



Summary of meeting

Advisory Council on National Records and Archives

6 June 2008

Note of the meeting

The following is a summary of the meeting of the Lord Chancellor's Advisory Council on National Records and Archives held on 6 June at The Royal Courts of Justice, London WC2A 2LL.

Sir Anthony Clarke, Master of the Rolls, in the Chair. Members present were Ms Else Churchill, Viscount De L'Isle, Professor Harry Dickinson, Sir David Durie, Dr Clive Field, Ms Christine Gifford, Dr Jennifer Haynes, Mr Graeme Herd, Professor Arthur Lucas, Professor Michael Moss, Lord Roper, Ms Janet Smith, Mr Ian Soutar, Ms Catherine Maxwell Stuart and Ms Stephanie Williams.

Also present were, Ms Carol Tullo, Director of the Information Policy and Services Directorate at The National Archives, together with Ms Meg Sweet and Mr Nick Kingsley of The National Archives, Mrs Judy Anckorn, Private Secretary to the Master of the Rolls, and Ms Lâle Ozdemir as Secretary.

Home Office and Ministry of Justice

In final reports on the moratorium the Home Office and the Ministry of Justice provided detail on the progress they had made on the backlog of records. The Council noted the progress made by both departments but was concerned to learn that the Home Office has outstanding areas of work yet to be completed.

Access to public records

With regard to the use of statute bar for juveniles, the Council queried whether the use of Freedom of Information Act (FOIA) exemption section 40 (personal information) and

not FoIA exemption section 44 (prohibitions on disclosure) stemmed from statute or convention. In response to this query, The National Archives stated that in keeping with the spirit of the statute that applied to publishing the identity of juveniles at the time of the case, it was convention that such information was not released upon transfer, as the names had not been in the public domain. The Council accepted the closure.

Freedom of Information cases handled by The National Archives and considered by Council Panels

The release of information following the advice of respective Panels that the public interest lay in disclosure in relation to the conferring of an honour or dignity in two particular instances (HM The Queen's Silver Jubilee Medal and a Bishopric appointment) was highlighted as a positive impact of the role of the Council. The Master of Rolls thanked members of the Council for their work on the Freedom of Information Council Panels.

Data Security and living individuals

The National Archives asked the Council to endorse the efforts of The National Archives to protect citizens from identity fraud whereby previously open information may be closed to protect data subjects against potential fraudulent activity. The Council endorsed the efforts made by The National Archives.

Advisory Council annual report (2007-2008)

The annual report detailing the work of the Council carried out over the last year in relation to its statutory role is to be published shortly.