

## House of Assembly

As passed all stages and awaiting assent.

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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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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

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

- 3 Amendment of section 4—Interpretation
  - 4 Amendment of section 7—Proceedings
  - 5 Amendment of section 21—Inquiries by health professionals
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**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

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:

*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—

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

nominated by the prescribed authority;

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

*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,