

Demystifying the Criminal Record Check



In Canada, police criminal record checks are regulated by the federal government and may also be subject to provincial regulations.



There are three types of checks, each of which comes with its own set of rules and limits on what information can be disclosed.

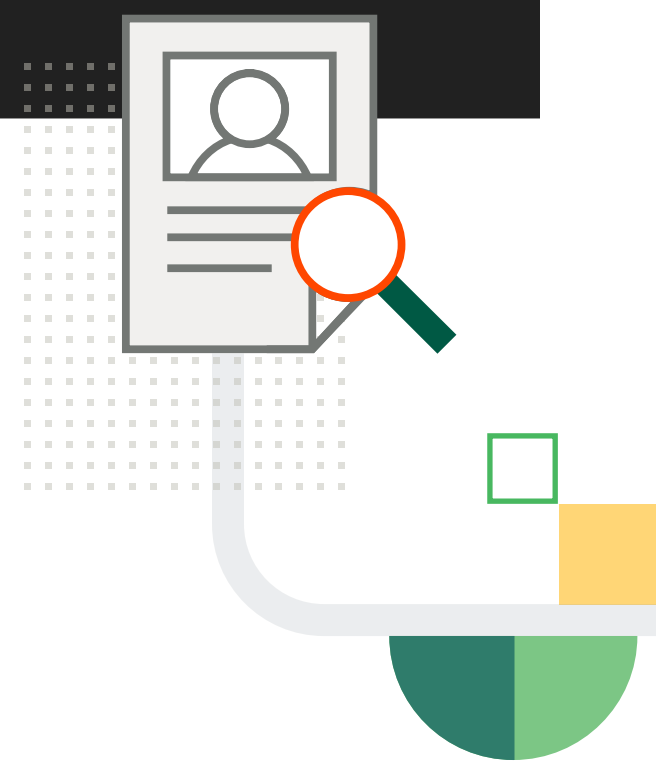
Find the right check for your organization to meet your hiring objectives and promote a culture of trust and safety.

CRIMINAL RECORD CHECK

This check has become a routine part of employment screening nationwide and

- Is based on a search of the name, date of birth, place of birth, and sex
- Retrieves adult convictions for offences under federal criminal laws

This check does not include non-criminal convictions, acquittals, discharges, youth convictions, or summary convictions more than five years old.¹



The requestor may receive some details (e.g., the date or the charge). However, **any additional details about the charge can only be accessed by the police.**

CRIMINAL RECORD & JUDICIAL MATTERS CHECK

This check includes everything in a criminal record check, as well as:

- Data that may or may not have resulted in a conviction
- Active information about arrests, warrants, peace bonds, probation, or pending charges
- Convictions for which a discharge² was granted

This check does not disclose an absolute discharge more than one year old, or a conditional discharge³ more than three years old.

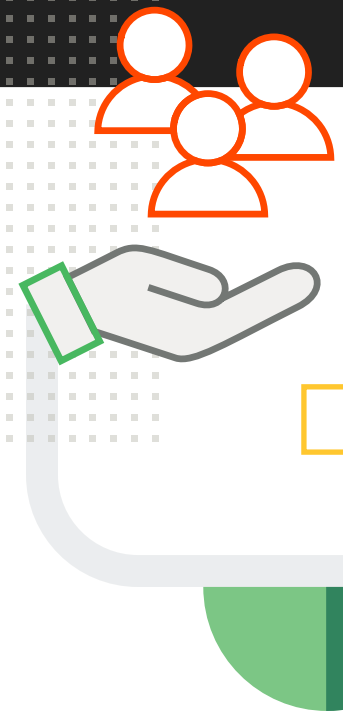


The requestor may receive some details (e.g., the date or the charge). However, **any additional details about the charge can only be accessed by the police.**

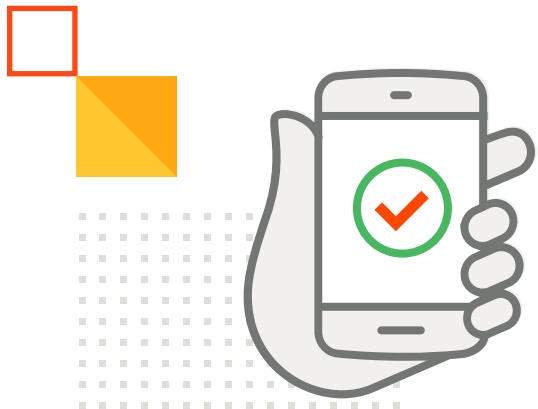
VULNERABLE SECTOR CHECK

This check includes everything listed in the previous two checks, as well as:

- Pardoned or suspended convictions for sexual offences under Schedule 1 of the Criminal Records Act
- Charges that result in a finding of not criminally responsible on account of mental disorder, as well as non-conviction information from withdrawn or dismissed charges (in exceptional circumstances)
- Convictions under Schedule 1 of the Criminal Records Act even when a pardon or suspension was granted



This check **can only be requested by a candidate who will be working with vulnerable populations**, where prescribed by law.



To build a stronger screening program that will meet your organization's needs, contact our experts.

Sources

¹ Offences where the maximum sentence is 2 years in jail, a \$5,000 fine or both (e.g. speeding or excessive noise offences).

² A finding of guilt with no additional punishment.

³ A finding of guilt that has no associated criminal record where probationary conditions are met.