

Indictable Offence Policy for Applicants



COLLEGE OF
APPLIED BIOLOGY
Professional Accountability

Approved June 2016¹

In accordance to Part 2, Section 3 (1) (2) (iii) all members are expected to establish and maintain a reputation for integrity. A member must not, in private life, in extra-professional activities or in professional practice, engage in dishonourable or questionable conduct that casts doubt on the member's integrity, his or her good character and repute, or that which may bring the College or its members into disrepute.

This obligation is further defined in Schedule 3, Section 8.3.2.(viii) of the Rules which states that;

“The Registrar, or the Council may refuse an application of a person who has been convicted in the Province of British Columbia or elsewhere of an indictable offence as the case may be.”

As a result of this rule, all applicants for membership in the College of Applied Biology must present a signed declaration on indictable offence. If a declaration is positive, the assessment of the applicant's conduct will be based on all the facts and circumstances as they existed at the time of the conduct including, but not limited to: the wilfulness and seriousness of the conduct; the existence of previous violations; and any mitigating factors.

Procedures

1. Upon the College's receipt of information that an applicant has been convicted of an indictable offence, the Registrar shall confirm and/or obtain the following;

- name of Applicant
- year of offence
- Judicial District of offence
- copy of the judgement rendered, if available

¹ Updated January 2005 version

2. The Registrar shall make all reasonable inquiries to the appropriate Judicial Authority to obtain a Certificate of Conviction (if not included with the declaration) or a similar record as expeditiously as possible.

3. The Registrar, Chair of the Credentials Committee and the Executive Director shall consider the information and may receive submissions from legal counsel retained by the College and the subject member or his/her counsel, and make such inquiries of individuals as they may deem necessary. The following may be given consideration when making a determination:

- year of offence
- type of offence
- applicant's history since the conviction

4. The Registrar, Chair of the Credentials Committee and the Executive Director may recommend to Council one of the following:

- deny the application for membership
- request more information
- proceed with consideration of the membership application.

The recommendation should not provide the name of the applicant.

5. If the application is denied, the Registrar shall inform the applicant of the decision within 10 business days of the decision being rendered. The applicant shall be advised of the opportunity to request a Credential's Hearing at this time.

6. The Discipline Committee shall be notified of the decision at the next scheduled meeting, such notification should not provide the name of the applicant, but should include the kind of indictable offence.