

# VICTORIAN LEGAL ADMISSIONS BOARD

## INFORMATION DATA PROTECTION POLICY

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### Dated

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March 2023

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### Introduction

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Information data protection examines the security of Victorian Government information against unauthorised access, use and disclosure.

The Victorian Legal Admissions Board (VLAB) is a statutory body that performs functions associated with the admission of lawyers in Victoria in accordance with the Legal Profession Uniform Law Application Act 2014.

The Privacy and Data Protection Act 2014 (The Act) was primarily established to:

*“provide for responsible collection and handling of personal information in the Victorian public sector”*

VLAB has obligations to ensure the protection of the confidentiality, integrity, and availability of information it holds (S3, 13).

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### Policy

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Sharing personal data of applicants seeking admission to become a lawyer is routine and forms part of the administrative process of pre and post admission. Public sector agencies such as The Supreme Court of Victoria, The Victorian Legal Services Board and Commissioner, The Law Institute of Victoria and The Law Library of Victoria are amongst the external stakeholders who regularly receive such information.

Additionally, personal information may also be used for a secondary purpose directly related to the primary purpose of collection. This can include admissions data analysis such as academic institution, foreign admission jurisdiction and gender as shared with The Legal Services Council and Commissioner, Uniform Law admitting authorities and other Commonwealth state and territory public sector agencies.

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## **Protective Data Security**

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VLAB provide to the Office of the Victorian Information Commissioner a biennial Protective Data Security Plan (PDSP) which includes annual attestation to adherence as outlined in the Act.

The Act requires Victorian public sector organisations to (s89):

- *“adhere to the Victorian Protective Data Security Standards;*
- *undertake a security risk profile assessment; and*
- *develop, implement and maintain a Protective Data Security Plan.”*

The Information Privacy Principles apply in relation to all personal information, whether held by the organisation before or after the commencement of collection. (s18 (1), (2)), (s19).

Compliance with the Information Privacy Principles (s20) means that

*“An organisation must not do an act, or engage in a practice, that contravenes an Information Privacy Principle in respect of personal information collected, held, managed, used, disclosed or transferred by it.”*

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## **Request for Documentation held by VLAB**

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Any request for access to data held by VLAB must be made in writing. Requests received verbally will not be accepted.

Release of any data is subject to certain conditions. These can include the nature of the request for data, who is making the request and what data is sought. Original documentation will not be issued unless Court ordered.

Applications can be made by email to [vlab@justice.vic.gov.au](mailto:vlab@justice.vic.gov.au). If the release of data is granted, a digital ID check will be required via the Department of Human Services Document Verification Service using certified ID documents prior to release of any material. See the VLAB website for a full list of acceptable documentation.

<https://www.lawadmissions.vic.gov.au/admission-procedure/identification>.

This policy is to be used in conjunction with the Freedom of Information Policy which relates to requests for access to files held by VLAB.

<https://www.lawadmissions.vic.gov.au/freedom-of-information>

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## References

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<https://www.legislation.vic.gov.au/in-force/acts/privacy-and-data-protection-act-2014/028>

<https://ovic.vic.gov.au/information-security/>

<https://www.lawadmissions.vic.gov.au/admission-procedure/identification>

<https://ovic.vic.gov.au/information-security/>

<https://www.lawadmissions.vic.gov.au/freedom-of-information>