



Public Record Office Standard

PROS 04/08

Authority

Retention & Disposal Authority for Records of the Victims of Crime Assistance Tribunal

Version 2021

Incorporating Variations 1, 2, 3, 4 and 5

04/08	Issue Date: 01/12/2004	Expiry Date: 01/12/2014
Variation 1	Issue Date: 23/12/2013	Expiry Date: 31/12/2016
Variation 2	Issue Date: 03/02/2017	Expiry Date: 31/12/2017
Variation 3	Issue Date: 19/11/2018	Expiry Date: 31/12/2021
Variation 4	Issue Date: 02/09/2019	Expiry Date: 31/12/2021
Variation 5	Issue Date: 28/05/2021	Expiry Date: 31/12/2024

Copyright Statement

© State of Victoria 2021



Except for any logos, emblems, and trademarks, this work (PROS 04/08 Records of the Victims of Crime Assistance Tribunal) is licensed under a Creative Commons Attribution 4.0 International license, to the extent that it is protected by copyright. Authorship of this work must be attributed to the Public Record Office Victoria. To view a copy of this license, visit <http://creativecommons.org/licenses/by/4.0/>

Disclaimer The State of Victoria gives no warranty that the information in this version is correct or complete, error free or contains no omissions. The State of Victoria shall not be liable for any loss howsoever caused whether due to negligence or otherwise arising from the use of this Standard.

**Public Records Act 1973
(Section 12)
Retention and Disposal Authority for Records of
the Victims of Crime Assistance Tribunal
Public Record Office Standard (PROS) 04/08**

Variation 1:

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 Victims of Crime Assistance Tribunal, issued as Public Record Office Standard (PROS) 04/08 on 1/12/2004, as follows:

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

This Variation shall have effect from its date of issue.

[Signed]

Justine Heazlewood

Date: 23/12/2013

Director and Keeper of Public Records

Public Records Act 1973
(Section 12)
Retention and Disposal Authority for Records of
the Victims of Crime Assistance Tribunal

Public Record Office Standard (PROS) 04/08

Variation 2:

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 Victims of Crime Assistance Tribunal, issued as Public Record Office Standard (PROS) 04/08 on 1/12/2004, as follows:

Extension of the application of this Standard until 31/12/2017

This Variation shall have effect from its date of issue.

[Signed]

Justine Heazlewood

Date: 03/02/2017

Director and Keeper of Public Records

**Public Records Act 1973
(Section 12)
Retention and Disposal Authority for Records of
the Victims of Crime Assistance Tribunal**

Public Record Office Standard (PROS) 04/08

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 Victims of Crime Assistance Tribunal, issued as Public Record Office Standard (PROS) 04/08 on 1/12/2004, as follows:

Extension of the application of this Standard until 31/12/2021

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date: 19/11/2018

Public Records Act 1973 (Section 12) Retention and Disposal Authority for Records of the Victims of Crime Assistance Tribunal

Public Record Office Standard (PROS) 04/08

Variation 4:

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 Victims of Crime Assistance Tribunal, issued as Public Record Office Standard (PROS) 04/08 on 1/12/2004, as follows:

The addition of the following text across the body of the RDA as a footer:

This Retention and Disposal Authority **must not be used** for records about child sexual abuse incidents, allegations nor an agency's prevention, identification and response to such incidents and allegations. This includes records of this nature created through an agency's reporting, oversight or regulatory relationships with other agencies.

Instead **agencies must use PROS 19/08** Retention and Disposal Authority for Records of Organisational Response to Child Sexual Abuse Incidents and Allegations.

This Variation shall have effect from its date of issue.

[Signed]

Justine Heazlewood

Date: 02/09/2019

Director and Keeper of Public Records

Public Records Act 1973
(Section 12)
Retention and Disposal Authority for Records of
the Victims of Crime Assistance Tribunal

Public Record Office Standard (PROS) 04/08

Variation 5:

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 Victims of Crime Assistance Tribunal, issued as Public Record Office Standard (PROS) 04/08 on 1/12/2004, as follows:

- Extension of the application of this Standard until 31/12/2024

- Inclusion of a cross reference in function 1.0 – Case Files, for records of video and audio recordings of proceedings, to use PROS 21/01 RDA for Records of the Magistrates' Court of Victoria, 7.2 Court Administration – video and audio recordings of proceedings

This Variation shall have effect from its date of issue.

[Approved]

Justine Heazlewood

Director and Keeper of Public Records

Date: 28/05/2021

Table of Contents

Introduction

1.1	Purpose of this Authority	8
1.2	Context of this Authority	8
1.2.1	Public Record Office Victoria Standards	8
1.2.2	Disposal of records identified in the Authority	8
1.2.3	Transfer of records to Public Record Office Victoria	9
1.2.4	Normal Administrative Practice	9
1.3	Use of Other Authorities	9
1.4	Explanation of Authority Headings	10
	Concurrence of Public Office	11
	Establishment of Standard	11
	Acknowledgments	11
	Further Information	11
	Retention & Disposal Authority	12

Under section 12 of the *Public Records Act 1973*, the Keeper of Public Records is responsible for the establishment of standards for the efficient management of public records and for assisting public offices to apply those standards to records under their control. Officers in charge of public offices are responsible under section 13 of the Act for carrying out, with the advice and assistance of the Keeper, a program of records management in accordance with the standards established under section 12 of the Act.

Introduction

1.1 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.

1.2 Context of this Authority

1.2.1 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. These documents set out the procedures that must be followed by Victorian public offices.

1.2.2 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.

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.

1.2.3 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.

1.2.4 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.

1.3 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.

1.4 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 records must be managed and transferred in accordance with PROV Standards.

Concurrence of Public Office

This Authority has the concurrence of:

Signature: [Signed]

Date: 25/11/2004

Name: Jan Dundan

Position: Principal Registrar

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 the records of the Victims of Crime Assistance Tribunal.

This standard as varied or amended from time to time, shall have effect for a period of ten (10) years from the date of issue unless revoked prior to that date.

[Signed]

Justine Heazlewood

Date of Issue: 01/12/2004

Keeper of Public Records

Acknowledgments

PROV would like to thank the following people for providing their knowledge and expertise and helping to create this Authority:

Anthony Gwynne

Diana Petrolo

Further Information

You can obtain relevant publications, supplies of relevant forms, and answers to any enquiries you may have by first contacting your agencies records manager or Public Records Office Victoria:

Public Record Office Victoria



(03) 9348 5600

e-mail: agency.queries@prov.vic.gov.au

web: www.prov.vic.gov.au

Retention & Disposal Authority

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.0	<p>CASE FILES</p> <p>Files are created after an application is made for compensation under the <i>Victims of Crime Assistance Act 1996</i> and its predecessors.</p> <p>Case files include medical and police reports, application forms, statements, briefs of evidence, correspondence between the Tribunal and applicants, solicitors and other parties and amounts of any awards made.</p> <p>[For records of video and audio recordings of proceedings, use PROS 21/01 RDA for Records of the Magistrates' Court of Victoria, 7.2 Court Administration – video and audio recordings of proceedings]</p>		
1.1	<p>Case Files Prior to 1983 – Adults</p> <p>Refers to applications relating to adults made under the <i>Criminal Injuries Compensation Act 1972</i>, prior to the proclamation of the <i>Criminal Injuries Compensation Act 1983</i>.</p> <p>There is no time limit set under the Act within which variation applications must be made to the tribunal.</p>	<p>Temporary</p> <p>Destroy 75 years after commencement of claim</p>	<p>Hold in agency or APROSS pending destruction</p>
1.2	<p>Case Files Prior to 1983 – Children</p> <p>Refers to applications relating to children made under the <i>Criminal Injuries Compensation Act 1972</i> prior to the proclamation of the <i>Criminal Injuries Compensation Act 1983</i>.</p> <p>There is no time limit set under the Act within which variation applications must be made to the tribunal.</p>	<p>Temporary</p> <p>Destroy 99 years after commencement of claim</p>	<p>Hold in agency or APROSS pending destruction</p>

This Retention and Disposal Authority **must not be used** for records about child sexual abuse incidents, allegations nor an agency's prevention, identification and response to such incidents and allegations. This includes records of this nature created through an agency's reporting, oversight or regulatory relationships with other agencies.

Instead **agencies must use PROS 19/08** Retention and Disposal Authority for Records of Organisational Response to Child Sexual Abuse Incidents and Allegations.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.3	Case Files Post 1983 – Adults Refers to case files created after the proclamation of the <i>Criminal Injuries Compensation Act</i> 1983 and subsequent Acts that relate to applications for compensation relating to injuries received as the result of a crime.	Temporary Destroy 15 years after claim completed	Hold in agency or APROSS pending destruction
1.4	Case Files Post 1983 – Children Refers to case files created after the proclamation of the <i>Criminal Injuries Compensation Act</i> 1983 and subsequent Acts that relate to applications on behalf of children for compensation relating to injuries received as the result of a crime. This class also includes Orders in Trust applications.	Temporary Destroy when the applicant reaches 35 years of age.	Hold in agency or APROSS pending destruction

2.0	CASE FILE SUMMARY RECORDS		
2.1	Hard Copy Summary Records This class relates to hard copy summary records produced from 1972 to 1988 and includes the Register of Cases and Index to Cases.	Permanent Retain as State Archives	Transfer to PROV when no longer in administrative use
2.2	Electronic Summary Records Output from the VOCAT database including details regarding personal details of applicant, type of correspondence sent and received, order, amount of compensation etc.	Permanent Retain as State Archives in VEO format	Maintain as a VEO until data is transferred into the Digital Archive

END OF DOCUMENT

This Retention and Disposal Authority **must not be used** for records about child sexual abuse incidents, allegations nor an agency's prevention, identification and response to such incidents and allegations. This includes records of this nature created through an agency's reporting, oversight or regulatory relationships with other agencies.

Instead **agencies must use PROS 19/08** Retention and Disposal Authority for Records of Organisational Response to Child Sexual Abuse Incidents and Allegations.