Public consultation on registration standard: Criminal history

December 2017

Responses to consultation questions

**Please provide your confidential feedback as a Word document by email to** [**paramedicine@ahpra.gov.au**](mailto:paramedicine@ahpra.gov.au)**by close of business on 8 February 2018.**

Stakeholder Details

*If you wish to include background information about your organisation please provide this as a separate Word document (not PDF).*

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| **Organisation name** |
| AHPRA Community Reference Group |
| **Contact information**  *(please include contact person’s name and email address)* |
| [content redacted] – [content redacted] |

| **Registration standard: Criminal history**  *Please provide your responses to any or all questions in the blank boxes to the right of the question* | |
| --- | --- |
| * From your perspective, does the proposed standard adequately fulfil the Board’s requirements to set a standard in relation to the criminal history of practitioners including the matters to be considered in deciding whether an individual’s criminal history is relevant to the practice of the paramedicine profession? | * Members agreed with the principles but considered that more work is required on this registration standard to protect the public. * Members suggest that state based legislation for Working with Vulnerable People checks has significant explanatory and guiding documents on the issue of criminal history that the Board could consider (see: regulatory documents the ACT Government did to accompany their Working with Vulnerable People Checks legislation). * Members believe there are some tough issues to be explored and explained – given some of the best workers in difficult situations can be those who have had a troubled past themselves, assuming they have been rehabilitated. * Members found it unclear why a student should be exempted from this requirement. Members raised concerns that if a student was convicted of an offence (either before or during studies) and was allowed to continue, the Board could be found to be liable in the event of a future incident |
| * Are there any state or territory-specific issues or impacts arising from applying the existing standard that you would like to raise with the Board? | * Members suggested that this may possibly have a severe impact on Aboriginal and/or Strait Islander People or some refugees. |
| * Is the content of the proposed registration standard helpful, clear and relevant? | None. |
| * Is there any content that needs to be changed or deleted in the proposed registration standard? | * Members are concerned about those health practitioners that have had a number of charges against them which went on to be dropped (e.g. sexual assault), compared to someone who has been charged and found guilty and seems to have rehabilitated. The first practitioner seems like a much greater risk to the community than the second. However the principles of the document appear to minimise the risk of that first practitioner and it is hard to see how risk to the public is being placed first and foremost. E.g. principle 10: ‘*The Board will not require an applicant or registered health practitioner to provide further information that may prejudice their personal situation pending charges and the Board must not draw any adverse inference as a result of the fact that information has not been provided.*’ |
| * Is there anything missing that needs to be added to the proposed registration standard? | * Members suggested that requirements be added that focuses on the a paramedics’ driving capability. This would acknowledge th fact that paramedics, as students and practitioners, have to drive, and drive well, as part of their job. The presence of past, potentially multiple, driving offences which may have resulted in suspensions/special conditions/convictions/outstanding substantial SPER fines is something that is relevant to the criminal history standard. A snapshot of someone's full driving history would be important to know. Members agreed that safe driving of an ambulance is more than just holding a current licence. Past and multiple infringements can be an indicator of a possible future risk to the public. Members suggested that a current licence, fitness to drive, higher level driving skills perhaps should be included in the CPD standard too. Members also suggested that the Board consider the driving requirements in place for home visiting nurses or fireman. |
| * Do you have any other comments on the proposed registration standard? | None. |