



VICTIMS OF CRIME ASSISTANCE TRIBUNAL

Chief Magistrate's Chambers
Melbourne Magistrates' Court

PRACTICE DIRECTION

NO. 5/2003

**NOTIFICATION OF ALLEGED OFFENDER(S) PURSUANT TO
SECTION 34(2) & (3) OF THE *VICTIMS OF CRIME ASSISTANCE ACT 1996***

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

When a Tribunal Member indicates that consideration is being given to notification of the alleged offender, the following procedure will be followed:-

- (1) The Tribunal will advise the applicant or the applicant's legal practitioner in writing that notification is being considered. 21 days should be allowed for a response. If there is no response, the matter will be referred back to the Tribunal member.
- (2) If an objection to notification is lodged, the Tribunal Member will consider all relevant matters and make a decision as to whether the alleged offender will be notified.
- (3) If notification is still to take place, the applicant or applicant's legal practitioner will first be advised of this in writing. 21 days will be allowed for the applicant or applicant's legal practitioner to advise whether the claim is still to be pursued.
- (4) If the applicant or applicant's legal practitioner advises that the applicant seeks to proceed with the claim, or no response is received, notification will be sent to the alleged offender by registered mail. 14 days will be allowed for a response.
- (5) If no response is received from the alleged offender the application will be listed and the applicant or the applicant's legal practitioner will be advised that the alleged offender will not be attending.
- (6) If the alleged offender elects to be notified of the hearing, the matter will be listed for a Directions Hearing.
- (7) Pursuant to any directions given at the Directions Hearing, the application will be listed for hearing and both parties notified of the time, date and place of the hearing.

This Practice Direction has effect from 1 July 2003

IAN LESLIE GRAY
CHIEF MAGISTRATE

16 May 2003