

# THE NATIONAL ARCHIVES

---

## ADVISORY COUNCIL

---



Second Report – June 1992



THE NATIONAL ARCHIVES ADVISORY COUNCIL

---

Second Report - June 1992

Meeting 9th September 1921.

1. Reply to Mr Lloyd George's letter of 7th Sept considered and outline agreed to.
2. It was decided that the President would not take part in the Conference as a representative.
3. Subject to approval by Dail, the following representatives were appointed: Messrs Arthur Griffith, M. Collins, E. J. Duggan, R. C. Barton & Geo. Javan Duffy.
4. Messrs McGrath & Hograve to travel with reply.
5. Mr L. Childes to act as General Secretary
6. Panels of advisers on Finance, Commercial, & Defence relations to be drawn up.
7. The Secretary for Home Affairs brought up the case of a number of men tried & found guilty of offences in Dublin & sentenced to long terms of penal servitude. The alternative of deportation was approved.

Minutes of the meeting of the Dail Eireann Ministry and Cabinet on 9 September 1921 at which the Irish delegation to the Treaty negotiations with the British was appointed (National Archives, DE 1/3, page 118A).

The minutes of the Dail Eireann Ministry and Cabinet (1919-22), the Provisional Government (1922), the Executive Council (1922-37) and the Government (1937-) make up one of the most important series of archives in the National Archives.

THE NATIONAL ARCHIVES

ADVISORY COUNCIL

Second Report – June 1992

© Government of Ireland, 1993

Submitted to the Minister for Arts, Culture and the Gaeltacht and laid before each House of the Oireachtas in accordance with Section 21 of the National Archives Act, 1986.

Published by the Department of Arts, Culture and the Gaeltacht.

Copies available from the National Archives, Bishop Street, Dublin 8, Ireland.

ISSN 0791-4601

Printed by Criterion Press Ltd.

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

22 March 1993

Mr Michael D. Higgins T.D.,  
Minister for Arts,  
Culture and the Gaeltacht.

A Aire, a chara,

In accordance with Section 21 of the National Archives Act, 1986, I hereby submit the Second Report of the National Archives Advisory Council on the activities of the Council in the period 15 June 1990 - 30 June 1992.

Sadly, the submission of the report was delayed by the tragic death of the first Chairman of the Council, the Honourable Mr Justice Niall McCarthy, and his wife Barbara, in an accident in Spain on 1 October 1992. I succeeded him as Chairman in late October 1992.

Because the report relates to the period ending 30 June 1992, paragraph 1.1 of the report states that the function of the council is to advise the Taoiseach in the exercise of his powers under the National Archives Act and on all matters affecting archives and their use by the public. However, on 20 January 1993 most powers conferred on the Taoiseach by the Act were transferred to the Minister for Arts, Culture and the Gaeltacht. Consequently it is now my honour to submit this report to you.

Beir bua,

HUGH O'FLAHERTY  
Chairman

SECOND REPORT OF THE NATIONAL ARCHIVES ADVISORY COUNCIL,  
JUNE 1992

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, Chairman of the Irish Committee for Historical Sciences, 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, Chancellor 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

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

Donnchadh Ó Corráin DLitt 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. ACTIVITIES

2.1. In its First Report the Council listed its meetings between March 1987 and June 1990. Since that date it has met on the following occasions:-

- 1 October 1990
- 12 November 1990
- 14 January 1991
- 11 March 1991
- 27 May 1991
- 29 July 1991
- 7 October 1991
- 9 December 1991
- 10 March 1992
- 18 May 1992
- 29 June 1992.

2.2. The Council accepted a series of invitations to view the archives at the following institutions:-

- (a) the Ordnance Survey in Phoenix Park;
- (b) the Land Commission at Upper Merrion Street;
- (c) the Department of Education at Marlborough Street;
- (d) the offices of Dublin County Council at Parnell Square.

2.3. A number of members of the Council helped to organise a seminar on Local Authority archives held on 16 October 1991 at the premises of the Institute of Public Administration. The recommendations resulting from the seminar are set out in an Appendix to this report.

## 3. REPORTS

3.1. For the reasons stated therein, the first report covered the period from January 1987 until June 1990. Having regard to the delay in the publication of the first report and the continuing events of 1991, the Council considers that this, the second report, should be as of 30 June 1992. The time limit for compliance with the statutory require-



ment for the certification and handing over of Departmental records has been extended a number of times and expires in large part on 31 December 1992.

3.2. The five year period of appointment of the Council expired on 14 January 1992; all the members of the Council were re-appointed for a further period of five years.



Mr. Charles J. Haughey, T.D., then Taoiseach, speaking when opening the new Reading Room of the National Archives on 27 January 1992.

#### 4. NATIONAL ARCHIVES

##### 4.1. Premises.

The decision by the Government communicated to the Council in October 1989 that the premises at Bishop Street were allocated to the National Archives has been implemented to a significant degree. A marked exception has been in respect of possession of the first floor of these premises where a large amount of machinery used in printing procedures is housed. The Council is aware that the Taoiseach has been advised by the Chairman of the Office of Public Works that the design of the printing unit on the first floor complies fully with factory inspectorate requirements as well as those of the fire and security section of the Office of Public Works itself. The Council is still of the opinion that it is not acceptable that such machinery should be in use when valuable archives are stored nearby.

Apart from some relatively minor hiccoughs, the takeover of the remainder of the Bishop Street premises is proceeding satisfactorily and, as at present arranged, the entire premises, including the first floor, will be vacated by the Office of Public Works and the Government Services Agency before the end of 1993.

In one of his last public appearances as Head of Government, on 27 January 1992, the former Taoiseach Mr. Charles J. Haughey T.D. formally opened the new Reading Room at Bishop Street. It is a splendid addition to the facilities of the National Archives and the Council would wish to record its appreciation of the skill and commitment of the Office of Public Works and of the Architects and other consultants who were engaged in the project. In the Reading Room there hangs one of the last works of the late Mary Farl Powers.

The Council would like to record its appreciation at the significant interest shown by Mr. Haughey in the establishment of the National Archives and in the provision of the handsome premises which now are its headquarters. In doing so, the Council would also wish to acknowledge, as did Mr. Haughey on the occasion in question, the contribution of Dr. Garret FitzGerald, former Taoiseach, who piloted the legislation of 1986 through the Dail and Seanad and who, happily, was able to attend the official opening. The Council is confident that the contribution of both these Taoisigh has been of marked significance in the establishment of this national institution.



Dr Garret Fitzgerald, T.D., and Mr Charles J. Haughey, T.D., then Taoiseach at the opening of the Reading Room on 27 February 1992.

On 10 March 1992 the National Archives was honoured with a visit from the President and Mr Nicholas Robinson, who met the members of the Council. It was a great pleasure for the Council to entertain the President and her husband, both of whom showed very great interest in many of the records that were available and which had particular relevance to the Office of President.



President Mary Robinson, Mr Nicholas Robinson and Mr Justice Niall McCarthy, Chairman of the National Archives Advisory Council, in the Reading Room on 10 March 1992.

#### 4.2. *Departmental Records.*

4.2.1. The National Archives Act was signed by President Hillery on 18 May 1986; it came into force in stages, this Council being established at an early date – 14 January 1987.

Section 8 of the Act is that which requires the transfer by every Department of State, subject to certain statutory exceptions, of all Departmental records which are more than thirty years old to the National Archives "where they shall be made available for inspection by the public". Section 8(10) provided that subsection (1), the enforcement section, should come into operation two years after the commencement of the Section. The Section was made to commence in June 1988 but the T (for transfer) date was taken as being 31 December 1990. All relevant Departments, therefore, had some 2 years notice of the requirement of compliance with Section 8.

Under subsection (8) of Section 8 the Taoiseach may, with the agreement of the Director, direct that the transfer to the National

Archives under the Section of any class or group of Departmental records be not proceeded with until he is satisfied that arrangements for such transfer are adequate, while under Section 11 he may direct that records be transferred. A number of such directions were given by the Taoiseach in December 1990, June 1991 and December 1991, the effect being, because of the sweep of the directions made, virtually to postpone the coming into operation of Section 8 by a period of 18 months. The directions made in December 1990 applied to Departmental records of twelve Departments of State: Agriculture and Food, Communications, Defence, Education, Environment, Finance, Industry and Commerce, Justice, Labour, the Marine, Social Welfare, and Tourism and Transport.

4.2.2. In paragraph 7 of its first report, the Council stated "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". The Council considers it should draw attention to those Departments where there has been a spectacular failure to transfer records. (The Departments of Defence, Energy, Health and Tourism, Transport and Communications, all of which figured as major defaulters in the first report, have all now complied with the statutory requirement.)

(i) *The Department of Education.*

In its first report the Council drew attention in tabular form to the fact that this Department held files from 1922 to 1960 (1960 being the base of the 30 year rule) none of which had been approved for transfer and release. A limited quantity of records has since been transferred - it is but a fraction of the amount due for transfer.

The Department of Education had, many years ago, transferred records concerning national schools relating to the period from 1831 to 1924. It also afforded to this Council a welcome opportunity to examine the material within the Department's own premises. There is a great deal of highly important and fascinating historical material there. The Council is advised and believes that there is no great technical difficulty in certifying and transferring these files so as to make them available through the National Archives, as is the statutory duty of the relevant authority. Despite representations made to the Department and to the Minister for Education, it does not appear that any serious attempt is being made to comply with that statutory duty.

(ii) *Office of the Attorney General.*

As of 30 June 1992 only 299 files over a period from 1924 to 1961 have been transferred to the National Archives from this office. The numbering of the files makes it clear that a very large number of files have been withheld from those years. Almost half of those transferred are pre-1930 and less than 20 relate to the period since 1950.



(iii) *The Department of Industry and Commerce.*

As of the date of the first report, this Department had wholly failed to comply with the statutory duty; the Department contains a vast number of documents and the Council would wish to record the very major effort that has been made since then to comply with the original date for completion of transfer and the extended dates, so much so that, albeit with delay, this Department has largely complied with the statutory requirements.

(iv) *The Department of Finance.*

Having made a number of significant transfers in the period up to the end of 1990, there has until recently been little further transfer. There remains to be transferred a large quantity of documents that fall within the relevant period.

4.2.3. Table 1 appended to this report summarises the record of compliance or non-compliance (printed in red) of the various Departments as of 30 June 1992.

The Council considered this matter at a number of meetings at which great concern was expressed at the continuing delay, and at its meeting on 18 May 1992 decided to advise the Taoiseach not to make any further similar direction under Section 8(8) or under Section 11 of the National Archives Act, 1986. A special meeting of the Council was held on 29 June in order to consider the situation. The Council has been informed that the Taoiseach has given the necessary direction, with the consent of the Director, with the effect of setting "the following final deadlines:-

*31 December 1992*

Department of Agriculture and Food

Department of Finance

Department of Industry and Commerce

Department of Justice

Department of the Marine

Office of the Attorney General

Commissioners of Public Works

*30 June 1993*

Department of Education".

The Director is not prepared to agree to any direction which will have the effect of granting a general extension to Departments beyond 31 December 1992.

The Council views with satisfaction, tinged with regret at the delay, the fact that by the end of this year the bulk of Departments will have complied with the statutory requirement, and that the Director will not agree to any further extension of time and, most importantly, that the Taoiseach is writing to each of the relevant Ministers and the Attorney General to stress that the deadline lately given is a final deadline which will not be extended.

#### *4.3 Staff.*

The Council would wish to pay tribute to the Director and his staff both permanent and temporary, whose commitment to their work and their office is most praiseworthy.

The National Archives is seriously under-staffed. The number of staff now serving in it (see Table 2 below) is less than the number serving in the Public Record and State Paper Offices 10 years ago. Over the same period the workload of the National Archives has been massively increased, and now includes security requirements of a significant kind. The work of making material available to the public, which is so critically important to the success of a National Archives, must be greatly impaired until there is a significant increase in the number of its staff.

## APPENDIX

### RECOMMENDATIONS RESULTING FROM A SEMINAR ON LOCAL AUTHORITY ARCHIVES HELD ON 16 OCTOBER 1991 AT THE PREMISES OF THE INSTITUTE OF PUBLIC ADMINISTRATION

- 1.1. "Local Authority Archives" are defined as including historical documents such as Charters, Freeman Lists, Manuscript Maps – also Council Minute Books, important files, e.g. setting up of major water schemes, construction of bridges etc. "Archives", however, also includes ordinary files and, indeed, ultimately even floppy discs. In Central Government, those files more than 30 years old, subject to certain exclusions, are referred to the National Archives for custody and *are available for public inspection*.
- 1.2. The seminar felt that the term "Local Authority Archives" should include the older records of:
  - Poor Law Guardians and Boards of Health
  - Grand Juries and Town Commissioners
  - Harbour Boards

It was felt that with past, and possibly forthcoming, re-organisations some of these records could be at risk. It was noted that in 1998 County Councils would reach their centenary year and a special effort to display their history would be appropriate.
- 1.3. It was felt that Local Authority Archives should include significant local records not the property of statutory bodies but which form an important historical link in the local history chain. Otherwise, such data would be likely to be dispersed and destroyed.
- 2.1. The National Archives Act, 1986, does not apply to local authorities except that local authorities may apply to have their archives brought under the Act. In practice this would mean that the archives of local authorities would be sent to Dublin for preservation (and inspection).
- 2.2. Ideally, local authorities should preserve their own archives and hold them locally. They are important resources not alone for local history and research but also for the development of tourism etc.
- 2.3. If there was a perception that local authorities were not addressing the problem, there would be a possibility of the 1986 Archives Act being extended to local authorities. Such an attempt was made this year during debate on the Local Government Reorganisation Bill.
- 2.4. Ireland is the only EC country without legislation on local archives.
- 3.1. It would clearly be beyond the resources of local authorities at this time to undertake a major Archives programme.

3.2. The over-riding importance now is:

- (a) To list or catalogue what is available locally.
- (b) To ensure, at least, its preservation through –
  - (i) A raised awareness in local authority staffs of the importance of archives (a training Video should be produced, possibly by the National Archives Advisory Council and the Institute of Public Administration).
  - (ii) Proper storage.

Ideally such cataloguing should be standardised and probably computerised so that a *national* listing could be compiled.

3.3. The County should be the prime unit for archives, responsible both for its own archives and also the urban authorities.

3.4. However, it is hardly feasible that each County could engage Archivists, even on a contract or temporary basis. Counties could group on a Regional basis to retain such staff, but with the Archives remaining in each County.

4.1. Archivists are qualified through a 1 year post graduation Diploma in Archival Studies (UCD); local authority staff with a suitable primary degree might be encouraged to apply for places on this course. Archivists thus qualified would not alone have archival expertise but also be familiar with local authorities.

4.2. Local authority staff on such Diploma courses should be supported in the same way as library staff are at present.

4.3. Local authorities should be supported financially by the National Archives Advisory Council in the employment of Archivists in the same manner as Arts Officers have heretofore been supported by the Arts Council.

5.1. There should be close liaison between the library service of the local authority and the archival service while recognising the separate identity of the latter.

6.1. Having regard to the serious financial situation of local authorities it was felt that Lottery funding should be made available to them to mount the limited "rescue" services advocated above. As a "guesstimate", it was reckoned that £1 million spread over say 3 years would make a major contribution to resolving the situation.

7.1. Full-time Archivists are presently employed by:

Dublin Corporation  
Cork Corporation, Cork County Council, and UCC (Cork Archives Institute)  
Limerick Regional Archives.

7.2. Contract Archivists have been, and are being, employed by some local authorities, including Waterford Corporation, Dublin County Council and Kilkenny Corporation.

M. DOODY, *Waterford City Manager and Town Clerk*

20 October 1991



TABLE 1

TRANSFER OF RECORDS PRE-DATING 1962 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 30 JUNE 1992

Department (and date of foundation of Department or precursor)	Certifying Officer(s)	Records held in the National Archives as of 30 June 1992	Records due for transfer as of 30 June 1992
Taoiseach (1919, as the Secretariat of Dáil Éireann; Department of the President of the Executive Council, 1922-37)	Richard Stokes Patrick Buckley	1919-61	-
Finance (1922)	Colm Gallagher	1922-61 (including files of the former Supply Division up to 1961)	1940-61 (files of the former Establishment Division, 1940-61 and the former Finance Division, 1942-61)
Foreign Affairs (1919, as the Dáil Éireann Department of Foreign Affairs; Department of External Affairs, 1922-71)	James Brennan (until November 1990) Billy Hawkes (since November 1990)	1919-61 (including records of embassies and consulates in other countries)	-
Agriculture and Food (1899, as Agriculture and Technical Instruction; incorporates the former Department of Lands)	John Muldowney (until December 1990) Joseph Shortall (since December 1990)	1899-1961	ca. 1930-1961
Defence (1922)	P.S. De Búrca Col. James Flynn	1922-61 (these records are held in the Military Archives, which is an approved place of deposit under the National Archives Act)	-
Education (1922; earlier records from the Commissioners of National Education)	B. Ó Cearbhaill (until September 1990) P. Ó hÉightheadáin (October 1990 - April 1992) Denis Tuomey (since May 1992)	1831-ca. 1930 (records concerning National Schools)	ca. 1922-1961
Energy (1980; earlier records from Industry and Commerce and the former Department of Lands)	Seán Costello	1922-61	-
Environment (1922; as Local Government and Public Health)	Séamus O'Connor Eddie Lewis Brian Breathnach Michael Tobin Peter Greene Tadhg Ó Seasáin	1922-61	-
Gaeltacht (1951, as 'Oifig na Gaeltachta agus na gCeantar gCúng'; earlier records from the former Department of Lands)	Eoghan Ó Conaill	1929-61	-
Health (1947; earlier records from the former Department of Local Government and Public Health)	Gerald Guidon	1920s-1961	-

TABLE 1 (continued)

TRANSFER OF RECORDS PRE-DATING 1962 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 30 JUNE 1992

Department (and date of foundation of Department or precursor)	Certifying Officer(s)	Records held in the National Archives as of 30 June 1992	Records due for transfer as of 30 June 1992
Industry and Commerce (1922)	Paul Bennett	1922-61	1922-61 (mainly Establishment and former Department of Supplies files)
Justice (1922, as Home Affairs)	John Cronin (since May 1991) Berenice O'Neill Sean Ayiward T. M. Madden Val O'Donnell Frank Dunne (until May 1991) Bryan O'Brien (until May 1991) Anna Doyle (since May 1991)	1922-61	1922-61 (mainly Courts and Aliens Divisions files)
Labour (1966; earlier records from Industry and Commerce)	Brian Fitzpatrick	1920s-1961	—
Marine (1987; records from Industry and Commerce, and from the former Department of Fisheries and its precursors)	Michael Daly (until November 1991) Declan Doyle (since November 1991)	1845-1961	2-1961
Social Welfare (1947; earlier records from Industry and Commerce, the former Department of Local Government and Public Health, and the Irish Department of the pre-1922 Ministry of Labour)	Bernard Keavitt	1919-61	—
Tourism, Transport and Communications (1991; records from Industry and Commerce, the former Departments of Posts and Telegraphs and Transport and Power, and the pre-1922 Post Office)	Doreen Keaney (since April 1991) Brendan Toomey Maurice Carey Tom Ferris Edward Mortimer Thomas Tobin Andrew Cullen Edward O'Brien Fintan O'Brien Tomás Ó Donnagáin Raymond Byrne Seán Gorman Denis Hegarty	ca. 1900-1961	—
Office of the Attorney General (1922)	John F. Gormley	1922-61	1920s-1961
Office of the Comptroller and Auditor General (1922)	Fionnbharr Breathnach	1920s-1961	—
Office of the Secretary to the President (1937)	Peter Ryan	1937-61	—

**TABLE 2**  
**NUMBER OF STAFF SERVING IN THE NATIONAL ARCHIVES**  
**AS OF 30 JUNE 1992**

Grade	Number of Posts
Director	1
Senior Archivist	1
Archivists <sup>1</sup>	4½
Temporary Archivists	4
Staff Officer	1
Clerical Officers <sup>2</sup>	5
Blind Telephonist	1
Clerical Assistants (Typists)	3
Clerical Assistant	1
Paperkeepers	5
Services Officers <sup>3</sup>	4
Services Attendant	1
Cleaner	1
TOTAL	32½

**Notes**

1. One of the Archivists is job-sharing without a partner and is therefore working half-time.
2. The number of Clerical Officers employed in the National Archives is six, but two are job-sharing with each other and are therefore working half-time.
3. Two of the Services Officers have an allowance for carrying out Paperkeeper duties.

