

## AHPRA Consultation: International Criminal History Checks

### Introduction

The Australian Health Practitioner Regulation Agency (AHPRA) is undertaking a public consultation on the assessment of applications for the 14 health professions regulated and the use of International Criminal History Checks. Feedback to AHPRA is due 17 August 2012.

HCA is providing feedback from the Nursing Agency Australia (NAA) and Nurse Jobs Australia (NJA) businesses.

### Issues

#### 1. Extent of the issue – CrimTrac Screens 2010-2011 (Source AHPRA)

Criteria	Number	Percentage %*	Percentage %**	Percentage %***
Initial CH Screens	52,445*			
Disclosable court outcome	2,992**	6		
Potential to affect registration	449***	0.85	15	
Action on application/registration	40	0.076		9

AHPRA will use the following assumptions for future decision making:

- 6% of international applications will return a positive criminal history; and
- of the international applications who have a positive criminal history, 15% will have the potential to affect their registration.

### HCA Feedback

HCA views the risk to the Australia public as very low when considering the number of: (1) Potential to affect registration (N 449); and (2) Action on application/registration (N 40).

But, from the public's view, every health practitioner who has a criminal history creates potential risk.

## 2. Country of Source for Nursing Applications (source AHPRA)

Profession	HCA Top Source Countries	Certificate (CCC) Available	Limitations	Comments
<b>Nursing</b>				
<b>Casual</b>	UK	Yes	Nil	
	Ireland	Yes	Nil	
	New Zealand	Yes	Nil	
	Singapore	Yes	Nil	
	South Africa	Yes	Nil	
	USA	Yes	Nil	
	Canada	Yes	Nil	
	India	Yes	Nil	
	Philippines	Yes	Nil	
<b>Permanent</b>	India	Yes		
	China	Notary Certificate		
	Ireland	Police Certificate		
	Nepal	Yes		
	UK	Yes		

HCA has well developed procedures to advise prospective employees/candidates on obtaining an International Criminal History Checks.

HCA also employs nurses from a range of countries on a Working Holiday Visa. Countries include:

• Belgium	• Italy
• Cyprus, Republic of	• Japan
• Denmark	• Korea, Republic of
• Estonia	• Malta
• Finland	• Netherlands
• France	• Norway
• Germany	• Sweden
• Hong Kong Special Administrative Region of the People's Republic of China	• Taiwan

## 2. Healthcare Australia's referred option

Options	Referred Option	Comments
<b>1. Application declaration only</b>	<b>4</b>	If an applicant didn't want their criminal history known, it would be very unlikely that they would make a self declaration.
<b>2. Applicant provides criminal history clearance evidence with application</b>	<b>1</b>	Current HCA experience is that all nurses from the 11 countries including UK, Ireland, NZ, Singapore,

Options	Referred Option	Comments
		<p>South Africa, USA, Canada, India and Philippines can apply and obtain their ICHC timely and without too many administrative barriers.</p> <p>The onus remains with the candidate to provide evidence.</p>
<p><b>3. AHPRA obtains clearance/information from jurisdiction outside Australia when processing application</b></p>	<p><b>2</b></p>	<p>This would extend the length of time required to process the candidate's registration, only making the process time longer.</p> <p>This would increase the frustration of applicants and delay recruitment processes.</p>
<p><b>4. Application makes declaration and AHPRA undertakes random sample audit</b></p>	<p><b>3</b></p>	<p>Random audits do not guarantee that the candidate, who has a CHC would be exposed and would only question the integrity of these audits.</p> <p>Random audits do not protect the public, in this high risk industry.</p>

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