



Quiz

The Extension of Forensic Patient Status

1. What was the decision in the case of *Attorney General for New South Wales v Peterson (bht Rodrigues)* [2020] NSWSC 651?
 - a. A decision was made in the preliminary application stage that no extension of forensic status should be granted
 - b. A decision was made in the final application stage that no extension of forensic status should be granted
 - c. A decision was made in the preliminary application stage that an extension of forensic status should be granted
 - d. A decision was made in the final application stage that an extension of forensic status should be granted
2. What is the test for risk in the preliminary application and final application stages?
 - a. To ascertain whether there is an unacceptable risk that if the defendant ceases to be a forensic patient, that they will pose a risk of serious harm to others
 - b. To look at whether risk of serious harm to others can be more adequately managed by less restrictive means
 - c. Both A and B
 - d. None of the above
3. What was the finding of the judge in the *State of New South Wales v Carr* [2020] NSWSC 643?

- a. That in some instances, supervision regimes may be counterproductive to the rehabilitation of individuals subject to them
 - b. That in the majority of cases supervision regimes are directly correlated to successful rehabilitation of high-risk offenders
 - c. That in the majority of cases supervision regimes are directly correlated to successful rehabilitation of forensic patients
 - d. Both B and C
4. How long can an interim order be issued in the preliminary stage of an application?
- a. Up to 3 months
 - b. Up to 12 months
 - c. Up to 3 years
 - d. Up to 5 years
5. What is a benefit of a person being managed in the forensic hospital under a civil regime as apposed to under the *Mental Health (Forensic Provisions) Act 1990* (NSW)?
- a. The enforcement of the treatment regime is less punitive
 - b. To be released on conditional release as a forensic patient one must go through the risk assessment process which is strict and thorough
 - c. To be released from a mental health facility as an involuntary patient, a doctor can consent and it does not require the permission of the Tribunal
 - d. All of the above

Answers:

1. A 2. C 3. A 4. A 5. D