



To: Hon Matthew Swinbourne MLC, Chairman
Standing Committee on Environment and Public Affairs

Submission for issues raised in: Petition No. 022 – Independent State Records Office

On 1 July 2017, the State Records Office of Western Australia (SROWA or 'SRO') was placed as a Directorate under the State Library of Western Australia (SLWA), ending almost two decades of operation as a semi-autonomous portfolio agency administering the State Records Act, 2000 (WA) and reporting to the Minister via the Director General, Culture and the Arts; and to Parliament, through the State Records Commission.

The merger of SROWA with SLWA involved no stakeholder consultation outside the WA Public Sector and reversed key reforms of the WA Inc Royal Commission and Commission on Government reviews into public sector records and archives management in WA. These reviews emphasized that a well resourced and independent State Archives is essential for integrity of government. Through the mechanism of authentic, reliable and accessible records, documents and data, public archives programs function as a cornerstone of government accountability.

The petitioners seek to draw the attention of the Parliament and people of Western Australia to the following rationale describing why the merger of SROWA with SLWA is not in the public interest and should be reversed:

A. Insufficient review and consultation prior to implementation

The merger of SRO (WA) with SLWA has been undertaken with no public consultation. The McGowan Government did not seek a mandate for this change during the March 2017 election campaign. A major Machinery of Government (MoG) change such as this (effectively setting aside recommendations of the Commission on Government and WA Inc. Royal Commission) should have been undertaken with the benefit of full consultation with stakeholders.

In 1995, the Commission on Government concluded:

LISWA's argument that the Minister's Discussion Paper has particular merit because it allows overhead cost sharing with the Library, is not a sufficient justification for retention of the proposed Public Records Office in the library structure; and that

The prevention of corrupt, illegal and improper conduct necessitates that the Public Records Authority be properly funded. (Section 7.17.4)

B. Libraries and archives have different missions and methods

The public records function is not a library function. The mission of libraries is to maximize public access to information sources, mostly online and published sources. The mission of government archives is to manage and facilitate access to the records and archives of government in accordance with public records law (e.g. the State Records Act, 2000). Records and archives in digital and traditional form arise mainly from natural accumulation, not collection. This is an important distinction between libraries and archives. The accountability of government cannot rest on selective collection that is typical of libraries. In the absence of recognition of the

differences in scope and methodology, mistakes are likely with consequences for human rights as well as accountability.

C. Merger: A public policy prescription for public policy failure: Case study in service delivery failure- Libraries and Archives Canada (LAC)

In 2004, the National Archives of Canada (established in 1872) and the National Library of Canada (NLC) (established in 1953) were merged into one institution: Library and Archives Canada (LAC). Within and outside the stakeholder community, the merger of LAC with NLC is regarded as a failure. Done as so-called 'modernization', and independent review by McNally and Oliphant in 2014 found:

Ten years after the implementation of the modernization policy, LAC has been unable to fulfill its mandate to "preserve and make accessible Canada's documentary heritage as well as serve as the continuing memory of the Government of Canada and its institutions". Recent events at LAC demonstrate how market logic and rationalization can systemically weaken public institutions by reducing and commercializing services while de-professionalizing and casualizing the work of professionals.

D. Need for renewal and transformation

The July Machinery of Government (MoG) change was aimed at cost reduction and basic undermining of the public records function as un-necessary 'red tape'. The WA Government is completely out of touch with good practices in public records and archives management and moving in a direction inconsistent with other Australian Governments, which are reinvesting-in, renewing and transforming the public records and archives function to meet the challenges of the digital world and to ensure a robust, reliable and comprehensive record of government.

The Queensland Government (2017) is spending \$12.7 million on a new digital archive with the independent State Archives of Queensland. Announcing the investment, the Minister for Innovation, Science and the Digital Economy and Minister for Small Business, Leeanne Enoch said:

Funding of \$12.7 million over two years will support the first stage of a digital archive solution, helping keep the most significant records of our state safe," she said. Every day the Queensland Government creates and receives digital records while providing vital services to the community. This funding recognises the importance of this work, which ensures the ongoing preservation and usability of the state's records, regardless of technology changes.

Victoria and New South Wales already have substantial digital archiving capacity, operated by their SRO equivalents, Public Records Office of Victoria and State Records New South Wales (independent agencies). The WA Government has refused every business case for a similar capacity building in SRO in WA.

The petitioners seek the support of the Parliament in reversing the MoG change of July, 2017 and its support for renewal and transformation of WA's public records and archives program.

We have not taken our complaint to Chris Field the Parliamentary Commissioner for Administrative Investigations (Ombudsman), as Mr. Field is aware of this issue as a member of the State Records Commission.

**Submitted by Dr. Pauline Joseph, FRIM
Convenor, ASA WA Branch**

22 November 2017