

# NATIONAL ARCHIVES ADVISORY COUNCIL

## Reports 2014 and 2015

### 1. Introduction

This report covers the period of 2014 and 2015 and is in effect the final consolidated report of this current Council. The report notes the continued challenges facing the National Archives with regard to meetings its statutory obligations and its efforts to develop enhanced services and capabilities in areas such as electronic records and digital preservation. It also acknowledges developments with regard to securing physical storage through the progression of phase one of the building development and the funding of the records management pilot project in conjunction with the Department of Public Expenditure and Reform. It is the express wish of the Council that these initiatives develop in the coming years, along with increases in staffing, to ensure a secure footing for the National Archives through this decade of centenaries and beyond.

### 2. Establishment and functions of the National Archives Advisory Council

The National Archives Advisory Council was first established in January 1987, its principal function being to advise the Taoiseach, now the relevant Minister (currently the Minister for Arts, Heritage and the Gaeltacht) in the exercise of his/her powers under the National Archives Act, 1986 and on all matter affecting archives and their use by the public. Under the Local Government Act of 1994 and the Harbors' Act of 1996, the Council may also advise the Minister for the Environment, Community and Local Government and the Minister for Agriculture, Food and the Marine on any matters affecting local archives and harbor archives respectively.

In particular, the Council advises on issues of policy relating to the management, staffing and accommodation of the National Archives, the disposal of records by Government departments and other public bodies, the transfer of departmental records to the National Archives for preservation as archives, the acquisition of archives from other sources, the availability of archives for public inspection, the preservation of archives, and the services provided by the National Archives to members of the public.

The core function of the National Archives is the care and preservation of the records of government and the provision of access to those archives. This function is legislated for in the National Archives Act, 1986. The main provisions of the Act regarding Departmental records are summarised as follows:

- All Departmental records must be preserved, unless their destruction is authorised in writing by the Director of the National Archives or another officer of the National Archives designated by the Director for the purpose (Section 6 of the Regulations, 1988)
- In general, all Departmental records which are more than 30 years old must be transferred to the National Archives and made available for inspection by the public. Particular records may be retained by Departments and/or be withheld from public inspection only if they are covered by certificates stating either:
  - That they are in regular use in a Department or are required in connection with its administration or;
  - That making them available for inspection by the public would/might;
    - Be contrary to the public interest, or
    - Constitute a breach of statutory duty, or a breach of good faith on the ground that they contain information supplied in confidence, or
    - Cause distress or danger to living persons on the grounds that they contain information about individuals, or would or might be likely to lead to an action for damages for defamation

### 3. Membership and Secretary

All members of the National Archives Advisory Council serve *pro bono* - free of charge. The Council costs nothing. The historians, archivists, specialists and users on the Council give of their time and expertise in the hope of improving the situation of the National Archives and that of archives generally in Ireland. The members are listed below as of 1<sup>st</sup> February 2016, Saint Brigid's day.

The Hon Mr. Justice Peter Charleton (Chairman)

Professor Diarmaid Ferriter

Máire Mac Conghail

Dr Mary McAuliffe

Dr Deirdre McMahon

Ms Jennifer Moore

Professor Jane Ohlmeyer

Dr Raymond Refaüssé

Ms Joanne Rothwell

Dr Paul Rouse

Secretary to the Council: Ms Angela Mennella, National Archives

### 4. Annual Report

Section 21 of the National Archives Act, 1986, requires the National Archives Advisory Council to submit its Report to the Minister who must then lay it before each House of the Oireachtas. This is the report for the calendar years of 2014 and 2015.

## 2014

The Council held five meetings during the calendar year of 2014:

4 February; 1 April; 27 May; 7 October; 1 December

The concern of Council in the lack of support towards the National Archives persisted, though a little progress is reported for the year 2014:

- Joe Hamill, Secretary General of the Department of Arts, Heritage and the Gaeltacht and Niall Ó Donnchú, Assistant Secretary attended the April meeting of the Council during which they both stated that they anticipated a positive plan in relation to the development of the warehouse (situated at Peter's Street, rear of the National Archives' Bishop Street building) for storage accommodation
- In July the post of Director of the National Archives was advertised – having been vacant since January 2012 with the retirement of Dr David Craig, the acting director in the meanwhile being Ms Frances McGee.
- In December John McDonough was named the successful candidate to take on the post of Director.
- It was reported that legislation was being prepared by the Department of Education and Skill to enable the records of the Residential Institutions Redress Board and of the Commission to Inquire into Child Abuse to be transferred into the custody of the National Archives
- Following on from prior correspondence, the National Archives Advisory Council pressed for the preservation of records from the former Anglo Irish Bank, due to their historical importance

However, the level of staff vacancies remained of great concern to Council. At the end of the calendar year of 2014 the National Archives' archivist staff was depleted by six FTEs. The responsibilities of the I.T. manager were undertaken by the Director pending the recruitment of ICT staff. The deeply unsatisfactory nature of this can be contrasted against the extraordinary popularity of the site of the National Archives website at [www.nationalarchives.ie](http://www.nationalarchives.ie), a site attracting millions of visitors. Partly, this is due to the online publication in searchable form of the Census records from 1901 and 1911. Other aspects of the site attract major interest, including that related to the wills of enlisted men both copied and searchable on the web, online documents in relation to the Anglo-Irish Treaty of 1922 and attempts to supplement the destruction of records during the Civil War with the Tithe Applotment

Books, fragments of census records reverting to 1821 and pension records. Extraordinary efforts in that regard have been made by the special projects section of the National Archives. Projects ongoing include the digitalization of the Chief Secretary's Office Registered Papers ([www.csorp.nationalarchives.ie](http://www.csorp.nationalarchives.ie)) the organization and exploration of hospital records and the identification of documents and photographs relevant to the period of 1914-1924 with a view to displaying these online.

In that context, two matters are astonishing: firstly, that the National Archives has done so much in establishing and maintaining what is the most significant online presence of any State institution in Ireland and, secondly, that such a significant function in terms of the attraction of interest, and consequent improvement to visitor numbers to Ireland, could have been allowed to slide due to a lack of funding and staff support.

Thirty years rule: As reported in the Council's 2013 Annual Report, the United Kingdom has reduced from thirty years to twenty years, through two years releases being made each year for five years, the release and accessibility of government department papers. If the Government adopts a similar policy the Council considers that with the current funding, staff and storage deficits the National Archives would be placed under severe and possibly untenable pressure. This is a matter which must be addressed. If the National Archives are to catch up with the neighboring kingdom, space, staffing and commitment in funding and human resources must be forthcoming so that the National Archives can move from one release of materials per year to two.

Born-digital records: Council wishes to reiterate more forcefully what it reported in the 2013 Annual Report – that the preservation of born-digital records is in dire peril; that it is the responsibility of the Government to create a compatible electronic management records system which will allow the records to be subsumed unto new software systems as progress is made forward.

In December 2013 the Chairman wrote to a total of forty five Departments and Offices whose records are subject to the National Archives Act, 1986. By early 2014 no replies at all were received from twenty five of these bodies and of the remaining twenty who acknowledged receipt of the letter eleven bodies undertook to respond in greater detail later.

It would appear from the responses that no Government Department or Office currently has an electronic records preservation program in operation. There is a disconnect here between the fact that a digital revolution has overtaken the State, with a move from paper to digital records, the statutory obligation to make a Statutory Instrument to manage records and where those obligations lie. For the avoidance of doubt, digital records are covered by the obligation to archive in the legislation. In order

to implement that legal obligation, a person designated in each department of State and in each scheduled body is required to identify, target the preservation of, sort and prepare for transfer to the National Archives such records as require preservation.

Genealogy and Open Day: The Council wishes to commend the National Archives on the addition to its dedicated genealogy website – [www.genealogy.nationalarchives.ie](http://www.genealogy.nationalarchives.ie) -

- digitized copies of the Census fragments and substitutes 1821-1851
- the Census 1841/1851 Search Forms

Council also wishes to commend the National Archives on a successful Open Day held Saturday 11 October 2014

#### 4 Concerns

Council members have served in some cases in excess of a decade and in others over a period of five or more years. Council members are active users of the National Archives. Council wishes to acknowledge the efforts and commitment of the staff of the National Archives and in particular many senior members of staff who have worked with Council members through the years and have or are close to retirement.

The National Archives have been the foundation for historical research in Ireland since independence. It is the depository of the official business of the State. Since historians call nations to account and pass judgment based on fact through the scrutiny of such records as past actions leave, it is regrettable that due to a lack of resources the National Archives cannot develop and provide for the following:

- To address the digital revolution in governmental record keeping over the past decade
- To provide adequate space for the proper preservation of records that stretch back to the 14<sup>th</sup> century
- To ensure sufficient staffing numbers to provide for the range of services necessary for a National Archives to operate
- To ensure the keeping to account of government through the presently-needed and urgent task of having someone in every department identifying and sorting records for future preservation.

Members of the Council have constantly sought to reiterate the same message. This is: that the importance of the National Archives has been unrealized. It is an institution which has visitor numbers

in millions through its web presence. It is a treasure house and necessary repository of genuinely foundational documents for social, economic and political research. It calls those actors within the State to account in due time for their actions when all of the records left by decision-making come to be called to historical analysis.

A simple example suffices. The scandals of the past remain as a scar on the psyche of those who survived them. The scandals of the past can be seen in perspective and can be sifted into truth by the unassailable reality of what the past has recorded. To take an example, with the investigation into the Magdalene Laundries, any complicity by the State in the horrible experience of so many unfortunate women was demonstrated by record after record from various courts, from decisions of particular departments and from correspondence pointing up the official attitudes of half a century or more ago. All of that was available in the National Archives. While the work of the McAleese Committee has been rightly praised, a perusal of its contents shows why the work of the National Archives is the very foundation of righting the wrongs of the past:

<http://www.justice.ie/en/JELR/Pages/MagdalenRpt2013> . Outside of those who know, historians, genealogists and researchers, the many months of work and what the work was based on, records, goes literally ignored.

## 2015

The Council met five times during 2015:

Monday 2 February; Tuesday 10 March; Tuesday 12 May; Tuesday 20 October and Tuesday 8 December

At the meeting of 2 February Council congratulated John McDonough on his appointment as Director of the National Archives

**Preservation of Digital records:** throughout the year the Chairman, with the support of Council, and with the Director, engaged with relevant Government Departments in the pursuit of the creation and development of the ICT infrastructure essential for the permanent preservation and future public access of born-digital material. It is anticipated that a pilot project will be undertaken between the Department of Public Expenditure and Reform (DPER) and the National Archives.

It is expected that a joint seminar on electronic records including a presentation on the proposed digital archiving pilot project will take place during the year 2016. The Council welcomes the engagement with DPER and stresses again the importance of proper preservation of born-digital material.

**30 year rule:** In October 2015 the Minister for Arts, Heritage and the Gaeltacht announced her intention to amend the National Archives Act, 1986 to reduce the 30 year rule for the release of State papers to 20 years, which change will be implemented on a phased, Department by Department basis. The concerns expressed in 2014 remain in advance of the implementation of the 20 year rule.

**Building Plan:** Feargal Ó Coigligh, Assistant Secretary, Department of Arts, Heritage and the Gaeltacht attended the Council meeting of Tuesday 8 December and was encouraging in his discussion with Council members on the proposed development of the warehouse, indicating that the first phase (of three phases) of the design phase of the warehouse development project was virtually in place.

**Post script:** On 19 January 2016 the Minister for Arts, Heritage and the Gaeltacht visited the warehouse of the National Archives where she launched the design and construction phases for the €8 million archival storage facility within the existing warehouse of the National Archives. Council welcomes the announcement of this initiative as an important step in developing the facilities at the National Archives. Council also hopes that the remaining phases of the project will be proceeded with in the immediate future.

**Advocacy:** In June Council commended the Director and the National Archives on the launch of a social media policy and its roll out of a new Twitter account - @narireland



On Tuesday 5 October 2015: on the invitation of the Irish Society for Archives the Chairman of Council delivered a lecture on “The Permanent Government and the National Archives” to members and guests at the Conference Room of Dublin City Library and Archives

## 5 Assent

The members of the National Archives Advisory Council hereby, on 1 February 2016, assent in the annual reports of the years 2014 and 2015:

Peter Charleton

Diarmaid Ferriter

Máire Mac Conghail

Mary McAuliffe

Deirdre McMahon

Jennifer Moore

Jane Ohlmeyer

Raymond Refaüssé

Joanne Rothwell

Paul Rouse