

THE NATIONAL ARCHIVES

ADVISORY COUNCIL



First Report — June 1990

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Daimhním leis seo an cóip seo den Bhunreacht
do bheith ina cóip dhéileá chruinn den dréacht-Bhunreacht
le n-a-a aontuigh Dáil Éireann ar an 14th adh. lá de
Míuníú, 1937.

I hereby certify that this copy of the Constitution is

BUNREACT NA hÉIREANN ^{a true and}
^{correct copy of}
the draft Constitution which
was approved by Dáil
Éireann on the 14th day

1937.

of June, 1937

AN CÓIP SÍGNITE DÁ bPONÁLTAR IN AIRTEAGAL 63. 17th June, 1937

Signed Copy provided for in Article 63.

Colum Ó Murchadha
Clléirí na Dála
St adh. Éireann, 1938

AN n-a SÍGNÍÚ AGAMH I mDaire Ára Cúic
an 16th lá de Mí Febrúir, 1938.

Signed by us at Dublin this 16th day of
February, 1938.

Samon de Valera Taoiseach

Timothy Sullivan Chief Justice.

Frank Fahy Cathaoirleach Dháil
Éireann.

Title page of the Signed Copy of the Constitution of Ireland enrolled for record in the Office of the Registrar of the Supreme Court.

(The Signed Copy of the Constitution is one of the fundamental archival documents of the State. Its title page is reproduced here with the permission of the Chief Justice.)

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ADVISORY COUNCIL

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Submitted to the Taoiseach and laid before each House of the Oireachtas in accordance with Section 21 of the National Archives Act, 1986.

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**The National Archives Advisory Council
73, Merrion Square, Dublin 2**

31 October 1990

An Taoiseach,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Dear Taoiseach,

In accordance with Section 21 of the National Archives Act, 1986,
I hereby submit the First Report of the National Archives
Advisory Council on the activities of the Council in the period 14
January 1987 – 14 June 1990.

Yours sincerely,

NIALL McCARTHY,
Chairman.

FIRST REPORT OF THE NATIONAL ARCHIVES ADVISORY COUNCIL,
JUNE 1990

1. INTRODUCTION

1.1. *Establishment and Function*

The National Archives Advisory Council is established under the National Archives Act, 1986, and was constituted on 14 January 1987. The function of the Council is to advise the Taoiseach in the exercise of his powers under the Act and on all matters affecting archives and their use by the public. The Taoiseach may refer any matters relating to the functions of the National Archives to the Council for advice or the Council may advise the Taoiseach on a matter of that kind of its own motion. Its role is both supervisory and advisory.

1.2. *Membership*

Niall McCarthy, Judge of the Supreme Court (*Chairman*)

Patrick Buckley MA, Principal Officer, Department of the Taoiseach

Nicholas Canny MA PhD MRIA, Professor of Modern History,
University College Galway, and Member of the Irish Manuscripts
Commission

Mary Clark BA DAA, Archivist, Dublin Corporation, and Member
of the Society of Archivists

Michael Doody, Waterford City Manager and Town Clerk

Adrian Empey PhD, Canon of St Patrick's Cathedral, Dublin, and
Vicar of St Ann's Church, Dublin

Ronan Fanning PhD MRIA, Professor of Modern History, University
College Dublin, and Chairman of the Irish Committee for
Historical Sciences

Brian Farrell MA, Associate Professor of Government and Political
Science, University College Dublin

Ailsa C. Holland MA Dip Arch Studies, Archives Department,
University College Dublin, and Member of the Society of
Archivists

Bernard Meehan MA PhD, Keeper of Manuscripts, Trinity College
Dublin, and Member of the Society of Archivists

Donnchadh Ó Corráin MA MRIA, Associate Professor of Irish History,
University College Cork

Brian Trainor BA DLitt, Chairman of the Irish Manuscripts
Commission, Director of the Ulster Historical Foundation, and
Member of the Society of Archivists.

2. THE NATIONAL ARCHIVES

2.1. Archives are historical records or documents. Until 1988 the collection and preservation of public records was effected in the Public Record Office of Ireland (founded in 1867) and the State Paper Office (founded in 1702). The Public Record Office was largely destroyed by the Four Courts fire in 1922 when most of its records were consumed. The State Paper Office is housed in the Record Tower in Dublin Castle, part of the main Castle building. These were the only premises housing national archives until the establishment of the State in 1922. They remained the only such premises until after the last war. Since then archives have also been housed in makeshift premises: in the basement of the Four Courts since the 1950s, at No 123 Lower Rathmines Road (the former premises of the Furniture Branch of the Office of Public Works) since 1986, and in the former Arnotts' Shirt Factory at 58-64 Upper Dominick Street since 1988. The present holdings between all five premises amount to the equivalent of about 120,000 boxes of archives (a box may contain upwards of 1,000 sheets of paper). About 30,000 documents are inspected each year by an average of 30 members of the public each day (i.e. 120 documents per day).

2.2. The full activation of the National Archives Act, 1986, on 1 June 1988 was widely welcomed by archivists, historians and all those interested in the preservation of that part of the national heritage. It is the first statute affecting archives since the foundation of the State. Subject to certain necessary restrictions, all Departmental records which are more than thirty years old must be handed over to the National Archives by January 1991. This is a task requiring a great deal of commitment and effort on the part of Government Departments.

2.3. The National Archives is not a new label for an existing structure; it is a new instrument of national importance. In a nation somewhat preoccupied with its history, the records of the past are housed in premises which are at best inadequate and inappropriate for the safe storage of documents.

3. NEEDS OF THE NATIONAL ARCHIVES: PREMISES

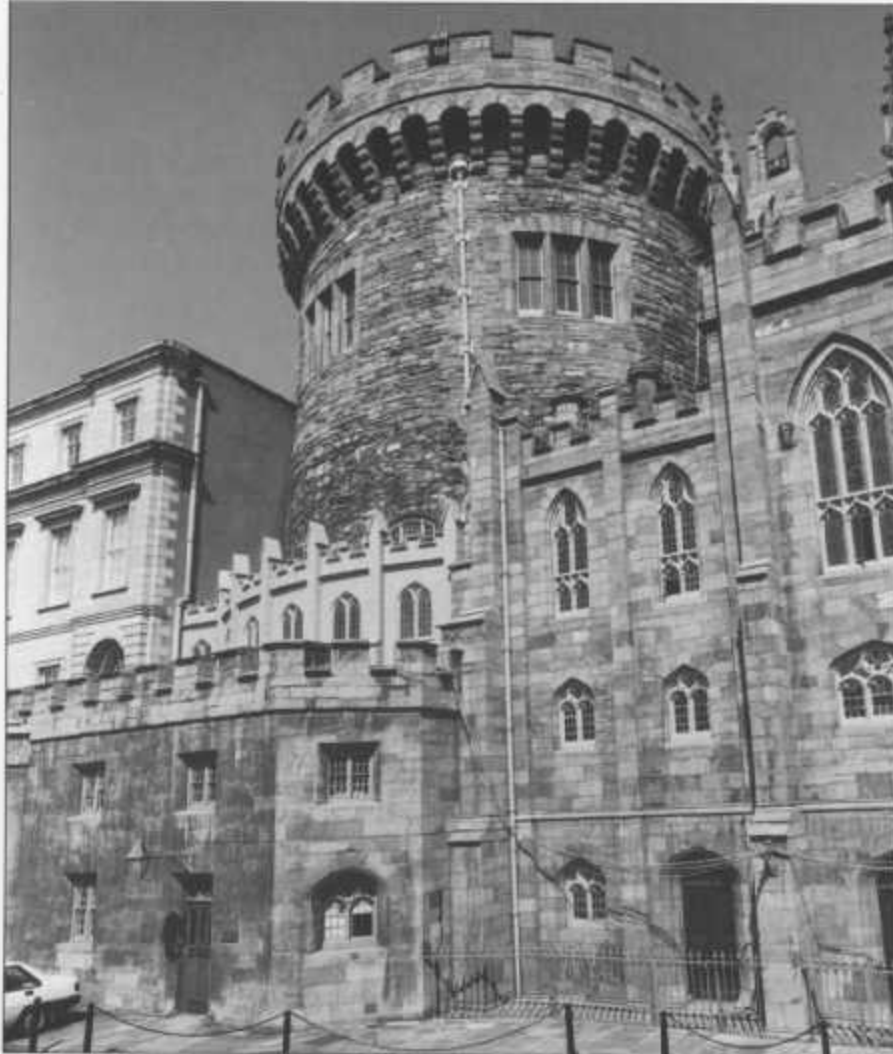
3.1. The National Archives must have a home. The Council has inspected the existing premises and has found that none is suitable or adequate. The situation demands a commitment by Government either to a phased programme for the construction of a purpose-built user-friendly National Archives headquarters or the acquisition of an existing building which can be adapted to the needs of the National Archives. The premises in current use are as follows.

3.2. *The Public Record Office*



This is the present headquarters. It houses the largest single section of archives and provides offices for the administrative staff, including the Director. It is wholly outdated. Here, vandalism and fire are threats to an irreplaceable heritage. In the 1960s the Land Registry building at the Four Courts was extended to project over the record repository of the Public Record Office. In consequence, the offices of the Land Registry, with their attendant fire risks, are now structurally part of the Public Record Office building, which is, as a result, no longer self-contained from the point of view of fire prevention. The National Archives has no control over activities in the Land Registry.

3.3. *The State Paper Office*



In June 1986 a serious accident took place in the Record Tower of the State Paper Office, when a staff member fell from a ladder whilst taking down a box which weighed some 14 or 15 pounds. This has resulted in a ban on access to documents stored at a level more than 8 feet from the ground. There is also a serious fire hazard in the Record Tower. At present 8% of the documents in the National Archives are stored in the Tower, which is believed to be that from which Red Hugh O'Donnell escaped. It is hopelessly inappropriate for its present use, which should be discontinued without delay. Arrangements are in hand to transfer the archives in the Record Tower to other premises. This is a welcome improvement.

3.4. 58-64 Upper Dominick Street



These premises, which are glass-roofed, are over-heated and therefore unsuitable for the long-term storage of archives. The members of the Council visited the premises on 22 May 1989. It was a very warm day but it was found that the heating had to be on in order to keep down the humidity; it required singular fortitude on the part of the staff of the National Archives to work there under such conditions. We understand that some modifications have now been made to the heating system and that this has greatly improved the situation.

3.5. *The basement of the Four Courts*

The basement of the Four Courts is at the level of the Liffey and environmentally unsuitable.

3.6. *123 Lower Rathmines Road*

These premises were formerly used to store furniture required for Government Departments and Offices. The condition of the building makes it unsuitable for the storage, albeit temporary, of archives.

3.7. The staff of the National Archives, to whom eloquent tribute is paid by those archivists and other researchers who are members of the Council, have shown a most cheerful competence in carrying out their work under these most difficult circumstances.

4. CONCLUSION IN RESPECT OF EXISTING PREMISES

4.1. Modern technology, far from lessening the problems of storage, etc., in fact increases them. Provision must now be made for photographic records, for magnetic material, and for the problems created by the fabric of modern paper which has far less preservation quality than old paper.

4.2. The Council recognises that the requirement of a suitable home for the National Archives will make a major demand on the public purse. However, the Council is firm in the view expressed above about the existing premises; and the functions of the Council itself would be without purpose if there is not a commitment to the provision of a new appropriate home, adaptable for extended use. Such a building would become not merely the repository of the National Archives, but also a cultural centre of national interest and education and, most importantly, national pride.

4.3. Whilst the functions and objectives of the Council cover a very wide field under the general heading of matters affecting archives and their use by the public, the Council regards the provision of an adequate home as being of such importance that it has devoted many of its 20 meetings since March 1987 to discussions, reports, etc., on this topic and would wish, in its first Report on its activities, to emphasize this matter of critical importance.

5. BISHOP STREET



5.1. In October 1989 the Council was informed by the Taoiseach that the Government had decided that the premises at Bishop Street then used by the Government Supplies Agency should be allocated to the National Archives. The premises in question was purpose-built between 1983 and 1986 to store vast quantities of paper. As now laid out, it has a usable floor area of 115,000 square feet. A considerable portion of it has shelving in place suitable for archival storage. The Director of the National Archives has visited the premises and estimates that, with eventual restructuring, the storage needs of the National Archives will be met by the premises at Bishop Street until well into the next century, and possibly for as long as the next hundred years. This development has been warmly welcomed by the Council.

5.2. The Office of Public Works, at the request of the Secretary of the Department of the Taoiseach, has prepared a timetable to give effect, at the earliest date possible, to the Government's decision. According to this timetable, in a phased vacating of the premises by the Government Supplies Agency, the National Archives will commence its possession in 1990. The need to get full possession as speedily as possible cannot be over-emphasised.

6. NEEDS OF THE NATIONAL ARCHIVES: STAFF

6.1. The National Archives is seriously understaffed. Since 1981 the total staff has fallen from 35.5 to 22.5. Over the same period the statutory functions of the National Archives have been greatly extended.

6.2. The Council recognises that Government policy in recent years has produced an embargo on recruitment. Nonetheless, the Council reiterates its view that the National Archives is a new institution, not a new label for an existing structure. At present, it does not have enough staff to meet the demands on its services.

6.3. The Council welcomes the recent decision to assign four additional archivists to the National Archives on a contract basis.

7. DEPARTMENTAL RECORDS

7.1. The Director of the National Archives has established a structure for the certification and handing over of Departmental records by the various Departments of State and other scheduled bodies, which are bound by the Act to carry out these functions. The Director has reported from time to time to the Council on the progress made in fulfilling this statutory requirement (see Table 1).

7.2. Whilst some of the Departments have met the requirements of the Act in a conscientious and efficient fashion, there are some to whom the obligation to carry out this work of national importance seems to be less than clear. In its annual Report in 1991, the Council will comment in detail on the manner in which various Departments have carried out this statutory duty.

8. IRISH MANUSCRIPTS COMMISSION

8.1. By warrant of appointment dated 10 October 1928 the Government appointed the Irish Manuscripts Commission with Professor Eoin MacNeill as Chairman to work within the terms of reference stated in the warrant of appointment, viz., to report fully on collections of manuscripts and papers relating to Ireland at home and abroad, and to advise on their preservation and publication. The members of this Commission have, voluntarily, devoted a great deal of their time and unrivalled expertise in carrying out that remit. The Irish Manuscripts Commission has done invaluable work, both at home and abroad, especially in the editing and publication of manuscripts of interest to Irish historians. The Commission has published over 150 volumes since its establishment. This legacy of scholarship will be appreciated for many years to come.

8.2. In the light of the possibility that there might be some overlapping between the functions of the National Archives and those of the Irish Manuscripts Commission, as adverted to in a letter to the members of the Commission from the Secretary of the Department of the Taoiseach, at the instance of the Council a joint meeting was held with the Commission on 23 November 1987. The Commission and the Council identify the role of each body as being wholly distinct from, though complementary to, each other. Each body welcomes the co-operation of the other and agrees to the sharing of the office premises at 73 Merrion Square. Pursuant to the Act, two members of the Commission are members of the Council.

9. REPORTS OF THE NATIONAL ARCHIVES ADVISORY COUNCIL

9.1. The Act requires the Council to submit to the Taoiseach an annual report on the activities of the Council. The Council was established in January 1987 but most of the Act remained inoperative until June 1988. In the circumstances the Council did not consider it advisable to furnish any report until the present one. This report, therefore, covers a period of more than three years, during which time the Council has met on 20 occasions as detailed in Table 2. The Council will in future report annually as of 1 January in each year. The Council considers that a current major activity is the monitoring of the manner in which the various Departments of Government and other scheduled bodies carry out their statutory duties under the Act.

TABLE 1

TRANSFER OF REGISTERED FILES PRE-DATING 1961 FROM DEPARTMENTS OF STATE TO THE NATIONAL ARCHIVES IN ORDER THAT THEY MAY BE RELEASED TO PUBLIC INSPECTION UNDER SECTION 8 OF THE NATIONAL ARCHIVES ACT

—STATEMENT OF POSITION AS OF 31 MAY 1990

Department (and date of foundation of Department or precursor)	Certifying Officer(s)	Files held in the National Archives		Files held in the Department	
		1. Already available for public inspection	2. For release to public inspection not later than 1 January 1991	1. Already approved for transfer and release	2. Not yet approved for transfer and release
Taoiseach (1919, as the Secretariat of Dáil Éireann)	Richard Stokes Patrick Buckley	1919-54 (Dáil Éireann files, 1919-22, and Cabinet files, 1922-54)	1922-60 (other files of the Department)	1949-60 (Cabinet files, 1954-60, and other files, 1949-60)	—
Finance (1922)	Colm Gallagher	1922-34 (files of the former Finance and Supply Divisions)	—	1935-41 (files of the former Finance and Supply Divisions)	1922-60 (files of the former Finance and Supply Divisions, 1942-60, and Establishment Division, 1922-60)
Foreign Affairs (1922, as External Affairs)	James Brennan	—	1922-44 (and some later files)	—	1945-60
Agriculture and Food (1899, as Agriculture and Technical Instruction; incorporates Lands)	John Muldowney	—	1910-50	—	1951-60 (and some earlier files)
Communications (1922, as Posts and Telegraphs; earlier files from the Post Office)	Maurice Carey Declan Field	—	—	—	1922-60 (and some earlier files)
Defence (1922)	P.S. De Búrca Col. James Flynn	—	1939-50 (Air Raid Precautions files)	—	1922-60
Education (1922; earlier files from the Commissioners of National Education)	Breandán Ó Cearbhaill Seán Ó Briain	1877-1924 (files concerning National Schools)	—	—	1922-60
Energy (1980; earlier files from Industry and Commerce and Lands)	Sean Costello	—	—	—	1920s-1950s
Environment (1922, as Local Government and Public Health)	Eddie Lewis Brian Breathnach Michael Tobin Seamus O'Connor Peter Greene Tadhg Ó Seasnáin	—	—	—	1922-60
Gaeltacht (1951, as 'Oifig na Gaeltachta agus na gCeantar gCúing'; earlier files from the former Department of Lands)	Eoghan Ó Conaill	—	1950s (and some earlier files)	1950s (and some earlier files)	—
Health (1947; earlier files from Local Government and Public Health)	Gerald Guidon	—	—	—	1922-60

TABLE 1 (continued)

TRANSFER OF REGISTERED FILES PRE-DATING 1961 FROM DEPARTMENTS OF STATE TO THE NATIONAL ARCHIVES IN ORDER THAT THEY MAY BE RELEASED TO PUBLIC INSPECTION UNDER SECTION 8 OF THE NATIONAL ARCHIVES ACT

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		1. Already available for public inspection	2. For release to public inspection not later than 1 January 1991	1. Already approved for transfer and release	2. Not yet approved for transfer and release
Industry and Commerce (1922)	Paul Bennett Sean Fitzpatrick Vincent O'Reilly Martin Sisk Myles O'Reilly James M. Murray	—	—	—	1922-60
Justice (1922, as Home Affairs)	Berenice O'Neill Sean Aylward Frank Dunne T. M. Madden Bryan O'Brien Val O'Donnell	—	1922-50	—	1951-60 (and some earlier files)
Labour (1966; earlier files from Industry and Commerce)	Brian Fitzpatrick	—	1940s-1950s	—	1940s-1950s
Marine (1987; earlier files from Fisheries and Industry and Commerce)	Michael Daly	—	1920s-1950s	—	1920s-1950s
Social Welfare (1947; earlier files from Local Government and Public Health)	Bernard Kevitt	—	—	—	1947-60 (and some earlier files)
Tourism and Transport (1987; earlier files from Industry and Commerce)	Brendan Toomey Tom Ferris Edward Mortimer Thomas Tobin Andrew Cullen Edward O'Brien Fintan O'Brien Tomás Ó Donnagáin Raymond Byrne Seán Gorman Denis Hegarty Brendan McWilliams	—	—	—	1920s-1950s
Office of the Attorney General (1922)	John F. Gormley James Lynch (Chief State Solicitor's Office)	—	1922-60 (files of the Chief State Solicitor's Office)	—	1922-60 (files of the Office of the Attorney General excluding the Chief State Solicitor's Office)
Office of the Comptroller and Auditor General (1922)	Fionnbharrá Breatnach	—	—	—	1920s-1950s
Office of the Secretary to the President (1937)	Peter Ryan	—	—	1937-48	1949-60

Notes: 1. This is a statement of the position with regard to Departments of State and Offices which have the full status of a Department of State. It does not cover the position with regard to other bodies listed in the Schedule to the National Archives Act, of which there are more than 50. Information about the latter will be included in future Reports.

2. All Departmental records which are more than 30 years old are due for transfer, but in most Departments registered files make up the great majority of the records due for transfer. For the sake of clarity, this statement has been limited to registered files.

TABLE 2

MEETINGS OF THE NATIONAL ARCHIVES ADVISORY COUNCIL

MARCH 1987-JUNE 1990

DATE	DATE
9 March 1987	13 February 1989
6 July 1987	24 April 1989
22 September 1987	22 May 1989
3 November 1987	4 July 1989
23 November 1987 (Joint meeting with the Irish Manuscripts Commission)	16 October 1989
18 January 1988	11 December 1989
7 March 1988	19 February 1990
9 May 1988	26 March 1990
27 June 1988	21 May 1990
19 September 1988	14 June 1990

