



Criminal history checking

What is criminal history checking?

Criminal history checking involves identifying and releasing relevant criminal history of a person to authorised parties. As defined in the *Speech Pathologists Registration Act 2001* (the Act), criminal history includes:

- every conviction of the person for an offence, in Queensland or elsewhere, and whether before or after the commencement of this Act;
- every charge made against the person for an offence, in Queensland or elsewhere, and whether before or after the commencement of this Act

Under s45(3) of the Act, a registration Board may request this information. It is part of the approval process when applying for registration as a health practitioner¹ in the state of Queensland. It is an element of the s45 fitness to practice requirement for registration.

Note: under s45(6) of the Act, the *Criminal Law (Rehabilitation of Offenders) Act 1986* does not apply.

¹Chiropractors, Dentists, Dental Auxiliary, Dental Specialists, Dental Technicians, Dental Prosthodontists, Medical Imaging Technologists, Nuclear Medicine Technologists, Occupational Therapists, Optometrists, Osteopaths, Pharmacists, Physiotherapists, Podiatrists, Psychologists, Radiation Therapists, Speech Pathologists

Why is it important?

Any person who applies to be registered as a health practitioner must declare whether they have any criminal history, in Australia or overseas. This will then be checked by the Board by conducting a criminal history check. This information will assist the Board to determine if an applicant meets the approved standards for registration. The Board has an obligation to ensure the safety and wellbeing of members of the community who use services provided by those registered as health practitioners in Queensland.

How is a criminal history check done?

A request for an Australian criminal history check is generated when a complete application for registration, including fees, is made to the Board. These checks will apply to all applications received on or after 1st July 2009. The criminal history check is coordinated by the Queensland Police Service and processed through the national CrimTrac Agency in Canberra.

What about overseas criminal history?

If an applicant declares an overseas criminal history they must provide the Board with a Police Certificate (Criminal History Check) from the relevant country and an explanatory statement detailing the circumstances. This is a necessary requirement for the application to be assessed.

False or Misleading Information

If false or misleading information is provided in any declaration, the applicant may risk deregistration under the Act, and may be liable for other penalties, including significant fines or imprisonment, should the Board seek to have the breach prosecuted.

What is the cost?

The cost for the Australian criminal history check will be covered by the fees for initial registration. The current fee structure is available at www.speechpathboard.qld.gov.au. Please note that fees are subject to change.

The cost of an overseas Police certificate may vary depending on the country and jurisdiction. This cost is the responsibility of the applicant.

What about current registrants?

Consistent with the Board's legislated authority, the Board will only be conducting independent criminal history checks for all new applicants for registration under the Act. It is proposed under National registration legislation that the Board will be empowered to undertake checks on current registrants.

Where can I get further information?

You can contact the Office of Health Practitioner Registration Boards registration services staff on (07) 3247 4868 or via criminalhistory@healthregboards.qld.gov.au, or visit the Board website at www.speechpathboard.qld.gov.au, for more information.

