

## **APC Feedback on AHPRA Public Consultation Paper International Criminal History Checks**

### **General Comments**

The APC assesses overseas qualified physiotherapists under three different assessment processes:

1. Assessment of Skills for Skilled Migration
2. Assessment of Equivalence of Qualification
3. Assessment for Recognition by Three Part Process

Applicants who receive a positive assessment by one of the first two processes are not required to demonstrate their criminal history record as part of the assessment process. Applicants who are assessed by the third process (assessment via three part process) do require a criminal history record check in order to undertake the assessment process.

### APC Requirements for Criminal History Check

The third part of the assessment process completed by most overseas candidates requires them to be assessed in a clinical environment with real patients. To enter the clinical environment, the candidate must satisfy a number of requirements including Limited Registration and criminal history checks. The APC is aware that AHPRA conducts Crim Trac checks for applicants for limited registration however the results of the Crim Trac search are not documented so provide no documentary evidence that could be used by the applicant to show their criminal history record. Particular clinical environments within Australia must sight a criminal history record for each applicant entering the environment. The APC therefore requires every applicant to obtain a criminal record check prior to the commencement of the clinical part of the assessment.

Applicants for the clinical assessment must obtain either an Australian police check from their local police station or otherwise obtain a criminal history check from their local police station in their country of residence. Most applicants for the APC assessment reside in Australia at the time of their assessment and are therefore able to obtain an Australian police check. Up to 15% of applicants reside off shore while undertaking the clinical assessment and therefore produce a police check from another country.

Applicants for the three part assessment process who reside in Australia therefore have their criminal history within Australia investigated twice whilst those who reside offshore must have a Crim Trac search conducted in order to gain Limited registration and they must also produce a criminal history record from their country of residence. On shore candidates experience a duplication of processes while offshore applicants experience unnecessary searches since they do not reside in Australia.

### Recognition of Agencies who produce Certificates of Good Standing

The APC would like it noted that Certificates of Good Standing for physiotherapy which are required by AHPRA are not always produced by agencies with regulatory authority in their

jurisdiction. In particular, there is no regulatory authority in India and the agency which produces certificates does so in order to meet overseas requirements for members. There are significant delays in the processing of applications for registration when the applicant is required to submit a certificate of good standing. This is an unnecessary requirement where the certificate holds no assurance of the registration status of the applicant.

**Preferred option proposed by AHPRA**

The APC would prefer Option 1 - no changes to the current process in order to minimise the impacts of criminal history checks on candidates for the three part assessment ie those who must gain limited registration to undertake the assessment process.

The APC would also support a move to option 4 particularly for overseas qualified applicants for general registration to ensure overseas qualified physiotherapists who have been assessed by skilled migration or equivalence, are compliant with criminal history standards.

The APC would not support either option 2 or 3 since they would have significant impacts, in terms of both time and cost of the three part assessment process. They would also be unlikely to yield greater information than the process for option 4.