



**Victims of Crime Assistance Tribunal**  
Chief Magistrate's Chambers  
Melbourne Magistrates' Court

**Practice Direction**

**No. 2 of 2021**

**PSYCHOLOGICAL/PSYCHIATRIC ASSESSMENT REPORTS BY  
NON-TREATING PRACTITIONERS**

PRACTICE DIRECTION ISSUED PURSUANT TO SECTION 58  
OF THE *VICTIMS OF CRIME ASSISTANCE ACT 1996*

**Background**

An applicant, the applicant's solicitor or the Tribunal may request that a psychologist or psychiatrist prepare an assessment report regarding an applicant's psychological/psychiatric condition and treatment/counselling needs.

Psychologists and psychiatrists who prepare reports for the Tribunal are providing opinions based on specialist knowledge and expertise. As expert witnesses, their overriding duty is to assist the Tribunal impartially on matters relevant to their areas of expertise.

**Purpose**

The purpose of this Practice Direction is to prescribe procedures in relation to the preparation and filing of assessment reports prepared by a psychologists or psychiatrists who will not be providing treatment/counselling to the applicant the subject of the report.

Reports by psychologists and psychiatrists proposing to provide treatment or counselling to the applicant, and reports in support of the payment of counselling expenses, are to be filed in accordance with Practice Direction No. 1 of 2021.

**Assessment reports filed by applicant**

An applicant or their legal representative may, on their own initiative, file a psychological or psychiatric assessment report prepared by a suitably qualified practitioner in circumstances where the practitioner preparing the report does not propose to provide counselling to the applicant. All expenses awarded are at the discretion of the Tribunal.

### **Assessment reports requested by Tribunal**

Pursuant to section 39(1)(b) of the *Victims of Crime Assistance Act 1996*, the Tribunal may, if it determines that it requires further information to enable it to determine an application, order the preparation and submission to the Tribunal of an assessment report. Pursuant to section 39(5) of the Act, the Tribunal must bear the costs of, and incidental to, the preparation of an assessment report.

To facilitate the preparation and submission of an assessment report, the Tribunal may refer an applicant to a particular psychologist or psychiatrist. A panel of psychologists and psychiatrists has been appointed to provide independent psychological and psychiatric assessments at the request of the Tribunal.

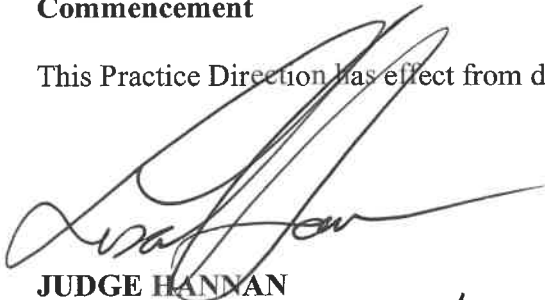
### **Form of assessment report**

A psychologist or psychiatrist who assesses and reports to the Tribunal as to the psychological/psychiatric condition of and treatment/counselling needs of an applicant shall prepare their report in the format set out in **Form 1** (*Psychological/Psychiatric Assessment Report*).

A completed *Counselling and Report Fee Invoice* for the expense associated with the assessment report must accompany the report (see **Form 5** attached to Practice Direction No. 1 of 2021).

### **Commencement**

This Practice Direction has effect from date of signature.



**JUDGE HANNAN**  
Chief Magistrate

8/2/21