



### Law Reporting and Development of Nigerian Law: The Implications for Law Library Services in the Digital Age

#### Abstract

Law reporting is a crucial element in the development of Nigerian law, correcting errors in previous cases and providing references for similar future cases. It encompasses the documentation of court decisions, offering insights into case details, parties, and court divisions. This practice is integral to judicial precedent, where lower courts are bound by superior court decisions. This paper's objectives are to examine the impact of law reporting on Nigerian law's development, explore the role of vast information resources in law libraries in addressing legal challenges, and identify problems associated with law reporting. The study adopts a descriptive survey research design, with data collected through self-designed questionnaires distributed among legal practitioners. Simple random sampling technique was utilized to sample 200 respondents from three geopolitical zones in Nigeria, namely: Rivers, Anambra, and Ogun State. Hence, 600 respondents were sampled for the study. 600 questionnaires were distributed and 393 were correctly filled and returned, indicating 66% response rate. Descriptive statistics of mean score was used for data analysis. The results show that law reporting significantly influences Nigerian law's development by contributing to legal research, shaping jurisprudence, aiding legal education, and more. However, challenges like inadequate coverage, delayed publication, limited access, and quality control issues hinder its effectiveness. The conclusion highlights the pivotal role of law reporting in Nigerian law's development, promoting transparency, consistency, and access to legal information. To overcome challenges and enhance law reporting's impact, recommendations include comprehensive coverage, timely publication, improved accessibility, standardized citation formats, multilingual support, technological advancement.

**Keywords:** Law reporting, Law Libraries, Nigerians Legal System, Legal Profession

**Emmanuel Owushi**  
[emmaowushi@gmail.com](mailto:emmaowushi@gmail.com)  
Law library, Faculty of law  
University of Port Harcourt  
Port Harcourt, Nigeria

#### 1.1 Introduction

Law reporting in the recent times has proved to be an essential element and ingredient in the development of Nigerian law, as errors of previously decided cases are being corrected by virtue of new decided cases

that have similar features reported in law reports. Law reporting is the documentation of decided cases in the court for future references when such case of the same facts, issues comes again. It presents an overview of what case was all about, parties to a suit and what

transpired in a case. It also brings about the exposition of the judicial division of the court and the year the decision was made.

It is through law reporting that a fact and issues in a matter is x-rayed with the view to ascertaining whether the decision of the court was anchored on applicable principles of law. Law reporting is one of the features of English law that is adopted by the Nigerian legal system, for accurate and authoritative reports, without it the doctrine of judicial precedent couldn't have fully emerged.

Judicial precedent is the decision of the superior courts that are binding on the lower courts. To have an effective and meaningful operation of judicial precedent, there must be in existence of an acceptable hierarchical order of courts, an accessible and reliable system of law reports where the decision of the superior courts will be reported. The special feature of the practice of judicial precedent is that the lower courts are under obligation to follow previous decisions of the superior courts regardless of the perversity of such decision. Its continuous relevance lies in the effort to produce readily solution to legal problems. The importance of law reporting in the development of Nigerian law cannot be over emphasized, given that the judges, lawyers, law lecturers, students and other legal researchers rely more on law reporting in carrying out their duties.

Judges and magistrates see law reports as their companion, they are expected to make use of judicial libraries that are well stocked with law reports within their courts in order to update their knowledge on legal development. The effect of non- utilization of law reports held in the judicial libraries by judges and magistrates entails those judgments and decisions reached upon by them, may not hold, as they stand being quashed at appeal.

To the law lecturer, it is absolutely an impossible task for him to perform his duty of lecturing his students without having access to a well- stocked library. The dynamic nature of legal profession and as a course is such that a law lecturer must always avail himself the

opportunities of using resourceful law library, in order to refresh and get abreast with the emerging trends in his area of teaching. This is what he does by consulting the various law reports that are published weekly and monthly.

Again, a legal practitioner who represents his clients on cases arising from conflicts of law is duty bound to always access a well- stocked law library to update his knowledge and understanding on the points of law and facts that they are associated and related to the case(s) before him. He could only achieve this through consulting law reports to ascertain the current position of law from the previous judgments and decision from courts. In events where the lawyer or legal practitioner fails to do this, there is every probability that he may not fare well in representing his client.

From the foregoing, there is no doubt that without reliable and full reporting of cases courts will not be able to rely on precedent, as it preserves principles of law created by judges for future references. Law reports are acquired, processed and made available to judges, magistrates, lawyers, law lecturers and law students by the library for consultations.

## 1.2 Objectives of the Study

The study will be guided by the following objectives:

1. To examine the influence law reporting to the development of Nigerian law.
2. To ascertain how vast information resources in various reports in law libraries have helped in tackling the challenges in the development of Nigerian law
3. To find out the problems associated with law reporting in the development of Nigerian law.

## 2.1 Literature Review

Law reports are the engine room of legal development. They present the state of the law and not what law ought to be as could be seen in journals. As a result of their immense benefits that law libraries are heavily used. Ikegbu, Duru and Dafe (2014) submitted that it fosters

stability and enhances the development of consistent and coherent body of law, that in addition, it preserves continuity and manifest respect for the past.

Reporting of decided cases has had an immense influence on the growth and development of Nigerian law along side with the law reporting which has grown the doctrine of the binding force of judicial precedent. This is one of the features of the English law which the Nigerian legal system inherited. Powell-Smith (1971) depicted that without the law reports there could no proper doctrine of judicial precedent, for in the series of law reports precedents are to be found.

Ifebuzor (2005) remarked that law reports are veritable sources of judges – made law. The author further stated that they contain among other things, cases which introduce new principles or new rule of law, cases which materially modify an existing principle or rule of law, cases which settle or tend to settle questions upon which for any reason are peculiarity instructive as to the principle of law. Balogun (2011) documented that law reporting enables judgment to be cited and referred to as standardized form by both the bar and the bench. The author added that it makes the strength and jurisprudence of our courts open to assessment by every strata of the society.

Inegbedion (2005) remarked that law reports are an indispensable tool for both the legal practitioners and the researchers. The author maintained that it assists in advancing the course of research either for the purpose of supporting settled principles of law or as a basis for canvassing for a change in settled principles of law, or to demonstrate that the case in question does not accord with the settled principles of law. The author added that whatever the case maybe, such a position is only possible where a review of a case has been carried out.

Stressing on the importance of law reports, Ikpolor (2003) asserted that law

reports are the authentic and acceptable publications which can be referred to in judicial proceeding as veritable records of judgments delivered in superior courts of records and in this role have no alternative. The author maintained that the reports themselves and statutes that contain what the law is, while the textbooks contain what the author think is ought to be.

Tobi (2004) depicted that if books are important to the lawyers, then the law reports are not only a desideratum but also *sine qua non* to the practice of the profession. He added that it is most authentic source of current Supreme Court decisions. Ogbeide-Ihama (2003) expressed that the law reports are systematic and professional analysis of the judgment of superiors of records which identifies the proper issues that arose for determination in a case, the ratio *decidendi* or the decision of the case to view to providing an early accessible precedent in subsequent cases in similar or identical facts.

Following the utmost importance attached to law reporting by the judges, magistrates, legal lecturers, students, law libraries devote huge amount of money yearly in subscribing to various law reports both print and online such as Nigerian weekly law reports (NWLRL), all federation weekly law reports, supreme court judgments, etc. Thus, law libraries play unique and integral role in shaping the quality of a legal system at all levels by virtue of their collections and services. Ukpanah and Afolabi (2011) stressing on the importance of law reporting to lawyers and students, asserted that the vast information resources in whatever form in law libraries are of vital importance in tackling the challenges and problems of legal studies and law development, hence the increase in investment of law libraries for provision of information resources.

As repositories of legal information sources, Tuhumwire and Okello-Obura (2010) remarked that all the professions, law has the largest collection of books because a well

stocked reference law library is important to the lawyer, as well as to judge in administration of justice. The authors further added that a lawyer will always make a poor submission if he does not refer to legal authorities, and a judgment will not be rich without referring to previously decided cases, that appears in law reports. Ikegbu, Duru and Dafe, again documented that the operation of the judicial precedent depends on the availability of law reports, that law reports may, at times, be unavailable or unaffordable to both lawyers and judges. The authors depicted that in such circumstance; there may be chances of reaching wrong decisions by relying on available authorities that might even have been overruled.

It is in the light of this that Aname (2010) documented that the law library information content is the engine that runs the legal machine, vibrates and propels the legal system and energizes the legal profession. The author maintained that within the organizational environment the law library primary role is to provide the parent or establishing body resources and facilities for research, teaching and practice. The library does not just make information available, such information must be relevant to meet the needs of users if they perceive that the information available in law libraries are adequate to meet their needs as presented by Ukpanah and Afolabi (2011). From the above exposition, it is now obvious and incontrovertible that law reporting has done so much good in the development of Nigerian law. There tends to be uniformity in court decisions when decided cases are diligently reported. It is important however, to state that law reports could not go without setbacks. The issue of non-availability of most of the law reports online for easy access has made accessing most law reports difficult. The importance of law reporting cannot be overemphasized especially as it relates to the development of the Nigerian legal system within this contemporary era. It could be deduced from the above exposition

that law reporting assist in advancing the course of research either for the purpose of supporting settled principles of law or as basis for canvassing for a change in certain principle of law.

Despite its immense contribution to the development of Nigerian law there appears to be gaps in the subscription of law reports in law libraries which is as a result of poor funding. This has made it difficult for law libraries to acquire sufficient law reports for the users. In support of this claim, Bello in Haruna (2006) depicted that for long time the stocks of law libraries had not been replenished due, essentially, to lack of funds. It is as result of this Haruna (2006) expressed that the economic recession in country with its attendant problems of hyperinflation and foreign exchange rate, seems to have limited the ability of individual lawyers and law libraries to acquire needed materials for utilization. It is in light of this that Onwudinjo, Nwosu and Ugwu (2014) adumbrated that law libraries should be adequately funded to enable them to purchase the recommended core and other relevant materials if the vision and mission of establishing law libraries should be achieved.

### **3.1 Research Methodology**

The design for this study is the descriptive survey research design. The population of involved all legal practitioners who are end users of law libraries. Due to unavailability of the number of legal practitioners, simple random sampling technique was utilized to sample 200 respondents from three geopolitical zones in Nigeria, namely: Rivers, Anambra, and Ogun State. Hence, 600 respondents were sampled for the study. Self-designed questionnaire structured with Likert four-point scale was used for data collection. 600 questionnaires were distributed and 393 were correctly filled and returned, indicating 66% response rate. Descriptive statistics of mean score was used for data analysis.

**4.1 Results and Discussion**

**4.2 Influence of Law Reporting on the Development of Nigerian Law**

**Table 1: Influence of law reporting on the development of Nigerian law**

SN	ITEMS	SA	A	D	SD	X	DECISION	
1	Law reporting contributes to dissemination of legal information.	55	164	100	74	2.51	Agreed	
2	Law reporting plays important role in documentation and preservation of legal precedents in Nigeria.	67	150	95	81	2.52	Agreed	
3	Law reporting aids judges and legal practitioners to make informed decisions in legal cases.	23	214	141	15	2.62	Agreed	
4	Law reporting contributes to legal research scholarship in Nigeria.	55	213	75	50	2.69	Agreed	
5	Law report ensures the accuracy and authenticity of legal information.	50	183	75	85	2.50	Agreed	
6	Law reporting has impacted on accessibility of information to legal community.	43	175	150	25	2.60	Agreed	
7	Law reporting plays a significant role in shaping Nigerian jurisprudence.	44	185	93	71	2.51	Agreed	
8	Law reporting helps in harmonizing and standardizing legal principles across regions in Nigeria.	17	216	110	50	2.51	Agreed	
9	Law reporting contributes to legal education and training of law students in Nigeria.	21	245	100	27	2.66	Agreed	
10	Law reporting contributes to formulation of legal doctrines or principles in Nigeria.	52	194	130	17	2.72	Agreed	
						Weighted mean score	2.60	<b>High</b>

The Table 1 shows the respondents opinion on the influence of law reporting on the development of Nigerian law. From the analysis, the respondents agreed with all the items. They agreed that law reporting: contributes to dissemination of legal information with a mean score of 2.51; plays important role in documentation and preservation of legal precedents in Nigeria with 2.52; aids judges and legal practitioners to make informed decisions in legal cases with 2.62; contributes to legal research scholarship in Nigeria with 2.69; ensures the accuracy and authenticity of legal information with 2.50; has impacted on accessibility of information to legal community with 2.60; plays a significant role in shaping Nigerian jurisprudence with 2.51; helps in harmonizing and standardizing legal principles across

regions in Nigeria with 2.51; contributes to legal education and training of law students in Nigeria with 2.66; and contributes to formulation of legal doctrines or principles in Nigeria with 2.72. On the average, the items and their responses obtained a weighted mean score of 2.6 indicating high influence of law reporting on the development of Nigerian law.

As noted by Ikpolor (2003) law reports are the authentic and acceptable publications which can be referred to in judicial proceeding as veritable records of judgments delivered in superior courts of records and in this role have no alternative. Ikegbu, Duru and Dafe (2014), concluded that law reporting fosters stability and enhances the development of consistent and coherent body of law, that in addition, it preserves continuity and manifest respect for the past.

### 4.3 Roles of Law Reporting

**Table 2: Roles of law reporting in tackling the challenges in the development of Nigerian law**

SN	Law reporting aids in tackling the challenges in the development of Nigerian law through:	SA	A	D	SD	X	DECISION
1	Legal precedent establishment	190	80	66	57	3.03	Agreed
2	Promoting transparency	251	43	44	55	3.25	Agreed
3	Guidance for legal practitioners	65	204	71	53	2.72	Agreed
4	Enhancing predictability	60	230	52	51	2.76	Agreed
5	Facilitating research	31	271	40	51	2.72	Agreed
6	Supporting legal education	50	226	61	56	2.69	Agreed
7	Fostering consistency	30	285	26	52	2.75	Agreed
8	Challenging outdated precedents	12	314	17	50	2.73	Agreed
9	Advocacy and policy development	41	251	51	50	2.72	Agreed
10	Legal reform	64	180	63	86	2.56	Agreed
11	Public awareness	45	131	59	158	2.16	Disagreed
12	Catalyzing legal innovation	48	212	52	81	2.58	Agreed
13	Supporting judicial training	15	272	31	75	2.58	Agreed
14	International comparisons	41	281	21	50	2.80	Agreed
15	Professional accountability	35	196	12	150	2.30	Disagreed
Weighted mean score						2.70	<b>Agreed</b>

On the roles of law reports in tackling challenges in the development of Nigerian law, out of the 15 items of the questions, the respondents agreed with 13 and disagreed with 2. The weighted mean was obtained as 2.60 indicating that law report has a role in

addressing legal problems in Nigeria. Hence, in addressing the challenges in the development of Nigerian law, law reporting plays a multifaceted role that contributes significantly to the evolution and improvement of the legal landscape.

### 4.4 Problems Associated with Law Reporting

**Table 3: Problems associated with law reporting in the development of Nigerian law**

SN	ITEMS	SA	A	D	SD	X	DECISION
1	Inadequate coverage	37	281	56	19	2.86	Agreed
2	Delay in publication	0	243	112	37	2.52	Agreed
3	Limited access	37	168	150	37	2.52	Agreed
4	Quality control	131	225	19	19	3.19	Agreed
5	Lack of uniformity	187	206	0	0	3.48	Agreed
6	Language barrier	225	168	0	0	3.57	Agreed
7	Technological constraints	262	131	0	0	3.67	Agreed
8	Case selection bias	243	150	0	0	3.62	Agreed
9	Lack of annotations	243	131	19	0	3.57	Agreed
10	Limited scholarly engagement	94	206	37	56	2.86	Agreed

Table 3 shows the respondents responses on the problems associated with law reporting in the development of Nigerian law. All the 10 items were agreed with as follows: Inadequate coverage, law reporting in Nigeria often lacks comprehensive coverage of all court decisions, leading to gaps in the understanding of legal precedents and principles (2.86); delay in publication, delays in publishing law reports can result in outdated information and hinder legal practitioners' access to recent court decisions (2.52); limited access, law reports may not be widely accessible due to issues such as cost, availability, and restricted distribution, limiting their impact on legal professionals and the public (2.52); quality control, inaccurate or incomplete reporting can lead to misunderstandings of legal principles and the misapplication of laws by legal professionals (3.19); lack of uniformity, different law reporting bodies may adopt varying citation formats and editorial standards, causing confusion and inconsistency in legal references (3.48);

Again, language barrier, some court decisions may be issued in local languages, making it challenging for legal researchers and practitioners who are not familiar with those languages (3.57); technological constraints, limited digital infrastructure and internet access can hinder the efficient dissemination of law reports and restrict their availability online (3.67); case selection bias, law reporting bodies may prioritize high-profile or landmark cases, leading to an underrepresentation of less-publicized but equally important legal decisions (3.62); lack of annotations, annotations that provide context, analysis, and cross-references to related cases are often missing, making it harder to understand the significance of court decisions (3.57); and limited scholarly engagement, insufficient scholarly engagement with law reports can result in a lack of critical analyses, hindering the identification of legal trends and gaps that

require attention (2.86). Therefore, addressing these problems is essential for ensuring the effectiveness of law reporting in the development of Nigerian law and promoting a more transparent, accessible, and consistent legal system.

### **Conclusion**

Law reporting plays a pivotal role in the development of Nigerian law. It serves as a repository of legal knowledge, ensuring that court decisions are documented, preserved, and made accessible for future reference. This practice not only fosters stability and consistency within the legal system but also enhances transparency, accountability, and the dissemination of legal information. Law reporting's influence on Nigerian law is multifaceted. It contributes significantly to the establishment of legal precedents, guiding legal practitioners, and promoting transparency by making court decisions accessible. It supports legal education, aids research, and facilitates the formulation of legal doctrines. Additionally, law reporting ensures that legal principles are harmonized across regions, promoting a unified legal landscape in the country.

However, the practice of law reporting is not without challenges. Inadequate coverage, delays in publication, limited access, quality control issues, lack of uniformity in citation formats, language barriers, technological constraints, case selection biases, lack of annotations, and limited scholarly engagement are some of the problems associated with law reporting. These challenges can hinder the effectiveness of law reporting in addressing legal issues and contributing to the development of Nigerian law.

### **Recommendations**

To harness the full potential of law reporting in the development of Nigerian law and to address the identified challenges, the following recommendations are proposed:

1. **Comprehensive Coverage:** Law reporting bodies should strive for comprehensive coverage of court decisions, ensuring that all significant cases are reported to avoid gaps in legal precedents.
2. **Timely Publication:** Efforts should be made to expedite the publication of law reports to provide legal professionals with up-to-date information for informed decision-making.
3. **Enhanced Accessibility:** Measures should be taken to improve the accessibility of law reports, including addressing issues of cost, availability, and distribution. Digital platforms can be utilized to make law reports more accessible online.
4. **Quality Control:** Law reporting bodies should maintain rigorous quality control measures to ensure the accuracy and completeness of reported cases, thereby avoiding misunderstandings and misapplications of legal principles.
5. **Uniform Citation Formats:** Standardized citation formats and editorial standards should be adopted to promote consistency and clarity in legal references.
6. **Multilingual Support:** In cases where court decisions are issued in local languages, efforts should be made to provide accurate translations to bridge language barriers.
7. **Technological Advancement:** Investments in digital infrastructure should be made to overcome technological constraints, allowing for efficient dissemination of law reports through online platforms.
8. **Balanced Case Selection:** Law reporting bodies should strive for a balanced selection of cases, representing both high-profile and less-publicized decisions, to ensure a comprehensive legal database.
9. **Annotations and Analysis:** Law reports should include annotations that provide context, analysis, and cross-references to related cases, enhancing the understanding of legal decisions.
10. **Scholarly Engagement:** Encouraging

scholarly engagement with law reports through critical analyses and research can lead to the identification of legal trends and gaps, fostering a more informed legal community.

By addressing these recommendations, the Nigerian legal system can better harness the power of law reporting to enhance its development, transparency, and effectiveness, ultimately contributing to a more just and consistent legal landscape.

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