programmes.

Thus, this current study is located within the purview of the debates outlined as it seeks to investigate what the benefits are of formal information literacy training on the work experiences of aspirant barristers in legal practice in Nigeria. The focus of this study is on a contextual analysis of information literacy knowledge, skills and practices among aspirant barristers in Nigeria. The study is premised upon on-going transformations and developments at the Nigerian Law School, a vocational institution under the Council of Legal Education (CLE) of Nigeria responsible for the education and training of prospective legal practitioners in Nigeria[2]. In the past few years, there have been growing concerns among the judiciary, legal professionals and law teachers with the outcomes of the legal education system in Nigeria. Among the issues of concern was that the curricula of the Nigerian Law School (NLS) were highly content driven and skills acquisition was not integrated into the context of professional practice; teaching methods were not student-centred and encouraged a regurgitative approach to learning (Grimes, 2009:

[2]See **chapter two** for a discussion of the structure of legal education in Nigeria.

The reforms). Secondly, the Network of University Legal Aid and Institutions (NULAI) noted that there was a disconnection between the programmes of university law faculties and those executed by the Nigerian Law School in the sense that programmes offered by the universities were mostly theoretical and devoid of necessary research skills (NULAI, 2006: 4-5). Hence calls were made to address the following issues:

- Curriculum reform at both university level and in the Law School in order to give more attention to skills-based programmes.
- The need to alter teaching methods at both the university and Law School levels from mere note-taking exercises to full participatory learning processes.

Consequently, a committee was set up by the federal government of Nigeria in October 2006-2007. A parallel committee was also established by the Council of Legal Education with the objective to review the curriculum and teaching methods of the Nigerian Law School towards implementing programmes that are more practical and interactive. A draft document for minimum academic standards for legal education was thus developed by the National Universities Commission (NUC). The document outlined benchmarks on learning outcomes and attainment levels for law students such as knowledge and skills, practical skills, communication and literacy skills, computer and numeric skills, lifelong capabilities and behavioural attributes. Much of the document draws upon the list of legal skills outlined in the American Bar Association's Section of Legal Education and Admissions to the Bar, Legal Education and Professional Development of 1992 also known as the MacCrate Report (NULAI, 2006: 7).

The changes advocated were initiated by domestic institutions and other individuals in collaboration with international organisations such as the British Council, the World Bank and the United Kingdom's Department for International Development under their Security, Justice and Growth Programme. Under the Council of Legal Education of Nigeria, the project was undertaken by NULAI in collaboration with the Open Society Justice Initiative (OSJI) with financial assistance from the Open Society Institute (Grimes, 2009: The reforms). The expectations from these reforms are that the processes of clinical legal education will:

- Provide professional skills instruction in such areas as interviewing, counselling and fact investigation.

- Teach methods of learning from experience.
- Instruct aspirant barristers in professional responsibility by exposing them directly to the ethics of the profession.
- Expose aspirant barristers to the demands and methods of acting in the role of attorney.
- Provide opportunities for collaborative learning.
- Impart the obligation of service to clients; information about how to engage in such representation, and knowledge about the impact of the legal system on poor people.
- Provide the opportunities to examine the impact of doctrine in real life and provide a laboratory where students and faculty study particular areas of law.
- Expose teachers to a wider experience in lawyering skills and legal practice, which is fundamental to their development.

The current pedagogic methodology which was adopted from October 2008, places greater emphasis on the application of knowledge, the application of skills and the appreciation of values (Grimes, 2009: The reforms). The motivation for this study therefore, is necessitated by the need to investigate issues regarding information literacy as it relates to the context of legal education and practice in Nigeria. The study will explore the connection between contextual influences and professional development particularly with respect to the concept of legal information literacy and the value of acquired educational skills in legal practice in Nigeria.

1.3. Purpose of the study

The purpose of the study is:

- To investigate the contextual issues that relate to problems of the transferability of acquired formal educational skills of aspirant barristers from the educational to the legal workplace in Nigeria.
- To explore the challenges of legal information use with regard to the educationally acquired skills of aspirant barristers in Nigeria within the context of an electronically enhanced workplace.
- To design an information literacy model for the restructured legal education programme of the Nigerian Law School for the purpose of enhancing legal education and practice in Nigeria.

1.4. Research questions and objectives: key questions to be asked

The main focus of this study is on a contextual analysis of the information literacy skills and practices of aspirant barristers in Nigeria.The research questions and objectives which underline the study may be stated as follows:

Objectives 1: (the big picture)

a. To explore the connection between formal legal education and work related information literacy knowledge, skills and practices.

b. To examine changes in the curriculum of the Nigerian Law School and its response to these changes with respect to legal information literacy instruction.

Question 1:

1.1. What is the role of formal legal education in facilitating an information literate work force in the legal profession?

1.2. To what extent do the professional legal skills outlined in the MacCrate Report of the American Bar Association (1992) reflect the expectations of information literacy in developing skill competencies for legal practice in Nigeria?

1.3. What is the responsibility of the Nigerian Law School in increasing the efficiency with which aspirant barristers develop professional expertise in the legal workplace?

1.4. What are the changes to the curriculum of the Nigerian Law School and what has been their response to these changes with respect to legal information literacy instruction?

1.5. What are the information literacy skills demands for legal practice required for aspirant barristers in Nigeria?

1.6. How have changes in current legal practice affected problems of skills deficiency in the workplace in Nigeria?

Objectives 2: (IL knowledge, skills and practices in the workplace)

a. To examine evidence of information literacy related practices in the legal workplace in Nigeria.

b. To examine the application of Kuhlthau's Information Search Process (ISP) model to the context of legal education and practice in Nigeria.

Question 2:

2.1 How do the stages of the ISP model illustrate the process of developing expertise in legal practice?

2.2 To what extent do the components of information literacy as put forward in Kuhlthau's ISP model reflect the ideal concept of knowledge and skills required for legal practice in Nigeria?

2.3. What is the nature of uncertainty experienced by the aspirant barristers in the course of information seeking and use?

2.4. How do the aspirant barristers' information seeking practices at the formulation stage reflect the nature of their information needs in complex tasks and their perception of legal practice in the context of the workplace in Nigeria?

Objectives 3: (relationship between legal education and practice)

a. To identify the extent to which professional legal training by the Nigerian Law School equips aspirant barristers with competencies for the legal workplace.
b. To assess the level of transferability of professional legal training to the workplace in Nigeria.
c. To investigate outcomes of information literacy training in relation to current legal practice.
d. To identify a means whereby collaborative work between legal practitioners and the Nigerian Law School can facilitate skills training and development of the legal profession.

Question 3:

3.1 What workplace competencies are required by Nigerian law firms and are these being met by current legal education?

3.2. To what extent are knowledge, skills and competencies of formal legal education transferred to the workplace?

3.3. What should the nature of an IL curriculum be in order to ensure that legal education is fully relevant and transferable to the workplace?
3.4. What kind of collaboration is needed between the various players in legal education and practice in order to promote the development of competency skills among aspirant barristers?

1.5. Research methodology

There is often a tendency to confuse the relationship between theory, research methodology and the method of data collection. Usually, the choice of methods is influenced by the choice of the research methodology which will in turn be influenced by the adopted theoretical perspective (Gray, 2004: 16). Teddlie and Tashakkori define a research methodology as:

> A broad approach to scientific inquiry specifying how research questions should be asked and answered. This includes worldview consideration and general preferences for designs, sampling logic, data collection and analytical strategies guidelines for making inferences and criteria for assessing and improving quality (2009: 21).

Research methods on the other hand are techniques used by the researcher to structure a study and to gather and analyse information relevant to the research questions. They include specific strategies and procedures for implementing the chosen research design which is determined by the overall methodological orientation (Polit & Beck, 2004: 15; Teddlie & Tashakkori, 2009: 21).

The two main methodological paradigms in research are qualitative and quantitative research methods. Qualitative research refers to a method of naturalistic enquiry which includes ethnographic research, unobtrusive measure, grounded theory and interpretative procedures (Glazier & Powell, 1992: 6). In qualitative research, emphasis is placed on the socially constructed nature of reality and the intimate relationship between the researcher and what is studied and the situational constraints that shape the enquiry (Denzin & Lincoln, 2003: 13). Sutton (1993: 413) notes that in Library and Information Science (LIS) research, qualitative methods play an important role in ensuring that the researcher does not undermine the validity of observations by isolating them from the social context that gives them meaning.

Unlike qualitative methods, quantitative approaches employ numerically based representations of data and emphasise the measurement of causal relationships between variables. However, a mixed method approach of both qualitative and quantitative methods can also be used in a research methodology. In this case, the emphases are the techniques or methods of collecting and analysing the data and the mixture of both approaches in many phases of the research process. The advantages of such a combination is the prospect of simultaneously addressing a range of confirmatory and exploratory questions from both approaches and providing stronger inferences from the findings to the study (Plano Clark & Creswell, 2007: 5; Teddlie & Tashakkori, 2009: 25). For the purpose of this research, the qualitative approach is considered more appropriate, even though quantitative techniques may be employed where applicable.

1.6. Research method

The selected research method for the study is the case study method. Kumar (2005: 113) defines case study as an approach to studying a social phenomenon through a thorough analysis of an individual case. As a method of inquiry, a case study has the capability of dealing with a diversity of evidence and particularly for explaining why or how events occur (Yin, 1998: 230). Yin (1998: 238) further notes that a strong advantage of the case study method is its ability to deal with contextual conditions and the reality of various social phenomena. It allows the researcher to discover valuable insights into the key aspects of the contextual issues or conditions under consideration (Blatter, 2008: 68). The choice of the use of a case study, for this study, is based on the consideration that the method will provide an opportunity for understanding the complexity of the issues involved with regard to legal information literacy and legal practice in Nigeria through an in-depth analysis of the study's research questions.

1.7. Significance of the study

The increasing importance of information literacy in various disciplines in the educational sector has prompted further research as to how the concept can be translated to the workplace environment. Studies in workplace information literacy have provided the opportunity for advancing knowledge and skills in various professional practices and developing curricula programmes that are relevant to such professions.

This study explored current reforms and developments at the Nigerian Law School. Some of the changes that have been made and implemented include an overhaul of its teaching methods to include a critical and analytical attitude into legal research. Changes to the course modules have also been made to accommodate such skills as communication skills, analytical skills, legal writing, legal research, ICT and other clinical methods. The mode of application and registration for the programme, method of course delivery and assessment and conduct of examination practices which hitherto were not online have also been modified. According to NULAI, this effort is considered transformative in its fifty years of existence (2006: 6).

Analysis of the policy document outlining the reforms shows that the changes were necessitated by the need to renew professionalism in legal practice by inculcating transferable skills to the workplace through the legal education system. However, it is noted that the document failed to recognise the value of information literacy as a conceptual framework within which the reforms could be implemented especially with respect to skills inculcation. Information literacy assumes great importance in the practice of law and has become more compelling particularly in the workplace where changes in information technology require the ability to be more flexible and proficient in achieving productivity (Macoustra, 2004: 131).

The efforts to develop competence in legal practice in aspirant barristers by the Nigerian Law School through clinical legal education must take into consideration the prospects and goals for transferability. This is because legal practice in itself requires situational adaptation and creative problem-solving in order to have a conceptual understanding of the general principles underlying different skills and practices (Binder & Bergman, 2003: 198-199). According to Bransford, Brown and Cocking (2000: 17), research into learning has shown that organising information into a conceptual framework allows for greater or "far" transfer in the sense that it helps the learner to apply what is learnt to a new situation. Binder and Bergman (2003: 199) further explain that conceptual frameworks help to produce "meta-cognition" which enables learners to become more aware of their learning strategies and to learn from professional experiences. Hence by adopting information literacy as a conceptual framework, the Nigerian Law School can help facilitate the design of a teaching model in clinical legal education that could influence the

structure of professional skills training in Nigerian universities that is unique to the context of legal practice in Nigeria.

Among the key components of the reforms being undertaken by the Nigerian Law School is the introduction of an evaluative process by which further recommendations and modifications can be made to the reforms (Grimes, 2009: The future and lessons). Hence by examining the case in-depth, the potential of this study to influence policy decisions is considerable. This is especially so with regard to issues of information literacy instruction as a key aspect of legal education in Nigeria, providing useful comparative insights into the trends and demands of information literacy in the legal workplace in Nigeria.

Secondly, the study also highlighted issues regarding recent changes in the tools used to compile legal resources in Nigeria. Within the past few years, the legal information landscape has witnessed a considerable level of transformation especially with regard to the processes of information seeking, information use and the application of legal research skills to the workplace context. These changes have been characterised by an increase in the growth of legal publishers who have been actively involved in developing electronic databases of local content that reflect Nigeria's legal system such as the Laws of the Federation of Nigeria, Judgments of the Supreme Court of Nigeria, Law Reports of the Courts of Nigeria, and so on. Examples of such publishers include the International Centre for Nigerian Law (ICFNL), MIJ publishers, Spectrum books, Nigerian Institute of Advanced Legal Studies (NIALS), Nigerian Law Publications, and so on. The changes have been attributed to an international move towards the increasing use of legal electronic resources and an increasing diversity of the field of legal practice and means of communicating and disseminating legal information (Dina, Akintayo & Ekundayo, 2005: Legal publishers). These developments have contributed to the changes in the composition and format of legal materials in the country which hitherto were mostly of printed form, and re-defined "traditional" methods of legal research and practice in Nigeria. This study is therefore timely in the light of these developments, as it sought to investigate the challenges, effects and gaps created by these changes as they relate to the educationally acquired skills of law graduates within the context of an electronically enhanced workplace environment. The study provided an opportunity to assess the impact of these changes and at the same time make contributions as to

how the concept of legal information literacy can provide a suitable platform for developing a legal information literacy paradigm for Nigeria.

The challenge to undertake this study was necessitated by the need to further investigate the transfer of information literacy skills from formal legal education to the workplace in Nigeria. Having completed an exploratory study at Masters level, it was considered that the topic could benefit from deeper exploration informed by the research so far undertaken. From the findings of the study, an information literacy model was designed for the restructured legal education programme of the Nigerian Law School for the purpose of enhancing legal education and practice in Nigeria.

1.8. Definition of key terms

This section provides a definition of the key terms and concepts that were used in the study. Each of these concepts provides a general understanding of the issues discussed with respect to information literacy and legal education. They include the following:

1.8.1. *Information literacy*

Since its emergence in the 1970s, information literacy has been variously interpreted by different authors. Theoretical understandings of the concept have mostly come from within the higher education sector, prominent of which is the Association of College and Research Libraries' (ACRL) definition of Information Literacy Competency Standards for Higher Education, 2000. Here, an information literate person is defined as having the ability to:

- Determine when information is needed.
- Access the needed information effectively and efficiently.
- Incorporate selected information into one's knowledge base.
- Use information effectively to accomplish a specific purpose.
- Understand the economic, legal and social issues surrounding the use of information and access and use information ethically and legally.

Similar frameworks have also been developed by the United Kingdom, Australia and New Zealand all of which have served as a guiding principle for various educational institutions.

However, criticisms of the concept are rooted in arguments which suggest that such conceptualisations of the term tend to place more emphasis on the individual rather than groups; are pre-occupied with the measurement and assessment of skills and seem to ignore the environment or context in which learning occurs. Further, some commentators argue that much of the literature of information literacy practices tends to exclude the ideological, historical and cultural context of information knowledge and production (Tuominen, Savolainen & Talja, 2005: 330). In this regard also, Lloyd and Williamson (2008: 5) observe that variations in the experiences of information literacy in the workplace specifically are consistent with Paul Zurkwoski's initial attribution of the concept as one that is related to issues of complexity of information use within a specified context. Tuominen, Savolainen and Talja (2005: 329), also agree with this view when they state that information literacy can also evolve in the course of conducting specific work related tasks. Bruce (2000: 92) adds that the expanding territory of information literacy research requires that more suitable theoretical frameworks, which encourage user oriented outcomes that are relevant to professional practice, should be explored. Todd (2000: 164) also proposes that a more holistic theoretical framework for information literacy than is articulated in the educational context will provide a greater focus on the user and provide insight into people's information behaviour.

1.8.2. *Legal information literacy*

The emergence of information literacy within the past few decades has triggered considerable debate about the role of information in developing a knowledge driven economy specifically in higher education. This has also given rise to a number of related concepts aimed at developing an awareness of the importance of information within specific disciplines. In recent years, commentators have noted a convergence of literacies with information literacy being the focal point of other related disciplines (Hoffman and Blake, 2003: 226-227). In the legal field, the current landscape of legal information, which encompasses a range of materials to a collection of more than one format, has redefined legal research with a focus on and about the materials of law (Hanson, 2002: 577). The changing legal information environment has had a profound influence on legal research especially with respect to the issue of skill acquisition. Complex tasks in research now require formulating new approaches and creating ways of looking at the evidence in a case (Shavers, 2001: 411). Technological innovations have not only created better

opportunities for legal education with regard to access to a wide range of resources, but also require better skills. In view of this, the concept of legal information literacy has become important as the best instructional approach to legal research and writing.

As with other related concepts of information literacy, legal information literacy refers to the ability to find, use, analyse and critically evaluate legal information. Its uniqueness however, lies within the disciplinary context of the legal profession itself, that is, the form, organisation, access and distribution of legal materials which intrinsically has been central to the development of law as a discipline (Hanson, 2002: 572). Hanson (2002: 565), in an analysis of legal materials notes that in law, the principle of legal reasoning proceeds largely by drawing analogies between the past and the present; the doctrine of *stare decisis*[3] emphasises finding cases that modify a principle, enunciate a new principle, settle a doubtful question or are distinctively instructive to serve as a precedent in solving a particular case. Consequently, the volume of decided cases which may serve as potential precedents have contributed to the current volume of the legal literature thereby creating ever greater challenges in managing legal information. Also, the emergence of Computer Assisted Legal Research (CALR) and other electronic case finding tools have necessitated the development of various information management techniques for legal information resources in order to facilitate greater access to resources. It is within this context that the concept of legal information literacy has become relevant to the study of law, particularly legal research.

1.8.3. *Workplace information literacy*

Information literacy initiatives undertaken in the workplace context in the United States, South Africa, Singapore, Europe and Australia, have revealed that information literacy is economically necessary and is one of the essential competencies for solid job performance (Cheuk, 2002: 1). In an educational setting, information literacy is conceived of as a tangible process that requires the attainment of certain skills and competencies for independent lifelong learning. Workplace information literacy gives an alternative view as it provides a context for developing collective competency skills which may not be reliant solely on formal educational settings (Lloyd, 2005a: 82-83). Changes in the global business environment mean that the contemporary workplace

[3] Latin terminology which means "to stand by the things decided". It is the doctrine of precedent under which a court must follow earlier judicial decisions when the same issues are raised again in litigation (Garner, 2009: 1537).

setting requires the employee to develop the ability to access, manage and use a wide range of information delivered in a variety of formats and through multiple channels (Cheuk, 2002: 2). Lloyd, in a study of workplace information literacy among fire fighters in Australia, provides a conceptual view of the subject from which she generates a broader definition of the concept of information literacy as:

> "Information literate people have a deep awareness, connection and fluency with the information environment. Information literate people are engaged, enabled, enriched and embodied by social, procedural and physical information that constitutes an information universe. Information literacy is a way of knowing that universe" (2005a: 84).

Tuominen, Savolainen and Talja (2005: 329) also agree that information literacy evolves in the course of conducting specific work-related tasks and mundane activities within a complex system of social relationships and work organisation. To this end, it has been suggested that similar initiatives and efforts as undertaken by librarians and academics in higher education to promote information literacy in student curriculum could be used to fill the gap in the workplace context (Cheuk, 2002: 11).

1.9. Originality of the study

In the humanities and social sciences, originality attests to the level of contribution a study makes to the discipline in terms of the research approach, the production of new findings, especially in an under-studied area, and the development of theories (Blaxter, Hughes & Tight, 2006: 13). This study has contributed to previous research in workplace information literacy specifically with respect to the complexities of the current information environment and the context in which it is used. Although a number of studies have been conducted on information literacy in Africa (***See*** **chapter two, section 2.2.3),** there is limited research about Nigeria. The contextual nature of the study therefore provided information about the efforts made towards information literacy education, particularly in legal education and practice in this country. A study of information literacy practices in the legal profession contributes to the attempts aimed at re-shaping professional development programmes by the Council of Legal Education of Nigeria, and enhancing learning outcomes and practice among aspirant barristers. The study also

contributes to meeting the need for the development of theoretical frameworks and models that apply to research in workplace information literacy (Bruce 2000: 92). The combination of Kuhlthau's Information Search Process (ISP) model and Byström's theory of Information Activity in Work in addressing the research questions and objectives of the study, also contributed to the need for more theories that are intertwined with the social dimensions of learning in situated practice which influence issues of the transferability of educational skills to the workplace (O'Farrill, 2008: 161) (*See also* **chapter seven sections 7.3 and 7.4**).

1.10. Scope and delimitation

The focus of the study was restricted to a contextual analysis of the information literacy of aspirant barristers undertaking vocational training at the Nigeria Law School. The study population included the aspirant barristers and the law firms to which they were assigned in the course of their vocational training. The law firms are located in the six geo-political zones of Nigeria. The study did not include Nigerian universities as it was considered that a comparative study of information literacy skills in this regard had already been undertaken at the Masters level (Lawal, 2009). Ethical considerations regarding the conduct of the study are presented in **chapter four, section 4.9** of the study.

1.11. Structure of the thesis

The study will be divided into the following seven chapters:

Chapter one provided an introductory background to the study highlighting the significance, aims and objectives, scope and limitations of the study; definition of concepts, research design and methodology as well as the research questions that were addressed in the study.

Chapter two explored the context of the study with a focus on the distinctive characteristics of Nigeria as a country, its socio-political and economic context and legal system. The history of legal education in Nigeria was also considered as well as current efforts towards reform in the legal education system.

Chapter three compiled a review of related literature with specific emphasis on the concept of information literacy in the context of the workplace and issues of transferability. The chapter

also discussed the main research paradigms, theories models and frameworks that are aligned to the study.

Chapter four provided a detailed explanation of the chosen research methodology as well as specific methods by which data was collected. Discussions focused on the nature of the study population, sample and sampling techniques, research methodology and design and the data collection processes and analysis.

Chapter five presented an analysis of the findings with respect to the research questions in a simple, clear, accurate and objective manner. Presentation employed various statistical methods in the form of tables and figures.

Chapter six provided the interpretation of data and discussions of the findings as related to the outlined research questions as well as the aims and objectives of the study. Data interpretation helps bring together the collection and analysis of data, leading to the development of new concepts and theories from findings (Sarantakos, 1998: 314).

Chapter seven summarised the research findings and presented conclusions and recommendations based on the findings of the research. Recommendations were also proffered as were suggestions for further research.

1.12. Summary

This chapter provided a gateway to the research with a discussion on the various aspects of the thesis. It presented background information on the study, a statement of the focus of the research problem to be addressed, the research questions and objectives, the significance of the study and contribution to research, definition of concepts relevant to the study, scope and limitations, ethical considerations and a summary of subsequent chapters. Chapter two presents a description of Nigeria as the context of the study.

CHAPTER TWO
CONTEXT OF THE STUDY

2. Introduction

This chapter provides background information on the geography of the area of study and the economic, legal and educational character of Nigeria. The aim of this chapter is to assess the factors that affect or influence the information seeking patterns of the study population particularly in terms of the political and economic systems and other socio-cultural conditions (Talja, Keso and Pietilainen, 1999: 752). The chapter places particular emphasis on the educational system, the efforts towards integrating information literacy in higher education institutions and current transformations in the legal education system in Nigeria.

2.1. Nigeria: Geographical location and general overview

Nigeria is a multi-ethnic and multi-religious society. Over 250 ethnic groups have been identified in Nigeria displaying individual language and cultural traits. Three of these ethnic groups are however particularly prominent and influence all aspects of politics and socio-cultural activities: they are Hausa in the North, Igbo in the South-East and Yoruba in the South-West. The three main religions recognised by law are Christianity, Islam and African traditional beliefs (United States of America, Central Intelligence Agency, 2010: Religions). Nigeria is considered the most populous country in Africa and accounts for about 20% of the total population in Sub-Saharan Africa. Based on the 2006 census, Nigeria's population stands at 140,431,790 (Federal Republic of Nigeria official gazette, 2009: Report on the census 2006 final results). However, United Nations Statistics estimates Nigeria's current population at 151.212 (2008) with an annual population growth rate of 2.3% and a life expectancy of women at 48.3 years and men at 47.3 years. The literacy rate is 72% which is relatively high compared to other countries within the sub-region (United Nations Statistics Division, 2010: Indicators on literacy).

Figure 1: Map of Nigeria showing 36 states (Urhobo Historical Society, 1999)

Nigeria is situated in Western Africa bordering the Gulf of Guinea, between Benin and Cameroon and occupies a total area of 923,770 sq. km. / 356,700 sq. miles. It has a total land area of 910,770 sq. km. / 351650 sq. miles. Total land boundaries are 4047 km/ 2514 miles and bordering countries are: Benin 773 km, Cameroon 1,690 km, Chad 87 km, Niger 1,497 km (CIA, 2010: Geography). The states are grouped into the six geo-political zones of North-East, North-West, North-Central, South-East, South-West and South-South for political purposes (Dina, Akintayo & Ekundayo, 2005: Introduction).

2.1.1. Economic system

Nigeria has a rich reserve of petroleum and natural gas resources and a growing economy estimated by the International Monetary Fund (IMF) at 9% in 2008 and 8.3% in 2009. Agricultural exports account for at least 40% of the country's Gross Domestic Product (GDP). Despite the abundance of human and natural resources, over 57% of its population still live below the poverty line of $1.25 US dollar per day and 2.6 million people live with the HIV/AIDS virus, the third highest prevalence rate in Africa (United States, Central Intelligence

Agency, 2010: Population).This has had major implications for socio-economic conditions and the economic development of the country.

2.1.2. Legal system and political structure

The Nigerian legal system, by virtue of its colonial history, is primarily based on English Common Law which forms a substantial part of its legal system. A major feature of the Nigerian legal system is its complexity, specifically the unique co-existence of English law and customary law including Islamic or Sharia law (Obilade, 1979: 4-5, 55-56; Dina, Akintayo & Ekundayo, 2005: Introduction; Mamman, 2008:1). However, despite the complexity, the judicial system is structured to accommodate the various systems especially at the federal and the educational level; the national legal education curriculum has also been designed to accommodate courses that reflect these features. Specifically, the prescribed national legal education curriculum at university is organised to include Common Law courses which are compulsory and some optional courses on customary and Islamic or Sharia Law. All law students are required to take these courses irrespective of their culture or religious background at the second and third year stages of the four or five year long programme. The purpose of this structure is to generate a broad awareness among lawyers of the existence and character of various legal cultures in the country and make them culturally sensitive to the practice of law in Nigeria (Mamman, 2008:1; Mamman, 2009: 9-10). The major sources of law include:

1. The 1999 Constitution.
2. Nigerian legislation.
3. English law, including -
    - The Common law.
    - The Doctrines of equity.
    - The statutes of general application, made before 1st January 1900 and extended to Nigeria, which have not yet been repealed.
4. Customary law (including Islamic law).
5. Judicial precedents.

Nigeria operates a federal system of government consisting of the legislature, the executive and the judicial arms of government; thirty six states and one Federal Capital Territory (FCT). Due to

this large number of states, they are currently grouped into the six geo-political zones of North-East, North-West, North-Central, South-East, South-West and South-South for political purposes (Dina, Akintayo & Ekundayo, 2005: Introduction). The current constitution is the 1999 Constitution, which came into effect on May 29th 1999 with the restoration of democracy. Twenty eight years of Nigeria's post-independence years were spent under successive military regimes which fostered a long period of poor governance and limited management accountability of the country's resources. This period also witnessed a gradual decay in the higher education system due to political interventions and poor policy implementation strategies (Saint, Hartnett & Strassner, 2003: 259-263).

2.2. Educational system

Education is a powerful tool for national development and provides the human resources necessary for economic and socio-political development. Formal education in Nigeria at the basic level includes six years of primary school and three years each of junior and senior secondary school education. University education, for most academic disciplines, consists of a four-year bachelor's degree programme except for medicine, law and pharmacy for which the bachelor's degree programmes range from five to seven years. The language of instruction is English. Under the constitution, public education remains the responsibility of the Federal Government which also oversees and coordinates all educational practices in the country through the Federal Ministry of Education (Moja, 2000: 7, 17, 29). In 1999 a new basic education plan was proclaimed which made the first nine years of primary education free and compulsory. The Universal Basic Education (UBE) Act was passed into law in 2004 with the objective being to reduce the level of illiteracy in the country by improving access for less privileged communities and improving the relevance, efficiency, and quality of schools (Nigeria, Federal Ministry of Education, 2008: Executive summary).

2.2.1. Higher education

Formal education in Nigeria began in the colonial era with the arrival of European missionaries particularly in South-western Nigeria. The regional government took interest in formal education quite early and in 1872, the Lagos administration gave a grant to the missionary societies to provide education in the colony of Lagos. The first higher education institution to be established

was the Yaba Higher College, Lagos in 1934. Since independence in 1960, higher education institutions have become one of the fastest growing sectors of the Nigerian educational system (Fafunwa, 1974: 92). The past two decades particularly have witnessed a proliferation of more institutions of higher education in the country. Currently there are over 97 universities in Nigeria: twenty federal universities, thirty five state and thirty four private owned universities and one National Open University (Ajadi, 2010: 17-19; National Universities Commission, 2010: Nigerian universities). There are also a number of polytechnics, teacher training colleges and other specialised institutions of learning (Okuwa, 2004: 4; Saint, Hartnett & Strassner, 2003: 266). The activities of each of these institutions are co-ordinated by various governmental agencies such as the National Board for Vocational Colleges and Technical Education which oversees all the polytechnics and vocational institutions, the National Commission for Colleges of Education for teacher training colleges, while the National Universities Commission (NUC) coordinates activities relating to all universities in the country.

Universities in Nigeria are grouped according to the following categories:

a. The 27 federal universities include:
   - First generation universities: Those established between 1948-1965 to meet the skill needs of the country prior to and immediately after independence in 1960. For example, University of Ibadan, University of Nsukka and Ahmadu Bello University.
   - Second generation universities: Established 1970-1985 to foster scientific and technological development in the country – University of Jos, University of Port Harcourt and University of Maiduguri.
   - Third generation universities: 1985-1999, established to encourage research in science and agriculture – University of Agriculture, Owerri and University of Agriculture, Makurdi.

b. State universities (35): Established by state governments to meet the increasing demand for access to higher education at state levels.

c. National Open University (1): Established in 1983 to promote distance learning through formal and non-formal education and to encourage continuing professional education.

d. Private universities (34): Established by individuals, religious organisations and other non-governmental bodies.

According to the National Policy on Education of Nigeria (2004: 7), the responsibility and goals of university education is the development of human resources, the development of cultured citizens and the promotion of basic research. The university system in Nigeria has been fundamental to the development of its knowledge economy. However, the potential for further advancement has been hampered by problems of inadequate funding, incessant strike action by academic staff, inefficiency, inadequate physical facilities as well as neglect by long periods of military rule (Odebiyi & Aina, 1999: 8; Saint, Hartnett & Strassner, 2003: 259). According to Saint, Hartnett and Strassner (2003: 260), the initial absence of a strategic plan that would align educational progress with economic growth, coupled with an inadequate infrastructural system prevented the development of the higher education system according to international standards. Also, increasing enrolments without the commensurate infrastructure and additional staff resulted in most universities operating beyond capacity with a student-teacher ratio of 1 to 22 due to overcrowding [1999] (Ngugi & others, 2007: 72). The lack of adequate infrastructure largely resulted in the slow pace of development in Information and Communication Technology (ICT) needed for supporting teaching and research. This, coupled with inadequate library resources has contributed to problems of skills deficiencies among Nigerian graduates who often lack the relevant skills required for a knowledge based economy (Rasaki 2008: 5).

However, between 1998 and 2008 several significant policy steps were initiated in the general educational system. The higher education system in particular has witnessed considerable reforms to address some of the challenges (Nigeria, Federal Ministry of Education, 2008: Executive summary). Changes implemented since 2000 include increased funding by the National Universities Commission (NUC) based on strategic planning by individual institutions accompanied with rewards for best institutional performance. Greater autonomy has also been granted to universities to include more stakeholder representation and the development of academic benchmarks based on demonstrated student competencies. Methods of teaching which were based on traditional pedagogy and conventional curricula have been revised to meet with governmental standards and international best practices (Saint, Hartnett & Strassner, 2003: 275). Similarly, the establishment of the Nigerian Universities Network (NUNET), an electronic network linking all federal, state and private universities has helped to improve internet

connectivity and facilitate the development of better ICT infrastructure in higher education. This in turn has necessitated curricula reform and the integration of ICT into the mainstream of all educational activities and training (Ngugi & others, 2007: 79). Consequently, current reviews in educational curricula are aimed at aligning educational policies to work practices in ways that reflect quality standards in the private sector. These efforts will help encourage collaboration with the private sector in order to improve competitiveness in the global economy. NUNET has also encouraged the sharing of resources among university libraries in Nigeria and beyond through the provision of electronic databases thus expanding access and encouraging e-learning (Ngugi & others, 2007: 80).

2.2.2. The National Universities Commission (NUC)

The National Universities Commission (hereafter NUC) acts as the central co-ordinating body which oversees the administration of all higher education institutions including federal, state and private universities in Nigeria. It also administers part of the funding allocated to all federal universities by the Federal Government and accredits courses to be offered by the universities including the Nigerian Law School (See section 2.3.2) (Saint, Hartnett & Strassner, 2003: 263). The National Universities Commission (NUC) was established in 1962 following the recommendations of the Ashby Commission (Shaplin, 1961: 229). The responsibilities of the Commission as stated by law include:

- Approval of courses and programmes by the NUC.
- Determination and maintenance of Minimum Academic Standards (MAS).
- Monitoring of universities.
- Accreditation of academic programmes.
- Provision of guidelines and processing of applications for the establishment of federal and private universities.

The Commission also functions to ensure that quality is maintained within the academic programmes of the Nigerian university system. This it has sought to achieve through the provision of a uniform Minimum Academic Standard (MAS) that is applicable to all universities in Nigeria and the Nigerian Law School. It has also established a system of accreditation that ensures the maintenance of these standards (Okoroma, 2007: 36).

2.2.3. Information literacy and higher education in Nigeria

Perspectives on the development of information literacy in Nigeria, as with other countries, is based on the premise that information literacy skills are vital tools for educational and professional development. Information literacy activities in higher education institutions in Nigeria had existed in the guise of various user education programmes offered by libraries such as library instruction, library orientation and bibliographic instruction (Idiodi 2005: 226). The method of instruction was on a one-on-one basis, using manuals and guides to familiarise students with library facilities and services. Information literacy was eventually integrated into the General Studies course for first year students offered as a compulsory credit-earning course by some universities. In most cases, the information literacy component of the course basically included library and reading skills with limited emphasis on ICT (Rasaki 2008: 1).

In recent years there has been increasing interest among educators and academic librarians in Nigeria, in the need to establish core information literacy curricula in universities as a way of facilitating skills development and imparting basic knowledge in student learning through information literacy. An analysis of some of the studies undertaken in the past few years such as those of Rasaki (2008); Issa, Amusan and Daura (2009); Baro and Fyneman (2009); Lawal (2009); Amalahu, Oluwasina and Laoye (2009), indicate that the efforts towards reform in student learning in higher education institutions in Nigeria are being propelled by the need to empower students to meet the challenges of a knowledge-based economy by establishing better standards through information literacy programmes. This need for reform is being driven by the increasing demand for job-related information skills. The above studies have also shown that most graduates in Nigeria tend to exhibit inadequate attributes of information literacy skills in the workplace. This has further highlighted the need for graduate students to be equipped with transferable skills applicable to different contexts in the workplace (Rasaki 2008: 5).

However, it is noted that despite the growing commitment by academic libraries in integrating information literacy in Nigerian universities, there is a need to develop appropriate guidelines for teaching and assessing students' information literacy skills in higher education institutions. Specifically, a paradigm shift is needed in the teaching of information literacy instruction from a

focus on what is being taught and the testing of skills to how standards can be developed to improve student learning especially at the pedagogic level. Consequently, recommendations from some of these studies have pointed to the need for a review of educational goals in higher education institutions in Nigeria in order to determine how information literacy standards, as outlined in the ACRL Information Literacy Competency Standards for Student Learning, 1998, can be adopted to improve learning and enhance effectiveness in teaching methods (Idiodi, 2005: 229; Rasaki, 2008: 6; Issa, Amusan & Daura 2009: Recommendations; Lawal, 2009: 177; Amalahu, Oluwasina & Laoye, 2009: 6). Areas of consideration in this regard include:

- Re-structuring the curriculum to incorporate principles of information literacy.
- Adopting teaching and learning methods that are more student-centred in order to encourage active learning.
- Developing effective methods of measuring student learning outcome assessment as an institutional goal.
- Librarian/faculty collaboration.
- Developing transferable skills.
- Developing governmental and institutional policies which recognise the value of information literacy as an educational objective.

The literature of information literacy in higher education institutions in Nigeria is evolving. A review of the efforts made towards the implementation of information literacy in the past few years reveals that challenges to implementation bear some similarities with other educational institutions in Africa. This is particularly the case with respect to such problems as inadequately skilled librarians, lack of effective educational policies that reflect international standards, poor funding, lack of effective methods of evaluation of information literacy practices and poor collaboration between librarians and faculty (Sayed 1998: 6-7; Kavulya 2003: 222; Ojedokun & Lumande, 2005:123; Viljoen 2005: 112). The effort towards reforming student learning in Nigeria is a continuous process which requires a re-assessment of the role of education in nation building (Obanya 1998: 619). The challenges facing information literacy implementation in Nigeria also offer opportunities and prospects for reform in the educational system in terms of establishing benchmarks from evidence of best practices from other countries and in particular African countries such as South Africa where significant progress has been made in information

literacy implementation. For the desired outcomes to be achieved however, general policy issues outlining standards that fit the objectives of information literacy in higher education institutions in Nigeria must be established to ensure lasting reforms.

2.3. History and structure of legal education in Nigeria

According to Elias (1962: 117), historical antecedents to the development of legal education in Nigeria began in 1959 with the decision by the then British colonial government to establish a system of legal education in all its colonies in Africa. Prior to this period, legal practitioners in Nigeria had to receive the requisite training in England and be called to the English Bar. Consequently, a committee known as the Unsworth Committee was appointed in 1959 to make recommendations on the future of legal education in Nigeria with specific terms of reference that were to address such issues as the process of legal education, admission to practice law, right of audience before the courts, reciprocal arrangement with other countries, conduct, control and discipline of members of the Nigerian Bar (Mamman, 2009: 3). A summary of the recommendations from the Committee (1959) which proposed the Legal Education Act include:

- That Nigeria should establish its own system of legal education.
- That a law school to be known as the Nigerian Law School be established at Lagos for practical training and examinations in certain subjects.
- That the profession should continue to be a fused profession in which practitioners may practise as both barristers and solicitors.
- That a faculty of law be established in the first instance at University College, Ibadan, though it was hoped that faculties of law will be established at other Nigerian Universities.
- That a Council of Legal Education should be established.
- That the qualification for admission to practice law in Nigeria should be the examination for a degree in law at any University in Nigeria whose course for that degree is recognised by the Council of Legal Education, and the course of practical training and examinations prescribed by the Council.
- That the Chief Justice of the Federation should admit to practise any person who satisfies him that he has passed the prescribed examinations and is of good character.

- That the Chief Justice of the Federation should have discretionary power to admit for a particular case, counsel/attorney from outside.
- That the Committee commends the decision of the Nigeria Bar Association establishing the Nigeria Bar Council and makes certain suggestions concerning the composition, disciplinary functions, and financing of that Council.
- That the Nigerian legal profession should associate itself with International and Commonwealth organisations.

Also contained in the report were proposals for the Legal Practitioners Act which formed the basis for the proposed legal education system. Both Acts were subsequently consolidated as Act (Cap 206) and Act (Cap 207) respectively of the Laws of the Federation of Nigeria 1990 which regulates the process of legal education and practice in Nigeria (Graveson, 1960: 127-128; Elias, 1962: 117; Mamman, 2009: 4).

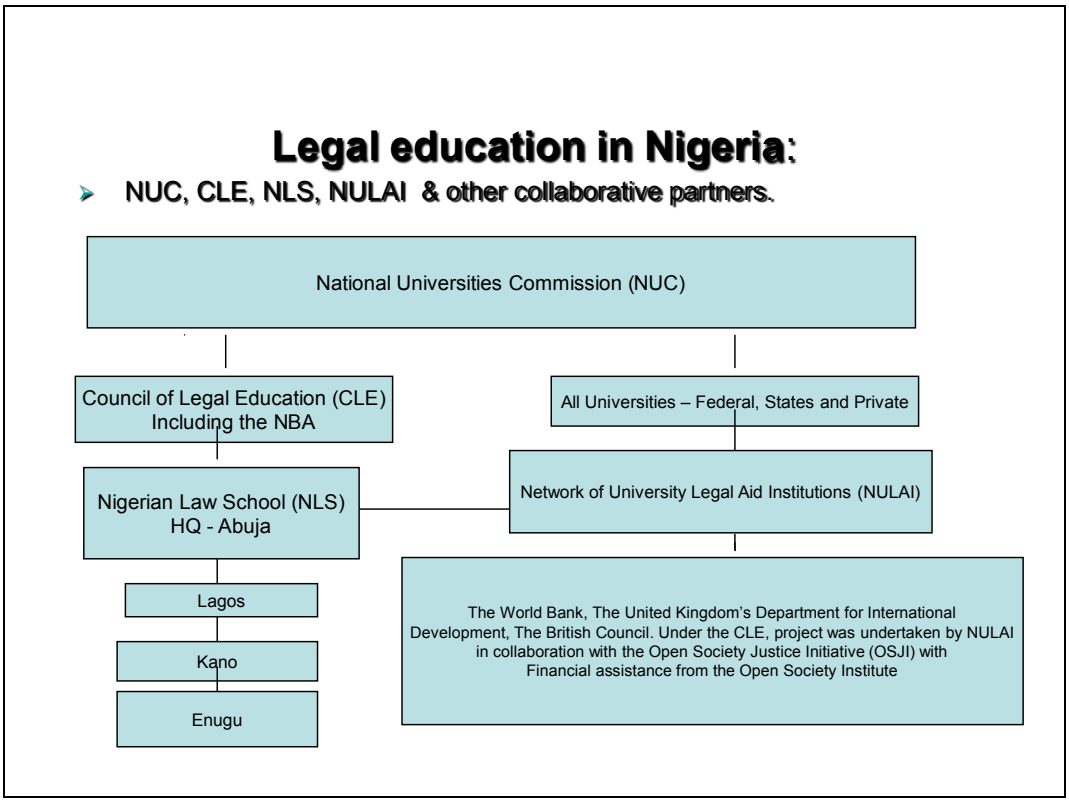


Figure 2: Structure of legal education in Nigeria (The author).

2.3.1. The Council of Legal Education (CLE)

The Council of Legal Education acts as a supervisory body for the accreditation, control and management of the processes of the Nigerian Law School. It is a part provider and regulator for the activities of the Nigerian Law School, that is, it validates undergraduate degree programmes and provides vocational level education and training as well as administers examinations for admission to the Bar for legal practice in Nigeria (Grimes, 2009: Introduction). The Council was established in 1959 following the report of the Unsworth Committee on the future of legal education in Nigeria. As part of the recommendations of the Committee, the Council consists of the Chief Justice of the Federation, the Attorney General of the Federation, the chairman of the Nigerian Bar Association, two members of the bar nominated by the Nigerian Bar Council, two persons who have held judicial offices nominated by the Attorney General of the Federation, the head of the Nigerian Law School and all heads of accredited faculties of law of Nigerian universities recognised by the Council (Elias, 1962: 118-119). Among other things, the function of the Council is to prescribe the appropriate courses of instruction for the Nigerian Law School, conduct examinations and award the required qualifications for admission to the Bar for legal practice in Nigeria. It also provides funding for infrastructural facilities and the accreditation of prescribed law courses for university law faculties. The Council also reserves the right to specify the terms by which graduates from any university, foreign or local, may be eligible to attend the Nigerian Law School. In cases of foreign students specifically, consideration for admission is given if the legal system of the country is similar or comparable to Nigeria; the quality of the university institution, the character of the curriculum and courses of instruction and standard of examination and methods of assessment are all similarly comparable (Mamman, 2009: 7).

2.3.2. The Nigerian Law School

The Nigerian Law School was established in 1963 as a vocational training institute to provide practical training for law graduates as the second and final stage of formal training for lawyers. As a vocational institution, its objective as reflected in the curriculum is the provision of skills training, court procedures and the ethics guiding the profession (Mamman, 2009: 14). In line with the recommendations of the Legal Education Act (1962), the Nigerian legal education system adopted a two-tier system of legal education and training similar to that of the United Kingdom which separates academic from vocational training. This system is in contrast to other

countries such as the United States where legal education is undertaken by the university law faculties, that is the law school is also part of the law faculty. Hence the law school as understood in the Nigerian context refers to a non-university institution which undertakes postgraduate professional training for graduate law students who intend to practice. This practice is similar to some African countries such as Ghana, Kenya, Uganda and other countries within the Commonwealth (Graveson, 1960: 129; Macaulay, 1962: 81). Unlike the British system however, the Legal Education Act provides for the system of legal practice to be fused, in other words, practitioners are entitled to practice as barristers and/or solicitors. Thus by providing a single point of entry and exit for legal education and practice, the Legal Education Act and the Legal Practitioners Act established a system that is unique to the context, culture and legal system of Nigeria (Mamman, 2009: 4).

In ensuring that the curricula programmes of all accredited university law faculties align with those of the Nigerian Law School, the Federal Government of Nigeria through the National Universities Commission established the Minimum Academic Standards (MAS) for law faculties and the Nigerian Law School. These MAS were later reviewed and are now known as Benchmark Minimum Academic Standards (Mamman, 2009: 8). Consequently the current structure of the curricula and methodology of all university law faculties, including the Nigerian Law School, operate under a unified standard curriculum and regulations prescribed by the National Universities Commission (NUC). As prescribed by the National Universities Commission, the fundamental principles guiding the development of law programmes are to:

> Ensure that any student who goes through them will have a clear understanding of the importance of law and legal practice in Nigeria (NULAI, 2006: 3).

The courses of the Nigerian Law School are administered at the postgraduate level and span a period of about thirty nine weeks. The first two weeks provide an induction programme in which aspirant barristers are divided into groups of teams to act as law "firms" in simulated court cases. This is followed by twenty weeks of intensive study involving the use of case studies, interactive methods including role play and simulation. The twenty weeks of study are followed by an eight week placement programme known as "attachment" in which they are assigned to specific law

firms by the Law School. The three thousand three hundred (3,300) selected law firms are organised in a central database in a list of all accredited law firms in the country recognised by the Council of Legal Education for the purpose of the placement programme (Okoye Ordor, 2007: 71). During this period of attachment, the aspirant barristers spend the first four weeks observing court processes and proceedings and participating where possible in the judicial processes. They then go into legal practice in the law firms for another period of four weeks. The placement programme is usually undertaken between the months of April-June of the course year. Aspirant barristers are expected to document their experiences based on a handbook made available to them by the Law School. This exercise is also routinely supervised by lecturers of the Nigerian Law School. At the expiration of the placement, participants then return to the Law School for another period of nine weeks to discuss their experiences of the placement and engage in further case study. This is followed by the final Bar examinations and the award of a Barrister at Law (B. L) degree required for legal practice in Nigeria (Grimes, 2009: The reforms). A total of four thousand five hundred (4,500), aspirant barristers are admitted for training by the Nigerian Law School for each academic year. The headquarters of the Nigerian Law School is in Abuja, the Federal Capital Territory (FCT) from where it operates three other campuses located in Lagos, Enugu and Kano which are representative of the six geo-political zones of the country, that is, North-East, North-West, North-Central, South-East, South-West and South-South.

2.4. The legal profession and legal education in Nigeria

The legal profession had existed in Nigeria before the arrival of the British colonialists, however, its present form which comprises practitioners of the English type began in 1863 (Obilade, 1979: 270). The legal profession is regulated by the Legal Practitioners Act (1962). This Act provides for the admission and discipline of members. Provisions in the Act stipulate that the system of the legal profession in Nigeria shall remain fused thereby enabling lawyers to practice either as barristers or solicitors (Elias, 1962: 118-119). The Act also established a body known as the Body of Benchers consisting of the Chief Justice of the Federation, the Attorney General of the Federation, chairman of the Council of Legal Education, chief judges of all states in the Federation, the president of the Nigerian Bar Association and other distinguished members of the profession. The body is charged with the responsibility for the formal call to the Bar of graduates of the Nigerian Law School to the legal profession and makes recommendations for the

conferment of the rank of Senior Advocate of Nigeria on deserving legal practitioners who have distinguished themselves in the profession (Obilade, 1979: 273).

The qualification for admission to practice is a five year undergraduate law degree obtained from any university recognised by the Council of Legal Education and a Barrister of Law (B. L) certificate from the course of practical training and examinations obtained from the Nigerian Law School. Law graduates who have not been called to the Bar will not be allowed to practice. A register of all legal practitioners in the country is maintained by the Chief Registrar of the Supreme Court (Elias, 1962: 119). Also under the Act, an advocate from a foreign country with a similar legal system to Nigeria may be permitted by the Chief Justice of the Federation to practice in Nigeria as a barrister but not as a solicitor. Similarly, a legal practitioner who has attained the rank of a Senior Advocate of Nigeria (SAN), equivalent to the Queen's Counsel (QC) in the United Kingdom, is not permitted to practice as a solicitor (Obilade, 1979: 270).

Since independence, the legal profession has occupied a strategic position in Nigerian society. Its services have profoundly affected and shaped the socio-economic and political system of the country by protecting the rights of individuals through established legal institutions (Oko, 1994: 104). This influence, which has increased with the restoration of democracy in 1999, has also raised pertinent questions about the need for a more standardised legal education system that is suitable to the current context of the legal profession in Nigeria. The impact of globalisation and advances in ICT has challenged the legal education system to produce highly qualified and skilled legal practitioners who can practice beyond the local domain. One of the most important areas of consideration in this regard is the curriculum and content of legal education and teaching methods at the university level and the Nigerian Law School (Mamman, 2009: 4-5). The general move towards the increasing use of local legal electronic resources and the increasing diversity of the field of legal practice in Nigeria has thus underscored the importance of information literacy in legal education as a vehicle for inculcating the required practical skills that are transferable to the legal workplace.

2.5. Legal information resources and legal practice in Nigeria

Legal information resources contain information about the law and its processes. They consist of primary and secondary sources. Primary sources are those from which law and legal principles originate particularly from governmental agencies, institutions or organisations: statutes as well as decided cases by courts published in the form of law reports and statutes (Dina, Akintayo & Ekundayo, 2005: Primary sources of information). The first law report series in Nigeria began in 1916 with the publication of the *Nigerian Law Report* by the judicial department of the Federal Ministry of Justice. The reports contain cases published, edited and decided by Nigerian courts. However, cases reported in this series only contain selections of decided cases from superior courts such as the Supreme Court of Nigeria and the High courts (Obilade, 1979: 136-144). Other official law reports include:

- *Selected judgments of the Federal Supreme Court of Nigeria.*
- *All Nigeria Law reports.*
- *Selected Judgments of the West African Court of Appeal.*
- *Judgments of the Supreme Court of Nigeria.*

Other law reports published by governments of the various states in Nigeria include:

- *Laws of Lagos state.*
- *Laws of Enugu state.*
- *Laws of Kaduna state.*
- *Laws of Rivers state.*

A number of law reports are also published by non-governmental agencies such as the:

- *Nigerian Monthly Law Report.*
- *Nigerian Lawyers Quarterly.*
- *Election Petition Law Reports.*
- *Law Reports of Nigeria.*

Secondary sources are descriptions of/or commentaries on the law that explain the meaning and applicability of primary sources in the application of law. They include journals and textbooks (Dina, Akintayo & Ekundayo, 2005: Secondary sources of information). Over twenty journal titles are published annually by academic institutions, the Nigerian Bar Association (NBA), the Nigerian Law School and other organisations. Examples include:

- *The Nigerian Journal of Contemporary Law (Journal of the Faculty of Law, University of Lagos).*
- *Ibadan University Law Review.*
- *The Calabar Law Journal (Journal of the Faculty of Law, University of Calabar, Nigeria).*
- *The Commercial and Industrial Law Review.*
- *Nigerian Bar Journal (Journal of the Nigerian Bar Association).*
- *Nigeria Journal of Education Law.*
- *Nigerian Law and Practice Journal (Journal of the Nigerian Law School).*
- *Nigerian Current Law Review (Journal of the Nigerian Institute for Advanced Legal Studies).*
- *Ahmadu Bello University Law Journal.*
- *Obafemi Awolowo University Law Journal.*

Legal textbooks account for most of the publications by members of the Nigerian academia, the bench, and the Bar. A list of this can be estimated at over 200 sources with areas covering topics on the Nigerian legal system, Nigerian law of torts, legal practice and management in Nigeria, company law in Nigeria, Nigerian land law, jurisprudence, human rights and contemporary issues in Africa, Nigerian family law, cases and materials on Nigerian land law, Nigerian law of contract and so on. There is also a dependence on foreign sources particularly with respect to international comparative law (Mamman, 2008: 2).

2.5.1. Print and electronic legal resources

Scholarly legal publications have predominantly been in print format which has continued to be the main source of resources for users. Print formats as compared to electronic resources are more enduring in terms of reliability and preservation (Wu, 2005: 235). However, within the past few decades, the proliferation of legal electronic resources such as CD-ROM; online databases and the Internet has completely transformed the landscape and format of legal information especially with respect to the technological capacity of these resources to store, process and provide access to a wide range of full-text legal information (Hanson, 2002: 563). The application of these resources to legal research has been significant in the resultant explosion of

the legal literature and popularised the concept of Computer Assisted Legal Research (CALR) (MacEllven & MacGuire, 1998: 175).

The legal information landscape in Nigeria has also witnessed considerable changes in the past few years particularly with respect to the development of local electronic resources such as Laws of the Federation of Nigeria, Judgments of the Supreme Court of Nigeria, Law Reports of the Courts of Nigeria, and so on. A few publishers have pioneered the development of CD-ROM databases containing publications from various sources and online packages. These contain vast reference modules on Nigerian legislations that are currently in force and operate using search methods by which the user is able to access information through a keyword search. Examples of such publishers include the International Centre for Nigerian Law (ICFNL), MIJ publishers, Spectrum books, Nigerian Institute of Advanced Legal Studies, Nigerian Law Publications, Toma Legal Retrieve and so on (Dina, Akintayo & Ekundayo, 2005: Legal publishers). This development has challenged the responsibility of legal education in producing lawyers with the necessary competent skills that are applicable to the context of legal practice in Nigeria.

2.6. Summary

Information literacy is often influenced by contextual issues which in turn influence how IL is experienced and practiced (Lloyd, 2007: Information literacy in situ: context as a key concept). This chapter provided a general overview of Nigeria as the context of the study. It described its geographical location, population, economy and educational system with an overview of current efforts in information literacy education. The chapter also explored the structure of legal education and practice in Nigeria and a brief discussion on the impact of current changes in the legal information environment and how it is shaping the future context of the legal profession in Nigeria (*See* section 2.2.3) of the chapter. Discussions in chapter seven (section 7.4.2) provides theoretical implications on how legal information literacy can be implemented in the legal education system in Nigeria in order to promote active learning. The next chapter will focus on the theoretical framework that underpins the study as well as the literature review.

CHAPTER THREE
THEORETICAL FRAMEWORK AND LITERATURE REVIEW

3. Introduction

This chapter presents an analysis of the theoretical framework that embodies the study as well as a review of the related literature that is significant to the objectives of the study and the research questions. It includes an examination of the key concepts and theories that underpin the research topic, an analysis of various learning theories, an exploration of issues regarding information literacy in the workplace as well as an examination of the context of legal education and practice in Nigeria. In reviewing the literature however, it is considered that since a detailed historical overview of the evolution and concept of information literacy has already been explored at the Masters level (Lawal, 2009), the researcher should seek to place the study in the context of what has already been done with particular emphasis on research in information literacy in the workplace.

3.1. Information literacy conceptual analysis

Information literacy has been viewed as a multi-faceted concept; definitions of the term have been relative to its use within the confines of various disciplines, workplace environment, other similar concepts and their application to information technology. Perceptions of the term as an emerging concept have tended to focus more on issues of access to information, skill or competence in information handling, critical thinking and problem solving abilities. Behrens' (1994: 309) historical analysis of the concept relates that the exponential growth of information, re-directed attention to issues of information handling and brought to the fore the need to re-examine the traditional role of libraries and librarianship through user education programmes. Since its emergence in the 1970s, information literacy has been variously interpreted by different authors. Theoretical understandings of the concept that have been expounded have emanated mostly within the higher education sector, prominent of which is the Association of College and Research Libraries' (ACRL) definition (ACRL, 2000) which defines the quality of an information literate person as one who has the ability to:

- Determine when information is needed.

- Access the needed information effectively and efficiently.
- Incorporate selected information into one's knowledge base.
- Use information effectively to accomplish a specific purpose.
- Understand the economic, legal and social issues surrounding the use of information and access and use information ethically and legally.

Similar frameworks have also been developed by the Standing Conference of National and University Libraries (SCONUL) Task Force in 1999 on information skills in the United Kingdom and the Australian and New Zealand Information Literacy Framework which was developed in 2004, all of which have served as a guiding principle for implementing information literacy programmes in various educational institutions. A common element of these frameworks is that they each identify access, acquisition, evaluation and manipulation of information as necessary steps in the information seeking process. Also, each framework discusses an identification of information need as a necessary element of information literacy and emphasises the value of the ethical use of information (Lau, 2006: 17; Boon, Johnston & Webber, 2007: 206). The differences between the frameworks, however, is that while the ACRL's definition sets information literacy within a social scenario, SCONUL's model places greater emphasis on the recognition of information need and the steps involved in the information seeking process are more contextualised to the academic environment. The Australian and New Zealand Framework, on the other hand, was largely adapted from the ACRL framework, and incorporates two additional standards which include principles that embrace social responsibility through a commitment to lifelong learning and community participation (Andretta & Cutting, 2003: 203; Webber & Johnston, 2003: Introduction; Boon, Johnston & Webber, 2007: 206).

Some of the criticisms of the concept of information literacy are rooted in arguments which suggest that conceptualisations of the term and the various frameworks and models developed tend to place more emphasis on the individual rather than groups, are pre-occupied with measurement and assessment of skills and seem to ignore the environment or context in which learning occurs (McCrank, 1992: 485-486; Snavely & Cooper, 1997: 9-10; Owusu-Ansah, 2003: 219). Furthermore, some commentators have argued that much of the literature of information literacy practices tend to exclude the ideological, historical and cultural context of information

knowledge and production. In their view, they contend that information literacy can also evolve in the course of conducting specific work related tasks (Tuominen, Savolainen & Talja, 2005: 330). In this regard, Lloyd and Williamson (2008: 5) observed that variations in the experiences of information literacy specifically in the workplace are consistent with Paul Zurkowski's initial attribution to the concept (Zurkowski, 1974: 6), as one that is related to issues of complexity of information use within a specified context.

3.1.1. Information literacy education and teaching and learning

Information literacy is an important tool for facilitating and enhancing teaching and learning in the educational system. Definitions of the concept which emphasise the user's ability to locate, evaluate and use information resources have increasingly fortified the active teaching and learning process as a holistic approach for developing knowledge and skills (Warmkessel & McCade, 1997: 81). Bibliographic instruction, library orientation and other user education programmes have been considered forerunners of the concept of information literacy. Commentators on information literacy education have pointed to the conclusion that similarities have existed between information literacy education and other user education programmes (Fjallbrant & Stevenson, 1978: 11; Bruce, 1997: 42; Eisenberg, Lowe & Spitzer, 2004: 53-54). These programmes, though confined to basic information retrieval skills, have provided a context through which information literacy education can be articulated (Bruce 1997: 43).

Research efforts in IL have provided insights into student learning and helped the development of various teaching models that define IL. A variety of approaches and combinations of approaches have been undertaken in higher education institutions depending on their particular needs. Examples of some of these models include:

- Christine Bruce's (1997) relational model is based on phenomenography, an approach which seeks to understand the different ways in which people conceive information literacy. The model provides a useful framework for conceptualising information literacy and the approaches that can be adopted for developing the information literate individual.
- The Big6 model was developed by Mike Eisenberg and Bob Berkowitz in 1988 and is one of the most well-known models in the field and is being taught widely to students as

a guide for their research. The model provides students with a systematic framework for solving information problems.

- Carol Kuhlthau's Information Search Process (ISP) developed in 1993 also contributed to the theoretical foundations of IL. This model shows how users approach the research process and how a user's confidence increases at each stage.

Others include:

- The New South Wales (NSW) Information Process Model.
- The Thoughtful Learning Cycle by Barbara Strippling and Judy Pitts developed in 1988.

Each of these models provide basic steps for information searching in order to help students learn how to evaluate and use information for problem solving (Eisenberg, Lowe & Spitzer, 2004: 44-45).

In many academic institutions changes in the educational philosophy indicated by a shift from teacher-centred to student-centred learning has become standard practice (Sparrow, Sparrow & Swan, 2000). Central to this practice is an emphasis on critical thinking and independent learning which empowers students to be more responsible for their learning by providing them with the ability for deep learning and a high degree of flexibility for lifelong learning (Motschning & Holzinger, 2002: 160). The emergence of the constructivist-cognitive methods of learning such as resource-based learning, active learning, problem-based learning, brain-based learning[4] and so on, have challenged educators to re-think some basic assumptions as to how learning occurs in students (Warmkessel & McCade, 1997: 81). Such process oriented learning methods are aimed at balancing the process and content of learning in order to align differences between the curriculum and the actual student experience in view of the overwhelming explosion of the knowledge base. These approaches have changed the application of rigid teaching methods by enabling students to construct knowledge and make meaning from learned experiences thereby

[4] Brain-based learning is a natural, motivating and positive way of maximizing learning and teaching. It is an approach that is based on the ways our brain learn best (Politano & Paquin, 2000).

encouraging creativity and interest in learning and research (Brown, Bull & Pendlebury, 1997: 26).

Efforts in information literacy education have also influenced the development of better curriculum structures in higher education institutions especially with respect to course integration and design. The structure of a curriculum is a determining factor in the implementation of information literacy programmes which should be made in accordance with the recommendations of the adopted standard in order to achieve the desired educational objectives (Bruce, 2002: Establishing policy guidelines). According to Grafstein (2002: 200), the relevance of information literacy is best exemplified within a subject specific context. This is because locating conceptions of information literacy within a disciplinary context helps promote an attitude of critical inquiry in the learning process and provide a framework by which needed skills can be integrated into the curriculum. By teaching the conceptual models for handling information through an integrated and incremental approach, students are provided with a broad context for understanding the different forms, sources and structures of information which ensures the transferability of acquired skills to the workplace (Webber & Johnston, 2000: 385; Whitehead & Quinlan, 2002: 13; Lwehabura, 2007: 321; Baro & Fyneman, 2009: 672: Lawal, 2009: 175). Similarly, efforts by governmental and institutional policy-makers to facilitate and accelerate economic, educational, and social development have been a considerable driving force to progress made in information literacy education in various countries. Such efforts have helped to ensure that standards are established to address issues of outcome assessment and identifying problems of deficiency in students' information literacy skills in higher education institutions (De Jager & Nassimbeni, 2002: 169; Underwood, 2002: 10).

The challenge to prepare students for their role in the knowledge economy is reflective of the efforts towards promoting lifelong learning and other developmental goals. The concept of lifelong learning in information literacy connotes the inculcation of life skills to enable learners to adapt to the constantly changing information society. According to Bruce, (2002: 6) the transformative power of information literacy lies in its intrinsic ability to empower learners with the capacity to engage in self-directed learning outside the walls of the formal educational system.

3.1.2. Information literacy research

Reviews in information literacy research have shown that the field is expanding. Initial studies in information literacy were confined to higher education institutions, consequently most of the theoretical frameworks and models that were developed focused mainly on the development of generic skills that could be evaluated against set standards (Rader, 2002: 242-243; Sundin, 2008: 26-27). Bruce (2000: Phases of information literacy research) analysed how the dimensions of the research territory in information literacy have progressed over the years in four phases to which the researcher has added comments from other sources.

- The first phase (1988-1993) focused on research in information skills and bibliographic instruction which were viewed as precursors to the development of information literacy. This phase also highlighted the development of various learning models among which were Kuhlthau's Information Search Process (ISP) model which contributed to an understanding of user studies in this regard (Aharony, 2010: 262).
- The experimental phase (1990-1995) focused largely on research conducted in the educational sector specifically within disciplinary fields (Edwards, Bruce & McAllister, 2004: 2). The Final Report of the American Library Association (ALA) Presidential Committee on Information Literacy of 1989 charted the future course of information literacy within educational settings. Similarly, contributions from Doyle's 1992 Delphi study expanded the definition of information literacy within the educational sector by encouraging research into various subject disciplines. This effort led to the development of various approaches for implementing information literacy programmes which became a major source of knowledge for information professionals and educators. Studies in this phase also sought to establish links between information literacy and student learning and to identify gaps in educational sub-contexts such as year of study, discipline and culture (Bruce, 2000: Phases of information literacy research).
- The exploratory phase (1995-1999) witnessed the expansion of the scope of information literacy from the educational sector to other contexts such as Information and Communication Technology (ICT), research in community settings and the workplace. Expectations within this phase were that research beyond the educational sector would foster greater collaboration and partnership between researchers and practitioners and encourage the application of research to professional practice. This phase also noted a

shift from various forms of measurement of information literacy skills to an understanding of the contextual nature of information literacy. Concerns within the workplace are focused on issues of transferability of information skills which could provide further suggestions for improvements in information literacy instruction in higher education institutions (Lloyd, 2007: 3).

- The fourth and evolving phase (2000 -) is characterised by growth in research beyond the educational sector (Aharony, 2010: 262). According to Bruce (2000: Interplay of the different dimensions), ongoing developments within various disciplinary fields are likely to influence the directions of future research in information literacy. Research in information literacy in the business sector and other governmental agencies is also emerging and influencing decision-making processes in professional life. Consequently, it is expected that the research agenda in this phase will seek to measure the effectiveness of information literacy programmes on learning outcomes, establish benchmarks for the development of information literacy skills in higher education institutions and determine how information literacy is manifested in workplace settings and the degree to which it enhances user productivity (Aharony, 2010: 263).
- This current study also contributes to research in information literacy particularly with respect to the development of competency skills in professional legal training and its application in the workplace.

The development of research in information literacy has been a product of outcomes from scholarly research and professional experiences, with such conceptions contributing to the ways in which the concept is investigated. Aharony (2010: 263), in a study aimed at reviewing emerging trends in the field of information literacy research between 1999 and 2009, noted that there has been continuous expansion in the field and increasing interest in exploring the concept within various disciplinary contexts particularly medicine and health. He observed that even though findings established a clear association between information literacy and LIS research, the multi-disciplinary nature of the concept makes it likely to be associated with other subject disciplines as well. Within the past few decades information literacy has become a driving force in the LIS field. In higher education institutions, particularly in the United States and some parts of Europe, information literacy constitutes an important framework for developing critical

thinking and problem solving skills among students. Globally IL has received recognition, the United Nations Educational Scientific and Cultural Organisation's (UNESCO) Prague Declaration has reaffirmed its importance as a pre-requisite for effective participation in the information society and part of the basic human right for developing lifelong learning (Catts & Lau, 2008: 7).

3.2. Theoretical and conceptual framework

A theory as defined by Kerlinger is:

> "A set of inter-related constructs, definitions and propositions that represent a systematic view of phenomena by specifying relations among variables and predicting phenomena" (1986: 9).

The use of theory in a research design helps to guide the process of the study; it is common to all disciplines and indicates its level of academic maturity. Theoretical perspectives determine the kind of research methodologies that emerge from them. In quantitative research for example, the hypothesis and the research questions depend on the theories the researcher seeks to test from the onset, while in qualitative research, a theory may be generated in the course of or at the end of the research (Gray, 2004: 18; Anfara & Mertz, 2006: xxii; Creswell, 2007: 119). Other methods may choose to test theories as well as generate them. In case study research, Yin (1994: 28) maintains that it is necessary to identify the relevant theoretical perspective at the beginning of the study as it is likely to have a bearing on the research questions, the analysis and the interpretation of findings.

The multidisciplinary background and nature of content of LIS provides it with a rich opportunity for the development and use of theory (McKechnie & Pettigrew, 2002: 406-408). In the past few years, the expanding territory of IL research has been advancing the need for more suitable theoretical frameworks that can be explored by information professionals and educators. Consequently, approaches to studies in information literacy are employing an array of user or people-oriented theoretical frameworks, which are making possible outcomes that are relevant to higher education and professional practice. Some of these studies are using existing disciplinary bases, such as information seeking and use research or educational research (Bruce, 2002: 92). According to Todd (2000: 164), a more holistic theoretical framework for information literacy

than is articulated in the educational context will provide a greater focus on the user and provide insight into people's information behaviour. Mutch (2000: 153-154) also proposes that, with the shifting of emphasis of research in IL from the educational sector to the workplace, there is a need for the theoretical basis of the concept to be sensitive to such changes particularly with respect to the effectiveness of information literacy programmes in different contexts. He argued that the bounded, structured, nature of the workplace requires the recognition that social influences can impact the way information is used and applied in a workplace environment. O'Farrill (2008: 156) also emphasises that current theoretical assumptions in IL make limited provisions for aspects that relate to the workplace. He advocates the need to reformulate the general understanding of IL as a concept that is mainly concerned with developing skills at the educational level to the workplace and other contexts where information use constitutes an active process of learning within a given community of practice. For the purpose of this study therefore, it is considered that the selection of a theory or model which best encompasses the principles of information literacy within the context of the workplace will be appropriate. Accordingly, the study will adopt the following models in investigating the research problem.

- Kuhlthau's (1993) ***Information Search Process (ISP)*** model.
- Byström's (1999) theory of ***Information Activity in Work***.

These models constitute the main theoretical frameworks for the study. The application of models will be anchored to the social constructivist approach.

3.2.1 Social constructivism

Technological advances in educational institutions are causing a departure from traditional pedagogies to alternative theories of learning such as behaviorism, objectivism, constructivism and cognitive and social constructivism (Kundi & Nawaz, 2010: 30). Approaches to studies in information literacy education have often been aligned to learning theories. The exploration of the different paradigms of information literacy research, that is cognitive, constructivist or behaviourist theories have generated much interest among educational policy makers and practitioners as to what learning really entails and how such approaches can be integrated into educational programmes (Bruce, 2000: 92). Cognitive theories of learning focus on the mental models of the human mind and its processes while behaviourists' perspectives place greater emphasis on attributes and measurable outcomes of acquired skills. The degree of learning is

assessed through observable measures such as tests, assignments and examinations. Constructivists' theories view learning as an active contextualized process of constructing knowledge rather than acquiring it: they emphasise how learning occurs and are often associated with pedagogic approaches (Kerka, 1997: Constructivism: a matter of interpretation). According to Kundi and Nawaz (2010: 31), the strength of constructivism is in its emphasis on learning as a process of personal understanding and the construction of meaning rather than as the memorisation of facts. One of the foundations of constructivism is social constructivism.

Social constructivism is an approach to individual learning methods that addresses collaborative and social dimensions to learning. It is influenced by the work of Vygotsky (1978) and emphasises the importance of culture and context in understanding what occurs in society and in constructing knowledge based on this understanding (Creswell, 2007: 20-21). Learning in this approach is understood as a developmental process that is situated within a socio-cultural context. It is a process of knowledge construction by which an individual engages in a socially recognised activity and is introduced to the culture by more skilled members. It also enables the individual to have an understanding of the interplay between human development and learning from different perspectives. Hence the goal of the researcher in the use of this approach is to seek the participants' views of the complexity of their situation and enable them to construct meaning out of it (Vygotsky, 1978: 6, 57).

Social constructivism has been illuminated by such theories as the ***Situated learning theory*** developed by Lave and Wenger (1991). Situated learning theory advocates that learning is embedded in activity, context and culture, a view which contrasts with classroom learning activities in which knowledge acquisition is considered abstract and out of context. A critical aspect of the theory is the relationship between the student (or apprentice/novice) and the expert in which the learning environment provides access to expert performance of work tasks from which the student can observe from the boundary in order to become a member of the group (Lave & Wenger, 1991: 31-32). A situated learning environment also promotes reflection which requires students to reflect upon a much broader base of knowledge to solve their problems (Herrington & Oliver, 1995: Reflection). Closely related to this theory is the concept of ***Communities of Practice*** (CoP) propounded by Etienne Wenger (1998). The concept is based on

the assumption that learning occurs when people have a common interest in a subject area and collaborate over an extended period of time, sharing ideas and strategies. Wenger's argument challenges the assumption that learning necessarily occurs through the transmission of factual knowledge or information, isolated from context. He asserts rather that learning is a process of peripheral participation within a community of practice (Wenger, 1998: 4). Social interaction in the form of specific types of apprenticeship forms an important component of the learning process (Holland, 2009: 7). The conceptual dimension which has influenced the concept of Communities of Practice is the notion of "legitimate peripheral participation" which refers to a process characterised by social structures and social relations by which newcomers or novices are inducted to become part of a community of practice (Lave & Wenger, 1991: 29). The required components for such a community include a domain of shared identity, a community of members and a specified practice (Wenger, 1998: 4). As an approach, Communities of Practice has been helpful in explaining diverse case-study data particularly with respect to studies in the workplace: its applicability to this study is relevant in explaining the findings of the study in relation to skills development in the legal workplace (Fuller & others, 2005: 50).

3.2.2. The Information Search Process (ISP) Model

Kuhlthau's ***Information Search Process (ISP)*** was influenced by George Kelly's (1955) Personal Construct Theory and the 1966 work of Jerome Bruner and the work in 1978 of Lev Vygotsky (Kuhlthau, 1993: 14-32).The model is located within the cognitive-constructivist paradigm and addresses complex tasks that require information seeking and interpretation over an extended period of time. It presents information seeking as a process of construction with uncertainty decreasing as understanding increases. The application of the stages of the ISP model is holistic and encompasses the three realms of activity, that is, the physical - actions taken - the affective - feelings experienced - and the cognitive - thoughts about processes and content (Byström, & Jarvelin, 1995: 192). The model involves six stages:

- Initiation – an awareness of lack of knowledge.
- Selection – identification of a topic to begin the search process.
- Exploration – when inconsistent or incompatible information is encountered.
- Formulation – forming a focused perspective to the problem.
- Collection – gathering information on the identified problem.

- Presentation/assessment – when the search is completed with a new understanding of the problem, enabling the user to explain his/her learning to others.

An analysis of the model shows that the different stages of the ISP model reflect a pattern of thinking, feeling, and acting at each point of the process (Kuhlthau, 2004: 185). The names of the stages represent the primary tasks to be accomplished at each stage which provide an opportunity to test how theoretical knowledge can be transferred to practical situations through the process. Studies using the model reveal that the most challenging stages of the model are the exploration and formulation stages which encompass a constructive process of developing a focused perspective in order to accomplish the set goal (Isbell & Kammerlocher, 1998: 35). Each of the stages also indicates a progressive development towards attaining a "sense of ownership" in the area of expertise which constitutes an important component of information literacy and lifelong learning (Kuhlthau, 1989: Summary of the five studies).

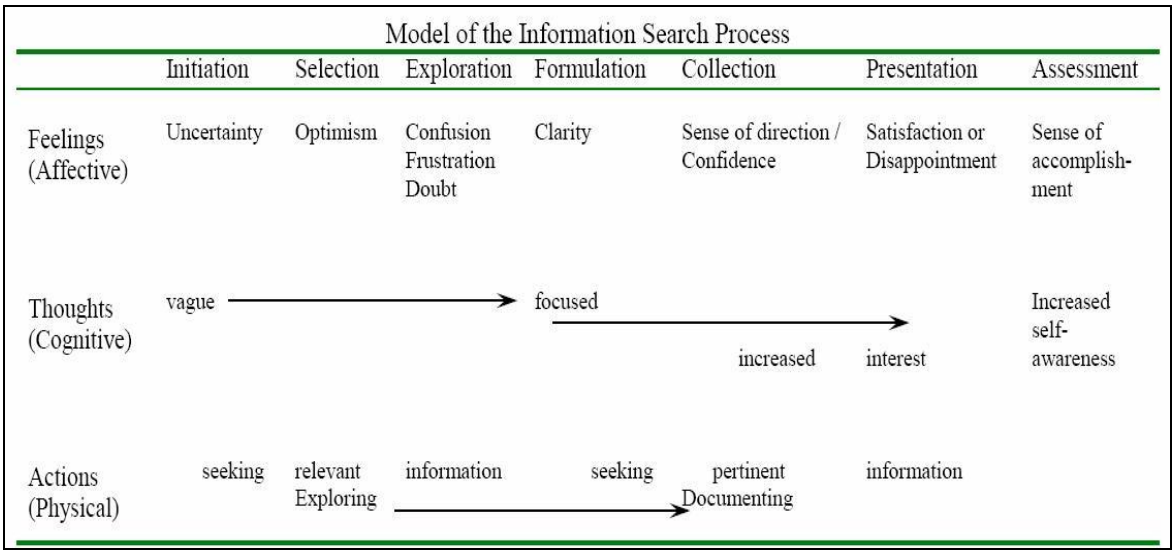


Figure 3: Model of the Information Search Process (Kuhlthau, 2004: 82)

The application of the model to the context of this study will be useful in addressing the research questions in the following ways:

A fundamental feature of the ***Initiation stage*** is that of uncertainty. The concept of "uncertainty" is important to the theory of cognitive constructivism and in the literature on information seeking behaviour. It refers both to the cognitive and affective states of the user in specific stages of problem solving and to task complexity which relates to the degree and structure of knowledge available for decision-making (Talja, Tuominen & Savolainen, 2005: 83, 85). In the ISP model, it forms a critical link between information and decision-making. According to Kuhlthau (2004: 25, 91, 270), the uncertainty principle is a cognitive state that commonly causes affective symptoms of anxiety and lack of confidence especially at the initiation stage. Feelings of uncertainty are also experienced at the ***Selection stage*** which often leads to optimism. The challenge at this stage is to identify the right approach to be used in investigating the selected topic. It requires consulting with mediators and preliminary research at the library (Kuhlthau, 1991: 366).

These first two stages of the model, (Initiation and Selection) as applied to the context of the research questions of this study helped to reveal the level of information literacy skills and competencies of the aspirant barristers in the early stage of their career by exploring the problem of uncertainty in the context of information seeking. It was anticipated that findings from the analysis of data obtained from questionnaires administered to the aspirant barristers, as related to these stages of research, would elicit the responses needed to help address research question two of the study. Secondly, it was also possible from the analysis of data to apply information literacy as a conceptual framework to ascertain the adequacy of skills training received during undergraduate legal education which helped to determine the level of preparedness and competency of the aspirant barristers for legal practice.

At the ***Exploration stage***, the user attempts to have a personal understanding of the topic by relating new information to previous experience (Kuhlthau, 1991: 366). At this stage, the perception of the complexity of a task increases the level of uncertainty especially in a workplace context. It is assumed that a greater level of construction is experienced at this stage especially when the structure of the problem at hand is more complex (Vakkari, 1999: 826). Thus the model seeks to understand the workers' perception regarding issues of uncertainty and task complexity and the construction of new knowledge at this stage. The process of construction in itself

involves an engagement and interaction with information sources and the affective experience plays an important role in directing cognition and action throughout this process. The effort to construct meaning is often followed by the ***Formulation*** or problem-solving stage (Kuhlthau, 2004: 25). This stage creates the opportunity for the user to determine the information requirements of the task at hand and also helps in diminishing feelings of uncertainty. The challenge for the user is to develop a focused perspective through a process of construction resulting in increased confidence and a sense of clarity of the task at hand (Kuhlthau, 1991: 368).

Exploration and formulation are the cognitive learning stages in the ISP model and enhance the user's ability in the constructive process. It was anticipated that an examination of the cognitive aspects of the model would be useful for identifying gaps and skills transfer specifically in the area of task complexities associated with research in legal practice. According to Nichols (2005: 441-442), much of legal professionalism occurs in the cognitive and affective domain. This includes the acquisition of intellectual skills, the development of analytical and evaluative skills, and the internalisation of learning objectives. Affective learning in the legal profession that is similar to the stages of the ISP model is realised when the user moves from uncertainty to confidence developing a higher level of competence, interests, attitudes and values in the workplace (Kuhlthau, 2004: 178). Consequently, in explaining the exploration and formulation stages of the model in this study, the analysis also focused on data obtained through a questionnaire administered to the aspirant barristers during the placement period. Findings helped to provide data for research question two.

The ***Collection stage*** involves a process of interaction between the user and the sources of information systems. Actions include selecting relevant information for the research project. The affective experience is that of confidence and increased interest in the project. The ***Presentation stage*** represents the point of closure in the search process where further information is no longer encountered. The user then organises strategies for presenting acquired information (Kuhlthau, 2004: 49). These last two stages require the ability of the user to analyse collected information, incorporate the information for a better understanding and present what has been learned to others.

Since its conceptualisation, the ISP model has been employed as a diagnostic tool for understanding the information search experiences of people in diverse contexts including education, work and everyday information seeking (Kuhlthau, Heinstrom & Todd, 2008: Generating the ISP model). Initial studies with the model were conducted among secondary school students; however, far reaching impact with respect to the use of the model and its applicability to various contexts has also been achieved, particularly in library and information services and other socially determined tasks in the work place (Kuhlthau, 1999a: 14; Hyldegård, 2006: 276). Between 1983 and 1985, Kuhlthau (1997: 268-269) conducted a longitudinal study which sought to establish a security analyst's level of progression from novice to expert. Similarly in 2001, Kuhlthau and Tama (2001) undertook an exploratory study among early career experienced lawyers in an attempt to gain a better understanding of changes in their knowledge states within a variety of tasks in which they were involved and how they used information to accomplish these tasks. They determined from the findings that even though the sequence of the tasks accomplished may appear recursive rather than linear, it reflected a progression towards completing a pattern that is comparable to the ISP model. Although these studies may not be generalised, they contribute to an understanding of the concept of the ISP model within a workplace setting and provide insight into the difference between information seeking and use in routine and complex tasks. Also with regard to research, the model can be productively applied to both qualitative and quantitative methods especially at the initiation stage of the model to formulate testable hypotheses in qualitative research which can then be measured by quantitative methods (Kuhlthau & Tama, 2001: 27-30).

Kuhlthau's work has had a major influence on IL research especially with respect to issues of pedagogy and curriculum development: this is evident in the various ways in which it has been employed as a useful conceptual framework for developing programmes of user-centred information services and systems in higher education institutions (Kuhlthau, 1999a: 12; Sundin, 2008: 28). However, an analysis of findings from some of Kuhlthau's studies has highlighted some inconsistencies regarding the affective dimension assigned to the early stages of the model. According to Melton (2003: Model comparison: Kuhlthau and Dervin), feelings of anxiety in the information seeking process cited by Kuhlthau (1991: 366) seem imposed since the participants were already trained in the information seeking process and are thus expected to have developed

a level of tolerance to the stages of the process. Similarly, Melton (2003: Model comparison: Kuhlthau and Dervin), argues that if the model is to be taken literally, the assignment of emotions to various stages is somewhat arbitrary and tends to ignore users' individuality of feelings, and if applied generally, loses meaning because it may be difficult to determine the users' exact feelings at any given point in the process. A further weakness in the model is noted with respect to the structure of the process itself. According to Melton (2003: Model comparison: Kuhlthau and Dervin), the steps seem to indicate that they can either be achieved simultaneously or at different times and placing an individual in any of the stages, besides the initiation or presentation stage, does not sufficiently describe the user's current state. Also, the possibility that any of the stages may be reverted to or entirely skipped throughout the process is not expressed clearly in the model.

However, Wilson's (1999: 266) explanation of the stages of Kuhlthau's model clarifies some of these criticisms when he proposes that the stages in the ISP model can be seen not as steps in a single information activity but rather reiterated steps that may occur in exploratory loops between each link in the problem resolution chain. He pointed out also that the collection stage, for example, actually takes place within other stages hence it may not be classified as a single stage when it occurs. The stages in the model therefore suggest that some of these terms can be used to identify the stages through which an individual moves to resolve uncertainty. Sundin (2008: 28) also notes that the creation of meaning through the stages of the ISP model emphasises the difference between uncertainty and control as being the fundamental principle which underlies information seeking and consequently the importance of user education in LIS. In a review of the relevance of the model to research, Makri (2008: 32) notes that the empirical validity of the ISP model has been tested by its applicability to different information environments which makes it generalisable to both the educational and the workplace contexts.

3.2.3. Theory of Information Activity in Work

Byström's (1999) theory of Information Activity in Work was based on empirical research in the LIS field and other workplace studies. The theory is based on findings from her study which investigated the information seeking activities of municipal administrators and the use of different types of sources in undertaking ordinary work duties. The study focused on the concept

of task complexity as it affects the information seeking activities of the municipal workers. It explored how the perceived task complexity of this group of workers modified their need for different types of information and choice of information sources in work settings (Byström, 2007: Theoretical and empirical foci on task within the individual user perspectives). According to Byström (2002: 582), perceived task complexity is determined on the basis of the performer's prior knowledge, about a particular task. *A priori* determinability refers to prior knowledge or experience which is a valuable quality in task performance as it helps determine the perceived task problem.

The basic assumption of the theory is that the information activities of professionals are affected by individual as well as contextual characteristics. Hence the conceptual framework adopted in Byström's study considered the basic characteristics for task based information seeking and use in a professional setting (Byström, 1999: 21). In operationalising the concept of task complexity, the study employed a task categorisation process developed by Tietosysteemin in 1974. This process divides all information-intensive tasks into five task categories on the basis of *a priori* determinability. The task categorisation covers information intensive tasks from the simplest to the most complex tasks. It is general in nature and applicable in various contexts and can be used regardless of which perspective is used to determine the nature of the complexity of the task (Byström, 2002: 584). The data were organised into three main classifications:

1. Task categorisations: Classes of task categories are differentiated from each other based on the degree of *a priori* determinability of a task, that is, the more familiar a task performer is with the task requirement the less complex the task is perceived. This category is further sub-divided into three complexity categories.
    - Automatic information processing tasks, that is, simple tasks that require little or no case-based consideration during task performance.
    - Normal information processing tasks include some case-based consideration although they may be predictable.
    - Decision tasks – perceived tasks which include several case-based decisions during task performance.
2. Information types in relation to tasks: Task information in this case refers to the specific task at hand presented in the form of facts. For example domain information which

comprises more general statements and is applicable to several tasks of the same kind, may be factual or interpretative.

3. Information sources.

The work tasks are divided into various subtasks as associated with naturally occurring information seeking and retrieval. The relationship between the types, channels and sources of information are then examined on the basis of their level of complexity to the task (Byström, 2005: 175-176).

Byström's theory of Information Activity in Work settings provides an understanding of work tasks of varying complexity especially in information intensive environments and is applicable to real-life work contexts where information activities occur. Unlike previous studies in task complexity and information seeking and use which were limited to a focus on the relationship between task complexity and information use, Byström's study using the theory was able to establish a relationship between the complex nature of a task and how it affects information seeking and use with respect to the type of information sought and the sources of information used in handling a particular task (Byström & Jarvelin, 1995: 193; Byström, 1999: 18-21). The theory is useful in analysing user information activities in work situations and is helpful for developing and designing information management systems in work organisations. It has been used in relation to studies in task complexity, uncertainty and analysability and as a conceptual framework in addressing gaps in studies of information seeking and retrieval. Similar studies have been undertaken by Vakkari (1999), Wilson (1999) and Kuhlthau and Tama (2001) which have further expanded its use and application (Byström, 2005: 174). From the findings of the study, Byström was able to develop a model which emphasises aspects of work tasks in relation to information seeking and use. The design of the model was influenced by the works of Feinman and others in 1976 and Kuhlthau's (1993) ISP model (Byström, 1999: 18).

In the context of this study, the application of the theory was used to investigate issues of varying complexities in work tasks experienced by the aspirant barristers in the use of legal information resources. It was also used for examining the connection between task complexity and the structure of legal information as it affects the information seeking behaviour of the aspirant barristers (Byström & Jarvelin, 1995: 193).

3.2.4. Application of the selected models to the study

From a review of the models, it is noted that each of them provide different levels of analysis that can be applied in examining the issues relating to the research questions of the study. Kuhlthau's ISP model will be the dominant model and will be employed in investigating issues of uncertainty and task complexity. The model was among the first few studies to investigate the affective as well as cognitive and physical aspects of the user in the process of information seeking (Bates, 2010: History of information behaviour research). The affective dimension influences the information seeking of the individual by creating uncertainty in the decision-making process (Kuhlthau, 1999b: 401). Theoretical approaches to the study of uncertainty are based on the work of Shannon and Weaver in 1949 in which uncertainty is conceptualised as the number of alternative outcomes that are applicable to a given situation (Baxter & Braithwaite, 2009: 26). A central premise of the notion of uncertainty is the need by people to reduce anxiety and confusion by seeking the information that addresses the degree of uncertainty that is experienced (Afifi & Afifi, 2009: 2). Uncertainty due to a lack of understanding, a gap in meaning, or a limited construct initiates the process of information seeking (Kuhlthau, 1993: 111).

In legal education, Flood (1991: 43) notes that graduate law students are usually introduced to the notion of uncertainty during their training at the law school which serves as a preparatory ground for legal practice and provides the opportunity for them to experience the connection between professional training and legal practice. The use of the ISP model therefore, helped in examining the nature of uncertainty and the perception of task complexity experienced by the aspirant barristers in the course of information seeking and use in the workplace.

The Analysis of findings to answer **research question two** drawn from the questionnaire administered to the aspirant barristers are presented in **chapter six** (*See* sections **6.3.1.1, 6.3.1.2, 6.3.1.3 & 6.3.1.4)** sought to explain the application and relationship of the models to the study. The applicability of the ISP model to the study provided an understanding of the stages of professional development in legal practice by the aspirant barristers while Byström's theory identified a link between perceived task complexity and experiences of the aspirant barristers in information seeking.

Few studies have been undertaken in Nigeria that examine the role of legal practitioners in facilitating skills training and development in legal education, hence the use of the model should also help in assessing the level of transferability of professional legal training at the Nigerian Law School and establishing the relationship between acquired skills and the development of professional competence for legal practice. It is acknowledged that issues of transferability of learning skills are often debatable especially with regard to theoretical applications and methods of measurement (De Corte, 2003: 22). However, the researcher concurs with Bransford and Schwartz's (1999: 62) view of knowledge and skills transfer with respect to the idea of the concept of "Preparation for Future Learning" (PFL). They suggest that the individual's ability to transfer acquired skills depends on the level of preparedness and prior learning experiences at the educational level. This view aligns with the constructivists' perspective of learning as an active process which emphasises the responsibility of higher education institutions in developing students' abilities for future learning (De Corte, 2003: 24-25).

Byström's theory is also relevant in addressing issues of task complexity as it helped to examine the difficulties experienced by the aspirant barristers in the use of legal information resources within the workplace (Byström, 2002: 581). According to Byström (2002: 582), tasks that are perceived as complex involve both uncertainty and resistance to analysis at the onset of the search process. Various studies have identified the relationship between uncertainty, task complexity and the use of information resources in the workplace, examples include: Tiamiyu (1992), Leckie, Pettigrew and Sylvain (1996) and Vakkari (1999). Such studies have indicated that task complexity and the accompanying uncertainty are influential factors in information seeking in work situations (Byström & Jarvelin, 1995: 191; Kuhlthau, 1999b: 400). According to Daft, Sormunen and Parks (1988: 125) and Tiamiyu (1992: 131), the degree of complexity of a given task influences the level of use of information resources employed in accomplishing the task.

Byström and Jarvelin (1995: 191) and Byström (1999: 34-37), noted that Kuhlthau's ISP model can be seen as a task performance process in the sense that the first four stages of the ISP constitute an extensive task construction phase, particularly the Formulation stage which enables the user to create a solution space and determine the information requirements of the task thereby

reducing uncertainty. In her study of the security analyst, Kuhlthau (1997: 269) explored the relationship between uncertainty and the user's perception of the complexity of a task and noted that changes in the perception of a task related to uncertainty results in a greater effort to add value to new knowledge through wide use of information resources. Thus within the context of the workplace, the ISP model seeks to understand the workers' perception specifically regarding issues of uncertainty, task complexity and the construction of knowledge and to analyse the difference professional expertise makes in the use of information resources (Kuhlthau, 1997: 268). The Sense-Making theory developed in 1983 by Dervin can also be aligned to the ISP's task performance processes. Aspects of the task construction stage in the ISP model relate to "facing the gap" where the user experiences challenges in solving a problem. The gap is spanned by the "gap bridging" of acquired information and the construction of the situation and anticipation of desired assistance (Byström, 1999: 37). The metaphor of gap bridging in Sense-Making is useful as it guides the researcher to pose contextually sensitive questions which are important for empirical analysis of information use processes (Savolainen, 2006: 1120-1123; Du Preez & Fourie, 2009: 140).

3.2.5. Summary

A theoretical framework as defined by Anfara and Mertz refers to:

> "Any empirical or quasi-empirical theory of social and/or psychological processes, at a variety of levels that can be applied to the understanding of phenomena" (2006: xxvii).

Consequently, the underlying principles of the models reviewed formed the theoretical and conceptual framework within which the research study was constructed. Kuhlthau's ISP model specifically guided the data collection and influenced the different aspects by which the nature of information literacy, as manifested in the context of the legal workplace in Nigeria, was investigated.

3. 3. Literature review

This section provides an exploration of studies conducted on IL in the workplace. The scope of the review is confined to an analysis of studies which examine IL within professional groups. It also discusses the nature of IL in the workplace and how it affects issues of task complexity and uncertainty as experienced by users in the process of information seeking and their ability to define their own task within the context of the work environment.

3.3.1. Analysis of studies on information literacy and the workplace

The concept of IL has evolved over the past two decades to include skills that are needed for the efficient and effective handling of the rising complexity of the information process (Mühlbacher, Hammwöhner and Wolff, 2008: 116). The importance of IL can be measured by the attention it has received at the global level as a fundamental factor in improving teaching and learning in higher education, improving professional skills in the workplace and encouraging an informed citizenry and governance in a democratic society. The literature of IL has in the past few years advanced to include recommendations on the need for work-related skills to address changes in the global economy (Correia & Teixeira, 2002: 3). Current research in IL skills training is exploring how learning in the workplace environment can be more contextualised to reflect professional skills demand. Experiences on the impact of IL in the workplace indicate a greater need for professional skills to meet new and undefined situations. In the knowledge-based economy, employees are not only required to have job-related skills but also the ability to work collectively or in teams, share information and create knowledge for problem solving and effective decision-making (Correia & Teixeira 2002: 10-11). Previous research in workplace IL has made significant contributions on how information literacy can be promoted in the workplace in supporting individual and collective learning processes and the development of job-related skills. A few examples are discussed below.

Mühlbacher, Hammwöhner and Wolff (2008: 115) investigated a group of scientists in the natural sciences with the aim of understanding the meaning of IL from their perceptions of the information process. The study employed the semantic differential scale approach which has been used for measuring social attitudes especially in the fields of linguistics and social psychology. From the analysis, they were able to draw a correlation between personal

motivation, experience, personal corporate utility, organisational support and the level of information literacy of the scientists. Findings from the study indicated that in contrast to the educational environment, personnel motivation among workers forms an important dimension in the workplace and organisational support plays a major role in measuring workplace productivity (Mühlbacher, Hammwöhner & Wolff, 2008: 130).

Studies conducted by Cheuk (1998; 2000; 2002; 2008) have variously shown how IL in the workplace can be used to encourage productivity and add value within corporate settings. Her study of internal auditors (2002) using the Sense-Making methodology, demonstrated the need for a different approach to current information process models in the workplace. The study suggests the need for practices to improve work performance and examined the barriers to promoting information literacy in the workplace and how they can be overcome. The study also addresses the relationship between knowledge management and information literacy (Cheuk, 2002: Knowledge management and information literacy). In another study, Cheuk (2008: 137-138) explored the importance of information literacy among chief executives and senior managers for creating value in a consulting firm. Recommendations from the study pointed out that the body of existing information literacy knowledge which has been developed in the educational context can be adapted to address problems of "information overload" in the workplace. Employees should be given the opportunity to interact with information sources in addressing any business issues in the workplace.

Kirk (2004) examined the use of information by senior managers. The study employed a phenomenographic approach in understanding the differences experienced in information use by senior managers. It identified several different information processes or experiences as well as informational, organisational and personal characteristics that shaped information use. Kirk (2004: 2) observed that information literacy in this context involved a more complex and differentiated set of behaviours, understandings and attitudes than those suggested by earlier models based on the educational sector. The experiences of senior managers indicated that information use was not just an individual activity but was also embedded in the social relationships that are part of every workplace thereby encouraging the development of collective knowledge through the exchange of information and interaction with others (Kirk, 2004: 6).

The work of Bawden, Devon and Sinclair (2000: 151-152) reports on a survey with scientists who were users of information services at the UK site of a multinational pharmaceutical research organisation. The results cast light on the changing nature of information handling in the new environment. From the findings, they noted that due to the great increase in the amount of information available, and changes in the mechanisms for access and use of information by research scientists, more training and support for personal information management is needed, as is the enhancement of personal information literacy.

Rosenberg in her study (2002) investigated how the use and application of certain types of information helps facilitate growth in small businesses through IL. According to Rosenberg, (2002: 4-6) the importance of information literacy in the global marketplace has been highlighted by continual changes in ICT. The nature of E-commerce created by the versatility of the Internet has offered a virtual market place for small businesses to participate in the global economy. Consequently the ability of employees to understand the value of information resources in a networked environment provides the opportunity for competitive advantage for small businesses.

Studies on IL in the workplace, particularly in corporate organisations, have given the concept of information literacy a more specific application as it has moved from the educational sphere to the workplace. Such studies have also given rise to the term "corporate information literacy" coined to overlay the kind of skills and competencies that are of strategic value and significance to the management and use of information within knowledge organisations (Abell & Oxbrow, 2001: 133–135). In this regard, Rosenberg (2002: 7) and Kirk (2004: 1) noted that the nature and context of an organisational setting often influences the kind of information sources that are to be used and consequently the type of information skills that are required of its employees. Lloyd (2003: 87-89), also observes that changes in the processes of information seeking and use within corporate organisations indicated by the increasing reliance on web technology and other digital sources of information are consistent with the broader view of information literacy as the meta-competency skill of the knowledge economy due to the importance of its application to the workplace. To this end, Mutch (1999: 326) advocates that the shifting context for information use within the workplace requires higher education institutions to incorporate information technology and information literacy as a larger part of the business school curriculum in order to

encourage the development of information skills of future executives within organisational settings.

Explorations in the nature of complex tasks within work processes have also been the focus of research in workplace IL. Tiamiyu's (1992) study reports the results of an investigation of the relationship between task complexity and the use of information sources by civil servants in government ministries in Nigeria. The study provided insights into the information environment of civil servants by evaluating their specific work contexts in government institutions in a developing country such as Nigeria. According to Tiamiyu (1992: 130-131), the level of uncertainty experienced by the task performer is related to the complexity of the work activity which engenders extensive information seeking from a wide range of sources. Usually, the more uncertain, unstructured and complex the activity, the less likely it would be that the inputs or procedures for doing the task can be prescribed beforehand thus creating the conditions for higher discretion by the user in the course of information use (Tiamiyu, 1992: 132). Findings from the study suggested that the average number of sources used in work activities by the civil servants is directly related to the complexity of the work and the level of discretion employed for problem solving and that more time spent on a complex activity leads to the use of more information sources particularly in the use of internal government information files (Tiamiyu, 1992: 141).

Byström and Jarvelin (1995) in their study investigated how task complexity affects information seeking in terms of the kind of information sought and the channels and sources of information in work processes. The study examined how the dimensions of the complexity of a task systematically affect information seeking and use. The findings identified that a systematic and logical relationship exists between task complexity, types of information, information channels and sources. From these findings, the authors were able to develop a qualitative method for task-level analysis that will be useful in exploring the nature of complex tasks particularly in various organisations (Byström & Jarvelin, 1995: 193, 211).

Unlike in the educational setting, workplace learning involves deep-level learning, analysis, interpretation and understanding as it determines the performance of the task in problem solving.

Task complexity is characteristic of the nature of information problems experienced in the workplace. Hence by exploring the complexities of information use in the workplace, these studies elucidate some of the major challenges experienced in the workplace with respect to complex tasks in information seeking and use and provide useful insights which can be used by librarians to introduce new directions in workplace learning through information literacy to various organisations (Vakkari, 1999: 835).

3.3.2. Context in information literacy and workplace learning

The role of context in information literacy and the workplace has also been explored in recent years particularly with regard to the social dimension. This effort has been reinforced by the need to examine the nature of information literacy and workplace learning in the context in which it occurs (Wilson, 1997: 567-568). Lloyd's studies (2003; 2005a; 2005b; 2006; 2007; 2010) and Lloyd and Williamson (2008), which emphasised the need for research in IL to be directed towards understanding the complex socio-cultural and embodied nature of information environments, offer much insight into an understanding of workplace IL in this regard. According to Lloyd (2007: Information literacy in-situ: context as a key concept), the manifestations of IL are better understood within the context in which they are experienced as this helps to shape and influence what is learnt and how it is learnt. This view had been expounded by Schatzki (2002: 62) when he argued that contexts have the ability to causally shape the entities within them by enabling or constraining the activities that go on within them. Talja, Keso and Pietilainen (1999: 752) also noted that an analysis of a contextual entity provides a kind of background analysis by which user information behaviour may be understood. While context in the educational setting is viewed as textual practice, in the workplace it is conceptualised through the framework of social practice or the attainment of competency-based skills. It serves to connect social interaction and the use of information sources within informal settings and the various processes which help in developing collective competency and context-specific skills through workplace learning practices (Lloyd & Williamson, 2008: 8-9).

The need for lifelong learning and better competency skills has made workplace learning an important element for success for individuals and organisations. The growing interest in workplace learning and IL are based on the understanding that it can assist the development of

skills and knowledge that is required for efficient workplace performance (Billet, 2000: 272; Somerville, Howard & Mirijamdotter, 2009: 122). Workplace learning involves engaging with information sources within a collective framework which helps in developing a shared understanding of work practices through the opportunities, interactions and practices that it provides (Powell, 2002: 177; Lloyd, 2006: 575). According to Lloyd and Williamson (2008: 5) the nature of work processes within each profession demands that specific learning practices which constitute the body of knowledge and information of the profession are considered. Lloyd (2010: 246) further accentuates this view when she argues that information literacy should be viewed as a practice that occurs within other practices and in this way researchers will be obliged to take into account other social phenomena that influence the development of professional skills and the outcomes that produce them.

Theories of learning which emphasise the construction of knowledge through a situated approach have been of major relevance with respect to learning in the workplace. Conceptualisations of such theories which articulate the social dimensions of learning have become increasingly important in workplace IL as they provide insights on the interplay of contextual factors that influence information behaviour in work practices (O'Farrill, 2008: 159). The concept of situated learning in the workplace has been exemplified through various apprenticeship and internship programmes in educational institutions. As practiced in some educational institutions, situated learning is usually undertaken as a collaborative programme between the educational institutions and experts within particular professional fields or organisations. Such programmes are aimed at encouraging the development of vocational skills in the workplace in order to enable the student or novice to connect theoretical practices in educational institutions to the workplace. These educational programmes are also vital ways of identifying the social origins and transferability of knowledge within professional groups (Billet, 1995: 20).

The theoretical approaches developed by Lave and Wenger (1991), that is, Situated learning theory and the concept of Communities of Practice (CoP), have served as useful frameworks for explaining workplace learning in diverse contexts. Various studies have also shown that the concept of Communities of Practice and legitimate peripheral participation enable novices to develop better professional skills from working with experts thereby providing a better

understanding of the nature of apprenticeship and workplace learning (Fuller & others, 2005: 51; O'Farrill, 2008: 158). According to Billet (1995: 20), situated learning provides an opportunity for the growth of vocational knowledge in the workplace by offering access to vocational activities and guidance from professional experts. Through this process, the effectiveness of workplace learning can be assessed in order to ensure the development of vocational skills. Lloyd's (2005b) study on fire fighters for example, highlights the process by which IL is achieved through the interaction between expert members of a community of practice and the novice in the context of learning about practice and performance. The placement of a novice with an experienced practitioner as part of a team enables the development of focused information practices by which the novice is able to move from a conceptual knowledge of work practices to an embodied understanding of professional practice through teamwork (Lloyd, 2006: 575, 577). Findings from Lloyd's studies (2005a: 82; 2005b: Connecting to social sites of knowledge) have indicated that learning is a context specific process that connects information sources with the learning practices required to access them. These findings establish the importance of IL research in reflecting the socio-cultural factors that contribute to shaping the nature of context in the workplace. Lloyd, (2010: 247-248) also argues that the idea that information needs to be contextualised for it to become meaningful, alludes to the notion that knowledge is not arbitrary but is situated and revolves within the social dimension of work practices. Elements of context that provide insight into the nature of workplace learning include aspects such as social structures, that is, institutions, rules, norms and material conditions such as economic constraints, availability of resources and geographical location. All of these influence and provide explanations of information behaviour within any given context (O'Farrill, 2008: 160).

In applying the concept of IL to the work place, it is noted that the information needs within this context and the practices which involve their use are varied and complex (O'Farrill, 2008: 163). In this regard, it is noted also that current theoretical assumptions in IL make limited provisions for the workplace as most mainstream models of information behaviour and frameworks of IL have been formulated on the supposition that learning is an individualistic process with an assumption of transferability of skills to novel situations. This view provides little consideration of contextual and situational constraints which may account for skill inadequacy in the

workplace (O'Farrill, 2008: 161). O'Farrill (2008: 156) therefore argues that there is a need to reformulate the general understanding of IL as a concept that is mainly concerned with developing skills at the educational level by expanding the application of IL to the workplace and other contexts where information use also constitutes an active process of learning within a given community of practice. Essentially, expanding the concept of IL to include dimensions in the workplace literature would make provision for the much needed disciplinary, professional and organisational contributions to the concept of IL (Limberg & others, 2008: 84; O'Farrill, 2008: 164).

3.4. Information literacy and information seeking behaviour

Information behaviour as defined by Wilson refers to:

> "…those activities a person may engage in when identifying his/her own information needs for information searching for such information in any way and using or transferring that information" (1999: 249).

Ingwersen and Jarvelin (2004: 302) regard it as the generation, acquisition, use and communication of information as well as information seeking which is characterised by the acquisition of information from knowledge sources from different channels or sources. Studies in information behaviour have given rise to models of information seeking and information searching and retrieval, foremost among which are those developed by Wilson in 1981 and 1999, Dervin in 1983, Ellis in 1989, Ingwersen in 1990, Kuhlthau in 1993, Byström in 1999 and so on. Most of these models are concerned with generalised information behaviours surrounding the actual initiation of information seeking and a broader perspective on information searching. They describe information seeking as a general process, sometimes including contextual and situational factors that may influence the specific process. Ellis' model in 1989 for example is concerned with behavioural patterns in the actual search activity while Kuhlthau's ISP model in 1993 presents stages of activity within which the behavioural patterns may occur (Limberg, 1997: 275-276; Wilson, 1999: 262). Wilson's seminal work in 1981 and 1999 describes the various models of information behaviour and aspects of information behaviour by establishing the relationship between communication and information behaviour. According to Wilson, information seeking behaviour and information searching behaviour are sub-categories of

information behaviour. He proposes an integration of the various models to form a general theoretical framework by which existing research models in information behaviour could be viewed as a set of "nested" models which are inter-dependent on one another and can be used by researchers in various fields to contextualise any given topic within a particular field (Wilson, 1999: 249, 264).

Research in information literacy has often been influenced by studies in information behaviour as most frameworks in IL reflect the various aspects which are relevant to theories and models of information seeking behaviour. Generally, it is considered by LIS professionals that acquiring an appropriate information seeking behaviour is a major step towards becoming information literate (Limberg & Sundin, 2006: Introduction; Boon, Johnston & Webber, 2007: 206). In higher education institutions, the behavioural approach has been dominant in IL education particularly with regard to the role of the institutions in creating the context for investigating students' information seeking behaviour and in understanding variations in student learning outcomes (Wilson, 1999: 250; Nahl, 2001: 1; Limberg & Sundin, 2006: Alternative views on IL). Specifically, concerns about the way students conduct research and use library resources have prompted studies into their information seeking behaviour, preferences and perceptions in research and use of electronic databases. This concern is helping to chart a new course in information literacy instruction in higher education due to its potential in addressing issues of curriculum development and lifelong learning in undergraduate education (O'Brien & Symons, 2007: 410). Kuhn (2008: 49) observed that current research in IL and learning in higher education places greater emphasis on examining the relationship between IL and learning and how an understanding of students' information seeking behaviour can inform the design of IL pedagogy.

Studies in LIS have also examined the information seeking behaviour and information uses of practitioners in various fields such as engineers, health workers and lawyers, (Leckie, Pettigrew & Sylvain, 1996), managers (Mutch, 1999), sex workers (Stilwell, 2002), farmers (Ikoja-Odongo & Ocholla, 2003), and so on. The focus of such studies highlighted the information practices embedded within these professional and occupational groups, how such information-related practices contribute to their work and how such practices can be improved (Leckie, 2005: 159;

Case, 2006: 301). Models of information behaviour developed from these studies have highlighted the role of contextual factors in shaping how people search for information and that such factors are often influenced by the work tasks or non-job related daily life tasks (Fourie, 2004: 78; Ingwersen & Jarvelin, 2004: 303-304; Case, 2006: 310). Findings from Leckie, Pettigrew and Sylvain's (1996) study for example which investigated the information seeking behaviour of three professional groups, namely engineers, healthcare professionals and lawyers, proposed a general model of information seeking that is applicable to all professionals (Leckie, Pettigrew & Sylvain, 1996: 179-180). The model emphasised the impact of the work context expressed as work roles, tasks and information sources on the nature of information needs and seeking. It suggested that an understanding of the complex work roles undertaken by professionals and their associated work tasks is helpful in understanding the nature of their information seeking behaviour. Contextual factors identified in the model included the ideology and power relations within the work environment or organisation which may impact on the work roles of the professionals (Leckie, Pettigrew & Sylvain, 1996: 163, 175; Leckie, 2005: 159). Other studies in information behaviour have also been undertaken which aimed to classify and characterise tasks in order to determine the nature of the relationship between tasks and information behaviour. Byström and Jarvelin (1995) studied the relationship between task and complexity and information behaviour in the work environment.

Research in information behaviour constitutes an important contribution to studies in IL and current research and methodology within the user-centred paradigm (Nahl, 2001: 6). Over the past few years, studies in information behaviour have expanded to include other concepts such as information need and information seeking and use. Pettigrew, Fidel and Bruce (2001: 67) observed that a distinct theoretical unifying body is emerging in LIS research which emphasises the contextual interplay of cognitive, social, cultural, organisational, affective and linguistic factors whereby theorists of information behaviour are building upon one another's work by incorporating connecting features into new models and enhancing existing ones.

3.4.1. Studies in lawyers' information seeking behaviour

Studies in the information behaviour of lawyers have revealed that the pattern of their information seeking behaviour, as with other professions, is informed by the kind of work they

do. Legal practice is however more information intensive in the sense that a considerable amount of information is required in order to accomplish a given task. Legal cases usually include such responsibilities as advising clients on their rights and liabilities, drafting conveyances and leases of property, deeds of partnerships and other commercial agreements, wills, client representations in court cases, and so on, all of which require the practical application of legal theory and knowledge and an effective legal research skill in problem solving (Otike & Matthews, 2000: 242; Tuhumwire & Okello-Obura, 2010: 1). Hence a number of factors such as the level of experience of the practitioner, the peculiar nature of a case as well as the area of specialisation of the law firm, determine the type and amount of information required in addressing the issues in any case. This view supports Leckie, Pettigrew and Sylvain's (1996: 173) earlier study in which they argued that certain areas of law are more labour intensive with respect to information use than others in that they require greater attention and consultation with the sources of information.

Access to legal information resources is also a contributing factor to the information seeking behaviour of lawyers and the conduct of legal practice. Tuhumwire and Okello-Obura (2010) in their study on the legal information needs of lawyers in Uganda examined problems of timely access to legal information and its effects on the judicial process. They observed that the failure to articulate better legal services in Uganda can be attributed to the inadequate knowledge in the areas of the lawyers' information needs and the strategies that could be employed to improve legal information access to legal practitioners in Uganda. The study recommended more proactive ways of accessing legal information that would ensure efficient legal services to the judicial process in Uganda (Tuhumwire & Okello-Obura, 2010: 5). Observations from this study corroborate Haruna and Mabawonku's (2001) findings on the information seeking needs and behaviour of lawyers in Nigeria in which they concluded that the most pressing information needs of Nigerian lawyers related to access to recent decisions of superior courts, new legislations, and advice on bettering their knowledge and skills. Their findings emphasised the responsibility of law libraries in fully meeting the information needs of legal practitioners in Nigeria (Haruna & Mabawonku, 2001: 70).

Studies on the information seeking behaviour of lawyers that explore the impact of ICT and the Internet on legal practice (have also been undertaken). Hinson and others (2007: 312)

investigated the impact of the Internet and how it has contributed to the efficacy of the legal profession in Ghana. It focused on transformation in law firms as a result of the impact of the Internet and how it has served as a source of access to a wide variety of legal information resources such as Lexis-Nexis, Westlaw and the database of Ghanaian laws published by the Datacenta in Ghana. These resources have positively affected the information seeking behaviour of lawyers by serving as a valuable source for seeking relevant literature thereby enabling them to harness its resources in ways that help enhance the quality of legal services in Ghana. Conclusions drawn from the study stressed the need for the digitisation of court proceedings, legal notices and other literature which could be accessed through the Internet as well as the establishment of an Internet policy that would guide legal information services in Ghana (Hinson & others, 2007: 320).

Du Plessis and Du Toit (2006: 361) explored the impact of technological advancements, computerised legal databases, CD-ROMs and other electronic media on legal information services and practice in law firms in South Africa. The study examined how such developments have transformed the methods that lawyers have employed to access, retrieve and process information and the consequent need for effective digital legal research skills in delivering legal services to clients. They concluded that the future of the information technology era indicates that successful legal practice will depend on the level of acquired information literacy skills and their applicability to the techniques of legal research and knowledge management systems within law firms (Du Plessis & Du Toit, 2006: 369).

Rossouw and Fourie (2007) in their study sought to gain an understanding of the potential value of Current Awareness Services (CAS) for users of legal information. According to Rossouw and Fourie (2007: 67), the provision of CAS through the World Wide Web (WWW) can be a useful source of updated information to information searchers in the legal field. The study explored the various sources of CAS that are available on the Web for the legal profession particularly in such areas as international law where new legislations, treaties, decisions and so on are constantly updated. Conclusions from the study pointed to the need for greater exploitation of the potential and use of CAS in the legal profession (Rossouw & Fourie, 2007: 70-77).

Another study which aimed at gaining a better understanding of lawyers' information seeking behaviour in the use of electronic resources is that undertaken by Makri (2008). The study involved studying the behaviour of both academic and practicing lawyers with the objective of integrating user-centred legal information seeking support into digital law libraries. Using Ellis' 1989 model of information seeking behaviour, the methodology involved conducting naturalistic observations by which academic and practicing lawyers were asked to think aloud whilst using electronic legal resources. The behaviours that were identified were then used to develop two novel methods for evaluating electronic resources that could inform the design and evaluation of electronic legal resources. Makri's study validated Ellis's model of information seeking behaviour in ways that could inform the design of digital law libraries to better support user information behaviour (Davidson, 2010: 569).

Issues of task complexity as experienced by early career lawyers in their information seeking behaviour have also shown how they use information in accomplishing a given task in Kuhlthau and Tama's (2001) study. Complex tasks indicate aspects of work that require considerable thinking, formulation and the construction of a new approach in tackling a legal case. Findings from the study indicated the different ways in which novice lawyers engage with the sources of information and suggested that lawyers desire information services that are highly customised to their needs (Kuhlthau & Tama, 2001: 27, 30).

The necessity for competency in information seeking is informed by the expanding base of Internet resources as well as the array of legal electronic databases which are constantly being upgraded with new functionalities (Du Plessis, 2008: Lawyers legal research; Davidson, 2010: 566). These studies have shown that the current impact of ICT and its implication for professional practice places a greater emphasis on the value of information skills' acquisition for effective legal practice (Wall & Johnston, 1997: 98). Some of the findings from these studies also stress the need to understand the actual context of legal practice in order for prospective lawyers to be equipped with transferable skills for the workplace. Trimmer (2001: Use of technology) also observed that the practice of law requires a high level of information literacy with an emphasis on electronic information searching and retrieval as well as the application of sophisticated software to the context of legal practice.

A major characteristic of the studies reviewed shows that contextual issues are fundamental to the process of information seeking and influence the users' information seeking process. This view affirms the understanding that an investigation into the information seeking behaviour of any discipline is best undertaken in the context of the user's information needs (Wilkinson, 2001: 258; Zach, 2005: 23). Leckie, Pettigrew and Sylvain (1996) in exploring the information seeking behaviour of three professional groups (lawyers, engineers, and health professionals), employed an extensive approach by incorporating the situational factors that constitute task responsibilities within each professional group and how they affect their information seeking behaviour. For lawyers in particular, the authors noted that their information needs and information seeking behaviour are highly related to the major roles and associated tasks they perform (Leckie, Pettigrew & Sylvain 1996: 174). The study proposed an analytic model representing the domain of each professional group's information seeking environment. The basic assumption of the model is that the roles and related tasks undertaken by professionals in the course of daily practice prompts particular information needs which give rise to an information seeking process (Leckie, Pettigrew & Sylvain, 1996: 180-181). The proposed model provides a useful framework for investigating lawyers' information seeking behaviour and the range of tasks embedded in legal practice.

Spurgin (2008: 2) notes that most studies in LIS research consider information behaviour to consist of seeking and use, resulting in almost all studies focusing on only a limited aspect of information behaviour, that is, information seeking. In reviewing the concept of information seeking behaviour in relation to this study therefore, it is important to state that this study took a broad approach, that is, it sought to explore issues of information use as well as the sources of accessing such information with respect to investigating the information literacy and information seeking behaviour of the aspirant barristers in the workplace in Nigeria. It was hoped that the analytic process using the selected models and theories would help in the identification of the level of IL skills of the aspirant barristers in ways that provided a link between IL in the workplace and information seeking behaviour within the context of legal information use.

3.5. The legal profession in Nigeria and the need for skill competencies

The climate of the legal profession in Nigeria has witnessed significant changes in the last few years. Some of these changes have been attributed to the competitive nature of legal practice as a result of the impact of ICT, the increasing complexity of legal information resources and the need for high quality legal services in such specialised areas as petroleum law, copyright and intellectual property law, communication law, competition law, maritime law, space law, entertainment law and so on (Akoko, 2009: The legal profession in the 21st century). The increasing demand for skilled expertise in these fields has indicated that the legal profession in Nigeria is in transition and has compelled legal practitioners to reassess their techniques and strategies of legal practice in order to compete at the global level (Owasanoye, 2000: 175; Mamman, 2009: 2). The implication of these contextual changes has been a growing awareness among legal scholars and academics of the importance of skills training specifically through the adoption and promotion of clinical approaches to the study and teaching of law in the legal education system. This section examines the efforts undertaken to restructure the legal education system in Nigeria in response to these concerns.

3.5.1. Clinical legal education

Clinical legal education refers to the practical side of legal training designed to complement theoretical knowledge particularly at the undergraduate level. It is an approach that is borrowed from medical practice and is aimed at imparting certain basic skills and values by integrating the knowledge of skills with the principles of law for problem solving. In practice, it enables the student to master the rubrics of handling legal issues to enhance their educational experience in providing affordable legal representation to the community (Burridge & others, 2002: 33; Sullivan & others, 2007: 28; Mcquoid-Mason, Ojukwu & Wachira, 2010: 31). Clinical programme models may include the following:

- A Law School based in-house clinic.
- A community-based clinic which is meant to serve the local community in which it is located.
- A live-client clinic in which students are able to represent actual clients.
- Simulation clinics - Students do not represent actual clients but are involved in working on case files that simulate all the issues of a real case.

- Externship/placement programmes. Students work on real cases outside the law school supervised by established legal practitioners who supervise their work which may be in a court, law firm, or a Non-Governmental Organisation (NGO). This process is supervised by a law teacher from the Law School to ensure that the students have a meaningful educational experience.

The concept of clinical legal education is based on the recognition that while traditional methods of teaching legal principles may be effective, practical experience offers students the opportunity to experience the realities of legal practice (NULAI, 2006: 6).

The importance of clinical legal education as an educational approach in Nigeria is highlighted in Jack-Osimiri, Nlerum, and Nyeruka's (2005) study in which they examine its effectiveness as a means of practical training and skills development among law students in Nigeria. According to Jack-Osimiri, Nlerum, and Nyeruka (2005: Introduction), the formal clinical aspect of legal education at the undergraduate LLB level was first introduced at the Abia State University in 1981. The nature of the clinical programme took the form of attachments to placements in local police stations, the federal prisons service department, the state house of assembly or the federal legislature, the magistrate courts of the Legal Aid Council of Nigeria and the chambers of the Attorney General of the Ministry of Justice. These programmes were executed each semester throughout the five year period of undergraduate study and were initiated as a means of facilitating a strong link between the LLB course and the process of professional legal training by the NLS with a view to ensuring a smooth transition from the undergraduate level to the context of legal practice. The purpose of its implementation was to infuse legal skills training in such areas as advocacy, professional responsibility, drafting, negotiation, legal research and alternative dispute resolution (Jack-Osimiri, Nlerum & Nyeruka, 2005: Clinical legal education). In 2004, a pilot programme for clinical legal education was also initiated in four Nigerian universities namely Adekunle Ajasin University, Abia State University, University of Uyo and University of Maiduguri through the sensitisation and training programmes organised by NULAI and the Open Society Justice Initiative (UK) (Oke-Samuel, 2008: 143, 145). A few successes have been recorded through these programmes with the development of a standard clinical legal education curriculum and the establishment of law faculty legal aid clinics which have provided law students with the opportunity to acquire practice oriented skills and exposed them to the

values of professional responsibility and ethics in ensuring the provision of primary legal assistance in the social justice system in Nigeria. These successes were fostered through collaborative clinical programmes and training opportunities with institutions in South Africa and the United Kingdom (NULAI, 2006: 2).

However despite these few successes, Oke-Samuel (2008: 141, 147) noted that programmes of clinical legal education were yet to be introduced in a number of university law faculties in Nigeria. A number of challenges have been experienced within the legal education system, among which include:

- Inadequate funding in Nigerian universities: currently funding for programmes of clinical legal education in Nigeria has been mainly obtained from limited grants by foreign donors.
- Problems of underfunding have also affected the availability of infrastructure as well as the quality of staff that are needed to effectively run the programmes.
- The limited number of universities offering clinical legal education is also as a result of the difficulty experienced in obtaining approval from some university authorities for the implementation of the programmes.

Another problem also noted by Oke-Samuel (2008: 141) is the preference of some established academic legal scholars for using traditional methods of teaching through lectures and note-taking with little or no room for interactive teaching methodologies (NULAI, 2006: 3). This problem has been attributed to the dual nature of legal education in Nigeria in which much emphasis tends to be laid on the development of theoretical knowledge in substantive law at the undergraduate level while limiting vocational skills training as the responsibility of the Nigerian Law School as the second stage of legal education (Chukwurah, 2000: 58). However, the passive teaching methods of university law faculties have failed to provide adequate theoretical training to law students which in turn has limited the efficiency of the NLS in providing practical experiences as it has often had to reinforce theoretical knowledge as part of the vocational training stage (Okwonkwo, 2000: 18; Oke-Samuel, 2008: 141). Okoye Ordor (2007: 77) observes that considering the limited time spent at the Law School, the issue of clinical legal education is best undertaken by university law faculties where the students spend a longer period

in the LLB programme. She maintains however that since the NLS is the only stage of legal training which provides a uniform opportunity for the reinforcement of clinical education to prospective legal practitioners in Nigeria, there is a need for legal training at the Law School to advance clinical legal education in such a way that it incorporates the various learning experiences acquired by students through the various law clinics and other forms of legal training at the university.

The issues over clinical legal education in Nigeria have further highlighted the need to integrate the processes of theory and practice in the system of legal education in order to produce competent lawyers. In this regard, it is noted that the efforts towards narrowing the gap between the legal profession and education must take into consideration the need for the development of a standardised law curriculum particularly at the university level in order to provide law graduates with the necessary analytical and practical skills for the workplace. Similarly, the adoption of teaching methodologies, particularly those based on clinical approaches, will also help prepare lawyers more effectively for the changing legal information environment in Nigeria (NULAI, 2006: 7).

3.6. Analysis of reforms at the Nigerian Law School

The system of legal education in any country constitutes the most critical component for the development of a sound legal profession. The effectiveness of its practical skills training at the vocational stage forms the necessary foundation for the development of expert skills within any field of law. The declining standard of legal education in Nigeria has frequently been noted especially with respect to the need to maintain competency skills (Okwonkwo, 2000: 21, 30). Popoola (2000: 233) observed that legal education in Nigeria has over the years been faced with complex problems of fundamental, socio-economic and national interests which has led to the need to devise new methods of skills training in order to produce a new generation of competent lawyers with a level of practical experience that will enable them to be responsive to the needs of the society. The concern over the quality of legal education in Nigeria was first raised in 1986 and since then further attempts at reforming the system of legal education have been undertaken with the aim of revitalising methods of teaching and learning in ways that enhance the study and practical learning experiences in law (Oke-Samuel, 2008: 142).

In analysing the current reforms at the NLS, it is important to discuss the two issues that were central to initiating the process. These include:

1. The disconnection between the programmes of university law faculties and those executed by the Nigerian Law School.

- The programmes offered by the universities were mostly theoretical and devoid of necessary research skills.

The framework of legal education in Nigeria consists of university education and legal training at the NLS. Control of university legal education is vested mainly with the university authorities subject to lawful directions by the National Universities Commission (NUC**)** which has the responsibility for approving courses at the university level (Popoola, 2000: 247). The law establishing the Commission mandates it to provide a balanced and coordinated development of all universities in Nigeria (Mamman, 2009: 8). The philosophy and purpose of higher education of the Commission as stated in the National Minimum Standards and Establishment of Institutions Act (1974) is outlined as follows:

- The acquisition, development and inculcation of the proper value-orientation for the survival of individuals and society.
- The development of the intellectual capacities of individuals to understand and appreciate their environment.
- The acquisition of both physical and intellectual skills to enable individuals to develop into useful members of the community.
- The acquisition of an objective view of local and external environment.
- The making of optimum contributions to national development through the training of higher level manpower.
- The promotion of national unity by ensuring that admission of students and recruitment of staff into universities and other institutions of higher learning shall, as far as possible, be on a broad national basis.
- The promotion and encouragement of scholarship and research.

For legal education specifically, the outlined programmes at the university level must ensure that all law graduates understand the contextual role of law within a certain social, economic and

political setting and have the ability to use law as a social tool for the resolution of societal problems (Mamman, 2009: 9). The current structure of the curricula and methodology of all university law faculties in Nigeria operates under a unified standard curriculum and regulations prescribed by the NUC. As prescribed by the NUC, the fundamental principles guiding the development of law programmes are designed to:

> Ensure that any student who goes through them will have a clear understanding of the importance of law and legal practice in Nigeria (NULAI, 2006: 3).

The prescribed courses for all universities by the NUC include twelve compulsory core courses and seven non-law courses which may vary depending on the university; courses such as Islamic/Sharia law are offered as optional courses (NULAI, 2006: 3; Mamman, 2009: 9, 10). The compulsory courses include:

1. Legal methods.
2. Nigerian legal system.
3. Contract law.
4. Constitutional law.
5. Company law.
6. Commercial law.
7. Criminal law.
8. Law of equity and trusts.
9. Law of evidence.
10. Land law.
11. Law of torts.
12. Jurisprudence.

According to Mamman (2009: 11), these outlined courses were strictly enforced by the NUC as a basis for accreditation for any law faculty and even though considerable input was made by various university law faculties as to the content of the courses, the academic structure of the curricula was not outcome-based and no set criterion were established to ascertain if the desired competences had been attained by the time the student graduated. The teaching methods were

also obsolete and the courses failed to align with international standards and global issues (NULAI, 2006: 3). Considerations of such defects in the university curriculum led to the concerns raised by practitioners about the system of legal education in Nigeria especially with respect to the gap between the quality of legal practice in Nigeria and other developed countries such as USA, Europe and Asia (Oditah, 2006: Reforming legal practice in Nigeria).

A committee was set up by the Attorney General of the Federation and Minister of Justice to review the state of legal education in Nigeria with the aim to:

- Develop a strategic and comprehensive blueprint for the reform of legal education in Nigeria.
- Propose modalities for the training of students for the Nigerian Bar and develop proposals for the amendment of the laws pertaining to legal education.
- Make other recommendations as may be necessary to improve the quality of legal education as well as continuing legal education of lawyers with a view to bringing it in line with international standards (Grimes, 2009: The reforms).

Another area of concern that triggered the reforms was that:
2. The curriculum of the Nigerian Law School was:

- Highly content driven and skills acquisition were not integrated into the context of professional practice.
- Teaching methods were not student-centred and encouraged a regurgitative approach to learning (Grimes, 2009: The reforms).

The Nigerian Law School was established to provide vocational and practical training for law graduates as the second and final stage of formal training of lawyers in Nigeria. As a vocational institution, its role was essentially to provide training in skills, procedures of courts, and the ethics guiding the legal profession, hence the nature of its courses from inception were practice oriented (Mamman, 2009: 13). However, with the expansion of more universities and consequently law faculties, the capacity for students' in-take by the Law School became a challenge coupled with the inadequacy of trained personnel and obsolete teaching methods (Mamman, 2009: 14). NULAI (2006: 5-6) noted that the lack of a holistic approach to legal

education at the university level particularly led to the disconnection between undergraduate law programmes and those of the NLS. This situation thus intensified the efforts among legal scholars and practitioners for the need to restructure the system of legal education as it has far reaching effects on the quality of law graduates and legal practitioners and the administration of justice in Nigeria (Ayua, 2000: 51; Chukwurah, 2000: 56). Consequently another committee was established by the Council of Legal Education in 2006 with the following terms of reference:

- Review the current courses offered in the Nigerian Law School and the Curriculum of each course.
- Review the mode and period allotted to teaching.
- Consider the manner and sufficiency of the practical components of the programmes of the school, that is, attachments to law firms and courts and moot and mock trials and determine whether and how best to introduce clinical legal education at the NLS.
- Work out how best legal practitioners in diverse areas of Law can be formally integrated in the programme of the Nigerian Law School.
- Propose a practical means of adequately funding the programmes of the School.
- Propose minimum criteria of academic standards for accreditation of Law programmes in the universities.
- Any other appropriate scheme that will enrich, modernise and practically capture the needs of all the shades of legal services in Nigeria in a globalised world through the development of competent legal practitioners.

The recommendations of the committee pointed to the need for the adoption of a knowledge and skills-based curriculum and teaching process that would enhance the competence of lawyers in practice irrespective of area, place or jurisdiction. Recommendations were also made for the adoption of teaching methods that are active, student-centred techniques as against traditional lecture types which were not consistent with vocational training methods of the NLS (Mamman, 2009: 15). The approval of these recommendations by the Council of Legal Education led to the revision of the curriculum and teaching techniques of the NLS. The implementation of this was done by the NLS in partnership with the Bench, the Bar and support from foreign based organisations. The new curriculum of the NLS came into effect in the 2008/2009 academic session (Mamman, 2009: 15).

3.6.1. The curriculum of the NLS

The courses of the Nigerian Law School are administered at the postgraduate level and are divided into two categories, Bar part 1 and Bar part 2. Bar part 1 courses are for graduate law students who studied in recognised institutions outside Nigeria and include courses such as Nigerian legal system, criminal law, land law, constitutional law. These courses are compulsory for such students and designed to provide them with background knowledge of the core areas of Nigerian law. Bar part 2 courses are for graduate law students from Nigerian universities preparing for the final Bar examinations at the NLS. These courses include civil procedure, criminal procedure, legal drafting and conveyancing, company law and practice and law of evidence. There is also a general paper consisting of law of management, legal practicing management, legal accounting, professional ethics, legal skills and advocacy (Anaekwe, 2000: 97-98; Wokocha, 2008: Legal education in Nigerian universities). With the recommendations of the Committee, changes were implemented to the content and structure of the courses which included the adoption of a knowledge and skills based curriculum and teaching process that will enhance the competence of lawyers in practice irrespective of area or place of practice (Mamman, 2009: 15). Currently, the courses offered at the NLS include:

- Civil and criminal litigation- expected competency outcome - advocacy skills with knowledge and application of evidence, ethics, and so on.
- Corporate law practice and property law practice - expected competency outcome - skills in legal drafting, communication, alternative dispute resolution, ethics, and so on.
- Law in practice- expected outcome- familiarisation with and capacity to understand ethical issues in practice, solicitor's accounts, legal skills and evidence.

The skills courses as recommended are to focus on the following:

1. Interviewing and Counselling Skills.
2. Negotiation skills.
3. Analytical skills.
4. Communication skills.
5. Time management skills.
6. Research skills.

7. Professional skills.
8. Techniques of legal writing.
9. Trial advocacy.
10. Case management.
11. File management.

According to Mamman (2009: 16), aspects that relate to skills components are undertaken through various problem-based exercises in small group sessions while teaching in advocacy skills runs through the courses in civil and criminal litigation. Training in drafting, communication skills takes place in corporate and property law; evidence and ethics are pervasive in all courses but more pronounced in litigation courses as well as in law practice, that is, office management, solicitors' accounts, legal skills and so on. Outcomes are clearly stated for each course and activities of competencies are integrated in the knowledge of law, skills required and ethical policy considerations.

3.6.2. Legal information literacy and the curriculum of the NLS

The case-based nature of the study of law emphasises the doctrine of judicial precedent in legal reasoning, it is this factor that necessitates the ability of the lawyer to be able to access, use, evaluate and apply information from a range of resources that are fundamental to legal practice (Kuhn, 2008: 11). The conceptual understanding of legal information literacy is rooted in studies which have highlighted students' learning experiences in the use of legal information resources in various institutions and the contributions of their findings to issues of curriculum development and the promotion of lifelong learning in legal education (Andretta, 2001; Cuffe, 2002; Kuhn, 2008).

Legal education functions to provide students with the educational experiences and practical training they need to understand the use of law in the society (International Legal Centre, 1975: 16). The task of legal education is to prepare students to meet the high expectations they are likely to encounter in the course of legal practice. According to Trimmer (2001: Incorporating skills teaching), the ability of the law school to respond to the challenges presented by current and future legal practice and to educate future lawyers is dependent on the content and teaching

of law programmes particularly in the area of skills development. The increasing impact of the volume of legal information resources has made the concept of legal information literacy and the application of skills an important component of legal problem solving in legal research (Callister, 2003: 21-22).

Changes to the curriculum of the NLS have indicated the efforts undertaken so far to include such courses that will enable graduate lawyers to apply their skills to complex legal systems. An analysis of the outlined skills courses shows the inclusion of legal research skills as one of the components which are undertaken through various problem-based exercises in small group sessions (Mamman, 2009: 15-16). However, an in depth look at the new curricula shows that "library and legal research and Internet and legal research" skills training including practical exercises in the use of the Internet and other resources are viewed as all-encompassing in addressing the inadequacies of legal research rather than a comprehensive IL course. It is also noted that this module comprises a minimal component among other substantive law courses in the programme of activities for the entire session, that is, three schedules within the first week of the academic session (Council of Legal Education, 2009: 5). The implication of this situation is that only limited impact can be achieved in terms of IL skills development considering the timing and content of this module. This situation therefore points to the need to reconceptualise aspects of the Law School curricula that relate to skills development, particularly legal research by integrating it into a more coherent framework within which generic and specific skills can be taught. Such a conceptual framework will also help facilitate the development of transferable skills that are vital for lifelong learning (Kift, 2004: 4). In this regard, Kuhn (2008: 13-14) in her study proposes an IL paradigm as an approach for legal research training which can be integrated within the law school curriculum. Such an approach will promote the teaching and learning of knowledge, skills and attitudes within the curriculum and facilitate deep learning among learners.

Theories of learning are increasing the understanding of how the organisation of knowledge can enhance people's problem-solving abilities and the development of effective competency skills for better performance (Bransford, Brown, & Cocking, 2000: 4). According to Bransford, Brown, and Cocking (2000: 4), research into learning and transfer has revealed important principles on how learning experiences can be structured in ways that enable people to transfer

learning to new contexts. They observed that knowledge that is presented as a set of disconnected facts does not enable transferability. In order for students to develop competency in an area or field of inquiry, therefore, there is a need for the facts and ideas in the subject area to be presented within the context of a conceptual framework. In this way students are provided with the opportunity for deep learning of the subject matter and the ability to transform factual information into usable knowledge (Bransford, Brown & Cocking, 2000: 4, 170). This view is also supported by Sullivan and others (2007: 95-96) when they observed that some findings in cognitive learning research have shown that conceptual models or schemas are important in human thinking in the sense that such models are able to establish a cause and effect and ranking and order in human thinking as well as find relationships between them in the course of learning. Consequently, the ability of professional training to integrate such knowledge within an appropriate conceptual model helps to convey a deeper meaning and practical experience for the learner.

In the light of this analysis and based on the current efforts towards narrowing the gap between legal education and professional practice, it is noted that the curriculum of the NLS, as it is currently structured, does not sufficiently attend to the issue of skills development especially with respect to the concept of legal information literacy. Information literacy in legal research provides a context through which essential skills training can be integrated into the teaching of law (Davies & Jackson, 2005: Information literacy: the concept). The strategy of information literacy ensures that standards are set that encourage students to develop highly effective research skills for problem-solving by providing them the opportunity for learning experiences to be created so that students can develop skills in relation to what is taught (Potter, 2000: 287). The challenge therefore is to determine what legal information literacy skills the aspirant barristers need to possess as they prepare for the work place and how these skills can be integrated into the curriculum of the NLS. It is in this regard that this study has potential implications for legal education as it seeks to examine the changes in the curriculum of the Nigerian Law School and its response to these changes with respect to legal information literacy instruction.

3.6.3. The MacCrate Report

Criticisms of the system of legal education are not limited to Nigeria. Attempts at reforming legal education have been undertaken in various countries such as Australia, the United Kingdom, the United States and South Africa with the aim of revitalising effective teaching and learning methods in ways that enhance practical experiences in the study of law. The efforts towards these reforms are motivated by the need to renew professionalism and develop a new framework in legal education that would ensure a transition from content-based to outcome-based method of instruction in the study of law (Garth & Martin, 1993: 469; Stuckey and others, 2007: 45; Montgomery, 2008: 324; Kuhn, 2008: 97). New developments in any law school always help to reshape the practice of law especially with respect to professional knowledge. The need for a new approach to legal education in Nigeria necessitated the adoption of a more practice-oriented curriculum in order to improve the preparation of law graduates for the workplace (Oke-Samuel 2008: 142; Mamman, 2009: 14-16). The draft document produced by the Network of University Legal Aid Institutions (NULAI) which outlined benchmarks on learning outcomes and attainment levels for law students in Nigeria, adopted the principles of best practices for legal education outlined in the MacCrate report of 1992 (American Bar Association, 1992). For the purpose of analysis therefore, it is necessary to explain the importance of the MacCrate Report and its relation to the context of this study.

The MacCrate Report is a comprehensive study of lawyers' educational and professional needs. It consists of a list of ten skills and four professional values needed for legal practice (Rose, 1994: 550). The premise for the development of the report was a realisation by the American Bar Association that a gap existed between legal education and practice in the United States. The report recognises that the skills and values of a competent lawyer develop along a continuum that starts from pre-law school, reaches its formative stage during the law school experience and continues throughout the professional career (American Bar Association, 1992: Introduction). A major concern of the report was that an in-depth study of the range of skills necessary for legal practice in the United States had never been conducted. Hence, a Task Force was set up with the responsibility of identifying and developing a list of skills and values that are pre-requisites for legal practice (American Bar Association, 1992: The skills and values to be acquired).

The report consists of a four part structure that reflects the approach of the Task Force to legal education. The first part is an all-inclusive review of the legal profession while the second part provides a statement of skills and values required for legal practice. The third part of the report focuses on the process of the acquisition of the skills and the fourth part presents a discussion of the statement of skills and values as outlined in relation to legal education and professional development (Todd, Dunn & Crutcher, 2008: 244). For the purpose of this study however, emphasis will be placed on the second part of the report which comprises the "Statement on the Fundamental Lawyering Skills and Professional Values" which identified ten lawyering skills and four professional values that are fundamental for legal practice.

The Statement begins with two analytical skills that are considered necessary foundations for virtually all aspects of legal practice, that is, problem solving (skill #1) and legal analysis (skill #2). The next five skills are essential for professional practice, they include: legal research (skill #3), factual analysis (skill #4), communication (skill #5), counselling (skill #6) and negotiation (skill #7). Litigation (skill #8) applies to only areas of legal practice that relate to the conduct of litigation and alternative dispute resolution. Skill number 9 identifies the administrative skills necessary for organising and managing legal work effectively, while skill number 10 analyses the skills involved in recognising and resolving ethical dilemmas. The lists of four values on the other hand are essential for instilling professional responsibility in the following areas: Competent representation (value #1), promoting justice, fairness and morality (value #2), improving the profession (value #3) and professional self-development (value #4) (American Bar Association, 1992: Organisation of the Statement).

Criticisms of the Report however, point to the fact that the classification of the skills in the middle and lower ranges of importance, while useful as a general picture, may be somewhat misleading since the type of practice and practice setting may influence the perceived value of the skills (Garth & Martin, 1993: 474). Rose (1994: 559-560) also observed that the Report seemed to have placed too much emphasis on skills rather than problem solving, legal analysis and legal writing and research. He noted also that the recommendations of the Report are limited to clinical and related forms of instruction while little is said about other traditional aspects of legal education and the need for law students' proficiency in the outlined skills. He argued

further that by focusing only on graduate lawyers, the Report gives insufficient attention to the transition period of lawyers and subsequent professional development such as continuing legal education.

3.6.4. Legal information literacy and the MacCrate Report

An analysis of the report shows the skills are inter-related and that consideration was given in the organisation of the skills and values to the context of specialisation within the legal profession. The need for competent representation requires a broad range of knowledge of legal institutions and proficiency in various skills. Furthermore, a look at the composition of the skills and values shows that congruence can be drawn with those of information literacy skills. The role of information literacy within the context of the Statement of skills and values and legal education is that it is useful for informing the design of the curriculum and content of legal education at the postgraduate as well as professional levels (that is, Continuing Legal Education). Secondly, the recognition by the Report that the process of learning and refining of professional skills development occurs along a continuum aligns with the concept of life-long learning in information literacy. The MacCrate Report (American Bar Association, 1992: Uses of the Statement) cites four fundamental values that are important for legal practice: they include competent representation, promoting justice, fairness and morality, improving the profession and professional self-development, all which can be learned through legal education and professional experience. A parallel can be drawn between these values and the outlined competency skills of information literacy. The American Association of Law Libraries (2009: 3) noted that the skills outline of the MacCrate Report reflects a pioneering effort at drafting information literacy expectations and forms a basis for the development of legal information literacy skills within a curriculum. The Statement has been useful for informing decisions about the nature and amount of training that all lawyers should receive in preparation for legal practice and this complex set of competences and skills has been reflected in a number of legal courses in law faculties in the United States (American Bar Association, 1992: Uses of the Statement; Sullivan others 2007: 136, 174).

Consequently, since much of the document which outlines the bench marks for professional skills development produced by the Council of Legal Education of Nigeria and the Network of

Nigerian University Legal Aid Institutions (NULAI) (2006) was drawn from the MacCrate Report, it is considered that adopting the Statement on the Fundamental Lawyering Skills and Professional Values of the Report was appropriate in evaluating the competencies of the aspirant barristers as the study population for this study. The analysis of the data was helpful in ascertaining the gaps between what the aspirant barristers at the Nigerian Law School have been taught and its relation to the actual context of legal practice in the workplace in Nigeria. The efficacy of the use of the Report for measuring learning outcomes has been applied in similar studies resulting in substantial changes in curriculum development and testing of methods for Bar examinations. The recommendations of the Report further underscores the unique responsibility of law schools in exposing graduate lawyers to the full range of skills required for legal practice (American Bar Association, 1992: Uses of the Statement; Rose, 1994: 552).

3.7. Vocational training and the NLS: an analysis of the placement exercise

Theoretical and practical knowledge are complementary in legal education, the integration of these two methods are vital to the professional identity of student learning. Through professional education, graduate law students are taught to think, perform, and act like lawyers, the aim of which is to provide them with the capacity and necessary competency skills to engage in complex legal practice (Sullivan & others, 2007: 13, 22). Professional legal education is necessarily about practice; the ability to learn from experience is one of the most useful cognitive skills for a lawyer and it is within this framework of learning that the idea of vocational legal education has emerged (Sullivan & others, 2007: 27).

Vocational training is central to the institutional responsibility of the NLS and is undertaken in the form of a placement or apprenticeship programme known as the "court and law office attachment" (Okoye Ordor, 2007: 67). This field placement or vocational training is structured in such a way that aspirant barristers assume professional roles in real life settings. The first two weeks of training at the NLS begins with an induction programme in which aspirant barristers are divided into groups of teams to act as law "firms" in simulated court cases. This is followed by twenty weeks of intensive study involving the use of case studies, interactive methods including role play and simulation (Grimes, 2009: The reforms). The twenty weeks of study is followed by the attachment exercise for eight weeks in which they are sent to various courts

across the country for a period ranging from two to five weeks to observe court proceedings. Aspirant barristers are allowed to choose any state of their choice within the country, but not the particular court, for this exercise. They are usually attached to specific judges or magistrates who are responsible for reviewing court proceedings with them daily or periodically. The timing for the court attachment is structured to fit the period when courts are in active session, usually in the middle of the legal year (April-June), in order to ensure that students learn from the proceedings (Okoye Ordor, 2007: 67).

This exercise is followed by the law office attachment in which the aspirant barristers are assigned by the NLS to various law offices across the country for a period of about two months (Okoye Ordor, 2007: 67; Grimes, 2009: The reforms). The law office attachment is carried out in various law firms across the country. The list of the selected law firms comprise 3, 300 selected law firms which are organised in a central database of the NLS. These law firms are accredited and recognised by the Council of Legal Education for the purpose of the placement programme. The law firms are also responsible for ensuring that the aspirant barristers are exposed to the context of legal practice and other clinical training as well as helping to create a definite programme of involvement for experiential learning during this period (Okoye Ordor, 2007: 71; Grimes, 2009: The reforms). The entire placement exercise is routinely supervised by lecturers of the Nigerian Law School and aspirant barristers are expected to document their experiences in the form of a reflective journal for which they will be graded. At the expiration of the placement, participants then return to the Law School to discuss their experiences of the attachment programme and engage in further case study. This is followed by the final Bar examinations and the award of a Barrister at Law (B. L) degree (Grimes, 2009: The reforms). It should be noted that even though the B.L and LLB are two separate qualifications, they are perceived as fused by employers and both are required for legal practice in Nigeria. The bachelor of law degree (LLB) is considered incomplete without the additional vocational qualification of a Barrister at Law (B.L) which is obtained on successful completion of the Bar examinations (Okoye Ordor, 2007: 65).

Vocational training or apprenticeship programmes such as that undertaken by the NLS are focused on the development of professional identity and help expose graduate lawyers to the full

dimensions of professional life. Through apprenticeship, legal education is able to blend the analytical and practical nature of professional practice in preparing future legal practitioners with the needed competency skills (Sullivan & others, 2007: 28, 97). Such placement programmes have also been used in various universities in the United States and the United Kingdom as part of the curriculum and as a form of work experience for law students which may be undertaken in a law firm, judge's chambers, courts, and so on. They help provide students with experiences to understand the expectations of law firms in legal practice and how they can respond to various challenges in the workplace (Burridge & others, 2002: 36). Various studies have also shown that vocational training and legal apprenticeship programmes are highly contextualised and enable experts in the field to model performance in a way that the novice can imitate performance based on the guidance of the expert (Baker, 1999: 26-33; Sullivan & others, 2007: 27). Transferability of skills is often ensured within such a community of practice and the novice is challenged to determine the most effective approach in tackling legal problems (Daley, 1999: 133; Bransford, Brown & Cocking, 2000: 53; Terry, 2009: 266) Through this process also, experts who have acquired a great deal of knowledge and skill on various legal issues are able to influence the nature of professional skills training in legal education by providing the needed support, guidance and feedback to graduate lawyers thereby encouraging a collaborative relationship between the legal profession and the legal education system (Givelbar & others, 1995: 9; Binder & Bergman, 2003: 192).

Givelbar and others (1995: 3, 9) observed that practice-based approaches to legal education are considered one of the most effective ways for teaching and learning lawyering skills through active engagement in legal work. Consequently, the efforts by the NLS towards narrowing the gap between legal education and professional practice through vocational skills training has helped to provide a common framework by which aspirant barristers can be inducted into the profession (Sullivan & others, 2007: 50). The importance of such exposure to the legal workplace however further stresses the need for the NLS more seriously to consider the adoption of legal information literacy into the curriculum as a conceptual framework for teaching generic and specific skills as it has become particularly relevant to the changing context of the legal profession in Nigeria.

3.7.1. Reflective practice and legal education

Reflective practice as defined by Hinett is:

> "An approach which promotes autonomous learning that aims to develop students' understanding and critical thinking skills. Techniques such as self and peer assessment, problem-based learning, personal development planning and group work can all be used to support a reflective approach" (2002: 5).

The practice of reflection enables the learner to make informed decisions based on experience and to respond to issues emerging from this reflection. It also provides the learner an opportunity for independent learning and the development of meta-cognitive skills (Gil-Garcia & Citron, 2002: 1, 4; Clarke, 2003: 4). Reflective practice has been used as an assessment tool by teachers and administrators to explore the impact of critical self-reflection of a learner. In legal education, McNamara and Field (2007: 87-88) noted that reflective practice explores the ability of the student to reflect on their own strengths and weaknesses and to practice critical reflection by monitoring their own work performance, interpersonal relations and ability to learn from experience. It also encourages lifelong learning by enhancing the ability of the student to transfer knowledge to other contexts and gain new insights in various tasks. In the legal workplace, reflective practice provides the opportunity for the student to be involved in genuine learning experience.

At the NLS, reflective practice is incorporated into the guidelines for the vocational training undertaken by the aspirant barristers. As part of the requirement, aspirant barristers are expected to produce and submit to the Law School a two-page reflective journal/essay on "the most significant thing I learnt during the attachment". The essay will also include an analysis of what was learnt from the attachment and activities engaged in or observed and a reflection on that achievement or any information or challenges confronted during the period (Council of Legal Education, 2009: 228). The aspirant barristers are also expected to make a fifteen minute presentation from their journal for which they are graded.

Reflective practice and workplace learning are closely related and complementary processes (Hinett, 2002: 3; Nikolou-Walker & Garnett, 2004: 298). In the context of work, reflection

provides an opportunity to generate a connection between theory and practice, develop a better perspective on work processes and make informed decisions (Greiman & Covington, 2007: 133). According to Moon (2004: 88), reflective activity in the workplace encourages a deep learning approach. It is characterised by emotional components which can create a greater awareness of feelings in the learner especially when handling complex tasks. The practice of reflection at the NLS is used to support the vocational training programme as a way of encouraging learning experiences in the work place. Aspirant barristers are encouraged to think about their learning processes during the placement exercise and to reflect on their actions in such a way that they can monitor their own progress and improve their performance. This system enables the NLS to assess the learning outcomes of the programme with respect to skills transferability, professional development and improvement in job productivity of the aspirant barristers. The use of the journal also contributes to reflective thinking and shows their ability to develop critical and evaluative thinking skills, especially in analysing and handling legal problems thereby enhancing their IL skills (Hutchinson & Cuffe, 2004; Greiman & Covington, 2007: 133).

As a source of data, reflective journals can provide access to concrete documented information. Their use can elicit valuable information for transforming educational experiences into best practices. It can also be used to explore the impact of critical self-reflection on a research design (Gil-Garcia & Citron, 2002: 4; Ortlipp, 2008: 695). For the conduct of this study therefore, it is anticipated that the use of the reflective journals produced by the aspirant barristers would be a valuable source of information by which the researcher would be able to ascertain their levels of professional learning and highlight specific areas where there are gaps in IL skills development. The findings show how professional learning can be promoted through reflective practice in vocational training. Further explanations on how this will be undertaken will be explored in **section 4.5.2** of the chapter on research methodology.

3.8. Summary

This chapter provided the theoretical framework, including a discussion on the selected models that would be used for the study. The chapter also presented a literature review which explored the following issues: an analysis of studies in information literacy and the workplace; information literacy and information seeking behaviour including studies in lawyers' information seeking

behaviour. The highlight of the review included an analysis of the context of legal information literacy and legal education in Nigeria. This emphasised the need to foster the development of skills through IL in ways that are adaptable to changing circumstances and relevant to current legal practice, and the need for collaboration between professional practice and legal education in order to meet the challenges of future legal practice. Chapter four of the study will outline the methodology that is to be used for the study.

CHAPTER FOUR

RESEARCH METHODOLOGY

4. Introduction

This chapter explores the various aspects that constitute the methodology of the study. It discusses the two main methodological paradigms which include qualitative and quantitative approaches, their strengths and weaknesses and the rationale for combining both research approaches in the context of the study. The chapter also describes the various research processes undertaken in the study such as sampling, methods of data collection, the research instruments, validity and reliability of methods employed as well as the selected procedures for data analysis and evaluation.

4.1. Research methodology and design

All empirical research, whether qualitative, quantitative, or mixed approaches must include a discussion of the research methodology and design (Yin, 1994: 17). Research methodology and research design, though sometimes used interchangeably, refer to two different dimensions of research (Babbie & Mouton, 2001: 74-75). A research design refers to the structure of a study, and consists of a clear description of the various processes by which the research is to be undertaken. A major consideration of the research design is in specifying clearly the goal of the research and determining the means of achieving this goal (Babbie & Mouton, 2001: 72, 74). According to Cheek (2008: 763), a research design should encompass the decisions by which the research itself is conceptualised, the steps to the actual conduct of the research as well as its contribution to the development of the study. The elements of a good research design must show a link between the research questions and objectives and how the research design aligns to the relevant data sources and research methods, representativeness of sampling methods and reliability and validity of the findings (Bickman & Rog, 2009: 11). It is also important that a research design is consistent with the selected theoretical framework as this would often influence the method of data collection and analysis of the study. The operationalisation of these constituent elements is critical to achieving the aims and objectives of the research (Sarantakos, 1993: 95, 261; Cohen, Manion & Morrison, 2002: 75-76; Davies, 2006: 265).

A research methodology, as defined by Sarantakos (1993: 30), is a model of theoretical principles providing guidelines for executing a specific project. It consists of the assumptions, rules and methods by which the researcher will seek to undertake the study (Schensul, 2008: 516). The choice of an appropriate research methodology usually depends on a number of factors specifically, the theoretical perspective to which the study is aligned and how the theory will be employed in the analysis of the data, that is, inductively or deductively (Gray, 2004: 25). In a deductive approach, theories are developed at the beginning of the study by which data is collected from available facts. In an inductive approach however, data are collected that relate to the focus of inquiry; what becomes important for analysis emerges from the data itself out of a process of inductive reasoning (Maykut & Morehouse, 1994: 127).

4.2. Quantitative and qualitative methodologies

Methodological considerations in research processes would usually involve the selection of either the quantitative or qualitative analysis depending on the method of data collection. The nature of the research questions of a study often determines the choice in using either of these methods or the combination of both. In the current study, quantitative methods used were in the questionnaires administered to the aspirant barristers and the law firms. In this study qualitative methods involved the use of reflective journals produced by the aspirant barristers (*See* **section 4.6**).

4.2.1. Quantitative methodology

Quantitative research methods are based on the positivist and neo-positivist philosophy. They are often conceptualised by their practitioners as having a logical structure by which researchers can address the research problem from hypotheses derived from general theories (Bryman, 1988: 34). Research processes in quantitative analysis employ standards of a strict research design that are deductive. Theories are advanced at the beginning of the study which serve as a framework for the entire study, an organising model for the research questions as well as for the data collection process (Creswell, 1994: 87-88). The operationalisation of concepts in a study helps to transform the research questions to empirically testable propositions in quantitative research (Corbetta, 2003: 57).

Quantitative research is associated with a number of different approaches to data collection. The survey method for example, is one of the features that embody quantitative research due to its capacity to generate quantifiable data on a large population group that are representative of the wider population for the purpose of testing theory. According to Sarantakos (1993: 27), representativeness in quantitative research requires that the conclusions drawn from a study are related to the whole population. This means that the sample must be chosen in such a way that it reflects, to a high degree, the properties of the population (Mabry, 2008: 216).

A major concern of quantitative research is generalisation which refers to the ability of the researcher to establish the results of a particular investigation which can be generalised beyond the confines of the research location (Bryman, 1988: 34). This factor informs the research design in terms of the research question and sub-questions and the testing and sampling processes in order to ensure representativeness and reliability in the administration of the research instrument and processes of data collection (Mabry, 2008: 222).

4.2.2. Qualitative methodology

A qualitative approach is within the interpretive paradigm which focuses on complex social constructs that seek to understand human action from the perspective of the social actors themselves (Gorman & Clayton, 2005: 3). The key assumption in qualitative research is that events that occur can only be understood through the eyes of the actual participant in context (Babbie & Mouton, 2001: 270; Gorman & Clayton, 2005: 3). Qualitative research lacks the precision and definition of quantitative methods, its processes are inductive, that is, theory formulation is grounded in the findings of the research which can be used to support, refine, compare or formulate new theories. Qualitative research however, does allow for a more nuanced approach to the development of theories (Sarantakos, 1993: 9; Creswell, 1994: 93).

Research approaches in qualitative methodology encompass several methods which include case study and life histories. These methods relate to the processes and meanings that are not experimentally examined or measured in terms of quantity, amount, intensity or frequency but rather emphasise the socially constructed nature of reality and the situational constraints that shape the inquiry (Leedy & Ormond, 2005: 270; Denzin & Lincoln, 2005: 10). Data collection in

qualitative research often involves the use of multiple methods through triangulation which include observation, interviews, journals, cultural tests, and participant observation. These processes reflect an attempt to secure an in-depth understanding of the phenomenon in question and to add complexity and richness to the inquiry process (Babbie & Mouton, 2001: 288, 300; Denzin & Lincoln, 2005: 3-5).

As an approach, qualitative research methodology is able to provide a descriptive analysis of the social context it examines. In this way, it provides the researcher with the facts and figures that allow for the interpretation of findings in the context of the community or situation being investigated (Bryman, 1988: 61, 63; Babbie & Mouton, 2001: 311). Amaratunga and others (2002: 22) noted also that the fact that qualitative data are collected over a sustained period of time makes them useful for studying social processes within any given context. However, some of the fundamental problems associated with qualitative research as outlined by Bryman (1988: 72-74) include:

- Problems of interpretation: this aspect relates to issues of validity and reliability, specifically, the question of the ability of the researcher to interpret events from the point of view of the respondent and the extent to which findings can be generalised. This challenge places a greater burden on the researcher to generate legitimate and applicable outcomes.
- The relationship between theory and research in the qualitative tradition: While theory and concepts are tested in quantitative research so that theoretical work precedes the collection of data, in qualitative research, concepts and theoretical elaboration emerge from the data collection process.
- The extent to which qualitative research derived from case studies can be generalised.

The major epistemological differences between quantitative and qualitative approaches imply that they operate within divergent paradigms of research regarding knowledge about the social world and how it is produced (Bryman, 1988: 50). In the past few years, the dimensions of the debate about the characteristics of qualitative and quantitative research methodology have gained prominence, with their importance in the context of research relative depending on each author. However, there is substantial agreement about the fundamental importance of each and their

practical implications for the conduct of research as they both possess differing strengths and weaknesses (Amaratunga & others, 2002: 17-18). One of the early decisions in a research process is to determine the best approach for the study under consideration. In as much as this study typifies qualitative research, it will seek to combine the attributes of both methodologies in order to obtain the desired outcomes. The next section explores mixed methods as a methodology and how it relates to social research.

4.2.3. Mixed research methods

Creswell defines mixed methods as:

> Research in which the inquirer or investigator collects and analyses data, integrates the findings, and draws inferences using both qualitative and quantitative approaches or methods in a single study or a program of study (2008: 526).

Teddlie and Tashakkori (2009: 31-32) also define mixed methods research as a methodology that incorporates multiple approaches in all stages of a research from problem identification to research questions, data collection, data analysis and final inference. It is a method that possesses unique purposes and techniques. It integrates techniques from both qualitative and quantitative paradigms to tackle research questions that can best be addressed by mixing the two approaches (Pinto, 2010: 813). A major justification for mixed methods research is based on the premise that the combination of qualitative and quantitative research methods enables the researcher to build on the strengths of both methods in ways that can provide a better understanding of the research problem (Amaratunga & others, 2002: 17; Kitchenham, 2010: 561). Within this context, quantitative and qualitative approaches are seen as different ways of studying the same phenomenon and as a way of answering the same research questions using both research methods (Bryman 1988: 132). This view affirms the complementary nature of mixed research methods in a research design (Crump & Logan, 2008: 26; Teddlie & Tashakkori, 2009: 286).

Mixed methods provide the opportunity to apply various methods to a single research question, the purpose of which is to achieve triangulation (defined below). This process helps to broaden the dimension and scope of a research topic and produce outcomes that provide a more precise and holistic perspective of human behaviour and experience (Kitchenham, 2010: 562; Pinto,

2010: 813). In mixed methods design, the "mixing" can occur in the type of questions asked and in the inferences that evolve. Mixing can be implemented in all stages of the study - questions, methods, data collection, analysis and inferences. The quality of a good mixed methods approach in a study depends on the degree to which it meets the purposes for which integration of methods was deemed necessary (Pinto, 2010: 816). Greene, Caracelli, and Graham (1989: 258) outlined five major purposes for conducting mixed methods research, they include:

- Triangulation – refers to the designed use of multiple methods in the investigation of a particular study in order to strengthen the validity of the findings of a study. In recent years however, triangulation has been used loosely as a synonym for mixed research methods.
- Complementarity – refers to seeking elaboration, enhancement, illustration, and clarification of the results from one method with results from the other method.
- Initiation - discovering paradoxes and contradictions that lead to a re-framing of the research question.
- Development – that is, using the findings from one method to help inform the other method.
- Expansion - seeking to expand the breadth and range of research by using different methods for different inquiry components.

In designing a mixed method research topic, a major consideration for the researcher is the need to examine the relevant characteristics of both qualitative and quantitative approaches in relation to the research questions (Pinto, 2010: 816). According to Johnson and Onwuegbuzie (2004: 19-20) and Driscoll and others (2007: 20-23) the various ways in which mixed method designs can be constructed include:

- Mixing qualitative and quantitative approaches within and across the stages of research.
- Mixed methods can also be designed by considering the dimension of the paradigm and deciding whether to give the quantitative and qualitative components of a mixed study equal status or to give one paradigm the dominant status.
- Time ordering of the qualitative and quantitative phases is another important dimension and the phases can also be carried out sequentially or concurrently.

However, despite the many benefits that have been attributed to the use of mixed methods research, some researchers have noted that both research methods operate within different sets of assumptions with regard to social learning, hence a combination of both methods could be considered problematic in that two paradigms may be linked in ways that are unacceptable (Schultz, 2003: 13; Polit & Beck, 2004: 283; Johnson & Onwuegbuzie, 2004: 14). There are also analytical challenges in the use of mixed methods research especially those associated with the process of integrating numeric and narrative data and the interpretation of findings (Bazeley, 2004: 145-146; Polit & Beck, 2004: 284; Driscoll, and others, 2007: 25). Other challenges include difficulties in integrating different sampling methods in mixed research and the cost and time in sustaining a multi-method approach (Polit & Beck, 2004: 284; Driscoll and others, 2007: 26).

Despite these challenges, however, mixed methodology has in the past few years gained recognition among researchers and has been referred to as the "third research paradigm" (Johnson & Onwuegbuzie, 2004: 15; Teddlie & Tashakkori, 2009: 4). This affirmation serves to maximise the strengths of both quantitative and qualitative approaches in the conduct research (Creswell & Garrett, 2008: 328). According to Pinto (2010: 813), mixed research methods is generally acknowledged as being more pertinent to modern research than using a single approach. Kitchenham, (2010: 561-562), also observes that beginning from its application to the process of inquiry in the 1990s, mixed methods research has helped in reducing the paradigm wars regarding issues of incompatibility between the two approaches. Currently, it is gradually gaining acceptance among scholars in the social sciences, which is an indication of the desire to move away from the traditional paradigms of positivism and post-positivism, and has been used to examine and implement a wide range of research topics, including instrument design, validation of constructs, the relationship of constructs, theory development and so on. Hence the use of these combined approaches to research has helped to support the modern complexities of social behaviour in the social sciences (Pinto, 2010: 817-818).

4.2.4. Rationale for using mixed methods

As one of the three paradigms of research, mixed methods research helps in the conducting of excellent educational research by facilitating the use of empirical data through various methods.

The application of the case study method is often dominated by the challenges of collecting empirical evidence. Even though most case studies are aligned to qualitative methods due to the nature of exploring phenomena in context, both quantitative and qualitative data can be used in the process of data collection depending on the nature of the research questions (Putney, 2010: 118).

The research questions for this study comprised three sections of questions which were then grouped into subsets of questions to reflect the objectives to be achieved. This structure informed the adoption of the methods that were appropriate in addressing the research questions. The choice of a mixed methods approach in this regard therefore enabled the researcher to determine the kind of tools or sources that were to be employed for collecting the relevant data (Pinto, 2010: 813). Two separate questionnaires were administered which included both open and closed-ended questions to the study population. The process of data collection were undertaken in a successive manner in which the first phase of the data collection influenced the second phase in terms of the approach and sequence in which the data was collected. The first phase was the administration of the questionnaire to the aspirant barristers while in the second phase the second questionnaire was administered to the law firms. The reflective journals which constituted the qualitative aspect of the data were also collected in the second phase of the data collection process. The timing and ordering of the administration of the first phase was necessarily undertaken in this sequence in order to enable the researcher to align the aspirant barristers to the particular law firm where the attachment was done for purposes of analysis. However, no changes were made to the content of the research instrument or approach in the method of data collection in the second phase as it was not considered necessary.

In applying mixed methods to the study, qualitative methods were used in addressing contextual issues in the study which enabled the researcher to provide a rich description and explanation of the processes of the local context being explored. Quantitative methods were then used for measuring certain factors considered important in the relevant research literature which helped in complementing the findings obtained through qualitative methods (Johnson & Onwuegbuzie, 2004: 19; Teddlie & Tashakkori, 2009: 232; Ngulube, Mokwatlo & Ndwandwe, 2009: 107). Consequently, even though the method of data collection did not strictly align with the sequential

design of mixed methods as proposed by Greene, Caracelli and Graham (1989: 267) and Creswell and Plano Clark (2007: 121), it should be noted that the process of integration of both quantitative and qualitative data was done in a meaningful and effective way in the collection and analysis of the data in addressing the research questions of the study.

4.3. Research method

A research methodology within the context of any study provides a systematic outline for linking the data to the initial research questions (Yin, 2003: 20). In analysing the research method for this study, it is necessary to discuss some of the issues associated with conducting the chosen research method, which is the case study method. A case study is sometimes hard to define as it is viewed by researchers in different ways – either as a research design, an approach, a method or even an outcome. Its methods have been applied in various fields such as medicine, law, nursing, social work, business, and so on (Putney, 2010: 115). Yin (2003: 13) however, defines a case study as:

> An empirical enquiry that investigates contemporary phenomenon within a real life context when the boundaries between the phenomenon and context are not clearly evident and in which multiple sources of evidence are used.

Case studies are usually defined in terms of their operation within the context of a particular topic (Putney, 2010: 115). As an approach, case study contributes to an understanding of social phenomena by providing insight into its complexity and social context (Punch, 1998: 150). According to Mabry, (2008: 214-217), the goals of conducting case study research are often influenced by contextual factors that are able to facilitate the ability to convey experience from the case. It enhances the readers' experience with the case through narrative and situational descriptions that guide the investigation with respect to the methods of data collection, the characteristics of the study population and the nature of analysis. The dynamism of case study research is based on its ability to recognise that cases are shaped by the peculiarity of their context, that is, the social, historical, political and organisational contexts which are often inter-dependent and reciprocal. An analysis of contextual issues of this nature allows for a "thick description" in a research study thereby providing an opportunity to understand social realities as they are perceived and experienced by participants (Bryman, 1988: 449; Mabry, 2008: 214-215;

Elger, 2010: 232). By way of explanation, "thick description" is a term used to characterise the process of carefully analysing contextual detail in observing and interpreting social meaning when conducting qualitative research. The concept of thick description has particular relevance for case study research because it highlights the importance of looking at phenomena in-depth, beyond the surface appearance and taking into account not only the behaviour of the people involved but also the contextual and experiential understandings of those behaviours that render the event or act meaningful (Dawson, 2010: 942 -943; Patton, 2002: 437). In this regard also, Babbie and Mouton (2001: 282) stressed further that the unit of analysis in case study research forms an important part in a study, especially with respect to the environmental context under consideration. Hence in order to understand and interpret case studies, a detailed description of the context in which the unit of analysis is embedded is necessary. This process involves using more than one method such as an interview, observation, the use of personal documents and so on, all of which facilitate a thick description from the point of view of the subject.

4.3.1. Types of case studies

There are divergent views as to what constitutes a case. A case study in the social sciences may be focused on a single person or group of persons; it may also be focused on societal issues with greater complexity. A case study may be selected based on the researchers' interest or due to its capacity to be informative about a theory or its ability to influence policy implications within a given context (Mabry, 2008: 214). Stake (2005: 445) identifies three types of case study research:

- The intrinsic case study - refers to a study which is undertaken to understand a specific case in terms of its particularity and ordinariness which makes it a case of interest.
- An instrumental case study is examined for the purpose of providing insight into an issue, refining a stated theory, or re-drawing a generalisation from a given study. It often requires an in-depth understanding of the context in which the case is situated. This study is an example of an instrumental case study. According to Grandy (2010a: 474), qualitative research methods are often aligned with philosophical underpinnings of the instrumental case, where the researcher, reader and participants play a role in reconstructing the experience.

- Collective case study refers to a study where the instrumental case is extended to cover several cases in order to understand a phenomenon, a population or a general condition. Such cases may have similar characteristics but are chosen in order that theories can be generated about a larger collection of cases (Wellington, 2000: 93).

The type of case study adopted depends on the range of issues to be analysed with respect to the research questions. The unit of analysis most often defines the nature of the case study, that is, either descriptive or exploratory case study. Yin (2009: 254), noted that one of the greatest risks in case study research is selecting and defining the type of case study. This challenge is because selecting a case study method requires the researcher to attend to both practical and substantive considerations in terms of the availability and relevance of the case study data, the uniqueness of the case and how it contributes to the research study. According to Stake (2005: 448), a case study must have some form of conceptual structure which may include issues that are complex, situated or that involve problematic relationships. Such issues invite attention to ordinary experiences and are chosen on the basis of what can be learned from the opportunities they provide depending also on the purpose of the study. An intrinsic case study for example, is organised around a small number of research questions; it is often exploratory in nature and not used for theory building or generalisation. Hence in choosing to organise their studies, researchers reflect their orientations to either the intrinsic or instrumental case study (Grandy, 2010a: 473). The focus essentially is to provide a thick description of the case so that the reader can draw his/her interpretations about the particularities of the case and the transferability of the findings to other cases (Grandy, 2010b: 499-500). The key in applying the different types of case studies is that they provide an opportunity for the reader to learn.

4.3.2. Case study method

Case study research is sometimes considered a strategy rather than a methodology in the sense that its processes often employ a holistic approach in order to preserve and understand the wholeness and unity of the case in question (Robson, 1993:147). Consequently, selecting a case study as a research design is appropriate for particular kinds of research questions specifically of an exploratory or explanatory nature. This helps the researcher in understanding processes and the complexity of the case and the methods to be adopted (Putney, 2010: 116).

Methodological approaches in case study research are selected carefully in order to avoid error. Multiple methods of data collection can be employed as they allow for little quantification or generalisations and are considered valid forms of inquiry for descriptive and evaluative studies (Sarantakos, 1993: 260; De Vaus, 2001: 219). Case studies are conceptualised as relating more to qualitative studies, particularly participant observation and structured interviews. These techniques facilitate a rigorous penetration of situations that are not well known which in turn challenge the researcher to recognise the importance of new inputs, generate pertinent questions and make deeper inquiries to the case (Mabry, 2008: 218). The applicability of qualitative methods to a given context in case study research lies in their ability to serve as building blocks for data collection and analysis (Burton, 2000: 215). In quantitative research however, large scale quantitative methods depend largely on careful adherence to a prescriptive research design, consequently, the search for a broad applicability of findings compels the use of large populations and data collection methods using standardised procedures (Mabry, 2008: 216).

Case studies vary in the mixtures of methods they employ and the scope of each study is also influenced by its analytical focus and the research resources available. Nevertheless, a good case study research design must utilise a set of research methods that will be able to satisfy the key requirement of effective contextualisation (Elger, 2010: 232). Case study research is applicable to mixed methods in terms of the research design, analysis and interpretations (Kitchenham, 2010: 561; Putney, 2010: 118). In undertaking this research study, the case study method was employed using a mixed method approach discussed in **section 4.2.3 and 4.2.4** of this chapter. The application of mixed methods for the study is informed by the consideration that research questions in case studies are often qualitative in nature and may ignore other quantitative questions that are relevant to the study. Consequently, the use of mixed research methods for the study enabled the researcher to compile rich empirical data in order to achieve meaningful results from the findings of the study. Kitchenham (2010: 562-563) also observed that because inductive and deductive reasoning are applied in mixed method research, the results are far more robust particularly in case study research which requires the use of empirical data gathered through varied data collection techniques. Similarly, the contextual nature of this study emphasised the need for an in-depth examination of the nature of legal information literacy in Nigeria, for which the case study method as a research design, was most appropriate. This is because it provided flexible ways for the researcher to investigate complex issues related to the

use and application of legal information in the workplace in Nigeria. Timmons and Cairns (2010: 99-100), argued that case studies in educational research, help create knowledge and understanding by encouraging the development and implementation of policy on any particular subject in order to improve the standard of learning. Hence, the application of the case study method to this study provides a practical way to monitor the current implementation of the revised curriculum of the Nigerian Law School for the purpose of assessing its impact on legal education and practice in Nigeria. Findings of the study will also serve as a basis for making recommendations in refining future efforts towards policy implementation in legal education in Nigeria (Grimes, 2009: The future and lessons).

The use of case study research implies the kind of data that is to be collected and how such data are to be analysed (Gomm, Hammersley & Foster, 2000: 3). The amount of data to be processed in case study research makes its analytical strategies a challenge as it requires the development of clear conceptual categories for explaining patterns of phenomena and the context in which they appear. Generalisability from this process can be shown by drawing similarities between findings and previous knowledge thus increasing the potential for developing theoretical propositions (Babbie and Mouton, 2001: 281). However, there are no strict guidelines or routines in analysing case study research; analysis in case study can take a variety of forms. The analytic role of the researcher in case study research is to provide a detailed description of the case and of the setting which will help in organising the data (Putney, 2010: 118-119). Nevertheless, it is important that the procedures are carefully outlined to reflect the steps taken (Yin, 2009: 255; Babbie & Mouton, 2001: 288, 300). Modes of case study analysis include:

- Pattern-matching - that is, patterns emerging from the data are matched with patterns in theory or in alternative predictions. This helps to enhance the internal validity of the study.
- Explanation building - the idea here is to generate the explanations about your case.

Case study research has great potential for the development of theory. According to Amaratunga and others (2002: 26), case studies are tailor-made for exploring new processes or behaviours which are yet to be explored. In this sense, they function to generate hypotheses and the development of theory. The development of theory in case study research (if any) is usually

inductive and may emerge through constant comparative method and dialogue cycle of data collection and interpretation (Mabry, 2008: 224).

Issues of representativeness have always been questioned with case study methods especially with regard to the extent to which findings can be generalised beyond the particular study in question (Bryman, 1988: 88; Flyvberg, 2004: 421; Timmons & Cairns, 2010: 100). The contextual nature of case study research necessitates that the researcher is able to provide a representative insight into the nature of complexity of the case (Mabry, 2008: 220). However, as contended by Punch (1998: 155), generalisable results depend on the purpose of the case through its conceptualisation and process of data analysis by which findings from a case can be put forward as being potentially applicable to other cases. In this way, the development of abstract concepts and propositions from the study raises the analysis above simple descriptions and helps contribute potentially generalisable findings. Gomm, Hammersley, and Foster (2000: 3) and Outhwaite and Turner (2007: 114) also argued that case studies should be used to capture cases and their uniqueness rather than as a basis for wider generalisations or for theoretical inferences. Hence, even though a case study may be lacking in external validity in terms of generalisability, internal validity can be achieved by providing a profound understanding of the specific case from which inferences can be made to other related cases.

Stake (2005: 443), asserts that the case study method is not a methodological choice but a choice of what is to be studied. The ability of this method to facilitate an understanding of contextual issues through ways of inquiry has helped foster development in various organisational and educational research. Through its ability to reflect actual human experience, case study methods present a disciplined force for influencing public policy within a given context (Stake, 2005: 460; Timmons & Cairns, 2010: 99-100). Similarly, in research, Yin (2003: 7-8) argues that the leverage provided by techniques in case study research enables the adoption of a triangulated approach to data collection which predisposes the researcher to pursue a particular strategy in the course of investigation regardless of the nature of the research question.

The choice of a case study method in conducting this study is based on the consideration that it is found to be more appropriate to the research objectives and the contextual nature of the study. Considerations for its preference are also based on the fact that despite the effectiveness of other

methods in dealing with such studies, limitations can be experienced in thoroughly investigating contextual issues (Yin, 2003: 13). This view is also supported by Kumar (2005: 113) when he observed that by providing the opportunity for an in-depth analysis of a research topic, case study methods are highly specific by which data generated from the methods can provide a basis for further inquiry to the findings of the study. Consequently, the application of a case study method in conducting this study has helped in providing a better insight into the context of IL in the legal workplace in Nigeria.

4.4. The study population

Defining the population is necessary in order to determine the feasibility of the field research. It provides the source from which the data is to be collected and also makes it possible for statistical inferences to be made from the target population (Sudman, 1976: 13-14). Babbie and Mouton define a study population as: "The theoretically specified aggregation of the study element" (2001: 173). The study population for this research comprises the following groups:

4.4.1. The aspirant barristers

These were law graduates from accredited Nigerian universities who were undertaking Bar examinations to qualify to practice as solicitors and/or advocates under the Nigerian legal system. This category of graduates can be equated to "trainee barristers" in the United Kingdom, "in-house counsel" in Canada (Wilkinson, 2001: 262) or "candidate attorneys" in South Africa. In Nigeria they are referred to as "aspirant barristers". A total of four thousand five hundred (4500) aspirant barristers are admitted for training by the Nigerian Law School each academic year. The reason for the choice of this category of law graduate is for the purpose of determining the extent to which they are able to transfer and apply recently acquired information literacy skills from the educational to the workplace environment having recently concluded five years of undergraduate studies from various universities. Hence it is considered that testing the aspirant barristers within the course of their vocational training in the workplace environment would be more effective in providing the desired outcomes for the study (Howland & Lewis, 1990: 382).

4.4.2. The law firms

The law firms under study comprised a list of accredited law firms in Nigeria compiled by the Nigerian Law School as placement areas for the aspirant barristers within the course year. This list was representative of the six geo-political zones in Nigeria. According to Oko (1994: 113-115), the nature of private legal practice in Nigeria is organised in the following forms:

- Solo practice – This is basically a one person practice and cases are limited to the provision of routine legal services. They handle petty legal cases such as eviction cases, actions for arrears of rent, handling and defence of minor criminal charges in magistrate courts.
- Chambers – These are usually established by more experienced lawyers who employ other younger lawyers like those newly graduated from the Nigerian Law School who by working in these firms are able to develop more practical skills. Such junior lawyers are employed on a fixed salary and their number depends on the volume of legal business coming into the chambers. The nature of cases undertaken and clients are determined by the owner of the firm (Oko, 1994: 113).
- Partnership – Legal partnership is another form of arrangement involving two or more lawyers. This kind of partnership agreement usually provides for the sharing of income, duties and obligations of each partner. The advantages of this setting include prospects of more diverse clientele, greater income, more possibilities for specialisation, and opportunities to exchange ideas with colleagues (Oditah, 2006: Expanding the scope of law practice in Nigeria).
- Other forms of practice settings could also involve office sharing without the necessary commitment of a joint partnership.

As part of the practical content of the curriculum of the Nigerian Law School, aspirant barristers are usually assigned to any of these types of law firms to gain practical experience in legal practice (Oditah, 2006: Expanding the scope of law practice in Nigeria).

Law firms in Nigeria are strategically located to attract clients. Large metropolitan cities such as Lagos, Port Harcourt, Kano and Abuja provide access to a wide variety of legal businesses because of the location of key federal government ministries and corporate headquarters of

multi-national corporations. This situation provides lawyers with the opportunity for professional growth and a broader base for close contact with influential clients, particularly the political and business class (Oko, 1994: 107, 116). Similarly, the nature of a lawyer's clientele influences the likelihood of specialisation in any aspect of law. The Legal Practitioners Act of 1962 (Laws of the Federation of Nigeria (1990: 155) which regulates the practice of law in Nigeria does not restrict legal practice to any field of law hence most law firms in Nigeria are involved in general practice, that is, they are involved in various aspects of the legal profession such as corporate law, criminal law, family law, labour law, property law and so on. This practice has also been influenced by the nature of the demand for legal services in the country which may inform the choice of area of practice of a law firm (Oko, 1994: 109). However, in the past few years, the increasing complexity of legal practice due to developments in ICT and the globalised nature of current legal practice, which has increased the demand for high quality services and proficiency in certain areas of law, has led to an increase in specialised legal practice in the various aspects of law in the country (Oko, 1994: 123; Akhihiero, 2009: 20).

The legal profession in Nigeria plays an important role in ensuring the development of an effective judicial system and the entrenchment of democracy and social justice, hence concerns about the falling standards of legal education in Nigeria are well founded because the quality of graduate lawyers is directly related to the quality of the judicial system (Oditah, 2006: Reforming legal practice in Nigeria; Oba, 2007: 24). Accordingly, it cannot be over emphasised that the urgency for current transformations in the legal education system needs to be more all-encompassing and comprehensive especially with regard to skills development for professional legal practice (*See* **section 3.5 in chapter three** of the study). In this regard, the choice of the study population for this study is relevant in addressing the objectives of the study, particularly with respect to identifying the extent to which professional legal training by the Nigerian Law School equips aspirant barristers with skills and competencies for legal practice and also in assessing the nature of collaboration that is needed between legal practitioners and the Nigerian Law School in facilitating skills training for the legal profession in Nigeria.

4.5. Sampling overview

A sample is a subset of the population by which the entire population can be analysed. Through sampling, an attempt is made to describe the sample selection process and provide adequate information about the link between the sample and the study. Sampling is necessary for the ease of investigation in a study in the sense that it reproduces the characteristics of the study population under examination on a smaller scale. The outlined research questions can be transformed into a feasible empirical study by which resources can be directed to improve the amount and quality of data on each individual (Henry, 1990: 11-12; Corbetta, 2003: 118).

4.5.1. Sample size

It is usually difficult to determine the size of a sample; the adequacy of a sample is usually dependent on the details of its analysis, however, it should be sufficient to provide precise and reliable estimates for statistical analysis. Larger sample sizes help minimise the risk of errors in the sampling frame (Henry, 1990: 117). According to Sudman (1976: 87) sample sizes can be determined by pre-pilot tests depending on the availability of resources to the researcher. The overall sample sizes for this study comprised 341 law firms located in different parts of Nigeria and 345 of the aspirant barristers who were registered for the course year at the Nigerian Law School. A detailed explanation of how these sample sizes were arrived at is discussed in **section 4.5.2** of the chapter.

4.5.2. Sampling method for this study

Sampling can be divided into two categories: that is, probability and non-probability sampling. Non-probability sampling refers to sampling approaches where subjective judgment plays a role in the selection of the sample. It is useful for collecting samples in studies of special groups (Henry, 1990: 17). Probability sampling is considered to have a greater validity and credibility than non-probability sampling (Fowler, 1993: 11). In either case, it is important that samples are chosen through sound methodological principles. Sample units must be clearly defined, objectivity must be ensured in the process and the selection process should avoid errors, bias and distortions (Sarantakos, 1998: 140). For the purpose of this study, a probability sampling method using the simple random sample was employed and a non-probability sampling method using the

purposive sample was also employed for the study. The reasons for the choice of these two sampling techniques are explained below.

Simple random sample

The sampling method adopted for this study was the simple random sampling technique. This sampling method provides an equal chance for each member of the population to be selected within the sample. A sampling frame is first identified or constructed by the researcher to determine the ideal sample size before the data is collected. A single number is then assigned to each element in the list. Numbers are then picked randomly from the list of registered names in the sampling frames which constitute the elements or actual sample from which the study will be conducted. This procedure can be conducted either manually using a statistical table of numbers or by a computer program. Using a computer program is considered more convenient and less time consuming and is much preferred when dealing with a large sample (Sarantakos, 1998: 143; Babbie, 2004: 202). The sampling process for this study was done manually using the statistical table of numbers developed by Krejcie and Morgan (1970: 163). For the purpose of this study also, the simple random sampling method was considered more effective for obtaining representative results from the sample. This choice was made because the simple random selection process underlies the validity and credibility of sample data which in turn affects the level to which sample results can be generalised to the study population. Similarly, a distinct advantage of probability sampling method is that it provides the researcher with the means to remove any probable errors that may be associated with the particular sample (Bickman & Rog, 2009: 84).

Purposive sample

A purposive sampling technique is designed to pick a small number of cases that will provide the needed information about a particular phenomenon (Tashakkori & Teddlie, 2009: 292). It involves selecting a sample on the basis of the researcher's knowledge of the study population in terms of its various elements and how it fits into the nature and aims of the research (Babbie & Mouton, 2001: 166; Fogelman & Comber, 2007: 135). In purposive sampling, respondents may be selected for their representativeness of a larger population but are likely to be chosen for the kind of information they may provide. The choice of a purposive sample may be done if it is

considered that a random sample may not yield the desired result (Mabry, 2008: 223). Purposive sampling can occur before or during data collection. The reason for the choice of this sampling method was informed by the decision to use the reflective journals produced by the aspirant barristers as a method of data collection. It was considered that since it may not be possible for the researcher to analyse all the journals produced by the aspirant barristers, a purposive sample could be used to select a sample that will be relevant to the findings of the study.

In mixed methods research, it is possible to employ both purposive and probability sampling techniques. The researcher's ability to creatively combine these techniques in answering the research questions allows the researcher to generate complementary databases that include information that has both depth and breadth regarding the case under study (Tashakkori & Teddlie, 2009: 292). Both sampling techniques were deployed in the conduct of the study.

4.5.3. Sampling frame

A sampling frame is the actual sampling unit from which a sample is selected from the target population; it is usually drawn by obtaining a list of the study population (Babbie & Mouton, 2001: 174). Sampling frames have inherent flaws which may be as a result of missing or duplicated elements within the list of the total population. According to Henry (1990: 88) the challenge of an efficient sampling method is to find a means to reduce total errors as this can have a bearing on the overall research design in that the aim should be to reduce bias and discrepancy in the sample and the study population.

The sampling frame for this study comprised a comprehensive list of accredited law firms in Nigeria which are organised in the database of the Nigerian Law School. The list is representative of the six geo-political zones of Nigeria and has a total of three thousand and three (3003) law firms compiled by the Nigerian Law School as placement areas for the aspirant barristers within the course year (Grimes, 2009: The reforms; Oditah, 2006: Expanding the scope of law practice in Nigeria). From this list a sample was drawn of 341 law firms using guidelines from Krejcie and Morgan (1970: 163). The reason for choosing to undertake the sampling procedure from this list was based on the consideration that undertaking the study through a coordinated body like the Nigerian Law School to which all the deans of the thirty five

accredited university law faculties, as well as the Nigerian Bar Association, have considerable input would be more practical in terms of producing outcomes that could influence future policy decisions about the conduct and practice of law in Nigeria (Elias, 1962: 118-119).

The sampled list of the law firms were then organised alphabetically according to the 36 states of Nigeria, including names of law firms, addresses and local government councils/municipalities in the selected states. Provision was also made in the list for alternative law firms to be contacted (these were also selected from the database of the NLS) in case the researcher was unable to locate the sampled law firms. However, of the 36 states of the federation, due to the sampling process used, four states were not selected. This left a total of 32 states for the study, including the Federal Capital Territory (FCT), Abuja.

A list of 4500 aspirant barristers registered for the course year at the Nigerian Law School was used as the sampling frame. From this list, a sample of 354 aspirant barristers was drawn, also using guidelines from Krejcie and Morgan (1970: 163). A minimum of two to five aspirant barristers are usually assigned to each firm for the attachment programme exercise depending on the size of the law firm.

4.6. Methods of data collection

Research methods within the context of any study provide a systematic outline for linking the data to the initial research questions (Yin, 2003: 20). The field methods to be used to obtain research data consisted of a triangulated approach. This refers to a method of employing more than two methods of data collection in a study. Cohen, Manion, and Morrison (2000: 113) suggest that in the social sciences, it is an attempt by which the researcher seeks to explain the richness and complexity of human behaviour from different angles by making use of qualitative and quantitative data. It is a powerful way of demonstrating concurrent validity particularly in qualitative research. The method of data collection used included the use of:

- two separate structured questionnaires administered to:
    - The aspirant barristers, and
    - The law firms to which the aspirant barristers were assigned for the attachment programme.

- The use of a reflective journal/essay produced by the aspirant barristers.

Both quantitative and qualitative methods were used in the data collection process. Details of the conduct of how these methods were deployed in the study are explained in section 4.6.3 of the chapter.

4.6.1. Questionnaires

Questionnaires as defined by Babbie and Mouton (2001: 233) are a collection of questions which enable the researcher to determine the extent to which a respondent perceives a particular issue. According to Fowler (1993: 94), designing a good survey instrument such as a questionnaire involves selecting the questions needed to meet the research objective, testing them to ensure their validity and organising them in a form that elicits the required responses. Well-designed questions provide reliable and valid measures for data collection. A number of criteria determine the nature of the questions contained in a questionnaire, especially those relating to their relevance to the research questions, their approach, structure, content and wording with regard to the type of responses required (Sarantakos, 1993: 162). Questionnaires can either be open-ended or closed questions.

- Open-ended questions: These enable the respondents to provide their views through a provision made for written responses: no specified choices are given. This question structure is mostly used to study public opinion, the advantage is that the respondent is not forced to adapt to pre-conceived answers. Answers to open-ended questions allow complex motivational influence and frames of references to be identified (Foddy, 1993: 131).
- Closed questions: In close-ended questions, a list of answers is provided from which the respondent selects the one that closely represent their views. The response categories are usually exhaustive so that the respondent is not compelled to select more than one answer (Babbie & Mouton, 2001: 233).

Some of the advantages of questionnaires is that they are often standardised hence data can be systematically collected and easily analysed. Also, because questionnaires are voluntary and anonymous, they tend to provide more honest responses from participants. However, the complexity of designing, producing, distributing, and analysing questionnaires can be expensive

and time consuming. Responses to self-completing questionnaires may also be inaccurate particularly when questions are misinterpreted by the respondents (Babbie & Mouton 2001: 262; Bell, 2007: 224).

For the purpose of this study, two separate structured questionnaires were designed. The first questionnaire was administered to the aspirant barristers that are assigned to the selected law firms. The second questionnaire was targeted at the identified law firms sampled from the database of the Nigerian Law School. The design and structure of the questionnaires contained sections and the format comprised closed questions that required respondents to tick the applicable responses.

Pre-testing of the instrument is necessary in order to reduce the risk of errors, bias and non-response (Gray, 2004: 205). The first questionnaire was pre-tested on five graduate aspirant barristers who are involved in legal practice. The second questionnaire was pre-tested on five law firms. The choice of this number was for convenience and availability of participants considering that the timing for the data collection was a particularly busy time for lawyers and law firms in Nigeria due to the scheduled national elections. It was therefore important that timely responses were obtained so that the necessary revisions could be made to the various aspects of the questionnaire before administration (Fowler 1997: 369). Both questionnaires were pre-tested and administered by the researcher in Nigeria.

4.6.2. Construction of the questionnaire

The questionnaire is a translation of the central issues of the research topic hence it was important that in designing the research instrument for this study, the general content and structure of how the questions were to be organised within the context of the study encompasses the major principles of information literacy as well as reflecting the main objectives of the study.

In designing the questionnaires for this study, due consideration was given to related studies reviewed in the literature from which much insight was gained as to the format and structure of the research instrument (Taber & others, 1988: 1260-1297; Garth & Martin, 1993: 474; Rose, 1994: 559-560; Cohen, Manion & Morrison 2000: 248-250; Peterson, 2000: 10-15; Lloyd, 2003:

87-89; Lloyd & Williamson, 2008: 5). Also, the adopted theoretical frameworks for the study namely Kuhlthau's (1993) Information Search Process (ISP) model and Byström's (1999) theory of Information Activity in Work were of particular importance in the design of the instruments.

Kuhlthau's Information Search Process (ISP) model had a major influence on the construction of the questionnaire; of particular relevance to the design and structure of the questionnaire is Kuhlthau and Tama's (2001) exploratory study among early career experienced lawyers in which they sought to investigate how legal information is used in accomplishing complex tasks using the ISP model (Kuhlthau & Tama, 2001: 27-30). Aspects of the ISP model which address complex tasks that require information seeking, gathering, and interpretation were reflected in questions 7a-8e of section 5 of the first research instrument for the aspirant barristers. Similarly, the affective dimension of the ISP model was also incorporated in questions 9a and 9b of section 5 of the questionnaire. Byström's (1999) theory of Information Activity in Work which is useful for understanding of work tasks of varying complexity was also incorporated in the design of the questionnaire as a means for determining the connection between task complexity and the structure of legal information as it affects the information seeking behaviour of the aspirant barristers in questions 8d and 8e (Byström & Jarvelin, 1995: 193).

Both models were also used in the construction of the second questionnaire administered to the various law firms in Nigeria. For the second questionnaire in particular, commendations were made by some lawyers to whom they were administered with regard to the organisation and outline of information literacy skills listed in questions 3a, 3b and 4 of section 3 of the questionnaire. Some of the lawyers made copies of the questionnaire to use as a tool for assessing the skills of aspirant barristers on attachment in their law firms.

Generally, the two questionnaires served as a reliable research instrument for the study which ensured that appropriate responses and factual information were received that would be useful in addressing the research questions of the study.

4.6.3. Format of the questionnaires

The first questionnaire was administered to the aspirant barristers attached to the selected law firms. Responses to the first section of the questionnaire provided demographic information of the aspirant barristers which supplied useful information on the characteristics and composition of the study population for statistical analysis and generalisation. Other sections contained questions on research skills acquisition, information seeking practices, task complexity associated with legal work and level of exposure to legal practice. Analysis from responses to these questions were used to verify the aspirant barristers' acquired information literacy skills (or its deficiency) and their applicability to the workplace. These responses will also help establish the connection between formal legal education and the development of work related competencies. Issues with respect to **research question 1** and sub questions, that is, regarding the role of formal legal education and information literacy in the workplace were mostly addressed from analysis in the literature review. Other sections in the questionnaire contained questions on research skills acquisition, information seeking practices, task complexity associated with legal work and level of exposure to legal practice. Findings from analysis of these questions were intended to provide information with respect to research question 2 and sub-questions **(2.1, 2.2, and 2.3).** Responses to this section of the questionnaire were also applicable **to research question 1.2**.

For the law firms, sections in the questionnaire covered aspects of the research skills training of the aspirant barristers, legal practice and professionalism in Nigeria. Issues in current developments of local legal electronic resources and its relevance and application to legal practice in Nigeria were also included. The format of the questions in this instrument basically elicited information on the law firms' expectation of aspirant barristers in legal practice. Questions were therefore built around issues of skills efficiency in legal research and other aspects of legal practice. It is expected that these questions will help identify gaps in legal education and practice in Nigeria. Other questions to the law firms also sought information on how the integration of digital materials has influenced current legal practice in Nigeria. Responses obtained from these questions provided data for research **questions 3 (3.1, 3.2 and 3.4,** *See* **appendix 5)** especially with respect to issues of legal information literacy in the

workplace and the need for transferability of skills. Analyses in the literature review have provided information on **research question 3.3.**

4.6.4. Reflective journal/essay

Another method that was useful for obtaining valuable data for the study was the reflective journal/essay produced by the aspirant barristers in the course of the placement period. As part of the guidelines for the placement clinic, aspirant barristers are required to produce and submit to the Law School a two-page reflective essay on "the most significant thing I learnt during the attachment". The essay included an analysis of what was learnt from the attachment and activities engaged in or observed and a reflection on that achievement or any information or challenges confronted during the period (Council of Legal Education, 2009: 228). The aspirant barristers are also expected to make a 15 minute presentation of the essay for which they were graded. Details on the use of reflective journals as a method of data collection are provided in **chapter three section 3.7.1** of the study.

As a source of data, reflective journals can provide access to concrete documented information. Their use can elicit valuable information for transforming educational experiences into best practices (Gil-Garcia & Citron, 2002: 4). For the conduct of this study therefore, the use of reflective journals produced by the aspirant barristers enabled the researcher to ascertain their levels of professional learning and highlight specific areas where there are gaps in skills development. The data was drawn from the responses to the reflective essay produced by the aspirant barristers. Consent was obtained from the authorities of the Nigerian Law School for this purpose and from the aspirant barristers whose journals were selected for examination. From these journal essays, a purposive sample was drawn by which the analysis was conducted. According to Hegarty (2009: 459-460), reflective journals can be categorised into five levels and types, they include – descriptive reflection, explanatory reflection, supported reflection, contextual reflection and critical reflection, each of which are often exhibited by the writer of the journal. These categories were used to examine the level of reflection of the writer using a constant comparative method. The method of analysis was qualitative and guided by the research questions. A thematic analysis was then used to explain the themes and patterns that emerged

(Hegarty, 2009: 459). Findings from the reflective journals were relevant in addressing **research questions 1.3 and 3.2** of the study.

4.6.5. Data collection: Administration of questionnaires

The initial proposed method for the administration of the first questionnaire was that it would be administered to the aspirant barristers in their assigned areas of placement during the attachment period between April and June 2011. However, a few studies reviewed in the literature outlined the problem of absenteeism by the aspirant barristers from their areas of placement as one of the major challenges experienced by the NLS regarding the conduct of the law office attachment programme. This problem has been attributed to the Bar examinations which are often scheduled after the attachment programme, hence most aspirant barristers tend to use the attachment period to prepare for the examinations (Anaekwe, 2000: 101; Okoye Ordor, 2007: 71).

It was also noted that the earlier timing for the administration of the questionnaires coincided with the scheduled national elections in Nigeria which were to commence in April 2011. As a result any events following on the elections were bound to affect the conduct of the administration of the questionnaires particularly to the aspirant barristers who were located in different parts of the country for the attachment. Consequently, based on these issues as well as suggestions offered by the Law School, changes were made to the timetable for the administration of the questionnaires in order to ensure a good response rate.

The outlined methods of data collection for the study included the administration of two separate questionnaires to the aspirant barristers at the various campuses of the Nigerian Law School and to the selected law firms across the country. This process was divided into two phases for easy administration and collation of the data (*See* **section 4.2.4**).

The first phase of the administration of the questionnaire was to the second batch of aspirant barristers registered for 2010/2011. This batch of aspirant barristers had returned to the various campuses of the Law School where they were being assessed for the attachment. From the format of the questionnaire, provision was made in the questionnaire by which the aspirant barristers could provide the name and location of the law firms to which they were attached, in

this way, the researcher was able to align the respondents to the particular law firm where the attachment was done for purposes of analysis (*See* **research instrument 1 questions 1c & 1d**).

4.6.5.1. Phase 1: The aspirant barristers

Pre-test

The research instrument was pre-tested on the 21st- 25th March 2011. It was administered in Jos, Plateau State, Nigeria to practicing lawyers who are in legal practice and have been working for not less than one year. Five questionnaires were administered and all were completed and returned. Observations from the responses of the pre-test showed that the instructions on each section of the questionnaire were clear and well understood. Responses to **question 10 section 5** however, which required respondents to rank the skills in order of importance using the key provided, revealed that most respondents ticked their appropriate response instead of ranking them. Also a few errors were noted with the numbering sequence of the questions and were corrected before the actual administration of the questionnaire. Generally, responses from the pre-test showed that the questionnaire was appropriate in meeting the aims and objectives of the study.

Questionnaire administration

The first phase of the questionnaire administration to the aspirant barristers was conducted on the 5th- 11th April 2011 to all the campuses of the Nigerian Law School with the following results:

- Kano campus - 300 questionnaires administered, 285 (95%) were returned.
- Lagos campus - 110 questionnaires were administered and 104 (95%) were returned.
- Abuja campus – 110 questionnaires administered, 92 (84%) returned.
- Enugu campus - 100 questionnaires administered, 76 (76%) were returned.

A total of 620 copies of the questionnaire were administered to the various campuses of the NLS of which 557 were completed and returned. However, 42 (9%) of the 557 data returned were invalid leaving a total of 515 of the valid responses representing 83% of the total questionnaires administered.

Reflective journal

The reflective journal produced by the aspirant barristers was also a source of data for the study. Consent was sought by the researcher from the authorities of the Nigerian Law School for this purpose. However, it was discovered that the journal essays are usually returned to the aspirant barristers after the assessment so the researcher had to request access to journals from some of the academic staff of the Law School who were responsible for assessing the journals, as well as obtain the consent of some of the aspirant barristers whose journals were being examined in order to make copies of them. Consequently, the researcher was only able to get five copies each from three of the campuses of the NLS - Abuja, Kano and Enugu (total 15); none were obtained from Lagos campus.

Challenges and observation

Generally, the administration of the questionnaires at each of these campuses was successful judging by the outcome of the responses to the data. Even though 354 were drawn as the sample for the administration of the questionnaire, a total of 515 responses were obtained indicating the willingness and interest in participation in the study by the aspirant barristers (*See* section **4.6.5.1 Phase 1)**. Similarly, the support and cooperation provided to the researcher by the authorities of the Nigerian Law School ensured a very good response rate especially considering that the timing for the administration of the questionnaire coincided with the assessment period and scheduled Bar examinations which were due to commence soon afterwards.

4.6.5.2. Phase 2: The law firms

Pre-test

The second research instrument was pre-tested on the 25th-30th April 2011 in Jos, Plateau state, Nigeria. The questionnaire was administered to law firms which were not listed among the 341 selected law firms from the database of the Nigerian Law School. Five questionnaires were administered which were all completed and returned. Respondents were favourably disposed to the questions and general instructions of the questionnaire. However, a few of the respondents raised objections to the covering letter of the questionnaire, particularly, the format of the informed consent in which they were required to append their signatures in order to affirm their consent to completing the questionnaire, which they felt was not necessary. This problem was

however not an issue for some law firms who not only signed the form but also placed their official stamp on the page. Consequently, changes to the format of the informed consent form were not considered necessary. Secondly, a few lawyers also noted that the font size of the characters of the questionnaire were rather small which made it difficult to read. However, explanations were given to the fact that a bigger font size would have made the length of the questionnaire longer which may be discouraging to some respondents. Consequently, in the actual administration of the questionnaire, for those who complained, the researcher was able to read out the questions from a copy of the questionnaire while the respondents ticked their appropriate responses from the copy administered.

Questionnaire administration

The second phase of the fieldwork began on the second of May 2011 to third of June 2011. From the 32 states selected from the list of law firms, the researcher was able to cover 26 states including the Federal Capital Territory (FCT) Abuja. Of the 341 selected law firms, the total responses from the questionnaires administered and returned from the various states was 202 representing 59% of the total responses. Also of the 32 states, the researcher was not able to visit some states (seven) due to certain security challenges arising from post-election violence **(***See* **section 4.6.5.2 Phase 2)**.

Challenges and observations

The administration of the questionnaire was arduous but the general response was positive and encouraging. One of the main difficulties experienced was locating the law firms as some of them had changed their office address from that obtained from the database of the NLS. Another major challenge after the national elections was that quite a number of law firms across the country were involved in the election petition tribunals that were established by the Federal Government of Nigeria in every state to resolve any dispute arising from the outcome of the exercise. This situation affected the response rates for such major cities as Lagos, Port Harcourt, Kano and Abuja where most of the selected law firms are located. However, generally, the data collection process was a challenging experience and provided the opportunity for the researcher to physically examine the context of the legal practice across Nigeria as well as make informal

observations on how changes in legal information resources and use are influencing current legal practice in Nigeria.

4.7. Data analysis

Data analysis is a process of bringing order, structure and meaning to the mass of collected data by turning the data into information which can be used to develop concepts, theories, explanations or understanding (Gorman & Clayton, 2005: 206; Lancaster, 2005: 157). Data analysis involves an attempt by the researcher to describe and reconstruct the data in a recognisable form for the people being studied (Maykut & Morehouse, 1994: 122). In analysing data from a study, the researcher aims to identify the key elements from the findings, establish broad categories and assign initial data units to the selected categories **(**Gorman & Clayton: 2005: 206). This process in turn requires that from the inception of the study, the researcher must be able to identify and select the most applicable techniques for analysing (Lancaster, 2005: 157). The main distinction between the different kinds of data is between qualitative and quantitative data.

4.7.1. Quantitative data analysis

Quantitative data analysis is the process of summarising and relating data. It involves data preparation, counting, grouping, relating, predicting and statistical testing, all of which can be done either manually or mechanically (Sarantakos, 1993: 31, 1; Teddlie & Tashakkori, 2009: 256). Quantitative analysis is objective in nature and concentrates on measuring phenomena; its measures are succinct and can be easily aggregated for analysis. Data analysis processes in quantitative analysis involve collecting and analysing numerical data and applying statistical tests (Amaratunga & others, 2002: 22; Creswell, 2009: 145). The techniques used in quantitative data analysis are often more amenable to sophisticated tools and techniques of mathematical and quantitative analysis. Quantitative data analysis relies on deductive reasoning (Leedy & Ormrod, 2005: 96; Lancaster, 2005: 160). Descriptive statistics were used in this study for the analysis of frequencies and percentages and to analyse the significance of data and results.

In selecting the level of analysis to be used, the research design, the type of data collected and the methods used for data collection, determine the specific quantitative technique to be employed and the type of analysis that can be performed.

The analyses of both questionnaires were undertaken on two levels:

- The first part is a combined presentation of the profiled information of the law firms and the aspirant barristers, the imperative of which is to establish the relationship between activities of the firms and the skills of the aspirant barristers and to contextualise the issue of work related competencies.
- The second portion of the analysis concentrated on the responses by the aspirant barristers with regard to issues of transferability of information literacy skills to the legal workplace which enabled the researcher to ascertain the areas and the degree to which legal information literacy is especially needed.

Details of the analyses are provided in **chapter five** of the study.

4.7.2. Qualitative data analysis

Gray (2004: 319) defines qualitative data analysis as a rigorous and logical process through which data are given meaning. The challenge of qualitative analysis is the ability of the researcher to make sense of a large amount of data which requires skills, knowledge, experience and creativity (Patton, 2002: 432). There is usually no outlined formula by which qualitative analysis can be undertaken. According to Sarantakos (1993: 301) methods of qualitative data analysis are not uniform or integrated into any specific model but are based on the notion of the subjectivity of the researcher. However, the processes of qualitative data analysis involve identifying patterns in the data which depend very much on the focus of the study and the different ways in which the data sources relate to each other (Darlington & Scott, 2002: 145). Findings from qualitative data are often developed from in-depth interviews, direct observation, written documents and so on which are often in large amounts. The task for the researcher therefore in obtaining qualitative data is to provide a framework within which the study population can respond in ways that reflect their point of view of the context in which they live (Patton, 2002: 4, 22).

Qualitative data analysis employs inductive reasoning by making specific observations and drawing inferences about general phenomena (Leedy & Ormrod, 2005: 96). The preliminary processes in qualitative analysis involves reducing masses of data to meaningful and manageable portions or data reduction which helps to bring out the themes or patterns of behaviour that will help in the process of interpretation (Polit & Beck, 2004: 578; Gorman & Clayton, 2005: 207). According to Gorman and Clayton (2005: 210) and Miles and Huberman (1994: 9), in order to meaningfully and contextually analyse and interpret qualitative data the following steps are important:

- Affixing codes to a set of field notes.
- Noting reflections or remarks in the margins.
- Sorting and sifting to identify key events, phrases, patterns, variables or themes.
- Confirming patterns and themes through additional data collection and analysis.
- Developing new theories or contributing to existing theories.

These stages involve reducing the amount of the data by teasing out patterns, themes and groupings of the data which is then followed by the process of breaking down the data into smaller units in order to reveal their characteristic elements and structure. The kind of patterns identified depends very much on the focus of the study (Dey, 1993: 30; Lancaster, 2005: 307). One of the most flexible approaches for identifying themes and patterns in qualitative research is thematic analysis. As defined by Braun and Clarke, thematic analysis is:

> A method of identifying, analysing and reporting patterns (themes) within the data. It minimally organises and describes your data set in (rich) detail. It helps to interpret various aspects of the research topic (2006: 79).

Unlike theories such as grounded theory and discourse analysis, thematic analysis cannot be said to be aligned to any pre-existing theoretical framework and can thus be used within different theoretical frameworks. However, the interpretations of the data must be consistent with the chosen theoretical framework. Its processes allow the researcher to determine what constitutes a theme and to capture important elements within the data (Braun & Clarke, 2006: 79-80). The application of this method of analysis to the study helped the researcher to identify patterns of development within the legal profession in Nigeria that incorporate concepts of information literacy.

Most case study research methods are aligned to qualitative approaches and the analysis of data in case studies involve organising data by specific units of cases for in-depth analysis and study (Putney, 2010: 118; Patton, 2002: 447). According to Patton (2002: 447-448), qualitative data analysis in case study research constitutes a specific way of collecting, organising and analysing data, the purpose of which is to gather comprehensive, systematic and in-depth information about the case. The analysis process is vital to the outcome of the study as it highlights both the processes and the final outcome or product of the study.

Unlike quantitative data, qualitative data are open to multiple interpretations due to their subjective nature and they also require a processing stage which involves editing of notes and transcribing of tape recordings. The processes of analysing quantitative data on the other hand offers the advantage of increased objectivity in analysing and interpreting large volumes of data and ensuring the validity and reliability of findings (Patton, 2002: 432). For the purpose of analysis in both qualitative and quantitative analysis however, it is important to select the appropriate methods for the type of data collected and the techniques aimed at achieving the research objectives.

4.7.3. Mixed methods data analysis

Data analysis in mixed methods research is gathered through qualitative and quantitative approaches. According to Teddlie and Tashakkori (2009: 8, 263), data analysis in mixed methods involves a process whereby quantitative and qualitative strategies are combined, connected, or integrated in a research study. Creswell (2009: 218) also points out that in mixed methods research, analysis can occur both within and between the quantitative and qualitative approaches and must also relate to the type of research strategy chosen for the procedure. Some of the ways in which data analysis using mixed methods can be done include parallel mixed data analysis, conversion mixed data analysis, sequential mixed data analysis and so on (Teddlie & Tashakkori, 2009: 266-269). The dimension of mixed methods employed in this study was sequential; the phases of the data collection and analysis were planned and conducted to ensure that related aspects of the research questions were answered in an integrated manner in order to support the quantitative findings with the qualitative ones and to achieve convergence of findings (Creswell

2003: 218; Creswell and Plano-Clark 2007: 118). The rationale for this choice as suggested by Brannen (2005 12) is complementarity by which findings from the application of both methods are used to enhance each other and generate complementary insights on the objectives of the study (Creswell, 2008: 527). According to Pinto (2010: 813), through the use of inductive and deductive reasoning, data analysis in mixed methods integrates techniques from qualitative and quantitative paradigms which help in tackling the outlined research questions thereby enhancing the validity of the study. Ngulube, Mokwatlo and Ndwandwe (2009: 115) and Ngulube (2010: 254), also pointed out that the major goal of the researcher in conducting mixed methods research in a study is the successful integration and interpretation of qualitative and quantitative data either concurrently or sequentially in such a way as to ensure that the combination of both paradigms provide complementary insights in addressing the research questions of the study.

4.7.4. Analysing data using SPSS

For the purposes of this study, the software package SPSS, version 18 was used in analysing the findings of the study. SPSS is one of the major computer packages for analysing quantitative data and can be used to create a data file containing the figures to be analysed. As a statistical package, SPSS is widely used and has enormous data processing power which allows the researcher to establish correlations between different variables (Foster, 2006: 287). Software packages such as SPSS, allow large quantities of data to be entered into the computer for the organisation and interpretation of collected data (Polit & Beck, 2004: 576; Leedy & Ormrod, 2005: 152). Analysed data collected from findings of the study were presented using tabulated frequencies which assisted in the interpretations of the outcomes from the study (Cohen, Manion & Morrison, 2000: 77).

4.8. Evaluation of the research methodology

In evaluating the research methodology of the study, the procedures and instruments used for collecting the data were carefully considered. The study employed the case study research design with a combination of qualitative and quantitative methods. The methods of data collection included the use of questionnaires and reflective journals produced by the aspirant barristers. The use of these methods ensured the reliability and validity of the research and provided findings

that are valuable for addressing the research questions and objectives of the study and informing future policy and practice in the legal education system.

4.8.1 Reliability and validity

This section of the chapter explains the importance of the broad concepts of reliability and validity and their application to the context of the study. The nature of this study as a case study design which employed the use of both quantitative and qualitative methods necessitated that the reliability and validity of the tools used for collecting the data were properly assessed in order to achieve the desired outcome for the study.

Reliability and validity are the two foundational elements for conducting rigorous research. Reliability refers to the degree to which a study can be replicated over time to produce the same results (Carmines & Zeller, 1979: 11; Gray, 2004: 138; Gorman & Clayton: 2005: 54). In quantitative research, reliability requires consistency and replicability over time, instruments and the respondents (Cohen, Manion & Morrison, 2000: 117). It is viewed as an attribute of the instruments that quantitative researchers use to measure the phenomena they are studying. Quantitative researchers usually employ measures of consistency to determine the reliability of a particular instrument, hence an instrument is considered reliable if it consistently produces the same results when administered to the same or comparable number of individuals (Miller, 2008: 753).

Reliability in quantitative research is concerned with precision, accuracy and objectivity and because quantitative research involves a method of control and manipulation of data, it is understood to have a higher degree of replicability than qualitative research methods (Sarantakos, 1993: 79-80).While quantitative research assumes the possibility of replication due to the degree to which it is able to control and manipulate phenomena, reliability in qualitative research is regarded as a fit between what researchers record as data and what actually occurs in a natural setting (Cohen, Manion & Morrison, 2000: 117, 119). Reliability in qualitative research can be determined by the degree of accuracy and comprehensiveness of the coverage in the data collection process (Sarantakos, 1993: 79-80).

The goal of reliability in research methodology is to minimise errors and bias in a study and to ensure that the same procedures can be replicated to arrive at the same findings (Amaratunga & others, 2002: 26). In case study research, reliability can be enhanced through thick description, triangulation across multiple sources of data and effective sampling methods (McGinn, 2010: 242-243; Ward & Street, 2010: 802). According to Ward and Street, (2010: 802), because much of the analysis in qualitative and case study research methods relies on research gathering, documenting and other types of measurement across multiple data sources, it is vital that the specific processes of obtaining the data and other evaluative processes and measurements are made explicit in order to ensure reliability.

Validity is one of the basic principles of effective research and an important requirement for both qualitative and quantitative research methods (Cohen, Manion & Morrison, 2000: 105; Yue, 2010: 959).Validity has to do with whether the methods, approaches and techniques employed for a study actually relate to, or measure, the issues that are being explored (Blaxter, Hughes & Tight, 2006: 221; Mabry, 2008: 221). A credible research design is one that maximises the validity of its processes by providing a clear explanation of the phenomenon under study and controlling plausible bias that could compromise the research findings (Bickman & Rog, 2009: 12). In order to ensure validity, the researcher must have confidence in the elements of the research plan, data acquisition, data processing analysis, interpretation and its ensuing judgment (Cohen, Manion & Morrison, 2000: 115). According to Cohen, Manion and Morrison, (2000: 106-109, 115), validity can be measured in the following ways:

- The internal validity of a study concerns the accuracy with which the findings of the research describe the phenomena being investigated. It seeks to demonstrate that the explanation of a particular event issue or set of data provided by the research can actually be sustained by the data.
- External validity refers to the degree to which the results can be generalised to a wider population, cases or situations.

Cohen, Manion and Morrison, (2000: 106-109, 115) also state that threats to validity can be minimised by:

- Choosing an appropriate time scale.
- Selecting an appropriate methodology for answering the research questions.

- Selecting appropriate instrumentation for gathering the type of data required.
- Using an appropriate sample that is representative.
- Demonstrating internal, external, content, concurrent and construct validity.
- Ensuring reliability in terms of stability.

Also, by employing a triangulated approach to data collection, validity can be improved by using multiple data gathering tools. Triangulation in social research is associated with the use of multiple methods and measures in order to reduce bias and improve validity (Cox & Hassard, 2010: 944). It also addresses the potential threat to validity caused by a lack of internal consistency among data sources (Ward & Street, 2010: 802). In case study research, Yue (2010: 959, 961), notes that because case studies comprise quantitative and/or qualitative data approaches, validity is more or less an issue of research quality.

Reliability in the conduct of this study was achieved by ensuring that the selected sample for the study is representative of the study population, this in turn ensured the generalisability of the findings of the study (Bryman, 2008: 156-157). Reliability and validity were also achieved through the pre-test of the research instruments before the administration of the questionnaire. Through this process, the research instruments were modified and revised to assess the accuracy of the instrument and ensure that it was standardised. Essentially, necessary steps were taken to ensure that the field methods employed through pre-testing, sampling, observation and triangulation in the data collection process were appropriate for addressing the research questions of the study. The data analysis processes also followed well defined analytic concepts to avoid bias or misinterpretations and ensure that the presented findings are a valid representation of the study.

4.9. Ethical considerations

Ethical considerations are very important in social science research: it is the objective of this research that all ethical issues will be confronted honestly and with a high sense of moral obligation according to the policies and guidelines set by the University of KwaZulu-Natal (University of KwaZulu-Natal, 2007: v). To this end, the following considerations were applied to all methods of data collection that is, questionnaires and reflective journals:

- All questionnaires included an explanation of the purposes of the research, expected duration and description of procedures that were to be followed.
- The informed consent of the participant was obtained prior to administration of questionnaire.
- The confidentiality and anonymity of participants was protected.
- Participants were assured that there will be no adverse consequences to the participant for declining or withdrawing from participating in the exercise.
- Data collected were used only for the purpose of the research and processing and use of data will conform to pledges made of confidentiality.
- Findings and interpretations to the research were presented honestly and objectively.
- All references to information sources are cited appropriately.
- Financial support of the research study is duly acknowledged.

Permission was earlier sought and granted from the Nigerian Law School to conduct the study.

4.10. Summary

Chapter four provided the research methodology of the study. Areas discussed in the chapter include the research methodology and design, quantitative, qualitative and mixed research methods, rationale for using mixed methods, the study population, sampling procedure, methods of data collection and type of instruments employed, report on the data collection process, methods of data analysis, reliability and validity and ethical considerations. Chapter five of the study will present the research findings.

CHAPTER FIVE

DATA PRESENTATION

5. Introduction

This chapter provides an overview of the data collected. The chapter includes a presentation of the data obtained from two questionnaires administered to the study population comprising the aspirant barristers and selected law firms respectively, as well as findings derived from the analysis of the reflective journals produced by the aspirant barristers. The chapter describes the transformation of large amounts of raw data into meaningful facts using specified analytic processes.

5.1. Overview of presentation

Analysing data involves a process of systematically organising, integrating and examining the findings of the study in ways that provide a better understanding of the focus of inquiry (Neuman, 2011: 507). In choosing a methodology for data analysis, it is important to have a clear understanding of the complexity of the research questions as well as the objectives of the study which will determine the type of analysis to be adopted (De Vaus, 2001: 203). The main focus of this study is on a contextual analysis of the information literacy skills and practices of aspirant barristers in Nigeria. **Chapter one section 1.4** outlined the research questions and objectives of this study, namely:

Objectives 1: (the big picture)

a. To explore the connection between formal legal education and work related information literacy knowledge, skills and practices.
b. To examine changes in the curriculum of the Nigerian Law School and its response to these changes with respect to legal information literacy instruction.

Question 1:

1.1. What is the role of formal legal education in facilitating an information literate work force in the legal profession?

1.2. To what extent do the professional legal skills outlined in the MacCrate Report of the American Bar Association (1992) reflect the expectations of information literacy in developing skill competencies for legal practice in Nigeria?

1.3. What is the responsibility of the Nigerian Law School in increasing the efficiency with which aspirant barristers develop professional expertise in the legal workplace?

1.4. What are the changes to the curriculum of the Nigerian Law School and what has been their response to these changes with respect to legal information literacy instruction?

1.5. What are the information literacy skill demands for legal practice required for aspirant barristers in Nigeria?

1.6. How have changes in current legal practice affected problems of skills deficiency in the workplace in Nigeria?

Objectives 2: (IL knowledge, skills and practices in the workplace)

a. To examine evidence of information literacy related practices in the legal workplace in Nigeria.

b. To examine the application of Kuhlthau's Information Search Process (ISP) model to the context of legal education and practice in Nigeria.

Question 2:

2.1 How do the stages of the ISP model illustrate the process of developing expertise in legal practice?

2.2 To what extent do the components of information literacy, as put forward in Kuhlthau's ISP model, reflect the ideal concept of knowledge and skills required for legal practice in Nigeria?

2.3. What is the nature of uncertainty experienced by the aspirant barristers in the course of information seeking and use?

2.4. How do the aspirant barristers' information seeking practices at the formulation stage reflect the nature of their information needs in complex tasks and their perception of legal practice in the context of the workplace in Nigeria?

Objectives 3: (relationship between legal education and practice)

a. To identify the extent to which professional legal training by the Nigerian Law School equips aspirant barristers with competencies for the legal workplace.

b. To assess the level of transferability of professional legal training to the workplace in Nigeria.

c. To investigate outcomes of information literacy training in relation to current legal practice.

d. To identify a means whereby collaborative work between legal practitioners and the Nigerian Law School can facilitate skills training and development of the legal profession.

Question 3:

3.1 What workplace competencies are required by Nigerian law firms and are these being met by current legal education?

3.2. To what extent are knowledge, skills and competencies of formal legal education transferred to the workplace?

3.3. What should the nature of an IL curriculum be in order to ensure that legal education is fully relevant and transferable to the workplace?

3.4. What kind of collaboration is needed between the various players in legal education and practice in order to promote the development of competency skills among aspirant barristers?

These research questions and objectives informed the formulation and organisation of the research instrument and the sources of data that were employed for the data collection process of the study **(***See* **appendix 4 and 5).**

5.1.1. Method of analysis and presentation

In analysing the data, SPSS version 18 was used for the quantitative data after a process of cleaning and coding by assigning numerical values to each batch of data. This process enabled the researcher to identify and minimise errors, incompleteness, misclassification and gaps in the information obtained from respondents (Kumar, 2005: 220-221). Categories were then created to enable the data to be compared and inter-related in order to produce a more encompassing analysis. Consequently, the format of the two research instruments which contained various

sections aimed at addressing specific sets of questions was used as a guideline for developing the categories for the analysis of the data. The categories include:

- **Aspirant barristers' questionnaire**

  Category 1: Demographic information.

  Category 2: Educational background.

  Category 3: Skills acquired at university and level of application.

  Category 4: Perception of the importance of legal skills training of aspirant barristers during the attachment.

  Category 5: Employment related section - experience in legal practice and task complexity in legal work.

- **Law firms' questionnaire**

  Category 1: Organisational structure.

  Category 2: Information and Communication Technology (ICT).

  Category 3: Legal education and legal practice in Nigeria.

Quantitative data for the aspirant barristers are covered in sections 1, 2, 3, 4 and parts of section 5 of the research instrument; while for the law firms, quantitative data is covered in sections 1, 2 and parts of section 3. Descriptive statistics were used in this study for the analysis of frequencies and percentages and to analyse the significance of data and results. The data is presented using tables. In the presentation, percentages were rounded to one decimal place for easy comprehension.

For the qualitative data, a descriptive approach was employed by which themes and patterns that emerged from the data were used to address the research questions. This process was carried out by examining the responses to the questionnaire and integrating them into the analysis. Verbatim responses were also included in the discussion where appropriate (Kumar, 2005: 223). Qualitative data in the research instrument include parts of section 5 in the questionnaire for aspirant barristers and parts of section 3 in the questionnaire for the law firms. Qualitative analysis was also used in analysing the reflective journals produced by the aspirant barristers; responses to this data are presented separately.

The analyses for both quantitative and qualitative data are presented in two phases, **phase 1** (aspirant barristers) and **phase 2** (law firms). Where applicable, both quantitative and qualitative methods were employed in the analysis of the two data sets. This process enabled the researcher to link related aspects of the research questions to the data from both types of method thereby facilitating a better understanding of the issues in context (Ngulube, Mokwatlo & Ndwandwe, 2009: 107).

5.2. Data presentation phase 1: Aspirant barristers

Data presented in this section shows responses from the questionnaire administered to the aspirant barristers and analysis of the reflective journals. A total of 620 copies of the questionnaire were administered to each of the four campuses of the Nigerian Law School of which 515 (83%) were completed and returned. This percentage indicates that a good response rate was achieved in the administration of the questionnaire.

5.2.1. Demographic information

Tables in section 5.2.1.1 show the age and gender distribution of the aspirant barristers. It also shows the places in which the aspirant barristers undertook the attachment programme in the various states of Nigeria.

5.2.1.1. Gender and age distribution of aspirant barristers

In this section respondents were asked to provide information on the characteristics of the aspirant barristers in terms of their gender (1a), age group (1b), place of attachment, including the state and local government where it is located.

Table 1a: Gender of aspirant barristers

Gender	Number	%
Male	288	56%
Female	221	43%
No response	6	1%
Total	515	100%

N=515

Responses to Q**uestion 1** reflected in **Table 1a** above shows the gender composition of the respondents as consisting of 56% males and 43% females, indicating a higher number of male than female respondents. In the past years, some legal practitioners have pointed to a need for the re-examination of the issue of under-representation of women in the legal profession in Nigeria. A few such studies have indicated the ratio of male to female entry into the legal profession every year as being 60:40 of which only 16% of female lawyers are found in the private bar and the judiciary (Adekoya, [2008]: Should it be an issue; Abdulraheem, 2009: 218-219). The data in **table 1a** suggests an increase in the number of women aspiring to the legal profession as opposed to previous years thus indicating that progress is being made towards narrowing the gender gap by empowering women in a profession that is largely considered to be competitive and male dominated in Nigeria. Of the aspirant barristers, 99% responded to this question as shown in the table, 1% did not indicate their gender.

Data on the age distribution in **Question 1b is reflected in table 1b below.** Respondents were requested to tick their age group from the range of options provided. The responses show 54% of respondents as being within the age range of 29-30 years. Those within the age category of "20-25 and 30 and above" constituted 21% each of the total respondents. These categories suggest a body of young aspirants as well as the possibility of an older working class age group among the respondents. Ninety seven percent response rate was recorded for this question while 4% did not indicate their age group.

Table 1b: Age distribution of aspirant barristers

Age	Number	%
20-25	107	21%
29-30	280	54%
30 and above	110	21%
No response	18	4%
Total	515	100%

N=515

Question 1c[5] asked respondents to indicate the various law firms to which they were assigned for the attachment programme. Ninety three percent of the places indicated as areas of attachment were law firms while 6% were ministries of justices located in the various states across Nigeria. Non-Governmental Organisations were not included in the list, while 3% did not indicate their areas of attachment.

In **question 1d**, respondents were requested to indicate the states in which they undertook the attachment. Responses indicated in **table 1d below** shows the geographical locations of some of the states with the highest and lowest records: Lagos as the highest (6%), followed by Enugu and Edo states (5%), Rivers state 5%, Abuja (FCT) and Kano state 3% respectively. The strategic geographical location of these states has a major influence on the nature of legal activities in these areas making them viable areas for different kinds of legal practice. The lowest representation among the states were Zamfara and Katsina states (1%) while states like Taraba, Jigawa, Sokoto and Kebbi states were not indicated at all.

Table 1d: Places of attachment with law firms

		States	%
1	Lagos	13	6%
2	Enugu	11	5%
3	Edo	11	5%
4	Rivers	10	5%
5	Kano	6	3%
6	Abuja	6	3%
7	Katsina	2	1%
8	Zamfara	2	1%
9	No response	141	70%
	Total	202	100%

N=202

[5] For ethical considerations, the names of the firms are not provided in the presentation. *See* **appendix three** (Informed consent) and **chapter five section 5.4 Phase 2** of data presentation.

5.2.1.2. Educational background of the aspirant barristers

Data in this section provides information on the educational background of the aspirant barristers at the university level and investigates their level of preparation for training at the Law School.

Data in **question 2b** asked respondents to indicate if they had any degree other than law. Responses **in table 2b below** show how many respondents had qualifications other than a law degree. Only 4% of the aspirant barristers had degrees other than law while 94% of the respondents indicated that law is their first degree. Degrees other than law included Bachelor's degrees in education, political science and mathematics. Two percent of the aspirant barristers did not respond to the question while 98% responded.

Table 2b: Other types of degrees obtained by aspirant barristers

Response	Number	%
Yes	22	4%
No	483	94%
No response	10	2%
Total	515	100%

N=515

In **question 2d**, respondents were asked to indicate how well they thought the university had prepared them for vocational training at the Law School.

Table 2d: Level of vocational training at university

Level	Number	%
Very well prepared	196	38%
Well prepared	184	36%
Average	100	19%
Poorly prepared	14	3%
Not at all prepared	4	1%
No response	17	3%
Total	515	100%

N=515

From the findings, 38% felt that they were "very well prepared", 36% were "well prepared", 19% felt they were averagely prepared while 3% felt that they were "poorly prepared" and 1% said they were "not prepared at all". Ninety seven percent responded while 3% did not respond to the question.

An analysis of the listed universities in **question 2a** from which the aspirants graduated indicate a combination of the types of universities by which higher education institutions are categorised in Nigeria; that is, first, second, third generation universities as well as state and privately owned universities *(See* **chapter two section 2.2.1**). Twenty seven universities located across the various states of Nigeria were listed. From the list of the universities, it is noted that the highest percentages of aspirant barristers were graduates of Olabisi Onabanjo University (12%), followed by Madonna University and University of Benin (9%), Bayero University, Kano (7%) and University of Maiduguri (6%). The expansion of universities in Nigeria have necessitated accompanying reforms in the curriculum and teaching methods of these institutions particularly in the provision of high-level skilled personnel aimed at developing the economy. However, a lack of provision of adequate modern facilities, inadequate funding and poor library resources, among other factors, have often been cited as some of the hindrances towards guaranteeing quality assurance in the university system in Nigeria (Ajayi & Ekundayo, 2008: 218).

5.2.2. Skills acquired at university and level of application by the aspirant barristers

The two questions in this section, **questions 3a and 3b**, were designed to investigate skills training and application at university. In **question 3a,** respondents were asked to indicate which of the outlined skills they felt they had developed proficiency in as an undergraduate student, while **question 3b** requested them to indicate the skills they felt they had not developed proficiency in as an undergraduate student. The essence of the questions was to establish a link between skills training at the university and to ascertain the extent to which skills are transferred to the workplace context. From the questionnaire, it is noted that even though the two questions are separate, the variables in the questions are the same. Consequently, the data cited for both questions are presented in one table for purposes of analysis and comparison. Respondents were invited to tick more than one option for both questions, not all of total number of respondents (515) responded to the question.

Table 3a/3b: Skills proficiency at the university (3a); Lack of skills proficiency at the university (3b)

SKILLS	3a* Number (%)	No response	3b Number (%)	No response
Writing skills	363 (71%)	147 (29%)	297 (58%)	213 (42%)
Oral and written communication skills	308 (60%)	202 (40%)	281 (55%)	229 (45%)
Critical thinking	303 (59%)	207 (41%)	271 (53%)	239 (47%)
Legal research skills	295 (58%)	215 (42%)	275 (54%)	235 (46%)
Analytical skills	272 (53%)	238 (47%)	272 (53%)	238 (47%)
Problem solving skills*	251 (49%)	258 (51%)	268 (53%)	241 (47%)
Evaluative skills*	230 (45%)	279 (55%)	237 (47%)	272 (53%)

[6]**Total N=510**

Analysis of the data in the first column of the above table, reflecting responses to **question 3a** shows respondents felt that their writing skills enjoyed the highest proficiency rate at 71%, communication skills at 60% and critical thinking skills at 59%. Evaluative skills show the lowest level of proficiency in question 3a at 45%. Even though writing is shown to have a higher proficiency rate in question 3a, the corresponding column for **question 3b** shows a high number of respondents also felt that they lacked proficiency skills in writing at 58%. Similarly, data also shows oral and written communication skills (55%), critical thinking skills (53%) and legal research at 53%. It is noted that data from the responses seem contradictory in suggesting that the aspirant barristers felt they were proficient at the university in the outlined skills in **question 3a** but still lacked proficiency in the same skills in **question 3b** as indicated by the close margin of differences of percentages in the two questions. It can therefore be suggested that the instrument was insufficiently sensitive to probe this point; more data may be needed to clarify this issue. Data also suggests that the aspirants were unable to sufficiently determine the level of applicability of their graduate skills to the work place considering that the duration of the attachment was short.

[6]The total column reflects the varying response rate. In cell 3a, there were 510 responses to most questions but 509 responses to these two skill questions (**indicated by asterisks**).

5.2.3. Perception of the importance of legal skills training of aspirant barristers during the attachment.

Responses to questions in this section sought the views of the aspirant barristers on the level of importance they attribute to the outlined skills based on their experience during the attachment. The expectation from these questions is that analysis from the responses would help determine the level of emphasis that should be placed on the teaching of these skills both at the university and the Law School in preparation for the legal workplace. Responses also provide the opportunity to identify gaps in the teaching of legal skills and to determine which skills can be acquired or better developed through experience outside of the traditional educational setting.

Question 4 table 4a below presents data on the list of skills that were considered important in legal practice to the aspirant barristers based on their training at the Law School and experience from the attachment programme. The question employed a ranking device on a six-point Likert scale by which respondents were asked to rank the level of importance of the outlined legal skills ranging from "extremely important" being the highest scale, followed by "important", "relatively important", "not important" and "not at all important" as the lowest on the scale. A "don't know" category was also provided in the scale. The organisation of the category of responses was meant to help reflect the intensity of the respondents' judgment on the question (Frankfurt-Nachmias & Nachmias, 1992: 242). Respondents were required to tick more than one option.

Table 4a: Perceptions of the importance of legal skills by aspirant barristers

4a. SKILLS	Extremely important	Important	Relatively important	Not important	Not at all important	Don't know
Oral and written communication skills	419 (81%)	61 (12%)	10 (2%)	0 -	1 (0%)	0 -
Self confidence	387 (75%)	83 (16%)	10 (2%)	0 -	1 (0%)	0 -
Drafting legal documents	370 (72%)	86 (17%)	18 (4%)	18 (4%)	1 (0%)	0 -
Knowledge of procedural law	348 (68%)	105 (20%)	20 (4%)	0 -	3 (1%)	0 -
Professional ethics	321 (62%)	126 (25%)	33 (6%)	2 (4%)	1 (0%)	0 -
Knowledge of substantive law	313 (61%)	146 (28%)	19 (4%)	1 (2%)	0 -	0 -
Factual analysis and legal reasoning	299 (58%)	148 (29%)	21 (4%)	21 (4%)	0 -	0 -
Understanding and conducting litigation	294 (57%)	137 (27%)	37 (7%)	37 (7%)	1 (0%)	0 -
Problem solving skills	265 (52%)	167 (32%)	34 (7%)	34 (7%)	1 (0%)	1 (0%)
Counselling	206 (40%)	172 (33%)	66 (13%)	66 (13%)	1 (0%)	0 -
Organisation and management of legal work	179 (35%)	243 (47%)	47 (9%)	2 (.4%)	5 (1%)	0 -
Legal research skills in using electronic and print resources	174 (34%)	215 (42%)	77 (15%)	9 (2%)	5 (1%)	1 (0%)

N=515

From the analysis of the data, oral and written communication skills were identified highest in the category as "extremely important" at 81% indicating its critical importance to the practice of law. Self-confidence is perceived next as the most important skill at 75% and drafting of legal documents at 72%. Knowledge of substantive and procedural law is ranked next in importance with procedural law being higher at 68% and substantive law at 61%. Other skills considered extremely important within this category include professional ethics (62%), factual analysis and legal reasoning (58%), understanding and conducting litigation (57%) problem solving skills (52%) and counselling 40%. Legal research skills in using both print and electronic resources are ranked in the second hierarchy of the scale as being "important" at 42% and organisation and

management of legal work at 47%. Only 34% of respondents indicated legal research skills as being extremely important.

From the responses, the importance of oral and written communication skills indicates their centrality to the practice of law. Analysis of responses to **question 12b** also shows 4% of the respondents indicated oral and written communication skills as skills they lacked during the attachment programme. Also, despite the lower rating of the importance of legal research skills as compared to the other skills, its value to the practice of every area of law cannot be over emphasised. Responses to **question 4a** are consistent with findings from an earlier study by Garth and Martin (1993: 474) in which they noted that even though the findings provide a general picture of the importance of skills in legal practice, the type of practice and practice setting constitute a significant factor as to the value attributed to these skills and the level to which they are employed in legal practice.

Question 4b requested the aspirant barristers to rank the level of importance of the different legal skills based on their current training during the attachment. The aim is to ascertain the ways in which the various skills outlined could be developed based on the judgment of the aspirant barristers. The format of the questionnaire was designed to enable respondents to link the skill to the condition under which it can be developed; they were required to tick more than one option. The responses are presented in **table 4b below**.

Table 4b: Conditions for skills development in the opinion of the aspirant barristers

4b. CONDITIONS SKILLS:	General university and law school curriculum	Moot court	Law library resource training	Observation and advice from other lawyers	Your own experience and study of the area	Current work experience from the attachment programme	Don't know	Total N=
Oral and written communication skills	330 38%	185 (21%)	71 (8%)	108 (12%)	74 (8%)	131 (15%)	0 -	899
Knowledge of substantive law	340 (45%)	65 (9%)	146 (19%)	52 (7%)	72 (10%)	77 (10%)	1 (0%)	753
Factual analysis and legal reasoning	214 (27%)	107 (14%)	19 (12%)	145 (19%)	98 (13%)	127 (16%)	2 (0%)	855
Problem solving skills	191 (26%)	69 (10%)	55 (8%)	139 (19%)	127 (18%)	142 (20%)	3 (0%)	726
Drafting legal documents	267 (32%)	69 (8%)	88 (11%)	101 (12%)	107 (13%)	206 (25%)	0 -	838
Organization and management of legal work	147 (21%)	35 (1%)	67 (10%)	124 (18%)	80 (11%)	240 (34%)	10 (1%)	703
Legal research skills in using electronic and print resources	192 (28%)	28 (4%)	165 (25%)	46 (7%)	123 (18%)	127 (18%)	18 (3%)	699
Knowledge of procedural law	304 (36%)	129 (15%)	81 (10%)	93 (11%)	80 (10%)	150 (18%)	2 (0%)	839
Counselling	152 (24%)	42 (7%)	35 (6%)	140 (22%)	97 (16%)	153 (24%)	7 (1%)	626
Understanding and conducting litigation	192 (22%)	187 (21%)	53 (6%)	141 (16%)	74 (9%)	223 (26%)	4 (0%)	874
Self confidence	196 (23%)	169 (20%)	33 (4%)	132 (16%)	149 (18%)	151 (18%)	7 (1%)	837
Professional ethics	327 (43%)	67 (9%)	36 (5%)	115 (15%)	79 (10%)	143 (19%)	1 (0%)	768

N=515

Data from the responses identified the principal sources by which the outlined skills can be developed. The "general university and law school curriculum" is the most cited as the principal source. The highest among the selected skills under this category is knowledge of substantive law (45%), professional ethics (43%), oral and written communication (38%), knowledge of procedural law (36%), drafting of legal documents (32%) and factual analysis and legal reasoning (27%). The figures indicate the kind of expectation that aspirants have of legal education at the university and Law School specifically with respect to what should be taught and how much attention should be given to skills development within the curriculum.

Responses suggest that skills development in oral and written communication (21%), understanding and conducting litigation (21%) and self-confidence (20%) can be achieved through "moot court" training. Legal research skills training in using electronic and print resources is best facilitated through the "general university and law school curriculum" (28%) and "law library resource training" (25%). "Law library resource training" is also viewed as facilitating the development of the knowledge of substantive law (19%). Responses in this regard further underscore the need to integrate programmes of information literacy instruction in the teaching of legal research in the curriculum of legal education in Nigeria. Suggestions from the data that legal research can be facilitated through "your own experience and study of the area" (18%) also shows the recognition by aspirant barristers of the need to take responsibility for their own learning in order to achieve independent and self-directed learning. The role of "observation and advice from other lawyers" is seen from responses on skills development in counselling (22%), factual analysis and legal reasoning (19%), problem solving skills (19%) and organisation and management of legal work (18%). These responses suggest that some skills can best be learned by on-the-job-training as well as through practice-based experience.

The data also highlights the role of context and collaborative work relationships between experts and novices in training aspiring lawyers to perform highly skilled activities which encourage transferability of skills (Givelber & others, 1995: 43). Experiential knowledge was also relevant to the development of such skills as problem solving skills (18%), legal research skills in using electronic and print resources (18%), self-confidence (18%) and counselling skills (16%). Respondents indicated that experience from the attachment programme was vital in facilitating skills development in such areas as organisation and management of legal work (34%), understanding and conducting litigation (26%), drafting legal documents (25%), counselling (24%), problem solving skills (20%) and professional ethics (19%).

5.2.4. Employment related section - experience in legal practice and task complexity in legal work by the aspirant barristers

This section of the questionnaire explored issues on the nature of work experiences encountered by the aspirant barristers during the attachment as well as the complexity of the tasks involved.

Also examined are the affective symptoms experienced during handling complex tasks and other valuable experiences gained from the attachment programme. The first of these questions dealt with prior working experience.

When respondents were asked about their work experience prior to attending Law School in **question 5a**, only 19% indicated having had this, while 76% responded that they had no previous work experience as shown in table **5a below**.

Table 5a: Previous work experience of aspirant barristers

Response	Number	%
Yes	98	19%
No	390	76%
No response	27	5%
Total	515	100%

N=515

The nature of the work experience for the 98 respondents who indicated "yes", as examined in **question 5b,** reveals that 21% of the work experience indicated included participation in the National Youth Service Corps (NYSC); a twelve-month national paramilitary programme of compulsory service to the nation in which all university graduates are posted to different parts of the country to work in various governmental and Non-Governmental Organisations. The programme is aimed at fostering integration among the various cultures of Nigeria as well as helping to facilitate job opportunities and working experiences for graduates (Marenin, 1990: 397). Other kinds of previous work experiences listed included civil servants (2%), accountants (0.2%) and teachers (1%). Eighty percent of the respondents did not have any previous work experience. Responses show a 95% response rate, while 5% did not respond.

The guidelines of the Nigerian Law School for the attachment programme to law courts and law firms specifies a list of experiences that aspirant barristers are expected to have undergone: these include, among other things, drafting of letters, motions, notices, bills, writs, pleadings, affidavits, opinion, reports, applications, forms, client interviewing, conducting legal research, filing documents at registries, follow-up activities at the police stations and prisons on behalf of

clients and so on (Council of Legal Education, 2009: 228). Data on this aspect are presented in **question 6, table 6 below.** Respondents were required to tick more than one option.

Table 6: Nature of work engaged in by the aspirant barristers during attachment

Nature of work	Yes	%	No	%
Legal drafting	342	66%	143	28%
Research and drafting reports	289	56%	194	38%
Litigation	206	40%	279	54%
Preparation of court cases	203	39%	281	55%
Legal research using print resources	165	32%	319	62%
Negotiation	92	18%	393	76%
Legal research using electronic data bases	92	18%	393	76%

N=515

Data from **question 6** (reflected in **table 6 above**) shows the level of involvement of aspirants in the activities of the law firms during the attachment. Legal drafting (66%) and research and drafting of reports (56%) were the major pre-occupation. Other activities included litigation (40%), preparation of court cases (39%) and legal research using print resources (32%). It is important to note that even though litigation was listed as one of the activities, aspirant barristers were not involved in the actual judicial processes of litigation but only participated in the preparation and accompanied their principals to the courts as they are not allowed by law to practice until they have been called to the Bar. Other activities include negotiation (18%) and legal research using electronic resources (18%), which recorded lower levels of participation in law firm activities.

Data in response to **question 7a** which requested aspirant barristers to describe the nature of work they were assigned to during the attachment indicated the range of other activities to include office management, client interviews, conducting land searches[7], mediation, going to court, reading law firms' office files, drafting papers of incorporation for companies, visits to

[7]Conducting land searches refers to searching for the relevant records of a property within any state in Nigeria for the purpose of facilitating property transaction. A search in the Lands Registry will usually provide the required information (Ojo, 2007: 27).

prisons and posting bail applications at police stations. A few of the aspirant barristers however indicated they were given "no responsibilities at all" which suggested that the particular firm to which they were attached was not a busy one and thus limited their level of participation in the activities of the firm.

Question 7b sought to investigate task complexity of the work in which the aspirant barristers were engaged in during the attachment. Responses in **table 7 below** showed only 18% of tasks were considered complex in nature while 72% of respondents indicated that the tasks were of a routine nature.

Table 7b: Nature of tasks engaged in by aspirant barristers

Nature of task	Number	%
Complex task	92	18%
Routine tasks	372	72%
No response	51	10%
Total	515	100%

N=515

However, data from **question 8a (table 8a below)**, which further investigated the level of variations in the complexity of the tasks, shows a higher percentage of complex tasks (72%) indicating the differing levels of complexity by which the tasks may be categorised**.** These findings show the nature of task complexity in information intensive environments as reflected in Byström's theory of task complexity (1999). A detailed analysis of how the theory applies to these questions will be explored in chapter six of the study. Of the aspirant barristers, 90% responded while 10% did not respond to either of the questions.

Table 8a: Task complexity

Response	Number	%
Yes	370	72%
No	94	18%
No response	51	10%
Total	515	100%

N=515

Aspirant barristers were requested in **question 8b** (**table 8b below**) to state what they considered were the most difficult of the complex tasks they had undertaken during the attachment. Analysis of responses showed 33% indicated legal drafting and preparation of court processes as the most difficult. Respondents were required to tick more than one option.

Table 8b: Most difficult task experienced by aspirant barristers

Task	Number	%
Legal drafting	170	33/%
Legal research	74	14%
Filing court processes	22	4%
Client interview	20	4%
Applying precedent to a case	9	2%
Preparing for litigation	9	2%
Mediation	8	2%
Conducting land searches	3	1%
No response	200	39%
Total	515	100%

N=515

Some of the challenges cited with respect to drafting include the inability to draft documents without precedent or, as stated by one of the respondents, "drafting a document to represent the intention of the client and ensure that there is no ambiguity". A major reason identified by some respondents for the difficulty experienced with legal drafting is the exclusion of a legal drafting course in the undergraduate law curriculum. Thus legal drafting is only taught within the limited time of training at the Law School, which accounts for the difficulty experienced in mastering the skill. Conducting legal research is also another area; fourteen percent of the respondents indicated difficulty in legal research particularly as it relates to using indexes to find law reports and applying case law. Selected responses cited the following challenges:

- "The most difficult task was learning to use the library and sorting out files".
- "Searching for authorities that you don't even know where to find them though it helped in broadening my knowledge".
- "Comparing previous authorities with present or current ones and spotting any distinction".

- "Identifying the appropriate authorities or knowing exactly how it applies to the circumstances at hand".

Analyses of these responses suggest that the problem of lack of legal research skills among graduate lawyers still needs to be addressed particularly through the legal education curriculum. This data suggests conceptual and procedural difficulties as experienced by the aspirant barristers in legal research for which the application of information literacy would be helpful. Other difficult tasks indicated by respondents include conducting client interviews (4%), filing court processes (4%) especially outside a particular jurisdiction in which case 2% of the respondents indicated transportation as a major challenge. Conducting mediation between unwilling parties (2%) and conducting land searches (1%).

In **question 8c** respondents indicated creative aspects found in these challenges specifically their ability to address the difficulty experienced and to learn from it. Some of the responses were classified and presented according to the nature of the tasks undertaken as follows:

Legal drafting:

- "Bringing out my own idea which is very different from the precedent provided in the office".
- "I became perfect in drafting affidavits in accordance with the rules. I was happy I could file processes in court".
- "Given an assignment that enables one to develop his or her critical thinking and analysis of the subject matter".

Court processes:

- "I can file cases in the court no matter how many documents as the process is well known to me"
- "I loved client interviews because it enabled me to know certain ways of either commencing an action or exploring other means of dispute resolution".
- "The most creative part was having the statement of defense and how to really state out the facts to exonerate the defendant".

Legal research:

- "Determining applicable laws to specific cases".

- "Using index and law report to identify issues, adapting precedent to suit a legal need".

The sources of information used in **question 8d** in addressing difficulties showed that a number of respondents (28%) employed print sources such as law reports, textbooks, precedent forms, Laws of the Federation of Nigeria (LFN), old case files in the law firms, comprehensive law indexes and other reference materials. The use of electronic resources indicated a lower percentage of 11% suggesting that the availability of electronic resources such as legal electronic databases, Internet and electronic portals in the law firms was limited, thereby determining the level of use to which they could be employed in solving problems. Other respondents indicated using both electronic and print and electronic resources and seeking advice from senior lawyers and fellow aspirants within the firm thus indicating an informal form of information seeking in solving problems.

Question 8e requested the respondents to indicate what in their opinion determines the complexity of a legal task; they were required to tick more than one option.

Table 8e: Reasons for perceived complexity of legal task

Reasons	Yes	%	No	%
Poor legal research skills	205	40%	225	44%
Complexity of the subject matter	178	35%	252	49%
Lack of familiarity with the case	182	35%	249	48%
Complexity of applying case law	105	20%	325	63%

N=515

Data in the "yes" column shows responses which suggest that task complexity is often determined by poor legal research skills (indicated at 40%) followed by lack of familiarity with a case (35%) and complexity of the subject matter (35%). As indicated by the respondents in the "no" column, the variables that do not determine the complexity of a task include complexity of applying case law (63%), complexity of the subject matter (49%), lack of familiarity with a case (48%) and poor research skills (44%). However, the perception by the respondents in the "no" column which showed a higher percentage of 44% for "poor legal research skills" as compared to 40% in the "yes" column indicated a poor recognition of the value of legal research skills and

its application to legal practice by the aspirant barristers. This contradiction further emphasises the importance of a skills-based approach to the teaching of legal research and the role it plays in addressing tasks that are of a complex nature particularly in the workplace.

The affective dimension of the respondents' handling of complex legal tasks was explored in **questions 9a and 9b**. The design of the two questions were informed by Kuhlthau's Information Search Process (ISP) model specifically as it relates to the Exploration stage, at which stage the perception of the complexity of a task increases the level of uncertainty experienced by the user especially in a workplace situation. The expectation from the analysis of these questions is that the level of uncertainty of the aspirant barristers as it relates to the construction of new knowledge at this stage can be determined. Analysis will also help in showing the pattern of their information seeking processes with respect to legal information use. Respondents were required to tick more than one option.

Table 9a: Feelings experienced in the affective dimension

Feeling	Number	%
Challenge	271	53%
Anxiety	175	34%
Confidence	166	32%
Interest	145	28%
Creativity	121	24%
Confusion	105	20%
Constructiveness	97	19%
Stress	97	19%
Doubt	88	17%
Excitement	75	15%
Enthusiasm	76	15%
Frustration	69	13%
Sceptism	65	13%

N=515

The frequencies **in question 9a (table 9a above)** shows that "challenge" has the highest affective disposition by the aspirants at (53%), followed by "anxiety" (34%), "confidence" (32%), "interest" (28%), "creativity" (24%), "confusion" (20%), "constructiveness" (19%), "doubt (17%), "enthusiasm" (15%), "excitement" (15%), "stress" (19%) and "frustration and skepticism (13%).

In analysing **question 9a**, each of the affective symptoms was classified as one of the three major symptoms. This process was undertaken to ensure that the adjectives that best describe the affective experience, when handling complex tasks, were adequately reflected in the analysis. The diagram below shows the organisation of the three groups which include, challenge, anxiety and confidence. The design of the diagram (**Figure 1 below**) is influenced by Kuhlthau's (1993) ISP model.

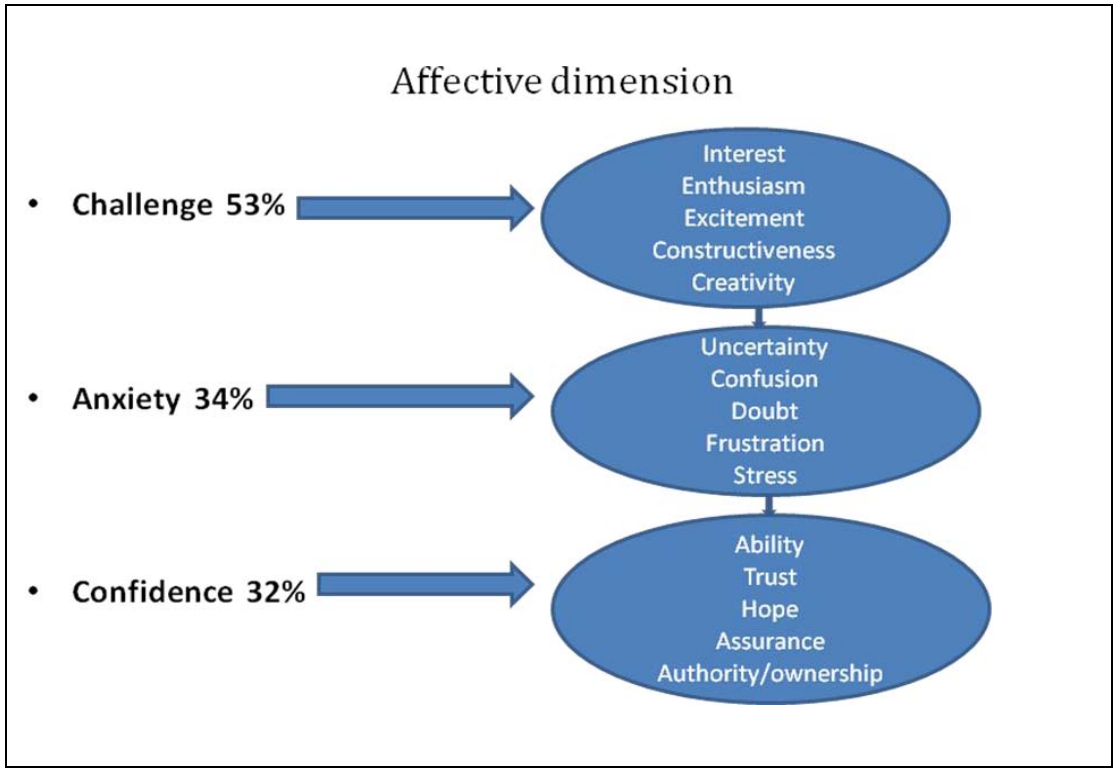


Figure 4: Affective dimension (based on Kuhlthau's [1993] ISP model)

- ***Challenge:*** Feelings of "challenge" accompany a sense of stimulation, curiosity and interest in a particular situation which leads to innovation and construction. Other emotional adjectives that are linked to this feeling include interest, enthusiasm, excitement, constructiveness and creativity; all of which are indicated in the findings from the data (Kuhlthau, 1991: 368). Analysis of the data suggests that affective feelings of "challenge" at the Initiation stage indicate what could be described as a positive emotion on the part of the aspirant barristers in approaching complex tasks. Kuhlthau and Tama (2001: 31) in their study of the information search process of lawyers, noted that

while novices interpreted their sense of uncertainty as indicating that something was going wrong, either with the task or with their ability to proceed effectively in the process, experts expressed "heightened interest and enthusiasm" which indicates a sense of challenge in handling complex tasks. The response of the experts showed their ability to apply skills from learned experiences in handling complex tasks. Similarly affective feelings of challenge as expressed by the aspirant barristers in handling complex tasks also indicates, to some extent, their level of preparation and training at the Law School towards legal practice and shows a determination to apply what has been learnt in tackling complex tasks.

- ***Anxiety:*** Feelings of "anxiety" refer to the affective state in which the user experiences symptoms of uncertainty, confusion, frustration and stress. Uncertainty influenced by anxiety is widely recognised as a factor behind the initiating of information seeking and use (Chowdhury & Gibb, 2009: 471). Uncertainty as reflected here is seen to lead to optimism by providing an opportunity for the aspirant barristers to identify the right approach to be employed in addressing complex tasks, thereby signaling a progression in the Information Search Process from the Initiation to the Selection stage (Kuhlthau, 1991: 366). Other accompanying feelings of uncertainty such as confusion, frustration and doubt leads to the Exploration stage, at which point a greater level of construction is experienced especially when the nature of the problem at hand is more complex.

- ***Confidence:*** The development of confidence in information seeking gives evidence of belief in personal abilities, trust, hopefulness, assurance, authority and freedom from doubt. Confidence highlights the beginning of the Formulation stage where clarity and a sense of direction are attained in the Information Search Process. As earlier reviewed in the literature, affective learning in the legal profession that is similar to the stages of the ISP model is realised when the user moves from uncertainty to confidence, thus developing a higher level of competence, interests, attitudes and values in the workplace (Kuhlthau, 2004: 178; Nichols, 2005: 441- 442). Data from these findings of the study indicate diminishing feelings of uncertainty on the part of the aspirant barristers and increase in focus in the course of handling complex tasks (Kuhlthau, 1991: 368).

Even though analysis of **question 9a** shows a variation from the sequence of the stages of the ISP model, findings are consistent with Kuhlthau and Tama's (2001) study of the experiences of lawyers in the early years of their career in which they determined that even though tasks accomplished may appear recursive rather than linear, progression is made towards completing a pattern, comparable to that of the ISP model (Kuhlthau, 1999: 13). The findings in this question thus provide a better understanding of the information seeking behaviour of aspirant barristers and the implications of the affective dimension in handling complex tasks.

Question 9b aims to identify the level of the stage at which the affective dimension was experienced. Respondents were invited to tick more than one option. The responses are provided in **table 9b below.**

Table 9b: Stages of affective dimension

Stage level	Number	%
Beginning	214	42%
All stages	103	20%
Middle	95	18%
End	16	3%
Beginning and middle	4	1%
Beginning and end	8	1%
Middle and end	0	0

N=515

Data in **question 9b above** shows that 42% of the respondents experienced changes in their affective level at the "beginning" of handling a complex task, 20% at the "all stages", 18% at the "middle", 3% at the "end", 1% at the "beginning and middle" and a limited number of 1% at the "beginning and end". The significance of these affective experiences by the aspirant barristers and its application to the ISP model is further discussed in chapter six of the study (*See* **chapter six section 6.3.1, research question 2.2 and 2.3**).

Data presented in **question 10 table 10 below** provides information on the importance of legal skills based on the experience of the aspirant barristers from the attachment programme. The design of the question employed a ranking format by which respondents were requested to

answer the question using the key provided. Respondents were required to tick more than one option. Among the "most important skills", data shows oral and written communication skills rank the highest at 78% suggesting a widespread agreement among aspirants of its importance in legal practice. Knowledge of substantive and procedural law 71%, legal drafting skills 70%, client counselling skills 65%, problem solving skills, 64%, factual analysis and legal reasoning 62%, negotiation skills and settling disputes 58%; legal research skills in using electronic/print resources is ranked lowest at 52%. Legal research skills in using electronic/print resources is also ranked highest in the column on "least important skills" at 18% followed by negotiation skills and settling disputes 13% and critical thinking skills 8%. In the "Don't know" column, critical thinking skills also ranked highest at 6%.

Table 10: Ranking of importance of skills by aspirant barristers

Skill	Most important skills	Least important skills	Don't know	No response
Oral and written communication skills	400 (78%)	12 (2%)	3 (1%)	100 (19%)
Legal drafting skills	359 (70%)	18 (4%)	2 (0%)	136 (26%)
Knowledge of substantive and procedural law	364 (71%)	20 (4%)	1 (0%)	130 (25%)
Client counselling skills	336 (65%)	36 (7%)	5 (1%)	138 (27%)
Problem solving skills	330 (64%)	30 (6%)	7 (1%)	148 (29%)
Factual analysis and legal reasoning	320 (62%)	36 (7%)	9 (2%)	150 (29%)
Critical thinking skills	316 (61%)	39 (8%)	3 (1%)	157 (30%)
Negotiation skills and settling disputes	296 (57%)	66 (13%)	4 (1%)	149 (29%)
Legal research skills in using electronic/print resources	265 (52%)	93 (18%)	11 (2%)	146 (28%)

N=515

The results of the analysis of this question bear a similarity with responses in **question 4a** on the importance of skills and, in both cases, it is noted that oral and written communication skills occupy a central position in legal education and practice. It is also noted from the data that even though legal research skills ranked lowest in the responses of both questions, they still represent a core aspect of legal education and practice that is incorporated into other skills. These

responses also further highlight the need for legal education in Nigeria to narrow the gap in the teaching of these skills (Trimmer, 2001: Incorporating skills teaching).

Data from **question 11a**, presented in **table 11a below**, invited the respondents to indicate if they wanted to practice law.

Table 11a: Intention to enter legal practice

Response	Number	%
Yes	392	76%
No	49	10%
No response	74	14%
Total	515	100%

N=515

The responses show that 76% of aspirant barristers intended to engage in legal practice while 10% indicated they have no intention of doing so. Among the reasons put forward in **question 11c** by those who did not intend to practice include the stressful and time consuming nature of the profession, desire to further their education and poor remuneration of younger lawyers in practice by law firms (Oditah, 2006 : Part IV: Remuneration of lawyers). This last reason further clarifies the relatively high preference for involvement in corporate law practice within established companies or banks as shown in **table 11b, below**, in order to ensure better salaried employment. Experiences from the attachment also influenced responses to **question 11a** as some indicated "losing interest along the way" or "lack of passion" while others cited lapses within the judicial system including such problems as "congestion in the legal system", "corruption" and the application of "obsolete laws" to legal practice which have affected the legal system in Nigeria. Fourteen percent of the aspirant barristers did not respond to the question while 86% responded.

Respondents were asked in **question 11b (table 11b below)** to select their areas of interest in legal practice; they were required to tick more than one response.

Table 11b: Areas of interest in legal practice

Area	Yes	%	No	%
Litigation	171	33%	222	43%
Corporate law	152	30%	237	46%
Property law	150	29%	234	45%
Criminal law	101	20%	291	57%
Public interest	68	13%	322	63%
Administrative law	60	12%	333	65%
Family law	58	11%	333	65%
Labour law	34	7%	359	70%

N=515

Data shows a greater interest by the aspirant barristers for litigation at 33%, property law 29%, corporate law 30% and criminal law at 20%. A lower percentage is shown for interest in family law 11% and labour law 7%. In the "no" column, 68% indicated lack of interest in practicing administrative law, 65% family law and 63% public interest. However, despite these indications of areas of interest, the combined nature of the legal profession in Nigeria has always encouraged the general practice of law thereby limiting the initial possibilities of specialisation in the various areas of legal practice.

Data from **question 12a, table 12a below** shows respondents' level of application of skills during the attachment programme.

Table 12a: Application of skills during attachment

Response	Number	%
Yes	366	71%
No	50	10%
No response	99	19%
Total	515	100%

N=515

From the table, 71% indicated they were able to apply skills learnt from the university, while 10% said they were not able to do so. Total response rate recorded is 81%, while 19% did not indicate their response.

In **question 12b**, respondents were asked to indicate which of the skills they considered they lacked most during the attachment. Among the skills enumerated, 17% indicated they lacked legal research skills, 5% lacked skills in drafting, problem solving and critical thinking skills recorded 3% each and advocacy and analytical skills 2% respectively.

In **question 12c table 12c below,** 41% of the respondents indicated they acquired additional skills during the attachment and 23% indicated no additional skills were learnt.

Table 12c: Additional skills learnt during attachment

Response	Number	%
Yes	215	41%
No	116	23%
No response	184	36%
Total	515	100%

N=515

Ten percent of the respondents indicated that they had learnt additional skills in legal research. Aspects of new learning with respect to legal research as cited by some of the respondents included "ability to search for cases using indexes", "using electronic databases", "improved use of law reports and legal textbooks in conducting research". Also, additional skills were learnt in legal drafting (7%) which include drafting originating applications like motions, statement of claim and defense and filing court processes. Other additional skills learnt included law office management, litigation, advocacy, how to incorporate companies, client counselling and negotiation skills and so on. A 64% response rate was recorded to the question while 36% did not respond.

Responses to **question 12 (a, b and c)** shows how practical experience contribute to skills development in legal practice. Further analysis of these responses is discussed in chapter six of the study (*See* **chapter six section 6.4, research question 3.2**), which helped in assessing the level of transferability of professional skills of the aspirant barristers to the workplace.

In **Question 12d**, aspirant barristers were requested to state what their most useful experience was during the attachment period. The range of responses to this question was varied depending on individual experiences. However from the analysis, responses that were categorised indicated that the experiences most cited by the aspirants were those of attending court and watching court proceedings and learning from the processes, which included "how to conduct cross examination of witnesses", "how to conduct a trial within a trial", "how to move a motion in court", "how issues of jurisdiction, notice of appeal and adjournment of cases are handled" and so on. According to one of the respondents, "the most interesting thing and one that caught my interest was the impact of the transfer of judges and its implications and effects on litigants". Other learning experiences cited by some of the respondents included the ability to draft legal documents and filing of court processes, visiting prisons and applying for bail at police stations, law office management and conducting legal research. The implication of these experiences suggests that aspirants were able to gain some practical skills that would be useful in legal practice.

Data in **question 13** sought to obtain the opinion of aspirant barristers on what they considered to be the biggest difference between educational training at the university and the professional training received at the Nigerian Law School. Responses indicated that 85% of the respondents believed that the training at the Law School was practical, particularly with respect to procedural applications of law, while the university training was theoretical and more focused on substantive law.

The findings suggest that this difference arises from the nature of the curriculum and teaching methods which have tended to create a gap in terms of the level of exposure that is given at the various stages of legal education. Areas of major differences as cited by the respondents include the teaching method, which is student-centred and enables participatory learning. According to one of the respondents "the two operate different curriculums, while students at the university relie [sic] hundred percent on teachers, but at the Law School teachers depend on the student". Another respondent stated that "lecturers at the Law School are more committed to their duties, more caring about students' educational needs and more diligent in conduct". However, other respondents were of the view that the major difference in the two educational systems is the

intensive nature of the workload at the NLS particularly in view of the short duration of the programme.

The general response to this question suggests the level of impact the reforms at the NLS have had on the practical skills training of the aspirant barristers. It also indicates the positive changes gradually being made in the legal profession in Nigeria. The outcome of the new methods of teaching and practical training is that it has served to create a level of confidence and determination in the aspirant barristers towards their career.

Question 14 asked the respondents to rate their academic performance at the Law School. Data is shown below.

Table 14: Self rating by aspirant barristers at Law School

Rating	Number	%
Very good	179	35%
Excellent	106	21%
Good	86	17%
Average	21	4%
Poor	1	0%
No response	122	24%
Total	515	100%

N=515

Results from **question 14 table 14 above** shows that a greater percentage of the respondents rated their performance at the Law School "very good" (35%), while 21% indicated they were "excellent", 17% believed they were "good", 4% were "average" and 0% indicated they were "poor" in their performance at the Law School. However, this response by the aspirant barristers shows a sharp contrast to the assessment of the competence of the aspirants with respect to skills efficiency and legal practice by the law firms. This perception by the aspirant barristers of their performance therefore suggests that they may have over-estimated their actual competence in legal practice (Kerins, Madden & Fulton, 2004: Law students). A comparison of these findings is provided in **question 12** (phase 2) of the law firms' data.

Respondents were asked in **Question 15**[8] to provide any other comments or suggestions they may have on the issues raised in the questionnaire. Data in this question were organised and presented under the following points:

- ***Curriculum and teaching methods of the NLS and universities:*** Twelve percent (63) of the respondents stressed the need for the Council of Legal Education to ensure that the current curriculum of the NLS is also adopted by all universities in Nigeria in order to bridge the gap in teaching standards in both institutions. Suggestions in this regard are that certain procedural courses such as legal drafting, advocacy and moot trials should be made compulsory at the undergraduate level in order for aspirant barristers to be more prepared for the challenges at the Law School.

- ***Legal practice:*** Similar to the above point, 2% of the respondents (8) emphasised the need to bridge the gap in differences between what is taught at the Law School and what is sometimes obtainable in legal practice, particularly with respect to procedural rules as applied in the courts where there are variations in order of processes even though the content and application of rules are the same. This issue calls for the need for better collaboration between the NLS, the NBA and the judicial system to ensure a unified application of procedural rules in the legal system. Other respondents also stressed the need for more research to be undertaken on the conduct and practice of lawyers and the inculcation of professional ethics in the legal profession in Nigeria.

- ***Bar examinations and course workload:*** Among issues of concern in this area is the timing of the Bar examinations, which are often scheduled immediately after the attachment programme. One percent of the respondents (4) are of the view that, considering the course workload of the entire programme, more time should be given after the attachment programme for studying before the commencement of the examinations. Other respondents suggested a review of the grading scheme of the Law School. They suggested that rather than the award of classes of degrees for the Bar

[8] Percentages and numbers are provided for questions that are presented without a graphic output.

examinations, aspirants should be graded on a pass/fail basis as is the case with medical schools in Nigeria.

- ***Attachment programme:*** Four percent (20) of the responses on the attachment programme showed that it has had a positive impact in exposing aspirants to the practical aspects of law. As stated by one of the respondents, "The Nigerian Law School truly exposed me to the hardworking legal system and I appreciate the new curriculum introduced by the Council of Legal Education, especially when I went for attachment because I discovered we have already been taught the court procedures. It is great". However, 5% of the respondents indicated the need for the attachment programme to be extended by at least one to two years to enable better experiential knowledge during the period. Other suggestions in this regard are that the experiences of chambers and court attachment should also be introduced at the university level. Other issues raised on the attachment include funding and allowances for aspirant barristers and effective monitoring and supervision of aspirants during the programme.

- ***Library resources, ICT and facilities:*** Two percent of the respondents (6) also offered comments of the need for improved resources in all the libraries of the Law School, particularly ICT facilities, as well as improved accommodation and living conditions at the Law School.

Suggestions and comments by the respondents also reflected commendations by the aspirants for the authorities of the Nigerian Law School, particularly with regard to the implementation of the new curriculum and its positive impact on developing practical skills. As stated by one of the respondents, "Training at the Law School is very good and the new curriculum has gone a long way in helping me appreciate what is taught in class along with observations during the law office attachment". Also, based on responses to the questionnaire, suggestions were made of the need to implement a workable project on information literacy at the NLS and in all universities in Nigeria.

5.3. Analysis of reflective journals

This section of the chapter presents data from the workplace experiences of aspirant barristers. The data is drawn from 23 entries made in their reflective journals as part of the requirements of the attachment programme. The guidelines for the attachment programme to the law courts and law firms require aspirants to produce a two-page journal titled the "The most significant thing I learnt during the attachment period" (Council of Legal Education, 2009: 228). The purpose of the journal is to demonstrate the level of involvement of aspirant barristers in the specified programme of activities for the attachment programme and to ascertain their level of professional development and learning from the experience. Reflective journals provide an understanding of learning processes particularly within established educational programmes (Bates, 2003: 303). An analysis of their use as a method of data collection is explored in **chapter 3 section 3.7.1** of the study. The data for the analysis was obtained with the express permission of the aspirant barristers for the purpose of the study.

5.3.1. Method of analysis

Reflective journals can be categorised into descriptive, explanatory, contextual or critical types by which they can be used to examine the level of reflection of the writer (Hegarty, 2009: 459-460). In analysing this data, a descriptive approach was employed to capture the experiences of the aspirant barristers. The journal entries by the aspirant barristers were analysed using a model designed by Boud, Cohen and Walker (1993) and adapted by Bates (2003). Bates' (2003: 303, 325) study sought to investigate student's reflection on learning experiences based on work placements in the criminology and criminal justice areas. The study outlined five criteria by which students' experiential learning in the workplace could be evaluated. Findings of the study revealed how student learning experiences can be enhanced through reflective practice in a work placement programme. Bates' model was considered applicable to the study as it provides the opportunity to examine evidence of reflection and other learning experiences of the aspirant barristers from the attachment programme. The model has also been used in a similar study on students' experiences through workplace integrated learning by Schembri (2007).

A total of 23 journals produced by the aspirant barristers were analysed for the study. The reflective journals were first organised by seeking data that tallied with certain categories and

those from the Bates' framework. From the 23 journals, five journals representing typical examples of the categories determined by Bates (2003), were selected and then coded and classified according to the three campuses from which they were obtained. A table was then created showing the most significant thing learnt as indicated by each respondent as well as the skills, knowledge and values acquired by the respondents. A provision was also made in the table by which the five categories outlined by Bates (2003: 307-311) could be used to examine evidences of reflection, learning and recognised development by the aspirant barristers. The discussion of the findings presented below follows the format by which the table of responses is organised.

Analysis of journal entries on "the most significant thing I learnt" shows that 22 of the journals generally indicated evidence of reflection and learning based on descriptions given by the respondents of the context in which it was experienced. It was noted from the analysis that respondents were able to critically reflect and evaluate the situation and in some instances make suggestions as to how changes could be made for greater positive impact. However, only one of the 22 journal entries revealed contrary results as the aspirant barrister seemed to have only reproduced a legal document as the most significant experience, thereby not reflecting any of the evidences outlined in the categories. In the analysis of the journals, using Bates' (2003) model shown in the table below, specific aspects of some of the journal entries were selected to illustrate their application to the outlined categories as well as evidences of reflection and learning from the experience (Schembri, 2007: 129).

Analysis of the "skills, knowledge and values acquired" in the course of the attachment demonstrated the development of practical skills particularly advocacy skills, analytical skills and communication skills. Other skills include critical thinking and evaluative skills. According to Greiman and Covington (2007: 117), research has shown that journal writing can assist in the development of critical thinking skills, self-evaluative skills and observational skills. It also contributes to increasing self-esteem and has a tendency to reduce stress and release tension in the writer. An element of increase in self-esteem is seen in one of the journal entries when the respondent indicates a progression from fear, anxiety to boldness and self-confidence in the course of the experience.

The role of emotion is also demonstrated as an important aspect of learning in the journal entries. Some of the emotions expressed include feelings of "confusion", "fear", "anxiety", "surprise", "disappointment" and "interest", all which are synonymous with the affective symptoms reflected in Kuhlthau's ISP model. Boud, Cohen and Walker (1993: 15) observed that feelings and emotion can both act as an opportunity or a barrier to learning as they help determine the next course of action in a given situation. Schembri (2007: 131) suggests the need, in such situations, to provide a supportive approach in helping the learner overcome the challenges experienced. This support can be in the form of collaborative learning enhanced through interaction between novice and experts as a means of developing professional skills and encouraging work place learning (Francis, 1995: 240).

Procedural learning through the attachment programme forms an important component of legal education; it provides an opportunity for aspirant barristers to integrate theory and practice and develop knowledge and skills that are transferable to other contexts. Evidence of the development of practical skills is seen from the analyses of experiences from the journal entries, which indicate a better understanding of how legal rules are applied in the practice of law. This component increases the potential by which skills can be transferred to other contexts through such deep learning processes (Bates, 2003: 318).

Another component of experiential learning identified in the reflective journal is collaborative learning which suggests that individual reflection is enhanced through interaction and participation particularly between the novice and the expert. Givelbar and others (1995: 15) noted that the practice setting in this context provides an opportunity for the novice to learn through a process of enculturation thereby providing an opportunity for developing lawyering skills and an understanding of the roles and relationships of the profession within a given Community of Practice (CoP).

Table 15: REFLECTIVE JOURNAL ANALYSIS USING BATES' (2003) MODEL

	Category	Cases cited	Evidence of reflection	Comments
1.	The work placement experience has been the foundation of and stimulus for learning.	Witnessing a criminal case	"It was instructive for me to learn that witnesses are to be sworn while standing as a matter of rules, practices and procedures of the courts – no matter the person and his status...." "It was rather disappointing to learn that important records of the police such as the statements of accused and complainant are not authenticated by stamping especially when they are not on the prescribed form. This could help the court in averting the rather unending problems encountered".	Evidence of learning is identified in the journal entry and highlights the ability of the aspirant to link what was learnt in the task to the experience. Evidence of the acquisition of a new skill is also indicated and the ability to construct new meaning from the learning task.
2.	The learner has actively constructed the work placement experience as it has evolved.	Court case over chieftaincy title.	"I was surprised to see the presiding judge struck out the case for want of evidence instead of transferring the case to the state High Court. I believe the judge did not avert his mind to the provision of section 22 [2] of the Federal High Court Act. We went to the judge after the whole proceeding and asked him why he struck out the case instead of transferring and he told us that the application should have been made by the plaintiff counsel. The question I asked myself was is the judge no longer presumed to know the law?"	The aspirant is able to modify the learning task as it evolves. The alternative course of action suggested by the aspirant shows his ability to change the focus and direction of learning as dictated by the circumstances. New knowledge is also seen to be constructed as a result of the learning experience in the workplace.
3.	The work placement learning has been a holistic experience.	Conduct of judges in court and adjournment of court cases.	"…I have learnt that there are long term benefits because I have come to appreciate that experience counts in practice". "...I am conscious of who I am and I have discovered in a very short time the wise decision I made to study law. I have remained disciplined in speech, appearance and determined to succeed. The knowledge I gathered from the beginning of the exercise to the end of it cannot be robbed off me. It remains my innate treasure and I am convinced that I benefitted beyond my expectations".	This journal entry indicates a relationship between the learner and the experience. A deeper understanding of the whole experience is achieved particularly through the senses and emotion which enables the learner to confront feelings of anxiety and adapt to the requirements of the workplace.
4.	The work placement learning has been socially and culturally constructed during the course of the experience.	Witnessing a client interview in Yoruba language.	"...I learnt immensely from the client interview. Firstly I observed that although the client interview was conducted in Yoruba language, the message was duly passed to the lawyer. Thus a client interview can be conducted in a language other than English language..."	Evidence of reflection is shown in the ability of the aspirant to recognise the influence of culture to the context of the learning experience. The experience also provides new insight that could influence the application of practical skills to the work place.
5.	The work placement learning has been influenced by the socio-emotional in which it has occurred.	Witnessed a court proceeding in a prison.	"It was a great opportunity for me to experience the prison visit….I learnt a lot from the experience as it taught me that as a lawyer especially a state counsel I have to be diligent in handling proceedings in court because negligence of duty as a lawyer is detrimental to the society".	The learning experience serves as a key influence to a new sense of awareness as to the expectations of the profession on the aspirant and aroused feelings of a need for commitment ("diligence") as to the role he/she can play towards positively impacting the legal system.

Findings from the analysis of the reflective journals provide an understanding of the potential of practice-based learning in facilitating the development of practical skills. It also provides insight into the educational value of work as an important aspect of skills training in context of the legal workplace in Nigeria. Recommendations from the data point to the need for greater collaboration between the NLS and practicing lawyers towards restructuring the attachment programme so as to effectively utilise it as a means of providing meaningful learning experiences for the aspirant barristers.

5.4. Data presentation phase 2: Law firms

A total of 341 law firms were sampled from 3300 law firms listed in the database of the Nigerian Law School for the purpose of the study. Three hundred copies of the questionnaire were administered in 26 states including the Federal Capital Territory (FCT), Abuja, of the 32 states sampled from the data **(chapter 4 section 4.6.5.2, Phase 2)**. A total of 202 copies of the questionnaire representing 67% of the total number of copies of the questionnaire administered were completed and returned. This phase of the data presentation provides an overview of the findings from the administered questionnaires to the various law firms.

As with the presentation of the first phase of the data, the format of the questionnaire was used as a guideline for developing the categories for the analysis of the data. The first section of the presentation provides profiled information of the organisational structure and composition of the various firms. It should be stated however, that for ethical reasons, the names of the firms were not included in the presentation except for the date of establishment where provided, location and number of legal practitioners in the firm. Other sections in the presentation include (ICT) and legal education and legal practice in Nigeria.

5.4.1. Organisational structure of the law firms – questions 1a, 1b and 1c

The organisational structure of the law firms are patterned after the form in which private legal practices are organised in Nigeria, that is, solo practice, chambers and partnerships (Oko, 1994: 113-115) **(***See* **chapter four section 4.4.2).** The locations of the firms are spread across the state capitals of the 32 states selected in the data; however, a few were located in various local government jurisdictions within the states (*See* **table 16 below)**.

Table 16: Location of law firms by states - 1a, 1b, and 1c

States	Number of firms	Percentage of law firms located in the various states
Oyo state	17	8%
Anambra	15	7%
Lagos	13	6%
Kaduna	13	6%
Edo	11	5%
Enugu	11	5%
Jigawa	2	1%
Katsina	2	1%
Nasarawa	2	1%
No response	116	57%
Total	202	100%

N=202

Of the 26 states, the highest response was obtained from Oyo state (17%), Anambra state (15%), Lagos and Kaduna states (13%) and Edo and Enugu states (11%). The lowest response rates of 1% were recorded in Jigawa, Katsina and Nasarawa states. Seven other states were not covered in the data collection for reasons indicated in **chapter four section 4.6.5.2** of the study. The earliest year of establishment of the law firms was 1961, while 2007 was the most recent. A few other law firms did not indicate their year of establishment. A 43% response was recorded for this question while 57% did not respond.

In **question 2a**, respondents were asked to indicate the number of practitioners that were employed in their firm.

Table 17: Number of lawyers in law firm

Range of numbers	Number	%
5 or fewer	147	73%
6-10	37	18%
11-20	5	2%
21-40	1	0%
41-80	1	0%
80 and above	2	1%
No response	9	4%
Total	202	100%

N=202

Data from **question 2a,** provided in **table 17 above,** shows that 73% of the 202 law firms had "5 or fewer" practitioners, 18% indicated that they had between 6-10 and 2% had 11-20 lawyers within the firm. Other responses show 1% for "80 and above" and also 0% for law firms with 21-40 and 41-80 practitioners respectively. Of the respondents, 96% of the firms responded while 4% did not indicate their size. The size of a law firm and years of practice are significant factors for inclusion in the attachment programme organised by the Law School, as it determines the number of aspirant barristers that could be posted to the firm thereby giving those aspirants better experiential knowledge of legal practice in such firms (*See* **chapter four section 4.5.3**) (Okoye Ordor, 2007: 71; Grimes, 2009: The reforms).

The various areas of legal practice engaged in by the respondents are shown in **table 18** on **question 2b below**.

Table 18: Areas of law focused on in legal practice by the law firms

Area	Yes	%	No	%
Litigation	178	89%	23	11%
Corporate law	128	63%	73	36%
Property law	121	60%	80	40%
Family law	90	45%	111	55%
Trustees and estates	85	42%	116	57%
Administrative law	76	38%	125	62%
Labour law	75	37%	126	62%
Public interest	74	37%	127	63%
Personal injury	70	35%	131	65%
Tax law	61	30%	140	69%

N=201[9]

In answering the question, respondents were at liberty to select more than one option in their area of practice. From the table, the "yes" column shows 89% were involved in litigation, 63% corporate practice and 60% property law, while the "no" column indicates involvement in tax law as the highest at 69%, personal injury 65% and administrative and labour law 62% each. Twenty four percent of the practitioners however indicated that they are more involved with general practice suggesting a lack of specialisation in any of these areas.

[9] Total responses to **question 2b table 18** were 201.

5.4.2. Information and Communication Technology (ICT) application at the law firms.

This section shows the impact of ICT on legal practice in Nigeria in terms of access and information use as well as the formats of legal resources available in the law firms.

Question 2c asked respondents to indicate whether their firm had a library. The responses are indicated in **table 19 below**:

Table 19: Availability of law library in law firm

Response	Number	%
Yes	193	96%
No	9	4%
Total	202	100%

N=202

Investigation into the availability of library resources in the law firms in **question 2c** revealed that 96% of the law firms had their own law libraries while 4% indicated they did not have a law library. In **question 2d**, 50% of the firms indicated they have at least one librarian who manages the library while a few others employed between three and five librarians, depending on the size of the library.

Table 20: Other law libraries used by law firms

Library	Number	%
Court library	21	10%
National library	7	3%
State public library	6	3%
Nigerian Bar Association's library	3	1%
No response	165	82%
Total	202	100%

N=202

However, in responses from **question 3**, **table 20 above**, some of the lawyers indicated that they do not have a law library but have access to court libraries (10%), the national library (3%), state library (3%) and Nigerian Bar Association's library (1%). Though provision was made in the questionnaire for the respondents to indicate other libraries they used beside the ones listed, a high non-response rate of 82% was recorded for this question with only 18% responses.

In **question 4**, **table 21 below**, respondents were requested to indicate the availability of Internet access in their law firms.

Table 21: Availability of Internet access in law firm

Response	Number	%
Yes	141	70%
No	57	28%
No response	4	2%
Total	202	100%

N=202

Data from **question 4, table 21 above** shows access to the Internet by the law firms at 70% while 28% indicated they had no Internet access. The use of ICT and other electronic resources partially depends on the extent of internet access, which has sometimes constituted a challenge for legal practitioners in Nigeria. Total responses recorded were 98%, while 2% did not respond.

Data in **question 5** sought to investigate the application of ICT to legal tasks in the law firms. Data is shown in **table 22** below.

Table 22: Tasks related to the use of ICT in the law firms

Task	Yes	No	Don't know
Conducting legal research.	143 (71%)	41 (20%)	1 (0%)
Sending and receiving e-mail.	135 (69%)	48 (24%)	0 -
Preparation of court cases and enhancing work and professional productivity.	132 (65%)	47 (23%)	2 (1%)
Improving legal knowledge.	121 (60%)	57 (28%)	2 (1%)
Communicating with other law firms.	97 (48%)	84 (42%)	0 -
Accessing the current decisions of the Supreme Court of Nigeria.	80 (40%)	94 (47%)	2 (1%)
Drafting of legal reports.	72 (36%)	109 (54%)	2 (1%)
Accessing state statutes amendments and national Acts.	73 (36%)	98 (49%)	5 (3%)
Accessing electronic journals, books and other resources.	69 (34%)	104 (52%)	2 (1%)
International transactions and electronic business.	62 (31%)	111 (55%)	6 (3%)
Access the current decisions of the High Courts in Nigeria.	45 (22%)	129 (64%)	2 (1%)
Not used at all.	11 (5%)	0 -	0 -
Advertising.	6 (3%)	173 (86%)	7 (4%)

N=202

Investigation into the use of ICT by law firms in **question 5 table 22 above** reveals that 71% of ICT is employed for conducting legal research, sending and receiving e-mails 69%, preparation of court cases 65%, improving legal knowledge 60% and communicating with other lawyers 48%, while 5% indicated that ICT is "not used at all" in their firms. The category with the highest level of reported non-use is advertising at 86%, with 64% of lawyers also indicating that ICT is not used for "accessing state statutes amendment and national Acts". Other categories of non-use include international transactions and electronic business at 55%, "accessing electronic journals, books and other resources" at 52%, compared with 34% of firms that did use ICT for this purpose. The responses in the "don't know" column were relatively lower with only a 5% response in the category for "advertising". Respondents were required to select more than one option.

The past few years have witnessed a large increase in the provision of local electronic databases in Nigeria, many of which contain full-text primary and secondary legal research

resources and indexes. The accessibility of these resources has greatly influenced the information use of legal practitioners in Nigeria.

Table 23: Availability of electronic resources in the law firms

Response	Number	%
Yes	77	38%
No	94	47%
No response	31	15%
Total	202	100%

N=202

Question 6a table 23 above shows the availability of e-resources in the law firms at 38%, while 47% indicated they did not have electronic resources. Among the listed electronic resources available in the law firms as shown in **question 6b, table 24 below** are *Judgments of the Supreme Court of Nigeria* 19%, *Laws of the Federation of Nigeria* (LFN) 18%, Law reports of the courts of Nigeria 16% and *Constitution of the Federal Republic of Nigeria* 7%.

Table 24: Electronic databases available in law firms

Database	Yes	%	No	%
Judgments of the Supreme Court of Nigeria	39	19%	34	17%
Laws of the Federation of Nigeria	36	18%	38	19%
Law reports of the courts of Nigeria	32	16%	42	21%
Constitution of the Federal Republic of Nigeria	14	7%	59	29%

N=202

However, higher percentages are indicated for lack of access to these electronic databases, as shown in the **table 24 above** - *Constitution of the Federal Republic of Nigeria (29%), Laws of the Federation of Nigeria* (LFN) 19%, *Law Reports of the Courts of Nigeria 21% and Judgments of the Supreme Court of Nigeria* 17%. Other local electronic databases cited include CompuLaw, Legalbrief Africa and Election petitions reports. In answering this question, the law firms were invited to tick more than one option.

Access to foreign legal electronic databases in **question 6c table 25 below** shows a higher percentage of lack of availability in the law firms with respect to the following – HeinOnline 36%, Westlaw 35%, Find Law 33%, Lexis Nexis 29% and LexisNexis Butterworth's 27%.

Access to these resources however, shows LexisNexis Butterworth's at 9%, Lexis Nexis 7%, Find Law 4%, Westlaw 2% and Hein Online 0%.

Table 25: Foreign electronic databases available in law firms

Database	Yes	%	No	%
Lexis Nexis Butterworth's	19	9%	54	27%
Lexis Nexis International	14	7%	59	29%
Find Law	7	4%	66	33%
Westlaw	3	2%	70	35%
Hein Online	1	0%	72	36%

N=202

The analysis of these questions **(6a, 6b and 6c)** provides a general picture of the context of the use of legal electronic databases among legal practitioners in Nigeria which to some extent suggests a gradual shift in the conduct of legal practice in Nigeria. The impact of these changes is reflected in some of the responses of the law firms in **question 6d** especially with respect to speed and efficiency in legal practice and legal research, easy access to current legal authorities, availability of resources in international comparative law, ease in drafting and use of precedents and better client services. Specifically, 15% of the respondents reported greater efficiency and productivity in legal practice due to the availability of these resources, while 9% of the respondents indicated greater ease in legal research. As stated by one of the respondents "it has made legal research easier and faster while giving the researcher a wide range of authorities and materials to use in the preparation of a case. It is indeed a modern working tool for legal practitioners". Seven percent of the respondents also stated that the availability of foreign legal databases in particular has helped to provide a global outlook to handling cases in such areas as environmental law which requires the application of comparative law and modern principles of law. Seven percent of the respondents indicated that availability of electronic resources has enabled access to recent court decisions of the Supreme Court of Nigeria as well as legislations and amendments by the National Assembly, increased speed in drafting and filing of court processes and incorporation of companies. Five percent also indicated better client satisfaction for work completed within reasonable time frames due to the availability of electronic resources.

However, among some of the challenges highlighted in **question 7a** (**table 26 below**) in accessing legal electronic databases include "poor internet access" 20%, "difficulty in finding relevant legal information" 16%, "poor ICT skills" 9%, "limited access to computers" and

'lack of time" 4%. Other problems include poor electricity supply, high cost of subscription fees, poor network service providers and so on.

Table 26: Challenges of using e-resources in law firm

Challenge	Number	%
Poor internet access	40	20%
Difficulty in finding relevant legal information	32	16%
Poor ICT skills	19	9%
Limited access to computers	8	4%
Lack of time	8	4%
No response	95	47
Total	202	100%

N=202

Despite these challenges, data in **question 7b table 27 below** shows 88% of respondents indicated they had subscriptions to print and electronic resources, while 3% indicated they did not subscribe to these resources. Most of these resources subscribed to were local journals in printed format.

Table 27: Subscription to print and electronic resources by the law firms

Response	Number	%
Yes	177	88%
No	6	3%
No response	19	9%
Total	202	100%

N=202

Responses to **question 7c** which requested the law firms to list journals they subscribed to included print resources such as *Judgments of the Supreme Court of Nigeria*, *All Federation Weekly Law Reports*, *Nigerian Weekly Law Reports, Law Reports of the Courts of Nigeria, Supreme Court Judgments, All Criminal Weekly Law Reports, Supreme Court Quarterly Law Reports* and so on. Law reports applicable to each of the states of the federation are also available to lawyers within the states. A few indicated they subscribed to other secondary sources such as United Nations treatises, Kyoto Protocol, journals on international human rights and so on. The total response to the question was 95%, with 5% not responding.

5.4.3. Legal education and legal practice in Nigeria

Questions in this section sought to address issues regarding the implementation of current reforms at the Nigerian Law School with the expectation that responses from legal practitioners will contribute to on-going efforts in the reforms, particularly with respect to issues of skills development and vocational training.

Table 28: Knowledge of reforms at the NLS by the law firms

Response	Number	%
Yes	170	84%
No	23	12%
No response	9	4%
Total	202	100%

N=202

Data in **question 8, table 28 above**, shows a high level of awareness of the reforms by legal practitioners at 84% as against 12% of those who indicated that they were not aware. These results show, to some extent, the efforts taken by the NLS towards creating awareness of the reforms, thereby creating opportunities for input and criticism to the implementation processes. Ninety six percent responded and 4% did not respond to the question.

Table 29: Opinion of law firms on skills training at NLS

Response	Number	%
Yes	168	84%
No	19	9%
No response	15	7%
Total	202	100%

N=202

Responses to **question 9, table 29 above** shows an encouraging response of 84% by practitioners who believed that skills training by the NLS addresses current challenges in legal practice, while 9% did not agree. This overwhelming response suggests the reforms are making a gradual but positive impact on legal practice in Nigeria. Total response is 93% while 7% did not respond.

Table 30 below presents data on responses to two questions. In **question 10a**, respondents in the law firms were asked which of the outlined skills they believed are most lacking among aspirant barristers, while **question 10b** requested them to indicate from the listed skills which skills they believed required greater emphasis to be placed on teaching at the university level. The purpose of these questions was to ascertain from the legal practitioners the quality of skills they believed aspirant barristers should have and the level of competence that is required for legal practice. The expectation from these questions was also in that findings would help address some of the challenges expressed in responses by aspirant barristers with respect to problems of skills deficiency at the university level (*See* **questions 3a and 3b** in phase 1 **section 5.2.3** of the data presentation). The table is presented in this way to facilitate a better understanding of the relationship between the questions.

Table 30: Skills lacking among aspirant barristers (10a); Need for emphasis on skills at universities (10b)

SKILLS	10a	10b
Oral and written communication skills	105 (52%)	105 (52%)
Problem solving skills	95 (47%)	110 (54%)
Analytical skills	86 (43%)	83 (41%)
Legal research skills	68 (34%)	73 (36%)
Writing skills	64 (32%)	83 (41%)
Critical thinking skills	42 (21%)	53 (26%)
Evaluative skills	40 (20%)	50 (25%)

N=202

Data from the column in the above table which reflect responses from **question 10a** indicate that in the opinion of the law firms "communication skills" ranked the highest of the most lacked skills among aspirant barristers (52%), followed by problem solving skills (47%), analytical skills (43%), legal research (34%) and writing skills (32%). Critical thinking skills and evaluative skills have lower percentages of 21% and 20% respectively. Responses to **question 10b** shows that law firm respondents believed greater emphasis should be placed on "problem solving" (54%), "communication skills" (52%); writing and analytical skills both show 41% each and legal research skills scores 36%. Critical thinking and evaluative skills have the lowest percentages, again, in this question at 25% and 26% respectively.

The data presentation in **table 31 below** provides a comparison of questions 3a and 3b and questions 10a and 10b. **Questions 3a and 3b (Phase 1)** requested aspirant barristers to indicate which of the outlined skills they felt they had developed proficiency in as undergraduate students, while question 3b requested them to indicate the skills they felt they had not developed proficiency in at the undergraduate level. **Questions 10a and 10b (Phase 2)** requested law firms to indicate from the listed skills which skills they believed required greater emphasis to be placed on teaching at the university level. The essence of the questions was to establish a link between skills training at the university and to ascertain the extent to which skills are transferred to the workplace context. The expectation from these questions was also that findings would help address some of the challenges expressed in responses by aspirant barristers with respect to problems of skills deficiency at the university level.

Table 31: Comparison of skills proficiency and lack of skills as perceived by aspirant barristers and law firms

	Aspirant barristers' skills		Law firms' views of skills	
SKILLS	3a – Skills proficiency	3b – Lacked skills	10a – Lacked skills	10b - Skills needing emphasis
Writing skills	71%	58%	32%	41%
Oral and written communication skills	60%	55%	52%	52%
Critical thinking	59%	53%	21%	26%
Legal research skills	57%	53%	34%	36%
Analytical skills	53%	53%	43%	41%
Problem solving skills	49%	52%	47%	54%
Evaluative skills	45%	46%	29%	25%

N=202

As shown from the table above, in question 10a and 3b, a high lack of proficiency in oral and communication skills of 55% at the university is indicated by the aspirant barristers while legal practitioners showed a similar percentage of 52%. Similarly, in writing skills, a lack of proficiency is shown at 58% in **question 3b** while **question 10a** shows 32%. Responses in **question 10b** shows the need for emphasis in writing skills at 41% and an indicated 58% in **question 3b** which suggests that there is a need to close the gap in skills training in this regard at both the university and the Law School levels. The same suggestion could also be

made to responses on legal research; while a lack of proficiency is recorded at 53% in **question 3b**, data in **question 10a** shows 34% and a need for skills emphasis at 36% as indicated in **question 10b**. It is noted in this regard, that the aspirant barristers seem to identify a greater need for legal research skills than the legal practitioners. This finding may suggest that experiences gained from the attachment programme by the aspirant barristers may have influenced better legal research which is invaluable in legal practice. Further analysis of other skills shows problem solving skills at 52% lack of proficiency (question 3b) as against 47% (question 10a) and a need for emphasis on these skills of 54%. Critical thinking skills, 53% lack of proficiency (question 3b) as against 21% (question 10a) and a need for skills emphasis of 26% (question 10b); and analytical skills at 53% lack of skills proficiency (question 3b) as against 43% (question 10a) and a need for skills emphasis at 41% (question 10b). The conclusion is that a clear parallel can be drawn between the skill gaps identified. The means suggested for addressing these gaps are detailed in chapter six sub-section 6.4.1.3 and chapter seven section 7.7 and 7.8 respectively.

Aspects on skills deficiency in legal research were further investigated in **question 10c** of the study. Respondents were asked to provide what they believed are the biggest problems as regards the legal research skills of aspirant barristers. Data from responses to this question were first grouped into themes and patterns from which findings were deduced and summarised as follows:

- ***Lack of adequate library materials for research:*** Inadequacy of library materials has always constituted a major challenge in the educational system. Issues of lack of library resources are inextricably tied to problems of poor research skills as the availability of resources also determines the extent to which research skills could be put to use. Of the legal practitioners 32% (65) indicated this issue as a major problem.

- ***Poor legal research skills:*** Thirty nine of the respondents representing 19% of the total have cited poor educational background as a major reason that can be attributed to the problem of poor legal research skills.

- ***Inadequate access to ICT facilities:*** In this regard, 18% (36) of the respondents also indicated that inadequacy in the provision of ICT facilities also contributes to the

inability to put legal research skills into practice. Sufficient access to ICT facilities at the Law School will help ensure the application of legal electronic resources to legal practice.

- ***Lack of funding for aspirants and high cost of legal materials:*** Fifteen percent (30) of the respondents pointed out the need for aspirant barristers to be remunerated during the attachment programme to enable them acquire legal materials, which are often costly.

- ***Inadequacies in the teaching methods and curriculum of the university and the NLS:*** According to 11% of the respondents (21), the need for a more student-centred teaching method was also cited as this will help towards facilitating the techniques of legal research. More suitable pedagogical models for integrating research skills in both print and electronic sources can be developed for this purpose. This objective can be achieved by expanding the existing curricula at the university and the Law School to incorporate components of information literacy (Callister, 2003: 22).

- ***Poor communication skills:*** Inadequate communication skills have been cited by 9% (19) of the respondents as one of the major problems of aspirant barristers, as indicated in various aspects of the data. This problem also affects the level to which research skills could be developed.

Analysis of the data in **question 10c** further highlights the need for the NLS to assume greater responsibility in the teaching of legal research as a key aspect of legal education. Steps towards achieving this can be taken by providing access and adequate funding for library and ICT resources, re-structuring the curriculum to include components of legal information literacy and improving teaching methods in ways that help bridge the gap between legal education and practice. These responses also further stress the need for the NLS to re-examine the curriculum in order to determine more effective ways of teaching legal research skills.

Data from analysis of **question 11, table 32 below** shows responses from legal practitioners on their perceptions of the level of importance they attribute to the enumerated skills, in the context of legal practice.

Table 32: Rating of importance of skills by legal practitioners

Skills	Most important skills	Least important skills	Don't know
Oral and written communication skills	167 (83%)	14 (7%)	0 -
Knowledge of substantive and procedural law	148 (73%)	12 (6%)	4 (2%)
Legal drafting skills	128 (63%)	30 (15%)	1 (0%)
Problem solving skills	122 (60%)	32 (16%)	2 (1%)
Critical thinking skills	112 (55%)	33 (16%)	5 (3%)
Legal research skills in using electronic/print resources	112 (55%)	49 (24%)	0 -
Factual analysis and legal reasoning	112 (55%)	33 (16%)	2 (0%)
Client counselling skills	106 (52%)	44 (22%)	6 (3%)
Negotiation skills and settling disputes	99 (49%)	55 (27%)	3 (0%)

N=202

From the table, under "most important skills," oral and written communication reflect the highest percentage of 83%, knowledge of substantive and procedural law (73%), legal drafting skills (93%), problem solving skills (60%), critical thinking skills (55%), legal research skills in using electronic/print resources (55%), factual analysis and legal reasoning (55%), client counselling skills (52%) and negotiation skills and settling disputes (49%). The category "least important skills" shows that negotiation skills and settling disputes has 27% as the least important followed by legal research skills in using electronic/print resources (24%), client counselling skills (22%), problem solving skills (16%), critical thinking skills (16%), factual analysis and legal reasoning (16%), legal drafting skills (15%), oral and written communication skills (7%).

Data in **table 33 below** provides a comparison of **questions 10 (Phase 1) and question 11 (Phase 2).** The essence of this comparison is to assess the level of importance attributed to the listed skills and to determine areas of needed emphasis in skills training.

Table 33: Comparison of perceptions of skills importance by aspirant barristers (AB) and law firms (LF)

Skills	Most important skills		Least important skills		Don't know	
	Q10 AB	Q11LF	Q10 AB	Q11LF	Q10AB	Q11LF
Oral and written communication skills	78%	83%	2%	7%	0%	0
Legal drafting skills	70%	63%	4%	15%	0%	0%
Knowledge of substantive and procedural law	71%	73%	4%	6%	0%	2%
Client counselling skills	65%	52%	7%	22%	5%	3%
Problem solving skills	64%	60%	6%	16%	1%	1%
Factual analysis and legal reasoning	62%	55%	7%	16%	2%	0%
Critical thinking skills	61%	55%	8%	16%	6%	3%
Negotiation skills and settling disputes	58%	49%	13%	27%	1%	0%
Legal research skills in using electronic/print resources	52%	55%	18%	27%	2%	0%

N=202

The legal practitioners and the aspirant barristers attribute similar levels of importance to some of the listed skills as shown from the analysis of **question 10** (Phase 1) and **question 11** (Phase 2) in **table 33 above**. In both data sets, oral and written communications skills have the highest in importance at 78% and 83%, knowledge of substantive and procedural law 71% and 73%, legal drafting skills 70% and 63% and legal research skills in using electronic/print resources 52% and 55%. In both cases also, it is seen that the least important skills are negotiation skills and settling disputes 13% and 27% and client counselling skills 7% and 22% respectively. A similar level of importance is attributed to critical thinking skills (61% and 55%) and factual analysis and legal reasoning (62% and 55%) respectively. The "don't know" column recorded a high percentage of 6% in critical thinking and 5% in client counselling skills in the three sets of questions.

It is also noted from the data in **question 11 (table 32)** and the comparisons of **questions 10 and 11 in table 33** that legal research skills have a lower rating of importance as compared to other skills such as oral and written communication, legal drafting skills, knowledge of substance and procedural law and problem solving skills. The implication of these findings further indicates the need for increased training and awareness of the importance of legal research and application to the context of legal practice (*See* **chapter six section 6.2.1.4**).

Question 12, table 34 below, requested legal practitioners to comment on the aptitude of aspirant barristers.

Table 34: Assessment of aspirant barristers by law firms

Assessment	Number	
Average	128	63%
Good	61	31%
Poor	7	3%
Excellent	2	1%
No response	4	2%
Total	202	100%

N=202

Sixty-three per cent of legal practitioners considered the competence of aspirant barristers as average, 31% rated them as good, 7% assessed them as "poor" and only 1% believed them to be excellent. This is in marked contrast to the self-rating of aspirant barristers and indicates the considerable gulf between perceptions by the two groups. It also suggests that legal practitioners require the legal education system to improve its skills training of aspirants. Ninety eight percent responded while 2% did not respond to the question.

In question 13, the researcher sought to investigate, from the legal practitioners' point of view, the areas in which they believed greater collaboration is needed between practicing lawyers and the Nigerian Law School. In analysing the data, a thematic approach was used to search for themes and patterns that emerged from the data by which the various responses to the question are explained (Braun & Clarke, 2006: 79). The responses were categorised and summarised into the following areas:

- ***Practical training:*** Fifty five (27%) of the respondents felt that greater collaboration is needed in the area of practical training of aspirants by updating them on the latest development in the practice of law particularly in such areas as oil and gas law, maritime law and telecommunications law. Legal practitioners can also help expose them to a better understanding of the various procedures in filing and appearances in courts and professional ethics.

- ***Chambers attachment:*** From the data, 21% (42) of the respondents were in favour of the extension of the law office attachment by the NLS in order to ensure that sufficient time is given for more practical experience for the aspirant barristers. Suggestions were also offered for more stringent supervision of the attachment

programme in order to curb the problem of absenteeism during the programmes. Like the aspirant barristers, some of the legal practitioners were of the view that the scheduled Bar examinations, which usually commence after the attachment, should be shifted to a later date to enable aspirant barristers to take the court attachment more seriously.

- ***Litigation and drafting:*** Eighteen percent (37) of the legal practitioners also suggested that lawyers could assist in teaching aspirants in the field of litigation, such as in the techniques of preparation of legal instruments, in ways that help to reflect the embodiment of a client's brief for court processes.

- ***ICT and legal research training:*** Suggestions in this regard show that 8% (16) of the respondents believe that collaboration can also be achieved in this area if the NLS and practicing lawyers can work together to provide easy access to legal information materials for the aspirant barristers, access to, and utilisation of ICT in law firms and the judiciary, research and innovation on legal research, universal access to law reports and other electronic databases. Other suggestions from the lawyers also indicated the need for the Council of Legal Education to be organising training programmes on legal research which should be made mandatory for practicing and non-practicing lawyers.

- ***Teaching methods and curriculum development:*** Five percent (10) of the legal practitioners also suggested the need for the NLS and universities to balance their curriculum with current legal trends. The new curriculum of the NLS should also be extended to university law faculties and legal practitioners should be involved in the curriculum development of the NLS and mentoring of aspirant barristers. With regards to teaching methods, they argued that greater emphasis should be placed on participatory teaching rather than note taking and theoretical learning.

- ***Alternative Dispute Resolution:*** Four percent (8) of the legal practitioners believe that lawyers can help in providing training in the area of Alternative Dispute Resolution (ADR) to aspirant barristers.

- ***Seminars and workshops:*** Four percent (8) of the responses from the data also pointed out that seminars and workshops can be organised by the NLS, the NBA and legal practitioners by which contemporary issues on legal education and practice in Nigeria, reformation of professional ethics, conduct of legal practitioners and remuneration of younger lawyers and other issues affecting the legal profession in Nigeria can be discussed.

- ***Continuing legal education:*** Three percent (6) of the respondents also noted that there should be continuity in legal education to ensure that lawyers are kept abreast of latest developments in the legal profession and other global issues. Continuing legal education should also be organised for the Bar and Bench.

- ***Advocacy:*** Two percent (5) of the law firms suggested that training and development of advocacy skills can also be provided for aspirant barristers.

- ***Moot trials:*** Moot trials at the Law School should be encouraged. Two percent of the respondents (4) suggested that real briefs can be given to aspirants to undertake while at the Law School to help develop their advocacy skills. Aspirant barristers should be made to participate as part of the conditions for passing the Bar examinations.

- A few (3), representing 1% of the respondents, believed that greater collaboration is needed in developing oral and written communication skills.

Question 14 sought the opinion of the legal practitioners as to how the attachment programme could provide a more meaningful experience for the aspirant barristers. Various suggestions were offered which were categorised and presented as follows:

- ***Extension of the attachment programme:*** Extension of the attachment programme is seen as a core factor to encouraging practical learning and skills development. From the responses (48), 24% of the lawyers suggested that the duration of the attachment should be extended in line with the following recommendations:
    1. The period of the court attachment should be reduced while the period of the law office attachment should be increased to enable aspirant barristers to attend more court proceedings and learn from experience.

2. By streamlining the period of the Law School training to the following durations: first two months for basic instruction, four months court attachment, four months law office attachment and the last two months for revision and Bar examinations.
3. One year of the Law School programme is over-congested for any meaningful impact for the aspirant barristers. Law office and court attachment programmes should begin at the third year of undergraduate study at the university.
4. Extension of the attachment period to law offices for one year which could be undertaken like the NYSC (National Youth Service Corps) programme (*See* **question 5** phase 1).

- ***Supervision and monitoring of the attachment programme:*** Sixteen percent (32) of the suggestions indicated the need for staff of the NLS to supervise and monitor aspirants on attachment as most aspirant barristers only come at the end of the programme and plead to be given reports to submit to the Law School.

- ***Posting for the attachment:*** Eight percent of the respondents (17) suggested that specific law offices should be selected before posting aspirants for the attachment to ensure that such offices provide the best training in the rudiments of legal practice. In line with this suggestion, it is noted that the NLS already has a compiled list of selected law firms across the country for the attachment programme. However, experience from the data collection process by the researcher revealed problems of locating the specified law firms due to changes in their office addresses or re-location to other states which constituted a major problem in the data collection process (*See* **chapter four section 4.6.5.2.**). There is therefore a need to regularly update the list to verify the existence of these firms before aspirants are posted to them. Suggestions from respondents also pointed for the need for the NLS to moderate the number of aspirants posted to each firm in order to reduce overcrowding and ensure quality in their participation and performance at the law firms.

- ***Provision of practical training by the law firms:*** Thirteen percent (27) of the respondents observed the responsibility of law firms for practical training through the attachment programme. Respondents maintained that legal practitioners could help

aspirants by providing a better understanding of the application of case law and knowledge of authorities in legal practice during the attachment. Respondents also suggested the need for the NLS to create opportunities for specialisation in any area of legal practice which would help aspirants decide their areas of preference for practice in the legal profession. Other suggestions in this regard also pointed out the need for the NLS to make provision for aspirants to be paid a fixed allowance during the attachment, as the law firms are under no obligation to do so. This allowance would help relieve some of the challenges faced by aspirants due to financial constraints.

- ***Curriculum of the Nigerian Law School:*** Eleven percent (23) of the respondents suggested the need for the involvement of legal practitioners in the development of the curriculum of the Law School. The NLS should also ensure emphasis is placed on teaching such skills as oral and written communication skills, legal research and ICT as most aspirants are deficient in this area, due to poor educational backgrounds. Advocacy skills should also be encouraged at the Law School through regular moot trials.

In **Question 15**, respondents were asked to offer comments or suggestions about the skills of aspirant barristers. Among the many issues of concern to the legal practitioners was that of the need for greater emphasis on practical skills training and development of the aspirant barristers, which should begin at the university and be intensified at the Law School. Skills training should focus on such areas as oral and written communication skills, legal research in print and electronic resources, problem solving skills, analytical skills, advocacy skills and Alternative Dispute Resolution (ADR) and so on, all of which constitute fundamental aspects of legal practice.

Commendations were also offered by the legal practitioners on the efforts of the NLS towards the reforms at the Law School especially with regard to changes to the curriculum and the implementation of more practice-oriented teaching methods, which has improved the skills of aspirant barristers. They pointed out that strict adherence to the full implementation of the reforms will help in maintaining the standard and the progress so far achieved. Other suggestions include:

- Better synergy with respect to the training of aspirant barristers between the NLS, NBA and the National Judicial Council to ensure quality standards in legal education.
- The need for continuing legal education to be intensified in order to bridge the gap between legal education and legal practice in Nigeria.
- The need for greater collaboration between university law faculties, the NLS and NBA to work towards ensuring adequate provision of legal resources and ICT in all institutions to improve research skills.
- Conditions of learning, living conditions and basic facilities at the Law School should be improved.
- Professional ethics in the profession should be encouraged among aspirant barristers.

5.5. Summary

In this chapter, the data presentation provided insights into the findings of the study, based on the data collected. From the presentation, it is seen that findings largely reflect the importance of legal skills to the practice of law. There are also strong inferences from the data with regard to gaps in skills training, as outlined by the various skills, which need to be narrowed in order to transform the teaching and practice of law. Findings also indicated the need to include information literacy in legal education in order to help legal practitioners develop appropriate information skills and deal with the challenges of a constantly evolving legal information environment in Nigeria. These findings have thus further emphasised the responsibility of the legal education system and legal practitioners in preparing aspirant barristers for the legal workplace in Nigeria.

CHAPTER SIX

INTERPRETATION OF THE FINDINGS

6. Introduction

Chapter six provides an interpretation of the research findings presented in chapter five. Data interpretation is a significant step in the research process and shows the level of interaction between the data and their potential for forming a unified whole in explaining the issues being investigated (Sarantakos, 1993: 308; Feldman, 2001: 2; Blaxter, Hughes & Tight, 2006: 219). In interpreting the data, the researcher seeks to draw meaning from the data in ways that help establish a relationship between the research questions and objectives and other issues raised in the study (Perry, 2002: 34). In this chapter, the findings are interpreted according to the themes of the research questions and objectives of the study. Discussions in the chapter are focused on examining the outcomes from the data and their implications and relevance to the context of the study.

6.1. Overview of interpretation

The study employed case study research design which enabled the researcher to provide an in-depth analysis of the contextual factors that influenced the study (Patton, 2002: 437). The choice of the study population, comprising the aspirant barristers and selected law firms, provided the sources from which the data was collected for addressing the research questions. The methods of data collection involved the administration of two questionnaires and use of reflective journals which served as reliable research instruments in ensuring that appropriate responses were received for addressing the purpose of the study, namely:

- To investigate the contextual issues that relate to problems of the transferability of acquired formal educational skills of aspirant barristers from the educational to the legal workplace in Nigeria.
- To explore the challenges of legal information use with regard to the educationally acquired skills of aspirant barristers in Nigeria within the context of an electronically enhanced workplace.
- To design an information literacy model for the restructured legal education programme of the Nigerian Law School for the purpose of enhancing legal education and practice in Nigeria.

Interpretation of the findings in this chapter serves to organise the main issues from the findings based on the outlined purpose of the study and within the context of the research questions and objectives. The chapter is arranged in the order of the research questions. The research questions were organised into three sections of questions which were then sub-divided into sub-questions to reflect the set of objectives each is meant to address. The format of this organisation helped in ensuring that relevant issues, that constitute the crux of the study, were carefully investigated and analysed in order to achieve the desired outcome.

6.2. Research question section one – Formal legal education, the role of IL in the curriculum and its application in the workplace

The set of questions in research question section one provide background information to the issues to be investigated particularly with respect to legal education in general with specific emphasis on current changes in the curriculum of legal education in Nigeria and the need for information literacy in addressing skill deficiencies among aspirant barristers. The inclusion of the question on the MacCrate Report (1992) cited by NULAI in the draft document of the NLS reforms (NULAI, 2006: 7), also provided an opportunity to assess its relevance and application to the context of legal education and practice in Nigeria. The outlined objectives for research questions one includes:

6.2.1 Objectives 1

a. To explore the connection between formal legal education and work related information literacy knowledge, skills and practices.

b. To examine changes in the curriculum of the Nigerian Law School and its response to these changes with respect to legal information literacy instruction.

6.2.1.1. What is the role of formal legal education in facilitating an information literate work force in the legal profession?

Legal education by definition refers to the educational experiences and training which help the student to understand the use and importance of law in the society; within this context, the responsibility of legal education remains that of providing a well-structured educational system that promotes the study of law for the purpose of preparing law graduates for effective legal practice (International Legal Center 1975: 16). A review of the literature suggests that the following factors are key components in the development of information literacy skills in the legal education system:

Curriculum design and teaching methods

Curriculum design, particularly at the university level, is an area of academic development that has a direct impact on the form and quality of legal education and the legal system of any society. Inadequacies within the curriculum of legal education have often affected the level of skills development achieved by graduate lawyers (Woolfrey, 1995: 152). From the findings of the study, responses by the aspirant barristers to **question 4b** which indicated the principal ways by which the various outlined skills can be developed, have shown that the "general university and law school curriculum" is considered the most important component that best facilitates the learning and development of skills through the legal education system. These responses suggest that greater attention needs to be given to the inculcation of skills and also emphasises the need to integrate programmes of information literacy instruction into the legal education curriculum. Integrating programmes of information literacy instruction into the curriculum will also help towards adopting teaching methods that encourage a critical and analytical attitude in research among law students in ways that can be understood and applied in the workplace (Ndulo, 2002: 492). Woolfrey (1995:157) also argues that a skills-based approach to legal education has a greater potential for achieving an integrative process in advancing student learning in order to equip graduates with the needed skills to meet up with the current challenges of legal practice.

ICT and legal research skills

Transformation and change documented in the legal literature and the impact of ICT on legal practice have meant that considerable attention needs to be paid to the teaching of legal information skills (Owasanoye, 2000: 175; Hanson, 2002: 563; Bintliff, 2007: 261). The responsibility of legal education in this regard lies in creating suitable pedagogical models for integrating legal research skills and knowledge in both print and electronic sources for the purpose of developing lifelong learning skills (Callister, 2003: 22). Through programmes of legal information literacy instruction, greater priority can be given to the teaching of legal research skills along with other substantive law courses in ways that will help in closing the gap between techniques acquired during training at the law school and the transferability of skills to the workplace (Keefe, 2005: 177).

Globalisation and the legal profession

The impact of globalisation has brought about potential changes in the context of legal practice particularly with respect to developments in legal information provision and the need

for increased specialisation in the various aspects of law. Observations by some commentators (Wall & Johnston, 1997: 98; Otike & Matthews, 2000: 242; Kuhlthau & Tama, 2001: 27, 30) have indicated that successful legal practice is increasingly dependent on practical knowledge of information skills and its effective application to the context of work. Also, studies in the workplace have shown that the globalised economy of the future requires people who are skilled and innovative in handling information in various formats. This perspective has further re-affirmed the importance of information literacy skills as the most important skills set for knowledge workers in the information era (Bruce & Candy, 2000: 4-5). Changes in the practice of law and the structure of the legal profession have highlighted the need for restructuring the legal education system in order to produce graduates who can work well in a globalised and knowledge driven economy and who are creative, innovative and flexible learners in the workplace (Owasanoye, 2000: 175; Mamman, 2009: 2).Consequently, in the light of these challenges, the role of formal legal education is to facilitate the development of job specific skills that are transferable to the workplace and to encourage specialisation in the various aspects of legal practice in order to meet the demands of the twenty-first century workplace. Information literacy education provides a suitable platform for achieving this goal.

6.2.1.2. To what extent do the professional legal skills outlined in the MacCrate Report of the American Bar Association (1992) reflect the expectations of information literacy in developing skill competencies for legal practice in Nigeria?

The MacCrate Report (1992) outlines a range of skills that are considered pre-requisites for effective legal practice. The Report emphasises the need, as identified by legal practitioners, for additional skills training in law school and explored the role law schools should play in producing skilled legal practitioners. Chapter five of the Report, which contains the section on the "Statement on the Fundamental Lawyering Skills and Professional Values", shows the organisation of skills and values to the context of specialisation in the legal profession (American Bar Association, 1992: Organization of the Statement). The first two outlined skills of problem solving (Skill #1) and legal analysis (Skill #2) align with the IL qualities of the user's ability to determine an information need and to access the requisite information effectively and efficiently. The similarity of the value of these skills in initiating information search and use indicate the level to which they may be employed in legal practice particularly with respect to identifying legal issues and applying legal rules and principles to complex tasks (Kim-Prieto, 2010: 9).

The next order of skills in the Statement on the Fundamental Lawyering Skills and Professional Values, which include legal research (Skill #3), factual analysis (Skill #4), communication (Skill #5), counselling (Skill #6) and negotiation (Skill #7), are considered critical for professional practice. The inter-relationship of these skills also indicates their inter-dependence in the conduct of legal practice. The application of counselling (Skill #6), negotiation (Skill #7), and litigation (Skill #8), for example, require the employment and application of the skills of legal analysis, legal research and factual investigation, while the skill of problem solving will typically require that a lawyer employs interviewing skills in order to gather the facts needed to identify and diagnose a client's problem (Skill #1**)** (American Bar Association, 1992: Organization of the Statement). From the tabulated analysis of the skills presented below, the applicability of legal research (Skill #3) is seen to be pervasive in relation to the other skills; it supports the other skills and is the foundation of problem solving and factual and legal analysis. The skill of legal research is also the foundation for the four values identified in the Report as the "Fundamental Values of the Profession" with respect to the provision of competent representation (Value #1) promoting justice, fairness and morality (Value #2); improving the profession (Value #3); and professional self-development (Value #4) (Bowman, 2009: 520-521). Juxtaposed against the qualities of IL, the application of legal research skills to legal practice requires the ability of the lawyer to critically evaluate information sources and to implement a coherent and effective research strategy in solving the specific task at hand (Kim-Prieto, 2010: 7).

Table 35: IL and the Statement on the Fundamental Lawyering Skills and Professional Values (American Bar Association, 1992).

	Information literacy skills	MacCrate Report - Statement on the Fundamental Lawyering Skills and Professional Values
1.	Determine when information is needed.	**Skill #1:** Solving a problem - Identifying and Diagnosing the Problem.
2.	Access the needed information effectively and efficiently.	**Skill #2:** In order to analyse and apply legal rules and principles. **Skill #3:** In order to identify legal issues and to research them thoroughly and efficiently.
3.	Incorporate selected information into one's knowledge base.	**Skill #2:** In order to analyse and apply legal rules and principles. **Skill #3:** In order to identify legal issues and to research them thoroughly and efficiently.
4.	Use information effectively to accomplish a specific purpose.	**Skill #3:** In order to identify legal issues and to research them thoroughly and efficiently. **Skill #4:** In order to plan, direct, and (where applicable) participate in factual investigation. **Skill #5:** In order to communicate effectively, whether orally or in writing. **Skill #6:** In order to counsel clients. **Skill #7:** In order to negotiate. **Skill #8:** In order to employ or to advise a client about the options of litigation and alternative.
5.	Understand the economic, legal and social issues surrounding the use of information and access and use information ethically and legally.	**Skill #9:** For efficient management. **Skill #10:** In order to represent a client consistently with applicable ethical standards.

From the foregoing, it is seen that even though the range of professional skills outlined in the Statement on the Fundamental Lawyering Skills and Professional Values seems to reflect a different focus from those of information literacy standards, the composition of the skills outlined in the Report gives evidence of their similarity to IL skills particularly with regard to the application and use of information resources. As cited earlier in the literature **(chapter 3 section 3.6.4)**, the American Association of Law Libraries (2009: 3) noted that the skills outline of the MacCrate Report reflects a pioneering effort at drafting information literacy expectations and forms a basis for the development of legal information literacy skills within the legal education curriculum.

However, despite the fact that the MacCrate Report was initiated based on the perceived deficiency in skills instruction in the legal education system, the Report failed to provide a framework by which the gaps identified could be bridged. Kim-Prieto (2010: 8) observed that the Report was more inclined towards providing a generalised description of research sources regardless of the particular area of legal practice. He noted also that the failure of the Skills to be attached to any other research instructional rubric complicated issues of evaluation and outcome assessment of skills in its implementation. This view was also earlier accentuated by Rose (1994: 556-559) when he argued that the inability of the Report to recognise the importance of various learning theories and pedagogical approaches to the context of legal education and practice affected the method of instruction in some skills particularly in certain specialised areas of legal practice (Kim-Prieto, 2010: 11). It is in this respect that the role of information literacy becomes paramount within the context of the Statement of Fundamental Skills and Values of the Report as it can provide a conceptual framework for the design of the curriculum and teaching content of legal education in ways that help address identified gaps and deficiencies in graduate skill.

With respect to the findings of this study, responses to **question 4a** indicated the expectations of the aspirant barristers as to the level of emphasis that should be placed on the teaching of skills both at the university and the Law School. Oral and written communication skills were placed highest in the category of "extremely important" at 81%, indicating their critical importance to the practice of law. The ranking of the importance of this skill aligns with skill#5 of the Statement on the Fundamental Lawyering Skills and Professional Values and with the quality of the information literate person in the ability to "use information effectively to accomplish a specific purpose". Similarly findings from **Question 4b** indicated the opinion of the aspirant barristers when they suggested that the "general university and law school curriculum" is the principal source by which the various skills outlined can be developed. Consequently from this analysis, it can be stated that by adopting a pedagogical approach to skills instruction, particularly legal research, the NLS can integrate concepts of IL within the process and content of learning of the legal education curriculum that will help engage aspirant barristers in active problem solving as a way of enabling them to develop cognitive tools that are transferrable to the workplace. Kim-Prieto (2010: 12) also notes that by focusing instructional efforts on the set of lawyering skills and professional values, as recommended by the MacCrate Report, the legal education system can provide legal training and apprenticeship in a way that best prepares graduate lawyers for the legal profession.

6.2.1.3. What is the responsibility of the Nigerian Law School in increasing the efficiency with which aspirant barristers develop professional expertise in the legal workplace?

The two main issues that were central to initiating the reforms at the NLS were addressing the disconnection between the programmes of the university and those of the Nigerian Law School as well as restructuring the teaching methods in order to provide sound training in practical skills for effective legal practice. Developing professional expertise emphasises the need to inculcate in aspirant barristers the necessary skills before graduation from the Law School. The major responsibility of the NLS in this regard therefore, is that of ensuring the development of competence through the revised curriculum and facilitating better practical learning experiences particularly through the attachment programme.

Sullivan and others (2007: 13, 22) argued that the responsibility of legal education is to prepare novice practitioners to engage in complex legal practice by teaching them to learn from experience. This kind of learning entails teaching novices the processes that lead to developing the complex abilities of an expert. The Carnegie Report (Sullivan and others, 2007: 26) advocates a type of holistic approach to legal education by which law students can be introduced into the community of legal practice through apprenticeship programmes. Cognitive apprenticeship, in particular, refers to an educational experience focused on teaching the novice the more advanced knowledge of the domain. The essence of this process is not only to acquire information but to enable the novice to learn the concepts and procedures by which experts are able to use acquired knowledge in solving problems within a given community of practice (Sullivan & others, 2007: 27-29). The ability to learn from experience is one of the most useful cognitive skills of a lawyer and helps to establish a relationship between the particular experience and the growth of relevant competence in legal practice. A similarity can be drawn from this type of apprenticeship with that undertaken by the NLS, which is the attachment programme. Findings from data with respect to experiences gained from the attachment programme (**question 12 a, b and c)** indicated that 41% of the respondents had acquired additional skills during the attachment in areas such as legal research using print and electronic resources, legal drafting, advocacy skills, client counselling and negotiation skills and so on (**chapter five section 5.2.5, question 12c)**. The impact of such vocational training, which is central to the institutional responsibility of the NLS, is that it encourages the transfer of educational skills through collaboration between experts in the legal profession in the training of aspirant barristers. Consequently, the efforts

by the NLS towards narrowing the gap between legal education and professional practice through vocational skills training has helped to provide a common framework by which aspirant barristers can be inducted into the legal profession (Sullivan & others, 2007: 50).

However, what has been lacking in the outcomes of the vocational training by the NLS is the issue of any assessment of the extent to which educationally acquired skills by aspirant barristers are effectively transferred to the legal workplace, particularly in view of the changing context of legal practice in Nigeria. Data indicated from responses to **questions 10a** (**chapter 5 five section 5.4.3**) revealed the opinion of the law firms regarding what they considered to be the skills most lacking among aspirant barristers in the course of the attachment programme. Responses showed that "communication skills" (52%), followed by problem solving skills (47%), analytical skills (43%), legal research skills (34%) and writing skills (32%) were considered most lacking, specifically in terms of application to legal practice. With respect to legal research, suggestions by the law firms from responses to **questions 10c** indicated that the adoption of a more suitable pedagogical model in teaching legal research would ensure the efficient application of research skills to legal practice (Callister, 2003: 22). Also, from findings to **question 14**, the legal firms were of the view that extending the duration of the attachment would ensure transferability and the development of more practical skills leading to expertise in professional skills. Responses from analysis of the reflective journals **(chapter 5 section 5.3)** of the aspirant barristers also provided an understanding of the potential of such practice-based learning in facilitating the development of practical skills. It also provided insight into the educational value of work as an important aspect of skills training in the context of the legal workplace in Nigeria.

As noted earlier in the literature **(chapter 3 section 3.2.5.)**, the transferability of acquired skills are still being debated and attempts at dealing with the problems of transfer have been one of the motivating factors behind the development of problem-based curricula in academic institutions (Warmkessel & McCade, 1997: 81). However, when viewed as a learning process, transferable skills enable the learner to apply the learned skill from one context to another especially with a context specific approach (Lave & Wenger, 1991: 31-32). Skills transfer is also most difficult when the contexts and modes of learning are very different. Consequently, the extent of the transfer will depend both on the degree of difference between the two contexts and on the level of preparedness of the learner and prior experience of successful transfer (Bransford & Schwartz, 1999: 62). Sullivan and others (2007: 116)

observed that since the final aim of legal education is to foster the development of legal expertise and sound professional skills, it is imperative that the curriculum and teaching methods in the law school are conceived and carried out with the intentional goal of promoting growth in expertise. Konefsky and Sullivan (2011) also suggest the need for balance in legal education by paying greater attention to the critical value of skills and other clinical experiences in order to transform law graduates into effective legal practitioners. It is therefore in this regard that the responsibility of the NLS and the legal education system in Nigeria is fundamental to ensuring that graduate lawyers are adequately prepared with the necessary composition and level of skills for the workplace. It is also important in the design and teaching curriculum of the Law School that the current changing context in legal practice in Nigeria is taken into consideration in order to enable aspirant barristers to explore their role in the legal profession through the attachment programme.

***6.2.1.4. What are the changes to the curriculum of the Nigerian Law School and what has been their response to these changes with respect to legal information literacy instruction*?**

The current revised curriculum of the NLS which came into effect in the 2008/2009 academic session includes a pedagogic methodology which places greater emphasis on the application of knowledge, the application of skills and the appreciation of values (Grimes, 2009: The reforms). The changes implemented to the content and structure of the courses included the adoption of a knowledge and skills based curriculum and teaching methods that are active and student-centred, and techniques which are aimed at enhancing the competence of graduate lawyers in practice irrespective of field or nature of legal practice (Mamman, 2009: 15). Included in the skills courses in the new curriculum are negotiation skills, analytical skills, research skills, techniques of legal writing, communication skills and so on, all of which employ an integrated and problem-based approach to instruction (Mamman, 2009: 16). These changes are evidence of the efforts by the NLS towards skills development.

However, as noted in the literature, **(chapter 3 section 3.6.2)** the module on legal research comprises a minimal component among other substantive law courses in the programme of activities for the entire session, that is, three schedules within the first week of the academic session (Council of Legal Education, 2009: 5). This situation therefore points to the need to reconceptualise aspects of the Law School curricula that relate to skills development, particularly legal research, by integrating this content into a more coherent framework within which generic and specific skills can be taught. Such a conceptual framework will also help

facilitate the development of transferable skills. Consequently, it can be stated that the response of the NLS with regard to the implementation of legal information literacy instruction so far has been insufficient in terms of dealing with problems of skill deficiency and equipping aspirant barristers with the needed competency skills for the workplace.

Findings from the study **(Question 4a and 4b)** have shown a lower ranking in importance of legal research by the aspirant barristers which raises concerns as to the value that is attributed to the acquisition and application of legal research skills to legal practice. Adopting an information literacy approach in the curriculum of the NLS will provide a holistic programme of legal training and apprenticeship or vocational training that would help in the preparation of future lawyers for legal practice. Information literacy standards can provide a good foundation for the articulation of the required skills and competences in legal research which can be measured and evaluated against the desired outcome. According to Trimmer (2001: Incorporating skills teaching), the ability of a law school to respond to the challenges presented by current and future legal practice and to educate future lawyers is dependent on the content and teaching of law programmes, particularly in the area of skills development. Consequently, based on the findings of the study and as part of the general purpose of this study, the researcher has designed an information literacy model for the restructured legal education programme of the Nigerian Law School for the purpose of enhancing legal education and practice in Nigeria. It is anticipated that the impact of such a curriculum will provide a useful conceptual framework for evaluating competency in legal research and other related skills for effective legal practice.

6.2.1.5. What are the information literacy skill demands for legal practice required for aspirant barristers in Nigeria?

The current information environment is characterised by an exponential increase in information resources in various formats, both print and electronic, which has created the need for the ability to evaluate a myriad of available related resources critically. The efficient and applicable use of information has become a determining factor for productive systems in both educational and work places (Olsen & Coons, 1989: 8, 9). Changes to the format of legal information and context of legal practice in Nigeria have produced an increasing demand for skills expertise and further emphasised the importance of skills training in legal education (Owasanoye, 2000: 175; Mamman, 2009: 2). The need for graduate lawyers to be practice-ready in the use and application of legal information indicates the importance of

adequate preparation at the law school level for efficient legal practice (Konefsky & Sullivan, 2011). From the findings to the study, responses to **question 12b** (Phase 1) in which the aspirant barristers were requested to indicate which of the skills they considered they lacked most during the attachment revealed that 17% indicated they lacked legal research skills, 5% lacked skills in drafting, problem solving and critical thinking skills 3% and advocacy and analytical skills 2%, respectively. In **question 10a** (Phase 2) of the data, responses indicated that the law firms believed that greater emphasis should be placed on the teaching of problem solving skills (54%), communication skills (52%) writing and analytical skills (41%) and legal research skills (36%). These skills constitute the areas in which they believed there is a high level of deficiency in skills application to legal practice. The implication of these findings is that the information literacy skills required of aspirant barristers can be summarised as follows:

- ***Legal research skills:*** This aspect emphasises the ability to identify the relevant legal facts and issues within a problem, and the need for information, develop a plan for conducting research, the ability to find and determine the relevant law for specific situations, using a range of primary and secondary sources of information, apply the law to the situation at hand and then present the answer to the problem in the appropriate format (for the client). Central to the legal research process is knowledge of the sources and formats of information. The proliferation of various local electronic databases in legal practice in Nigeria also further demands the necessity for the application of better research skills in legal practice.

- ***Problem solving skills:*** The concept of "use" as put forward by Hepworth (2000: 32) in information literacy suggests the importance of the ability to evaluate, manipulate and analyse accessed information; it also emphasises the need to develop competent skills for problem solving. The peculiarities of legal information resources require a skillful approach by the user in the ability to locate a variety of primary and secondary sources and to evaluate their relevance and applicability to problem solving. Engaging in active problem solving will enable the aspirant barristers to develop the cognitive tools needed to transfer acquired skills to the workplace (Kuhn, 2008: 243-244). The application of information literacy skills to legal practice assumes great importance in this regard.

- ***Communication skills (oral and written):*** Inadequate communication skills constitute one of the major skill deficiencies among the aspirant barristers. Good communications skills help in establishing a link between what is learnt and its application in problem solving. It also affects the level to which research skills could be employed**.** This is because the user's ability "to incorporate selected information into one's knowledge base" (ACRL, 2000) also determines the extent to which the assimilated information can be communicated effectively in a given context. Through information literacy, efficient communication skills can also help the aspirant barristers in developing an attitude of critical analysis and evaluation of information sources, thereby developing competence in information use.

- ***Critical thinking and evaluative skills:*** Information literacy skills embody critical thinking processes and the ability to use resources efficiently. The influence of ICT on the context of legal information and practice in Nigeria demands that aspirant barristers develop critical thinking skills in evaluating accessed information.

The Association of College and Research Libraries' (ACRL) Information Literacy Competency Standards, (2000) outline the composition of IL skills which define key areas of desirable behaviour for the information literate person. These standards provide a foundation for the articulation of the set of behaviours associated with competency in the outlined skills and provides a foundation for implementing concepts of information literacy into an educational curriculum (Eisenberg, Lowe & Spitzer, 2004: 130). To this end, the adoption of information literacy standards by the curriculum of the NLS can help in providing a platform for developing the necessary skills that are required for legal practice in Nigeria.

6.2.1.6. How have changes in current legal practice affected problems of skills deficiency in the workplace in Nigeria?

The issue of skills deficiency in legal practice predates the current reforms at the NLS. A few studies cited in the literature have shown that the legal education system in Nigeria had been faced with complex problems of skills training which had given greater urgency to the calls for reform in the educational system (Popoola, 2000: 233; Okwonkwo, 2000: 21, 30). These problems have been further aggravated by developments in ICT and the accompanying

changes in the context of legal practice in Nigeria which require better strategies and techniques in legal practice (Owasanoye, 2000: 175). Indications from findings from the data in **question 4 (chapter 5 section 5.4.2**) shows that 70% of the law firms have access to the internet which facilitates access to online resources and other electronic databases, both foreign and local. Responses to **question 5** also shows that the application of ICT by law firms in Nigeria is employed in conducting legal research (71%), sending and receiving e-mails (69%), preparation of court cases (65%), improving legal knowledge (60%) and communicating with other lawyers (48%). The availability of these resources have enhanced the speed and efficiency by which legal practice is conducted and given a global outlook to the legal profession in Nigeria **(***See* **questions 6a, 6b, 6c and 6d)**.

The implications of these changes are that law firms require higher levels of skills in aspirant barristers for legal practice. Responses to **question 12** shows that 31% of the law firms rated the competence of the aspirant barristers as "average", as against 1% who thought they were "excellent". This finding therefore suggests that due to the changing complexity of legal practice in Nigeria, the expectation of law firms as regards aspirant barristers is that they come already equipped with the practical skills, rather than developing them in the course of practice.

Some legal commentators also agree with this view that the changing complexity of the content and procedure of law has made law firms require that graduate lawyers come to them practice-ready with client-servicing skills rather than developing them over time (Davis, 2008: Foundations for improved legal education; Meyer, 2009: 301). This analysis further highlights the importance of skills teaching particularly at the university level as the preparatory ground for proficiency in legal skills. In **question 10b**, for example, in which the law firms were requested to indicate which skills they believed required greater emphasis to be placed on teaching at the university level, responses indicated that respondents believed greater emphasis were needed in "problem solving" (54%), "communication skills" (52%), writing and analytical skills (41%) and legal research skills (36%), all of which constitute core skills in the legal profession. With respect to legal research, it is noted that previous studies cited in the literature (Howland & Lewis, 1990: 381-389; Meyer, 2009: 302) have emphasised the need to align graduate skills with modern trends in the digital age in order to meet the increasing demand for proficiency in handling complex legal tasks. However, findings from the earlier study by Garth and Martin (1993: 488-489) in this regard suggested

a contrary view when outcomes from their survey showed that most law firm partners believed that a number of the ten fundamental lawyering skills (of the MacCrate Report) could be developed after graduation from the law school, indicating that too much emphasis should not be placed in the law school on achieving these skills as the primary source of instruction but rather through other processes such as workplace learning and continuing legal education (Rose, 1994: 561).

A corollary to the above point in view of current changes in legal practice in Nigeria, is that there is also a need for the NLS to ensure that legal education in Nigeria develops in consonance with these changes by developing the legal education curricula in such a way as to align the influence of formal legal education and workplace learning in order to bridge the gap between analytical and practical knowledge and provide aspirant barristers with a strategic advantage for continuous learning in the legal profession. Konefsky and Sullivan noted that:

> The real challenge for legal education is to prepare lawyers for the future without knowing what the future holds. Sound training in practical skills must go hand in hand with a broader and more capacious view of law. 'Thinking like a lawyer' is more demanding today than it has ever been (2011).

6.2.1.7. Summary

The objective of the set of questions in research question section one sought to establish a link between formal legal education, specifically at the NLS, the role of legal information literacy in the curriculum and its application in the workplace. Analyses from the findings have shown the responsibility of legal education in enhancing legal information literacy as a platform for facilitating the development of efficient skills in legal practice in Nigeria. It also highlighted changes in the curriculum of the NLS and how it can be used to address issues of skills deficiency among aspirant barristers in the workplace.

6.3. Research question section two – Evidence of IL related practices in the legal workplace and the applicability of Kuhlthau's model

Research question section two explored the application of Kuhlthau's ISP model as the dominant model in investigating issues of uncertainty and task complexity. The composition of each of the questions analysed the stages of the ISP and its influence on the information

seeking behaviour of the aspirant barristers and its relation to information literacy. The objectives of the questions include:

6.3.1. Objectives 2

a. To examine evidence of information literacy related practices in the legal workplace in Nigeria.

b. To examine the application of Kuhlthau's Information Search Process (ISP) model to the context of legal education and practice in Nigeria.

6.3.1.1 How do the stages of the ISP model illustrate the process of developing expertise in legal practice?

Kuhlthau's ISP model presents an iterative aspect of the information seeking process of users through the various stages. The model describes the feelings, thoughts and actions of the user in an information seeking task starting with the initiation to the presentation stage (Kuhlthau, 2004: 185). Each of the stages of the model provides an opportunity to test how theoretical knowledge can be transferred to practical situations through the search process. As explored in the literature, **(**discussed in **chapter 3 section 3.2.2)**,the ***Initiation*** stage signifies a point of uncertainty due to lack of knowledge of the topic being searched while the ***Selection*** stage indicates a progression to a clear view of what information is required and how to achieve the desired result (Kuhlthau, 1991: 366). The ***Exploration*** and the ***Formulation*** stages represent the cognitive learning stages in the ISP model which enhances the user's ability in the constructive process (Kuhlthau, 1991: 368). The last two stages of the model, ***Collection*** and ***Presentation***, signal a period of interaction with the sources of information and a point of closure in the search process.

Kuhlthau's ISP model is a synthesis of cognitive information science and constructivist learning theory which emphasises the ability of the individual to construct meaning in a given situation. It is this ability for creative thinking that leads to an awareness of need for information in problem solving. Accordingly, the progressive nature in the practical application of each of the stages indicates a gradual advancement by the user from the state of being a novice to an expert in the effort towards attaining a "sense of ownership" in the search process (Kuhlthau, 1989: Summary of the five studies). Kuhlthau and Tama's study (2001) explored the different ways in which lawyers in their early career engage with the sources of information. The development of expertise, as suggested by the findings, is

dependent on the ability to address complex tasks using appropriate sources of information through a constructive process of "adding value" to the client's knowledge (Kuhlthau & Tama, 2001: 28). The ISP model thus provided a framework in the study by which the connection between learning, experience and the development of expertise among novice practitioners in the legal workplace can be assessed. With respect to this study, the ISP model was used as a theoretical framework for investigating the effects of uncertainty and task complexity in information seeking as experienced by the aspirant barristers in the workplace. The range of responses to **questions 7a and 7b and 8a-8d** reflect aspects of the ISP model **(chapter 4 section 4.6.2)**. This set of questions explored the learning processes that underlie the application of acquired skills to complex tasks in the workplace and shows the nature of progression from novice to expert in information seeking and use within a workplace context.

In the analysis of these questions, even though responses to **question 7b** indicated that only 18% of the respondents considered their assigned tasks as "complex", 72% in **question 8a** indicated that some of the tasks were more complex than others. Among the most difficult tasks as cited by the respondents in **question 8b** included "legal drafting and preparation of court processes" (33%). However, in their experience of handling complex tasks, the aspirant barristers were able to develop creativity in the process in such ways as in the ability to develop their own ideas in a given situation, become "perfect" in legal drafting, using legal research skills to determine what laws may be applicable in preparing a case and so on **(question 8c)**; this indicates the effort made towards investing a considerable amount of construction in the process in order to achieve the set task. **Question 8d** showed that a combination of print (28%) and electronic resources (11%) including informal sources were employed which involves a process of interaction between the user and the sources of information systems in addressing complex tasks. The analysis of these questions shows the different learning processes undertaken by the aspirant barristers in handling tasks and illustrates the processes of developing expertise especially with regard to "adding value" to the outcome of a task in the practical application of theoretical knowledge. Based on the analysis of the questions, which include aspects of the ISP model, it can be stated that responses to the questions reflect a similarity with the stages of the model, though perhaps not strictly in the same order. Also illustrated is the process of developing expertise in legal practice. Other aspects of the applicability of the stages of the model relating to the affective dimension are discussed in **research question 2.3** below.

Legal practice is dependent on the development of expertise obtained through good educational training and knowledge gained from practical experience. Sullivan and others (2007: 116-117) argued that the ability to acquire basic lawyering skills and to learn the rules and procedures of the profession creates a platform by which the novice is able to function in a variety of practice situations. With the accumulation of experience over time, the novice gradually develops the ability to see analogies, recognise new situations as similar to other patterns and as an expert, grasp what is important in a given situation without proceeding through a long process of formal reasoning. This method emphasises a constructive process of developing a focused perspective based on critical thinking and careful reflection in accomplishing a set task.

In a similar study to Kuhlthau and Tama's (2001), Daley (1999) investigated the different learning processes which professional nurses in clinical practice undertake in order to gain experience and develop expertise. The study demonstrated the ability of the novice to move through a developmental continuum from an early stage to professional expertise in clinical practice (Daley, 1999: 133). A major point of interest in her analysis of the findings is that expert learning requires a constructivist approach which involves the active creation of knowledge by seeking out and assimilating new information into one's current knowledge base. She observed that, while learning processes among novices are characterised by concept formation, fear and the need for validation in the process, expert learning, on the other hand, tended to be more constructivist and self-directed within the context of the workplace (Daley, 1999: 140). A similarity with this study can be drawn with professional development in legal practice in the sense that the ability of the novice lawyer to be able to recognise certain well-defined elements in a given situation and to apply precise formal rules in confronting complex tasks, can lead to the development of competence in legal practice (Sullivan & others, 2007: 117). The primary responsibility of the novice in legal practice therefore, is to achieve a firm understanding of the use and application of the various sources of legal information and the techniques of legal practice in order to progress towards expertise. This quality in professional practice is consistent with the development of critical thinking and evaluative skills in information literacy.

Consequently, the application of Kuhlthau's model to this question has provided an understanding of the stages of professional development in legal practice particularly with respect to legal information use and its application to the workplace. The cognitive-

constructivist paradigm of the model has provided insight into the value of educational skills in the context of legal practice and highlighted the crucial role experience plays in the development of expertise.

6.3.1.2. To what extent do the components of information literacy, as put forward in Kuhlthau's ISP model, reflect the ideal concept of knowledge and skills required for legal practice in Nigeria?

Kuhlthau's ISP model (1993) presents stages of activity within which behavioural patterns of information seeking may occur (Limberg, 1997: 275-276; Wilson, 1999: 262). The context of the model encompasses the user's emotional, cognitive and physical experiences at different stages of the process. Each of the stages is also characterised by the complexity of the task at hand which determines the kind of interaction with the sources of information engaged in by the user and the extent to which the set goal is ultimately achieved (Kuhlthau, 1991: 366).

As earlier explored in the literature, the link between the information behaviour of lawyers and the application of knowledge and skills in legal practice is informed by the nature of the work they do (**chapter 3 section 3.4.1**). The context of legal information itself places great emphasis on the value of information skills acquisition particularly in relation to handling complex tasks (Wall & Johnston, 1997: 98). In the workplace specifically, the need for professional skills is crucial for efficient workplace performance (Billet, 2000: 272; Somerville, Howard & Mirijamdotter, 2009: 122). According to Kuhlthau (1999a: 13), a recent study of the ISP model in the workplace reveals that the user's experience of the stages in the search process is related to how much the person knows about the problem and the degree of construction that needs to be undertaken during information seeking. Complex tasks require a considerable amount of construction and learning and the user is more likely to experience the stages as described in the model, rather than in the course of handling routine tasks.

Analysis of task complexity in **questions 8a-8d** (as explored in **research question 2.1**) has shown the different learning processes undertaken by the aspirant barristers in handling tasks which are indicative of the stages of the ISP. Also, findings from **question 10** requested aspirant barristers to indicate what they considered the most important or the least important skill a lawyer should have. Analysis of the question shows that such skills as oral and written communication skills (78%), knowledge of substantive and procedural law (71%), legal

drafting skills (70%), problem solving skills (64%) and legal research (52%) were ranked among the most important skills required for legal practice in Nigeria. The application of these skills constitutes an important factor in the development of expertise in the legal profession.

Kuhlthau's work (1993) has had a major influence on the development of IL especially with respect to issues of teaching and curriculum development. The stages of the ISP model in relation to legal information literacy indicate the relationship between educationally acquired skills and the development of competence through the application of information literacy skills particularly in the following key areas:

- Knowledge and application of the law, which involves a continuous process of finding cases, statutes and classes of materials applicable to a set of given facts or topic.
- Ability to devise a research strategy and developing the right approach in conducting legal research.
- Ability in legal reasoning, application of the law and factual analysis.
- Developing critical and evaluative skills.
- Developing self-confidence.

6.3.1.3. What is the nature of uncertainty experienced by the aspirant barristers in the course of information seeking and use?

Uncertainty is central to human activity and forms the stimulus in the decision making processes of an individual or group of individuals (Kalbach, 2009: 48). Uncertainty is a fundamental principle in the ISP and can be expected in the early stages of the information seeking process. According to Kuhlthau (1991: 366), experiences of uncertainty are often identified at the initial stages of handling a complex task and are indicative of a gap in the information seeker's state of knowledge. Uncertainty is associated positively with the knowledge construction process, reflecting the beginning of learning and creativity. Feelings of uncertainty are often evidenced in such emotions as fear, anxiety, stress, confusion, irritation and so on which have a tendency to affect the user's ability in the search process (Kuhlthau, 1993: 111).

Findings from data presented on **questions 9a and 9b** (Phase 1) revealed the nature of uncertainty experienced by the aspirant barristers with respect to the construction of new knowledge as well as their pattern of information seeking processes **(chapter 5 section 5.2.5)**. From the analysis, the dimension of uncertainty from the responses is indicated by feelings of anxiety (34%) which is often accompanied by negative feelings of confusion, doubt, frustration, complexity and stress. Responses to **question 9b** show that the highest experience of changes in the affective state of the aspirant barristers was recorded at the beginning (42%) followed by 20% at all stages and 18% at the middle. According to Kuhlthau (1991: 368), the ability to cope with feelings of uncertainty will usually lead to a higher level of confidence and focus formulation in the search process. For the aspirant barristers, from responses to **question 8c**, a shift from feelings of anxiety to confidence enabled the development of knowledge construction and creativity in handling complex tasks. Consequently, findings from these questions are consistent with the beginning stages of the ISP in the sense that they confirm that the introduction of uncertainty serves as an enabling factor that can motivate new lines of inquiry, contribute to creative thinking, and spur innovation in the search process (Anderson, 2006: Tolerating uncertainty). It is also seen from the findings that the interplay of social, personal and contextual factors such as poor legal research skills **(question 8e)**, lack of confidence **(question 9a)** and inadequacy of resources **(question 10c, phase 2)** are inter-related within the complex process of knowledge construction and tend to influence the nature of uncertainty experienced by the aspirant barristers in the information seeking process (Hyldegård, 2009: 143).

Within the context of experiences of uncertainty also, Kuhlthau (1994: Concept of diagnosing zones of intervention) advocates the concept of the zone of intervention which can be used as a diagnostic tool for understanding the information search experiences of people in diverse contexts including education, work and everyday information seeking (Kuhlthau, Heinstrom & Todd, 2008: Generating the ISP model). This point of information seeking provides the opportunity for mediation into the constructive process of the user and helps in identifying when intervention is needed. Such intervention addresses a full range of information needs within the active stages of the ISP including initiating, selecting, exploring, formulating, as well as gathering and collecting. From the analysis of the responses above, it can be determined that the "beginning stage" (42%) of changes in the affective state of the aspirant barristers provides an appropriate stage for intervention in their information seeking process for which the application of information literacy instruction will be helpful in filling the gap.

6.3.1.4. How do the aspirant barristers' information seeking practices at the formulation stage reflect the nature of their information needs in complex tasks and their perception of legal practice in the context of the workplace in Nigeria?

Exploration and formulation are the cognitive learning stages in the ISP model. Information seeking at the exploration stage is characterised by feelings of anxiety, confusion, uncertainty and doubt. The perception of the complexity of a task at the exploration stage increases the level of uncertainty and the user is challenged to search for more information in order to extend personal understanding on the topic (Kuhlthau, 1991: 366). However, at the formulation stage, uncertainty decreases giving way to a greater sense of confidence as the user tries to form a focused perspective through a process of knowledge construction in the search process. Focus formulation, according to Kuhlthau (2010: 9) also requires the ability to think reflectively about the information encountered at the exploration stage and provides a direction for completing the search process.

The ability of focus formulation by the aspirant barristers is revealed in the findings from **question 7b** and **questions 8a-8e** which analysed issues with respect to task complexity in work experiences during the attachment programme. From the findings, the progression from uncertainty (exploration stage) to focused formulation is revealed in responses to **question 8a** and **8b** which indicated variations in the nature of complex tasks encountered by the aspirant barristers. Seventy two percent in **question 8a** had indicated that some assigned tasks were more difficult than others while 33% in **question 8b** indicated the nature of the tasks they considered most difficult. Analysis of **question 8c**, however, suggested a further progression towards achieving a degree of clarity and increase in focus indicated by the ability of the aspirant barristers to confront the challenges through creative ways by employing both print resources (28%), electronic resources (11%) and other informal sources in addressing the difficulties faced (**question 8d**). Byström (2002: 582) notes that increasing task complexity may lead to different kinds of information needs in terms of anticipated purposes for information use, including the use of people as sources. Findings in **question 8e** also shows that poor legal research skills (40%), lack of familiarity with a case (35%) and complexity of the subject matter (35%) are some of the contributing factors to the perceived complexity of a given task. These findings are also consistent with the earlier study by Kuhlthau and Tama (2001: 30) which discovered that task complexity requires considerable thinking, formulation and the ability to determine a new approach for problem solving.

Studies conducted by Byström (1999) have identified a correlation between perceived task complexity and experiences of uncertainty which have been found to influence the individual's experience of uncertainty and his or her information behaviour (Byström, 1999; Byström & Hansen, 2005; Byström & Järvelin, 1995). Byström and Järvelin (1995: 193) in their study found that an increase in task complexity resulted in the need for more complex information in terms of the nature of the information required and the number of sources to be used. Byström and Järvelin (1995: 191) and Byström (1999: 34-37), also noted that the first four stages of the ISP model constitute an extensive task construction phase, particularly the formulation stage which enables the user to create a solution space and determine the information requirement of the task, thereby reducing uncertainty. Byström's (1999) theory of Information Activity in Work therefore aligns with the findings of this study as it has helped to establish a relationship between the complex nature of the task faced by the aspirant barristers and its effects on their information seeking needs, specifically with respect to the type of information sought and the sources of information used in handling complex tasks. It has also helped to examine the difficulties experienced by the aspirant barristers in the use of legal information resources within the workplace (Byström, 2002: 581; Byström & Järvelin, 1995: 193; Byström, 1999: 18-21; Byström, 2007: Theoretical and empirical foci on task within the individual user perspectives).

Similarly from the analysis of the reflective journals, it is evident that some of the aspirant barristers were able to modify their learning task as it evolves. The ability to construct new knowledge from the learning experience as shown in the first and second entries of the journal analysis indicate evidence of the acquisition of new skills and transferability of skills to the workplace (*See* Reflective journal analysis using Bates' [2003] model, **chapter 5 section 5.3.1**).

The affective experiences associated with information seeking were also found to be linked to the perceived level of task complexity experienced by the aspirant barristers. In **question 9b**, the highest experience of changes in the affective state of the aspirant barristers was recorded at the early stages or beginning of the search process (42%), which suggests that focus formulation was yet to be achieved. However, affective changes at the middle (18%) and at all stages (20%) show an increase in confidence indicating more clarity as formulation develops (Hyldegård, 2009: 150). Similarly, indication by the respondents of affective changes at "all stages" (20%) also suggests that depending on the specific stage of the

process, activities, thoughts and feelings are likely to change in the search process (Kuhlthau 2010: 11). These findings therefore concur with the contention of Nichols (2005: 441-442), that much of legal professionalism, which include the acquisition of intellectual skills, the development of analytical and evaluative skills and the internalisation of learning objectives, occurs in the cognitive and affective domain when the lawyer moves from uncertainty to confidence, thus developing a higher level of competence in legal practice.

6.3.1.5. Summary

The objectives of the set of questions in research question section two were primarily to examine evidences of information literacy and the application of Kuhlthau's ISP model to the context of legal education and practice in Nigeria. From the general analysis, findings derived from the research questions have shown some similarities in the information seeking practices of the aspirant barristers with the stages of the ISP model, in terms of the processes of seeking relevant information for problem solving at the initiation and selection stage, establishing a focus by moving from uncertainty (exploration stage) to confidence at the formulation stage towards the end of the search process. Findings have also confirmed that the principle of uncertainty as propounded by Kuhlthau is the primary driver for the affective states of the user and serves as a useful variable for understanding and predicting human information seeking behaviour (Hyldegård, 2009: 157).

6.4. Research question section three – Professional legal NLS training, the transferability of legal training to the workplace and collaborative efforts to develop legal education

The nature of the questions in research question section three focused more on investigating the level of transferability of acquired skills to the workplace. It sought to investigate expected outcomes of information literacy training and how collaborative work in this regard can help in the development of competent skills for legal practice. Objectives of the research questions include:

6.4.1 Objectives 3

a. To identify the extent to which professional legal training by the Nigerian Law School equips aspirant barristers with competencies for the legal workplace.
b. To assess the level of transferability of professional legal training to the workplace in Nigeria.

c. To investigate outcomes of information literacy training in relation to current legal practice.
d. To identify a means whereby collaborative work between legal practitioners and the Nigerian Law School can facilitate skills training and development of the legal profession.

6.4.1.1 What workplace competencies are required by Nigerian law firms and are these being met by current legal education?

Current challenges in the workplace have created a greater demand for more efficient skills. In the legal profession in Nigeria, the need for job-related skills has challenged the legal education system to inculcate the needed competencies for effective legal practice. Responses by the law firms in **questions 10a** shows the kind of skills that are required by law firms for competent legal practice. From the findings, "communication skills" (52%), problem solving skills (47%), analytical skills (43%), legal research (34%) and writing skills (32%) were considered as the skills that are most lacking among aspirant barristers followed by critical thinking and evaluative skills (21% and 20%) respectively. An analysis of these skills shows that they constitute the main cognitive skills that are vital to legal practice. Analytical, problem solving and legal research skills, in particular, encompass the more complex aspects of law in terms of application and use in the conduct of legal practice (American Bar Association, 1992: Uses of the Statement). The composition of these skills also reflects some of the compendium of skills outlined by the MacCrate Report from which much of the document for Minimum Academic Standards for legal education was developed by the National Universities Commission (NUC) as part of the outlined benchmarks on learning outcomes towards achieving the reforms in legal education in Nigeria (NULAI, 2006: 7). These findings further emphasise the need for instructional efforts at the NLS to focus more on the teaching of the set of lawyering skills and professional values recommended by the MacCrate Report in their effort to develop more efficient workplace competences.

Findings from the study have also generally indicated that changes are gradually being implemented in the legal education system in Nigeria which has received some commendations from the practicing Bar **(chapter 5 section 5.4.3).** However, analysis of responses to **question 10b**, which requested the law firms to indicate areas in which they believed greater emphasis should be placed with respect to skills training at the university level, showed the following needs: problem solving (54%), communication skills (52%),

writing and analytical skills (41%) each and legal research skills (36%). Others include critical thinking and evaluative skills, (25%) and (26%) respectively. The implication from these results is that the legal education system in Nigeria, in the opinion of the law firms, is yet to meet the expectations of current challenges in legal practice with respect to skills training. This deficiency further challenges the responsibility of the NLS as well as university law faculties in their role of developing lifelong learning skills among graduate lawyers for better professional development in legal skills.

The goal of legal education in Nigeria is to produce graduates with the capacity for competent legal practice. Experiential learning provided through the attachment programme has served to align substantive law with practical skills training. However, there is still a need to contextualise the teaching of legal skills to be in harmony with current changes in the legal workplace. In other words, the development of lawyering skills among aspirant barristers must reflect the changing complexity of the current context of legal practice in Nigeria by ensuring that the basic level of competence and the ability for continuing professional development is catered for in the educational system through the general curriculum of legal education.

6.4.1.2. To what extent are knowledge, skills and competencies of formal legal education transferred to the workplace?

Skills training is generally considered as the primary goal of formal legal education at the university level and specifically at the NLS. Consequently, the main components of the curricula content and teaching methods of the NLS are inextricably linked to the overall objective of providing vocational and practical training for law graduates as the second and final stage of formal training of lawyers in Nigeria.

Questions 12 (a, b and c) of the research instrument were designed to show how practical experiences contribute to skills development in legal practice. Analysis of responses to **question 12a** shows a high rate of 71% in the level of application of skills by the aspirant barristers during the attachment programme. Q**uestion 12c** indicated that 41% had acquired additional skills during the attachment particularly in the following areas: legal research (10%), legal drafting (7%). Additional skills were also learnt in the period including law office management, litigation, advocacy, how to incorporate companies, client counselling and negotiation skills and so on. From the analysis of **Question 12d**, aspirant barristers were

able to show that experiences from the attachment programme were useful for gaining some practical skills in legal practice. However in **question 12b**, legal research (17%), legal drafting (5%), problem solving (3%), critical thinking skills (3%) and advocacy and analytical skills (2%) were among the skills listed by the aspirant barristers as most lacking during their practical experience in the attachment programme. Some of the reasons attributed to the problem of lack of proficiency in these skills have been identified as poor infrastructure, specifically lack of adequate ICT facilities and underfunding, particularly at the university level; both have affected the growth of the legal education system in Nigeria (**chapter 2 section 2.2.1**). This problem has been further reflected in the quality of graduates produced by some universities in Nigeria (Saint, Hartnett & Strassner, 2003: 259-260).

In the context of this study, transferability of skills refers to situational adaptation in which the learner is able to employ or apply skills in one context that have been learned in a different context. Legal practice requires situational adaptation and creative problem-solving in order to have a conceptual understanding of the general principles underlying different skills and practices (*See* **chapter 1 section 1.7**) (Bransford, Brown & Cocking, 2000: 4; Binder & Bergman, 2003: 198-199). The ability to transfer skills between various contexts therefore forms an important aspect of legal practice. According to Binder, Moore and Bergman (2007: 883), a lawyer must be able to transfer the general principles learned in the classroom to the context of a case and also be able to develop a strategy that fits the needs of the unique situation of the case under consideration. As noted earlier in the literature, the degree to which such transferability of learning skills are possible is contentious, especially with regard to theoretical applications and methods of measurement (De Corte, 2003: 22). However, some authors have also observed that effective transferability of skills requires a sufficient degree of original learning, failure to transfer would therefore suggest an initial failure to provide the necessary opportunities for people to learn (Bransford & Schwartz, 1999: 62; De Corte, 2003: 24-25). Bransford and Schwartz (1999: 64), further argued that the manner in which information is learned also affects subsequent transfer, hence without adequate attention to the degree of original learning, people can erroneously conclude that potentially helpful educational programs are ineffective.

Changes in the curriculum of the NLS have greatly improved the practical training experiences of aspirant barristers and fostered transferability of skills by exposing them to the range of lawyering skills needed for legal practice, giving them an opportunity to understand

the role of the legal professional in the context of the workplace and enabling them to operate successfully within the norms and values of the legal profession **(chapter 3 section 3.7)**. The importance of vocational training at the NLS is that it has helped in providing valuable learning experiences for the aspirant barristers through their engagement with practice-related tasks which encourage the development of competency skills that are necessary for legal practice (Sullivan & others, 2007: 13, 22). One of the advantages of the attachment programme is that it has enabled the transferability of expert legal skills through collaborative work with practitioners in the field and helped the aspirant barristers to assess their own skills and progress in legal practice, as indicated also from insights provided from analysis of the reflective journals. Similarly, the application of the selected models, specifically the ISP model, which encompasses the principles of information literacy as applied in the workplace context, has been helpful in assessing the level of transferability of graduate skills to the legal workplace (*See* analysis of **research question section two**). These findings can thus be said to have provided a useful means for assessing the nature and level of transferability of skills to the workplace and for identifying gaps in areas of skills training, which will further help in determining how problems of skills deficiencies among aspirant barristers can be addressed through the legal education system in Nigeria.

6.4.1.3. What should the nature of an IL curriculum be in order to ensure that legal education is fully relevant and transferable to the workplace?

Information literacy broadly defined consists of a set of abilities that allow a person to recognise when information is needed and to have the ability to effectively and efficiently act on that need (Rockman, 2002: 185). Information literacy plays an important role in the learning process by way of enhancing the curricula and educational mission of higher education institutions (Snavely & Cooper, 1997: 16). The contribution of information literacy to issues of lifelong learning cannot be over-emphasised as its importance has made it a pre-condition for measuring the learning outcomes of students in higher education institutions (Dakshinamurti & Horne, 2006: 1). The need to address problems of skills deficiency has necessitated the integration of information literacy skills into the curriculum of higher education institutions in an effort to equip graduates with the needed conceptual, intellectual and educational framework with which to understand and interpret various sources of information (Rader, 1995: 271). This effort has also compelled the re-structuring of programmes of curricula aimed at impacting the learning process more effectively (Rockman, 2002: 186-187).

A curriculum contains the structure of the educational process and provides a framework for planning the educational experience of the learner; hence, the elements of a good curriculum would usually comprise a logical focused progression of instruction in the use of modern information tools (Kohl, 1995: 427). The nature of an information literacy curriculum should incorporate the abilities for reasoning and critical thinking in such a way as to help the user construct a framework for learning in any given context. The Association of College and Research Libraries (ACRL) Competency Standard, 2000, has provided a baseline for implementing concepts of information literacy into the higher education curriculum. The components of the Standards provide a structured approach for teaching the basic techniques of information use which enables students to engage in the use of a variety of information sources, thereby sharpening their critical thinking and evaluative skills (Eisenberg, Lowe & Spitzer, 2004: 130).

Various models and frameworks of information literacy have also been developed which outline the steps and procedures related to information seeking, searching and evaluation of information resources. These models and standards in their respective ways represent forms or ways that can be used for communicating the character of information literacy for curriculum design and evaluation and for assessing the learning outcomes of students. Examples of such models include Eisenberg and Berkowitz's *Big six skills* (1990), Doyle's *Attributes of an information literate person* (1992), Bruce's *Seven faces of information literacy* (1997), Kuhlthau's Information Search Process (ISP) model (1993) and so on. These models have helped in providing descriptors to guide the design of educational curricula and informed ways for evaluating student learning. They have also provided educators with a framework within which specific skills training can be targeted and executed (Moore, 2002: 2). Some of the pedagogical approaches to information literacy instruction that have been expressed through these models include resource-based learning, problem-based learning and web-based learning, all of which encompass an integrated approach to information literacy.

In legal education, the conceptual understandings of legal information literacy is rooted in studies which have highlighted students' learning experiences in the use of legal information resources in various institutions and the contributions of their findings to issues of curriculum development and the promotion of lifelong learning (Andretta, 2001; Cuffe, 2002; Kuhn, 2008). With respect to the curriculum of the NLS, it has been noted in the review of the literature (**chapter 3 section 3.6.2**), that the curriculum of the NLS, as currently structured,

does not sufficiently attend to the issue of skills development, especially with respect to the concept of legal information literacy. This is because the module on legal research skills training, in particular, comprises a minimal component of the curriculum as opposed to other substantive law courses (Council of Legal Education, 2009: 5). As explained in the literature, there is a need to determine the nature of legal information literacy skills required by the aspirant barristers for the workplace, which will then inform the aspects of the curriculum of the NLS that need to be reconceptualised and integrated into a more coherent framework within which generic and specific skills can be taught.

From the findings of the study, analysis of **question 4a** sought the opinion of the aspirant barristers on the level of importance of the outlined list of skills and **question 4b** also sought to ascertain the ways in which these skills can be developed based on the judgment of the aspirant barristers. Analysis of the responses, as discussed in **research questions 1.1, 1.2** and **1.4** (**chapter 6 section 6.2)**, indicates generally that adopting a pedagogical approach to skills instruction which integrates concepts of IL will encourage active learning processes and the development of transferrable skills. Analysis also shows the level of expectation that aspirants have of legal education at the university and the Law School with respect to skills training within the curriculum and also points to the fact that the "general university and law school curriculum" is considered the most important factor that best facilitates the learning and development of skills through the legal education system. These responses which are reflected after the experience of attachment programme suggest a heightened realisation of the need for skills. The responses therefore suggest the need for greater attention to skills inculcation which can be achieved by integrating concepts of information literacy instruction into the curriculum of legal education.

Also, a comparative analysis of **questions 3a and 3b** (Phase 1), and **questions 10a and 10b** (Phase 2) which focused on skills training at the university level, showed in the following responses, a similarity of views by the aspirant barristers and law firms with respect to areas where skills are lacking and to where skills are needing emphasis: communication skills (55% and 52%), problem solving (52% and 54%), legal research skills (53% and 36%), analytical skills (53% and 41%) (*See* **chapter 5 sections 5.2.3. and 5.4.3**). These findings thus provide suggestions of areas for closing the gap through the curriculum of legal education both at the university and at the Law School

In this regard having, through the findings of the study, identified the set of relevant skills required by the aspirant barristers, it is suggested that the curriculum of the NLS should adopt an IL paradigm as an approach for legal research training which could be integrated into the curriculum of the Law School (Kuhn, 2008: 13-14). Such an approach will promote the teaching and learning of knowledge, skills and attitudes within the curriculum and facilitate deep learning among the aspirant barristers. It will also provide them with the opportunity to engage in critical thinking and reflective practice in learning and in the use of legal resources for legal problem solving. The design of such a curriculum should also ensure that standards are incorporated into the content, structure and sequence of the curriculum in order to ensure the assessment and evaluation of learning outcomes. Similarly, the selected model for the curriculum should be consistent with the content and goals of sound information literacy instruction employing, where necessary, active learning strategies and techniques that require learners to develop critical thinking skills in concert with information literacy skills**.** The Association of College and Research Libraries (ACRL) Information Literacy Competency Standards for Higher Education, 2000, could be adopted as a model for curriculum design. The broad scope of the standards of this document provides an expansive framework for understanding information literacy as a process of lifelong learning. The uniqueness of this document is that it provides a systematic method of measuring student-learning outcomes which could be accomplished through course-integrated instruction and also provides a context by which models for information literacy instruction and curriculum design can be implemented (ACRL, 2000).

6.4.1.4. What kind of collaboration is needed between the various players in legal education and practice in order to promote the development of competency skills among aspirant barristers?

Concern about the quality of graduate lawyers produced from the legal education system in Nigeria has focused mainly on the inadequacy of skills and the need for improvement in competency. The initial disconnection between legal education and legal practice earlier noted by NULAI with respect to differences in the theory and practice of law has largely been as a result of the poor level of collaboration between practicing lawyers and the legal education system, particularly in view of the vocational nature of training of legal practitioners in Nigeria (NULAI, 2006: 4-5). Collaboration involves building alliances and cooperation in achieving a set objective. The efforts initiated towards the current reform at the NLS has been undertaken through collaboration between legal practitioners and

institutions in Nigeria and other international organisations which has helped to foster the implementation of the reforms (**chapter 1 section 1.2**). However, responses from analysis of some of the findings of the study have indicated that greater effort needs to be invested in sustaining the progress made so far in the reforms.

Question 13 of the data sought the opinion of the law firms as to the areas in which they believed greater collaboration is needed with the NLS in the training of aspirant barristers. Areas listed include practical training, chambers attachment, litigation and drafting, ICT and legal research training, teaching methods and curriculum development, Alternative Dispute Resolution (ADR), seminars and workshops, continuing legal education, advocacy and moot trials (**chapter 5 section 5.4.3**). It is noted that each of these areas is skill-related and requires the application of theoretical knowledge and practical experience to legal practice, of which the legal practitioners are in the best position to provide in terms of transfer of professional expertise to the aspirant barristers. This point is further emphasised in the responses to **question 14** with respect to suggestions by the law firms on ways of improving the attachment programme. Through the attachment programme, legal practitioners can help in ensuring a smooth transition from the Law School to legal practice by providing a context for the aspirant barristers to develop their skills and to establish a link between theory and practice.

Collaboration in curriculum development is also needed; suggestions from the findings have pointed to the need to involve legal practitioners in the design of the curriculum and teaching methods of legal education, both at the university level and the Law School. The adoption of more innovative approaches that are student centred has greater potential in ensuring the development of competent skills that are transferable to the workplace. Similarly, current trends in globalisation demands that graduate lawyers are trained to a level of competence and specialisation in international law to enable them to compete at the global level and this can only be achieved if the curriculum of legal education incorporates aspects of international law in such areas as human rights, labour law, ICT, environmental law, intellectual property and so on (Mamman, 2009: 17-18).

Collaboration is also needed between the NLS and the Nigerian Bar Association (NBA) in research on issues of various legal interests. Seminars and workshops can be organised in which contemporary issues on legal education and practice in Nigeria and globally can be

discussed. This aspect of continuing legal education aligns with the recommendations of the MacCrate Report of the developmental continuum in legal practice by which the skills and values of a competent lawyer are developed in progressive stages and especially within the context of the work setting (American Bar Association, 1992: The common enterprise).

Also, the importance of collaborative action has been an issue of paramount importance in the integration of information literacy. In educational institutions, the growth in collaborative endeavours between librarians and teaching faculty has been the primary key to integrating information literacy into the curriculum as this has had far-reaching effects on the extent to which success in implementation can be achieved (Rockman, 2002:187). The failure of the draft document for Minimum Academic Standards for legal education produced by the National Universities Commission (NUC) to recognise the the value of information literacy, and by implication the role of librarians in the implementation of the reforms, brings into question the level of involvement of librarians with regard to the reforms and their role in the legal education system in Nigeria **(chapter 1 section 1.7)**. Librarians play an important role in creating awareness of the issues around information literacy; their knowledge of a wide range of legal resources and research tools is instructive in the area of developing legal information skills which can be integrated into the curriculum. Consequently, the responsibility for the development of information literacy in the legal education system must be shared within strategic partnerships at various levels, that is, with respect to curriculum design, policy development and teaching. This will help foster the development of critical and evaluative skills among aspirant barristers in ways that are transferable to the workplace. It is in this regard also that this study makes a vital contribution, as the findings have suggested several considerations that can provide guidance on the importance of the role of legal information literacy in the curriculum of legal education in Nigeria.

6.4.1.5. Summary

This segment of the research questions (research question section three) attempted to analyse the underlying issues surrounding professional legal training by the Nigerian Law School, transferability of professional legal training to the workplace and the need for more collaborative efforts towards facilitating skills training and development in the legal profession in Nigeria.

6.5. Overall summary

Chapter six presented the analysis and interpretation of the research questions in the light of the findings of the study. Discussions in the chapter highlighted the results presented in chapter five of the study and explored issues and implications in relation to the findings. In interpreting the research findings, an attempt was also made to show how the current research findings support or differ from the reviewed literature. The interpretation of the findings also reflected the purpose of the study, except for the last outlined statement which proposes the design of an information literacy model for the NLS. This aspect will be addressed in chapter seven.

Analysis of **research question section one** demonstrated the responsibility of formal legal education in developing IL skills for the workplace. Analysis of the MacCrate Report has also shown that even though the Statement on the Fundamental Lawyering Skills and Professional Values has a similarity with information literacy skills, information literacy standards provide a more effective conceptual framework by which various pedagogical approaches can be applied in implementing programmes of legal information literacy instruction for addressing problems of skills deficiency within the context of the current changes in legal practice in Nigeria.

Explorations of the applicability of the ISP model to the study in **research question section two** provided an understanding of the stages of professional development in legal practice. Findings have established the relationship between experiences in the cognitive and the affective domain, particularly in relation to feelings of uncertainty, and the development of professional competence in legal practice (Nichols, 2005: 441-442). Similarly, task complexity as explored using Byström's (1999) theory of Information Activity in Work revealed the nature of difficulties experienced by the aspirant barristers in the use of legal information resources. The application of both models in the analysis of the research questions thus helped in showing the relationship between acquired skills and the development of professional competence for legal practice in Nigeria.

Research question section three set out to investigate how professional legal training by the Nigerian Law School equips aspirant barristers with competencies for the legal workplace and to assess the level of transferability of skills to the workplace. Based on the findings from the study, it is seen that there is a general recognition of a deficiency in the professional skills

of aspirant barristers and a wide disparity in their ability to transfer educationally acquired skills to the workplace. However, despite this acknowledgement, the perception of the concept of legal information literacy, or its importance particularly in the development of legal research skills, seems less evident. This situation further emphasises the need for the adoption of an information literacy paradigm to the curriculum of the NLS as a conceptual framework for imparting competency skills for professional practice. This measure will also help to contextualise the teaching of legal skills to align with current changes in the legal workplace. Analysis of research questions three has also shown that the development of competency skills among aspirant barristers is a joint responsibility between the NLS, legal practitioners and librarians. The efforts towards the implementation of the reforms will require a re-consideration of the role of the various stakeholders in the legal education system in order to achieve the desired outcomes. The challenges posed by the changing context of legal practice in Nigeria requires the need to also place greater priorities on skills training for professional development in the implementation of the reforms; this can only be achieved through collaborative partnerships between the various players in legal education in Nigeria.

CHAPTER SEVEN

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

7. Introduction

This chapter summarises the thesis and its contributions to research. The chapter provides a summary of the findings, conclusions and recommendations of the study based on the data presentation and interpretation of findings discussed in chapters five and six respectively. The summary of the findings is presented based on the research questions and objectives outlined in **chapter one section 1.4** of the study. It also provides an assessment of the contributions of the study with respect to its implications for theory, methodology, policy and practice as well as recommendations for further research arising from the findings of the study and conclusions. The recommendations and conclusions are followed by the presentation of the model designed as part of the purpose of the study.

7.1. Brief overview of the structure and content of the chapters

The thesis contains seven chapters; chapter one provides the research problem and background to the study while chapter two explores the context of the study with a focus on the distinctive characteristics of Nigeria as a country, its socio-political and economic context and legal system. The literature review in chapter three elaborates on the theoretical framework and other issues and debates underpinning the research problem. Chapter four presents the methodology including the research method selected which is the case study method. Both quantitative and qualitative approaches were used in the data collection indicating the mixed methods approach that was deployed for the study. Chapter five presents the data collected while chapter six provides an analysis and interpretation of the findings. The final chapter, chapter seven, reviews the findings of the study in relation to the research questions and the contribution of the study to the body of knowledge.

7.2. Summary of findings based on the research questions and objectives

The research questions outlined for the study include the need to investigate the role of formal legal education in facilitating an information literate work force in the legal profession, and how changes in current legal practice have affected problems of skills deficiency in the workplace in Nigeria. The objectives which form the basis for this study

include the need to explore the connection between formal legal education and work-related information literacy knowledge, skills and practices; to examine evidence of information literacy related practices in the legal workplace in Nigeria and to investigate outcomes of information literacy training in relation to current legal practice.

The findings from the study have indicated the need for legal education to facilitate the development of job specific skills for the workplace and to encourage specialisation in legal practice. The adoption of a skills based approach to the teaching methods of the NLS has the potential for imparting more efficient and competent skills to aspirant barristers. The integration of programmes of information literacy instruction can help in the teaching of legal research skills that will enable the aspirant barristers to meet the current challenges of legal practice in both Nigeria and on the global stage.

Similarly, analysis of the MacCrate Report (American Bar Association, 1992) has shown that to achieve competency in legal practice a greater emphasis needs to be placed on education and training in the acquisition of a broad range of work related skills and proficiency in their application. The role of information literacy in the Statement of Fundamental Skills and Values of the MacCrate Report also serves to highlight its centrality in serving as a conceptual framework within which skills can be developed for competent legal practice.

Vocational training, through the attachment programme, is also seen as helping to close the gap between legal education and practice. Findings have indicated that opportunities provided through this programme have enabled aspirant barristers to acquire additional skills in various areas of legal practice as well as to encourage the transfer of professional expertise within the context of legal practice in Nigeria.

Similarly, the application to the study of the selected models, specifically Kuhlthau's (1993) ISP model, which encompasses the principles of information literacy as applied in the workplace context, has been helpful in assessing the level of transferability of graduate skills to the legal workplace (*See* analysis of **research question section two**). As evidenced from the findings, analysis from the application of Kuhlthau's (1993) model has provided a better understanding of the stages of professional development in legal practice among the aspirant barristers. The application of educationally acquired skills in solving complex tasks in the

workplace has shown that there is a connection between formal legal education and work related information literacy skills.

Findings with respect to some of the objectives have indicated the importance for the NLS to adjust the teaching of legal skills to reflect the changing complexity of the current context of legal practice in Nigeria. In this regard, re-structuring the curriculum to incorporate an IL paradigm as an approach for legal research training is central to implementing such changes and ensuring the transfer of legal skills and competency in the use of information to the workplace. The role of collaborative partnerships between the various players in legal education in Nigeria has also been highlighted as being paramount in ensuring the full implementation of the reforms and achieving the desired changes in the legal education system in Nigeria.

7.3. Conclusions on the research problem

The summary of the findings in relation to the research problem, research questions and objectives demonstrates the contributions of the study arising from the findings which have met the outlined objectives and achieved the outcomes that were proposed at the beginning of the study. The novelty of the research is based on its ability to provide empirical evidence on the nature of legal information literacy as an important component of legal education in Nigeria. Few studies have been conducted in Nigeria which explored the information seeking behaviour of lawyers as practitioners (Haruna & Mabawonku, 2001). Previous studies undertaken on legal education in Nigeria have paid limited attention to examining the role of legal practitioners in facilitating skills training and development in legal education. The uniqueness of this study is that it has served to provide a link between skills training in legal education and its practical application in the actual context of legal practice in Nigeria. Similarly, explorations on the value of information literacy to the legal education system in Nigeria have positively supplemented previous studies and contributed to the existing body of knowledge by assessing how the integration of information literacy into the curriculum of legal education in Nigeria can help in addressing problems of skills deficiency among graduate lawyers. Furthermore, the nature of the data collected, particularly in the reflective journals, and the method of analysis employed, were helpful in providing insights into the workplace experiences of the aspirant barristers and an understanding of their learning processes within an established vocational training programme. These processes and their outcomes thus constitute the original contributions of the study to research which have

important implications for shaping future studies on information literacy and for informing the design and implementation of information literacy programmes in higher education institutions in Nigeria.

7.4. Implications for theory and contribution to knowledge

This section examines the theoretical implications of the study in the context of legal education and practice and to the field of Library and Information Science (LIS) in general. Theoretical considerations in this study have sought to establish a link between formal legal education and information literacy, particularly in the workplace. The employment of the social constructivists' paradigm, which emphasises learning as a process of personal understanding and the construction of meaning, has provided insights in the study for understanding the interplay between learning and the development of relevant skills in the workplace (Fuller & others, 2005: 50). The adoption of Kuhlthau's (1993) Information Search Process (ISP) model as the dominant theoretical framework for investigating the research questions and objectives of the study has served further to validate its relevance and importance in investigating issues of human information seeking behaviour particularly in the context of the workplace (Kuhlthau, Heinstrom & Todd, 2008: Implications). Through the model, investigations on the aspects of the affective dimension associated with information seeking were also found to be linked to the perceived level of task complexity experienced by the aspirant barristers. These findings confirm that emotions are directly relevant to learning and can either facilitate or block learning activity (Moon, 2004: 53-54). Archer and Peters (1986: 49) in their study also identified emotional stress as one of the major hindrances to effective learning among law students and legal practitioners. In the legal profession, the cognitive and affective domains constitute the centre of professional development with respect to the acquisition of intellectual skills and the development of analytical and evaluative skills (Nichols, 2005: 441-442).

The application of Byström's (1999) theory of Information Activity in Work as a conceptual framework has also served to show the relationship between information seeking and task complexity by providing evidence that increased task complexity and uncertainty leads to a greater use of multiple sources of information (Byström, 1999: 18-21). Findings from the study have aligned issues of task complexity, as expressed in Byström's theory, with Kuhlthau's (1993) ISP model specifically with respect to the Formulation stage of the model:

this stage represents a determining factor in the model in terms of the nature of information required for problem solving and the reduction of uncertainty in information seeking.

The combination of these models as the chosen theoretical framework for the conduct of this study provided a basis for the analysis and interpretation of the data in chapters five and six of the study. The application of the two theoretical perspectives to the study shows that a level of complementarity in the use of the models was achieved in the sense that they both served to provide a theoretical lens by means of which the various issues relating to the research questions and objectives of the study were investigated and analysed.

7.4.1. Theoretical implications of context and IL in the workplace

As explored in the literature, researchers in IL over the years have identified a need for more theoretical frameworks that are applicable to the expanding field of IL research. According to Todd (2000: 164), placing IL within a broader social setting would provide a more holistic view of IL as an essential quality of life beyond the context of formal education. Lloyd (2010: 246) also accentuates the importance of adopting a sociological perspective that conceptualises the practice and activities of IL within a broader social context, such as the workplace, in ways that give more meaning to an understanding of experiences of IL in various settings. Consequently, the contextual nature of this study and its focus on the workplace has served to provide a general understanding of the role of IL in enabling people to connect with different sources of information through an active process of learning within a given community of practice. The theoretical implication of this outcome is that it has served to provide insights into the interplay of contextual factors and how they influence information behaviour in work practices (O'Farrill, 2008: 159). It has also emphasised the collaborative nature of the workplace and its impact on the development of IL practices particularly with respect to the issue of transferability of skills in various contexts (Lloyd, 2007: 3).

7.4.2. Theoretical implications for legal information literacy

The conceptual understanding of legal information literacy, as expounded in this study, has emphasised the unique nature of legal information resources as intrinsic to the disciplinary context of law and the legal profession. Analyses from findings in the study have indicated the need for the NLS to adopt a pedagogical approach to skills instruction particularly in legal research training that integrates concepts of IL. Findings have also suggested that by focusing

instructional efforts on the set of lawyering skills and professional values, as recommended by the MacCrate Report (American Bar Association, 1992), the legal education system in Nigeria can provide legal education and vocation training in a way that uniquely prepares aspirant barristers for the legal profession in Nigeria. Based on the analytical processes using the selected theories, the design of the conceptual framework advocated in this study should incorporate attributes of information literacy that convey a deeper understanding of legal information sources as well as their application to the workplace (Lloyd, 2006: 575, 577). The curricula implications of such a conceptual framework, therefore, is that the curriculum design and methods of teaching legal information skills at the NLS should be informed by these information literacy models and frameworks in order to help facilitate the development of transferable skills, vital for lifelong learning. Also, the instructional content of such a conceptual framework should be consistent with the content and goals of sound information literacy instruction employing, where necessary, active learning strategies and techniques that ensure the development of critical thinking skills and other information skills among the aspirant barristers.

From a theoretical perspective, the contribution of this study is that it has implications for the theoretical approach taken for the improvement of legal information literacy instruction, particularly legal research skills, as well as in several areas that are aimed at improving the development of competency skills necessary for legal practice, as identified by the MacCrate Report. Outcomes from the study have revealed differences in the perception of the level of competency skills needed for legal practice between the aspirant barristers and the law firms. This issue is further discussed in the next section.

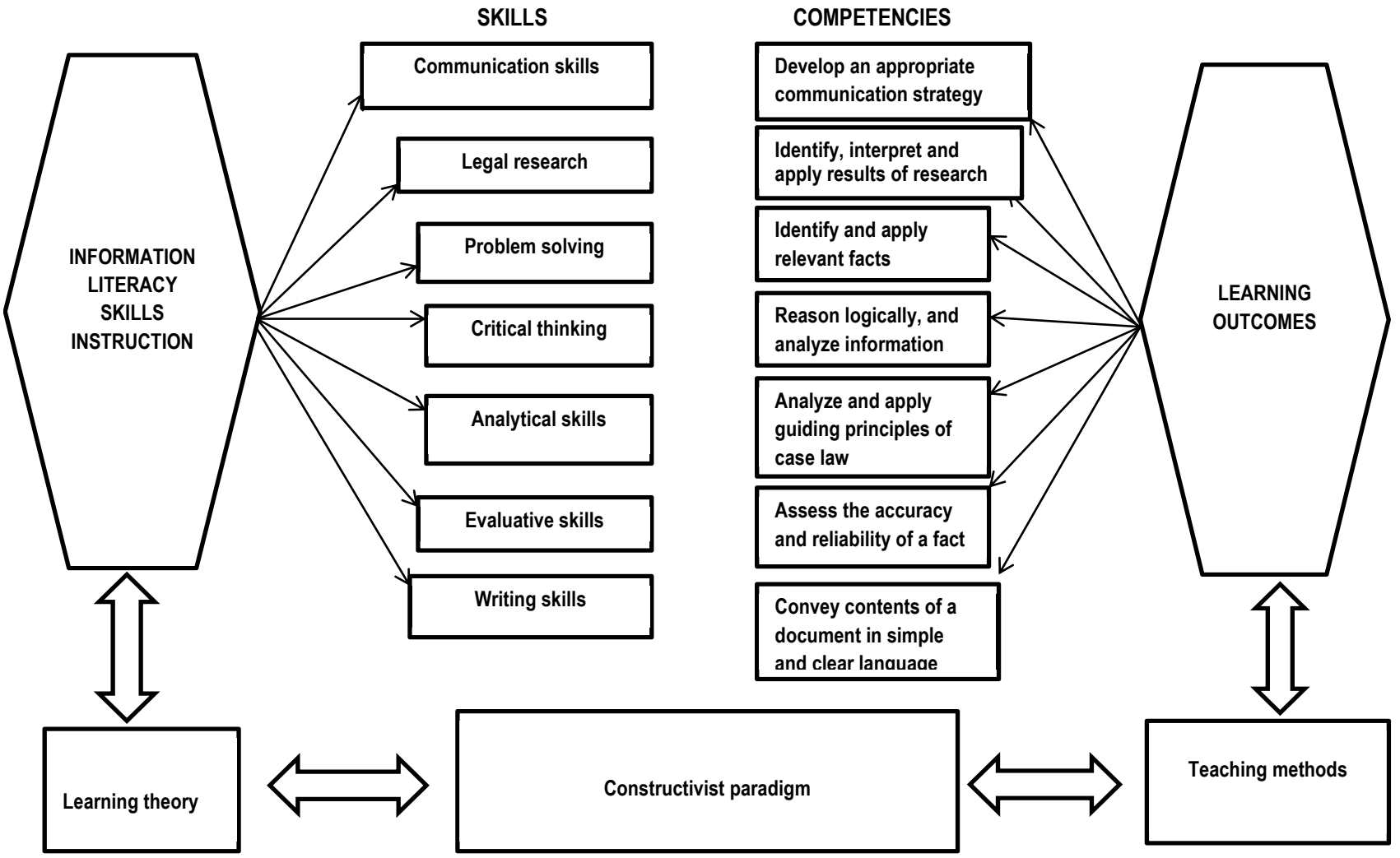
7.5. Implications for policy and practice and contribution to knowledge

Among the central objectives that informed the initiative to undertake this study is the need to identify the extent to which professional legal training by the Nigerian Law School equips aspirant barristers with competencies for the workplace. Findings have equally pointed to a number of issues that are relevant to legal education and the context of legal practice including the need to narrow the identified gaps in order to transform the teaching and practice of law in Nigeria. The comparative analysis of **questions 10a and 10b** and **questions 3a and 3b (chapter five section 5.4.3)** for example, which sought to investigate the areas of lack of skills proficiency and other areas that require greater emphasis on skills training, has shown a similarity in the opinion of the respondents, signifying a general

recognition of the need to reconceptualise skills training in view of the current changes of legal practice in Nigeria.

However, the findings also indicated a marked difference between the IL skills set that the aspirant barristers think they have acquired and the perceptions of the adequacy of those skills by legal practitioners. This situation suggests that the development and implementation of an IL curriculum has to start from an early stage and be sustained through the passage of legal education. In other words, instruction in such skills as legal research can be introduced at the most basic level of education in law while other elements of the skill can be added as the student progresses through education to legal practice (Clinch, 2006: 29). With respect to the acquisition of other legal skills, the extent to which the skill is to be applied in legal practice should determine the nature of emphasis that should be placed on the teaching of such skills at the educational level. Consequently, based on the outcome of this study, the proposed IL model shows the processes for information skills development; that is, learning theory, constructivist paradigm and teaching methods as shown in the figure below.

Figure 5: IL MODEL FOR DEVELOPING LEGAL INFORMATION SKILLS



The model shows information literacy skills instruction as being central to the development of the outlined skills (the outlined skills are similar to those listed in the research instrument). The interconnection between the processes is reflected in the learning outcomes and the aligning competencies. The listed competencies are not exhaustive but basically highlight some of the elements that are outcomes of information literacy skills instruction. In designing the model curriculum, the general pedagogic principles that underpin the processes for information skills development were considered. These include the nature of professional education and practice, particularly with respect to legal research, context of legal information resources, teaching methods and learning theory. The model curriculum is designed so as to provide guidelines for the various processes by which a teaching model that is unique to the context of the legal education system in Nigeria can also be developed and implemented. The application of the model and its effectiveness will need to be tested in future research.

Analysis of the reflective journals has also provided evidence of procedural and experiential learning through the attachment programme which is necessary in increasing the potential for the transference of legal skills to the workplace (Bates, 2003: 318). The imperatives of these findings are that they provide useful insights that can be used to inform policy decisions with respect to the current reforms in the legal education system in Nigeria. Included in the policy initiating the reforms is a provision that allows for the introduction of an evaluative process by which further recommendations and modifications can be made to the implementation of the reforms (Grimes, 2009: The future and lessons). Given that the timing of this research has provided the opportunity to evaluate the implementation of the reforms against the stated outcomes, it is anticipated that the findings of this study will go a long way towards influencing policy and practice regarding the establishment of information literacy as a key aspect of legal education in Nigeria. The knowledge generated by the findings of the research constitute important components of legal information literacy instruction that could inform future decisions aimed at revising or formulating new policies at the NLS. Similarly, the findings are equally relevant in influencing future policy interventions regarding measures that could be taken in revitalising undergraduate legal education at the university level and other programmes of continuing legal education at the post graduate level for effective legal practice in the workplace.

An important factor in deriving policy implications from a study is the validity of the research which refers to the credibility of the methods, approaches and techniques employed in the study (Blaxter, Hughes & Tight, 2006: 221; Mabry, 2008: 221). Evaluation of the research methodology employed for this study **(chapter four section 4.8),** demonstrates that the methods used were of sufficient quality to ensure that the inferences and conclusions drawn from the research are based on the findings of the study and are of potential value to policy makers and the legal education system in Nigeria.

7.6. Limitations of the study

The study is limited to a contextual analysis of the information literacy of aspirant barristers in Nigeria. Discussions in the study are focused on investigating the connection between formal legal education and work related information literacy skills and practices, with the aim of ascertaining the nature of transferability of graduate skills to the workplace. The study populations include the aspirant barristers and the law firms to which they are assigned as part of their vocational training during the attachment programme. Universities are not included as part of the study population because a comparative study of the information literacy skills of undergraduate law students at the university level has already been undertaken (*See* Lawal, 2009). However, the findings are expected to be useful to undergraduate legal education in Nigerian universities. Also, on account of the contextual nature of the study, a case study method was employed in addressing the research questions. Consequently, the findings of the study can only be limited to the particular case in question, that is Nigeria, and may not be generalisable to other contexts. However, it is hoped that the findings of the study would provide a current understanding of the issues investigated in similar contexts and contribute to an understanding of the relationship between information literacy and learning in the legal field.

Some of the challenges experienced in the course of data collection have also created limitations for the study. The timing for the data collection coincided with the national elections in Nigeria which affected the response rate of law firms located in the respective states **(***See* **chapter four section 4.6.5.2, Phase 2**). However, despite these limitations, the study has been able to provide a platform by which future research, with respect to legal information literacy, may be conducted. Consequently, these limitations do not in any way compromise the validity of the findings of the study.

7.7. Implications for further research

The nature of this research, as an investigation into the information literacy skills of aspirant barristers within the context of the workplace in Nigeria, is the first of its kind; prior to this study no research had been conducted on the NLS. This study has consequently opened up several avenues for future research. Findings from the study have raised some important questions that suggest lines of further enquiry that may provide a better understanding of the issues raised. These areas of further research are discussed below.

As noted in **chapter two section 2.2.3**, there has been increasing awareness among educators and academic librarians in Nigeria of the need to establish in the universities a core information literacy curriculum, as a way of facilitating skills development and their transferability to the workplace (Rasaki 2008: 5). Meeting this demand requires a review of the educational goals in higher educational institutions, in line with the recommendations of the ACRL Information Literacy Competency Standards for Student Learning, 1998 (ACRL, 2000). Consequently, an investigation is required into how a workable project on information literacy can be designed and implemented at the universities and the NLS to facilitate qualitative skills acquisition. Such a study would also encourage the development of a unified curriculum of legal education, particularly with respect to training in legal information skills, thereby helping to bridge the gap in the deficiency of graduate skills. However, changes in this regard will also require some important curriculum policy formulations that need to be enforced in order for the goals to be achieved. The information literacy model, designed as part of the recommendations from this study, is expected to stimulate further discussion among legal educators, legal practitioners and academic librarians towards the formulation and implementation of such policies.

Among the many objectives of this study is the need to establish the connection between formal legal education and work-related information literacy practices. Responses described in the findings have pointed to the need to extend the duration of the attachment programme in order to ensure transferability of skills and provide more opportunity for experiential learning for the aspirant barristers. Among such suggestions are that the law office and court attachment programme should begin during the third year of undergraduate study at the university level rather than at the Law School. These responses have raised further questions on issues of transferability and the need for workplace experience to be established as a framework for learning, particularly with respect to the adoption of clinically based

approaches in legal education which will help in preparing future lawyers for the changing legal information environment in Nigeria (NULAI, 2006: 7). As suggested by the findings, differences in the perception of skills acquisition between the aspirant barristers and the legal practitioners, further buttress this point. Directions for such a study will include an investigation of how participation in legal practice activities from the undergraduate level can foster the development of better competency skills in the legal profession. This study could also include an exploration of the value of collaborative partnership/mentorship between the practicing Bar and university law faculties in Nigeria. Essentially, the analytical focus of such a study would be to explore how the legal education system in Nigeria can intensify and enrich the quality of participation in practical learning experiences for the purpose of ensuring transferability of legal skills to the workplace.

This study also provides the potential for further explorations into the information seeking behaviour of lawyers, which could better inform the design of programmes of information literacy instruction, particularly with respect to the use of local legal electronic databases that are relevant and applicable to the context of legal research and legal practice in Nigeria. Yet another direction in this regard is an investigation on how the development and design of information systems can facilitate efficient utilisation of ICT in legal practice. Legal processes in the judicial system in Nigeria have been hampered by problems of "congestion in the legal system" and the application of "obsolete laws" to legal practice which have affected the efficiency and productivity of the legal system in Nigeria **(chapter five section 5.2.5).** A study of this nature therefore, could seek to examine how the effective application of ICT to the judicial system can contribute to greater efficiency through the development of electronic filing of processes, taking of pleas and evidence, addresses and judgments and so on. Owasanoye (2000: 175) advocates the design of a Court Assisted Information System (CAIS) in the judicial system in Nigeria that can encourage more efficient operations of legal processes and the training of legal professionals in ICT and legal research. This development can encourage continuing legal education in the legal system in line with the developmental continuum recommended by the MacCrate Report (American Bar Association, 1992: The common enterprise).

The application of Kuhlthau's (1993) ISP model has further highlighted the role of the affective dimension in the information seeking behaviour of the aspirant barristers. Analysis of questions **9a and 9b (Phase 1) (chapter five section 5.2.5)** for example, have indicated

some of the negative emotions cited by the respondents such as stress (19%), confusion (20%), doubt (17%) and frustration (13%) each of which constitute some of the problems experienced due to uncertainty in information seeking. Responses by the law firms to **question 13 (Phase 2) (chapter five section 5.4.3)** have suggested the need for the extension of the duration of the Law School programme in order to reduce the stressful nature of the programme and ensure a more meaningful educational experience for the aspirant barristers. Consequently, a further investigation into the nature of stress and other negative emotions experienced by the aspirant barristers at the Law School could provide insight as to how changes could be made to the academic calendar of the Law School to enhance better performance by the aspirant barristers.

These areas constitute aspects from the findings of this study that provide opportunities for more in-depth investigation into the issues raised.

7.8. Recommendations

The study has identified various issues with respect to the information literacy of aspirant barristers and its relationship to the legal workplace. Based on the findings of the study, the following recommendations are made:

The Nigerian Law School: It is recommended that the curriculum and teaching methods of the NLS and universities be reconceptualised to align with the current context of legal practice in Nigeria. The new curriculum of the NLS should also be extended to university law faculties to ensure uniformity in professional skills training. The involvement of legal practitioners in the curriculum development of the NLS will also ensure a wider input that could influence more positive changes to the teaching methods and legal practice in Nigeria. An area of urgent consideration in the curriculum is the inclusion of legal drafting in the undergraduate curriculum which will help prepare graduate lawyers for the challenges of actual legal practice.

Skills training: Greater integration of theory and practice is recommended in order to bridge the gap between the two stages of legal education in Nigeria. More emphasis should be placed on improving the practical skills of aspirant barristers particularly in such areas as oral and written communication skills, legal research, critical thinking skills, problem solving and evaluative skills. Suggestions by the law firms have also indicated the need for more

collaboration with the NLS in teaching specialised areas of practice in matters relating to oil and gas reserve utilisation, maritime law, aviation, Alternative Dispute Resolution (ADR) and so on.

Legal information literacy: The assessment of the impact of changes in the composition of legal information resources to the context of legal practice in this study has reaffirmed the value of an information literacy paradigm for the legal education system in Nigeria. The rapid increase in technological advancements in the context of legal practice in Nigeria requires a high level of information literacy instruction ensuring the effectiveness of legal research skills. A constructivist approach to information literacy provides a useful paradigm by which the development of legal research skills can be conceptualised. The Association of College and Research Libraries (ACRL) Information Literacy Competency Standards, 2000, provides a workable framework that can be used for inculcating legal research skills among the aspirant barristers **(***See* **chapter six section 6.4, research question 3.3)**. Consequently, based on the findings of this study, it is recommended that information literacy should be adopted as a framework and integrated into the curriculum of the Nigerian Law School. The design of an information literacy model from the findings of this study may be helpful as a conceptual framework and for informing the appropriate teaching and learning methods that could be employed for the purpose of enhancing legal education and practice in Nigeria.

The attachment programme: The attachment programme of the NLS constitutes a fundamental aspect of its role as the only vocational training institution for legal practitioners in Nigeria and provides a common framework by which prospective lawyers can be prepared for the workplace. Findings from the study have highlighted areas of needed change for which the following recommendations are made:

- Extension of the period for the attachment programme to provide sufficient practical training.
- Strict monitoring of the aspirant barristers during the attachment programme in order to curb problems of absenteeism.
- Greater commitment by the law firms to the practical training and involvement of the aspirant barristers in legal activities in order to encourage interest and experiential learning through the programme. The effort towards achieving this is shown by the interest of the law firms in the study in which some law firms made copies of the

questionnaire to use as a tool for assessing the skills of aspirant barristers on attachment in their law firms (*See* **chapter four section 4.6.2**).

- Provision of a fixed allowance for the aspirant barristers during the attachment in order to help with problems of transportation, living expenses and purchase of legal materials.
- Shifting bar examinations which usually commence after the attachment programme to a later date to enable aspirant barristers to take the court attachment more seriously.
- Posting aspirant barristers to law firms with a wide variety of practice where they can gain more practical experience in the rudiments of legal practice.
- Regular and constant reviews of the list of law firms accredited for the attachment programme across the country to ensure their continuing existence and functionality.

Policies on the reforms: Findings from this study have been able to provide evidence of the importance of the role of information literacy in legal education and as a key aspect for addressing problems of gaps in the skills deficiency of aspirant barristers. The study therefore recommends for the inclusion of academic librarians and legal information specialists in the process of the reforms at the NLS where they could constitute part of the collaborative team for the design and implementation of an information literacy framework for the legal education system in Nigeria **(***See* **chapter six section 6.4, research question 3.4)**.

7.9. Conclusion

In investigating the information literacy of aspirant barristers, this study has been able to provide an in-depth analysis of the problems of the transferability of acquired educational skills to the legal workplace. The application of the selected models, specifically Kuhlthau's (1993) Information Search Process (ISP), provided a framework by which the connection between learning, experience and the development of expertise among the aspirant barristers in the legal workplace could be assessed. The use of the model also helped in demonstrating the effects of uncertainty and task complexity in information seeking as experienced by the aspirant barristers in the context of the workplace. Byström's (1999) theory of Information Activity in Work in the study has also helped in establishing a correlation between perceived task complexity and experiences of uncertainty among the aspirant barristers. Similarly, analysis of the contextual factors that influenced their information seeking behaviour due to the current changes in the composition of legal information resources in Nigeria also served

to emphasise the significance of information literacy to the context of legal practice in Nigeria. Findings from the study have consistently shown that the curriculum of the NLS is central to the efforts made towards closing the gap between legal education and practice in Nigeria. The development of professional competence among aspirant barristers can only be achieved if the curriculum and teaching methods of law are designed to promote growth and expertise through employing a skills-based approach in legal education. Adopting an information literacy approach in the curriculum of the NLS, as proposed by the IL model, can provide a holistic programme of legal training and vocational training that would strengthen the efforts towards the preparation of future lawyers for the legal profession in Nigeria.

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APPENDIX ONE

UNIVERSITY OF
KWAZULU-NATAL

7 April 2010

Mrs Gloria Shajobi
Director
Planning & Academic Matters
Nigerian Law School
Bwari

Dear Mrs Shajobi

Request for permission to conduct doctoral research study at the Nigerian Law School.

The Information Studies Programme, School of Sociology and Social Studies in the Faculty of Humanities, Development and Social Sciences, at the University of KwaZulu-Natal, accepted Ms Victorial Lawal for PhD studies mid 2009. Her study is "A contextual study of the information literacy of aspirant barristers in Nigeria".

Ms Lawal conducted her M Phil degree at the University of Cape Town and has an MA Degree in Law and Diplomacy from the University of Jos.

She is being supervised by myself, as primary supervisor, Dr Rosemary Kuhn, a library based specialist in legal research also from University of KwaZulu-Natal, and Professor Peter Underwood from the University of Cape Town. We humbly request your permission to allow Ms. Lawal to undertake this research at the Nigerian Law School. Her research will comply with the research ethics code of the University of KwaZulu-Natal. We anticipate that the findings of the research will be beneficial to legal education in Nigeria and elsewhere.

Yours sincerely

Christine Stilwell PhD
Professor, Information Studies Programme
Thesis Supervisor

School of Sociology & Social Studies

Postal Address: Private Bag X01, Scottsville, Pietermaritzburg 3209, South Africa

Telephone: +27 (0)33 260 5007 / 5320 **Facsimile:** +27 (0)33 260 5092 **Email:** holtz@ukzn.ac.za padayacheep@ukzn.ac.za **Website:** www.ukzn.ac.za

Founding Campuses: Edgewood Howard College **Medical School** Pietermaritzburg **Westville**

APPENDIX TWO

COUNCIL OF LEGAL EDUCATION

OFFICE OF THE DIRECTOR-GENERAL

Dr. Tahir Mamman, L.L.M, Ph.D (WARWICK)
BARRISTER AT LAW

Phone: 083 659 0973-4
Website: www.mynlsp.com
e-mail: tarimamman@yahoo.com

NIGERIAN LAW SCHOOL
HEADQUARTERS, BWARI
P. M. B. 170,
GARKI - ABUJA,
NIGERIA.

5 May 2010

Ms Victoria Lawal
Information Studies Programme
School of Sociology and Social Studies,
University of KwaZulu-Natal,
Pietermaritzburg Campus
Private Bag X01, Scottsville
South Africa, 3209.
Email:209539667@ukzn.ac.za

RESEARCH ON THE NIGERIAN LAW SCHOOL

I write with reference to your earlier request to undertake a Doctoral Study in Library and Information Studies at the Nigerian Law School.

I am directed to convey Management's approval to you for the project. Kindly note that there is no other commitment on the part of the School.

Mrs. G.D Shajobi
Director, Planning & Academic Matters
For: Director-General

APPENDIX THREE

Informed Consent Form

Date: .....
Dear: .....

My name is Victoria Lawal. I am a PhD student at the University of KwaZulu Natal (UKZN), Information Studies Programme. As part of the requirements towards the fulfillment of my PhD programme, I am required to undertake a research project. My research topic is **"A contextual study of the information literacy of aspirant barristers in Nigeria".** The study seeks to examine information literacy practices among aspirant barristers (that is, those currently enrolled at the Nigerian Law School) in Nigeria with the objective that it will contribute to the efforts towards re-shaping professional development programmes offered by the Council of Legal Education of Nigeria and that it will enhance learning outcomes and practice among graduate lawyers in Nigeria.

I wish to solicit your kind participation in the study in filling out the questionnaire. Please note that participation is purely voluntary and that you may withdraw at any time during the research process with no consequences whatsoever. Your participation will be helpful towards the efforts to restructure legal education and improve the quality of legal practice in Nigeria. Responses to the questionnaire will be treated with the utmost confidence. Your name or personal details will be treated with the utmost confidentiality and will not appear in the dissertation, publications or oral presentations made. Information collected and back-ups of electronic data will be securely stored and be used for research purposes only. After completion of the study, data and information collected will be filed and safely locked up in cabinets for five years, following which it will be disposed of through incineration.

Please do not hesitate to contact the researcher's supervisors or the researcher should you require any additional information or clarification regarding the research. Contact details are provided below.

Sign..... Date.....

Thank you,

Victoria Lawal
Information Studies Programme,
School of Sociology and Social Studies,
Information Studies Programme,
University of KwaZulu-Natal,
Private Bag X01, Scottsville
Pietermaritzburg, 3209
South Africa.
Email: 209539667@ukzn.ac.za

APPENDIX FOUR

QUESTIONNAIRE 1
Aspirant barristers

Section 1: Demographic information:

Instructions: Please **TICK** where applicable.

1a. Gender……..M [ ] F [ ]

1b. Age group.....20-25 [ ] 26-29 [ ] 30 and above [ ]

1c. Name of Law Office/firm/organisation for Attachment……
……
1d. State……Local Government Council ……..

Section 2: Educational background:

2a. From which university did you receive your undergraduate degree?
.....
2b. Do you have any other degree? Yes [ ] No [ ]

2c. If yes indicate type of degree and year of graduation……..

Please **TICK** accordingly on a scale of 1-5
2d. How well do you think the university prepared you for law school?

1	2	3	4	5
Not at all	poorly	average	well	very well

Section 3: Skills acquired at university and level of application:
Instructions: *Please* ***TICK*** *where applicable.* You may **TICK more than one** option.

3a. In which of the following research skills do you feel you have developed proficiency as an undergraduate student?
a. Communication skills [ ]
b. Writing skills [ ]
c. Evaluative skills [ ]
d. Critical thinking skills [ ]
e. Analytical skills [ ]
f. Legal research skills [ ]
g. Problem solving skills [ ]
i. Other please specify……

3b. In which of the following research skills do you feel you have not developed proficiency as an undergraduate student? Please you may **TICK** more than one option.
a. Communication skills [ ]
b. Writing skills [ ]
c. Evaluative skills [ ]
d. Critical thinking skills [ ]
e. Analytical skills [ ]
f. Legal research skills [ ]
g. Problem solving skills [ ]
i. Please explain why ……..
……
……..
……..
……

Section 4: Perception of the importance of legal skills during** attachment **(training of aspirant barristers):

4a. Based on your current training during the attachment, please **RANK** the level of importance of the different legal skills from the key provided using the key below:
KEY: Extremely important – 5; Important – 4; Relatively important – 3; Not important – 2; Not at all important – 1.

	Extremely important	**Important**	**Relatively important**	**Not important**	**Not at all important**	**Don't know**
a. Oral and written communication skills						
b. Knowledge of substantive law						
c. Factual analysis and legal reasoning						
d. Problem solving skills						
e. Drafting legal documents						
f. Organization and management of legal work						
g. Legal research skills in using electronic and print resources						
h. Knowledge of procedural law						
i. Counselling						
l. Understanding and conducting litigation						
m. Self confidence						
n. Professional ethics						
o. Other please specify						

4b. Identify by **TICKING** the condition/situation that you think best facilitates the learning and development of the skills listed below. Please you may **TICK more than one** option.

CONDITION/ SITUATION:-	General university and law school curriculum	Moot court	Law library resource training	Observation and advice from other lawyers	Your own experience and study of the area	Current work experience from the attachment programme	Don't know
a. Oral and written communication skills							
b. Knowledge of substantive law							
c. Factual analysis and legal reasoning							
d. Problem solving skills							
e. Drafting legal documents							
f. Organization and management of legal work							
g. Legal research skills in using electronic and print resources							
h. Knowledge of procedural law							
i. Counselling							
l. Understanding and conducting litigation							
m. Self confidence							
n. Professional ethics							
o. Other please specify							

Section 5: Employment related section - experience in legal practice and task complexity in legal work:
Instructions: *Please **TICK** where applicable. You may **TICK more than one** option where applicable.*

5a. Do you have any previous working experience? Yes [ ] No [ ]

5b. If yes indicate nature of this work experience.
……
……
……

6. What area of legal practice have you been involved in during this attachment?
a. Researching and drafting reports [ ]
b. Preparation of court cases [ ]
c. Litigation [ ]
d. Legal drafting [ ]
e. Negotiation [ ]
e. Legal research using electronic databases [ ]
f. Legal research using printed resources [ ]
g. Other please specify……

7a. Describe the nature of the work you were assigned to do during the attachment.....
……
……
……

7b. Would you say that the tasks to which you were assigned to do were of:
a. Complex nature [ ]
b. Routine nature [ ]

8a. Were some tasks more complex than others? Yes [ ] No [ ]

8b. What was the most difficult aspect of the tasks?
……
……
……

8c. What was the most creative part of the tasks?
……
……
……

8d. What sources of information (print or electronic) did you use to address the difficulties experienced?
……
……
……
……

8e. What in your opinion determines the complexity of a legal task?
a. Lack of familiarity with a case [ ]
b. Complexity of applying Case law [ ]
c. Complexity of the subject matter [ ]
d. Poor legal research skills [ ]
e. Other please specify……
……
……
……

9a. Which of these adjectives best describes your feelings while handling complex legal tasks? Please you may **TICK more than one** option.

a. Anxiety [ ]
b. Frustration [ ]
c. Excitement [ ]
d. Doubt [ ]
e. Enthusiasm [ ]
f. Confusion [ ]
g. Interest [ ]
h. Skepticism [ ]
i. Challenge [ ]
j. Creativity [ ]
k. Constructiveness [ ]
l. Confidence [ ]
m. Stress [ ]
n. Other please specify……

9b. At what stage of handling a complex task did you experience these feelings?

a. Beginning [ ]
b. Middle [ ]
c End [ ]
d. All stages [ ]

10. Based on your experience during this attachment, which of the skills listed below do you consider the most important or the least important for a lawyer?

Instructions: Please **RANK** the skills in order using the key as follows: **KEY: 3 –most important t skills; 2 – least important skills; 1 - don't know; 0.**
You may **choose more than one** option.

SKILLS	Most important t skills	Least important skills	Don't know
a. Oral and written communication skills			
b. Problem solving skills			
d. Critical thinking skills			
e. Legal research skills in using electronic/print resources			
f. Client counselling skills			
g. Negotiation skills and Settling disputes			
h. Factual analysis and legal reasoning			
i. Knowledge of substantive and procedural law			
j. Legal drafting skills			
k. Other please specify			

11a. Do you intend to practice law after your call to the Bar? Yes [ ] No [ ]

11b. If your response is yes, indicate what kind of law do you intend / would you like to practice.

a. Administrative law [ ]
b. Corporate law [ ]
c. Family law [ ]
d. Labour law [ ]
e. Litigation [ ]
f. Property law [ ]
g. Criminal law [ ]

h. Public interest [ ]
i. Other please specify……

11c. If you do not intend to practice law please indicate why……
……..
……..
……..

12a. Have you been able to apply the skills you learned at the university during the attachment? Yes [ ] No [ ]

12b. Which research skill/s did you feel you lacked the most during your attachment experience?
……
……..

12c. Did you learn any additional research skills during the attachment? Yes [ ] No [ ] If yes, please elaborate.
……
……

12d. Please state below what your most useful experience during the attachment period was.
……
……
……

13. What in your opinion is the biggest difference between your educational training at the university and the professional training received at the Nigerian Law School?
.....
……
……
……

14. On a scale 1-5 how would you rate your academic performance at the Law School? Please **TICK** accordingly.

1	2	3	4	5
Poor	average	good	very good	excellent

15. Any other comments and/or suggestions? .....
……..
……..
……..
……..

Thank you,

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APPENDIX FIVE

QUESTIONNAIRE 2
Law firms

Section 1: Organizational structure:
Instructions: *Please* ***TICK*** *where applicable.*

1a. Name of the firm……
1b. Date of establishment……
1c. State……Local Government Council……..

2. How many legal practitioners are in your law firm?
a. 5 or fewer [ ]
b. 6-10 [ ]
c. 11-20 [ ]
d. 21-40 [ ]
e. 41-80 [ ]
f. 80 and above [ ]

2b. What are the areas of specialization of your law firm
a. Administrative law [ ]
b. Corporate law [ ]
c. Family law [ ]
d. Labour law [ ]
e. Litigation [ ]
f. Personal injury [ ]
g. Public interest [ ]
h. Property law [ ]
i. Tax [ ]
j. Trustees and estates [ ]
k. Other please specify……

Section 2: Information and Communication Technology (ICT):
Instructions: *Please* ***TICK*** *where applicable.*

1. Do you have a law library? Yes [ ] No [ ]

2. If yes, how many staff are employed in the library? ……

3. If no, what other means do you have of accessing legal resources?
a. State public library [ ]
b. National library [ ]
c. Court library [ ]
d. Nigerian Bar Association Library [ ]
e. Other please specify……

4. Do you have internet access? Yes [ ] No [ ]

5. Please indicate by **TICKING** from the list below the areas in which ICT is employed in the activities of your firm. You may ***TICK more than one*** *option where applicable.*

Areas of ICT activities	Yes	No	Don't know
a. Advertising			
b. Conducting legal research			
c. Drafting of legal reports			
d. International transactions and electronic business			
e. Preparation of court cases and enhancing work and professional productivity.			
f. Communicating with other law firms.			
g. Accessing state statutes amendments and national Acts			
h. Accessing the current decisions of the Supreme Court of Nigeria			
i. Access the current decisions of the High Courts in Nigeria			
j. Accessing electronic journals, books and other resources.			
k. Improving legal knowledge			
l. Sending and receiving e-mail			
m. Other please specify			
n. Not used at all			

6a. Do you subscribe to any legal electronic databases or resources ? Yes [ ] No [ ].
If you do not have ICT facilities or access to electronic resources, please go to question 7b.

6b. Which of the following local legal electronic databases are you currently subscribed to?

a. Laws of the federation of Nigeria [ ]
b. Law reports of the courts of Nigeria [ ]
c. Judgments of the Supreme Court of Nigeria [ ]
d. Constitution of the Federal Republic of Nigeria [ ]
e. Other please specify……
……..

6c. Which of the following foreign electronic databases do you subscribe to?

a. Westlaw [ ]
b. Lexis Nexis International [ ]
c. Hein Online [ ]
d. Find Law [ ]
e. Lexis Nexis Butterworths [ ]
f. Other please specify……..

6d. How has the availability of these electronic resources impacted on legal practice in your law firm?.....
.....
..... ……
……..
……..
……..

7a. What are some of the challenges you experience in accessing e-legal resources in your law firm?
a. Internet accessibility

b. Limited access to computers
c. Poor ICT skills
d. Difficulty in finding relevant legal information
e. Lack of time
f. Other please specify……
……

7b. Do you subscribe to any print or electronic journal resources and other secondary sources such as United Nations treatises? Yes [ ] No [ ]

7c. If your response is yes please list them below.
……
……
……

Section 3: Legal education and legal practice in Nigeria:
Instructions: Please **TICK** where applicable. *You may **TICK more than one** option where applicable.*
In the past few years, the Nigerian Law School has been undergoing a series of reforms which are aimed at re-structuring professional legal education and practice in Nigeria. Among other things, the main issues of concern are addressing gaps with regards to the following:

- Curriculum reform at university education and the Nigerian Law School in order to give more attention to skills-based programmes.
- The need to alter teaching methods at the university and the Nigerian Law School levels from mere note-taking exercises to full participatory learning processes.

8. Have you been aware of the current reforms by the Nigerian Law School ? Yes [ ] No [ ]

9. Do you believe that skills training at the Nigerian Law School addresses current challenges in legal practice?
Yes [ ] No [ ]

10a. What skills do you believe are most lacking among aspirant barristers?
a. Communication skills [ ]
b. Writing skills [ ]
c. Evaluative skill [ ]
d. Critical thinking skill [ ]
e. Analytical skills [ ]
f. Legal research skills [ ]
g. Problem-solving skills [ ]
h. Other please specify……...

10b. What aspects of legal skills training do you think Nigerian universities should put more emphasis on?
a. Communication skills [ ]
b. Writing skills [ ]
c. Evaluative skill [ ]
d. Critical thinking skill [ ]
e. Analytical skills [ ]
f. Legal research skills [ ]
g. Problem-solving skills [ ]
h. Other please specify…….

10c. In your opinion, what are the biggest problems as regards the legal research skills of aspirant barristers?.....……
……..
…….

11. Based on your experience in legal practice, which of the skills listed below do you consider the most important or the least important for a lawyer to have?
Instructions: Please **RANK** the skills in order as follows: **KEY: 3 –most important skills; 2 – least important skills; 1 - don't know.**
Please you may choose more than one option.

SKILLS	Most important skills	Least important skills	Don't know
a. Oral and written communication skills			
c. Problem solving skills			
d. Critical thinking skills			
e. Legal research skills in using electronic/print resources			
f. Client counselling skills			
h. Negotiation skills and settling disputes			
j. Factual analysis and legal reasoning			
k. Knowledge of substantive and procedural law			
l. Legal drafting skills			
Other please specify			

12. What is your assessment of the competence of the aspirant barristers with regard to skills efficiency and productivity in legal practice?
a. Poor [ ]
b. Average [ ]
c. Good [ ]
d. Excellent [ ]

13. In what areas of legal practice do you believe greater collaboration is needed between practicing lawyers and the Nigerian Law School? .....
……
……
……

14. Can you suggest other ways in which you believe the Nigerian Law School can provide a more meaningful learning experience for the aspirant barristers through the attachment programme? .....
……
……
…… …
……
……

15. Any other comments and/or suggestions about the skills of aspirant barristers?
……
……
……
……
……
……

Thank you,

Victoria Lawal
Information Studies Programme,
School of Sociology and Social Studies,
Information Studies Programme,
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