

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08



PROS 23/08

Retention and Disposal Authority for Records of the Supreme Court

Status Date: 19/10/2023

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

INTRODUCTION

Context

Supreme Court

The Supreme Court of Victoria is the superior court in Victoria. It is the principal trial and appellate court in Victoria.

The Supreme Court of Victoria was established in 1852 and is now governed by the *Constitution Act 1975* and the *Supreme Court Act 1986*.

The Supreme Court is a Court of Record, that is, a court whose proceedings are recorded, preserved and available as evidence of fact.

The Supreme Court has two tiers - the Trial Division, dealing with criminal, common law and commercial matters before one judge; and the Court of Appeal, which is the highest appellate jurisdiction in Victoria.

The Trial Division consists of three subdivisions; Criminal, Common Law and the Commercial Court.

The Criminal Division hears all matters of murder, attempted murder, manslaughter, terrorism, treason under both Victorian and Commonwealth legislation. In rare cases of extremely serious instances of offending other than those listed here, the matter may be uplifted to the Supreme Court for trial.

The Common Law division has unlimited jurisdiction and hears matters arising out of property, tort or contract law, including class actions. It is also responsible for appeals and reviewing contested decisions from other courts and tribunals such as the Magistrates' Court and the Victorian Civil and Administrative Tribunal. The Common Law Division also has exclusive jurisdiction over matters pertaining to wills and probate, trusts, equity and the administration of estates.

The Commercial Court, also with unlimited jurisdiction, is comprised of specialist judges and hears matters arising out commercial disputes.

The Court of Appeal has jurisdiction to hear and determine appeals from cases heard in the Trial Division, the County Court and, on points of law, from other courts and tribunals. An appellate bench usually comprises of three judges, although some significant cases may warrant a Full Court of five judges.

The Supreme Court also authorises appointments to and within the legal profession; that is admission to practise in Victoria, the appointment of senior counsel and the appointment of public notaries. Finally, the Supreme Court also has the discrete office of Funds in Court. This office administers all funds paid into Court, such as disputed funds that are the subject of a proceeding, or compensatory funds paid as a result of loss or injury.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

Retention and Disposal Authority for Records of the Supreme Court

Retention and Disposal Authority No	PROS 23/08
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Scope	This RDA authorises the disposal of records created by the Supreme Court of Victoria.
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Status	Issued by Keeper
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Issue Date	19 October 2023
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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

List of Functions and Activities covered

Reference	Function	Activity	Page
1	CRIMINAL JURISDICTION		10
2	CIVIL JURISDICTION		13
3	APPEAL JURISDICTION		19
4	FUNDS IN COURT ADMINISTRATION		22
5	LEGAL PROFESSION ADMINISTRATION & APPOINTMENTS		24
6	COURT ADMINISTRATION		26

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

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.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

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.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

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.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

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 Supreme Court of Victoria. 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: 19/10/2023

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
1.0	<p>CRIMINAL JURISDICTION</p> <p>The Supreme Court jurisdiction to hear and determine criminal matters, which includes all matters of murder, attempted murder, manslaughter, terrorism, treason and other indictable offences under both Victorian and Commonwealth legislation. In rare cases of extremely serious instances of offending other than those listed here, the matter may be uplifted to the Supreme Court for trial, such as serious culpable driving or serious sexual offences.</p> <p>As well as trials, pleas and hearings for indictable offences, judges of the Criminal Division also hear applications under a number of different Victorian and Commonwealth acts. These applications include:</p> <ul style="list-style-type: none"> • Bail applications, including those for bail, variation of bail, revocation of bail and appeals against bail decisions • Serious offender applications, including those for detention and supervision orders, and variation and extension of these orders • Post-sentence 'crimes mental impairment' (CMI) applications, including those for extended leave, variation of orders and court-ordered reviews of custodial and non-custodial supervision orders • Covert applications, including: <ul style="list-style-type: none"> ○ Applications for surveillance devices warrants, and extension and variation of surveillance devices warrant ○ Major crimes' applications, including those for coercive powers orders and proceedings for contempt (non-compliance with a coercive powers order) ○ Applications for determination of privilege claims relating to IBAC investigations ○ Terrorism applications, including those for covert search warrants and preventative detention orders ○ Witness protection applications. 		

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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CRIMINAL JURISDICTION

	<p>Inclusive of case management from registration (also called 'initiation') through to hearing and final decision. Includes cases that are withdrawn or do not proceed to trial.</p> <p>See <i>PROS 21/02 Retention and Disposal Authority for Records of Victorian Government Reporting Service</i> for records of transcripts and audio visual recordings of criminal proceedings.</p>		
1.1	<p>Records of continuing value documenting:</p> <ul style="list-style-type: none"> • the registration, including summary details, of each individual case heard or administered by the criminal jurisdiction of the Supreme Court. Summary details include the case number and the names of parties associated with a case, date and place of trial, presiding judge and verdict or outcome. Includes hard copy registers, indexes and the registration data contained in any electronic case management system • case records created by the Court and filed with the Court during a criminal proceeding. These include but are not limited to indictments or presentments, prosecution openings, statutory notices, defence responses, bail applications, affidavits, sentencing remarks, suppression orders, revocations and final judgments • applications for bail, variation of bail, revocation of bail and appeals of bail decisions in all criminal cases. Often a bail application is made in the Supreme Court after bail has been refused by another court • applications and reviews under serious offender legislation • applications under post sentence legislation pertaining to mental impairment • orders relating to the confiscation of property. Includes forfeiture orders, freezing orders and unexplained wealth restraining orders • any Petition of Mercy referred by the Attorney-General to the Criminal Trial Division • covert applications including: 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>CRIMINAL JURISDICTION</i>			
	<ul style="list-style-type: none"> ○ Applications for surveillance devices warrants, and extension and variation of surveillance devices warrants ○ 'Major crimes' applications, including those for coercive powers orders and proceedings for contempt (non-compliance with a coercive powers order) ○ Applications for determination of privilege claims relating to IBAC investigations ○ Terrorism applications, including those for covert search warrants and preventative detention orders ○ Witness protection applications. 		
1.2	<p>Records of short term value documenting:</p> <p>copies of surveillance device warrants issued to enforcement agencies to undertake surveillance. Includes date of issue and judicial officer who issued the warrant. The original warrants are retained by the enforcement agency.</p>	Temporary	Destroy 7 years after last action or entry.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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CIVIL JURISDICTION

2.0	<p>CIVIL JURISDICTION</p> <p>The Supreme Court jurisdiction to hear and determine civil matters.</p> <p>The Supreme Court of Victoria has unlimited civil jurisdiction with no monetary limit on awards or damages.</p> <p>The Civil jurisdiction has two subdivisions, the Common Law Division and the Commercial Court. The subdivisions are comprised of specialist lists in which categories of cases are intensively managed by judicial officers that generally have expert knowledge in that particular field.</p> <p>Group Proceedings or 'class actions' which are proceedings brought on behalf of seven or more people where the claims arise out of the same, similar or related circumstances and raise substantial common factual or legal questions, can be heard in both areas of the Civil jurisdiction.</p> <p>The Commercial Court</p> <p>The Commercial Court is a specialist court that delivers intensive case management by judicial officers with commercial expertise. It has its own dedicated registry to manage administration of the cases.</p> <p>Matters that are heard in the Commercial Court are primarily proceedings arising out of commercial transactions or commercial dealings, including claims in contract law, claims for misleading or deceptive conduct under the Australian Consumer Law, claims for breach of fiduciary duties, and claims for breach of trust.</p> <p>Cases initiated in the Commercial Court will be allocated to one of the following lists:</p> <ul style="list-style-type: none"> • Admiralty List, which is for matters that concern loss or damage to a ship or to goods carried by sea • Arbitration List, which hears commercial arbitration proceedings, under both local and international arbitration legislation. The Court can assist in a variety of ways, including support for the arbitration process, enforcement of awards and orders, determining discrete 		
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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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CIVIL JURISDICTION

	<p>questions of law, and hearing appeals where permitted</p> <ul style="list-style-type: none"> • Corporations List, which deals with matters involving corporations. These include shareholder disputes (including shareholder oppression proceedings) claims concerning directors' duties, winding up applications, applications by liquidators regarding companies in liquidation, applications to set aside statutory demands and applications to reinstate companies • Group Proceedings List (cross-divisional list). Group proceedings are also known as 'class actions' or representative proceedings and are cases where one or more plaintiffs make a claim for themselves and on behalf of other people • Insurance List, which hears matters in relation to insurance or reinsurance policy claims of loss incurred in a commercial transaction or where the insurance relates to a business or property. It also hears disputes between insurers as to the contribution payable; matters concerning the construction of insurance policies and interpretation of insurance legislation. It does not include matters more appropriately heard in the Common Law division • Intellectual Property List, which deals with allegations of infringement or determination of Intellectual Property including copyright, design, patents and trademarks • Taxation List is suitable for appeals from decisions of the Victorian Civil and Administrative Tribunal and objections of the Commissioner of State Revenue. It also handles taxation recovery and disputes regarding the Goods and Services Tax • Technology, Engineering and Construction (TEC) List, hears matters in which a substantial issue is raised relating to technology, engineering or building construction works. <p>Common Law</p> <p>The Common Law Division manages diverse categories of cases. The Division has several specialist lists in which cases are managed from initiation through to</p>		
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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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CIVIL JURISDICTION

	<p>finalisation. Almost all cases within the Common Law Division must be allocated into one of the following lists:</p> <ul style="list-style-type: none"> • Civil Circuit List, which is the list for Common Law trials which are heard in any of the 12 centres of the Victoria, to provide parties in regional Victoria greater access to the Court • Confiscation and Proceeds of Crime List, which deals with civil proceedings brought under Victorian and Commonwealth legislation providing for the restraint or forfeiture of property connected with criminal activity • Dust Diseases List consists of proceedings in which a plaintiff alleges that he or she is suffering from a dust disease, which is defined as any pathological condition of the lungs, pleura, peritoneum or sinus that is attributable to dust, such as asbestosis, mesothelioma or silicosis • Employment and Industrial List comprising a variety of proceedings arising out of employment and industrial contexts such as breaches of employment contracts, breaches of equitable and/or fiduciary obligations including breaches of confidence, claims of misleading and deceptive conduct relating to employment; and appeals (judicial review) of decisions from lower jurisdictions pertaining to employment and discrimination or harassment • Institutional Liability List, which hears claims against an organisation (including educational organisations) arising out of the death or personal injury of a person or student as a result of alleged physical, psychological or sexual abuse; claims of breach of duty of care • Judicial Review and Appeals List, which hears appeals from an order of the Magistrates Court, Victorian Civil and Administrative Tribunal or Children's Court on a question of law; and determinations of questions of law under Human Rights legislation • Major Torts List, which hears matters primarily of a tortious nature such as defamation proceedings, claims of economic loss or property 		
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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>CIVIL JURISDICTION</i>			
	<p>damage; nuisance claims (including land contamination) and intentional torts</p> <ul style="list-style-type: none"> • Personal Injuries List, which hears proceedings arising out of industrial accidents; motor vehicle accidents; school injuries (other than those listed under the Institutional Liability List); medical negligence and public and occupiers liability • Professional Liability List which hears claims of economic loss against a professional for breach of duty. Claims against professionals such as legal practitioners, financial advisors, stockbrokers, insurance brokers, real estate agents and conveyancers, valuers and taxation professionals • Property List, which hears matters in relation to rights over real property including proceedings for recovery of possession of land, applications for sale by order and issues regarding the transfer of land, caveats and covenants as well as issues pertaining to mortgage defaults • Testators Family Maintenance List, where an individual applies for further provision from a deceased estate • Trusts, Equity and Probate List, which are primarily probate and administration proceedings, and consist of matters such as disputes about the authenticity and validity of a will, the proper administration of a deceased persons property and trust matters including adjudication in matters regarding bequests to charity. Proceedings in the List can be Probate Office files or files commenced in the civil jurisdiction of the Court • Valuation, Compensation and Planning List, which hears matters arising out of the valuation of land, planning appeals from VCAT and disputes involving land use and environmental protection. 		
2.1	<p>Records of continuing value documenting:</p> <ul style="list-style-type: none"> • the registration, including summary details, of each individual case heard or administered by the Civil Jurisdiction of the Supreme Court. Summary details include the case number and 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>CIVIL JURISDICTION</i>			
	<p>the names of parties associated with a case, date and place of trial or hearing, presiding judge and outcome. Includes hard copy registers, indexes and the registration data contained in any electronic case management system</p> <ul style="list-style-type: none"> • Probate records - all records pertaining to the management and granting of probate which is proving a will as authentic or valid. Probate records consist of originating motions, an advertisement, affidavits of executors or administrators, death certificates, inventories, original wills, and orders for probate or administration. • records lodged with or created by the Court for a civil hearing for cases that meet one or more of the following criteria: <ul style="list-style-type: none"> ○ contain judgments ○ relate to disputes about the administration of estates or property which resulted in an amendment to a will or distribution ○ are claims relating to dust diseases such as silicosis, mesothelioma or asbestos related illness, and contain detailed affidavits or other information regarding the asbestos exposure, effects and the legal remedy sought ○ makes a significant contribution to community memory in that they relate to an important or notable event, person or phenomenon of social or historical significance as per the Court's internal sentencing instructions in the context of the <i>PROV Appraisal Statement for Public Records required as State Archives</i>. <p>Civil case files consist of a writ or originating motion, relief or remedy sought, applications, affidavits, submissions, orders, rulings and judgments.</p>		
2.2	<p>Records of long term value documenting:</p> <p>Case records of personal injury claims. Personal injury claims may result from an accident, medical negligence, institutional abuse or bullying. This also includes dust disease cases which do not contain detailed affidavits or other information regarding the exposure, effects and the legal remedy sought. Records consist of a writ or</p>	Temporary	Destroy 75 years after the final order is made if an adult plaintiff or 99 years after order

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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CIVIL JURISDICTION

	originating motion, relief or remedy sought, applications, affidavits, submissions and orders. This includes cases where the action is settled, discontinued or withdrawn.		made if a child plaintiff.
2.3	<p>Records of medium term value that document:</p> <p>All case records of civil cases that are not:</p> <ul style="list-style-type: none"> • Probate records • containing a judgment • relating to disputes about the administration of estates or property which resulted in an amendment to a will or distribution • relating to dust diseases such as silicosis, mesothelioma or asbestos related illness • making a significant contribution to community memory in that they relate to an important or notable event, person or phenomenon of social or historical significance as per appraisal guidelines. <p>Can include cases that:</p> <ul style="list-style-type: none"> • are dismissed or discontinued as a result of settlement or withdrawal • are default judgments for recovery of debt, including mortgages • are applications for winding up or reinstatement of a company • are routine warrants of seizure and sale, warrants of possession • are taxation or costs matters. <p>Civil case files can consist of a writ or originating motion, relief or remedy sought, applications, affidavits, submissions, administrative orders, and consent orders. Winding up applications can consist of statutory demands, affidavits, ASIC reports, winding up orders, liquidators reports and financial documents.</p>	Temporary	Destroy 15 years after final order.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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APPEAL JURISDICTION

3.0	<p>APPEAL JURISDICTION</p> <p>The Court of Appeal hears appeals from criminal and civil cases decided in the County Court or Supreme Court Trial Division, and some appeals from the Magistrates' Court and the Victorian Civil and Administrative Tribunal.</p> <p>Appealing a decision in the Court of Appeal requires meeting stringent criteria. Appeals are usually a two-step process as most appeals require the Court's permission before they can be heard. This is called 'leave to appeal'. The Court of Appeal will only grant leave to appeal when there is a reasonable chance of success. Appeals are usually heard with three judges, although it can be two or five. Five judges constitute a 'Full Bench' or 'Full Court'. The Court of Appeal may order a retrial of a case, change the decision of a case (in criminal appeals this includes overturning a conviction or varying a prison sentence), or decide that there was no error and the lower court's decision stands. The two types of appeals the Court of Appeal hears are:</p> <p>Criminal Appeals (Appeals in relation to a criminal trial, conviction or sentence)</p> <p>A criminal decision can be appealed to the Court of Appeal when it is:</p> <ul style="list-style-type: none"> • by a person who has been convicted and sentenced in the County Court or Supreme Court, and they want to appeal against the conviction, sentence or both • by the Director of Public Prosecutions against a sentence imposed in the County Court or Supreme Court. These are also called Crown appeals. They do not need leave to appeal • by any party against some interlocutory decisions made by a trial judge during a criminal proceeding in the County Court or Supreme Court. These all need leave to appeal. <p>Civil Appeals (Appeals in relation to civil decisions made by the Victorian Lower Courts)</p> <p>It is possible to appeal a civil decision made:</p>		
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Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>APPEAL JURISDICTION</i>			
	<ul style="list-style-type: none"> • by a judge in the Trial Division of the Supreme Court of Victoria • by a judge in the County Court of Victoria • by an associate judge, if the matter was referred to them by a Trial Division Supreme Court judge • in a company's application to set aside a statutory demand • by the Chief Magistrate of the Magistrates' Court of Victoria • by the president or a vice president of the Victorian Civil and Administrative Tribunal (VCAT). 		
3.1	<p>Records of continuing value documenting:</p> <p>The registration, including summary details, of each individual case heard or administered by the Court of Appeal. Summary details include the appeal number and the names of the parties associated with a case, date and place of hearing, presiding judges and outcome. Includes hard copy registers, indexes and the registration data contained in any electronic case management system.</p> <p>Records received and created by the Court to hear criminal applications for leave to appeal and criminal appeals (including those that are discontinued or withdrawn). This includes but is not limited to:</p> <ul style="list-style-type: none"> • the conviction or sentence being appealed • notice of application for leave to appeal • notices of appeal • written summaries of facts • list of grounds of appeal • written submissions • list of authorities and materials relied upon, which are judicial decisions, statutes, or determinations that establish a principle which one side or the other is arguing for 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>APPEAL JURISDICTION</i>			
	<ul style="list-style-type: none"> • response to appeal or application to appeal • result of application or appeal and judgment. <p>Records received and created by the Court to hear applications for leave to appeal and appeals from the Civil Division of the Court, and appeals from other jurisdictions which have a judgment or determination. This includes but is not limited to:</p> <ul style="list-style-type: none"> • the decision or judgment being appealed • notices of appeal • summaries of facts • summary of proceedings and issues • response to appeal or application to appeal • written submissions • copies of judgments and orders of the decision being appealed • the final decision of the Court of Appeal, or outcome of the appeal. 		
3.2	<p>Records of medium term value documenting:</p> <ul style="list-style-type: none"> • applications for civil appeals that are dismissed or discontinued without judgment • civil appeals that are withdrawn or discontinued without a hearing. <p>Includes notices to apply for leave to appeal or notice of appeal; grounds of appeal; written summaries of facts or proceedings and issues, written submissions, responses and copies of the orders or judgment being appealed.</p>	Temporary	Destroy 15 years after action completed.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>FUNDS IN COURT ADMINISTRATION</i>			
4.0	<p>FUNDS IN COURT ADMINISTRATION</p> <p>Funds in Court (FIC) is a discrete, self funded administrative division of the Supreme Court of Victoria. It manages the funds of thousands of Victorians under a legal disability. A person is under a legal disability if they are under 18 years of age, of have an intellectual or physical disability, or both.</p> <p>Funds in Court are monies paid into Court by other courts or by the Victims of Crime Financial Assistance Scheme. The money may be compensation from an accident or injury, bequeathed from a will, or for people under 18 who have lost a parent or have been victims of crime. People who have money administered by Funds in Court are called 'beneficiaries'. The funds, held in trust for beneficiaries are managed and invested by a special investment and taxation team under the leadership of the Senior Master, who is an associate justice of the Court.</p> <p>Funds in Court officers assist beneficiaries to access their funds, which can be used to purchase items and for daily expenses such as rent. Funds in Court officers also deal with other parties, such as Centrelink or the Ministry of Housing, on behalf of beneficiaries. Officers also assist in procuring financial, advocacy and support services for beneficiaries.</p> <p>Non award funds from other civil proceedings, such as disputed funds, are also held by the Funds in Court Office. The Senior Master receives all monies paid into the Court until released to parties by a court order.</p>		
4.1	<p>Records of continuing value documenting:</p> <ul style="list-style-type: none"> • summary records of all beneficiaries who have funds held on their behalf and administered by Funds in Court. Includes the name of the beneficiary, date of birth, address, date of original order and the amount of funds to be transferred • orders or judgments made by any judicial officer pertaining to cases handled by Funds in Court • the ledger, or summary records of monies paid into Court and invested on behalf of payees, including financial statements created by Funds in Court. 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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FUNDS IN COURT ADMINISTRATION

4.2	<p>Records of long term value documenting:</p> <ul style="list-style-type: none"> • reports and records documenting the decision making of the judicial officer attached to the case • medical and legal information • applications to access funds • payments made on behalf of beneficiaries. 	Temporary	Destroy 99 years after the original order if the plaintiff was an infant or 75 years after the initial order if the plaintiff was an adult.
4.3	<p>Records of medium term value documenting:</p> <ul style="list-style-type: none"> • non award funds kept by Funds in Court. These records relate to funds held as security for costs or disputed funds, usually in commercial or common law cases, that are held in trust by Funds in Court. Following a court order these funds are released to the relevant party. 	Temporary	Destroy 15 years after action completed.
4.4	<p>Records of short term value documenting:</p> <p>Evidence of routine financial transactions such as</p> <ul style="list-style-type: none"> • receipts • invoices • bank books or equivalent • account or credit card statements. 	Temporary	Destroy 7 years after completion of the financial year in which the record was created.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>LEGAL PROFESSION ADMINISTRATION & APPOINTMENTS</i>			
5.0	<p>LEGAL PROFESSION ADMINISTRATION & APPOINTMENTS</p> <p>The Supreme Court has the authority to make appointments to and within the legal profession. These are admission to practise, appointment of Silk and appointment of public notaries.</p> <p>The Victorian Legal Admissions Board performs functions associated with the admission of lawyers in Victoria in accordance with legislation. It determines the eligibility of individuals and issues compliance certificates for admission as an Australian Lawyer. The Supreme Court then conducts admission ceremonies, officially admitting lawyers to practise and welcoming them to the profession.</p> <p>Also includes the appointment of barristers to Senior Counsel, also called 'Silk' or 'Kings/Queens Counsel'. Lawyers, usually barristers, who are admitted to practise in Victoria may, upon application to the Chief Justice, be appointed Senior Counsel. It is a process intended to recognise the outstanding individuals of the legal profession.</p> <p>Also includes the appointment of public notaries who are senior lawyers responsible for certifying and attesting documents intended for use anywhere in the world, often in embassies. They are lawyers of at least five years standing and must have completed a course of study related to notarial practise. Public notaries are appointed by an order of the Chief Justice, and appointees sign the Roll of Public Notaries.</p> <p><i>See PROS 19/02 Retention and Disposal Authority for Records of the Professional Registration and Accreditation Function (Functions 1 and 3) for Victorian Legal Admissions Board setting of standards and professional accreditation.</i></p>		
5.1	<p>Records of continuing value documenting:</p> <p>the rolls and/or registers of all individuals who are:</p> <ul style="list-style-type: none"> • admitted to practise as an Australian Lawyer in Victoria (the Victorian Legal Admissions Board issues compliance certificates in accordance with legislation - the Admissions Ceremony and the Admissions Roll signed by all those admitted to 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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LEGAL PROFESSION ADMINISTRATION & APPOINTMENTS

	<p>practise in Victoria are held in the Supreme Court of Victoria)</p> <ul style="list-style-type: none"> • appointed Senior Counsel • appointed as public notaries. <p>Includes:</p> <ul style="list-style-type: none"> • the Admissions Roll of Barristers and Solicitors • the Index to The Roll of Barristers and Solicitors • the Roll of Senior Counsel in Victoria • the Roll of Public Notaries in Victoria • Public Notary Orders. 		
5.2	<p>Records of long term value documenting:</p> <ul style="list-style-type: none"> • certificates of compliance issued by VLAB to the Supreme Court for candidates for admission to the Australian legal profession as an Australian lawyer • successful applications to become a public notary. These applications are similar to a case file and include originating motion, affidavits and exhibits and certificates of eligibility. 	Temporary	Destroy 75 years after appointment.

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
<i>COURT ADMINISTRATION</i>			
6.0	<p>COURT ADMINISTRATION</p> <p>The administration of the Court including the development, implementation and operation of policies and procedures, governed by the <i>Supreme Court Act 1986</i> and the Supreme Court Rules. Includes the management of committees, including the Council of Judges established under the Act and chaired by the Chief Justice. The Council of Judges considers the operation of the Court in compliance with statutory requirements and makes the rules of the Court. It also includes the Board of Management which supports the Chief Justice's role in determining the strategy, plans, procedures and policies for the court administration in accordance with the Court's overarching goals and objectives. The Rules Committee, a statutory committee, governs the rules under which litigation takes place.</p> <p>In addition to the Council of Judges and Board of Management, the Court convenes other committees, also chaired by judges, to oversee and determine the operations of specific areas of the Court. Some committees are permanent or long standing, however, others can change over time in response to shifts in the Court or ad hoc need.</p> <p>See Retention and Disposal Authority for Records of Common Administrative Functions for records of fee collection.</p> <p>See Retention and Disposal Authority for Records of Common Administrative Functions for records of all other committees.</p> <p>See <i>PROS 21/02 Retention and Disposal Authority for Records of Victorian Government Reporting Service</i> for records of transcripts and audio visual recordings of proceedings.</p>		
6.1	<p>Records of continuing value documenting:</p> <ul style="list-style-type: none"> • master sets of minutes, agenda, reports and submissions of the Council of Judges' meetings and the Rules Committee, which are both statutory committees established by Act of Parliament • master sets of minutes, agenda, reports and submissions to the Board of Management 	Permanent	Retain as State Archives, Transfer to PROV

Retention and Disposal Authority for Records of the Supreme Court

Authority number: PROS 23/08

No	Function/Description	Status	Disposal Action
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COURT ADMINISTRATION

	<p>meetings and committees which govern strategic directions and policy directions of the Court</p> <ul style="list-style-type: none"> • the Supreme Court of Victoria Annual Report to the Governor of Victoria • master set of Practice Notes, which are formal directions issued by the Chambers of the Chief Justice and which inform legal practitioners about practice and procedure before the Court. 		
6.2	<p>Records of short term value documenting:</p> <ul style="list-style-type: none"> • Judges' notebooks. Notes taken by a judge or judicial officer on cases heard, usually while presiding on a trial or hearing in Court, typically in special judicial pink books. 	Temporary	Destroy 5 years after last entry.
6.3	<p>Records documenting:</p> <ul style="list-style-type: none"> • the listing of matters and allocation of courtrooms, including case listings, courtroom bookings and records related to the allocation of judges to cases • transcripts of court proceedings made by the Victorian Government Reporting Service or by private court transcript suppliers, excluding sentencing remarks • audio and visual recordings of court hearings. Included recordings of virtual hearings or recordings made by the Court for the purposes of reviewing oral evidence, submissions or other matters in the courtroom and do not form part of the Court record. 	Temporary	Destroy after reference use ceases.