

**Submission
No 15**

**INQUIRY INTO STATE RECORDS ACT 1998 AND THE
POLICY PAPER ON ITS REVIEW**

Organisation: Art Gallery of New South Wales

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**Submission to the NSW Parliament Standing Committee on Social Issues
Review of the *State Records Act 1998*
April 2020**

The Art Gallery of New South Wales (the Gallery) is an executive agency of the NSW Government, and a collecting institution as identified under the *State Records Act 1998* (the Act).

The Gallery is pleased to provide input to the Standing Committee on Social Issues concerning the review of the Act, and in particular whether Sydney Living Museums (SLM) and the State Archives and Records Authority of NSW (the Authority) should remain as separate entities and continue their partnership or be merged into a single entity; and whether the Act should be amended.

Background and context

The Gallery offers a unique position of insight as a state cultural institution which has both a collection of over 35,000 art works, and the most significant collection of original archival material on the visual arts in Australia – the National Art Archive.

The Gallery was the first state art museum in the country to establish an archive, and is one of the few Australian institutions today collecting, preserving and making available for research primary material on Australian visual art. The National Art Archive includes the personal archives of over 220 artists; Gallery administrative records from the 1870s to the present day; and collections of papers from dozens of commercial galleries, art societies and other businesses as well as from people in the art world, from curators and conservators to collectors and critics.

We can attest that the combination of a collection and an archive supports rich and active scholarship within the Gallery. It allows us to develop engaging exhibitions and public programming that provides our audiences with unique insights into our collection and history. The Gallery's National Art Archive and Capon Research Library is also a true public asset, providing access and expert advice to nearly 4800 visitors on site in 2018/19, with a further 1200 requests answered online or by phone.

Policy outcome 1: Stories that shape the social, historical and cultural identity of NSW are widely shared and understood

Creating a single agency by merging SLM with the Authority could present significant benefits to both current entities and to the people of New South Wales. In his letter of referral to the Committee, the Minister for the Arts the Hon Don Harwin MLC identified that the proposed reforms were "aimed at increasing public knowledge and enjoyment of the stories that shape our social, historical cultural history", and the Gallery strongly supports these aims.

Creation of a combined entity could give the general public, and interested researchers, greater awareness of and access to the rich archive preserved by the Authority. It could also promote the public's physical opportunity to engage with the Authority and its records, at a time when the appreciation of archives and their potential power has not been higher. Likewise, it could provide

SLM with access to collections and content that could potentially transform and deepen the programming and scholarship currently undertaken by that organisation.

The Gallery endorses all these goals. As noted above, the public has benefited enormously from the Gallery's ability to support its collection with archival material.

The Gallery notes that in addition to the protection and engagement with cultural heritage, the Authority also has a critical procedural purpose, in preserving the evidence of decision-making processes to ensure efficient and accountable government. We strongly support this continuing in a combined agency through governance structures which support the integrity of this function.

Policy outcome 2: Records of enduring value to the citizens of NSW are managed, preserved and made accessible

The Gallery agrees that records of enduring value are a significant asset to the citizens of New South Wales, who have a right of access to them.

As a cultural institution that has largely managed its institutional archive onsite, the Gallery has a keen interest in any proposed changes to parts of the Act that might impact upon custody of records.

Distributed custody, where the controlling institution maintains and gives access to archives according to accepted protocols, is widely recognised throughout the world as a sustainable and professional way of managing archives and the Gallery recommends this approach.

The Gallery supports continued flexibility in the interpretation of 'records of enduring value that are no longer in active business use'. The archives of cultural institutions include documents which could potentially be described in this way – but which collectively inform our programs, curatorial research, acquisitions and strategic priorities and are highly relevant to our daily operations. The Authority has always acknowledged this and supported the Gallery's custodial management of its archive.

It is useful to note that the National Gallery of Victoria's Archive was transferred to the Public Records Office of Victoria when the NGV moved to new premises in the 1960s. Researchers now find it very difficult to locate specific art-related archives because they are undifferentiated from other public records. In contrast, archives from the Art Gallery of New South Wales from 1871 to the present day are easily accessible. The Gallery has cared for these records onsite and, most importantly, it employs staff with specialised expertise in the records. This arrangement is highly beneficial to researchers and to the public, and the Gallery strongly supports its continuation.

Policy outcome 3: Citizens have timely access to records documenting the activities and decisions that shape NSW and the lives of its citizens

Policy outcome 4: NSW public offices create, keep and protect records as evidence of their activities and decisions

The Gallery supports the proposed reforms outlined under these policy outcomes.

For further information please contact:

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