



GUIDELINE FOR POLICE RECORD CHECKS

POLICE CRIMINAL RECORD CHECK
POLICE INFORMATION CHECK
POLICE VULNERABLE SECTOR CHECK

March 28, 2011

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LEARN MISSION

The Mission of the Law Enforcement and Records (Managers) Network (LEARN) is to share information, discuss ideas and develop guidelines for the benefit of the policing community; promote records management; and encourage consistency among police agencies.

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CHANGE LOG

Green highlights throughout this document indicate changes since last version.

DATE	DESCRIPTION OF CHANGE
September 2013	Throughout – Modified: Absolute and Conditional Discharges released for only 1 year and 3 years, respectively for PIC and PVSC. May release from another police service’s local file with permission for the same time period.
	Throughout – Modified: PIC and PVSC will NOT include Diversions and no reference to the occurrence is permitted (cc s. 717.4)
	Throughout – Modified: Police Involvement...a timeframe of five years from the date reported ...
	Throughout – Modified: Pardon amended to Record Suspension throughout document.
	Throughout – Modified: Definition of Vulnerable Sector amended for consistency throughout document.
	Throughout – Modified: “Shall” to be used for circumstances when information disclosed/non disclosed in accordance with Policy, Directive or Legislation.
	Throughout – Modified: “Should” to be used for circumstances when information is disclosed/non disclosed upon discretion.
	Throughout – Modified: Self-Declaration changed to (Self) Declaration of Criminal Record to maintain consistency with RCMP.
	Throughout – Modified: Extrajudicial Measures are not to be released per YCJA 119(4).
	Page 3 – Added: Police Services do not have the authority to run a query of the Investigative databank (10-29) for a PCRC.
	Page 14 s. 15 – Modified: Absolute and Conditional Discharge Prior to July 24, 1992. Combined Absolute and Conditional Discharges in one section. Dispositions of Absolute or Conditional Discharge (Adult and Youth) issued prior to July 24, 1992, should NOT be released on any record check.
	Section 2 – Modified: put in alphabetical order for ease of reference.
	Section 4 – Modified: replaced with text from RCMP policy.
	Section 8 – Modified: replaced with more comprehensive instructions.
	Section 9 – Added: Definitions for Quashed and Record Suspension.
	Appendix A – Modified: Summary Convictions – all released from local files or with permission from other service.
	Appendix A – Modified: Convictions – separate Summary and Indictable Convictions.
	Appendix A (Record Type) – Modified: put in alphabetical order for ease of reference.
	Appendix A (Dispositions) – Modified: put in alphabetical order for ease of reference.
	Appendix I – Added: Declaration of Criminal Record Form.
	Appendix J – Added: RCMP Form 2.
	Appendix K – Added Reconsideration Request Form.
	Appendix L – Added: Frequently Asked Questions.
March 2011	Guideline first published

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INTRODUCTION

The LEARN Guideline for Police Record Checks is intended to assist police services understand and apply relevant legislation, policies, procedures and directives to the processing of Police Record Checks. It is also intended to promote consistency in processing methods as well as terminology used throughout the Province of Ontario.

Note this Guideline does not address third party, for profit or not-for-profit companies. For further information refer to the RCMP Policy.

All decisions relating to Police Record Checks must also be consistent with internal policies and Board By-laws of the respective police service.

This guideline incorporates provisions of the:

- Criminal Records Act
- CPIC Reference Manual
- Freedom of Information and Protection of Privacy Act (FIPPA)
- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Youth Criminal Justice Act
- Ministerial Directive on the Release of Criminal Records (2010)

In preparing this guideline, the Sub-Committee conducted extensive consultation with stakeholders including:

- Royal Canadian Mounted Police
- Canadian Criminal Real Time Identification Services (CCRTIS)
- The Ontario Human Rights Commission
- The Information and Privacy Commission
- Volunteer Toronto
- Justice for Children and Youth
- Ontario Association of Patient Councils
- Community and Legal Aid Services Program
- Canadian Mental Health Association Ontario
- Psychiatric Patient Advocate Office
- Police Record Check Coalition

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1: THREE LEVELS OF POLICE RECORD CHECKS

Level 1: Police Criminal Record Check (PCRC)

This check is intended for applicants who are involved as a volunteer, employee or in any situation where a basic PCRC is requested (i.e., retail or immigration). This check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.

If the applicant has a criminal conviction, this check can only be provided by the local police service where the applicant resides. If the applicant does NOT have criminal convictions any police service may provide a negative PCRC (also known as a Clearance Letter), regardless of residency.

NOTE: Police Services do not have the authority to run a query of the investigative databank (10-29) for this level of check.

The Police Criminal Record Check will include the following information:

- (a) Criminal convictions (summary and indictable) from CPIC and/or local databases.

NOTE: See section on (Self) Declaration of Criminal Record

The Police Criminal Record Check WILL NOT include:

- (a) Outstanding entries, such as charges and warrants.
- (b) Absolute and conditional discharges.
- (c) Current judicial orders, including Peace Bonds, Probation and Prohibition orders under the Criminal Code of Canada.
- (d) Convictions where a record suspension has been granted.
- (e) Convictions under provincial statutes.
- (f) Local police contact.
- (g) Ministry of Transportation information (PARIS).
- (h) Special Interest Police (SIP) category of CPIC.
- (i) Family Court Restraining Orders.
- (j) Foreign information.
- (k) A Vulnerable Sector (VS) Query of pardoned sex offenders to ascertain if the applicant has been convicted of and granted a record suspension for any of the sexual offences that are listed in the schedule to the Criminal Records Act (CRA).
- (l) Any reference to incidents involving mental health contact that did not result in a conviction.
- (m) Charged and processed by other means such as Diversion.

Level 2: Police Information Check (PIC)

A collection of offence information, including convictions, non-convictions and other relevant police contact information available from a local police agency's records management system and other systems/records where authorized.

This check is intended for applicants who are seeking volunteer and/or employment with agencies who require a criminal record check along with local police involvement. The agency has determined that a search of pardoned sex offenders, or contacts relating to mental health apprehensions is NOT required (i.e., border crossing or visa) therefore this check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.

The Police Information Check will include the following information; released as either a criminal record or police contact information. Refer to (Self) Declaration of Criminal Record requirements, Records Check Release Chart and Criteria.

- (a) Criminal convictions (summary and indictable) from CPIC and/or local databases.
- (b) Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency.
- (c) Absolute and conditional discharges. (Release as a criminal record **only** until the 1 or 3 year expiry date.)
- (d) Family Court Restraining Orders.
- (e) Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- (f) A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful and threatening behaviour.

The Police Information Check WILL NOT include:

- (a) Convictions where a record suspension has been granted.
- (b) Convictions under provincial statutes.
- (c) **Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).**
- (d) Ministry of Transportation information (PARIS).
- (e) Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- (f) Youth Criminal Justice Act (YCJA) information beyond applicable disclosure period.
- (g) Special Interest Police (SIP) category of CPIC.
- (h) Information gathered outside formal occurrence reports (i.e., street checks, CAD) should not be released unless under exceptional circumstances.
- (i) Any reference to contagious diseases.
- (j) Victim/Complainant/**Witness** information should not be released unless under exceptional circumstances.
- (k) Foreign information.
- (l) A VS query of pardoned sex offenders to ascertain if the applicant has been convicted of and granted a record suspension for any of the sexual offences that are listed in the schedule to the CRA.
- (m) Any reference to incidents involving mental health contact that did not result in a criminal charge.

Level 3: Police Vulnerable Sector Check (PVSC)

This check is restricted to applicants seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons. It is a collection of offence information, including convictions, non-convictions and other relevant police contact information available from a local police agency's records management system and other systems/records where authorized. This check will include sexual offence convictions for which the individual has received a record suspension where authorized by the Minister of Public Safety and Emergency Preparedness.

The Police Vulnerable Sector Check will include the following information (refer to (Self) Declaration of Criminal Record requirements, Records Check Release Chart and Criteria, Ontario Human Rights Considerations):

- (a) Criminal convictions (summary and indictable) from CPIC and/or local databases.
- (b) Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency.
- (c) Absolute and conditional discharges. (Release as a criminal record only until the 1 or 3 year expiry date.)
- (d) Family Court Restraining Orders.
- (e) Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- (f) A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful or threatening behavior which may or may not have involved a mental health incident.
- (g) All record suspensions as authorized for release by the Minister of Public Safety.

The Police Vulnerable Sector Check WILL NOT include:

- (a) Convictions under provincial statutes.
- (b) Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).
- (c) Ministry of Transportation information (PARIS).
- (d) Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- (e) Youth Criminal Justice Act (YCJA) information beyond the applicable disclosure period.
- (f) Special Interest Police (SIP) category of CPIC.
- (g) Information gathered outside formal occurrence reports (i.e., street checks, CAD) should not be released unless under exceptional circumstances.
- (h) Any reference to contagious diseases.
- (i) Victim/Complaint/Witness information should not be released unless under exceptional circumstances.
- (j) Foreign information.
- (k) Mental Health Act terminology (refer to Ontario Human Rights Considerations).

2: RECORD CHECKS RELEASE CRITERIA



Absolute Discharge – AFTER July 24, 1992

ADULT:

Dispositions of Absolute Discharge issued after July 24, 1992 shall NOT be released on a PCRC. Dispositions of Absolute Discharge do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the relating information may be released from your own local files without a (self) declaration on a PIC or PVSC. The information may be released from another police service's local file with permission, using the role of "subject". After one year, no reference to the occurrence shall be released.

YOUTH:

Dispositions of Absolute Discharge issued after July 24, 1992 shall not be released on a PCRC.

Dispositions of Absolute Discharge do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for one year after the guilty verdict from your own local files on a PIC or PVSC. After one year, no information shall be released.

See Section 119 (2) (e) of the YCJA.

Absolute and Conditional Discharge – PRIOR TO July 24, 1992

Prior to July 24, 1992 discharges were considered a conviction which changed to a non-conviction disposition after this date. It may still appear on the CRII. Applicants must write to the RCMP and request this to be removed from their record as the record suspension process does not apply.

ADULT:

Dispositions of Absolute or Conditional Discharge issued prior to July 24, 1992 should NOT be released on any record check.

YOUTH:

Dispositions of Absolute or Conditional Discharge issued prior to July 24, 1992 shall not be released on any record check.

Acquittal / Not Guilty

An Acquittal or finding of Not Guilty is a disposition rendered by a judge. Non-convictions do not meet the (self) declaration qualifications.

ADULT:

Information relating to these court dispositions should be released on a PIC or PVSC for a period of two months following the 30-day appeal period or if an appeal is taken, the period ending three

months after all proceeds of the appeal have been completed. If an appeal has been launched, the relating CPIC entry reverts back to an Accused entry within the Investigative Databank and may be released on a PIC or PVSC with the confirmation and permission of the originating agency (the onus is on the releasing agency to confirm if an appeal has been launched).

Note: This information shall not be included on a PCRC.

YOUTH:

If a young person is Acquitted of an offence other than by reason of Not Criminally Responsible, the information should be released on a PIC or PVSC for a period of two months following the 30 day appeal period or, if an appeal is taken, the period ending three months after all proceedings of the appeal have been completed. The information shall not be included on a PCRC.

See Section 119 (2) (b) of the YCJA.

Conditional Discharge AFTER July 24, 1992

ADULT:

Dispositions of Conditional Discharge issued after July 24, 1992 shall NOT be released on a PCRC. Dispositions of Conditional Discharge do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the relating information may be released from your own local files on a PIC or PVSC. The information may be released from another police service's local file with permission, using the role of "subject". After three years, no reference to the occurrence shall be released.

YOUTH:

Dispositions of Conditional Discharge issued after July 24, 1992 shall not be released on a PCRC.

Dispositions of Conditional Discharge do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for three years after the guilty verdict from your own local files on a PIC or PVSC. After three years, no information shall be released.

See Section 119 (2) (f) of the YCJA.

Conviction, Suspended Sentence or Finding of Guilt

Criminal convictions, Suspended Sentence or Findings of Guilt that are included on the CRII shall be released on the PCRC, PIC and PVSC.

Information may only be released from the Identification Databank through the submission of fingerprints or if the police service is satisfied the applicant's (self) declaration of a criminal record matches the information from the CRII (See (Self) Declaration of Criminal Record section) or confirmation can be made through your local in-house records.

If the applicant's (self) declaration of a criminal record does not match the information found on the CRII the applicant must submit fingerprints. Dispositions may be released from your local in-house records if you're satisfied with the identity of the applicant.

When information relating to these dispositions no longer appears on the CRII, the relating information should be released from your local database as a police contact, referring to the applicant as "Subject", on a PIC or PVSC.

YOUTH:

Criminal dispositions may not be (self) declared by a young person and therefore any information identified by way of a CRII query may not be included on a PCRC, PIC or PVSC without the submission of fingerprints; however, if the information is confirmed through your own local database, the information may be released on a PCRC, PIC or PVSC as follows:

If a young person has been found guilty of a summary offence, the information should be released from your own local database on a PCRC, PIC or PVSC for a period of three years after the youth sentence has been completed.

See Section 119 (2) (g) of the YCJA.

If a young person has been found guilty of an indictable offence, the information should be released from your own local database on a PCRC, PIC or PVSC for a period of five years after the youth sentence has been completed.

See Section 119(2) (h) of the YCJA.

NOTE: If the young person is subsequently convicted with committing another criminal offence during the disclosure period of a preceding offence, the disclosure period for the prior offence becomes equal to that of the current offence/disposition. Additionally, if the subject commits a criminal offence as an adult during the disclosure period of any previous charges under the YCJA, the youth record becomes a part of a permanent adult record.
See Section 119(9) of the YCJA.

Current Judicial Orders

A query of the Investigative Databank of the Canadian Police Information Centre (CPIC) should be conducted, **for PIC and PVSC**, to identify any current Judicial Orders (i.e., Firearm Prohibition Orders, Probation Orders, Peace Bonds, etc.) held by any Canadian Police Service.

As per the CPIC Reference Manual, hit confirmation **MUST** be conducted on all hits and permission to include the information must be obtained from the originator.

Note: This information shall not be included on a PCRC.

In Section 7.2, Release of Investigative and Ancillary Databank Information, the CPIC Reference Manual states:

CPIC Information from the Investigative Databank may be released for security and reliability clearances or for private employment purposes; however, no CPIC information shall be released for this purpose unless:

1. confirmation and verification with the record owner (originating agency) has been carried out; and,
2. the originating agency has been notified of the reason for the check and has consented to the release; and,
3. personal visual identification by the law enforcement agency of the subject of the check has taken place; and,

4. the results of the checks are communicated directly to the subject of the check. The applicable information may be released verbally or in writing. However, printouts shall not be released.

Dismissed

ADULT:

Dispositions of Dismissed shall NOT be released on a PCRC. Dispositions of Dismissed do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released from your own local files on a PIC or PVSC. The information may be released from another police service's local file with permission, using the role of "subject".

YOUTH:

Dispositions of Dismissed shall not be released on a PCRC. Dispositions of Dismissed do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for two months after the disposition date from your own local files on a PIC or PVSC. After two months, no information shall be released.

See Section 119 (2) (c) of the YCJA.

Dispositions

A query of the Identification Databank of the Canadian Police Information Centre (CPIC) must be conducted to identify court dispositions (i.e., convictions, suspended sentence, conditional discharge, etc.). These queries are generally referred to as a CNI and a CRII. Dispositions may also be found within local in-house records.

NOTE: When foreign dispositions are included on a CRII they must not be included on any level of police record checks as per Section 3.1 of the INTERPOL Charter. The exception is entries on the conviction part of the CRII identified as international transfer of offenders may be disclosed.

Information may only be released from the Identification Databank through fingerprint confirmation or if the police service is satisfied the applicant's (self) declaration matches the information from the CRII (See **(Self) Declaration of Criminal Record** section).

Information relating to Summary Conviction offences for which fingerprints were not taken will only be available through local police databases. Where available, this information should be included on a PCRC, PIC and PVSC. If this information originates with another police service, hit confirmation and permission to release must be obtained.

Querying the Firearms Interest Police (FIP) database, the Police Information Portal (PIP) and your local occurrence database may also reveal criminal dispositions.

When information obtained from the Identification Databank is being released on any level of police record checks without having the applicant submit fingerprints, the following caution must be included:

CAUTION: Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records has resulted in a POSSIBLE match to a registered a criminal record. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such, the criminal record information declared by the applicant does NOT constitute a Certified Criminal Record by the RCMP. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

Extrajudicial Measures

YOUTH:

Extrajudicial Measures refers to actions other than judicial proceedings under the Youth Criminal Justice Act. See Section 2(1) of the YCJA.

Extrajudicial Measures include:

- no further action
- warning
- police caution (not formally used in Ontario)
- Crown caution (post-charge the Crown may establish caution program)
- referral to community program or agency with consent of young person.

Where an occurrence was dealt with by way of an Extrajudicial Measure, including “no further action”, the information must not be included on a PCRC, PIC or PVSC.

See Section 9 of the YCJA.

Family Court Restraining Orders

Family Court Restraining Orders shall not be released on a PCRC; however, they should be released on a PIC or PVSC.

Finding of Guilt with Reprimand

YOUTH:

Where the applicant received a finding of guilt and was issued a reprimand from the court, this disposition shall not be released on a PCRC.

A Finding of Guilt with a Reprimand does not meet the (self) declaration qualification and therefore shall not be released from the CRII; however, the information may be released for 2 months after the disposition date from your own local files on a PIC or PVSC.

See Section 119 (2) (c) of the YCJA.

Firearms Interest Police (FIP)

A query of the Firearms Interest Police (FIP) databank should be done through a Canadian Police Information Centre (CPIC) query. A FIP query can be used as a tool to identify reports held by other police services. Hit confirmation **MUST** be conducted on all hits and permission to include the information (not the FIP entry) on a PIC or PVSC must be obtained from the originator. If criminal convictions are identified, they may also be released on a PCRC.

INTERPOL

INTERPOL must not be queried for any level of police record checks as per Section 3.1 of the INTERPOL Charter.

Ministry of Transportation, Police Automated Registration Information System (PARIS)

Vehicle and driver information has been made available by the Ministry of Transportation to Category I Police Services through the Ancillary Databank to CPIC for investigative purposes only. The owner of the information has the authority to restrict both access and further dissemination. PARIS must not be queried for any level of police record checks.

Not Criminally Responsible (NCR)

ADULT:

CPIC entries relating to an applicant who has been found Not Guilty by Reason of Insanity (prior to February 1992) or Not Criminally Responsible on Account of a Mental Disorder (after February 1992) and is awaiting disposition from a Review Board will be found in the CPIC Investigative Databank under the Accused **or SIP** category. Once confirmed by the originating agency and permission to release is granted, this information should be released on a PIC or PVSC **as police contact**; however, since this is not a conviction it shall not be included on a PCRC.

A disposition or a disposition order is a determination by the Court of the Ontario Review Board regarding a person who has been found not criminally responsible due to mental disorder of committing an offence or who has been found unfit to stand trial. There are three types of final dispositions: Absolute Discharge, Conditional Discharge and Custodial.

YOUTH:

The only reference to disposition of Not Criminally Responsible within the YCJA can be found in Section 119(2) (b) which states:

"The period of access referred to in subsection (1) is: if the young person is acquitted of the offence otherwise than by reason of a verdict of not criminally responsible on account of mental disorder, the period ending two months after the expiry of the time allowed for the taking of an appeal or, if an appeal is taken, the period ending three months after all proceedings in respect of the appeal have been completed".

The YCJA is silent on a period of access for dispositions of NCR. Without a specified period of access restriction, the information could be accessed at any time by the youth/counsel. As a result,

and as the information would only be provided to the applicant (youth), the NCR disposition should be released on a PIC or PVSC; however, since this is not a conviction it shall not be included on a PCRC.

Other Police Service Involvement

The applicant should be asked to provide a five-year address history. Contact should be made with each police service having jurisdiction over previous address(es) to request a search for any negative police contacts as well as permission to release any information provided. This information should be released on a PIC or PVSC. If criminal convictions are identified, they may also be released on a PCRC.

Outstanding Criminal Charges & Warrants

A query of the Investigative Databank of the Canadian Police Information Centre (CPIC) should be conducted, for PIC and PVSC, to identify outstanding criminal charges and warrants held by any Canadian Police Service.

As per the CPIC Reference Manual, hit confirmation **MUST** be conducted on all hits and permission to include the information must be obtained from the originator.

NOTE: Outstanding criminal charges and warrants shall not be included on a PCRC. Police Services do not have the authority to run a query of the investigative databank (10-29) for this level of check.

In Section 7.2, Release of Investigative and Ancillary Databank Information, the CPIC Reference Manual states:

CPIC Information from the Investigative Data Bank may be released for security and reliability clearances or for private employment purposes; however, no CPIC information shall be released for this purpose unless:

1. confirmation and verification with the record owner (originating agency) has been carried out; and,
2. the originating agency has been notified of the reason for the check and has consented to the release; and,
3. personal visual identification by the law enforcement agency of the subject of the check has taken place; and,
4. the results of the checks are communicated directly to the subject of the check. The applicable information may be released verbally or in writing; however, printouts shall not be released.

Police Information Portal (PIP)

A query of the Police Information Portal (PIP) database should be conducted. A PIP query can be used as a tool to identify reports held by other police services. Hit confirmation **MUST** be conducted on all hits and permission to include the information on a PIC or PVSC must be

obtained from the originator. If criminal convictions are identified, they may also be released on a PCRC. (See PIP section)

Police Involvement

When processing a PIC or PVSC, occurrence databases should be reviewed for a timeframe of five years **from the date reported**, to identify if the applicant has had any negative contact with police. The time frame may be extended if a pattern of behaviour has been established. Contact may include events relating, but not limited to, theft, weapons, sex offences or violent, harmful or threatening behaviour.

Events which involve mental health incidents may only be included in a PVSC. Involvement roles to review may include: Arrested, Accused, Charged, Wanted, Warned, Cautioned, Subject and Suspect. Suspect information should NOT be released when it may hinder an ongoing investigation and/or the suspect has not been contacted by police.

Any information deemed relevant for release on a PIC or PVSC should refer to the applicant's role as "Subject".

Police involvement may include Summary Conviction offences. These are criminal offences where there is no requirement under the **Identification of Criminals Act** for fingerprints to be taken and as such, neither the offence nor the disposition may appear in the Identification Databank of CPIC (**unless attached to an indictable offence and supported by fingerprints**). Where available, this information should be included on a PCRC, PIC and PVSC.

Victim/Complainant information should NOT be released unless there are exceptional circumstances where there is a demonstrated risk to the vulnerable sector (i.e., pattern of domestic violence in a home daycare situation).

Witness information should NOT be released.

Generally speaking, street checks and computer aided dispatch (CAD) incidents where there is no formal report generated should NOT be included unless there are exceptional circumstances where there is a demonstrated risk to the vulnerable sector.

When considering whether to release police mental health contact information on a PVSC, consideration must be given to:

- whether the event put the applicant or others at risk;
- caused harm to the applicant or others;
- a weapon was used by the applicant;
- how long ago the event occurred.

If a determination is made to release the information on PVSC, the applicant should be referred to as "subject" of the event with no reference to the Mental Health Act or health related descriptors.

Incidents where the applicant attempted suicide and in so doing caused harm to self or placed others at risk of harm should be considered for release on a PVSC as follows:

- if there is more than one incident in the previous five years, all incidents should be released.
- if there is only one **incident** and that **incident** is less than one year old the information should be released.
- verbal threats to commit suicide where there was no action taken by the applicant should not be released.

Incident is listed as ‘violent/threatening behaviour’ referencing the applicant as “subject” on a PVSC only.

See Ontario Human Rights Considerations section.

YOUTH:

See above paragraphs with the following exceptions: Where a criminal occurrence has been cleared by way of an Extrajudicial Measure (i.e., warning, caution, referral or no further action) the information must not be released.

The YCJA states that Extrajudicial Measures includes “no further action” and so where the investigating officer takes no action whatsoever on a non-violent incident, the involvement must not be released.

See Section 9 of the YCJA.

Prohibition Orders

(Criminal Code)

Prohibition orders will be identified through a query of the CPIC Investigative Databank. Criminal Code Prohibition Orders will include liquor, firearms, vehicle/driving (including boat operation), hunting or any other court or statute-imposed prohibition such as those under the Aeronautics Act.

Prohibition Orders shall not be included on PCRC.

Once confirmed and permission from the originator is obtained, all Criminal Code Prohibition Orders should be released on PIC or PVSC.

NOTE: Non-criminal driving suspensions shall NOT be included on a PCRC, PIC or PVSC.

Provincial Offences

Information relating to Provincial Offences (i.e., Speeding, Intoxicated in Public, Bylaw offences) will be available through in-house records management systems; however, they shall not be released on a PCRC, PIC or PVSC. Information relating to the final court disposition is not readily available to police and therefore the information may not be current or appropriate for release.

Record Suspension

Unless written permission has been granted by the Minister of Public Safety, information relating to an offence and disposition for which a Record suspension has been granted shall not be released on a PCRC, PIC or PVSC. (See Record suspensions – Sexual Offences)

Record Suspensions – Sexual Offences

(Bill C7, Criminal Records Act 2000)

As a result of Bill C7 passed on August 1, 2000, the CRA was amended to permit the flagging of pardoned sex offenders. CPIC system changes were made to permit CPIC agencies with law enforcement authority (Category I Agencies) to conduct queries using the CNI format screen and the “VS” keyword (Vulnerable Sector). This query searches the CPIC system for any flagged pardoned sex offenders for the purpose of conducting any level of police record checks for persons wanting to work or volunteer in a position of authority or trust with the vulnerable sector.

Police Services are encouraged to work with organizations in their jurisdiction to educate them on the legislation and the applicable processes. The organizations are responsible for advising the police service when a “VS” query is required. Police should not make this determination; however, they must satisfy themselves in some manner that the position being applied for is one that will be dealing with the vulnerable sector as defined in the CRA.

For instructions see Section 3 - Vulnerable Sector CPIC Query.

Special Interest Police (SIP)

A query of the Canadian Police Information Centre (CPIC) Investigative Databank may reveal a Special Interest Police (SIP) hit. This information may be used as a tool to identify reports held by a police service. Hit confirmation **MUST** be conducted on all hits and permission to include the relating information (not the SIP entry) on a PIC or PVSC must be obtained from the originator.

NOTE: When foreign information is entered in the SIP category (i.e., foreign warrants) the information must not be included on any level of police record checks as per Section 3.1 of the INTERPOL Charter.

Stayed

ADULT:

Dispositions of Stayed shall **NOT** be released on a PCRC. Dispositions of Stayed do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the relating information may be released from your own local files on a PIC or PVSC.

YOUTH:

Dispositions of Stayed shall not be released on a PCRC.

Dispositions of Stayed do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for one year after the

disposition date from your own local files on a PIC or PVSC. After one year, no information shall be released.

See Section 119 (2) (d) of the YCJA.

Withdrawn

ADULT:

Dispositions of Withdrawn shall NOT be released on a PCRC. Dispositions of Withdrawn do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the relating information may be released from your own local files on a PIC or PVSC. The information may be released from another police service's local file with permission, using the role of "subject".

YOUTH:

Dispositions of Withdrawn shall not be released on a PCRC.

Dispositions of Withdrawn do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for two months after the disposition date from your own local files on a PIC or PVSC. After two months, no information shall be released.

See Section 119 (2) (c) of the YCJA.

Withdrawn – Diversion (Alternative Measures) (Adult)

Dispositions of Withdrawn – Diversion shall not be released from local files in any manner (CC S 717.4).

Withdrawn – Diversion (Youth)

Dispositions of Withdrawn – Diversion shall NOT be released on a PCRC, PIC or PVSC.

Withdrawn – Extrajudicial Sanction (Youth)

YOUTH:

Information relating to an Extrajudicial Sanction shall NOT be released on a PCRC. Extrajudicial Sanctions do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released from your own local files on a PIC or PVSC for two years after the youth consents to the sanction.

See Section 119 (2) (a) of the YCJA.

Withdrawn – Peace Bond

ADULT:

Where a charge has been Withdrawn and a Peace Bond issued, the disposition shall NOT be released on a PCRC. Dispositions of Withdrawn do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released from your own local files on a PIC or PVSC. The information may be released from another police service's local file with permission, using the role of "subject".

While the Peace Bond is in effect, that information should be released on a PIC or PVSC as a current judicial order.

YOUTH:

Where a charge has been Withdrawn and a Peace Bond issued, the disposition shall not be released on a PCRC.

Dispositions of Withdrawn do not meet the (self) declaration qualifications and therefore shall not be released from the CRII; however, the information may be released for two months after the disposition date from your own local files on a PIC or PVSC. After two months, no information shall be released. While the Peace Bond is in effect, the information should be released on a PIC or PVSC as a current judicial order.

See Section 119 (2) (c) of the YCJA.

3: VULNERABLE SECTOR CPIC QUERY

3

As part of the Police Vulnerable Sector Check (PVSC), a vulnerable sector (VS) CPIC query must be conducted. This query is used to determine if an individual seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons has any convictions for a sexual offence listed in the Criminal Records Act (CRA) for which a record suspension was granted.

Section 6.3(3) of the CRA places the responsibility on the employer (whether that be an individual or an organization) or volunteer agency to determine the need for a PVSC. However, police services are prohibited from conducting VS checks if they do not feel the positions meet the requirements for a VS check (CRA 6.3(4)). In compliance with the CRA, the applicant or agency must be responsible for the well-being of vulnerable persons.

- 6.3(3)** At the request of any person or organization responsible for the well-being of a child or vulnerable person and to whom or to which an application is made for a paid or volunteer position, a member of a police force or other authorized body shall verify whether the applicant is the subject of a notation made in accordance with subsection (2) if:
- (a) the position is one of trust or authority towards that child or vulnerable person; and
 - (b) the applicant has consented in writing to the verification.

Vulnerable Persons are described in the CRA as:

A person who, because of his or her age, a disability or other circumstances, whether temporary or permanent,

- (a) is in a position of dependency on others; or
- (b) is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

Therefore, a query of Pardoned Sex Offenders will be conducted through CPIC if:

1. The person or organization has determined that the applicant will be responsible for the wellbeing of one or more vulnerable persons; **and**

2. The applicant is a resident of the local police service's jurisdiction (as per the RCMP Dissemination of Criminal Record Information Policy); and
3. The applicant provides identification; and
4. The applicant completes the RCMP Vulnerable Sector Consent FORM 1 or the police service's application with equivalent wording incorporated into the form.

IMPORTANT NOTE: Possible matches are based on name, gender and date of birth. When the VS flag is set on a CNI query, the computer application first does an initial or standard CNI surname query. The computer uses a find code for the surname in the search so that similar surnames as well as exact matches will be a hit. It also includes a search of a date of birth range of 10 years before and 10 years after the date of birth specified on the query. If the vulnerable sector flag was set and one or more records were returned, and the score was zero or more the VS message will appear and the process ends. If no possible hits were returned from the initial surname query, a subsequent query (the enhancement from July 2010) will search for an exact match on sex (male, female or unknown) and date of birth only. If the VS flag was set and one or more records were returned, the VS message is returned.

A possible match on a query will respond with the following pre-formatted message: "For screening of applicants applying for positions working with vulnerable persons, submit fingerprints on Form C216-C and consent forms to the RCMP Identification Services in Ottawa. Any records returned may or may not pertain to the subject of your enquiry. Positive identification can only be confirmed through the submission of fingerprints. No information relating to this message may be disclosed."

If the above message is received, fingerprints are mandatory to complete a PVSC.

NOTE: There will be no name associated to this pre-formatted message. The hits returned from this CNI VS query may also include CNI information on other possible hits which may or may not pertain to the applicant.

Refusal to submit fingerprints

If the applicant refuses to submit fingerprints the PVSC application process must be discontinued.

Fingerprinting for a possible VS match

If the applicant elects to continue the process, the police service must submit the following package to Canadian Criminal Real time Identification Service (CCRTIS):

- (a) Ensure that the mandatory fields are complete on the C-216 Form (paper or electronic).
 - Clearly identify that the fingerprints are being submitted for the purpose of a VS check, the position applied for and the return address of the Police Service.
- (b) The mandatory signed RCMP Vulnerable Sector Consent FORM 1.
 - The completed FORM 1 must indicate if the VS check is required for employment or volunteer purposes (not both), the position applied for, a description of how the position relates to vulnerable persons, and the name of the organization that determined the requirement for a VS check.

- (c) For volunteers, a letter on letterhead from the volunteer organization confirming that a VS check is a requirement. A letter is required only for the submission of volunteer VS fingerprints.
- (d) For **non-volunteer** PVSC checks the RCMP charges a fee. For applicable fees and mailing address see the RCMP website at <http://www.rcmp-grc.gc.ca/cr-cj/vulner/index-eng.htm>

If the RCMP returns the fingerprints with no disclosed sexual offence convictions for which a record suspension was granted, the police service will complete the search using the PVSC guidelines.

If the RCMP confirms that the applicant has a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of the information contained in the file.

NOTE: If the applicant chooses not to **sign RCMP Form 2**, the police service will contact the requesting person (employer) or volunteer agency in writing indicating that the police service was unable to complete the PVSC.

Fingerprinting for an Adoption Application

Although a VS search for adoption does not fall within the CRA requirements, it is recommended that fingerprints be submitted to the RCMP for all adoption record checks. If fingerprints are submitted for adoption purposes Canadian Criminal Real Time Identification Services (CCRTIS) will conduct a query of pardoned sex offender records.

NOTE: Returned fingerprints will NOT indicate that a VS search was completed.

Disclosure of Information

When the information is authorized for disclosure by the Minister of Public Safety, any pardoned sex offence and criminal records associated with the fingerprints will be returned to the submitting police service. **If CCRTIS returns the opened criminal record and pardoned sex offender record do not transcribe the record, release the RCMP product as authorized by the Minister.**

If CCRTIS returns the opened criminal record and pardoned sex offender record the police service will then obtain the applicants consent in writing for disclosure on RCMP FORM 2.

Once the applicant has signed FORM 2 giving consent for the release of the record(s) the police service must forward the result to the person (employer) or volunteer agency. Under Section 6.3(7) of the CRA, “a police force or other authorized body shall disclose the information referred to in subsection (6) to the person or organization that requested verification, if the applicant for a position has consented in writing to the disclosure”.

The RCMP does not retain any fingerprints submitted for a VS query. Therefore, if the employer or volunteer organization requires future VS checks, the applicant must submit fingerprints.

If the information is not authorized for disclosure, no reference is to be made to the information.

NOTE: Fingerprints returned from CCTRIS should be returned to the applicant.

4: (SELF) DECLARATION OF CRIMINAL RECORD



(Self) Declaration of a Criminal Record is a process whereby the Applicant declares their adult criminal convictions to the Police Service in accordance with the CCRTIS Dissemination of Criminal Record Information policy.

Declaration MUST include:

- a) **All** convictions for offences under Federal Law.

Declaration must NOT include:

- (a) A conviction for which the applicant has received a Record Suspension in accordance with the Criminal Records Act.
- (b) A conviction where the applicant was a “young person” under the Youth Criminal Justice Act.
- (c) An Absolute or Conditional Discharge, pursuant to section 730 of the Criminal Code.
- (d) An offence for which the applicant was not convicted.
- (e) Any Provincial or Municipal offences.
- (f) Any charges dealt with outside of Canada.

In order to release criminal convictions identified through a name based query, the Police Service must be satisfied that the applicant’s declared criminal record information is a match to their registered criminal record held at the RCMP National Repository of Criminal Records.

NAME-BASED CRIMINAL RECORD CHECK RESPONSES

NEGATIVE – Standard Response

When the CNI/CRS query does not identify any possible criminal record associated to the applicant the following standard response is to be used:

Based solely on the name(s) and date of birth provided, a search of the RCMP National Repository of Criminal Records **did NOT identify any records** with the name(s) and date of birth of the applicant. **Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison.** Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

CONFIRMATION OF A CRIMINAL RECORD – Standard Response

When the CNI/CRS query identifies a criminal record that matches to the criminal record information declared by the applicant, the results of a name based query may be released using the following standard response:

Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records has resulted in a POSSIBLE match to a registered criminal record. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such, the criminal record information declared by the applicant does NOT constitute a Certified Criminal Record by the RCMP. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

INCOMPLETE – Standard Response

If a police service is not satisfied the applicant's declared criminal record information is a match to their registered criminal record held at the RCMP National Repository of Criminal Records, the following response must be used, advising fingerprints are required:

Based solely on the name(s) and date of birth provided and any criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records could NOT be completed. Positive identification that a criminal record does or does not exist requires the applicant to SUBMIT FINGERPRINTS to the RCMP National Repository of Criminal Records by an authorized police service or accredited private fingerprinting company. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

NAME-BASED VULNERABLE SECTOR CHECK RESPONSES

NEGATIVE – Standard Response

When the CNI/CRS query does not identify any possible criminal record associated to the applicant the AND the scoring criteria have not been met for Flagged Suspended Sex Offender Records (VS:Y), the following standard response is to be used:

Based solely on the name(s) and date of birth provided, a search of the RCMP National Repository of Criminal Records, including suspended sex offender records, did NOT identify any records with the name(s) and date of birth of the applicant. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

CONFIRMATION OF A CRIMINAL RECORD (Active criminal record only) – Standard Response

When the CNI/CRS query identifies a criminal record that matches to the criminal record information declared by the applicant AND the filtering criteria have not been met for Flagged Suspended Sex Offender Records (VS:Y), the results of a name based query may be released using the following standard response:

Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records, including suspended sex offender records, **has resulted in a POSSIBLE match to a registered criminal record, but not to a suspended sex offender record. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such, the criminal record information declared by the applicant does NOT constitute a Certified Criminal Record by the RCMP.** Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

INCOMPLETE – Standard Response

When the CNI/CRS query identifies any criminal record of possible association to the applicant that does not match to the criminal record information declared by the applicant AND/OR the filtering criteria have been met for Flagged Suspended Sex Offender Records (VS:Y), the following response must be used, advising fingerprints are required:

Based solely on the name(s) and date of birth provided and any criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records, including suspended sex offender records, **could NOT be completed. Positive identification that a criminal record does or does not exist requires the applicant to SUBMIT FINGERPRINTS to the RCMP National Repository of Criminal Records by an authorized police service or accredited private fingerprinting company.** Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.

5: NON-JURISDICTIONAL RESIDENTS

5

The Ministerial Directive Concerning the Release of Criminal Record Information by the Royal Canadian Mounted Police defines the basic authorities for doing criminal record checks using the Identification Data Bank. The CCRTIS Policy on the Dissemination of Criminal Record Information provides the detailed policies for implementing the ministerial directive.

The Ministerial Directive Concerning the Release of Criminal Record Information by the Royal Canadian Mounted Police states under Section 1 of 'Reporting with respect to Criminal Records':

Where a Confirmation of a Criminal Record has been sought by an applicant, a police service of local jurisdiction where the applicant resides may release to the applicant a report, in a form to be established by the RCMP, of the applicant's adult convictions and associated criminal record information from the RCMP National Repository of Criminal Records.

This paragraph **prohibits the release** of criminal record (CRII) information by a Police Service **outside** of the jurisdiction where the applicant lives. It **permits** the release of criminal record (CRII) conviction information inside the jurisdiction where the applicant lives.

For individuals residing **outside** of the police service's jurisdiction in accordance with the Ministerial Directive and CPIC Policy, a Police Service can only **verify** the information claimed on the (self) declaration.

To clarify, when dealing with an applicant who resides outside of the Service's jurisdiction, the Service responds using one of the three standard responses (Negative, Incomplete, or Confirmation of a Criminal Record).

If the applicant HAS (self) declared:

If the police service **is satisfied** that the declared criminal record information is a match to the registered (CRII) information, Confirmation of a Criminal Record standard response is checked and the (Self) Declaration of Criminal Record form is included.

If the police service is **not satisfied** then the Incomplete standard response should be checked, and the (Self) Declaration of Criminal Record form not included.

If the applicant HAS NOT (self) declared:

If no Criminal Record exists, reply using the standard Negative response.

If a Criminal Record does exist, respond using the Incomplete standard response requiring the applicant to submit fingerprints. Fingerprint results will be mailed directly to the applicant from the RCMP. Again, no information is to be released by the Police Service.

6: PIP POLICE INFORMATION PORTAL

6

The Police Information Portal (PIP) may be used to process a Police Information Check or Police Vulnerable Sector Check. The PIP Policy and Procedure Manual was designed to include this function. A direct quote from Section 7.42 of the manual follows:

Queries for Non-Criminal Purposes

- 7.42 If the request for release of any PIP information is for security and reliability clearances, the requester must have documented written consent of the subject of the query. The subject must agree to the release of information identifiable to that person that may be on the PIP System.
- 7.43 Victim Services workers shall not have direct access to PIP and all requests for indices checks shall be performed by CPIC Category I Agency personnel. Information obtained from the PIP, where the victim's consent has been obtained, will be vetted to ensure that only Information directly related to the victim is released.
- 7.44 PIP Information will not be shared with or made available to any third party.

Proper use of information must be observed. For example, Extra Judicial Measures under the YCJA may be used for police investigative purposes but shall not be used for non-investigative purposes such as background checks. All information must be confirmed and authorized for release by the contributing agency.

List of Services Currently Publishing to PIP

Only Category 1, Law Enforcement agencies can obtain a copy of the police services currently publishing to PIP by sending an email to PIP@rcmp-grc.gc.ca and requesting a copy. This email address can be used for any PIP questions.

7: ONTARIO HUMAN RIGHTS CONSIDERATIONS



It is the responsibility of the agency, not the police service, to determine whether an applicant requires a Police Criminal Record Check (PCRC), a Police Information Check (PIC) or a Police Vulnerable Sector Check (PVSC). Because of the potential for discrimination under Ontario’s Human Rights Code, the agency should have the applicant obtain any police check as one of the last steps involved in the hiring process only after a conditional offer has been made.

Prior to having an applicant apply for a police check an agency should determine if it is a bona fide requirement for the job in question. The Supreme Court of Canada has set out a three step test which states such a requirement must be:

1. For a purpose or goal that is rationally connected to the function being performed.
2. Made in good faith, in the belief that it is necessary for the fulfillment of the purpose or goal.
3. Reasonably necessary to accomplish its purpose or goal, in the sense that there is no other alternative to accomplish the goal and it is impossible to accommodate the claimant without undue hardship (i.e., the health and safety of others is put at risk, or cost.).

In determining what information should be included on a police record check, this guideline strives to balance the privacy and human rights of the applicant against the safety of the public and in particular vulnerable individuals with whom the applicant would be interacting. This is particularly the case because of the potential discriminatory effect the release of information can have on persons with mental health illness and addictions who come into contact with police.

If the incident resulted in a **criminal charge being laid**, the charge(s) and status/disposition of each charge is to be listed on a PIC/PVSC. It should be included on a PCRC if the charge resulted in a criminal conviction.

If an investigation resulted in a **criminal charge not being laid**, the applicant is listed only as a “subject”, along with the incident type on a PIC and PVSC (mental health contact information shall only be disclosed on a PVSC). The following factors should be considered by the police service in deciding whether to release this information:

1. The report indicates the applicant’s involvement as, but not limited to, suspect, accused, warned, cautioned.
2. Whether any actions made by the applicant placed themselves or a member of the public at risk or harm.
3. Whether any weapon or force was used by the applicant.
4. How long ago the incident occurred.

If a determination is made to disclose a **non criminal incident** based on the above criteria, only the following information shall be released on a PVSC:

- Date of contact
- The incident involved “violent/threatening behaviour” (should the incident involve mental health illness it may only be included on a PVSC with no reference to the Mental Health Act or other Mental Health Act descriptors)
- Applicant’s involvement is listed as “subject”

Incidents where the applicant attempted suicide and in so doing caused harm to self or placed others at risk of harm should be considered for release on a PVSC as follows:

- If there is more than one incident in the previous five years, all incidents should be released.
- If there is only one report and that report is less than one year old the information should be released.
- Verbal threats to commit suicide where there was no action taken by the applicant should not be released.
- Incident is listed as ‘violent/threatening behaviour’ referencing the applicant as “subject” on a PVSC only.



8: RECONSIDERATION PROCESS

An applicant who has had a Police Information Check (PIC) or Police Vulnerable Sector Check (PVSC) completed, may wish to have information excluded from the results. This process is not suitable for the Police Criminal Record Check (PCRC) because the process is for the purposes of non-convictions or police contact only. Individuals wishing to have information removed from their PCRC can utilize the Record Suspension process through the Parole Board of Canada.

It is recommended that each police service have a process in place to provide reconsideration of police contact and non-conviction information.

When processing a reconsideration request the police service should take the following criteria into consideration:

1. Date of incident.
2. Age of the applicant at the time of the incident.
3. All information available to the police service that relates to the applicant including Crown notes.
4. Details of the incident including any written information provided by the applicant or others who had contact with the individual at the time of the incident if available.

The reconsideration process should be clear, transparent and available to the public in areas such as the front counters of police divisions, web-site, etc.

The applicant should be informed in writing of the final decision of the police service and be provided a general reason if denied.

Requests for reconsideration should be made within 60 days of the completion of the applicant's PIC/PVSC. Reconsideration requests should be processed within 30 days.

The reconsideration request panel should consist of at least three members. An uneven and manageable number of members are required to ensure reconsideration requests are reviewed on a regular and timely basis. An example of a reconsideration panel would be:

- Records Unit Manager or designate;
- Operations Superintendent or designate; and
- Major Crime Staff Sergeant or designate.

Police services may also wish to invite Legal Counsel to the panel meetings in order to ensure that the legal interests of the police service are protected; however, this individual should not be involved in the final decision as it could be construed to be a conflict of interest should Legal need to become involved in the matter at a future date.

Below are some further considerations when developing a reconsideration procedure.

To qualify for the reconsideration process:

- Process is only available for PIC and PVSC.
- Appeal must be made within 60 days upon receipt.
- Can only appeal entries that appear on the record check.
- Convictions will not be eligible for reconsideration.
- Outstanding judicial orders or cases that are before the courts are not eligible for reconsideration
- Youth Criminal Justice Act entries are not eligible for reconsideration.
- Note: If any of the above qualifications are not met, the application will be rejected upon receipt and the applicant will be notified in writing.

To apply for reconsideration:

- Applicant submits letter or form designed by police service for reconsideration.
- Applicant must include a copy of their current record check.
- Applicant may include any documents they feel may support their request.
- Police services may wish to limit the length of written representation to one or two pages.

The reconsideration panel:

- Panel reviews submissions and responds in writing to the applicant.

Considerations during the review:

- More serious incidents will not be considered within five years of the date of the charge.
- More serious incidents include, but are not limited to, violence, threatening, sexual and Controlled Drugs and Substance Act offences.
- Less serious incidents may be considered within five years unless a pattern of behaviour has been established. Pattern of behaviour is defined as more than one incident of police contact.



9: GLOSSARY

Absolute Discharge Adult	A court disposition where the accused is not convicted, but is found guilty of an offence and is discharged with no conditions.
Absolute Discharge Youth	A court disposition where the accused youth is not convicted, but is found guilty of an offence and is discharged with no conditions.
Accused	A person against whom legal proceedings have commenced.
Acquittal	A court disposition where the accused has been found not guilty of the charges presented before the court.
Agency	An organization, company, bureau or in some cases an individual that would require an applicant to obtain a Police Record Check.
Alternative Measures	A lighter court disposition regarding an adult accused of a criminal charge who would be prepared to plead guilty or at minimum, acknowledge guilt. The result is a mild penalty such as community service, an apology to the victim or counseling. May also be referred to as Diversion.
Ancillary Data Bank	The Ancillary Data Bank is one of four data banks of operational information within the CPIC system. It contains diverse files of information on subjects such as vehicle registered owners, driver's licences, wandering persons and penitentiary inmates. The information in the files is contributed and maintained by either non-police agencies (i.e., Correctional Services of Canada for inmate data) or police agencies (i.e., the RCMP for Restricted Weapon Registration System (RWRS) data). Only the owner of the information may grant access to the data.
Applicant	An individual undergoing a Police Record Check.

Best Practice	A procedural document researched and prepared by the Law Enforcement and Records Managers Network (LEARN). Also referred to as a LEARN Guideline.
Bill C7 (1999)	Proclaimed August 1, 2000 to amend the Criminal Records Act to permit the flagging of pardoned sex offenders.
Canadian Charter of Rights and Freedoms	Enacted in 1982, the Charter contains provisions protecting the rights of an individual.
Canadian Criminal Real Time Identification Services CCRTIS	Canadian Criminal Real Time Identification Services (CCRTIS) maintains the national repository of fingerprint and criminal record information and is mandated to provide direct operational support to the Canadian law enforcement, criminal justice and public security communities, as well as international partners such as the Federal Bureau of Investigation (FBI) and INTERPOL for criminal, civil and immigration purposes. CCRTIS is the national provider of biometric-based criminal record verifications for civil and criminal court purposes as well as the security screening environment for all levels of government and the general public.
Canadian Police Information Centre – CPIC	The Canadian Police Information Centre (CPIC) is a computerized national repository of information that facilitates the sharing of information among authorized agencies.
Certified Criminal Record Product	A collection of an individual’s offence convictions and non-convictions (where authorized) that are releasable in accordance with federal laws. Based on the results of a Fingerprint-based Criminal Record Verification.
Conditional Discharge Adult	A court disposition where the accused is not convicted but found guilty of an offence and is discharged with conditions.
Conditional Discharge Youth	A court disposition where the accused youth is not convicted but found guilty of an offence and is discharged with conditions.
Consent Form 1	A form to be signed by the applicant that allows police services to conduct a query for pardoned sex offences for the purpose of vulnerable sector screening.
Criminal Name Index CNI	CPIC query function based on name, gender and date of birth. This query is used to match names against possible criminal records or to identify potential hits to a pardoned sex offence.

CRII	CPIC query function based on a fingerprint section ID number (FPS number). This query provides a listing of criminal dispositions found in the Identification Data Bank of the CPIC system.
Declaration of Criminal Record	A process whereby the Applicant declares all offence convictions to the CPIC Agency in accordance with CPIC policy requirements and federal laws. Based on the declared criminal record information, the CPIC Agency may confirm that the Applicant's declared criminal record information possibly matches to a registered criminal record held at the RCMP National Repository of Criminal Records, pursuant to CPIC policy requirements.
Dismissed	A court disposition where the court stops or interrupts criminal proceedings against the accused.
Diversion	A lighter disposition of a criminal charge regarding an adult accused who would be prepared to plead guilty or at minimum, acknowledge guilt. The result is a mild penalty such as community service, an apology to the victim or counseling. May also be referred to as Alternative Measures.
Dual-Procedure Offence	An offence that can be prosecuted either as a summary conviction offence or an indictable offence. The Crown Attorney chooses the mode of prosecution. Examples include but are not limited to: Impaired Driving, Assault, Theft Under. Also referred to as Hybrid Offences.
Extra-Judicial Measures EJM	Extrajudicial Measures are actions other than judicial proceedings under the Youth Criminal Justice Act (YCJA) used to deal with a young person alleged to have committed an offence. Extrajudicial Measures include: Warning, Caution, Referral, No Further Action
Extra-Judicial Sanctions	Extrajudicial Sanctions may be used to deal with a young person alleged to have committed an offence only if the young person cannot be adequately dealt with by a warning, caution or referral because of the seriousness of the offence, the nature and number of previous offences committed by the young person or any other aggravating circumstances. Extrajudicial Sanctions are dealt with and managed by the Ministry of the Attorney General thereby being outside of police control.
Finding of Guilt	A court disposition where the accused is either convicted or discharged of an offence.

<p>Firearms Interest Police FIP</p>	<p>Firearms Interest Police (FIP) is a category within the CPIC system. This category is used to record data on persons who, in the last five years, have been involved in incidents such as, but not limited to: violence, harassment and drug related events. See CPIC Reference Manual for further details.</p>
<p>Foreign Information</p>	<p>Information obtained via CPIC contributed by foreign countries.</p>
<p>Forensic Science and Identification Services</p>	<p>Forensic Science and Identification Services (FS&IS) is an integral part of NPS with a mandate to provide quality investigative support services for front line policing. FS&IS provides a wide range of forensic programs and services to clients in Canada and internationally through forensic science services.</p>
<p>Hit</p>	<p>A response to a CPIC query.</p>
<p>Hybrid Offences</p>	<p>An offence that can be prosecuted either as a summary conviction offence or an indictable offence. The Crown Attorney chooses the mode of prosecution. Examples include but are not limited to: Impaired Driving, Assault, Theft Under. Also referred to as Dual Procedure Offences.</p>
<p>Identification Data Bank</p>	<p>The Identification Data Bank within the CPIC system contains criminal record information. The RCMP Information and Identification Services maintain the information on behalf of police agencies who contribute the records</p>
<p>Identity Documents</p>	<p>A document, in accordance with CPIC policy requirements and applicable privacy laws that may be used to authenticate an Applicant's identity in support of a Criminal Record Check .</p>
<p>Indictable Offence</p>	<p>An indictable offence is a serious crime that has sufficient evidence where the judge/jury can formally charge a person with committing the crime. Such crime can range from rape, kidnapping, murder, robbery etc.</p>
<p>Informed Consent</p>	<p>Informed consent is generally an agreement to do something or to allow something to happen only after all the relevant facts are disclosed. An informed consent can be said to have been given based upon a clear appreciation and understanding of the facts, implications, and future consequences of an action. In order for informed consent to be considered valid, the subject must be competent and the consent must be given voluntarily.</p>

Intelligence Data Bank	The Intelligence Data Bank within the CPIC system contains criminal intelligence information. The information is contributed and maintained by members of the police community responsible for gathering and analyzing criminal intelligence. Access to this data bank is restricted.
INTERPOL	INTERPOL is an international police organization, with 187 member countries. Created in 1923, it facilitates cross-border police co-operation, and supports and assists all organizations, authorities and services whose mission is to prevent or combat international crime.
Investigative Databank	The Investigative Data Bank within the CPIC system contains information, grouped into files, on cases under investigation and includes details on wanted and missing persons, stolen vehicles, stolen boats and other items of stolen or lost property. The information in this data bank is contributed and maintained by police agencies.
Juvenile Delinquents Act JDA	Introduced in 1908 as Canada’s first legislation to govern young persons in conflict with the law. In 1984, Canada replaced the JDA with the Young Offenders Act.
Law Enforcement and Records (Managers) Network LEARN	Law Enforcement and Records (Managers) Network (LEARN), a sub-committee of the Ontario Association of Chiefs’ of Police (OACP).
LEARN Guideline	A procedural document, researched and prepared by the Law Enforcement and Records Managers Network (LEARN). Also referred to as a LEARN Best Practice.
Local Criminal Record	Criminal dispositions held by individual police services, including those not supported by fingerprints.
Mental Health Act MHA	The Mental Health Act in Ontario is a law that governs how people are admitted to psychiatric facilities, how their mental health records are kept and accessed, their financial affairs are handled, and their release into the community.
National Police Services	National Police Services (NPS) supports Canada’s law enforcement community through service lines that provide: forensic analyses of criminal evidence; criminal records information; identification services; technological support; and enhanced learning opportunities and coordination of criminal information and intelligence.

<p>Not Criminally Responsible</p> <p>NCR</p>	<p>No person is criminally responsible for an act committed or an omission made while suffering from a mental disorder that rendered the person incapable of appreciating the nature and quality of the act or omission or of knowing that it was wrong.</p>
<p>Not Guilty</p>	<p>This court disposition simply means the accused has not been found guilty; however, it does not necessarily equate to innocence. It is a determination by the court that the evidence is insufficient to convict the accused.</p>
<p>Notice and Acknowledgement Forms</p>	<p>Provide individuals with notice of the scope of police records check practices and serve to limit necessary and authorized disclosures to those circumstances where an individual acknowledges his or her intention to pursue an application or accept a conditional offer for a particular position with a service provider.</p>
<p>Ontario Association of Chiefs' of Police</p> <p>OACP</p>	<p>The mandate of the Ontario Association of Chiefs' of Police (OACP) is to promote competent administration of policing services; to co-ordinate police training and education; to provide a timely and efficient flow of information to its members; and to address membership concerns and priorities through a unified voice to government. The OACP is the governing body of the Law Enforcement and Records Managers Network (LEARN) and many other sub-committees.</p>
<p>Occurrence</p>	<p>A report generated as a result of an incident or event investigated by police.</p>
<p>Offender</p>	<p>A person who had been determined by a court to be guilty of an offence, whether on acceptance of a plea of guilty or a finding of guilt.</p>
<p>Ontario Human Rights</p> <p>OHR</p>	<p>Ontario's Human Rights Code, the first in Canada, was enacted in 1962. The Code protects people in Ontario against discrimination in employment, accommodation, goods, services and facilities, and membership in vocational associations and trade unions.</p>
<p>Organization</p>	<p>An agency, company or bureau that would require the individual to obtain a Police Record Check.</p>
<p>Pardon</p>	<p>See Record Suspension</p>

<p>Police Automated Registration Information System</p> <p>PARIS</p>	<p>The Police Automated Registration Information System (PARIS) is an Ancillary Data Bank within the CPIC system. It contains information regarding vehicle registration and driver information through the Ministry of Transportation</p>
<p>Peace Bond</p>	<p>A Court Order that requires a person to keep the peace and be of good behaviour especially toward another person. It may also include a no contact condition.</p>
<p>Physical Verification</p>	<p>A process whereby the identity of an applicant is physically authenticated in support of a Police Record Check.</p>
<p>Police Criminal Record Check</p> <p>PCRC</p>	<p>This level of screening is intended for applicants who are involved as a volunteer, employee or in any situation where a basic PCRC is requested (i.e., retail or immigration). This check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.</p>
<p>Police Information Check</p> <p>PIC</p>	<p>This level of screening is intended for applicants who are seeking volunteer and/or employment with agencies who require a criminal records check along with local police involvement. The agency has determined that a search of pardoned sex offenders, or contacts relating to mental health apprehensions is NOT required (i.e., border crossing or visa) therefore this check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.</p>
<p>Police Information Portal</p> <p>PIP</p>	<p>A nationally integrated master name indexing and records management gateway, allowing participant agencies to access certain information contained in each other's law enforcement databases.</p>
<p>Policing Support Services</p>	<p>Policing Support Services (PSS) is responsible for providing support services to front line police officers, including: service lines that interact with units internal to the RCMP; and service lines that provide services to external RCMP partners.</p>
<p>Police Vulnerable Sector Check</p> <p>PVSC</p>	<p>This level of screening is restricted to applicants seeking employment and/or volunteering with vulnerable individuals. It is a collection of offence information, including convictions, non-convictions and other relevant police contact information available from a local police agency's records management system and other systems/records where authorized. This check will include sexual offence convictions for which the individual has received a record suspension where authorized by the Minister of Public Safety and Emergency Preparedness.</p>

<p>Private Information</p>	<p>Anyone who has reasonable grounds to believe that a person has committed an offence may lay an information in writing and under oath before a Justice of the Peace.</p> <p>When a private citizen presents the information to the court, it is then referred to either a provincial court judge or a designated justice of the peace, who holds a special hearing. The purpose of the hearing is to determine whether a summons or warrant should be issued to compel the person to attend court and answer to the charge.</p>
<p>Pre-Charge Diversion</p>	<p>Police may refer a person accused of committing a minor offence to a pre-charge diversion program. The accused must attend an interview where they agree to complete a program such as community service, restitution, donation, letter of apology, etc. in order to avoid a court proceeding.</p>
<p>Prohibition Orders</p>	<p>A Court Order that prohibits the subject from certain rights or behaviour. (Examples: driving, hunting, firearms, parks, etc.)</p>
<p>Provincial Offences Act POA</p>	<p>The provincial legislation governing the prosecution of provincial offences, and municipal by-law infractions. (Examples: the Highway Traffic Act, the Occupational Health and Safety Act, and the Environmental Protection Act.).</p>
<p>Quashed</p>	<p>A court disposition that generally means to reject as invalid, especially by legal procedure or “put an end to” or suppress.</p>
<p>Record Suspension</p>	<p>A record suspension allows people who were convicted of a criminal offence to have their criminal record kept separate and apart from other criminal records. Under the Criminal Records Act, the National Parole Board may issue, grant, deny or revoke record suspensions for convictions under federal acts or regulations of Canada.</p>
<p>Real Time Identification System RTID</p>	<p>The RTID system is part of a major Crown project designed to improve the efficiency of Canada’s national fingerprint and criminal record repository. It will replace outdated paper processes and legacy systems with re-engineered workflows and automation. Electronically accessed by authorized agencies based on fingerprint submissions.</p>
<p>Reprimand</p>	<p>A youth found guilty receives a lecture or warning from the judge. Section 42.2.(a) YCJA</p>
<p>Restraining Order</p>	<p>A Court Order that prohibits the subject from having direct or indirect contact with identified person(s).</p>

<p>RCMP National Repository of Criminal Records</p>	<p>Canada’s repository of criminal records relating to individuals that have been charged with indictable and/or hybrid offences. Since the Identification of Criminals Act only allows the taking of fingerprints in relation to indictable or hybrid offences and the RCMP National Repository of Criminal Records is fingerprint-based, the National Repository only contains information relating to these two categories of offences. Summary conviction offences are only included in the National Repository if submitted to the RCMP as part of an occurrence involving an indictable or hybrid offence. With the exception of “young person” indictable or hybrid offence convictions, police agencies are not required by law to report offences to the RCMP. A search of local police records may reveal criminal record information that has not been reported to the RCMP</p>
<p>Special Interest Police SIP</p>	<p>Special Interest Police (SIP) is a category within the CPIC system. This category is used to record data on persons who are KNOWN to be dangerous to self or others, a record suspension applicant, overdue on a pass from a federal institution, etc. See CPIC Reference Manual for further details.</p>
<p>Stayed</p>	<p>The court disposition of Stayed is a halting of proceedings. The charge(s) is suspended and the Crown Attorney has the authority to recommence court proceedings at a later date, within one year.</p>
<p>Summary Conviction Offence</p>	<p>Summary Conviction Offences encompass minor offences in the Criminal Code (i.e., Cause Disturbance, Harassing Telephone Calls). Charges are proceeded with summarily or without an indictment or full trial. The court is generally comprised of a Provincial Court Judge or a Justice of the Peace.</p>
<p>Suspect</p>	<p>A person believed to have committed a crime or offence.</p>
<p>Suspended Sentence</p>	<p>Unless law prescribes a minimum punishment, the court has the power to suspend the passing of sentence (generally for a period of three years) and place the offender on probation. It is the passing of the sentence, not the sentence itself that is being suspended. This means that if the defendant is convicted of another offence during the period when the passing of sentence had been suspended, then the offender may be sentenced for the original offence.</p>
<p>Unfit To Stand Trial</p>	<p>Unable on account of mental disorder to conduct a defense at any stage of the proceedings before a verdict is rendered or to instruct counsel to do so.</p>

Vulnerable Person	A person who, because of their age, a disability or other circumstances, whether temporary or permanent are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them, pursuant to the Criminal Records Act.
Withdrawn	Withdrawn refers to the Crown stopping or interrupting criminal proceedings against the accused.
Young Offenders Act YOA	The Young Offenders Act (YOA) replaced the Juvenile Delinquents Act in 1984. The Youth Criminal Justice Act replaced the YOA on April 1, 2003.
Youth Criminal Justice Act YCJA	An Act in respect of criminal justice for young persons and to amend and repeal other Acts. The Youth Criminal Justice Act (YCJA) replaced the Young Offenders Act on April 1, 2003.
Young Person	The Youth Criminal Justice Act defines a young person as someone twelve years of age or older, but less than eighteen years of age at the time of committing an offence or alleged to have committed an offence.

Appendix A: RECORDS CHECK RELEASE CHART

Refer to Records Check Release Criteria for further details

RECORD TYPE	Police Criminal Records Check	Police Criminal Records Check	Police Information Check	Police Information Check
	ADULT	YOUTH	ADULT	YOUTH
Attempt Suicides	Not Released	Not Released	Do not release, except: If more than one attempt in the previous 5 years, then all incidents released, or, If attempt is less than 1 year old. Incident is listed as “violent / threatening behaviour”, referencing the applicant as “subject” on a PVSC only.	Do not release except: If more than one attempt in the previous 5 years, then all incidents released, or, If the attempt is less than 1 year old. Incident is listed as ‘violent / threatening behaviour’ referencing the applicant as “subject” on a PVSC only.
Current Judicial Orders (Peace Bonds, Restraining Orders, Criminal Code Prohibition Orders & Probation Orders)	Not Released	Not Released	All Released	All Released
INTERPOL	Do Not Query	Do Not Query	Do Not Query	Do Not Query

RECORD TYPE	Police Criminal Records Check ADULT	Police Criminal Records Check YOUTH	Police Information Check Police Vulnerable Sector Check ADULT	Police Information Check Police Vulnerable Sector Check YOUTH
	Non Criminal Incidents (Including mental health related contact)	Not Released	Not Released	Do not release, except: if incident involved violent/threatening behaviour. Incident is listed referencing the applicant as “subject”. Events which involve mental health incidents may only be included in a PVSC.
Other Police Service Involvement For Past 5 Years Through PIP, FIP OR Directly From Contributing Agency	Not Released	Not Released	Query PIP on all applicants. Note: If address from past 5 years is from a non contributing PIP agency, contact involved Service directly. FIP queries are not released, but can be used as a tool to identify reports held by other Services. Contributing agencies shall be contacted for permission prior to release.	Query PIP on all applicants. Note: If address from past 5 years is from a non contributing PIP agency, contact originating Service directly. FIP queries are not released, but can be used as a tool to identify reports held by other Services. Contributing agencies shall be contacted for permission prior to release.
Outstanding Criminal Charges & Warrants Excluding Private Informations	Not Released	Not Released	All Released	All Released

RECORD TYPE	Police Criminal Records Check	Police Criminal Records Check	Police Information Check	Police Information Check
	ADULT	YOUTH	Police Vulnerable Sector Check ADULT	Police Vulnerable Sector Check YOUTH
PARIS	Do Not Query	Do Not Query	Do Not Query	Do Not Query
Police Involvement Criminal Incidents (non-convictions) For 5 Years from date reported unless there is a pattern of behaviour	Not Released	Not Released	A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful or threatening behavior. If a criminal charge is laid the disposition should be listed (refer to Dispositions Section of the Chart) If no criminal charge is laid, the incident is listed referencing the applicant as ‘subject’. Events which involve mental health incidents may only be included in a PVSC. The information may be released from another police service’s local file with permission, using the role of “subject”.	A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful or threatening behavior. If a criminal charge is laid the disposition should be listed (refer to Dispositions Section of the Chart) Events which involve mental health incidents may only be included in a PVSC. <i>Incidents dealt with by way of Extrajudicial Measures shall not be released.</i>

RECORD TYPE	Police Criminal Records Check ADULT	Police Criminal Records Check YOUTH	Police Information Check Police Vulnerable Sector Check ADULT	Police Information Check Police Vulnerable Sector Check YOUTH
SIP Special Interest Police	Not Released	Not Released	SIP queries are not released, but can be used as a tool to identify reports held by other Services. Contributing agencies shall be contacted for permission prior to release.	Not Released

DISPOSITIONS	Criminal Records Check ADULT	Criminal Records Check YOUTH	Police Records Check With / Without Police Vulnerable Sector ADULT	Police Records Check With / Without Police Vulnerable Sector YOUTH
Absolute Discharge	Not Released	Not Released	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files without (self) declaration for 1 year.</p> <p>The information may be released from another police service's local file, for 1 year, with permission.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 1 year after disposition is rendered.</p>
Acquittal / Not Guilty	Not Released	Not Released	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>From local database, release for a period of two months following the 30 day appeal period, or if an appeal is taken, the period ending three months after all proceedings of the appeal have been completed.</p> <p>(Onus on Service to confirm appeal has not been launched).</p>	<p>Release for a period of two months following the 30 day appeal period, or if an appeal is taken, the period ending three months after all proceedings of the appeal have been completed.</p> <p>(Onus on Service to confirm appeal has not been launched).</p>

DISPOSITIONS	Criminal Records Check ADULT	Criminal Records Check YOUTH	Police Records Check With / Without Police Vulnerable Sector ADULT	Police Records Check With / Without Police Vulnerable Sector YOUTH
Conditional Discharge	Not Released	Not Released	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files without (self) declaration for 3 years.</p> <p>The information may be released from another police service's local file, for 3 years, with permission.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 3 years after disposition is rendered.</p>
<p>Convictions (Indictable), Suspended Sentence OR Findings of Guilt</p> <p>Not Including Discharges (5 Year Limit Does Not Apply)</p>	<p>All released from CRII if self-declared.</p> <p>All may be released from own local files without (self) declaration.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>From local database – 5 years for indictable offences after completion of most recent sentence.</p>	<p>All released from CRII if self-declared.</p> <p>All may be released from own local files without (self) declaration.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>From local database – 5 years for indictable offences after completion of most recent sentence.</p>
<p>Convictions (Summary), Suspended Sentence OR Findings of Guilt</p>	<p>Not available on the CR therefore (self) declaration is not required.</p> <p>All Released</p> <p>The information may be released from another police service's local file with permission.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>From local database – released for 3 years for summary offences</p>	<p>Not available on the CR therefore (self) declaration is not required.</p> <p>All Released</p> <p>The information may be released from another police service's local file with permission.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>From local database – released for 3 years for summary offences</p>

DISPOSITIONS	Criminal Records Check	Criminal Records Check	Police Records Check	Police Records Check
	ADULT	YOUTH	With / Without Police Vulnerable Sector ADULT	With / Without Police Vulnerable Sector YOUTH
Dismissed	Not Released	Not Released	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files without (self) declaration for 5 years.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 2 months after disposition date.</p>
Extrajudicial Measures (Before or after court) YOUTH	Not Applicable	Not Released	Not Applicable	Incidents dealt with by way of Extrajudicial Measures shall not be released.
Extrajudicial Sanctions YOUTH	Not Applicable	Not Released	Not Applicable	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 2 years after consent to sanction.</p>
Finding of Guilt with Reprimand YOUTH Only	Not Applicable	Not Released	Not Applicable	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 2 months after finding of guilt.</p>

DISPOSITIONS	Criminal Records Check	Criminal Records Check	Police Records Check	Police Records Check
	ADULT	YOUTH	With / Without Police Vulnerable Sector ADULT	With / Without Police Vulnerable Sector YOUTH
NCR Not Criminally Responsible	Not Released	Not Released	All Released	Shall not be self-declared and therefore not released from CRII. May be released from own local files.
Prohibition Orders – Criminal Code	Not Released	Not Released	All Released	All Released
Prohibition Orders – Non-Criminal (Driving)	Not Released	Not Released	Not Released	Not Released
Provincial Offences	Not Released	Not Released	Not Released	Not Released
Record Suspensions (Pardons)	Not Released	Not Released	Not Released	Not Released
Record Suspensions (Pardons) – Sexual Offences	Not Released	Not Applicable	Released If Approved By Minister of Public Safety	Not Applicable
Stayed	Not Released	Not Released	Shall not be self-declared and therefore not released from CRII. May be released from own local files without (self) declaration for five years.	Shall not be self-declared and therefore not released from CRII. May be released from own local files without (self) declaration for one year.

DISPOSITIONS	Criminal Records Check ADULT	Criminal Records Check YOUTH	Police Records Check With / Without Police Vulnerable Sector ADULT	Police Records Check With / Without Police Vulnerable Sector YOUTH
Withdrawn	Not Released	Not Released	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files without (self) declaration for five years.</p> <p>The information may be released from another police service's local file with permission, using the role of "subject".</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 2 months after disposition.</p>
Withdrawn – Diversion Alternative Measures Including Mental Health Diversion	Not Released	Not Released	Not Released	Not Released

DISPOSITIONS	Criminal Records Check ADULT	Criminal Records Check YOUTH	Police Records Check With / Without Police Vulnerable Sector ADULT	Police Records Check With / Without Police Vulnerable Sector YOUTH
<p>Withdrawn – Peace Bond</p> <p>Also See Current Judicial Orders</p>	<p>Disposition Not Released</p>	<p>Disposition Not Released</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files without (self) declaration for five years.</p> <p>The information may be released from another police service’s local file with permission, using the role of “subject”.</p>	<p>Shall not be self-declared and therefore not released from CRII.</p> <p>May be released from own local files for 2 months after disposition. Reference to Peace Bond can be made as a Judicial Order while in effect.</p>

Appendix B: POLICE RECORD CHECK APPLICANT FACT SHEET

FOR INDIVIDUALS SEEKING EMPLOYMENT OR VOLUNTEER OPPORTUNITIES

The “insert name” Police Service (the Service) will complete a Police Record Check on a potential candidate for employment or volunteer duties when:

1. The agency you are applying to:
 - Has completed an initial review of your suitability and is considering you for employment or a volunteer opportunity.
 - Has requested the Police Record Check as part of determining suitability for employment or volunteer duties because the position is one of authority or trust relative to vulnerable persons.
 - Understands its obligation under the Human Rights Code with respect to evaluation, hiring and training volunteers or employees and what constitutes a bona fide reason for refusing to hire any individual or volunteer.
2. You reside within the jurisdiction of this police service.
3. You have signed the required consent forms.

The “insert name” Police Service offers three levels of record checks:

1. Police Criminal Record Check
2. Police Information Check
3. Police Vulnerable Sector Check

Police Criminal Record Check

This check is intended for applicants who are involved as a volunteer, employee or in any situation where a basic Police Criminal Record Check is requested. This check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.

Police Criminal Record Check will include:

- Criminal convictions (summary and indictable) from the Canadian Police Information Centre (CPIC) and/or local databases.

NOTE: See section on (Self) Declaration of Criminal Record Requirement.

Police Criminal Record Check will NOT include:

- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders.
- Absolute and Conditional Discharges.
- Convictions where a record suspension has been granted.
- Convictions under provincial statutes.
- Local Police contacts.
- Ministry of Transportation information.
- Family Court Restraining orders.
- Foreign information.
- Charged and processed by other means such as Diversion.
- Any reference to incidents involving mental health contact that did not result in a conviction.

Police Information Check

This check is intended for applicants who are seeking volunteer and/or employment with agencies who require a Police Criminal Record Check along with local police involvement. The agency has determined that a search of pardoned sex offenders or contacts relating to mental health apprehensions is not required; therefore this check is NOT intended for applicants who are seeking volunteer and /or employment with vulnerable persons.

Police Information Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases.
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders.
- Absolute and Conditional Discharges as a police contact if the expiry period has NOT been reached.
- Family Court Restraining orders.
- Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful and threatening behaviour.

Police Information Check will NOT include:

- Convictions where a record suspension has been granted.
- Convictions under provincial statutes.
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).
- Ministry of Transportation information.
- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- Youth Criminal Justice Act (YCJA) charges or information beyond applicable disclosure period.
- Victim/Complainant information unless there is an exceptional circumstance.
- Foreign information.

- Any reference to incidents involving mental health contact that did not result in a criminal charge.

Police Vulnerable Sector Check

This check is restricted to applicants seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons. With your consent, a query of sex offences for which a record suspension has been granted will be conducted in compliance with the Criminal Records Act (CRA).

Police Vulnerable Sector Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases.
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probations and Prohibition Orders.
- Absolute and Conditional Discharges as a police contact if the expiry period has NOT been reached.
- Family Court Restraining Orders.
- Dispositions including but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful or threatening behaviour which may or may not have involved a mental health incident.
- All record suspensions, including non sex offences, identified as a result of a Police Vulnerable Sector Check and authorized for release by the Minister of Public Safety.

Police Vulnerable Sector Check will NOT include:

- Convictions under provincial statutes.
- Ministry of Transportation information.
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).
- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- Youth Criminal Justice Act (YCJA) charges or information beyond the applicable disclosure period.
- Victim/Complaint information unless there is an exceptional circumstance.
- Foreign information.
- Mental Health Act terminology.

(Self) Declaration of Criminal Record

(Self) declaration of criminal record is a process where you may declare your adult criminal record convictions to the police service.

Do NOT declare:

- A conviction for which you have received a record suspension.
- A conviction where you were a “young person”.
- Absolute or Conditional Discharges.

- Any offences where you were not convicted.
- Provincial or municipal offences.
- Any charges dealt with outside of Canada.

The Service will confirm if the information matches a criminal record contained within the RCMP National Repository of Criminal Records. If the Service is not satisfied that your declared criminal record information is a match to a Criminal Record held at the repository, fingerprints are required.

Requirement for Fingerprints

Criminal Record: If the police service is not satisfied that your (self) declaration is a match to a criminal record held at the Criminal Record Repository, your fingerprints must be submitted to the RCMP.

Vulnerable Sector: If you are seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons you may be required to submit fingerprints to verify whether you have been pardoned for a sexual offence contained within the RCMP National Criminal Records Repository.

Release of Completed Police Record Check

Police Criminal Record Check and Police Information Check

The Service will provide the results of a completed Police Criminal Record Check and Police Information Check only to you, the applicant.

It is your decision to share the results of a Police Record Check with the agency where you want to work or volunteer. The role of the Service is to provide you with the results of the Police Record Check. The agency is responsible to determine your suitability for the position.

Police Vulnerable Sector Check

The Service will complete a Vulnerable Sector Check based on your name and date of birth, as well as, gender and date of birth. If no record is found, a completed Police Vulnerable Sector Check will be provided to you, the applicant.

If the Vulnerable Sector Search is inconclusive a fingerprint based search will be required. If the RCMP confirms that you have a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of all or part of the information contained in your file. When the information is authorized for disclosure by the Minister, the criminal record associated with your fingerprints will be returned to the Service and will include the pardoned sexual offence information. At this point the Service will be required to obtain your consent in writing for disclosure of the record(s). When you have signed the form giving consent to release the record(s) the Service must forward the information to the requesting agency (employer or volunteer agency).

If you, the applicant, choose not to disclose your record(s) the Service will contact the requesting agency in writing indicating that the Service was unable to complete the Police Vulnerable Sector Check.

Reconsideration Request Process

If you wish to request reconsideration on any information disclosed on the Police Information Check or Police Vulnerable Sector Check you may apply in writing to (Name & address of Service).

You may also refer to the (name of Police Service) website at (website address) for further information regarding the Police Record Check process.

Appendix C: POLICE RECORD CHECK AGENCY FACT SHEET

POLICE RECORD CHECKS FOR EMPLOYMENT OR VOLUNTEER OPPORTUNITIES

Police Record Checks are performed only upon the written consent of the applicant.

The agency plays an integral role in the initial stages of the hiring process. Even before an individual applies for a Police Record Check the agency should:

- (a) Complete an initial review for suitability and be considering the individual for an employment or volunteer opportunity.
- (b) Understand its obligation under the Human Rights Code with respect to evaluation, hiring and training volunteers or employees and what constitutes a bona fide reason for refusing to hire any individual or volunteer.
- (c) Determine that if a Police Vulnerable Sector Check is required, it is done so only for the purpose of assisting the Agency to determine the suitability of potential candidates for employment and/or volunteer duties responsible for the well-being of persons who, because of their age, disability or other circumstances are at a greater risk than the general population.

For further information on selecting employees or volunteers refer to Volunteer Canada 10 Step Guideline and Screening Handbook at <http://volunteer.ca/content/2012-screening-handbook>.

By performing a Police Record Check, “insert name” Police Service (the Service) is in no way making a recommendation on the suitability of the applicant for the position nor should the agency consider the existence of information to mean a compulsory disqualification of the individual. It is important to note that information contained within a Police Record Check is based upon information provided by the applicant and the Service cannot guarantee it will identify all information pertaining to the individual.

The “insert name” Police Service provides three levels of Police Record Checks:

1. Police Criminal Record Check
2. Police Information Check
3. Police Vulnerable Sector Check

Police Criminal Record Check

This check is intended for applicants who are involved as a volunteer, employee or in any situation where a basic Police Criminal Record Check is requested (i.e., retail or immigration). This check is NOT intended for applicants who are seeking volunteer or employment in a position of authority and trust relative to vulnerable persons.

Police Criminal Record Check will include:

- Criminal convictions (summary and indictable) from the Canadian Police Information Centre (CPIC) and/or local databases.

NOTE: See section on (Self) Declaration of Criminal Record Requirement.

Police Criminal Record Check will NOT include:

- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders.
- Absolute and Conditional Discharges.
- Convictions where a record suspension has been granted.
- Convictions under provincial statutes.
- Local Police contacts.
- Ministry of Transportation information.
- Family Court Restraining Orders.
- Foreign information.
- Charged and processed by other means such as Diversion.
- Any reference to incidents involving mental health contact that did not result in a conviction.

Police Information Check

This check is intended for applicants who are seeking volunteer and/or employment with agencies who require a Police Criminal Record Check along local police involvement. This check is NOT intended for applicants who are seeking volunteer or employment in a position of authority and trust relative to vulnerable persons.

Police Information Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases.
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders.
- Absolute and Conditional Discharges as a police contact if the expiry period has NOT been reached.
- Family Court Restraining Orders.
- Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful and threatening behaviour.

Police Information Check will NOT include:

- Convictions where a record suspension has been granted.
- Convictions under provincial statutes.
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).
- Ministry of Transportation information.

- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- Youth Criminal Justice Act (YCJA) charges or information beyond applicable disclosure period.
- Victim/Complainant information unless there is an exceptional circumstance.
- Foreign information.
- Any reference to incidents involving mental health contact that did not result in a criminal charge.

Police Vulnerable Sector Check

This check is intended for applicants who are seeking volunteer or employment in a position of authority and trust relative to vulnerable persons. With the consent of the applicant, a query of sex offences for which a record suspension has been granted will be conducted in compliance with the Criminal Records Act (CRA).

Police Vulnerable Sector Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases.
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probations and Prohibition Orders.
- Absolute and Conditional Discharges as a police contact if the expiry period has NOT been reached.
- Family Court Restraining Orders.
- Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.
- A review of all available police contacts including, but not limited to, theft, weapons, sex offences, or violent, harmful or threatening behaviour which may or may not have involved a mental health incident.
- All record suspensions, including non sex offences, identified as a result of a Police Vulnerable Sector Check and authorized for release by the Minister of Public Safety.

Police Vulnerable Sector Check will NOT include:

- Convictions under provincial statutes.
- Ministry of Transportation information.
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4).
- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to.
- Youth Criminal Justice Act (YCJA) charges or information beyond the applicable disclosure period.
- Victim/Complaint information unless there is an exceptional circumstance.
- Foreign information.
- Mental Health Act terminology.

(Self) Declaration of Criminal Record

(Self) declaration of criminal record is a process where the applicant may declare his/her adult criminal record convictions to the police service.

Applicants are NOT required to declare:

- A conviction for which the applicant has received a record suspension.
- A conviction where the applicant was a “young person” under the YCJA.
- Absolute or Conditional Discharges.
- Any offences for which the applicant was not convicted.
- Provincial or municipal offences.
- Any charges dealt with outside of Canada.

The Service will confirm if the information matches a criminal record contained within the RCMP National Repository of Criminal Records. If the Service is not satisfied that the applicants declared criminal record information is a match to a Criminal Record held at the repository, fingerprints are required.

Requirement for Fingerprints

Criminal Record:

If the police service is not satisfied that the applicants (self) declaration is a match to a criminal record held at the Criminal Record Repository, fingerprints must be submitted to the RCMP.

Vulnerable Sector:

If the applicant is being considered to work in a volunteer or employment position where they will be in a position of authority and trust relative to vulnerable persons, they may be required to submit fingerprints to verify whether there is a criminal record including the existence of any pardoned sex offences contained within the RCMP National Criminal Records Repository.

Release of Completed Police Record Check

Police Criminal Record Check and Police Information Check

The Service will provide the results of a completed Police Criminal Record Check and Police Information Check to the applicant only.

It is the choice of the applicant to decide whether he/she wants to share the results of the Police Record Check with the requesting agency. The role of the Service is to provide the applicant with the results of the Police Record Check. The agency is responsible for determining the suitability of the applicant for the position. The result of any Police Record Check is just one component of the information available to and evaluated by the agency.

Police Vulnerable Sector Check

The Service will complete a Vulnerable Sector Check based on the applicant’s name and date of birth, as well as, gender and date of birth. If no record is found, a completed Police Vulnerable Sector Check will be provided to the applicant.

If the Vulnerable Sector Search is inconclusive a fingerprint based search will be required. If the RCMP confirms that the applicant has a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of all or part of the information contained in the file. When the information is authorized for disclosure by the Minister, the criminal record associated with the

applicant's fingerprints will be returned to the "Service" and will include the pardoned sexual offense information. At this point the Service will be required to obtain the applicant's consent in writing for disclosure of the record(s). When the applicant has signed the form giving consent to release the record(s) the Service must forward the information to the requesting agency (employer or volunteer agency).

If the applicant chooses not to disclose their record(s) the Service will contact the requesting agency in writing indicating that the Service was unable to complete the Police Vulnerable Sector Check.

You may also refer to the (name of Police Service) website at (website address) for further information regarding the Police Check process.

Appendix D: POLICE CRIMINAL RECORD CHECK APPLICATION

UNIT 1. TO BE COMPLETED BY APPLICANT	(Logo)		(Name of) Police Service - POLICE CRIMINAL RECORD CHECK <small>(This search is <u>not</u> intended for persons working with the vulnerable sector)</small>		
	Mailing Address (name, street, city, province, postal code) Must Print Legibly Under Each Heading— this is your mailing label				Date of Request ____/____/____ <small>yyyy mm dd</small>
	Last Name		First Name		Middle Name
	# and Street Name		Apt/Unit #		Maiden Name or other Surnames used
	City		Province	Postal Code	Other First Names
	Date of Birth ____/____/____ <small>yyyy mm dd</small>		Place of Birth		Gender
	Reason for Request (state below) Reason: (volunteer, employment, or other – if other, please specify)				Self-Declaration (if applicable) Declaration of Criminal Record Attached
	Extra copy (Additional Fee May Apply) :		Reason for each copy requested:		
	Identification – one form MUST be photo I.D. (if Health Card or SIN used, do not record #)				
	Type of I.D. produced		ID number		
Type of I.D. produced		ID number			
Contact Information					
Res. Phone		Bus. Phone		Cell Phone	
The Police Criminal Record Check will include the following information as the record exists on the date of the search:					
<ul style="list-style-type: none"> Criminal convictions (summary and indictable) from CPIC and/or local databases. 					
<p>The Police Criminal Record Check will not include:</p> <ul style="list-style-type: none"> - Outstanding entries, such as charges and warrants - Convictions under provincial statutes - Foreign information - A Vulnerable Sector Verification search of pardoned sex offenders - Absolute and conditional discharges - Local Police Contacts - Current judicial orders - Convictions where a pardon has been granted - Family court restraining orders 					
I hereby certify that the information provided above is true and correct to the best of my knowledge and belief. I hereby authorize the _____ Police Service to conduct such searches as are deemed necessary to obtain the information required to complete this search and disclose such information to me.					
Applicant's Signature X _____					
UNIT 2. POLICE USE ONLY					
Request and Fee received by - Name		Badge No	Division	Receipt Number	Fee:
RESULTS FOR NAME-BASED CRIMINAL RECORD VERIFICATION					
1	<input type="checkbox"/>	NEGATIVE	Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records did NOT identify any records with the name(s) and date of birth of the applicant. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
2	<input type="checkbox"/>	INCOMPLETE	Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records could NOT be completed. Positive identification that a criminal record does or does not exist requires the applicant to SUBMIT FINGERPRINTS to the RCMP National Repository of Criminal Records by an authorized police service or accredited private fingerprinting company. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
3	<input type="checkbox"/>	POSSIBLE MATCH <small>(See attached page For details)</small>	Based solely on the name(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records has resulted in a POSSIBLE match to a registered criminal record. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such, the criminal record information declared by the applicant does NOT constitute a Certified Criminal Record by the RCMP. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
Date of Search		Clerk #		NOT VALID UNLESS EMBOSSED BY POLICE SERVICE SEAL	

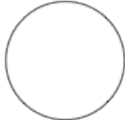
Appendix E: PIC & PVSC APPLICATION

Request and Fee received by :	Badge No	Division	Receipt Number	Fee:	
(LOGO) POLICE INFORMATION CHECK POLICE VULNERABLE SECTOR CHECK <i>(Unit 3 must also be completed)</i>					
UNIT 1. TO BE COMPLETED BY APPLICANT					Date of Request
Mailing Address (name, street, city, province, postal code) Must Print Legibly <u>Under</u> Each Heading– this is your mailing label					____/____/____ yyyy mm dd
Last Name		First Name		Middle Name	
# and Street Name			Apt/Unit #		Maiden Name or other Surnames used
City			Province	Postal Code	Other First Names
				Date of Birth	Place of Birth
				____/____/____ yyyy mm dd	Gender
<i>Address History – please fill out if resident address differs from mailing address and/or if resided OUTSIDE of the Region in the past 5 years.</i>					
Street name and # (please state below)					
		Apt/Unit #		City	Province
				Postal Code	# of yrs
Reason for Request (state below)			Self-Declaration (if applicable)		
Reason: (volunteer, employment, or other – if other, please specify)			Declaration of Criminal Record Attached		
Is "Reason for Request" dealing with the Vulnerable Sector Yes No			*** If yes, UNIT 3 must be completed ***		
Extra copy (Additional Fee May Apply):			Reason for each copy requested:		
UNIT 2. POLICE USE ONLY					
RESULTS FOR NAME-BASED CRIMINAL RECORD VERIFICATION					
1	<input type="checkbox"/>	NEGATIVE	Based solely on the names(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records did NOT identify any records with the name(s) and date of birth of the applicant. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
2	<input type="checkbox"/>	INCOMPLETE	Based solely on the names(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records could NOT be completed. Positive identification that a criminal record does or does not exist requires the applicant to SUBMIT FINGERPRINTS to the RCMP National Repository of Criminal Records by an authorized police service or accredited private fingerprinting company. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
3	<input type="checkbox"/>	POSSIBLE MATCH <i>(See attached page For details)</i>	Based solely on the names(s) and date of birth provided and the criminal record information declared by the applicant, a search of the RCMP National Repository of Criminal Records has resulted in a POSSIBLE match to a registered criminal record. Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such, the criminal record information declared by the applicant does NOT constitute a Certified Criminal Record by the RCMP. Delays do exist between a conviction being rendered in court, and the details being accessible on the RCMP National Repository of Criminal Records. Not all offences are reported to the RCMP National Repository of Criminal Records.		
INVESTIGATIVE DATABANK AND LOCAL INDICES RESULTS					
4	<input type="checkbox"/>	NEGATIVE – No information was revealed that can be disclosed in accordance with federal laws and RCMP policies			
	<input type="checkbox"/>	POSITIVE – See attached page(s) for details.			
POLICE VULNERABLE SECTOR SCREENING ONLY					
5	<input type="checkbox"/>	A search of pardoned sex offenders was conducted. No information to release.			
	<input type="checkbox"/>	A search of pardoned sex offenders was conducted. Information authorized for release.			
Date of Search			Clerk #		
NOT VALID UNLESS EMBOSSED WITH POLICE SEAL					

Page 2 of 2

Identification – one form MUST be photo I.D. (if Health Card or SIN used, do not record #)		
Type of I.D. produced	ID number	
Type of I.D. produced	ID number	
Contact Information		
Res. Phone	Bus. Phone	Cell Phone
<p>The Police Information Check will include the following information as it exists on the date of the search:</p> <ul style="list-style-type: none"> • Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition orders • Criminal convictions (summary and indictable) from CPIC and/or local databases. • Absolute and conditional discharges. • Family court restraining orders. • Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder as listed on local indices. • Police contacts including but not limited to theft, weapons, sex offences, or violent, harmful and threatening behaviour. <p>The Police Vulnerable Sector Check will include all of the above and the following information as it exists on the date of the search:</p> <ul style="list-style-type: none"> • Police contacts including but not limited to theft, weapons, sex offences, or violent, harmful or threatening behavior which may or may not have involved a mental health incident. • All pardoned criminal convictions, including non sex offences, identified as a result of a Vulnerable Sector Verification search and authorized for release by the Minister of Public Safety and Emergency Preparedness. 		
<p>1. I hereby release and discharge the _____ Police Service and all members and employees of the said Service from any and all actions, claims and demands for damages, loss or injury howsoever arising which may hereafter be sustained by myself as a result of the disclosure of information by the Police Service. I hereby authorize the _____ Police Service to inquire into and disclose the results of any police records indicating criminal convictions, conditional and absolute discharges, outstanding criminal charges and to conduct a local police contact search with any Police Service in Canada.</p> <p>2. I certify that the information provided by me in this application is true and correct to the best of my knowledge and belief. I have read this consent, understand it and agree to it in its entirety.</p> <p>Applicant's Name: (Please Print) _____</p> <p>Applicant's Signature _____</p>		
UNIT 3. POLICE VULNERABLE SECTOR CHECK		
<p>This section is restricted to applicants seeking employment and/or volunteering with vulnerable individuals. <i>"Vulnerable persons" means persons who, because of their age, a disability or other circumstances, whether temporary or permanent, (a) are in a position of dependence on others; or (b) are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.</i></p>		
Part 1: Identification of the Applicant		
Surname	Given Name	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
		Date of Birth (yyyy-mm-dd)
Part 2: Reason for Consent (Please fill out the following):		
I am an applicant for a paid or volunteer position with a person or organization responsible for the well-being of one or more children or vulnerable persons.		
Description of the paid or volunteer position	Name of the person or organization	
Details regarding the responsibilities towards children or vulnerable person(s)		
Part 3: Consent		
I hereby consent to a search being made in the automated criminal records retrieval system maintained by the Royal Canadian Mounted Police to find out if I have been convicted of, and been granted a pardon for, any of the sexual offences that are listed in the schedule to the <i>Criminal Records Act</i> .		
I understand that, as a result of giving this consent, if I am suspected of being the person named in a criminal record for one of the sexual offences listed in the schedule to the <i>Criminal Records Act</i> in respect of which a pardon was granted or issued, I will be requested to provide fingerprints to confirm that record and that record may be provided by the Commissioner of the Royal Canadian Mounted Police to the Solicitor General of Canada, who may then disclose all or part of the information contained in that record to a police force or other authorized body. That police force or authorized body will then disclose that information to me. If I further consent in writing to disclosure of that information to the person or organization referred to above that requested the verification, that information will be disclosed to that person or organization.		
Contributing Agency		
Signature of Applicant	Date (yyyy-mm-dd)	

Appendix F: POLICE CRIMINAL RECORD CHECK RESPONSE

Insert Logo	(Insert Name) Police Service	Police Records Check Supplementary Information	
<small>This page(s) must accompany either a Police Criminal Record Check or a Police Information Check/Police Vulnerable Sector Check form.</small>			Page of _____
Name: <input type="text" value="(Applicants name)"/>			
DATE	LOCATION	CHARGE	DISPOSITION
<u>Criminal Convictions:</u>			
2008 June 28	Toronto, Ont	Assault	18 months
2008 Sept 08	Oshawa, Ont	Theft Under	Probation 1 yr
			

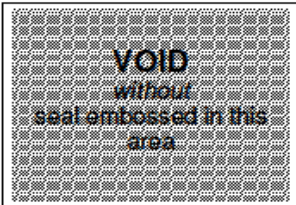
Appendix G: POLICE INFORMATION CHECK RESPONSE

Insert Logo	(Insert Name) Police Service	Police Record Check Supplementary Information
This page(s) must accompany either a Police Criminal Record Check or a Police Information Check/Police Vulnerable Sector Check Form.		Page of

Name:	(Applicants name)
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DATE	LOCATION	CHARGE	DISPOSITION
<u>Criminal Convictions:</u>			
1991 June 28	Brampton ON	Assault with a Weapon	10 Days & Probation 12 Months
2008 Sept 08	Waterloo, ON	Theft Under	Probation 1 yr
<u>Non-Convictions:</u>			
2007 Oct 29	Oshawa, ON	Assault	Withdrawn
<u>Outstanding Charges:</u>			
2009 Oct 31	London, ON	Unlawful Assembly	Awaiting Disposition Court Date: 2011-03-22

DATE	LOCATION	TYPE OF INCIDENT	ROLE
2009 Sept 15	Oshawa, ON	Fraud	Subject



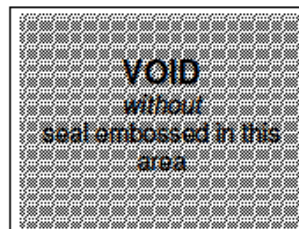
Appendix H: POLICE VULNERABLE SECTOR RESPONSE

Insert Logo	(Insert Name) Police Service	Police Record Check Supplementary Information
This page(s) must accompany either a Police Criminal Record Check or a Police Information Check/Police Vulnerable Sector Check Form.		Page of

Name:	(Applicants name)
--------------	--------------------------

DATE	LOCATION	CHARGE	DISPOSITION
<u>Criminal Convictions:</u>			
1991 June 28	Brampton ON	Assault with a Weapon	10 Days & Probation 12 Months
2008 Sept 08	Waterloo, ON	Theft Under	Probation 1 yr
<u>Non-Convictions:</u>			
2007 Oct 29	Oshawa, ON	Assault	Withdrawn
<u>Outstanding Charges:</u>			
2009 Oct 31	London, ON	Unlawful Assembly	Awaiting Disposition Court Date: 2011-03-22

DATE	LOCATION	TYPE OF INCIDENT	ROLE
2009 Sept 15	Oshawa, ON	Fraud	Subject
2013 May 10	Windsor, ON	Violent/Threatening Behaviour	Subject



Appendix I: DECLARATION OF CRIMINAL RECORD FORM

Police Service Crest	DECLARATION OF CRIMINAL RECORD (To be completed by applicant)
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This form must be completed in order to receive a name-based Criminal Record, which includes the Adult Criminal Convictions and associated information from the R.C.M.P. National Repository of Criminal Records. Failure to complete this form accurately, will result in an incomplete record check, and require submission of fingerprints to the R.C.M.P. National Repository of Criminal Records.

Last Name	Give Names	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth (yyyy-mm-dd)
Current Address	City	Province	Postal Code

DECLARATION OF CRIMINAL RECORD

- A *Declaration of Criminal Record* does not constitute a Certified Criminal Record by R.C.M.P.
- A *Declaration of Criminal Record* may not contain all criminal record convictions.
- A Certified Criminal Record can only be issued by C.C.R.T.I.S. based on the submission of fingerprints to the R.C.M.P. National Repository of Criminal Records.

Declaration MUST include:

- a) **All** convictions for offences under Federal Law.

Declaration must NOT include:

- (a) A conviction for which you received a Record Suspension (Pardon) in accordance with the Criminal Records Act.
- (b) A conviction when you were a "young person" under the Youth Criminal Justice Act.
- (c) An Absolute or Conditional Discharge, pursuant to section 730 of the Criminal Code.
- (d) An offence for which you were not convicted. (for example: the charges were withdrawn, dismissed, etc.)
- (e) Any Provincial or Municipal offences.
- (f) Any charges dealt with outside of Canada.

OFFENCE	DATE OF SENTENCE	LOCATION

_____ Applicant's signature

_____ Date

Appendix J: RCMP FORM 2

Form 2 - CONSENT TO DISCLOSURE OF RECORD

(This form is to be used by a person who has consented to a search being made in criminal conviction records by completing the form called "Consent for a Criminal Record Check for a Sexual Offence for Which a Pardon Has Been Granted or Issued" and who wishes to consent to the disclosure of information obtained in that search to the person or organization who requested the search.)

Identification of the Person Consenting

Full name:

Sex:

Date of birth:

Place of birth:

Address:

Previous addresses (if any) within the last 5 years:

Reason for the Consent

I am an applicant for a paid or volunteer position with a person or organization responsible for the well-being of one or more children or vulnerable persons.

Description of the paid or volunteer position:

The name of the person or organization is:

Provide details regarding the children or vulnerable persons:

Consent

I consent to information contained in a criminal record, found as a result of a criminal record check for a sexual offence for which a pardon has been granted or issued, being disclosed by a police force or other authorized body to the person or organization referred to above to whom or to which I am applying or have applied for a paid or volunteer position.

I understand that as a result of giving this consent, that information will be disclosed by the police force or other authorized body to the person or organization, even though a pardon has been granted or issued for the offence.

Signature

Date

Appendix K: RECONSIDERATION REQUEST FORM

Police Service Crest	Request for Reconsideration of a Police Record Check Please PRINT Please PRINT
-------------------------------------	---

Please visit our website at <website> or call <phone numbers> for more information

PERSONAL INFORMATION					
Name:					
Address:	Number/Unit	Street	City	Province	Postal Code
Date of Birth:	YY / MM / DD	Gender:			
		Male <input type="checkbox"/>	Female <input type="checkbox"/>		
Contact Telephone Number(s)		Home:		Cell:	Other:
TYPE OF POLICE RECORD CHECK					
What type of Police Record Check did you receive?					
Police Information Check <input type="checkbox"/>					
Police Vulnerable Sector Check <input type="checkbox"/>					
CHECK LIST					
Have you attached a copy of your Police Record Check?		Have you attached any other supporting documentation? (a maximum of 5 pages)			
Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>			
		Number of pages: _____			
POLICE USE ONLY					
ACTION	DATE (YY/MM/DD)	WHO			
Fee Collected: \$					
Request Approved					
Request Denied					
Decision Letter Sent					

Appendix L: FREQUENTLY ASKED QUESTIONS

1. **Why can't we release outstanding charges and warrants on a PCRC?**

This level of record check is based on the RCMP Dissemination of Criminal Record Information Policy (2010) and reflects only convictions found in the Identification Databank (CRII). Since outstanding charges and warrants are provided from the Investigative Databank they are not authorized for release.

2. **Can we release MHA non-violent or bizarre behavior on a PVSC?**

The Guideline provides for the release of behaviour identified as violent or threatening if it occurred in the past year or more than once in the previous five years. If the behaviour shown was not violent or threatening it should not be released.

The wording (violent/threatening behaviour) and timeframes were a compromise established with our stakeholders.

3. **A youth was involved in an occurrence displaying violent behaviour and was given an Extrajudicial Measure (e.g. either warning, caution or even no further action). Can this be released?**

The YCJA does not allow Extrajudicial Measures (EJM) to be used for violent offences [YCJA Section 4(c)] However, since the offence was processed by way of an EJM disclosure rules of the YCJA [YCJA Section 119(4)] apply and the Service must not release it on a record check.

4. **How much discretion do we have as a police service with following the Guideline?**

Each police service operates independently and can choose what is adopted. The Guideline was adopted and endorsed by the OACP. Throughout the Guideline the word *should* is used when describing the recommended action. *Shall* or *must* is used when supported by legislation or RCMP policy.

5. **An individual or another agency is requesting information which is beyond the scope of the information your service provides in a record check. How would you respond?**

Each police service can exercise their own discretion, however, the recommended approach is to provide what you would release to the applicant if they came to your police service.