

Access Report

ITEM 9

Presenter/Director	s 47F(1), Director Declassification	Approved by:	Louise Doyle, ADG Access and Public Engagement
Recommendation(s)	That the Advisory Council note: 1. The access examination and declassification activities within National Archives for the period, Q3 January to March 2022		
Key Points	National Archives continues to commit resources as a priority to the management and processing of s 40 applications for access, to meet its statutory obligations. Despite concerted efforts of staff to examine records for release as efficiently as possible, there remain an est. 19,000 applications for access to be finalised. Defend the Past Protect the Future (DPPF) – Measure 3.2 faces significant challenges. • lengthy delays in obtaining security clearances for staff • restructuring of ASL requiring the engagement of contractors instead of non-ongoing staff, and • some agencies expressing resourcing difficulties limiting the assistance they can provide with advice on backlog records.		
Detail	Access examination progress At the end of March 2022 (Q3), there were 26,729 current access applications, of which 18,780 have not been completed within the statutory consideration period (90 business days). Access examination progress in 2021-22 is detailed in Table 1 in Attachment 1, and the status of all access applications submitted between July 2010 and end of June 2021 by financial year, is detailed in Table 3 in Attachment 1. There are currently 3,025 records on referral to agencies for advice on continuing sensitivity, as detailed in Table 2 in Attachment 1. We continue to monitor a lower than expected number of access applications with approximately 27,000 received from July 2021 to March 2022. For the same period in 2019/2020 and 2020/2021 approximately 34,000 applications were received. The reduction in applications occurred in Q1 and Q2 of this financial year, with a return to more usual levels in Q3. Declassification Section staff attended the Bob Hawke Prime Ministerial Library (BHPML) at the University of South Australia to conduct a review of potential unexamined Commonwealth records held in this collection. The BHPML received the records via private donation and contacted NAA with its concerns. A total of 14 unclassified and 26 classified records were recovered and returned to National Archives for examination. Some of the recovered records are not yet in the open period.		

Administrative Appeal Tribunal (AAT) Matters		
Applicant	Matter	Status
s 22(1)	<u>Lodged October 2018</u> Review of a decision to withhold material in a documentary survey of the development of post-war intelligence machinery.	s 22(1)
	<u>Lodged October 2018</u> Review of a deemed refusal to provide access to an internal history of Australian Secret Intelligence Service (ASIS).	s 22(1)
s 22(1)	<u>Lodged November 2019</u> - Review of a decision to withhold access to part of an Australian Security Intelligence Organisation (ASIO) record relating to Catalina Martin-Reyes and James Saleam. There are now 26 current appeals.	s 22(1)
s 22(1)	<u>Lodged July 2021</u> A deemed refusal of access for minutes and agenda of the Defence Force Structure Committee from 1986-87.	s 22(1)
s 22(1)	<u>Lodged August 2021</u> Review of Cabinet decision on Timor Gap negotiations.	s 22(1)

DPPF Measure 3.2 – Reduction of backlogs

The DPPF Measure 3.2 relates to the expansion of the skilled capability and capacity to reduce the extensive declassification backlog for access applications to records.

Project teams have been established to undertake three key streams of work which include examination of records in the backlog, the development of Section 35 arrangements (which underpins the referral of records to agencies), and capability development.

The backlog has been reduced by approximately 2000 by the end of Q3 through BAU activities as these were backlog applications held previously and on referral with external agencies prior to June 2021 with advice now received, decisions for release were implemented. Over Q4 the backlog will undergo a transition from being managed by the BAU team to the project examination team, once training for new examiners is completed.

The Examination Team's current focus is on records that are not as complex, matching the training level of the new staff in the project team. As the training level increases the examination of the more complex, sensitive records will be undertaken. Also, as closer scrutiny continues, certain themes and topics including more sensitive geo-political content, will present challenges being more time-consuming records to examine. The majority of these records are likely to require DFAT advice.

In Q3 2021/22 the Section 35 Team has:

- completed the mapping of the status of S35 arrangements, guidelines for each identified agency;
- conducted a review of the Statement of Principles; and
- commenced stakeholder engagement for the arrangement.

The Agency engagement team is working with DFAT as a priority, regarding implementation of the project in line with the current s 35 agreement and guidelines, given the large number of records that require referral to DFAT for advice. Liaison has commenced with Defence, Home Affairs, ONI and ASIO around new or revised s 35 agreements, and is providing advice on the preparations for the examination of records under application relating to these agencies.

The Capability Development Team has consulted with the Declassification Section and archival officers involved in access examination in our state and territory offices, to document the knowledge and skills required to be an access examiner, including the roles that support access examination.

In addition, the team has:

- commenced development of an induction guide for new staff which is due to be finalised early Q4;
- created an audit document of all existing resources which support access examination;
- commenced review of the access examination manual; and
- commenced capability mapping for access examination roles.

M3.2 Recruitment

ASL for Measure 3.2 has been reduced, which has led to an inability to recruit any further staff. Contractors will be engaged to cover the short fall in ASL positions however their higher salary costs will significantly impact the budget. The current M3.2 budget will enable the engagement of three contractors which is a 25% reduction in the envisaged four ASL positions. Contracted staff with the relevant qualifications and experience are also in high demand across agencies, while AGSVA continues to face delays in assessing staff suitability to hold a clearance. It is still anticipated that it will take around eight months to obtain an NV2 clearance.

	A change in the National Archives Data Analyst role has also created delays in reviewing and developing more streamlined reporting processes. The deliverable time frame for this element of Measure 3.2 will be pushed back approximately six months. The project plan is also being revised further to account for these challenges with a new team structure profile to be developed to ensure the key project deliverables can be achieved within revised, achievable timeframes. This revision is nearing completion. <i>Proposed activity during Q4 2021/22</i> - Engagement of contractors - Reporting systems and processes work will recommence when a new Data Analyst has been recruited; - External agency engagement on the development of interagency examination training packages; - Continue with agency engagement on the development/revision of s 35 arrangements; - Business process review will be commenced; and - Examination of backlog records. Changes to reporting format Changes will be made to the Access Report from AC147. These changes will streamline the reporting on Access activities undertaken by the BAU Declassification teams (streamlined and complex examination) and the three M3.2 teams, reducing the number of appendices and presenting statistics in a more user friendly and clearer manner in alignment with DPPF reporting channels. Report rating All Access Reports will include two report ratings until the conclusion of the DPPF project. A separate rating will be given for BAU and Measure 3.2.					
Background	Efforts are currently underway to fill three contractor positions relating to <i>Defend the Past Protect the Future</i> Measure 3.2. All non-ongoing ASL positions which were available have now been filled. The majority of staff will be dedicated to working on the backlog applications; resources will also be utilised to address the ongoing issue of record examination by other agencies which, while not solely responsible, has contributed to some of the delays. This will be achieved through ongoing liaison, training and process development. It is anticipated the positions will be filled in stages by Q1 2022/23 due to time taken to obtain an NV2 security clearance.					
Timeframe	Nil					
REPORT RATING	Green – No Issues		Orange – Some Issues		Red – Urgent Issues	
Dashboard BAU		☒		☐		☐
Dashboard Measure 3.2		☐		☐		☒

Attachments:

Attachment 1 – Access examination statistics

Access examination statistics

Table 1. Access examination progress– 2021-22 – as at 31 March 2022

Records	
Number of records requested by the public	26,730
Total number of records examined*	22,078
Records examined within statutory consideration period	21,094
Records examined beyond statutory consideration period	984
Records examined for internal Archives business	32,355
Records released proactively by series appraisal	105,786
Outstanding records	22,308
Outstanding records over the consideration period	18,796
Applications	
S.40 applications received	26,729
Outstanding S.40 applications	22,293
Outstanding S.40 applications over the consideration period	18,780

* There may be more than one applicant for a record and there may also be more than one item requested in a single application. The examination of a single record may result in the completion of a number of applications.

Table 1 combines statistics from the BAU and Measure 3.2 work. At this time, we are unable to separate the two sides of the access examination work due to reporting limitations.

Table 2

Records currently on referral to agencies – as at 31 March 2022

Agency	No. of records
Attorney-General's Department	39
Australian Federal Police	33
Australian Security Intelligence Organisation	267
Department of Defence	455
Department of Foreign Affairs and Trade	1,838
Department of Home Affairs	41
Department of the Prime Minister and Cabinet	232
Office of National Intelligence	105
Other	15
TOTAL	3,025

*There are approximately 15,000 records that will also require referral to DFAT as part of DPPF Measure 3.2.

OFFICIAL**Table 3****Application progress for applications submitted each financial year, as at 31 March 2022**

Financial year	Applications where records released without exemption (%)	Applications where records released with some exemptions (%)	Applications where records wholly exempt (%)	Applications where records withheld pending advice from agencies (%)	Applications withdrawn by applicant (%)	Applications still to be processed* (%)	Total Applications received
Business as usual							
2021-2022	78.7	3.8	0.2	1.2	1.4	14.8	26,352
Backlog (To be examined under Measure 3.2)							
2020-2021	82.1	6.7	0.9	1.3	5.3	3.7	47,177
2019-2020	86.9	7.1	0.2	0.9	3.5	1.4	45,297
2018-2019	86.8	7.6	0.5	0.8	2	2.4	46,298
2017-2018	82.1	8.3	0.5	1.3	1.8	6.1	43,325
2016-2017	71.1	11	0.6	0.9	12.5	4	46,613
2015-2016	83.6	9.3	1.3	1	3.1	1.8	53,477
2014-2015	76.6	16.2	1	1.6	2.7	2	56,112
2013-2014	79.5	10.1	0.9	1.2	4.5	3.8	60,607
2012-2013	83.9	9.7	0.5	1.6	3.9	0.5	48,228
2011-2012	81.2	10	0.5	1.4	3.8	3.2	57,914
2010-2011	85.2	11.2	0.5	0.3	2.8	0.01	44,927

*Records subject to these applications will most likely require referral to agencies for advice on continuing sensitivities. The majority of these applications have not been progressed as they relate to DFAT and DFAT has limited capacity to receive more records.

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Figure 1
Breakdown of total current applications by volume as at 31 March 2022

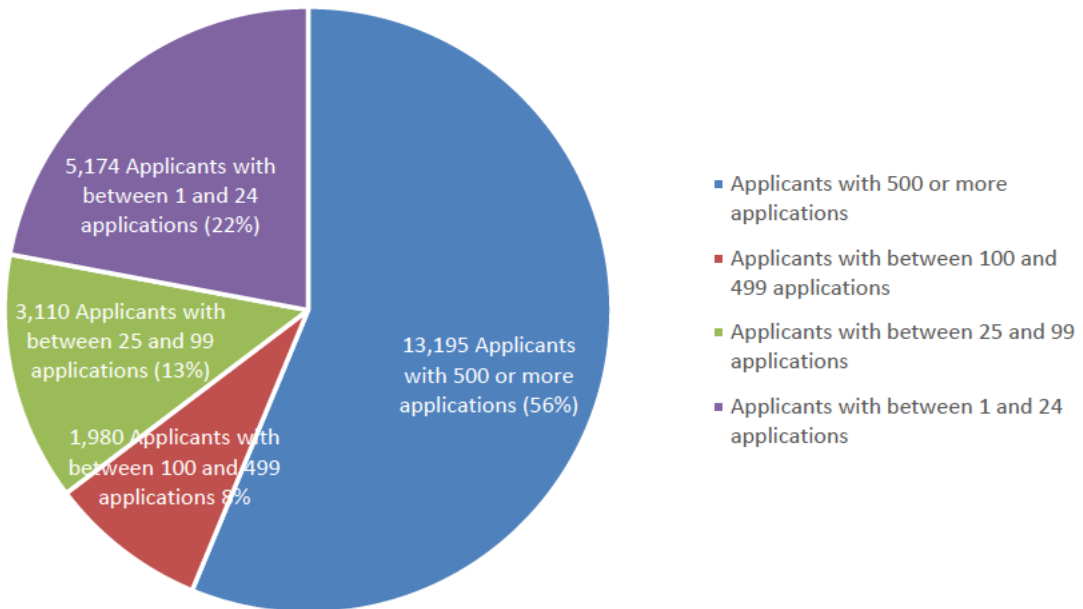
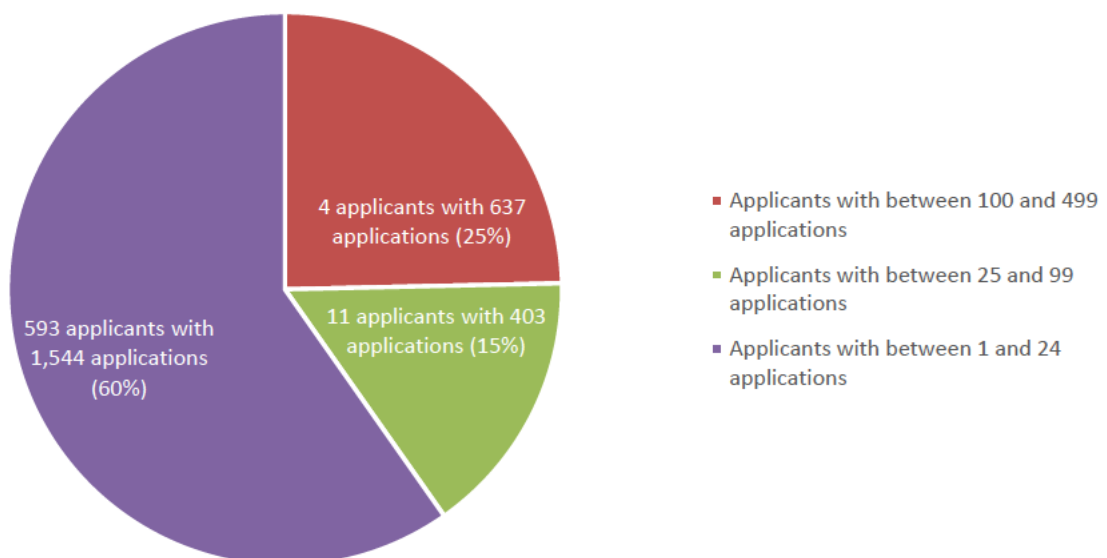


Figure 2.
Breakdown of applications received in 2021-22 by volume as at 31 March 2022

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OFFICIAL**Table 4. Applicants with 100 or more applications that are still in progress – as at 31 March 2022**

	Number of applications submitted, still in progress	Number of applications submitted since 25 April 2019, still in progress	Total number of applications submitted	Date of earliest application, still in progress	Area of research	Barrier to release of records
Applicant 1	8758	542	22604	08-Sep-11	Foreign relations with countries in Asia and SE Asia	Sensitive subject area, files will require referral to DFAT
Applicant 2	1369	209	2844	02-Nov-07	Foreign and defence relations with Indonesia	Sensitive subject area, files will require referral to DFAT
Applicant 3	1177	0	12789	17-Dec-09	Foreign affairs and defence related records covering very diverse subject areas	Sensitive subject areas, files will require referral to DFAT and/or Defence
Applicant 4	1045	907	1518	21-Feb-15	Foreign relations with countries in Asia and SE Asia	Sensitive subject area, files will require referral to DFAT
Applicant 5	859	0	1363	27-Jan-14	Foreign relations with countries in Asia and SE Asia	Sensitive subject area, files will require referral to DFAT
Applicant 6	332	252	2423	03-Dec-11	Foreign affairs related records covering very diverse subject areas	Sensitive subject area, files will require referral to DFAT
Applicant 7	254	51	486	08-Nov-17	Foreign and defence relations in Asia and SE Asia	Sensitive subject area, files will require referral to DFAT
Applicant 8	244	25	703	11-Jun-10	Antarctica/Law of the Sea	Sensitive subject area, files will require referral to DFAT
Applicant 9	195	0	318	03-Jul-13	Islamic Arab international relations - Africa, Middle East, India, Pakistan	Sensitive subject area, files will require referral to DFAT
Applicant 10	168	0	843	20-Jul-11	Foreign relations with countries in Asia and SE Asia	Sensitive subject area, files will require referral to DFAT
Applicant 11	159	0	303	23-Oct-16	Foreign relations with Japan	Sensitive subject area, files will require referral to DFAT
Applicant 12	142	142	214	07-Dec-21	Social Security, employment	
Applicant 13	129	62	318	01-Oct-15	Law of the Sea - Indonesia/East Timor	Sensitive subject area, files will require referral to DFAT
Applicant 14	125	120	297	07-May-21	Allegations/Honours and Awards	Sensitive subject areas
Applicant 15	122	6	513	01-Apr-16	Foreign and defence relations with Malaysia and Singapore	Sensitive subject area, files will require referral to DFAT and/or Defence
Total applications	15078	2316	47536			



Incoming Government Brief

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1. National Archives

1.1 Priority Projects

Implementing recommendations from the Functional and Efficiency Review of the National Archives

On 19 August 2021, the Australian Government announced their response to the *Functional and Efficiency Review of the National Archives of Australia* (Tune Review)¹, agreeing or agreeing in-principle all 20 recommendations. The National Archives of Australia (National Archives) is implementing the 'agreed' recommendations within existing resources and through the new funding provided for in the Defend the Past, Protect the Future (DPPF) program.

Defend the Past and Protect the Future Projects

On 1 July 2021, the Government announced funding of \$67.7 million to the National Archives of Australia to provide a boost for its critical functions as the custodian of Australia's history through the preservation of Commonwealth records.

The \$67.7 million in additional funding provided over four years will support:

- Digitisation and preservation of the National Archives' at-risk collection over an accelerated four-year digitisation program.
- Additional staffing and capability to address backlogs for 'access applications' of Commonwealth records and provide improved Digitisation on Demand services.
- Investment in cybersecurity and further development of the National Archives' Next Generation Digital Archive to facilitate secure and timely transfer of records to the National Archives' custody, their preservation and digital access.

1.2 Management of Australian Government Records

The National Archives has responsibility for the preservation, conservation and digitisation policies and standards for use by Australian Government agencies. There are issues with the rate and quality of information and data provided for Archiving.

Additional funding of \$2.9m over four years of the DPPF program will allow National Archives to improve information management processes, improve understanding and capability of government agencies to implement information and data policy obligations, and provide enhanced training for developing contemporary archival skills.

Building Trust in the Public Record

The National Archives released its new whole of Government information management policy, *Building Trust in the Public Record* in 2022. It sets are 3 mandatory actions and 14 recommended actions for agencies to meet current and emerging information challenges and to guide broader Government priorities such as digital transformation and data use and sharing.

¹ The Government commissioned the Functional and Efficiency Review of the National Archives of Australia (Tune Review) in 2019-20 to consider how the National Archives might best perform its role, and what powers, functions, resources, and structure it needs to effectively and efficiently fulfil its purpose. The Tune Review affirmed the importance of the National Archives and highlighted a number of challenges faced by the National Archives in management of information, cybersecurity, the deterioration of records, and limitations of the current legislation.

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1.3 Collection Management

Digitisation of at-risk records

More than 10 per cent of the collection has been digitised. The digitisation team is focused on at-risk records (photographic, film and magnetic media) and increasing Digitisation on Demand services. As at the end of 2024, over 2,800,000 at-risk physical records had been digitised, comprising over 18% of the entire at-risk physical collection. A significant portion of this digitisation work has been completed through the Defend the Past, Protect the Future (DPPF) project. In the first three and a half years of this four-year project, over 1,300,000 at risk records have been digitised to preservation standard.

World War II records

During the 2019-20 financial year, the Government provided \$10 million for the National Archives to digitise and make available, on-line, 850,000 at-risk World War II service records. The \$10m will only digitise 80 per cent of the records. The National Archives is seeking a further \$5m is required to complete the project.

1.4 Access to Records

Access to Records

The *Archives Act 1983* (Archives Act) provides a general right of access to Commonwealth records once they enter the open access period, which for most records is 20 years, unless they contain exemptions. This responsibility differentiates the National Archives from other cultural institutions.

Requests for open access records are examined for any sensitivities and decisions made to enable their release. Most Commonwealth records (97 per cent) are wholly released for public access, while four per cent are released with some exempt information redacted. Less than one per cent of records are wholly withheld because they consist entirely of exempt information. Any information identified as being of enduring sensitivity is withheld from public access.

Records with Australian Government agencies responsible for national security, defence and international relations are subject to the exemption of any material of continuing sensitivity as prescribed by section 33 of the Archives Act.

Despite concerted efforts, there remains a backlog of applications for access to be finalised. DPPF funding of \$6.5m over 4 years has enabled the National Archives to complete over 13,000 applications, with an additional 5,500 identified that require referral to agencies for advice. Over 13,500 applications, submitted before 1 January 2024 remain in the backlog.

1.5 Digital and Cyber Capability

Integrated Archival Management System and Cyber Capability

Integrated Archival Management System (IAMS) program of work was established to deliver a contemporary digital preservation platform. The DPPF provides funding of approximately \$12.5 million over four years for the continued development and up-scaling of technological capability, people and processes to secure government agency information transfers, preservation and digital access to digitised and digitally-born information.

In addition, National Archives is in the process of transitioning to the M365 cloud office collaboration platform. The platform will provide staff multiple new technologies for data analytics, office productivity and will use MS teams for telephony, chat, video/audio conference and document

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sharing. The additional Government funding of approximately \$9.5m over four years as part of DPPF will enable us to meet the Whole of Government mandate to uplift National Archives' cyber posture to Essential Eight maturity level 2.

1.6 Key Current Issues

Amendments to the Archives Act

The Archives Act was drafted in the pre-digital world and requires modernisation to meet the challenges of the digital world and changing technology. s 22(1), s 34(2)



Financial Sustainability

The National Archives Appropriation Funding was established based on a physical record keeping model and the agency has not received any additional funds for the additional and increasing cost of digitisation and electronic record keeping. This presents a financial challenge for National Archives in managing an increasing financial pressure for which it is not fully funded via Appropriation Funding.

Up until 2021-22, National Archives overall appropriation has remained relatively constant. With costs rising across the board, the National Archives is not sufficiently funded to meet our changing business needs. While from 2022-23 the National Archives appropriation increases with the additional funding of \$67.7m over four years to address the findings of the Tune Review, National Archives appropriation will return to previous levels in 2025-26.

Access Backlog

Despite concerted efforts there remains almost 21,500 long-term outstanding applications for access to be finalised. Recent funding of \$6.5m over 4 years through measure 3.2 of the DPPF program will increase people resources and revise processes to reduce this long-term outstanding backlog. Department of Foreign Affairs and Trade (DFAT) records comprise approximately 80 per cent of the backlog. DFAT has recently advised that they do not have the resources to assist examination of the backlog and estimate they will only be able to assist with 10 per cent of these records.

Staffing

The National Archives Average Staffing Level (ASL) year-to-date is 327.9, which is well below the ASL cap of 366 (345 BAU & 21 DPPF). The National Archives has a workforce plan to consider how its skills will change over time and how these skills will be sourced. Where necessary, the National Archives is addressing current skill shortages through the short-term use of contractors and consultants.

Consolidating the collection

National Archives property expenses are approximately \$30.4m per annum and represents over 40 per cent of the annual core appropriation. To reduce costs and to ensure the collection is stored in appropriate facilities, the National Archives is consolidating storage to Canberra, Sydney and Perth storage facilities as leases expire. The South Australian and Tasmanian collections have been

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moved to Canberra. Relocation of the Northern Territory collection will commence by 30 June 2022. The National Archives will continue to maintain a public access office in every state and territory.

1.7 Key Actions and Decisions

First 100 Days

- Approve Legislation Exposure Draft for consultation
- National Archives of Australia Advisory Council Meetings 16 September 2022 and 25 November 2022.

2 National Archives of Australia

2.1 Role and Functions

The National Archives' purpose is to provide leadership in best practice management of the official record of the Commonwealth and ensures that Australian Government information of enduring significance is secured, preserved and available to government agencies, researchers and the community. This enables evidence-based decisions, the provision of sound advice, development of good policy and effective program delivery.

The National Archives:

- sets information and data management requirements for Australian Government agencies
- ensures the Australian Government creates and keeps records of its actions and decisions to demonstrate accountability to the community and evidence of the integrity of the operations of the Australian Public Service
- authorises destruction of information assets with no ongoing value to government or community
- selects and preserves the most significant records of the Australian Government
- makes these available to government and community as a national resource to enrich and inform how Australians live today and into the future.

2.2 Organisation Structure

The Director-General and four Assistant Directors-General form the Executive:

- Director-General, Simon Froude
- Assistant-Director-General, Access and Public Engagement Branch, Louise Doyle
- Assistant Director-General, Collection Management Branch, Steven Fox
- Chief Operating Officer, Ruth Fenwick
- Assistant Director-General, Data and Digital Branch, Yaso Arumugam.

The Access and Public Engagement Branch ensures access to the collection through digital platforms, research centres, reference and description services, education and public programs, exhibitions, publishing, marketing, media engagement, the NAA Members Program and events.

The Collection Management Branch protects records of archival value by transferring them into custody and manages the collection to ensure its authenticity, integrity, preservation, usability and availability.

The Chief Operating Officer, as head of Corporate Services Branch, provides the enabling services of governance, human resources, finance, procurement, and property and security management. The branch also undertakes special corporate projects and capability development.

The Data and Digital Branch has responsibility for technology, infrastructure, software and security, and governance of information assets to secure and protect them against cyber security threats.

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2.3 Budget

National Archives Appropriation 2022-23

National Archives receives most of its income through appropriations from the Australian Government. National Archives' ongoing appropriation was established based on a physical record keeping model and the agency has not received any additional funds for the additional and increasing cost of digitisation and electronic record keeping. Like most Australian Government agencies, National Archives has been subject to Government efficiency dividends and savings measures, which has seen National Archives appropriation remain stagnant.

In July 2021, the Government announced additional funding of \$67.7m to fund a number of initiatives over four years. This funding is recognised in the National Archives appropriation from 2022–23 in the table below.

Appropriations: 2022–23 Portfolio Budget Statements (PBS)					
Departmental	2021–22 \$'000	2022–23 \$'000	2023–24 \$'000	2024–25 \$'000	2025–26 \$'000
Own source income	2,077	2,131	2,215	2,279	2,283
Ongoing Appropriation	67,597	68,763	69,277	70,286	70,928
Defend the Past, Protect the Future	10,300	10,500	8,200	9,100	-
Total Departmental Appropriation	77,897	79,263	77,477	79,386	70,928
Ongoing Capital	8,011	8,095	5,999	6,065	6,124
Defend the Past, Protect the Future Capital	9,400	6,600	7,300	6,300	-
Total Capital/Equity Injection	17,411	14,695	13,299	12,365	6,124
Total Resourcing	97,385	96,089	92,991	94,030	79,335

2.4 Corporate Governance

National Archives was established under the Archives Act. It is a non-corporate Commonwealth entity (a listed entity) under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and an Executive Agency under the *Public Service Act 1999*.

Strategy 2030 sets out the strategic vision for the National Archives and describes the desired long-term future state along with high-level strategies and measures.

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Strategy 2030 long terms goals to:

- Enable best practice information and data management by Australian Government agencies
- Secure and preserve nationally significant Australian Government information and data
- Connect Australians to the national archival collection
- Innovate to lead archival practice in the digital age.

National Archives main governance bodies as at May 2022 are the Executive Board and a number of supporting governance committees being the Audit and Risk Committee, Project Assurance Committee, Security Committee, Cyber Security Governance Committee, Information and Data Governance Committee and Workplace Relations Committee.

2.5 National Archives of Australia Advisory Council

National Archives of Australia Advisory Council is established under subsection 10(1) of the Archives Act. The Advisory Council's principal function is to advise the Minister and the Director-General on matters that relate to the functions of the agency.

The Minister or the Director-General may refer matters about the functions of National Archives to the Advisory Council for advice or the Advisory Council may, on its own initiative, provide advice to the Assistant Minister or the Director-General.

The Advisory Council meets at least three times each year, with the Chair providing a written report to the Minister following each meeting.

The Advisory Council is comprised of 13 members, including a Parliamentary representative from the Senate and a Parliamentary representative from the House of Representatives. The current Chair of the Advisory Council is Dr Denver Beanland AM. The full list of Advisory Council members is at **Attachment A**.

National Archives of Australia Advisory Council Membership

Dr Denver Beanland AM (Chair)

Ms Anne Henderson AM

Ms Rachel Connors

Dr Rosemary Laing

Ms Suzanne Hampel OAM

Professor (Emeritus) Sally Walker AM

Dr Bella D'Abrera

Associate Professor Joseph Suttie

Dr Anthony Dillon

Ms Alice Spalding

Ms Amy Low

Parliamentary representative from the Senate, to be nominated

Parliamentary representative from the House of Representatives, to be nominated



NATIONAL ARCHIVES OF AUSTRALIA

ADVISORY COUNCIL

Reference: R541762022

The Hon. Tony Burke MP
Minister for the Arts
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Minister

I write to congratulate you on your appointment as Minister for Employment and Workplace Relations and Minister for the Arts, and to bring to your attention urgent matters before the National Archives of Australia Advisory Council (Advisory Council).

Legislative Amendments to the *Archives Act 1983*

The National Archives has sought for many years to amend its legislation. The *Archives Act 1983* (the Act) was drafted in the pre-digital world and requires modernisation to meet the challenges of the digital age and changing technology.

s 22(1), s 34(2)

s 22(1)

Functional and Efficiency Review of the National Archives of Australia

The Australian Government initiated an independent *Functional and Efficiency Review of the National Archives of Australia* (the Review) to examine the purpose, role and functions of the agency and recommend the appropriate level of resourcing it should receive. In March 2021, the Review was released publicly. In August 2021, the Australian Government agreed, or agreed in principle, to all 20 recommendations made by the review.

To address the current challenges faced by the National Archives, and in response to the Review, the Government invested \$67.7 million in the Defend the Past, Protect the Future Program to:

- Digitise and preserve the National Archives' at-risk collection over an accelerated four-year digitisation program
- Provide additional staffing and capability to address backlogs for 'access applications' for Commonwealth records and provide improved Digitisation on Demand service
- Invest in cybersecurity and further development of the National Archives' Next Generation Digital Archive to facilitate secure and timely transfer of records to the National Archives' custody, their preservation and digital access.

Over the past 12 months, the Advisory Council is pleased to note that significant work has been completed on these important projects.

Commemorating the 50th anniversary of the end of Australian involvement in the Vietnam War

January 2023 marks the 50th anniversary of the end of Australia's involvement in the Vietnam War. To truly commemorate this anniversary and reflect the extraordinary service and sacrifice of all those veterans who have served and those who given their lives in conflicts for Australia, the National Archives of Australia seeks urgent funding of \$49m to digitise all military service records.

The project would be similar to the Discovering ANZACS initiative which was developed and delivered with financial assistance from the Department of Veterans' Affairs throughout the Centenary of the WWI period from 2014 to 2018. The project digitised 600,000 records to long-term preservation standards and made available to the Australian public.

The National Archives is also in year three of a four-year digitisation project to make all of the World War II service records accessible for families, family history research, student education programs, and in national recognition of those men and women that served their country. The National Archives needs a further \$5m to finalise digitisation of the remaining WWII records, for which funding was not made available.

To enable all military service records - WWII RAAF negatives, Vietnam War, Korean War, and Borneo and Malayan confrontation service records - to be digitised, preserved and made accessible to the public, the National Archives estimates the costs to be \$49m. This includes \$5m for the remaining 170,000 WWII service records, \$8.6m for 218,000 WWII RAAF negatives, \$29m for 61,000 Vietnam War service records, \$4.8m for 18,000 Korean War service records, and \$1.6m for the 10,000 service records from the Borneo and Malayan Conflicts.

The Advisory Council ask that the Government put in place a funding program over the next few years that would see all of this work completed for the veterans, their families and the Australian people. The National Archives would welcome providing more detailed costings for the areas you would like to prioritise.

I have also written to the Minister for Veterans' Affairs about this important initiative.

s 22(1)

Future meetings

The Council extends a standing invitation to you to attend future meetings. The Council meetings for the 2022 calendar year are:

- September – Thursday 15 September (Dinner) and Friday 16 September (Council) in Canberra
- November– Thursday 24 November (Dinner) and Friday 25 November (Council) in Canberra.

I look forward to an appointment with you to discuss these matters further. I can be contacted via email s 47F(1) or on mobile s 47F(1), or alternatively, I invite your office to contact Mr s 47F(1), Advisory Council Secretary, via email s 47F(1) @naa.gov.au, or phone s 47F(1).

Yours faithfully,

s 47F(1)

Dr Denver Beanland AM
Chair, Advisory Council
24 June 2022

Access Report

ITEM 7

Presenter/Director	s 47F(1) Director Declassification	Approved by:	Louise Doyle, ADG Access and Public Engagement
Recommendation	That the Advisory Council note: 1. The access examination and Declassification Section activities within National Archives for the period, Q4 April to June 2022.		
Key Points	National Archives continues to commit resources as a priority to the management and processing of s 40 applications for access, to meet its statutory obligations. Despite concerted efforts of staff to examine records for release as efficiently as possible, there remain an estimated 18,000 applications for access to be finalised as part of Defend the Past, Protect the Future (DPPF) Measure 3.2. Resource implications and the impact of COVID-19 have contributed to a new backlog of 1500 for the business as usual (BAU) team. The Declassification Section is currently looking at options to address this. DPPF Measure 3.2 faces significant challenges: • Lengthy delays in obtaining security clearances for staff. • Restructuring of ASL requiring the engagement of contractors instead of non-ongoing staff. National Archives is in the process of identifying possible ASL positions which will be a more cost effective and efficient staffing option. • Some agencies expressing resourcing difficulties limiting the assistance they can provide regarding advice on referred applications.		
Detail	Declassification Section progress At the end of June 2022 (Q4) for Declassification, there were approximately 21,000 current access applications, of which approximately 18,500 have not been completed within the statutory consideration period (90 business days). Access examination progress in 2021-22 is detailed in Table 1 in Attachment 1, and the status of all access applications submitted between July 2010 and end of June 2021 by financial year, is detailed in Table 2 in Attachment A. There are currently 2,910 records on referral to agencies for advice on continuing sensitivity, as detailed in Figure 1 in Attachment A. A total of approximately 33,500 section 40 access applications were received by National Archives in 2021-22. This is a reduction of approximately 25% on previous years. Of these, 14,983 were assigned to the Declassification Section with the remainder examined in State and Territory Offices (STOs). Due to resourcing and COVID-19 related issues, a new backlog is forming for the BAU team. Methods to address this backlog are currently being considered, however it is likely the backlog will continue to grow. Over the last decade, the Declassification Section has seen the backlog grow by approximately 2000 applications a year. This is likely to continue until the capability development work in DPPF Measure 3.2 has been completed and appropriate resourcing and organisational structure has been identified. The Declassification Section staff attended the Melbourne University Archives to conduct a review of potential unexamined Commonwealth records held in the Fraser collection. Some sensitive and security classified records were recovered for examination in Canberra.		

ADVISORY COUNCIL

NATIONAL ARCHIVES OF AUSTRALIA

Administrative Appeal Tribunal (AAT) Matters		
Applicant	Matter	Status
s 22(1)	Lodged October 2018 Review of a deemed refusal to provide access to an internal history of Australian Secret Intelligence Service (ASIS).	s 22(1)
s 22(1)	Lodged November 2019 Review of a decision to withhold access to part of an Australian Security Intelligence Organisation (ASIO) record relating to s 22(1)	s 22(1)
s 22(1)	Lodged July 2021 A deemed refusal of access for minutes and agenda of the Defence Force Structure Committee from 1986-87.	s 22(1)

ADVISORY COUNCIL

NATIONAL ARCHIVES OF AUSTRALIA

	s 22(1)	Lodged August 2021 Review of Cabinet decision on Timor Gap negotiations.	s 22(1)
		Lodged 25 May and 14 June 2022 Review of 4 decisions regarding Cabinet records about Timor Gap negotiations	s 22(1)
DPPF Measure 3.2 – Reduction of backlogs DPPF Measure 3.2 relates to the expansion of the skilled capability and capacity to reduce the extensive declassification backlog for access applications to records. Project teams have been established to undertake three key streams of work which include examination of records in the backlog, the development of section 35 arrangements (which underpins the referral of records to agencies), and capability development. The backlog was reduced by approximately 3,000 by the end of Q4 2021-22. The project examination team are currently focused on records unlikely to require agency referral. Going forward, certain themes and topics including more sensitive geo-political content, will present challenges, being more time-consuming records to examine. The majority of these records are likely to require DFAT advice. In Q4 2021-22, the Section 35 Team continued to develop the template for section 35 agreements. This template will be used for most agencies without modification. However, larger agencies that National Archives has regular and ongoing engagement with will have more bespoke arrangements developed. The Agency Engagement team is working with the Department of Foreign Affairs and Trade (DFAT) as a priority, regarding implementation of the project in line with the current section 35 agreement and guidelines, given the large number of records that require referral to DFAT for advice. Liaison has continued with Defence, Home Affairs, Office of National Intelligence and ASIO around new or revised section 35 agreements, and is providing advice on the preparations for the examination of records under application relating to these agencies. The Capability Development Team has consulted with the Declassification Section and archival officers involved in access examination in our state and territory offices, to document the knowledge and skills required to be an access examiner, including the roles that support access examination. In addition, the team has: • commenced development of an induction guide for new staff • created an audit document of all existing resources which support access examination • commenced a review of the access examination manual, and • commenced capability mapping for access examination roles. <i>Recruitment</i> ASL for Measure 3.2 has been reduced, which has impacted the ability to recruit any further additional staff. Options to increase ASL for this measure are currently being			

ADVISORY COUNCIL

NATIONAL ARCHIVES OF AUSTRALIA

	explored to enable the employment of non-ongoing staff rather than contractors. A recruitment round is currently underway for APS6 Senior Examiners for the BAU team and the merit list from this round will be used to fill Measure 3.2 positions, should ASL become available. <i>Proposed activity during Q1 2022-23</i> Proposed activity includes: - recruitment of additional access examiners - further development of improved reporting systems and processes - finalisation of 'model' s 35 arrangements and step-up of engagement with agencies - commence implementation of initiatives arising from Business process review will be commenced - development of training packages, and - continued examination of backlog records. Changes to Attachment A Due to the assistance provided by the Data Analyst to the Declassification Section as part of Measure 3.2, there have been some changes to the statistics provided in this report. As this work continues there will likely be further refinement of these statistics. Report rating All Access Reports will include two report ratings until the conclusion of the DPPF project. A separate rating will be given for BAU and Measure 3.2.					
Background	Efforts are currently underway to assign and fill ASL positions relating to Defend the Past Protect the Future Measure 3.2. The majority of staff will be dedicated to working on the backlog applications; resources will also be utilised to address the ongoing issue of review of records on referral by other agencies which, while not solely responsible, has contributed to some of the delays. This will be achieved through ongoing liaison, training and process development. It is anticipated the positions will be filled in stages by Q1 2022-23 due to time taken to obtain an NV2 security clearance.					
Timeframe	Nil.					
REPORT RATING	Green – No Issues		Orange – Some Issues		Red – Urgent Issues	
Dashboard BAU		☐		☒		☐
Dashboard Measure 3.2		☐		☐		☒

Attachments:

Attachment A: Access examination and Declassification Section statistics

Access examination and Declassification Section statistics

Table 1. Access examination progress 2021-22 as at 30 June 2022

National Archives (Declassification Section and State and Territory Offices)

Applications	
s40 applications received	33,522
Outstanding s40 applications	21,590
Outstanding s40 applications over the consideration period	18,885

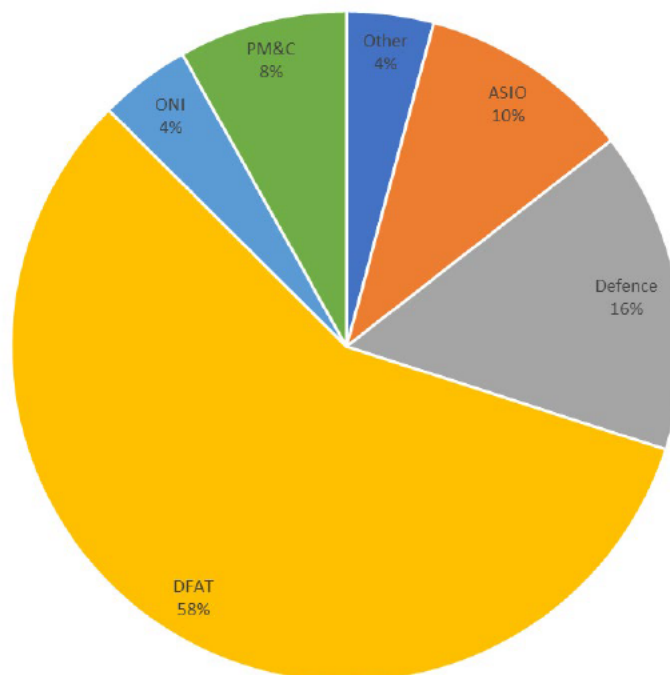
Declassification Section only

Applications	
s40 applications received	14,983
Outstanding s40 applications	20,322
Outstanding s40 applications over the consideration period	18,643

Figure 1

Records currently on referral to agencies – as at 30 June 2022

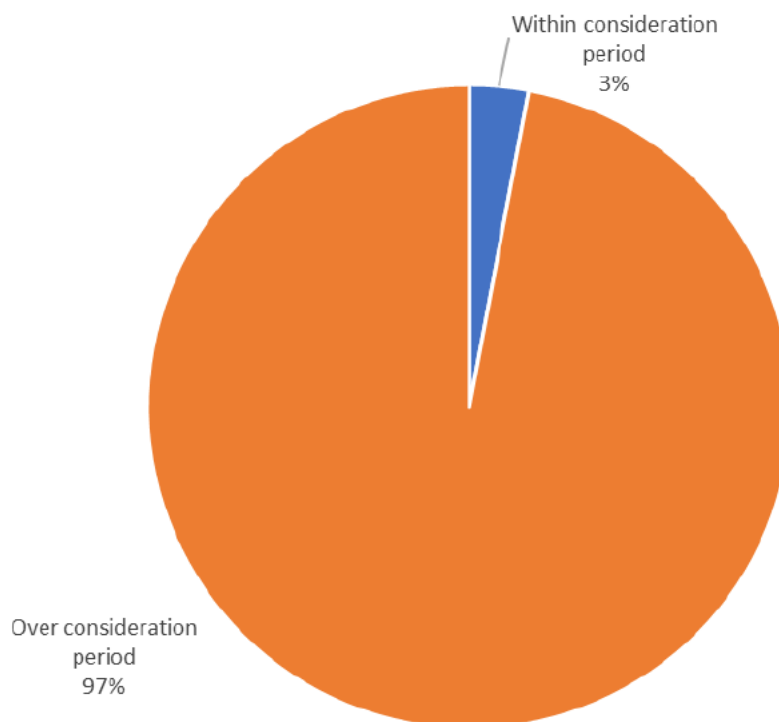
A total of 2910 records are currently on referral to agencies.



*This does not include records yet to be referred to agencies as part of DPPF Measure 3.2.

Table 2**Application progress for applications submitted each financial year, as at 30 June 2022**

Financial year	Applications where records released without exemption (%)	Applications where records released with some exemptions (%)	Applications where records wholly exempt (%)	Applications where records withheld pending advice from agencies (%)	Applications withdrawn by applicant (%)	Applications still to be processed* (%)	Total Applications received
Business as usual							
2021-2022	78.7	3.8	0.2	1.2	1.4	14.8	33,522
Backlog (To be examined under Measure 3.2)							
2010-2021	81.8	10.0	0.7	1.0	4.1	2.5	549,975

Figure 2**Time taken for decisions on records referred to agencies in 2021/22**

FOI 248 - Document 5

Application data (Q1 & Q2 2022/23)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	6,776	6,766	13,542
Applications completed by examination	5,935	4,485	10,420
Records examined within consideration period	4,870	5,082	9,952
Records examined over consideration period	847	294	1,141
Records examined for internal business	6,445	8,702	15,147
Records examined for proactive release	72,608	30,872	103,480
Pending access applications received from public	3,134	1,368	4,502
Pending access applications from public over consideration period	1,253	404	1,657

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	17,303
Applications completed by examination	893

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 31 December 2022 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	33
Australian Federal Police	28
Australian Security Intelligence Organisation	283
Department of Defence	394
Department of Foreign Affairs and Trade	1549
Department of Home Affairs	44
Department of the Prime Minister and Cabinet	235
Office of National Intelligence	138
Other	15
TOTAL	2719

DPPF Measure 3.2 - Backlog examination progress (2022/23)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	646	893	893	893

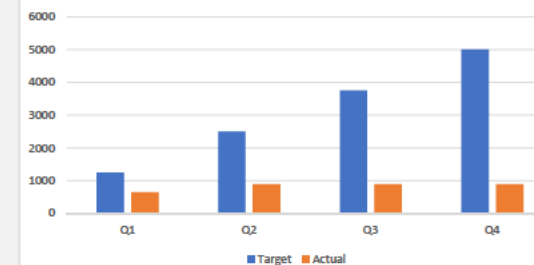
Comments:

1) Security clearance delays are impacting the work of the section. Majority of staff only hold baseline clearances, however the Majority of the records require an NV1 or above to examine.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies.

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	646	247	0	0

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)



Access Examination Dashboard

Application data (Q1, Q2 & Q3 2022/23)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	11,258	10,689	21,947
Applications completed by examination	8,672	8,580	17,252
Records examined within consideration period	7,251	-5,385	1,866
Records examined over consideration period	1,421	445	1,866
Records examined for internal business	9,972	19,352	29,324
Records examined for proactive release	62,849	66,295	129,144
Pending access applications received from public	1,822	505	2,327
Pending access applications from public over consideration period	7,404	1,836	9,240

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	16,950
Applications completed by examination	600

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 31 December 2022 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	36
Australian Federal Police	28
Australian Security Intelligence Organisation	340
Department of Defence	396
Department of Foreign Affairs and Trade	1,498
Department of Home Affairs	51
Department of the Prime Minister and Cabinet	236
Office of National Intelligence	142
Other	15
TOTAL	2,742

DPPF Measure 3.2 - Backlog examination progress (2022/23)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	100	247	600	938

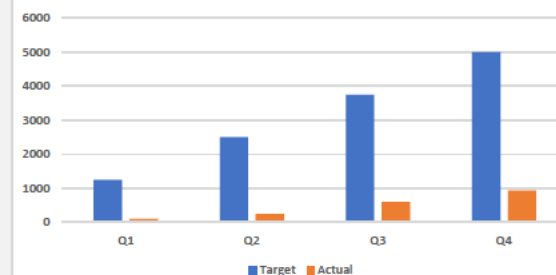
Comments:

1) Security clearance delays are impacting the work of the examination team. Majority of staff only hold baseline clearances. However the majority of the records require an NV1 or above to examine.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 3,771 records are on referral to agencies.

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	100	147	353	338

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)



Access Examination Dashboard

Item 3.1 - Attachment D

Application data (Q1, Q2, Q3 and Q4 2022/23)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	14612	14397	29009
Applications completed by examination	11225	10991	22216
Records examined within consideration period	9296	10424	19720
Records examined over consideration period	1929	567	2496
Records examined for internal business	14528	24571	39099
Records examined for proactive release	62849	98091	160940
Pending access applications received from public	6025	1442	7447
Pending access applications from public over consideration period	18768	627	19395

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	16, 331
Applications completed by examination	619

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 30 June 2023 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	40
Australian Federal Police	30
Australian Security Intelligence Organisation	408
Department of Defence	417
Department of Foreign Affairs and Trade	1,399
Department of Home Affairs	28
Department of the Prime Minister and Cabinet	231
Office of National Intelligence	171
Other	15
TOTAL	2,739

DPPF Measure 3.2 - Backlog examination progress (2022/23)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	100	247	530	1049

Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 3,511 records are on referral to agencies.

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)

Quarter	Target	Actual
Q1	1250	100
Q2	2500	247
Q3	3750	530
Q4	5000	1049

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	100	147	283	619



NATIONAL ARCHIVES OF AUSTRALIA

FROM THE OFFICE OF THE DIRECTOR-GENERAL

Our reference: 2023/24 - 004

25 October 2023

The Hon. Tony Burke MP
Minister for the Arts
PO Box 6022
Parliament House
CANBERRA ACT 2600

Delivered: s 47E(d), s 22(1)

Dear Minister

National Archives of Australia Capability Review

I write to provide you a copy of National Archives of Australia's self-initiated Capability Review report, enclosed at **Attachment A**.

This self-initiated review forms part of the Australian Public Service Commission (APSC) Capability Review program, which aims to embed a culture of continuous improvement across the public service and ensure agencies can deliver government priorities and outcomes for Australians.

The review was supported by the Australian Public Service (APS) Commissioner and conducted independently through a Senior Review Team, Brendan Boyle (former Chief Executive, Department of Internal Affairs, New Zealand Government) and Cheryl-anne Moy (former Deputy Secretary, Department of Home Affairs).

The review, conducted during July and August 2023, was independent, forward-looking, and designed to assess National Archives' ability to meet our future challenges and objectives. Discussions with agency staff, external stakeholders and a desktop review of a wide range of corporate and strategic documents and supporting data was accessed to inform the review and assist the Senior Review Team to better understand National Archives current and desired future state.

The review outlines agency strengths and areas for capability improvement, which is supported by a detailed assessment based on the Capability Review Framework. Key themes highlighted in relation to areas for capability improvement include:

- Strengthening accountability and legislative compliance (in relation to the *Archives Act 1983*)
- Improving strategic planning to ensure objectives and priorities are aligned and achieved
- Building a skilled and agile workforce and investing in learning and development to meet future digital challenges
- Investing in suitable technology and systems to support business operations in a digital age
- Enhancing collaboration across the portfolio and with other cultural and collecting institutions to discover and explore capability.



The majority of observations and recommendations highlighted in the review are a validation of issues known to National Archives. National Archives has commenced on a process of necessary change to meet the future needs of government and the expectations of the Australian public and is well placed to build on the review's findings.

In response to the review, National Archives will develop and implement an action plan. These actions will raise capability within the agency and ensure we are well placed to meet future objectives.

In accordance with program arrangements, a copy of the report will be provided to the APS Commissioner and published on the APSC website along with the supporting agency action plan.

Yours faithfully



Simon Froude
Director-General

Attachments

Attachment A: National Archives of Australia (self-initiated) Capability Review Report

Cc: Jim Betts, Secretary, Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Cc: Dr Stephen Arnott, Deputy Secretary, Creative Economy and the Arts, Department of Infrastructure, Transport, Regional Development, Communications and the Arts



NATIONAL ARCHIVES OF AUSTRALIA

ADVISORY COUNCIL

Reference: R930292023

The Hon. Tony Burke MP
 Minister for the Arts
 PO Box 6022
 Parliament House
 CANBERRA ACT 2600

Delivered: s 47E(d), s 22(1)

Dear Minister,

I write to share with you an update on matters that arose at the National Archives of Australia Advisory Council meeting, AC151, held in Canberra on Friday, 29 September 2023, in addition to the legislated standing items. s 22(1)

The Advisory Council noted the status of the implementation of the Tune Review recommendations. National Archives has made significant achievements including to the digitisation of records at-risk across a variety of formats and cyber security. National Archives continues to undertake significant work to reduce the backlog of access applications, including actively engaging with controlling agencies to increase the capacity of records examined. The Advisory Council noted that security clearance delays through the Australian Government Security Vetting Agency continues to significantly impact the attraction and retention of appropriately cleared access examination staff.

The Advisory Council also discussed the progress of the legislative amendments to the *Archives Act 1983*, which is also an action in the National Cultural Policy, *Revive*. s 22(1), s 34(3)

The amendments are critically required in order to modernise the Act to ensure it maintains currency in a digital world, to resolve areas of ambiguity and to improve the effectiveness of the Act, including the ability of National Archives to perform its existing obligations. The Advisory Council looks forward to the opportunity to consult and comment on the draft amendments, once received.

The Advisory Council were provided an update on National Archives' transformation activities, in particular for the coordination and delivery of programs and projects in accordance with \$67.7 million non-ongoing funding received in response to the Tune Review and the recent additional \$36.5 million Digital First non-ongoing funding. The Advisory Council noted the priority area of work is pressures in the end-to-end digitisation ecosystem, which will be discussed in more detail at the AC152 meeting in December. The Advisory Council also provided advice to National Archives on s 22(1)

At the request of Advisory Council members, I am also seeking your permission to make all correspondence sent to you available to Council members, including letters to other Ministers. For example, following the success of the Second World War digitisation project, I will be writing to the Minister for Veterans' Affairs, the Hon. Mat Keogh MP, to discuss future funding partnership opportunities to support the digitisation of the post-Second World War conflicts service records. As is courtesy, I will cc you into any correspondence with other Ministers. I look forward to your response.

The next meeting of the Advisory Council will be held in Canberra at the National Archives s 22(1)

I extend an open invitation to you or your staff to attend a future meeting. Please contact me to discuss any matter via email s 47F(1) or on mobile s 47F(1), or alternatively, I invite your office to contact Phoebe Morrison, Advisory Council Secretary, via email phoebe.morrison@naa.gov.au or phone s 47F(1)

Yours sincerely,

s 47F(1)

Dr Denver Beanland AM
Chair, Advisory Council
2 November 2023

Access Examination Dashboard

Item 3.1 - Attachment C

Application data (Q1, Q2, Q3 and Q4 2023/24)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	3082	3,174	6256
Applications completed by examination	2940	2,388	5328
Records examined within consideration period	2486	2,244	4730
Records examined over consideration period	454	144	598
Records examined for internal business	133	6,616	6749
Records examined for proactive release	42946	34,285	77231
Pending access applications received from public	24597	2,276	26873
Pending access applications from public over consideration period	18726	750	19476

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	15,053
Applications completed by examination	5,278

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Original records on referral to agencies as at 30 June 2023 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	43
Australian Federal Police	30
Australian Security Intelligence Organisation	390
Department of Defence	357
Department of Foreign Affairs and Trade	1,304
Department of Home Affairs	28
Department of the Prime Minister and Cabinet	234
Office of National Intelligence	173
Other	15
TOTAL	2,574

DPPF Measure 3.2 - Backlog examination progress (2023/24)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	784			

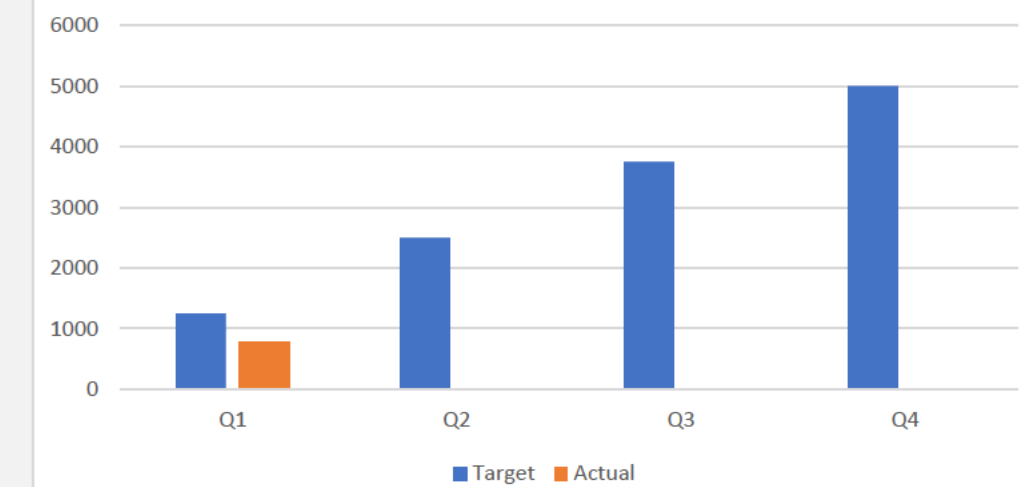
Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 3254 records are identified as 'withheld pending advice' due to either being referred or identified for referral.

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	784			

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)





NATIONAL ARCHIVES OF AUSTRALIA

ADVISORY COUNCIL

Reference: R58942024

The Hon Tony Burke MP
Minister for the Arts
PO Box 6022
Parliament House
CANBERRA ACT 2600

Delivered: s 47E(d), s 22(1)

Dear Minister,

I write to share with you an update on important matters discussed at the National Archives of Australia Advisory Council meeting, AC152, held in Canberra on 1 December 2023.

In addition to the legislated standing items, the Advisory Council noted the status of the implementation of the Tune Review recommendations. National Archives continues to make significant achievements in delivering this program of work, however, an area of ongoing concern is reducing the access examination backlog. The Advisory Council commended National Archives on their work to reduce the backlog and discussed the external factors impacting the delivery of this work, being the delays in security clearance processes and receiving advice from controlling agencies to support access examination work. The majority of the backlog is awaiting advice from the Department of Foreign Affairs and Trade, and the Advisory Council agreed I will write to the Minister for Foreign Affairs about this matter.

This matter highlights the critical need to progress the legislative amendments to the *Archives Act 1983*, which could s 22(1), s 34(2)

This would resolve areas of ambiguity and improve the effectiveness of the Act. The Advisory Council continues to advocate for the legislative amendments being a priority for the Government.

Importantly, the Advisory Council held a strategic discussion on the key Aboriginal and Torres Strait Islander engagement initiatives National Archives is leading, as outlined in their strategy. The Advisory Council acknowledged the good work currently being undertaken and opportunities for National Archives to improve its current strategy. This included by strengthening links to Revive, other National Collecting Institutions and the Galleries, Libraries, Archives and Museum sector, as well as the Tandanya Declaration's broader objectives beyond historical records to current record keeping practices and regulation. Progress of the strategy will be regularly reported to the Advisory Council every 6 months.

The terms of several of the members of the Advisory Council expire in June 2024 and as these members make a substantial contribution both to the discussions and the decisions of the Council, I am recommending that they be reappointed for another term. They are Dr Bella D'Abrera, Dr Rosemary Laing and Associate Professor Joseph Suttie.

The next meeting of the Advisory Council will be held in Perth on 7 March 2024, with the pre-meeting dinner held the night before on 6 March 2024. The meeting will include tours of National Archives' Belmont repository and Northbridge facility. I extend an open invitation to you or your staff to attend a future meeting. Please contact me to discuss any matter via email s 47F(1) or on mobile s 47F(1), or alternatively, I invite your office to contact Phoebe Morrison, Advisory Council Secretary, via email phoebe.morrison@naa.gov.au or phone s 47F(1).

Yours sincerely,

s 47F(1)

Dr Denver Beanland AM
Chair, Advisory Council
12 January 2024

Access Examination Dashboard

Application data (Q1 and Q2 2023/24)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	6,291	6,247	12,538
Applications completed by examination	5,643	4,316	9,959
Records examined within consideration period	4,712	4,098	8,810
Records examined over consideration period	931	218	1,149
Records examined for internal business	882	11,641	12,523
Records examined for proactive release	44,207	38,475	82,682
Pending access applications received from public	24,204	2,662	26,866
Pending access applications from public over consideration period	17,997	959	18,956

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	12,790
Applications completed by examination	7,541

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 31 December 2023 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	37
Australian Federal Police	25
Australian Security Intelligence Organisation	422
Department of Defence	303
Department of Foreign Affairs and Trade	1,180
Department of Home Affairs	27
Department of the Prime Minister and Cabinet	220
Office of National Intelligence	177
Other	12
TOTAL	2,403

DPPF Measure 3.2 - Backlog examination progress (2023/24)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	784	3177		

Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 2,403 records are on referral to agencies.

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)

Quarter	Target	Actual
Q1	1250	784
Q2	2500	3177
Q3	3750	
Q4	5000	

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	784	3177		



NATIONAL ARCHIVES OF AUSTRALIA

ADVISORY COUNCIL

Our reference: R532412024

The Hon Tony Burke MP
Minister for the Arts
PO Box 6022
Parliament House
CANBERRA ACT 2600

Delivered: [s 47E\(d\), s 22\(1\)](#)

Dear Minister

I write to update you on matters discussed at the National Archives of Australia (National Archives) Advisory Council meeting AC153 held in Perth on 7 March 2024, in addition to the legislated standing items.

Implementation of Efficiency Review of the National Archives (Tune Review)

As is the practice at each meeting, the Advisory Council discussed the status of National Archives work implementing recommendations from the Tune Review. The majority of projects previously funded remain on track. Of note was ongoing work to reduce the backlog of access examination requests, an update of the legislative amendments to the *Archives Act 1983* (Archives Act) [s 22\(1\)](#)

National Archives has been working on reducing the backlog of access examination requests since the Tune Review. As you are aware, the majority of the backlog requests are awaiting advice from Department of Foreign Affairs and Trade (DFAT), which has been the case for a number of years. The Advisory Council again discussed the need to increase engagement with DFAT Senior Executive, reiterating DFAT's legislative responsibilities under the Archives Act to assist in enabling access and release of public records. The Advisory Council is disappointed that despite all National Archives' effort that a substantial reduction in the backlog has not occurred in the public interest and that a greater effort has not been forthcoming from DFAT.

The Advisory Council once again discussed the progress of the legislative amendments to the Archives Act. [s 22\(1\), s 34\(3\)](#)

Review of the transfer of the 2003 Cabinet records from PM&C (Richardson Review)

The Advisory Council discussed the Richardson review and the implementation of recommendations, [s 22\(1\)](#)

Statement of Expectations

[s 22\(1\)](#)

National Archives self-initiated Capability Review

The Advisory Council received an update on National Archives' self-initiated Capability Review, which we understand you are currently considering. Overall, the experience has been positive for National Archives and provides an opportunity for the agency to put in place an action plan and move forward in the spirit of continuous improvement. The Advisory Council looks forward to seeing the review report once it is published and will continue to be updated on implementation of the action plan.

Our next meeting will be held on 21 June 2024 in Canberra. The Advisory Council thanks you for the ongoing attendance at these meetings by representatives from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Please contact me to discuss any matter via email s 47F(1) or on mobile s 47F(1). Alternatively, you can contact Ms Phoebe Morrison, Advisory Council Secretary, via email phoebe.morrison@naa.gov.au or phone s 47F(1).

Yours sincerely,

s 47F(1)

Dr Denver Beanland AM
Chair, Advisory Council
23 April 2024

Access Examination Dashboard

Application data (Q1, Q2 and Q3 2024/25)			
Applications/ Records	National Office	STOs	Total
Number of access applications received from public	12,797	9,629	22,426
Applications completed by examination	10,379	6,504	16,883
Records examined within consideration period	1,047	17,000	18,047
Records examined over consideration period	44,315	41,859	86,174
Records examined for internal business	9,142	6,059	15,201
Records examined for proactive release	1,237	445	1,682
Pending access applications received from public	7,381	2,022	9,403
Pending access applications from public over consideration period	18,109	993	19,102

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	12,684
Applications completed by examination	7,647

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 31 March 2024 (BaU and DPPF)	
On referral to Agency	Number of records
Attorney-General's Department	37
Australian Federal Police	25
Australian Security Intelligence Organisation	438
Department of Defence	319
Department of Foreign Affairs and Trade	1,073
Department of Home Affairs	21
Department of the Prime Minister and Cabinet	218
Office of National Intelligence	187
Other	12
TOTAL	2,330

DPPF Measure 3.2 - Backlog examination progress (2024/25)				
Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	494	3541	3647	
Comments:				
1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.				
2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 2,684 records are on referral to agencies.				
3) In Q3 access examination resources for 3.2 were diverted to assist with the examination of records for AAT				
Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	494	3047	106	

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)

Quarter	Target	Actual
Q1	1250	494
Q2	2500	3541
Q3	3750	3647
Q4	5000	



NATIONAL ARCHIVES OF AUSTRALIA

ADVISORY COUNCIL

Reference: R874172024

The Hon Tony Burke MP
Minister for the Arts
PO Box 6022
Parliament House
CANBERRA ACT 2600

Delivered: s 47E(d), s 22(1)

Dear Minister,

I write to share with you an update on matters considered at the most recent National Archives of Australia (National Archives) Advisory Council meeting AC154 held in Canberra on 21 June 2024. The following matters were discussed, in addition to the legislated standing items.

Implementation of Efficiency Review of the National Archives (Tune Review)

The Advisory Council discussed the status of implementation of recommendations of the Tune Review, as we do each meeting. Work continues to reduce the backlog of access examination requests. Since our last meeting, engagement with the Department of Foreign Affairs and Trade (DFAT) has increased with the Director-General meeting with Mr Craig Maclachlan, Deputy Secretary of International Security, Legal and Consular Group. It was agreed that relevant operational staff in information technology and digital will meet and attempt to resolve challenges regarding digital referral of records to assist in reducing the backlog of access requests with DFAT. This is pleasing and the Advisory Council is hopeful that traction can be made in this area to improve public access to these important government records. As you are aware, I also wrote to the Minister for Foreign Affairs and Trade in June 2024 about this matter.

Review of the transfer of 2003 Cabinet records from Prime Minister & Cabinet (PM&C) (Richardson Review)

The Advisory Council was updated on the progress of implementation of recommendations from the Richardson Review, three of which sit with National Archives. s 22(1), s 34(3)

[Redacted text block containing multiple lines of information, likely details of the Richardson Review recommendations and implementation progress.]

Strategic and Corporate Planning

National Archives is commencing a review of *Strategy 2030: a transformed and trusted National Archives*, and will develop a number of operational agency level strategies focused on information management, collection and access. These strategies will outline National Archives' strategic direction and set an ambitious and achievable set of priorities to take National Archives on the next stage of its transformation journey. The Advisory Council looks forward to being consulted on these strategies as they are developed. The development of the Corporate Plan 2024-25 was also discussed, noting that there would be no significant changes to the agency's performance measures given the strategic work that is ongoing and expected to be completed by the end of 2024.

Audit and Risk Committee (ARC)

s 22(1)

[Redacted text block containing information related to the Audit and Risk Committee.]

Advisory Council appointments

Changes to the membership of the Advisory Council were discussed. The Advisory Council was pleased to welcome Dr Paul Grimes PSM as Acting Deputy Chair (I note the announcement of Dr Grimes as Chair was made after the meeting), and thanked outgoing members Dr Rosemary Laing, Associate Professor Joseph Suttie and Dr Bella D'Abrera for their service to the Advisory Council.

Other matters

My last meeting as Chair and member of the Advisory Council will be on 20 September 2024. At the meeting, I noted that as the longest serving Chair of the Advisory Council, I have been involved in many issues affecting National Archives and seen significant changes. When I first joined the Advisory Council over 10 years ago, amendments to the *Archives Act 1983* were being discussed and this important work remains a priority today. Significant achievements include the Advisory Council's influential role in securing \$67.7 million of additional funding to enable implementation of recommendations made in the Tune Review, as well as the \$10 million in funding to digitise over one million Second World War service records. Preservation of these at-risk records means an important part of our nation's story is accessible for veterans, their families and the Australian people. While this non-ongoing funding has strengthened National Archives' role and profile, financial sustainability for the agency continues to be a risk that the Advisory Council will advocate for. In addition, the limitations of National Archives' current National Office building in Parkes, notably around the ability to share the collection with audiences in a contemporary exhibition environment, remains ongoing and it was noted at the meeting that I hoped the Advisory Council continues to advocate for a suitable facility within the National Triangle.

The next meeting of the Advisory Council will be held in Canberra on 20 September 2024, with the pre-meeting dinner held the night before. As always, I extend an open invitation to you or your staff to attend. Please contact me to discuss any matter via email [s 47F\(1\)](#) or on mobile [s 47F\(1\)](#), or alternatively, I invite your office to contact Phoebe Morrison, Advisory Council Secretary, via email phoebe.morrison@naa.gov.au or phone [s 47F\(1\)](#)

Yours faithfully,

s 47F(1)

Dr Denver Beanland AM
Chair, Advisory Council
22 July 2024

Access Examination Dashboard

Application data (Q1, Q2, Q3 and Q4 2023/24)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	18,406	12,429	30,835
Applications completed by examination	15,507	8,716	24,223
Records examined within consideration period	14,101	8,141	22,242
Records examined over consideration period	1,406	575	1,981
Records examined for internal business	2,070	20,550	22,620
Records examined for proactive release	51,263	43,661	94,924
Pending access applications received from public	25,680	3,253	28,933
Pending access applications from public over consideration period	18,384	1,069	19,453

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	12,681
Applications completed by examination	3,675

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on referral to agencies as at 30 June 2024 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	40
Australian Federal Police	25
Australian Security Intelligence Organisation	432
Department of Defence	290
Department of Foreign Affairs and Trade	1,007
Department of Home Affairs	17
Department of the Prime Minister and Cabinet	215
Office of National Intelligence	191
Other	12
TOTAL	2,229

DPPF Measure 3.2 - Backlog examination progress (2023/24)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	1250	2500	3750	5000
Actual	494	3541	3647	3675

Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) The progress number only refers to completed applications, that is applications that have a decision made. This number does not include records examined by the team and sent on for advice from agencies. Currently 2,684 records are on referral to agencies.

3) In Q3 & 4, access examination resources for 3.2 were diverted to assist with the examination of records for AAT case, 2003 NSC Cabinet records and annual Cabinet release

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	1250	1250	1250	1250
Actual	494	3047	106	28

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)

Quarter	Target	Actual
Q1	1250	494
Q2	2500	3541
Q3	3750	3647
Q4	5000	3675

Access Examination Dashboard

Application data (Q1 2024/25)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	2,914	2,683	5,597
Applications completed by examination	2,834	2,313	5,147
Records examined within consideration period	2,539	2,125	4,664
Records examined over consideration period	295	188	483
Records examined for internal business	6,398	8,840	15,238
Records examined for proactive release	13,362	44,915	58,277
Pending access applications received from public	25,398	3,558	28,956
Pending access applications from public over consideration period	18,357	1,451	19,808

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	24,010
Applications completed by examination	5,105
Applications with a status of status of 'withheld pending agency advice'.	4,057

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on loan to agencies as at 30 September 2024 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	45
Australian Federal Police	25
Australian Security Intelligence Organisation	457
Department of Defence	306
Department of Foreign Affairs and Trade	952
Department of Home Affairs	18
Department of the Prime Minister and Cabinet	213
Office of National Intelligence	206
Other	12
TOTAL	2,234

DPPF Measure 3.2 - Backlog examination progress (2024/25)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	6003	6003	6002	6002
Examined	5105			
WPA	4057			

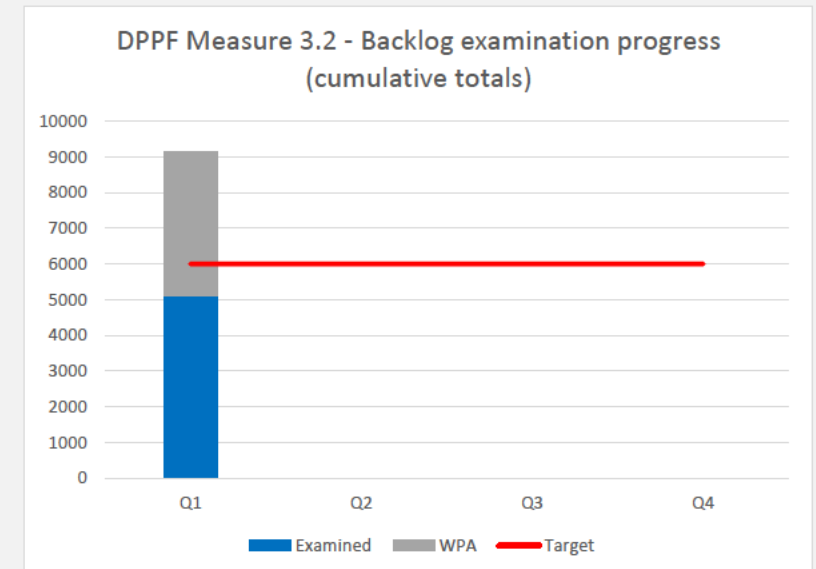
Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) In Q1 some access examination resources for 3.2 were diverted to assist with the examination of records for AAT cases and the annual Cabinet release.

3) Some of the WPA records were identified in earlier years as part of Measure 3.2. Following the recalibration of DPPF all applications having either a National Archives decision recorded or are in a status of 'withheld pending agency advice' (WPA).

Quarterly totals				
	Q1	Q2	Q3	Q4
Target	6003	6003	6002	6002
Examined	5105			
WPA	4057			





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AC157
2024-25

ADVISORY COUNCIL

Access and Public Engagement Branch Report

ITEM 8.2

Presenter	Danniella McGowen Acting Assistant Director-General, Access and Public Engagement	Approved by:	Simon Froude Director-General
Key Points	Key areas of activity and updates for National Archives during the reporting period are: • Access Examination current status and forecast • Administrative Review Tribunal (ART) matters • International Engagement • Education outreach pilot proposal		
Detail	Access Examination current status and forecast National Archives has been undertaking a deep dive into the applications for access that are currently ongoing, including those within the backlog. The intent of this deep dive was to: • better understand the current situation, including risks associated with overdue applications and potential ART matters • identify the true barriers to making access decisions within the consideration period • forecast the expected backlog at 30 June 2025, when Defend the Past, Protect the Future (DPPF) closes • forecast the time and staffing required to close out the backlog • identify options for addressing the number of current applications. In summary, there are currently 13,341 applications in the backlog, consisting of approximately 12,000 records. On average, National Archives staff complete 463 backlog applications per month, leaving an expected 11,024 at the close of DPPF on 30 June 2025. It is estimated to take 5 staff up to 3 years to complete these remaining applications. The total number of applications (backlog plus those outside the backlog definition) sits at 29,000, with 20,000 currently overdue. Up to 70% have not yet been assessed by National Archives staff, demonstrating that internal capacity is a significant barrier to access. The increasing complexity of records is a major contributor to the capacity and capability challenge. Agency capacity and their obligations to manage their own environmental risks are also resulting in delays. National Archives continues to work closely with agencies to build relationships and capability, and better understand our joint pressures. This has helped re-establish a working relationship with Department of Foreign Affairs and Trade (DFAT) and manage complex challenges with intelligence agencies. We also continue to explore the possibility of digital referral of records, noting some agencies are not yet ready to accept digital referrals. Options for consideration and discussion: 1) 2)		

s 47C(1)

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	3) s 47C(1) 4) Further information on the Access Examination current state and backlog forecast is at Attachment A. Administrative Review Tribunal (ART) Matters A summary of ART matters is at Attachment B. International Engagement A summary of international engagement highlights is at Attachment C. National education outreach pilot proposal National Archives' Education Team has been investigating how to engage school students in new and unique ways. Onsite school numbers remain lower than pre-Covid numbers, despite the rise in school visits to Canberra generally. Barriers for school visits to Canberra include excursion costs, which for many schools outside ACT and NSW can be over \$1,000 per student. For regional and rural schools, a visit to any cultural or government institution, state or federal, is out of reach. These schools often miss out on the opportunities of their city peers to have experiential learning opportunities to better understand Australia's civic institutions and citizenship responsibilities. National Archives is proposing to establish a pilot outreach program, whereby National Archives staff deliver education onsite at schools, with a focus on regional and remote areas. The pilot would involve delivering the program to 3 schools, enabling the team to assess costs and effectiveness of the activity. This would form the basis of a resourcing proposal for consideration by the Executive, noting current resources (2 staff) are not sufficient to deliver outreach. A draft outline is at Attachment D and aims to ignite discussion around whether the Council considers an outreach program worth exploring.
REPORT RATING	Green – No Issues Orange – Some Issues Red – Urgent Issues
Dashboard	 ☐  ☒  ☐

Attachments:

Attachment A: Access Examination dashboard

Attachment B: Summary of ART matters

Attachment C: Summary of International Visits

Attachment D: National education outreach program pilot proposal



ACCESS AND PUBLIC ENGAGEMENT

Access Examination

Current state and backlog forecast

Current state

There are 29,000 access applications, of which approximately 20,000 are overdue. There are 13,341 backlog applications outstanding, which are included in the 29,000 total. The 13,341 applications in the backlog are highly complex.

Backlog history and progress

Approximately 32,000 applications have been included in the backlog since its establishment. As of January 2025, a total of 18,000 backlog applications have been actioned, leaving 13,341 applications yet to be actioned and remaining in the backlog. This equates to 9,820 records that are not yet examined.

As evidenced in Figure 1, when the backlog was first established in June 2021, there were 20,331 applications. During the initial phase, between June 2021 and October 2021, the largest reduction in records occurred as administrative duplication was addressed, staff applications were cancelled, and unclassified, less complex records were examined more quickly. Once these records were actioned, the more complex records remained.

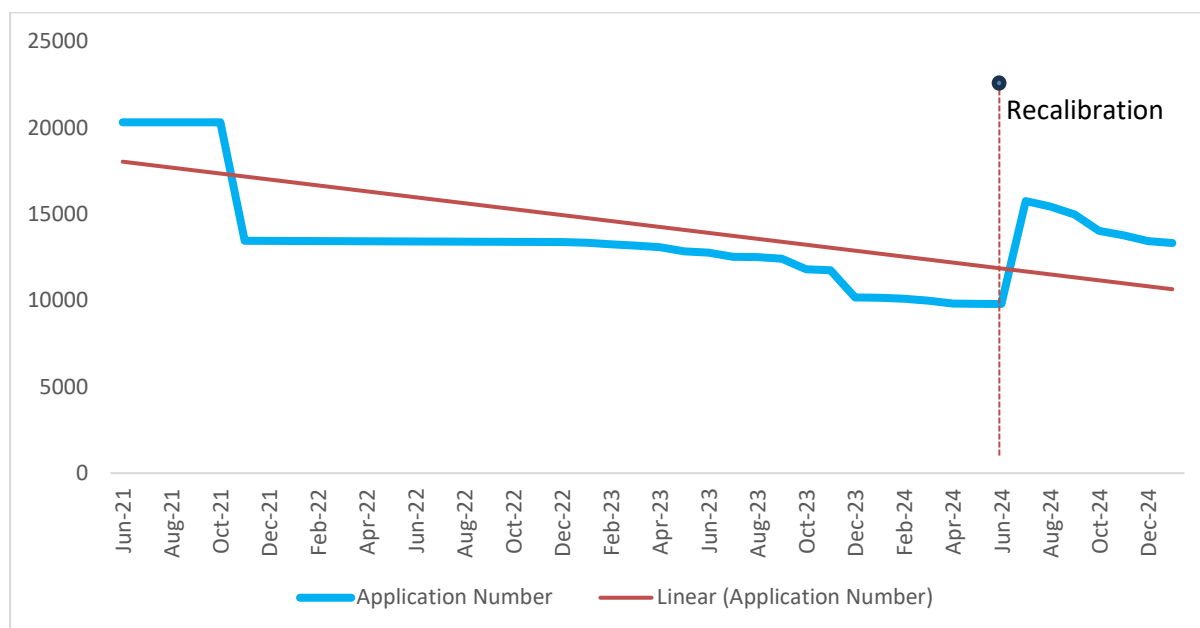


Figure 1. Backlog progress 2021 to end 2024

Prior to 2019, there was no limit to how many records people could request under section 40, resulting in a growing backlog. Presently, 70% of the backlog applications were made pre-2019, and the remaining 30% were made between July 2021 and December 2023. The

backlog comprises the most complex records to examine and require multiple-agency referral.

Backlog recalibration

By June 2024, National Archives had addressed 7,698 backlog applications, leaving 12,653 outstanding. In July 2024, following the recalibration of the DPPF measures, the backlog was extended to include applications received between 2009 and December 2023. An additional 11,357 were included in the measure bringing the backlog count to 24,010.

Working with agencies

Seeking advice from agencies on sensitivities before making a decision on access, forms part of an agency's section 35 arrangement. Approximately 85% of the backlog applications require advice from the Department of Foreign Affairs and Trade (DFAT) as per their section 35 arrangement. A substantial portion of these (7,000 records) belong to one high-volume applicant, which have been placed on hold to enable DFAT to action other outstanding requests.

Backlog forecast at 30 June 2025

The access examination team completes on average 463 backlog applications per month, in addition to new access applications.

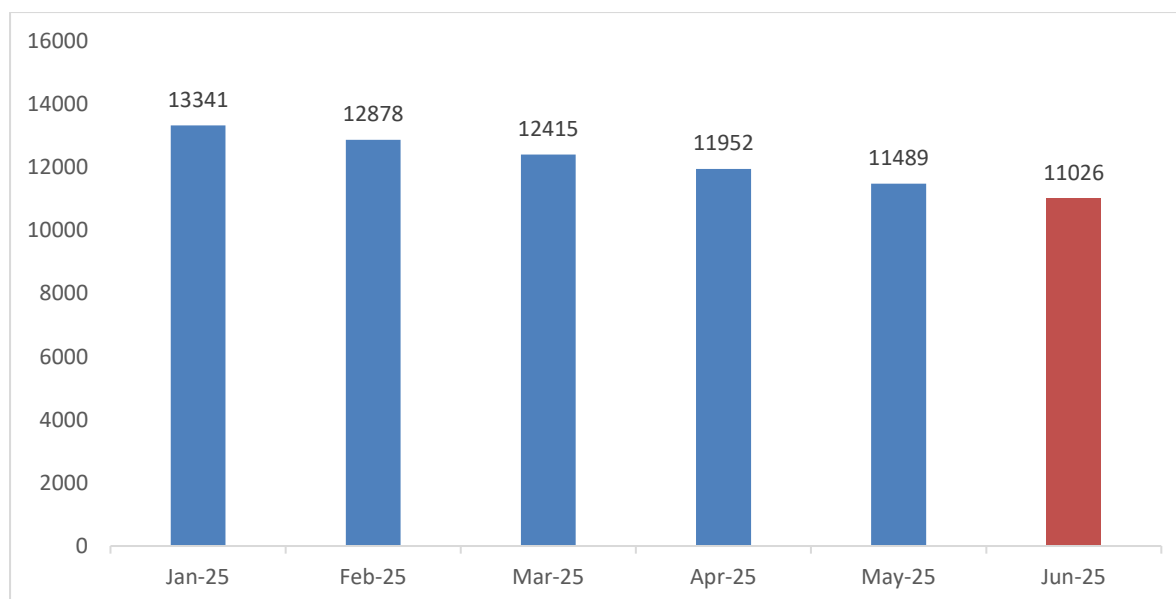


Figure 2. Forecasted backlog at 30 June 2025

Based on this average and assuming staffing remains stable, a further 2,300 applications will be finalised by 30 June, leaving 11,026 applications not actioned. In consideration of past work achieved for the duration of this project since 2022, the backlog could be actioned within another 3 years with a team of 5 full-time staff focused solely on the backlog.

Capacity and capability are the biggest barriers to access

Both National Archives and agencies are facing capacity and capability challenges. National Archives examined 76.57% of applications received in Q1 2024-25 and 88.97% Q2. Despite these completion rates being close to or above the 80% target, incomplete applications quickly accumulate, demonstrated in Figure 3.

Filling access examination roles also presents significant challenges due to the skills needed and security clearance requirements. NV2 and TSPV clearances are taking in excess of 1 year. This is particularly challenging with temporary funding measures when there is a need to onboard staff quickly, paired with the challenge of keeping non-ongoing staff for the full funding period.

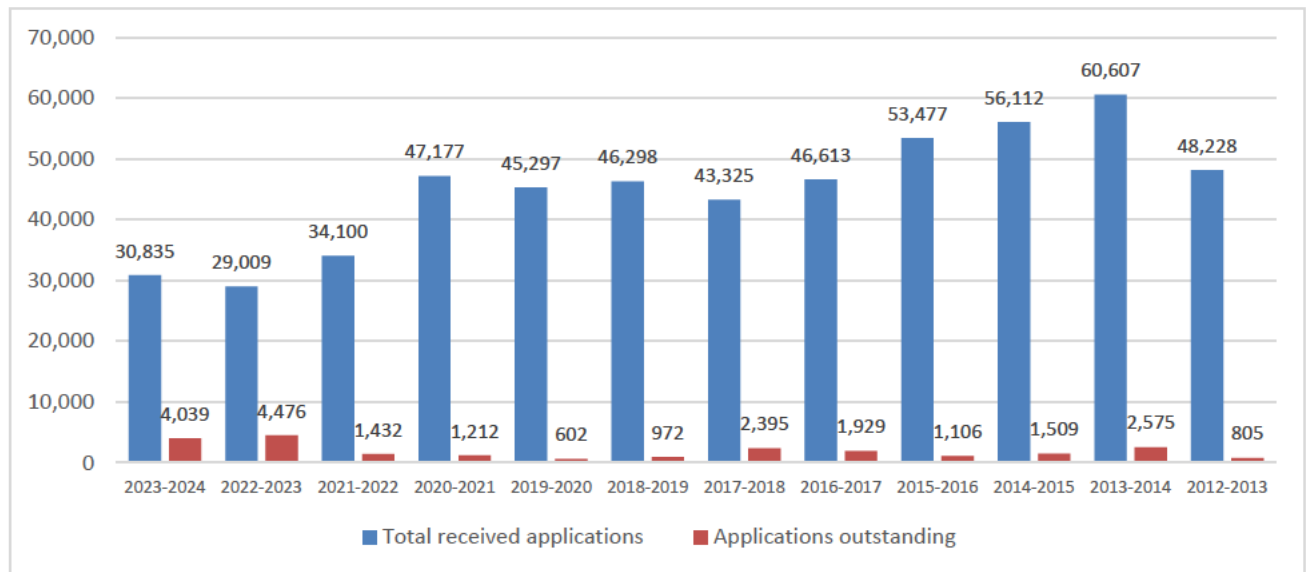


Figure 3: Status of access applications from last 11 years

Finally, the increasing complexity of records being requested is resulting in longer delays and more multi-agency referrals. Data tells us that when a record requires referral to agencies, our ability to meet the 90-day consideration period diminishes. Despite the number of requests each quarter reducing over the last 2 years, the time required to examine the material is substantially increasing.

Options for discussion

Option	Risk/issues	Benefit
s 47C(1)		

S 47C(1)



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AC158
2024-25

ADVISORY COUNCIL

Access Examination process and areas for improvement

ITEM 7

Presenter/Director	Danni McGowen, A/g ADG Access and Public Engagement, s 47F(1), A/g Director Access Examination	Approved by:	Simon Froude Director-General
Recommendations	That the Advisory Council note: 1. The current status of access requests, workflows and processes. 2. Decision-making process and importance of agency referral. 3. Challenges and improvement areas for access examination.		
Key Points	The purpose of this paper is to provide detailed background and process information relating to the Access Examination function, to enable Council to consider and advise. • National Archives proactively examines on average 134,000 records per year. • In addition, on average, 31,000 Section 40 applications are made per year, of which: ○ Approximately 3% require referral to agencies for advice. ○ 81% are finalised within their consideration period on average. • National Archives has been managing a significant and growing backlog of applications. A focus on the backlog was supported with funding provided under Defend the Past, Protect the Future (DPPF). • Factors that impact National Archives' ability to make access decisions within the consideration period include the complexity of a record, whether the material is in custody, how many agencies a record needs to be referred to, and capacity of agencies and National Archives.		
Detail	Current status • There are 29,000 current applications, with approximately 19,000 overdue, many of which were made before the application cap was introduced in 2019. • Just 10 applicants make up almost 50% of the overall applications. 21% of all applications come from 1 applicant alone. • 3,127 records have been applied for by multiple applicants. Finalising decisions on these 3,127 records would see 7,225 applications completed – 25% of total current applications. Most of these records have been applied for by a high-volume applicant/s. • Under DPPF, progress has been made on the backlog, however when DPPF closes on 30 June, there will still be approximately 11,000 applications outstanding. Section 40 access request process An application can be made under Section 40 of the Archives Act for access to any record within the open access period, whether it is in National Archives' custody or not. The workflow from application to access is located at Attachment A. The workflow is more likely to extend beyond the consideration period if the: • record has not yet been described • record is not in custody, requiring a temporary transfer to National Archives • application requires referral to one or multiple agencies		

- record is large and complex.

Decision-making process

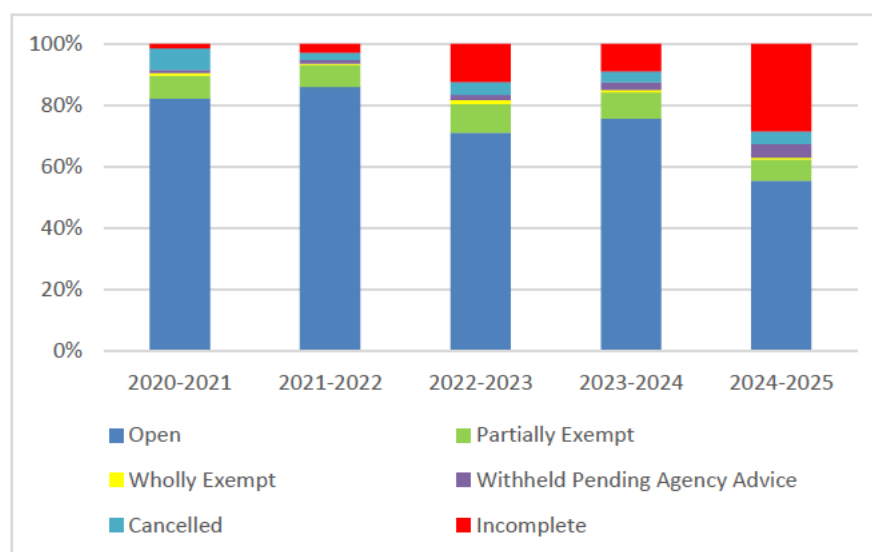
Staff who have delegated decision-making power make access decisions on the release or exemption of records under the provisions of the *Archives Act 1983*. Such decisions should adhere to the principles of procedural fairness in decision making, ensuring individuals are treated fairly by being heard, not subjected to bias, and having decisions based on relevant evidence. There are several factors that decision-makers consider, outlined in **Attachment B**.

Access Examination figures for the last five years

For the last 5 financial years, National Archives received an average of 31,000 access applications each year.

Over 80% of applications received each year are completed, see **Figure 1**. Those that are not completed usually require referral to agencies for advice under Section 35 arrangements, and some records may require referral to multiple agencies. The sensitivity and complexity of the content of records can result in decisions not being made within legislative timeframes. In the graph below, these records make up the categories of *withheld pending agency advice (WPA)* and *incomplete*. There is a greater volume of incomplete records which reflects the resources agencies have available to provide advice, resulting in a bottleneck. This is further complicated if the material is not in National Archives' custody, as there is an additional process to request records from agencies for the purposes of providing access, which takes time.

Figure 1 – Status of access applications



During this period, National Archives globally opened 672,441 records and proactively examined 75,639 records for internal use, for example, to support engagement with audiences through exhibitions and public and education programs. This also includes the annual Cabinet release.

Current focus areas for improvement

National Archives is working to make improvements to bring us in line with our legislated responsibilities, including through the following initiatives:

- Reviewing and applying legal advice relating to the Section 40 application process to ensure criteria is met to assist examiners in meeting deadlines.
- Exploring options to address historical applications with DFAT in tranches, prioritising those records with multiple applicants.
- Progressing a high-speed scanner for digital referrals with DFAT.

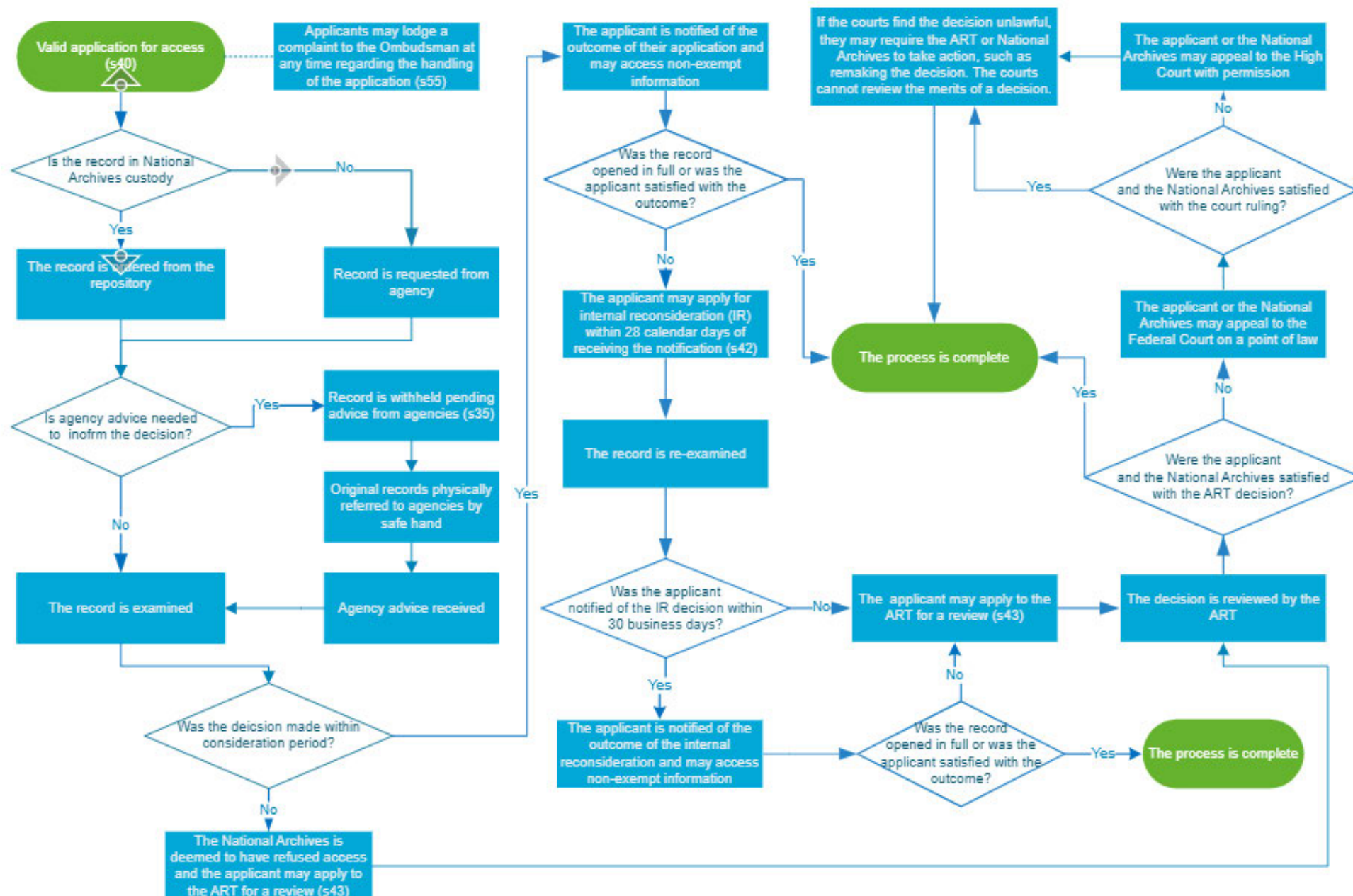
	- Two-way training with agencies, to enable National Archives staff to better understand equities, and agencies to better understand exemption categories. - Liaising with Australian Government Solicitor regularly on options to assist in managing the high volume of outstanding applications. - Offering secondment opportunities to key agencies following a successful secondment with ASD. - Reviewing the Access Examination team structure and needs to ensure sustainability and progress - Development of the access examination framework, which will provide advice on access examination processes for researchers. - Uplift and revision of the Access Examination Manual into a handbook. - Development of introductory e-learning training packages for examiners. - Updated workflow governing the record referral process to agencies. - Working to streamline and improve reporting, data and workflow management. - Ongoing relationship-building with agencies at the ADG and Director levels.					
Background	Under the Archives Act 1983, applicants have a right of access to most Commonwealth government records that are in the open access period, 20 years after the record was created. Anyone can make an application for access under Section 40 of the Archives Act via RecordSearch, or by engaging with the Reference Services team. Records can be requested regardless of whether they are in National Archives' custody or not. When a record is not in National Archives' custody, the record is requested from the controlling agency. Records are examined by the Access Examination team for public release. The team may seek advice from agencies on sensitivities. Many agencies have indicated challenges with managing the load of new Section 40 applications, backlog applications and proactive projects such as the Cabinet release. Prior to 2019, applicants could submit as many applications as they wanted and the consideration period would still be 90 business days. Some applicants submitted thousands of applications, which meant National Archives and agencies were dedicating resources to high volume applicants, and were increasingly unable to service general researchers who required access to records for more immediate research purposes. The application cap was introduced to extend the consideration period on any applications over 25, enabling National Archives more time to consider, refer and make decisions, and facilitated better equity for other researchers. For reference, the paper provided at AC157 regarding the backlog is at Attachment D.					
Timeframe	Not applicable.					
REPORT RATING	Green – No Issues		Orange – Some Issues		Red – Urgent Issues	
Dashboard		☐		☒		☐

Attachments:

Attachment A: Access workflow
Attachment B: Decision-making under the Archives Act
Attachment C: Section 35 Arrangement template
Attachment D: Referring records to agencies
Attachment E: AC157 backlog paper
Attachment F: Access Examination dashboard
Attachment G: Summary of Administrative Review Tribunal matters

Access workflow

Item 7 – Attachment A



ACCESS AND PUBLIC ENGAGEMENT

Access Examination

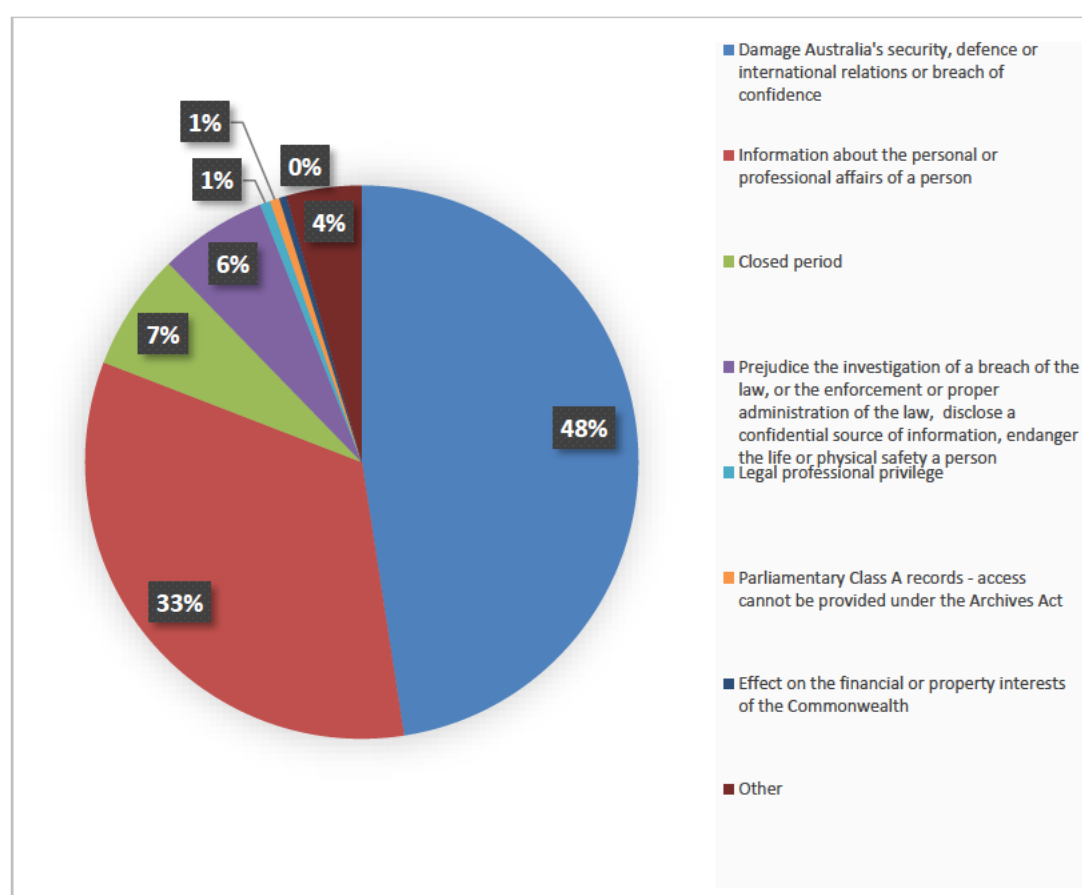
Attachment B – Decision-making under the Archives Act

Exemption categories used to withhold information

Section 33 of the Archives Act contains a number of exemption categories that can be used to withhold information from public release where damage 'would or could reasonably be expected to' occur if the information was released.

Figure 3 illustrates those exemption categories that have been used to exempt material in access decisions made in the last 5 years. Almost half of the exemptions (48%) made relate to information that if released would damage the security, defence or international relations of the Commonwealth. The majority of decisions made on these records would have relied upon agency advice. 33.32% of exemptions relates to information that if disclosed would be an unreasonable disclosure of personal affairs or business and professional affairs.

Figure 3 – Exemption categories claimed for decisions to partially or wholly exempt information



Decision-making considerations

There are several factors that decision-makers consider, including the following:

- Whether release might result in the kind of damage or adverse effect that is described in each of the s 33 exemption categories, for example where the damage stated 'would or could reasonably be expected to' occur. The expression does not require decision-makers determine what damage is likely, but the expectation of damage must not be 'fanciful, imaginary or contrived'¹
- The age of the content. Information generally loses its sensitivity over time. However, the passage of time may not reduce all sensitivities.²
- The mosaic effect, where information may not have any sensitivity when viewed in isolation. However, when aggregated with other information can reveal sensitive information exemption may need to be considered, and
- If the information has been published. Consideration needs to be given where the information was published, whether it is still available, the credibility of the information, whether the information is an opinion or speculation, or the information has been officially disclosed.

Decision makers also need to consider section 35 arrangements in place with agencies, which are arrangements under the Archives Act to determine those records that should be treated as exempt records. A copy of a Section 35 template can be found at **Attachment C**.

¹ *Milliss and National Archives of Australia* [2000], paragraphs 7 – 9 and others.

² McGrath and Director-General, National Archives of Australia [2020] AATA 1790 (9 June 2020) the AAT found that documents that were over 40 years old could still damage international relations if released.



14. Appendix D: Categories for priority Access Examination

The following table lists the categories of requests that may be considered for priority access examination by the National Archives Access Examination section.

Priority	Category	Explanation
1	s 47E(d), s 22(1)	
2		
3		
4		
5		
6		
7		
8		

ACCESS AND PUBLIC ENGAGEMENT

Access Examination

Attachment D – Referring records to agencies

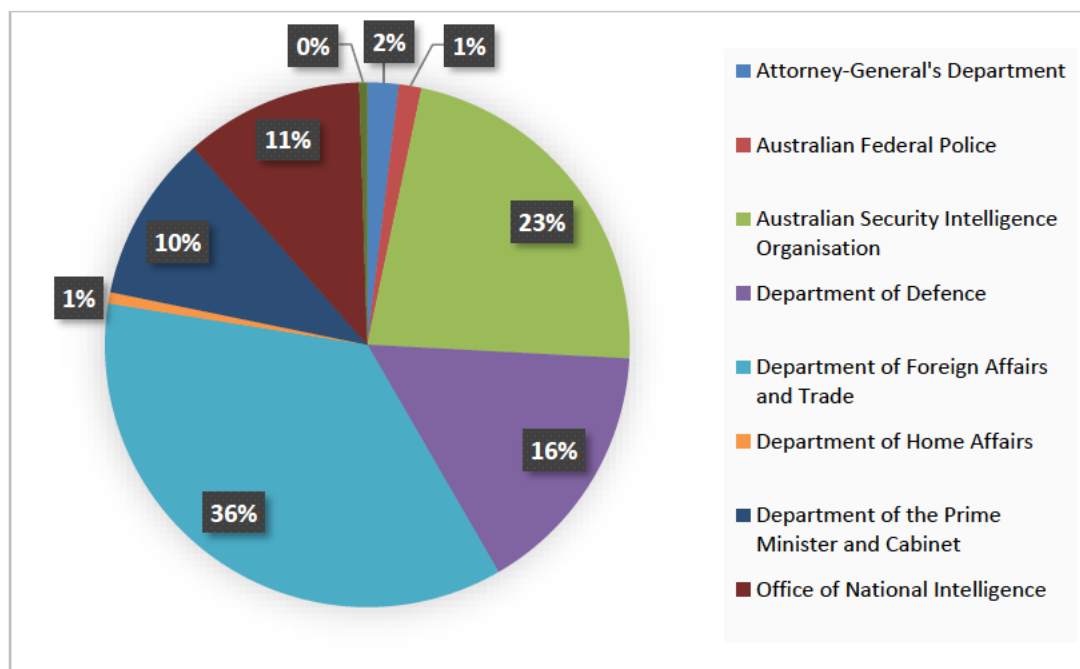
Current agency referrals

At 31 March, the number of records that were referred to agencies was 2,016. **Figure 1** shows which agencies. An additional 5,000+ records have been assessed by National Archive as requiring referral to agencies and are marked as Withheld Pending Advice (WPA). These records are awaiting physical referral, as National Archives has set a cap on the number of physical records that are referred to an agency at any one time for preservation purposes (500). In the last 2 years, decisions were made on 763 records that were referred to agencies for advice. In addition, decisions were made on 544 ASIO records that were transferred to National Archives with advice from ASIO.

National Archives is required to seek agency advice to meet Section 35(1) of the Archives Act, which requires the Director-General, in consultation with the responsible Minister or a person authorised by the responsible Minister, to make arrangements for determining the Commonwealth records in the open access period, that are to be treated by the National Archives as being exempt records.

In addition to the legislative requirements, the content of Commonwealth records covers a broad range of subject matters and sensitivities, which National Archives cannot be fully across. It is necessary to seek advice from subject matter experts within agencies to ensure that any decision the Archives Act has made takes into account all relevant facts. Consideration of this information provides a sound basis for making decisions that also manages the risk of disclosing information that is extremely sensitive and may damage the international relations, defence and security of Australia. This approach also ensures that National Archives can seek specialist advice on very sensitive and highly classified material where there is a strict need to know, and subject matter expertise only resides within agencies. Finally it reduces the legal risk, in ensuring exemptions are defensible in the ART.

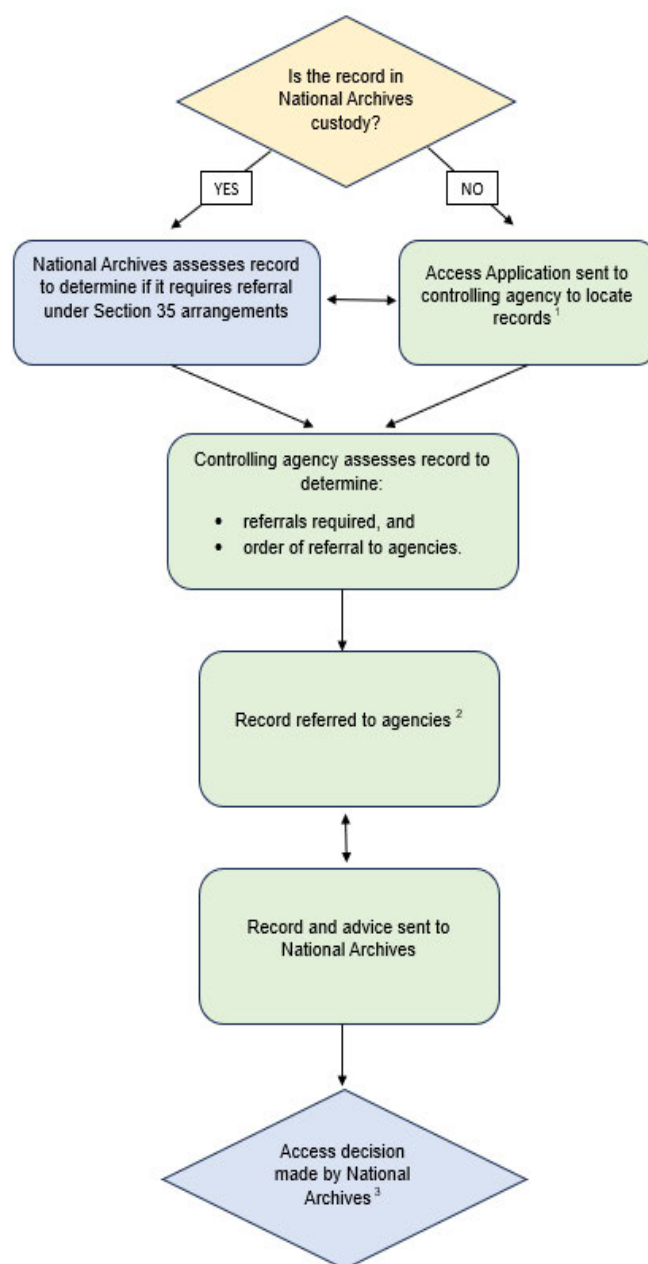
Figure 1 – Referral of records to agencies.



Both National Archives and agencies are exploring options to improve our referral processes including:

- Seeking legal advice from the Australian Government Solicitor to clarify the requirements of an application under the Archives Act.
- Working with agencies to develop an agreed workflow for the referral of records, see **figure 2**.
- Collaborating with agencies to support them to digitise and return records to National Archives so they can be referred to the next agency.
- Undertaking 2-way training with agencies on identifying sensitivities.
- Ongoing engagement with DFAT to transfer those records digitally to the Department of Foreign Affairs and Trade, using a high-speed scanner that DFAT has already procured and installed on our behalf (but not yet activated).

Figure 2 – Workflow for the referral of records under Section 35 of the Archives Act



¹ Records created by PM&C are to be referred to the agency that created most of the content.

² Records may be referred to agencies concurrently. Safe hand delivery of records can be facilitated by National Archives.

³ Before an access decision is made decision makers assess the record to make sure all referrals have been completed and check the currency of advice. Advice that is older than 6 months may be reconfirmed with agencies.



ACCESS AND PUBLIC ENGAGEMENT

Access Examination

Current state and backlog forecast

Current state

There are 29,000 access applications, of which approximately 20,000 are overdue. There are 13,341 backlog applications outstanding, which are included in the 29,000 total. The 13,341 applications in the backlog are highly complex.

Backlog history and progress

Approximately 32,000 applications have been included in the backlog since its establishment. As of January 2025, a total of 18,000 backlog applications have been actioned, leaving 13,341 applications yet to be actioned and remaining in the backlog. This equates to 9,820 records that are not yet examined.

As evidenced in Figure 1, when the backlog was first established in June 2021, there were 20,331 applications. During the initial phase, between June 2021 and October 2021, the largest reduction in records occurred as administrative duplication was addressed, staff applications were cancelled, and unclassified, less complex records were examined more quickly. Once these records were actioned, the more complex records remained.

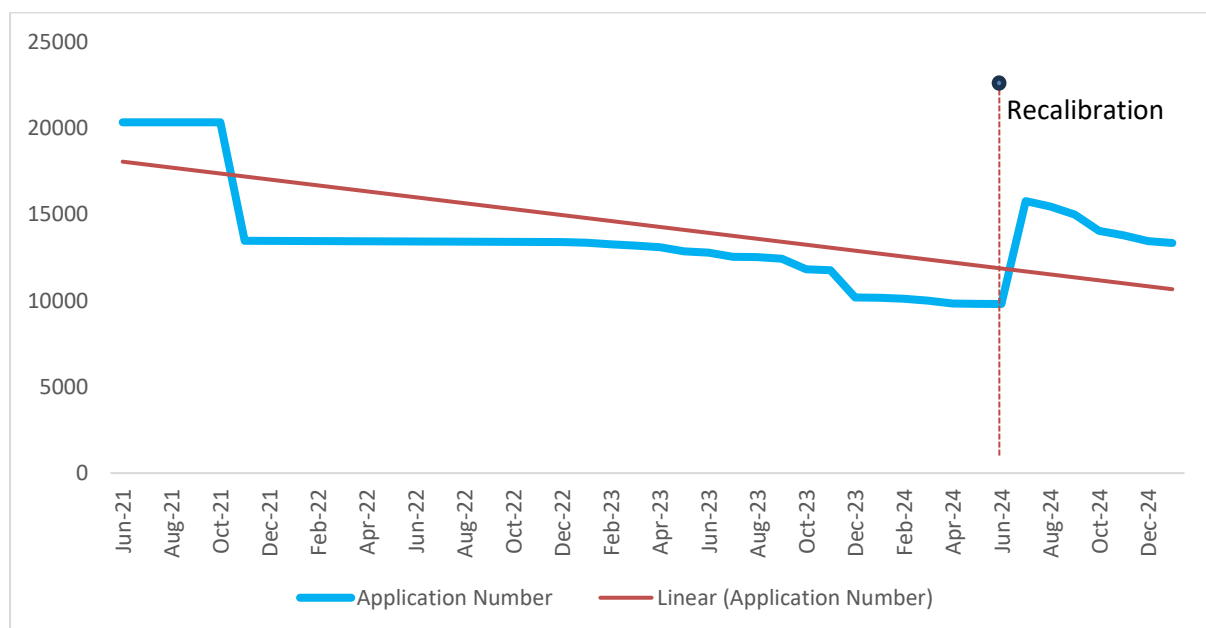


Figure 1. Backlog progress 2021 to end 2024

Prior to 2019, there was no limit to how many records people could request under section 40, resulting in a growing backlog. Presently, 70% of the backlog applications were made pre-2019, and the remaining 30% were made between July 2021 and December 2023. The

backlog comprises the most complex records to examine and require multiple-agency referral.

Backlog recalibration

By June 2024, National Archives had addressed 7,698 backlog applications, leaving 12,653 outstanding. In July 2024, following the recalibration of the DPPF measures, the backlog was extended to include applications received between 2009 and December 2023. An additional 11,357 were included in the measure bringing the backlog count to 24,010.

Working with agencies

Seeking advice from agencies on sensitivities before making a decision on access, forms part of an agency's section 35 arrangement. Approximately 85% of the backlog applications require advice from the Department of Foreign Affairs and Trade (DFAT) as per their section 35 arrangement. A substantial portion of these (7,000 records) belong to one high-volume applicant, which have been placed on hold to enable DFAT to action other outstanding requests.

Backlog forecast at 30 June 2025

The access examination team completes on average 463 backlog applications per month, in addition to new access applications.

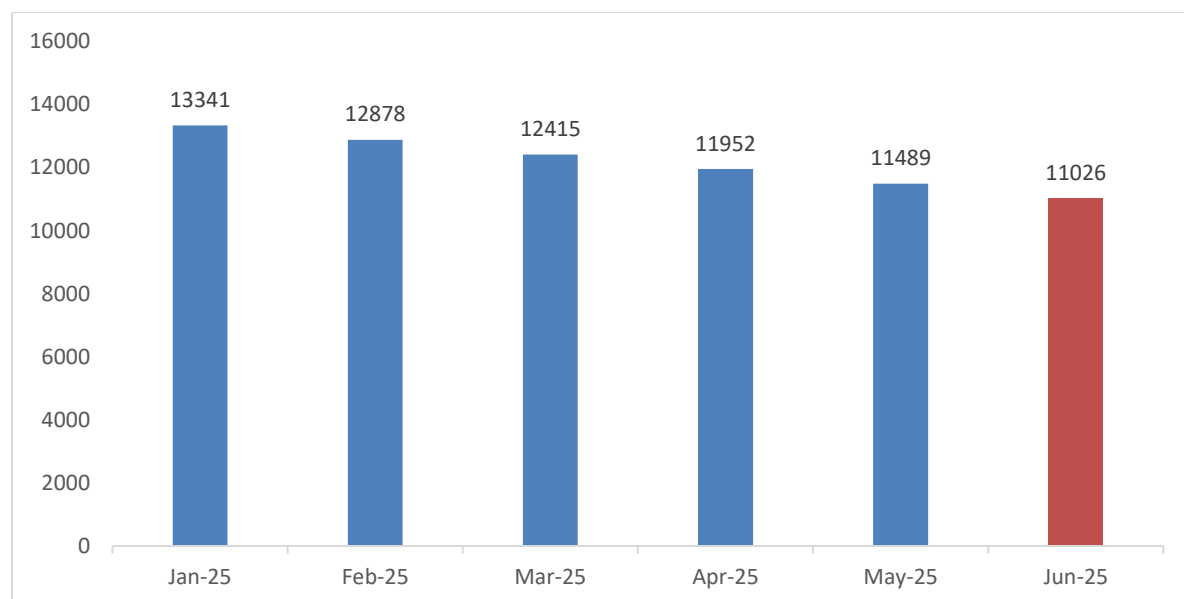


Figure 2. Forecasted backlog at 30 June 2025

Based on this average and assuming staffing remains stable, a further 2,300 applications will be finalised by 30 June, leaving 11,026 applications not actioned. In consideration of past work achieved for the duration of this project since 2022, the backlog could be actioned within another 3 years with a team of 5 full-time staff focused solely on the backlog.

Capacity and capability are the biggest barriers to access

Both National Archives and agencies are facing capacity and capability challenges. National Archives examined 76.57% of applications received in Q1 2024-25 and 88.97% Q2. Despite these completion rates being close to or above the 80% target, incomplete applications quickly accumulate, demonstrated in Figure 3.

Filling access examination roles also presents significant challenges due to the skills needed and security clearance requirements. NV2 and TSPV clearances are taking in excess of 1 year. This is particularly challenging with temporary funding measures when there is a need to onboard staff quickly, paired with the challenge of keeping non-ongoing staff for the full funding period.

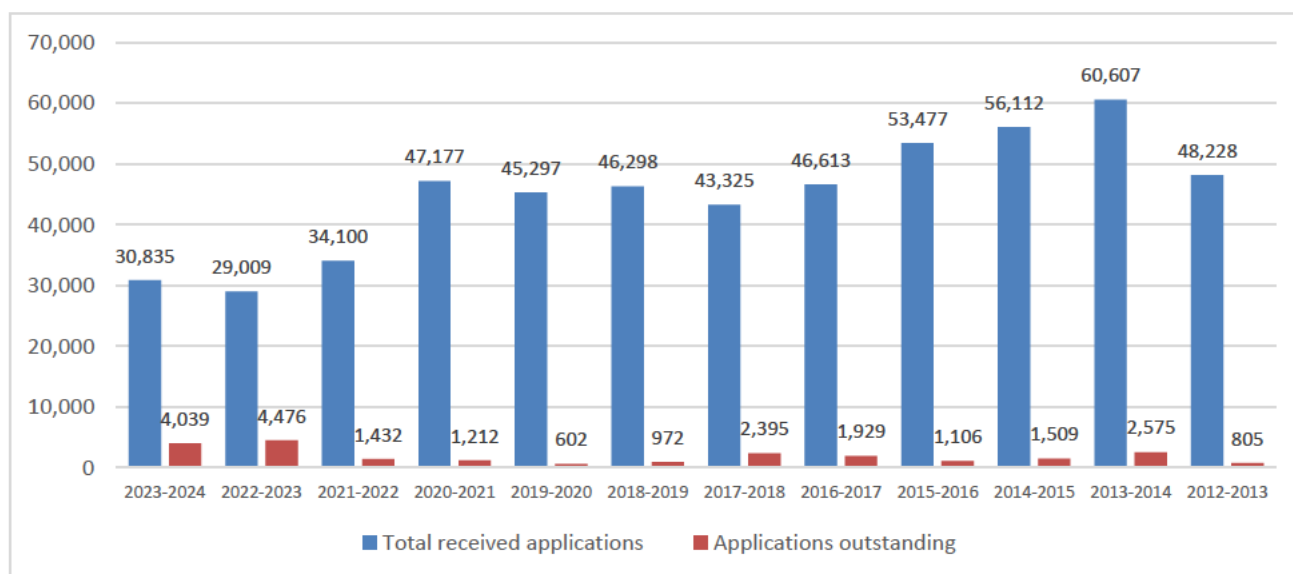


Figure 3: Status of access applications from last 11 years

Finally, the increasing complexity of records being requested is resulting in longer delays and more multi-agency referrals. Data tells us that when a record requires referral to agencies, our ability to meet the 90-day consideration period diminishes. Despite the number of requests each quarter reducing over the last 2 years, the time required to examine the material is substantially increasing.

Options for discussion

Option	Risk/issues	Benefit
S 47C(1)		

S 47C(1)

Access Examination Dashboard

Application data (Q1, Q2 and Q3 2024/25)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	9,488	7,818	17,306
Applications completed by examination	7,481	6,506	13,987
Records examined within consideration period	6,190	5,591	11,781
Records examined over consideration period	1,236	773	2,009
Records examined for internal business	7,324	18,724	26,048
Records examined for proactive release	76,455	151,156	227,611
Pending access applications received from public	26,465	3,818	30,283
Pending access applications from public over consideration period	18,518	1,534	20,052

DPPF Measure 3.2 Applications	National Office
Number of access applications pending	12,801
Applications completed by examination	5,972
Applications with a status of status of 'withheld pending agency advice'	5,237

* Note: In the Measure 3.2 backlog, an application may include more than one record; a record may be requested in a number of applications

Records on loan to agencies as at 30 March 2025 (BaU and DPPF)

On referral to Agency	Number of records
Attorney-General's Department	39
Australian Federal Police	28
Australian Security Intelligence Organisation	454
Department of Defence	319
Department of Foreign Affairs and Trade	723
Department of Home Affairs	14
Department of the Prime Minister and Cabinet	207
Office of National Intelligence	222
Other	10
TOTAL	2,016

DPPF Measure 3.2 - Backlog examination progress (2024/25)

Cumulative Totals				
	Q1	Q2	Q3	Q4
Target	6003	6003	6002	6,002
Examined	5105	5408	5972	
Pending	14848	13676	12801	
WPA	4057	4926	5237	

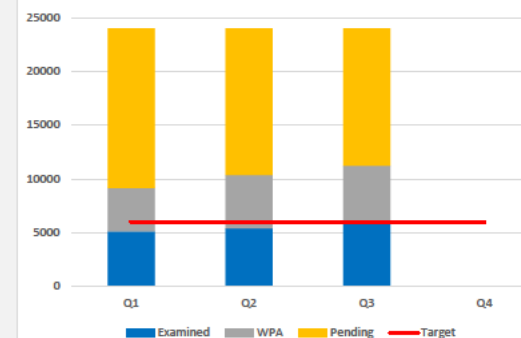
Comments:

1) Attrition and recruitment of staff are impacting the work of the examination team, as well as delays in staff obtaining security clearances.

2) In Q1 some access examination resources for 3.2 were diverted to assist with the examination of records for AAT cases and the annual Cabinet release.

3) Some of the WPA records were identified in earlier years as part of Measure 3.2. Following the recalibration of DPPF all applications having either a National Archives decision recorded or are in a status of 'withheld pending agency advice' (WPA).

DPPF Measure 3.2 - Backlog examination progress (cumulative totals)





Minister's Brief

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Priorities

National Archives of Australia Advisory Council

National Archives of Australia Advisory Council (Advisory Council) is established under subsection 10(1) of the *Archives Act 1983* (Archives Act). The main purpose of the Advisory Council is to provide advice to the Minister responsible for National Archives and the Director-General on matters that relate to National Archives.

Under section 11 of the Archives Act, the Advisory Council is an advisory body with the following functions:

1. The Advisory Council shall furnish advice to the Minister and the Director-General with respect to matters to which the functions of the Archives relate.
2. The Minister or the Director-General may refer any matter of the kind referred to in subsection (1) (above) to the Council for advice and the Council may, if it thinks fit, consider and advise the Minister or the Director-General on a matter of that kind of its own motion.

National Archives of Australia Advisory Council Membership

The Archives Act provides for an Advisory Council consisting of:

- one senator chosen by the Senate (Senator Dean Smith)
- one member of the House of Representatives chosen by the House (Mr David Smith MP)
- 11 other members appointed by the Minister.

Members serve for terms not exceeding three years and may serve additional terms.

Members of Advisory Council has recently been refreshed, and the Acting Chair hopes to meet with the Minister for guidance on frequency of engagement.

Current Advisory Council members are:

Ms Amanda Heyworth (Acting Chair)

Professor Frank Bongiorno AM

Mr Troy Bramston

Ms Rachel Connors

Ms Sue Hampel OAM

Mr Joseph Roach

Senator Dean Smith

Mr David Smith MP

Dr Wendy Southern

Dr Kirsten Thorpe

Ms Nicola Laurent

Modernisation

Strategy 2025-2030: Evolving National Archives

On 18 December 2024, National Archives released its updated organisational strategy, *Strategy 2025-2030: Evolving National Archives (Evolving National Archives)* which aims to realise a vision for a National Archives that is open, valued and trusted. Since the release of National Archives last strategy five years ago, several internal and external reviews indicated National Archives needed to reset its strategy objectives, particularly in the medium term. It was also identified that the agency needed more focussed strategies in operational areas, specifically information management, collection and access.

Evolving National Archives is a roadmap for modernisation for the agency. It outlines the collective direction and pace of change for National Archives. It balances ambition with real-world demands and constraints, focusing on working effectively and building capability while offering flexibility to respond to changes in our resourcing and operating context.

The National Archives is reprioritising its work to create space for more focused effort on high impact strategy initiatives across four themes of improvement and transformation:

- **Evolve:** Working better together – focuses on improving our capabilities as an organisation and enhancing value and stakeholder outcomes and keeping pace with the rapidly changing environment.
- **Enable:** Strategic leadership in agency information management – seeks to uplift engagement with other Australian Government agencies to improve information management maturity across the public sector and position the Archives as the recognised authority for Government Information.
- **Secure:** Managing an evolving collection – focuses on safeguarding and optimising our evolving collection to better serve our stakeholders in an increasingly digital age through uplifting knowledge and collaborative practices of information management.
- **Connect:** Fostering access and engagement – aims to improve our access practices through insight and understanding to deliver appropriate and meaningful access and engagement experiences for audiences.

National Archives focus for the next 12 to 18 months will be to deliver priority strategy initiatives that uplift our internal capability, systems, processes and tools to ensure future growth and transformation.

Evolving National Archives plays a critical role in how National Archives will continue to embed the Australian Government's National Cultural Policy, *Revive: A place for every story, a story for every place* (Revive), into the work of the agency.

Advancing the pillars of Revive was a key consideration in developing the strategy. As a result, *Evolving National Archives* focuses on centring First Nations perspectives, improving public access to our collection, and strengthening cultural infrastructure by safeguarding the collection and preserving at-risk records.

Amendments to the Archives Act

Modernising the *Archives Act 1983* (Archives Act) is an action in the Australian Government's National Cultural Policy, Revive. National Archives is progressing the amendments to the Archives Act with Office for the Arts (OFTA). s 22(1), s 34(2)

s 22(1), s 34(2)

s 22(1), s 34(2)

s 22(1), s 34(2)

The Archives Act was drafted over 40 years ago and does not take account of the digital operating environment that exists in today's Government.

In 2018, National Archives and the Advisory Council prepared a legislation reform position paper that focused on three key changes areas; legislation for the digital age, clarifying functions and powers, and refreshing exemptions.

Implementing s 22(1), s 34(2) will ensure National Archives is fit for purpose, and able to serve as an agency responsible for managing Government records in the modern age.

Programs supporting modernisation work

- *Tune Review* – The Australian Government agreed in principles to the 20 recommendations in the Tune Review. National Archives is implementing the recommendations within existing resources, and funding provided for the Defend the Past, Protect the Future program.
- *Defend the Past, Protect the Future* (DPPF) – National Archives has been implementing DPPF since receiving funding in 2021. The funds have enabled the digital preservation of critical at-risk collection material, accelerated digitisation, preservation, and online access to national archives, and enhanced engagement with Australian Government agencies on information management and record declassification. The program is due to cease in June 2025.

Key achievements of the program up to 31 March 2025 include the digitisation of 1,347,433 items and the consolidation of 16,812 shelving metres. National Archives has initiated a closure plan to ensure the smooth closure of the DPPF program and transition to business-as-usual past 1 July 2025.

- *Digital First* - the objectives of the Digital First program focus on access, content and infrastructure. The program will fund upgrades to National Archives' access and engagement technology platforms, and improvements to data storage. This will include replacing legacy systems not aligned with contemporary technology standards, and work to modernise data storage solutions. In addition to these technical uplift priority projects, remaining program funds will be used to support digitisation of at-risk and high priority records and improving public-facing digital tools in state and territory offices.

Next steps for Digital First include:

- An enterprise architecture framework that will help the agency map, categorise and manage its IT systems to support its strategic goals and future needs.
- Unified Data View and Data Storage projects.
- A Digital Experience project, commenced in quarter 3 of the 2024/25 financial year, with early discovery work underway to establish a baseline scope.
- A transition from uplifting the process of digitisation of at risk physical records, to uplifting the digital archiving process of born digital records at risk, and high priority records.

Expanding National Archives' work relating to First Nations peoples

National Archives is committed to and continuing to broaden, strengthen and maintain connections to First Nations people with 2-way engagement. Our focus is on developing meaningful relationships, collaborating with groups and organisations and facilitating access to the national archival collection, services and resources in culturally appropriate and respectful ways.

We continue to implement our *Our Way: Aboriginal and Torres Strait Islander Protocols*, respond to the International Council of Archives' Tandanya-Adelaide Declaration and focus on our new Strategy of Centring Aboriginal and Torres Strait Islander perspectives across National Archives.

We are ensuring engagement is culturally appropriate, and supports and guides colleagues, work and initiatives delivered internally and externally.

National Archives' plan to engage First Nations peoples and communities includes:

- Providing culturally safe spaces for individuals or groups to visit and view sensitive or culturally secret and sacred records.
- Protecting the cultural safety of our First Nations staff and supporting the community through the Diversity and Inclusion Employee Network and First Nations Employee Network.
- Maintaining relationships with individuals and community groups such as Link- Up, land councils and native title organisations, universities, advisory and state and territory family history departmental staff, for ongoing interaction with services and future collaboration.
- Continuing leadership and involvement with the Healing Foundation Historical Records Taskforce on Indigenous matters with records forums to assist stolen generations peoples to access records and connect with non-government organisations that hold related record collections.

Financial Position

As at 30 April, National Archives recorded an operating deficit of \$7.657M representing a YTD actual spend of \$82.380M against a budgeted YTD of \$86.436M.

The forecast end of year cash position is \$8.9M deficit.

The effects of the Mid-Year Budget Review (MYR) and other saving initiatives can be seen with the year-end forecast/cash position seeing some improvement with the ongoing savings in employee expenses and additional supplier savings identified.

National Archives will be entering 2025-26 (another year with a forecast deficit) with a less-than-optimal cash balance.

Work is currently underway to review all current and outer year budgets. This includes a deep dive to paint a picture of the 2025-26 and future years budget numbers and the original intention of expenses and appropriations, alignment of the bottom up and top-down budget allocation for 2025-26, and a review of capitalisation processes during archival asset creation.

Planning is also well underway for the 2024-25 financial statements audit. The Financial Statement Audit will again be undertaken by RSM on behalf of the ANAO with substantially the same team involved in conducting the audit as last year. RSM is currently conducting the interim audit.

The DPPF program is due to cease in July 2025, and as such National Archives is also working to determine how that important work will continue within business as usual budgets.

Key Current Issues

Access Backlog

National Archives is currently working through a backlog of applications for access.

There are 29,000 access applications, of which approximately 20,000 are overdue. There are 13,341 backlog applications outstanding, which are included in the 29,000 total. The 13,341 applications in the backlog are highly complex.

Backlog history and progress

Approximately 32,000 applications have been included in the backlog since its establishment. As of January 2025, a total of 18,000 backlog applications have been actioned, leaving 13,341 applications yet to be actioned and remaining in the backlog. This equates to 9,820 records that are not yet examined.

Backlog recalibration

By June 2024, National Archives had addressed 7,698 backlog applications, leaving 12,653 outstanding. In July 2024, following the recalibration of the DPPF measures, the backlog was extended to include applications received between 2009 and December 2023. An additional 11,357 were included in the measure bringing the backlog count to 24,010.

Working with agencies

Seeking advice from agencies on sensitivities before making a decision on access, forms part of an agency's section 35 arrangement. Approximately 85% of the backlog applications require advice from the Department of Foreign Affairs and Trade (DFAT) as per their section 35 arrangement. A substantial portion of these (7,000 records) belong to one high-volume applicant, which have been placed on hold to enable DFAT to action other outstanding requests.

Backlog forecast at 30 June 2025

The access examination team completes on average 463 backlog applications per month, in addition to new access applications.

Based on this average and assuming staffing remains stable, a further 2,300 applications will be finalised by 30 June, leaving 11,026 applications not actioned.

Workforce

National Archives is a small agency with a national footprint employing around 440 people. National Archives' workforce is highly engaged and draws on unique subject matter knowledge, skills and experience to ensure the ongoing preservation and access of both physical and digital records.

The use of a mixed workforce provides National Archives with flexibility to meet our objectives. As of March 2025, the National Archives' workforce consisted of 437 employees.

National Archives' workforce is:

- Located in every capital city, although largely Canberra-based,
- 36 percent mature age employees (i.e. over 50), with 5 per cent of employees under the age of 25,
- 8 percent employees with a disability,
- 2 percent Indigenous,
- 59 percent female, and 1 percent non-binary,
- 19 percent Culturally and Linguistically diverse.

The National Archives Workforce Plan 2022–2027 identifies key challenges and opportunities relating to both the organisation’s demand for skills in the future and the anticipated workforce supply of skills.

ANAO performance audit

On 28 June 2023, the Australian National Audit Office (ANAO) tabled Auditor-General Report 44 of 2022-23 – *Management of Information Assets*. National Archives accepted the 3 recommendations made by ANAO for the agency.

The 3 recommendations focus on improving National Archives’ targeted engagement with other agencies, publishing results of the annual Check-Up survey, and improving monitoring, reporting and assurance regarding agency implementation of the Building Trust in the Public Record Policy. National Archives has made some progress towards implementing the recommendations and is focusing on practical measures that can be delivered in a timely manner and within current funding and resource allocation.

Another ANAO performance audit is expected, relating to our implementation of the Building Trust in the Public Record policy, as it is a flagship policy for National Archives.

High risk areas of information management

The dynamic and evolving nature of the information management environment contains both benefits and risks. National Archives’ work mitigates these risks through its policy, standards and advice as well as its support and advocacy for improved Australian Government information management.

Common challenges for effective information management include:

- Adequate resourcing, including financial and suitably skilled staff.
- Lack of recognition from staff of the importance of effective information management and subsequent resistance to implementing best practice.

National Archives proactively engages with key agencies, e.g. OAIC, DTA, ONDC and Department of Finance, to ensure information management as the enabler of government accountability and integrity is high on the whole-of-government agenda as well as within individual agencies.

Functions of National Archives

Management of Australian Government Records

National Archives supports responsive service delivery by the Australian Government to the community and demonstrates the integrity of Australian Government operations through well managed records. This is achieved through the programs such as the Building Trust in the Public Record Policy, and Check-up Survey.

Building Trust in the Public Record policy

The *Building Trust in the Public Record* policy was released in January 2021 and is designed to help agencies improve their management of data, information and records (information assets). National Archives supports agencies to implement the policy by releasing products, advice, templates and standards on our website. Agencies at risk of not meeting the requirements of the policy are identified using the results of the Check-up survey and follow up actions identified.

Improving Australian Government information management maturity

National Archives runs an annual whole-of-government Check-up survey to assess Australian Government information management maturity. The results of the survey are used to identify challenges agencies are facing to inform the development of practical information management advice. The results are also used to plan future service delivery including transfer, storage and preservation of the Australian Government's national archives. The results are reported annually to the National Archives' responsible minister and periodically to the Prime Minister.

Access to records

The Archives Act provides a general right of access to Commonwealth records once they enter the open access period, which for most records is 20 years, unless they contain exemptions. This responsibility differentiates National Archives from other cultural institutions.

Records are made accessible one of 2 ways once they reach the open access period: on request, or through proactive release initiatives. Requests for open access records are examined for any sensitivities to determine whether any information needs to be withheld from public release. In total, 97 per cent of Commonwealth records are wholly released for public access, while 4 per cent are released with some exempt information redacted. Less than one per cent of records are wholly withheld because they consist entirely of exempt information. Any information identified as being of enduring sensitivity is withheld from public access.

Records with Australian Government agencies responsible for national security, defence and international relations are subject to the exemption of any material of continuing sensitivity as prescribed by section 33 of the Archives Act. Despite concerted efforts, there remains a backlog of applications for access to be finalised. DPPF funding of \$6.5m over 4 years has enabled National Archives to action over 13,000 applications, with an additional 5,500 identified that require referral to agencies for advice. Over 13,500 applications, submitted before 1 January 2024 remain in the backlog.

Digitisation of at-risk records

Over 10.3 per cent of the records in the collection have been digitised. Our digitisation efforts are strategically focused on preserving at-risk records, including photographic, film and magnetic media, of which 17.5% have been digitised. National Archives has achieved significant progress with the support of \$25.1 million in additional funding from the DPPF program. Over the past 3.5 years, this funding has enabled the digitisation of over 1 million records. We are also prioritising the expansion

of our Digitisation on Demand service, ensuring that users have greater access to the collection, while safeguarding our most vulnerable records for future generations.

World War II records

Since 1 July 2019, 858,368 Army and Air Force service records have been digitised using additional funds provided through the DPPF program and other programs and made publicly available through RecordSearch. Around 0.4 per cent of the records digitised are not available on RecordSearch as they contain closed period material or have yet to be examined. These records will be made available as requested by the public at no cost.

Consolidating the collection

National Archives property expenses are approximately \$30.4m per annum and represents over 40 per cent of the annual core appropriation. To reduce property operating costs and to ensure the collection is stored in appropriate facilities with enhanced preservation protection, the National Archives is consolidating storage to Canberra, Sydney and Perth storage facilities, as existing leases expire.

The South Australian and Tasmanian collections have been moved to Canberra. Relocation of the Northern Territory collection is continuing with the move to our new premises in 24 Mitchell St Darwin and Canberra. Further consolidation in our Melbourne office will continue in the 2024/25 financial year. The National Archives will continue to maintain a public access office in every state and territory.

Digital and Cyber Capability

Digital technologies enable agencies to optimise business performance through improved data intelligence and service delivery. However, there are challenges for information managers to ensure that rapid uptake of new technologies does not compromise the creation and management of Australian Government records, with associated risks to government accountability and citizen rights and entitlements. Examples include: the uptake of Microsoft 365 across government with information managers struggling to ensure information governance is included in implementation planning and rollout. National Archives is working with Microsoft, cross-jurisdictionally and with Australian Government agencies to understand the gaps in the products that may lead to non-compliance and how these gaps can be closed

Cyber Capability

National Archives aligns with Australian Cyber Security Centre guidance. National Archives continues to maintain and strengthen its cyber security controls to ensure a strong security posture, with the goal of achieving Level 2 maturity across all Essential Eight controls (as required by the Protective Security Policy Framework) by June 2026. National Archives has not experienced any cyber security event of significance over the past 12 months.

Artificial Intelligence (AI)

National Archives' own use of artificial intelligence tools is in compliance with the whole-of-government policies, advice, guidance and standards, in particular those that apply to the information and data capabilities of emerging technologies including AI.

The increased use of AI by government agencies for business, research and decision making presents challenges in determining which elements of the process need to be kept to demonstrate Government accountability. National Archives provides advice to government collectively ([Information management for records created using Artificial Intelligence \(AI\) technologies](#)) and to individual agencies depending on their use cases. Our knowledge in this area changes as technology changes and advice will be adapted accordingly.

National Archives' use of AI is governed by an internal *Policy for the Use of AI on the National Archives Network*, aligned with relevant whole-of-government advice and directives, and an ethical framework. Our use of AI is limited to initial experimentation, and basic use of ChatGPT and public Microsoft Copilot (via the Edge browser) for drafting internal advice from publicly available resources.

A trial project using ChatGPT commenced on 4 November 2024. No current AI use allows or requires our information to be uploaded to any AI platform. No current AI use impacts our external-facing advice, products, or services. No funding has been set aside for AI use or testing.

National Archives meets the requirements of the DTA's AI Policy including publication of our AI transparency Statement on our website - Artificial Intelligence (AI) transparency statement | naa.gov.au.

Agency Governance and Structure

Organisation Structure

The Director-General, Deputy Director-General and four Assistant Directors-General form the Executive:

- Director-General, Simon Froude
- Deputy Director-General, Gill Savage
- Assistant-Director-General, Access and Public Engagement Branch, Danniella McGowen (Acting)
- Assistant Director-General, Collection Management Branch, Josephine Secis
- Assistant Director-General, Data and Digital Branch, Leigh Berrell
- Assistant Director-General, Transformation Office, Brooke Anderson.

Corporate Governance

The Director-General is responsible for both delivering the functions set out in the Archives Act and ensuring National Archives operates within and meets the requirements of the Public Governance, Performance and Accountability Act 2013 (PGPA Act) and as an Executive Agency under the Public Service Act 1999 (PS Act). Our corporate governance framework guides good public sector governance by setting the standard for accountability and sound business practices across all areas of National Archives. It outlines the principles, elements and mechanisms we use for effective governance.

A strong governance system supports us to achieve our overall organisational objectives. Our governance framework is based on principles of public sector governance and guides our behaviours. Principles include:

- minimum effective regulation
- engaging effectively with risk
- clear, open and effective management
- planned business capability valuing people
- partnering with our stakeholders.



NATIONAL ARCHIVES OF AUSTRALIA

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AC160
2025-26

ADVISORY COUNCIL

Access Examination Dashboard

ITEM 10.2

Presenter/Director	Danniella McGowen Assistant Director-General Access and Public Engagement	Approved by:	Simon Froude Director-General
Recommendation	That the Advisory Council: 1. Note the Access Examination dashboard (Attachment A).		
Key Points	- In the first quarter of 2025-26, National Archives: - received 6,135 applications - examined 3,624 applications, some of which were due in previous quarters - examined 2,590 records for internal business, e.g. for exhibitions and programs - proactively released 65,985 records. - There are 33,124 pending access applications from the public and 66% (21,779) of these applications are over consideration period. - National Archives has recently engaged positively with a high-volume applicant which has resulted in the cancellation of approximately 8,200 applications (not yet reflected in the current data). - This will see a reduction in the pending applications from over 33,000 to around 25,000. 7,143 of the applications being cancelled were over the consideration period and presented a legal risk.		
Detail	- To ensure the ongoing preservation of the national archival collection, we limit the number of records that are physically with agencies to ensure that records are not stored in non-archival environmental conditions for lengthy periods of time. 2,018 records are currently on referral to agencies for advice (621 with DFAT, 488 with ASIO, 377 with Defence, 221 with ONI, 207 PM&C). - A further 5,120 records have been assessed and require referral to agencies. - Recent analysis of applications identified an increasing interest in DFAT records. For the period 1 Jan 2025 to 20 Oct 2025, of the records that required agency referral: 65% (966) were for records controlled by DFAT 35% (520) were for records controlled by all other agencies. - DFAT's capacity to assess records is about 600 per year, which includes records selected for the embargoed Cabinet release. - Decisions have been made on 2% of applications that relate to DFAT and 38% of applications for all other agencies.		
Background	Under the <i>Archives Act 1983</i>, applicants have a right of access to most Commonwealth government records that are in the open access period, 20 years after the record was created. Records can be requested regardless of whether they are in National Archives' custody or not. When a record is not in National Archives' custody, the record is requested from the controlling agency. Records are examined by the Access Examination team for public release. The team may seek advice from agencies on sensitivities. National Archives is required to seek agency advice to meet Section 35(1) of the Archives Act, which requires the Director-General, in consultation with the responsible Minister or a person authorised by the responsible Minister, to make arrangements for determining the Commonwealth records in the open access period, that are to be treated by the National Archives as being exempt records. In addition to the legislative requirements, the content of Commonwealth records covers a broad range of subject matters and sensitivities, which National Archives cannot be		

	fully across. It is necessary to seek advice from subject matter experts within agencies to ensure that any decision the Archives Act has made considers all relevant facts. This provides a sound basis for making decisions by: - reducing the risk of disclosing information that is extremely sensitive and may damage the international relations, defence and security of Australia. - ensuring the ensures the National Archives seeks specialist advice on very sensitive and highly classified material where there is a strict need to know, and subject matter expertise only resides within agencies - reducing the legal risk by ensuring that exemptions are defensible when reviewed by the ART.					
Timeframe	None.					
REPORT RATING	Green – On track		Orange – On watch		Red – Off track	
Dashboard		☐		☒		☐

Attachments:

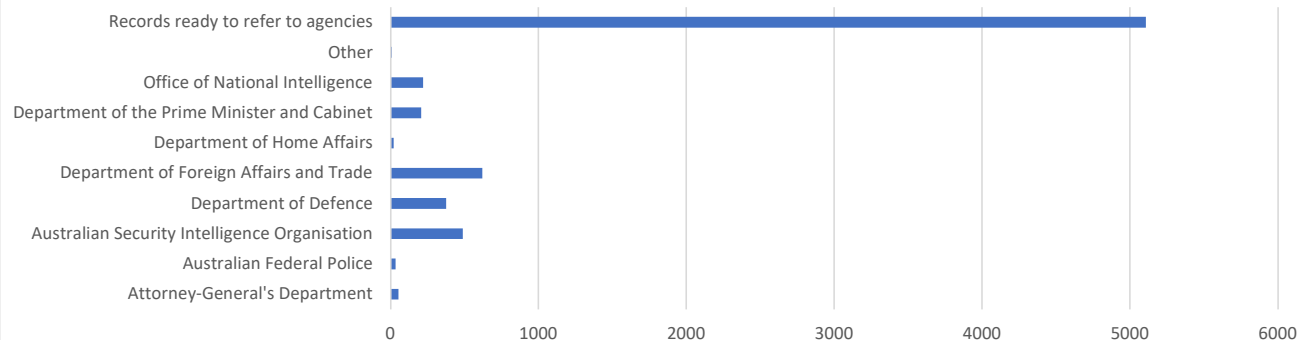
Attachment A: Access Examination Dashboard

Access Examination Dashboard

Application data (Q1 2025/26)

Applications/ Records	National Office	STOs	Total for Q1
Number of access applications received from public	3,144	2,991	6,135
Number of records examined	1,348	2,276	3,624
Records examined within consideration period	522	2,048	2,570
Records examined over consideration period	826	228	1,054
Records examined for internal business	44	2,546	2,590
Records examined for proactive release	21,024	44,961	65,985
Pending access applications received from public	29,297	3,827	33,124
Pending access applications from public over consideration period	20,063	1,716	21,779

Records on referral to agencies - 30 October 2025



Appeals on decisions (National Office) at 30 October 2025

Internal reconsiderations	
Number current at end of month	6
Administrative Review Tribunal	
Number current at end of month	70
Number of applicants at end of month	7



NATIONAL ARCHIVES OF AUSTRALIA

NATIONAL ARCHIVES OF AUSTRALIA ADVISORY COUNCIL

Our reference: R21232026

8 January 2026

The Hon Tony Burke MP
 Minister for the Arts
 PO Box 6022
 Parliament House
 CANBERRA ACT 2600
 By email: [s 47E\(d\), s 22\(1\)](#)

Request for meeting to discuss National Archives of Australia Advisory Council Priorities

Dear Minister

I am writing to request a meeting to discuss the priorities identified by the National Archives of Australia Advisory Council in its work for you and the National Archives of Australia (National Archives). Council believes that National Archives plays a central role in strengthening democracy and social cohesion by facilitating access to evidence of government decision-making, countering misinformation, and building trust in public institutions.

Throughout the year, Council has provided strategic advice, undertaken site visits, and engaged with stakeholders to advance the organisation's objectives. Looking ahead, Council has identified 4 priority areas that will guide its advice:

1. **Reforming the legislative framework** – Modernising the *Archives Act 1983* to reflect the realities of the digital age and strengthen its effectiveness, consistent with the Australian Government's National Cultural Policy *Revive: a place for every story, a story for every place*.
2. **Modernising National Archives** – Delivering on the *Strategy 2025–2030: Evolving National Archives* roadmap to reshape capabilities for preserving and providing access to records in an increasingly digital environment.
3. **Maturing government information management** – Supporting agencies to adopt comprehensive, cradle-to-grave approaches to information governance as technologies and security challenges evolve.
4. **Improving public access to the collection** – Addressing backlogs and enhancing transparency through initiatives such as the Annual Cabinet Release.

These priorities are critical to ensuring that National Archives can fulfil its mandate and meet the expectations of government and the public. A discussion with you will help confirm alignment and identify opportunities to progress these initiatives.



I would appreciate the opportunity to meet at a time that suits your schedule. I can be contacted at s 47F(1). Alternatively, your office can contact Phoebe Morrison, A/g Assistant Director-General Office of the Director-General at s 47F(1) or phoebe.morrison@naa.gov.au.

Thank you for considering this request. Council looks forward to working with you to strengthen the outcomes National Archives delivers for government and the public.

Yours faithfully

s 47F(1)

Amanda Heyworth
National Archives of Australia Advisory Council Chair



NATIONAL ARCHIVES OF AUSTRALIA

OFFICIAL

AC161
2025-26

ADVISORY COUNCIL

Access Examination Dashboard

ITEM 11.2

Presenter/Director	Simon Froude Director-General	Approved by:	Danni McGowen Assistant Director-General Access and Public Engagement
Recommendation	That the Advisory Council: 1. Note the Access Examination dashboard.		
Key Points	- In quarter one and 2 of 2025-26, National Archives: - received 11,024 applications - examined 7,278 records - examined 4,939 records for internal business, e.g. for exhibitions and programs - proactively released 94,533 records. - There are 25,250 pending access applications from the public and 53.5% (13,529) of these applications are over consideration period.		
Detail	- To ensure the ongoing preservation of the national archival collection, we limit the number of records that are physically with agencies to ensure that records are not stored in non-archival environmental conditions for lengthy periods of time. 2,092 records are currently on referral to agencies for advice (652 with DFAT, 500 with ASIO, 399 with Defence, 209 with ONI, 209 PM&C). - A further 4,550 records have been assessed and require referral to agencies.		
Background	Under the <i>Archives Act 1983</i>, applicants have a right of access to most Commonwealth government records that are in the open access period, 20 years after the record was created. Records can be requested regardless of whether they are in National Archives' custody or not. When a record is not in National Archives' custody, the record is requested from the controlling agency. Records are examined by the Access Examination team for public release. The team may seek advice from agencies on sensitivities. National Archives is required to seek agency advice to meet Section 35(1) of the Archives Act, which requires the Director-General, in consultation with the responsible Minister or a person authorised by the responsible Minister, to make arrangements for determining the Commonwealth records in the open access period, that are to be treated by the National Archives as being exempt records. In addition to the legislative requirements, the content of Commonwealth records covers a broad range of subject matters and sensitivities, which National Archives cannot be fully across. It is necessary to seek advice from subject matter experts within agencies to ensure that any decision the Archives Act has made considers all relevant facts. This provides a sound basis for making decisions by: - reducing the risk of disclosing information that is extremely sensitive and may damage the international relations, defence and security of Australia. - ensuring the National Archives seeks specialist advice on very sensitive and highly classified material where there is a strict need to know, and subject matter expertise only resides within agencies - reducing the legal risk by ensuring that exemptions are defensible when reviewed by the ART.		

Timeframe	None.					
REPORT RATING	Green – On track		Amber – On watch		Red – Off track	
Dashboard		☐		☒		☐

Attachments:

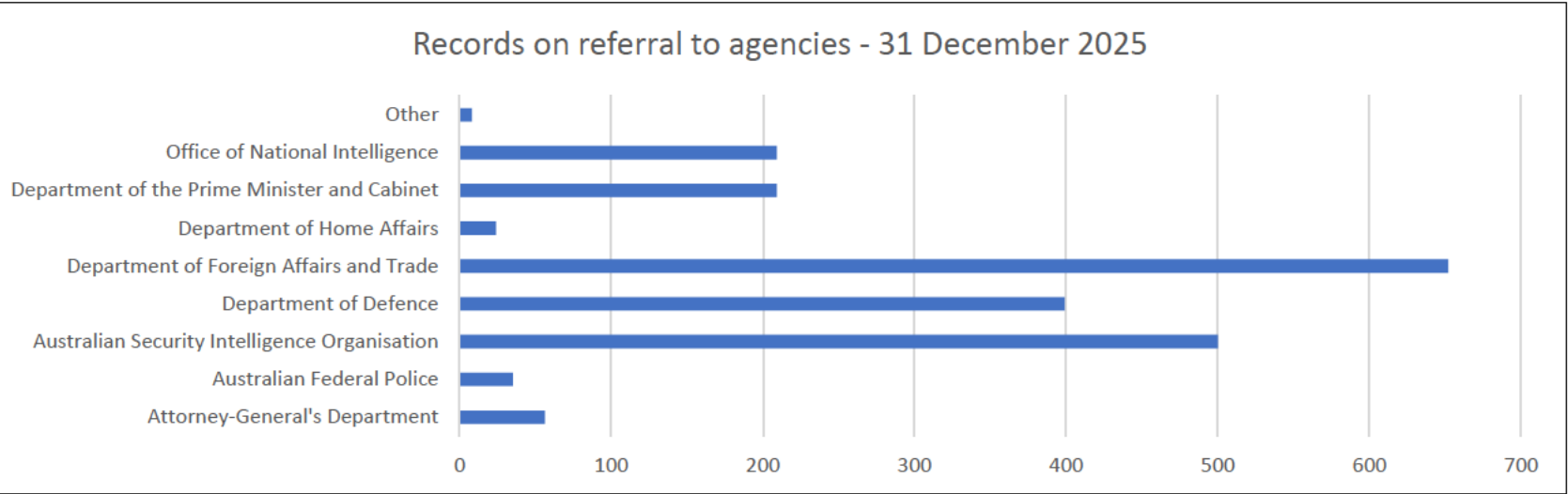
Attachment A: Access Examination Dashboard

Access Examination Dashboard

Item 11.2– Attachment A

Application data (Quarter 1 and 2 for 2025/26)

Applications/ Records	National Office	STOs	Total
Number of access applications received from public	6,095	4,929	11,024
Number of records examined	3,333	3,945	7,278
Records examined within consideration period	1,678	3,414	5,092
Records examined over consideration period	1,655	531	2,186
Records examined for internal business	430	4,509	4,939
Records examined for proactive release	39,548	54,985	94,533
Pending access applications received from public	21,383	3,867	25,250
Pending access applications from public over consideration period	11,717	1,812	13,529



Appeals on decisions (National Office) at 30 October 2025

Internal reconsiderations	
Number current at end of month	1
Administrative Review Tribunal	
Number current at end of month	94
Number of applicants at end of month	7