



Australian
College of
Nursing

Voice of influence

Australian Health Practitioner Regulation Agency
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To whom it may concern

Public consultation paper on international criminal history checks

Australian College of Nursing (ACN) is pleased to provide the following comment in relation to the Australian Health Practitioners Regulation Agency (AHPRA) public consultation paper *Public consultation paper on international criminal history checks*.

Listed below are ACN's views on the proposed Option 5 for criminal history checking, along with additional comments for consideration:

1. Is the proposed new approach the best option?

ACN believes that the criminal history of health professionals seeking to work in Australia is a public safety issue of central importance. ACN supports Option 5 as the best option because this process ensures that every applicant receives a criminal history check. The proposed process does not delay the registrations of health professionals. Further, the risk of an applicant with a criminal history working as a registered health professional is small because the period of employment without an international criminal check would only be short.

2. Is the proposed approach clear?

The process suggested in Option 5 is clear and the risks and benefits involved are easy to understand.

3. Are there any risks or issues about the proposed process that need more consideration?

If external providers of criminal history checks perform poorly then applicants' criminal histories may not be uncovered or possibly discovered with significant delay. Such an omission may present a safety risk to the community. Further, a misdemeanour by an applicant whose criminal history has not been uncovered may bring APHRA and the health professions into disrepute. Contracts with external providers should be written in such a way that contractors' performance can be monitored and evaluated.

4. Should international criminal history checks be conducted for countries where applicants have spent three months or more, or six months or more?

Criminal acts can be perpetrated within any time period and health professionals may move jurisdiction often to evade investigation of their conduct. Applicants whose application shows more than two periods of three months outside Australia may be subjected to a criminal history check for each stay of three months or more.

Applicants who do not meet the criterion of more than two stays of three or more months duration in a country other than Australia should have their criminal history checked if they spent six months or more in another country.

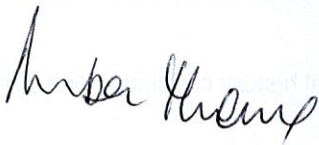
5. Other comments

The time delay between granting a health professional AHPRA registration and the criminal check should not exceed 12 weeks in order to contain any potential risk to the public.

ACN would like to reiterate the recommendation made to AHPRA in August 2012 that the Department of Immigration and Border Protection include criminal history checks as a mandatory requirement in all relevant visa classes.

Please do not hesitate to contact me if you have any further queries.

Yours sincerely



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