

**Orillia Minor Hockey**  
**Vulnerable Sector Check Policy**

All individuals holding a volunteer or paid position with Orillia Minor Hockey, shall be subject to Criminal Record Checks which includes the Vulnerable Sector Screening and a search of the National Checks which includes the Vulnerable Sector Screening and a search of the National Sex Offender Registry. Individuals with outstanding Criminal Code convictions or who have been charged with such offences that have not yet gone to trial but which continue to be prosecuted, shall not be eligible to hold the above positions.

Individuals with outstanding Criminal Code convictions and/or pending charges for certain offences shall not be eligible to hold the position of Team Official, Referee or any other Association position.

The offences listed below an individual would be **ineligible** to participate:

Sexual Assault

Any sexual intercourse

Invitation to Sexual Touching

Any indecent acts and/or exposure

Any making, distributing, possessing or sale of child pornography

Any indictable criminal offence for child abuse

Luring a child

Voyeurism

Any offence for trafficking and/or possession for the purpose of trafficking or any drugs and/or narcotics

Any production of a substance (specifically, as defined in the Controlled Drug and Substance Act

Any other indictable criminal code offenses such as murder, manslaughter, incest, abduction, extortion, perjury, bribery and influencing, explosive substances, arson related offences, counterfeiting and conspiracy

Any multiple offences related to impaired driving and/or care and control and/or drive over 80 milligrams

Offences for which disqualification from participation is ten (10) years from the expiration of the penalty imposed by the courts. The member is eligible to apply for a hearing after this time. Note – This is a reference only and not a complete list of applicable offenses:

Assault with a Weapon

Assault causing bodily harm

Aggravated assault

Any current prohibitions or probation orders forbidding the individual from having contact with children under the age of 14

Robbery

Any other offences pertained to violence whether or not involving weapons

Any indictable criminal offences related to impaired driving and/or care and control and /or drive over 80 milligrams

Offences for which disqualification from participation is three (3) years from the expiration of the penalty imposed by the courts, not the date of the charge or conviction. Note – This a reference only and not a complete list of applicable offences:

- Assault
- Threatening
- Any possession of a Substance as defined in the Controlled Drugs and Substances Act (C.D.S.A.)
- Any theft and/or fraud or related offence (while in a Position of trust of finances)
- Any conviction pertaining to illegal substances other than for manufacture, distribution and/or trafficking
- Any firearm related offences (other than use of firearm in the commission of an offence, see above)
- Any other indictable criminal code offences such as break and enter, mischief, resisting and obstructing offences, dangerous driving, flight from police, failure to remain offences, criminal harassment and breaching orders and failing to comply offences
- Multiple (non-indictable) offences for impaired driving from alcohol and/or drugs
- Any member that has two (2) or more offences with the previous ten (1) years is deemed ineligible
- Once a member has only one (1) offence in the past ten (10) years they may at their option apply for a hearing to request reinstatement in accordance with the Hearing process
- Offences will expire after ten (10) years from expiration of the penalty imposed by the courts (i.e. 2010 impaired, loss of licence and probation until 2011, expiration 2021)

Offences for which the member has to abide by specific criteria as a participant:

- For a first offence related to impaired driving and/or care and control and/or drive over 80 milligrams resulting in a summary conviction, the member may not drive another participant to and from a sanctioned OMHA activity or event while the driver's licence is suspended
- It is the obligation of any member subject to screening by virtue of this policy to advise their Association's Professional Designate responsible for screening of a charge or conviction under any offence listed in this Policy
- Orillia Minor Hockey shall be responsible for the collection and retention of Criminal Record Checks and Vulnerable Sector Screening and must be under the control of the Designate and secured in a safe storage area

\*Criminal Record Checks and Vulnerable Sector Screening for all on-ice officials is the responsibility of the Ontario Hockey Federation.

Police Services will not do Vulnerable Sector Screening for individuals under 18 years of age.

Under the new Criminal Record Check Reform Act of Ontario individuals under the age of eighteen (18) cannot apply for a Criminal Record Check.

Criminal Record Checks and Vulnerable Sector Screening are valid for three (3) years.

## **OMHA Criminal Record Check Hearing Process**

Upon review of a registered member's Criminal Record Check/Vulnerable Sector Screening submission to Orillia Minor Hockey, if the member is deemed ineligible as per the OMHA Criminal Record Check Policy and therefore unable to participate as a team official, volunteer or anyone else deemed by the Risk Assessment Tool, they will be notified as such ineligibility in the form of a letter by the Orillia Minor Hockey Professional Designate. The OMHA Professional Designate shall be notified of this ineligibility electronically.

The term of this ineligibility is based on a specific offence contained within the submission and time identified in the OMHA Criminal Record Check Policy.

The OMHA Professional Designate will determine the eligibility for a Hearing and will communicate this direct to the member.

If the registered member is eligible, they will be given the opportunity to forward a letter of consideration to the President of the OMHA, requesting special dispensation from the application of the OMHA Criminal Record Check Policy.

Supporting documentation must be submitted to the OMHA prior to a hearing date and at the member's expense. Required documents, but not limited to:

- Police reports (arrest report, general occurrence report regarding the incident)
- Court records (detail of actual conviction)
- Probation orders if applicable
- Parole orders if applicable
- Release documents

If a member is granted a hearing by the President (OMHA) or designate, a hearing will be arranged and the individual will be sent notification of the date, time and location of the hearing. The fee for this hearing is \$200.00 and payment is to be received prior to the hearing. At the conclusion of the hearing, the Panel will render its decision in writing and forward it to the member with a copy to the OMHA and Association's President.

In the event that a member does not show for a hearing, the hearing will be dismissed, the member will be notified and the ineligibility will remain in effect pending a new hearing at the expense of the member.

The member would NOT be eligible to participate in any OMHA activity or event until such time a decision is made through this hearing process.