

PUBLIC RECORD
OFFICE VICTORIA



VERS and the Evidence Act

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Outline

- Changes to the VERS Standard
- The Evidence Act 2008: Implications for VERS
- VERS and e-discovery
- VERS and new PROV products

What is VERS?

- VERS stands for the Victorian Electronic Records Strategy
- Solution for capturing, managing and preserving electronic records
- Features include
 - Creation of system independent content
 - Preservation of records in formats to facilitate access in 100+ years
 - The capture of key metadata to give context to the record
 - Use of digital signatures to preserve record integrity
 - Creation of VERS Encapsulated Objects (VEOs) which contain the record content, its metadata and the digital signature

Changes to the VERS Standard

- PROS 99/007 *Management of Electronic Records* (the VERS Standard)
- Minor changes will be made to all documents to update references to the Evidence Act
- No material changes need to be made to the content and structure of the VERS Standard and associated specifications
- Assessment program remains the same

Implications for VERS

- Changes to evidence law mean records in electronic formats are no longer vulnerable to exclusion from evidence
- Electronic records now have the same evidential weight as paper records
- All records (regardless of format) can still be challenged in court regarding their reliability

Implications for VERS

- Onus is on agencies to maintain evidence that might be required in court, over time
- VERS assists in the long term preservation of electronic records
- VERS addresses issues relating to readability over time, migration and so on

VERS and e-discovery

- At the most basic level, e-discovery is required to be:
 - Legal
 - Prioritising completeness over speed or popularity
 - Secure
 - Only people with the proper access rights can access the material

VERS and e-discovery

- Metadata assists in establishing the context of the record
- Management and tracking information allows the history of the record to be known

VERS and new PROV products

- Specification governing the process for conversion of records
- General Retention and Disposal Authority for converted records
- Guideline and case studies on records conversion and imaging

Summary

- No material changes to the VERS Standard because of the Evidence Act
- It is mandatory that permanent electronic records are transferred to PROV in VEO format
- VERS may assist with litigation and e-discovery processes
- Use of VERS is also recommended for long-term temporary electronic records
- New products will complement, not replace, VERS

Questions



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