



Submission to the Australian Health Practitioner Regulation Agency: August 2012

PUBLIC CONSULTATION PAPER: INTERNATIONAL CRIMINAL HISTORY CHECKS

The Australasian College for Emergency Medicine (ACEM) welcomes the opportunity to review and comment on the options outlined in the *Public consultation paper on international criminal history checks* prepared by the Australian Health Practitioner Regulation Agency (AHPRA).

ACEM is a not-for-profit organisation responsible for the training and credentialing of emergency physicians and the advancement of professional standards in emergency medicine in Australia and New Zealand. ACEM recognises the significant contribution overseas-trained doctors (OTDs) make to the delivery of emergency care in Australia¹. ACEM also has a vital interest in the quality and safety of emergency care provided to the community. ACEM is therefore strongly supportive of AHPRA's role in undertaking criminal history checks as an important component of the credentialing process for OTDs applying to work as emergency physicians in Australia.

ACEM understands the difficulties associated with checking international criminal history and commends AHPRA for considering improvements to criminal history checking processes for OTDs. ACEM has reviewed the four proposed options outlined in the Consultation Paper, is conscious of the time consuming and resource intensive process for AHPRA to implement some options, and recognises that some options have greater cost-benefits than others. Nevertheless, ACEM does not believe that patient safety or the provision of quality medical care can be compromised by maintaining a minimalist approach to verifying the international criminal history status of OTDs who are seeking registration in Australia. As such, ACEM considers that Option Two is the most appropriate, noting that this option (*Applicant provides criminal history clearance evidence with application*) places the onus on the internationally qualified applicant to:

- provide evidence of criminal history clearance, or
- provide/facilitate provision of criminal history information from jurisdictions outside Australia.

ACEM recommends that Option Two be adopted by AHPRA, but with some amendments. ACEM considers that this option creates the biggest deterrent to making false applications, and it puts more onus on the applicant to be truthful in their application. Although there is a risk that documentation declaring no criminal history may be fraudulently created or modified, this risk is relatively low because such documents would firstly need to be produced for the Department of Immigration and Citizenship (DIAC). Therefore, AHPRA should establish that: (1) DIAC will obtain overseas police checks from all OTD visa applicants, (2) these checks are adequate for application for Australian medical registration, and (3) these checks will then be made available to AHPRA. Further, to address any risks, ACEM recommends that independent verification is undertaken to detect potential fraud, implemented through a random auditing process. Such requirements could reduce the need for employers (i.e. health services) to undertake further checks which will potentially improving efficiency in workforce recruitment.

¹ In Australia, 9% of new ACEM Fellows have been credentialed following recognition of overseas qualifications, over the period 2002-2011 (see ACEM Specialist Emergency Medicine Workforce and Training Activities: 2011

http://www.acem.org.au/media/ACEM_Workforce_and_Training_Report_2011_V1.pdf).

At least 18 OTDs have also been assessed by ACEM for application to work in emergency department in 'Areas of Need' since 2006 (ACEM internal data).

Should APHRA decide to implement Option Two, it should ensure that measures are in place so that checking applicants' international criminal history status is an efficient, fast process and does not disadvantage or overburden individuals. AHPRA should also continue to work closely with DIAC so that appropriate police/criminal check documents are shared by both organisations to reduce duplication of processes for OTDs. It is essential that, in a competitive international health workforce market, APHRA and the Medical Board of Australia work with other accrediting and registration bodies such as the Australian Medical Council and the medical colleges to ensure suitably qualified and experienced OTDs, who are in good standing and fit to practice are not delayed from commencing in the Australian medical workforce, and are supported in making the transition to working life in Australia.

Thank you for the opportunity to provide a submission to AHPRA on the *Public consultation paper on international criminal history checks*. If you require any clarification or further information on this submission, please do not hesitate to contact ACEM's Director of Policy and Research, Dr Andrew Gosbell on (03) 9320 0444 or andrew.gosbell@acem.org.au.

Yours sincerely,



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