

Effective November 1, 2018

POLICE RECORD CHECK APPLICANT FACT SHEET

The Police Record Checks Reform Act (PRCRA) passed on December 1, 2015 and will be enacted on November 1, 2018. This legislation will introduce a clear, consistent, and comprehensive set of standards to govern how police record checks (PRC) are conducted and disclosed in Ontario.

** The Woodstock Police Service has always maintained that a clean PRC is not a guarantee of good character. A PRC is only a snapshot of known records at a specific moment in time. Many individuals who commit crimes have no police record and not all police information will be released about an individual, for example, an individual is currently under investigation and not yet charged.

Organizations tends to over rely on the results of a PRC, viewing those without a record as safe and trustworthy and those with a record as being unsuitable. Agencies need to be reminded that a PRC should only be considered as one component of an individuals background and one component to the hiring/volunteering process. **

FOR INDIVIDUALS SEEKING EMPLOYMENT OF VOLUNTEER OPPORTUNITIES

The WOODSTOCK POLICE SERVICE (the Service) will complete a Police Record Check on a potential candidate for employment or volunteer duties when:

1. You reside within the jurisdiction of this police service
2. You have signed the required consent form
3. Applicant is 18 years of age or older unless requirement is for a government agency without exception.
 - (a) in accordance with the Youth Criminal Justice Act, youth records will ONLY be released to federal, provincial or municipal government agencies and for these purposes will be mailed directly to the requesting government agency
 - (b) non-government agencies are NOT permitted to ask for or to receive results under the YCJA; the YCJA prevents youth from sharing records with a potential employer or volunteer agency that is non-government

The requesting 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 you 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 to be done so only for the purpose of assisting the Agency to determine your suitability 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 more information on selecting employees or volunteers refer to Volunteer Canada 10 Step Guideline and Screening Handbook at <http://volunteer.ca/content/2012-screening-handbook>.

The WOODSTOCK POLICE SERVICE offers three (3) levels of record checks:

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

Level 1 - Police Criminal Record Check

This check is required 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.

The Police Criminal Record Check will include the following information:

- Criminal convictions from CPIC and/or local databases
- Summary convictions, for five (5) years, when identified
- Criminal convictions and findings of guilt under the Youth Criminal Justice Act if reason for application is for a position with a government agency.

The Police Criminal Record Check WILL NOT include:

- Outstanding entries, such as charges, warrants
- Absolute and conditional discharges
- Current judicial orders, including Peace Bonds, Probation and Prohibition Orders under the Criminal Code of Canada
- Convictions where a record suspension has been granted
- Convictions under provincial statutes
- Local police contact
- Ministry of Transportation information (PARIS)
- Special Interest Police (SIP) category of CPIC
- Family Court Restraining Order
- Foreign Information
- A Vulnerable Sector (VS) Query of sex offenders with a record suspension 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 of the Criminal Records Act (CRA)
- Any reference to incidents involving mental health contact
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4)
- Youth Criminal Justice Act (YCJA) convictions that are not a part of an adult record for non-government agencies
- Any reference to contagious diseases
- Disposition including, but not limited to Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder

Level 2 – Criminal Record and Judicial Matters Check (CRJMC)

This check is intended for applicants who are seeking volunteer and/or employment with agencies who require a Police Criminal Record Check along with outstanding charges and outstanding warrants. The agency has determined that a search of sex offenders with a record suspension is NOT required (e.g. 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:

- Criminal convictions from CPIC and/or local databases
- Summary convictions, for five (5) years, when identified
- 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
- Absolute and conditional discharges for 1 or 3 years respectively
- Criminal convictions and findings of guilt under the Youth Criminal Justice Act if reason for application is for a position with a government agency.

The Police Information Check WILL NOT include:

- Convictions where a record suspension has been granted
- Convictions under provincial statutes
- Local police contact
- Ministry of Transportation information (PARIS)
- Special Interest Police (SIP) category of CPIC
- Family Court Restraining Order
- Foreign Information
- A Vulnerable Sector (VS) Query of sex offenders with a record suspension 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 of the Criminal Records Act (CRA)
- Any reference to incidents involving mental health contact
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4)
- Youth Criminal Justice Act (YCJA) convictions that are not a part of an adult record for non-government agencies
- Any reference to contagious diseases
- Disposition including, but not limited to Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder

Level 3 - Police Vulnerable Sector Search (VSC)

This check is restricted to applicants seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons in Canada only. It is a collection of offence information, including convictions, outstanding warrants, charges, judicial orders and sexual offence convictions for which the individual has received a record suspension where authorized by the Minister of Public Safety and

Emergency Preparedness. Non-conviction information shall be released only when it meets the Exceptional Disclosure Assessment.

The Police Vulnerable Sector Check will include the following information:

- Criminal convictions from CPIC and/or local databases
- Summary convictions, for five (5) years, when identified
- Criminal convictions and findings of guilt under the Youth Criminal Justice Act if reason for application is for a position with a government agency.
- 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
- Absolute and conditional discharges for 1 or 3 years respectively
- In very exceptional cases, where it meets the Exceptional Disclosure Assessment, non-conviction dispositions including but not limited to, Withdrawn and Dismissed
- Not criminally responsible by reason of mental disorder
- All record suspensions as authorized for release by the Minister of Public Safety

The Police Vulnerable Sector Check WILL NOT include:

- Convictions under provincial statutes
- Local police contact
- Ministry of Transportation information (PARIS)
- Special Interest Police (SIP) category of CPIC
- Family Court Restraining Order
- Foreign Information
- A Vulnerable Sector (VS) Query of sex offenders with a record suspension 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 of the Criminal Records Act (CRA)
- Any reference to incidents involving mental health contact
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4)
- Youth Criminal Justice Act (YCJA) convictions that are not a part of an adult record for non-government agencies
- Any reference to contagious diseases

Verification of Criminal Record

There are two (2) methods for verification of a Criminal Record; either through the submission of fingerprints or by (self) declaration.

Verification of a 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 requires fingerprints or is not satisfied that your (self) declaration is a match to a criminal record held at the RCMP National Repository of Criminal Records, your fingerprints must be submitted to the RCMP.

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

Release of Completed Police Record Checks

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 only you, the applicant or to a person authorized by the applicant in writing at the time of submission.

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, date of birth and gender as well as a gender and date of birth. If no record is found, a completed Police Vulnerable Sector Check will be provided to you, the applicant or to a person authorized by the applicant in writing at the time of submission. If the Vulnerable Sector Search is inconclusive a fingerprint based search will be required. If the RCMP confirms that you have a sex offence with a record suspension, 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 sexual offence with a record suspension information. This information will be disclosure on your Police Vulnerable Sector Check.

If you, 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.

Reconsideration Request Process

If you wish to request reconsideration on any information disclosed on the Police Vulnerable Sector Check you may apply in writing to:

Chief of Police
Woodstock Police Service
615 Dundas Street
Woodstock, ON N4S 1E1

You may also refer to the Woodstock Police Service website under the tile RECORDS CHECKS and Associated Processes form.