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The Secretary  
30-year Rule Review  
The National Archives

Dear Mr Strachan,

**Review of 30-year rule.**

I welcome the opportunity to participate in the consultation on this Review and welcome the Review itself.

My own work has mainly been on aspects of British social policy, linking the present to the recent past. This Centre has a leading role in research and development in Contemporary British History and we are in close touch with researchers in this field. I have served on TNA committees concerned with selection and dissemination of documents.

From the point of view of an active historian of recent British history, a 30 year rule looks decidedly odd and anachronistic. Many more historians now than in the 1960s, when the rule was introduced, consider the past thirty years as meriting historical research and seek to relate the recent to the more distant past. Underlying the rule appears to be a presumption that History 'stopped' thirty years ago, which many historians no longer accept. The 30 year barrier has been in the past, and can still sometimes be, an impediment to historical research. The Freedom of Information Act has, of course, removed some of the barriers, but it has created an anomalous situation where some recent records are available but not others, which requires clarification.

In principal, therefore, there is a case for abolishing the rule, subject to the checks and exclusions embodied in current Freedom of Information legislation, which are clearly necessary.

In the real world, however, there are difficulties, above all of funding. The release, even the necessarily phased release, of large quantities of documents would be costly, if the documents are to be scrutinized and selected with care and expertise. Selection is unavoidable given the large quantity of documents gathered by government. It is already the case that, although most FOI requests are, eventually, granted, access to documents under FOI, in the experience of many applicants, can be extremely slow. I believe that this is not due to 'foot-dragging' by departments, but to the fact that the process is under-funded and the work of finding documents may be left to too few, overworked people. Slowness of access to documents can impede research. Similarly there are concerns about the selection and preservation of documents and of the standard of

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record-keeping in the civil service at present under the 30-year rule, for similar reasons of under-funding.

A desirable first step for the Review, therefore, would be to recommend that present legislation is adequately implemented through provision of adequate funding and ensuring the highest standards of record-keeping, preservation and selection in departments. If that could possibly be achieved, the next step might be phased release of appropriate documents of the past 30 years.

However, a further problem is that the nature of 'documents' and the classification of certain records as Public Records or not, has changed since the 1960s.

One major issue is that increasingly in the recent past, record-keeping takes electronic not paper form. I know that TNA is working with departments to devise methods of preserving such documents. It will be necessary for the Review to look into issues relating to the change to electronic record –keeping, including the costs of preservation, short and long-term.

The other change since the 1960s is the number of government functions which at that time were the responsibility of government departments, which have since been devolved to publicly funded, non-departmental, agencies. Ideally, we should be re-thinking the concept of a Public Record to include such agencies and also other records such as those of special advisers, who can be assumed to contribute to policy-making and who are paid from the public purse. If historians are to be able to reconstruct public policy, especially since the 1980s, as fully as we aim to do for earlier periods, and to analyse adequately changes and continuities in policy over time, we require access to such records.

I hope that these comments are helpful. I am happy to expand upon them if required.

Yours sincerely

Professor P.M.Thane MA, PhD, FBA.