

**Minutes of the 80th meeting of the Scottish
Records Advisory Council held in the
General Register Office for Scotland, New
Register House, Monday 28th October
2002**

Present: Professor Hector MacQueen, Chairman; Dr Lynn Abrams, Lord Kingarth; Mr James McGonigle; Mr Frank Rankin; Sheriff David Smith; Ms Marion Stewart and Dr Fiona Watson.

In attendance: Mr G P Mackenzie, Keeper of the Records of Scotland; Dr Peter Anderson, Deputy Keeper, National Archives of Scotland; Mr John Randall, Registrar General; Dr Alison Rosie, Secretary and Bruno Longmore, Court and Legal Records Branch

1. Membership: The Chairman thanked Mr Randall for allowing the Council to meet in New Register House during the closure of the Lord Clerk Register's room in General Register House. He also welcomed Dr Fiona Watson to her first council meeting.

2. Apologies: Apologies were received from Dr Mike Barfoot, Mr Peter Daniels, Dr Roger Davidson, Mr Hamish Hamill, and Ms Vicki Wilkinson.

3. Minutes: The minutes of the 79th meeting were approved.

4. Matters Arising:

NAS website: The Secretary has discussed possible changes with the NAS webmaster but a decision has still to be reached about the way to take this forward. Possible domain names for a separate website had already been taken up. The Secretary would liaise with the webmaster to take this forward.

Postgraduate Training: The report had been completed and the matter was now in the hands of the Higher Education institutions. Only two sets of proposals had been contributed so far – a west coast consortium centred on Glasgow University, and an east coast one centred on Dundee. A single proposal may yet emerge.

Public Record Policy: The Chairman proposed that archive legislation should be put to the top of the agenda for the next meeting. Dr Anderson, a member of the Freedom of Information Implementation Group, noted that archive legislation had been raised at their last meeting.

The Chairman reminded Council that although the SRAC had survived the initial review of Public Bodies, it would need to justify its existence within the next quinquennium. The Information Commissioner should be known at the beginning of 2003 and he proposed inviting him/her to the next Council meeting.

5. News from the NAS

a. Family History Service

The Keeper announced that the project proposal had been welcomed by ministers and there would be an official announcement in November. The research resources in Edinburgh would be largely digital and thus should not prejudice the local authority archives. In fact, it should actually encourage researchers to visit the local area.

b. Readers Survey.

The preliminary results of the survey had appeared recently and a summary of its findings would be circulated to the Council when available. The Keeper reported his pleasure at the general tenor of the results. The response rate had been high (52%) which gave confidence in the validity of the comments received. 78% of those replying were 46 or over. Members of Council felt that if the search room were to open on Saturdays the age profile of readers would be younger.

A high percentage were “satisfied” or “very satisfied” with the service provided but there were a number of areas which needed to be addressed:

- the balance of information given to first time users
- the lack of electronic finding aids and
- the cost and speed of reprographic services.

An action plan would be prepared to tackle these issues.

c. Accommodation

General Register House (GRH): The refurbishment of GRH was halfway to completion. The Lord Clerk Register’s Room would, however, be closed for some time yet. Asbestos contamination had been found in the roof space and this was being treated. The public search rooms would not be closed but there would be some disruption.

Thomas Thomson House (TTH): Construction of the second phase of TTH would begin in three years time and completed in 10 years. It was clear that under the current guidelines that it was not viable to undertake this project by PPP. However, new guidelines for financing public projects were due out shortly and would need to be looked at. The Council discussed the problems of public transport to TTH.

West Register House (WRH): A number of responses in the Readers Survey had highlighted the lack of comfort in the search room seating. A new workstation prototype was on view in the Historical Search Room and would be considered for WRH though the NAS was anxious to avoid any major capital expenditure.

d. Staffing

The secondments from NAS to SCAN and the e-Cat project would be reabsorbed in to the NAS in 2003. A practising teacher had recently been appointed to the Scottish Archives for Schools project which aims to provide ten source packs on Scottish history. The NAS had been in contact with SATH for ideas for future packs.

e. SCAN

Funding of the project would cease in October 2003. There would be a progressive run down after Spring 2003 with the possibility that SCAN would return to the HLF for further funding. The project is on target. By June or July of next year all the Top Level Finding Aids should be added to the website. So far 900 of the proposed 1000 Frequently Asked Questions had been completed. Testaments to 1875 had all been digitised ahead of target and were becoming progressively available on the website. The project had been extended to cover testaments for the period 1875 to 1901. This was on target for completion by February 2003.

The digital images of testaments on sale through the website www.Scottishdocuments.com, would shortly be made available to researchers for free in the NAS. Discussions were underway with participating archives to extend access to their searchrooms. There were no specific plans at the moment to extend access to other institutions but SCAN would certainly consider any approaches.

f. Appin Murder exhibition

The NAS exhibition on the Appin murder would be opened by Dr Mike Simpson, the Depute Minister of Justice, on 7th November, the anniversary of the execution of James Stewart.

6. UK Archive Issues

a. HMC and PRO

The two bodies would merge to create 'The National Archives' bringing responsibility for public records (the PRO) and private records (HMC) under one authority, a situation which has been the case in Scotland for over 40 years. The merger would give the HMC access to funding to maintain its computer networking system (ARCHON). Mr Rankin was concerned that a major contribution of the HMC in Scotland, the inspection and registration of repositories, would continue. The Keeper thought inspections would be carried out on a wider basis, with reference to records management in particular, but that this service would not be extended to Scotland. The Chairman agreed to take this further.

b. Resource Task Force

The Keeper had been nominated as a member of the Task Force which has been set up to consider new ways of exploiting the UK's archival heritage. There is no fixed timetable but it should only operate for a few months before it reports. Its recommendations will have implications on funding in Scotland.

7. Review of Lottery Funding

The Chairman reported that behind the consultation was the need to reduce the number of 'distributors' – the 14 to 15 bodies of which the HLF is one. There was concern that heritage might disappear into a larger body. There was also a concern that the fundamental principle of 'additionality' would change and that there would be a greater degree of government input over the way money was disbursed. The HLF had asked for a

written submission from various institutions including the SRAC and the Council were asked to consider the draft response prepared by the Chairman.

‘General Remarks’: The Council felt that some mention should be made in the last paragraph about the benefits to scholarship, knowledge and understanding.

Para. 2.6: The SRAC had received comments from Peter Daniels who disagreed fundamentally with the view that local elected members should not sit on HLF committees and felt that paragraph 2.6 should be deleted entirely. Members of Council felt that there was a valid point to be made and that it should be left in, with the wording altered.

Para 4.9: Members queried whether the HLF should be supporting major capital projects. Many heritage capital projects were not major but were too big to be accommodated by an institutions budget but too small to attract PFI and were left in limbo. In a written submission Mr Hamill felt that there was a better chance of continuity if the HLF did not cover the whole capital cost and where there was local commitment.

8. Freedom of Information conference

The Chairman reported that the conference had gone very well and directed the Council to the report which had been circulated to members.

9. Sheriff Court Records

Bruno Longmore, Head of Court and Legal Records Branch of the NAS, joined the meeting to answer questions raised by his discussion paper on the Sheriff Court Records Review. The paper set out the current situation regarding the disposal of records dealt with under the Statutory Instrument of 1990. When this instrument had been formulated it was intended that it be reviewed periodically and that any changes would be laid before the SRAC for its consideration. A recent joint working group review conducted by the NAS and the Scottish Court Service had revealed a number of significant omissions within the current Statutory Instrument and the NAS sought to rectify these in the proposals outlined in the paper.

Discussion in Council focussed on the following issues:

Paras 10-12. There were few new sheriff court record groups but the survey had identified where existing categories of records were now being kept in electronic format. Where records are held in both formats, it is proposed that the NAS gives precedence to the electronic form with a view to transferring these 5 years from their creation, provided that sheriff clerks could guarantee their authenticity as the legal copy.

Paras 13-14. The review had picked up a discrepancy between operational practice and use of records by the courts and the statutory transfer periods to the NAS. The administrative and operational use by Sheriff Clerks was mainly for records that were no more than 10-15 years old, but the NAS could accept them only after 25 years. No reduction in the period of transmission was sought as the NAS did not have the space to

accommodate the additional records. The NAS and the Scottish Court Service working group were investigating future options.

Paras 17-19. Under the 1991 regulations the NAS retained all process papers and applications including divorces and parental rights cases involving access, custody and aliment. However, since that date there had been a shift in the type of action appearing before the Sheriff Courts, a result of the growing trend for uncontested divorces. The majority of divorce processes of this type contained limited information. The NAS proposed that sheriff clerks should destroy all divorce papers recorded under the simplified procedure, but only where an entry existed in an appropriate register. The Council expressed concern that there would still be sufficient record of the grounds for the divorce retained.

Paras 21-23 Currently all the records of Linlithgow Sheriff Court are kept with the exception of minor records, measuring 205 linear metres of records. A further 25 metres of records (a 12% increase) were brought in to the NAS last year covering only 6 years of records. Linlithgow had been selected in the 1960s as a good example of a rural and small urban community. At present the public use made of these records is unclear. The new NAS electronic catalogue, together with the proposed automated ordering system, would make researchers more aware of these records and enable NAS to produce more accurate statistics about levels of use. Under the new proposals it had been decided that the status of these records for a two year period after the introduction of the public version of the electronic catalogue.

The Council queried whether Linlithgow was the most appropriate court as it had changed substantially since it had first been selected. Some members stressed that it was vitally important to keep the records of one court *in toto*. A long run of records from one place allowed contextualisation and was preferred to random samples from courts throughout Scotland. It was pointed out to Council that the civil processes of the island courts were also preserved in their entirety, as they were relatively small in number, as well as the records of Banff Procurator Fiscal's Office.

The Council were generally content with the proposals in the paper and were invited to contact Mr Longmore via the Secretary with any other comments specifically relating to the draft revised schedule.

10. Scottish Council on Archives (SCA) and the SRAC

The SRAC has an observer status at the SCA. The Chairman had nothing to report as he had not been able to attend the last meeting.

11. General Register Office for Scotland (GROS)

The Registrar General reported that the first results of the 2001 Census had been published in September. The more detailed results would appear by March 2003. The Annual Report would be published at the end of October in a new format designed to reach new audiences. The GROS' new genealogical website (www.scotlandspeople.gov.uk), developed in partnership with Scotland On Line, was

launched in September. The site contains digital images of the statutory registers of births 1856-1901 and deaths 1856-1951. Marriages 1856-1926, and Census records 1841-71 would be added later this year and the old parochial registers by summer 2003. Over 19 000 people had registered since its launch. Demand within the GROS was still rising, with the number seeking research places and paper extracts both up on 2001, although as more records become available in digital image form it seems likely that the demand for paper extracts will decline.

12. ASLAWG

Mr Rankin reported that Argyll and Bute council had stepped down from their position on charging for the archivist's time researching enquiries.

The impact of Data Protection on the closure of records previously open had exercised the Working Group. The situation was complicated by the lack of consistency in record keeping. Mr Rankin asked for the Council's support for an approach seeking nationwide consistency on closure periods.

Mr Rankin raised the issue of the growing trend for solicitors firms to destroy their records. He cited the instance of firms which had previously deposited records with the local archive subsequently destroying records. ASLAWG were looking at specific ways of engaging with local solicitors to prevent this happening in future. Council noted that the major problem previously had not been the destruction of records from solicitors but their sale to stamp dealers and at auction. The Scottish Records Association were currently starting a working group to reopen the debate and Mr Rankin would report back to ASLAWG and seek a representative.

13. AOB

The next meeting of the SRAC would take place on 28th April. It was hoped to organise the meeting at Thomas Thomson House.