



Health and Community Services
Complaints Commissioner

Interim Prohibition Orders

The Health and Community Services Complaints Commissioner (HCSCC) has the power to issue an Interim Prohibition Order (IPO) against a person or persons or an entity providing a health service.

If the HCSCC is conducting an investigation into a person/s or entity, it can issue an IPO if there is a reasonable belief that:

- the Code of Conduct has been breached; or
- a prescribed offence has been committed; and
- the HCSCC believes there is a danger to the health or safety of the public.

The HCSCC can issue an IPO at any time during an investigation.

An IPO is not a final decision.

Once an IPO has been issued, the HCSCC has up to 12 weeks to finalise a decision about whether a Prohibition Order (PO) against the person/s or entity is required. This time is necessary to gather information, interview relevant people, obtain expert advice, draft a report and receive feedback on that report from the parties involved.

An IPO can prohibit the person/s or entity from:

- providing the health service or specified aspects of the health service;
- placing conditions on providing that service; and
- offering, advertising, promoting or providing advice about the health service.

The person or entity must legally abide by the IPO. Failure to comply could result in a fine of up to \$10,000 or a custodial sentence of up to two years jail, or both.

A PO can either ban the person or entity for a specific period of time or indefinitely.

Any person/s or entity who has an IPO or PO issued against them has a right of appeal.

An IPO or PO issued in South Australia also applies in other States or Territories that have implemented the National Code of Conduct for Health Care Workers.

POs issued by the HCSCC are listed on www.hcsccl.sa.gov.au.



Call
1800 232 007



Email
info@hcsccl.sa.gov.au



Website
www.hcsccl.sa.gov.au