

**REPORT ON PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON SOCIAL ISSUES**

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

**CORRECTED**

**At Sydney on Monday 1 June 2020**

**The Committee met at 9:30**

**PRESENT**

The Hon. Shayne Mallard (Chair)

**PRESENT VIA VIDEOCONFERENCE**

Ms Cate Faehrmann  
The Hon. Ben Franklin  
The Hon. Rose Jackson  
The Hon. Taylor Martin  
The Hon. Daniel Mookhey (Deputy Chair)  
Reverend the Hon. Fred Nile  
The Hon. Natalie Ward



**The CHAIR:** Welcome to the New South Wales Parliament's Standing Committee on Social Issues inquiry into the State Records Act 1998 and the policy paper on its review. The inquiry is examining the adequacy of the State Records Act in meeting citizens' needs, as well as the role and purpose of the State Archives and Records Authority of New South Wales [SARA] and the Sydney Living Museums [SLM] in light of a proposal to reform their legislative framework. I acknowledge the Gadigal people, who are the traditional custodians of this land, and pay my respects to Elders past and present of the Eora nation and extend those respects to other Aboriginal people present, as well as to those of the land on which our Committee members are meeting. Today is the first of three hearings we plan to hold for this inquiry. Today we will hear from the Executive Director of the State Archives and Records Authority of New South Wales and Sydney Living Museums as well as the chairs of those institutions. We will also receive evidence from a former director of the State Archives and Records Authority of New South Wales and a former director of the Historic Houses Trust of New South Wales later on today.

Before we commence I would like to make some brief comments about the procedure for today's hearing. Like so many other things that we have needed to adapt to in the face of COVID-19 health measures, the hearings for this inquiry will be conducted via videoconferencing. This enables the work of the Committee to continue without compromising the health and safety of Committee members, witnesses and staff. This is new territory for upper House inquiries so I would ask for everyone's patience and forbearance through any technical difficulties we may encounter today. If participants lose their internet connection and are disconnected from the virtual hearing, they are asked to rejoin the hearing by using the same link provided by the Committee secretariat. Today's hearing is being broadcast live via the Parliament's website and a transcript of today's proceedings will be placed on the Committee's website when it becomes available.

All witnesses have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018, a copy of which can be made available. There may be some questions that a witness can answer only if they are given more time or have certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide the answer to the secretariat within 21 days. Finally, can everyone please mute their microphones when they are not speaking. I welcome our first set of witnesses.

**Mr ADAM LINDSAY**, Executive Director, State Archives and Records Authority of New South Wales and Sydney Living Museums, before the Committee via videoconference, affirmed and examined

**Dr BRIAN LINDSAY**, Chair, State Archives and Records Authority of New South Wales, before the Committee via videoconference, affirmed and examined

**Ms NASEEMA SPARKS**, Chair, Historic Houses Trust of New South Wales, Sydney Living Museums, before the Committee via videoconference, affirmed and examined

**The CHAIR:** I invite you each to make an opening statement.

**Dr BRIAN LINDSAY:** At the outset I thank the Chair and the Committee for the opportunity to appear before the inquiry into the State Records Act 1998 and the Historic Houses Act 1980 and to do so in the company of my counterpart from Sydney Living Museums. We each have a passion for history and a belief that our combined entities will be able to augment and extend what each already do so well to produce enhanced and improved outcomes for the State. I acknowledge that I participate today from the lands of the Cammeraygal people of the Eora nation and pay my respects to their elders past, present and emerging and thank them for their custodianship of this land. I am Dr Brian Lindsay and I appear in my capacity as Chair of the State Archives and Records Authority of New South Wales. As a professional historian, it is my solemn belief that best practice record keeping is of imperative importance to society. Archival material and historic records not only reveal the past to us, but also foster a better understanding of the present and have an important role in informing contemporary debate.

The New South Wales State archives are among the most culturally significant archival collections in the world, holding records dating from prior to a European presence in Australia. The authority is also responsible for managing and storing over 650 kilometres of government records for the New South Wales public sector. There are four primary policy outcomes under consideration, as outlined in the policy paper. In reviewing the public submissions to this inquiry, I am pleased to note almost unanimous support for policy outcomes three, four and five. They are entirely practical and sound proposals that have been shaped by extensive consultation and achieve alignment with current international best practice. Together they maintain our evidence-based policy into the future, ensure New South Wales public offices are accountable for their record keeping and improve the safekeeping of future archival material. I reiterate my complete support for these three recommendations.

In my reading of the submissions I also noted a prevailing misconception in the archival and historical sectors that documentation standards at the archives have declined and there is a lack of focus on digitisation. Several submissions assert that these issues will be exacerbated by the changes proposed. I strongly refute these views. Key to the public exercising their statutory right of access to our archives is for them to actually know what they contain. The documentation and cataloguing of the archives are vital components of our archivist work and enable discoverability. This practice steadfastly remains at the very core of what the archives deliver. A pragmatic approach has been adopted in which discoverability is optimised by focusing on providing series and item listings to the archives. Supplemented by a new control and management system, this approach has resulted in far more of the archives than ever before being made accessible, including over 6,500 series that have never previously appeared on public catalogues.

Criticisms that the authority has been pulling away from its core business are unfounded. They fail to acknowledge the changing landscape and the potential for wider appreciation of the archives. Many of these criticisms have been levelled by associations of archivists and historians. Such peak bodies often exist with the purpose of preserving the status quo and protecting the territory of specialists. Increasingly, however, the experience of professionals concerned with managing, preserving and accessing records is blurring. Archivists become historians and conservationists become curators, for example, creating a spectrum of skilled practitioners whose integrated expertise illuminates our society's diverse and contested histories. Increasingly, institutions are evolving and being shaped similarly. In communities right across New South Wales the public accesses history through local cultural institutions that dynamically and simultaneously embrace traditionally separated roles: museum, gallery, library and archive. The Blue Mountains Cultural Centre and the Albury Library Museum are just two examples.

The first and second proposals before this Committee for consideration seek to create a single entity from the existing State Archives and Records Authority and Sydney Living Museums—an institution dedicated to holding and sharing records and assets related to our history. It is a bold proposition. It is a forward-looking proposition. It is one enthusiastically endorsed by peers such as the National Archives of Australia, the Sydney Opera House, the State Library of New South Wales and the Art Gallery of New South Wales. Each recognises

the trend towards institutions with diverse holdings that have a focus on thematic outcomes, rather than specialised functions, as has been traditional. This is not an "either/or" proposition in which the core remit of the archives is subsumed or the remit of Sydney Living Museums is lessened. It is an "and" proposition that builds upon the sum of its parts. The new entity, encompassing diverse holdings and the full spectrum of professional expertise concerning history, will have the ability to expand on the curation and accessibility of the archives through SLM's capacity for exhibitions, education programming and so forth.

While the importance of documenting and digitising our archives cannot be overstated, the value that can be derived from directly accessing digitised records in their raw form is limited for many people. Archives can be incomprehensible, particularly for novice or casual users. Public access, which the archives are mandated by the Act to deliver, should not be effectively limited to trained specialists, even if many archivists and historians would like to monopolise access as a matter of professional pride. The archives is obligated to broaden and diversify the way people in New South Wales of different ages, backgrounds, interests and education and skills levels engage with the material we hold on their behalf. Combining with SLM, with its existing infrastructure, expertise and capacity, will enable the archives to fulfil that obligation.

This timely statutory review has the opportunity to ensure New South Wales has State archives and public service record keeping practices that are not only robust and appropriate for current circumstances and community expectations, but also will be fit for purpose through the remaining decades of this century. With these reforms we advocate for a modern, twenty-first century institution, defined expansively by the outcomes it delivers in combination, rather than remaining apart, narrowly conscribed by the specialist functions that we perform. To reference some of the values of the New South Wales public sector, these proposals are about appreciating difference and welcoming learning from others, while focusing on quality, expertise and maximising service delivery. I unreservedly endorse these proposed amendments to the State Records Act 1998 and the Historic Houses Act 1980. Thank you.

**Ms SPARKS:** I will go next. Firstly, thank you very much, Chair and Committee members, for the opportunity to address you in your inquiry today into the review of the State Records Act 1998 and the Historic Houses Act 1980. I am speaking today from beautiful Darkinjung country and I would like to acknowledge the traditional owners of this land and pay my respects to elders past, present and emerging. My name is Naseema Sparks and I am a professional company director and businesswoman, and chair the Historic Houses Trust of New South Wales, trading as Sydney Living Museums. I was appointed as a trustee in 2014 and became chair at the end of 2018. To be honest, I am a history tragic. I am passionate about the stories of our past and about people, where and how they lived, where and how they died and the impact they made on this country. I am passionate that the stories of early Australians are told to the people of New South Wales. By "early Australians" I mean the Aboriginal people who were here before Captain Phillip and his fleet came to this place, as well as all other people who came to our shores in the hope of a better life. These are the stories that have shaped our country and will continue to shape the culture of modern Australia.

I start by giving in principle support for the propositions being considered with regard to the State Records Act 1998. The proposals outlined in the policy paper are practical, will align the State's record keeping with international best practice and will ensure the integrity of those records and access for the people of New South Wales remain at the core. With my Sydney Living Museums hat on, I will focus this address on the proposal to create a new singly entity from Sydney Living Museums and the State Archives and Records Authority. SLM and SARA are first and foremost a resource for the people of New South Wales. We need our public to more fully appreciate what they are and what we can do for them. I fundamentally believe that bringing the two organisations together will have a powerful impact for the institutions, the people of New South Wales and for Australians as a whole.

In summary they are: increased quality and reach of public programs and exhibitions able to be produced by the two organisations working together; scale benefits for fundraising, philanthropy, corporate sponsorship, audience numbers and overall competitive strength when appealing to governments for funding that comes from being a more substantial cultural organisation; and real monetary synergies and operating efficiencies in bringing together services such as parts of the leadership team, finance, IT, marketing and administration. Where SLM owns physical spaces and locations, SARA has the records and archives to bring them to life. Where SARA has a depth of historic material, SLM has the capability to co-curate and display them. The purpose of Sydney Living Museums is to create a living future for the past. This is a promise we make to our stakeholders and audiences. We also use it as a tagline. I use this purpose as a filter when considering aspects of bringing SARA and SLM together and ask myself if it would still apply. The answer is a resounding yes.

The organisations working together can create a better, more informed and more accessible future for our past. In reading through the material, I noted that the submissions of former employers, trustees and other interested parties pine for the Historic Houses Trust and State Archives and Records Authority that they knew. I emphasise the past tense here. One particular submission called for SLM to return to the boldness, minimalism, creativity and efficiency for which it was once known. It could be that before my time SLM was more bold, creative and nimble, but what I can say is that since the two entities have been under the leadership of Adam Lindsay and SLM and SARA management teams have been working more closely together, the resulting work has both surprised and delighted our customers and the public with its creativity, courage and depth of information. I will illustrate using two examples: first, the UNESCO World Heritage Centre-listed Hyde Park Barracks museum; and second, the exhibition *A Thousand Words*.

In the past year SLM and SARA have collaborated to deliver a renewed Hyde Park Barracks and a museum experience that is on par with the best museums in the world, using state-of-the-art audio-spatial technology. The barrack's content and story depth would be a shadow of what it is without access to State records material. Secondly, the highly anticipated *A Thousand Words* exhibition was intended to open at the Museum of Sydney three weeks ago. *A Thousand Words* is an audience-led content exhibition based on archival photographs from the State records uploaded to social media platforms. It invites the public to use one word to describe a shot. Honestly, it was a runaway success. I can heart on heart say that this exhibition would not have been so rich and diverse had SARA not worked with SLM to create it. When it was obvious that the exhibition would not physically open because of the pandemic, the team quickly reimagined the entire body of work to an interactive exhibition and *A Thousand Words* was launched on the SLM website on the due date, on time and on budget. This is creativity and nimbleness.

It is early days yet, but this collaboration and increased capacity to create unique experiences is important for audience growth, enhanced educational experiences for our school children and more opportunities for research and discovery. One important opportunity will be the capacity for greater regional reach and the ability to present works to more people in regional and rural centres across New South Wales. Both organisations have strong regional touring programs and can support one another to increase regional impact. There were quite a few negative submissions suggesting that the creation of a single entity would detract from the expertise and focus of the current organisations, or dilute and divert resources away from where they currently provide value. I strongly disagree with this and would say to those people that we have had almost a year to demonstrate that this is not the case.

I have a high regard for chairs, trustees and leaders who have come before me and built the Historic Houses Trust into what it is today. They had a vision and they created a wonderful organisation. However, agencies such as SLM and SARA need to evolve if they are to remain relevant and engaging to younger and more diverse audiences for decades to come. Moving to another point, it is fair to say that neither organisation has the same level of brand recognition or cultural capital as the establishment organisations such as the Art Gallery of New South Wales, the Australian Museum, the Sydney Opera House and the State Library of New South Wales. If the organisations are joined, the necessary remarketing could be one of the best things to happen to SLM and SARA in years. This proposal in itself is bold and adventurous and, if approved, the combined organisations will be a gift to the people of New South Wales—a new organisation to create a future for our past. I cannot help but believe that SLM and SARA working together could become a centre of national importance if what we have seen in the past 12 months is a guide. Thank you.

**Mr ADAM LINDSAY:** First, I would like to extend my thanks for the opportunity to address the inquiry into the State Records Act 1998 and the Historic Houses Act 1980. My name is Adam Lindsay and I am the Executive Director of both the State Archives and Records Authority of New South Wales and Sydney Living Museums. I have been at SARA for over three years now, and with SLM for nearly a year. I too would like to begin by acknowledging the traditional owners of the land on which our property sits, and pay my respects to the elders of the Gadigal people of the Eora nation, the Darug people and the Wodi Wodi people of Yuin nation. In doing so, I state our commitment to continue to include Aboriginal perspectives, voices and stories in the work that we do. There are three areas I would like to highlight to the Committee today: the public value created through access, the future and the teams who are creating this at SARA and SLM.

When developing the proposals in the policy paper we are discussing today, we started by asking why SLM and SARA exist. Both exist to deliver outcomes for and value to the people of New South Wales. Although both entities very proudly run profitable commercial services, SLM and SARA would not exist if not for the funding of our taxpayers. We also asked why we were reviewing these Acts. As public servants it is our duty to routinely assess the value we are providing against the expectations of the public at large and to always work to drive more value from the resources available to us. It follows that the rationale for undertaking this review is to

develop legislation that delivers increased public value. SARA regulates, collects and preserves records and archives produced by public offices. SLM owns, manages and conserves significant places across the State. These assets are worth far more than their book value. It is the evidence they provide us to inform our policy making, it is the information they reveal to us about our past and it is the enjoyment, nostalgia and the emotion that they afford us that creates their priceless public value.

It is with this firmly in mind, informed by the feedback we received through our extensive consultation with key stakeholders across New South Wales government, that we formulated the proposals before you. I would like to restate to the Committee a point that I made in my own submission to the inquiry. Far too often, whether due to a lack of space, under funding or outdated attitudes, public collections are left to languish and be forgotten. Millions of dollars of public money are spent collecting and preserving vital, beautiful, emotional and highly socially relevant material, only for it to sit in storage beyond the reach or, worse, memory of the public who own it. By addressing this issue and forming a new entity, we will be able to make the biggest impact on public value. To achieve this value gain we must focus on the diversification of public access and the entry points to our collections and properties. The creation of a single entity will allow for the expertise and infrastructure at SARA and SLM to cross pollinate and create far more opportunities for access and for our staff.

The diverse team at SARA and SLM are an expert and dedicated group of professionals who I am very fortunate to work with. The prospect of a single entity broadens their career paths, allows for a more varied range of projects to nourish their vocations and creates better conservation, administration, access and collection outcomes. I have seen this happen already in a range of teams from finance right through to curatorial. We can go further, supporting arts and culture professionals with increased opportunities to broaden and share their knowledge with the public, who are eager to receive it. SARA holds one of the most culturally significant archival collections in the world. SLM has the infrastructure to support pathways to digital access, history, heritage, exhibitions and education. Some submissions to this inquiry suggested that the proposed new entity came about only in response to the partnership of SLM and SARA under my joint executive directorship. Although this is not the case and has no bearing on the merit of the proposition itself, my role leading both institutions has afforded me 12 months' worth of empirical evidence to support my strong belief that the proposed new entity will bring greater value and outcomes to the people of New South Wales.

Further, this proposal presents a far brighter future than that of two single entities. One of the key concerns raised through the submission process with regard to this proposal was the perceived lack of analysis or justification for the creation of a new entity, with several responses noting that the proposal could lead to a diversion of resources from current core functions and a general decline in expertise across the organisation. I can state with certainty that the past 12 months of partnership between SARA and SLM has not been responsible for a diversion of manpower, funding or resources away from any one part of SLM and SARA's core operations in favour of another. In fact, the partnership has created large-scale financial and administrative efficiencies that have allowed us to invest more in the things that really matter: creating public value through access. Although not the purpose of this proposal, a single new entity will result in even more efficiencies by removing legal and administrative fences. These efficiencies will allow us to focus our resources on the highest gain activities. As an example of something that has been realised through these efficiencies, we are in the process of installing new displays into Vaucluse House and Elizabeth Farm drawn primarily from the State archives collection.

This content focuses on aspects of our social history. I am particularly proud to present content addressing John Macarthur's struggles with mental health in the early 1800s in his former home, one the oldest in the country, which is now cared for by SLM. It is without a doubt that I can say that this kind of innovative access would not have been possible without the collaboration between SLM and SARA existing. But a partnership, however close, has limits. There are other outcomes we can achieve only through combination in a new cultural entity. I see this as a simple prospect. The more ways and styles of access to our collections and properties that we can facilitate, the more people can derive use, enjoyment and value from them. This proposal does not aim to detract from nor disrespect the strong history of these two organisations, but instead aims to evolve them into something even greater than the sum of their already wonderful parts. Above all we must remember that the public value of the archives and the properties we maintain is not created by us possessing them; it is the stories they tell us and the things we can learn from them that create value for the State. We must be careful to preserve and protect them, yes, but so that they can be accessed, enjoyed and learned from. The proposals under review will achieve that. Thank you.

**The CHAIR:** I thank each of you for your opening statements. It was remiss of me not to make a declaration at the beginning of this meeting, and I apologise for that. I take this opportunity to make a declaration for abundant transparency. I was a board member of the State Archives and Record Authority of New South Wales, appointed by and to represent the Parliament. As a result of the referral of this inquiry to the Social Issues

Committee, which I chair, I resigned from the SARA board to remove any doubt and ensure total transparency about any real or perceived conflicts of interest in the conduct of this inquiry. My role on the board was a non-pecuniary interest. The resignation took effect on 9 March 2020. I have not participated in any conversations at the organisational or board level about this inquiry. I make that declaration for the public record; I will not make it again after today.

I will kick off with questions from the Government. My question is to the three of you. Is the proposal to merge the State Archives and Records Authority and Sydney Living Museums to create a new cultural institution such a radical idea? Are there other examples where State archives have been merged with museum-style institutions either in Australia or in comparable jurisdictions?

**Mr ADAM LINDSAY:** I am very happy to start off. The State Archives and Records Authority has many counterparts around the country and the world. Sydney Living Museums is probably more of a unique prospect. A lot of such significant sites are deferred to national trusts or similar bodies. I think the most similar case study that I could find would be the Royal Collection Trust in England, which does hold a significant amount of visual art, collection material, artifacts, objects and places, and combines them harmoniously. It probably has a much more specific mandate that perhaps Sydney Living Museums and the State archives have and would have under this proposal. But in terms of holdings and presentation to the public of broad historical material across as many formats as you can think of, the Royal Collection Trust would be the most similar.

**Dr BRIAN LINDSAY:** If I can add, if we think about the arts space, the Art Gallery of New South Wales is an existing institution that holds material of an enormous breadth—everything from canvas to marble to plastic to virtual and electronic displays. All of those art forms require very different skills when it comes to conservation, storage, interpretation and display. What we are proposing here is an institution that deals with history in a similar way that has a diverse range of physical holdings, and to put them alongside one another in a way that best serves the public. As I noted in my opening remarks, all across New South Wales at a much more local government level there are all sorts of institutions that blend and merge traditionally separated institutions such as libraries, museums, galleries and archives. It creates an interface for the public that is focused on the outcomes: understanding society, understanding the human experience and understanding history. What we propose here is to create an institution for New South Wales that is outcome focused, rather than prescribed by specialist functions that are separated and kept in silos—one institution for archivists, one institution for librarians and one institution for historians. It is a forward-looking approach that we are proposing here.

**Ms SPARKS:** Thank you. I do not think I can add very much to Brian and Adam's responses, except to reiterate that Sydney Living Museums or the Historic Houses Trust is in itself quite a unique structure and setting.

**Mr ADAM LINDSAY:** If I may, I will make one more point. There are a number of institutions around Australia where the library and archives have been merged successfully and unsuccessfully. That often gets quite a bit of pushback from professional bodies. I would say that Tasmania is an example where, because of its size and inter-operability, the library and archives merging has been very successful. I know that firsthand from its State archivist. I will say that I think it is quite refreshing that this is a prospect not to merge the archives with the library and not to merge an institution like Sydney Living Museums with another institution or another museum institution. This really is an opportunity to create a truly unique institution. Whilst benchmarking is very important and looking at the sins and successes of those around you is important, it is also important to sometimes blaze new trails.

**Dr BRIAN LINDSAY:** If I can add one more point from my original submission, I always take the view that the New South Wales archive is one of the most culturally significant in the world. It is my view that with such status comes also responsibility. We are not only obliged to meet international best practice but also beholden to be among the global players that define best practice moving forward.

**The CHAIR:** Dr Brian Lindsay, I think you are the best person to answer my second question. Assuming a limited knowledge of how the State Archives Act works in New South Wales, could you just give an overview of how the Act works? We are reviewing the Act and related matters, and we received some submissions around the performance of the Act, including the 20- or 30-year period of opening files.

**Dr BRIAN LINDSAY:** In terms of the reduction to the access period and the default access period, part 6 of the Act provides public access to State records that have been in existence for at least 30 years. This is known as the open access period. Records in the open access period should, in most cases, be open to public access, but do not automatically become open. A public office must make an open public access [OPA] direction in order for the records to be opened. In New South Wales 51 per cent of public offices have access directions for



at least some of their records, and 43 per cent of public offices have access directions that cover all of their records in the open access period. Providing public access to records of continuing value relies on public offices making OPA directions. If they do not, their records will be closed to public access under our Act, regardless of their age or their sensitivity. For the 49 per cent of public offices without any access directions, any records they hold that are more than 30 years old are not open the public. This includes any information that is or was publicly available, such as published reports and information released under the Government Information (Public Access) Act.

This approach to make access directions is at a series level, rather than on individual records, and is pragmatic and efficient. Records in the open access period will be opened by default under the proposals before this Committee unless the public office that is responsible for the record makes a closed public access [CPA] direction. It switches the onus to those organisation to declare that the access should be closed, rather than declaring that it should be open. This achieves the intention of the Act to provide public access to records in the open access period by removing the need for public offices to make OPA directions. It allows public offices to focus on identifying categories of information that favour or require a CPA direction. We have also proposed reducing this period from 30 years to 20 years. This brings us in line with other jurisdictions, including the Commonwealth. It encourages timely public access to records documenting the activities and decisions that shape New South Wales and the lives of its citizens. One of the other aspects that is addressed by the proposal before us is transfer planning, which is an important part—

**The CHAIR:** I might just interrupt you there, Dr Lindsay, to get you to clarify something. At the moment for the public access to documents the default is "closed" at 30 years unless they apply to open the records. Is that the current situation? And is the proposal to reverse that so the onus will be on them to make an argument to close their records if it is amended to 20 years?

**Dr BRIAN LINDSAY:** Correct.

**The CHAIR:** The SARA board—or whatever body comes out of this reform if it happens—has to approve applications to close records?

**Dr BRIAN LINDSAY:** No. It is an operational matter for the public office to declare it closed for an operational reason—for example, that the file is in continuing use. An example is that it would be appropriate for a mental health file of an individual to remain closed to public access even though it is 25, 30 or 35 years old, because that individual is still alive.

**The CHAIR:** Thank you for that. I will let you finish what you were saying.

**Dr BRIAN LINDSAY:** Transfer planning is another aspect of reform that is before us today. Part 4 of the Act gives SARA an entitlement to control any records that are no longer in use and presumes that records more than 25 years old are no longer in use. Public offices must make a still-in-use determination if they want to keep records that are more than 25 years old. In most cases public offices should transfer any records of continuing value that are no longer in use on a day-to-day basis into our custody. This enables us to document, preserve, contextualise and ultimately provide public access to the records. But only a small number of public offices have established programs that routinely transfer records of enduring value into our custody. Many transfers are ad hoc, driven by external factors such as office moves or machinery of government changes.

What we propose is to introduce requirements for public offices to make and implement plans to transfer control of records of enduring value that are no longer in active use into our control. This may involve the immediate or postponed transfer of custody, but it will mean public offices will have better visibility of the records they hold that are of enduring value, as will we. And both will be more cognisant of issues such as where they are kept and whether they are safe from deterioration or damage. The archives will have visibility of the range of records of enduring value in public office custody, which will enable us to work with them to allocate resources to control these records, protect and preserve them and make them publicly accessible. The executive director may have points that he wishes to make on this point.

**Mr ADAM LINDSAY:** I might just underscore that nothing changes in terms of the ability of a public office that creates the records to close a record if they so wish. At the moment public offices are able to determine whether a record is open to public access or closed to public access once it hits the 30-year period. As a result of the figures that Dr Lindsay was talking about, the majority of records that are not subject to an access direction default to closed because they sit in access limbo. What the proposal before you states is that if a record comes into the open access period, it would default to open unless the public office closes it. The public office has the full ability to close a record for any reason that they see fit. They are able to do that after the public access period has expired. Simultaneously, we are looking to reduce that public access period to 20 years, rather than 30 years. That is an important international and national benchmark.

Thirdly, the power to compel a public office to report on its own record keeping practices is what gives the authority the ability to ask a public office for information on any aspect of their record keeping, including why they might be closing records for what the authority might feel is an excessively long period of time. It does not change the self-determination or the power of a public office to close a record. That power best sits with the public office because they know the content of those records. Mental health records are a very good example. But what it does do is say, "If you are not active in setting access directions, the public should not be denied access and it should not sit in access limbo and force the public to apply for an access direction" The office can put a closed direction in place or it can default to open. From a public office's point of view, if they are vigilant about that it just saves administration. Why set an open access direction if you intend it to be open? For what it is worth, nothing changes in terms of self-determination.

**The Hon. BEN FRANKLIN:** I have both a comment and a question. Obviously for the past 12 months you have worked closely in partnership. I have personally seen how that has worked with the Hyde Park Barracks upgrade, which, can I say, is utterly extraordinary. Any member of the Committee who has not been there has to go. It is one of the most extraordinary international examples of its kind that I have seen. That is the first point. The second point is this: The partnership is working now. What is going to be added if you actually merge the organisations? What specific benefits are you going to gain by merging that you do not currently have with this close partnership? I am happy for any of you to answer the question. I think, frankly, this is the nub of the entire issue.

**Dr BRIAN LINDSAY:** There is a range of broad things to do with the harmonisation of valuation, curation programs and other sorts of operational things that the executive director may wish to address. But in terms of giving you some specific, concrete examples, the best one I can probably point to you that is relevant because it has been brought up in several of the submissions that are before the Committee is the notion of reading room access to the archive material in the CBD. To quickly give the Committee some background, there was a reading room in The Rocks for many decades. It was closed in 2012 in response to declining use. There is a growing preference experienced by archivists globally for access to be online rather than people going into a reading room with a pad and a pencil. The Western Sydney Records Reading Room has been the focus since. Plus, we have put resources into numerous libraries across the State and online relating to our most heavily used archives.

But there is, nonetheless, some interest from some quarters for a reading room preference in the CBD because it would be more convenient for people who are not in western Sydney. Re-establishing a reading room in the CBD is not something that the archives can responsibly achieve on its own. The cost of hiring space for that kind of thing is prohibitive. It is also not something that we could really deliver no matter how closely we partner with another cultural institution, whether it is SLM or the State Library. You would have obstacles and, to use the executive director's phrase, legal fences to do with a chain of custody for archival material. We would literally have to hand over archival material to the custody of another partnering institution in order for it to be made accessible in a reading room space. Or we would have to put archive staff in there to maintain that custody. Archive staff would have to be operating in the workplace of another institution.

I am not comfortable that there are service level agreements or MOUs that could overcome either of those issues. However, with the creation of a new cultural entity—one in which the archives and the SLM properties and their staff are combined—those kinds of legal and operational fences, to use the executive director's phrase, would be removed. Therefore, there would be a capacity for some kind of reading room access to archive material in the CBD through a SLM property such as the Mint. That is the probably the best specific example I can use to illustrate a practical outcome that only a combined entity would be able to achieve.

**Ms SPARKS:** I might add that Sydney Living Museums owns 11 museums, houses and public spaces. That is a lot of space. If we were a combined entity we would happily work together and would be duty bound to use our properties to display relevant historic material that can be found in the archives. Without actively being together, we might have another exhibition on it somewhere but something from the archives could not be brought in. I think one of the most compelling arguments is creating a cultural institution of scale dedicated to the very important history of New South Wales, which is very magnetic to a lot of people. There are a lot of people coming out of the woodwork to learn about their past, who came out on which ship, etcetera. That would help us with fundraising and philanthropy, to compete with the larger organisations—there is only a limited amount of wallet space—and expand our profile. That, to me, is one of the important things, and really to cross pollinate between the staff. Both organisations have a wonderful people. To be able to offer someone from SARA to work at SLM for a while and vice versa and cross pollinate would create a wonderful strength for them. They could work anywhere in the world with that.

**The Hon. BEN FRANKLIN:** Thanks. That is fantastic. Mr Adam Lindsay, would you like to say anything?

**Mr ADAM LINDSAY:** I would not mind adding a couple of things, if that is okay. Thanks for the Hyde Park Barracks plug. I will extend it. It reopens on Thursday and tickets are on sale online now. There are discounts for all of you, of course. Firstly, before I reiterate and add a couple of things that we would gain, I will talk about what we would lose. We would lose a wall between the two entities that culturally and legally does prevent us from entering the next stage. We are on different flex agreements. The two different staff have two different flex agreements that they sit under. Every time we procure or attract an artist to interpret something there is the question of who is actually going to engage them and sign off on that contract and who is going to pay. "If this person pays then this person needs to be reimbursed." "What are the auditors going to say about that?" How do we demonstrate that no-one has lost or gained over the expense of another? From a cultural and management point of view we would lose an incredible amount of inefficiency.

Even if we produce the same outcomes by losing all of those things I would argue that it is still a worthwhile prospect. We would also gain—and I agree with both chairs' points—a State institution with a formidable portfolio of assets dedicated to fore fronting contemporary entry points into what is a difficult and contested history. I think that is really important. As the first State and as the State of New South Wales it is our responsibility to create that entity. We would have a larger organisation. When bidding to Treasury that is really important. I think that is something to highlight and underscore. With the attraction of artists and creative professionals, the bigger and better your market position, the easier that is. There are procurement and buying power efficiencies and philanthropy improvements, as Ms Sparks has spoken about. With the valuation of collections, both entities currently separately talk to the same auditors and use different methodologies to value their collections. We can learn from each and do that better and cheaper for the public.

There is collections care. Why should paper-based material at Sydney Living Museums be outsourced to an external company when SARA knows just about every type of paper there is? And why should the material and textile objects in SARA's collection do the same when they could come into the custody of SLM? That is very difficult now, as Dr Brian Lindsay said, as they are two different entities. There is insurance and all of those things. If it was one entity it would be very seamless. Then there are the public outcomes. Why should the public have to know what Sydney Living Museums holds and what SARA holds? By combining them into one system—and I do not promise it will be done overnight, but even working towards that—means that the same collection catalogue can be used to access those materials. The public then has a much more integrated place to go. Ditto when it comes to our peers. We are the underdogs when it comes to the cultural institutions. For the first time ever when floating this prospect to the State Library and Art Gallery of NSW, they seemed to be much more interested in partnering and working with us. I could go on forever, and I know I cannot, but I will end by saying that tickets for the Hyde Park Barracks are on sale from Thursday.

**The CHAIR:** Thank you. We might do a site inspection of the Hyde Park Barracks.

**The Hon. ROSE JACKSON:** Thank you. I want to kick off by asking for a little bit more detail on how the collaboration between SARA and Sydney Living Museums would work in terms of the capacity of the Sydney Living Museums to be a kind of exhibition space when most of the Sydney Living Museums properties seem to be quite specific place-based assets. A couple of opening remarks and other contributions have been made about the potential for SARA archives to be exhibited at Sydney Living Museums properties. You would have seen that in some of the other submissions people have questioned whether that is really feasible. It sounds good in theory, but in practice is there really space at Sydney Living Museums facilities for those types of exhibitions to occur? And even if there is some physical space, is it appropriate to be exhibiting random or unconnected SARA assets in SLM properties that are really rooted in the history and specific nature of that building?

**Mr ADAM LINDSAY:** Would you like me to take that one?

**The Hon. ROSE JACKSON:** Yes. I am going to throw my questions open to the three of you. I hope you do not mind.

**Mr ADAM LINDSAY:** No, that is okay. We will just jump in. Forgive any overlapping, because we are all enthusiastic and eager. The first thing I would say is that it is probably a misunderstanding or a misstatement to say that the two collections are not connected. The majority of the information about the places that SLM manages forms part of the State archives collection. Information about the people who lived in those places and their life histories from birth to death or migration to death is in the State archives. If you start talking about the literal interpretation of that and then take one step back, things like the plans to build, the land acquisition and

where the builders who built the property drunk and a whole history of pubs and clubs all come into it. There are infinite stories that you can tell that are related and still stay true to a place-based philosophy.

The second part is that the place-based philosophy is a philosophy and was a very prominent philosophy when the Historic Houses Trust—the former name of Sydney Living Museums—was set up. Curatorially there are times when we might want to move away from that. That does not mean disrespecting the history of that place, but if you look at international examples such as the Met and the Met Cloisters, they are really important historic buildings, but they often display material that has a tangential or even no relationship to the site itself. That does not mean that they do not have interpretations of what the site is and was, but there is also a notion of experiencing material in a historical setting. The Met Cloisters is a perfect example of that.

There are infinite stories related to a place-based curation model contained in the archives without denigrating a place-based interpretation methodology, but there are also other ways to interpret it. The two examples I cited in my opening address are both great examples—an unknown or unexplored part of the history of John Macarthur with his mental health struggles is being shown at his house, which was one of the first houses built in the colony. That fully sits with a place-based curation model but tells new stories. Ditto with the Sarah Cox material that is going into Vaucluse House, which was her family home. That talks about her legal case. She was one of the first people in Australia to sue for breach of promise and was awarded a settlement from her fiancé who never became her husband. There are infinite stories within the archives that can be told.

Another aspect—pre-empting a supplementary question—is about conditions and being able to display original source material in the house museums. They often do not have the right temperature or humidity standards to display that material. We get around that in a number of ways. I would cite our regional touring program of exhibitions and our archives on tour program. Our exhibitions are more interpretive programs where we tell stories and our archives on tour program is when we take original material around to regional centres and small regional art areas and give access to that original material with [inaudible] from archivists and historians. We make the displays shorter and we keep the displays in special humidity and temperature controlled cases. There are a number of ways we can preserve and protect our archival material and still make connections with it in a primary source, even in the smaller house museums that do not have archival or museum-standard conditions.

**The Hon. DANIEL MOOKHEY:** Can I follow that up? No-one doubts that there is the ability for the Sydney museums to tell their stories, the question is do you require a merger to tell them? What is stopping you being able to access the archives and display them now in a way in which you are describing? The criticism of the management team's proposals, the thread that runs through them, is that you are all effectively nominating benefits that are available to you today and that we do not need to change that in order to give you what you wish to do. I appreciate the commentary and the evidence points and examples that you have given but I think you need to address the core criticism of your critiques here, which is why do you need to merge to do this?

**Ms SPARKS:** Mr Mookhey and Ms Jackson, I think it goes back to the points that both Adam Lindsay and I made before, which is one of scale, which is one of efficiency, which is one of philanthropy. Since moving back into the Arts portfolio a couple of years ago we honestly realised that Sydney Living Museums is way, way behind most of the arts organisations in terms of attracting philanthropy dollars. It is not just that it has not been focused on, it is perceived as sub scale and has not been known about. I think that together we can address those very important issues. These are not just side issues, they are part of the core focus. It is not just the outputs, even though that is important, it is actually what happens behind the scenes, how we attract more donors, how do we attract more interest. So that is really one of the things that I see, expanded profile in amongst the cultural institutions, a very first in this country of an institution dedicated to history, dedicated to the stories of the start. They are the things that I see that would make it important, to be together rather than just to continue to use each other's material when there was a relevant exhibition. I hope that has answered your question.

**The Hon. DANIEL MOOKHEY:** It does, it helps answer the question but it of course begets some more. You will forgive me if I follow up. You say that it effectively identifies efficiencies with the implication that you would be able to redeploy those funds to expanding admission and attract more philanthropy and donors. Can we be a bit more specific; how much money efficiencies would you identify for either of the organisations? How much should we judge this proposal in terms of the work you could save and what exactly is the additional target for philanthropy and donors over what period?

**Ms SPARKS:** Thank you for that. It is actually a very good question. It is fair to say that a full business case has not been pulled together for this proposal because we did not really know what it looked like. We are really only providing some of the proof during the last 12 months where both organisations have shared an executive director. I think the exercise could probably be done now that we have a little bit more information on the depth of—the audience numbers, for instance, who interacted with some of our online exhibitions, the audience

numbers that come in and comment on the Hyde Park Barracks. We have not done a lot of the quantitative work because really we did not know whether this proposal was going to go ahead. I suspect it can be done. I would hand over to Mr Lindsay here to talk about maybe some examples of things, little things like insurance, little things like cleaning costs and the economies of scale that you get by being able to have a bigger contract. They are small but they all add up.

**Mr ADAM LINDSAY:** Thank you, Ms Sparks. Mr Mookhey, I think I answered the question earlier after the two Chairs of SARA and SLM in an offensive way. I did not answer it in a defensive way, but I would rephrase the answer I gave earlier in a defensive way to your question around why. I still think the creation of this entity— and this is why a business case has not been done, this was an intellectual endeavour to create an entity that forefronts history. I think that in and of itself is an outcome worth exploring and an example of what we will gain by being two. And yes, a number of the examples you have given are certainly true, we can display copies of archival material in Sydney Living Museums' properties, but the amount of work that that unnecessarily generates by being two different legal entities means that we can create the same outcomes and better outcomes more efficiently. That is before we get to the list of things that I rattled off earlier to Mr Franklin. I will not reiterate those because I know that there is limited time, but I do feel that I put forward what I think is quite a compelling justification of why we should become one entity.

Following on from Ms Sparks point around efficiencies, it is difficult to quantify and qualify but I will give you a couple of examples. In terms of grounds keeping services, Sydney Living Museums maintains not only the buildings but also quite significant gardens and grounds that sit around their sites. And they are diverse, they range from Rouse Hill Estate with animals and fields and very early asparagus mounds, etcetera, through to The Mint, which is much more of a presentation garden and generates a lot of money from events and weddings, so a different type. It has a fairly extensive horticulture team. SARA has a lot of land. We store previous works from sculpture festivals out there and the grounds keeping is large-scale but not historically important. We have got the grounds keeping staff from Sydney Living Museums to fulfil that contract and we have saved about \$100,000 a year, and that money goes straight back into the bottom line. That is a simple grounds keeping example to achieve that.

**The Hon. DANIEL MOOKHEY:** I accept your argument that there are examples of efficiencies. I note you have said that the business case has not been prepared and the implication is that it is not going to be prepared unless, effectively, Parliament grants the merger, or at least that this prospect is going to progress. But these are arguments that effectively you have all nominated as why we should proceed; they are not contentions that I am putting. We are asking you to follow up on what you have said, which is that there are efficiencies which would allow it to be redeployed. One aspect of the question that was not really answered was, what exact additional philanthropy do you expect? How many new donors do you expect to be bringing in that are not in the efficiency category?

As a second follow-up, I accept your point that there are complexities in putting together exhibitions and this would make it easier. But you could apply the same argument to merge with any museum, or any other cultural institution in which you are sourcing material. Why particularly have you nominated the State Archives as being the one most appropriate for you to merge with? Why are you not suggesting that you merge with any of the other artistic organisations, and what due diligence did all your respective organisations do to identify the State Archives as being the logical merger partner? And why has the State Archives nominated Sydney Living Museums as the logical merging partner? Would you like to provide more of an answer to this critique that has been mounted through the submissions that it will detract from the State Archives core mission?

**Ms SPARKS:** Can I start that answer? Thank you very much. I just want to pick up your point about how much increased philanthropy. Yes, you could do a forecast of that. You could actually set a target for that. The more frequently you present to philanthropists in terms of exhibitions, in terms of potential, in terms of what you are going for with a critical mass behind you, the more they tend to come to your assistance because they like what they see. If we were to do this purely on a business case, I do not think that is the right measure, to be frank. I think what we should also look at is some of the unquantifiable outputs for the people of New South Wales, which is engagement with the history of the place. The delta in philanthropy can be done and would be done, but it is really I think equally as important as what are the outputs.

Secondly, if we were to look at the other cultural institutions frankly, SLM and SARA, whilst they might have different financial profiles, they are roughly the same level in a pecking order, if you like. They might not be the same size but neither have a great deal of profile. Sydney Living Museums probably slightly more amongst the people that know it. To actually propose a merger, joining, being together, with any other cultural institution that you could name, I think one or the other, or both of our organisations would be swallowed up in one instant,

with the Australian Museum, for instance, with the library, with the art gallery. We are just too small to have any impact with them to actually progress the vision of being a place for the history of this State. That would be my answer there. But it is a good question, thank you.

**Mr ADAM LINDSAY:** I will try to address the questions in a systematic order, but if I miss any please jump in. Firstly, the business case, that is not a primary driver. The efficiencies are not the sales pitch here, they are the halo benefit. I know we have spent a disproportionate amount of time talking about them and highlighting it, but the arts is often criticised for not having metrics to back up. We have approached this, and this has always been an intellectual argument to create a new entity to forefront history. Through the last 12 months we have realised these efficiencies and added them to the list of halo benefits because they are, whilst not the original intention, a very important part of why we think this is the right thing to do.

In terms of additional philanthropy, we are doing some work with a creative agency to better articulate who we are and why we are, and whether we become one entity or whether we stay partnered entities, there is more work SARA and SLM, indeed a new entity, would need to do to communicate who we are and why we are together. It is in this work that we will determine our core audiences and our targets and it is very important that we understand what markets we are pitching to before we set those philanthropy targets. I would add though that in our latest appeal when we have been increasing our communications and our presence of partnership, the first 20 donations that came in, over 80 per cent of those were from people who have never donated to Sydney Living Museums before.

The potential for new philanthropists is enormous and we are gathering data sets over the last 11 months that are feeding into this work with the creative agency. In terms of being able to apply this argument to any; yes, you could, and it has been applied before. SARA has been asked to merge with the library, and outrage ensued. I would say that that outrage, relatively compared to what has been delivered to the Committee today from submissions, makes them pale in comparison. This might be slight angst, compared with outrage. So too the Sydney Living Museums when they were looking to merge with the Power House Museum, I mean horror, as opposed to a few murmurs.

The idea of a merger—and I have noted [inaudible] that that is—this is the creation of something new, and the merger, the due diligence that has been done, as Ms Sparks has said, equal partnership, and that would not be the case with other cultural institutions. We would be sitting here talking about a merger or a takeover. We would be swallowed up, not just in terms of assets, size and profile, but into their brand. We both have porous and complementary missions and visions and brands and asset portfolios, and that is important. I will finish by saying, and I do not mean this in a pejorative way, but SARA is an extensive collection without anywhere to show it, and SLM is 11 or 12 public museums, and more places that it owns that it rents out commercially and in other ways, without the collections to fill them. Even before we delve into all of the other plethora of reasons, we have got a marriage made in heaven.

**Dr BRIAN LINDSAY:** If I may add, one of Mr Mookhey's questions was that several submissions have characterised this as a shifting away, as a change of focus. They are the ones who were put forward as an "either/or" proposition, which is one of the reasons why we addressed it as such in my opening remarks. We do not view it that way. The traditional purpose, function and responsibilities of the archive will be maintained. The statutory responsibilities and powers of the existing SARA board will be transferred to a subcommittee of the new entity as it is proposed in a way that is unaltered and unfettered. So that the focus on archive building and record keeping will be maintained and our operational focus on digitisation and cataloguing will be maintained. What we see here is an opportunity, as I said in my opening remarks, to diversify access, to add on to what it is that we already do by using the expertise of SLM to increase access in different ways to do different and new things in addition to what we are already doing, to have a more expansive approach. It is not an either/or, it is an add. This is about augmentation.

**Ms CATE FAEHRMANN:** I might continue exploring the question that the Opposition put in relation to efficiency benefits. I know the question in terms of exactly what efficiency measures are expected, and I am trying to be more exact, if you have not prepared a business plan have you prepared anything in terms of, for example, what jobs are going to be merged in terms of administration, what current responsibilities within both organisations are going to be merged? Has there been some kind of plan or document that has looked at the efficiencies, because that is what you have spoken about? That is my first question. Secondly, this might come into it as well in terms of your answers, have there been funding cuts to either organisation over the past decade to warrant this? I know the kind of efficiency dividends that you have had to find anyway, I am assuming. Have there been funding cuts to either organisation? If you do not know that specifically, if you could provide that on notice.

**Mr ADAM LINDSAY:** I am happy to take that. In terms of exactly what efficiency measures are expected, as I have said, it was not the original intention, so we have not done that business case. But we do have indicative examples of where we can achieve them and have achieved some of those, indeed. There have not been any job losses. Over the last 11 months we have made more people ongoing in both entities, and ongoing as in permanent, ongoing public servants in both entities than we have probably at SLM in the last years, and at SARA. We have been doing it progressively but certainly this year has been equal to the past number of years in terms of how many people we have been making ongoing public servants.

In terms of staffing, there are not that many situations of where there are dual roles that need to be eliminated or spilled and filled, as sometimes it is called. Because State Archives used to outsource the majority of its shared services, we stopped outsourcing those and we have made a shared service model with Sydney Living Museums. So we have added staff to Sydney Living Museums to service SARA but they are in the one team. So there have not been any job losses because the majority of back-of-house services we outsourced at SARA before. We are now insourcing them to SLM. It is cheaper and SLM has more staff and SARA has better services. We are still going through that process but that is an example that has been made extremely complicated because we are two entities rather than one, even though we have achieved efficiencies in doing this and better outcomes.

As I said, there are very few examples where there are two exact roles that correlate, and where there have been often staff have had different skills. There are a number of people in the IT teams who have digital skills and they can move into the digital team to deliver art 3D or 2D exhibition design. There is no plan for wholesale staff reduction. There is no plan for any spilling and filling. And, as I say, the majority of roles to not correlate. It is not like we have got two heads of each portfolio and we would be keeping the best, because there just simply is not that, particularly in back-of-house services. I hope that answers the question about staff.

In terms of funding cuts, over the past decade there have been increasing efficiency dividends, so I will not reiterate them because it is one of my hobby horses, but there have been increasing efficiency dividends on both entities that are difficult to manage. In terms of State Archives, it generates between 85 per cent and 90 per cent, sometimes 100 per cent of its own revenue through its commercial entities. Its Government funding fluctuates quite strongly, so I could not characterise, even over the years where government has given SARA less and less and less, and some years zero dollars, I could not characterise it as a funding cut. It is more adjusting to SARA's ability to generate commercial income. There are issues with that model, do not get me wrong, but I could not call it systematic funding cuts to State Archives. But we would like more government funding, I will put that on the record.

**Ms CATE FAEHRMANN:** Can I ask a question of clarification? Can you explain for the Committee how you raise money commercially, as succinctly as you can, because no doubt it is quite extensive?

**Mr ADAM LINDSAY:** Sure. The State Archives collection storage centre in western Sydney is built for the next, say, 100, 150 years of collection growth. We use that additional space to manage current records of government. We use it to generate storage revenue, retrieval revenue, we document and sentence and manage people's records. We also do large-scale commercial digitisation, not just for government, State Government entities, also for Federal Government entities and other bodies, cultural institutions included, and we do consultancy services. That is basically how we generate income, we run a fully commercial business. Sorry, Ms Sparks, did you want to speak?

**Ms SPARKS:** If you have finished your answer to that question, I will go back to the funding question.

**Ms CATE FAEHRMANN:** Yes, please. I have one more quick question before my time runs out.

**Mr ADAM LINDSAY:** In terms of Sydney Living Museums, that has experienced a decrease in government funding over the years and it is particularly a difficult one because it is being cut at a faster rate than Sydney Living Museums can increase its commercial revenue generation. So there have been funding cuts, but I will say there has been government capital investment in capital works programs, etcetera, so that wherever possible buildings can be renewed and reinvested in.

**Ms SPARKS:** Yes, that is what I was going to say. There have been funding cuts to Sydney Living Museums. In addition there has been discontinuation of grants. Four years ago we actually got a grant to subsidise regional school children coming to Hyde Park Barracks to stay overnight to learn what it was like to live as a convict and they slept in the hammocks, etcetera, and ate what convicts ate. It was particularly focused on the lower sociodemographic regions to allow those children an understanding. Now, those grants were not repeated after two years, which is a great shame. Things that we used to have grants for, specific educational projects, have been discontinued progressively over time.

**Ms CATE FAEHRMANN:** My next question relates to the costly process of digitising archives that we have been informed of and the fact that you have just talked about funding cuts. A couple of the submissions say that the focus now should be on what is a complex, massive and costly issue of ensuring records are transferred. I think, Dr Lindsay, you may have said in your opening statement that you refute the fact that digitisation will decrease. Is there going to be more funding that is able to be put into this massive task of digitising records as a result of this merger?

**Dr BRIAN LINDSAY:** Digitisation remains a strategic focus for the board. It is obviously something that we address operationally, it is also something that is subject to separate budget bids. Operationally it is probably better something for Mr Lindsay to discuss exactly how it is prioritised internally within the budget.

**Mr ADAM LINDSAY:** I am very happy to touch on this. There are no plans for a wholesale increase to government funding. There are plans that have been requests for funding submitted to Treasury to develop the business case to expand State Archives commercial operations. That would see it being completely off budget and generating a much more healthy profit. A lot of that would be invested in digitisation of either the State Archives collection or the combined collection of this new entity, depending on what the future holds. There is no wholesale government money to do this and digitisation is expensive. We are looking to grow both SARA and SLM's commercial income to reinvest back in that task, both for preservation of the collections and also for increased access to the collections. I will say that there are significant other drivers.

**Ms CATE FAEHRMANN:** Therefore, the fundraising that you have been talking about, corporate sponsorship as well, potential increase in philanthropic funding, that is not expected to boost the capacity of SARA in relation to digitising the archives? Is that going to historic houses or museums and exhibitions, is that planned? I think this is why the need for a business case is so important because there are concerns in relation to this massive and costly task of transferring. If you are going to increase resources, surely we need to be assured and the people of New South Wales need to be assured that an increase in funding that comes through can also go towards that very essential task.

**Mr ADAM LINDSAY:** I do not disagree with that. What I would say is the current levels that I can assume everyone in the submissions is happy with or unhappy with, those levels of funding devoted to digitisation in both entities will be maintained. So no-one loses anything because the budgets are just smashed together. No-one loses anything by becoming one entity. Sydney Living Museums, at the moment the profits it is generating go to its collection, and the profits SARA is generating go to its collection. There is no notion that when put together that the whole would be any less than the sum of its parts. I do not think there is any reduction in that. Any additional income that the entity would generate through commercial services through philanthropy would be at its discretion to put into its priorities.

As Dr Lindsay said, digitisation for both entities remains one of the top strategic priorities. There is no notion that there would be an increase in government funding. All future digitisation, on top of what we already do, will be generated and funded from money that we raise ourselves and the new entity will equip us better to raise both philanthropic and commercial revenue, both in the existing SLM business and the existing SARA business. The other aspect I would highlight is that digitisation has been increased through increasing volunteers, and volunteer hours have increased exponentially year on year. Already year-to-date we are at almost 5,000 volunteer hours and they help us document, describe—we have grown volunteers by about a factor of 15 per cent or 20 per cent.

We are also exploring commercial opportunities whereby we get other third party institutes, like Ancestry, like the Mormon Church et cetera to come in and digitise our documents for us. They pay for that in exchange for a non-exclusive commercial licence. We are at the point where we know there is no more money from government coming to fund the digitisation of our collection so we are wanting a business model that helps us raise even more money to plough into digitisation. I do not think, as we keep saying, this is not an or prospect. This is not digitisation or exhibitions. One of the strongest drivers for digitisation is exhibitions, because you need to be able to provide access copies and that helps you preserve and helps you make accessible. Public demand and public interpretation is a very strong driver for increased digitisation. Again, I repeat, not an "or" prospect, definitely an "and".

**Reverend the Hon. Fred NILE:** In the opening remarks there was a reference to pre-European records. Could you define what they are?

**Mr Adam LINDSAY:** Certainly. There are a small number in terms of that collection, but the records that predate colonisation are a number of trade records and most prominently the charter of justice from 1787, that King George III signed and sent over to basically colonise the land. There are a small number of records that



predate colonisation but they are important and often they were created in England and brought over here. They tell stories of either the thought patterns or the legal system that was established when Europeans arrived here or they tell personal stories about the people that came over and their life before they came over. By volume, they are a very small part of the collection. By value, some of the single items are very valuable and historically valuable as well as valuable in a monetary sense. They are the majority of the pre-European documents.

**Reverend the Hon. Fred NILE:** I was wondering whether that was a reference to Aboriginal records or material. Is that possible? You have not mentioned that.

**Mr Adam LINDSAY:** Because our archival material focuses are particularly on government records, there is a lot of Aboriginal material in the collection but it does not predate colonisation. Most of that material would be with Australian Institute of Aboriginal and Torres Strait Islander [AIATSIS] in Canberra or with the Australian museum or the national museum. It is treated more anthropological than government archival.

**Ms SPARKS:** Reverend Nile, what I was referring to in my opening speech was the fact that most of the buildings that Sydney Living Museums holds—many of them are actually colonial buildings—should not stop us telling the stories of the land upon which those buildings were built and the people who owned and cared for that land beforehand. As Mr Lindsay said, we are committed to a strong Indigenous voice in relating any of the stories from any age onwards. It just a preconception that some people have that because many of the buildings are of a colonial stage, Governor Macquarie and onwards, that we would not be telling Aboriginal stories, but the land around it was theirs beforehand.

**Mr Adam LINDSAY:** Hyde Park Barracks is a very good example of that where, in essence, the material and the building is colonial but the impact that that had on country, being the administrative centre of colonisation, is told in the barracks in a number of ways. The Aboriginal narrative is threaded right through the barracks. There are dedicated galleries that tell stories about frontier violence and, indeed, unpack the Myall Creek massacre story. To open it, we commissioned an Aboriginal contemporary artist to do an earthwork that completely covered the land around the barracks, so from all angles there was a reclamation and a redress of the colonial narrative. Sometimes those stories are not told through historical material, they are told through contemporary voice.

**Reverend the Hon. Fred NILE:** In your opening remarks, Dr Lindsay, you mention maintaining records of enduring value. How do you define "enduring value"?

**Dr Brian LINDSAY:** One of the primary functions of the board is to set disposal and retention authorities to determine what should be retained permanently as an enduring State record, what should be maintained for a period of time for accountability, access and information periods, and what can be destroyed after a short period of access. They are different levels of retention and conservation and preservation. It is a key function.

**Reverend the Hon. Fred NILE:** What is the process involved in making—quoting your material—"closed to public access direction"? What is the process in coming to that conclusion?

**Mr Adam LINDSAY:** Any determination of public access, whether it is closed or open, as it currently stands, is not the specific authority for its board. The primary office that creates the archive is the determiner of whether it is open or closed. The Attorney General publishes guidelines on what to consider when opening or closing. An important part of the policy proposal before you is that the self-determination of public offices does not change in terms of determining access directions. It gives the authority of its board more power to question why those access directions are put in place and, indeed, makes it compulsory for the public office to answer the authority in asking those questions. Thirdly, it asks that the authority be the entity that publishes the guidelines for open and closing access rather than the Attorney General's office. I am happy to give some specific examples on what material is closed and some thought patterns behind it, but it is not a matter for the authority at this point or going forward.

**The Hon. Rose JACKSON:** Ms Sparks, in the submission you referenced a request that the term "historic" be replaced with "significant" regarding the premises that Sydney Living Museums is able to purchase and manage. You suggested that the term "historic" had been limiting. I want more of an example of that? If we were to make that amendment and increase the remit of either SLM or this new organisation, what types of things would you be looking at in terms of the significant places as opposed to historic places?

**Ms SPARKS:** That is also a good question. I will get Mr Lindsay to answer this, but say we are looking at a prominent architect, an example would be Rose Seidler House—Harry Seidler's mother. The Sydney Living Museum has acquired that building because it is an example of then contemporary standout architecture that

should be around for the public to view, to absorb, to learn from. They are they sorts of discussions the board would have around structural entities that should be preserved for future generations, but if they remained in commercial or private hands they probably would not be. That is what we are thinking there. Mr Lindsay, would you like to add to that?

**Mr Adam LINDSAY:** Yes. I would underscore what Ms Sparks says, particularly when it is modernist architecture, brutalist architecture. They are what architects, indeed historians, are battling with today in terms of preservation because a lot of them are being torn down. I would cite that. In terms of thematics and stories to bring to bear history—for some of our audiences, does not have the connotation of Aboriginal history and I think it opens up to be able to tell broader stories. What came to my mind most pointedly as an example is the Lindt cafe and the siege there. If the Government or the trust wanted us to interpret that space as a very significant point in our history, a lot of people might not think that is an historic building or place, and yet all of the tribute material and the majority of the records relating to it are sitting in the State archives collection.

In terms of being a truth-telling mechanism, in terms of being able to interpret something that in all of our living memory was a big part of our social history, modern as it may have been, our Act in a strict reading would not allow us to do that. Yet, it was a great example of a more contemporary place where something happened and a whole host of important archival material came together to tell us a highly relevant story. The time will come for us to truth tell around that event.

**The CHAIR:** That is a good way to conclude your evidence. I can imagine the work in the future interpreting the pandemic and the response of government and the community. It must be an incredible responsibility to collect that data. Thank you for presenting your submissions and giving evidence today. I do not think any questions were taken on notice, but if there were you have 21 days to submit those answers. The secretariat will be in contact with you about that. Members of the Committee may lodge further questions on notice over the next few days, which you will need to respond to as well.

**(The witnesses withdrew.)**

**(Short adjournment)**

**FRANCIS ALAN VENTRESS**, former Director, State Records NSW, before the Committee via videoconference, affirmed and examined

**The CHAIR:** Welcome back to the Standing Committee on Social Issues inquiry into the State Records Act and the policy paper on its review. I remind participants that if they are disconnected from the virtual hearing, they can re-join the hearing using the same link that was provided by the Committee secretariat earlier today. We are experiencing some feedback. We will take a short break to sort it out.

**(Short adjournment)**

**The CHAIR:** I apologise for the technical problem. We are hoping we have resolved it now. Mr Ventress, would you like to make an opening statement?

**Mr VENTRESS:** I acknowledge the traditional owners and pay my respect to their elders past and present. First, I thank the review Committee for this opportunity to talk to you and share some of my background and experience. My full name is Francis Alan Ventress, though I am known as Alan. I worked for the New South Wales public service between 1981 and 2012 in a variety of roles. As manager of Collection Development at the State Library, I was responsible for the complete analysis of the library's collection with recommendations for collecting and not collecting in various areas. I was the Mitchell librarian at the State Library from 1993 to 2001 where I oversaw some of the first major digitisation projects anywhere in the world and that included the complete Australian archive of Sir Joseph Banks. As associate director of State records between 2001 and 2008 I reported to the then director, David Roberts, who was in charge of information technology, government record keeping, exhibitions, public access and outreach as well as the volunteer program, which I was instrumental in establishing.

I was also the secretary of the board and the secretary of the finance, audit and risk committee during that period. As director from 2008 my span of responsibility increased and also included the government records repository, archives control and management, the digital State archive and archive preservation. During this time I established partnerships with ancestry.com with a digitisation of key parts of the archives collection and oversaw the introduction of social media as a way of reaching new audiences. I retired in 2012 at the age of 62 after 47 years in the workforce, having joined the British army at 15 years old. Since retiring I have worked three days a week for the Anglican Church at Sydney Diocesan Archives as a volunteer archivist and have organised their complete collection of registers for digitisation.

I acknowledge and pay tribute to John Cross, a former Principal Archivist of the State records, who was instrumental in the formulation of the current State Records Act 1998 and pay tribute to all archives and records staff and more recent executive directors Geoff Hinchcliffe and Adam Lindsay for their achievements and exceptional work over the past eight years since I retired. It is pleasing to observe that the early work done on the digital State archive has come to fruition. However, it is disappointing to note that the allocation from Treasury, according to the State Archives and Records Authority's last annual report, has now diminished to a paltry 11 per cent. This indicates to me a lack of concern or support by the New South Wales Government for record keeping and archives. This is also effectively highlighted by the lack of financial support in the preservation area of the State's archives, which I noticed nobody seemed to mention. There are massive quantities of archives at risk and have been on SARA's risk register for the last 20 years.

I think many submissions in the case have missed the point that we are talking about the archives of government and not the opportunity to entertain the public. It reminds me of the old Roman times where bread and circuses were the order of the day. Fundamentally, they are the Government's own archives and that is their major focus. They are not there to entertain and titillate the general public. I am passionate about information and the organisation of information in society and have devoted most of my life to making information available and accessible to all in a democratic and equitable fashion. In the context of the current review of the State Records Act, I have no issues at all with the proposed changes to the Act. In particular, I fully support the reduction of the closed period from 30 to 20 years. However, another issue that nobody has mentioned are the estray provisions of the Act. They need attention, particularly in practical ways the State can retrieve archives which, for various reasons, have gone astray.

Turning now to the proposed merger of State Archives and Records Authority NSW and Sydney Living Museums, I feel this is an unnecessary and potentially damaging idea for future record keeping and archives in New South Wales. I believe there is strength in diversity and in collaboration between agencies rather than bringing them together in this fashion. The expense and disruption of this merger to both SARA and SLM, in my opinion, is not warranted. There is a significant danger that the insatiable and costly demands of ever more

physical exhibitions will divert SARA from its main function in government as a regulatory authority, not to mention the constant demands of arranging and describing the State's archives, safeguarding the integrity of the digital archive and preserving the archives, providing guidance and advice to agencies and keeping track of the administrative history of the New South Wales Government.

The idea that this merger is modern and exciting is not logical. In fact, it is old-fashioned and facing backwards to our past, limiting access through mediated exhibitions rather than enhancing access through a more equitable digital future where more of our archives are made available to all in a truly democratic fashion. While heroic efforts have been made by all staff to raise the profile of SARA and make our archives available online and to make money through the storage of non-current records, and in many other ways, continued lack of major budget support condemns the organisation to a greatly diminished role in government. The reliance of the agency on profits from the government records repository to fill statutory obligations is not sustainable in the long term. Regrettably, in this proposal there is such a minor point of convergence between SARA and Sydney Living Museums that it surprises me this proposal to merge has got as far as it has.

**The CHAIR:** Thank you for your opening and your submission, that members have read and considered. For me, as a student I viewed archives as a dusty place for historians and archivists. I have a history degree, but I did not view it as something that would excite the public. My eyes have been opened over the last few years about the material there and some of the exhibitions. My question is: Do you not think that if we can get more of that material into public exhibitions in the Sydney Living Museums properties under different themes that that will strengthen public awareness of the archives, strengthen its position in the minds of the people of New South Wales and give it a stronger hand to get more funding from the State Government?

**Mr VENTRESS:** Yes. I think that is a valid point. However, we had a very vibrant and active exhibitions program during the period that David Roberts was the director and we put considerable resources into the exhibitions program. We appointed an exhibitions curator who came up with some very brilliant and almost quirky exhibitions which did in fact raise the profile. While Ministers were very pleased to come and open exhibitions, when it came to opening the purse strings and giving us extra money for our statutory obligations that was never forthcoming. In fact our budget did decrease over time and it has become increasingly difficult for the State Archives and Records Authority to fulfil its statutory obligations.

I agree with you. It is a wonderful collection and it should be made available, but I think that the merger between SARA and SLM actually limits both organisations because the model that existed for many years with Sydney Living Museums was, in a way, a cherrypicker model where they could take the records that they wanted from a variety of institutions, such as the State Library, the Art Gallery and overseas institutions as well as State Records, and put them on display as required within their exhibitions program. There was absolutely no need for any merger. As far as any fees or bureaucracy was involved, from memory I do not think we ever charged any fees for providing material on exhibition and it was a seamless process. To absorb both organisations into each other is almost nonsensical.

**The CHAIR:** How do you respond to the argument we heard from earlier witnesses that the merge of the two creates a body that, for want of a better term, can muscle up to the Art Gallery of New South Wales and the State Library on an equal footing in terms of advocacy to the State for funding and philanthropy?

**Mr VENTRESS:** That is possibly a point of view but it is really a point of view I disagree with. I do not think the State Archives is fundamentally an arts or cultural entity. Many of the people speaking today are speaking as if it was. Essentially, in my opinion State Archives and Records has always been misplaced within government. It should be really part of the Premiers department, at the sharp end of policy and regulatory intervention in government. The ability to provide cultural and interesting material to the general public is really probably fifth on my list of priorities. It is really diverting the organisation from its primary function.

**The CHAIR:** Have you concluded, sorry? I do not want to cut you off.

**Mr VENTRESS:** Yes. Go on.

**The CHAIR:** My final question will go to the Act because the Committee is reviewing the Act and you would be an expert on the Act. You referred to the Act earlier.

**Mr VENTRESS:** Yes.

**The CHAIR:** You mention the toughening of the State Records Act. Do you support the other elements of the reform of the Act, such as reversing the onus of the 20-year closed period and also giving more teeth to SARA to enforce archival collection by government departments?

**Mr VENTRESS:** Yes, entirely. I have no issues at all with the main thrust of the Act. Essentially I think Committee members should know there has never been a prosecution under the State Records Act primarily because any infringements in the Act are usually hidden by government departments until the statutory period has elapsed and State Records cannot take legal action against them. Secondly, the Premiers department and the Attorney General's department are always loath to have a situation where one government department is taking action legally against another government department and it does not look particularly good. There was a case in 2002 where ICAC illegally destroyed a whole tranche of records relating to their hearings and nothing happened to them. They really should have known much better than to go ahead and destroy their commission hearing records.

**The CHAIR:** I think there is a name and shame component in this reform as well—a report to Parliament.

**Mr VENTRESS:** Yes, there is. Essentially the name and shame game ends up with a line or two in the annual report, which nobody actually reads and nobody really knows about.

**The CHAIR:** I am sure you read it. I invite other Government members to ask questions. We have five more minutes.

**The Hon. BEN FRANKLIN:** Yes, Chair. I am happy to start, if that is all right?

**The CHAIR:** Thank you.

**The Hon. BEN FRANKLIN:** Mr Ventress, I want to ask you about a couple of issues. The first is on the digital issue. You talked of the fact that digitalisation is the future. I agree. It also means that it provides greater access for everybody in New South Wales, yet you asserted that this proposal is looking backwards. The evidence we just heard from Mr Lindsay and others was that in fact it is not an either-or; it is in fact an and. By increasing the muscle they will be able to significantly increase and focus on the digitalisation. What would you say to that?

**Mr VENTRESS:** I think it is an example of wishful thinking, to be quite frank with you. The digitisation of archives makes them much more available to the general public but the actual infrastructure to do that digitisation and to create the relevant metadata that is attached to each individual digital record is very time-consuming and labour-intensive. It is not something to be taken lightly in terms of the actual process of doing it. My point about looking backwards was relating to physical exhibitions rather than digital exhibitions. I agree, digital exhibition space is probably the way to go and there is more of an opportunity to do that and more records that are arranged and described are made available to the public.

To concentrate on the expensive process of physical records in a variety of historic houses in various parts of Sydney mainly, but in other parts of New South Wales as well, to me is very expensive. The nature of exhibition planning dictates that people are seduced by exhibitions. They love the excitement of the newness of exhibitions and the opportunities for philanthropy, as you say. But on that point alone there is no particular reason why the New South Wales public should be philanthropic towards the State Government's archives. The archives of the State in my opinion are the State's responsibility and to try and get people to donate money for preservation and digitisation of the State archives is really a dereliction of duty on behalf of the New South Wales Government.

**The Hon. BEN FRANKLIN:** In terms of the philanthropic stuff, when you were the director did you ever aim to get philanthropic support for your public facing activities?

**Mr VENTRESS:** I did, actually, and we went through the process of employing an external consultant to come in and look at the opportunities within the archives to raise the profile and to build a group of people who, like the Library Foundation, would assist us. But the conclusion from the consultant at the time was that the money spent raising the profile and trying to get people to be generous towards the archives would almost cancel itself out. Secondly, there was a strong pushback from people who stated that they definitively would not donate to a cause which really was the New South Wales Government's responsibility.

**The Hon. BEN FRANKLIN:** Perhaps the synchronicity of that—publicly looking forward and being able to promote the historical records with Sydney Living Museums and so on—may actually be a way to get philanthropic support, so that could be a win-win solution.

**Mr VENTRESS:** I think it is just an example of wish fulfilment and wishful thinking.

**The Hon. BEN FRANKLIN:** Well, we will agree to disagree.

**The CHAIR:** We will take that as a comment, Mr Franklin. The time allocated to the Government is up but if Government members have further questions they might be able to find some time at the end. Questions are now open to the Labor Party, the Hon. Daniel Mookhey and the Hon. Rose Jackson.

**The Hon. ROSE JACKSON:** Thank you, Chair. Mr Ventress, thank you for your participation today and for your submission. You may have heard in the morning session that one of the particular reasons for a merger that was outlined by Dr Lindsay was the capacity to perhaps reopen a CBD-based reading room for SARA. I wanted to ask you your thoughts on that as justification for the merger. Obviously the reading room in the CBD has been closed for some time and the suggestion was that without a comprehensive and thorough merger of a place-based organisation like SLM and archives, reopening a physical space like that would not be feasible. I just want your thoughts on the feasibility and also I guess the desirability of reopening some kind of reading room in the CBD.

**Mr VENTRESS:** First of all I have to tell you that I was the evil person who actually closed the reading room. At that particular time our budget was slashed and it was costing us something like half a million dollars in rent, which we were paying to the Sydney Harbour Foreshore Authority. Bizarrely the building in The Rocks in the city had been purposely built for the archives in the 1970s but by the time I took over the archives it was controlled by the Sydney Harbour Foreshore Authority who kept on putting up the rent and making it difficult for us to remain in the city with these budget cuts. Basically at that time it was a choice between getting rid of staff or getting rid of the city office.

What actually transpired at that stage was we actually came to an agreement with the State Library of New South Wales and we had a small contingent of archivists working at the State Library of New South Wales providing family history information mainly to the general public. But that arrangement came to an end after I retired. I am not sure of the details. Essentially I think it would be a good idea to have a place in the city where people could congregate. I am sure the current State Librarian, John Vallance, who is an exceptionally open and wonderful person—the nearest person to a renaissance man that I know—he would be most happy to provide space and facilities at the State Library of New South Wales, should State Archives and Records choose to go down that path. I think the idea of setting up a space in Sydney Living Museums is not really workable, in my opinion.

**The Hon. ROSE JACKSON:** Thank you. I also wanted to ask about your time as Executive Director of SARA. You mentioned some of the public exhibitions that you were involved in. What was your approach to them? I ask because obviously as you would have heard in this morning's evidence and from other questions the desire to have more public exhibition of information that is kept in the archives is partly what is driving this proposition. How did you approach the question of public exhibition when you were at SARA? Do you think that that approach that you took, with a diversity of options in relation to with whom you might collaborate and where you might show archival material, was beneficial and preferable to perhaps being really tied to SLM? I just want your reflections on the question of how do you approach public exhibitions?

**Mr VENTRESS:** Well, as I said, we employed a woman whose title was creative producer. She actually was exceptionally creative in the way in which she looked at the archives and interpreted them for exhibition. Our longest-running exhibition actually was relating to the Aborigines Welfare Board records. The title of that exhibition was *In Living Memory*. Essentially that exhibition ran for something like six years. The reason it ran for so long was, number one, it was extremely popular, particularly with the Aboriginal community and, secondly, we did not have the budget to put on another exhibition. In a sense we were caught between a rock and a hard place with our exhibitions programs. We wanted to be creative and to highlight and show the collection in the best light but we never really had the money to expand the remit of that particular program, the exhibitions program.

Another interesting exhibition we did was called *Sydney: Resort of Thieves*. It was based on the diary of a police officer in The Rocks in the 1840s, William Augustus Miles. That was another exceptionally interesting and successful exhibition. We did have the raw material to draw on but we just did not have the money to put these exhibitions in the public eye. I do not know how a merger between SARA and SLM is going to suddenly magically make all these records available because actually putting together exhibitions is a complex, time-consuming and very expensive process. The rewards for doing it are questionable, really.

**The Hon. DANIEL MOOKHEY:** Thank you, Mr Ventress, both for your appearance today as well as your broader public service to which you referred. Can I ask two questions before I hand over to my colleague? The first is: Do you think the State Archives needs to merge at all with any entity? Is it viable for the State Archives to continue in its current form based on your experience? Secondly, what are your views about whether or not Sydney Living Museums is the ideal merger partner as well, as opposed to other entities like the State Library and others? I may well be stepping on a landmine of controversy that preceded me but it also struck me as a potential

logical partner if you were to accept the view that it needed to merge. The management team we heard from this morning are all very enthusiastic about it. My final question is: Do you think necessarily this is a response that the management team has pushed in response to budget cuts? In the absence of funding decline, would we be considering this proposal in your view?

**Mr VENTRESS:** To answer the third part of the question first, I think you have hit the nail on the head. I think both institutions have almost reached the end of the line as far as their budget cuts and efficiency dividends go, so they are really clutching at straws in the hope that in joining together that they somehow can survive in this harsh environment we find ourselves in. I do not think it is particularly helpful for them to merge. Personally, I do not think there is any rational reason for State Archives and Records to join with anybody. I think from a government and legislative perspective it is entirely desirable that it remain a separate entity with teeth that can focus on its main responsibilities, which are record keeping and archives. They are not providing entertainment through exhibitions, regardless of how wonderful that might be to so many individuals and the current management. I know there was another part to your question. Can you repeat it?

**The Hon. DANIEL MOOKHEY:** Yes. The other part I guess is that I accept your view that there is no need for them to merge. Is there a logic between them merging with Sydney Living Museums other than any other State institution, which could be a partner? Other than effectively an argument that was advanced this morning that was that the Sydney Living Museums seems to have space, albeit it is not clear how much space, and Sydney Archives needs space. That probably is the reason that they were nominated as the ideal merger partner according to the management team. But I am wondering whether you have any views as to whether or not—

**The Hon. BEN FRANKLIN:** That is not right, Daniel. That is absolutely one of the many points that was made.

**The Hon. DANIEL MOOKHEY:** That is the one I am asking Mr Ventress to respond to.

**Mr VENTRESS:** Personally, as I say I do not think the State Archives and Records of New South Wales should merge with Sydney Living Museums or any other organisation. In fact the State Archives actually grew out of the State Library because for many years the Mitchell Library acted as the de facto Government archives in the absence of any coherent archives legislation in New South Wales. New South Wales was very slow off the mark in terms of archival legislation and we did not have an archives Act until 1960, which in fact created enormous administrative problems for successive management of the archives. But State Records grew out of the State Library and it was not until the mid-1970s that the final umbilical cord was severed between the State Library and the archives. A point to note is that archives and libraries are two completely different beasts. As Mitchell Librarian and the Director of State Records I can clearly enunciate that. The archives are extremely complicated and difficult to organise and to arrange to describe. It is time-consuming and expensive work. That should be the main focus of the archive.

**The CHAIR:** We will move to questions from the crossbenchers, Ms Cate Faehrmann from The Greens.

**Ms CATE FAEHRMANN:** Thank you, Chair. Mr Ventress, for the Committee I would be really interested in knowing what you think is the fundamental reason or the reasons behind this merger proposal in the first place?

**Mr VENTRESS:** Well, as I said I think it may be because each agency has reached the end of the line as far as funding goes. Each agency has been subject to significant and ongoing budget cuts over the years so I think by joining forces they somehow feel that they can create a sort of critical mass to somehow force the New South Wales Government be more attentive towards this larger entity than they are currently towards each individual entity.

**Ms CATE FAEHRMANN:** Thank you. In relation to the responsibilities of the record keeping and monitoring the preservation and compliance functions that SARA currently holds and manages, do you think there are risks in relation to merging specifically for those particular duties and obligations that SARA now holds?

**Mr VENTRESS:** Absolutely. I think there are major risks because, as I mentioned previously, there is a tendency in organisations to move towards things that are easy and tangible and exciting in government. Ministers understand the excitement of exhibitions and going to exhibition openings. The hard yards of actually doing the arrangement and description and doing the administrative history of the New South Wales Government so that we know which part of the Government particular archives came out of is exceptionally important. Diverting the responsibility or the focus of an organisation to me is quite dangerous really. It is dangerous for the future of democracy in New South Wales—something I feel quite strongly about and that people should be more focused on the regulatory and the record keeping aspects of this proposal than on the shall we say pretty history

ideas that people are enunciating singing the praises of the State Archives collection, which I do not refute in any way, shape or form. But really that is not the focus of the archives and records of New South Wales.

**Ms CATE FAEHRMANN:** Thank you. Are there any specific archives at the moment that are in danger of being lost or deprioritised, if you like, as a result as well? Do you fear there will a change and some current archives not being given the priority? Clearly, we have heard so much about funding and you particularly talked about the massive cost of digitising these records. Particularly what is at stake in terms of what you think we could lose as a result of this?

**Mr VENTRESS:** One particular class of records that has been in danger for at least the last decade are audiovisual records—35 millimetre film, video home system audio and videotape and microfilm which suffers from a dreadful ailment called vinegar syndrome. Significant amounts of money have to be put into the preservation of the audiovisual collections of State Records—something that people do not really think about and it is in many respects it is swept under the carpet. I would like to highlight the audiovisual collection of the archives as a point of particular concern. Nineteenth century records in general are all endangered because of the inherent self-destruction mode of paper—you know, the fact that it contains so much acid. The early records in fact are quite safe because they were put together on acid-free paper so they have lasted a long time. Nineteenth records as a whole are in a great deal of danger.

**The CHAIR:** Thank you for that. Now we will turn to Reverend the Hon. Fred Nile.

**Reverend the Hon. FRED NILE:** In your submission you are very critical of the proposed merger. You say:

... it is regrettable to see that no detailed business case or cost benefit analysis of a merger between these two NSW government agencies has taken place ...

Would you like to elaborate on that?

**Mr VENTRESS:** Yes, I think it is particularly disappointing for the Parliament to be presented with such a case, which effectively, in my experience, looks like a thought bubble that comes from some creative person in Government who thinks this might be a good idea and puts it forward without any real analysis. I am particularly critical of this because of the forensic analysis that took place of State Records. When I was there we put forward a proposal to move from the Arts portfolio to the then Department of Commerce because we felt that in the arts portfolio we were ignored and not in central government.

In fact, we did finally move but we were subjected to a review by the Council on the Cost and Quality of Government and a further review by the Department of Commerce to check out that as an agency we were not a basket case who were being foisted off on them. In fact, the Council on the Cost and Quality of Government found that we were a very prudently run organisation and we got kudos for this particular review, but nevertheless, despite our best efforts, the increased funding did not flow from this brilliant review that was undertaken. I find it particularly concerting that such a proposal—the merger proposal—has been put forward without any proper analysis or testing. I find that rather strange.

**Reverend the Hon. FRED NILE:** Would you recommend that the merger should not proceed unless there is some further new or detailed examination of the proposal?

**Mr VENTRESS:** I think just due diligence dictates if that must be the case. I do not think any right-thinking person in the street or in Parliament would expect anything other than that. I would be disappointed to see this go ahead without a stringent review of putting forward the benefits and the opposition for this.

**Reverend the Hon. FRED NILE:** Thank you. In your submission you mentioned the illegal sale at State Records. I have not heard much comment about that issue. Could you explain how serious it is and how it came to light?

**Mr VENTRESS:** What actually has happened is because New South Wales did not have any archives legislation before 1960, a lot of records were inadvertently left in government departments or stolen from government departments in that period preceding 1960. These records have appeared in the public domain, primarily in second-hand and antiquarian book catalogues, for sale. A more recent example of this would be records relating to the Bradfield plans of the Sydney Harbour Bridge. When I was the director, a copy of one of the plans actually came up for sale. Immediately we stopped the sale because there are provisions within the current State Records Act to stop the sale of State archival material. But nevertheless, after negotiation, we had to pay quite a large sum of money to get this archival estray back into our custody—we call it an "estrays", which is an archive that has strayed from official custody. The current provisions within the Act are slightly of the



slap-on-the-wrist variety and I think they need strengthening so that more focus can be given and we can retrieve the archives that are no longer in official custody.

**The CHAIR:** That concludes our time with your evidence, Mr Ventress. Thank you for that. I make the observation that the State Archives currently is in Arts and Heritage, which is in the Department of Premier and Cabinet cluster. In fact, the Premier is the Minister. That must give you some confidence as well. It is almost the centre of Government. I do not think you took anything of notice, Mr Ventress, but if you did, you have 21 days. The secretariat will advise you. You may receive questions on notice from members over the next few days, which we ask you to respond to. Thank you for your time and evidence today.

**The Hon. NATALIE WARD:** Chair, I have one question for Mr Ventress, which may be taken on notice—I am conscious of time. Were you in your previous position when the archives alive program was instituted? If so, could you outline the details and purpose of that archives alive program?

**The CHAIR:** You have a question on notice, Mr Ventress. We have given you some homework to do. The secretariat will provide that information to you. Thank you for your time this morning. We will adjourn for two minutes.

**(The witness withdrew.)**

**PETER WATTS, AM**, Emeritus Director, Historic Houses Trust of New South Wales, before the Committee via videoconference, affirmed and examined

**The CHAIR:** We are back on air for Dr Peter Watts, AM, who is giving evidence this afternoon in the Social Issues Committee inquiry into the State Records Act 1998 and the policy paper on its review.

**Dr WATTS:** My name is Peter Watts. I was the director of the Historic House Trust [HHT] just after its inception in 1980 until I retired in 2008, so that was about 28 years. Then I held the capacity of emeritus director, which was given to me by the trustees. I am appearing in that capacity.

**The CHAIR:** Dr Watts, we have your submission, which is submission No. 13. Would you like to make an opening statement?

**Dr WATTS:** I did not prepare anything but I have jotted down some notes as I was listening this morning. I did not realise I had to prepare something as the others have. I begin by thanking the Committee for giving me the opportunity to appear before you. I acknowledge the traditional owners and pay my respects. I also beg your indulgence with my voice, which I have problems with. You will think I am very croaky and I will be feeling very uncomfortable. I do feel uncomfortable but it is my voice; there is nothing I can do about it. I apologise for that. The comments that I will make will be directed only to that part of the review that relates to the proposed merger of some sort between two organisations.

If I could say at the beginning, just in case you think I am some fossil from the past that wants to create the glory days of the Historic Houses Trust, I want to mention to you that I have a very, very broad engagement with the arts sector. I have been the Chairman of the National Art School. I have been the Chair of the Johnston Collection, which is a private museum in Melbourne. I was Deputy Chair for many years of Belvoir Street Theatre. I sit on design review panels for Transport for NSW for the redevelopment at Circular Quay for the Sydney Harbour Federation Trust on all of its major projects and previously for the Sydney Harbour Foreshore Authority on all of its projects. I was a trustee of the Bundanon Trust property down the South Coast and the Official Establishments Trust. I was a very long-serving member until early this year on the Walsh Bay Arts Precinct steering committee until I resigned early this year. I consult on major arts infrastructure projects across the country. So I have a very broad and current view of arts organisations, both the performing arts and museums. I think I still am the longest serving member ever of the Council of Australasian Museum Directors. It is a fairly broad range of experience that I bring, not just from the Historic Houses Trust point of view.

I will not summarise my submission because I hope you have read it. Last night I looked through some of the submissions and I have heard some of them this morning. I have to say that many of them seem to me to be very long on hyped up exaggeration and rather breathless rhetoric, and very, very short on facts and knowledge, and almost totally devoid of any real analysis and any justification for an amalgamation, which you will know from my submission, I am opposed to. I want to do two things in opening. First of all, I will tell you something about what the trust does and secondly, address this issue of exhibitions, which seems to be on everybody's mind. Firstly, the nature of the trust's work—and I was there doing it for 28 years. I think every property of the Historic Houses Trust was acquired and developed during my term. There has been no new property development or property acquisitions and development, apart from the Hyde Park Barracks' recent revamp, which I have not seen since I left 12 years ago.

The HHT does a whole range of things, apart from exhibitions that are not in any way informed by State Records. In my judgement, probably 95 per cent of the work of the trust has nothing to do with exhibitions, nor with State Records. Let me just tell you some of the things of the trust—the bread-and-butter work. The day-to-day work of what the trust does is a very major building and garden conservation organisation and manages to very, very important decorative arts collections. It has interactions and intense engagement with the worlds of architecture, interiors, planning, landscape, garden history and place making, both historic and contemporary. It has a very big building management—historic site management—role that can be anything from commercial leasing arrangements to bush regeneration to dealing with thousands of visitors and working out how they move through properties to ticketing arrangements to farm management to working with multiple stakeholders, including former owners, neighbours, local government, many statutory authorities, and dealing with things as banal as having to work out policies for dealing with dogs at some of the properties. It must be the only institution that has a dog access policy, which I can tell you, took about five years in the making and a major run-in with Malcolm Turnbull in the process.

It develops and runs school education programs and has a major engagement with the education department in doing that. It runs many commercial enterprises and a very significant venue hire business, which

brings in a very large amount of money to the organisation. It runs restaurants, it runs cafes and it runs shops—less now than what it did previously. It does publishing and it runs conferences—again, very much less now from what it did previously. It has a highly specialised and brilliant library, which has been built up through philanthropic support over a long period of time, and it runs a very large programs like Sydney Open. The festivals and the fairs it runs—it used to run major events at Government House like the Asia-Pacific Economic Cooperation leaders' retreat and State visits. That no longer happens now that Government House has moved out from the portfolio. It runs a very important Endangered Houses Fund, which acquires property that is not quite of museum standard. It resolves the problems—whether they be planning, architecture or conservation problems—and returns that property to the community either through sale or lease.

I would ask the question: How does any of that—all those vital activities that occupy, as I say, about 95 per cent, in my judgement, of the trust's time and resources, which is the very core of what the trust does—gain any value from a formal association with State Records? The very short, clear answer is: absolutely none. These are vital activities that the trust undertakes. Let me then talk to the issue of exhibitions about which so much has been talked about today. There are very few exhibition spaces in the trust's properties at all—several hundred square metres at most, almost all of it, the Museum of Sydney; a tiny little bit of the Justice and Police Museum. The others are furnished properties or other things have happened to them. I set out the many reasons in my submission about why there is no advantage in relation to exhibitions in an association with State Records but I want to give you a little show-and-tell because this morning I thought what have been some of the most significant exhibitions that we have held, the most popular exhibitions?

The very first one was the Ashes exhibition. It has queues and crowds and, unusually, men coming to see the Ashes urn. The only time it had ever left the Marylebone Cricket Club and came to the Museum of Sydney, it was vastly successful. It had nothing to do with State Records; there was no association with State Records. The second most popular exhibition held at the Museum of Sydney was Leunig. It was from the private collection of Michael Leunig, nothing to do with State Records. If I just show you, I just want to give just about 10 or so exhibitions very quickly. The opening exhibition at the Museum of Sydney with seven lenders was *Fleeting Encounters*. These were the first pictures painted of Australia. They were brought from London from the Natural History Museum in London and from the Natural History Museum in Vienna. There were several other minor collections that were drawn upon in Australia. Another exhibition was entitled *An Exquisite Eye*, the Drawings of Ferdinand Bauer, who was on an investigative expedition that circumnavigated Australia with Flinders—five lenders, again the Natural History Museum in London.

These are all major books that were produced for exhibitions. *Joseph Lycett, The Convict Artist*—19 lenders from all over the country, private and public lenders. Another book was *Lost Gardens of Sydney*. I am showing you these only because these were some of the most popular exhibitions. There are two pages of acknowledgements in the catalogue when I went through it this morning but no mention of State Records. There was an exhibition on the Demolished Houses of Sydney—56 lenders to the exhibition. It included State Records, which loaned a number of objects. India, China, Australia trading relationship was a very important exhibition, particularly with particular contemporary resonance at the moment. It had two pages of acknowledgements of lenders and collaborators; State Records was not amongst them. Sydney Metropolis, Sydney Suburb and Sydney Harbour were three exhibitions that were held at the Museum of Sydney for the Olympic year that looked at the artistic responses—historic and contemporary—to Sydney. There were 70 lenders from all over the country; State Records was not amongst them.

Here is one where State Records was a very important collaborator—*Bridging Sydney*. This was an exhibition that attracted a quarter of a million dollars in sponsorship. It was a major exemption that occupied the whole upper floor of the Museum of Sydney. It was the biggest exhibition we have ever done. It was highly profitable book and a very popular exhibition. It had 30 lenders, one of them was State Records, which was a very important lender for the exhibition. I tell you that in the context that there was no difficulty in lending things from State Records. They were thrilled to have their material on show. The last one, with a bit of frivolity, an exhibition that was done at Elizabeth Bay House many years ago, *Dolls' Houses in Australia*, with 20 private collectors.

**The CHAIR:** Dr Watts, I do not mean to cut you off the show-and-tell; I am really quite enjoying it, but you have clearly made your point.

**Dr WATTS:** That is my show-and-tell.

**The CHAIR:** It is not a major point, I would like to point that out. Do you want to conclude there or would you like to open up for discussion from the Committee members?

**Dr WATTS:** I have made the point there. Can I just say one more thing in response to some things that were being said this morning about an exhibition space for State Records? If I were the director of the Historic Houses Trust at the present time and I knew this was a major issue, I would be saying, "Well, we have museum down there at Circular Quay—the Justice and Police Museum." It should never have been made a museum and I could tell you the reasons why but that would take 15 minutes. It happened in the most peculiar way as a propaganda exercise for the New South Wales police and the Attorney General's department. To me it would make a most wonderful reading room and exhibition space for State Archives. It has a very low visitation. It is owned by Sydney Living Museums. They sold the airspace rights recently for \$6 million or \$8 million. They sold an easement for \$6 million or \$8 million. It could well go to fixing that building up for a wonderful reading room. I think it will solve many problems for a museum that should have never been made in the first place.

**The CHAIR:** Thank you for your expert opening statement and your submission, Dr Watts. As you probably heard, we have resolved to divide the time into three groups for questions: the Government, the Labor Party and the crossbench. We will start with the Government. I will kick off. Since you did a show-and-tell, I do not know that that supports your argument that the amalgamation will not work, in the sense that all that material that you highlighted—the Ashes, Leunig—is not anchored in the history of the location to where those exhibitions were held. Fleeting Encounters—my knowledge is that a lot of that type of material held by the Archives could be used in exhibitions. Taking your example there, would the formal merger not allow that material to be brought into those exhibitions more freely and more cost effectively?

**Dr WATTS:** If I look at where the major loans came from, far, far and away the biggest lender would have been the National Library and the Mitchell Library in particular, the State Library, not State Records. The point I am trying to make is that exhibitions require material drawn from all sorts of sources to really enliven them. If you restrict it from one source only—unless for very particular reason, because one collection is all that you want to show, but that is generally not the case. Exhibitions are enriched by being able to draw material from all over the place. I would make one other point that archival material is generally not—not always—the primary thing that you are showing. Exhibitions are about three-dimensional objects largely. I am not talking about picture exhibitions but other exhibitions that tend to happen in museums. Archival material is very, very good supplementary material for objects. It is very difficult to do exhibitions just with archival material only.

**The Hon. BEN FRANKLIN:** Could I just make a quick point, please, Mr Chair? Mr Watts, you were just talking briefly about the air rights of the Justice and Police Museum. My understanding is that they were not sold.

**Dr WATTS:** My understanding is that they were sold because it allowed the development to happen on the adjoining property, which was knocked back by the Land and Environment Court and then overturned by the Court of Appeal so the building can proceed.

**The Hon. BEN FRANKLIN:** I will go and have a look at that but my understanding is that that was not the case.

**The CHAIR:** In the evidence I have heard and the submissions we received, no-one has referred to limiting exhibitions from external bodies. The material you showed from the other bodies, like the State Library or Mitchell Library—there is no proposal to limit that. I imagine we could put that question on notice to the proponents to check on that, but it has certainly not been put forward in the case.

**Dr WATTS:** I quite understand that. When it is being given as a justification for this merger that this wonderful collection is going to be available, there is an underlying assumption that that material is going to come from State Records primarily.

**The CHAIR:** It appears to me that one of the drivers is that there is so much material with the State Archives that is just basically locked up and this is an opportunity to bring that to the public's attention. As I said to the previous witness, Mr Ventress, I had a perception that State Archives was a dusty place where historians and archivists dwelled but my eyes have been opened up over the years to the material they hold and that public access to it and awareness of it is a big limitation for it.

**Dr WATTS:** When you say this is wonderful material I completely agree that it is fantastic material but it has to be done in places which are relevant and it has to be supported by other material. It is not a reason to justify a merger between two organisations; that is completely false. It is a public collection; anyone can have access to that collection and show it.

**The CHAIR:** Indeed. I guess it is an issue of resources. I think you have probably answered this but in your submission at point 15, which you wonderfully entitled "A word of warning from an experienced hack"—

we would not call you a hack but certainly experienced, and we respect that—you mention that the focus on historic houses, and you talked about that list of responsibilities from dogs to dealing with councils, would be diminished, weakened if amalgamation occurred. Do you want to flesh that out? You do not think that the management of a merged body—Mr Adam Lindsay at the moment is running it—a merged operational side of it could not maintain the focus that legislation requires it to?

**Dr WATTS:** No, I do not, and I am very clear about that. I have been doing this work for nearly 50 years; I have seen so many individuals and organisations who want to what I call "play house" and they think it is glamorous, they think it is wonderful, they think these places are magic and we can all do wonderful things and we can all do better than the last people did. I have seen it time and time and time again. It is not like that; it is hard work and if you are being true to the place then there are many limitations as to what you can do both from a conservation point of view, from a philosophical point of view, from a capacity point of view and so on. It is not easy, which is why the Historic Houses Trust and Sydney Living Museums branched out into all sorts of other things such as exhibitions, education programs and the very big public programs that it could conduct outside of its properties. The Endangered Houses Fund—all these things were done as a way of countering the limitations there are at the various properties.

**The CHAIR:** Thank you for that. I invite other Government members to ask questions or make comments. There is a wonderful silence. You referenced that Sydney Living Museums or the Historic Houses Trust has not acquired any properties in recent years. When was the last property that the trust did acquire.

**Dr WATTS:** I think probably the last one it acquired was Throsby Park as part of the Endangered Houses Fund and it happened around about the time when I retired—I cannot remember whether it was just before or just after but it was all certainly set up. It came from the National Park Service and required a change of legislation and the support of both Houses of Parliament and that was a very complicated exercise to move something from National Park to another organisation. But there has not been another property since then.

**The CHAIR:** This would be in other related matters but do you think that a focus on identifying and acquiring any historical relevant properties outside of metropolitan Sydney should be something that is considered for the future of the trust?

**Dr WATTS:** Yes, I do, although the acquisition of properties, I have to say, is very largely opportunistic; when the opportunity arises you move and there are not very many properties in New South Wales that are appropriate really for the trust to come into its portfolio that are so important and require the sort of pampered care an organisation like the Historic Houses Trust and Sydney Living Museums can give, which is why the Endangered Houses Fund was set up, so that those properties that did not sit in that top drawer—they did not have everything intact, their gardens and their collections, their architecture and so on—there was a way of dealing with those because we were inundated all the time with people and organisations wanting to transfer property to us, and the Endangered Houses Fund was a very good way of dealing with that property. That is more likely to take place in regional New South Wales than it is in the city.

**The CHAIR:** I will move on, but I will just ask one more question. When you talk about the core focus, as you articulated, the long list of things to maintain historic houses, the Museum of Sydney is not a historical house; it is on the footprint of the original Government House. So is that not a significant distraction from maintaining the heritage properties—curating a museum?

**Dr WATTS:** Can I tell you that when the Minister for the Arts Peter Collins rang me up one day—or actually he put out an expressions of interest to the cultural institutions and everyone jumped and said, "We would love to do it", and the only one that said, "No, we don't want to do it", was the Historic Houses Trust, for probably the reasons that are in your mind at the moment. Our reward for saying that was to be given the project because he had confidence in the trust that we would do an appropriate and interesting development on that site. I have to say, having advised my trustees not to get into it, I was very pleased that we did because it dramatically increased the profile of the trust.

It gave us an opportunity to do all sorts of things that we could not previously do. It gave us exhibition space that was properly equipped and set up. It was a very good thing for the organisation as a whole. It was a project that had multiple problems. I could not even begin to tell you how difficult a project that was, but I think we made a modest and very good, small museum out of what was a very difficult set of circumstances. So it was very good for the organisation and the fact that it is not a historic building I do not think matters at all. It sits on a very, very important historic site and there are many, many stories that can be told from that site of which the trust had all the expertise to do so.

**The CHAIR:** I need to move on to the Opposition but I do not know that that supports your case, that you should not be distracted from the core business of the Historic Houses Trust. I will just leave that as a comment. I will now move on to the Opposition, to the Labor Party. The Hon. Rose Jackson?

**The Hon. ROSE JACKSON:** Dr Watts, thank you for participating today. I might get on to some questions in a moment about the proposed merger of Sydney Living Museums and the SARA but I want to ask first about a specific recommendation that the board of trustees of the Historic Houses Trust made in its submission, which was to make an amendment to the Act in order to remove references to the word "historic" and replace them with the word "significant" in relation to acquisitions. I asked a question about that this morning; I do not know if you were listening to that evidence. Information was provided, for example, about modern architecture of significance or even sites like the Lindt cafe. I want your specific reflections on that proposed legislative amendment that the board of trustees put forward.

**Dr WATTS:** I do not think it means anything. What is the difference between "historic" and "significant"? The trust will always, in my view, only accept things which are significant, and it is debatable what is historic. I have personally always had the view that something has to be roughly plus or minus 50 years old just to be able to determine whether it is significant. There are exceptions to that, of course, and you could say the Sydney Opera House is an exception. We made an exception ourselves with the Rose Seidler House, which was built in 1949 and we acquired it in 1988; so it was only 40 years old. We accepted a bequest, which was subsequently withdrawn, of a house from the mid-1960s—it was a very important house from the 1960s. I do not think the legislation in any way restricts that.

There have been a number of twentieth century houses acquired by the trust. Walter Burley Griffin House from the 1920s was acquired; Nissan Hut, which is in the endangered houses list from the 1950s. I do not really understand what the issue is. In a similar way, the chair of the trust put forward a proposal to change the legislation to allow commercial activities. I have never seen commercial activities in the trust being restricted by the Act. Maybe there are other things in people's minds as to what kind of commercial activities would take place. The trust has been very successful in its commercial activities.

**The Hon. ROSE JACKSON:** Thank you for that. This morning I asked in relation to the feasibility of using Sydney Living Museum's physical properties for, sort of, generalist exhibitions. You talked about this a little bit in your submission. In response to questioning on that, I think it was Mr Lindsay suggested that yes there is historical place-based philosophy around the curation of sites that the Sydney Living Museum holds, but that was just the philosophy and that there were other ways, other philosophies, I suppose, that you could use to manage or decide what exhibitions you might hold at those places. I guess I just wanted your reflection on that because you do talk quite a lot in your submission about how important it was that that philosophy of historical place-based history and significance of the physical sites that Sydney Living Museum manages that you could not just bring in whatever you wanted from the archives and just sort of truck them in there. So I wanted your reflections on that.

**Dr WATTS:** I believe that absolutely fundamentally. That is not to say that very occasionally there may be an exception, but fundamentally these places are place-based institutions and as soon as you start to move away from that you might as well give up the whole game because you have to work very, very hard in a place-based institution to find relevance. Let me give you a good example. At Elizabeth Farm we had all sorts of problems with the local Lebanese community because we were continually opposing the buildings they wanted to build. They wanted to build high-rise buildings all around Elizabeth Farm and we had a terrible relationship with that community. We thought, "How do we deal with that?" So we started what was known then as the Olive Festival, although I do not believe it continues any longer. It was a food and culture event about the Mediterranean, and the Lebanese community bought right into it and it solved all of the problems. Why was it an olive festival? Because the oldest tree planted there was an olive tree, planted by John Macarthur in 1805. So it was very, very place-based.

So you work hard to try and find where those connections are. The Big Kitchen Garden Festival that used to happen at Vaucluse House grew out of the fact that there was a very major kitchen garden there and so on. So it is absolutely critical that these things remain essentially place-based. They are really, really important properties—they are just not any properties. It is the distinguishing thing about the Historic Houses Trust that it sees the building and the collections within the building as the primary artefact; it is not a box to show anything in. That is what the Powerhouse does, that is what art galleries do, that is what lots of other museums do. A place-based museum gives primacy always to the place and it is hard to do, it is very hard, but you do not give up on it. I read in Mr Lindsay's proposal you show fashion and jewellery. Yes, you might do it on some very, very

rare occasion for some very particular reason, but as a general rule absolutely not. Then you lose your way, a place then loses its integrity.

**The Hon. DANIEL MOOKHEY:** Dr Watts, thank you for your appearance today. One of the more startling points I think you made in your submission was when you stated that in your view the Historic Houses Trust, or as we heard today from Sydney Living Museums, has been in decline for some time. Why do you say that?

**Dr WATTS:** Because it is true. Because if you look at almost any of the metrics you will find that it is the case. The last time I looked at the visitor numbers they were dramatically declined, and that is some years ago and I have not looked at an annual report for quite a few years now, but there was a 30 per cent decline—certainly from the time when I was there—in visitation, a huge decline in support. There were 8,000 members; they were removed from the organisation, they bought 30 per cent of the tickets, they contributed at \$100,000 a year—that is a decline. Cafes have closed, restaurants have closed, there are almost no publications, the exhibition program is much more limited to what it used to be. Thirty million dollars in bequests was withdrawn from the trust when the Friends of the Historic Houses Trust was removed from The Mint and booted out of the organisation. Thirty million dollars—not only \$100,000 a year from the Friends, but supporters who were so angry by it, withdrew their bequests.

You might think that is nonsense. I happen to be the executor for the biggest of those bequests and had to try and argue with a bequestee please do not do it, but no, they would not have a bar of it. So there are declines in many, many areas and I have just named some of them. Certainly, when I was there it was the happiest of organisations. There was barely a single member who was a member of the union and a few years later it was written up in *The Sydney Morning Herald* as coming last in the State Government's annual or biannual survey—whatever it is—of staff satisfaction and staff comfort came bottom. These are dramatic declines. I am not saying this may be under the new regime. Maybe they are being improved—one certainly hopes so. But there has been a significant decline in the organisation in its profile. You do not very often read about it anymore; it used to be in the press all the time. You are constantly being asked by the press, the head curator of the Museum of Sydney is constantly being asked to comment on issues in Sydney. You never, ever hear it anymore.

**The CHAIR:** Dr Watts, I make the observation: is this not a motivation for these reforms and amalgamation to address those declines?

**Dr WATTS:** I think it is a motivation to correct the internal issues within the Historic Houses Trust. They are not issues that will be necessarily resolved or automatically resolved by an amalgamation.

**The CHAIR:** No, I do not think anyone is saying that.

**Ms CATE FAEHRMANN:** Dr Watts, thank you for your extensive contribution to the cultural fabric of this State. My first question is the same question I asked Mr Ventress. Your contributions so far have been very informative but what, in your view, is the fundamental driver of this merger? Where is it coming from?

**Dr WATTS:** It is very hard for me to know. I do not have any engagement with the organisation at all, but it seems to have come from left of field and it seems to have come after the director of State Records was plucked out with a day's notice, it almost seems to me. After the last director was sacked he was plucked out and made director of both institutions. Why that should happen I have no idea and it is only since that happened that there has been this [inaudible] and I do not think anyone has said that this has been in the wings for any time. It has happened very, very recently. It seems to me it is due to a decision made by somebody to join these two organisations with one single director. [Inaudible] I do not know.

**Ms CATE FAEHRMANN:** That was my next question. I wanted to explore the appointment, if you like, as you said this in your submission as well. You were talking about the review; you said that there was a clumsy extension of the review to include a merger, but you then said that the executive director of SARA was appointed in July 2019 by direct appointment to head up both organisations. I understand that that has not happened before in terms of heading up these two organisations. Again, in your view, what would have led to that appointment of the two organisations as opposed to appointing a different person to SARA?

**Dr WATTS:** I have absolutely no idea; it defies logic, in my view. I have no idea what would have instigated that.

**Ms CATE FAEHRMANN:** The chair before Mr Mallard talked about the records being locked up, if you like, in relation to specific exhibitions. I think Mr Adam Lindsay said that this merger would create more efficiencies by removing legal barriers. Could you explain what that is to the Committee in terms of what those legal barriers are that Mr Lindsay is referring to, from your experience?

**Dr WATTS:** I have absolutely no idea what he means. I do not know what legal barriers there are. The Historic Houses Trust or Sydney Living Museums have a very, very happy relationship with State Records. I did not see any legal impediments; I cannot imagine what they are. It is a question you will have to ask him; it is not question for me.

**Ms CATE FAEHRMANN:** I thought you would be able to expand on that. In your submission you mentioned the Review of Museums and Galleries NSW in February 2010 and there was a recommendation to look into a State strategy for the museum sector. You also note that that has not happened. Could you expand on the need for such a strategy and why you think something like that has not happened despite it being a strong recommendation in that review 10 years ago?

**Dr WATTS:** I cannot explain why it's happened. I was asked to review, when I retired, the organisation called Museums and Galleries NSW, which I did, and the first recommendation in my report was about the need for a museum strategy. It was very clear. I went round and talked to about 60 museums across the State, many regional museums and some city-based museums, but mostly regional ones, and it was very, very apparent that there needed to be some sort of overarching strategy for museums in the State. I still believe that is the case. It has never happened; it creates all sorts of issues.

I sit on the board with Brian Lindsay, who gives out the grants for museums and history across the State and it is very apparent in there that decisions are being made about funding in a vacuum in some areas where there is no State strategy and, in my view, it would be a very useful thing for the Government to embark on, or Museums and Galleries or someone to embark on. So I think that when you look at a proposed amalgamation like this it is very hard to see it. I think someone said it is a thought bubble—I might have said it in my own submission. It is a thought bubble; you do not have any sort of strategy or bigger vision in which to examine this proposal.

**The CHAIR:** Dr Watts, that review you did was in 2010, was it?

**Dr WATTS:** It was about then. I retired in 2008 and it was probably done a year afterwards. I think I put the date in my submission.

**The CHAIR:** I might suggest that it has likely fallen through the cracks in a change of government. It is something we might think about.

**Reverend the Hon. FRED NILE:** In your submission you were very critical of the proposed merger and you give some background that originally there was going to be just a review. You say the archives Act 1998 and suddenly the merger has been dreamt up or you said it was a thought bubble to now be a merger with the Historic Houses Trust, which has been a very effective organisation on its own. You are arguing that the "clumsy extension of the review to include a merger follows the direct appointment in July 2019 of the new executive director of the State Archives organisation to head up both organisations".

**Dr WATTS:** Well, it is and it is patently transparent that there was to be a review of their State records. I am just looking at it here at the moment—"inquiry into the State Records Act 1998". It does not mention anything about Sydney Living Museums. You only have to read it, and I am not involved in this thing in any way at all, but you only have to read the terms of reference and you can almost see where the red pencil has been applied and the odd paragraph has been put in here and there, to join these two organisations together into what was clearly meant to be a review into the State Records Act. The director of the Historic Houses Trust and State Records, in his own submission, his two-page submission, he was sort of rather breathless about the amalgamation but did not refer to any of the other issues in the terms of reference. It seemed extraordinary to me that all the other important things in relation to State Records, which we have heard about today from Alan Ventress just did not even appear. It was as if this thing was only about a merger, when to me it seemed to me to be an afterthought.

**Reverend the Hon. FRED NILE:** So would you recommend that the Government not proceed with the merger?

**Dr WATTS:** Absolutely, yes. There is no question in my mind. It is like merging an elephant with a giraffe; it is unnecessary.

**Reverend the Hon. FRED NILE:** Thank you very much for your contribution.

**The CHAIR:** Thank you. Dr Watts, Dr Lindsay and the submission of the SARA board did address quite sensibly the proposal to review the Act and Dr Lindsay in his evidence noted that—I think it was almost unanimous in the submissions—people supported the 20-year reduction of the period for public disclosure, the reversal and so forth.



**Dr WATTS:** I understand that and I acknowledge that and I respect that. I was not talking about the submission, however.

**The CHAIR:** I was just saying that the formal SARA submission certainly addresses it, and so it should. Dr Watts, we have run out of time. Does any member have a question they want to put on notice now? I am not sure if you took anything on notice. The secretariat will let you know if you did but I do not think you did. If you did, we have resolved to have the answer back to us within 21 days. Members may also choose to lodge additional questions over the next few days for you to consider if they decide to do that. We thank you for your submission. Your evidence this afternoon has been very helpful for us.

**Dr WATTS:** I am sorry I was not able to see you.

**The CHAIR:** We heard you and saw you very well. We appreciate that, too, while accommodating the technology during this current time. That concludes today's hearing. The next hearing is scheduled for 1 July. Thank you very much everybody.

**(The witness withdrew.)**

**The Committee adjourned at 13:29.**