

**Retention and Disposal Authority for Records of Records of the
Victims of Crime Assistance Tribunal**

Authority number: PROS 04/08 VAR 6



PROS 04/08 VAR 6

**Retention and Disposal
Authority for Records of
Records of the Victims of
Crime Assistance Tribunal**

Status Date: 27/10/2023

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

Authority number: PROS 04/08 VAR 6

Variation 1

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

Director and Keeper of Public Records

Date: 23/12/2013

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

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Variation 2

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

Director and Keeper of Public Records

Date: 03/02/2017

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

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Variation 3

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

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

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Variation 4

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

Director and Keeper of Public Records

Date: 02/09/2019

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

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Variation 5

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

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

Authority number: PROS 04/08 VAR 6

Variation 6

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 6:

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 revoked
- Changed title of function 1.0 from CASE FILES to CASE MANAGEMENT and made a minor change to scope note text
- Changed disposal action of class 1.3 from Temporary - Destroy 15 years after claim completed to Destroy 15 years after claim awarded, refused or struck-out
- Changed disposal action of class 1.4 from Temporary - Destroy when the applicant reaches 35 years of age to Temporary - Destroy 99 years after commencement of claim
- Changed title of function 2.0 from CASE FILE SUMMARY RECORDS to MANAGEMENT OF CASE FILE SUMMARY RECORDS
- Made minor changes to the scope note text in class 2.1
- Removed the footer relating to PROS 19/08 that was inserted in Variation 4

This Variation shall have effect from its date of issue.

[Approved]

Justine Heazlewood

Director and Keeper of Public Records

Date: 27/10/2023

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**Retention and Disposal Authority for Records of Records of the
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Authority number: PROS 04/08 VAR 6

**Retention and Disposal Authority for Records of Records of the
Victims of Crime Assistance Tribunal**

Retention and Disposal Authority No	PROS 04/08 VAR 6
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Scope	This RDA authorises the disposal of records created by the Victims of Crime Assistance Tribunal.
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Status	Issued by Keeper
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Issue Date	27 October 2023
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Retention and Disposal Authority for Records of Records of the Victims of Crime Assistance Tribunal

Authority number: PROS 04/08 VAR 6

List of Functions and Activities covered

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

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Introduction

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. 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 - *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*.

Under PROS 22/04 Disposal Standard, authorisation to destroy public records is WITHDRAWN and NOT GIVEN (even if specified in an RDA or other authorised disposal instrument) if:

- it is reasonably likely that they will be needed in a current or future legal proceeding. This includes any civil or criminal proceeding or an inquiry where evidence may be given before a court or person acting judicially such as a Royal Commission or Board of Inquiry
- they are required for meeting any Freedom of Information (FOI) applications which are not finalised
- they are required for audits or investigations which are not yet finalised; and/or
- they are subject to disposal freezes applied by government or by the organisation.

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

PROS 22/04 Disposal Standard authorises the destruction of some public records under Normal Administrative Practice (NAP) principles. Low value facilitative records described below are authorised for destruction by *PROS 22/04* under NAP principles:

- working documents, such as notes or calculations, used to assist in the preparation of other records
- minor drafts and transitory documents, where the content is reproduced elsewhere, and the information will not be needed to show how the work has progressed or actions approved
- minor updates of content, such as those in databases, which will not be needed to show actions, decisions, or approvals
- communications for the purpose of making minor arrangements
- duplicate copies.

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

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Concurrence of Public Office

This Authority has the concurrence of:

[signed]

Name: Jan Dundan

Position: Principal Registrar

Date: 25/11/2004

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 Victims of Crime Assistance Tribunal. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

[signed]

Justine Heazlewood, Keeper of Public Records
Date of Issue: 01/12/2004

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No	Function/Description	Status	Disposal Action
1.0	<p>Case Management</p> <p>The management of cases 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>	Temporary	Destroy 75 years after commencement of claim
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>	Temporary	Destroy 99 years after commencement of claim
1.3	<p>Case Files Post 1983 – Adults</p> <p>Refers to case files created after the proclamation of the <i>Criminal Injuries Compensation Act 1983</i> and subsequent Acts that relate to applications for compensation relating to injuries received as the result of a crime.</p>	Temporary	Destroy 15 years after claim awarded, refused, or struck-out
1.4	<p>Case Files Post 1983 – Children</p> <p>Refers to case files created after the proclamation of the <i>Criminal Injuries Compensation Act 1983</i> and subsequent Acts that relate to applications on behalf of children for compensation relating to injuries received</p>	Temporary	Destroy 99 years after commencement of claim

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No	Function/Description	Status	Disposal Action
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Case Management

	as the result of a crime. This class also includes Orders in Trust applications.		
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No	Function/Description	Status	Disposal Action
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Management of Case File Summary Records

2.0	Management of Case File Summary Records		
2.1	<p>Hard Copy Summary Records</p> <p>Hard copy summary records produced from 1972 to 1988 - includes the Register of Cases and Index to Cases.</p>	Permanent	Retain as State Archives, Transfer to PROV
2.2	<p>Electronic Summary Records</p> <p>Output from the VOCAT database including details regarding personal details of applicant, type of correspondence sent and received, order, amount of compensation etc.</p>	Permanent	Retain as State Archives, Transfer to PROV