

*From Professor M Anne Crowther, FRSE
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27/03/07

**UNIVERSITY
of
GLASGOW**

Mr B Matthews,
Cultural Policy,
1-A North Victoria Quay,
Edinburgh EH6 6QQ

Acknowledged.
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Permission to put on
web.

Dear Mr Matthews,

I enclose comments from the Scottish Records Association on the Cultural Policy (Scotland) Bill, together with a respondent information form.

I have also forwarded an email version, though I'm afraid I was unable to attach the respondent information form to the email, as I could not find a way of editing it electronically.

Yours sincerely,

Anne Crowther



Comments by the Scottish Records Association on the Draft Culture (Scotland) Bill

General Comments

The Scottish Records Association is concerned with the preservation and use of historical records in Scotland. It provides a forum where users, owners and custodians of records can discuss matters relating to their custody, conservation and accessibility. With a membership including both public and private sector archivists, owners and users of a wide range of Scottish archives, it sponsors meetings and publications aimed at furthering access to archives.¹ It is represented on the National Council of Archives, and the Scottish Archives Council, and shares their concerns with the effective preservation of, and access to, archives.

The Association commented on the *Scottish Executive Response on the Cultural Review*, (2006). Given the importance of archives in the preservation of Scotland's heritage, the Association was disappointed with the absence of attention to archives in that response. While pleased that the Draft Culture (Scotland) Bill has addressed some of the concerns of the SRA and other bodies concerned with the management of Scottish archives, the SRA believes that there is still scope for improvement if archives are to take an appropriate place alongside the other major components of Scottish cultural strategy.

The comments below are confined to those areas of the Bill within the SRA's field of interest.

Specific Comments

Clause 1. The SRA welcomes the duty placed on local authorities to report on their cultural services, and on their accessibility to the public. However archives are not covered in any specific section of the Bill, unlike museums, libraries, etc. The SRA would prefer a specific reference to archives in local authority cultural strategy.

Clause 2. The SRA particularly welcomes the requirement that local authorities should take account of cultural significance before disposing of their records. However, there is no clear line of accountability for local authority disposal policies, although S. 53 of the Local Government etc. (Scotland) Act 1994, required local authorities to take account of the views of the Keeper of the Records of Scotland. The very variable standards of archive provision by local authorities since 1994 suggests that this clause was not sufficient to safeguard the cultural heritage of local authority archives, or to make them accessible to the public, and the present Bill imposes no additional responsibilities.

¹ For further details, see <http://www.scottishrecordsassociation.org/>

Clause 7. Interpretation. The Association is pleased to see that the Bill emphasizes the responsibilities of local authorities for historical records, although these are indirectly expressed via reference to the cultural functions of local authorities under sections 53 and 54 of the Local Government etc. (Scotland) Act 1994.

Clause 16. The SRA believes that 'The National Record' is an inappropriate title for the functions of the body that will replace the Royal Commission on the Ancient and Historical Monuments of Scotland. It will mean little to the general public, who interpret 'public records' as the written record. Many people still think of the National Archives as the Scottish Records Office, and the proposed title will cause confusion. 'Board of Trustees of the Historic Environment of Scotland' might be more appropriate.

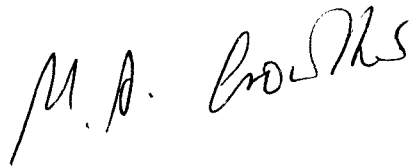
An Archives Strategy

The SRA appreciates the motives behind the omission of the National Archives from the 'National Cultural Bodies' in Part 3 of the Bill. Both the National Archives and local authority archives have statutory obligations in records management, as well as functioning as cultural bodies, and the SRA has previously noted its opposition to viewing archives only as a 'cultural' or 'heritage' issue. Archives have a dual function as legal and cultural repositories.

However, in omitting archives from the 'National Cultural Bodies', the Bill makes no effort to redress the historic neglect, disorganisation, and under-funding of archives in Scotland. Archives are currently maintained by both public and private bodies. Some (like the archives department of the National Library of Scotland), will fall under the remit of the Bill, and there will be slightly more pressure on local authorities to treat their historical records with greater care. But the Bill provides no central body for monitoring the standards of Scottish archives, or offering incentives to improve them.

The Bill does not remove the need for effective central supervision of Scottish archives. Their omission from the main remit of the Bill indicates the need for a separate Archives Bill to take account of the importance of archives, both as the records managers of public bodies, and a vital part of Scotland's cultural heritage.

On behalf of the Scottish Records Association



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