



KEVIN McNAMARA
MEMBER OF PARLIAMENT
FOR KINGSTON UPON HULL NORTH

HOUSE OF COMMONS
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Open Government Enquiry Unit
Northern Ireland Office
Millbank
London

Ref: HM

17th November 1999

Dear Sir/Madam

The MacBride Principles Campaign 1984-1989

I am writing to you to request information regarding the MacBride Campaign.

I would be grateful if you could provide me with copies of documents relating to the Campaign in general but in particular representations made by the Northern Ireland Office to:

1. The United States government about the MacBride Principles.
2. Members of Congress.
3. Proponents of the MacBride Principles.
4. Individual US legislators.
5. Individual US legislatures.
6. Congress.

I look forward to hearing from you in the near future.

Yours sincerely

Kevin McNamara MP

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D R A F T

... February 2000

Mr Kevin McNamara MP
House of Commons
LONDON, SW1A 0AA

To: RA MAN GAT EGA NID	
Fax: 011- 210 0247	
From: KATE CROWE, FCO	Pages: 3
Date: 7/2/00	

NORTHERN IRELAND: MACBRIDE PRINCIPLES CAMPAIGN 1984-1989

I am sorry that it has taken longer than anticipated to send a substantive reply to your request for information regarding the MacBride Principles campaign but since my/ Ms Crowe's interim letter of 22 December, Records and Historical Department moved to its present address and everything has been rather disrupted.

You asked for copies of documents relating to the Campaign in general and in particular representations made by the Foreign and Commonwealth Office to the United States government, legislators and other prominent opinion-formers during the period 1984-1989. While we would like to be helpful, I must explain our position on such relatively recent papers. These papers are part of the departmental records of the Foreign and Commonwealth Office and are less than thirty years old. As such, they are defined as public records by the Public Records Acts of 1958 and 1967 and whether classified or unclassified, they are not due to be available for public inspection until they are thirty years old. Part 1, section 9 of the non-statutory Code of Practice specifically states that it is not intended to override statutory provisions on access to public records, whether over or under thirty years old, while

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the Guidance on Interpretation further explains that the Code is not intended to provide a means of opening records closed under the Public Records Acts or as a means by which historical research can be assisted (extract attached). It would be an unreasonable diversion of resources to carry out all the work necessary to disclose these papers ahead of their due release date, and in the interests of fairness to all, it would not be right to make an exception for you.

In similar cases we normally offer to put the researcher in touch with those having special knowledge of the subject or to provide such factual information as we can in answer to any specific questions. As you have already spoken to Alan Huckle and Andy Henderson about their recollections of the campaign, we would be willing to consider whether we can clarify any particular points arising from that conversation or from your research to date. Meanwhile, we have identified some papers already in the public domain explaining the UK position and on which the briefing of US opinion-formers would have been based, and hope that the enclosed copies may be of interest.

Although it is slightly outside your period, you might also like to be aware of a seminar on Fair Employment in Northern Ireland with particular relation to MacBride, which was held at the Investor Responsibility Research Center in Boston on 11 October 1990 and at which a British Embassy official gave a presentation. The proceedings were transcribed and an edited version was due to be published by the IRRC (copy of the agenda enclosed).

?Kate Crowe

or

Mrs H J Yasamee

RECORDS AND HISTORICAL DEPARTMENT

9 February 00

To 1 Mr Madden

2 Mr Walker

cc Mrs Cromeey
Mrs Goldthorpe

MEETING WITH PUBLIC RECORDS OFFICE (NI)

Des McCullough brought a representative from PRONI to give us some advice on moving files to OFMDFM.

In essence, the following applies: -

- A files can be closed and, if necessary, sent to Registry.
- S files must be kept within the Branch. Registry will not take them. However if we think they can be destroyed PRONI will examine them to decide if they agree with our assessment. This bypasses the need for declassification.

If files are of interest to PRONI they will store them. The thirty year rule applies in that case i.e. the public have no access to the papers until thirty years from the date of the last paper on file.

Margaret Glass

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The Office of the First Minister
And Deputy First Minister

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COMMUNITY RELATIONS UNIT
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Direct Line:

KLB

cc Mr McCusker
Mr Walker

3/1/00

From: J A Canavan
Equality Unit

27 January 2000

cc Mr G. Madden

To: Raj Mangat
NIO

OPEN GOVERNMENT ENQUIRY – MacBRIDE CAMPAIGN

1. You wrote to me on 9 December, enclosing a letter from Kevin McNamara MP addressed to the Open Government Enquiry Unit in the NIO and requesting documents about the Government's response to the MacBride campaign, 1984-1989. Since then I have seen a copy of a note from Alan Huckle of the FCO of a meeting which he had with Mr McNamara, who is requesting this information for his PhD thesis. I also had a conversation with Kate Crowe of the FCO who is preparing a line on a similar request for documentation. From our conversation, I understand that she is recommending that the request should not be agreed to, essentially because the documents fall within the 30 year rule and because the cost of identifying them would be disproportionate.
2. DED was involved in the anti MacBride campaign in the US during these years. A considerable number of files (probably over 100) exist and were retained by the Industrial Relations and Equality Division of DED. At devolution, the Branch holding those files became part of the Equality Unit of OFM/DFM. I am now head of that Unit and have examined a sample of the files and also spoken to Pat McAlister, who worked in DED on this issue at that time.

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The Office of the First Minister And Deputy First Minister

3. My understanding is that contacts with US opinion formers in Congress and Legislatures were almost entirely via FCO overseas posts. Occasionally, NIO Ministers also visited the US and discussed inward investment, as well as MacBride issues, with US opinion formers. Direct involvement by DED officials in making personal representations seems to have been very limited. However, a number of individuals were retained on a consultancy basis to visit the United States and speak at hearings in State Legislatures. Their expenses were paid by DED.
4. From the files which I have seen, there was a clear NIO lead on the policy. However, the distinction pre devolution between NIO and NICS advice to Ministers was not so clearly defined as now.
5. I think it is for NIO to come to a view on the response to Mr McNamara. From the DED files, it is evident that SIL was heavily involved and presumably there are NIO files on the subject. You will, however, need to come to a common line with FCO. Kate Crowe's point about the 30 year rule applies. Certainly, I have no spare resources within the Equality Unit to trawl through the considerable number of former DED files for this exercise.
6. I would be grateful if you could keep me in touch with developments.

[Signed: JAC]

J A CANAVAN

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