

Media release

24 January 2014

First National Law offence prosecution results in guilty verdict

The first prosecution of an offence under the Health Practitioner Regulation National Law has resulted in a guilty verdict and the accused person ordered to pay fines totaling \$20,000.

The Magistrates Court of WA yesterday handed down judgment in a criminal matter being prosecuted by the Australian Health Practitioner Regulation Agency (AHPRA) against Ms Jayne Walton of Western Australia. Ms Walton, who pleaded guilty to all charges, was found guilty of using the title 'psychologist' and claiming to be a registered psychologist when she had not been registered for a number of years in breach of the National Law.

The National Law protects the public by ensuring that only registered health practitioners who are suitably trained and qualified are able to use protected titles. The law allows for penalties for falsely using protected titles¹ or holding yourself out to be a registered practitioner. The maximum penalty which a court may impose is \$30,000 (in the case of an individual) or \$60,000 (in the case of a body corporate).

In this case the penalty was \$10,000 per offence.

Psychology Board of Australia Chair, Professor Brin Grenyer welcomed the judgement.

'This successful prosecution will further strengthen protection of the public for clients of psychological services. The Psychology Board welcomes this outcome as an important contribution to public safety. The public expects that when they consult a psychologist that the person is indeed currently registered,' said Prof Grenyer.

AHPRA CEO, Mr Martin Fletcher said that the finding was an important milestone in the work of the National Registration and Accreditation Scheme which commenced in mid 2010 and regulates 605,000 registered health practitioners across 14 professions.

'Registration of health practitioners is a key element of protecting the public under the National Law. The registration details of registered health practitioners in Australia are easily accessible to everyone through the online national registers,' said Mr Fletcher.

All registered health practitioners appear on the National Registers of Practitioners, which is a searchable list that is accessible from www.ahpra.gov.au. If a person does not appear on the register, they are not registered to practise in a regulated health profession in Australia.

For more information

- Lodge an online enquiry form
- For registration enquiries: 1300 419 495 (within Australia) +61 3 8708 9001 (overseas callers)
- For media enquiries: (03) 8708 9200

¹ See overleaf

Protected titles under the National Law

These are the titles that are protected under the National Law and which a person cannot refer to themselves as, or hold themselves out be.

Profession	Title
Aboriginal and Torres Strait Islander Health Practice	Aboriginal and Torres Strait Islander health practitioner, Aboriginal health practitioner, Torres Strait Islander health practitioner
Chinese Medicine	Chinese medicine practitioner, Chinese herbal dispenser, Chinese herbal medicine practitioner, Oriental medicine practitioner, acupuncturist
Chiropractic	Chiropractor
Dental	Dentist, dental therapist, dental hygienist, dental prosthetist, oral health therapist
Medical	Medical practitioner
Medical Radiation Practice	Medical radiation practitioner, diagnostic radiographer, medical imaging technologist, radiographer, nuclear medicine scientist, nuclear medicine technologist, radiation therapist
Nursing and Midwifery	Nurse, registered nurse, nurse practitioner, enrolled nurse, midwife, midwife practitioner
Occupational Therapy	Occupational therapist
Optometry	Optometrist, optician
Osteopathy	Osteopath
Pharmacy	Pharmacist, pharmaceutical chemist
Physiotherapy	Physiotherapist, physical therapist
Podiatry	Podiatrist, chiropodist
Psychology	Psychologist