

UNIVERSITY OF LONDON

Legal Records at Risk

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The Legal Records at Risk Project

- What is it?
- What is it trying to achieve?
- How will it achieve its aims?
- What have we done so far?
- What's the benefit of the project to archives, researchers and institutions specialized to law?

The Legal Records at Risk Project

Will identify - and facilitate the rescue of – modern (C20 and C21) legal records of potential value which may be at risk through globalization, digital obsolescence, neglect, lack of interest or lack of resources to preserve and provide access to the records.



What do we mean by “legal records”?

We hope to broaden the concept of "legal" records from their traditional definition as court records or formal documents such as legislation and deeds to records of institutions specialized to law (ISLs) mainly in the private sector eg the records of law firms, barristers, legal executives, patent agents, licensed conveyancers, court interpreters, arbitrators, local law centres and ancillary bodies such as legal stationers and law publishers.

In doing so we hope to raise researchers' awareness of the scope and potential value of the records of these ISLs in studying the development of the UK's legal and social framework.

Why are modern legal records especially at risk?

- Reduced collecting and management resources on the part of archive repositories – or no repositories at all!
- Unsustainability of traditional arrangements to save legal records.
- Digital obsolescence – records will not survive to be collected.
- Distinct lack of interest on the part of institutions specialised to law
- Historians still wedded to the traditional notions of “legal” research...?

Let's see some examples....

No longer sustainable...

This is a recent “donation” of solicitors’ records to a local archives....

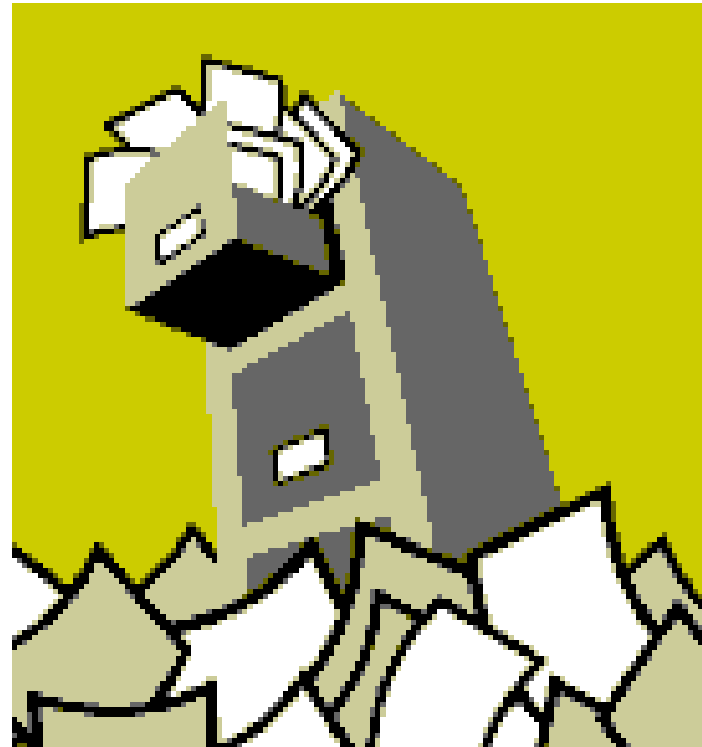
The records were in an appalling condition but because they were at risk the archives accepted them.

Other record offices advise that they can’t afford to carry out this kind of rescue service in future.



No longer practical....

The British Records Association can no longer afford to act as a free warehouse facility for the unwanted records of law firms



No longer required to keep....

The Solicitors' Regulation Authority has legal authority to, and may destroy, 500,000 cartons (plus born-digital material) of the records of intervened firms held in its Coventry warehouse unless it has help in establishing which records are of research value



No longer accessible...

The SRA and the Council for Licensed Conveyancers can't access many of the born-digital records of intervened firms.

So they can't assess their importance either for ex-clients or for potential researchers



Not interested...

We have contacted the 10 major London Law Firms (twice), plus 30 other institutions specialised to law (ISLs)..

- We have had 6 tentative responses..
- 2 positive responses..
- 2 negative responses...
- And no response at all from the rest!

Auctioning of legal records;
confidential records dumped in
skipsstill happening..



Not enough research demand?

- Are historians not interested in modern legal records?
- Are digital legal records too hard to research?
- Are archives failing to catalogue and index legal records adequately?
- Is it too difficult to work out how to use archives?
- Are historians looking in the wrong places?



How will LRAR achieve its objectives?

- By raising awareness among legal information owners of their recordkeeping responsibilities
- By working with the archives community to seek practical solutions to resourcing issues
- By working with research communities to identify their needs plus gaps in provision

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 24 smaller ISLs (eg arbitrators, mediators)
- And commenced detailed case studies of the records of a law publishing firm and the business records of a large county law firm.

We are identifying:

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

What's the benefit?

For ISLs and researchers

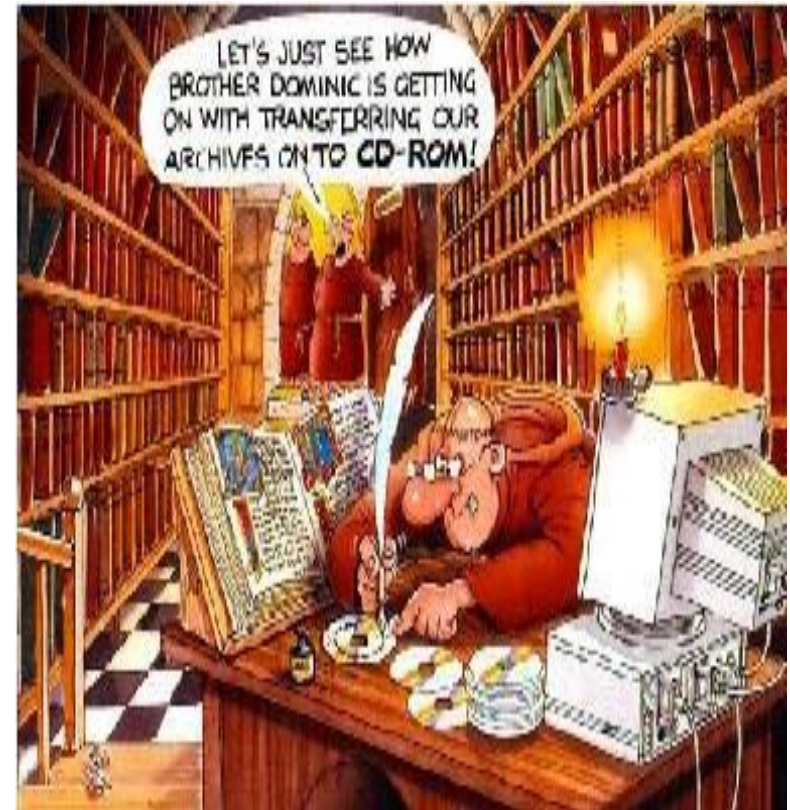
- Helping ISLs to identify and better manage their records
- Bringing ISLs with records of value together with relevant repositories
- Lobbying for ISLs to pay their fair share of the transfer process/ creating a charging model
- Enhancing research access to legal records of value

For archives

- Working towards a co-ordinated and cost effective legal records transfer process
- Working with archives, libraries and research institutions on developing digital archiving models for born-digital records of value
- Seeking funding for, eg, consultant archivists to undertake on-site appraisal and listing prior to transfer

Let us know about..

- Your legal/social research requirements
- Difficulties you encounter in finding relevant entries in archives catalogues
- Difficulties you encounter in accessing material in archives
- Issues around accessing digital records for research



Contact us/find out more...

[Email: Clare.cowling@sas.ac.uk](mailto:Clare.cowling@sas.ac.uk)

Our website is here:

- <http://ials.sas.ac.uk/research/lrar/lrar.htm>

We have a users' questionnaire on the website:

http://ials.sas.ac.uk/research/lrar/lrar_research_survey.htm