

**Summary of evidence presented to the 30-Year Rule Review Committee,
26 February 2008 at Church House, Westminster.**

Committee members present:

Paul Dacre (chair)

Professor David Cannadine

Sir Joseph Pilling

Evidence from Bruce Jackson, Association of Chief Archivists in Local Government

Asked by the chair what had been the experience of FoI at the local authority level, Mr Jackson said: "the impact has not been as great as was expected... certainly at the archive level."

He was then asked about the effect on archivists if there was a reduction to 15 years. Mr Jackson said the critical consideration was whether there was a reduction in the time when records were transferred from the creating department to the place of deposit. "We have had to push back to the local organs of central government and say we will not take the records until they are approaching 30 years old. Why should we? Why should we be doing your job for you, storing your records for you? We cannot make them available to the public yet."

He was then asked about digitising records, particularly court records. Mr Jackson said there was an ongoing dialogue with The National Archives and the Courts Service. He said there was no point in keeping all the records, and that the most important cases were kept by The National Archives. He argued that because digital records would be viewed on-line they should be maintained centrally rather than locally, which would result in "duplicating and using up a lot of really scarce resources."

There was a danger that if the reduction was too big that members of public could access information that was then subsequently destroyed, because "from a cost and business point of view you do not need to keep most of this stuff, from an historical point of view you do not need to keep most of the records that are created." Up to 97 per cent of such records could be destroyed without harming the writing of history or research.

"The only real reason for preserving things in perpetuity in the true sense of it is for the benefit it confers as a piece of historical evidence for whatever purpose you put it to. There are legal and evidential reasons as well for retaining some records but for the vast majority of records realistically they drop off the radar quite early. Records management functions on that basis, declining use, and that is the way it works."

He was then asked about local arrangements for deposit. Mr Jackson said the experience was different from that experienced by The National Archives. Public bodies had to be chased, and records were of variable quality. "When

we get them, they are not nicely packaged and processed in the way they arrive at The National Archives.”

Mr Jackson said that the “legislative environment” needed to be looked at, as the world had changed since there was a narrower definition of what should be kept. “The public expectation of what will be preserved has gone up exponentially. Allied with that is the fact that the form in which records are created, as well as the quantity of records created, has exploded. It is an information rich society. The problem now is not too little information but too much.”

Mr Jackson added: “In many respects, right at the core of this, and what really makes it urgent, is the digital record. That is a problem that will not go away. It is linked with the whole idea of reducing the period at which, if you like control, control and care of the record passes to The National Archives or whoever is on the ground to actually preserve stuff locally...unless you take control of the electronic record at an early enough point in its existence and know enough about it you cannot actually not just make it survive but you cannot authenticate it. What use is it if it is just a piece of information drifting in limbo?”

Asked by Professor Cannadine about the resource implications for his organisation if there was a reduction in the rule to 15 years, Mr Jackson said it was difficult to quantify but the costs could be substantial. There would also be storage difficulties.

Mr Jackson said it was 50 years since the Public Records Act (PRA), and there was a need for new legislation. “The National Archives a few years ago was polling us on the ground about whether we felt there was a need for new National Archive legislation because there was a strong feeling within the National Archives that this was needed and we, as the practitioners outside...agreed with them. We need new archive legislation that is more broadly based than the old Public Records Act, respecting the fact that records that are created by private individuals and private organisations have to be viewed in a different way than records which are created by the public sector...there is stuff that could drop right out of the net.” He said there was a strong feeling that both archives and records management should be statutory functions of local government.

He was then asked about how local government operated. Mr Jackson said the vast majority of the information was made available to the public through committee minutes and papers being published in advance of meetings. “Although there is a party political element in local government, it has to be said that the instances in which these things come down to a matter of politics in any division is relatively infrequent. There are a lot of other factors that divide. It can be locality as much as politics.”

He added: “I think few of us would say nothing needs change. What you see is the real reason for keeping records and the real reason for making them available to the citizen. It is not just about historical research; you are keeping

stuff for research use, for evidential use, you are also keeping it because, in a sense -- and this is where the records of local government are really integral -- it is the distillation, as far as you can get it, of what makes this community this community. That really is enormously important. That puts us under an obligation to do the very best we can and I am not convinced we are doing the very best we can. It is a question of where is the best place to start bearing in mind that there will always be limitation.”

In conclusion, Mr Jackson said that the critical issue was putting a process in place whereby the correct record is kept.