

Human Resources Legislative Update

New Police Record Checks Reforms Introduced

Date: June 5, 2015

On June 3, 2015, the Ontario government introduced Bill 113, the [Police Record Checks Reform Act, 2015](#), legislation that would, if passed, implement a new process governing requests for searches of the Canadian Police Information Centre databases, or other police databases, in connection with screening an individual for certain purposes.

Among other things, the Bill would:

- authorize Ontario police services to offer three types of records checks: criminal record checks, criminal record and judicial matters checks and vulnerable sector checks;
- limit and standardize the types of information that are authorized for disclosure in respect of each type of check;
- provide the person to whom a record relates with an opportunity to review the results of the check prior to permitting its disclosure to a requesting third party; and
- restrict the disclosure of non-conviction information about an individual in response to a criminal record check or in response to a criminal record and judicial matters check.

Non-conviction information would be authorized for disclosure only in a vulnerable sector check in cases where an individual is in a position of trust or authority over vulnerable persons (e.g. children or the vulnerable elderly), and only if it meets a new test for “exceptional disclosure.”

Persons or organizations that wilfully contravene certain provisions of the Act would be guilty of an offence and liable to a fine of not more than \$5,000.