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## Management and Utilisation of Judicial Records in Federal High Courts in Northwestern States of Nigeria

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### Abstract

This study investigates the Management and Utilisation of Judicial Records in Federal High Courts in the North Western States of Nigeria. The objective of the study is to determine how judicial records are organised and preserved in relation to their accessibility and effective utilisation by judicial officers. Qualitative research methodology is used for the study; interview and observation is the only instrument used for data collection. Four judges and four litigation officers were purposively selected from the four Federal High Courts in the zone for this study. The findings of the study show that there are different types of judicial records, which include case files, registers and cause books. Judicial records are organised according to subject matter and arranged in chronological order. The major problems associated with the utilisation of the records by judicial officers include lack of adequate and continuous power supply, minimal ICT facilities, space and preservation facilities in all the courts studied. Recommendations made include the need for digitalisation of judicial records, formulation of standard records preservation policy, and provision of storage facilities including electronic storage devices.

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## 1. Introduction

The judiciary as an institution comprises courts that interpret law and provide a forum to resolve disputes. It also comprise various cadre of staff principally Judges, Registrars, Litigation Officers and other clerks. The success of their duties largely depends on the collection and use of information. In this regard the most useful information to those officers is contained in judicial records, which include case files, registers, record book and cause book. The availability of information for use by those officers so as to adjudicate judicial cases depends on the way records have been physically and intellectually organized and managed.

## 2. Literature review

### 2.1. *Concepts of records and records management*

Records are generally considered as accounts of facts, events and issues created and stored (preserved) in any physical form as authentic evidences for reference. International Council of Archives (ICA, nd) defines a record as recorded information produced or received in the institution, conduct or compilation of an institutional or individual activity that comprises content, context and structure sufficient to provide evidence of the activity. Moreover, International Standard Organization (ISO, 2001) defines records as information created, received and maintained as evidence and information by organizations or person in pursuance of legal obligations or in the transaction of business. Records are preserved or appropriated for preservation by the institution or its legitimate successor as evidence of its function, policies, procedures, decisions, operations or other activities or because there is value in the information contained therein.

According to (Adikwu, 2005) records refer to all media that contain language, numeric, graphic or other information that are created or received by an organisation. She added that, records constitute the memory of our society, and the evidence of our experiences. In addition, (Charman, 1990) views records as recorded information regardless of form or medium received and maintained by an agency, institution, organisation or individual in pursuance of legal obligations or in the transaction of any kind. This, according to him, includes “any paper, book, photograph, microfilm, map, or any copy or printout thereof”. These definitions indicate that there are different types and formats of records. The types of records of an organisation depend on the functions of any particular organisation.

The concept of records management evolved during the years of the Great Depression and the Second World War. The aim was to control the accumulation of papers in the government agencies. As (Lawal, 2002) stated, records management spread from the USA to Britain, Canada and Scandinavian countries. In 1914, the Colonial Office in Nigeria issued guidelines on the management of records for government ministries and agencies. Another effort was the records survey conducted by Dike between 1951-1953, which was to determine a nation’s non-current/historical records and to prevent them from loss to posterity. This survey led to the establishment of the National Archives of Nigeria in 1954. Records management, according to the National Archives of Scotland (NAS, nd) is the systematic control of an organisation’s records throughout their life cycle, in order to meet operational business needs, statutory and fiscal requirements, and community expectations. Effective records management allows fast, accurate and reliable access to records, ensuring the timely destruction of superfluous information and the identification and protection of vital and historically important documents.

### 2.2. *Judicial records*

Judicial records, according to National Archives of Botswana (NAB, nd) is any records constituting the official records of any proceeding before the court, commission or board of inquiry, other judicial or quasi judicial body or person. Judicial records, therefore, refer to records generated or received by courts in relation to courts adjudications or litigations.

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