



Contact: Ms Josephine Horner
Phone: 07 3131 7705
Our Ref: QSA [TRIM File No.]

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Department of
**Science, Information
Technology, Innovation
and the Arts**

The Commissioner
Royal Commission into Institutional Responses to Child Sexual Abuse
GPO Box 5283
SYDNEY NSW 2001

Dear Commissioner

Re: Submissions for preventing sexual abuse of children in out of home care

Thank you for the opportunity to comment on the Royal Commission into Institutional Responses to Child Sexual Abuse *Issues Paper 4: Preventing sexual abuse of children in out of home care*.

Queensland State Archives would like to provide comment regarding question 11, which asks: *What implications exist for recordkeeping and access to records, from delayed reporting of child sexual abuse?*

As the Queensland Government's records management authority, Queensland State Archives administers the *Public Records Act 2002* (the Act), which applies to more than 500 public authorities. Queensland State Archives does not have jurisdiction over non-government organisations.

The Act requires a public authority to "make and keep full and accurate records of its activities." Full and accurate records are a combination of processes (such as the creation and capture of records) and the essential attributes of records (such as being meaningful, inviolate and complete).

There are a number of issues regarding recordkeeping and access to public records from delayed reporting of child sexual abuse, including whether the records:

- were created in the first instance
- were captured into a recordkeeping system
- can be located and retrieved
- have been lawfully retained or destroyed under an approved Retention and Disposal Schedule
- are accessible or are subject to a restricted access period (RAP)
- ownership may need clarifying, where the agency that created the records has been subject to machinery-of-government changes.

A Retention and Disposal Schedule authorises the destruction of temporary value public records or the transfer of permanent value public records to Queensland State Archives. These schedules are legal documents approved by the State Archivist that:

- describe the type of business a public authority performs
- identifies the records produced as a result of that business, and
- specifies for how long each record must be kept.

Retention periods documented in these Schedules are the minimum periods for which the sentenced records must be retained. Public records cannot be disposed of prior to the expiration of the appropriate retention period. However, there is no requirement for public records to be destroyed at the expiration of a minimum retention period.

It should be noted that under section 2.3 of the *Commission for Children and Young People and Child Guardian Retention and Disposal Schedule (QDAN636 v.1)* (see attached) public records relating to “out of home care” generally have long retention periods. For example, child issues logs, community visitor work diaries or appointment books, and visitable home and site reports must be retained for 100 years after the last action. Long term temporary public records, such as these, should be retained by the responsible public authority.

I hope this information assists the Commission in understanding the recordkeeping implications for delayed reporting of child sexual abuse in relation to Queensland public records.

If you have any questions or would like further information, please contact Ms Josephine Horner, Manager, Agency Services at Queensland State Archives by telephone on 07 3131 7705 or email josephine.horner@archives.qld.gov.au.

Yours sincerely



Ms Janet Prowse
Executive Director & State Archivist
Queensland State Archives

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