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### **Government-Citizen Engagement in the Digital Age**

**David Fricker** — Thank you very much for the opportunity to present here at the Senate occasional lecture series on this topic. May I also acknowledge the Ngunnawal and Ngambri people upon whose lands the city of Canberra has been built. May I also pay my respects to their elders past and present and my respects to Aboriginal and Torres Strait Islander people who are here with us today. I might also make a special acknowledgement of a former Director-General of the National Archives of Australia, Brian Cox. It is great to see a colleague in the audience today. I am not sure if that means I am going to get some difficult questions or not, but we shall see how we go.

I am very grateful for the chance to address you today in Australia's Parliament House on the topic of government-citizen engagement. What I want to do is focus on the role government information and government information management has in improving the relationship between the Commonwealth Government and all Australians, and on what we can do with information management to build the public's trust in public institutions and in the institutions of Australia's democracy and build trust and confidence in the departments and agencies that implement the programs and policies of government, particularly as we move into a faster and faster paced digital age.

It is raw information that is the new resource of the digital age. As we are accumulating more and more data, we are creating information assets with enormous potential. These information assets and the abundance of this information resource offers tremendous opportunities for government to deploy more advanced and effective services in a much more agile and responsive way. Of course, this age of information also presents many risks as well—for example, risks around personal privacy and indeed around national security. We are not going to realise all of the benefits of the digital age or effectively mitigate the risks of the digital age unless we take information management very seriously. My premise today is that we need to take information seriously as a national resource and, indeed, as a national asset. We have to value information as an asset. We have to value our government data holdings as a national asset and within government we have to adjust our behaviours and our policies accordingly.

The reason I am here talking to you today is because this is the principal role of the National Archives. Our role at the National Archives is to ensure that the information collected and created by the Commonwealth Government upholds the integrity and the accountability of government processes and drives innovation and improvement across all the processes of

government. Today, I would like to take this opportunity to outline the changes that we are making at the National Archives to make sure that we fulfil this role in the digital age.

Talking about information as a resource and as a national resource is still something relatively new. Often we are fascinated by the introduction of new technology, new whiz-bang apps, new databases and these sorts of things. That is great; we should be fascinated by technology because it is a fascinating thing. It is wonderful and very engaging. It is a sign of progress and a sign of innovation. But we do need to talk about information as an enduring and valued resource across Australia. That is something that we are not accustomed to seeing or talking about.

We are accustomed, if I can use some analogies, to having lots of other conversations. Right now we are having a major conversation around gas and energy. We are very accustomed to us all having these discussions around resources such as gas and water, for example. We have conversations about these resources because we all understand that the security and the prosperity of the nation depends on their availability, in particular availability that is predictable, reliable and consistent in quality. Both energy and water are key to every aspect of our lives. They are basic necessities for our health, education, industry and national culture. Because we see that these resources are essential for all of these things, we understand that our national prosperity will depend on our ability to manage those resources, to find the right market mechanisms to connect suppliers and consumers and to find the right regulatory framework to encourage innovation while ensuring interconnectivity and interoperability across a national supply network.

There is another major resource that needs similar treatment in this digital age—Australia's information resources. Right now we are living in the information society. In this information society, just as we need water and energy, information itself has become essential for every aspect of our lives. This includes everything from our basic individual human rights all the way through to our economic prosperity and our national security. For example, today we expect access to justice; we expect our rights and entitlements to be recognised; we expect to be enfranchised in our system of democracy; we expect our public institutions to be accountable and to withstand and be open to the scrutiny of the people they serve; and we expect the elimination of corruption across all government and public institutions. All of these expectations in the information society, in the digital age, can only be achieved with and must be underpinned by government information. Government information has to be complete, accurate, authentic and most importantly publicly accessible.

Similarly, our economy is increasingly a digital economy. When we think about the economic growth in Australia and around the world and we think about the digital age, we often talk about the 'unicorns' and the 'disruptors' in the marketplace. The unicorns and disruptors that are most often used to define 21<sup>st</sup> century success actually come from the tech sector. The reason they have found success is that they are able to obtain rich revenue streams

through the provision of cheap, ubiquitous, online services. They have been able to connect consumers and consumables through clever information management.

Information management is key to the way we think about and manage our national security. Along with land, sea, air and space, cyber is now well established as the fifth domain of warfare, and indeed the domain of all of those hostile activities that fall short of war, such as espionage. At the national level, and within the multilateral mechanisms of the international system, proper stewardship in Australia of our government information has never been more important to preserving our national security and also to maintaining those trusted relationships that we have with our partners and our allies.

At a more personal level, personal identity is also becoming more and more dependent on information that we have access to and information that we can use. It is also relevant to our national identity—how we think of ourselves as a nation, how we conceptualise Australia's national identity. This is quite topical as we look at what Australian citizenship means and we have another conversation about what our national values are. Where do those values live? How are those values propagated? How do all Australians enjoy the benefit of those values and share those values? We are living in an age of mass movement of people. Now mass movement of people is not new. Mass movement through war, through natural disaster or migration is not new; all of that is as old as human history itself. What is new is the globalisation of data and the fact that geographical dislocation of people no longer necessarily leads to cultural dislocation of people. Now, in the information society, it is quite easy for people to live a large proportion of their lives in a cyber bubble. People are able to select the news, opinions and entertainment that suit their own particular cultural values, that align with their own concept of their own tribe.

Culture was once associated with a locality or a place and as it moved with people around the world it blended and adapted. This is perhaps best exemplified right here in Australia with our multiculturalism, which has grown and evolved as people came to this country and blended, contributed and absorbed the culture. With our information society today, it is not so much the case. Culture retained as the collective memory of a society is not fixed geographically. That collective memory of a society can be carried with all the convenience of a mobile phone and a person's tribe, the group that they collectively associate with, may in fact be completely unknown to the city or the place or the country in which they live.

These ideas of a cyber bubble and of culture independent of geography challenge our traditional ideas of what constitutes a person's identity and a nation's identity. They are challenging our approach to social cohesion. We hear stories of radicalisation and we more and more hear stories of how people are not participating in and enjoying the benefits of society. They are in fact living in a very narrowly focussed world largely fed by the internet and information society.

So there are these challenges ahead from the information society we live in and the growing importance of information which is accessible, usable and discoverable by every individual. But it is not doom and gloom. Just as the challenges of the information society are unprecedented, so too is our capability to meet those challenges. In fact a short time ago I was saying how wonderful technology is and that we should welcome innovation and the new technology that is coming our way. When you think about it, the tools and the technology at our disposal to meet and manage these challenges and to enjoy the benefits of the information society are beyond the imagination of even recent times. If we look at it and pick it apart, we can see a few things that are really working in our favour.

First of all, information itself has never ever been more abundant. Thanks to the advent of digital technology and of course the internet, information on every topic is immediately and freely available. It is often said: if you have got wi-fi, everyone is a genius. There is no question you cannot answer. There is no dinner party argument you cannot win, unless there is no wi-fi, in which case we are all idiots! This phenomenal expansion of the volume of information we are all experiencing now is actually being outstripped by the capacity of computational power that is able to deal with it. So there is not going to be any shortage of storage or processing capacity in the future, as we continue to experience this phenomenal growth in information.

The other point that is of benefit to Australia is that the majority of the information that is out there is in English. This benefits English-speaking nations like Australia. We often take that for granted. English-speaking nations often take for granted the ubiquity of the English language and how that does actually advantage us.

As I said, the power of technology to deal with this growing volume of information is also growing at a phenomenal rate and industry is producing more and more business models that are delivering these volumes of information to us, to governments, at little or indeed no cost. Many business cases are coming forward, like Google, Facebook and others, that are able to deliver this information to us through their own revenue streams, usually advertising. This means the cost of dipping into this stuff is reduced to almost zero for both government and citizens. This is a great bonus.

Also, citizens themselves, all of us, are now more tech savvy than ever before. Again, this is beyond the imagination of the previous generation or even my own generation. I would never have imagined we would have the capacity and the technological savoir faire that we all have today. If we look at the Bureau of Statistics 2015 stats—this is going back a couple of years—86 per cent of Australian households have internet access and 97 per cent of households with kids under 15 years are connected. So we are approaching almost 100 per cent saturation of internet penetration into households around Australia. Not only are we seeing the majority of households connected to the internet, as technology improves people have got increasingly powerful computers and personal devices at their disposal.

This all sounds wonderful. This sounds very promising. The trajectory is brilliant. We have got an abundance of information. Services are coming to us almost free. We have got growing capacity in terms of the technology at our fingertips. It is a free market at work, a free market delivering benefits. So why am I here today talking about a national approach? Why am I here today talking about the need for government intervention and the need for the National Archives to do something to make sure that we maximise the benefits?

Let me just use that water analogy once again. If you think about the internet and communications technology, they are like plumbing is to water. The internet and the technology we use are the pipes, the taps, the reservoirs, the faucets, the filters that deliver information, like water, into the cups and the bowls of our households. But what we also know is that, even if you have state-of-the-art plumbing, it is actually the quality of the water that we will live or die by. In recent times around Australia we also know that times of abundance, when we are surrounded by floodwaters, are when you have to be the most careful about the water you drink, use to wash or use for irrigation. So it is for information because this incredible abundance and free availability of information might make us feel like we are blessed with riches, but in fact it is very important, for all the reasons I mentioned earlier, that we think about whether information is fit for purpose. How authentic is that information? How useable is that information? How permanent is it? Will it still be here tomorrow? Will it still be usable tomorrow? And, of course, how usable is it? Can it be used and re-used for our purposes to deliver the benefits of the information society?

From the point of view of the National Archives—and this is the theme I am talking about today—if we are going to build trust in public institutions and ensure that Australians are receiving the very best public services, the government needs to act to guarantee that when people go looking for information and they find government information, they are finding the real thing and that it is on the first page of the Google search. It is no good it popping up on the second or third page. It is often said: if you want to hide a dead body, put it on the second page of a Google search—nobody ever looks there! So we have to be at the front and we have to be where people are.

There are some notable international developments that also draw attention to this. I just want to briefly touch on these because there is a fair bit of international context driving us ahead. In 2015, the United Nations introduced the sustainable development goals. They are a set of 17 goals designed to end poverty, protect the planet and ensure prosperity for all as part of a new sustainable development agenda. This is the United Nations' best shot at having a peaceful and prosperous world. Each of those 17 goals has a set of targets to be achieved by 2030. They build on the success of the millennium development goals, but these apply to all countries, including Australia. It is a call to action for us to achieve economic growth, social inclusion and protection for the natural environment.

The reason I mention those sustainable development goals is because—and you will not be surprised about what I am about to tell you—they are underpinned by government acting to manage its information resources properly, to benefit citizens through government information management. In particular, Goal 16 embraces targets to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Goal 16 is underpinned by laws, policies and systems addressing the long-term accessibility of government information. There are targets in there to: reduce corruption and bribery in all their forms; develop effective, accountable and transparent institutions; provide a legal identity for everyone through birth registration and public records; and ensure public access to information and protect fundamental freedoms in accordance with national legislation and international agreements. These are basic human rights. These are the basic essentials for prosperity and development coming back to governments managing their information correctly and making it publicly accessible where it should be provided.

The Open Government Partnership is an international initiative established in 2011 that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance. Australia is one of the 70 countries that have signed up to the Open Government Partnership and in December 2016 the Australian Government released *Australia's first Open Government National Action Plan 2016–18*. The National Archives is a central participant in that plan. It was the result of a major coordinated effort by government and civil society, the business sector and academia. This plan commits Australia to an agenda for the next two years to strengthen the transparency and accountability of government and to build citizens' trust in Australia's governance and its institutions. Here again the agenda grabs the opportunity of the digital age and the possibilities of records and information management to accomplish its goals.

Some of the highlights of the national action plan are to achieve open data and digital transformation and to work with the research, not-for-profit and private sectors to identify and release high-value data assets. This is government treating its data as public data to make sure it is out there as fuel for the digital economy and a resource for the information society. There are also targets in there to engage with the public and improve privacy and risk management capability across government, again to build trust around data sharing and release—that is, responsible sharing of information. Government has an obligation to be open to public scrutiny, but every citizen has the right to privacy. All of these targets are set for the responsible release of government information as public data while protecting personal privacy.

There are other targets in there around ensuring access to government information and calling on the Archives and others to ramp up our efforts to make sure that government data belongs to the people and is out there for the people. The final one in the Open Government

Partnership is about integrity in the public sector—again, building trust in public institutions. That means strengthening Australia’s ability to prevent, detect and respond to corruption in the public sector through ensuring transparency in government procurement. This comes back to government information being preserved and protected through records management and proper stewardship of government information to support the scrutiny and accountability of government institutions.

I will briefly mention UNESCO as well. I am Vice-President on the UNESCO Memory of the World International Advisory Committee and the National Archives is heavily involved with UNESCO. UNESCO have made a couple of declaration instruments which also call on all member states to preserve and respect their cultural documentary heritage as a means to uphold the human rights of all citizens and as a means to enrich not only the economic but also the cultural prosperity of all. There was a recommendation passed in 2015 by UNESCO concerning the preservation of, and access to, documentary heritage including in digital form. This documentary heritage includes government records and it calls upon memory institutions of member states, such as the National Archives, to recognise the fundamental importance of archives, not as a historic curiosity, but as the foundation for good governance.

I am impressing upon you—and I hope I am convincing you all passionately—that success in the information society at the economic, cultural, social and individual levels is more and more dependent on our access to and use of information. Just like the water we drink, it has to be quality information. We have to be able to depend on it. It cannot just be information that is up there for five minutes and then disappears. The important stuff has got to be there forever. We have to be able to rely on it.

What are we doing about this at the Archives? First of all, just to remind you why I am the one giving this lecture and not somebody else from the bureaucracy, the National Archives is the lead agency for setting information management obligations and standards for Commonwealth Government entities. So this is absolutely central to the function we perform at the Archives and the role that we have. Our mission is quite clear: to ensure that the essential records of government are being kept and ensure that they remain accessible and reusable into the future. So we are keeping this stuff to use today, but it has got to be usable 10 years, 100 years or 1,000 years from now. We have to deliver this mission now with strategies that are suited to the digital age. Moving into the digital age is affecting every part of our business and everything that we do.

The centrepiece of our response to this is our *Digital Continuity 2020 Policy*, which we launched in October 2015. The term ‘digital continuity’ means—it is only two words, it won’t take me long to explain it—embracing the digital age and its opportunities, but also recognising that continuity is important. We are not keeping records just for one department or one agency to use for this one particular transaction. We are keeping records on a continuum. We are keeping records as a national asset because we are now seeing records

that were collected as an administrative requirement 100 years ago—for example, to keep property boundaries, to track a river course or to measure vegetation—today informing debate and scientific research around climate change. These records are essential for that. Today we are looking at records that were kept many, many years ago to help us understand the history of Aboriginal and Torres Strait Islander Australians and what we should be doing, how they should be recognised and how our reconciliation is proceeding. So records live forever and records will always deliver purposes well beyond the imagination of those that created those records. That is what we need to support.

The long-term availability and accessibility of government records is what we are about with digital continuity. It looks beyond the technology of the day because government much purchase new technology. We must renew. We must innovate. We must always be adopting new technology and advances in technology. We must constantly be moving from one platform to the next. While we all understand that technology becomes obsolete, while we all know that the phones that we are using today and the computers that we have at home or on our desk will be gone five years from now, we know that the value of the data that we are collecting, the information that we are holding, the photographs that we are taking and keeping on these things, will only increase over time. So, while technology becomes smaller and more temporary, data is becoming big data—data is getting bigger and becoming more permanent. We have got to switch our view about the residual value of government processes and systems away from the billions of dollars that we spend on technology to the billions of dollars worth of assets that we are accumulating in government records.

So our digital continuity policy advances strong governance frameworks to ensure that information is properly valued and managed accordingly. It makes sure that agencies of government, just as they have governance arrangements around the money they hold and around their human capital, the people they employ, have those governance arrangements now around the information that has been collected. So every dataset that is being collected, aggregated and maintained by government agencies will have information governance. We know why that data is valued. We know whether that data is sensitive. We know who has access rights to that data. We know how that data will be carried forward when the technology becomes obsolete, how the value of that data will be maintained and how it will be kept reusable well into the future. So this is valuing the data as an asset and it is applying information governance frameworks to make sure that we are carrying that information from one generation to the next.

It also means that across government, as part of our digital continuity policy, information collected will not be left neglected in email accounts, webservers, shared drives or on portable devices. All the information we have coming into government agencies under these control frameworks will be assessed for its value and kept in controlled environments for as long as needed. The Archives talks about long-term preservation and re-use of information but do not forget that only 10 per cent of what is created by government in the way of records

is worth keeping forever. Ninety per cent of it is temporary in nature; it is transitory in nature; it is not really necessary to keep it long-term. So once the business requirement has faded away and diminished, it can be disposed of in an authorised, controlled way. It is that 10 per cent, the essential evidence of what happened and why, that we need to keep forever. That is what we need to carefully preserve and carry forward. That is the first part of our digital continuity plan, to value information as a national asset and to treat it accordingly.

All of our accountability depends on records holding evidentiary value. So a second part of our policy is to maintain that evidentiary value. To maintain a chain of evidence, we have to be digital. All of government business starts with email, so it all starts digitally. It usually starts as an email. No matter what you think you are going to do when you come into the office in the morning, you are faced with your email first thing and that takes over your day. What we are saying at the Archives is that it is no good having a process in which that digital document flows from that person to that person and comes over here and then, when it comes to an important stage in the process, it must be printed out on a sheet of paper and I must sign it with my fountain pen and then back we go to digital. That breaks the chain of evidence. That is not going to uphold government integrity in the future. When historians 50 or 100 years from now look back at us, I do not know what they are going to find. I hope by then we will have sorted it out. But it is no good them finding a whole bucket of stuff in digital over here and then expecting them to come to Canberra to a warehouse to find one sheet of paper that completes the picture. Society will not work that way in the future. It has to be, from cradle to grave, kept as digital. So this is the second part of our digital continuity: all government processes are digital from cradle to grave.

The final part of our continuity plan is interoperability. I know it is a word that gets thrown around a lot. We hear it in defence circles quite a bit. What I am talking about here is when a public servant creates information. All of us in the public service have to appreciate that we are not creating the information for ourselves and not creating it for the person on the other side of the counter from us. We are creating this information forever. We are creating this information for use and re-use into the future. Even though I work at Centrelink, the tax office or the National Archives, I am not creating it for my agency. I am creating it so the Australian Government can use it again and again in whatever department or agency. So it has to be interoperable across the different organs of the Australian Government, and indeed we have got to release this data into the public so that the digital economy can take advantage of it and use it. So it has to be interoperable across space and time.

The data I create today has to be usable 50 years from now. I think all of us have had the experience where we have found a document on a disk, a USB, an old zip drive or a VHS cassette. We are all accustomed to finding stuff that we have created not that long ago that is inaccessible to us now because technology has moved on and we have lost the capacity to review it and to read it. This is interoperability; we have to achieve interoperability across time. Our digital continuity policy is ensuring that government data created today will be

interoperable into the future so that those as yet unimagined purposes and benefits will be achieved.

The other thing to remember here is that most government data can be made publicly available very quickly, but we do not do that recklessly. There is information that is sensitive because of personal privacy, confidentiality or national security reasons. That information has to be kept and the stewardship has to be responsible. The release cannot be reckless. We do not want Edward Snowdens in Australia. It undermines the prosperity of this nation and causes people real harm. However, over time sensitivity diminishes. Over time everything will be made public, and I mean everything. In the case of personal, private census information that we collect, that is guaranteed by law not to be released for 99 years. It may be 100 years or more before things are released, but one day all the information we have will be made publicly available. If that were not the case we would not bother preserving it, we would not waste money keeping it. So it is about interoperability over time because the public benefits when it has information it can use.

To get this started, under those three principles—value information as an asset, digital processes from beginning to end, and interoperability—our digital continuity policy has set targets for all Commonwealth agencies to achieve by the year 2020. We have also developed and made available a whole suite of products and resources to enable government agencies to pick up on this and to run with this journey. We have a minimum metadata set, which has been published, a business system assessment framework and a range of training products and resources that make it as easy as possible for government agencies to adopt and incorporate these practices. We are not announcing this as a big project that needs to have millions of dollars spent within the next six months. We have given the Commonwealth until the year 2020 to pick these principles up as part of their ongoing investment cycles, procurement cycles and organisational restructures. Let us not forget that across the Commonwealth we spend over \$6 billion a year on ICT. So without asking for new money, we are saying that within that \$6 billion a year of procurement investment, we simply pick some of these values up as part of that processes. It is doable; it is achievable. As I said, we have released a whole suite of tools and guidance.

I am very pleased to use this occasion today to launch the latest in our suite of tools. It is our—drum roll please!—*Information Management Standard*. This is a beautiful document, beautiful in its simplicity, clarity and appearance as well. May I also say it is free of charge—I am not like one of those museum directors who steps aside to sell you the catalogue! This unifies for all agencies of the Commonwealth Government what the information management requirements are. It is principles based. It is simple. It is clear. It has eight quite simple principles: information is systematically governed; the right information is created, adequately described, stored, preserved et cetera. So there are eight simple statements and each statement has got a number of simple recommended actions. In keeping with our government direction at the moment to reduce red tape, none of this demands capital

expenditure or the diversion of resources. All of this, honestly, is simple, common-sense statements of practices, behaviours and values that need to be absorbed into corporate governance frameworks to achieve information management across the Commonwealth Government. As you can see, it is a pretty slim document with lots of white space!

This is part of what we are doing and it illustrates what we are doing to make sure that the Commonwealth Government is being guided ahead and we are embracing the opportunities of the digital age. We are using all of the tools and the free resources out there at our disposal to bring the government into the digital age so as to be more effective and efficient, to deliver better, richer public services in a more agile and responsive way, and most of all to do that on the foundation of government information that is reliable and dependable. When a citizen reads something in the newspaper, reads a tweet, has a chat with their neighbour, sees something on TV they do not like, if they are going to stay engaged with our democracy and have a voice in this society, they need to be able to reach out and have at their fingertips the government information. They need to find the truth. The information has to be obvious, discoverable, compatible with the way they want to use it and reliable so that they can have a voice in democracy, have an influence on government, have an opinion which has got equal weight with all of the other opinions in the discourses, debates, arguments and discussions that occur across Australian society. That is what we are doing at the National Archives. That is what we are doing across the Commonwealth Government to drive and carry the government into the digital age and to build that public trust and confidence in a modern, 21<sup>st</sup> century democracy in Australia. Our role at the National Archives is to make the right thing to do the easiest thing to do. We are doing that through these simple and clear policies, guidelines and resources.

### **Q&A session**

**Question** — There are two points I would like to raise. The first is this: you mentioned, unfortunately, that only 10 per cent of the information is going to be kept. In the digital age I think this is very strange. I left public service 13 years ago and I well remember that rather junior staff would come in, really with no idea what the department I was in was doing, and get rid of information that we later found we could have very well used on policies and everything else. That is a major concern for me.

The second point I want to raise is this: you talked about the information that government holds, but there is an enormous number of NGOs out there that play an important role—non-commercial NGOs; the commercial ones can look after themselves. What is going to happen in terms of keeping the information that is going to be just as important to understand this society 100 years hence?

**David Fricker** — Thank you; two excellent questions. On the first question, I said 10 per cent is kept, but that is not a target. We do not start with the premise that we are only going to

keep 10 per cent. We start our records authorities with an appraisal of what a government does and, through a process of analysis and cooperation with each government entity, we go through the various functions that are performed in that agency. Based on that we identify the class of records that must be kept forever and the class of records that should be kept for, say, 10 years or until no longer necessary and then they can be disposed of. As I said, we want to preserve the essential evidence of what government did and our client is the future. So we need to anticipate what will be required in the future. So thank you for asking this question. We do not start with a target of 10 per cent. It may be 18 per cent.

You are quite right about the digital transformation by the way. Looking around the room I think we can remember that before the introduction of things like photocopiers and facsimile machines only a fairly small amount of records were created in the first place. Once the photocopier became commonplace in offices, suddenly there was a tripling of the volume of records that were kept because of technology, because it was easy to create. Digital technology is similar. We are creating a greater volume of information. Even 10 per cent of the records that are created in the public service now, is probably about 10 times more than what was created in the pre-digital era.

We aim—and we are very serious about this—to keep the essential evidence of government actions and decisions in order to uphold the accountability and integrity of government and also for the national memory. As said, it may well be 18 per cent as we explore this further. The other thing I would say on that is that not every agency is equal. Probably about 100 per cent of the Bureau of Meteorology's records are kept forever. It can change depending on the nature of the business of the agency.

On the other matter about NGOs, this is also a really vitally important topic that the National Archives is dealing with at the moment. The trend of government business is for government to do less and to outsource more. So public services are being contracted out more and more. We are accustomed to state governments performing functions that are funded by the Commonwealth. That is fine; state governments have their own public records offices and they keep their records. But what about NGO's? A recent example is the Royal Commission into the sexual abuse of minors in the care of institutions. These were services provided by independent, private institutions, but really at the government's bidding. These institutions were providing a national service. We are finding that as that Royal Commission searches for records of what happened, searches for the evidence, the records that are kept by those institutions are very uneven.

We are taking measures at the Archives, including in our *Information Management Standard*, to make sure that even if a Commonwealth Government service is outsourced the private enterprise that is being contracted to do it carries an obligation of recordkeeping. They carry obligations of accountability so that ultimately the Commonwealth Government can be held

accountable for what they did with taxpayers' money in the name of the citizens of this country. It is very topical.

It is also the case that the business of government is being done quite often on third-party platforms. We have seen in the newspaper lately about cabinet ministers using WhatsApp and other third-party systems to communicate with one another. These are not Australian systems. They do not even exist in Australia's jurisdiction. They are American software companies or they are in overseas jurisdictions. Again, we are saying that these are still records and they need to be kept. Even when you are using Gmail or WhatsApp or other platforms, if you are an public official doing the business of the government, you are accountable and those records must be kept. I use social media. I use Twitter, but I keep those tweets as a record of the statements I have made. That is the example we are setting.

Those are two very good, topical issues. They do both apply to the digital age. This general trend of pushing the delivery of public services to NGOs is something we are very mindful of. That is included in our information standard: making sure the right records a kept in the first place. Thank you for that.

**Question** — Your talk was very much about the principles, and I am sure that we would all agree with them 100 per cent. As a user of data, I want to raise with you three practical issues.

First of all, standing as we are in this building, I cannot accept that government is simply executive government and administrative departments. But when I went to try to find the opposition's response to a major report in the mid-1980s I could find no evidence anywhere of the oppositions response to what was an important report on a matter of public policy. So there is a gap in major statements from Her Majesty's Loyal Opposition, if I might put it like that. I don't mean the day-to-day rubbish; I mean the major policy statements.

The second issue is that, while I appreciate your comments about interoperability and you are standing there with your records looking into the future, there are major issues about interoperability currently. I recollect that when an Australian citizen ended up in a refugee camp some years ago, we discovered that the Department of Immigration had a large number of different systems, from memory about 17, and none of them talked to each other. I can tell you that the current crisis on overpayments in Centrelink is because the Centrelink systems don't talk to each other and it is incompatible systems creating a problem. So if we cannot get interoperability right on a day-to-day basis, how does that challenge you preserving a record that people can use effectively?

My third question is about the quality of data. Here I will use the example of trade treaties. The government is currently commencing negotiations with the European Union. It announced that it had an achievement. There is a single page on the minister's page. There is

nothing on the DFAT website some weeks later. You have to go to the European Union to find any data. When they did the national interest analysis of the Trans-Pacific Partnership Agreement it was a self-congratulatory, very short thing that totally failed in comparison to what the New Zealand government did. If the government will not give you quality data, what hope is there of preserving a record? I know your hands are tied a bit on this, but there are other institutions existing in society and some effort has to be made to improve the quality when the government cannot or will not.

**David Fricker** — Again, three good questions. If I can go to Her Majesty's Opposition, first of all. My hands are not tied on the other two, but perhaps they are a little bit tied with Her Majesty's Opposition because the legislation is quite clear. The Archives Act applies to the records of the executive, not the parliament, for very deliberate reasons: it follows the separation of powers. We are about preserving the records of the executive. The parliament has particular exceptions, which includes the opposition naturally, as does the judiciary. That can affect the way in which records fall subject to our policies and the way in which they are transferred to us. But I will say that both the parliament and the courts do opt in. So they do use the Archives as a means to preserve records on a voluntary, an opt-in basis. It all begins with what is guaranteed under the legislation and what is not. A cabinet minister is also a member of parliament. Their party-political work, their work with their local electorates, are considered private to them and are not covered by the Archives Act. There will be, when we talk about the machinations of parliament, a legal discussion because of the way the law is written.

On interoperability and the immigration examples you mentioned, fantastic examples, this is precisely what we are doing with our digital continuity. Cornelia Rau and the scandal that you referred to, the Palmer Review that came after that and the ANAO reports subsequent to that—I am not picking out Immigration; there are many departments that been shown to have these problems—all point to the need to establish stronger records management practices. Prior to the creation of the record you need the systems and the policies in place to guarantee that the right records are being kept and made interoperable across systems. Those sorts of examples are precisely the incidents and events that our digital continuity policy is responding to.

We are making progress. Big departments like Immigration, as you mentioned, but also other major departments, do have legacy systems, systems that are quite old and have been around for quite some time. But they are all working hard, using the resources that we produce—the data, metadata and information management standards—to make sure that they absorb these principles. As they redevelop, improve and enhance their systems, they are building in this compatibility across their systems. More importantly, not only are they compatible across Centrelink or Immigration, they are compatible with the rest of the Commonwealth as well. This is why it is digital continuity 2020, because I know, we all know, that you cannot do this straight away. It takes years to do this. But I am much more satisfied knowing that we are

moving forward over the next several years than knowing that we are going nowhere, that these problems are not being solved. Your point is perfectly valid, but these are the things that are driving us to make this change. Everybody is seized, from secretaries and ministers down, with the importance of getting this work done.

With the quality of data, our hands are not really tied. It is a matter of professional pride. Government officials, all of us, need to take pride in the records that we create. At the end of the day, after I retire, after I am long gone, what is the value that I have left behind? Okay, the services that I have provided, these magnificent lectures that I have delivered and the uplifting experience I have given all of you, are wonderful outcomes, but they are temporary. You will forget about me quite soon. My long-term residual value is really the information I have left behind, the records I have created, the corporate knowledge that has been accumulated. So it is a matter of professional pride for every Commonwealth public servant to create good records. This is embodied in the information management standard I just launched, it is embodied in all the training products that we produce, in all of the programs that we run and indeed in the programs that the Public Service Commission run. It is part of the public service code of conduct. It is part of the public service professional standards.

We can control the quality of data. Through our archives records authorities we can insist, by law, that certain records are kept and retained. How soon they are made publicly available, again, is a product of that particular agency and the propensity for those people to make data available. I do not mind saying we public servants, in my view, have a tendency towards secrecy and not towards public accessibility. I think that is wrong. I think that is something we have to keep changing. The way we are going to change that culture away from secrecy and towards public accountability is by making public servants confident that the information they are making public is not betraying national secrets, not accidentally revealing private information. If a public servant knows that their information governance is strong, if they know that these records have been made the right way, that this data set is what it says it is, that they are part of a governance framework, they can confidently release data. That is the way we manage the risk of inadvertent release of sensitive information.

This is all part of building a culture across the public service which is pro disclosure and relieves this feeling that we all must be terribly secret and FOI is our enemy and all this sort of stuff. We have got to get over that. We have got to stop whinging about FOI legislation. We have got to work with it, because our value as public servants is the public data that we create, the services that we create, the information we produce. So it is very important to me and it is very important to the way we construct these policies and guidelines. As I said, we want to make the easiest thing to do the right thing to do. We are making it easier for people to create information that is ready for release, or information that is clearly sensitive and must be protected. All of this comes from good governance, which creates good practice.

**Question** — I would appreciate you saying a little bit more about how your office goes about deciding which records are kept and which are destroyed. I would like to ask that question by reference to one example where I thought some files dealing with a major public policy issue should have been kept. Late last year I was asked to do an oral history interview by a university on some major reforms relating to the Federal Court. To refresh my memory I tried to get the files out of Archives. The files would have included records of negotiations with the Chief Justice of the Federal Court, submissions to the Attorney-General, policy analysis of the relationship between the executive and the judiciary—major public policy issues in my view. I was very surprised to find, after checking with both the Archives and the department, that those files had not been kept. I don't expect you to be familiar with the particular files, but can you say a little bit more about why some important public policy files are not kept?

**David Fricker** — Very briefly, records on policy formulation, policy that becomes law, that is enacted and directs the behaviour of government and public servants should be kept. The records authorities that we produce, as I said earlier, analyse the activities of government agencies and determine those classes of records that are to be retained as national archives preserved in perpetuity. You are right that, unfortunately, I am not aware of that particular case, but these documents are important to demonstrate Australia's system of democracy. These documents are important to illustrate why laws have been passed in the way they have. They are important to preserve the rights and entitlements of individuals such that in the future, if people are entitled to a pension or land or whatever it might be, the information is there. They can also be of historical importance regarding a particular episode in Australia's history. They might not meet those criteria but it is important for that. Now we are also looking at economic value—datasets which should be preserved for the long-term economic value that they produce.

I would say based on the description that you gave during your question, the class of documents that includes briefs to the minister or policy advice that eventuates in legislation being passed or debated would ordinarily be kept. I am not familiar with that example. I would not say that mistakes never happen. One thing in this information standard is an emphasis on creating records in the first place. Historically, Archives have come in towards the end of the process and gone in to look at the records which have already been created and are held by an agency. By then, if the records were not made in the first place or have not been well looked after, you are playing catch-up.

With our digital continuity and with all of our advance policies, we are trying to get ahead of the curve. We talk about precreation of a record to make sure that the governance and the policies are right and that people are trained. Part of our digital continuity policy is to improve the professional standards of records management in each agency. We are stipulating that every agency has to have a chief information governance officer. Again, it is cutting red tape. You do not have to employ a new person. You do not have to build a new office. This can be a responsibility that somebody you already employ can assume. We have

chief financial officers and chief legal counsels for this very reason that you raise: every agency head, every secretary, needs someone they can turn to who is expert, is qualified, is professional and can provide reliable advice that they have upheld their information management obligations. These are the changes that we are trying to effect so that at the beginning of that process, from the moment those records are created, it is understood that this is valuable, this must be kept, and it has to be kept in a chain of evidence so that all of the auditing and authenticity is being maintained. I am not saying that mistakes were not made in the past. Of course they were made in the past. But everything we are doing today is trying to bring that together through better governance, better policies and better resources.