

**Retention and Disposal Authority for State Coroner's Office Coronial Investigations**

Authority number: PROS 99/05 VAR 4



PROS 99/05 VAR 4

**Retention and Disposal Authority for State  
Coroner's Office Coronial Investigations**

Status Date: 03/02/2017

# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

Public Records Act 1973

(Section 12)

## Retention & Disposal Authority for the State Coroner's Office - Coronial Investigations (PROS 99/05)

### Variation 1:

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to Records of the State Coroner's Office - Coronial Investigations, issued as Public Record Office Standard (PROS) 99/05 on 04/05/1999, as follows:

### Extension of the application of this Standard until 29/10/2010

This Variation shall have effect from 04/05/2009.

[signed]

Justine Heazlewood

**Director and Keeper of Public Records**

Date of issue: 11/05/2009

# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

Public Records Act 1973

(Section 12)

## Retention & Disposal Authority for the State Coroner's Office - Coronial Investigations (PROS 99/05)

### Variation 2:

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to Records of the State Coroner's Office - Coronial Investigations, issued as Public Record Office Standard (PROS) 99/05 on 04/05/1999, as follows:

### Extension of the application of this Standard until 31/07/2013

This Variation shall have effect from its date of issue.

[signed]

Graeme Hairsine

**Acting Director and Keeper of Public Records**

Date of issue: 29/10/2010

# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

Public Records Act 1973

(Section 12)

## Retention & Disposal Authority for the State Coroner's Office - Coronial Investigations (PROS 99/05)

### Variation 3:

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the State Coroner's Office - Coronial Investigations, issued as Public Record Office Standard (PROS) 99/05 on 04/05/1999, as follows:

### Extension of the application of this Standard until 31/12/2016

This Variation shall have effect from 31/07/2013.

[signed]

Justine Heazlewood

**Director and Keeper of Public Records**

Date of issue: 23/12/2013

# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

Public Records Act 1973

(Section 12)

## Retention & Disposal Authority for the State Coroner's Office - Coronial Investigations (PROS 99/05)

### Variation 4:

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to Records of the State Coroner's Office - Coronial Investigations, issued as Public Record Office Standard (PROS) 99/05 on 04/05/1999, as follows:

### Extension of the application of this Standard until 31/12/2019

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

**Director and Keeper of Public Records**

Date of issue: 03/02/2017

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

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## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

### Retention and Disposal Authority for Records of State Coroner's Office Coronial Investigations

<b>Retention and Disposal Authority No</b>	PROS 99/05 VAR 4
<b>Scope</b>	This RDA authorises the disposal of records created by the State Coroner's Office – Coronial Investigations.
<b>Status</b>	Issued by Keeper
<b>Issue Date</b>	03/02/2017

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

List of Functions and Activities covered

Reference	Function	Activity	Page
1	BODY CARDS		13
3	CONTROL AND CASE MANAGEMENT RECORDS		14
3.2		Computer-based records, November 1988 – present	15



# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

## Introduction

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### Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*. The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

### Context of this Authority

#### Public Record Office Victoria Standards

This Authority should be used in conjunction with the Standards issued by the Keeper of Public Records under Section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from [www.prov.vic.gov.au](http://www.prov.vic.gov.au). These documents set out the procedures that must be followed by Victorian public offices.

#### Disposal of records identified in the Authority

Disposal of public records identified in this Authority must be undertaken in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

It is a criminal offence to unlawfully destroy a public record under s 19(1) of the *Public Records Act 1973*.

The destruction of a public record is not unlawful if done in accordance with a Standard established under s 12 of the *Public Records Act 1973*.

This Standard (also known as an Authority) authorises the disposal of public records as described within its provisions. However, disposal is **not** authorised under this Standard if it is reasonably likely that the public record will be required in evidence in a current or future legal proceeding.

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

### Authority number: PROS 99/05 VAR 4

For the purposes of this Retention and Disposal Authority, a 'legal proceeding' has the same meaning as the *Evidence (Miscellaneous Provisions) Act 1958*, and includes any civil, criminal or mixed proceeding and any inquiry in which evidence is or may be given before any court or person acting judicially, including a Royal Commission or Board of Inquiry under the *Inquiries Act 2014*.

If the public office identifies that public records must be retained under other applicable legislation for a period that exceeds the retention period specified under the Standards, then the longer retention period must apply.

### Normal Administrative Practice

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

# Retention and Disposal Authority for State Coroner's Office Coronial Investigations

**Authority number: PROS 99/05 VAR 4**

## **Transfer of records to Public Record Office Victoria**

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

## **Use of Other Authorities**

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

## **Explanation of Authority Headings**

### **Class Number**

The class number or entry reference number provides citation and ease of reference.

### **Description**

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

### **Status**

This entry provides the archival status of each class - either permanent or temporary.

### **Custody**

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria. Permanent electronic records are to be transferred in VERS Encapsulated Object (VEO) format according to PROS 99/007 - Management of Electronic Records (Version 2). The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 11/01 *Storage*

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

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### Concurrence of Public Office

This Authority has the concurrence of:

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Signature: [signed]

Name: Graeme Johnstone

Position: State Coroner, Victoria

Date:

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### Establishment of Standard

Pursuant to Section 12 of the *Public Records Act 1973*, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to Coroners Court of Victoria. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked prior to that date.

[signed]

**Ross Gibbs**, Keeper of Public Records

Date of Issue: 04/05/1999

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

No	Function/Activity	Description	Status	Disposal Action
1	<b>BODY CARDS</b>	<p>Body Card files comprise originals or copies of all documentary material relating to the investigation of a reportable death or fire, including</p> <ul style="list-style-type: none"> <li>• Police report of death or fire</li> <li>• Record of Investigation into Death or Fire (the coroner's finding)</li> <li>• Depositions of witnesses</li> <li>• Autopsy report</li> <li>• Statement of identification</li> <li>• Body admission forms and certificates permitting burial or cremation</li> <li>• Specialist pathology reports</li> <li>• Correspondence with solicitors, next of kin, etc.</li> <li>• Inquest brief (copy only if an inquest was held).</li> </ul>		
1.1	<b>Investigations involving inquests</b>	Investigations involving inquests	Temporary	Destroy 15 years after completion of the case.
1.2	<b>Section 17 investigations</b>	<p>Investigations where</p> <ul style="list-style-type: none"> <li>• the cause of death is determined by another court; such cases include homicides, culpable driving, suicides and infanticides</li> </ul>	Permanent	Retain as State archives

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

No	Function/Activity	Description	Status	Disposal Action
<i>BODY CARDS</i>				
		or <ul style="list-style-type: none"> <li>• the case is resolved by a chamber hearing.</li> </ul>		
1.3	<b>"Natural causes" cases</b>	Investigations which have not involved an inquest and in which the finding is classified as a "natural causes" death.	Temporary	Destroy 25 years after completion of the case.
2	<b>INQUEST DEPOSITION FILES</b>	Inquest Deposition files are created for coronial investigations in which an inquest was held. Inquest Deposition files may contain: - <ul style="list-style-type: none"> <li>• transcript of hearing</li> <li>• police inquest brief, including depositions of witnesses</li> <li>• autopsy report establishing medical causes of death</li> <li>• Record of Investigation into Death or Fire (the coroner's finding)</li> <li>• Documents prepared by specialist investigators to assist the coroner</li> <li>• Documentary exhibits, e.g. photographs, diagrams.</li> </ul>	Permanent	Retain as State Archives
3	<b>CONTROL AND CASE MANAGEMENT RECORDS</b>	This class refers to records which control and record the progress of investigations. The class includes		

## Retention and Disposal Authority for State Coroner's Office Coronial Investigations

Authority number: PROS 99/05 VAR 4

No	Function/Activity	Description	Status	Disposal Action
<i>CONTROL AND CASE MANAGEMENT RECORDS</i>				
		<ul style="list-style-type: none"> <li>• The Register of Deaths Reported to the Coroner</li> <li>• The Register of the Coroner's Record of Investigation into Death or Fire</li> </ul>		
3.1	<b>Paper Records, Pre-November 1988</b>	Bound and loose-leaf volumes including <ul style="list-style-type: none"> <li>• Case management records</li> <li>• Registers and indexes which provide for the identification, location and retrieval of Body Card files and Inquest Deposition files.</li> </ul>	Permanent	Retain as State archives
3.2	<b>Computer-based records, November 1988 – present</b>	Computer-based records created by electronic systems which perform similar functions to the paper records described in class 3.1.0.		
3.2.1	<b>Data and documentation</b>	The class includes <ul style="list-style-type: none"> <li>• data relating to case management</li> <li>• data which provides for the identification, location and retrieval of Body Card files and Inquest Deposition files.</li> <li>• all metadata and documentation associated with the computer systems for the purpose of preserving and explaining the data structure, context and content.</li> </ul>	Permanent	Retain as State archives
3.2.2	<b>System administration</b>	This class authorises the modification, updating, deletion and erasure of electronically stored data and	Temporary	

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No	Function/Activity	Description	Status	Disposal Action
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*CONTROL AND CASE MANAGEMENT RECORDS - Computer-based records, November 1988 – present*

		<p>programs in accordance with system operating guidelines, which provide for the data and documentation described in 3.2.1 above to be retained on-line or off-line, for as long as is necessary to satisfy the administrative, reference and research needs of the State Coroner's Office and, where applicable, other requirements.</p> <p>This authorisation is subject to the condition that specified data and documentation are preserved in accordance with 3.2.1 above.</p>		
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