

**From:** [Jacqueline Corner](#)  
**To:** [criminal history consult](#)  
**Subject:** Criminal History  
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Hello to all concerned,

I think it is a massive invasion of privacy to ask for the criminal histories of practitioners. I understand that there are situations that can be prevented by obtaining criminal histories. However I think it is reasonable to expect privacy on matters which do not relate to professional conduct. Given that registration has been around for many years it is fair to assume that registrations boards within Australia have sufficient experience to say which crimes do and do not fall into the category of needing to be known about. I would imagine that there is currently a list of issues that each board considers irrelevant (shoplifting, graffitti etc) as well as those that are considered relevant (sexual misconduct).

Asking professionals to declare all their previous charges - whether convicted or not - is unfair. There is a very real problem of people being judged by their past mistakes. I would ask, that as a government approved organisation, you consider the rights of everyone - and by this I mean practioners as well as the public - when examining your criminal history policy. I feel that the current policy is excessively abusive of it's powers when it asks everyone to declare their complete history - regardless of whether a conviction was obtained - and also irrespective of whether it is relevant to the registration board's concerns.

Having said all of that I think it is wise to conduct overseas criminal history checks. I would just ask that the scope be limited to relevant crimes and that professionals are not asked to declare issues of which they have not been convicted. (Other wise this can lead to biasing. A person is presumed innocent if the court has declared them so. ) I would also ask that the same apply to national criminal checks. I would suggest that it would be helpful to work together with the law enforcement branch to establish a "health practitioner check" as opposed to a regular criminal history check and that these be available for all health professionals in order to ensure that only the relevant crimes are declared - similar to a blue card.

Jacqueline Corner