

Memorandum of Understanding with the Victorian Aboriginal Child Care Agency

Removal of Aboriginal children considered to be of 'part-descent' began in Victoria from the 1830s with the earliest advance of squatters into Aboriginal lands. This practice continued as a policy of successive Victorian colonial and State governments into the 1960s. Over this period thousands of children were placed in institutions or with non-Aboriginal families. Many were never to return to their families and the links to their communities were lost.

The Melbourne Office of the National Archives holds records about the administration of Aboriginal affairs in Victoria from 1860 onwards. This is a result of the Victorian government (following the 1967 referendum) legislating to transfer responsibility for Aboriginal affairs and the associated records to the Commonwealth. A guide to these records, [walata tyamateetj: A guide to government records about Aboriginal people in Victoria](#), was published in 2014 by the Public Record Office Victoria and National Archives of Australia.

In 1991 the Royal Commission into Aboriginal Deaths in Custody recommended that all governments should assist Aboriginal people to access archival records to enable them to re-establish family and community links that were disrupted or broken as a result of past government policies (see recommendation 53). In response to this recommendation, and the 1997 Human Rights and Equal Opportunity Commission report, [Bringing Them Home](#), the Archives consulted widely with Victorian Aboriginal groups and adopted arrangements to assist Aboriginal people to access Commonwealth records. These arrangements are set out in a Memorandum of Understanding.

The Memorandum of Understanding

The Memorandum of Understanding (MOU) covering access to records of Victorian Aboriginal people was signed on 9 March 2000 by the Director-General of the National Archives and the Chairman of the Victorian Aboriginal Child Care Agency (VACCA). Similar memorandums have been signed with Northern Territory Aboriginal people (1997) and South Australian Aboriginal people (2002). For information see:

- *Fact sheet - 114 Memorandum of Understanding with Northern Territory Aboriginal people*
- *Fact sheet - 209 Memorandum of Understanding with South Australian Indigenous people*

What records are available under the MOU?

The MOU sets out arrangements to assist Victorian Aboriginal people, or someone working on their behalf, to access open period Commonwealth records held in any office of the Archives for the purposes of re-establishing family and community links. Sensitive personal information that would normally be exempt from public access under the *Archives Act 1983* is available under the MOU to the subject of the record or to family members.

Access to records under the MOU requires that:

- the applicant (or agent of the applicant) must not reveal sensitive information about another person without the consent of that person;
- the applicant (or agent of the applicant) must safeguard sensitive information contained in copies of records; and
- information obtained under the MOU be used for the sole purpose of re-establishing family and community links.

If an individual breaches these conditions, the Archives will withdraw the research privileges under the Memorandum from that person. Photocopies of records accessed under the MOU are provided free of charge.

The MOU does not permit access to records that are not yet in the open access period or to records held by the Victorian government.

Applying for access

Aboriginal people, or their agents, seeking access to records under the MOU must complete an application form. Before access to records is granted, the MOU requires the Archives to check with VACCA Link-Up officers that the person requesting access is affected by past government removal policies. Where Link-Up officers are unable to confirm this, the applicant is required to provide the Archives with a statutory declaration verifying their identity.

In addition, those undertaking research about people other than themselves must provide the Archives with evidence that they have been authorised to undertake this research, or a statutory declaration stating that authorisation cannot be provided because the person is deceased.

Archives staff will deal sensitively with Aboriginal researchers working under the MOU and will provide information on available counselling services.

Aboriginal Advisory Group

The MOU provides for the establishment of an Aboriginal Advisory Group to advise and assist the Archives in implementing, managing and reviewing the operations of the Memorandum. It is chaired by VACCA and has representatives from the National Archives and major Victorian Aboriginal organisations. The group meets quarterly.

For more information

Victorian Aboriginal people seeking access to records under the MOU should contact one of the following:

The Reference Officer
National Archives of Australia (Melbourne Office)
PO Box 8005
BURWOOD HEIGHTS VIC 3151
Tel: (03) 9348 5600

The Case Worker
Link-Up Victoria
34 Wurruk Avenue
PRESTON VIC 3072
Tel: 1800 687 662 or (03) 9470 3666
Fax: (03) 9470 3768
Email: linkup@vacca.org

For further information about Archives holdings relating to Aboriginal people see:

- *Fact sheet – 112 Royal Commission into Aboriginal Deaths in Custody*
- *Fact sheet – 113 Aboriginal and Torres Strait Islander people*
- *Fact sheet – 114 Memorandum of Understanding with Northern Territory Aboriginal people*
- *Fact sheet – 175 Bringing Them Home name index*
- *Fact sheet – 209 Memorandum of Understanding with South Australian Indigenous people*