



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 the 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 ink-rolled impressions or through electronic scanning. Creating a criminal record involves the submission of an initial set of fingerprints 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 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 provide 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 the 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 created 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 have been 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. police 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

Part 1 - Applicant Information (please print)

Last name	Given name	Given name (2)	Gender <input type="checkbox"/> M <input type="checkbox"/> F	Date of birth (yyyy-mm-dd)
Address (no., street, apt.)		City	Province	Postal code
Tel. no. (incl. area code)	Place of birth	Usual first name or alias	Maiden name or any other last name	
Previous address if less than 5 years at current address Address 1 (no., street, apt.)		City	Province	Postal code
Address 2 (no., street, apt.)		City	Province	Postal code

Part 2 - Consent

Important - Informed Consent (provided by individual)

As an individual providing informed consent to have the sources of police information reviewed and disclosed, it is important that you understand the nature of the information that may be contained in the information disclosed. 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.

Statement of Consent: 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, 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 fingerprints.

Dated this _____ day of _____, 20____ Signature: _____

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

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

Name of Person or Organization	Address (no., street, apt.)		
City	Province	Postal code	

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.

Dated this _____ day of _____, 20____ Signature: _____

Part 3 - Type of Record Check Required - Completed by Applicant (selected and initialed)

1	Name-Based Criminal Record Check Initial here if requesting a 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 <u>records management systems in other police agencies' jurisdictions</u> through the Police Information Portal (PIP) or other data sharing systems.
2	Fingerprint-Based Criminal Record Check Initial here if requesting 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.
3	Vulnerable Sector Check Initial here if requesting a Vulnerable Sector Check <input type="checkbox"/> RCMP form 3923 is attached.	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 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 <u>records management systems in other police agencies' jurisdictions</u> through the Police Information Portal (PIP) or other data sharing systems.
4	Declaration of Criminal Records Initial here if requesting a 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. <input type="checkbox"/> Declaration of Criminal Records (RCMP form 6359) is attached.

Part 4 - Identification Provided

(1) _____ (2) _____

RCMP Employee: _____ ID. no.: _____



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

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.

To be used only for organizations inside of Canada.

Part 1 - Identification of the Applicant

Surname	Given name	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth (yyyy-mm-dd)
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Part 2 - 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.

Title of the paid or volunteer position	Name of the person or organization
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Details regarding the responsibilities towards children or vulnerable person(s)

☐ Paid position (fee enclosed) <http://www.rcmp-grc.gc.ca/cr-cj/fee-frais-eng.htm> ☐ Volunteer position (letter from non-profit organization attached)

Part 3 - Consent

I hereby consent to a search being made in the automated records retrieval system maintained by the Royal Canadian Mounted Police to find out if I have been convicted of, and been granted or issued a Record Suspension (Pardon) for, any of the sexual offences that are listed in the schedule of the *Criminal Records Act*.

I understand that if, as a result of giving this consent, a search discloses that there is a record of my conviction for one of the sexual offences listed in the schedule of the *Criminal Records Act* in respect of which a Record Suspension (Pardon) was granted or issued, that record shall be provided by the Commissioner of the Royal Canadian Mounted Police to the Minister of Public Safety, 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.

Fingerprint: For card scan
submissions only.

Contributing agency	
Signature of applicant X	Date (yyyy-mm-dd)

Part 4 - Verification

Name of verifier	
Title	Date received

Finger: _____



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.



Reference Number

PIB CMP PPU 005 and CMP PPU 030

Declaration of Criminal Record

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

Declaration of Criminal Record (if applicable) - Completed by Applicant

Last name		Given name (1)		Given name (2)		Maiden name or other last name			
Gender <input type="checkbox"/> Male <input type="checkbox"/> Female		Date of birth (yyyy-mm-dd)		Current address		City		Province	Postal code

Declaration of Criminal Record

- Does not constitute a Certified Criminal Record by the RCMP.
- May not contain all criminal record convictions.

Do not declare the following:

- 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.

Note

- A Certified Criminal Record can only be issued based on the submission of fingerprints to the RCMP National Repository of Criminal Records.

Offence	Date of Sentence	Location

I certify that the information provided is correct to the best of my knowledge.

Signature of Applicant **X** _____ Date _____

Completed by

Employee (signature)		Detachment stamp or seal
ID. no.	Date	