

British Modern Public Records: A Vital Raw Material

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I should like first to say something about my title: A Vital Raw Material. Historians employ, of course, various types of raw material or evidence and quarry it with various types of equipment: the stout boots and keen eyes beloved of Tawney and Hancock take historians to look at land (including graveyards) and at art, artifacts and archaeological data whether inside or outside museums and galleries. Ubiquitous tape recorders produce oral evidence. Libraries and other people's books are indispensable to us all. But primary records are still the main vital source of historical research. I am discussing today only the primary records created in the processes of Government.

Apart from written or paper records, they have included for a good many years sound recordings, film and photographs. More recently and most importantly, they now include machine-readable records from computers. The future 'paperless office' we hear so much about may be a mirage, and certainly at present the bulk of the contemporary public records which seem most likely to be thought worthy of long-term preservation still consist of paper. But it is vital and urgent that any modern public records policy should make provision for machine-readable records. It is also equally vital that public records policy should realise that the invention of computers makes it possible to process, with great benefit to knowledge, all kinds of mass detailed information which was until recently virtually unusable. I shall refer to both these points again later.

If modern public records of all kinds are a vital raw material to historians, it follows that historians should take a strong interest in modern

public records policy and the administrative arrangements necessary to implement it.

This area is usually considered to be the territory only of archivists but historians have too vital an interest in modern public records to leave all questions of policy and of administration to the archivists. Here questions about professional frontiers loom large. These frontiers have been much less important in the fields of medieval and early modern records than in modern public records, for in those fields there has always been a real symbiosis between archivists and historians; indeed, distinguished scholars have often been members of, and equally happy in, both professions. Galbraith, the medieval historian is one example. Perhaps it is because the archives profession in Europe has been largely drawn from and built up by medieval and early modern historians that there has been so little symbiosis between the European archivists and nineteenth and twentieth century historians. Symbiosis seems to be absent also however in America though possibly less so in Australia.

Another profession and another frontier comes into the business: record managers. The archives profession grew up primarily as a custodial profession, assembling, cataloguing and looking after records which had survived from the past, often the distant past. But in modern institutional records, the problems of preserving records as archives for posterity have become inseparable from the problems of records management — of managing records for current administration. I believe strongly that all the various professions and groups concerned — the records managers, the archivists and the consumers — must collaborate in dealing with the problems of late twentieth century institutional records. Perhaps best of all, hybrid professionals will multiply. Archivists will also become records managers and more archivists of twentieth century records will have the same historical commitment and curiosity as the medievalists. Professional historians may also assume archival, even records managers' functions.

I have so far spoken as if professional historians are the sole consumers or users of the public records but this is not so. Speaking of Britain, I think that the belief that the public records system *is* maintained for the benefit of the historical profession accounts for the low priority in respect and resources which Westminster and Whitehall have given to modern public records. History (again, of course quite wrongly) is after all regarded as ornamental rather than useful, except perhaps at election times when the phrase 'history will show' is on many lips. In fact modern departmental records are essential to efficient Government and public administration. They are part of information handling, feed-back, policy analysis and evaluation and so on. Apart from some long-recognised administrative

needs for old records — such as diplomatic agreements — it is now, for example, vital to keep some records for extremely long periods for health and safety reasons: as we are constantly reminded, plutonium has a half-life of 24,000 years. Yet the question of record-keeping techniques receives almost no attention compared with the lively interest in the scientific research technology of storing radio-active waste. Perhaps Australia is better than Britain in organising its civil service, but certainly in Britain the rapid turnover of staff between specific posts (despite the Fulton report on the Civil Service in the 1960's) means that good records are all the more important if administration is to remedy one of its worst failures: the painful reinvention of a metaphorical wheel, whether it be wages policy or whatever, at five or ten year intervals. However even now, despite the unhistorical nature of most civil servants, British Government departments recall from the Public Record Office every year 25,000 or so files over thirty years old, in addition to those they have retained (whether with or without permission).

Among academic users of public records, historians still predominate, but as everyone here knows the range of history is much wider than it used to be, covering not only great men, great events, high level policy and high level administrative sanctions, but the ordinary lives of ordinary people, the people at the bottom of the social pyramid, demography, medicine (including social medicine), labour history, scientific and technological history and business history. Social scientists, whether economists, political scientists, sociologists or social administrators, have a vital interest in public records whether they work on a macro or micro level. Other disciplines have developed a professional interest in public records: for example medical research (especially epidemiology and genetics) criminology and environmental science. Outside academic life, journalists, study public records for the perspective they give to current policy. Lastly there has in recent years been the good growth in "amateur" history, particularly family and local history. Professional historians, certainly in Britain and no doubt in Australia, often collaborate with such groups, which then progress from antiquarianism to true historical analysis. This is an important and wholly desirable development in national culture and deserves public subsidy just as much as, say, sport.

Having listed these extensive and potential users of departmental records inside or outside government, I find it most regrettable that so few of them have perceived their vital interest in public records policy and arrangements. I shall return to this point shortly.

The main topic in my paper is the recent report of a British Committee on Modern Public Records which was appointed by the Lord Chancellor

in Autumn 1978, as a result of pressure in the Advisory Council on Public Records, the House of Lords and the correspondence columns of *The Times*. The chairman was Sir Duncan Wilson, the Master of a Cambridge College, author and former ambassador to Russia and Yugoslavia, and also former head of the Foreign Office Research Department. The other two members were Sir Paul Osmond, a former senior civil servant, and me. Our terms of reference covered the selection of records for permanent preservation and public access to them. We were clearly not constituted to cover the large policy issues involved in possible legislation about freedom of information or privacy, although we noted that the highly efficient Swedish modern public records system is founded on laws concerned with these two issues.

We sent questionnaires to 77 bodies whose records fall within the Public Records Acts and visited many government departments; we met officials ranging from the Head of the Civil Service and Secretary of the Cabinet to paperkeepers. We found that there was no existing means of assessing the scale of resources used in the public record system nor of estimating the effect of different arrangements on space and manpower needs. So we commissioned an operational study of existing arrangements. We paid short visits to the national archives of Scotland, the United States, France, Sweden, the Netherlands and West Germany. We also of course publicly invited evidence through the main newspapers. Here I revert to the point about the failure of users or potential users to perceive their interest in public records. We received much evidence from historians — individually or as societies — but almost none from the social scientists — including the subject panels of the Social Science Research Council other than history — and none at all from medical and environmental scientists. Although individual civil servants were free to give evidence to us, none chose to do so. These groups only saw the importance to *them* of modern departmental records when our Committee went out and talked to them. Most people, alas, as one senior civil servant remarked, regard records as a ‘yawn’ subject.

The records arrangements which the Wilson Committee examined derived from the 1954 Report of the Grigg Committee (of which I was a member) and the subsequent Public Records Acts of 1958 and 1967, which incidentally define public records as including those “conveying information by any means whatsoever”. Until the Report and the 1958 Act, selection of records for preservation was governed by an Act of 1877 — before the typewriter was invented — and there was no right of access at all.

The system and procedures laid down in the Grigg Report and the Acts for dealing with selection for preservation and access were based on a structure with three elements of authority and responsibility:

- 1 The *departments* which generate records have a legal duty to arrange for the selection of those records to be preserved and for their transfer to the Public Records Office.
- 2 The Public Record Office has a legal duty to guide, co-ordinate and supervise the work of these departments as well as to preserve the records in the Public Record Office and make them available for public inspection. I should emphasise that no other Government Department except the Treasury has such clear powers over other Government departments.
- 3 At the apex, a Cabinet Minister, the Lord Chancellor, next in Cabinet precedence to the Prime Minister, has a statutory general responsibility for public records — for the direction of the Public Record Office, the execution of the Acts and the supervision of the care and preservation of public records. A statutory Advisory Council, chaired by the Master of Rolls (the most senior judge after the Lord Chief Justice), advises the Lord Chancellor on public records in general. It consists of lawyers, historians, two MP's and two senior ex-civil servants, including the former Secretary to the Cabinet.

Grigg was clear that the crucial requirement in a modern governmental records system was to find a method for selecting records for preservation. For the bulk of records generated in the centralised British Government system is vast — perhaps 100 miles a year. Grigg saw that the greatest problem in selection was how to determine in advance the potential value of records for posterity. Grigg decided that it was impossible to apply historical criteria directly to all the records and proposed instead a two-stage, first and second, review. At the First Review, a department's own reviewing officer should decide whether the department would be likely to require a record again for its own purposes. This administrative criterion would indirectly cover the historical criterion if three important provisos were met. First, this review must take place soon after the active use of the record ceased and in no case later than five years thereafter. Secondly, Departmental use was to be interpreted in the widest possible sense; it should certainly not be confined to papers no longer in current administrative use. Thirdly, 'particular instance papers' (PIPs) should be excluded from the First Review and be subject to special arrangements. (PIPs are case papers or groups of papers, the subject matter of which is the same though each individual paper relates to a different person,

body or place). Grigg expected that the First Review would permit the early destruction of between 50 and 90 per cent of a department's papers. At the Second Review the departmental officer with a Public Record Office Inspecting Officer would apply a direct historical criterion to files which had survived the First Review and were 25 years old. A panel of expert advisers should be established. As for PIPs — often very large groups of papers — a census should be taken of all those in the hands of government departments and a committee under Public Record Office auspices should decide which to preserve and in what quantity. This system of selection was not enshrined in legislation but it was accepted by the government and was to be established through administrative action.

As for access, the 1958 Act following the Grigg Report obliged departments to transfer their records to the Public Record Office or an approved place of deposit, and said that records should normally be open to the public after 50 years, a period reduced to 30 years in the 1967 Act. The Acts included provisions for making some records available for public inspection before 50 (30) years and for withholding others — in the Public Record Office or in departments for longer periods. The Grigg Committee, I should add, emphasised as a keystone to all its proposals, whether in selection or access, the appointment of capable officers to records work (including current paperkeeping) in departments, and personal supervision of the arrangements by a very senior officer — The Principal Establishment Officer.

This then was the system which the Wilson Committee reviewed. Of course, in the 25 years between Grigg and Wilson there had been changes apart from the new uses of records which I have already mentioned: in particular, important technological changes, with the advent of machine-readable records and much better microfilming techniques. One commonly assumed change — an unmanageable annual increase in the volume of government records — is a myth. For between 1954 and 1980 the numbers employed in the civil service dropped by a third. It was clear to the Wilson Committee that the Grigg Report and the Act had had some important and good results: the clearance of much of the backlog of records and the steady flow of material to the Public Record Office where it is open to the public. Moreover the system has operated under great difficulties — the reduction of the 50 year closed period to 30 years in 1967; the accelerated opening in 1972 of World War II records; the building and coming into use of the new Public Record Office at Kew — all without commensurate staff increases. Worst of all, there has been constant reorganisation of government departments — mergers, splits, transfers of function and hiving off — which has often caused chaos in the records.

Nevertheless, after all these allowances, the Wilson Committee concluded that the Grigg Report mapped out a system which was good in itself and capable of adaptation to changing needs and changing technology, but that in most important respects it had been implemented neither in the spirit nor in the letter. 'We believe', they said, 'that our report is a sobering commentary on the ability of government to implement administrative reforms which it accepted wholeheartedly and embodied in legislation'.

Defective implementation has been most clearly apparent in the selection of records for preservation. In particular the three important Grigg provisos which I mentioned as necessary to ensure that an administrative criterion at First Review would be synonymous with a historical criterion had not been met. Indeed the Grigg insistence that the new, relatively senior, Departmental Records Officers should be responsible for First Reviews was effectively countermanded by a Treasury letter of 1968, written after consultation with the Public Record Office, which proposed that branch officers should give the disposal directions for files and which also emphasised above all the need for maximum and swift destruction. Moreover it seems that the Grigg exhortation for higher standards of record keeping — in the interests of efficient current administration as well as reviewing systems — had had almost no effect. Departmental Records Officers have only rarely been of the necessary seniority and have been burdened with many other tasks, record sections have sometimes been departmental sick bays and very senior departmental officers have taken no interest in records.

Social and economic historians are often especially concerned with the fate of the Grigg recommendation for PIPs, which in practice include not only case papers of many different kinds but also basic data or returns from surveys. Grigg had, as I said, recognised the need for special treatment for PIPs because the value of these papers would lie in the data that might be extracted from them, rather than in the record itself. Since the Grigg Committee in the early 1950s could hardly envisage the comprehensive computer-based extraction of data in the 1970s, they suggested that, with the exception of the General Register Office records, only those papers should be kept which could be reduced to a statistical sample.

However, as I said earlier, Grigg also proposed that PIPs should be the subject of a special inquiry — a PIP Committee — covering all such papers held by Departments and chaired by a senior official from the Public Record Office. It would consult the academic professions. It would conduct a census of such papers, decide which papers, and in what

quantities, should be preserved and also consider whether any change was desirable in the confidentiality of these papers. A committee was set up in 1957 and identified 114 categories before it lapsed completely in 1965. No outside researchers or scholars were members and they were consulted on only 3 of the 114 categories. One result was that records concerned with newer areas of government activity, especially in the field of employment, industry and social welfare, were under-represented in the records which the Committee decided to preserve. One general problem emerged: the records of individuals, which the Public Record Office saw as "mainly valuable for genealogical and biographical purposes". In 1965 the Keeper of the Public Record Office brought this problem to the Advisory Council which agreed that, provided the individual returns of the decennial censuses were kept, the records of large groups of individuals need not be preserved after their administrative usefulness was exhausted; a statistical sample should be kept in suitable cases. One other point was important. The PIP Committee never considered the important questions about the confidentiality of records. So much for First Review and PIPs. As for the Second Review of files which had survived the First Review and were twenty-five years old, Grigg had proposed that this should be conducted by the Departmental Record Office with an Inspecting Officer of the Public Record Office advising on the historical criterion. A panel of outside advisers was also to be established. It was implied that Public Record Office Inspecting Officers would examine files almost individually but since there are only eight such officers covering 200 departments this is not possible, and very little has been done in the way of training, manuals or guidance. Second Reviews are in practice dispersed among a variety of staff; only a few Departments have produced clear review instructions. A Public Record Office attempt in 1968 to set up a panel of academics foundered on the question of payment. The Ministry of Defence alone has very recently appointed such a panel (the members of which receive a fee).

It is impossible to assess clearly the effects of selection, since no-one can inspect the papers destroyed and even if lists of destroyed files remain, they can be misleading. Selection has largely aimed at preserving high-level, high-policy papers, although even here there has been some unfortunate destruction. The new interests of users in the last 25 years which require low-level papers have been neglected. Thus the archivist of the National Coal Board says that the pre-nationalisation records included rich and significant illustrative material which is now by selection excluded. Professor Donnison, one of the leading academics in social administration gave evidence to the Wilson Committee as Chairman of

the Supplementary Benefits Commission. He said that no papers would give a better picture of the life of the poor than the files of the SBC, but he had found that of the 6 million claims a year, only a sample of 200 files were kept at ten year intervals.

As I said earlier, the Wilson Report concluded that the Grigg system had not been implemented but that its system for selection was eminently sensible and workable. Wilson made detailed recommendations about current paper keeping, principles of selection and procedures for the First and Second Reviews and for PIPs. But it also urged a wider view. Departments should perceive their own records needs much more broadly, e.g. for policy evaluation and operational research. And outside users' views and advice should be collected systematically through seven or so sector subject panels whose members should be invited not primarily for their eminence but for the relevance of their interests and experience. These seven sectors would be:

1. Trade, industry and energy; 2. Foreign and Commonwealth;
3. Defence; 4. Social services and education; 5. Environment and transport; 6. Census and other demographic material; 7. Science and technology.

These panels, in considering criteria for First and Second Reviews and PIPs, would have regard to the comparative costs of their recommendations. This as you can see is a proposal in line with my opening remarks about the need for much greater co-operation between archivists and the users of records.

I now come to the second of the main questions about modern government records, that is, access.

The 1958 Public Records Act established the first current right of access to Government records: they were intended to be open to the public fifty years after their creation. This period was reduced to thirty years in 1967 and subsequently there was accelerated opening of World War II records. Major changes in this so-called thirty-year rule depend on freedom of information policy, which was outside the Wilson Committee's ambit. However people did give evidence to us about it. Some favoured a reduction of the thirty years but others feared that if the period were too short, frank views would not be put on paper or records might surreptitiously, if not illegally, be destroyed. Moreover the change from fifty years to thirty years caused chaos in the reviewing system and the Wilson Committee felt that a further reduction would have the same result unless increased reviewing resources were provided. Our own priority for increased resources would be greater efficiency in the current reviewing system.

There is one very odd fact about the pressure for wider access in Britain: people do not exploit existing legislation, presumably because they do not read the Acts. For the thirty-year opening period is a *norm* not a *rule* and the Act allows for earlier release. This power could, and should, be used much more widely. It is also very regrettable that almost no British academics have taken advantage of the access to departmental documents permitted to research workers after a 1970 report on material for training in Government.

The provisions in the Public Records Act for extended closure have received much more attention than those for earlier release. Most records selected for permanent preservation are transferred to the Public Record Office thirty years after their creation, but they may be withheld from public inspection if the Lord Chancellor approves. However departments may also, if he specifically approves, retain records for administrative purposes or 'for any other special reason' — in effect national security. In addition records containing information obtained from members of the public are not available in the Public Record Office if a breach of faith would be involved, or if the information was obtained under certain listed enactments — i.e. 'statute-barred records'.

The Wilson Report's analysis of the operation of these provisions on access is too detailed for this paper. It concluded however that the main Grigg intention had simply not been fulfilled. This intention was that the Public Record Office and its Minister should have an overview of departmental practices for the availability of public records and should influence departments on general and particular questions of access. The Committee recommended, again with much detail, that application for extended closure should be scrutinised more carefully and that much more information should be publicly available about those records not opened after thirty years. They proposed that in the criteria for withholding records the present intention that no account is taken of party political sensitivity should be made explicit and that 'distress or embarrassment to living persons or their immediate descendants' should be changed to 'distress or danger'.

The Wilson Committee was especially concerned about statute-barred records, taking as an example the Statistics of Trade Act 1947 which prevents detailed basic data collected by government on industrial, commercial, and other economic development from *ever* becoming generally available. As the information appears unusable for ever and ever, some of it has already been destroyed. The Committee recommended that access arrangements to such material could and should be reconsidered,

subject to safeguards for the privacy of individuals and commercial interests.

I have concentrated on these two main issues in the Wilson Report — selection and access — but a section of the Report is also devoted to special but important problems, which I will mention briefly. One concerns the status of non-departmental bodies. Our Committee was not asked to investigate the whole question of the records of fringe non-departmental but government-financed bodies, about which concern has often been expressed. Again we have the phenomenon of failure to exploit existing legislation through ignorance combined with lack of will-power. For although under the 1958 Public Records Act the status of fringe bodies is ambiguous, the Act gives specific power in cases of uncertainty to confer the legal status of public records through an Order in Council. This power has never been used and the Wilson Report proposes that steps should now be taken to begin clearing up the present messy state of affairs; as a start it says that the records of the research councils and *all*, instead of some, of the nationalised industries should come into the public records net.

National Health Records, which are already specifically covered by the Act, raise especially large and complex problems which are far from solved. This is (perhaps uniquely) a field where archivists, academics, and administrators *have* already co-operated admirably in Britain at national and local level, and made real progress. There is a chapter on this in the Wilson Report.

Another special chapter in the Report deals with machine-readable records - a subject so important and urgent that early in our deliberations we asked the Lord Chancellor's Department and the Public Record Office to accelerate their efforts to deal with it and to institute a detailed joint study by the Public Record Office and the Government's Central Computer Agency. We believe that the nucleus of a data archiving centre should be established as soon as possible. There are also chapters on Visual Records and Microfilming (the latter especially in relation to conservation) and a chapter on Opening Hours and photocopying charges.

Having analysed the problems of modern departmental records and the performance of the system in the last 25 years the Wilson Report considers the roles of the three elements of authority and responsibility which I mentioned earlier: the departments which generate records; the Public Record Office; the Minister — that is, the Lord Chancellor with his Department and his Advisory Council. Broadly the conclusion is that none of them has functioned as Grigg intended. As I said, Departments have not for the most part appointed to records work staff of the quality and

seniority Grigg proposed nor have Directors of Establishments taken the personal responsibility for their departments' records arrangements. The Public Record Office has *not* adequately exercised the strong powers of guidance, co-ordination and supervision given to it under the 1958 Act. The strong Ministerial responsibility given to the Lord Chancellor in the Act has, to quote the Reports, been 'little more than a convenient fiction' and the Advisory Council has not been sufficiently effective.

Having heard this you may be surprised that nevertheless the Wilson Committee has not recommended totally new machinery or legislation to administer the public records. In fact, it recommends that these three sources of authority should continue as Grigg intended. We simply ask that the system and policies agreed to over twenty five years ago by the Government and embodied in legislation should be properly implemented.

You may ask whether in view of the disappointing record which our Report sets forth, it might be better to go for a completely new system, such as the single Government Archives and Record Service which was widely canvassed when our Committee was established. This would consist of central division of the Public Record Office which could supply trained records staff to all departments responsible for records management work, as well as for the present functions of Departmental Records Officers. There would be clear advantages in such a scheme: better standards of practice, a continuum between the creation of records and their destruction or ultimate opening to the public; the possibility of a career in records work, etc. etc.

However, there are also disadvantages. Such a service with such a range would be regarded as an encroachment by departments; its staff would find it much harder than Departmental Records Officers to co-operate with departmental staff; career prospects might well be no better and it might be difficult to recruit good staff. Before coming to a conclusion, we observed the French and United States integrated national archives systems and decided that they had not solved the problems we had analysed. We decided against such a service because we believe everything possible must be done to *integrate* records work with the main stream of departmental business, to establish that it is a really important part of such business for today's and tomorrow's administrators as well as for the day after tomorrow's historians and researchers.

The Wilson Committee's analysis and recommendations were recommended by *The Times'* Whitehall correspondent as a case study for academic departments of public administration but other (naturally in our opinion less perceptive) newspapers called our report 'timid' and not radical enough. I think that this latter comment has echoes of a belief

that has contributed to the so-called British disease. This is that if there is a problem of government the solution is a new organization. I believe that the British Government machine has become particularly bad at *running systems efficiently* and, as far as public records are concerned, the effort should go not into elaborate blue prints but in exercising ministerial and bureaucratic will power to ensure that perfectly good systems and perfectly good Acts of Parliament are properly implemented.

Of course any report requiring extra resources is as unpopular in Britain as in Australia. But the Wilson recommendations are not at all expensive apart from those concerned with machine-readable records and National Health Service records. The mode we commissioned showed us that the whole cost of handling public records from their creation to destruction on deposit in the Public Record Office, and including the whole cost of the Public Record Office is only £11,000,000 a year. This compares with the current British Government grant of £9,000,000 to the Royal Opera House at Covent Garden — and I love opera — or of £20,000,000 to the European High Energy Physics Laboratory at Geneva — and some of my best friends are high energy physicists!

Records problems do not involve difficult questions on high policy like bases for nuclear weapons or the economy. Their solution requires the conviction that records are important — not only on the part of the Civil Service but on the part of the academic professions and the Research Councils, who must show greater readiness to devote interest, time and effort to them.

Records problems require commitment, efficiency and imagination. Everyone must realise that without good records, civil administration is seriously impeded and posterity will have an inadequate picture of the activities of government and of the most important political and social developments of our times.