Australian Capital Territory

Territory Records (Records Disposal Schedule – Judicial System Administration Records) Approval 2018 (No 1)

Notifiable instrument NI2018—709

made under the

Territory Records Act 2002, s 19 (Approval of schedules for the disposal of records)

1 Name of instrument

This instrument is the Territory Records (Records Disposal Schedule – Judicial System Administration Records) Approval 2018 (No 1)

2 Commencement

This instrument commences on the day after notification.

3 Approval

I approve the Records Disposal Schedule - Judicial System Administration Records.

4 Revocation

I revoke Notifiable Instrument NI2004-478 notified 10 December 2004.

Danielle Wickman Director of Territory Records 13 December 2018



Records Disposal Schedule

Judicial System Administration Records

Table of Contents

INTRODUCTION	4
PURPOSE	4
SCOPE	4
AUTHORITY	4
STRUCTURE AND RELATIONSHIP TO THE TERRITORY WHOLE OF	
GOVERNMENT THESAURUS	4
Whole of Government Thesaurus	
GUIDELINES FOR USE	
Coverage of authority	5
Layout of the schedule	
FORMAT OF RECORD	
Electronic records	7
DESTRUCTION OF RECORDS	
UPDATING THE RECORDS DISPOSAL SCHEDULE	
ASSISTANCE IN USING THE RECORDS DISPOSAL SCHEDULE	
RELATED LEGISLATION	
BUSINESS CLASSIFICATION SCHEME	
JUDICIAL SYSTEM ADMINISTRATION	
RECORDS DISPOSAL SCHEDULE	
JUDICIAL SYSTEM ADMINISTRATION.	
Advice	
Appointments (Statutory/Official)	
Authorisations & Delegations	
Compliance	15
Court Operations	
Customer Service	
Judicial Cases & Inquiries	
Planning Policies & Procedures	21
Reporting & Statements	
RETAIN AS TERRITORY ARCHIVES	
JUDICIAL SYSTEM ADMINISTRATION	
Advice	
Authorisations & Delegations	
Court Operations	
Judicial Cases & Inquiries	
Planning	
Policies & Procedures Reporting & Statements	

INTRODUCTION

The *Records Disposal Schedule – Judicial System Administration Records* is the official authority for the disposal of these ACT Government Records.

It is one of a series of Whole of Government Records Disposal Schedules authorised by the Director of Territory Records in accordance with the provisions of the *Territory Records Act 2002*. It is used in conjunction with other Territory Records Disposal Schedules.

PURPOSE

The purpose of this Records Disposal Schedule is to provide for the authorised disposal of records created or maintained by ACT Government Agencies.

SCOPE

This Records Disposal Schedule applies to records created or maintained by ACT Government Agencies. It applies to records in any format, including electronic records.

AUTHORITY

The Director of Territory Records, in consultation with stakeholders and the Territory Records Advisory Council, has approved this Records Disposal Schedule for use. The schedule does not take effect until it has been incorporated into an agency's Records Management Program that has been signed off by the Principal Officer of the agency.

Even so, officers using this Records Disposal Schedule should apply it with caution. They should be aware that the authorisations for disposal are given in terms of the *Territory Records Act 2002* only. Officers must not dispose of records in contravention of this Records Disposal Schedule or other requirements.

This Records Disposal Schedule will remain in force until a new schedule supersedes it or the Director of Territory Records withdraws it from use.

STRUCTURE AND RELATIONSHIP TO THE TERRITORY WHOLE OF GOVERNMENT THESAURUS

A Records Disposal Schedule generally specifies retention periods. That is, how long records are to be retained by the agency before being destroyed or retained as Territory Archives.

Retention periods set down in this schedule are minimum periods only and an agency may keep records for a longer period if considered necessary for business requirements. Reasons for longer retention could include legal requirements, administrative need or agency directives. An agency must take all reasonable steps to ensure that no legal action is contemplated in relation to its records and must not dispose of any records where it is aware of possible legal action for which the records may be required as evidence or if there is a current records disposal freeze in effect.

Records Disposal Schedule - Judicial System Administration Records December 2018

The *Records Disposal Schedule – Judicial System Administration Records* has a hierarchical structure that reflects its arrangements according to functions and activities, rather than by subject, and this also reflects a close relationship to the Territory Whole of Government Thesaurus originally based on the Territory Version of Keyword AAA. The Records Disposal Schedule is designed to be applicable to all ACT Government records regardless of titling conventions used, so that records, which have not been titled using the terminology represented by this Records Disposal Schedule, may still be sentenced with relative ease.

Whole of Government Thesaurus

The Whole of Government Thesaurus is a controlled vocabulary of terms designed for use in the classifying, titling and indexing of records on creation.

The Whole of Government Thesaurus has been developed on the basis of the Territory Version of Keyword AAA (TVKAAA 2010), a thesaurus which incorporated 16 common functions. All other functions within the Whole of Government Thesaurus are considered functions performed by the ACT Government and have been included following consultation with agencies and after consideration by the Territory Records Office (TRO) via a formal approval process.

The Whole of Government Thesaurus is mandated by the TRO for use by all ACT Government agencies as part of their classifying and titling of paper and electronic records. See also *Records Advice No.28 Functional directories on shared drives*.

The disposal actions listed in this Records Disposal Schedule were determined through the process of appraisal in accordance with *Territory Records Office Standard for Records Management No.2 - Appraisal*. Appraisal is based upon the same type of analysis of business activity employed in the classification scheme used in the original Territory Version of Keyword AAA. Essentially, appraisal involves attaching record retention periods and disposal decisions (and even records creation requirements and rules) to the same classification scheme.

GUIDELINES FOR USE

Coverage of authority

The Records Disposal Schedule – Judicial System Administration Records:

- covers all records related to the function;
- is intended to be used in conjunction with other Territory Whole of Government Records Disposal Schedules;
- specifies the minimum period records should be kept (retention periods)
- specifies whether, upon the expiry of the retention periods, the records may be destroyed or are required as Territory Archives; and
- is applicable to records created and maintained in any format, including electronic or formats such as microfiche.

Layout of the schedule

This Records Disposal Schedule begins with an introduction incorporating definitions and the business classification scheme. Then each of the functions and activity disposal sets or 'disposal classes' relating to the functions are described. These are followed by a composite list of classes designated 'Retain as Territory Archives'. The functions and activity disposal sets show the following details:

Function

This is the broad level business function and is displayed in bold capital letters at the top of each page. It is the highest level in the business classification scheme. It is followed by the scope note, which provides definitions of the function and a collective view of the business activities that make that function unique.

Activity

Activities are the processes or operations that make up the business function. They are set in bold and italics below the function statement. This is the second level of the business classification scheme. The scope of the activity encompasses all of the transactions that take place in relation to the activity. Activities can relate to many functions with the scope notes covering all of these relationships (e.g., the activity 'Policy' is linked to all of the functions). However, each function and activity set represents a unique unit.

Entry No.

This is the disposal class number allocated based on the function and activity set and the class number of the record. The barcode is the same as the Entry No. and may be used in an automated recordkeeping system.

Description of Records

This is the description of the records documenting the business function, activity and transactions. The descriptions can relate to one record such as a register or a group of records documenting a particular set of transactions.

Disposal Action

This is the minimum period a record must be kept for and is the trigger event from which the disposal date can be calculated.

FORMAT OF RECORD

This Records Disposal Schedule is applicable to any record that performs the function prescribed, irrespective of format. Records may include:

- cards;
- registers;
- files;
- microfilm;
- COM (computer output microfiche);
- electronic records, including various electronic media, and
- any other formats.

Electronic records

Refers to records created, communicated and maintained by means of electronic equipment. Information could be maintained/stored in a number of ways - on the database (the main database, or a special archives database); on magnetic media; on optical disks; or on separate hardcopy (paper, COM).

Electronic records must be readily accessible for the length of the specified retention period. Routine treatment (such as wiping, updating, alterations or re-recording) does not constitute disposal.

DESTRUCTION OF RECORDS

When the approved disposal date for the destruction of records has been reached, appropriate arrangements for their destruction should be made. It is the responsibility of each agency to ensure that its records are destroyed in a secure and appropriate manner as indicated in the agency Records Management Program.

UPDATING THE RECORDS DISPOSAL SCHEDULE

Records Disposal Schedules are reviewed and updated from time to time. For suggested amendments or alterations to this schedule please contact the Director of Territory Records.

ASSISTANCE IN USING THE RECORDS DISPOSAL SCHEDULE

Agencies requiring any assistance in the interpretation or implementation of any Records Disposal Schedule are encouraged to contact the Director of Territory Records.

RELATED LEGISLATION

The following legislation is related to the records classes covered by this Records Disposal Schedule and may have an impact on the length of time that records are required to be retained. This list does not necessarily represent all of the legislation that the organisation deals with, and may include Acts that are not directly administered by the organisation.

ACT Civil and Administrative Tribunal Act 2008 ACT Freedom of Information Act 1989 Administration and Probate Act 1929 Adoption Act 1993 Bail Act 1992 Children and Young People Act 2008 Common Boundaries Act 1981 Confiscation of Criminal Assets Act 2003 Coroners Act 1997 Court Procedures Act 2004 Crimes Act 1900 Crimes (Restorative Justice) Act 2004 Crimes (Sentencing) Act 2005 Crimes (Sentence Administration) Act 2005 Crimes (Surveillance Devices) Act 2010 Discrimination Act 1991 Evidence Act 2011 Evidence (Miscellaneous Provisions) Act 1991 Family Violence Act 2016 Freedom of Information Act 2016 Guardianship and Management of Property Act 1991 Human Rights Act 2004 Information Privacy Act 2014 Juries Act 1967 Judicial Commissions Act 1994 Jurisdiction of Courts (Cross-vesting) Act 1993 Legislation Act 2001 Limitation Act 1985 Magistrates Court Act 1930 Mental Health Act 2015 Oaths and Affirmations Act 1984 Personal Violence Act 2016 Residential Tenancies Act 1997 Retirement Villages Act 2012 Supreme Court Act 1933 Unit Titles Act 2001 Unit Titles (Management) Act 2011 Utilities Act 2000 Victims of Crime (Financial Assistance) Act 2016 Wills Act 1968 Witness Protection Act 1996 Workers Compensation Act 1951 Work Health and Safety Act 2011

BUSINESS CLASSIFICATION SCHEME

JUDICIAL SYSTEM ADMINISTRATION

The function of providing and managing access to justice by way of any proceeding held before the ACT Courts and ACT Civil and Administrative Tribunal, where evidence and arguments may be presented to determine an issue of fact or law, resulting in a decision or ruling. Includes facilitating claims for dispute resolution; administrative decisions review; assigning disciplinary actions; overseeing mediation and conciliation between parties; requests for legal applications; appeals to a higher jurisdiction; and court led inquiries into systemic issues. Also includes the administration of evidence, witnesses and juries.

Advice

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

Appointments (Statutory/Official)

The activities associated with the making of statutory or official appointments. Includes the termination/suspension, etc. of statutory or official appointments.

Authorisation & Delegation

The activities associated with delegating power to authorise an action and the seeking or granting permission to undertake a requested action.

Compliance

The activities associated with complying with mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards, such as the ISO 9000 series.

Courts Operations

The activities associated with ensuring the effective operation of the courts and tribunal. Includes managing juries and case listings, keeping registers of cases and decisions and making arrangements to serve documents on behalf of foreign jurisdictions.

Customer Service

The activities associated with the planning, monitoring and evaluation of services provided to customers by the agency.

Judicial Cases & Inquiries

The activities associated with managing the proceedings of courts and tribunal on a case basis. Includes the claims, actions, legal proceedings and decisions relating to individual cases.

Planning

The process of formulating ways in which objectives can be achieved. Includes determination of services, needs and solutions to those needs.

Policies & Procedures

The activities associated with drafting, developing and implementing policies, procedures, and guidelines establishing decisions, directions, precedents and standard methods of operating which act as a reference for future decision making, and maintaining their currency over time. Includes guidelines devised by both internal and external sources of authority, rules and instructions

Reporting & Statements

The activities associated with drafting, preparing and providing reports relating to the function including in the form of informal or formal statements, statistics, returns, submissions or similar reports.

RECORDS DISPOSAL SCHEDULE

JUDICIAL SYSTEM ADMINISTRATION

The function of providing and managing access to justice by way of proceeding held before the ACT Courts and ACT Civil and Administrative Tribunal, where evidence and arguments may be presented to determine an issue of fact or law, resulting in a decision or ruling. Includes facilitating claims for dispute resolution; administrative decisions review; assigning disciplinary actions; overseeing mediation and conciliation between parties; requests for legal applications; appeals to a higher jurisdiction; and court led inquiries into systemic issues. Also includes the administration of evidence, witnesses and juries.

[For establishing a rapport with the community and raising the profile of the Territory or the agency (e.g. court tours), use GOVERNMENT & STAKEHOLDER RELATIONS.

For disputes regarding employment, use HUMAN RESOURCES – Grievances.

For court orders relating to the recovery of debts etc from staff, use HUMAN RESOURCES – Remuneration.

For the management of library services, use RECORDS & INFORMATION MANAGEMENT.

For the production of publications (e.g. brochures or websites), use GOVERNMENT & STAKEHOLDER RELATIONS.

For collection of fees and trust monies, use FINANCIAL MANAGEMENT.

For notary public officers, use SOLICITOR & LEGAL SERVICES.]

Advice

The activities associated with offering formal opinions and advice as to an action, judgment or topic. Includes legal advice, legislative drafting advice, publishing and public access to legislation advice and formal advices required by legislation.

[For advice provided to the Chief Minister or portfolio Minister, use GOVERNMENT & STAKEHOLDER RELATIONS – Advice.

For advice provided to Cabinet, the portfolio Minister and other government agencies on proposed legislation for the agency or for comments on other agencies' proposed legislation, use GOVERNMENT & STAKEHOLDER RELATIONS – Advice.

For legal advice, including interpretations of the agency's legislation, use SOLICITOR & LEGAL SERVICES – Advice.

For proposals of new or amended agency legislation, use SOLICITOR & LEGAL SERVICES – *Advice.*]

Entry No.	Description of Records	Disposal Action
183.005.001	Receipt and provision of advice that resulted in major changes relating to the judicial system administration function, including specialist or technical advice provided by consultants and independent advisors.	Retain as Territory Archives
183.005.002	Receipt and provision of advice in relation to the judicial system administration function	Destroy 10 years after last action

that does not result in major changes. Includes advice provided by consultants.

183.005.003	Working papers documenting the	Destroy 6 months
	development of advice relating to the judicial	after last action
	system administration function.	

Appointments (Statutory/Official)

The activities associated with the making of statutory or official appointments. Includes the termination/suspension, etc. of statutory or official appointments.

Note: For appointment of persons employed under the Public Sector Management Act 1994, use HUMAN RESOURCES.

Entry No.	Description of Records	Disposal Action
183.422.001	Records documenting nominations and appointments. Includes:	Retain as Territory Archives

- courts
- tribunal
- judicial commissions.

Authorisations & Delegations

The activities associated with delegating power to authorise an action and the seeking or granting permission to undertake a requested action.

Note: For routine approvals supporting a more specific process, (e.g. Budgeting for budget approvals; or Acquisition for approvals to purchase goods or services), use the relevant activity.

<i>Entry No.</i> 183.290.001	<i>Description of Records</i> Records documenting the delegation of power to agency staff to authorise administrative or quasi-judicial actions relating to the judicial system administration function.	<i>Disposal Action</i> Destroy 10 years after the delegation expires
	[For financial delegations, use FINANCIAL MANAGEMENT.]	
183.290.002	Records documenting the issuing of search warrants by an authorised officer.	Destroy 3 years after action completed
183.290.003	Records documenting the appointments of third party dispute resolution providers (e.g.	Destroy 10 years after appointment ceases

independent arbitrators), including court appointed mediators and neutral evaluators.

183.290.004Records documenting nominations,
appointments and resignations from and/or
termination of agency representatives on
external committees and organisations
relating to the judicial system administration
function.Destroy 7 years after
last action

Compliance

The activities associated with complying with mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards, such as the ISO 9000 series.

Entry No.	Description of Records	Disposal Action
183.021.001	Records documenting agency compliance with mandatory or operational standards or with	Destroy 7 years after
	statutory requirements relating to the judicial	
	system administration function.	

Court Operations

The activities associated with ensuring the effective operation of the courts and tribunal by managing juries and case listings, keeping registers of cases and decisions and making arrangements to serve documents on behalf of foreign jurisdictions.

Entry No.	Description of Records	Disposal Action
183.423.001	Court or tribunal registers and indexes. Includes:	Retain as Territory Archives
	 appeals registers adoptions registers judgments registers coronial registers matrimonial causes registers probate registers wills registers Sheriffs process registers. 	
183.423.002	Records documenting the distribution and mailout of court and tribunal lists, including maintenance of mailings lists, email distribution lists etc	Destroy 6 months after last action
183.423.003	Records documenting the service of documents on behalf of foreign jurisdictions	Destroy 7 years after last action.

Records Disposal Schedule - Judicial System Administration Records December 2018

183.423.004	 Records documenting high level external or internal committees (e.g. Joint Rules Advisory Committee) formed to manage or advise where the agency provides Secretariat, is the Territory's main representative or plays a significant role. Includes: 	Retain as Territory Archives
	 establishing the committee terms of reference appointment of members minutes reports recommendations briefing and discussion papers. 	
183.423.005	Records documenting internal or external committees formed to consider matters relating to the judicial system administration function. Includes: establishing the committee terms of reference appointment of members minutes reports recommendations briefing and discussion papers.	Destroy 10 years after last action
183.423.006	 Working papers documenting the conduct and administration of committees which consider matters relating to the judicial system administration function. Includes: agendas notices of meetings draft minutes. 	Destroy 6 months after last action
	 Records documenting liaison activities undertaken with professional associations, private sector organisations and community groups relating to the judicial system administration function. Includes: collaboration on projects exchanges of information activities of a member of an organisation. 	Destroy 7 years after last action

Customer Service

The activities associated with providing services of the organisation to meet the needs of customers by providing and delivering professional, helpful, high quality service and assistance before, during, and after the customer's requirements are met. Includes providing assistance and support, receiving and responding to complaints, enquiries, requests, feedback, suggestions, customer greetings, the preparation of customer service plans and charters and conducting customer research and surveys.

Entry No.	Description of Records	Disposal Action
183.030.001	Records documenting the planning, monitoring and evaluation of court services provided to the public.	Destroy 7 years after action completed
183.030.002	Records documenting the development of service charters and directives relating to the provision of judicial hearings. Includes final copies of charters.	Destroy 7 years after superseded
183.030.003	Records documenting formal grievances or complaints received from the community relating to the judicial system administration function. Excludes dissatisfaction with a judicial decision or order.	Destroy 7 years after action completed
	[For appeals to judicial decisions or orders, use JUDICIAL SYSTEM ADMINISTRATION – Judicial Cases & Inquiries	
183.030.004	Records documenting the use of translation services if not included on a case file.	Destroy 1 year after action completed
183.030.005	Public inquiries	Destroy 2 years after action completed

Judicial Cases & Inquiries

The activities associated with managing the proceedings of courts and tribunal on a case basis. Includes the claims, actions, legal proceedings and decisions relating to individual cases.

Entry No.	Description of Records	Disposal Action
183.424.001	Case files for the Supreme Court and Court of Appeal comprising records lodged or created. Includes:	Retain as Territory Archives
	• adoptions	

- probates
- criminal cases
- appeals from other jurisdictions.

[For court registers, use JUDICIAL SYSTEM ADMINISTRATION – Court Operations.]

Case files for the Magistrates Court Retain as Territory comprising records lodged or created where Archives the case is:

• high profile;

183.424.002

- controversial;
- subject to social or political interest; or
- precedent setting.

[For the support of media coverage of significant criminal cases, use GOVERNMENT & STAKEHOLDER RELATIONS – Media Relations.

For the administration of juries, JUDICIAL SYSTEM ADMINISTRATION – Court Operations.]

 183.424.003
 Case files for the Magistrates Court
 Destroy 15years after

 comprising records lodged or created where
 action complete

 the case is not:
 Destroy 15years after

- high profile;
- controversial;
- subject to social or political interest; or
- precedent setting.

[For the support of media coverage of significant criminal cases, use GOVERNMENT & STAKEHOLDER RELATIONS – Media Relations.

For the administration of juries, JUDICIAL SYSTEM ADMINISTRATION – Court Operations.]

183.424.004Case files for the Aboriginal and TorresRetain as TerritoryStrait Islander sentencing court. Including:Archives

- Case notes
- Presentence reports
- Court Alcohol and Drug Assessment Service Reports

183.424.005 Case files for court led inquiries, including Retain as Territory inquiries by the Coroner's Court into fires Archives

and disasters, judicial commissions and boards of inquiry. Includes:

	 complaints investigations notifications proceedings reports decisions. [For the appointment of members to a judicial commission or board of inquiry, use JUDICIAL SYSTEM ADMINISTRATION – Authorisations & Delegations.	
183.424.006	Case files for matters under the Coroners Act where a hearing is held by the Coroner.	Retain as Territory Archives
183.424.007	Case files for matters under the Coroners Act where no hearing is held by the Coroner.	Destroy 50 years after action complete
183.424.008	Case files for cases in the Children's Court, excluding care matters.	Destroy 15 years after the child turns 18 years old
183.424.009	Case files for cases for care matters of persons who are under 18 years of age.	Destroy 7 years after the child turns 18 years old
183.424.010	Case files comprising records lodged or created in the ACT Civil & Administrative Tribunal for care matters of persons over 18 years of age. Includes guardianship and mental health.	Destroy 99 years after last action or 7 years if the person is deceased.
183.424.011	Case files comprising records lodged or created in the ACT Civil & Administrative Tribunal for all matters except care matters of persons over 18 years of age, guardianship and mental health.	Destroy 7 years after the action is completed
183.424.012	Case files for workers compensation cases.	Destroy 50 years after the action is complete
183.424.013	Case files for applications for family violence, personal or workplace protection orders.	Destroy 15 years after action completed
183.424.014	Judges' notebooks or coram books	Destroy at the direction of the Judge and if no directions destroy 10

years after the date of the last entry

183.424.015	Records of audio or audio-visual exhibits provided by parties	Return exhibits as per Court Procedure Rules or 1 year after final judgment (including any appeals)
183.424.016	Records of audio or audio-visual exhibits created by the court	Audio destroy 7 years after the final judgment or finalisation of appeal whichever is the longer without any need to replace with a hard or soft copy transcript.
183.424.017	Records of audio or audio-visual exhibits providing victim evidence in sexual assault cases created by the court	Destroy 20 years after the matter is finalised, unless there is a direction by a judicial officer that the records should be retained for a longer period.
183.424.018	Audio records of cases	Destroy 10 years after last action unless there is a direction by a judicial officer that the records should be retained for a longer period. For significant cases a written transcript must be created.
		Note that any part of proceedings listed in <i>Magistrates Court Act 1930</i> Section 316(6) must be reduced to transcript before erasing.
183.424.019	Video records of hearings created for security and transcription purposes	Destroy 30 days after hearing.
183.424.020	Records documenting routine file searches that are not included on case files and are	Destroy 1 year after last

183.424.021Records documenting the arrangements for
judicial hearings. Includes:Destroy 7 years after
action completed

- case listings
- jury administration
- providing court attendants

Planning

The activities associated with carrying out systematic planning in order to meet strategic, business or operational goals and objectives.

[For the development of business and corporate plans which set the strategic agenda and direction for the organisation, use STRATEGY & GOVERNANCE - Planning.]

Note: Use the relevant activity where strategies and plans are developed to support a more specific process, (e.g. use Maintenance for maintenance plans, or Risk Management & Insurance for risk management plans and strategies.

<i>Entry No.</i> 183.079.001	<i>Description of Records</i> Final versions of plans for major or significant projects, programs or operational activities relating to the judicial system administration function.	<i>Disposal Action</i> Retain as Territory Archives
183.079.002	Final versions of plans for projects, programs and operational activities of lesser significance relating to the judicial system administration function.	Destroy 7 years after action completed
183.079.003	Working papers documenting the development of plans for projects, programs and operational activities. Includes:draft plans	Destroy 6 months after adoption of final plan
	 reports analysing issues comments 	

• comments.

Policies & Procedures

The activities associated with drafting, developing and implementing policies, procedures, and guidelines establishing decisions, directions, precedents and standard methods of operating which act as a reference for future decision making, and maintaining their currency over time. Includes guidelines devised by both internal and external sources of authority, rules and instructions

Entry No. Description of Records

183.273.001 Final versions of policies or procedures supporting the judicial system administration function

Disposal Action

Retain as Territory Archives 183.273.002 Records documenting the development and establishment Destroy 7years of policies or procedures supporting the judicial system after policy is administration function. Includes:

superseded

- policy proposals •
- results of consultations and comments on proposals •
- supporting reports •
- significant drafts. •

Reporting & Statements

The activities associated with drafting, preparing and providing reports relating to the function including in the form of informal or formal statements, statistics, returns, submissions or similar reports.

Note: Where reports support a more specific activity, use the relevant classification, (e.g. use Borrowing & Investment, for reports on organisation investments).

[For Annual Report drafting and production processes, use GOVERNMENT & STAKEHOLDER RELATIONS – Publication & Marketing.]

Entry No.	Description of Records	Disposal Action
183.295.001	Final versions of internal formal reports and reports made to external agencies on issues o significance relating to the judicial system administration function.	Retain as Territory f Archives
183.295.002	Final versions of periodic internal reports used to monitor and document recurring activities to support judicial administration. Includes the collection and reporting of statistical information.	Destroy 3 years after last action
183.295.003	Working papers documenting the development of all reports. Includes drafts and comments received.	Destroy 6 months after last action

RETAIN AS TERRITORY ARCHIVES

JUDICIAL SYSTEM ADMINISTRATION

The function of providing and managing access to justice by way of any proceeding held before the ACT Courts and ACT Civil and Administrative Tribunal, where evidence and arguments may be presented to determine an issue of fact or law, resulting in a decision or ruling. Includes facilitating claims for dispute resolution; administrative decisions review; assigning disciplinary actions; overseeing mediation and conciliation between parties; requests for legal applications; appeals to a higher jurisdiction; and court led inquiries into systemic issues. Also includes the administration of evidence, witnesses and juries.

[For establishing a rapport with the community and raising the profile of the Territory or the agency (e.g. court tours), use GOVERNMENT & STAKEHOLDER RELATIONS.

For disputes regarding employment, use HUMAN RESOURCES – Grievances.

For court orders relating to the recovery of debts etc from staff, use HUMAN RESOURCES – Remuneration.

For the management of library services, use RECORDS & INFORMATION MANAGEMENT.

For the production of publications (e.g. brochures or websites), use GOVERNMENT & STAKEHOLDER RELATIONS.

For collection of fees and trust monies, use FINANCIAL MANAGEMENT.

For notary public officers, use SOLICITOR & LEGAL SERVICES.]

Advice

The activities associated with offering formal opinions and advice as to an action, judgment or topic. Includes legal advice, legislative drafting advice, publishing and public access to legislation advice and formal advices required by legislation.

[For advice provided to the Chief Minister or portfolio Minister, use GOVERNMENT & STAKEHOLDER RELATIONS – Advice.

For advice provided to Cabinet, the portfolio Minister and other government agencies on proposed legislation for the agency or for comments on other agencies' proposed legislation, use GOVERNMENT & STAKEHOLDER RELATIONS – Advice.

For legal advice, including interpretations of the agency's legislation, use SOLICITOR & LEGAL SERVICES – Advice.

For proposals of new or amended agency legislation, use SOLICITOR & LEGAL SERVICES – Advice.]

Entry No.	Description of Records	Disposal Action
183.005.001	Receipt and provision of advice that resulted	Retain as Territory
	in major changes relating to the judicial	Archives
	system administration function, including	

specialist or technical advice provided by consultants and independent advisors.

Authorisations & Delegations

The activities associated with delegating power to authorise an action and the seeking or granting permission to undertake a requested action.

Entry No. 183.422.001

Description of Records

Records documenting judicial nominations and appointments. Includes:

Disposal Action

Retain as Territory Archives

- courts
- tribunal
- judicial commissions.

Court Operations

The activities associated with ensuring the effective operation of the courts and tribunal. Includes managing juries and case listings, keeping registers of cases and decisions and making arrangements to serve documents on behalf of foreign jurisdictions.

Entry No. 183.423.001

Description of Records

Court or tribunal registers and indexes. Includes:

Disposal Action

Retain as Territory Archives

- appeals registers
- adoptions registers
- judgments registers
- coronial registers
- matrimonial causes registers
- probate registers
- wills registers
- Sheriffs process registers.

183.423.004Records documenting high level external or
internal committees (e.g. Joint Rules
Advisory Committee) formed to manage or
advise where the agency provides
Secretariat, is the Territory's main
representative or plays a significant role.
Includes:Retain as Territory
Archives

- establishing the committee
- terms of reference
- appointment of members
- minutes
- reports
- recommendations
- briefing and discussion papers.

Judicial Cases & Inquiries

The activities associated with managing the proceedings of courts and tribunal on a case basis. Includes the claims, actions, legal proceedings and decisions relating to individual cases.

Entry No.	Description of Records	Disposal Action
183.424.001	Case files for the Supreme Court and Court of Appeals comprising records lodged or created. Includes:	Retain as Territory Archives
	 adoptions probates criminal cases appeals from other jurisdictions. 	
	[For court registers, use JUDICIAL SYSTEM ADMINISTRATION – Court Operation.]	Ţ
183.424.002	Case files for the Magistrates Court comprising records lodged or created where the case is:	Retain as Territory Archives
	 high profile; or controversial; or subject to social or political interest; or precedent setting. 	
	[For the support of media coverage of significant criminal cases, use GOVERNMENT & STAKEHOLDER RELATIONS – Media Relations.	

For the administration of juries, JUDICIAL SYSTEM ADMINISTRATION – Court Operations.]

183.424.004 Case files for the Aboriginal and Torres Strait Retain as Territory Islander sentencing court. Including: Archives Case notes Presentence reports Court Alcohol and Drug Assessment Service Reports 183.424.005 Case files for court led inquiries, including Retain as Territory inquiries by the Coroner's Court into fires Archives and disasters, judicial commissions and boards of inquiry. Includes: complaints • investigations • notifications • proceedings • reports • decisions. [For the appointment of members to a judicial commission or board of inquiry, use JUDICIAL SYSTEM ADMINISTRATION -Authorisations & Delegations. 183.424.006 Case files for matters under the Coroners Act Retain as Territory where a hearing is held by the Coroner. Archives

Planning

The process of formulating ways in which objectives can be achieved. Includes determination of services, needs and solutions to those needs.

[For final versions of business plans and unit level work plans, use STRATEGIC MANAGEMENT – Planning.]

Entry No.Description of RecordsDisposal Action183.079.001Final versions of plans for major or
significant projects, programs or operational
activities relating to the judicial system
administration function.Retain as Territory
Archives

Policies & Procedures

The activities associated with drafting, developing and implementing policies, procedures, and guidelines establishing decisions, directions, precedents and standard methods of operating which act as a reference for future decision making, and maintaining their currency over time. Includes guidelines devised by both internal and external sources of authority, rules and instructions

Entry No.	Description of Records	Disposal Action
183.273.001	Final versions of policies or procedures supporting the judicial system administration function.	Retain as Territory Archives

Reporting & Statements

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, regulation, or legislation, e.g. Annual Report). Includes statistics and returns.

Note: Where reports support a more specific activity, use the relevant classification, (e.g. use Borrowing & Investment, for reports on organisation investments).

[For Annual Report drafting and production processes, use GOVERNMENT & STAKEHOLDER RELATIONS – Publication & Marketing.]

Entry No. 183.295.001

Description of Records

Disposal Action

Final versions of internal formal reports and Retain as Territory reports made to external agencies on issues of Archives significance relating to the judicial system administration function.