



ACADEMY OF
THE SOCIAL SCIENCES
IN AUSTRALIA

Mr David Tune AO PSM
Independent Reviewer
c/o Tune Review Secretariat
National Archives of Australia
Queen Victoria Terrace
Parkes ACT 2600

28 June 2019

Dear Mr Tune,

The Academy of the Social Sciences in Australia (ASSA) is a Learned Academy comprising over 650 of Australia's most accomplished researchers in all fields of social science research and practice. ASSA welcomes the chance to contribute its expertise to the timely Tune Review of the National Archives of Australia.

The National Archives of Australia is an important asset for the collection, preservation and dissemination of our national stories. The state of the Archives is therefore a concern to many individuals and groups in Australia. Foremost among these are historians.

History explains the causes and significance of events in a way which illuminates the past and its relationship with the present. A nuanced understanding of the past informed by the analysis of source materials is critical in allowing for the contextualisation and understanding of the issues and problems faced by the contemporary world, including Australia. As the saying goes: 'those who do not remember their past are condemned to repeat their mistakes'.

Yet without reliable access to archival material, the practice of history is compromised. Conditions which unduly restrict historical research undermine the possibility of self-understanding, and strain intellectual and cultural life. It is crucial that we undertake to create the conditions that enable the best historical and social science research, including properly maintaining the Archives—especially when there are policy options for this that we believe are readily available.

As ASSA represents many of Australia's leading historians as well as other social science disciplines that draw on archival materials, the Archives are a special concern for it. This submission briefly outlines for the review three issues or challenges within its terms of reference, and our recommendations for addressing them.



1. Recent Amendments to the *Archives Act (1983)* Impede Genuine Research

Recently passed amendments to the *Archives Act* stipulating that requests for access clearance of 25 or more items enables the Director General to apply a formula wherein the greater the number of requests made by a researcher, the longer is the potential time taken for the access requests to be processed.

Unfortunately, this still runs counter to the Archives' purpose of making records accessible to the public, and to making governments and their departments accountable to the Australian people. The amendments are meant to address vexatious claims for huge numbers of access assessments. But they also have the effect of obstructing research and the generation of knowledge. Professor David Lowe FASSA points out that very few doctoral and even honours theses on new areas of research relating to government departments involve access assessments of 25 files or fewer.

This has the potential to make the completion of a PhD difficult or impossible within the government funded period of 3.5 years. It results in loss of Australian comparative advantage, with students choosing an American or other research topic. And it implies to the broader research community that genuine research is supported not by the rule of policy, but by exceptions to this rule.

Recommendation One:

Amendments to the *Archives Act (1983)* which took effect 25 April 2019—imposing a 25-item cap on applications before the period that the Archives has to respond to the applications can be extended unilaterally by the Archives—should be reversed.



2. The Underfunding of the Archives Causes Untenable Delays to Requests for Items

The Archives are a public resource, and archival material should be easily accessible to all citizens and interested parties. But budget cuts have left the Archives drastically underfunded and unable to meet this expectation of accessibility. Efficiency dividends and other savings efforts have rendered human resources investment insufficient. Researchers have often been left waiting for open period files to clear for multiple years. Under these conditions, researchers have no choice but either to produce their work without access to the most relevant material which would properly inform it, or to abandon the work altogether.

For the social sciences, archives are an equivalent to the research data generated by quite large subventions for scientific research and analysis. Relative funding is much less for humanities and social science sourcing, including the Archives. Yet our ability to understand and exposit the Australian story accurately and fully is crucial to Australia truly and fully understanding its own story, and being appreciated as a model of how a democratic society evolves and operates by those in other nations.

Recommendation Two:

Increase the human resources budget of the Archives to address current infeasible wait times for clearance of open period files.

This would partially alleviate delays for clearing items. But a realistic increase in funding would only partially address the issue. In order to fully address the delays, there must be changes to examination processes of the kind outlined below:



3. Government Agencies Are Under Minimal Obligations in Responding to Requests

Requests for archival material pertaining to government agencies require approval from these agencies. But agencies appear to have considerable latitude regarding how they deal with this process. This is true with respect both to: i) obligations to respond to requests within a timeframe, and ii) obligations to justify decisions to withhold items.

It is true that the extensive waiting periods for open period files are partly caused by a lack of human resource investment at the Archives. But another important cause for the waiting period problem is that requests sit with government agencies which are, like the Archives, under-resourced in their own right, or which fail to apply the resources that they have to this aspect of their business. These requests can sit with agencies for periods measured not in months but years.

This is compounded by the fact that certain government agencies do not have a culture of commitment to making files available. If requests are ultimately denied, this is done untransparently, without reasons being given except in the formulaic and uninformative terms required under the present *Archives Act*. In this case, it is difficult for the Archives to engage—they do not routinely follow up on these referrals, and are, as is known, too under-resourced to consider meaningful pushback.

Recommendation Three:

Implement a ‘time limit’ for departmental responses, whereby requests are taken as approved in cases where the Archives do not hear from the government agency to which the response was put within three months.



Recommendation Four:

Seek broad policy guidance from government agencies on what can be released to researchers without the need for consideration of each individual request. Only complex or very sensitive records, rather than all records as such, should be considered on a case by case basis.

Recommendation Five:

In line with recommendations made by the Australian Historical Association, use of an independent public body charged with assessing which records should be made publicly available—like that used in the UK (the Advisory Council on National Records and Archives)—should be seriously considered. This body would represent the public interest and would follow the UK example in ‘regularly challenging government departments to provide evidence to justify requests for permission to retain documents or for them to remain closed’.¹

The Academy stands ready to further assist with this review.

Kind regards,

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¹ <http://www.nationalarchives.gov.uk/about/our-role/advisory-council/>