



Medico Legal fact Sheet

What is a medico-legal report?

A medico-legal report is a document that contains the results of Psychological Assessment and Harvey Abbott's expert opinion, in a report that can be used in legal matters.

Medico legal reports can be used in Civil and Criminal cases, personal injury claims and liability matters. The Report can be used to determine the extent of injury/ existence of remorse and the likelihood of reoffending.

Such as;

Personal Injury Claim Assessments

- Work-related injury
- Motor vehicle accidents
- Post traumatic stress disorder (PTSD)
- Chronic pain (Pain management)
- Bullying and Harassment
- Victims of crime

Family Law

- Parenting capacity assessments
- Family assessments
- Child protection matters
- Separation and divorce

Criminal

- Common assault charges
- Possession
- Drink driving (DUI) charges
- Driving charges (reckless, Speed etc)



What will be In the Report?

- The Factual matters of the place (as known by Dr Harvey)
- Background of the Individual and contributing factors e.g. Family Problems, Relationships, Work Problems etc
- The Results of Psychological Assessment
- Dr Harvey's opinion and recommendations

How much will it Cost?

Service	Fee	Medicare Rebate <small>(with GP Mental Health Care Plan).</small>
Consultation (1hr)	\$160.00	\$84.80
Report writing per hour	\$130.00	None
Average Cost of Medico-legal Report	\$800-1,000	None

How long can it take to prepare the Medico-Legal report?

A medico-Legal report can take up to 8 hours to write and approximately 2x one hour face to face consultations to write.

Due to demand it is always advised that you Book an Appointment many weeks in advance of your court date or when the document is needed to ensure that the report can be written in time.

- A minimum of two weeks is needed to ensure that the report can be ready for the due date.



What will be discussed in the Sessions?

- What has caused the situation?
- What has influenced your reaction?
- What factors have influenced your life overall (e.g. family, relationships etc).
- Each session will focus on what has happened, why and how can the problem be resolved/ overcome.

What is Psychological Assessment?

Psychological Assessment is the use of a series of tests that investigate a person's behaviour and Mental Health.

In Medico-Legal reporting Psychological Assessment is used to determine the underlying characteristics of a person's behaviour and Personality e.g. their likelihood to engage in violence.

Psychological Assessment generally involves a series of multi choice questions that will ask you to think deeply about aspects of yourself.

The results provide detailed data regarding a person's personality and behaviour, which forms the basis of the report.

Can others influence the Medico-Legal Report?

The Medico-legal report cannot be influenced /changed or given to any third party without your permission.



How to get a Medico-Legal Report in 6 Easy Steps

Step 1: Book an appointment

Call 9378 8559

Email: enquiries@linkspychology.com.au

An appointment can be made directly by you, your solicitor or by your GP.

Step 2: Attend your first appointment

In your first appointment you will need to bring any relevant legal or medical documentation e.g.

- Purpose of Assessment
- Charge Sheets/ Police Reports
- Accident Report
- Any Diagnostic records e.g. previous Mental Health Assessments, X-rays

Step 3: Attend your second appointment

In this Appointment you will complete any Psychological Assessment relevant to your Medico-legal report.

*A Third appointment may be necessary depending on the Assessment tools needed and the complexity of the case.

Step 4: Report written

Harvey utilises all available information to compile your medico legal report.

Step 5: Pay for and pick up report

During this step any factual errors can be changed, such as incorrect spelling.

The report can also be sent to your legal representative.

Step 6: Follow up sessions

Further sessions can be needed to discuss the report's findings and if needed further treatment options.



In litigation, a medico-legal report serves two purposes. First, it is a statement of facts by the medical practitioner of the history given and his or her observations. Second, the report contains the medical practitioner's expert opinion. Once tendered as evidence in the court case, the report provides the Judge with material upon which to make findings as to the nature and extent of the condition or injuries and their effect upon the injured person. In cases of alleged medical negligence, the report provides the Judge with material upon which to make findings as to whether the treatment and/or advice given departed from proper professional standards having regard to relevant definitions and terms of legislation and other matters of law.

(accused). It is usually a report prepared by a psychiatrist, with or without supporting reports from a treating general practitioner. On some occasions, a medico-legal report from a general practitioner is deemed sufficient. The guidelines set out in this Restatement, although more specifically directed to reports prepared for use in civil proceedings, can also be generally followed for criminal proceedings.

Local Court

In the Local Court, medico-legal reports are governed by section 32 of the Mental Health (Forensic Provisions) Act 1990. It is recommended that psychiatrists preparing medico-legal reports for use in criminal proceedings be familiar with Section 32.

Section 32 requires the Magistrate to determine whether a defendant is "suffering from a mental illness" or "suffering from a mental condition" for which treatment is available in a mental health facility, but is not a mentally ill person (within the meaning of Chapter 3 of the Mental Health Act 1990 (NSW)). A Magistrate is reliant upon the clarity of the information and medical opinion expressed in the medico-legal report.

If the medical requirements of section 32 are satisfied the Magistrate may order that the charge(s) against the defendant be dismissed, either conditionally or unconditionally. The treatment provider may report any failure to comply with a court order (for example, a condition of treatment). It would be helpful if the treatment provider would also inform the legal practitioner who acted for the patient (defendant) of the non-compliance.