

STATE RECORDS OFFICE

Grievance

MR A. KRSTICEVIC (Carine) [9.15 am]: My grievance is directed to the Minister for Culture and the Arts. On 1 July 2017, the State Records Office of Western Australia was removed from the Department of Culture and the Arts and placed as a directorate under the State Library of Western Australia. This has effectively ended almost two decades of operation of the State Records Office as a semi-autonomous portfolio agency administering the State Records Act 2000. I am concerned that the machinery-of-government change has placed the State Records Office in a subordinate position to the State Library. This threatens its functional independence and weakens its ability to encourage high standards of record keeping across the public service.

On the one hand, libraries maximise public access to information sources by deliberate collection. On the other hand, records and archives arise mainly from natural accumulation. The mission of government record-keeping practices is to manage and facilitate access to the records and archives of government in accordance with public records law. The State Records Act 2000 requires government agencies to develop record-keeping plans and to review them five yearly. Such reviews are self-reviews by the organisations. Currently, the State Records Office does not have the resources to conduct reviews or to audit them. With agencies undertaking self-review there is the likelihood that identified weaknesses and improvements will not be addressed. More importantly, there is greater credibility to a review process when it is conducted by an independent organisation such as State Records.

The areas in which the State Records Office requires support cannot be met from the library's specialist areas, other than conservation. Could the minister please advise how much money has been spent on conservation services and who is providing conservation services to the State Records Office? The State Library has no records-management personnel or archivists working for it and it has minimal record keeping expertise. No consultation or discussion was made with archival or record-keeping communities prior to the change, and there is no evidence that the state archivist, State Records Commission of Western Australia or the state librarian were presented with anything other than a *fait accompli*.

The creation of the State Records Office as an independent agency working in partnership with the State Records Commission was, in great part, the product of the commission on government working from foundations laid by the WA Inc royal commission in the 1990s. With the introduction of the State Records Act on 1 July 2001, the State Records Office was made a division of the Department of Culture and the Arts, independent of the State Library. That situation persisted until the machinery-of-government change in July 2017. The functions of the commission are set out in part 8 of the State Records Act 2000, and include approving government organisations' record-keeping plans; approving the legal disposal of government records; monitoring the operation and compliance with the act; monitoring compliance by government organisations with their respective record keeping-plans; inquiring into breaches, or possible breaches, of the act; establishing principles and standards for the governance of record keeping by state organisations; and determining the access status of certain state archives.

The commission reports directly to Parliament and is required to provide Parliament with an annual report on the operation of the legislation. The commission is required to monitor the operation of the act and government organisations' compliance with their record-keeping plans. The commission continues to rely on the record-keeping plan review cycle and the investigation of suspected breaches as the chief mechanism for ensuring agency compliance with the act. The commission's annual report states that in 2016–17, out of four active breaches, two were resolved, while the remaining two were carried forward. Likewise, in 2014–15, there were 13 active breaches, nine were resolved and four were carried forward. However, details about these breaches are not outlined nor officially reported to Parliament by the commission or made available via *Hansard*.

Given the commission's designated role is to report about the state's record-keeping practices to Parliament, its failure to do so is concerning, especially considering the rise of local government operations being investigated by the Corruption and Crime Commission and requests to investigate local government operations. Are the breaches being investigated violations of the act? Are they just administrative and procedural lapses in the process of developing and carrying out plans? Are they more serious interventions to deal with behaviours that were not contemplated when the plans were drafted or something else?

I understand that the State Records Office has been significantly under-resourced for some years, which has impacted its ability to adequately perform its functions. For instance, it has no further room to take in paper records deemed as archives from agencies and government organisations, with the result that many records of archival value remain under the care and protection of government agencies and organisations, with many of the archives held in less than ideal storage facilities, thus jeopardising their longevity. The state's documentary heritage and government memory is potentially deteriorating. It is estimated that, at the present time, the State Records Office requires 55 kilometres of additional high-quality storage for long-term archival storage. The Western Australian government summary of appropriations for the state's 2018–19 budget shows that the State Records Office will be operating with a total budget of just over \$2 million for state information management and archival services. This

is \$918 000 less than in 2016–17, representing a 30.7 per cent reduction in real funding over three years. The WA government is not only declining to reinvest in a service that is essential to the proper and accountable operation of government, but also actively working to reduce its resources and hence effectiveness. As we move into the world of digital records, it is essential that funding is made available for a digital archive at the State Records Office to ensure our history is preserved to save WA from digital amnesia later. It is now clear though that the effective functioning and resourcing of the State Records Office and its ability to provide services to government is seriously threatened and the ramifications of this could be widespread regarding information governance and accountability for the state. It is important to note that the WA government has stated that the change is administrative and that the state archivist's statutory responsibilities, as set out in the act, remain unchanged. Similarly, all State Records Office requirements on behalf of the commission are claimed to be unaffected.

In light of the scandal of WA Inc and the ensuing royal commission, why did the government decide to negate all the progress made in implementing the State Records Act 2000 by the previous Labor government, by going against its recommendations and placing the State Records Office within the State Library of Western Australia?

Mr J.N. Carey interjected.

The SPEAKER: Member for Perth, he will be heard in silence.

Several members interjected.

The SPEAKER: I call the member for Perth and the Treasurer to order for the first time. Grievances will be held in silence.

Mr A. KRSTICEVIC: Thank you, Mr Speaker.

There are ethical and integrity-of-government issues that go with management regimes for records, documents and data. Records of government must be safeguarded by an independent body to ensure the integrity and reliability of public records, both digital and paper. I thank the house for its attention.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.22 am]: I thank the member for his grievance this morning. It is always interesting when the member raises a number of issues that directly relate to the failed legacy of his own government when it was in power. This is another example, a very good example, of the appalling legacy left by the previous Barnett government.

Several members interjected.

The SPEAKER: Members!

Mr D.A. TEMPLEMAN: Of course, this member has a lack of memory of any of these matters. I want to highlight a couple of things about this issue that are very important. First of all, I am afraid that the member has a number of deficiencies in his understanding that are important to highlight. Firstly, he misunderstands the provision in the act that allows the minister responsible for the administration of the act to determine where jurisdictions such as this can be placed within government. It is very clear in the act that it allows that. The member continues, in his role as opposition spokesperson, to raise a whole range of conspiracy theories that are unfortunately found wanting—consistently. He also does not distinguish between the State Records Office and the State Records Commission. He needs to understand that the former, the State Records Office, is an administrative arm of the latter. The member seems to not understand that.

Let me go through the history of this. On 1 July 2017, the State Records Office became a directorate of the State Library of Western Australia. Prior to that it was part of the directorate of the then Department of Culture and the Arts. But as I mentioned, the act provides the minister of the day the capacity to determine where this should be placed within government, but the fact of the matter remains, the independence of this entity remains. The member still does not seem to understand that. I note that today he has lodged 129 questions on notice. We are happy to answer those, but gee, he is like a bulldog that has no understanding of its surrounds. There have been no changes to legislation—none—to the State Records Act or the Library Board of Western Australia Act 1951. The funding issue of the SRO is appropriated to the Department of Local Government, Sport and Cultural Industries. One of the drivers of the change to administrative placement is in fact directly related to the previous government's operation, in particular the workforce renewal policy and the impact that it placed on the SRO. It is again a classic example of your government's inaction and indeed the legacy left for us to pick up and improve and indeed repair. You fail to understand that.

The SPEAKER: Minister, through the Chair, please.

Mr D.A. TEMPLEMAN: The SRO and the State Library of Western Australia are separate entities. They simply operate within the same confines, but there is still delineation, which includes the things apart from different entrances and places. There is an entwined relationship because of the nature of the business of both of those entities.

Regarding funding, the member referred to the budget papers. The government continues to fund the activities of the SRO to fulfil its role, despite the legacy of inaction the previous government left from its time in government. I am aware that a campaign has been highlighted with regard to the SRO remaining an independent agency. It remains an independent agency. The campaign and the member for Carine's sponsoring of that claims a 30.7 per cent reduction in real terms of the funding over three years. This is selective. I need to highlight that the 2017–18 state budget papers state that the SRO's higher total cost of services in 2016–17 is actually a result of one-off funding received to undertake a digitisation program. The then Department of Aboriginal Affairs provided \$450 000 funding to the SRO for the digitisation for the state archives in 2016–17. In the 2016–17 budget the SRO funding was also increased by \$305 000, transferred from the then Department of Culture and the Arts for the administrative placement of the department's record keeping within the SRO. The comparison of the previous government's 2015–16 budget of \$2 119 000 to our 2017–18 budget of \$2 204 000, has seen a four per cent increase for the SRO; no decline. When will the member get this right? When will he continue to come into this place and tell the truth? He does not. He does it consistently. He is a repetitive and recalcitrant —

A government member: Pest.

Mr D.A. TEMPLEMAN: You might say that; I would not possibly say that.

The SRO has been insulated from all department savings over that period, because we recognise the importance of the State Records Office in its function, the independent nature of that function, and the fact that it is administratively within the same confines or the same building as the State Library does nothing to affect its independence. It is independent. I am happy to answer the member's 129 questions on notice, but once again, this grievance and the member for Carine's incompetence demonstrates his lack of understanding of this issue and many others.