

**Papers of Derek Freedman**

**P276**

**Descriptive Catalogue**



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## **CONTENTS**

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### **CONTEXT**

Biographical History	<b>iv</b>
Archival History	<b>v</b>

---

### **CONTENT AND STRUCTURE**

Scope and content	<b>v</b>
System of arrangement	<b>vi</b>

---

### **CONDITIONS OF ACCESS AND USE**

Access	<b>vi</b>
Language	<b>vi</b>
Finding Aid	<b>vi</b>

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### **DESCRIPTION CONTROL**

Archivist's Note	<b>vi</b>
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## CONTEXT

### Biographical History

The sale and importation of contraceptives was outlawed in the Republic of Ireland in 1935. In the 1970s, the law surrounding contraceptives came under increased scrutiny as loopholes allowed for their possession and use but not their sale. The legal position drew heavy criticism particularly as contraceptives were widely available in Northern Ireland at the time. Responding to the increasing pressure, Charles Haughey, then Minister for Health, introduced the Health (Family Planning) Bill which was enacted into law in 1979. The law was dubbed 'an Irish solution to an Irish problem' as contraceptives were only made available via medical prescription 'for the purpose of "bona fide" family planning' and could only be sold through physicians and pharmacies. Under this law, physicians and pharmacists were not obliged to supply members of the public with prescriptions or contraception if they held any moral objection.

Dr Derek Freedman, a genito-urinary physician, was involved in the establishment of Family Planning Services Limited. The company was established for the provision of information and family planning services to the public. Initially, this involved the use of "non-medical" methods of contraception but they were eventually able to provide medical contraceptives, family planning advice, psycho-sexual consultations and to offer surgical procedures, such as vasectomies and the insertion of I.U.D.s. The first Family Planning Services clinic was opened at 67 Pembroke Road, Dublin followed by the establishment of other medical centers at Bawn Og/Bawnogue, Clondalkin and at 78/79 George's Street, Dun Laoghaire in 1984.

Members of the Board of Family Planning Services, in cooperation with the Association of Irish Family Planning Clinics and the Irish Family Planning Association, were particularly critical of the restrictions of the Health (Family Planning) Act and were involved in lobbying the Minister for Health, Barry Desmond who succeeded Charles Haughey in 1982, for amendments to facilitate more open distribution of contraception in the Republic.

Under legal advice, the Board of Directors sought to establish a separate company, Family Planning Services Supplies, retitled Dearsley Limited, in 1980. The company was founded in order to purchase contraceptives from suppliers, primarily in the UK, for distribution in the Republic of Ireland through Family Planning clinics and chemists throughout the country. Dr Andrew Rynne, chairman of the Irish Family Planning Association, was the first person to be prosecuted for the violation of Section 4 of the Health (Family Planning) Act for supplying condoms to a patient in 1982. A letter sent by Michael Beirne, of Family Planning Services to a solicitor, 10 December 1982, indicates that the condoms were sold to Dr Andrew Rynne by Dearsley in violation of the Act.

Derek Freedman served as a director of Dearsley and Family Planning Services and occupied the position of chairman in Dearsley until his retirement from the Board of Directors in 1991. He continues to practice as a genito-urinary physician and currently operates from his private clinic in Ranelagh Village, Dublin. He has published extensively on the topic of STDs and sexual health, founded the Society for the Study of Sexually Transmitted Diseases in Ireland, and is a founding member of the European Academy of Dermatology and Venereology.

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## **Archival History**

Transferred from Derek Freedman's surgery in Ranelagh, Dublin to UCD Archives, 8 November 2013.

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## **CONTENT AND STRUCTURE**

### **Scope and Content**

#### **Health (Family Planning) Act 1979, 1974-83**

Opinions, questions and correspondence gathered by Derek Freedman relating to the Health (Family Planning) Bill, 1978 and the subsequent Act passed in 1979, their impact on the sale and distribution of contraceptives in Ireland and the implications for Family Planning Services.

File of correspondence between the office of the Minister for Health, Barry Desmond, and members of the Board of Directors of Family Planning Services; and memoranda relating to a meeting between Derek Freedman and Barry Desmond to discuss proposed changes to the Health (Family Planning) Act, 1983.

#### **Family Planning Services Limited, 1982-89**

Files of correspondence, both internal and external, reports of meetings of the Board of Directors and staff members of the company, financial reports, clinic statistics, advertising reports, legal correspondence newspaper cuttings and other documents relating to the operation and activities of the Family Planning Services company, 1982-9.

#### **Dearsley Limited, 1980-91**

Files of correspondence, primarily between Dearsley and their product suppliers, reports relating to the meetings of the Board of Directors and general staff members, sales reports, accounts, pricing and product reports, newspaper cuttings and other documents produced in the day-to-day running of the company, 1980-91.

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**System of Arrangement**

<b>1</b>	<b>Health (Family Planning) Act 1979</b>	<b>1</b>
<b>2</b>	<b>Family Planning Services Limited</b>	<b>2</b>
<b>3</b>	<b>Dearsley Limited</b>	<b>6</b>

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**CONDITIONS OF ACCESS AND USE****Access**

Available by appointment to holders of a UCDA reader's ticket. Produced for consultation in digital format.

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**Language**

English

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**Finding Aid**

Descriptive catalogue

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**DESCRIPTION CONTROL****Archivist's Note**

Descriptive catalogue prepared by Leanne Harrington, July 2014

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## 1. Health (Family Planning) Act, 1979

**P276/1** 1974–80

243pp

### **Health (Family Planning) Act, 1979**

Documents relating to the introduction of the Health (Family Planning) Act 1979 and Family Planning Services Limited. Contains written opinions obtained by Family Planning Services Limited on the content and constitutionality of the Health (Family Planning) Bill 1978, along with additional questions, criticisms and suggested amendments.

Includes:

- Annotated copy of the Health (Family Planning) Bill, 1978 (1978, 16pp).
- Press release issued by the Association of Irish Family Planning Clinics on the Health (Family Planning) Bill, 1978 (12 February 1979, 3pp).
- Minutes of a meeting, with handwritten notes, between Hugh O'Flaherty SC, Eamonn Walsh SC, Ms Hussey, Dr O'Connell and Mrs Karen Erwin discussing the implications of and problems relating to the Bill (7 September 1979, 4pp).
- Copy of Counsel's Opinion on questions posed by Family Planning Services Limited regarding the Health (Family Planning) Act, 1979 and Health (Family Planning) Regulations, 1980, signed by James O'Reilly (8 September 1980, 18pp)
- Booklet containing copy report from *The Irish Reports* relating to the case of Mary McGee versus The Attorney General and the Revenue Commissioners (1974, 52pp).

**P276/2** January–March 1983

23pp

### **Meeting with Barry Desmond, Minister for Health**

Documents relating to a meeting between Derek Freedman and Barry Desmond, Minister for Health, on the 21 March 1983 discussing the provision of family planning in Ireland and proposed changes to the Health (Family Planning) Act 1979.

## **2. Family Planning Service Limited**

**P276/3** January–December 1982

208pp

### **Family Planning Services 1982**

Documents relating to the operation of Family Planning Services Limited for the year 1982. Material features the agenda and minutes of the Board of Directors and reports created for the purpose of these meetings. Reports relate to various aspects of the running of the company, including the income and expenditure of the company, clinic and financial statistics, advertising reports, legal concerns, charitable status and tax and staffing issues.

Includes:

- Agenda and minutes of the monthly meetings of the Family Planning Services Limited Board of Directors (January–December 1982)
- Copy register of Members of Family Planning Services Limited for the year 1981/2 (1982, 2pp).
- Brief summary of the aims and aspirations, strategies, advertising and public relations objectives and the future development proposals of Family Planning Services Limited. (13 October 1982, 6pp)
- Newsletter from the Resource Group for the Sexual Problems of the Disabled (December 1982, 6pp).
- Press cuttings reporting on abortion rates and the 'morning after' pill (October 1982, 2 items) and the Family Planning Services clinics (1982, 2 items).

**P276/4** December 1982–December 1983

141pp

### **Family Planning Services 1983**

File relates to the operation of Family Planning Services Limited for the year 1983. Contains the agenda and minutes of the meetings of the Board of Directors and reports generated for review at these meetings, including clinic and financial statistics, discussion of the Health (Family Planning) Act 1979, advertising and correspondence discussing issues relating to the running of the company.

Includes:

- Copy briefing document from The Anti-Amendment Campaign arguing against the proposed constitutional amendment to acknowledge the right to life of the unborn as equal to that of the mother. (9 December 1982, 11pp).
- Documents pertaining to the establishment of a new clinic in Dun Laoghaire, discussing the building, budget, rent,



**P276/4**

necessary renovations and decoration.

- Letter to Derek Freedman from Tony Farrell discussing a meeting where numerous complaints were lodged by the doctors employed by Family Planning Services Limited (12 October 1983, 2pp).
- Report of the Eastern Health Board on the Health (Family Planning) Act, 1979 and Family Planning Services (27 October 1983, 4pp).

**P276/5**

January–December 1984

135pp

**Family Planning Services 1984**

Documents relating to the operation of Family Planning Services Limited for the year 1984. Features the agenda, minutes and reports of monthly meetings of the Board of Directors and staff meetings, documents relating to staff salaries, resignations, taxation and to the opening of the new Family Planning Services clinic at 78/79 Lower George's Street, Dun Laoghaire.

Includes:

- Management accounts for the year ended 31 October 1983 (21 February 1984, 8pp).
- Draft letter from Derek Freedman to Barry Desmond thanking him for opening the clinic in Dun Laoghaire (30 April 1984, 2pp).
- Report on the Vasectomy Service in Family Planning Services Limited from August 1979 to 1983 (1983, 2pp).
- Copy opinion of Adrian Hardiman BL on the legality of the provision of a post-coital contraception clinic by Family Planning Services Limited (1 August 1984, 4pp).
- Copy draft accounts submitted to Derek Freedman by Tony Farrell for Family Planning Services Limited for the year ending 31 October 1984 with handwritten note from Tony Farrell to Derek Freedman (11 December 1984, 4pp).
- Draft speech for the opening of the Dun Laoghaire clinic on behalf of Family Planning Services Limited, author unknown (10 April 1984, 3pp).
- Copy address given by Barry Desmond TD, Minister for Health and Social Welfare at the opening of the clinic (16 April 1984, 5pp).
- Press cutting from *The Sunday Press* featuring an article on the opposition faced by Barry Desmond due to his presence at the opening of the clinic (15 April 1984, 2pp).

**P276/6**

January–December 1985

161pp

**Family Planning Services 1985**

Documents concerning the running of Family Planning Services Limited for the year 1985. Features agenda, minutes and reports for staff and Board of Directors meetings, including financial, clinic statistics, staffing, advertising and expense reports, memoranda and other documents relating to legal concerns and the day-to-day operations of the company and their clinics.

Includes:

- Management Accounts and income and expenditure accounts for the year ended 31 October 1984 (1984, 11pp).
- 'Report of the National Association of Family Planning Doctors Meeting – York' written by Brenda Moore (19 April 1985, 3pp).
- Copy document relating to a legal case between the Director of Public Prosecutions and a staff member of the Family Planning Services clinic, Dun Laoghaire, charged with selling contraceptives in violation of the Health (Family Planning) Act 1985, contains a summary of the case signed by Liam McMenamin, Justice of the Dun Laoghaire District Court (15 July 1985, 5pp).
- Proposed programme for a short course entitled 'Theoretical Course Towards Qualification for the Certificate in Family Planning of the Irish Joint Committee' to be held in Dublin, September 1985 (September 1985, 1p).

**P276/7**

January–December 1986

308pp

**Family Planning Services 1986**

Documents relate to the operation of Family Planning Services Limited for the year 1986. Contains agenda and minutes of meetings of the Board of Directors and general staff meetings, financial reports, tax status and VAT concerns, staffing and medical practices.

Includes:

- Booklet containing a commentary by Gorman and Associates on the Budget Speech given by the Minister for Finance, Alan Dukes, 29 January 1986 (4 February 1986, 12pp) and a booklet providing commentary by Gorman and Associates on the subsequent changes made by the Finance Act 1986 (10 July 1986, 8pp).
- Correspondence between Dr Derek Freedman and other medical professionals, namely Arie J. Zuckerman, Professor of Microbiology in the University of London, Anthony Pinching, Senior Lecturer and Consultant Immunologist at Saint Mary's Hospital Medical School and Dr P. Loughrey, Area Medical Officer for the North Western Health Board, discussing the

**P276/7**

potential risk of transmission of LAV/HTLV III virus through the use of a Heaf gun (9 April-6 May 1986, 8pp).

- Two sketches of a site plan identifying proposed changes to the premises of the Family Planning Services clinic on Pembroke Road by Sheehan and Barry Architects, Ranelagh Village (1986, 2pp)

**P276/8**

January–December 1987

94pp

**Family Planning Services 1987**

Documents relating to the operations of Family Planning Services Limited for the year 1987. Contains minutes of the meetings of the Board of Directors, medical committee and general staff; and reports pertaining to financial affairs, legal concerns and clinic statistics.

Includes:

- Statement of accounts and draft statement for the year ended 31 October 1986 (16 January 1987, 9pp).
- Three draft copies of the Memorandum of Association of Family Planning Services Limited (February 1987, 14pp).

**P276/9**

February 1988–June 1989

102pp

**Family Planning Services 1988–9**

Documents pertaining to the operation of Family Planning Services Limited for the years 1988 and 1989, containing agenda and minutes for meetings of the Directors and Medical Committee, financial and clinic statistic reports, correspondence between members of the Board of Directors relating to staff concerns and changes to operating hours of the Dun Laoghaire clinic.

Includes:

- Copy report 'Vasectomy in Ireland – 1,000 Cases' delivered by Dr Deborah Orr and Dr Brenda Moore to the Family Planning Doctors annual general meeting, 1988, also present are typed versions of the slides that accompanied the presentation of the report (12 May 1988, 17pp).
- Plans for the alterations to the Family Planning Services Clinic at 67 Pembroke Road by Sheehan and Barry Architects (14pp).

### **3. Dearsley Limited**

**P276/10** May 1980–December 1981

123pp

#### **Dearsley 1980–1**

Documents relate to the establishment of Family Planning Services Supplies, or Dearsley Limited, in 1980 as a separate company to Family Planning Services Limited and its first year in operation, 1981. File contains the agenda and minutes of the Board of Directors of Dearsley Limited, correspondence between Dearsley Limited and contraception distributors surrounding the sale and prices of products and the legal status of Dearsley Limited, advertising concerns and sales reports.

Includes:

- Letter addressed to Norman Mclean, Family Planning Services Limited, from John Landers, London Rubber Company, concerning a contract for business between the two companies, contraceptive suppliers, prices and the Durex brand of condoms (30 May 1980, 9pp).
- Correspondence between Norman Mclean and N.H. Martin, A&L Goodbody, discussing the establishment of a separate company for the sale and distribution of contraceptives in Ireland due to restrictions under the Health (Family Planning) Act, 1979 (11-28 July 1980, 8pp).
- Article by Jane Bidder entitled 'Contraception: Is there a safe pill?' extracted from an unknown magazine (1981, 8pp).

**P276/11** January–December 1982

311pp

#### **Dearsley 1982**

Documents pertaining to the operation of Dearsley Limited for the year 1982, containing agenda and minutes of the meetings of the Board of Directors, conducted on a monthly basis, reports detailing financial affairs, sales statistics, concerning pricing and products, advertising and correspondence relating to the affairs of the company.

Includes:

- Five booklets containing management accounts, statement of accounts and projected accounts for Dearsley Limited for the year ending 31 October 1981 (1982, 46pp).
- Correspondence between Dearsley Limited and John Landers, the London Rubber Company, pertaining to business contracts, the Irish condom market and product pricing.
- Two memos detailing Derek Freedman's visit to two

**P276/11**

contraceptive suppliers, the London Rubber Company and Family Planning Sales Limited, Oxford, and two letters sent by Gordon Snow of Family Planning Sales Limited to Derek Freedman in response to his visit (26–29 March 1982, 8pp).

- Copy research survey into 11 chemists in the Dublin area in relation to the sale of contraceptives, including a handwritten note addressed to Derek Freedman from Michael Beirne discussing the pricing of Dearsley Limited condoms versus their competitors (1 April 1982, 5pp).

**P276/12**

January–December 1985

133pp

**Dearsley 1985**

File pertains to the operation of Dearsley Limited for the year 1985, contains the agenda and minutes of meetings of the Board of Directors, monthly sales and expenditure reports, correspondence with suppliers, London Rubber Company and Family Planning Sales, and information on product pricing.

Includes:

- Management Accounts for the year ending 31 October 1984 (1984, 11pp).
- Copy Health (Family Planning) Amendment Bill, 1985 (March 1985, 5pp).

**P276/13**

January–December 1986

162pp

**Dearsley 1986**

File contains monthly sales reports, agenda and minutes of meetings of the Board of Directors and general meetings, correspondence with suppliers and other documents relating to the operation of Dearsley Limited for the year 1986.

Includes:

- Management Accounts for the year ending 31 October 1985 (1986, 10pp).
- Correspondence between Dearsley Limited and Ortho-Cilag Pharmaceutical Limited, Buckinghamshire, disusing the provision of Ortho Products in Ireland by Dearsley Limited (16 July–1 October 1986, 11pp).
- Booklet *London International Group plc: 1986 Reports and Accounts* (1986, 50pp).

**P276/14** January–November 1987

145pp

**Dearsley 1987**

File pertains to the operation of Dearsley Limited for the year 1987, contains monthly sales reports, agenda and minutes of meetings of the Board of Directors, financial reports and correspondence between Dearsley Limited and other pharmaceutical companies, particularly Ansell Corporation, Berkshire, and the Safe and Sure Corporation Limited, Berkshire. Includes:

- Booklet 'Initial Reports to Dearsley Limited' by C. Paul Marie (9 January 1987, 20pp), evaluates Dearsley Limited's existing business in regard to product and customer base, sales, marketing and distribution and identifies additional products to widen the product base.
- Management Accounts for the year ended 31 October 1986 (1987, 9pp).
- Copy press release of the Virgin Foundation (26 June 1987, 3pp) and copy article from *The Financial Review* (1 July 1987, 1p) relating to the intention of the Virgin Foundation to sell Ansell Corporation condoms from Virgin retail outlets at a reduced cost to combat the spread of the AIDS virus.

**P276/15** January–December 1988

109pp

**Dearsley 1988**

Documents relating to the operations of Dearsley Limited for the year 1988, containing financial and sales reports, the agenda and minutes of meetings of the Board of Directors and general meetings, correspondence relating to the company and its products, prices, business transactions, the sale of Mates brand condoms in Virgin Megastores, internal affairs and other documents relating to the activities of the company. Includes:

- 'Report on Dearsley Limited Sales Promotion to Chemists' (15 June 1988, 9pp) details Dearsley Limited's business interactions with chemists in Ireland relating to the sale of contraceptives and their reception.
- Report of a visit of Maureen Dunne, Dearsley Limited, to Mates Healthcare, Beaconsfield (12 September 1988, 6pp) concerning the sale of Mates condoms by Dearsley Limited in Ireland, potential market share and the sale of Mates condoms in Virgin Megastore, Dublin.

**P276/16** January–October 1989

112pp

**Dearsley 1989**

Documents pertain to the operation and activities of Dearsley Limited for the year 1989, featuring the agenda and minutes of meetings of the Board of Directors, financial and sales reports along with correspondence relating to products prices, suppliers and internal affairs.

Includes:

- Statement of Accounts for the year ended 31 October 1988 and draft (1989, 31pp).

**P276/17** February 1990–October 1991

93pp

**Dearsley 1990–1**

File pertains to the activities and operation of Dearsley Limited for the years 1990 and 1991, features the agenda and minutes of the meetings of the Board of Directors and management meetings, financial and sales reports and documents relating to the sale of shares, and shareholders in Dearsley Limited.

Includes:

- Statutory accounts for the year ended 31 October 1989 (1990, 14pp) and draft management accounts for the year ended 31 October 1990 (1991, 7pp).
- Derek Freedman's formal resignation from the Board of Directors of Dearsley Limited (12 June 1991, 1p) addressed to Kay Fanning, Chairman of Dearsley Limited.