

THE ADOPTION OF ICT IN REVISING AND DISSEMINATING THE LAWS OF FIJI

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Abstract: This research looks to determine the recommended implementation plan for the Revision & Dissemination of Laws of Fiji from Comparative Case Study of Government Law agencies in Fiji, New Zealand & Australia. The research will mainly focus on the “Adoption and Use of Information Communications Technology” to assist the Law Revision Commission of Fiji in the Consolidation, Amendments, Revision, and Dissemination of the Laws of Fiji. For the first time ever, the Revision of the Laws of Fiji are being done in “digital/electronic” format using the Information Technology platform as compared to the previous “paper-based manual revisions”.

The research study will look at information technology as the efficient and effective “facilitator” and “enabler” of the Law Revision Process that would have otherwise cost the tax payers of Fiji hundreds of thousands of dollars and taken several years to complete. Therefore, the research, after critically analysing the above, would endeavour to recommend an improved and adapted best practice of Using Information Technology to Revise and Disseminate the Laws of Fiji that can be used by future Law Revision Commissions in Fiji as well as other jurisdictions in the South Pacific and lay the foundation for future study and research in such area.

The research study will also look at the “value added services” that the use of information technology can bring to the stakeholders in the form of the Law Revision Commission’s Web Site that will contain the Revised and Updated Laws of Fiji, as well as the Revised Laws of Fiji Database on CD/DVD ROM using the “Book on CD Concept”. The Role of Internet is critical for the Dissemination of Laws of Fiji given the geographical separation of its islands and the isolation of its citizens from the mainland. Proper and effective use of Information Communications Technology is crucial to the delivery of the Revised Laws of Fiji, while automating it at the same time. It will also make the Laws of Fiji accessible to anyone in a simplified user friendly format anywhere in the world in the most cost effective manner.

Keywords: Internet Use for Legislation; e-Governance; Laws via the Internet; Computing for Legislation; Knowledge Management Systems and Legislations; e-Government Services; ICT and Law Revision; Automating Law Revision; Knowledge Management Systems

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1. INTRODUCTION

The practice of law, the products and applications of information and communication technologies, such as intranet infrastructures; document, content and case management systems; workflow management systems; artificial intelligence technologies; and business intelligence tools are becoming increasingly important means of communication, of information distribution, and of sharing knowledge within jurisdictions. Information technology can be applied and used to convert all information pertaining to Laws of a Country into a knowledge management database. The knowledge management database can then be used by legal practitioners and other stakeholders who need instant access to such information on acts, laws, and legislations.

Fiji comprises of more than 300 individual islands and its populace is scattered all over these islands and they are geographically separated by the sea. The links between these islands are either through the air or the sea infrastructure. Only the major islands have airports to enable air travel, which is quite expensive given the distances between the islands. The others are dependent on travel via sea using boats and can only travel when good weather conditions prevail. With the use of e-Governance, we are able to take the required information to these islands and provide to the people what they need, rather than them travelling to the capital city. Using the Internet has enabled us to provide the Revised Laws of Fiji to these scattered islands in Fiji.

Therefore, the research, after critically analysing the above, would endeavour to recommend an improved and adapted best practice of Using ICT to Revise and Disseminate the Laws of Fiji that can be used by future Law Revision Commissions in Fiji as well as other jurisdictions in the South Pacific and lay the foundation for future study and research in such area. The research study will also look at the “value added services” that the use of ICT can bring to the stakeholders in the form of the Law Revision Commission’s Web Site that will contain the Revised and Updated Laws of Fiji, as well as the Revised Laws of Fiji Database on CD/DVD ROM using the “Book on CD Concept”. It will also make the Laws of Fiji accessible to anyone in a simplified user friendly format anywhere in the world in the most cost effective manner.

There is a critical need for using information technology to manage all the information needs and accessibility to the content of laws. The use of knowledge management databases and electronic access to the laws of a country provides a competitive edge to the legal practitioners, and in particular law firm profitability. The use of information technology by Law Firms and Attorney Generals has provided them with an indispensable and inseparable tool.

2. LITERATURE REVIEW

(Biagioli, 2002) objective is to create a complex computer program that is made up of a group of IT tools for legislative drafting that are centered on an experimental XML editor conceived not only for assisting the drafting of new laws, but also for the revision and reclamation of pre-existing laws. Biagioli is responsible to The Italian National Research Council’s Institute of Legal Information Theory and Techniques [ITTIG] <<http://www.ittig.cnr.it>>. The complex software will operate in the context of the standards (XML, DTD, URN, DOM, etc.) that has been adopted by the nation wide “Laws On Line” project. Provisionally developed on an XML editor, so as to be able to make

use of text management and the XML standard, it allows the singling out and experimentation of methods that can at a later stage be transferred to a final product that is no longer tied to a pre-existing commercial software package.

In 2002, Biagioli, produced a prototype software for the author and reviser of legal documents and texts that hinges on a video-scripting program with the possibility of directly or indirectly using a variety of IT tools whilst revising and drafting is in process. He later held a “JURIX Workshop on e-Government” on the above research in December 2002 and published his findings in an academic research titled “An XML Editor for Legislative Drafting”. This proficiency has recently been confirmed by the Conference of Regional Prime Ministers and by the “Laws On Line” Project promoted by the Italian Justice Ministry, which have, amongst other things, charged the Institute with the creation of a drafting and revising that is integrated with national and international computing – documentary standards.

(Terrett, 1998) in his research paper titled “Knowledge Management and the Law Firm” seeks to redress the imbalance between information and technology by examining the models of knowledge management with the reference to the Law Firm. It emphasises the critical need for using information technology to manage all the information needs and accessibility to the content of laws. The use of knowledge management databases and electronic access to the laws of a country provides a competitive edge to the legal practitioners, and in particular law firm profitability. The use of information technology by Law Firms and Attorney Generals has provided them with an indispensable and inseparable tool. In order for these IT tools to be used more effectively and efficiently, the management of the IT infrastructure, hardware, software, other peripherals, and more importantly the management of IT staff is critically important.

Information Technology and human resource oriented management tools can be integrated using their respective strengths to enable knowledge production (Koch, 2003). This research paper discusses how information technology can be applied and used to convert all information pertaining to Laws of a Country into a knowledge management database. The knowledge management database can then be used by legal practitioners and other stakeholders who need instant access to such information on acts, laws, and legislations. Knowledge management strategies encompass a strong IT component with organisation and training for successful knowledge management production.

Plessis & Toit (2006) looks into the practice of law, the products and applications of information and communication technologies, such as intranet infrastructures; document, content and case management systems; workflow management systems; artificial intelligence technologies; and business intelligence tools that are becoming increasingly important means of communication, of information distribution, and of sharing knowledge. The process of electronic or digital legal research and seeks answers to some questions with regard to the skills that lawyers, who are successful legal researchers in the print information environment, possibly will need to also be successful researchers in a digital information environment.

According to (Junnarkar & Brown, 1997), Information Technology is an “enabler” of Knowledge Management. The critical role that information technology plays to “facilitate” the conversion of information into knowledge for Law Firms can not be ignored. They argue that IT tools are necessary and knowledge management requires an understanding of knowledge creation at individual level. Junnarkar and Brown, 1997 assess the organisational IT role in terms of: mechanisms to facilitate knowledge creation; the information sources organisation decision makers’ use; and the sense making activities to support innovation.

A research paper titled “Determinants of Knowledge Management Technology Projects in Australian Law Firms” written by Gottschalk & Khandelwal (2003) looks at Information Technology support for Knowledge Management and classifies knowledge management technology projects into four categories. The first category of projects is concerned with end user tools that are made available to knowledge workers, the second category is information about who knows what, the third category is information from knowledge workers, and the final category is information systems solving knowledge problems. The paper reports results from an empirical study of law firms in Australia. Discriminant analysis indicates that firm size in terms of number of lawyers and IT department size in terms of number of IT personnel are significant determinants of category of knowledge management technology projects in each firm.

According to Henize (1981), the developments and continuing rapid advances in computer and communications technologies, together with the associated drastic decline in the cost of computation and of information processing have had a major impact on the organisations and their work. This impact can be expected to exert an at least equivalent if not greater influence in the future. The Impact of the Use of Information Technology on the Revision and Dissemination of the Laws in Fiji will be researched, evaluated, analysed and reported.

Ang & Pavri (1994) reviewed and critiqued the Impact of Information Technology at the societal, the organisational, and the individual level. The sociotechnical and the economic perspectives have been used to discuss impacts of IT at the societal level, while the sociotechnical and the strategic perspectives have been at the organizational level. A sociotechnical analysis of IT impacts is conducted at the individual level. The paper concludes with a discussion on the need for a plurality of perspectives in IT impact research.

Johannessen, (1994) identifies critical innovation factors (CIF) linked to information technology (IT). First, he identifies the various trends in research and how they relate to each other in terms of IT and organizational change processes. Then he identifies and discusses five elements regarded as crucial for the relation between IT and innovation. These are: the change agent's role, organizational culture, management style, the market, co-ordination and service. For each of these elements, CIF is identified in relation to IT. He concludes by systematizing the various CIF in relation to the five elements in a coherent framework.

Nasatir, M. & Nasatir, D. (1982) researched on “The Impact of Information Technology on Public Access to Social Science Databases” They examined four trends in American society and their impact on public libraries, librarians and public access to information. The trends examined include: the rapid increase in the availability of microcomputers; the existence of a telecommunications network; the tendency for more information to appear in machine-readable form; and an increase in the number of individuals familiar with and inclined to utilize machine-readable data files.

Knowledge management was introduced to law firms to help create, share, and use knowledge more effectively. Information technology can play an important role in successful knowledge management initiatives. Gottschalk (2002), in his paper, stated that information technology support for knowledge management is linked to stages of growth. A model of growth stages is proposed consisting of four stages. The first stage is end-user tools that are made available to knowledge workers, the second stage is information about who knows, the third stage is information from knowledge workers, and the final stage is information systems solving knowledge problems. The model can be used to empirically assess the growth stage of law firms as well as indicate future evolution of law firms in the area of knowledge management technology.

3. CONTRIBUTION OF ICT TOWARDS LAW REVISION

Legimatics: Computing for Legislation is used by The Institute of Legal Information Theory and Techniques to Revise and Draft Laws for the Italian Government. Biagioli & Mercatali (2002) research with Legimatics and skills developed in this field have permitted the Institute to produce and make available to those institutions that are interested, two computing tools for assistance in the drafting of legal texts:

1. "IPERINFLEX" – Hypertextual Manual: Rules and Regulations for the Drafting of Normative Texts and Other Information on Legislative Technique, edited by Biagioli and Mercatali (C.T.I., Florence, 1998)
2. "LEXEDIT" – Software for Assessing the Drafting of Legislative Texts, by Biagioli and Mercatali (C.T.I., Florence, 1998)

Hocking, L. (1998) scrutinised the Tasmanian Legislative System Project for the Tasmanian State Service of Australia. The Legislation System Project (LSP) is an information systems development project designed to improve the efficiency and effectiveness of the legislation production process by providing a computerised drafting environment, document tracking and the automatic consolidation of amendments. Hocking (1998) discusses the implementation of the system in relation to the legislation production process and concludes that the system may have a great impact on the drafting of legislation. Procedures for producing legislation that utilise computerised information technology could theoretically be quite different from ones that do not. The production of legislation is the focus for a major systems development project in the Tasmanian State Service. The Legislation System Project (LSP) aims to improve the efficiency and effectiveness of the legislation production process as it occurs outside parliament. It plans to do so by providing drafters with computerised tools for legislation, a document tracking system and automatic consolidation of amendments to legislation. Her paper outlines the impetus and goals of the system and predicts the probable impacts of the system on the legislative production process. It illustrates the constraints political processes place on the development of technological systems as well as the constraints technology places on the political processes.

The goal is to Use Information Technology to improve the two key factors: 1). Service as perceived by the customer, and; 2). Cost Effectiveness. Jackson & Humble (1994) examined ways in which the Information Technology function can be more responsive to its customers in their research paper titled "Service Excellence – The Role of Information Technology". The IT function has been actively involved in helping organizations deliver service excellence. A recent survey carried out by the Centre for Service Excellence shows that 72 per cent of business executives believe IT has contributed to delivering good service, with 96 per cent anticipating a positive contribution in the next five years.

Boer & Winkels (2006) based at the Leibniz Center for Law at the University of Amsterdam in their research paper titled "Standardisation of Legal Knowledge" looked at two aspects of electronic legislation: the documents themselves and their metadata, and what they mean. They introduced two standard proposals dealing with these aspects in a coherent way: MetaLex XML and the Legal Knowledge Interchange format (LKIF). MetaLex is a generic and extensible framework for the XML encoding of the structure of, and metadata about, documents that function as a source of law. It aims to be jurisdiction- and language-neutral, and is based on modern publishing concepts like XSLT-based transformation pipelines and emerging Semantic Web standards like RDF and OWL. Publication of legislation, and the development of tools for working with legislation, is at the moment still a jurisdiction-specific enterprise. A standard covering all user requirements of European legislators and their publishers is unlikely to change this fact, because legal systems – and therefore the context of production and use are different. What is required is a

jurisdiction-independent XML standard that can be used for exchange, but also – more importantly – as a platform for development of generic legal software.

Boer & Winkels (2006) argues that for vendors of legal software this opens up new markets, and for the institutional consumers of legislation in XML it solves an acute problem: how to handle different XML formats in the same IT infrastructure. Increasing legal convergence between governments in the European Union, and the growing importance of traffic of people, services, goods, and money over borders of jurisdictions has led to an increased need for managing legislation from different sources in the same IT infrastructure, even in public bodies and courts. EU tax administrations for instance need access to all VAT regimes of other member countries to correctly apply EU law, and civil courts may for instance be confronted with the need to understand foreign law on labour contracts to decide on cases involving employees with a foreign labour contract.

Avgerou, C. (2001) looks at the significance of information systems and organisational change and change management in the following context. It is of crucial importance that information systems research and practice associates technology innovation with the context within which it is embedded. It identifies three principles to be followed in order to address the contextual processes involved in information systems implementation: first, technology innovation should be considered in relation to socio-organisational change; second, analysis should consider not only the local organisational, but also the national and international context; and third, analysis should consider both the technical and rational decisions and actions involved in the innovation process and the cultural, social and cognitive forces of such a process.

4. THEORETICAL FRAMEWORK

The theoretical framework of my research looks at three (3) different research models. The three (3) models: 1. e-Government Model; 2. Change Management Model; and 3. Knowledge Management Systems [KMS] Application in Small and Medium Enterprise [SME] Organisations Model will be investigated to see the ICT opportunities that can be exploited to solve the problems and challenges faced by Fiji's Law Revision project.

Theoretical Framework of the Research

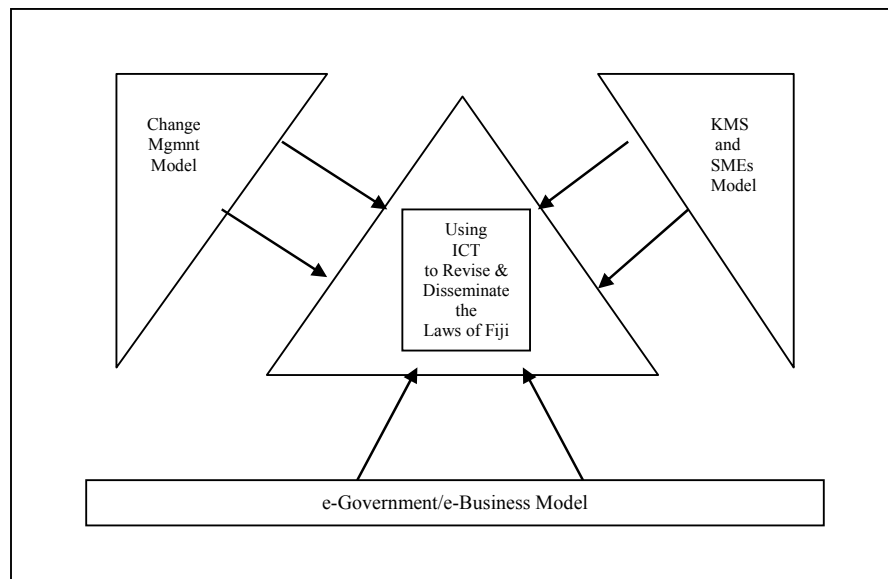


Figure 1: The 3 Different Models Used to Investigate the Research

4.1 Research Model 1: e-Government/e-Business Model

E-government is now a central theme in information society at all levels: local, national, regional and even global. It can be defined as a transformation of public-sector internal and external relationships through use of information and communication technology (ICT) to promote greater accountability of the Government, increase efficiency and cost-effectiveness and create greater constituency participation. Fiji has started to engage in e-government, as they provide cost-effective government information via Web sites and Fiji has already developed a national e-government strategy.

The adoption of ICT and Internet has transformed the Fiji Law Revision Commission into an e-Business entity and the services provided via its web site on the Internet to its citizens have created an e-Government portal.

The following question will be investigated under this model:

Research Question 1: Benefits and Barriers of Using the e-Government Model for the Fiji Law Revision project.

4.2 Research Model 2: Change Management Model

Change Management is a structured approach to transitioning individuals, teams, and organizations from a current state to a desired future state. The current definition of Change Management includes both organizational change management processes and individual change management models, which together are used to manage the people side of change.

Change Management also is an ICT Service Management discipline. The objective of Change Management in this context is to ensure that standardized methods and procedures are used for efficient and prompt handling of all changes to controlled IT infrastructure, in order to minimize the number and impact of any related incidents upon service. Changes in the IT infrastructure may arise reactively in response to problems or externally imposed requirements, e.g. legislative changes, or proactively from seeking imposed efficiency and effectiveness or to enable or reflect business initiatives, or from programs, projects or service improvement initiatives. Change Management can ensure standardized methods, processes and procedures are used for all changes, facilitate efficient and prompt handling of all changes, and maintain the proper balance between the need for change and the potential detrimental impact of changes.

Using ICT to Revise the Laws of Fiji and the adoption of Internet and Disseminate the Laws of Fiji has mandated the Fiji Law Revision organisation to under go a change. The adoption of ICT has changed the work processes, job flow and job skill requirements. Change Management has become a major component of the activities under taken by the Fiji Law Revision project in order to successfully Revise and Disseminate the Laws of Fiji.

The following question will be addressed under this model:

Research Question 2: What are the facilitators and inhibitors of successful change within the Fiji Law Revision Commission?

4.3 Research Model 3: Knowledge Management Systems Application in SME Organisations Model

Knowledge Management System [KMS] refers to an IT based system for managing knowledge in organizations, supporting creation, capture, storage and dissemination of information. The idea of a KMS is to enable employees to have ready access to the organization's based documented of facts, sources of information, and solutions. Sharing information organization wide can lead to more effective decision making and it could also lead to ideas for new or improved products and processes.

Small and Medium Enterprises [SMEs] are companies whose headcount or turnover falls below certain limits. The abbreviation SME occurs commonly in the European Union and in international organizations, such as the World Bank, the United Nations and the WTO. The term Small and Medium Enterprises is predominantly used in Fiji to refer to business or organisations that employ less than a hundred [100] people. The Fiji Law Revision commission falls under the SME category.

Most governments have policies to encourage the growth of local small and medium-enterprises (SMEs) because they can help alleviate poverty by increasing income levels and creating jobs. As the global economy becomes increasingly reliant on information communication technologies (ICTs) to receive, process, and send out information, SMEs in developing countries should not be left behind. Otherwise, they will lose out on opportunities to integrate into the global supply chain, bid for outsourcing businesses, and increase productivity. Three main ways in which the application of KMS can benefit SMEs: (1) increase productivity in the production process; (2) increase efficiency of internal business operations; and (3) connect SMEs more easily and cheaply to external contacts, whether locally or globally.

The following question will be investigated under this model:

Research Question 3: How does Knowledge Management Systems apply to an SME like the Fiji Law Revision?

5. METHODOLOGY

The research is to define the technology, define the context of change, define the processes for implementation, and to assess the perceived impact of the change. The assessment will include a survey of stakeholders representing the different roles in the implementation and also a cost-benefit analysis of the digital option in comparison with the traditional manual system.

The research is to initially focus on publicly available documents that support the implementation of Law Revisions in Fiji. A survey is then proposed of the various stakeholders to gain data that can be used to evaluate the impact of the reforms.

The Document analysis will proceed by first collecting or reading the paper trail that starts with the Government's Law Revision Commission and then through to the ICT implementation documentation. From this analysis the local context of study will be established and the technology defined. In addition the literature review of other jurisdictions that have undertaken law reform from manual to digital systems will provide the global context of study.

Multiple case study appears to be the most appropriate method for this research. It embraces suitable techniques for content analysis: Questionnaires, Structured & Unstructured/Open-Ended Interview Questionnaires. Statistical and content analysis for identifying ideas. It will also involve:

- i). A pilot survey on the local case organisation.
- ii). Structured and Unstructured interviews on the 3 regional cases

The survey will proceed by first validating a questionnaire through pilot cycles with experts and then presentation to approximately 250 people who hold the different roles within Fiji's Law jurisdictions. The data will be analysed by using SPSS software and identifying weighted relationships. The findings can then be explained in terms of the theoretical framework developed in Chapter 2 and Chapter 3. Data collection with the use of questionnaires will be done in the Office of the Attorney General, Ministry of Justice, Director of Public Prosecutions Office, the Magistrates Courts and High Courts in Fiji, Magistrates and Judges, Government and Private Legal Practitioners, Private Law Firms and other related roles.

As a researcher for my proposed research topic, I will rely on and collect primary data that is specific to my research. There will be a scope and limitations to the type of data that I will manage to collect because it will be specific to my research objective requirements. At the moment, I have not come across any secondary data for my research, although, my literature review is based on similar work, but in a different context.

6. RESULTS [EXPECTED]

As the research is still in progress, I would not be able to make to conclusively state the outcomes of the research. When I started working as the IT Manager/Project Manager with the Attorney General's Law Revision Project about four (4) years ago, I got intrigued by the critical impact that the use of information communications technology was having on the Law Revision process – this was the inspiration for starting on this PhD research. Law Revision typically had been the legal practitioners, particularly the legislative draftsmen's domain, but with the use of the ICT platform this time, it was not. All the legislative draftsmen and legal officers involved in the project relied critically on ICT to get their work done.

Requests from other sections within the Office of the Attorney General's started flooding to my Office once they saw the potential benefits of ICT, especially in the digitization process and office automation. Now almost all cases and other legal documents have been digitized and are available on the Server for all the legal officers of the Attorney General. Now, the legal officers do not leave their desks to go to the Library to research for their cases, they do it in the comfort of their offices. All our accounting and administrative processes have been automated as well. Now information is available at a "click on the mouse" and all our stakeholders are satisfied.

Research by (Selig & Nipper, 1991) reveals the strategic impact that information technology has on organisations. They argue that "to provide the organisational capacity to adopt information communications technology successfully, a partnership between technology and stakeholders must be established. The impact that the use of information communications technology provides with Law Revision is obvious with the progress that we have made. Twelve (12) months into the Project, we were able to complete more than fifty percent (50%) of the Law Revision Project. According to (Junnarkar & Brown, 1997), Information Communications Technology is an "enabler" of Knowledge Management. The critical role that information technology plays to "facilitate" the conversion of information into knowledge for Law Firms can not be ignored.

According to Henize (1981), the developments and continuing rapid advances in computer and communications technologies, together with the associated drastic decline in the cost of computation and of information processing have had a major impact on the organisations and their work. This impact can be expected to exert an at least equivalent if not greater influence in the future. The Role of ICT on the Revision and Dissemination of the Laws in Fiji is being researched, evaluated, analysed and reported. Ang & Pavri (1994) reviewed and critiqued the Impact of Information Communications Technology at the societal, the organisational, and the individual level. The sociotechnical and the economic perspectives have been used to discuss impacts of IT at the societal level, while the sociotechnical and the strategic perspectives have been at the organizational level. A sociotechnical analysis of IT impacts is conducted at the individual level.

However, as the IT Manager/Project Manager of Fiji's Law Revision Project since its inception in 2005, I have been recording and reporting. I can state the following according to my observations and records over the last four (4) years:

6.1 What Impact has the Use of Information Communications Technology brought to the Revision of Laws of Fiji?

The Law Revision Process that took place in Fiji twenty three (23) years ago was outsourced to a Law Firm from London. It took them five (5) years to complete the Law Revision Process and they produced 14 Volumes of over 10,000 pages of "Laws of Fiji – 1985 Revised Edition. It is more than 20 years down the line now – just imagine how many laws must be there to revise? No one has kept a track of it. The Land Transport Authority, a complete new authority came into effect with all its legislations as well as many other new ministries, departments, and statutory bodies. We have had four (4) coups, resulting in enactment of hundreds of acts, repealing of acts, introduction of legislations, subsidiary legislations, amendments and proclamation of decrees and abolishment of decrees.

6.1.1. In terms of Cost of Revising the Laws of Fiji

Figures or estimates on how much was the previous "Laws of Fiji – 1985 Revised Edition" cost is not available because of Fiji Governments poor archival of records mechanism and the fact that the record is more than twenty (20) years old. But I am sure that that this time around, with my Law Revision Project Team and ICT the cost is around twenty five (25%) of what it should have been. A simple way of illustrating or computing that is looking at the time frame we took to completely revise the Laws of Fiji. We were able to revise the Laws of Fiji in a record time of three (3) years as compared to the five (5) years that took for the 1985 Edition. And our Law Revision Process took into consideration twenty (20) years of Law Revision Exercise and four (4) coups.

6.1.2. In terms of Ease of Revising the Laws of Fiji

According to our Law Revision Commissioner who was involved with previous Law Revision Exercise - the Law Revision process this time around was not difficult at all with the adoption of ICT to Revise the Laws of Fiji. All the Laws that were to be revised was first converted to Microsoft Word format and then passed onto the Legislative draughtsmen, who would do the revision on their computer screens and pass it on to the IT Manager. Similar sentiments were shared by the IT Advisor/Consultant of the Law Revision Project who has revised laws in many other countries.

6.1.3. In terms of Time taken for Revising the Laws of Fiji

It took only three (3) years to Revise the Laws of Fiji with the use of the ICT platform. When doing the feasibility study for the Law Revision Project, it was envisaged that the next Law Revision exercise could take more than ten (10) years if based on the traditional manual Law Revision process, due to the fact that more than 20 years of Laws are to be revised, and that four (4) coups have taken place to further compound and elongate the Law Revision exercise. The Revised Edition of Laws of Fiji Act 6 of the Parliament of Fiji states that the recommended interval to revise the Laws of Fiji should be at the interval of every five (5) years. We would end up in ever “catching up” situation in Revising the Laws of Fiji if ICT was not adopted. And we have done it in a record time of three (3) years.

6.2 What Impact has the use of Internet / [ICT] brought to the Dissemination of the Laws of Fiji?

The Revised Laws of Fiji 1985 Edition commonly known as the Laws of Fiji has only been available as 14 Volumes of 9 centimetres thick black spiral-binded hard cover copies. These 14 Volumes have been printed by the Fiji Government’s Printer and is sold for around \$1500 Fijian Dollars and would require a shelf size of 140 centimetres in length and 30 centimetres in height for storage. Therefore the availability and dissemination of the Laws of Fiji is only possible with the purchase of the 14 Volumes of Laws of Fiji or getting access to it via some one who has already bought them.

With the use of Internet, we are going to publish the Revised Laws of Fiji to the Law Revision Commission’s Web Site. Once that happens, then the citizens of Fiji and anyone anywhere in the world would be able to gain access to the Laws of Fiji through the Web Site. The Dissemination of the Laws of Fiji through its Internet Web Site seems the most ideal way to reach as many people as possible given the penetration of Internet connections in Fiji. Anyone, from any part of the world can gain access to the current Laws of Fiji just with a click of a mouse and the costs are as negligible to many users according to their point of access.

6.2.1 In terms of “accessibility” to the Laws of Fiji to its citizens with the Use of the Internet.

Anyone from any where in the world would be able to get access to the current Laws of Fiji on the Web Site as long as they have an Internet connection. This was not possible with the traditional 14 Volumes of hard cover version. Therefore in terms of “accessibility” to the Laws of Fiji, the Use of Internet and adoption of ICT has made the Laws of Fiji virtually available to everyone and anyone. Never before such a broad accessibility was possible.

6.2.2 In terms of “understandability” of the Laws of Fiji by its citizens with the availability of “user friendly” format of the Laws of Fiji on its Web Site.

It has been the intention of the Law Revision Project team to simplify the format of the Laws of Fiji so that it is understood by everyone regardless of them having a legal background or not. Many Latin words and archaic terms that existed in the 1985 Edition have been removed or revised so that the Laws of Fiji can be read and understood by any layman. Terminologies and syntax that existed from the British Colonial era have been revised and replaced with the terminologies and syntax that currently exist. Additionally, the complex legal sentence structures and clauses, act, and legislations have been broken down to simple English sentences for understanding by everyone.

6.2.3. In terms of the “availability” of current Laws of Fiji for reliability and relevance for its citizens.

With the use of the Internet and adoption of ICT, all the current Laws of Fiji would be made available on the Web Site. At the moment, legal practitioners and other stake holders have to carry out an exhaustive search to determine what the most current acts or legislation is, before using it in the Courts of Fiji. Individual ministries, departments, statutory bodies and the Parliament of Fiji revise, amend, update, abolish or establish new bills, which is then passed as an Act of Parliament and subsequently becomes one of the Laws of Fiji. With the Law Revision Project, we have consolidated and indexed all the Laws of Fiji from all stake holders and make it available from our “one stop shop” Web Site.

7. CONCLUSION

The adoption of Information Communications Technology is critical for the Revision of the Laws of Fiji. Equally important is the Use of the Internet Infrastructures and the Web Site for the Dissemination of the Laws of Fiji. The adoption of Information Communications Technology has been the most efficient and effective “facilitator” and “enabler” of the Law Revision Process that would have otherwise cost the tax payers of Fiji hundreds of thousands of dollars and taken several years to complete. The Use of the Internet has enabled the Revised Laws of Fiji to be disseminated to virtually anyone anywhere in the world who has access to the Internet. Such Dissemination provides the Revised Laws of Fiji at a very negligible cost to the stakeholders and provides 24/7 [24 hours a day/7 days a week] availability and accessibility.

Fiji, comprises of more than 300 individual islands and its populace is scattered all over these islands and they are geographically separated by the sea. The links between these islands are either through the air or the sea infrastructure. Only the major islands have airports to enable air travel, which is quite expensive given the distances between the islands and the rising cost of fuel. The others are dependent on travel via sea using boats and can only travel when good weather conditions prevail, and these good weather conditions are very rare.

With the use of e-Governance, supplemented by Internet and ICT, we are able to take the required information pertaining to the Laws of Fiji to these remote geographically isolated islands and provide to the people what they need at their location, rather than them travelling to the capital city or urban centres. Using the Internet has enabled us to provide the Revised Laws of Fiji to these scattered islands in Fiji. The Law Revision Project with the aid of ICT has also “added value to services” that we can provide to our stakeholders and enhanced the ways in which our stakeholders can fully exploit the services that we have built into the Revised Laws of Fiji Database on CD/DVD ROM using the “Book on CD Concept”

The adoption of Information Communications Technology has brought a lot of benefits to Fiji’s Law Revision Project. Some of the benefits are: the reduction in the cost of the Law Revision Project by 75%, the ease with which the Law Revision exercise was carried out, the Law Revision Project being completed in a record time of three (3) years, the 24/7 accessibility of the Laws of Fiji, the availability of the Laws of Fiji in user-friendly format, and the availability of the current, reliable and relevant Laws of Fiji.

The adoption of Information Communications Technology by the Law Revision Project and the Dissemination of the Laws of Fiji using Internet Technology, and future Revision of Laws in Fiji using Information Communications Technology needs to be documented as a very important and critical exercise for the Office of the Attorney General of Fiji and the Government of Fiji. There is a need to analyse and document Fiji’s Law Revision Project via a research thesis so that the best practices can be adopted for future Law Revisions. This will be accomplished with the successful

completion of the research. This research will also set the foundation for future research into the area of adopting ICT for Law Revision for the South Pacific region.

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