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# STATES OF JERSEY



## **PUBLIC RECORDS (JERSEY) LAW 2002: REPORT ON THE WORK OF THE JERSEY HERITAGE TRUST AND THE STATES ARCHIVIST DURING 2008**

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**Presented to the States on 16th June 2009  
by the Minister for Education, Sport and Culture**

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**STATES GREFFE**

## REPORT

### Introduction

Under the Public Records (Jersey) Law 2002 the Archivist is required to provide an annual report to the States of Jersey. The 2008 annual report gives details of the assessment of the Jersey Archive against national standards, the care of and access to public records, legislative work, records management work, work undertaken as part of the historic abuse Inquiry and staffing at the Jersey Archive. The report also highlights steps that should be taken by the States of Jersey to ensure the future sustainability of the Jersey Archive.

### National Standards

In May 2008 the Jersey Archive was assessed by Dr. Norman James of The National Archive against BS5454: Recommendations for the storage and exhibition of archival documents (2000) and the wider ranging Standard for Records Repositories (2004). Dr. James was asked to measure how well Jersey Archive performs against national standards, make recommendations for improvements and development of the service and comment on the operation of its functions under the Public Records Law.

### Dr. James' completed report includes the following key recommendations:

- That the proper implementation of the Public Records (Jersey) Law 2002 is impossible with current staffing levels.
- That public access be improved and the cataloguing backlog stabilised through a package of measures, ideally moving back to the previous staff establishment of 11.
- That an infrastructure of departmental information managers within each States administration and the appointment of a permanent records manager on the staff of the Jersey Archive is imperative if the Archive is to carry out its duties under the Law.

The report highlights the excellent facilities at the Jersey Archive and also the high level of service provided by staff, but concludes that 'Jersey has a flagship archival operation whose facilities and staff are a credit to the Island but this achievement will be placed in jeopardy if the Jersey Archive is not adequately supported.'

### Archival Public Records

In 2008, 63 new collections from official bodies were transferred to the Jersey Archive. These collections contained over 13,000 individual items – over double the amount of records deposited by public institutions in 2007. In 2008, 28 cubic metres of records were transferred to the Archive. If transfers continue at this rate, the Jersey Archive will be full by 2017. The Archivist expects that the rate of transfer will not continue at current levels as many institutions have now deposited their older records and many future transfers will be made in a digital format. However, space in the Jersey Archive repositories will be monitored on an annual basis. All new collections have been fully accessioned, assessed by the Archive Conservator and placed in the strong-rooms at the Jersey Archive to await cataloguing.

Please see the attached **Appendix** for a full list of public records accessioned in 2008.

The Jersey Archive currently holds a quarter of a million public records, 70% are fully catalogued and accessible for members of the public to research. The remaining 30% are waiting to be catalogued before they can be made available to the public. With current staffing levels this represents a 21.4 year cataloguing backlog, an increase of 1.7 years on the backlog of 2007. In 2008, 4,843 items were catalogued by staff and 13,902 new items (both public and private records) were accessioned. These statistics show that with current staff levels the cataloguing backlog will continue to grow on an annual basis.

Public records currently held at the Jersey Archive are kept in an environmentally controlled secure strong-room which is monitored for temperature and humidity by the Conservator on a daily basis. In 2008 the Conservator spent 321 hours ensuring that all public records arriving at the archive were cleaned and repackaged. The Conservator is also responsible for a programme of active conservation of badly damaged items and in 2008 she repaired 13 items – nearly double the amount conserved in 2007. The archive currently holds 380 items in an unusable condition that are in need of active conservation work.

Each year the Jersey Archive completes a stock-take to ensure that public records are located correctly in the strong-rooms and that none have been misplaced during the year. In 2008, approximately 50,000 records were checked in stock-taking week and found to be in the correct locations.

### **Public access to Records**

In 2008 the Jersey Archive was open to the public on 160 days of the year, and 3,506 readers made use of the facilities – an increase of 6.6% on footfall during 2007. The Archive also provides access to public records through its online catalogue and enquiries service. In 2008, staff answered over 1,100 written enquiries by letter or e-mail. The catalogue received a total of 90,000 visits, with over 10,000 visitors searching the archives for over 20 minutes.

Dr. James' report has identified the need for improvement in public access to Jersey's archival material. From statistical information contained in The National Archive's Public Services Quality Forum questionnaire, the Jersey Archive is in the bottom 5% of archival institutions in the U.K. for opening hours. Between September and November 2008, local law firm Appleby sponsored 6 Saturday morning openings at the archive. This was a welcome development which saw a 200% increase in average attendance when compared to a weekday.

### **Closed Records**

Under the Public Records Law, any information produced by a public body is closed to public access for 30 years unless it has been previously available, e.g. published reports. The Records Advisory Panel, appointed under the Law, has the ability to approve recommendations from the Archivist for longer closure periods on records of a sensitive nature, e.g. Children's Services or Hospital records.

In 2008, the Archivist reviewed 380 record series that are currently closed to public access for over 30 years. Recommendations on closure periods were discussed with public institutions and approved by the Records Advisory Panel at their quarterly meetings. The review resulted in a number of items being made accessible to the public after a reduced closure period.

In November 2008, the Archivist reviewed 80 files that, after closure periods of 30 and 100 years, were due to be opened to public access in 2009. After review and consultation with the public bodies that created the records, the Archivist recommended that 78 files be opened to public access on 1st January 2009 and 2 files should be closed for longer periods of time under Part 5, Article 31(5)(a) of the Public Records Law – “an unwarranted invasion of the privacy of an individual”. The Records Advisory Panel agreed these recommendations on 8th December 2008.

### **Legislative work**

In May 2008, the Archivist was asked by the Privileges and Procedures Committee (PPC) to respond to the following question –

‘What is the progress on implementation of the Public Records (Jersey) Law 2002? What funding or staffing issues remain to be resolved? Do you perceive that the requirements for the Public Records Law and a Freedom of Information Law are closely linked?’

The Archivist sent a paper to PPC detailing the current progress under the Public Records Law, the relationship between Public Records and Freedom of Information legislation, and the funding/staffing implications for Jersey Heritage.

### **Records Management**

In January 2008 the Archivist sent out compliance questionnaires to 50 States Departments and Administrations whose records fall under Article 5 of the Public Records (Jersey) Law 2002. The questionnaire asked each administration to identify –

- the strategic importance of records management,
- records creation procedures,
- appraisal and disposal systems,
- the process in place for transfer of records to the Jersey Archive.

Since January 2008 the Archivist has met with or spoken to individuals from over 40 States Departments and Administrations to discuss their current compliance under the Public Records (Jersey) Law 2002. Compliance with the Law broadly falls into 2 categories –

- Transfer of any records identified as archives that are over 20 years old to the Jersey Archive.
- Establishment of a retention schedule giving details of records currently created by each administration and identifying those records that should be transferred to the archive after a suitable period of time.

The Archivist has found that, whilst many administrations have transferred at least some archival material, there are still some administrations which have yet to transfer

any material over 20 years old to the Archive in compliance with the Public Records Law. Of even greater concern was the fact that by January 2008 none of the 50 administrations had signed off retention schedules in place – draft schedules were in place in some administrations.

In order to comply with the Public Records (Jersey) Law 2002, signed-off schedules should be agreed with the Archivist and put in place in each administration. The Archivist has started to work with administrations to ensure that schedules are compiled and signed off. This is, however, a time-consuming task, and with current resources at the Jersey Archive will take several years to put in place. In 2008 the Archivist agreed signed off retention schedules with 4 public institutions.

### **Historic Abuse Inquiry**

The events surrounding the Haut de la Garenne Inquiry have shown that it is vital for each States Administration to have transparent, accountable and well-organised record-keeping systems in place. The Inquiry has highlighted the importance of archives as evidence, and shown that their integrity is vital should they be produced in a court of law. The Jersey Archive has been a source of historic information for the States of Jersey Police over the past 12 months as they have investigated various aspects of the Inquiry. The Archivist has responded to 27 separate enquiries from the States of Jersey Police and spent 44 hours compiling information in response.

The Archivist has also worked closely with the Children's Services division of Health and Social Services throughout the year to ensure that records are appraised, listed and moved to the Jersey Archive as a secure impartial place of deposit.

In May 2008, the Archivist was asked by the Chief Minister's Department to prepare a paper outlining additional resources required to secure historic information for a potential Committee of Inquiry into Children's Care Homes. In September 2008, the request for additional resources went before the States of Jersey and a Service Level Agreement was signed in December. Under the agreement Jersey Heritage has agreed to appraise, catalogue and index records from key departments over a 2 year period. A member of staff has been appointed to assist with this work.

### **Staffing and value for money**

In 2008, Jersey Heritage employed 4 professional staff at the Jersey Archive: the Head of Archives and Collections, 2 Archivists and one Conservator. The professional staff were ably assisted by 2 full- and 2 part-time support staff who are a vital part of the public service team.

In May 2008, the Archivist presented a paper giving details of the additional staffing required to: increase opening hours at the Jersey Archive; start to stabilise the cataloguing backlog; and meet the records management duties assigned to Jersey Heritage under the Public Records Law. Additional staff costs of c. £100,000 per annum would allow considerable progress in these 3 key areas.

Dr. James' report compared the current service provided at Jersey Archive with comparable duties provided across 2 organisations in the Isle of Man. He found that 'the combined staff of the Manx institutions is 11, but that of the Jersey Archive is currently only 7.5 (down from 11 in 2002). This imbalance is reflected in the current

salaries bill of Manx National Heritage and the Manx Public Record Office amounting to some £340,000, whereas that of Jersey is only £217,000.’

### **Records Advisory Panel**

The Records Advisory Panel met on 4 occasions in 2008. The current members of the Panel were sworn in on 12th December 2003 and are appointed for a period not exceeding 6 years. The current Panel members’ terms are therefore due to expire in December 2009. The Archivist wishes to thank the members of the Records Advisory Panel and the staff at Jersey Heritage for their support in 2008.

### **2009**

In 2009, the Archivist plans to continue to work with States Administrations to produce signed-off retention schedules. At current staffing levels, the Archivist aims to produce 3 signed-off schedules by the end of the year. Archive staff will also continue to work under the Children’s Homes SLA to appraise and identify records in key departments. The Archivist also plans to write guidelines for States Administrations on the transfer of digital records to the Jersey Archive.

The Records Advisory Panel’s terms expire in December 2009 and therefore a new Panel will need to be appointed by the Minister. In 2009, the Archivist and Records Advisory Panel plan to work together to raise the profile of the services provided by the Jersey Archive.

The Archivist will continue to highlight the need for greater staffing resources to enable Jersey Heritage to carry out its functions under the Public Records Law and to meet The National Archives Standard for Records Repositories.

### **Conclusion**

Dr. James’ report and the events surrounding the historic abuse Inquiry in 2008 have highlighted that it is vital for records of public bodies to be managed correctly. Dr. James indicates that ‘the Victoria Climbié Inquiry in England and the recent report on abuses in Scottish children’s homes have pointed out that only through the efficient management of records by public authorities can they be sure... that proper evidence is maintained for the future allowing relevant individuals to be called to account.’

The importance of the correct management of, and access to, public records was identified by the States of Jersey when they voted to establish the Jersey Archive and to pass the Public Records (Jersey) Law 2002. Public Records are not only vital components of Government accountability, they are also an integral part of our cultural heritage and provide written links with the past. The growth in family history over the past 10 years has proved that archive services are now a vital part of the community they serve and are guardians of our written heritage for future generations.

However, the sustainability of the current service is in jeopardy as Dr. James highlights: ‘The archives service in Jersey is professionally run in line with best practice from purpose-built accommodation... The service does not however, currently have the staff resources needed to carry out the tasks allotted to it especially under the Public Records (Jersey) Law of 2002... and lack of staff is preventing the fruits of capital investment in the building from being fully realised... At present, the

service does not have the resources to meet U.K. national standards for staffing and access as set out in The National Archives' *Standard for Record Repositories* (2004) which it aspires to meet. The Trust is conducting archival operations efficiently, but there is a growing gap between the responsibilities imposed on the service and its ability to meet them within the current financial settlement.'

Linda Romeril  
Head of Archives and Collections  
Jersey Heritage  
24th February 2009

## APPENDIX

<i>Public Institution</i>	<i>Accession Number</i>	<i>Accession Description</i>
Chief Minister's Department	JA/1421	CD containing files from the Haut de la Garenne investigation from the Emergency Co-ordination Centre, 2008
Chief Minister's Department	JA/1463	Chief Minister's Department collection, includes: Policy and Resources Agendas and Minutes, Chief Officer Policy Group Agendas, Informal Meetings, Policy and Resources Away Days, Bipartite Meetings, Policy and Resources Committee Officer's Group and Ministry and Government Law Drafting, c.1989-2005
Chief Minister's Department	JA/1472	Chief Minister's Department additional deposit, includes: Policy and Resources general filing and correspondence, States of Jersey Service Reviews and Machinery of Government papers, c.1970s-2000s
Children's Service	JA/1462	Children's Services Deposit, includes: admission registers, day books and accounts of Elizabeth House/La Chasse, St. Thomas' Refuge and Westaway Crèche, c.1886-1998
Children's Service	JA/1500	Children's Service additional deposit, includes: admission certificates to the Jersey Home for Girls, 1941-1955
Children's Service	JA/1514	Children's Service additional deposit, includes: children's green case history index sheets, c.1950s-1980s
Customs and Immigration Service	JA/1419	Immigration and Nationality Department additional deposit, includes: personal files of individuals and papers relating to the department, c.1941-1995
Customs and Immigration Service	JA/1437	Immigration and Nationality Department additional deposit, includes: personal files number 31-7499 and microfilms of alien registration cards, c.1920s-1980s
Driver and Vehicle Standards Department	JA/1366	Driver and Vehicle Standards Department additional deposit, includes: registers of driving tests, 1950-1989, registers of cabs, omnibuses, charabancs and taxis, 1936-1998, police reports, 1949-1970, Traffic Committee Minutes, 1935-1946, acts, 1973-1986 and files on the DVS, vehicles and driving licences, c.1939-1988
Emergency Planning Officer	JA/1443	Emergency Planning Collection, includes items from the Emergency Planning Bunker, Springfield, 20th century
Harbours Department	JA/1408	Harbours Department shipping and fishing boat registers, 1803-1930
Health and Social Services Department	JA/1401	Jersey General Hospital additional deposit, includes: Endoscopy Unit Theatre and Ward Registers, 1991-2008
Health and Social Services Department	JA/1438	Annual Report of the Medical Officer of Health, 2008
Health and Social Services Department	JA/1489	Jersey General Hospital additional deposit, includes: ward treatment books, accident and emergency registers, registers of birth by the Maternity Hospital, general filing, booklets and historical documents, c.1756-2006
Housing Department	JA/1429	Housing Department collection, includes: policy register, tenants handbook, business plans and the social housing property plan, c.2007-2008



Jersey Airport	JA/1380	Jersey Airport Collection, includes: plans and photographs and negatives of building work at the Jersey Airport, c.1960s-1990s
Jersey Harbours	JA/1479	Jersey Harbour News magazine, Autumn 2008
Jersey Heritage Trust	JA/1367	Documents and photographs from the Public Works Collection kept at Elizabeth Castle regarding the Royal Jersey Militia and Military, c.1651-1918
Jersey Heritage Trust	JA/1404	Jersey Heritage Trust additional deposit, includes: German orders from the German occupation, 1940-1945
Jersey Heritage Trust	JA/1415	Jersey Heritage Trust additional deposit, includes: lists of contributors, papers and tapes relating to the Millennium Mosaic, 1999-2008
Jersey Heritage Trust	JA/1425	Jersey Heritage Trust additional deposit, includes: postcards with drawings from the Big Draw, 2007
Jersey Heritage Trust	JA/1426	Photographs, newspaper articles, programmes, negatives and books relating to Lillie Langtry, 20th century
Jersey Heritage Trust	JA/1427	Certificate to Captain Joshua A. Balleine from the B Company of the South Regiment of the Royal Jersey Militia, 1888
Jersey Heritage Trust	JA/1435	Documents relating to T.B. Davis, includes: certificates of discharge, correspondence and photographs, c 1884-1934
Jersey Heritage Trust	JA/1484	Copy of Payne's Armorial, 1865
Jersey Heritage Trust	JA/1490	Jersey Heritage Trust additional deposit, includes: plans of the restoration of Mont Orgueil, c.2000s
Jersey Meteorological Office	JA/1315	Jersey Meteorological Office Collection, includes: daily registers of meteorological observations, 1937-1999
Jersey Telecom	JA/1411	Jersey Telecom additional deposit of a 2008 telephone directory
Jersey Tourism	JA/1433	Jersey Tourism, A Year in Review, 2007
Jersey Water	JA/1378	Jersey Water additional deposit, includes: a file relating to wages and correspondence with the Transport and General Workers Union, 1937-1975
Jersey Water	JA/1449	Papers, reports and articles relating to the St. Helier's Water Works Company Limited and Jersey Water Works Company Limited, c.1869-1989
Judicial Greffe	JA/1365	Judicial Greffe additional deposit, includes: Matrimonial Causes files, 1993-1996, closed curatorships, 1972-1995, court indexes, reciprocal enforcement files, petty debt and police court letters, dégrèvements, correspondence, evidence (proceedings in other jurisdictions) order, 1983, remise de biens and inquests, 1993-2006, c.1914-2006
Judicial Greffe	JA/1372	Judicial Greffe additional deposit, includes: Jersey Judgements, 1950-1984, Jersey Law Reports, 1985-2007, Jersey Law Review, 1998-2004, c.1950-2007
Judicial Greffe	JA/1392	Judicial Greffe additional deposit, includes: Matrimonial Causes Files, 1997 and legitimacy petitions, c.1970s-1990s
Judicial Greffe	JA/1461	Judicial Greffe additional deposit, includes: volume concerning procedures in Jersey Law and volume of named experts for the transfer of land in Jersey, c.1795-1989
Judicial Greffe	JA/1503	Judicial Greffe additional deposit, includes: Matrimonial Causes Files, 1998-2000

Law Officers' Department	JA/1398	Law Officers' Department additional deposit of a volume containing extracts from the Royal Court, c.1700-1800s
Les Landes School	JA/1374	Les Landes School additional deposit, includes: school reports, acts of the States relating to Education and a copy of a photograph of Gorey, 1899-1970
Office of the Lieutenant Governor	JA/1371	Lieutenant Governor Collection additional deposit, includes: papers relating to Royal and VIP visits to Jersey, 1945-2000
Parish of Grouville	JA/1439	Parish of Grouville additional deposit, includes: rate list, 2007 and electoral list, 2008
Parish of St. Clement	JA/1447	Electoral Roll of the Parish of St. Clement, 2008
Parish of St. Clement	JA/1476	St. Clement Rate List, 2008
Parish of St. Clement	JA/1486	St. Clement's Parish Archive, includes: acts of the assembly, roads, rates, honorary police, welfare, licences, accounts, contracts and general papers of the parish, c.1741-1983
Parish of St. Clement	JA/1504	Parish of St. Clement additional deposit, includes: driving licences, receipts, welfare papers, photographs, rates papers, accounts and licences, 20th century
Parish of St. Clement	JA/1511	Parish of St. Clement additional deposit, includes: parish accounts, 1960-1978
Parish of St. John	JA/1477	Parish of St. John additional deposit, includes: photographs, driving licence applications, honorary police material, parish magazine, rate lists and electoral rolls, c.1835-2007
Parish of St. Lawrence	JA/1383	Parish of St. Lawrence additional deposit, includes: annual financial statements, rate lists and driving licence applications, 1991-2007 and papers relating to welfare, church, liberation and elections and other subjects, c.1967-1999 and photographs
Parish of St. Lawrence	JA/1483	St. Lawrence Rate List, 2008
Parish of St. Martin	JA/1368	St. Martin's Parish additional deposit of the rente book of John Mallet, 1875-1960
Parish of St. Martin	JA/1375	St. Martin's Parish additional deposit, includes: rates schedules, volumes relating to Don Westaway and Barreau, Poor Relief and mutations and papers relating to annual dinner dances, 1861-1996
Parish of St. Martin	JA/1454	Rate list for St. Martin, 2008
Parish of St. Ouen	JA/1423	Parish of St. Ouen Collection, includes: rates schedules, 1904-1967
Parish of St. Ouen	JA/1442	Parish of St. Ouen Collection additional deposit, includes: rates schedules, 1968-1980
Planning and Environment	JA/1395	Planning and Environment Department additional deposit, includes: photographs of coastal defences, 20th century
Planning and Environment	JA/1436	Planning and Environment Department additional deposit, includes: photographs, slides and negatives of various Jersey buildings and examples of wallpaper taken from the buildings, c.1810-2000s
Probation Service	JA/1434	Probation and After-Care Service Annual Report for 2007 and Business Plan for 2008
States Greffe	JA/1497	Minute Books of the States of Jersey
States Greffe	JA/1506	States Greffe additional deposit, includes: States Committee Minute Books, Projets de Loi and Rapports et Correspondence, c. 1837-1965
States of Jersey Treasury	JA/1432	States of Jersey Treasury Financial Report and Accounts, 2007

Transport and Technical Services	JA/1390	Transport and Technical Services additional deposit, includes: plans of Jersey harbours, buoys and equipment, c.1928-1980s
Transport and Technical Services	JA/1460	Transport and Technical Services additional deposit, includes: plans of the Island of Jersey and proposed building works, c.1921-1997
Trinity Parish	JA/1480	Trinity Youth Centre Trust Incorporated records, includes: minutes, accounts, members' files and correspondence, c.1996-2007