

ADVISORY COUNCIL

## Review of the transfer of the 2003 Cabinet records from PM&C to the National Archives of Australia

## **ITEM 5**

| Presenter/Director | s 47F(1)   | Director ODG  | Approved by:   | Simon Froude, Director-General        |
|--------------------|--|---|--|---------------------------------------|
| Recommendation(s)  | <ul> <li>That the Advisory Council note:</li> <li>1. The Review of the transfer of the 2003 Cabinet records from the Department of the Prime Minister and Cabinet to the National Archives of Australia report (Attachment A) was released on 30 January 2024, and</li> <li>2. The implementation of agreed recommendations will be monitored through reporting to the Audit and Risk Committee and the Executive Board.</li> </ul>  |   |  |                                       |
| Key Points         | <ul> <li>Prime Minister transfer processeen transfer processeen transfer</li> <li>The review wwere not tran 2020.</li> <li>The review for of 2003 Cabin circumstance</li> <li>The review m</li> <li>1. PM&amp;C s that of th</li> <li>2. The hean National clearance</li> <li>3. On an an Directortor to be transfer</li> <li>4. National authorities a section resource transfer</li> <li>5. As the N Archives public re</li> <li>National Archives national Archives</li> <li>National Archives</li> <li>National Archives</li> <li>National Archives</li> </ul> | er and Cabinet (PM<br>ess for the 2003 Ca<br>red to National Arc<br>as commissioned I<br>sferred to National<br>ound that PM&C's f<br>net records was a r<br>s particular to 2020<br>nade 5 recommend<br>hould thoroughly re<br>the Cabinet Division<br>d of Cabinet Division<br>d of Cabinet Division<br>d of Cabinet Division<br>Archives should h<br>the.<br>Innual basis, the Se<br>General of National<br>Archives, with the<br>es, relevant to Cab<br>hould, as a matter<br>in 3C determination<br>as of the Commony<br>obligations under s<br>lational Security Co<br>is should consider the<br>lease process in the<br>lives has accepted<br>with relevant staked<br>tions. An update of<br>orted publicly by en<br>lives response to the<br>lives committed to | I&C) commissioned<br>abinet records and<br>chives.<br>because a numbe<br>Archives by PM&<br>ailure to provide N<br>result of administra<br>0 and in part due to<br>ations:<br>eview its record m<br>ations:<br>eview its record m<br>and transfer of C<br>on within PM&C, a<br>old a top-secret p<br>ecretary of PM&C<br>al Archives confirm<br>al Archives that ye<br>support of PM&C<br>inet records. In pa<br>of urgency, develo<br>that confirms Cal<br>wealth to ensure C<br>section 27 the Archives<br>that confirms Cal<br>wealth to ensure C<br>section 27 the Archives<br>the recommenda<br>holders, is now wo<br>n how the recommenda<br>holders, is now wo<br>n how the recommenda<br>holders, is at <b>Att</b><br>prioritising the acc | cess examination of the 82 additional |
|                    |  | 03 Cabinet records. Due to public interest, records relating to the Iraq War are ng examined first.   |  |                                       |

## **ADVISORY COUNCIL**

|   | <ul> <li>Following receipt of agency advice, National Archives completed an initial review and<br/>expects 12 records to be open and 2 records to be open with exemption. The lack of<br/>closed records and minimal exemptions is a favourable outcome.</li> </ul>   |
|---|---|
|   | <ul> <li>It is expected the records will be released in mid-March, announced via a media<br/>release. The examination of the remaining 68 records will continue and these will be<br/>made progressively available on RecordSearch between April and June.</li> </ul> |
| • Good information governance is a cornerstone of accountability, transpar<br>integrity and stewardship in the Australian Government.   |   |
|   | • The review findings and observations are consistent with several Australian<br>Government reviews, audits and inquiries, including the recent Australian National<br>Audit Office's Management of Information Assets cross-entity performance audit<br>(June 2023). |
|   | • This highlights that information management capability continues to be a challenge for Australian Government agencies which has resulted in poor information management and record keeping practices. The annual Check-up survey results also support this.         |
|   | • For this reason, in addition to the agreed response to the review recommendations,<br>National Archives will ensure key observations are addressed through existing work to<br>assist in addressing the challenges faced by agencies, including:                    |
|   | <ul> <li>Investing in information management capability specifically for information<br/>management professionals, as well as broader staff.</li> </ul>   |
|   | <ul> <li>Focused agency engagement, including for at-risk agencies, high-profile transfer<br/>activities and prioritised development of records authorities.</li> </ul>   |
|   | <ul> <li>Clarification of roles and responsibilities, as outlined in the Archives Act, for<br/>Australian Government agencies.</li> </ul>   |
|   | <ul> <li>The Audit and Risk Committee and the Executive Board will actively monitor the<br/>implementation of agreed recommendations.</li> </ul>  |
| <ul> <li>National Archives became aware the records were not in custody during of preparing 2003 Cabinet records for the annual proactive Cabinet releat (2023 calendar year).</li> </ul> |   |
|   | • It is the agency's responsibility to ensure all eligible records are transferred to National Archives in line with the <i>Archives Act 1983</i> .   |
|   | • PM&C located these records in late December 2023 and early January 2024. National Archives took immediate custody of the 82 additional records between 31 December 2023 and 5 January 2024.   |
|   | • The records include many from the NSC as well as other committees of Cabinet.   |
|   | The review identified that 14 of the 82 records relate to the war in Iraq.  |
|   | • The additional 82 records are being access examined as a priority, with the aim of having access decisions, in consultation with agencies, within 90 business days (Friday, 10 May 2024).   |
|   | <ul> <li>National Archives considers advice from agencies on sensitivities when making<br/>decisions on whether information needs to be exempt.</li> </ul>  |
|   | • National Archives plans to publish a statement once priority records (those relating to the war in Iraq) have been examined for public release.   |
|   | • National Archives played an active role in the Richardson Review to determine the cause of the administrative error. National Archives continues to engage with PM&C on this, and other, transfer matters.  |
|   | • Cabinet Historian David Lee noted in his essay the importance of the NSC records from 2003 due to the role the committee played in decisions relating to the war in Iraq, and spoke to this issue at the embargoed media event on 5 December.                       |
|   | This ignited discussions amongst journalists who began enquiring about the status and whereabouts of the 2003 NSC records.  |





| Timeframe     | Nil.                   |      |               |        |              |        |
|---------------|------------------------|------|---------------|--------|--------------|--------|
| REPORT RATING | Green – No Is          | sues | Orange – Some | lssues | Red – Urgent | Issues |
| Dashboard     | $\left  \right\rangle$ |      |               |        |              |        |

## Attachments:

Attachment A: Review of the transfer of the 2003 Cabinet records from PM&C to the National Archives of Australia

Attachment B: National Archives Response to Review of 2003 Cabinet records transfer to the National Archives of Australia



## Response to Review of 2003 Cabinet records transfer to the National Archives of Australia

National Archives of Australia welcomes the *Review of 2003 Cabinet records transfer to the National Archives of Australia* and accepts the recommendations.

The independent Review, commissioned by the Secretary of the Department of the Prime Minister and Cabinet (PM&C) and led by Mr Dennis Richardson AC, examined the circumstances surrounding the 2020 transfer of Cabinet records from PM&C to National Archives.

The Review confirmed that all 2003 Cabinet records have now been transferred from PM&C to National Archives.

In consultation with relevant stakeholders, National Archives is now working to implement the relevant recommendations and will provide an update on how they are being addressed by June 2024.

Contact: National Archives of Australia Media Team | e media@naa.gov.au | m 0417 247 157



## **General Information Brief February 2023-24**

| То   | The Office for the Arts  |  |  |
|--|--|--|--|
| From   | From         Director-General, National Archives of Australia         Date         February 2024 |  |  |
| <b>Purpose:</b> To provide a general overview of the priorities and initiatives for National Archives of Australia (National Archives) for February 2024 and to identify upcoming matters or events that may be of interest. |  |  |  |
| Action: For noting. Further information can be provided via formal briefing requests or discussion.  |  |  |  |

## **Key issues**



### Richardson Review - implementation update

On Monday 29 January 2024, the Department for the Prime Minister and Cabinet (PM&C) released the Richardson Review, which sought to identify why a number of 2003 Cabinet records were not transferred to National Archives when they should have been. National Archives published a statement in response, accepting the relevant recommendations and committing to providing an update on implementation by June 2024. Approximately 8 media enquiries were received and responded to, with the majority asking when the records in question will become available. These additional 2003 Cabinet records are being examined as a matter of priority. Media reports were largely focused on recommendations in the review relating to PM&C.

The implementation of the recommendations relating to National Archives are being progressed. The 2004 National Security Committee records have been included for consideration in the current Cabinet release process. Discussions are underway with PM&C to facilitate transfer of Cabinet records for outer years, as well as other Cabinet records identified by PM&C which are in the process of being transferred. Discussions are also underway regarding the finalisation of the PM&C disposal authorisation with a meeting planned between National Archives and PM&C on 16 February 2024. National Archives is currently organising for the Director-General to receive C and D briefings on his current Negative Vetting 2 security clearance. Once completed, an application for Top Secret Positive Vetting clearance will commence.







**Attachment A** 

# s 22(1)

Information Brief February 2024

## HOT TOPIC BRIEF HTB-NAA-01 Review of the transfer of the 2003 Cabinet records from PM&C to the National Archives of Australia

Related hot topic: NIL

FOI 201: DOCUMENT 3

## National Archives of Australia

On 1 January 2024, Professor Glyn Davis AC, Secretary of the Department of the Prime Minister and Cabinet (PM&C) commissioned an independent review by Dennis Richardson AC of the transfer process for the 2003 Cabinet records and to confirm all relevant records had been transferred to National Archives. The report was released on 30 January 2024.

## Key Points

- The review was commissioned because a number of 2003 Cabinet committee records were not transferred to National Archives by PM&C with other Cabinet records in 2020.
- National Archives was consulted by Mr Richardson and PM&C throughout the review and provided information and responses that informed the report.
- The review found that PM&C's failure to provide National Archives with a complete set of 2003 Cabinet records was a result of administrative error, in part due to the circumstances particular to 2020 and in part due to systemic issues.
- The review made 5 recommendations:
  - 1. PM&C should thoroughly review its record management processes, especially that of the Cabinet Division, and transfer of Cabinet records to National Archives.
  - 2. The head of Cabinet Division within PM&C, and the Director-General of the National Archives should hold a top-secret positive vetting (TSPV) security clearance.
  - 3. On an annual basis, the Secretary of PM&C should sign a formal letter to the Director-General of National Archives confirming that all Cabinet records required to be transferred to National Archives that year, have been so transferred.
  - 4. National Archives, with the support of PM&C, should review its records authorities, relevant to Cabinet records. In particular, National Archives and PM&C should, as a matter of urgency, develop a new records authority including a section 3C determination that confirms Cabinet records are part of the archival resources of the

Commonwealth to ensure Cabinet records are subject to transfer obligations under section 27 the *Archives Act 1983*.

- 5. As the National Security Committee (NSC) is a decision-making body, National Archives should consider the desirability of including NSC records in the annual public release process in the same way as records of the full Cabinet.
- National Archives has accepted the recommendations that relate to us and in consultation with relevant stakeholders, is now working to implement the recommendations.
- An update on how the recommendations are being addressed is due to be reported publicly by end June 2024.

| Version: 1.0                | Cleared by: Simon Froude, Director- | Action officer: s 47F(1) Director |
|-----------------------------|-------------------------------------|-----------------------------------|
|                             | General                             | Office of the Director-General    |
| Current at: 10 January 2024 | Phone number: <mark>S 47F(1)</mark> | Action officer number: s 47F(1)   |

## **National Archives Communique**

### Executive Board

Date: Tuesday 6 February 2024

The Executive Board (EB) met at the East Block building in Parkes, ACT and via Microsoft Teams.

EB welcomed Josephine Secis, Assistant Director-General (ADG) Collection Management (CM) to the agency and thanked  $\frac{s}{47F(1)}$ , the outgoing acting ADG CM.

Standing Items



Review of the transfer of the 2003 Cabinet records from PM&C to the National Archives of Australia

s 47F(1) , Director ODG, introduced this item, providing EB with an update on the review of the transfer of the 2003 Cabinet records from the Department of the Prime Minister and Cabinet (PM&C) to National Archives.



## s 22(1)

## FOI 201: DOCUMENT 5

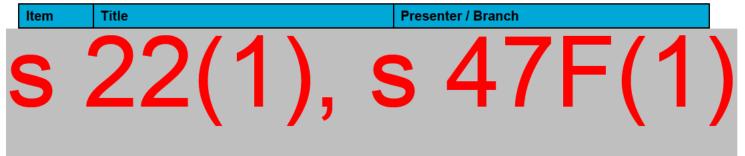


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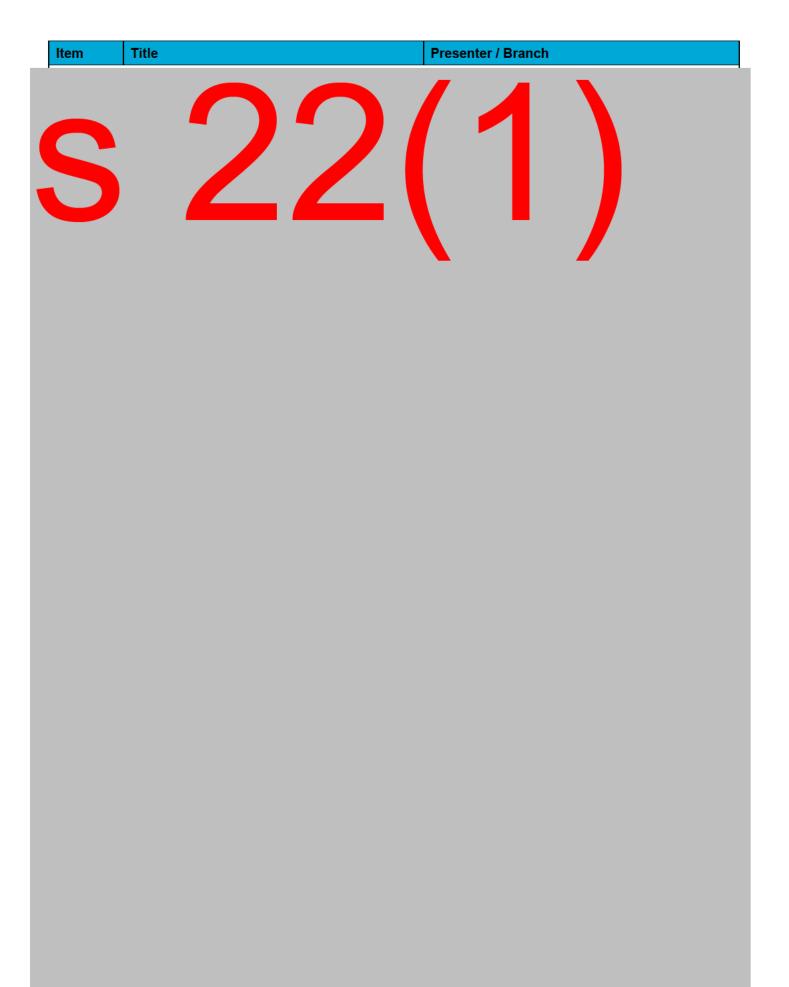
EB06 - 2023-24

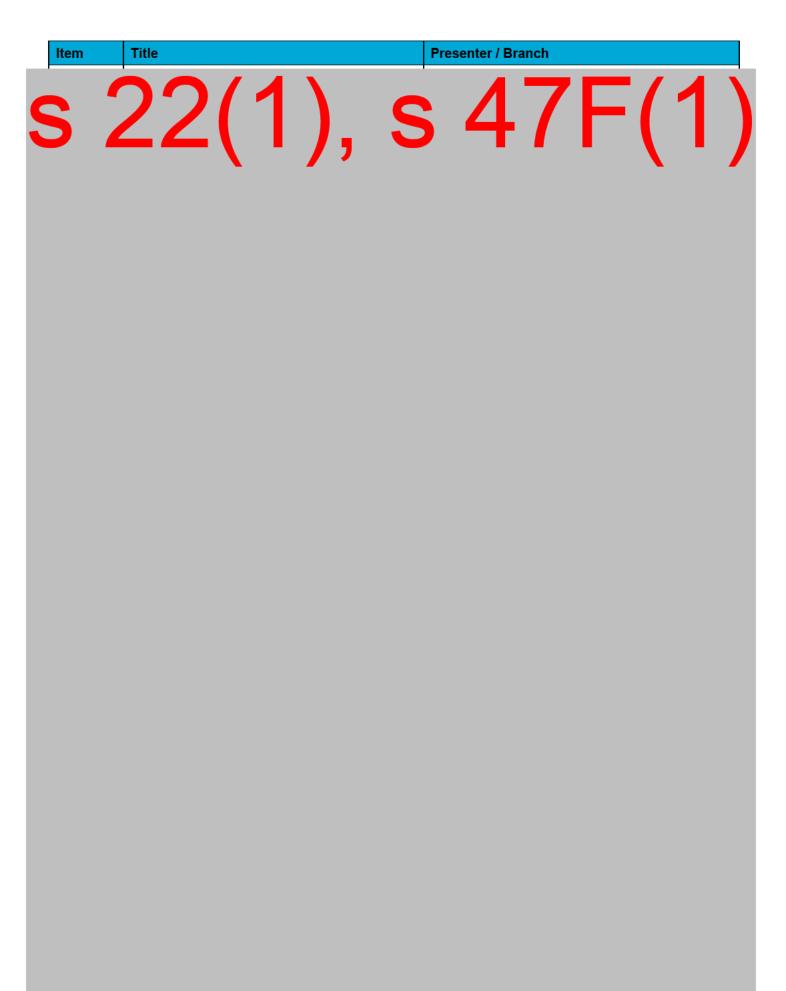
## **Executive Board**

|             | FINAL MINUTES  |            |                 |  |  |
|-------------|--|------------|-----------------|--|--|
| Date:       | 6/2/2024   | Time:      | 9:30am – 3:30pm |  |  |
| Location/s  | Executive Conference Room, Level 1, Park   | es / Teams |                 |  |  |
| Chair       | Simon Froude, Director-General (Teams)   |            |                 |  |  |
| Attendees   | <ul> <li>David Fraser, Acting Chief Operating Officer (A/g COO)</li> <li>Yaso Arumugam, Assistant Director-General, Data &amp; Digital (ADG D&amp;D)</li> <li>Louise Doyle, Assistant Director-General, Access &amp; Public Engagement (ADG A&amp;PE)</li> <li>Brooke Anderson, Assistant Director-General, Transformation Office (ADG TO)</li> <li>Josephine Secis, Assistant Director-General, Collection Management (ADG CM)</li> <li>s 47F(1), outgoing A/g ADG CM</li> <li>Advisors:</li> <li>s 47F(1)</li> <li>Director Office of the Director-General (ODG)</li> <li>s 47F(1), Chief Financial Officer (CFO)</li> </ul> |            |                 |  |  |
| Observer    | s 47F(1) , Director Systems Operations   |            |                 |  |  |
| Secretariat | s 47F(1) Assistant Director ODG  |            |                 |  |  |
| Apologies   | Nil.   |            |                 |  |  |





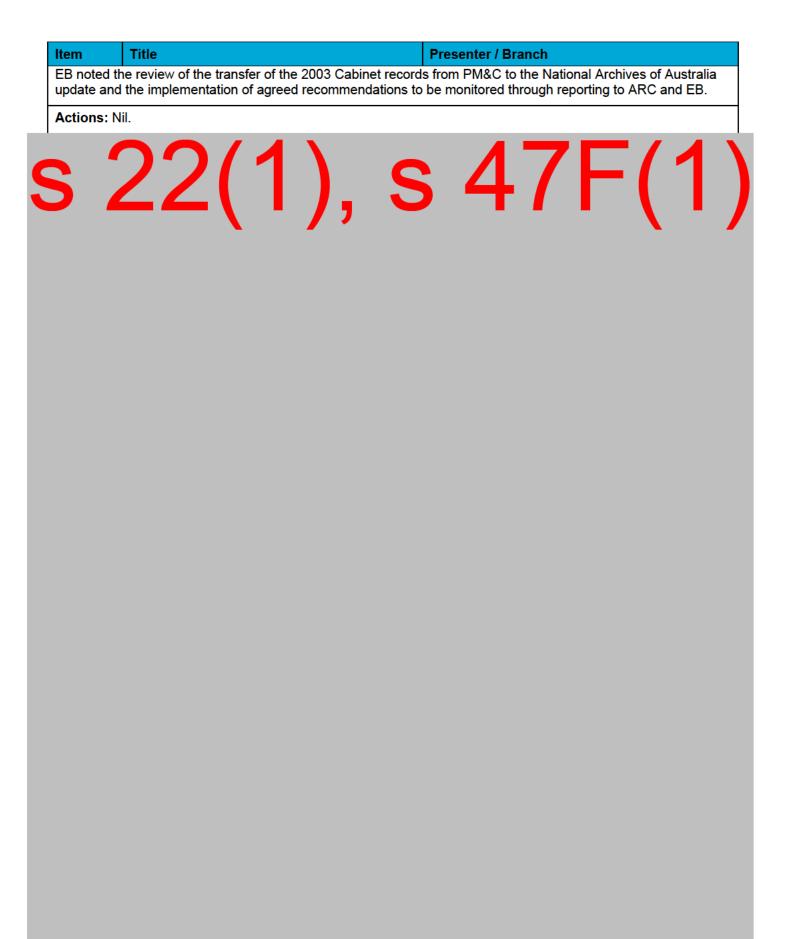




| Item   | ™<br>22(1), s   | Presenter / Bran                           |   |    |
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| 2.3  | Review of the transfer of the 2003 Cabinet<br>records from the Department of the Prime<br>Minister and Cabinet to the National Archives of<br>Australia   | s 47F(1)                                   | Director ODG  |    |
| the transfe<br>National A  | on: s 47F(1), Director ODG, introduced this<br>er of the 2003 Cabinet records from the Department<br>archives. The report was released on 30 January 20<br>o EB and ARC on how the recommendations of the | of the Prime Minist<br>24 and it was noted | er and Cabinet (PM&C) to<br>I that a further update will be | of |
| National A   | recommendations are important, it was noted that th<br>rchives to focus on out of this review, including disp<br>ked through with PM&C.   |  |   | e  |
| EB discussed the cabinet release process, acknowledging the time and effort involved in the release each year and noted the Director ODG is undertaking a review of the cabinet release process so EB can consider if the intent is still being met with undertaking the process. This feeds into the Capability Review action plan and consideration of what core work is mandatory and what is opted into, to enable EB to effectively prioritise. |   |  | r   |    |



EB06 - RKS 2023/3151



## s 22(1), s 47F(1)

## s 22(1), s 47F(1)

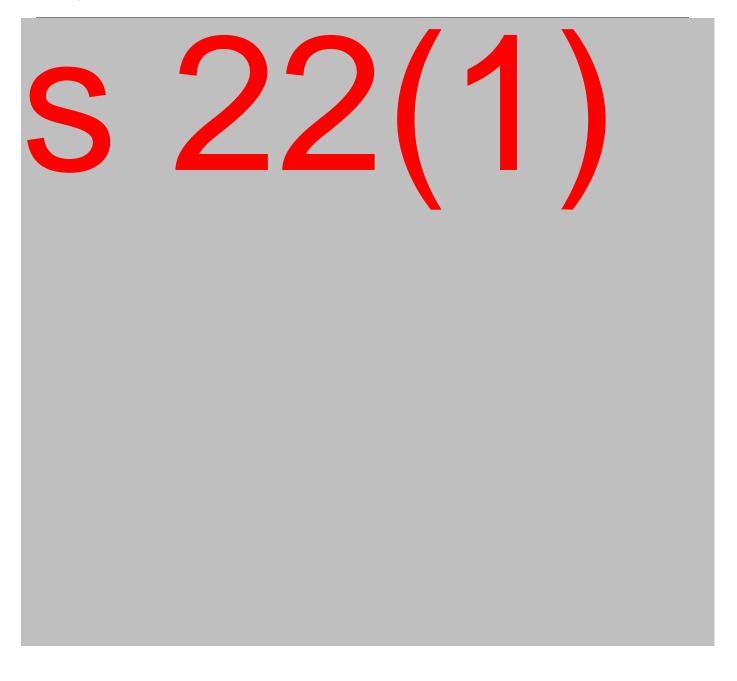
EB06 - RKS 2023/3151

## s 22(1), s 47F(1)



## End Project Report 2003 Cabinet Release Project

## **Project Details**



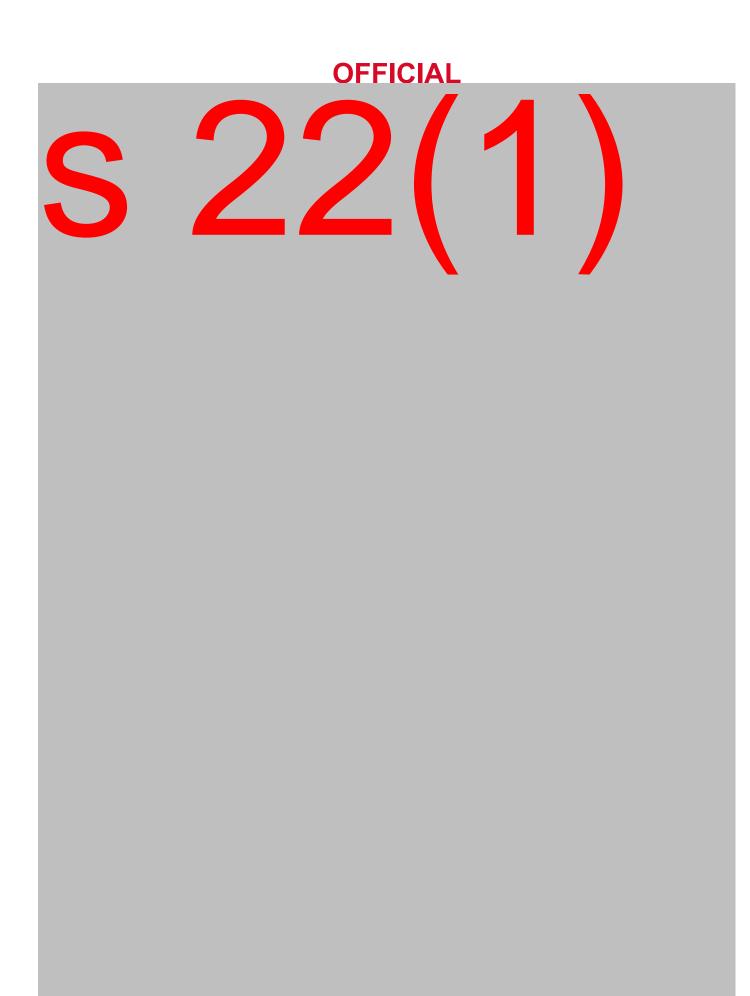


















### Response to media event

Following the media event, the Department of Prime Minister and Cabinet identified that the transfer of records, including those relating to National Security Committee meetings from 2003, had not taken place as it should have under the current RA. The additional records were identified on 19/12/23 and were inspected by Cabinet office staff and National Archives staff on 22/12/23. The Secretary of the Department then appointed Mr Dennis Richardson to undertake an

independent review of the transfer process. This review was released on 30/1/24 and is available via the PM&C website. The review confirmed that all 2003 Cabinet records had been transferred to National Archives. The Director-General released a statement on 30/1/24 that National Archives will implement all relevant recommendations. Since this time, a project has commenced to access examine and digitise the additional records. It is anticipated that the priority records (those relating to Australia's involvement in the Iraq war) will be publicly available in March 2024, and that the remaining records, if cleared for access, will be made available by 14/3/2024.



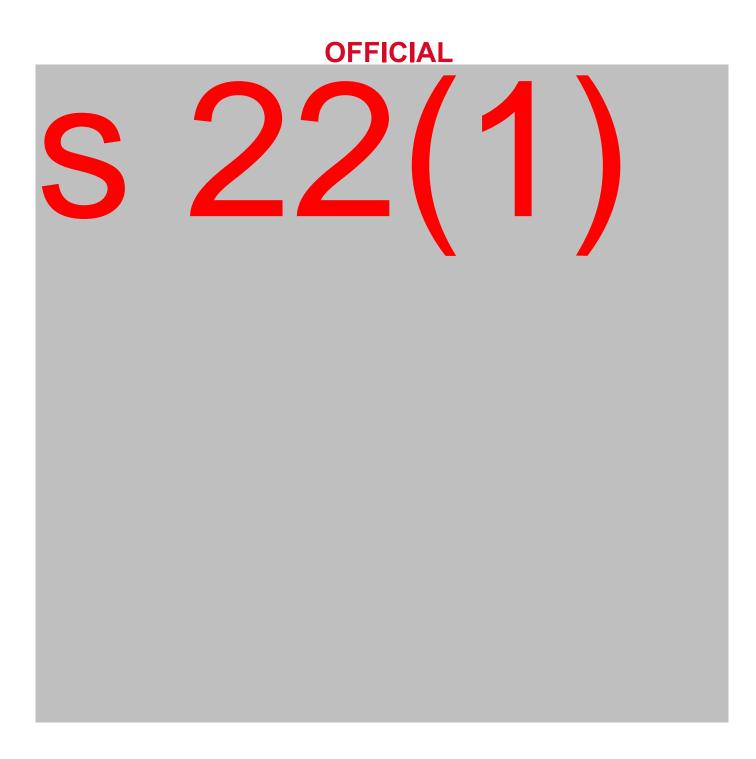
## official s 22(1)

## Sign Off

| Project Manager | Project Sponsor                                |
|-----------------|--|
| Name: s 47F(1)  | Name: Louise Doyle                             |
| Signature       | Signature: Approved via RKS workflow and email |
| Date: 23/2/2024 | Date: 26/02/2024                               |
| Project Board   | Date: / /                                      |









FOI 201: DOCUMENT 7



## NATIONAL ARCHIVES OF AUSTRALIA

## Access and Public Engagement Programs and Services Monthly Report

January 2024 R75992024



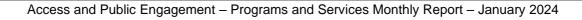
## WHOLE OF ARCHIVES PROJECTS

## 2003 Cabinet Records Release – s 47F(1) Project Manager

The 2003 Cabinet project release has been completed. Additional actions resulting from the release are still underway. Preparatory work for the 2004 Cabinet project has begun.

Updates include:

- Work has started on the End of Project report for the 2003 release, for review by the 2003 Working Group prior to being presented to the 2003 Board for endorsement in February. This report will include the outcomes of a discussion with the Working Group regarding lessons learned from the 2003 project.
- Director Access Examination and Cabinet Records Release Project Manager met with Agency representatives to discuss the support that will be required throughout 2024, which will include clearance of the already identified 2004 Cabinet records and the clearance of additional records (e.g. NSC records) for 2003 and 2004. Agency stakeholder engagement will continue throughout the year to ensure the 2004 Cabinet Release Project is delivered on time.
- The delivery of 2003 National Security Committee records (NSC) is to be led as separate project, with the intention of delivering the first batch of priority digitised records to the public by the end of March, and the remainder by the end of May 2024. This follows a public statement and commitment by Prime Minister Albanese to release these records to the public.
- Work continues on the development of a handbook for the delivery of Cabinet release projects. It is expected that this handbook will be completed in time for the start of the 2004 project in February.





22(1) S

# s 22(1)

**Cross Organisational Project participation** 

Cabinet Release Working Group – s 47F(1)

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**Cabinet Release Project Board**: <u>s 47F(1)</u> is a Board member.

for end of project – TBC current working group member

Reference Services representative

, s 47F

## s 22(1), s 47F(1)

## **Description – National Highlights**

Cross organisational project participation



• Cabinet Release Project Board and Working Group

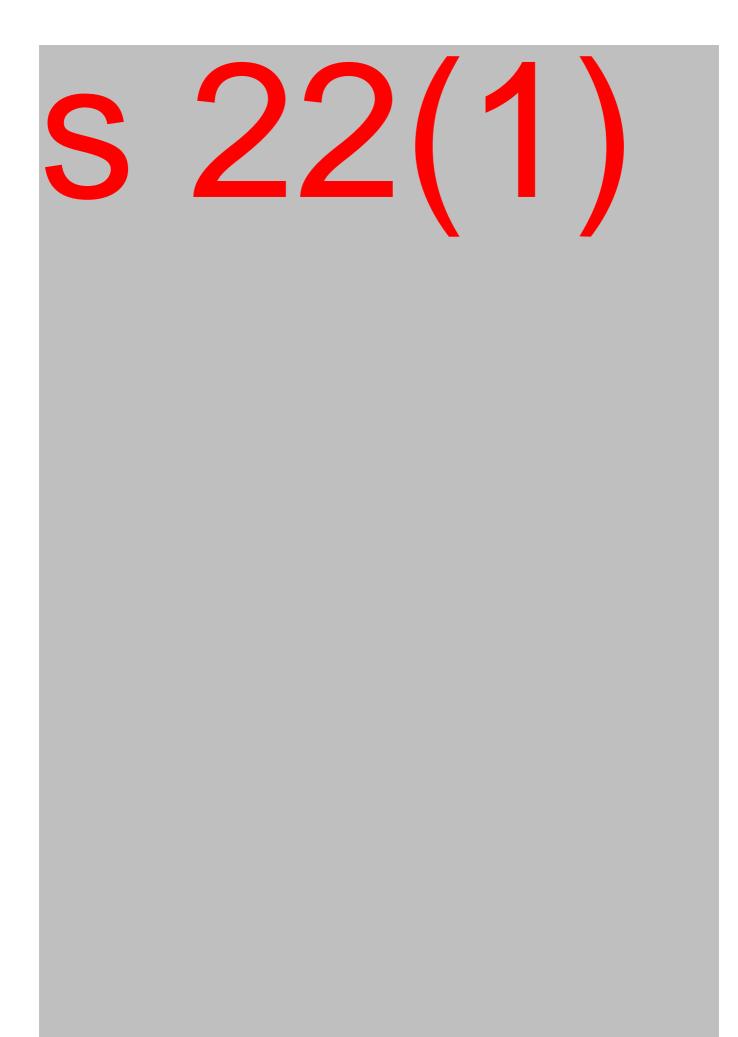




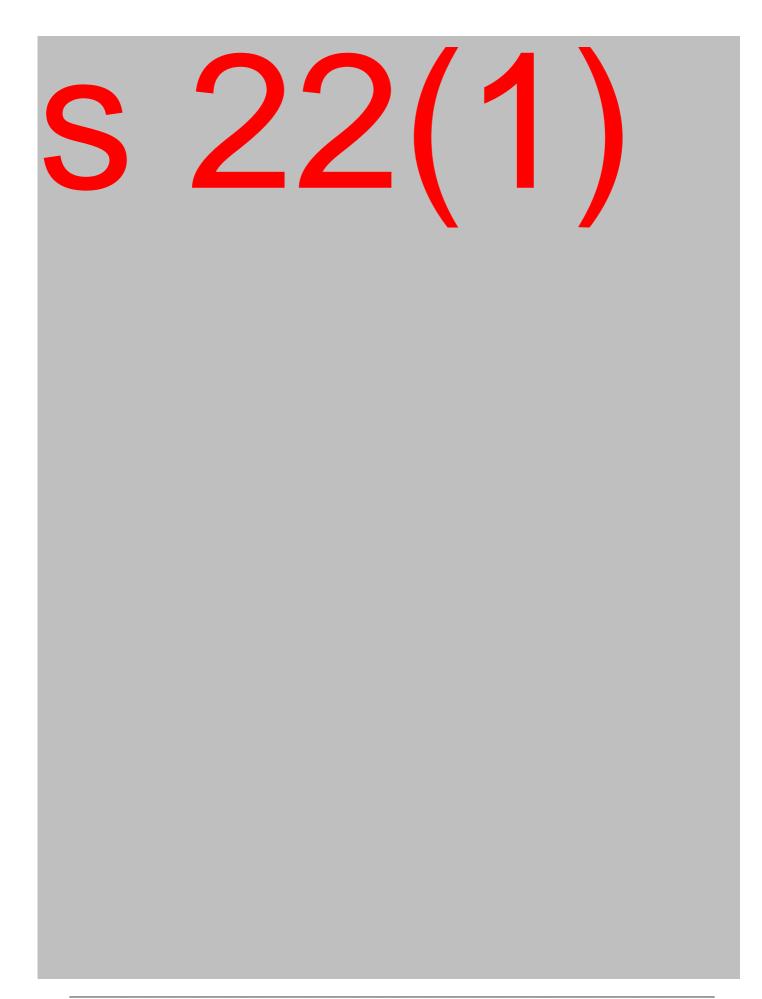


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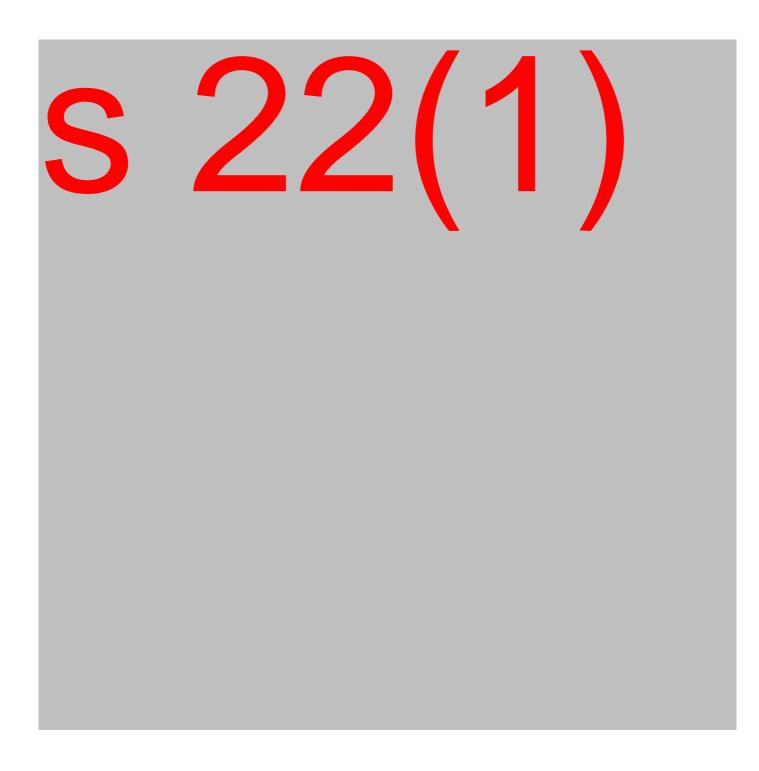




## s 22(1)







FOI 201: DOCUMENT 8



ARC 115 -2023-24

### Audit and Risk Committee

Management-Initiated Review Recommendation Closure Report



## s 47C(1)





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| Office of the Director-<br>General reviewed | Click or tap to enter a date.  |   |    |            |   |
|   | Click or tap to enter a date.<br>[Name]<br>Assistant Director-General, |   |    |            |   |

Attachments: As per individual recommendations above, where applicable.

### Notes - Richardson Review Report (January 2024) - public edition

Queries in relation to records authority development

1. Definitions pp.1-4. The definition of 'Cabinet document' and 'Cabinet record' are silent on the issue of whether or not Cabinet Committees produce records that are always Cabinet records. The definition of 'Cabinet record' in the FOI Act (section 34) clearly suggests that is the case., but it is only the definition 'Cabinet notebook' in this Report that mentions 'Cabinet Committees'.

s 47C(1)

2. Official admission that the National Security Committee of Cabinet has been a decision making body since 1996 (paragraph 20 and others). The initial date of this independence from Cabinet has not been officially noted before now, imho.

s 47C(1)

3. Recommendation 4 – page 13. (NAA) Does 'review of its records authorities, relevant to Cabinet records' include **s** 47E(d) and 'cabinet records' held by Departments.



4. Recommendation 4 - page 13. s 47E(c)

5. Paragraph 54b. Corrective communication needed. s 47E(c)

s 47E(c)

s 47C(1)

# s 47C(1)

6. Paragraph 62 - s 47E(c)



7. paragraph 75b. notes in reference to the management and handling of the 2003 documents, 'only documents aligned to the 1988 schedule were retained'.

### s 47C(1)

8. paragraph 81 refers to a quantity of Cabinet notebooks not previously transferred to NAA, stretching back to 1978. **s** 47E(c)

### s 47C(1)

9. paragraph 86 notes that the 2004-2007 Cabinet records had yet to be transferred to NAA, and that the 2004 records had in fact been transferred.

s 47C(1)

### s 47F(1)

Assistant Director Appraisal Review Government Records Assurance 15 February 2024



### RkS Number: 2020/3080



### Purpose of the meeting

To discuss the Cabinet records authority, including its scope (ie Cabinet records vs Cabinet documents coverage). This will also feed into responding to <u>Richardson Review's</u> recommendations:

Recommendation 1: PM&C should thoroughly review its records management processes, especially that of the Cabinet Division, and transfer of Cabinet records to the NAA, with a view to:

- ...all Cabinet Division officers, and any other officers in the Department working with Cabinet records, possessing at least a basic understanding of their responsibilities under the Archives Act
- The Cabinet Division, and any other relevant area, having a properly trained and experienced records management officer(s) with the necessary security clearance...to do their job professionally and with confidence...

### Recommendation 4:

The NAA, with the support of PM&C, should review its records authorities, relevant to Cabinet
records. In particular the NAA and PM&C should, as a matter of urgency, develop a new records
authority including a section 3C determination that confirms Cabinet records are part of the archival
resources of the Commonwealth to ensure Cabinet records are subject to transfer obligations under
section 27 of the Archives Act.

### Attendees

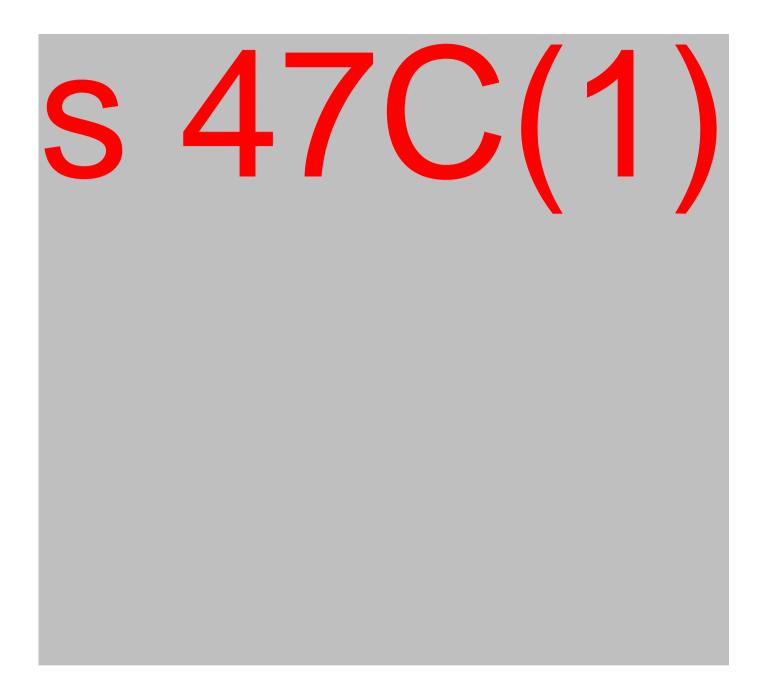
| PM&C: | Leonie McGregor, First Assistant Secretary, Cabinet<br>Christina Grant, Assistant Secretary, Cabinet Information and Governance<br>s 47F(1) Director, Legal Information Integrity, Cabinet Division (Archives contact for the<br>records authority)<br>s 47F(1) (Advisor?) |
|-------|--|
| NAA:  | Josephine Secis, Assistant Director-General, Collection Management<br>s 47F(1), Director, Government Records Assurance<br>s 47F(1), Assistant Director, Government Records Assurance (project lead on Cabinet RA)  |

### Background

 There is a single records authority issued in 1988 by National Archives for the disposal of records generated by Cabinet processes as a core business of the Cabinet Secretariat: RDS 492 (R942622009, not presently visible to the public).

- In the 1980s disposal authorisations, including RDS 492, were issued to be operative for a period of 10 years or until such time as they were amended, cancelled or superseded. RDS 492, while nominally expired in 1998, is still in use in the absence of an updated disposal coverage. It covers Cabinet records including 'original agenda, background papers, decisions, memoranda, minutes and submissions' and 'draft cabinet files' (reflecting recordkeeping practices of the 1980s for the development of Cabinet submissions).
- Held by agencies Cabinet records, which are regulated by the Cabinet Handbook, and records documenting the development of Cabinet submissions and other papers created by agencies are governed by s 47E(d)
   and the <u>Cabinet Handbook</u> (15<sup>th</sup> ed.).
- Government Records Assurance (GRA) and its predecessors have attempted to develop a new records authority for the entirety of Cabinet business processes (Cabinet Secretariat) for over 20 years, as noted in the Richardson Review Report (Public and Restricted edition, paragraphs 35 & 38; and Restricted edition, Annex H page 6 (page 89) – R97462024, based on information provided to the Review by GRA.
- The new records authority will provide disposal coverage that reflects recent and current Cabinet practices in the digital environment and retention and disposal requirements in line with the Australian society's expectations of government accountability, especially in the post-Robodebt context. It will also be a clear 3C determination that confirms Cabinet records are part of the archival resources of the Commonwealth to ensure Cabinet records are subject to transfer obligations under section 27 of the Archives Act. This section was only added to the Act in 2008.
- The first draft records authority was completed in 2017 and updated in 2020 for the purpose of efficiently and effectively collaborating with the Cabinet Division to progress new disposal coverage for the Cabinet Business Management function. This first stage of drafting is usually required to be completed by agencies themselves.
- The renewal of this work in 2020 was triggered by the need to provide disposal coverage for records of the National Cabinet the new body created by the Government in response to COVID-19 pandemic.
- Following extensive consultations with relevant business areas of PM&C in 2020/21 and 2021/22, Cabinet Division were provided the latest draft Cabinet Business Management records authority in February 2023, covering the whole Cabinet process, not just those records presently covered by RDS492 (R778812023).
- Director GRA emailed s 47F(1) (12 December 2023) suspending the use of RDS492 to destroy temporary material in reply to a question originating from FAS Cabinet Division challenging any required obligation to replace RDS492 Cabinet Office. (Director Collection Operations relayed the same suspension advice on 16 January 2024 to another part of the Cabinet Division presently managing the preparations for future transfers of controlled Cabinet documents to National Archives).
- Cabinet division (s 47F(1)) approached GRA (23 January 2024) for a meeting, including FAS Cabinet Division, SES officers and legal representatives from PM&C, to discuss the new records authority (draft) for 'Cabinet Documents' and any legal or practical constraints or requirements. This is likely connected to the implementation of Recommendation 4 of the Richardson Review.
- The most recent meeting on 31 January 2024 with Cabinet Division officers to discuss mostly transfers to National Archives repeated the Cabinet Division SES view that disposal coverage was needed only for Cabinet documents. Director GRA deferred discussion on this aspect to the forthcoming meeting in February with PM&C representatives.





| From:    | s 47F(1)                  | @pmc.gov.au>  |
|----------|---------------------------|---|
| Sent:    | Thursday, 15 February 20  | 024 9:38 AM   |
| To:      | s 47F(1)                  |   |
| Cc:      | Grant, Christina; Cabinet | Division - Document Access  |
| Subject: | RE: PM&C Cabinet Docu     | ments - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive] |

### Hi<sup>s 47F(1)</sup>

I understand the agenda item for conversation is about the records disposal authority, and each agencies' understanding of the requirements of that document.

I also anticipate there may be some conversations about the progress of transferring items to the NAA, but that might be just informally.

Kind regards



Director Legal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 s 47F(1) | m. s 47F(1) Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e. s 47F(1) @pmc.gov.au w: www.pmc.gov.au

From: S 47F(1)@naa.gov.au>Sent: Wednesday, 14 February 2024 12:18 PMTo: S 47F(1)@pmc.gov.au>Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

Hi<sup>s 47F(1)</sup>

Is there an agenda for the meeting on Friday or at least some points for us to address in advance?

Thanks a lot, s 47F(1)

**OFFICIAL: Sensitive** 

From: \$ 47F(1) Sent: Monday, February 5, 2024 2:10 PM To: \$ 47F(1) @pmc.gov.au> Cc: Grant, Christina \$ 47F(1) @pmc.gov.au>; Josephine Secis \$ 47F(1) @naa.gov.au>; \$ 47F(1) @pmc.gov.au>; Cabinet Division - Document Access <<u>Document.Access.CabDiv@pmc.gov.au</u>>; \$ 47F(1) @naa.gov.au> Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

### Hi<sup>s 47F(1)</sup>

Could we schedule the meeting re Cabinet RA for Friday, 16 February. Our new Branch Head, Josephine Secis is available then. S 22(1)

We can do the following slots (Canberra time): 11am, or after lunch, between 2 and 4 pm.

Let me know what is suitable and we'll take it from there.





Director Government Records Assurance National Archives of Australia / Murrulangalang



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### **OFFICIAL: Sensitive**

 From: \$ 47F(1)
 @pmc.gov.au>

 Sent: Wednesday, January 31, 2024 11:12 AM

 To: \$ 47F(1)
 @naa.gov.au>

 Cc: Grant, Christina \$ 47F(1)
 @pmc.gov.au>; \$ 47F(1)

 Division - Document Access < Document.Access.CabDiv@pmc.gov.au>
 Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

Dear s 47F(1)

I just wanted to follow up on this. Are you able to let us know whether you have managed to identify a time for PM&C and NAA to meet to discuss the Records Authority? Grateful for an update in relation to this.

Kind regards

Director Legal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 s 47F(1) | m. s 47F(1) Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e. s 47F(1) @pmc.gov.au w: www.pmc.gov.au

| From: S 47F(1) | @naa.gov.au> |
|----------------|--------------|
|                |              |

Sent: Wednesday, 24 January 2024 2:04 PM To: s 47F(1) @pmc.gov.au>

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

Ok, thanks, <sup>s 47F(1)</sup>. Will send this off and let you know as soon as I know.

s 47F(1)

### **OFFICIAL: Sensitive**

| From:   | s 47F(1)               | @pmc.gov.au>   |   |
|---------|------------------------|--|---|
| Sent: \ | Wednesday, January 24, | 024 2:02 PM  |   |
| To: S   | 47F(1)                 | @naa.gov.au>   |   |
| Cc: S 4 | 47F(1) <u>@</u>        | aa.gov.au>; Grant, Christina S 47F(1) @pmc.gov.au>; S 47F(1) |   |
|         |                        | au>; s 47F(1) @naa.gov.au>; s 47F(1)                         | 1 |
|         | @naa.gov.au>           |  |   |

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

Dear s 47F(1)

We have the following availabilities:

- Monday 12 Feb 330pm
- Thursday 15 Feb 9am or 11am
- Friday 16 mostly available

Grateful if you could double-check and let us know.

Kind regards

s 47F(1)

Director Legal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 **s 47F(1)** | m. **s 47F(1)** Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e **s 47F(1)** @pmc.gov.au w: www.pmc.gov.au

| From:                | s 47F(1)                            | @naa.gov.au>                                  |
|----------------------|-------------------------------------|---|
| Sent: \              | Vednesday, 24 January 2024 10:48 AM | •   |
| To: <mark>S</mark> 4 | 47F(1) @pmc.gov.au                  | >   |
| Cc: S 4              | I7F(1) @naa.gov.au>; Gra            | nt, Christina S 47F(1) @pmc.gov.au>; S 47F(1) |
|                      | @pmc.gov.au>; s 47F(1)              |   |
|                      | @naa.gov.au>                        |   |

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

Thanks, <sup>s 47F(1)</sup>

Happy to organise our Branch Head to attend the meeting. Josephine Secis, Assistant Director-General, Collection Management, is joining the Archives next week, so we'll brief her about our processes, practices, as well as the Cabinet disposal authorisation matters.

Unfortunately, 6 February is not suitable for our SES team,  $\frac{s}{22(1)}$ If you could confirm which dates and times below are suitable to all on your side (please note that some have

changed since <sup>s 47F(1)</sup> nominated them) and I will then liaise with Josephine's EA re her availability. Or suggest alternatives and we'll look at them as well.

- Thursday 8 Feb, pm
- Friday 9 Feb, pm
- Monday 12 Feb, am or pm
- Thursday 15 Feb, am
- Friday 16 Feb, am or pm

### s 22(1)

Happy to discuss anything further in the meantime by phone if it's easier.

s 47F(1)

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### **OFFICIAL: Sensitive**

 From: S 47F(1)
 @pmc.gov.au>

 Sent: Wednesday, January 24, 2024 8:41 AM

 To: S 47F(1)
 @naa.gov.au>; S 47F(1)

 @naa.gov.au>; S 47F(1)
 @naa.gov.au>; S 47F(1)

 Cc: S 47F(1)
 @naa.gov.au>; Grant, Christina S 47F(1)

 @pmc.gov.au>
 @pmc.gov.au>; S 47F(1)

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### Hi<sup>s 47F(1)</sup>

Yes, I confirm that my FAS is very interested in this work so I suggest that you invite their counterparts to this meeting. I understand my FAS would like to discuss NAA requirements for a disposal authority and any legal and practical constraints/requirements.

Kind regards s 47F(1) Equal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 s 47F(1) | m. s 47F(1) Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e s 47F(1) @pmc.gov.au w: www.pmc.gov.au

| From: <b>S</b> 47F(1) | @naa.gov.au>                          |                          |
|-----------------------|---------------------------------------|--------------------------|
| Sent: Tuesday, 23 J   | anuary 2024 5:10 PM                   |                          |
| To:S 47F(1)           | <u>@pmc.gov.au</u> >;S 47F(1)         | @naa.gov.au>             |
| Cc: S 47F(1)          | @naa.gov.au>; Grant, Christina S 47F( | 1) @pmc.gov.au>;s 47F(1) |
|                       | @pmc.gov.au>                          |                          |

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

Hi<sup>s 47F(1)</sup>

Kind regards

s 22(1) . Our understanding was that you wanted an operational meeting to discuss the conclusion of the records authority process. And we are happy to go ahead on 6 February if it is what we understood it to be.

Your SES participation may require that we get their Archives' counterparts to participate, especially if the discussion will be at a higher level. Is there anything in particular that your FAS wishes to discuss with the Archives?

Please let me know if you require any further representation from the Archives in addition to my team.

5 47⊢(1)

Government Records Assurance National Archives of Australia / Murrulangalang



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### **OFFICIAL: Sensitive**

| From:   | s 47F(1    | )                   | @pmc.gov.au> |           |            |                                |
|---------|------------|---------------------|--------------|-----------|------------|--------------------------------|
| Sent:   | Tuesday, J | anuary 23, 2024 1:3 | 34 PM        |           |            |                                |
| To: S 4 | 47F(1)     | 0                   | naa.gov.au>  |           |            |                                |
| Cc: S 4 | 47F(1)     |                     | @naa.gov.au  | ;s 47F(1) |            | @naa.gov.au>; Grant, Christina |
| s 47F   | F(1)       | @pmc.gov.au>; S 4   | 47F(1)       |           | @pmc.gov.a | <u>iu</u> >                    |

Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

Dear<sup>s 47F(1)</sup>

Our FAS has asked to attend this meeting and she is available all morning Tuesday 6 February 2023 (except between 10:30am-11am).

Would you like to meet 11am-12 midday on 6 February? If that time works for your team, would you like to attend 1 National Circuit or would you prefer a VC meeting?

We will have representatives from Government Division, our legal area, at this meeting also. Grateful for your advice, and happy for you to ensure you have appropriate representation at this meeting.

Kind regards



Director Legal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 s 47F(1) | m. s 47F(1) Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e. s 47F(1) @pmc.gov.au w: www.pmc.gov.au

 From: \$ 47F(1)
 @naa.gov.au>

 Sent: Tuesday, 23 January 2024 10:21 AM

 To: \$ 47F(1)
 @pmc.gov.au>

 Cc: \$ 47F(1)
 @naa.gov.au>; \$ 47F(1)

 @naa.gov.au>; \$ 47F(1)
 @naa.gov.au>

 Subject: RE: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL: Sensitive**

### Hi<sup>s 47F(1)</sup>

Thank you, we're happy to meet and discuss with you in Barton (PM&C offices) to finalise the new draft records authority for the records of Cabinet business management.

### s 47F(1)

can be available at the following times over the next few weeks:

- Tuesday 6 Feb, am
- Thursday 8 Feb, pm
- Friday 9 Feb, am
- Monday 12 Feb, am
- Thursday 15 Feb, pm
- Friday 16 Feb, am or pm

At this stage, we may have one more of our team attending, depending on availability and meeting time.

If there is anything you need from us, or if you have anything for us to consider ahead of the meeting, particularly any specific concerns or follow up queries on the draft records authority, please get in touch with <sup>\$ 47F(1)</sup> or myself.

Kind regards



Assistant Director, Appraisal Review Government Records Assurance



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| OFFICIAL: Sensitive   |  |  |  |  |
|-----------------------|--|--|--|--|
| From: <b>S</b> 47F(1) | @pmc.gov.au>   |  |  |  |
| Sent: Tuesday, Janua  | ary 23, 2024 9:51 AM   |  |  |  |
|                       | <u>@naa.gov.au</u> >;S 47F<br><u>@naa.gov.au</u> >;S 47F(1)<br><u>@pmc.gov.au</u> >;S 47F(1) | (1) <u>@naa.gov.au</u> >;S 47F(1)<br><u>@pmc.gov.au</u> >;S 47F(1)<br>@pmc.gov.au> |  |  |
| Cc: Grant, Christina  |  | ;s 47F(1) @pmc.gov.au>;s 47F(1)  |  |  |
| Document Access <     | Document.Access.CabDiv@pmc   | .gov.au>   |  |  |

Subject: PM&C Cabinet Documents - Records Disposal Authority - Meeting [SEC=OFFICIAL:Sensitive]

### **OFFICIAL:** Sensitive

Dear all

We would like to meet to discuss the new/revised Records Disposal Authority (RDA) for Cabinet documents. We would be grateful if representatives from PM&C (Cabinet Division and Government Division) and the NAA could meet in the next few weeks to discuss the practical and legal considerations involved in agreeing a new RDA.

I would be grateful if you could let me know your availability over the next few weeks. We would be happy to host a meeting in Barton (PM&C Offices) if that would be more suitable, or Teams if preferred.

Kind regards

s 47F(1

Director Legal Information Integrity | Cabinet Division Department of the Prime Minister and Cabinet p. 02 s 47F(1) | m. s 47F(1) Ngunnawal Country, One National Circuit Barton ACT 2600 PO Box 6500 CANBERRA ACT 2600 e s 47F(1) @pmc.gov.au w: www.pmc.gov.au

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| From:<br>Sent:<br>To:    | <b>s 47F(1)</b><br>Friday, 16 February 2<br><b>s</b> 47F(1) | 024 4:12 PM  |  |  |
|--------------------------|---|--|--|--|
| Subject:<br>Attachments: |   | meeting notes - today's meeting with Cabinet Division [SEC=OFFICIAL]<br>Meeting notes NAA and PMC 16 Feb 2024.tr5; draft Meeting notes NAA and PMC 16 Feb<br>.DOCX |  |  |
| Importance:              | High  |  |  |  |
| Tracking:                | Recipient   | Delivery   |  |  |
|                          | s 47F(1)  | Delivered: 16/02/2024 4:12 PM  |  |  |

### s 47F(1)

For your review and action - attached draft notes (2 pages) of meeting with the Cabinet Division this morning.

These are designed to be communicated to PM&C as discussed earlier this afternoon, containing points of agreement and points to note (not a record of discussion). There is a lot in there, but I think I have every significant point that needs stated. Please check. As a partial action list of the meeting (it doesn't include the transfers discussion as such), perhaps Josephine may wish to see this?





Assistant Director, Appraisal Review Government Records Assurance



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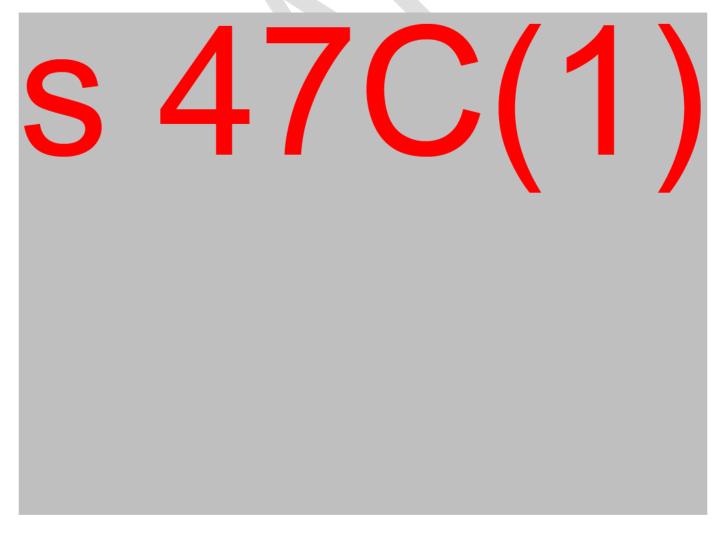
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### OFFICIAL

Meeting between National Archives (NAA) and Department of Prime Minister & Cabinet (PM&C) – 16 February 2024

Attendees PM&C - Cabinet Division Leonie McGregor Christina Grant **S 47F(1)** NAA - Collection Management Josephine Secis **S 47F(1)** 

Records Authority development aspects - records of the Cabinet



# s 47C(1)