

**Retention and Disposal Authority for Records of Victorian  
Government Reporting Service**

Authority number: PROS 21/02



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**Retention and Disposal  
Authority for Records of  
Victorian Government  
Reporting Service**

Status Date: 11/03/2021

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## INTRODUCTION

### Administrative Context

#### Context

Established originally in 1854 as the Government Shorthand Writers Office, Victorian Government Reporting Service (VGRS) is currently a business unit within Court Services Victoria – an independent statutory body established in 2014 under the *Court Services Victoria Act 2014*.

VGRS is responsible for providing high-quality recording, reporting and transcription services for all criminal matters in Victoria's courts and tribunals, and in other cases as required. Private companies undertake transcriptions for civil matters on behalf of VGRS (and for criminal matters when engaged by VGRS).

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<b>Retention and Disposal Authority No</b>	PROS 21/02
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<b>Scope</b>	For records of Victorian Government Reporting Service.
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<b>Status</b>	Issued
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<b>Issue Date</b>	11 March 2021
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# Retention and Disposal Authority for Records of Victorian Government Reporting Service

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# Retention and Disposal Authority for Records of Victorian Government Reporting Service

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## 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.

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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.

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## **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*.



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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 Victorian Government Reporting Service. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

[Approved]

**Justine Heazlewood**, Keeper of Public Records

Date of Issue: 11/03/2021

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No	Function/Description	Status	Disposal Action
1.0	<p><b>RECORDING AND TRANSCRIPTION</b></p> <p>The high quality [master] recording and transcription of criminal or other cases by Victorian Government Reporting Service.</p> <p>Includes the recording and transcription of all criminal matters in Victoria's courts and tribunals, and in other cases as required (e.g. cases before the Victorian Civil and Administrative Tribunal on request, non-criminal cases in the Practice Court (Common Law) of the Supreme Court or the Coroners Court).</p> <p>Includes the recording and transcription of hearings which include trial matters and other matters such as an appeal or bail application.</p> <p>Courts, tribunals and other bodies serviced by Victorian Government Reporting Service (VGRS) are:</p> <ul style="list-style-type: none"> <li>• Court of Appeal</li> <li>• Supreme Court</li> <li>• County Court</li> <li>• Magistrates' Court</li> <li>• Children's Court</li> <li>• Coroners Court</li> <li>• Office of Public Prosecutions Victoria</li> <li>• Commonwealth Director of Public Prosecutions</li> <li>• Victorian Civil and Administrative Tribunal (VCAT).</li> </ul> <p>Also includes the management of recording and transcription work by staff, such as the allocation of cases and monitoring of job completion.</p>		
1.1	<p><b>Case registration and final transcripts</b></p> <p>Records of continuing value, including:</p> <ul style="list-style-type: none"> <li>• the registration and management of cases recorded and/or transcribed, including hearing date, location (court and room), presiding officer, hearing type, accused name, VGRS reference number, summary details of non-release or restricted release of transcripts, court reference number</li> <li>• final transcripts which document the content and conduct of a case - including evidentiary transcripts (discussion and evidence), rulings, judgements, orders, sentences, committals, pleas, inquests and directions hearings. Includes</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV

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*RECORDING AND TRANSCRIPTION*

	real time, running and agreed or delayed transcripts.		
1.2	<p><b>Interim transcripts and sentencing remarks</b></p> <p>Records documenting:</p> <ul style="list-style-type: none"> <li>• interim versions of transcripts containing errors</li> <li>• copies of sentencing remarks.</li> </ul>	Temporary	Destroy after administrative use has concluded.
1.3	<p><b>Recordings: audio and visual</b></p> <p>Recordings of all criminal cases and other cases as required before courts, tribunals, inquests and ceremonies.</p> <p>Recordings contain the verbal proceedings of a case and incidental discussions in the courtroom.</p> <p>Includes recordings initiated by VGRS, or recorded by the court itself and provided to VGRS.</p>	Temporary	Destroy 10 years after last action.
1.4	<p><b>Case scheduling and management</b></p> <p>Records documenting the allocation of work to staff, case scheduling, completion and management of recording and transcription services.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• court lists</li> <li>• allocation of cases/jobs to staff</li> <li>• recording logs</li> <li>• monitoring of job progress and completion.</li> </ul>	Temporary	Destroy 5 years after last action.

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No	Function/Description	Status	Disposal Action
<i>TRANSCRIPT AND AUDIO ACCESS MANAGEMENT</i>			
2.0	<p><b>TRANSCRIPT AND AUDIO ACCESS MANAGEMENT</b></p> <p>The distribution of and/or provision of access to transcripts or recordings by parties to a case, the public or other entities such as legal practitioners and various government agencies (e.g. the Office of Public Prosecutions Victoria or Victoria Legal Aid).</p> <p>Includes the receipt and management of advice or orders from the courts requiring non-release or restricted release of transcripts.</p> <p>See <i>Records of Common Administrative Functions CONTRACTING-OUT</i> for records of contracts and service level agreements between VGRS and the jurisdictions it services.</p>		
2.1	<p><b>Prohibition and suppression orders</b></p> <p>Orders or other records documenting advice from the courts requiring non-release or restricted release of transcripts.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• suppression orders - notice from the court preventing the publication of certain information</li> <li>• prohibition orders - notice from the court restricting an individual (offender) from certain types of behaviour</li> <li>• schedule of substitution (for pseudonyms) - notice to apply a pseudonym to a case, literally substituting a name of a party or non-party</li> <li>• application of suppression - prior to a suppression order being made VGRS will commonly receive notification that an application has been made for a suppression order to be issued. A suppression order is generally issued and distributed shortly after</li> <li>• notice of the restriction in the transcript itself</li> <li>• informal communication from the court.</li> </ul>	Temporary	Destroy after restriction is lifted.
2.2	<p><b>Transcript distribution</b></p> <p>Records documenting the access, distribution or provision of transcripts which are not subject to a prohibition or suppression order on release.</p> <p>Includes orders and requests for transcripts, instructions from judges, correspondence with applicants and</p>	Temporary	Destroy 5 years after last action.

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No	Function/Description	Status	Disposal Action
<i>TRANSCRIPT AND AUDIO ACCESS MANAGEMENT</i>			
	records of order tracking.		