

General Disposal Schedule 43

Records of Relevance in relation to the Royal Commission into Defence and Veteran Suicide

Effective from 22 February 2022 to 31 December 2025

Version 1

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Approval for the commencement of this schedule

State Records Act 1997

Government of South Australia

General Disposal Schedule No. 43 Version 1

for

Records of Relevance in relation to the Royal Commission into Defence and Veteran Suicide

Effective 22 February 2022 until 31 December 2025

Approved by

A black ink signature of Keith Nicholas, consisting of a stylized 'K' followed by a long horizontal stroke.

Keith Nicholas

Chair, State Records Council

A purple ink signature of Simon Froude, featuring a series of loops and a long horizontal stroke.

Simon Froude

Director, State Records

Scope

On 19 April 2021 the Prime Minister, the Hon Scott Morrison, announced the establishment of a Royal Commission into Defence and Veteran Suicide (the Royal Commission).

On 8 July 2021, the Governor-General, His Excellency General the Honourable David Hurley AC DSC (Retd), issued Letters Patent, which established the Royal Commission. Mr Nick Kaldas APM, the Hon James Douglas QC, and Dr Peggy Brown AO have been appointed as Royal Commissioners. They are required to produce an interim report by 11 August 2022 and a final report by 15 June 2023.

GDS 43 places an immediate disposal freeze on any records relating to the Royal Commission into Defence and Veteran Suicide Terms of Reference (see Objectives).

The Letter Patent (which also sets of the Terms of Reference) defines a defence member and veteran as:

- **defence member** means a member of the Defence Force (within the meaning of the Defence Act 1903). Note: The Defence Force includes the Naval Reserve, the Army Reserve and the Air Force Reserve.
- **veteran** means a person who has served, or is serving, as a member of the Permanent Forces (within the meaning of the *Defence Act 1903*) or as a member of the Reserves (within the meaning of the *Defence Act 1903*).

GDS 43 applies to official records in any format of South Australian Government agencies, Local Government and Universities and any other entities captured by the definition of 'agency' under the *State Records Act 1997*.

Agencies need to apply GDS 43 in addition to other relevant general (GDS) and operational records disposal schedules (RDS).

GDS 43 does not affect records that have been sentenced as permanent under another disposal schedule.

Penalties for the unauthorised destruction of records is specified in various legislation, including the *State Records Act 1997* and the *Royal Commission Act 1902*.

Objectives

The purpose of GDS 43 is to ensure that records relating to the Terms of Reference of the Royal Commission into Defence and Veteran Suicide are protected and available.

“In summary, the Terms of Reference require the Royal Commission to look at:

- Common themes and issues among defence and veteran suicides or lived experiences of suicidal behaviours and risk factors. Lived experience will include a broad range of experiences, including suicide attempts, contemplation or feelings of suicide, or poor mental health outcomes.
- Risk factors relevant to defence and veteran suicide, including the contribution of pre-service, service and post-service issues, such as:
 - the initial recruitment process
 - service history, training and deployment, including factors specific to the individual service branch (Navy, Army, Air Force), and posting and promotion history
 - transition out of the ADF or between service categories (SERCATs), including medical separations
 - access to, availability and timeliness of, health care, wellbeing and support services (physical and mental health support services), including the quality and effectiveness of these services
 - holding and sharing of personal information about the defence member and veteran between different government services/departments
 - reporting and recording of information about mental and physical health at enlistment, during and after service.
- The impact of culture within the ADF, the Department of Defence and the Department of Veterans' Affairs on defence members' and veterans' physical and mental wellbeing.
- The role of non-government organisations, including ex-service organisations, in supporting defence members, veterans, their families and others within the community.
- Protective and rehabilitative factors, including things to reduce the likelihood of development or acceleration of a mental health condition, and rehabilitation for defence members and veterans who have lived experience.
- Issues that exist within, and the availability and effectiveness of, support services for families and others:
 - affected by defence or veteran death by suicide; or
 - who have supported a defence member or veteran with lived experience.

- Common themes and issues among defence members' and veterans' experiences in accessing claims, entitlements, and support services from government, including trying to engage with multiple government organisations.
- Legislative and policy frameworks relating to support services, claims and entitlements.
- Social or family contexts, housing or employment issues, and economic and financial circumstances.
- Any other matter the Royal Commission considers relevant to its inquiry.”¹

In order to achieve its aim, GDS 43 is suspending authorisation to destroy any relevant records that could otherwise be legally destroyed under current disposal schedules determined by State Records and approved by the State Records Council.

Records of relevance into Defence and Veteran Suicide may include (but are not limited to) personnel and clinical records, rehabilitation, compensation, policies and procedures, superannuation, WHS, research, programs and projects, support services, investigations, police, court and inquest records.

Records identified as relevant must be retained until 31 December 2025 (and for any additional period that may be determined by a review).

Implementation

GDS 43 is issued under the *State Records Act 1997*.

The *State Records Act 1997* (the Act) was proclaimed in October 1997 to provide for the preservation and management of official records. GDS 43 is issued as a determination under Section 23 of the Act.

Section 23 of the Act states that no official records may be disposed of without a determination made by the Director [Manager], State Records and approved by the State Records Council.

Any modification of the Schedule by end users is not permitted. Changes can only be made with the approval of State Records and the State Records Council.

¹ Royal Commission into Defence and Veteran Suicide Letters Paragraphs (a) to (j) in the Letters Patent form the terms of reference for the Royal Commission, viewed 8 November 2021 <https://defenceveteransuicide.royalcommission.gov.au/publications/letters-patent-plain-english>

Updates/Amendments

GDS 43 Version 1 is effective from 30 November until 31 December 2025, retention is subject to a review at that date.

GDS 43 may be reviewed earlier by State Records or the State Records Council. Amendments approved by the State Records Council may be issued during this period.

Previous Disposal Schedules Revoked

Nil.

Complementary Disposal Schedules

A South Australian Government agency needs to use GDS 43 in association with other General Disposal Schedules and the agency's operational records disposal schedule/s.

Record Formats

GDS 43 applies to records in any format.

Access Responsibilities

A South Australian Government agency needs to ensure that official records, irrespective of format, will remain accessible for the duration of the designated retention period. By "accessible" it is meant that the information contained within a record remains readable for the life of the record.

Actions Required of Agencies

South Australian Government agencies need to:

- ensure that staff responsible for records management are informed of GDS 43 and the disposal freeze that it imposes;
- sentence records against GDS 43 in addition to other relevant disposal schedules, e.g. GDS 30, GDS 40, GDS 50 (as amended), and any RDS relevant to the agency;
- check if they or their approved service provider for records storage have any records due or overdue for destruction that come within the scope of GDS 43;
- withhold from destruction any temporary value records identified as relevant;
- retain the records for the duration of the disposal freeze, i.e. at least until 31 December 2025, set by GDS 43, or until further notice.

The sentencing of records affected by the disposal freeze can continue. However, the records must be set aside and retained for the period of the disposal freeze. The records need to be retained by the agency – they will not be accepted for transfer to State Records.

The processing and storage costs arising from the implementation of GDS 43 will need to be borne by the South Australian Government agencies affected.

Disposal Determination

Item No.	Description (Disposal Class)	Disposal Action
1.	Records of relevance relating to the terms of reference of the Royal Commission into Defence and Veteran Suicide (see attached Terms of Reference – Appendix 1)	Retain until at least 31 December 2025, and for any additional period determined by a review.

Further Information

For changes or updates to GDS 43, please contact Information Governance, State Records on (08) 7322 7081 or email staterecords@sa.gov.au.

Contact details

GPO Exchange - Level 15, 10 Franklin Street

ADELAIDE SA 5000

GPO Box 464

ADELAIDE SA 5000

Tel (+61 8) 7322 7081

Email staterecords@sa.gov.au

Web www.archives.sa.gov.au

Appendix 1 –Terms of Reference

“The Commissioners are appointed to be a Commission of inquiry, and required and authorised to inquire into the following matters:

- a. systemic issues and any common themes among defence and veteran deaths by suicide, or defence members and veterans who have other lived experience of suicide behaviour or risk factors (including attempted or contemplated suicide, feelings of suicide or poor mental health outcomes);
- b. a systemic analysis of the contributing risk factors relevant to defence and veteran death by suicide, including the possible contribution of pre-service, service (including training and deployments), transition, separation and post-service issues, such as the following:
 - i. the manner or time in which the defence member or veteran was recruited to the [the Australian Defence Force (the ADF)];
 - ii. the relevance, if any, of the particular branch, service or posting history, or the rank of the defence member or veteran;
 - iii. the manner or time in which the defence member or veteran transitioned from the ADF or transitioned between service categories;
 - iv. the availability, accessibility, timeliness and quality of health, wellbeing and support services (including mental health support services) to the defence member or veteran, and the effectiveness of such services;
 - v. the manner and extent to which information about the defence member or veteran is held by and shared within and between different government entities;
 - vi. the reporting and recording of information, relevant to the mental and physical health of defence members and veterans, at enlistment and during and after service;
- c. the impact of culture within the ADF, the Department of Defence and the Department of Veterans' Affairs on defence members' and veterans' physical and mental wellbeing;
- d. the role of non-government organisations, including ex-service organisations, in providing relevant services and support for defence members, veterans, their families and others;
- e. protective and rehabilitative factors for defence members and veterans who have lived experience of suicide behaviour or risk factors;
- f. any systemic issues in the current availability and effectiveness of support services for, and in the engagement with, families and others:
 - i. affected by a defence and veteran death by suicide; or

- ii. who have supported a defence member or veteran with lived experience of suicide behaviour or risk factors;
- g. any systemic issues in the nature of defence members' and veterans' engagement with the Department of Defence, the Department of Veterans' Affairs or other Commonwealth, State or Territory government entities (including those acting on behalf of those entities) about support services, claims or entitlements relevant to defence and veteran deaths by suicide or relevant to defence members and veterans who have other lived experience of suicide behaviour or risk factors, including any systemic issues in engaging with multiple government entities;
- h. the legislative and policy frameworks, administered by the Department of Defence, the Department of Veterans' Affairs and other Commonwealth, State or Territory government entities, relating to the support services, claims and entitlements referred to in paragraph (g);
- i. any systemic risk factors contributing to defence and veteran death by suicide, including the following:
 - i. defence members' and veterans' social or family contexts;
 - ii. housing or employment issues for defence members and veterans;
 - iii. defence members' and veterans' economic and financial circumstances;
- j. any matter reasonably incidental to a matter referred to in paragraphs (a) to (i) or that [the Commissioners] believe is reasonably relevant to [their] inquiry.”²

² Royal Commission into Defence and Veteran Suicide, Terms of Reference, viewed 8 November 2021 <https://defenceveteransuicide.royalcommission.gov.au/about/terms-reference>