

THE LEGAL RECORDS AT RISK PROJECT

**Information as an Asset: the business
benefits to providers of legal services of
preserving their records**

The second Legal Records at Risk seminar, IALS
Conference Room, 23 November 2016 2-5.30 pm

Seminar introduction

Are legal records an asset or a liability?

Clare Cowling

LRAR Project Director

What do we mean by “legal records”?

Providers of legal services manage two major categories of information:

1. Client records, including individual case files and documents belonging to the client
2. Business records including: company/partnership formation, insolvency, trademark/copyright/patent; policy and guidelines; annual reports; external and public relations; finance; HR; facilities and property; complaints and enquiries; training; litigation

When is this information an asset?

- When it is easily available for business use
- When it enhances client satisfaction
- When it can be readily used for branding, publicity or community engagement
- When it helps to ensure justice or to win litigation
- When the cost of managing it is outweighed by its value to the business

When is this information not an asset?

- When it causes embarrassment/reputational damage/litigation
- When the cost of managing it outweighs its value to the business
- When it becomes inaccessible

All of the above are caused by poor information management

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www.glasbergen.com



"We rarely back up our data. We'd rather not keep a permanent record of everything that goes wrong around here!"

What is the aim of this seminar?

To demonstrate the ROI to providers of legal services of:

- Managing *all* their records efficiently and
- Preserving those of value both for business use and for posterity



Our four speakers...

- **Judith Slinn**, legal historian, on the value to organisations of making their corporate records available for research
- **Maria Sienkiewicz**, Barclay's Group Archivist, on the benefits to her organisation of maintaining a corporate archives
- **Emma Ferguson**, Chadwick Lawrence LLP Archivist on the business benefits of corporate records management and archiving programme
- **Jane Marshall**, Jane Marshall Consulting LLP and member of the Pensions Archive Trust, on the benefit to organisations of depositing their business records in archives

Legal Archives at Risk

Solicitors' Records

Judy Slinn



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What the records are

- The firm's accounts
- partners and staff
- Management and policy decisions
- Correspondence
- Client papers: private clients and business clients

Significance for the firm itself

- Charting its history and growth
- As firms grew larger, the development of management systems
- Adaptation to ‘globalisation’ – the development of international practices
- The response to legal, political and social changes

Wider significance for business

Since the 1840s solicitors have been at the heart of the development of the corporate economy

- Providing compliance with the legal framework
- Advice in general and more specifically managing litigation
- An active role through directorships
- Increasing specialisation – e.g tax, M&A activity

The broader contribution

- The development of an important service industry
- The development of the legal profession
- Records relevant to significant legal, political and social changes
- Contributions to social, legal, economic and family history

Hidden Gems or Skeletons in Cupboards:

Making the most of business archives

Maria Sienkiewicz
Group Archivist
Barclays PLC

maria.sienkiewicz@barclays.com

Brought over from folio 2... 86197. 12. 11
In Cash - - - - - 33751. 4. 11

119948. 17. 10

£ Joseph Treame - - - 7500
£ James Barclay - - - 2500

10000

The above Account being Ten
Thousand pounds, is Rated & allowed
by us: June 24th 1737

Joseph Treame
James Barclay

Dear Sir
John Barrow

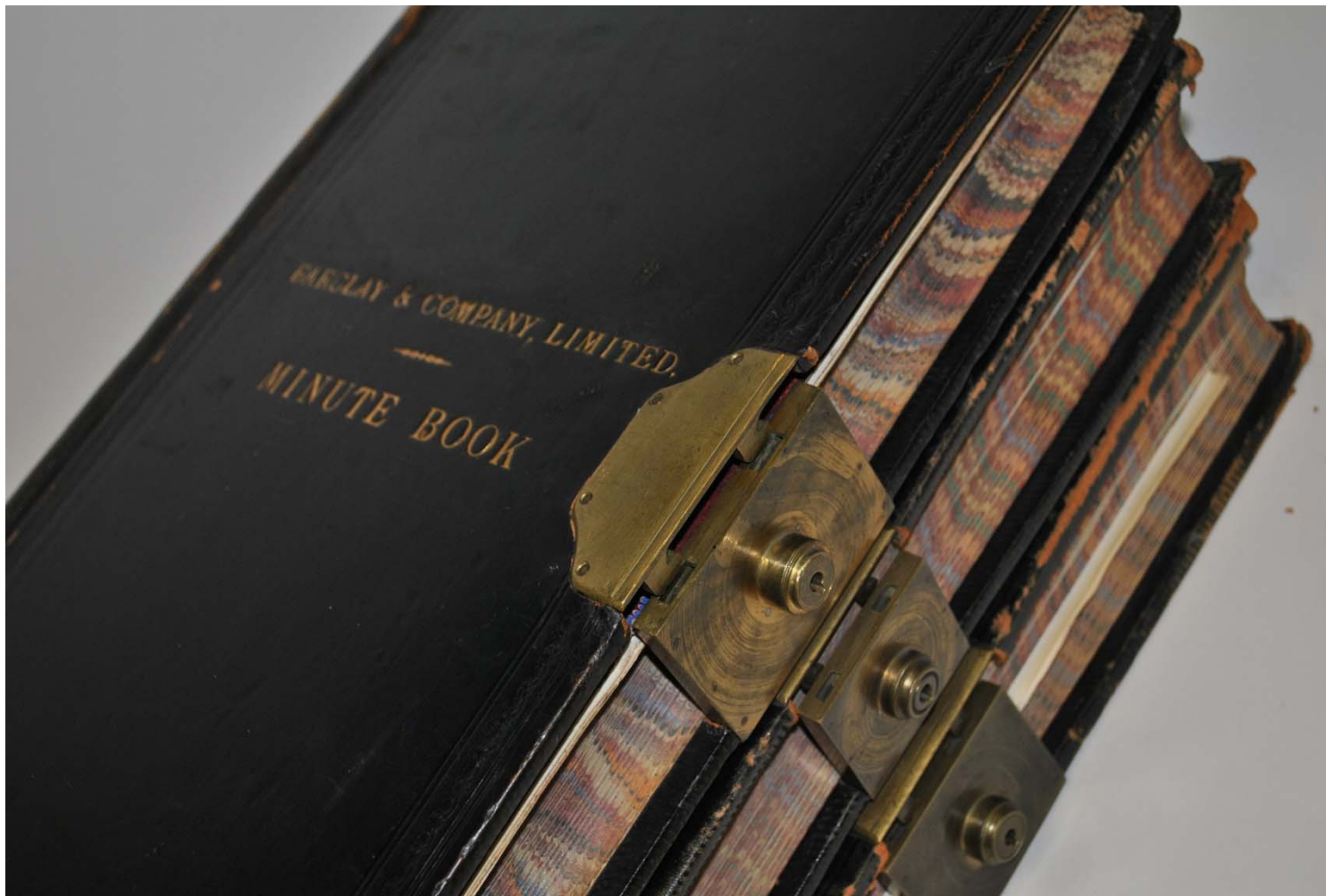
New York May 4th 1775

(Lancaster) I wrote the 1st February & my Mother in Law 24th February ^{Annexed} of the Decease of Bro John Backhouse, both which Letters I hope came duly to hand, I have admittid to his Estate, as Annaxed is copy of his will; probate &c. I have paid all his private Debts here, This Genl^l Responce, his Real Estate consists of 1/3 of 600 Acres of Land, in Pensilvania Bought & paid for by the Company, which will leave us a profit; we had agreed to take 12,000 Acres being half of a Township in this Province, in Company with Jacob Isakov, Total 24,000 Acres, but no money paid nor till 7th this unhappy Dispute betwixt Great Britain & the Colonies should be settled soon, would it not be best to lay out £200 Sterling for his son in Lands, as they would be certain and very ~~profitable~~ ^{probable} would be worth double the sum when he arrives at the age of 21 year, Lands of late hath been a profitable thing to deal in, & very probable will continue; But am sorry to say we are at present in a disagreeable situation, no Trade, and if matters are not soon settled, the money we had laid in Company with Owen Jones Jun^r. valued at 6 or 7,000, will be reduced greatly, tho our situation is not so bad as many, yet we must unavoidably suffer with our Neighbours — The violent Measures pursued by the Colonies, or by parties in each Colony, I could not think would answer a good purpose, but would be destruction if pursued to Extremity. I often wished the Tea destroyed had been paid for, but a Majority of the Congress could not think so, since we had an account of the Battle near Boston, the Continent has been thro' our with the greatest Concessions, Drawing Blood from the Americans, is only adding Fuel to the Fire, & how disagreeable it is to see my Friends & Neighbours under Arms, who a month ago, had the greatest abhorrence to these Violent Acts, but now seem determined to stand or fall together, it is a trying time to Fr^{ds} as we frequently hear Expressions of Violence, that a Man who will not take up Arms for the defence of his Liberty, ought to die, tho the generality of this Province is not so fiery, I have always spoke my mind freely, disapproving of Violent Measures, to obtain Redress of Grievances, I think this affair has exceeded Boston, last week about 500 Persons under Arms went to the Collectors, demanded at his Peril, that he should not clear out any loaded vessel with provisions; took the key of the Customhouse, where they have Papers Books & Money were deposited, but that forward action is condemned by the City in general, however the New Committee desired the port ^{might} be opened except to Quebec, Nova Scotia & Newfoundland & several vessels were loaded for the Banks with Bread Pot &c. all which is stopped, Ships usuall load here for Newfoundland about £30,000 & annuum my Love to all Friends I remain thine affectionately,
William Backhouse

Owen Jones Jun^r, my son & I have agreed to carry on Business here and in Philadelphia, and on the Term of Backhouse Jones & Backhouse, should be glad to ship some Red hair Dear Skins if opportunity permitts.
Wheat now at 6¹/₂ Bushel 60 weight, Flour 16¹/₂ Flams 6
Pot 68¹/₂ of Barrell
Wheat on London 168 to 167¹/₂ of Cent

 BARCLAYS

 UNIVERSITY OF LONDON





James Eaton,
"The Mount"
Caroline St.,
Ashton-u-Lyne.

Age: 15 yrs. 5 mos.

Commenced at Ashton-u-Lyne
1st Feby. 1911.

Recommended by:-

Mr. F. K. C. Hulson, M.A.

Kelsall House,
Shalybridge.

" A. Park,
Abion Higher Grade School,
Ashton-u-Lyne.

" W. Watson,
Solicitor,
59 Warrington St.,
Ashton-u-Lyne.

Med. Cert.:-

J. B. Hodson,



MOTOR LOG, PAGE.....						
CAR	TRIP	Flying		TO	DATE	
PLACE	TIME ARR.	TIME DEP.	K.M.	PETROL	NOTES	
1942.	Oct. 27	Khartoum	W. Halfa		71,559	
		7.08	10.31	707	B.O.A.C Caledonia	
		W. Halfa	Cairo			
		11.05	15.55	1037	5,653	
					<hr/> 77,212	
1943.	Jan. 1st.	Tobruch	Alex.	450 ?	Hudson bomber.	
		(El Adem)	Nouza		RAF Pilot	
		13.07	15.23	504		
	Jan. 24th.	Cairo	Luxor	317 320	Flamingo King Arthur	
		7.40	9.20			
	April 14th.	C. Benito	Malta	276	Pilots "Zippy" Zorn Garry Rose Engine trouble	
		15.52	18.07-19.07			
	Jan. 25th.	Luxor	Port Sudan		Hudson bomber	
		9.55	12.20	530 512	Pilots Zorn & Rose	
	April 20th.	P. Sudan	Asmara	310	Douglas transport	
		12.53	14.42-15.42			
	Jan. 26th.	Asmara	Addis	461	Lockheed Lewis	
		6.43	10.35		Pilot Garner 3,074	
		10.58	14.53		Wireless faulty and wrong course taken.	
	Feb. 8th.	Addis	Asmara	461	Lockheed Leander	
		7.50	10.35		Pilot Garry Rose.	
	Feb. 9th.	Asmara	P. Sudan	310	" " "	
		6.44	8.35			
	September 14th	P. Sudan	Jidda	18070	Mitchell bomber	
		8.35-	9.05--			
		9.05	10.33			
	September 14th	Jidda	Hurgharda	520		
		10.33	10.00			
		11.25	14.50			
	15th	Hurgharda	Cairo		Douglas Transport	
		15.20	16.55-15.55			
		Tunis	Trippoli	256		
		13.20	15.55		<hr/> 3.780	
		16th	Trippoli	Cairo	1,200	<hr/> 80.992



**“AND UPSTAIRS
IT’S ALL MARBLE
AND GOLD”**

It isn't, you know. And the manager probably *doesn't* wear a black coat and striped trousers either. The good old myth that banks are all marble and high hat and only interested in rich customers is dying steadily. It can't die too soon for us. We *expect* our new customers to be young, and without much of an income. But never mind—they won't be hard up forever; and when they do have more money a bank account will help them to look after it. So, if you're ambitious, be judicious and open an account with Barclays NOW —while you still have to count the pennies. You'll soon be counting the pounds.

 **BARCLAYS BANK LIMITED**
Money is our business



Terms and conditions for personal customers

Including:

Customer Agreement

Personal Overdraft terms and conditions

Specific terms and conditions referring to:

- Bonus Saver
- Children's Savings Account
- Fixed Rate Savings Bonds

13599

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Page last updated at 18:34 GMT, Wednesday, 25 November 2009

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Banks win Supreme Court case on overdraft charges

Millions of bank customers hoping to be refunded overdraft charges have been dealt a major blow by a Supreme Court judgement.



Lord Phillips reads out the statement explaining the Supreme Court's ruling

The court has overturned earlier court rulings that allowed the Office of Fair Trading to investigate the fairness of charges for unauthorised overdrafts.

At stake in the case, which has run for over two years, is an estimated £2.6bn of annual income for the banks.

Campaigners said they were shocked and disappointed with the decision.

Banks welcomed the ruling, said there had been major changes to current account packages recently, and pointed out that these unplanned overdraft fees could be avoided.

Seven banks and one building society wanted the court to overturn two previous rulings that said the OFT had the power to investigate unauthorised overdraft fees.


Historic claims

Those who received payments from banks before the test case started will keep their money, because these pay-outs were made as "goodwill gestures".

CREDIT CARD & BANK CHARGES

- LATEST STORIES
- ▶ Banks may offer overdraft opt-out
 - ▶ Credit claims firm investigated
 - ▶ Bank charges face new challenge
 - ▶ Credit card rates 'at new high'
 - ▶ Database glitches hit Egg cards

ANALYSIS

 **Q&A**
What next for bank charges?

- ▶ What's the future for credit cards?
- ▶ Do we ever switch bank accounts?
- ▶ Going overdrawn
- ▶ In depth - borrowing and debt

- RELATED INTERNET LINKS
- ▶ British Bankers' Association
 - ▶ Financial Ombudsman Service
 - ▶ Judiciary of England & Wales
 - ▶ Office of Fair Trading
 - ▶ Supreme Court

The BBC is not responsible for the content of external internet sites

Talking Points: UK ring-fencing

1 November 2016



Barclays Head Office at 1 Churchill Place

What's happening?

- Barclays announced in March that it will be organised as two clearly defined divisions, Barclays UK and Barclays International, to simplify the business, accelerate our strategy, and prepare early for UK ring-fencing
- Ring-fencing is a UK legislative requirement that larger UK banks separate UK retail banking activities from the rest of their business by 1 January 2019

 Share

 Personalize news/widgets

See also

[Client outreach exercise: PRA recognition of 'Bail-In' and 'Stay' rules](#)


Related links

[Full Year 2015 Results announcement \(creation of Barclays International\)\(PDF\)](#)



[Full Year 2015 Results presentation \(creation of Barclays International\)\(PDF\)](#)



[3Q 2016 Fixed Income presentation \(structural reform update, slides 37-38\) > \(PDF\)](#) 

Latest news

[Jes Staley announces Robert Le Blanc's departure](#)

[Scaling companies, creating jobs, and solving problems in the green economy](#)



All a girl needs
when she goes out
shopping.



Would you credit that? It's happy 50th, Barclaycard

Flashing the plastic just turned 50 in the UK. On 29 June 1966, a month before England's only football World Cup triumph, Barclays bank launched Britain's first credit card. Barclaycard kick-started a revolution in the way people manage and spend their money

and, in the process, played a leading role in creating Britain's £1.5tn personal debt mountain. Access was the first challenger to Barclaycard, launched in 1972, and there are now 59m credit cards in circulation with Barclaycard accounting for 10.5m. Total UK credit card spending in 2015 was £146bn. The card was launched from a derelict shoe factory in Northampton that had been converted into Barclaycard's



HQ. At that time, the idea of paying with plastic was alien to most people, some of whom took the view that credit cards were an undesirable American import. Barclaycard was based on Bank of America's BankAmericard, launched in 1958. In order to generate awareness of the launch, a million credit cards were sent out to Barclays customers - a marketing method that the company

freely admitted would be "absolutely unthinkable" today with credit checks and banking regulations.

Other marketing ploys included mini-dress-wearing "Barclaycard girls", whose job was "to help educate and change people's minds", and a cinema ad featuring a young woman shopping in a bikini with a card tucked into her swimsuit. Even comedian Dudley Moore got in on the act in the 1980s dressed as a ginger-haired punk.

Rupert Jones




Barclays Group Archives x

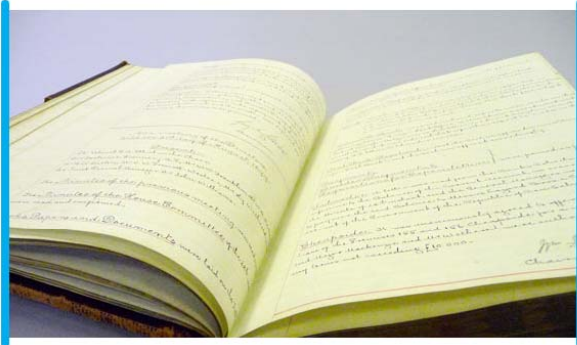
https://www.archive.barclays.com

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 **BARCLAYS** Group Archives

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About the archives

Barclays Group Archives are home to the records of Barclays PLC and its predecessors, dating from 1567 to the present day.




STORY
Around the world

Barclays' international activities date back to 1836. Today we operate in 50 countries and territories, and impact




COLLECTION
Annual reports

Annual reports for Barclays, Barclays International and Martins Bank are available to view or download.



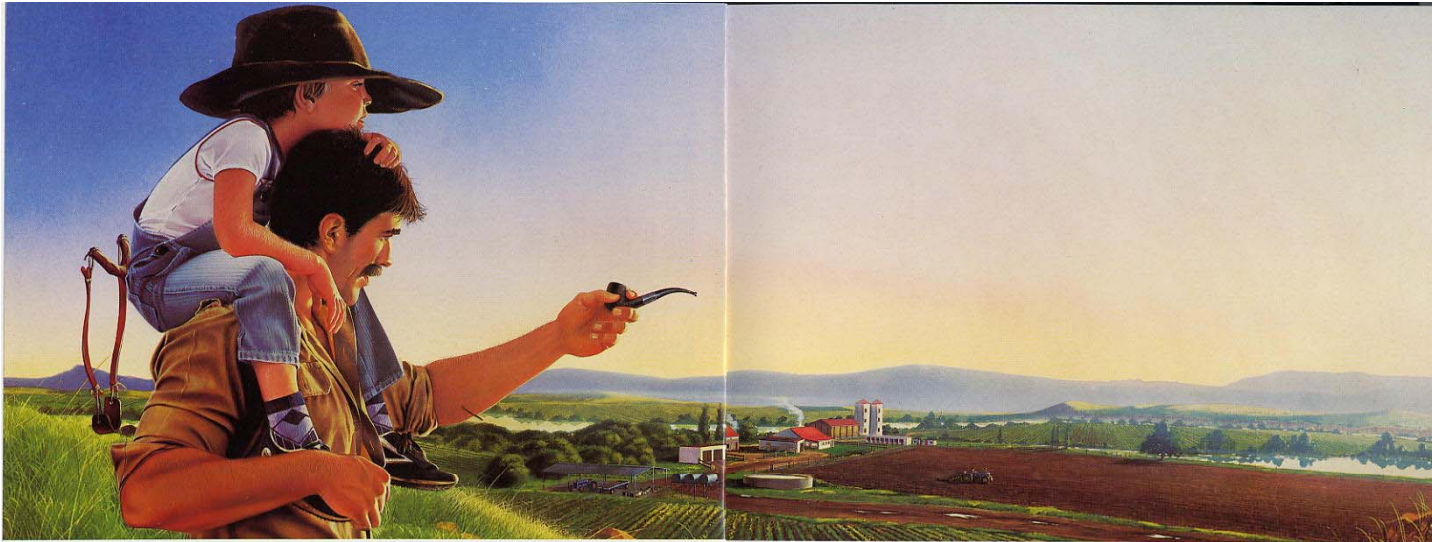
BRANCH PHOTOS
Branch photos

Branch photos from throughout the 20th century are available to view or download.



COLLECTION
Advertisements

Advertisements from the 1920s onwards are available to view or download.



When the hat fits, we'll still be here.

Your great-grandfather and his father before him knew us well. For over 7 generations, The Bank has rooted itself deep in the very earth of South Africa.

Currently we have over a billion rand invested in our farmers' future. And with the country's largest platteland branch network and a nationwide team of

agricultural specialists at your service, you can be sure The Bank will stand behind you.

What's more, when the hat fits, we'll do the same for your son. And his children's children.

So call on The Bank. Anytime. And you'll be welcome.



The Bank
BARCLAYS BANKING GROUP

BARKER MCCORMAC 4610



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John Ashley 24. 3. of 7 mo 1791

I observe thy plan for thy future destination with a great
rational; how far what I have now to communicate wth interfere
or coincide with thy views, I submit to thy consideration — It is probable
thou might know that my B^r & I were in possession of a Pen in Jam^a
called Unity Valley taken by our Attorneys for an old Debt; the
management of which has been for some years under the care
of Alexander Macleod of Spanish Town, & as far as I know is managed
well — previous to the decease of Thomas Smith we directed him to
advertize it for sale in the Philad^a & My. papers, as we did in the
London papers, but without success — our plan was to sell the Estate
without the Negroes, not being free to sell our fellow creatures
& being anxious to manumise them as soon as in our power
& in the mean time we directed our Agent to have them used
kindly & to permit them to have a day in the week to themselves,
In consequence of our earnest request he manumised a Man
& a Woman by way of specimen & agreed ^{with} ~~for~~ them to work on the pen
at fixed wages; but that plan did not last long; he wrote they grew
idle & he was obliged to turn them away & that he w^{as} not free
any more — The produce of the pen is various, but not having
the acc^t here, I cannot from memory ascertain it. I think from
£ 500 to £ 800 Ann^{ly} & as the Agency is abt^{ly} £ 200 Ann^{ly}; I have doubts
of the Agents promoting the Sale, & therefore am anxious to find
a suitable person to go there & to endeavour to see the true state
of the concern — My Idea is that as a M^r knows that I am
very ^{desirous} ~~anxious~~ of selling the pen that thou might (if suitable) take
a trip there in the most healthy season & make Inquiries as a
person inclined to purchase for thy self or by commission for
another





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Manchester, M23 9JA

0330 151 0156

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www.barclays.com/archives

Discussion

Do the business benefits of preserving legal records outweigh the risks?



Chadwick Lawrence

Yorkshire's Legal People



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From Big Boxes to Digitisation: The Business Benefits of Employing a Professional Archivist at a Law Firm.

Emma Ferguson November 2016

The Chadwick Lawrence Way

- The culture of the Firm, incorporating our values, standards and behaviours.
- Our mission – ‘Being the best at what we do.’

Archives Vision and Values Objectives

- Encourage colleagues to follow archive policies and procedures
- Be forthcoming with information
- Be professional, efficient, reliable and approachable

Archive Document Wizard

Archive Document Details

Archived Date: 18/11/2016 *

Item Type: [not specified] *

Item Description: *

Item Reference: *

Alt. Reference:

Authorised By: Emma Ferguson *

Item Location: [not specified] *

Alt. Location Text:

Where Created: [not specified] *

Destroy Date: ___/___/___

Archive Notes:

In Storage:

Related Matter: [not specified]

Scanned Item:



Our main off
site storage
unit

Organised and compliant storage space



Archive statistics

Between January – October 2016 we have archived:

- 8,903 client case files
- 1,491 original documents

And dealt with:

- 1,811 internal requests for items

In Summary

- standardised, streamlined and compliant record keeping processes
- the importance and value of best practice is recognised
- clients are offered an excellent service
- storage and retrieval costs are kept to a minimum
- demonstrates that the Firm is willing to embrace change and invest in future developments.

Benefits, challenges and opportunities: the Pensions Archive Trust

Jane Marshall

Jane Marshall Consulting LLP

The Pensions Archive trust

1. What is PAT? (objectives, structure etc.)
2. Genesis of PAT (why, when, how, who)
3. Breadth of material ,contributing organisations and practicalities (how we work with LMA, sensitivity to concerns of different bodies, protection of confidential material)
4. Going forward

<http://www.pensionsarchive.org.uk/>

Discussion

Does the benefit to legal entities of investing in archival provision for records outweigh the effort involved?

Conclusions and next steps

A plan for the future or
carry on as usual?



Photo credit: Highland Technology Services