



LEGAL LIVES

A National Life Stories oral history programme

Contact Details:

Rob Perks
The British Library
96 Euston Road
LONDON NW1 2DB
rob.perks@bl.uk
0207 412 7405

The *Legal Lives* project: Overview

The British judicial system is a key structure within British government and society, yet its mechanisms, traditions and practices are often a mystery to many of the general public. Rarely do we hear about the judicial system from those who know it best: the solicitors, barristers, clerks, paralegals and court workers who have dedicated their working lives to the law. Very few first-hand accounts exist – excepting autobiographies from some famous figures – and access to the personal papers from members of these groups is often very patchy.

Since the mid-1990s NLS has recorded occasional interviews to document the lives of distinguished legal professionals working in Britain. However, as significant funding for the *Legal Lives* project has not yet been secured, only fifteen life story recordings interviews have been archived: Keith Clark (Clifford Chance and later Morgan Stanley), Alan Carr (Simmons & Simmons), Baron Goldsmith of Allerton (former Attorney General of England and Wales), Tom Johnson-Gilbert (1923-1998, Clifford Chance), Sir Max Williams (Clifford Chance), Nigel Bridge, Baron Bridge of Harwich (1917-2007, Law Lord), Harriet Creamer (Freshfields, now runs Outer Circle Consultancy), Brenda Hale, Baroness Hale of Richmond (Justice of the Supreme Court), Sir Sydney Kentridge QC (leading barrister, based at Brick Court Chambers), Baron Hoffmann of Chedworth (Law Lord) and Laurence Harbottle co-founder of Harbottle & Lewis, a firm representing particularly clients from the world of theatre and film, Jean Graham Hall (1917-2005, pioneering arbitrator and lawyer), Baron Shawcross of Friston (1902-2003, chief British prosecutor at the Nuremberg War Crimes Tribunal), Pauline Crabbe OBE (1914-1998, who in 1966 became Britain's first black woman magistrate) and Baron Joffe of Liddington (human rights lawyer and Labour peer).

NLS has formed a fruitful collaboration with the Legal Biographies Project, based at the London School of Economics. Professor Linda Mulcahy, Co-Director of the Legal Biographies Project, and NLS have received funding from the Arts & Humanities Research Council for a collaborative doctoral studentship entitled: *Exploring the social world of Crown Court clerks from the 1970s onwards*. The PhD student, Dvora Liberman, is well underway with her task to record 20 life stories with Crown Court Clerks as the key research mechanism for her doctoral study. All 20 recordings will be archived and publicly accessible at the BL, sitting alongside the *Legal Lives* collection.¹

In 2015 NLS commissioned a detailed scoping study to map existing oral history collections in the legal sector in the UK, survey this subject area and recommend approaches for a potential project. The excellent scoping report was authored by Chris Monaghan, Senior Lecturer in Law at the University of Greenwich and confirms that in the national archival collections there is a significant absence of gap of personal experiences of those working in the legal system.

¹ More information on Legal Biography Project is here: (<http://www.lse.ac.uk/collections/law/projects/legalbiog/lbp.htm>). Sir Ross Cranston FBA chairs the Legal Biography Project's advisory board.

The *Legal Lives* project will address the gaps identified by the study through the capture and dissemination of life stories of **all** legal professionals and not just the traditional elite, documenting the forgotten voices of groups such as women, those from less-affluent social backgrounds and those who migrated to the United Kingdom following the Second World War. Time is fast running out to record first-hand oral history of the legal profession as existed was in the 1940s to 1960s. The resulting archive will be a ground-breaking and unique public resource, with myriad benefits for education and the increased public understanding of the legal system and the people who work in this little-understood sector.

Project Rationale

- **Why oral history?**

Oral history is a uniquely useful tool for collecting personal testimony, insight and reflection, and the urgency in creating an archive devoted to the law cannot be over-emphasised. Beginning with older, senior figures, a reinvigorated *Legal Lives* programme will seek to track the web of energies and influences, and the professional training and interactions, which have shaped the judicial system in Britain within living memory, all set within the context of broader social history. As with the existing interviews, the *Legal Lives* project will record one-to-one audio interviews averaging ten to fifteen hours in length made over several sessions, the content of which will range broadly over each individual's career history, education, background and family. This biographical, or life story, approach has proved rewarding for previous projects and enormously valuable for researchers seeking a more rounded view of an individual and their contribution to their profession. The interviews will be archived and – subject to interviewee consent – made available online and onsite at the British Library, for consultation by researchers, historians, biographers and current law students and practitioners.

- **Exploring the history of the whole sector**

Our Scoping Study of the legal oral history material that currently exists demonstrates that within the United Kingdom there is little material that covers the legal profession as a whole. In comparison, the USA and Canada both have a long track-record in legal oral history. Although the Scoping Study revealed several collections of interviews in the UK, these existing oral histories focus on specific parts of the legal profession and most are not publicly accessible. Much of the written autobiographical and biographical material focuses on the traditional elites within the legal profession, judges, such as solicitors and barristers, to the exclusion of other types of individuals who work within the legal profession.

The 2015 Scoping Study also collected data from a variety of sources about the make-up of the profession, using the most up to date publicly available data. The table below is enlightening to see how a project will need to reflect the many and diverse participants in the legal life of the UK:

Job (UK)	Total number of professionals ²
Solicitors	158,631
Barristers	16,547
Licensed Conveyancers	1,200
Legal Executives	20,000
Patent Attorneys	2,000
Paralegals	60,000
UK Court Service Staff	18,000
Judiciary	3,452
Tribunal Members	6,084
Magistrates	21,626
Citizens Advice Bureau	28,500
Barristers' Clerks	1,200
Law Teachers	2,900
Total	340,167

In order to help current and future generations understand and appreciate the complex and changing face of the legal professions within living memory it is important that the *Legal Lives* project captures voices from those working in all sectors – although some sectors will of course require a greater weighting of interviewees than others (see below).

- **Urgency to record the key pioneers**

Sadly, we have already lost the opportunity to gather in-depth interviews with key figures such as the late Lord Bingham (former Lord Chief Justice and Senior Law Lord), and Lord Wedderburn (pioneer of labour law), Kevin Boyle (human rights lawyer and academic), Anthony Scrivener QC (prominent defence barrister), David Thomas (criminal lawyer and advisor on judicial education), Sir Ian Brownlie (barrister at the International Court of Justice at the Hague) and Dame Juliet Wheldon (Treasury solicitor and Bank of England's legal advisor). There will also be many personalities whose names are not well-known within the public arena. It is now of great urgency to increase the pace of collection of life story recordings with those in the legal professions before we lose their unique personal memories forever. This is particularly crucial for those whose working lives stretch back to the 1940s and 1950s – if we do not record these stories now, these experiences will be lost.

- **Capturing voices of diversity and change within the legal profession**

Existing autobiographies about legal careers leave considerable scope for capturing the experiences and life stories of women, black and minority ethnic and other minority groups within the legal profession. Current research projects are such as

² The figures are indicative and should not be taken as a complete account of all those working within the legal profession because of the sources of data and the number of bodies responsible across the three jurisdictions, it is acknowledged that there may inevitably be some overlap or omissions. Figures are from 2009 to 2015 (depending on the source). Sources include Law Society of England and Wales, the Bar Council of England and Wales, the Law Society of Northern Ireland and the Bar of Northern Ireland and the Law Society of Scotland and the Faculty of Advocates. The Scoping Study contains a complete list of references.

the *First 100 Years*, *Women's Legal Landmarks* and *Black Firsts in British Law* have been established to capture stories from pioneers from these groups, but there is scope for much more work in this area to reflect the changing backgrounds of those working in the legal sector over the past half-century.

- **Current relevance**

The last five years have seen almost unprecedented changes for legal aid funding, changes in the ownership of small and medium sized firms and the introduction of the Supreme Court – to name but a few. Interviewing professionals with experience before, during and after these changes will be invaluable in understanding the previous landscape and how it has shifted.

Recommended scope for the Legal Lives project

The *Legal Lives* project will take a broad definition of the legal sector including the Bar and prominent City and regional firms, and others who provide legal services or who work alongside lawyers in law firms, chambers or who are responsible for providing legal education and professional training. *Legal Lives* will focus initially on England and Wales with a view that in the future National Life Stories will seek partners in Scotland and Northern Ireland to conduct oral history interviews in these jurisdictions. The rationale for this approach is that the legal oral history of Northern Ireland and Scotland would be better served by a more focused project. In the case of Northern Ireland, such a project would be able to address 'The Troubles' in more detail.

The project will be addressed by ten key themes, each of which will provide a way to tell the wider story of the legal profession through the individual life stories of the interviewees. The themes would seek to place the different stories within the legal profession in context. Such an approach would permit those listening to the interviews to understand the work environment of each interviewee. The priority interviewees will be those over the age of 60 – as they can give insight into the sector through their many years of experience and also the changes in legal structures and practices which they have witnessed during their working lives.

The **six major themes of study** will be as follows:

- **The High Street**

Solicitors, employed barristers, paralegals, legal executives, licensed conveyancers, probate practitioners and legal secretaries. The focus would be on those working in family law, education, general commercial, etc. This would capture the decreasing number of sole traders and traditional smaller firms.

- **The Regional Firm**

Solicitors, employed barristers, paralegals, legal executives, licensed conveyancers, probate practitioners and legal secretaries in larger firms located in cities across the United Kingdom.

- The City Law Firm

Solicitors at different levels within the law firms, legal executives, paralegals, legal secretaries and trade mark attorneys who are working in law firms in the City of London.

- Criminal Practice

The Magistrates' Court and Crown Court – encompassing magistrates, judges, legal advisors, solicitor advocates and barristers.

- Civil Practice

The Employment Tribunal, County Courts and the High Court. Potential interviewees would include tribunal members, judges, barristers, solicitors, solicitor advocates, paralegals, clerks, barristers' clerks.

- The Appellate Courts

Interviewees will include those working in the appellate courts, such as clerks, judicial assistants, judges, barristers' clerks and barristers. It would cover the Court of Appeal of England and Wales, the former Appellate Committee of the House of Lords, the Supreme Court and the Judicial Committee of the Privy Council.

There are another **four important themes**, but these will require fewer interviews to cover the ground:

- Central Government

Lawyers working for government departments, Parliamentary draftsman, legal officers of the Crown and the Lord Chancellors. The experiences of solicitors, licensed conveyancers and legal executives who have worked for local government will be recorded under the project, as these would provide a unique perspective on the experiences of those who have chosen to work for local government.

- The Voluntary Sector

Long-term volunteers and paid employees at the Citizens' Advice Bureau, the Free Representation Unit and Law Centres. This would cover solicitors and caseworkers, as well as those who do not necessarily have legal training.

- Legal Education and Training

Legal trainers for CILEx, university law lecturers and those who train the profession. This would enable the project to interview those who chose alternative career paths rather than legal practice.

- In-House Sector

Solicitors, employed barristers, paralegals, legal executives and legal secretaries. The interviewees could work for organisations that are in industry, commerce, trade or utilities. This would offer a diverse perspective and highlight the challenges and opportunities working within particular types of organisations.

Why National Life Stories?

National Life Stories³ (NLS) is the leading oral history charity in the UK, with nearly thirty years of experience in conducting large scale oral history projects. All of its in-depth interviews are catalogued, archived and made accessible in perpetuity as part of the national collection at the British Library. For all NLS projects, whether with artists, scientists or legal professionals, NLS's aim is collect multiple voices from all sectors of British life – from the most senior elites to those with little-known and less appreciated roles, because NLS believes everybody has interesting and powerful testimony to contribute to the historical record. A project giving insight into the diverse legal professions, and the changes within the sector over time, will bring vital life stories into the national collection, greatly benefiting scholars and providing invaluable information for young people considering entering the profession in the future.

National Life Stories is seeking £353,000 to record and make publicly available 100 interviews over the next four years. Once funding is secured for *Legal Lives*, a Project Advisory Committee will be established, drawing on key expertise from the across the legal profession. The Advisory Committee's role, as with all NLS projects, will be to help shape the project by guiding the Project Interviewer, selecting and prioritising potential interviewees, and helping NLS to disseminate the project outcomes widely within and beyond the profession.

All *Legal Lives* recordings, in line with other British Library's oral history collections, are made available free of charge at the British Library as a research resource, and with interviewee consent, accessible online via the internet at <http://sounds.bl.uk> for use by anyone, including school and university students, legal professionals and the interested public. These resources are frequently drawn upon by a range of people, including programme makers, biographers, authors and teachers. With a greater number of recordings, use would grow exponentially and the interviews could help disseminate these first-hand stories from the judicial system more widely to the public and learners.

Key Project Outputs

The project will produce the following outcomes:

- Following the advice and guidance from the Advisory Committee, the project will help select people each year from across the ten themes, with whom to record a high-quality digital audio interview. With two interviewers, the project will record 25 interviews per year for four years – an aim which is achievable in light of NLS's experience with other projects. Each recording is a definitive in-depth biographical interview (typically 10-12 hours each) created and made permanently available to researchers and the public through the British Library's onsite listening service, 'Sound and Moving

³ For more information, see Appendix 1

Image'. This service is currently available to all holders of Reader passes – available free of charge to anyone wishing to access the collection.

- Full content descriptions and catalogue records for each interview to ensure findability.
- Subject to interviewee consent, full interviews will be made available to researchers and students and extracts available to the general public through a new online web-based service offering sound recordings:
<http://sounds.bl.uk>
- Extracts from the recordings may form the basis for online learning resources for schools and adult learners, through incorporation of recordings into the British Library's Learning workshops, projects and website. NLS interviews have also been used in the 'Food Stories' website charting the food chain (www.bl.uk/learning/histcitizen/foodstories/index.html), and the earlier 'Voices of the Holocaust' has proved very popular with schools (www.bl.uk/services/learning/curriculum/voices.html).
- Through the on-site and online access to interviews those considering or embarking upon a career in the law will be able to access these important life stories, alongside legal scholars and members of the legal professions themselves.

Legal Lives Project Impact and Benefits

Recording the experiences and reflections of a cross-section of people within the legal sector provides an enlightening and engaging resource for current and future generations of researchers as well as the wider public. The interviews, collectively, provide a fascinating picture of the legal profession in Britain in the twentieth and twenty-first centuries. The project will benefit the public in the following ways:

- **Public understanding and education**

The oral history archive increases appreciation of the British legal system and its many professionals, and provides invaluable insight into the processes and the techniques used to make, uphold and debate the law. By providing a more nuanced picture of the workings of the UK legal system – from top to bottom and in the words of its practitioners – this can only increase public understanding of what is often a mysterious system to the outsider. Apart from direct access to recordings via the Library's reading rooms or website, this information is disseminated to the public via exhibitions, biographies and other books, radio and television programmes.

- **Exhibitions**

There is an increasing demand for audio recordings to accompany exhibitions, especially now that new technologies such as smart phones and QR codes mean that there are more ways to integrate sound with exhibition viewing. The long interviews will contain information on a legal practitioner's working practices and in-depth descriptions of cases and legal spaces contextualised within the narrative of their whole life. The possibilities for using recordings within

exhibitions are myriad, both outside and within judicial spaces (such as legal museums, the Inns of Court, larger solicitor firms and legal education institutions).

- **Informing career pathways for young people**

The archive gives access to a wealth of information about how those working within the law have managed their careers, ranging from how they started out in the law, their pathways through different roles – whether that be as a solicitor, barrister or clerk. The interviews will also give detailed explanations of working practices, traditions and techniques. These recordings could be used to inspire the next generation of legal practitioners – through clips on websites or use within talks, lectures or broadcasts.

- **Research into historical and social change**

A record of how legal traditions and institutions have been built upon and taken forward in a number of different legal specialisms is of great value to researchers. Long life recordings enable these changes to be seen in the context of social change, educational policies, the influence of different policy-makers, legislative changes, legal scholars and the impact of new technology. Oral history also documents the connections between people to reveal the networks of ideas and practices in which they are situated.

Legal Lives project funding

We are now seeking funding to take the project forward for the next four years to complete interviews with 100 priority candidates within the legal professions. We would be very grateful for contributions to enable the continuation of this important project.

Based on NLS experience with this and other projects, we envisage that a full time interviewer can complete sixteen long life story interviews per year. The budget for the funding required over the next four years is:

Project costs over 4 years	2016	2017	2018	2019
Interviewer 1 (full time) - salary (16 interviews p.a.)	27,789	28,484	29,196	29,926
Interviewer 2 (3 days per week) - salary (9 interviews p.a.)	16,673	17,090	17,518	17,955
Academic consultant - 30 days per year	6,150	6,150	6,150	6,150
Equipment, consumables and travel & subsistence (including overnight stays) for interviews UK-wide	12,653	12,931	13,216	13,508
Administration, cataloguing, IT and insurance*	22,143	22,629	23,128	23,639
Total funds required per annum	85,409	87,284	89,207	91,178
Total funds required for 4 year project	353,077			

Mary Stewart and Rob Perks, June 2015

* As an independent charity, based in the British Library, NLS uses a small part of restricted expenditure to ensure that it can fund the staff to undertake the substantial administration, management and cataloguing duties necessary to the successful running of its projects.

Appendix 1: Background to National Life Stories

National Life Stories is a charitable trust and limited company within the British Library. It was established in 1987 to capture the life stories of British people whose experiences would not otherwise be recorded. Since then NLS has recorded nearly 2,500 interviews totalling some 25,000 hours, all of them accessible at the British Library.

Successfully completed projects have each resulted in a major public archive of recordings. Books, CDs, educational packs and radio programmes have emerged from the project work:

- Several CDs have been produced from the ongoing **Artists' Lives** project including: *The Sculptor Speaks: Extracts from Recordings with Post-War British Sculptors* (NLS and Henry Moore Institute, 2001) and *Connecting Lines: Artists Talk About Drawing* (NLS, 2010) a double CD, funded by the Rootstein Hopkins Foundation, which was widely distributed to aid the teaching of art and design in higher education. The audio from *Connecting Lines* is also available online: <http://www.bl.uk/nls/drawing>.
- Audio material from **An Oral History of British Theatre Design** was featured in a major exhibition at the V&A in 2008 entitled: 'Collaborators: UK Design for Performance 2003-2007' and was also made available on a CD.
- A double audio CD *The Writing Life: Authors Speak* was released in March 2011 to critical acclaim and drew on life story recordings from the **Authors' Lives** project. Arts Council England enabled copies to be distributed to schools and creative writing courses.
- Interviews in the financial capital of the City of London, funded by city firms, led to the publication *City Lives: The Changing Voices of British Finance* (Methuen, 1996).
- Recordings about the UK steel industry, supported by British Steel plc, led to a CD *Lives in Steel* (1993).
- Interviews with Jewish Holocaust survivors were later the basis for a popular educational web resource 'Voices of the Holocaust'.
- A project on the Post Office, supported by Royal Mail, led to a CD, *Speeding the Mail: An Oral History of the Post Office from the 1930s to the 1990s* (BL/The British Postal Museum & Archive, 2005).
- The best-selling *The British Book Trade: An Oral History* (BL, 2008) drew on 120 interviews with publishers and booksellers.
- Unique recordings for a partnership project with Aberdeen University about the North Sea oil and gas industry led to two BBC Radio 4 'Archive Hours'.
- Over 300 interviews in the food sector, including an oral history of Tesco, resulted in several web-based and audio publications including the 'Food Stories' educational website. The interviews were used extensively in Sarah Ryle's recent book *The Making of Tesco: A Story of British Shopping* (Bantam Press, 2013)

Current projects underway focus on the lives of scientists, visual artists, authors, designers, architects, craftspeople and those who worked in the electricity

supply industry. The entire collection is made freely available at the British Library to researchers and the wider public, and the catalogue describing the recordings is available online at <http://sami.bl.uk>.

NLS benefits from the advice of a range of professional and business figures including Lesley Knox, Sir Peter Bazalgette, Sir John Craven, Sir Roger Gibbs, Lady Waldegrave and distinguished former Chairman Sir Nicholas Goodison. Dame Jenny Abramsky is National Life Stories Chair, Bob Boas is Treasurer, and Dr Rob Perks is its Director. NLS Trustee Bill Knight is leading the *Legal Lives* initiative.