

## Fact sheet

February 2015

### International criminal history checks for new applicants

As of 4 February 2015, National Boards have implemented a new approach to check international criminal history. This approach will be piloted for one year so that it can be evaluated to see if it is working as intended.

The new approach introduces the requirement of a third party international criminal history check to bring it in to line with what is required for domestic criminal history checks. The aim is to strike a balance between public safety and regulatory burden for practitioners. We need to understand and manage any risk to patients and the public without delaying the registration process for applicants.

This fact sheet outlines how this approach will work and how individuals applying for registration in Australia will be affected.

Please note that under the National Law, National Boards (and AHPRA as their delegate) are able to seek a criminal history check for registered health practitioners at any time (for Australia or other countries). This means that if an applicant becomes a registered practitioner in Australia, they may also be the subject of further criminal history checks at any time.

#### **A new approach to international criminal history checks has taken effect as of 4 February 2015**

This means that new applicants seeking registration in Australia will need to obtain an independent international criminal history check from an AHPRA approved supplier (as listed on the AHPRA website), who will provide the report to them as well as directly to AHPRA.

The new approach applies to all individuals when they apply for registration in Australia (if they are currently unregistered in Australia) and have declared an international criminal history and/or have lived, or been primarily based, in any country other than Australia for six consecutive months or more when aged 18 years or over.

#### **Applicants from New Zealand**

While it is not mandated under the Trans-Tasman Mutual Recognition (TTMR) arrangements, the National Law allows a National Board to check a practitioner's criminal history at any time. Practitioners registered under TTMR will be required to apply for an international criminal history check from an AHPRA approved supplier.

#### **Applicants will need to obtain an international criminal history check from an approved supplier**

Applicants who need to apply for a criminal history check will have to do so from one of the approved suppliers in order to complete the registration application process.

The international criminal history report must be received and the check completed before the decision to register will be considered.

The time it takes for the supplier to conduct the check and provide a report may vary, depending on in which country or countries the check has to be undertaken. More information about the logistics of the checks is available from the supplier's websites, which are accessible from the AHPRA website.

In most cases, the international criminal history check will be available by the time the registration application has been assessed. It is however important that applicants allow adequate time to prepare their

applications before they plan to practise. International criminal history reports will remain valid for a period of three months from date of issue.

The intention of the new approach is to ensure that only practitioners who meet all requirements are registered and allowed to practice in Australia. This will discourage those with a significant criminal history outside of Australia from applying for registration as well as identify anyone who has made a false declaration about their history.

### **The approach balances the need for public protection without creating delays for applicants**

National Boards have protecting the public as a key objective and regulate the registered health professions in the public interest. This means that they must ensure there are adequate checks and balances to keep the public safe.

The new approach offers an increased level of safety for the public in that it requires a check to be conducted by a third party and for the report that is produced to be provided directly to AHPRA (as well as to the practitioner). Previously, we relied on a statutory declaration from the applicant.

### **The new approach was developed after extensive consultation**

This approach was developed after three rounds of consultations. These consultations and the feedback they received are published on the [AHPRA website](#). A report on the last of these consultations is also available, which outlines the feedback received and how National Boards and AHPRA responded to develop the approach that is being piloted from 4 February 2015.

### **Checks will need to be undertaken on all countries where applicants have lived for six months or more as an adult**

Applicants will need to get a check for every country outside of Australia where they have lived, or been primarily based, for six consecutive months or more when aged 18 years or over.

Some applicants may need to obtain checks for several countries.

### **The checks will be paid for by applicants**

Applicants will be responsible for paying for their international criminal history check. More information is available from the vendors websites (accessible via the AHPRA website).