

	Criminal Charge or Conviction Policy
	Date Effective: December 2018
	Revised: December 2021, December 2024
	Next Review Due: December 2027

Background

According to Section 21 of the RHPA “A member who is found guilty of an offence shall notify the council ... without delay.” As well, Section 62.1(1)(a) says “A member shall promptly report the circumstances and provide such additional information as known or available to the member to the Registrar of the member’s college, where the member has been charged with or found guilty of an offence, other than a minor traffic or parking violation, in any jurisdiction”.

Purpose

The purpose of this policy is to provide guidelines to the Council of the College for managing incidents of a registrant being charged with or found guilty of an offence in any jurisdiction.

1.0 Policy

1.1 When a member reports a criminal charge or conviction, at or about the time it occurs, the Registrar shall request the member to provide details of the incident and the Registrar shall inform Council, including:

- a) the charge,
- b) time and location of the offence,
- c) circumstances of the offence,
- d) relationship to their working schedule,
- e) relationship to work, if any,
- f) the sentence imposed, and the date of the conviction

If required by the Registrar, the member shall provide police or court records to verify the information reported.

1.2 A report must be made by a registrant to the Registrar within 7 days of a criminal charge. Failure to report a charge within the 7 days may result in a complaint filed against the registrant.

- 1.3 A member who reports a criminal conviction at the time of registration must provide to the Registrar the details of the incident as described in 1.1 above.
- 1.4 If the member is convicted, the Registrar obtains the details described in 1.1(f) above and obtains a copy of the court record.
- 1.5 The Registrar examines the member's registration record to determine whether there is a current condition on the member's registration related to the charge or conviction.
- 1.6 If the member is charged or convicted of impaired driving:
 - 1.6.1 In the event that the member has conditions on their registration prohibiting the use of alcohol or drugs and the member reportedly uses drugs or alcohol, evidenced by self-reporting, a complaint, or a conviction for impaired driving, the Registrar notifies Council and the Coordinator of Regulatory Services (CRS) notifies the Hearing Committee that imposed the conditions. The Hearing Committee would be required to meet to determine the appropriate course of action and report their findings and decision to Council.
 - 1.6.2 If the Registrar determines that the member has no current conditions on their registration but has had conditions in the past related to alcohol or drug use, and the current impaired driving conviction occurred in the context of a working day, a new complaint may be initiated by the Registrar.
 - 1.6.3 If the Registrar determines that the member has no current conditions on their registration, has not had conditions in the past related to alcohol or drug use, and the current impaired driving conviction occurred in the context of a working day, a complaint may be initiated by the Registrar.
 - 1.6.4 If the Registrar determines that the member has no current conditions on their registration, has not had conditions in the past related to alcohol or drug use, and the current impaired driving conviction did not occur in the context of a working day, no further follow-up may be required, unless 1.7 applies. The incident is recorded in their registration record.
- 1.7 If Council believes that a member poses a risk of serious and imminent harm to the member's clients or to the general public, as per the RHPA Section 53(1) Council may make an order to impose terms and conditions or suspend the member's registration immediately for a period not exceeding 90 days, as per RHPA Section 53(3), pending referral to an investigation committee.