



## **Records disposal schedule**

# **Records Disposal Schedule Assistance to Victims of Crime Department of the Attorney-General and Justice**

**Disposal Schedule No. 2015/15**

**August 2015**

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## Preamble

### Introduction

The *Information Act* states that public sector organisations must safeguard their records and must not delete or otherwise dispose of a record unless authorised to do so<sup>1</sup>. Disposal of records is permitted through the use of records disposal schedules and enable regular, planned and authorised disposal of records controlled by an agency.

Records retention decisions are based on:

- the current and future business needs of the organisation
- compliance with legal and governance requirements of the organisation
- the current and future needs of internal and external stakeholders, including the wider community.

Records disposal schedules provide continuing authorisation for the legal disposal of records and are authorised by the records service, archives service and chief executive officer of the public sector organisation responsible for the schedule.

Records disposal schedules apply to records created and maintained in any format, including electronic records, records in business systems, and parts of records.

In the Northern Territory government there are two types of records disposal schedules:

- [General records disposal schedules](#) that apply to records common to most or all NT Government public sector organisations, and
- Functional records disposal schedules that apply to records specific to an NT Government public sector organisation or function.
- Functional records disposal schedules should be used in conjunction with general records disposal schedules.

### Structure of a Records Disposal Schedule

Records disposal schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class. Records disposal schedules specify

- (a) whether a class of record has temporary or permanent status;
- (b) the retention period for a temporary class of record;
- (c) authorised disposal actions for a class of record.<sup>2</sup>

Each class of records created by an agency is described using classifications based on business analysis.

Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT Government public sector organisations.

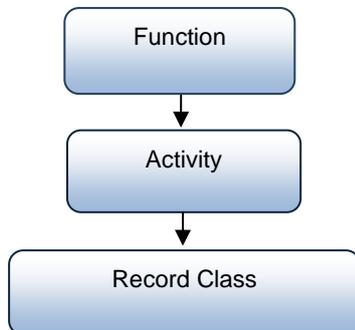
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<sup>1</sup> S.145 *Information Act*

<sup>2</sup> S.136A(3) *Information Act*

Within the schedule, functions are documented as the highest level terms and business activities under the functions, followed by record classes, as shown in diagram 1.

Diagram 1



## Function

- The function or keyword is the highest level in the classification scheme in this disposal schedule. The function is indicated at the start of each section and a description (scope note) provided.

## Activity

- Activities are the processes or operations that make up the business function. This is the second level in the classification scheme in this disposal schedule. The description (scope note) provides details of the transactions that take place in relation to the activity, for example, REPORTING or POLICY.

## Record Class

- A record class is a group of records that relate to the same activity, function or subject and require the same disposal action. The descriptions can relate to one record (such as a register) or a group of records documenting a particular set of business transactions.

## Status and Disposal Action

- The appraisal status of a record class is assigned as either permanent or temporary.
- **Permanent Records:** Records appraised with permanent status have been identified as archives and must be transferred to the NT Archives Service for their preservation and eventual public access.
- The retention period for permanent records is the maximum period before the records must be transferred to the NT Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the Information Act, unless exemption has been granted (see *Archives Management Standards Transfer of Archives, and Exemption from Compulsory Transfer of Permanent Records to the NT Archives Service*). An Application to Transfer Records form must be submitted to the NT Archives Service before records will be accepted for transfer.
- **Temporary records:** The retention period for temporary records is the minimum period before the records can legally be destroyed. The retention period is calculated

after an event or a disposal trigger such as ‘date of action completed’, ‘date of audit’ or ‘date of birth’. Destruction should be done following consultation with relevant operational business employees responsible for the records

Retention periods for temporary records in a records disposal schedule are minimum periods only and agencies may keep records for a longer period if considered necessary for business requirements.

Reasons for longer retention could include,

- administrative need or agency directives,
- legal requirements such as current or pending legal action,
- relevance to an investigation or inquiry which is in progress,
- is subject to an Information Access application, or
- subject to a disposal freeze.

Records created prior to 1 July 1978 must not be disposed of without the authorisation of the NT Archives Service in accordance with Archives Management Standard Records Created Prior to 1978, unless specified in a schedule.

Sentence records with this records disposal schedule using the following five steps:

1. Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
2. Identify the disposal class.
3. From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
4. If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
5. If the trigger event has not occurred (e.g. the record is still in active use), set a review date for the future.

## About this Records Disposal Schedule

### Purpose

The purpose of this Records Disposal Schedule is to enable regular, planned and authorised disposal of records of Assistance to Victims of Crime by the Crime Victims Services Unit of the Department of the Attorney-General and Justice.

### Scope

Application of this Records Disposal Schedule is mandatory for Assistance to Victims of Crime records by the Crime Victims Services Unit of the Department of the Attorney-General and Justice. This Records Disposal Schedule applies to assistance to victims of crime records in all formats.

### Responsibility

The Chief Executive Officer of the Department of the Attorney-General and Justice is responsible for the content and implementation of this Records Disposal Schedule including the provision of advice and training, and for monitoring compliance.

### Authority

This Records Disposal Schedule is authorised in accordance with S. 136B of the *Information Act*.

Disposal Schedule No. 2015/15 was approved by the Director of the NT Archives Service (The Archives Service), Senior Director of ICT Policy and Governance (The Records Service), and the Chief Executive of the Department of the Attorney-General and Justice on 24 August 2015 and is effective immediately.

### Regulatory Framework

The regulatory basis for this Records Disposal Schedule is defined in:

- *Victims of Crime Rights and Services Act*
- *Victims of Crime Rights and Services Regulations*
- *Victims of Crime Assistance Act*
- *Victims of Crime Assistance Regulations*
- *Crimes (Victims Assistance) Rules*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489:2002-Records Management

### Related Documents

This Records Disposal Schedule is to be read in conjunction with:

- NT Government Records Management Standard – Records Disposal
- policies and procedures of the Department of the Attorney-General and Justice
- current authorised disposal schedules for Department of the Attorney-General and Justice.

## **Normal Administrative Practice**

Public sector organisations are permitted to dispose of some short term or ephemeral documents under the authority of the Disposal Schedule for Short Term Value Records. These include:

- duplicate (eg information or reference copy)
- obviously unimportant (e.g. telephone message slips)
- of short term facilitative value (e.g. compliment slips)
- a combination of these

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed.

Records that have been captured into a recordkeeping system should be destroyed using the Disposal Schedule for Short Term Value Records unless the class of records has been identified in a specific disposal schedule.

## **Notification of Destruction**

Provide formal notification of destruction of all records to the NT Records Service.

Note: In the case of the Disposal Schedule for Records of Short Term Value (Disposal Schedule No. 2003/10), notification is only required for the destruction of records described in Disposal Class No. 1.10.1.

## **Acknowledgement**

The NT Archives Service and the NT Records Service acknowledge that material produced by National Archives of Australia, State Records Authority of New South Wales, State Records of South Australia, Public Records Office of Victoria, Territory Records Office and Standards Australia was used in the development of this schedule.

This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission of the NT Archives Service. Requests and enquiries concerning reproduction and rights should be directed to the Director, NT Archives Service. The terms in the business classification scheme are based on the Keyword AAA: A Thesaurus of General Terms (Government of New South Wales, 1998), and are produced under a licence agreement between the NT Archives Service and the State Records Authority of New South Wales.

<b>Compliance Checklist</b>	
<input type="checkbox"/> Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records	<input type="checkbox"/> Stop applying sentences from previous schedules that have been revoked or amended
<input type="checkbox"/> Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service	<input type="checkbox"/> Retain all records in good order and condition to be available for retrieval during the retention period.
	<input type="checkbox"/> Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
<input type="checkbox"/> Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records	<input type="checkbox"/> Implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form, migration to new systems, and conversion to long term medium
<input type="checkbox"/> Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records	<input type="checkbox"/> Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
<input type="checkbox"/> Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule	<input type="checkbox"/> Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
<input type="checkbox"/> Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format	<input type="checkbox"/> Inactive records can be transferred to offsite service providers providing they have been sentenced
<input type="checkbox"/> Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system	<input type="checkbox"/> Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
<input type="checkbox"/> Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record	<input type="checkbox"/> Notify the NT Records Service of destruction of all records
<input type="checkbox"/> Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly	<input type="checkbox"/> Do not destroy records that are not described in an authorised records disposal schedule.
<input type="checkbox"/> Identify records that require re-sentencing where a previous disposal schedule has been superseded	<input type="checkbox"/> Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

## Disposal Schedule

### 1. Assistance to Victims of Crime

The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee, and the Victims Register in accordance with the Act.

#### 1.1 Advice

The activities associated with offering opinions by or to the organisation as to an action or judgement. Includes the process of advising.

Class No.	Description of Records	Examples	Status and Disposal Action
1.1.1	Records documenting formal advice to and from the Minister and other government bodies in relation to assistance to victims of crime where a detailed response has been provided, including advice on high level policies, reforms and legal opinions.  Includes drafts, legal advice, briefing notes, ministerial and consultation notes.	<ul style="list-style-type: none"> <li>• Ministerial</li> <li>• Requests for legal advice</li> </ul>	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.1.2	Records documenting routine advice to and from the community in relation to assistance to victims of crime such as the complaint process or obligations under the Act.	<ul style="list-style-type: none"> <li>• Routine advice</li> </ul>	Temporary  Destroy 3 years after action completed

## 1. Assistance to Victims of Crime

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### 1.2 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Examples	Status and Disposal Action
1.2.1	Records documenting the appointment of the Director of the Crimes Victims Services Unit and officers of the Crime Victims Services Unit by the Chief Executive Officer under the <i>Victims of Crime Rights and Services Act</i> .	<ul style="list-style-type: none"> <li>• Instruments of appointment and termination of Directors and officers.</li> </ul>	Permanent Transfer to the NT Archives Service 10 years after action completed
1.2.2	Records documenting applications for persons to be entered on the Victims Register such as persons who suffer injuries as a direct result of the relevant offence, a legal guardian of an injured person which is a child or suffers from a disability or a concerned person.  Includes applications, written notices of decision, notices to the Commissioner of Correctional Services, Secretary of the Parole Board and copies of information given to registered persons, court orders and information about the Parole Board considerations to release an offender on parole and confidentiality agreements and release and discharge of sentence dates.	<ul style="list-style-type: none"> <li>• Approved applications to be entered on the Victims Register</li> <li>• Notices to Commissioner of Correction Services</li> <li>• Notices to Parole Board</li> <li>• Court Orders</li> <li>• Offender transfers</li> <li>• Rehabilitation progress</li> <li>• Release and Discharge Dates</li> </ul>	Temporary Destroy 35 years after action completed

## 1. Assistance to Victims of Crime

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### 1.2 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Examples	Status and Disposal Action
1.2.3	<p>Records documenting applications from eligible victims for payment of financial assistance, including immediate payments of financial assistance.</p> <p>Includes applications, system (IJIS) information, court proceedings transcripts, assessment notices and other related correspondence.</p> <p>May include written submissions from offenders or any other person in relation to the offence and requests for review of decisions.</p>	<ul style="list-style-type: none"> <li>• Applications for financial assistance.</li> <li>• Statutory declarations</li> <li>• Copies of police records</li> <li>• Copies of medical reports</li> <li>• Copies of financial records</li> <li>• Late applications</li> <li>• Review of decisions</li> </ul>	<p>Temporary</p> <p>Destroy 21 years after action completed</p>
1.2.4	<p>Records documenting applications for financial assistance that have not been proceeded with or lapsed in time.</p> <p>Includes applications, and other related correspondence.</p>	<ul style="list-style-type: none"> <li>• Incomplete applications for financial assistance</li> <li>• Applications for extension</li> <li>• Affidavits</li> <li>• Statutory declarations</li> </ul>	<p>Temporary</p> <p>Destroy 15 years after action completed</p>

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### 1.2 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Examples	Status and Disposal Action
1.2.5	Records documenting the appointment and termination of lawyers to be assessors under the <i>Victims of Crime Assistance Act</i> by the Minister.  Includes legal instruments, recommendations, copies of qualifications.	<ul style="list-style-type: none"> <li>Instruments of appointment and termination of Assessors</li> </ul>	Temporary  Destroy 7 years after end of appointment
1.2.6	Records documenting applications for persons to be entered on the Victims Register that have been refused, such as where the offender hasn't committed a relevant offence, offender has already served time, or offender is under a custodial order.  Includes applications and written notices of decisions.	<ul style="list-style-type: none"> <li>Refused applications for persons to be entered on the Victims Register</li> </ul>	Temporary  Destroy 5 years after action completed

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The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.3 Committees

The activities associated with the management of committees, sub-committees, councils, forums working groups, boards and task forces (internal and external, private, community, local, state, national, international, etc). Includes the committee's establishment, appointments of members, terms of reference, proceedings, minutes, reports, agenda etc.

Class No.	Description of Records	Examples	Status and Disposal Action
1.3.1	Records documenting the establishment of the Crime Victims Advisory Committee under the Act, including appointments of members by the Minister or Director.  Includes terms and conditions, resignations and terminations.	<ul style="list-style-type: none"> <li>Crime Victims Advisory Committee member appointments</li> </ul>	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.3.2	Records documenting meetings held by the Crime Victims Advisory Committee.  Includes minutes, agendas, notices of meetings, discussion papers and decision registers.	<ul style="list-style-type: none"> <li>Crime Victims Advisory Committee Meetings</li> </ul>	Permanent  Transfer to the NT Archives Service 10 years after action completed

## 1. Assistance to Victims of Crime

The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.4 Compliance

The activities association with complying with, or monitoring compliance with, mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards.

Class No.	Description of Records	Examples	Status and Disposal Action
1.4.1	Records documenting where persons have been suspected of contravening the <i>Victims of Crime Assistance Act</i> and a major investigation has taken place.  Includes written letters, file notes, photos, video footage, investigation reports and final decisions.	<ul style="list-style-type: none"> <li>Major Investigations</li> </ul>	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.4.2	Records documenting where persons have been suspected of contravening the <i>Victims of Crime Assistance Act</i> and a minor investigation has taken place, such as when persons are caught making false applications, persons are not providing information, or persons make a second application under a different name.  Includes written letters, file notes, photos, video footage, investigation reports and final decisions.	<ul style="list-style-type: none"> <li>Minor Investigations</li> </ul>	Temporary  Destroy 10 years after action completed

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### 1.5 Control

The activities associated with creating, maintaining and evaluating control mechanisms, eg Thesaurus.

Class No.	Description of Records	Examples	Status and Disposal Action
1.5.1	<p>Records documenting the Victims Register.</p> <p>Includes information on the registered person and offender, where the offence was committed, terms of imprisonment, and the age of the offender.</p> <p>Includes where registered persons have been removed from the register by written notice or as a requirement under the <i>Victims of Crime Rights and Services Act</i>.</p>	<ul style="list-style-type: none"> <li>Victims Register</li> </ul>	<p>Permanent</p> <p>Retain in organisation</p> <p>(manage and migrate data to new platform during system upgrades)</p>

## 1. Assistance to Victims of Crime

The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.6 Grant Allocation

The processing of administering the provision of grants to other organisations.

Class No.	Description of Records	Examples	Status and Disposal Action
1.6.1	Records documenting the receipt of applications from non-government sources for grant funding by the organisation where the application was successful such as for the Safe at Home Program, Victims of Crime NT and Victims Support Grant.  Includes applications, funding agreements, notification letters, progress reports, terms, conditions, financial statements, progress reports and acquittal reports.	<ul style="list-style-type: none"> <li>Successful applications</li> </ul>	Temporary Destroy 7 years after grant acquitted
1.6.2	Records documenting unsuccessful applications.  Includes grant application notification letters.	<ul style="list-style-type: none"> <li>Unsuccessful applications</li> </ul>	Temporary Destroy 2 years after action completed

## 1. Assistance to Victims of Crime

The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.7 Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisation's operating procedures are determined.

Class No.	Description of Records	Examples	Status and Disposal Action
1.7.1	Master set of policies in relation to victims of crime assistance.	<ul style="list-style-type: none"> <li>Final versions of policy</li> </ul>	Permanent Transfer to the NT Archives Service 10 years after action completed
1.7.2	Records documenting the development of policies in relation to the function of victims of crime assistance.  Includes file notes, copies of legal opinions, consultation notes and draft versions.	<ul style="list-style-type: none"> <li>Draft policies</li> </ul>	Temporary Destroy 5 years after action completed

## 1. Assistance to Victims of Crime

The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.8 Procedures

Standard methods of operating laid down by an organisation according to formulated policy.

Class No.	Description of Records	Examples	Status and Disposal Action
1.8.1	Final set of guidelines and procedures issued by the Minister in relation to assistance to victims of crime, including the Charter of Victims Rights issued by the Minister and fact sheets.	<ul style="list-style-type: none"> <li>Final set of guidelines and procedures</li> </ul>	Permanent Transfer to the NT Archives Service 10 years after action completed
1.8.2	Records documenting the development of procedures and guidelines in relation to assistance to victims of crime. Includes drafts and consultation notes.	<ul style="list-style-type: none"> <li>Draft guidelines and procedures</li> </ul>	Temporary Destroy 5 years after action completed

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The function of providing victims of violent acts with financial assistance, support and counselling services, including the establishment of the Victims Counselling Scheme; the Victims Financial Assistance Scheme; the Victims Assistance Fund and the Victims Levy in accordance with the *Victims of Crime Assistance Act*. Includes the establishment of the Victims of Crime Advisory Committee and the Victims Register in accordance with the Act.

### 1.9 Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of an examination or investigation.

Includes agenda, briefing, business, discussion papers, proposals, reports, reviews and returns.

Class No.	Description of Records	Examples	Status and Disposal Action
1.9.1	Final versions of reports in relation to the function of Assistance to Victims of Crime.	<ul style="list-style-type: none"> <li>Final versions of Annual Reports</li> </ul>	Permanent Transfer to the NT Archives Service 10 years after action completed
1.9.2	Records documenting the development of reports in relation to the function of assistance to victims of crime.  Includes file notes, statistic reports, consultation notes and draft versions.	<ul style="list-style-type: none"> <li>Draft versions of annual reports</li> </ul>	Temporary Destroy 5 years after action completed