

This is an application to the PRS Board to review an incapacity decision listed in section 146(1) or 146(2) of the Victoria Police Act 2013 ("the Act")

Section 1: Your contact details

Given Names: Surname:

Gender: Female Male

Address for service of documents:

OPTION 1 I am represented by The Police Association Victoria who is authorised to act on my behalf in relation to this review and receive all correspondence. Name of contact person/advocate is:

OPTION 2 I am self-represented or have another representative. Name (self or representative):

Postal address:

Daytime Tel: Email:

Note: A party may be represented by any person other than a legal practitioner (section 158 of the Act).

Position: Police Officer Protective Services Officer

Specify current or former rank:

Registered No: **Station/Unit:**

Region/Command:

Section 2: The decision

2.1 What is the decision you are seeking to have reviewed?

Sections 146 (1) and (2) of the Act specifies incapacity-related decisions which may be reviewed.

Reduction of rank or seniority under s.70(2)(b) or (c)

Transfer under s.70(2)(a) or (c)

Dismissal under s.70(2)(d)

Person who made the decision: Date you were notified of the decision:

 **Please attach a copy of the written notice to this Application**

Section 2: The decision cont.

2.2 Are you making this application within the time limit set by the Act?

Yes No

Applications are required to be made within 14 days after the day on which you were notified of the decision.

Section 164 of the Act allows the Board, if it considers that exceptional circumstances exist, to extend any time limit fixed by the Act for the lodging of an application for a review.

If you answered no, please outline the exceptional circumstances you think the Board should take into account in deciding whether to allow an extension of time.

Section 3: Information to assist the Board plan for the hearing of your review

3.1 Likely complexity of the review

The information below will assist the Board to plan for the review. It does not limit the arguments that you may make in your written submissions.

DETERMINATION OF INCAPACITY UNDER S.70 OF THE ACT

- The factual matters on which the determination of incapacity was made are substantially agreed
(For example, I agree with the grounds provided in the Chief Commissioner's determination of incapacity).
- There is significant disagreement about the factual matters upon which the determination of incapacity was made
(For example, there were competing accounts of the determination of incapacity.)

LEGAL PROCESS

- I will argue that that the decision was made after an unfair process or contains procedural or other legal flaws

OTHER ISSUES (Please specify)

Section 3: Information to assist the Board plan for the hearing of your review cont.

WITNESSES

Do you intend to seek that a summons be issued under section 160 of the Act? Yes No Unsure

Any party seeking that the Board issue a summons must apply in writing and provide reasons why the summons is necessary for the determination of the review. Please note that the Board is separately provided with the file of documents relevant to the making of the decision to be reviewed.

SPECIAL NEEDS FOR THE HEARING

Do you or any other participant/s have any special needs for the conduct of the hearing? (e.g. an interpreter, wheelchair access, visual or audio needs). Yes No

If yes, please specify below or contact the Secretary to the Board.

HEARING DATES

Please set out below any request to not list your matter on particular dates.

Please provide short reasons for the request (e.g. planned surgery, travel overseas).

The Board is obliged to deal with reviews expeditiously. The Board will usually list your review for a hearing date between 6 to 12 weeks after this application is lodged. Please advise the Board of any unavailability within the period from 6 to 14 weeks after the date of this Application.

PUBLICATION

Do you intend to request that the Board conduct a closed hearing, not publish reasons for its decision or exclude names or information from its decision? Yes No Unsure

Any party requesting the Board to make decisions or orders under sections 154A or 157 of the Act must apply in writing, provide grounds and relevant evidence. See Board's decision in the matter of [ABC, A72/2015](#), 22 January 2016. Please attach any additional information that you request the Board to consider before it sets the hearing date for your review.

Section 4: Signature

Signature:

Date:

If you are completing this form electronically it is sufficient to type your name in the signature field.

Once completed, please email your application to review@prsb.vic.gov.au and serve a copy to the Mobility and Redeployment Branch, Victoria Police at MOBILITY&REDEPLOYMENT-MGR@police.vic.gov.au

Or via mail to: Secretary
Police Registration and Services Board
Level 6, 155 Queen Street
MELBOURNE VIC 3000

Disclosure of information

The Board will provide a copy of this application and any attachments to Victoria Police. The Board will not disclose your information to any other parties except as provided for under the Victoria Police Act 2013.

NEXT STEPS

You will be advised in writing of the hearing date for your review within 7 days. If your circumstances change before the hearing date, please notify the Board's Secretary immediately.

You will also be advised of the dates by which you must file and serve your written submission and other materials.

OFFICE USE ONLY

Date received:

PRSB Reference No: