

Alyson Smith
Executive Officer
Nursing & Midwifery Board of Australia
AHPRA, GPO Box 9958
Melbourne, VIC, 3001

criminalhistoryconsult@ahpra.gov.au

Dear Ms Smith,

Consultation on international criminal history checking

Thank you for the opportunity for the Australian Nursing and Midwifery Accreditation Council (ANMAC) to provide a response to the National Boards' public consultation on international criminal history checking.

ANMAC assesses the skills of nurses and midwives who want to migrate to Australia under the Department of Immigration and Border Protection's General Skilled Migration Program. Below are responses to the questions raised in the consultation paper.

Is the proposed new approach the best option?

ANMAC supports Option 5 to conduct international criminal history checks and request consideration of the expense for applicants.

Is the proposed approach clear?

Option 5 clearly articulates the process that will be undertaken. ANMAC supports the use of an external organisation conducting international criminal history checks in addition to continuing the current process of requesting domestic criminal history through CrimTrac, self-declaration of criminal history by the applicant, and the submission of certificates of registration status from international nursing and midwifery regulatory authorities that the applicant holds or has held registration with.

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

ANMAC requests the National Boards consider the risks associated with applicants who do not disclose all countries of residence during the designated time period (three months or six months are the time periods suggested in the consultation paper). A potential risk arises via applicants that elect not to disclose previously living in a country in order to avoid the requirement of a criminal history check in that country. Option 5 needs to clearly articulate how the Australian Health Practitioner Regulation Agency (AHPRA) is going to mitigate risk associated with applicants failing to disclose all of the countries they have lived.

Level 3, Empire Chambers
1-13 University Ave
Canberra City ACT 2601

GPO Box 400
Canberra City ACT 2601

T +61 (0)2 6257 7960
F +61 (0)2 6257 7955

anmac@anmac.org.au
www.anmac.org.au

ABN 91 021 040 318
ACN 143 879 396

ANMAC would also encourage the National Boards to seek information from the Department of Immigration and Border Protection (DIBP) in relation to the criminal history checking process that is undertaken for migration purposes. Prior to contact with AHPRA, regulated health professionals may have been required to undergo a criminal record check as a part of the process of obtaining a visa enabling access to employment so they can practice in their profession whilst in Australia. A memorandum of understanding or information sharing relationship may be possible between AHPRA and DIBP. This relationship has the potential to eliminate any duplication of international criminal history checking that has already been identified as potentially both time consuming and expensive to the applicant.

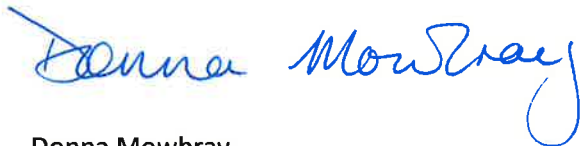
Should international criminal history checks be conducted for countries where applicants have spent three months or more, or six months or more?

ANMAC supports the conduct of criminal history checks being undertaken in countries where applicants have spent six months or more. A period of six months or more strikes the most reasonable balance between risk, undertaking comprehensive criminal history checks and assessment times for applicants.

Do you have any other comments?

No.

Yours sincerely



Donna Mowbray
A/g Chief Executive Officer
ANMAC

4 November 2013