



AUSTRALIAN BANKERS' ASSOCIATION INC.



ASIC

Australian Securities & Investments Commission

# Keeping Records

Identity theft cases can become very complex to resolve. You may be dealing with multiple organisations and authorities and you may have more conversations about your financial situation than you can possibly remember.

To present a strong case you will need to be organised from day one and keep records of everything that happens. Developing a system to track evidence, paperwork and contacts will make it easier for you to keep track of relevant information. A journal or similar document will help you to remember what occurred, when, the documents that you have received, what documents you still need, as well as your costs and time lost. Whatever method you decide, keep everything in one place and be consistent.

Remember, your papers could be used as evidence in a criminal case and should be treated as such.

## **ACTIONS YOU NEED TO TAKE**

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- Create a case log or keep a diary: Keep a dated log either on your computer or a hard copy on paper. Start with the first time you found out you were a victim of identity theft and continue from there.
- Keep track of each person you speak with, their title, contact details; such as phone and e-mail address. Include what they said, any follow-up needed from that call and the date that follow-up should occur.
- Confirm agreements and discussions: Whenever possible, ask for written confirmation of a discussion. If refused, send a "Confirmation of Discussion" to that person stating that if the information as you listed it is incorrect, they should contact you. When they don't, you have confirmation. Send this by return receipt requested mail so you have a paper trail. Fax or e-mail is acceptable only if you get a written response of receipt.
- Log items received and sent: Log in what you receive by mail, who it was from, what steps you took that day with that piece of mail or the phone call.
- Telephone records: Start a separate telephone and address book, separate from the log, for ease in finding contact names quickly. However, also include this information in the official case log.

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**Important Note:** This fact sheet gives information of a general nature and is not intended to be relied on by readers as advice in any particular matter. We suggest that you consult your financial planner on how this information may apply to your own circumstances.

- Costs: Keep a log of every cent you spend, when it occurred, what it was used for. Attach receipts to the sheets of paper in your log as you would do to document deductible expenses for the ATO. If necessary, you can photocopy them later for court cases. These costs - including the amount of time you spent on clearing your name - will become the basis of your request for compensation. Track phone calls, postage, court costs for documentation. Time lost from work - including holiday time you lost because you needed to spend that week on your case - is also considered an expense.
- Document the time you spend working on your case. Your time is your largest investment.
- Summary of case to date: Write a 1/2 page summary of your case every month or so. This will help you to focus on the primary points of your case, answer questions effectively and clearly explain what has transpired.

## WHAT DOCUMENT SHOULD I KEEP

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- Police report: this item is of highest priority. Request a copy of the report or at least a summary of it.
- Any documents that provide evidence of the fraud eg. applications, credit slips, credit cards. Keep everything you receive by mail that relates to your case.
- Credit files: During the active phase of your case when a lot of activity is occurring, it may be advisable to request your credit files regularly. [ABA checking on timing] Keep these together to track changes as they occur. When fraudulent activity seems to stop, you may cut back to requesting reports every six months, so that a watching brief is maintained.
- Copies of all letters you send or receive regarding this case
- All court documents: this may include subpoenas and affidavits.

### Journal

Date and time	Contact name	Notes	Follow up action	Expenses	Phone or e-mail contact

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