



# **COPKA Corner**

## **Citizens for Respectful Policing**

## **POLICE RECORD CHECKS**

Nowadays, a record is created of almost every interaction between a police officer and a citizen. These records are downloaded onto one or more computer databases, making it easy to store the information indefinitely and retrieve it instantly.

If you are seeking employment or offering to volunteer in a vulnerable sector (i.e. with children, the elderly or persons with disabilities), you will be required to submit a Criminal Information Request (“CIR”) to the local police force. For a fee, the police will provide you with a vulnerable sector screening print-out which you can give to the employer or organization.

Likely to be included in the print-out are minor offences that were withdrawn, diverted to alternative measures (such as making a charitable donation, an apology, restitution, etc.), or were the subject of absolute discharges. None of these involves a conviction or creates a criminal record, but they are still included in the printout.

Information relating to the *Mental Health Act* may also be disclosed. This could include matters which are not only irrelevant but, under human rights and other legislation, are prohibited from being taken into account by prospective employers.

COPKA believes that before a CIR result is released, it should be vetted by an appropriately-trained and suitably-instructed individual to ensure that only information that is accurate and relevant to the purpose of the enquiry is disclosed.

In 2012, the OPP announced changes in the way it processes CIR's. The new approach will be to “download” to employers and non-profit agencies the responsibility to determine which of three different types of check meets their requirements, and to interpret the result. The vulnerable sector check will include police contact/occurrence information and a check of the pardoned sex offender database, as well as *Mental Health Act* occurrences. This information would be likely to include irrelevant but potentially prejudicial information without any vetting by the OPP.

Employers and non-profit agencies are not well-equipped to assess the information disclosed by the CIR printout. They cannot readily identify and disregard content that does not reflect on the subject's character or suitability for the position, or does not place vulnerable persons at risk. The mere presence of this information may lead them to automatically dismiss the application.

The task of responding to CIR's may be too much for the already over-burdened police forces of Ontario. In addition to their primary duties of protecting the public and investigating crime, these officers are expected to respond to thousands of CIR's each year. The R.C.M.P. are looking at employing civilians to handle some of the tasks – including CIR's – currently being performed by officers in uniform.

Since every person's record is stored in a computer database that could be accessed from anywhere, COPKA supports setting up a dedicated, province-wide agency to accept CIR's. This agency could canvass the relevant databases, generate a printout, discuss the results with the applicant, amend it if appropriate, entertain appeals, etc. We believe this would substantially improve the current situation.

*Co-Operative Policing Killaloe Area (COPKA) is a local, community-based, non-profit organization, whose motto is **Citizens for Respectful Policing**. COPKA's mission is to improve relations between the police and the public they serve. More information: [www.copka.ca](http://www.copka.ca) or 613-757-3104*