

Legislative Council—No 86A

As reported with amendments, report adopted, Standing Orders suspended and passed remaining stages, 2 April 2019

South Australia

**Criminal Law (High Risk Offenders)
(Psychologists) Amendment Bill 2019**

A BILL FOR

An Act to amend the *Criminal Law (High Risk Offenders) Act 2015*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Criminal Law (High Risk Offenders) (Psychologists) Amendment Act 2019*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Criminal Law (High Risk Offenders) Act 2015*

3—Amendment of section 4—Interpretation

- (1) Section 4(1)—after the definition of *interim supervision order* insert:

- 15 *medical practitioner* means a person registered under the *Health Practitioner Regulation National Law* to practise in the medical profession (other than as a student);

- (2) Section 4(1)—after the definition of *Parole Board* insert:

- prescribed authority* means the authority prescribed by the regulations for the purposes of sections 7(3) and 21;

- prescribed health professional* means—

- 20 (a) a qualifying psychologist; or
- (b) a medical practitioner,

nominated by the prescribed authority;

- (3) Section 4(1)—after the definition of *prisoner* insert:

- 25 *psychologist* means a person registered under the *Health Practitioner Regulation National Law* to practise in the psychology profession (other than as a student);

qualifying psychologist means a psychologist who—

- (a) has at least 5 years experience as a psychologist; and
- (b) either—
 - (i) has an endorsement from the Psychology Board of Australia as a forensic psychologist; or
 - (ii) has, in the opinion of the prescribed authority, sufficient experience in the forensic mental health field to properly carry out functions as a prescribed health professional;

4—Amendment of section 7—Proceedings

- (1) Section 7(3)—delete "legally qualified medical practitioners (to be nominated by a prescribed authority for the purpose)" and substitute:

prescribed health professionals

- (2) Section 7(6)(b)—delete "medical practitioner (as directed and nominated" and substitute:

prescribed health professional (as directed

5—Amendment of section 21—Inquiries by health professionals

- (1) Section 21—delete "legally qualified medical practitioners (to be nominated by a prescribed authority) to examine the respondent to the application and report to the Court on the results of the examination, each medical practitioner" and substitute:

prescribed health professionals to examine the respondent to the application and report to the Court on the results of the examination, each prescribed health professional

- (2) Section 21(c)—after "assistance of a" insert:

medical practitioner,