Royal Canadian Mounted Police / Gendarmerie royale du Canada

# Instructions: Consent for the Release of Police Information

**Criminal Record / Vulnerable Sector Check**

- When applying for any Police Records Check, you must provide your consent. Signing this consent signifies that you understand each of the information sources the police or other authorized bodies will check. The purpose of this document is to provide you with that understanding.
- There are two sources of information that comprise what is referred to as police information. Subject to your consent, these two sources of information are searched to determine if they contain personal information that relates to you and which may be disclosed in accordance with applicable laws:
    1. Records in the Investigative and Intelligence data banks contributed by Canadian police agencies to the Canadian Police Information Centre (CPIC) system.
    2. Local police information contained in local agency Occurrence Records Management Systems.

**Criminal Record**

- Canada's National Repository of Criminal Records is maintained by the Royal Canadian Mounted Police (RCMP). In Canada, a criminal record is created and maintained through the submission of an individual's criminal fingerprints collected using ink-rolled impressions or through electronic scanning. Creating a criminal record involves the submission of an initial set of prints of an individual charged with an offence. Updating this criminal record involves submitting fingerprints of the individual each subsequent time they are charged with an offence. These prints are used to verify the individual's identity against the existing records in the RCMP National Repository of Criminal Records. Once determined by the courts, the disposition (outcome of the charge) is recorded on the fingerprint form and forwarded to the RCMP National Repository of Criminal Records. The release of criminal record information maintained by the RCMP is governed by federal laws and the *Ministerial Directive concerning the Release of Criminal Record Information by the Royal Canadian Mounted Police.* Since the *Identification of Criminals Act* only allows the taking of fingerprints in relation to indictable or hybrid offences, the RCMP's National Identification of Criminals Act Repository of Criminal Records is fingerprint-based and only contains information relating to these two categories of offences. Summary offences are included in the national repository if submitted to the RCMP as part of an occurrence involving an indictable or hybrid offence. Note: With the exception of "young person" indictable or hybrid offence convictions, police agencies are not required by law to report offences to the RCMP. Therefore, a search of local police records may reveal criminal record information that has not been reported to the RCMP.
- **If your fingerprints have never been taken in relation to an arrest and/or charge process, then you do not have a record in the National Repository for Criminal Records maintained by the RCMP. If, however, you do have a criminal record, but were not fingerprinted for all of your subsequent charges and/or convictions, your criminal record will not fully portray the history of your police involvement.**

**Record Suspension (Pardoned Offences)**

- An adult individual who has a criminal record may make an application to the Parole Board of Canada to receive a Record Suspension (Pardon) for one or more convictions. At the completion of a successful Record Suspension (Pardon) application process, all references to the convictions **on the criminal record as maintained by the RCMP** for which a Record Suspension (Pardon) has been granted are sealed and are no longer available to police agencies or any individual other than the subject of the record. Disclosure of a Record Suspension (Pardoned Offence) is only possible with the consent of the Minister of Public Safety for Canada.
- **A Record Suspension (Pardon) does not erase a conviction. It does not allow a person to say that they do not have a criminal record. An individual who has received a Record Suspension (Pardon), when asked, should respond: "Yes, I have been convicted of a criminal offence for which I have received a Record Suspension (Pardon)."**
    - **Due to the sensitivity of this process, only police agencies or other authorized bodies as determined by a provincial or territorial public safety minister may process system responses that are generated by Vulnerable Sector Checks.**

**Offences Committed as a Youth**

- The *Youth Criminal Justice Act* restricts the use of information related to charges for offences that were committed as young persons (below the age of 18). Information related to these charges may only be disclosed upon your signed authorization and when it is required by Federal, Provincial or Municipal law, for the purposes of employment or volunteer services with these agencies.
- Two exceptions to this are:
    1. When the young person was sentenced as an adult; and
    2. When an individual is sentenced as an adult prior to the young person charges being sealed. In these cases section 119 of the *Youth Criminal Justice Act* states that the youth charges are subject to the same disclosure rules as adult convictions.

**Investigative and Intelligence Information Contained in CPIC**

- Police agencies in Canada use CPIC to share information on persons, property, vehicles and marine vessels in support of law enforcement activities. A record that is added to CPIC belongs to the police agency that added the record. The contributing agency's permission is required in order to use its records to support an investigation or to use as a basis for a decision. Examples of records pertaining to individuals include persons who are wanted, persons who are on probation or subject to a court order, and persons who are charged with offences currently before the court. The disclosure and use of this information as part of a police information check will be governed by the laws that apply to the police agency holding the record.
- **The existence of these types of records in relation to an individual does not establish that the individual has a criminal record. Records indicating that an individual has been charged with a criminal offence may mean that the individual has a criminal record however; this is subject to verification of the National Repository of Criminal Records maintained by the RCMP by means of the agency that entered the information on CPIC.**

**Local Police Information**

- Local police information involves non-criminal entries where police respond to a call or complaint. This investigative activity is normally recorded in the police agency's Occurrence Records Management System. Information that is disclosed on the application for a police information check involving local police records systems includes any adverse information (e.g. peace bond) where the individual is identified as having negative contact with the police. Adverse information is defined as an occurrence in which the applicant is the subject of a founded and substantiated complaint relating to a provincial or federal offence: or a suspect, charged with a provincial or federal offence whether acquitted or convicted. Adverse information does not include a file where the applicant is only considered a "victim", or a "witness". The disclosure and use of this information as part of a police information check will be governed by the laws that apply to the police agency holding the record. Many jurisdictions have laws that pertain to the use and disclosure of personal information related to an individual's mental health. It is the responsibility of the police agency to apply those laws.
- **The existence of these types of local police records in relation to an individual does not establish that the individual has a criminal record. Local police records indicating that an individual has been charged with a criminal offence may mean that the individual has a criminal record; however, this is subject to verification by means of the National Repository of Criminal Records maintained by the RCMP.**

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# Consent for the Release of Police Information

## Applicant Information

| Last Name | Given Name 1 | Given Name 2 |
|---|---|---|
| Gender ◯ Male ◯ Female / Date of Birth (yyyy-mm-dd) | Current Address | |
| City | Province / Postal Code (A9A 9A9) | Telephone Number (include area code) |
| Place of Birth | Usual First Name or Alias | Maiden Name or any Other Last Name |
| Name at Birth | Previous Names or Legally Changed Names | |

## Previous Addresses

Provide previous addresses if less than 5 years at current address.

| Address | City | Province | Postal Code (A9A 9A9) |
|---|---|---|---|
| | | | |
| | | | |

## Consent

**Important - Informed Consent (provided by the individual):** As an individual providing informed consent to have these sources of police information reviewed and disclosed, it is important that you understand the nature of the information that may be contained in them. By agreeing to allow your personal information to be disclosed to a prospective employer or organization, you acknowledge that you understand that your suitability could be determined based on the information disclosed. The suitability criteria are established and controlled by the employer or the organization - not the police agency or authorized body conducting the checks. The police agency or authorized body is not involved with, or responsible for, decisions that are made by the employer or organization.

## Signature of Applicant

I consent to a search of all records and information available at the time the search is conducted, including non-conviction information, charges before the courts, findings of guilt or convictions and court orders registered in my name in the National Repository of Criminal Records and local records available to the police service. I understand that if information or a possible record exists, it will not be disclosed until identification has been confirmed by either myself or by fingerprints.

| Signature | Date of Consent (yyyy-mm-dd) |
|---|---|
| | |

## Requesting Organization

☐ Record Check results will be picked up in person by the applicant

Identity of the organization that is requesting and should receive the results of the record checks.

| Name of Person or Organization | Address | |
|---|---|---|
| City | Province | Postal Code (A9A 9A9) |

## Fingerprint

For card scan submissions only.

Finger

## Waiver for Consent of Release of Information to Third Party

I consent to the release of any and all information from available records to the authorized person of the above indicated Organization/Company/Firm.

| Signature | Date (yyyy-mm-dd) |
|---|---|
| | |

## Type of Record Check Required

To be completed by the applicant (initial type of record check being requested).

| Type | Description | Additional Requirements | Initial |
|---|---|---|---|
| **Name-Based Criminal Record Check** | A query, based on name and date of birth, of active criminal files in the RCMP National Repository of Criminal Records. Used to determine the possible existence of a criminal record. Generally used as a preliminary search only to determine if a Fingerprint-based Criminal Record Check may be required. The query may also include a search of court records and a query of **records management systems in other police agencies' jurisdictions** through the Police Information Portal (PIP) or other data sharing systems. | N/A | |
| **Fingerprint-Based Criminal Record Check** | A fingerprint-based search of the RCMP's national repository of fingerprints and criminal record information. The results of the search will produce a document that includes criminal record information where the identity of the applicant has been verified by fingerprints. | N/A | |
| **Vulnerable Sector Check** | A Vulnerable Sector Check is the most comprehensive type of check. It includes a query based on name and date of birth of a local police agency's records management system, commonly referred to as a local indices's check, in addition to queries of CPIC Identification, Investigative, and Intelligence Data Banks. The query may also include a search of court records and a query of **records management systems in other police agencies' jurisdictions** through the Police Information Portal (PIP) or other data sharing systems. | ☐ Form 3923 completed and attached | |
| **Declaration of Criminal Records** | This will result in the RCMP detachment providing a list of all of the criminal convictions and related information that are included on the criminal record on CPIC. This may only be provided by the detachment where the applicant lives. | ☐ Form 6359 completed and attached | |

## Identification Provided

To be completed by the RCMP employee.

| Applicant Identification Type 1 | Applicant Identification Type 2 | RCMP Employee Name | HRMIS Number |
|---|---|---|---|
| | | | |