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Exploring the recent past in socio-legal research: The use of unpublished legal documents

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What do we mean by “unpublished legal documents”?

- Business records created by legal practitioners
- Client documents held by legal practitioners
- Legal records created in the course of their work by businesses
- Research data collected by legal scholars



How can researchers access these documents?

- By contacting the legal institution or individual practitioner
- By using the research facilities of archive repositories to find relevant records eg The National Archives' Discovery portal (<http://discovery.nationalarchives.gov.uk/>)
- What legal documents do archives collect?

There are few dedicated “legal” archives collecting records

- Records of Legal Education Archives
- Inns of Court Archives
- The Law Society Archives

And some purely in-house archives eg Ede & Ravenscroft; Lexis Nexis Butterworths



Most legal documents turn up in unexpected places..eg

- Business archives like Transport for London Corporate Archives: its own legal case files and arbitration records
- London School of Economics Archives: records of mediation organisations
- London Metropolitan Archives: records of the London Court of Arbitration
- County archives: records of law firms, individual practitioners, local law centres and citizens' advice bureaux – collected on an ad hoc basis

How do researchers find the records they need?

- Start with TNA's [Discovery](#): it lists all archival repositories and you can search for individual record creators and records by keyword, date, location IF the repository has a digital catalogue AND has sent TNA the link. If not...
- You will need to contact the individual repository and ask for help.



Who is using unpublished legal documents and for what purpose?

Records of Legal Education Archives: Primarily academic research eg records of famous legal practitioners (eg exam results of Nehru); changes to professional legal roles; history of intellectual property; role of associations in legal development (eg International Legal Association and international law) and some genealogy eg information about individual solicitors

The Law Society Archives: Genealogy: information about individual solicitors but also law firms seeking information about the firm which they can't find in their own records!

Inns of Court archives: Primarily internal from the Inns eg re property; from the legal profession re membership and chambers' records; genealogy.

County Archives: nearly all genealogy (deeds) or biographies of prominent practitioners

What is the Legal Records at Risk project's role?

- To raise awareness of the variety and extent of modern private sector legal records in the UK – not just the records of law firms but of barristers' chambers, legal executives, patent agents, licensed conveyancers, court interpreters, arbitrators and ancillary bodies such as legal stationers and law publishers.
- To work towards a national strategy to systematically rescue those of value which are at risk through globalization, digital obsolescence, neglect, lack of interest or lack of resources to preserve and provide research access to the records.
- To ensure, by doing so, that that the socio-legal (and other) researchers of the future are given a balanced picture of the developments in legal services and processes over the past two centuries.

How can we help researchers? Let us know about..

Issues around records which are *not* available ie:

- Problems locating and accessing relevant records
- Do these issues constrain your research or alter your choice of study?
- Do secrecy and confidentiality issues hinder your research?



How can you help us? Let us know about..

Records which *are* available
ie already in archives:

- 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

