

CRIMINAL CASES - MEDICAL REPORT WORKSHEET

GENERAL

Before recommending that assistance be granted for a disbursement you must have formed the view that:

1. *The disbursement is relevant to the position the aided person wishes to put to the court and is not fishing; **AND***
2. *The disbursement is necessarily and/or reasonably required to maintain that position and cannot be achieved in some other way; **AND***
3. *The expenditure can be justified on a cost/benefit* analysis.*

*Cost/benefit involves recognition that public funds are being spent. The cost of the disbursement must be balanced against the likely benefit that incurring the disbursement may bring to the applicant. If a prudent self-funding litigant would not spend the money, it will not be reasonable to expect VLA to pay for it.

Medical - Treating Practitioner (Plea)

****Solicitors may only recommend assistance up to a fee of \$200 for Medical Practitioner reports & up to \$280 for Hospital reports. Any higher fees must be specifically considered and approved by VLA.**

Before recommending that assistance be granted for such a report you must form the view that the client's medical history –

- I. Directly relates to the proposed plea **AND**
- II. Provides substantial exculpatory material likely to lead to a significantly reduced sentence **AND**
- III. Is material that cannot be presented to the court without obtaining the report.

Reasons:

Practitioner:.....Date:.....