



# UNIVERSITY OF LONDON

The Legal Records at Risk Project: Institute of Advanced Legal Studies

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# Does this look familiar?

It's a "donation" of solicitors' records to a local archives....

The records were in an appalling condition but because they were at risk the archives accepted them.

Is this sustainable in the current economic climate?

Are legal records more at risk than ever?





## The Legal Records at Risk Project

- what is it?
- what is it trying to achieve?
- how will it achieve its outcomes?
- what have we done so far?
- what's in it for archives?

# What is it?

It's a research project to:

- Broaden the concept of "legal" records from the traditional definition of them as court records or formal documents such as deeds to records of institutions specialized to law (ISLs), including business records, mainly in the private sector eg the records of law firms, legal executives, patent agents, licensed conveyancers, court interpreters, arbitrators and ancillary bodies such as legal stationers and law publishers.
- Identify legal records of potential research value.
- Identify - and facilitate the rescue of - legal records of potential value which may be at risk through neglect, digital obsolescence, lack of interest or lack of resources to preserve and provide access to the records.

# What is it trying to achieve?

The project will not collect records but will act as a conduit through which legal records of value (in all formats and media) are identified, preserved and made available for research, by:

- Creating a list of all ISLs in England and Wales, with details of what, if any, provision has been made to preserve their archives.
- Identifying potential repositories for legal records of research value.
- Facilitating the process by which information owners reach agreement to deposit with or donate records to those repositories, including tackling misperceptions around, eg, confidentiality.
- Providing generic advice and guidance on recordkeeping to information owners.

We will also provide expert advice and referrals and hold specialist seminars on such matters as:

- Listing and cataloguing legal records.
- Developing legal records retention and disposal schedules.
- Digital continuity of legal records.

# How will it achieve its outcomes?

- By rescuing legal records at risk
- By raising awareness among legal information owners of their recordkeeping responsibilities
- By publishing examples of best practice - and horror stories
- By lobbying the regulators and legal societies (eg SRA and TLS) to provide clearer instructions on the management of legal records
- By working with the historical research community to identify their needs plus gaps in provision
- By working with archives community to seek practical solutions to resourcing issues

# What have we done so far?

## We have contacted:

- All the major archive pressure groups, plus individual archives with a particular interest
- Most historical/research societies and institutions
- 10 major London Law Firms and c.20 smaller ISLs (eg arbitrators, mediators)
- And undertaken a detailed case study of the records of a legal publishing firm

## We are identifying:

- Categories of legal records of potential research value
- User research requirements and gaps in provision
- Potential repositories
- Funding opportunities
- Digital archiving possibilities
- Ways to raise the project's profile

# What's in it for archives?

## We will be:

- Bringing ISLs with records of value together with relevant repositories
- Seeking funding for consultant archivists to undertake, eg, appraisal and listing prior to transfer
- Lobbying for ISLs to pay their fair share of the transfer process/creating a charging model
- Working with archives, libraries and research institutions (eg UOL, TNA) on developing digital archiving models for born-digital records of value