

5 March 2024

The Hon Gabrielle Williams
Minister for Government Services
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Dear Minister

Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024 to amend the *Public Records Act 1973*: Abolition of Public Records Advisory Council (PRAC)

The Professional Historians Association (Vic & Tas) has recently been made aware of the proposal to amend the *Public Records Act 1973* to abolish the Public Records Advisory Council (PRAC). We would strongly urge that PRAC be retained: this Advisory Council plays an important role in assisting the effective operation of the Public Record Office Victoria (PROV) under the requirements of the Act.

PROV is an institution that provides extremely valuable resources for historians. It helps them understand and interpret the many-layered aspects of Victoria's and Victorians' history. Historians, including our 500 plus professional members throughout Australia, rely heavily on the collecting institutions of libraries, archives and museums. Many valuable record collections held by PROV have been retained, safe-guarded or discovered due to the unstinting efforts of the PRAC since the inception of the *Public Records Act 1973*.

We would illustrate this with an important example from the early 2000s. Field Books created by the Melbourne Metropolitan Board of Works (MMBW) were brought before PRAC to decide on their level of preservation. The Field Books provided valuable detailed information about all existing structures at the time. Despite initial advice not to retain them, based on limited lineal storage, members of PRAC familiar with historical research recognised the importance and historical value of the Field Books-and they were preserved. The information they provide has contributed to many histories of communities, families, businesses and government in Victoria. The Field Books have now been digitised and are invaluable, not only for historians, but also architects, engineers, surveyors and many other professionals and contractors.

Further, we would point out that the interests of government record-keeping and those of historians, researchers and the wider public are not necessarily one and the same. Obtaining outside perspectives on the retention and disposal of government records ensures that the archive that is preserved best meets the needs of the wide range of stakeholders who use it. There are many examples where records have been destroyed only in hindsight to be seen as highly valuable, denying further research or interpretation.

In Victoria, the *Public Records Act 1973* has ensured the right systems and safeguards are in place through the oversight and diligence of the PRAC. The Councillors willingly give of their time and expertise pro bono. Their work in fact creates a cost benefit for the PROV, freeing up VPS staff for other important services. An analysis of the time spent, and skills provided by the current

councillors, we believe, equates to an estimated (and conservative) cost benefit of \$260,000 per annum.

It is clear other government departments readily avail themselves of advisory councils. Even recently formed government agencies have embedded advisory councils within legislation including: the *Multicultural Victoria Act 2011* and *Disability Act 2006*. The *Public Records Act 1973* protects the input and status of the advisory council and, most crucially, gives the Minister access to the advisory council as another form of oversight and accountability.

We note, from Hansard, that the reading of the Bill in parliament proposes that the abolition of PRAC:

‘... does not prevent persons from expressing their views through other means outside of this formal setting. Alternative avenues to consult with the government are open to those wishing to express their views, including through Ministerial correspondence and invitations to provide feedback on issues papers or policy proposals via public and other consultation processes’.

We would like to point out that PRAC is not a forum for views, but an advisory body comprised of expert professionals assisting the decision-making process relating to Victoria’s government records.

We concur with our colleagues at the Australasian Society of Archivists that an open and transparent consultative process regarding the future of PRAC, and methods by which PROV will seek independent advice, is critical and should occur prior to the advisory body being removed from the legislation.

The abolition of PRAC will undermine the purpose of the Public Records Act which is in place to preserve public records of permanent value and ensure that the archives are accessible to the government and the people of Victoria.

We therefore submit that PRAC’s statutory function, according to the current Act, should continue to be enshrined in legislation.

Your sincerely



Dr Sophie Couchman
President

cc:

The Hon. Jacinta Allan, Premier of Victoria (jacinta.allan@parliament.vic.gov.au)

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