

Memorandum of Understanding with Northern Territory Aboriginal people

Background

During the twentieth century, thousands of Aboriginal children were taken away from their families and placed in government and mission institutions or with non-Aboriginal families.

In *Between Two Worlds: The Commonwealth Government and the Removal of Aboriginal Children of Part-Descent in the Northern Territory* (IAD Press, 1995), Rowena MacDonald estimated that between 1912 and the 1960s two out of every three 'part-descent' children in the Northern Territory spent some of their lives away from their parents as a result of the policy of removal. Many were never to return to their families and links with their communities were lost.

Because the Commonwealth administered the Northern Territory from 1911 to 1978, Commonwealth records held by the National Archives Darwin Office contain much information about Aboriginal children removed from their families. These include Aboriginal population records, patrol officers' reports and records about the government-run institutions that housed Aboriginal children.

In 1991, the Royal Commission into Aboriginal Deaths in Custody recommended that all governments should assist Aboriginal people to access archival records to enable them to re-establish family and community links with those from whom they were separated as a result of past policies of government (see recommendation 53). In response to this recommendation, the National Archives consulted widely with Northern Territory Aboriginal groups and adopted arrangements to assist Aboriginal people to obtain access to Commonwealth records. These arrangements are set out in a Memorandum of Understanding.

The Memorandum of Understanding

The Memorandum of Understanding (MOU) for access to open period Commonwealth records by Northern Territory Aboriginal people was signed on 5 March 1997 by the Director-General of the National Archives and representatives of the Northern Territory Stolen Generations Combined Reference Groups, the KARU Aboriginal and Islander Child Care Agency and the Central Australian Aboriginal Child Care Agency (CAACCA). The MOU was reviewed and reconfirmed in 2000–2001. Similar memorandums have been signed with Victorian Aboriginal people (2000) and South Australian Aboriginal people (2002).

What records are available under the MOU?

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

Access to records under the MOU requires that:

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

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

The MOU does not permit access to records that are not yet in the open access period or to records of the Northern Territory government. The Northern Territory government has a separate protocol.

Applying for access

Aboriginal people seeking access to records under the Memorandum, or their agents, must complete an application form. Before access to records is granted, the MOU requires the National Archives to check with KARU Aboriginal and Islander Child Care Agency or Central Australian Stolen Generations and Families Aboriginal Corporation Link-Up Officers that the person seeking access is a person, or family member of a person, affected by past government removal policies. Where Link-Up officers are unable to confirm this, the applicant is required to provide the National Archives with a statutory declaration verifying their identity.

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

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

Aboriginal Advisory Group

The MOU provides for the establishment of an Aboriginal Advisory Group to advise and assist the National Archives in implementing, managing and reviewing the operation of the Memorandum. It

consists of representatives of each Link-Up organisation and two community representatives, is chaired by the Archives and meets three times a year.

For more information

Northern Territory Aboriginal people seeking access to records under the MOU are welcome to contact:

The Reference Officer
National Archives of Australia (Darwin Office)
PO Box 24
NIGHTCLIFF NT 0814
Tel: (08) 8985 0300

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

- *Fact sheet 112 - Royal Commission into Aboriginal Deaths in Custody*
- *Fact sheet 113 - Aboriginal and Torres Strait Islander people*
- *Fact sheet 175 - Bringing Them Home name index*
- *Fact sheet 205 - Memorandum of Understanding with the Victorian Aboriginal Child Care Agency*
- *Fact sheet 209 - Memorandum of Understanding with South Australian Indigenous people*