

Battling the Bureaucrats: Access to the National Archives

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The History Council of South Australia is a relatively recent creation. To those who know of the traditional vibrancy of the history scene in South Australia this is a little surprising. The 'Province of South Australia' was founded on a theory, established by Act of Parliament in 1834, and began as a unique community of free settlers with high ideals and a sense of difference, although tethered very firmly to the British Empire. It has always been aware of and self-conscious about its history. There are many history groups and organisations, specialist, local and general all vying for attention and support. They range from the Pioneers Association, a robust gathering of the descendants of early settlers, free of the shame of convict taint (although in Australia now convict origins have a real cachet) which has met regularly for almost one hundred and seventy five years, to the Historical Society which sees over one hundred members assemble every month for yet another dissertation on aspects of Australian history. The ultimate contemporary manifestation of this is the annual History Week in May. The impressive 95 page coloured catalogue details displays, lectures, tours, workshops and events staged by hundreds of volunteers and attracting tens of thousands of people throughout the State.¹

So while there is a logical case for an umbrella organisation such as the HCSA, it took a number of these groups a long time to

¹ Programme *SA History Week: South Australia's History Festival*, History Trust of SA, May 2010.

establish it. It has its counterparts in other States such as the vibrant and active History Council of NSW, but is different from all of them. One major difference, and a part explanation of why it was such a long time coming, is the existence in South Australia of a Government-funded body established by Act of Parliament in 1981, the History Trust of South Australia (which rather cutely and archaically has re-named itself 'History SA' although without changing the Act and therefore its official title). The History Trust has played a great role both as a manager of specialist museums, a number of which were established in the 1970s and 80s, and as a funder and promoter of local and regional museums. Its presence as the focus of funding and its intersection with government for a time left little room or apparent need for a separate independent lobby group such as the History Council. I must add the History Council has a close and continuing relationship with the History Trust – its Director Margaret Anderson (who hails from Perth) is a member of our Committee. But there are things a non-government organisation can say and do which is not always the case with a statutory body.

In the late 1990s a History Forum of representatives of various history bodies and a number of individuals was set up as a loose-knit organisation for the discussion and promotion of history. This led in 2003 to the establishment of the History Council of South Australia and its registration as an incorporated association. Membership is broad and comprehensive including Government agencies (National Archives, History Trust of South Australia, South Australian Museum, State Library of South Australia, State Records of South Australia), University History Departments, the National Trust, professional bodies (Professional Historians Association, History Teachers Association), many local history societies and groups, and church archives. There is also provision

for individual membership. It is a purely voluntary body which has no Government funding, relying on membership subscriptions and events for its revenue.

Its objects and purpose are set out in the Constitution:

- (1) to provide a representative voice on major historical issues affecting the community in South Australia, and on issues affecting the historical community;
- (2) to raise the profile of history at all levels of government and throughout the community;
- (3) to provide a forum for information sharing;
- (4) to encourage inclusive histories;
- (5) to raise awareness and appreciation of Indigenous peoples' history and Indigenous perspectives of history;
- (6) to promote the activities of member organizations;
- (7) to initiate and/or coordinate training opportunities; and
- (8) to do all such other things as may be incidental to the attainment of such objects.²

It was in pursuance of the first objective that the Council became involved in the campaign which is the subject of this paper.

In South Australia there had been some discussion about the possibilities of the NAA Adelaide Office and the SA State Records Office coordinating and possibly co-locating facilities both for efficiency and the benefit of users. The background to this involved the decision in 2001 by the National Archives to vacate

² Constitution of the History Council of South Australia Inc. (Adopted 30 June 2003) as amended and registered, Section 3.

and sell the purpose-built facility in the Adelaide inner-city suburb of Collinswood (very close to the ABC's SA offices and studios), and re-locate to a smaller building. This involved the drastic reduction of the holdings in SA from some 26,000m of documents to 3,000m. and their destruction or dispersal to Sydney, Melbourne, Brisbane and Perth.³ One of the consequences was that the administrative head of the Adelaide office was located in Brisbane, with shared responsibilities which also initially included responsibility for the Darwin office. With inadequate discussion and limited protest these changes were effected. It is interesting to reflect that at that time the History Council did not exist, so there was no umbrella organisation to coordinate or lead a campaign. In the light of the experience in 2009/10, its existence then might have made a difference.

Over the subsequent years the full import of the negative effect of this action on access and advice on records relating to SA held in the NAA became clear, and the discussion on co-location with State services was seen as a way to redress the situation and get some of the relevant documents back to where they belonged. This discussion was occurring not only at the respective administrative levels but also among historians. It had been raised at the AGM of the Council in September 2009, and subsequent correspondence was exchanged with the Friends of SA's Archives Inc. We had resolved that it would be discussed at our December meeting of the Council, and had arranged for a representative of the NAA to brief us on the Adelaide operations and holdings to assist in that process.

Meanwhile, also in September 2009, the National Archives held

³ For commentary on the 'consultation' which took place see Ian Sutherland 'A Move Too Far? The Relocation of the Adelaide Office of the National Archives of Australia' in *Archives and Manuscripts*, Vol. 30, No. 1, [May 2002], pp. 60-65.

one of its series of Federation Founders Lectures in Adelaide. It was a big and well organised occasion held in the House of Assembly Chamber where the Australasian National Convention had met to draw up the Commonwealth Constitution in 1897.⁴ It coincided with a meeting of the NAA National Advisory Council and its local SA Consultative Forum, and the newly appointed Minister in charge of Archives, Senator Joe Ludwig, was also there.⁵ It showcased the regional presence of the NAA in the context of the federation and the access it provided to citizens wherever they lived in Australia. Complimentary remarks were made about the Adelaide office. It made everyone feel very confident of the way in which the NAA was discharging its responsibilities under its Act⁶ to make ‘publicly available the archival resources of the Commonwealth’⁷ ... ‘for public access’⁸ and the ‘convenience of persons who are likely to require access to material’⁹ and ‘the appropriateness of keeping in a State or Territory material that relates to that State or Territory or to places in that State or Territory’¹⁰.

It was therefore quite shocking when just two months later, on 13 November 2009, the Director-General, Ross Gibbs, publicly announced that in response to a Government directive on departmental savings and ‘in order to meet current commitments and move to being a 21st century organisation that can meet future demands’ the NAA would be closing state offices in Adelaide,

⁴ The author gave the lecture on this occasion entitled *Alternatives to Federation: Then and Now*.

⁵ Minister Ludwig succeeded Senator John Faulkner, who had a lively interest in the Archives, but had been appointed to the Defence portfolio.

⁶ Commonwealth of Australia Archives Act 1983, as amended to Act No. 2 of 2009.

⁷ *ibid.* Part I s. 2A (a) (ii).

⁸ *ibid.* Part II s. 5 (2) (j).

⁹ *ibid.* Part IV s. 63 (2) (a).

¹⁰ *ibid.* Part IV s. 63 (2) (c).

Darwin and Hobart 'over the next two and a half years as building leases expire'.¹¹ The Adelaide date of closure was to be 31 March 2011. He described the decision as 'difficult but I believe a responsible one', and revealed that having made it sometime after 2 November, there had been consultation with staff, who were 'now fully informed'. Significantly there was no reference to consultation with or advice from the National Advisory Council (it was later revealed that their advice was not sought) and only the Consultative Forum in Hobart was informed prior to the public announcement. In the case of Adelaide, the Consultative Forum learned of the decision by an e-mail from the Brisbane-based director of the office, who asked them to volunteer their expertise and influence to assist in implementing the decision.

The decision was greeted by a veritable storm of protest. Letters and emails bombarded the Minister Senator Ludwig and the Director-General. Replies were sent repeating the D-G's message of 13 November but adding in justification that most people now access NAA records online. Maintaining a physical presence in each capital city was hard to sustain when there was increased demand for delivery of services via the internet. The Minister's standard response simply reiterated the decision and appended a (disputed) 'fact sheet' in its support. Meanwhile petitions were generated, Members of Parliament lobbied and on 17 November the Senate debated a motion moved by the Greens attacking the lack of consultation and calling on the Government to reverse the decision. It was carried without a dissenting vote. I will not detail all the campaigns aimed at saving the Adelaide, Hobart and Darwin offices as my focus is on the role played by the History Council in South Australia, but suffice to say that in each of the three jurisdictions under threat of closure and at the national level

¹¹ Message 'From the Director-General' 13 November 2009, NAA Webpage.

and in the other States many groups and individuals rallied to the cause.

Pending the adoption of a formal policy, the HCSA immediately joined the debate and the protest. As President I spoke to the Chairman of the National Advisory Council and told him of our concerns and briefed the South Australian member of the Advisory Council Professor John Williams who very actively represented the views of those in the State. The first opportunity for the Council to formally respond came at the meeting of 1 December, where as mentioned we had already scheduled a briefing on National Archives. This took place, a strongly worded motion of protest was carried unanimously and the President was authorised to convey our position to the Minister forthwith. A letter went to the Minister the next day. Rather than simply protesting about the implications of the decision, and bearing in mind that at this stage the Minister had not been personally identified with the decision, the letter not only canvassed the arguments against the decision and its timing but put two positive propositions: firstly, that discussions be resumed on the efficiencies and possibilities of co-location of state and federal government records, preserving their identity while upgrading facilities and services of both; and secondly, that an investigation be held to determine which records already removed from the Adelaide office should be returned to further enhance accessibility at regional level. We concluded by urging 'your immediate intervention as Minister to reverse this short-sighted administrative decision and guarantee the continued and enhanced operation of a federally constituted National Archive.'¹²

The Ministerial response, received just before Christmas did not

¹² Letter to Minister Joe Ludwig, 2 December 2009.

acknowledge any of the points made nor take up the propositions, but simply followed the standard formula of other replies issued to protesters and enclosed the 'fact' sheet.¹³ We felt quite let down and concerned that the Minister was not prepared to intervene in any way. Community outrage and protest continued and so did our campaign. Among other representations I was able to informally broach the matter with Prime Minister Rudd and Sports Minister and Member for Federal Adelaide Kate Ellis in early January.

Then the campaign had what seemed like a stroke of good luck. It was announced that a Community Cabinet Meeting was to be held in Adelaide on 20 January, and members of the public could register to attend and also apply for one-on-one meetings with Ministers. I immediately applied and was successful in getting a meeting with Minister Ludwig. Three of my colleagues, Greg Slattery, archivist and member of the History Council Committee, Bernie O'Neill of the Professional Historians Association and a former Treasurer of the History Council, and Jenni Jeremy, librarian and member of the State NAA Consultative Forum also got a ten minute interview – the Minister was certainly prepared to expose himself to the arguments. He was supported at the interviews by Stephen Ellis of the NAA who did not take part in the discussion but took copious notes. I had been in touch with a number of other bodies interstate and had a general brief as well as one for SA in particular. Outside the Cabinet meeting there had been a number of demonstrations and protests, one of which was on the National Archives issue. Perhaps this was one reason that the Minister decided to get on the front foot. He did not listen passively but put the bureaucratic case strongly, making much of plans to accelerate digitisation. While I was able to make some of

¹³ Letter from Senator Joe Ludwig, 22 December, 2009.

our points in the short time available, I was not able to get any positive responses. The others had a similar experience at the interviews. We felt that without some other intervention the closures would stand.

Following the Community Cabinet we were surprised and heartened by a vigorously written article in *The Advertiser* under the heading 'Keep SA's History Here'. It was written by former Foreign Minister Alexander Downer who has a weekly column. The credibility of his arguments were a little undermined by his comment that in the Rudd Government SA Ministers had little influence, in contrast with the strong SA representation in the Howard Government Cabinet, which had ensured the State did not suffer discriminatory decisions of this kind. I was forced to respond in a letter published in the *Advertiser*, that while agreeing with his arguments against the Archives closure, he seemed to have forgotten that the sale of the Adelaide NAA building and the gutting of the SA document collection had in fact taken place on his watch. On a less public level, Premier Mike Rann indicated he was willing to enter the debate and sent a well-argued letter urging reconsideration of the decision to the Prime Minister on 29 January, making particular reference to the introduction of the national history curriculum with its emphasis on local materials and research and the symbolism of the timing which would coincide with an upsurge in interest in history in SA in 2011 which would be the 175th year of European Settlement. The campaign continued.

It was understood that soon after the Adelaide meeting the Prime Minister had intervened by asking Minister Ludwig to get the matter resolved. Just over a month after the Community Cabinet and exactly three months after the announcement of the closures

the Minister advised of the reversal of decision.¹⁴ It was on the eve of a major public protest to be held outside the Adelaide office of the NAA. The sensitivity of local members of Parliament to the unpopularity of the decision was apparent as the 23 February media release emanated not just from Minister Ludwig, but three Labor MPs, Kate Ellis, Mark Butler and Tony Zappia who had made representations on the matter. We were advised that the Government had listened and that face-to face services would be maintained. Instead of closing the Adelaide office the Government would work to co-locate with similar institutions. The next morning the demonstrators duly assembled and turned from protest to celebration. Many had contributed to this outcome, but we could feel satisfied that, in SA's case, the History Council was able to play a leading role, and its intervention had been vital to the outcome. The existence of an organisation that could speak for the entire spectrum of individuals and organisations that would have been adversely affected had been crucial.

A letter, personally annotated, was received from Minister Ludwig in early May confirming the decision and acknowledging the representations made at the Community Cabinet meeting. The Minister indicated that he hoped to visit Adelaide to finalise discussions on co-location and other matters shortly. And he graciously recorded his thanks for 'your commitment to the protection of Australia's cultural heritage, especially through your work as President of the History Council of SA'. I was only too pleased to respond, warmly thanking him for the decision to preserve an Adelaide office and looking forward to the National Archives maintaining a significant regional presence in South Australia into the foreseeable future.

¹⁴ 'Rudd Government Listens to Adelaide on National Archives', Media Release from Senator the Hon Joe Ludwig & others, 23 February 2010.

As a post script it is worth adding that while the decision to retain 'a presence' was very welcome, the exact nature of that presence and the issue of co-location and return of documents still remains somewhat unresolved. Again, the Council has been active. I have met with the Head of the Premiers Department and had ongoing dialogue with the CEO of the State Records Office about the possibilities of a shared reading room in the central city. More exciting was the discovery that the former NAA office and store in the suburbs had not been successfully let or converted to another purpose since its sale in 2003. The owner of this high-grade purpose-built archive facility was very interested in its possible lease jointly by the State and Federal bodies. It would be a perfect solution for both archives. As President of the HCSA I have been pursuing this vigorously. Discussions and inspections are continuing at the time of writing. Meanwhile the State Consultative Forum of the NAA which I have recently joined is actively assessing the records taken interstate to identify those that might be more appropriately brought back to Adelaide. After near-disaster, all is on track for a very good outcome.