

# 9th Report of the National Archives Advisory Council 2000

Who did you understand was being referred to when the words "Men from Mayo" were used? mentioned to Culligan that we must assume that this matter was Government policy due to the involvement of the Minister and Army Intelligence. I recollect asking Culligan if he

I, in the presence of the Custom's Official, opened one of the crates marked pistols, and I saw that it contained a number of pistols. I did not see the make or brand of pistol but saw that they were 9 mm parabellum type pistols. The pistols were examined by Schlueter and Kelly who were speaking in English. I

X d. At 1630 hrs on Friday 6 Feb 1970 the Minister for Defence informed the Chief of Staff and the then Director of Intelligence that the Government at a Cabinet Meeting on that date had instructed the Minister to order the Chief of Staff to prepare and train the Army for incursions into Northern Ireland if and when such a course became

19th. March, 1970, Captain Kelly called to my office in the absence of Mr. Haughey from his room in Leinster House and requested me to find out for his and the Minister's information what the prospects would be of a consignment of goods, which would be other than as described in the accompanying documentation, being imported without the misdescription being discovered by the Customs officials. Captain Kelly explained that the Government wished that these goods be imported without

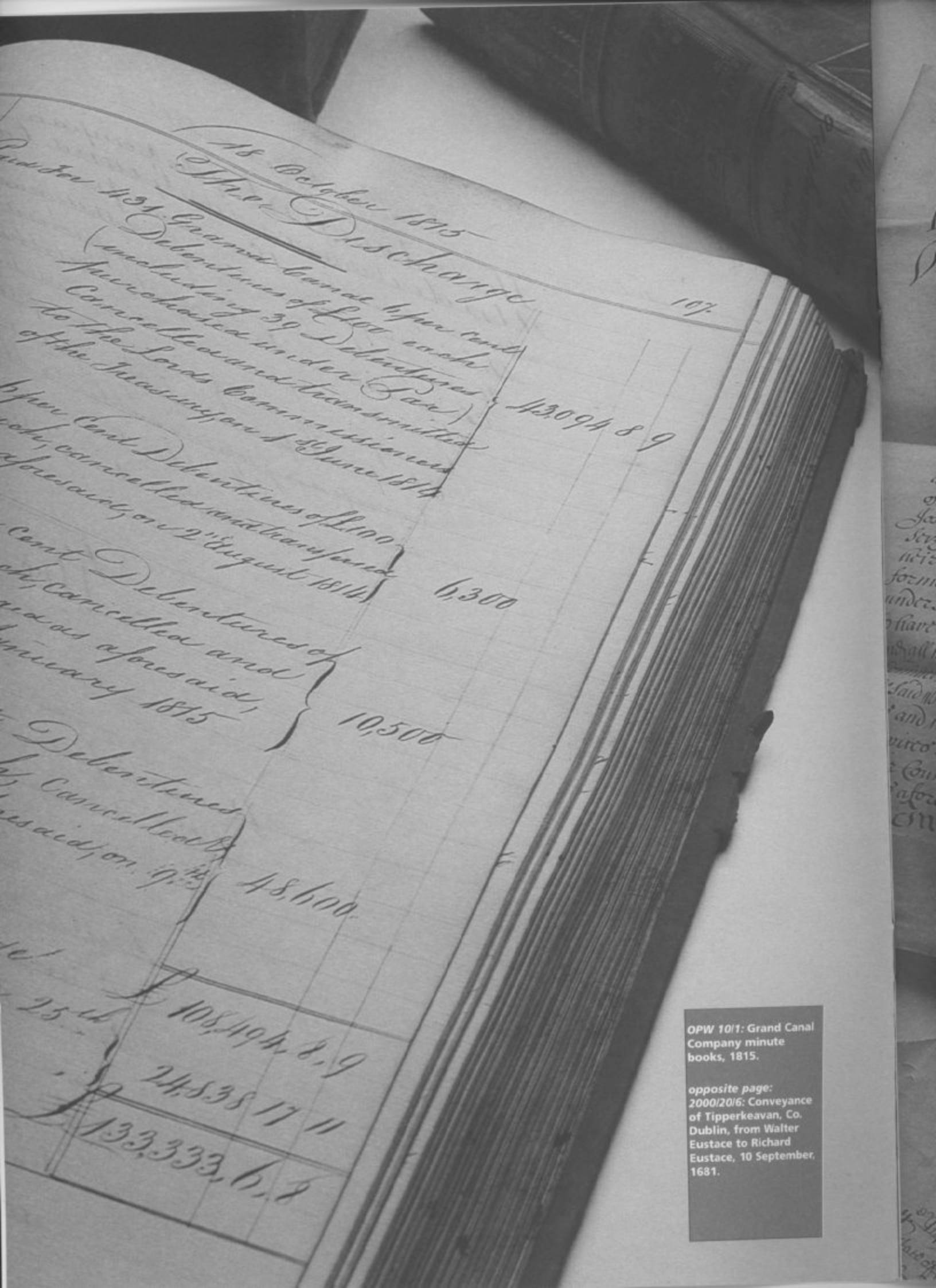
I believe that Captain Kelly told me some time in March 1970 that Mr Haughey knew about the importation of arms for the North. I cannot remember specifically if Captain Kelly told me that Mr Blaney was aware of the importation, but my impression is that he did mention it at some stage. Captain Kelly, in conversation with me mentioned that there was some snag about

I made no comment. After a pause he asked "Does the man from Mayo know about this?". I replied 'Yes'. He then said "What will happen when it arrives?". I replied 'It will be grabbed'. He then said "I had better have it called off". Almost immediately

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tion: Who did you understand was being referred to when the words  
"Man from Mayo" were used? mentioned to Culligan that we must assume that this matter  
My Minister, Mr. S. Morin, was Government policy due to the involvement of the Minister  
guarantee were given that and Army Intelligence. I recollect asking Culligan if he  
replied 'No.' He then said "I think that is a bad decision".  
I made no comment. After a pause he asked "Does the man from Mayo  
know about this?" I replied 'Yes'. He then said "What will  
happen when it arrives?". I replied 'It will be grabbed'. He  
then said "I had better have it sorted off". I then immediately

(M1) 00001/A.2.000/4/00 W.F. WALKER



18 Belghen 1815  
The Discharge  
Grand Canal before rent  
Debentures of £100 each  
(including 39 Debentures  
purchased under Law)  
Cancelled and transmitted  
to the Lords Commissioners  
of the Treasury on 1 June 1814  
before rent Debentures of £100  
each, cancelled and transmitted  
aforesaid, on 2 August 1814 } 6,300  
before rent Debentures of  
each, cancelled and  
transmitted aforesaid,  
January 1815 } 10,500  
Debentures  
each, cancelled  
aforesaid, on 9 July } 48,600  
108,494 8 9  
24,538 17 11  
133,333 6 8

OPW 10/1: Grand Canal  
Company minute  
books, 1815.

opposite page:  
2000/20/6: Conveyance  
of Tipperkeavan, Co.  
Dublin, from Walter  
Eustace to Richard  
Eustace, 10 September,  
1681.



9th Report of the National Archives Advisory Council 2000

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ISSN : 0791-4601

Pn 10050

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

*Published by :*

National Archives Advisory Council

Copies available from :

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c/o National Archives, Bishop Street, Dublin 8, Ireland.

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The text of this report is also available on the National Archives  
web site : <http://www.nationalarchives.ie>

*Designed by :*

Ger Garland

*Printed by :*

Nicholson and Bass

I gave him the information that the chances of detection by Customs  
authorities was in the region of two to one against in that roughly  
one-third of goods imported were examined to see if the correspond  
with the description on the documentation accompanying them.

cover, from top down: 2001/61/3: Extract from Dept. of Justice file, Alleged plan to import arms (Book of Evidence); statement of Walter Wildner, employee at Vienna airport, June 1970. Military Archives SCS 18/1, copy no. 1: Extract from brief for Ceann Foirne, 5 June, 1970. 2001/61/3: Extract from Dept. of Justice file, Alleged plan to import arms (Book of Evidence); statement of Chief Superintendent John P. Fleming, June 1970. 2001/61/3: Extract from Dept. of Justice file, Alleged plan to import arms (Book of Evidence); statement of Colonel Michael Hefferon, Director of Intelligence, June 1970. 2001/61/3: Extract from Dept. of Justice file, Alleged plan to import arms (Book of Evidence); statement of Peter Berry, Secretary of the Dept. of Justice, June 1970.

below: OPW 10/1: Grand Canal Company minute books, spines, early 19th century.



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Sile de Valera, T.D.  
Minister for Arts, Heritage, Gaeltacht  
and the Islands

A Aire, a Chara

In accordance with Section 21 of the National  
Archives Act, 1986, I hereby submit the ninth  
report of the National Archives Advisory  
Council on the activities of the Council in the  
year ended 31 December 2000.

Is mise

Margaret MacCurtain  
Chairman

April 2001

"Don't know" were used?

mentioned to Culligan that we must assume that this was

My Minister, Mr. Ó Néill.

was Government policy due to the involvement of the Ministry  
and Army Intelligence. I recollect asking Culligan if

SECRET

## EXAMINATION.

*Deposition of THOMAS ANNE EMMETT's Examination before the Secret Committee of the House of Lords, on Friday, August 10, 1798.*

COMMITTEE. WERE you an United Irishman?

EMMETT. My Lords, I am one.

COM. Were you a Member of the Executive?

EMMETT. I was of the Executive from the month of January to the month of May, 1797, and afterwards from Dec. 1797, 'till I was arrested.

[I was then asked as to the Military Organization, which I detailed.—They then asked, when the returns included fire arms and ammunition?]

EMMETT

## FUNCTIONS OF THE NATIONAL ARCHIVES ADVISORY COUNCIL

Questions 1 the did y

620/15/2/10: Memoir on the state of the Union, by Messrs. Emmett, O'Connor and McNevin, summer 1798.

**1-1** The National Archives Advisory Council was established in January 1987 under the National Archives Act, 1986. The principal function of the Council is to advise the Minister for Arts, Heritage, Gaeltacht and the Islands in the exercise of her powers under the National Archives Act and on all matters affecting archives within the scope of the Act and their use by the public. The National Archives, established in 1988, subsumed the State Paper Office, founded in 1702 and the Public Record Office of Ireland, founded in 1867. The main responsibility of the National Archives relates to the records of Government Departments. These must be preserved unless the National Archives authorises their destruction. Subject to certain restrictions, they must be transferred after thirty years to the National Archives to be made available for inspection by the general public. Other public bodies may transfer their records to the National Archives, which also acquires some private archives.

**1-2** Under the Local Government Act, 1994 and the Harbours Act, 1996, the Council may advise the Minister for the Environment and Local Government and the Minister for the Marine and Natural Resources on matters affecting local archives and harbour archives respectively.

**1-3** The consent of the Council is required before the Director of the National Archives exercises his power under section 4 of the National Archives Act, 1986 to lend archives to another institution while its concurrence is required before the Director exercises his power under section 9 of the Act to dispose of archives.

**1-4** Section 21 of the National Archives Act, 1986 provides for annual reports by the National Archives Advisory Council on the activities of the Council. Following submission to the Minister for the Arts, Heritage, Gaeltacht and the Islands, these reports are laid before each House of the Oireachtas and are subsequently published.

EMMETT. My Lords, I am one.

COM. Were you a Member of the Executive?

The Council consists of a Chairman and not more than eleven other members. The current Council was appointed on 20 May 1997 for a five-year term.

● **Margaret MacCurtain, M.A., Ph.D., F.R.H.S.**

Chairman. Historian; Senior Fellow, Faculty of Arts, University College Dublin.

● **Niall Bradley, B.A.**

Kildare County Manager.

● **Mary E. Daly, M.A., D. Phil., M.R.I.A**

Associate Professor of Modern Irish History, University College Dublin; member of the Irish Manuscripts Commission; member of the Board of Visitors of the National Museum of Ireland.

● **John Horgan, Ph.D**

Professor of Journalism, Dublin City University; author.

● **Liam Irwin, M.A., H. Dip. Ed.**

Head, Department of History, Mary Immaculate College, University of Limerick.

● **Charles Lysaght, M.A., M.Litt., B.L.**

Academic lawyer and writer.

● **Patricia McCarthy, B.A., D.A.A.**

Archivist, Cork Archives Institute; member of the Society of Archivists.

● **Susan Parkes, M.A., M.Litt., F.T.C.D.**

Former Senior Lecturer in Education, Trinity College Dublin; education historian.

● **Peter Rigney**

Industrial Officer, Irish Congress of Trade Unions; labour historian.

● **David Sheehy, B.A., D.A.A.**

Archivist, Dublin Diocesan Archives; member of the Society of Archivists.

● **Anngret Simms, Ph.D., M.R.I.A.**

Associate Professor of Geography, University College Dublin; member of the Irish Manuscripts Commission.

● **John Wilson, M.A., H. Dip. Ed.**

Former Tánaiste and Minister.

● **Secretary to the Council**

Joseph Meleady, Department of Arts, Heritage, Gaeltacht and the Islands.

Questions: Who did you understand was being referred to when the words "Man from Mayo" were used? mentioned to Culligan that we must assume that this matter was Government policy due to the involvement of the Minister and Army Intelligence. I recollect asking Culligan if he

before the Minister with Kelly's request. I may have mentioned to Culligan that we must assume that this matter was Government policy due to the involvement of the Minister and Army Intelligence. I recollect asking Culligan if he

### MEETINGS OF COUNCIL

could ensure that the consignment would not be examined. The Council held formal business meetings on six occasions during 2000.

- I also recollect telling him that the goods would not be described on the accompanying documentation and what was the possibility of the misdescription being picked up by the Customs. I recollect asking him if it could be insured that the consignment would not be examined. These questions All the meetings were held at the office of the Irish Manuscripts Commission, 73 Merrion Square, Dublin 2.

were put by me to Culligan following Capt. Kelly's conversation with me, and I wanted to be in a position to put all the

### REPORTS OF THE DIRECTOR OF THE NATIONAL ARCHIVES

facts before the Minister. I have since ascertained from

The Council notes with pleasure the publication of the reports of the Director of the National Archives for the years 1997 and 1998. These reports detail admirably the valuable work being done by the staff of the National Archives despite the handicaps under which they have had to operate. The publication of a Strategy Statement for 2001-2003 promised in the Director's report for 1999 will be an important addition to public knowledge on the future direction of the National Archives.

at approximately 4.15 p.m. he was accompanied by another man, whom I have referred to in my previous statement. /

### STRATEGIC PLAN

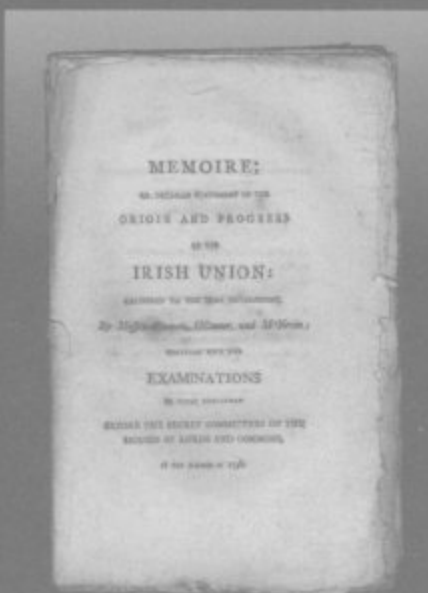
The Council has appointed a sub-committee to investigate the feasibility of producing a Strategic Plan for the next Council, along the lines of the Strategic Plan 1996-2001 drawn up by the previous Council. This sub-committee, consisting of the Chairman, Professor Simms, Professor Daly and Mr Sheehy is requested to report back to the Council before the end of the year. It is envisaged that the plan will cover the period 2002 to 2007 and will take account of the Strategy Statement for the National Archives 2001-2003 prepared by the Director of the National Archives.

**6.1** If the records of state-sponsored bodies are not available to historians it will be impossible for them to tell in full the economic history of the independent Irish state. Under the National Archives Act, 1986 state-sponsored bodies may deposit their records in the National Archives but they are not obliged to do so. It is the view of the Council that it should be made compulsory for such bodies to retain their records and to deposit them in the National Archives. To this end the Council recommends that the National Archives Act, 1986 should be amended so as to make the lodgement of the records of these bodies mandatory.

**6.2** The danger that records of state-sponsored bodies might be lost or destroyed is accentuated if these bodies are privatised. Under the existing legislation there would then be no means of compelling such bodies to preserve records. The Council repeats its recommendation made in last year's report that provision should be inserted in future privatisation bills for the retention, preservation and cataloguing of records, including the creation of a fund for the purpose.

**6.3** In March 2000, with the prior approval of the Secretary General of the Department of Arts, Heritage, Gaeltacht and the Islands, a delegation from the Council consisting of Professor Daly, Professor Horgan and Mr Lysaght called on the Secretary General of the Department of Public Enterprise, Mr Brendan Tuohy, to discuss these matters. The response was positive and, as promised at the meeting, the Department has set in train an examination of the state of the records of the bodies that fall within its remit. The Secretary General also undertook to consult with the Department of Arts, Heritage, Gaeltacht and the Islands on an appropriate legislative framework. The Minister for Public Enterprise subsequently wrote to the state-sponsored bodies under the aegis of her Department encouraging them to look at the manner in which their records are maintained. She remarked that such an examination might usefully be in two phases. The first would be to assign formal responsibility within the organisation for policy in relation to the management, custody, care and conservation of their records and archives. The second would be to examine how such records might be organised in such a way as to facilitate appropriate public inspection when the time comes. The Minister also pointed out that archival material is extremely valuable as the foundation for civic exhibitions and other activities related to the public profile of a company.

**6.4** The Council recommends that approaches should be made to all Government Departments in respect of state-sponsored bodies under their aegis to ensure that their records are preserved. Urgent consideration needs to be given to the situation of the records of state-sponsored bodies that have been privatised and also to that of the records of Departments such as the former Department of Posts and Telegraphs, some of whose activities have been privatised.





PRINTED BY J. & E. REID,

# SCHEDULE (B).

## PASSENGERS' LIST.



41 ABYSSINIAN STREET, GLASGOW.

SHIP'S NAME.	MASTER'S NAME.	TONS PER REGISTER.	Aggregate Number of Emigrants Port in the several Compartments set apart for Passengers other than Cabin Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, which the Ship can legally carry.	WHERE BOUND.
<i>Glasgow</i>	<i>James B. Thomson</i>	<i>1153</i>	<i>3325</i>	<i>515</i>	<i>Glasgow</i>

I hereby certify, That the Provisions actually laden on Board this Ship are sufficient, according to the requirements of the Passengers' Act, for 210 Statute Adults, for a Voyage of 40 Days.

(Date) Dec 27<sup>th</sup> 1858

(Signed) James B. Thomson MASTER.

### NAMES AND DESCRIPTIONS OF PASSENGERS.

PORT OF EMBARKATION.	NAMES OF PASSENGERS.	AGE of each ADULT of 12 Years and upwards.				CHILDREN between 1 and 12 Years.		INFANTS.		Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.
		Married.		Single.								
		M.	F.	M.	F.	M.	F.	M.	F.			
New York	1 Charles E. Stalbe			34						Bookkeeper	English	Glasgow
	2 Elizabeth Stalbe			32						Spinster	Irish	
	3 Ellen Armstrong			35								
	4 Mary Smith		48							Wife	English	
	5 Wm. H. Graham		58								Scotch	
	6 Elizabeth Smith			30						Spinster		
	7 Anna Fraser			32								
	8 Mary J. Moffat		36							Wife	Irish	
	9 Barry Longman		50									
	10 Andrew Woodie	38								Farmer	Scotch	
	11 James do		25							Wife		
	12 Ellen do						3			None		
	13 William do					2						
	14 David Miller	44								Stonecutter		
	15 Ellen do		44							Wife		
	16 Hugh J. Clug	45								Farmer	Irish	
	17 Ellen do		50							Wife		
	18 David Hodges	35								Silkweaver	English	
	19 James do		30							Wife		
	20 Ann do									None		
	21 Charles Sparks	30								Stonecutter	Irish	
	22 Martha do		38							Wife		
	23 Charles do									None		
	24 Hugh Watt	40								Farmer		

IPL: Immigration passenger list, 1858.

opposite page: 620/15/2/10: Memoir on the state of the Union, by Messrs. Emmett, O'Connor and McNevin, summer 1798.

11

IPL: Immigration passenger list, 1858.

opposite page: 620/15/2/10: Memoir on the state of the Union, by Messrs. Emmett, O'Connor and McNevin, summer 1798.

7  
as being referred to  
opposite page:  
2001/61/2: extract from  
Dept. of Justice file,  
Alleged plan to import  
arms (Secretary's state-  
ments), June 1970.

**7\*1** Under the National Archives Act, 1986 Departmental records that are more than thirty years old must be transferred to the National Archives to be made available for inspection by the public. Particular records may be excepted from this process only pursuant to a certificate from a Certifying Officer of the relevant Department that their availability for inspection by the public would be contrary to the public interest or that the records come within certain other limited categories specified in the National Archives Act. The Council invited Mr Noel Kilkenny, Certifying Officer of the Department of Foreign Affairs, and Mr Colm Gallagher, Certifying Officer of the Department of Finance to address the Council. Mr Kilkenny addressed the Council in May and Mr Gallagher did so in October. Both were most informative on the considerations that have led to records being withheld by their Departments and stressed that they apply a general presumption in favour of release. It is hoped to have meetings with Certifying Officers from other Departments or scheduled bodies in 2001.

**7\*2** The Council has noted with concern a complaint by Dr Clive Symmons in the latest edition of his book *Ireland and the Law of the Sea* that papers transferred to the National Archives relating to some topics covered in the book had not been arranged by the Department of Foreign Affairs so as to make them accessible to researchers.

**7\*3** In the future a considerable overlap will develop between the duty to disclose records under the National Archives Act, 1986 and the Freedom of Information Act, 1997. One aspect of this is that a decision to withhold records under the Freedom of Information Act, 1997 is subject to review by an outside person in the form of the Information Commissioner. This may come to be used in the case of records within the National Archives Act, 1986. Meanwhile it may be anticipated that a right of review by a person outside Government will be sought in relation to decisions of Certifying Officers under the National Archives Act. Certifying Officers would be well advised to evolve objective criteria for their decisions that can be defended in any such review.

**7\*4** There is a danger that, in the wake of the Freedom of Information Act, 1997, decisions taken by Ministers and officials may be recorded on file without accompanying documentation showing the process by which decisions were arrived at. Any such practice would frustrate the clear objectives of the Freedom of Information Act and would have the regrettable consequence that the records of Departments would be less valuable to historians. Departmental secretaries general should therefore take steps to ensure that staff at all levels keep full and appropriate documentation relating to the decision-making process.

**7\*5** The Council has noted Recommendation No. R(2000) 13 of the Committee of Ministers of the Council of Europe to member states on a European policy on access to archives adopted on 13 July 2000. Paragraph 8 is especially worthy of note and is recommended for the attention both of Certifying Officers and the compilers of finding aids as appropriate. It provides:-

**Finding aids should cover the totality of the archives and make reference, should the case arise, to those which might have been withheld from the description. Even when finding aids reveal the existence of closed documents, and as long as they do not themselves contain information protected by virtue of legislation, they shall be readily accessible so that users may request special permission for access.**

**7\*6** The Council notes the statement in the Report of the Director of the National Archives for 1999 that 'there is no doubt that some Departments and other bodies are having to preserve records which do not in fact merit preservation simply because the National Archives have not been able to spare the staff time needed to examine them'. If, as may be the case, the cost to Departments in retaining these records (which is ongoing) exceeds the once-off cost of the extra staff from the Departments and from the National Archives needed to examine them, there is a waste of public funds. The Council believes that this aspect of the matter needs to be considered by the Departments concerned and the possibility of a levy on them to meet the cost to the National Archives of examining documents for disposal proposed in the Strategic Plan 1996-2001 further examined.

**7\*7** The Council notes with concern the failure of the Minister for Finance to make regulations under section 19 of the National Archives Act, 1986 or under section 15 of the Freedom of Information Act, 1997 for the management and maintenance of records held by public bodies.

To See.....  
Minister

ANSWERS given by Mr. James Gibbons, Minister for  
Agriculture to the undermentioned questions on 8th June, 1970.

Question. 1. What did Neil Blaney say when asking you to  
meet Capt. Kelly about Capt Kelly's resignation.

Answer: Neal Blaney did not ask me to see Captain Kelly  
about his resignation. Indeed he indicated to me  
at a later stage that he did not think he should leave the  
Army at all. When I spoke to Mr. Blaney about Captain Kelly's  
proposed resignation and mentioned the possibility of his  
being picked up (by British and N.I forces) Mr. B's attitude  
was "Let him be picked up, we (the Irish Govt) can say "Yes  
he is our Intelligence Officer". Mr. B would ring me up &  
say "Your wee man is here & would like to see you" or words to  
that effect.

Question 2. Why did you ask Mr. Haughey, in early April if  
he knew anything about a gun project.

Answer: It was becoming apparent that such a project was  
under way. Capt. Kelly told me (early April) of  
an abortive attempt to send in arms by sea. This consignment  
was to be met at Dublin docks & when those who were to meet it  
arrived there, they found Irish Army Troops taking delivery  
of Army materials. I understood from Capt Kelly that this  
illegal consignment never left Europe (Belgium). N. Blaney  
also mentioned this incident to me about the same time. It  
was about this time too that Mr. Blaney sounded me on my  
willingness to permit the importation of arms by use of my  
office of Minister for Defence.

Question 3. At the meeting on 23rd April what did Neil  
Blaney say.

Answer: I find it difficult to remember much of the dialogue.

Mr.B expressed the view that, while the situation was  
serious, nothing could be done about it (presumably by the  
authorities) since there had in fact been no delivery of arms.  
Some details of the mechanics of the operation were mentioned

**8•1** As the Council regards the unacceptably low level of staffing which exists as the greatest limitation that the National Archives faces in fulfilling its role, it notes with regret that a submission seeking extra staff made by the Director in November 1998 had not been decided upon by the Department of Finance by the end of 2000. This delay shows a lamentable disregard for the National Archives as an institution and for the importance of maintaining the morale of those who work for it. In this context the Council welcomes the statement of Mr Éamon Ó Cuív, T.D., Minister of State, answering for the Minister for Arts, Heritage, Gaeltacht and the Islands in the Dáil on 1 February 2000, that the Minister will do all in her power to ensure that National Archives' requirements for additional staff are met as quickly as possible.

**8•2** On 3 December 2000 the Council devoted most of its meeting to hearing from Mr Ken Hannigan about a submission being made by the Archivists Branch of the IMPACT trade union. It concurs with its submissions that the professional staff should be increased as follows:-

- (1) A new post of Keeper/Deputy Director should be created.
- (2) Two new posts of Senior Archivist should be created.
- (3) A new post of Archivist with specific responsibility for electronic records should be created.
- (4) The existing four temporary archivist posts should be replaced with four permanent archivist posts.
- (5) One post of conservator and two posts of assistant conservator should be created.

**8•3** The submission pinpoints the need to take a long-term view of the career structure of archivists in the National Archives. It must be questioned if a scale that at its peak does not equate with that of an Assistant Principal Officer can be sufficient to attract good graduates when there are only two promotional posts. Unless this is addressed at once there is, especially in present market conditions, less chance of attracting archivists of the quality of those presently employed. This would have detrimental long-term effects on the National Archives and in the public service generally. In this context, the Council welcomes the new career opportunities for archivists that are being created from time to time within public bodies and recommends that all such bodies should see the creation of such posts as a priority.

**8•4** The paucity of posts in the National Archives above the recruitment grade of archivist has created a situation where there will, in the normal course of events, be no opportunity of promotion before retirement for most of the present archivists. One consequence of the lack of promotional outlets is that those already employed as archivists feel that they have in justice a claim to have promotional posts reserved to them; this is not necessarily a good thing as a degree of mobility between different archival institutions can be beneficial. The Council recommends strongly that immediate decisions increasing the number of archivists should be accompanied by a root-and-branch reconsideration of the career structure of archivists in the National Archives.

**8•5** One aspect of this root-and-branch examination is the office of Director. The Council believes that similar considerations apply to it as to secretaries general of Government Departments and presidents of courts and, like them, the Director should hold office for a fixed term rather than to the present age of retirement. A higher level of salary than that now enjoyed by the Director would then be appropriate. It is appreciated that these changes could not be immediate as any alteration would have implications for parallel institutions and the position of existing office-holders would have to be preserved. But it is important that long-term decisions should be taken now, not least as a signal to those who are deciding whether to embark on a career as an archivist.

From the Reception I experienced among the Catholics, I have every Reason to believe I should have had almost the entire Body in my Support; and am comforted in the Reflection, that my poor endeavours in their behalf have been by them remembered.—I have now the Sentiment of Gratitude to aid that of Principle, and to animate still further my Wishes for their complete Emancipation.

## NATIONAL ARCHIVES BUILDING

Government approval for the adaptation and extension of the Bishop Street premises was announced by the Minister for the Arts, Heritage, Gaeltacht and the Islands in December 1997. It was envisaged that the project would be completed by April 2001. In 1999, before work began on the project, and arising out of discussions with those involved, the Office of Public Works commissioned KPMG Corporate Finance Ltd. to carry out a financial analysis of the original proposal and a new proposal to provide a complete new building for the National Archives adjacent to the existing building. In the light of this analysis the Office of Public Works wrote to the Department of Finance on 27 August 1999 seeking sanction for the expenditure of £45 million required to implement the new proposal which seems to the Council to have considerable merit. By the end of 2000, however, no response had been received from the Department of Finance. The Council is at a loss to understand the reasons for such tardiness in responding on an important matter, especially as it places the Minister for Arts, Heritage, Gaeltacht and the Islands in the position of being unable to fulfil a commitment she gave on behalf of the Government in 1997.

## PRESERVATION OF RECORDS

The Council notes with concern the lack of progress in meeting the objectives stated in the Strategic Plan for the National Archives 1996-2001 relating to the conservation and microfilming of records. The practice of availing of the services of Marsh's Library Delmas Bindery for conservation and of Trinity College and the National Library for microfilming is no substitute for in-house facilities of a kind that is standard in archives in other countries of the European Union. It is also a cause of concern to the Council that no disaster prevention and recovery plan has been drawn up. The preservation of the archives in the custody of the National Archives is listed in the National Archives Act, 1986 as a statutory duty of the Director and it is essential that he be given the necessary resources to devise such a plan.

## ELECTRONIC RECORDS

In the course of the last ten years a situation has evolved where a large proportion of Departmental records are maintained only in electronic form. The Council in its Strategic Plan has drawn attention to the danger that such records may be lost if steps are not taken to identify those of permanent value and secure their transfer to the National Archives well in advance of the present thirty year period. The Council has drawn attention to the recommendation in its Strategic Plan that a survey of electronic records in Departments should be carried out and regulations and guidelines concerning their management and preservation drafted by the National Archives and the Department of Finance. The Strategic Plan also recommends the establishment of an appropriately designed Electronic Archives Centre in the National Archives with technical facilities which permit transfer of electronic information to an appropriate medium, its regular maintenance and transcription and its storage under stringent conditions of absolute environmental stability and suitability. The Council is disappointed by the lack of progress in this important area.

opposite page:  
2000/58/5/3: The  
O'Rahilly Sinn Féin  
Cumann, O'Rahilly  
bookshop, 87 Dorset  
Street, 1917 (framed  
photo at front of The  
O'Rahilly, executed in  
1916).

2000/58/7: Poem  
written by Seamus  
O'Doherty in Mountjoy  
Gaol, 1919.

## NATIONAL HERITAGE PLAN

12

**12•1** The Council believes that it is of the utmost importance that the place of archives as an important part of the national heritage should be recognised in the National Heritage Plan to be published by the Department of Arts, Heritage, Gaeltacht and the Islands. Professor Daly made a submission on behalf of the Council to those drafting the plan. This submission reiterates recommendations already made in the Strategic Plan and in the annual reports of the Council relating to the National Archives and archival records covered by the National Archives Act. It also emphasises the importance of making resources available to store, conserve and list other important archives. It mentions, in particular, the need to preserve solicitors' records which contain a wide range of information relating to property relations and family history. The submission points out that archives are increasingly coming to be seen as an essential part of the national heritage, and not simply something that interests a small population of scholars.

**12•2** The Council notes the increasing awareness of archival sources among the general public and endorses the valuable submissions made by the Director on an early draft of the National Heritage Plan emphasising the need to recognise how indispensable archives are to different categories of researchers.

## PRIVATE ARCHIVES

13

**13•1** The primary responsibility of the National Archives relates to official records. However, it also has a limited role in relation to private archives. It has inherited responsibility for the Business Records Survey, established by the Irish Manuscripts Commission in 1970, and records of many business firms and solicitors' offices have been deposited in the National Archives. It also co-operated with a survey of records relating to women carried out by the Women's History Project, and some records identified by the survey have been acquired by the National Archives. Over the years there have also been many donations of private collections. The National Archives is therefore an appropriate body to carry out the survey of archival and library material of national importance proposed in the National Heritage Plan.

**13•2** Needless to say such extra responsibility would necessitate extra staff. Already shortage of staff is having the effect that collections that are received cannot be catalogued and so cannot be made available to researchers. The Council believes that those depositing records should be put on notice that this is the position.

**13•3** A further aspect of private records is that they are collected both by the National Archives and the National Library. The Council believes that the Department for the Arts, Heritage, Gaeltacht and the Islands should keep this apparent overlap under review in consultation with the Directors of the two institutions.

For I shall feast again on thee my sweet,

" At no far distant date " - In Connacht Street.



On being Refused Parole To visit Mother Dying.  
A Sonnet.

Help me O Lord, to bear this bitter grief,  
For I am stern refused that act of love  
That raises our poor human hearts above  
Insensate creatures: to tender close, the brief  
Last hours of her, of all my friends the chief,  
Who didst my childhoods waywardness reprove  
With never failing patience and with love.  
And taught my faltering feet to find relief  
At thy poor wounded feet, to find relief Her son thou'lt greet  
Then tell her, Lord, of this my bitter moan  
And how my guards with heartless scorn did treat  
Her dying wish. It minds me of thine own  
Last hour. Thy burning tongue and thirst unquenched  
Then how with gall, Thy Sacred lips were drenched.

Seamus O'Doherty.

14  
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The Council has established a sub-committee to consider future co-operation with the Public Record Office of Northern Ireland. This committee consists of Ms McCarthy, Ms Parkes, Mr Wilson and the Chairman. An obvious area of co-operation is the preservation and public availability of the archives of cross-border bodies established under the Good Friday Agreement, 1998. Other areas that might be covered by such co-operation would be the technical aspects of conservation and the cataloguing of material by both PRONI and the National Archives. It is proposed to invite the members of the Advisory Board of PRONI to Dublin in 2001.

## REVIEW OF THE NATIONAL ARCHIVES ACT, 1986

15  
y Rint

opposite page:  
2001/51/3: Board of  
Works divers and  
workmen at Downies  
Bay pier, County  
Donegal, March 1909.

2001/51/7: The erection  
of beacons and  
navigation lights at  
Dundalk harbour, 1956.

The Council believes that the time has come for a full review of the National Archives Act, 1986. The Council has already highlighted the need to extend the application of the Act to the records of state-sponsored bodies. Consideration should be given to the records of cross-border implementation bodies set up under the Good Friday Agreement. Special provision needs to be made for electronic records and probably also for sound records, videos and other artefacts. The Freedom of Information Act, 1997 has created a new context not least because its application will interlock to an increasing extent with the National Archives Act. It will, in particular, be necessary to consider whether the National Archives Act, like the Freedom of Information Act, should contain procedures for challenging decisions of public bodies to withhold records. Consideration should be given to the position and role of the Council, in particular how far its remit should extend to private archives. Another possibility is that the Council could become a Board of Management similar to that existing in other cultural institutions.

## SÉAMUS FITZGERALD PAPERS

16  
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**16\*1** On 8 March 2000 the Chairman attended the launch in Cork by the Minister for Health and Children, Mr Micheál Martin, of a descriptive list of the Séamus Fitzgerald papers. Her attendance at the event was intended as support for the development of archives services funded by local authorities.

**16\*2** Séamus Fitzgerald (1896-1972) played an important role in the life of Cork as a revolutionary, politician and businessman. His papers were donated to the Cork Archives Institute by his son Mr Paddy Fitzgerald. They are one of the finest collections ever donated to the Institute.

## FREEDOM OF INFORMATION ACT, 1997

17  
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In March 2000 the Council published the Reference Book required by the Freedom of Information Act, 1997 facilitating access to records held by it. The records held by the Council consist of agendas and minutes of its meetings, correspondence concerning its business and accounting records.



**LOCAL GOVERNMENT ACT, 1994 AND HARBOURS ACT, 1996**

During 2000 no occasion arose for the Council to advise the Minister for the Environment and Local Government on any matters relating to local archives and their use by the public. Nor did any occasion arise to give advice to the Minister for the Marine and Natural Resources in relation to the archives of harbour companies and authorities.

## **LENDING AND DISPOSAL OF ARCHIVES**

The Council was not requested to give its consent to any lending of archives by the Director to archival or educational institutions, libraries, museums, galleries or other appropriate institutions pursuant to section 4(1)(h) of the National Archives Act, 1986.

The Council was not requested to concur in the disposal of any archives by the Director pursuant to section 9 of the National Archives Act, 1986.



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