

Mr David Tune AO PSM

Dear Mr Tune

I am a long term user of the NAA across Australia. The NAA is a significant, important institution, albeit one not appreciated by many who should know better.

I am also a minor author of the original Archives Act, as an Assistant Secretary in the Cabinet Office assisting the then Director-General in the Act's drafting.

The fact that the NAA is grossly under resourced and is not able to provide a prompt service to readers is self-evident. The fact that Commonwealth offices have to be closed to the public during the working week is a disgrace.

The reason I write, however, is to ask that the Review seriously give consideration to it being a legislative requirement that when the NAA seeks advice on an access requests the agency must respond to the NAA within, say 60 days - or it explain to the applicant the reason for the delay.

Some agencies are notoriously slow- Foreign Affairs and PM & C are the major offenders with files to which I have sought access. Delays of well over a year with no explanation to the applicant do nothing for the reputation of the agency – or the NAA. Taking a deemed refusal to the AAT is too expensive for the general applicant.

Let me give a current example.

More than a year ago I requested access to my Cabinet notebooks.

Despite several inquiries of the NAA, I have had no response- other than the standard email that told me the application could not be processed within the standard statutory period.

I know what is in the 'files' to which I am seeking access- there is no national security or privacy issues.

When in the Cabinet Office it was my responsibility to handle requests from Ministers, Official Historians etc for access to Cabinet records.

I do not recall ever taking more than a week to respond to such a request.

Some people may not be happy, but the Cabinet notebooks are official records and mine at least are now in the open access period. (The future of the notebooks was a major issue when the Act was drafted- one very senior officer pressed for their destruction – I was one of those arguing for retention.)

I assume that my current requests are sitting on a desk in the Cabinet Office yet to be actioned. In the unlikely event there is a problem, I should be so told.

What I am asking is neither unreasonable or a significant burden on any agency with proper administrative procedures in place. Why should applicants put to significant inconvenience and at times cost because of agencies' dilatoriness?

Yours sincerely

P.A. Selth OAM