

## Policy on Police Record and Child Abuse Registry Checks

### Policy Statement

Manitoba Amateur Boxing Association (MABA) is committed to providing a safe healthy environment for all its members and more specifically for the youth in our program. Only those individuals who work closely with athletes and who occupy positions of trust and authority within the Manitoba Amateur Boxing Association or a member club will be required to submit a Police Record and Child Abuse Registry check.

1. MABA shall ensure that all Police Record and Child Abuse Registry Checks will be maintained in a secure fashion and with the strictest of confidence. Failure of any member or employee of MABA to maintain such confidence shall result in that member being subject to disciplinary action. Such measures will be at the discretion of the Board/Executive Committee of MABA.

### Classes of persons

2. For the purposes of this policy, the following classes of persons shall be required to submit both the Police Record and Child Abuse Registry Checks: individuals in paid staff positions, members of the Board/Executive Committee, volunteers appointed to accompany a representative team or individual athlete to an event or competition, all coaches, team managers and all officials.
3. Any individual in the above noted classes of persons who is listed on the Provincial Child Abuse will be denied membership in MABA.
4. Both the Police Record and Child Abuse Registry checks will be mandatory for all the above noted classes for persons without exception.
5. MABA shall not knowingly approve the registration of a member in the above noted **classes of persons** who has a criminal conviction for a "relevant offence," as defined in this policy. However, where the Safety Committee is of the opinion that, notwithstanding a conviction for a **relevant offence**, a person can occupy a position in a designated category without adversely affecting the safety of an athlete or member of MABA, through the imposition of such terms and conditions as are deemed appropriate, the Safety Committee may approve a person's participation in the designated category.
6. Police Record and Child Abuse Registry checks are valid for a period of two consecutive years. Notwithstanding this, the Safety Committee may at any time request that a member as defined in the classes of person provide a Police Record and/or a Child Abuse Registry check to the Safety Committee for review and

consideration. Such request will be in writing and will provide the reasons the request.

### **Relevant Offences**

7. For the purposes of this policy, “relevant offences” are the following criminal code offences for which a pardon has not been granted: any criminal code conviction involving the use of a motor vehicle; any violations for trafficking under Controlled Drug and Substances; crimes of violence including robbery, assault cause bodily harm or assault with a weapon; or any criminal offence involving a minor; any sexual offence; repeated criminal offenses or any other criminal offence which it is reasonably expected that the prior commission of such may adversely affect the safety of an athlete or member of MABA.

### **Safety Committee**

8. A Safety Committee will be appointed by the MABA Executive for a three-year term and is responsible for reviewing police record checks. MABA will ensure that the members appointed possess the skills, knowledge and abilities to accurately assess Police Record Checks and render decisions under this policy. The Board/Executive Committee may appoint qualified persons outside of the membership to fulfill these positions.
9. The Safety Committee is responsible for receiving and reviewing all Police Record Checks and may consult with independent experts including lawyers, police, risk management specialists or any other person to assess the appropriateness of any member requesting membership in the classes of persons as previously defined.
10. The Safety Committee in determining eligibility of membership in the previously defined classes of persons may consider the date of the offence(s) and the completion or participation in recognized treatment programs.
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11. Subsequent to its review of a Police Record Check, the Safety Committee, by majority vote, will:
  - a. approve an individual’s participation in a designated class of persons; or
  - b. approve an individual’s participation in a designated class of persons subject to terms and conditions as the Safety Committee deems appropriate
  - c. deny an individual’s participation in a designated class of persons
12. Where the Safety Committee denies an individuals participation as a designated class of persons the Safety Committee will provide notice of the decision within 14

days of the review of the documentation. A copy of this decision will be provided to the President of MABA.

13. Where the Safety Committee approves an individual's participation in a designated class of person subject to terms and conditions, the terms and conditions will be provided in writing, to the designated member with 14 days of the Safety Committee's decision being made, and a copy of this decision will be provided to the President of MABA. The Safety Committee and the individual shall come to agreement as to the method of monitoring the terms and conditions and this will be contained in the written decision.
14. The decisions of the Safety Committee will be effective upon notice being sent to the individual by regular mail to his/her last known address on record with MABA.
15. Decisions of the Safety Committee are final and binding, subject only to an appeal in accordance with MABA's Appeal Policy.
16. The Board/Executive Committee may, in its sole discretion remove a member of the Safety Committee. Should a position become vacant due to removal or resignation the Executive Committee will appointment a replacement member to fulfill the remaining portion of the three year term.

#### **Procedure**

17. Each person in the designated classes of persons will obtain, at their own cost, a Police Record check from the local Police Service. Individuals with criminal records must request a transcript of the offenses and provide the transcript along with the criminal records check to MABA. Individuals who are employed in a capacity where this check is a condition of employment may provide documentation from their employer confirming that a recent check was completed and the outcome of the check.
18. Each person in the designated classes of persons will obtain, at their own cost, a Child Abuse Registry Check or may elect to process the check via the office of MABA at no charge. Individuals who are employed in a capacity where this check is a condition of employment may provide documentation from their employer confirming that a recent check was completed and the outcome of the check.
19. Each person in the designated classes of person when applying for membership or renewing membership will submit the original or certified copy of both the Police Record and Child Abuse Registry checks to the Executive Director of MABA. Both checks will be placed in a separate sealed envelope.

20. Memberships for the above noted classes of persons will not be processed without documentation regarding Police Record and Child Abuse Registry checks.
21. Upon receipt of the membership application or renewal, the Executive Director will separate the sealed envelope from the application materials and advise the designated member of the Safety Committee of the application.
22. The designated member of the Safety Committee will review the contents of the envelope and if required will convene a meeting of the Safety Committee.
23. If the Police Record Check does not reveal a relevant offence, the designated Safety Committee member will notify the Executive Director that the individual's membership is eligible for processing. Both checks will be kept until the membership renewal of the second year is approved by the Safety Committee of the membership request for the current year membership. At that time the previous checks will be destroyed.
24. The Safety Committee will convene on an as needed basis.
25. If the Police Record Check reveals a relevant offence(s) or a listing on the Child Abuse Registry, the Safety Committee will render its decision and provide notice of its decision in accordance with paragraphs 12 – 14 of this policy. After providing notice, the Safety Committee will forward the original Police Record Check to the Executive Director for secure storage.
26. Nothing in this policy will prevent an individual from re-applying for a staff or volunteer position with MABA at some point in the future, and submitting new Police Record and Child Abuse Registry checks.

### **Records**

27. The Safety Committee will retain no copies of the Police Record and Child Abuse Registry checks, but may retain written records of communication with the President of MABA and with individuals whose Police Record Check indicates a relevant offence, as well as copies of its decisions.
28. The Executive Director will maintain records of individuals Police Record and Child Abuse Registry checks in secure storage.
29. Records kept by the Safety Committee and MABA or any member in regards to the terms and conditions for acceptance will not disclose to others any information except as required by law.

**Responsibility of Member Clubs**

30. It is the responsibility of a Club to assess their own operations to determine which individuals work closely with athletes and occupy positions of trust and authority; that are not already defined in this policy, and should be required to submit Police Record and Child Abuse Registry checks for the safety of their Club members.