



Understanding Police Records Checks

Why does TriBC require Criminal Record Checks for coaches of athletes under the age of 19 years?

The request that a coach consent to a Police Records Check does not mean that TriBC does not trust the coach or has concerns about him/her. It means the position is considered to have a heightened risk and TriBC is managing that risk appropriately.

Any organization that provides programs to vulnerable people has a moral, legal and spiritual obligation to appropriately screen people who work for them, including volunteers. Screening is not only the right thing to do, it is legally required under the principle of Duty of Care. This policy balances the right of participants to be protected against the rights of individuals provided under the *B.C. Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

How is a Police Records Check carried out?

To conduct a Police Records Check the local police query the Canadian Police Information Centre (CPIC) database, operated by the Royal Canadian Mounted Police (RCMP), to search for relevant criminal record information and/or the existence of a CPIC record. The CPIC database is a compilation of police information and court decisions. Information collected in the CPIC database includes individuals who:

- have a criminal record for any Criminal Code or other Federal Statute offence and/or
- have been judged not criminally responsible for an offence because of mental disorder and/or
- have federal and/or provincial charges pending and/or
- are on probation or subject to a Prohibition Order.

What if the coach has a criminal record?

If the information obtained by the police indicates that the coach has a criminal record, does that mean he/she cannot coach athletes under the age of 19 years of age?

Not necessarily; TriBC will look at the relevancy of the offence (see Schedule I).

If the offence is considered relevant (see Schedule I) then the coach will be asked to step down and will not be able to coach athletes under the age of 19 years at TriBC affiliated clubs.

What if the coach does not consent to a criminal records check?

The coach will be asked to step down and will not be able to coach athletes under the age of 19 years at TriBC affiliated clubs. Clubs with coaches of athletes under the age of 19 years who have not been cleared or are in violation of this policy will be exempt from TriBC club insurance policies.

Schedule 1 Relevant Offences

1 The following sections of the *Criminal Code* (Canada) are designated as relevant offences:

- section 151: (Sexual Interference);
- section 152: (Invitation to Sexual Touching);
- section 153: (Sexual Exploitation);
- section 155: (Incest);
- section 159: (Anal Intercourse);
- section 160: (Bestiality);
- section 161: (Order of Prohibition);
- section 163.1: (Child Pornography);
- section 170: (Parent or Guardian Procuring Sexual Activity);
- section 171: (Householder Permitting Sexual Activity);
- section 172: (Corrupting Children);
- section 173 (1): (Indecent Acts);
- section 173 (2): (Exposure);
- section 177: (Trespassing at Night);
- section 179: (Vagrancy);
- section 212 (1): (Procuring a Person for the Purposes of Prostitution);
- section 212 (2): (Living Off Avails of Child Prostitution);
- section 212 (4): (Attempting to Obtain the Sexual Services of a Child);
- section 215: (Duties of Persons to Provide Necessities);
- section 218: (Abandoning Child);
- section 220: (Causing Death by Criminal Negligence);
- section 221: (Causing Bodily Harm by Criminal Negligence);
- section 229: (Murder);
- section 235: (Punishment for Murder);
- section 236: (Punishment for Manslaughter);
- section 237: (Punishment for Infanticide);
- section 238: (Killing Unborn Child in Act of Birth);
- section 239: (Attempt to Commit Murder);
- section 240: (Accessory after Fact to Murder);
- section 242: (Neglect to Obtain Assistance in Child Birth);
- section 243: (Concealing Body of Child);

section 244: (Causing Bodily Harm with Intent);
section 245: (Administering Noxious Thing);
section 246: (Overcoming Resistance to Commission of Offence);
section 264: (Criminal Harassment);
section 264.1: (Uttering Threats);
section 266: (Assault);
section 267: (Assault with a Weapon or Causing Bodily Harm);
section 268: (Aggravated Assault);
section 269: (Unlawfully Causing Bodily Harm);
section 271: (Sexual Assault);
section 272: (Sexual Assault with a Weapon, Threats to a Third Party or Causing Bodily Harm);
section 273: (Aggravated Sexual Assault);
section 273.3: (Removal of Child from Canada);
section 279: (Kidnapping/Forcible Confinement);
section 279.1: (Hostage Taking);
section 280: (Abduction of Person under Sixteen);
section 281: (Abduction of Person under Fourteen);
section 282: (Abduction in Contravention of Custody Order);
section 283: (Abduction);
section 372: (False Messages/Indecent Telephone Calls/Harassing Telephone Calls);
section 810: (Where Injury or Damage Feared);
section 810.1: (Where Fear of Sexual Offence).

2 The following sections of the *Food and Drugs Act (Canada)* are designated as relevant offences:

section 39: (Trafficking in Controlled Drug);
section 48: (Trafficking in Restricted Drug).

3 The following section of the *Narcotic Control Act (Canada)* is designated as a relevant offence:

section 4: (Trafficking).

4 The following section of the *Controlled Drugs and Substances Act (Canada)* is designated as a relevant offence:

section 5: (Trafficking in a Controlled Substance).