



Records Symposium

Background Paper

17 November 2025

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Acknowledgment

The Healing Foundation acknowledges the custodians and community of the lands on which we live and work. We pay our respects to Elders and to Stolen Generations survivors, of the Dreaming and of the here and now. And to the survivors we work for everyday, and those who never made it home.

We also acknowledge the work of Stolen Generations survivors, organisations, and Link-Ups who have advocated and championed across decades for survivor-centred records access. The work of the Symposium participants, and the work that will follow, builds on this, and the goodwill of others who have advocated for survivors, their families, and communities.

Introduction

This background paper has been developed to inform discussions at the Records Symposium, hosted by The Healing Foundation in partnership with the National Library of Australia (NLA), National Archives of Australia (NAA), Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS), and the National Indigenous Australians Agency (NIAA).

The Healing Foundation thanks and acknowledges survivors, Stolen Generations organisations, particularly Link-Ups, and the many records experts and champions that have worked tirelessly to keep prioritised access for Stolen Generations survivors on the agenda. We hope this symposium will continue to shine a spotlight on this important issue at a Federal level, and to encourage and mobilise national advocacy and change.

The purpose of the symposium is to bring together a number of key stakeholders, particularly at a Federal level, to look at next steps for the outstanding records recommendations made in *Bringing them home* nearly 30 years ago, and priorities identified in The Healing Foundation's 2025 report, *'Are you waiting for us to die?' The unfinished business of Bringing them home*. The aim is to build on the work that has been undertaken to date to facilitate records access for Stolen Generations survivors and descendants, including that of the Historical Records Taskforce, and will focus on ideas, implementation, accountability, and survivor priorities. It is one of the many necessary conversations and continuing work that is required to see urgent and prioritised access for Stolen Generations survivors.

The following information is included in this paper:

Background and Context

Summary of Legal Policy Review

Stakeholder feedback – Link-Up, records sector, redress

Records Access – Towards 2027

Appendix A: Executive summary from 'Findings and recommendations for records access: National legal policy review

Appendix B: Principles for nationally consistent approaches to accessing Stolen Generations records

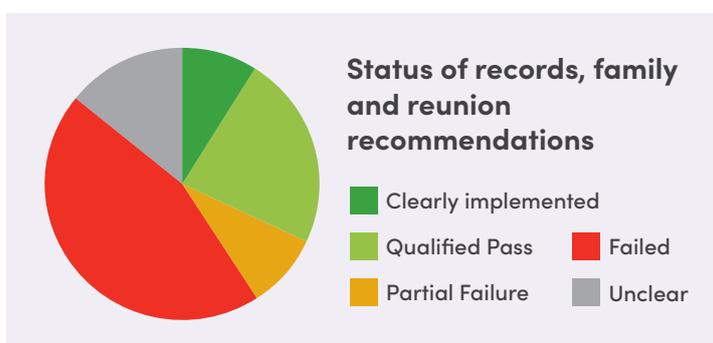
Appendix C: Records recommendations made in *Bringing them home*

Appendix D: Summary of Historical Records Taskforce

Background and Context

Timely and culturally safe access to historical records was a key feature of the suite of recommendations made in *Bringing them home* in 1997. Records access is critical to support reunification with family, community, and Country, and in helping survivors and their descendants (re)claim their identity.

While there has been significant work undertaken across all jurisdictions to promote access, there remains systemic administrative and legal barriers preventing consistent and permissive access, and many of the original recommendations made in *Bringing them home* remain unmet. The Healing Foundation's 2025 report '*Are you waiting for us to die? The urgent unfinished business of Bringing them home*' found that there had been a **"failure to implement nearly half of the recommendations"** made in *Bringing them home*.



'Are you waiting for us to die?' The unfinished business of Bringing them home, p.19

The need to address these outstanding recommendations is urgent – Stolen Generations survivors are ageing, and many are passing away without the opportunity to find their family history information. At the 2024 Gathering of Stolen Generations Organisations, there was an agreed call to action:

All institutions, organisations and individuals holding records relating to the forced removal of Stolen Generations, public and private, provide prioritised and open access to the collections and progress agreements to hand back records to survivor and descendant led groups.

Nationally, there are varying processes, practices, and guidelines that have been developed to address known access issues and facilitate the release of records. Reviews, recommendations, frameworks, and principles have been established, endorsed, and agreed to across the sector, with resources and programs developed to support both records users and holders.

Through the Historical Records Taskforce, convened by The Healing Foundation from 2018–2025 and led by hard work of Link-Up organisations and records champions, the following key resources were developed:

- Principles for nationally consistent approaches to accessing Stolen Generations records (Appendix B).
- Better Access to Stolen Generations Records archival training module.

Despite the work to date, the ongoing barriers point to a critical need for **strategic and shared prioritisation** at a policy and legislative level, to both remove barriers and facilitate consistent survivor centred permissive access practice across records holding institutions. Commitment is needed from records holders and governments to progress actions that will enable urgent changes to facilitate access while undertaking ongoing work to remove structural barriers.

A critical gap has been the lack of **monitoring** and **accountability** in relation to the implementation of records recommendations. While the Historical Records Taskforce led important work to advocate and educate, it was only resourced to function as a policy and information sharing forum. It unfortunately didn't have the authority and mechanisms to make definitive policy recommendations and ensure commitments and accountability.

Legal Policy Review

The Healing Foundation has finalised a review of legislation in each jurisdiction relevant to records access for survivors and descendants. While it is acknowledged that research into the complex issues relating to private collections is urgent, this project focused on understanding the legal frameworks concerning access to government-controlled records.

The review analysed access provisions and identified opportunities for amendments across the following broad legislative categories:

- Birth, Death, and Marriage
- Information Privacy
- Adoption
- Child Protection
- Freedom of Information / Right to Information
- Public Records

The executive summary is attached in Appendix A.

By analysing similar legislation across jurisdictions, similarities, differences, and opportunities to for promoting consistent access conditions have been identified. While there is a significant amount of work required to achieve national consistency, there are key areas and opportunities that have emerged.

Summary of Findings

The review found that records access for Stolen Generations survivors, descendants, and researchers acting on their behalf (including Link-Ups) is fragmented, piecemeal, and overly complex. While the legal frameworks establishing access conditions in each jurisdiction are similar, the legislation is applied inconsistently, meaning the policies and practices determining how – and if – records are accessed are inconsistent.

The complexity and differences in processes vary not just across jurisdictions, but also across agencies within a jurisdiction, with different administrative frameworks including application forms, identification requirements, fees, viewing requirements, refusal and redactions, exacerbating the complexity. This is compounded by a lack of established national guidelines supporting trauma-informed permissive access approaches to the provision of Stolen Generations records.

Key inconsistencies and barriers identified include:

- Complex and inconsistent administrative processes across and within jurisdictions without supported referrals or centralised assistance.
- Inconsistent threshold requirements subject to bureaucratic discretion.
- Inconsistent information requirements, including the need for detailed information to search for records, often resulting in needing to know the information contained within records to access the records.
- Inconsistent and obstructive search conditions, including individual searches for specific documents rather than broad categories of records.
- Inconsistent identification requirements that can prevent access, for example a requirement to prove a relationship the applicant is seeking records to identify or confirm.
- Birth, death, and marriage records – inconsistent open and restricted periods, inconsistent search functions, including some online databases for open access records, inconsistent information needed to undertake searches, inconsistent fees associated with both searching and obtaining copies of records.

The review identified that the *Children, Youth, and Families Act 2005 (Vic)* provides the best practice standard of person centred permissive access. This Act establishes the Care Leavers Access to Records Policy, which includes 9 key principles:

- Commitment to understand the needs of care leavers.
- Pro-release approach premised on care leavers having the right to access records about their history.
- Support for applicants.
- Maximum access, ie the right to receive all personal information about themselves.
- Right to timely access supported by statutory timelines.
- Right to supported release including minimal or no contact with the department, respectful presentation of records, tailored explanation of redactions, counselling support, and service referrals.
- Right to annotate records and the right to limit access to records.
- Right to an independent review if information has been redacted.
- Cross-agency collaboration to ensure maximum access.

Opportunities

While the review identified opportunities for detailed and specific legislative changes, the creation of a broadly defined **Stolen Generations classification** across all legislative instruments that inform records access is a critical step towards survivor centred and consistent permissive access.

The development of a special category to support applications by survivors, their descendants, and researchers acting for them that meet access thresholds would remove bureaucratic discretion and create opportunities to embed permissive access principles that acknowledge the specific needs of survivors.

A Stolen Generations classification would be supported by principles including:

- Default position supporting release with onus on delegated authority to actively review if required.
- Access to restricted records and release of personal information.
- Minimal redactions with detailed explanations accompanying any redactions.
- Right to independent review of any adverse decisions and / or redactions.
- Requests for categories of documents rather than individual documents.
- Third party applications supported (specifically Link-Up).
- Fees waived and expediated timeframes.

In addition, a key recommendation of the review is the establishment of a jurisdictional based centralised access body to administer applications, facilitate cross agency requests and inter-jurisdiction referrals, and provide trauma-informed support for researchers. This approach would significantly reduce the complexity of identifying and applying for records across multiple agencies, and would create the conditions to meet other elements identified, including a **single application form** and **trauma-informed** responses.

There are further opportunities to explore legal mechanisms to ensure the protection and conservation of, and access to, private collections, which could be explored in conjunction with potential new or amended legislation around records. It will be critical to consider the application of Indigenous Data Sovereignty / Governance principles, and overarching aims such as the Tandanya Declaration, to frame not only access rights but also address issues of ownership and repatriation.

Stakeholder feedback

The following summaries are based on information provided to The Healing Foundation by key stakeholders. They are not an exhaustive summary of all the barriers faced, but a picture of the ongoing areas to consider.

Link-Up Summary

To contextualise the issues and processes around records access for Link-Up research teams, the following types of records have been identified as some routinely used both within each Link-Up jurisdiction and across jurisdictions:

- State / Territory / Commonwealth
 - Births, Deaths & Marriage (BDM) Registry
 - Adoption files
 - Child welfare files
 - Archival records (ie government relevant government files including removal orders, administrative correspondence, health and hospital files, police records)
 - Mission / Station / Institution files
 - Census Registers

- Library collections (for example state library collections, language records, BTH oral histories)
- Military records
- Non-government records
 - Church archives
 - Genealogical Societies
 - Family history websites (Ancestry, Find A Grave, Ryerson Index)
 - Newspapers, gazettes, magazines (Trove)
- Specialised collections and indexes
 - *Bringing them home* Name Index (National Archives of Australia)
 - Australian Institute for Aboriginal and Torres Strait Islander Studies
 - Centre for Indigenous Family History Studies
 - Find & Connect Support Services
 - Link-Up records and case files
 - Stolen Generations organisations
 - Strehlow Research Centre

Access to these records depends on the individual policies, processes, and agreements in place with each individual record holder. Having to navigate across different government and non-government organisations requires repeated and multiple searches across and within jurisdictions, which given the different systems, legal frameworks, and practices around release of records, can mean that what records are accessed is inconsistent, and the process in attempting to access them can be retraumatising for survivors, overly difficult, and time intensive.

The process for accessing government records, including complicated and legalistic application forms, can be frustrating and leads to individuals giving up on trying to access particular records. Likewise, inconsistent fees can be a preventative barrier leading to survivors abandoning searches and / or copy requests.

Threshold and information requirements, unexplained redactions, record refusal, missing and incomplete record sets, and extensive wait times continue to cause distress and negatively impacts on survivors, researchers, and the research. Some agencies have appeals processes if records are withheld or redacted, however these are inconsistent and often time restrictive.

Concerningly, some Link Ups have indicated that staff responding to requests can be unhelpful and / or uncooperative when working with representatives and researchers. Workforce capacity across records holders can also influence the process, particularly where there are limited staff and minimal funding to support requests.

When records access is facilitated it is often through the use of agreements or memoranda of understanding. However, these are inconsistently used across government records holders, and can often only cover certain elements of a release process. Processes can be simplified through investment in dedicated research and response teams, such as those at AIATSIS and NAA.

Records Sector Summary

Government agencies have identified that restricted and closed records remain a barrier to supporting survivor access to family history information. This is exacerbated by limited internal resourcing and prioritisation to examine and review access conditions for specific sets of records. Additional permission requirements around restricted or sensitive records can inhibit the release of information.

There is often limited resourcing to specifically support requests from Stolen Generations survivors. Collections in some institutions remain unindexed and under-described, meaning they are not easily identifiable or searchable, and there is limited community information about archives, their legal frameworks, and access points.

A key consideration raised is the limitations in being able to identify, index, and properly describe records that will be relevant to supporting family history research. This is critical to locating relevant records, and to ensuring culturally appropriate access to records that may be sensitive.

Some archives have identified a lack of right of reply as an ongoing issue.

Memoranda of understanding is a critical way that records access is facilitated, with some archives having MOUs with Link-Ups to access specific records (for example the NAA provides access to the BTH index through MOUs), and these can include clauses such as expediated timeframes, fees waived, and standard service referrals.

The following have been identified by records holders as current initiatives that are working to support records access, and key areas for policy and research opportunities that will help drive improvements to records access:

- Initiatives currently supporting access and research:
 - MOUs to support access to *Bringing them home* name index.
 - MOUs to waive fees and expediate timeframes for Link Ups.
 - Return of Material to Indigenous Communities (ROMTIC) – AIATSIS provides 20 copies of collection items to individuals for personal use and without fee per year.
 - Online provision of guides, resources, and referrals.
 - Online availability of metadata to assist with research.
- Policy and research opportunities:
 - Coordinating organisation to take commitments and actions towards a nationally consistent approach to records access.
 - Council of Australasian Archives and Records Authorities (CAARA)'s role in promoting streamlined processes.
 - Jurisdictional based research guides.
 - Trauma-informed training for staff working in records management.
 - Discoverability projects and online collection platforms.

Redress / Reparations Summary

The Victorian Stolen Generations Reparation Package (VSGRP) and Territories Stolen Generation Redress Scheme (TSGRS) research teams have provided information about the types of records they generally access:

- State / Territory / Commonwealth
 - Government records created under ‘protection’ acts
 - Welfare and adoption records
 - Institution and mission records
 - School records
 - Aboriginal population record cards
 - Census and electoral roll records
 - BDM indexes and certificates
- Non-government Records
 - Station records
 - Church records (former missions)
 - Anthropology records, including genealogies
 - Historical newspapers
 - Oral history records
 - Books and academic papers, including biographies and autobiographies
 - Audio and visual files
 - Pupil registers
 - Organisation records (including newsletters, reports)

Research teams are supported by MOUs and agreements, both formal and informal, with record holders, which can allow the more direct and specific release of information, including restricted information. It has been noted that this is most effective when records holders have adequate resourcing to provide information about the types of records they hold relevant to Stolen Generations, understand access difficulties, including around issues of consent and identification, and understand the prioritised needs of survivors.

The use of agreements and MOUs can engender cooperative and collaborative relationships, while ensuring consistent and compliant access to information.

This approach requires technical knowledge of both respiratory holdings and access requirements. Information sharing about access to different collections between records holders has allowed research teams to facilitate more agreements. It also allows for the provision of records that may not otherwise have been made available, for example through transcriptions, or information sharing protocols that support the release of information, rather than the records.

To facilitate easier access, research teams can obtain applicants consent to share information about them in order to assist with assessing applications, removing a requirement for applicant to obtain and provide the records themselves.

Despite working across government agencies, there remains barriers and challenges. From a research perspective, the following have been identified as critical challenges:

- Lack of records: in some cases, research teams are unable to identify records for an applicant to support their application. This is particularly relevant for applicants who were ‘informally’ removed.
- Private records: no legal lever to support access or information about collections. There have been instances of record holders advising that no relevant records exist, however publicly available information confirms otherwise.

- Commonwealth records: records created by the Commonwealth are distributed across many agencies and access can be difficult. Research teams remain without access to some collections.
- Cross-jurisdictional legalisation: inconsistent legal frameworks make accessing records across jurisdictions difficult, for example adoption records.
- Repository resourcing: the lack of resourcing for records holders impacts on response times, type of responses, provision of records or information about them, or an inability to respond.
- Discoverability: consistent issue, with many records not being listed, indexed, or known to the holding repository. This has led to the need for an internal indexing and discoverability project incorporating engagement and outreach, to assist. Metadata often doesn't allow for the simple identification of individuals.
- Redactions: inconsistencies around approaches of best practice, with practice dependent on agency, internal policy, legal framework, and staff interpretation.

Redress and reparation research teams have identified the following opportunities across research and policy:

- Opportunities to explore legal solutions and what they could achieve.
- Opportunities to encourage records holders to voluntarily disclose.
- Strategies and support mechanisms to manage expectations relating to records availability.
- How evidence or research findings could strengthen the case for legislative changes.
- How established practices can inform the development of nationally consistent MOUs.
- Identify possible unintended consequences of legislative change, including mitigation strategies.
- Evidence of role of records for healing, and to support healing programs.

The VSGRP and TSGRS were asked if records are provided as part of the scheme itself:

- **VSGRP:** Recommendation 11 from the Stolen Generations Steering Committee Final Report is for the provision of records as part of the Package. The Access to Records program seeks to provide information relating to a person's removal and until the age of 18, through collaboration with partner agencies.

Through this program, the research unit provides trauma-informed support for applicants, assisting in the receipt of records with limited redactions, assistance in understanding records, and ongoing support services. Specific positions are funded to deliver the program, and the staff are specialised and trained.

The research unit facilitates access to records held by the Department of Families, Fairness, and Housing, and the NAA, including wardship and child protection records which are released through a Public Interest Determination endorsed by the Victorian Information Commissioner.

Around 80% of applicants to the Reparations scheme opt into the Access to Records program, and feedback has indicated that having records has contributed to healing.

The program does not include access to private collections, however referrals to organisations that can assist are provided.

- **TSGRS:** Records made available under agreements that stipulate the provision of records is for the purpose of processing applications. This means that the records are used by researchers and not made available to applicants.

It has been identified that there are opportunities for the TSGRS to collaborate with applicants or their nominees, Link-Ups, and Stolen Generations Organisations, to support pathways for accessing records.

Records Access – Towards 2027

With the 30th anniversary of *Bringing them home* approaching, it is critically urgent that the ongoing barriers preventing Stolen Generations survivors and their descendants from consistent and permissive records access are addressed.

The following are suggested areas to be built upon that could create changes to meet the outstanding recommendations of *Bringing them home* by 2027. These are identified from the many years of advocacy and work since the *Bringing them home* report and are presented here for the purpose of consideration and discussion, and to assist in informing direction towards positive outcomes for survivors and descendants.

To assist with identifying opportunities for change, the suggestions are framed around two key questions:

- *What needs to be achieved?*
- *What are the short – medium – longer term steps that are needed?*

Survivor and descendant access conditions

The absence of consistent and clear survivor centred, trauma-informed, permissive access to records remains the key barrier preventing survivors, descendants, and researchers acting on their behalf from accessing relevant records. Administrative, process, and procedural complexity creates difficulties for individuals attempting to access records.

What do we want to achieve?	What can achieve it?
Special Access Category	<p>Immediate steps</p> <ul style="list-style-type: none"> • Application forms include Stolen Generations category relevant to survivors, descendants, and Link Up researchers • Expediated time frames and fees waived • Discretionary release of restricted information • Review Principles and identify opportunities for policy and process changes <p>Longer term steps</p> <ul style="list-style-type: none"> • Development of jurisdiction specific application forms relevant for all agencies holding records • Legislative changes to establish category that meets request thresholds and is supported by key principles

<p>Access to private collections</p>	<p><i>Immediate steps</i></p> <ul style="list-style-type: none"> • Government archives use influence to promote conservation, protection, and access to private collections • Research into significant and relevant collections, including known access provisions and opportunities <p><i>Longer term steps</i></p> <ul style="list-style-type: none"> • Advocate for legislative change to compel production of records • Advocate for legislative change to ensure protection and conservation of privately held records • Develop framework and process for returning privately held records to community custodianship, or a central keeping place that can administer access
<p>Workforce Development</p>	<p><i>Immediate steps</i></p> <ul style="list-style-type: none"> • Review funding opportunities to increase Link-Up capacity • All staff working across records sector trained in Stolen Generations history, including trauma-informed approaches to working with Stolen Generations • Staff working in specialist First Nations teams across records holding institutions undertake specialist training • Research and develop opportunities for cross-sector collaboration and learning • Research and develop opportunities for records holders to support staff capacity and capabilities in Link-Ups <p><i>Longer term steps</i></p> <ul style="list-style-type: none"> • Establish First Nations traineeships and supported education pathways for records management sector • Establish specialist First Nations led training and education pathways for Stolen Generations family history research programs

Collections management

There is significant opportunity to facilitate better access to records through investment in considering how collections are managed, described, and indexed through the lens of permissive access.

What do we want to achieve?	What can achieve it?
<p>National Stolen Generations category for record description</p>	<p><i>Immediate steps</i></p> <ul style="list-style-type: none"> Review indexing, metadata, and description priorities and identify opportunities for strategic projects or increased investment Review First Nations led description principles and identify opportunities for incorporation into existing policies Research and identify relevant collections, series, agency records, or groups of documents that are relevant to Stolen Generations <p><i>Longer term steps</i></p> <ul style="list-style-type: none"> Develop a national cross-sector framework to support identification of records relevant to Stolen Generations through metadata (ie a category marked 'Stolen Generations' for all relevant records) Develop an implementation plan for archives, libraries, museums, and other relevant organisations, to implement category description Audit and identify missing or incomplete records Collections identified are included for special access category release
<p>Survivor Testimonials</p>	<ul style="list-style-type: none"> Build programs and partnerships to support Stolen Generations Organisations to record survivor stories, including technical elements of recording, storage, keeping and access Research existing oral history collections, including identifying storage and access conditions Expand on Bringing them home oral history project Ensure Indigenous governance over testimonial projects, including decision-making on protocols for access, use, and cultural safety Research policy and infrastructure to support community-led archival systems and digital platforms

What do we want to achieve?	What can achieve it?
<p>Establish Stolen Generations national database</p>	<ul style="list-style-type: none"> • Identify opportunities for leadership towards developing a central database of Stolen Generations information • Audit and identification of relevant collections and information, including oral histories, survivor testimonies, records user guides, community guides and information, indexes, private and public record collections • Identify a roadmap for implementation, including opportunities for funding the development and maintenance of a database and programs for community organisations to play a lead in managing and contributing • Cross-sector and cross-jurisdiction plan

Monitoring and Accountability

To meet the outstanding recommendations by 2027, it is critical that stakeholders develop shared responsibilities, measures, and accountability mechanisms.

What do we want to achieve?	What can achieve it?
<p>Framework for monitoring implementation and measuring success</p>	<ul style="list-style-type: none"> • Establish policy group with clear mandate and mechanisms to ensure accountability and sustained commitment to implementation • Develop framework for monitoring implementation of Principles and other recommended actions • Develop indicators to measure access changes

Supporting Stolen Generations survivors and organisations



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