

CONFIDENTIAL - POLICY

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FROM: JOHN SEMPLE  
18 DECEMBER 1997

cc PS/Mr Murphy (DFP,B&L)  
PS/Mr Ingram (DED,B&L)  
PS/Mr Worthington (DENI,DHSS&L)  
PS/Lord Dubs (DOE,DANI&L)  
PS/PUS (B&L)  
NI Permanent Secretaries  
Mr Steele  
Mr Thomas  
Mr Watkins  
Mr Thompson (Director, Court Service)  
Mr Hamilton, DOE  
Dr Malcomson, PRONI

C

*John Semple*  
*Mrs McAuley*  
*John Dubs*  
LD 23/12

PS/SECRETARY OF STATE (B&L)

OFFICIAL RECORDS - PUBLIC ACCESS 1997

1. PURPOSE OF SUBMISSION

The purpose of this submission is to advise the Secretary of State on the release of Public Records under the 30-year rule and seek her approval for the extended closure of certain records, or portions of records. These relate to the present functions of Northern Ireland Departments, the Northern Ireland Office (both Home Civil Service and NICS) and the Northern Ireland Court Service. Except for the Court Service, approval for extended closures is sought for 10 years only, at the end of which each Department will examine the need for continued closure of the individual records. The Court Service follows the practice of the Lord Chancellor's Department in respect of the extended closure period and subsequent review.

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2. BACKGROUND

- 2.1 In keeping with policy throughout the United Kingdom, Northern Ireland official records which are 30 years old may be made available to the public. The presumption is that all such records should be released unless there is specific Ministerial approval to withhold release.
- 2.2 All records for the year **1967** and some for earlier years, will therefore be released in Northern Ireland on 2 January 1998, with media previews on 30 and 31 December 1997.
- 2.3 Records may only be withheld using the sensitivity criteria contained in the White Paper on Open Government (Cm 2290). These are set out at Annex A, and have been applied in the cases covered by this submission. These cases have also been considered by the Sensitivity Review Group of officials, chaired by DOE, and including relevant Northern Ireland Departments, Central Secretariat, NIO and the Court Service.
- 2.4 Records may be closed completely or in part only. Partial closure involves the temporary removal of a limited number of sensitive papers from a file, provided that this does not distort or give a misleading impression of any aspect of the remaining contents of the file. To facilitate further the release of as much information as possible, current policy permits the blanking out in individual documents of sensitive names, phrases or paragraphs which otherwise would prevent release.

**3. RECORDS RECOMMENDED FOR EXTENDED CLOSURE**

3.1 94 records are recommended for extended complete closure by, the Department of Agriculture, Central Secretariat, the Department of Economic Development, the Department of Health and Social Services, the Northern Ireland Office (NICS) and the Northern Ireland Court Service.

3.2 Three records are recommended for extended partial closure - one by Central Secretariat, one by the Department of Economic Development and one by the Northern Ireland Office (NICS). Four records contain information which has been blanked out to allow the release of the remaining contents of the file - three by Central Secretariat and one by the Department of Economic Development. These are included in Annex B, with a description of their content and relevant explanations.

3.3 The recommendations, and the conditions which apply to them for the closure of the records, are in accordance with the revised criteria set out in the White Paper.

**4. IMPLEMENTATION OF ADDITIONAL MEASURES TO RELEASE MORE RECORDS**

4.1 The White Paper introduced additional measures to release more records. This includes the review of all material currently withheld for more than 30 years to determine whether its sensitivity has passed, and also the identification of 'blocks of records' which could be released at earlier than 30 years.

4.2 There were no notable early block releases of records during the course of the year.

**5. MINISTERIAL CLEARANCE**

The Secretary of State should note that Departmental Ministers are content with the recommendations for extended closure for their own Departmental records included in Annex B in accordance with the procedures set out at paragraph 2.3.

**6. PUBLIC INTEREST**

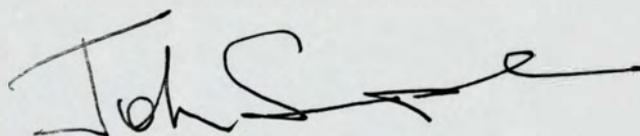
The records to be released include some topics which are likely to attract media or public comment. The civil rights campaign pressed for 'one man, one vote' at the very time when significant Unionist figures were still championing the element of property franchise in local government. The competing pressures on the Northern Ireland Government drew in the United Kingdom Government on the side of simple universal suffrage. At the same time, the Unionist Government was embroiled in controversy over its wish to have a voice in the running of partially State-funded voluntary schools.

As in previous years, it is recommended that Ministers should not be drawn into discussion of the above or any other matters which were primarily the responsibility of the former Government of Northern Ireland. However, the Information Service will be provided with briefing should it become necessary to provide comment on any case.

7. RECOMMENDATION

The Secretary of State is invited:

- (a) to note that the public records for the year 1967 will be released on 2 January 1998;
- (b) to agree to the extended closure of those records set out in Annex B, in respect of which the criteria and procedures set out in Annex A have been applied.

A handwritten signature in black ink, appearing to read "John Semple". The signature is written in a cursive, somewhat stylized font with a long horizontal stroke at the end.

JOHN SEMPLE

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**ANNEX A**

**GUIDELINES ON EXTENDED CLOSURE AS STATED IN 1993 WHITE PAPER (CM2290)**

Guiding Principle: All records not retained in departments should be released after 30 years unless (a) it is possible to establish the actual damage that would be caused by release, and (b) the damage falls within the three criteria set out below:-

<b>CRITERION</b>	<b>NATURE OF BUSINESS</b>	<b>CLOSURE PERIOD</b>
1. Exceptionally sensitive records containing information the disclosure of which would not be in the public interest in that it would harm defence, international relations, national security including the maintenance of law and order, or the economic interests of the UK and its overseas territories.	All records meeting this criterion, including those containing information the premature disclosure of which would impede the conduct of the policy of HM Government abroad.	40 years
2. Documents containing information supplied in confidence the disclosure of which would or might constitute a breach of good faith.	Most records meeting the criterion, including commercial and personal information supplied in confidence.	40 years, or until death where known (where appropriate)
	Tax Information.	75 years
	Personal information subject to a statutory bar during the lifetime of the person concerned.	75 years, or until death where known
3. Documents containing information about individuals the disclosure of which would cause either:  (a) substantial distress or  (b) endangerment from a third party, to persons affected by disclosure of their descendants.	Records of the decennial census of population.	100 years
	Records meeting this criterion and containing sensitive personal information which would substantially distress or endanger a living person or his or her descendants.  Records containing information from which it is likely that a woman could be identified as a rape victim.	40-100 years  100 years