

Public consultation paper on international criminal history checks

The Chartered Society of Physiotherapy (CSP), UK, welcomes the opportunity to respond to this consultation.

- According to your findings via the National Scheme and the projections on international applicants estimate that 45 – 90 international applicants would be assessed as having the ‘potential to affect registration’. Under the current scheme, international applicants have to disclose their criminal history. It would be interesting to know how many of these applicants currently declare that they have any kind of criminal history. This figure is not given in the consultation document. In case this figure is approximately reflecting the number that is projected, could mean that the current scheme is sufficient.
- It would be worth looking into the option of aligning the criminal history checks with the compulsory clearance for immigration purposes. If the information gathered by the Department of Immigration & Citizenship were strengthened by information given in the Certificate of Registration Status (CORS) it could reduce the risk of false declarations. One might assume that regulatory bodies keep a record in case a member has a criminal history
- All options outlined in the consultation paper hold a certain risk of providing information on criminal records that are not up to date. Technically, a criminal history check can only be accurate on the date of issue
- Option 1 - could be strengthened by using existing processes (see above)
- Option 2 – asking applicants to submit evidence from their country of residence might work as a barrier for those who have conducted minor offences which do not necessarily have a potential to affect registration
- Option 3 – is the least feasible option as a large proportion of jurisdictions would only communicate with the applicant directly rather than the enquiring body. This would lead to unduly delays.
- Option 4 – seems to be the most feasible option if AHPRA sees a need to tighten the criminal records checks. However, most jurisdictions would only issue criminal records checks in their language. Having to translate the documents into English language might give potential for the submission of fraudulent documents.

In case you have any questions on the comments from the Chartered Society of Physiotherapy (CSP), please contact me using the contact details below.

Kind regards,
B Mueller-Winkler