

Royal Canadian Gendarmerie royale Mounted Police du Canada

# Consent for the Release of Police Information

Supplementary Information for the Individual

#### 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 System(s).

#### 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 link-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 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 conviction(s) 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

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 record(s) 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 those 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

# 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: a bona fide 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.





# Consent for the Release of Police Information

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Royal Canadian Gendarmerie royale Mounted Police du Canada

#### Consent for Check for a Sexual Offence for which a Record Suspension (Pardon) has Been Granted or Issued (Vulnerable Sector Verification)

Reference Number to be completed by detachment

> PIB CMP PPU 005 and CMP PPU 030

#### This form must be submitted with RCMP form 6388 - Consent for the Release of Police Information

This form is to be completed by an individual applying for a position with a person or organization responsible for the well-being of one or more children or vulnerable persons, if the position is a position of authority or trust relative to those children or vulnerable persons and the applicant wishes to consent to a search being made in criminal conviction records to determine if the applicant has been convicted of a sexual offence listed in the schedule of the Criminal Records Act, and has been pardoned.

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			Male Male	Female		
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11-14-2013

### Declaration of Criminal Record Completion Instructions

#### Important Notices

- The confirmation of a declaration of criminal record does not constitute a Certified Criminal Record by the RCMP.
- The confirmation of a declaration of criminal record may not contain all criminal record convictions.
- This form must be completed in order to receive a copy of the adult criminal convictions and associated information from the RCMP National Repository of Criminal Records.
- A Certified Criminal Record can only be issued based on the submission of fingerprints to the RCMP National Repository of Criminal Records.
- This form must be completed if you are requesting a copy of your criminal convictions. Only the RCMP detachment where
  you live can provide this service.

#### Criminal Record

A certified Criminal Record is defined as a summary of an individual's offence convictions and non-convictions (where authorized) that are releaseable in accordance with Federal laws, based on the results of a Fingerprint-based Criminal Record Verification.

#### Instructions

- Enter name and date of birth exactly as they appear on form 6388, Consent for the Release of Police Information.
- · Enter one criminal charge per line.
- Identify the date of conviction and place where the offence was committed.

# Declare the following information:

· All convictions for offences under federal law.

# Do not declare the following information:

- · Absolute discharges.
- Conditional discharges.
- Any offences while you were a "young person" (12 years old but less than 18 years old), pursuant to the Youth Criminal Justice Act.
- Any charges for which you were not convicted, for example, charges that were withdrawn or dismissed.
- Any provincial or municipal offences.
- Any charges dealt with outside of Canada.
- Any charges for which you received a stay of proceedings.

RCMP GRC 6359e (2013-11)

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PIB CMP PPU 005 and CMP PPU 030



KILLARNEY RCMP

# **Declaration of Criminal Record**

This form must be submitted with RCMP form 6388 - Consent for the Release of Police Information

Last name	Given name (1)		Given name (2)	Maiden	Maiden name or other last name		
Gender	Date of birth (yyyy-mm-dd	) Current address		City		Province	Postal cod
Male Female							
Declaration of Crimin	al Record						
	Certified Criminal Record by	the RCMP.					
	minal record convictions.						
Do not declare the fol	lowing:						
- Absolute discharges.							
Conditional discharges							
- Any offences while you	were a "young person" (12	years old but less than 18 ye	ears old), pursuant to	the Youth Crim	inal Justice Act.		
Any charges for which	you were not convicted, for	example, charges that were	withdrawn or dismis	sed.			
- Any provincial or munic							
<ul> <li>Any charges dealt with</li> <li>Any charges for which</li> </ul>	you received a stay of proce	padinos					
	you received it stay or proc	occurys.					
Note							
A Certified Criminal Re	cord can only be issued ba	sed on the submission of fing	gerprints to the RCM	P National Repos	tory of Criminal	Records.	
	Offence	. Date of S	ientence		Location		
			1				
		1					
					3		
certify that the informati	on provided is correct to the	e best of my knowledge.					
certify that the informati		best of my knowledge.	Date				
ignature of Applicant X							
ignature of Applicant X			Date Detachment stamp o	r soal			
ignature of Applicant X				r soal			
ignature of Applicant X				r soal			
ignature of Applicant X				r seal			
ignature of Applicant X				rsoal			
ignature of Applicant X	Date		Detachmant stamp o	r soal		Can	2018