



NIAGARA REGIONAL POLICE SERVICE

Police Service Board Report

PUBLIC AGENDA

Subject: Amendments to O. Reg. 347/18 (Exemptions) under the Police Record Checks Reform Act, 2015

Report To: Chair and Members, Niagara Police Service Board

Report Date: 2025-03-12

Recommendation

That the Niagara Police Service Board (Board) receive this report for information.

Key Facts

- On October 15, 2024, the Ministry of the Solicitor General (SOLGEN) issued an All Chiefs Memo 24-0062 regarding amendments to O. Reg. 347/18 (Exemptions) under the *Police Record Checks Reform Act, 2015* (PRCRA) that came into effect on January 1, 2025.
- These amendments exempt individuals subject to police record check requirements under the *Child, Youth and Family Services Act, 2017* and the *Intercountry Adoption Act, 1998* from standard requirements for police record check searches prescribed under the PRCRA.
- A fee structure for the exempted record checks (referred to as Broad Record Checks by the Ministry of Children, Community and Social Services (MCCSS)) needs to be determined.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report at this point in time. Once a cost analysis has been completed and a new fee has been determined, it will be submitted through a report to the Board for review and approval.

Analysis

In addition to the information provided in a typical vulnerable sector check, MCCSS is also seeking disclosure of non-conviction information, outstanding restraining orders, and information regarding any contact between the person and a police service including mental health information.

The Ontario Association of Chiefs of Police's (OACP's) Law Enforcement and Records (Managers) Network (LEARN) Committee and the OACP's Police Legal Advisors (PLA) Committee have been working diligently since last November to develop best practice guidelines regarding these exempted record checks. Some of the issues they have been addressing include what information would be subject to release, how it will be released, and consent wording for the application form.

Records Supervisor, Caren Renzella, is a member of the LEARN Police Record Checks Sub-committee and has been involved in their numerous meetings since last November, ensuring the Service is well-positioned in responding to the new requirements.

The work by LEARN and the PLA is still ongoing; however, in the meantime, the Service is set to open up the intake of applications, but processing will remain on hold until further information is received through LEARN and the PLA. An application form has very recently been approved for use and our software vendor is finalizing the creation of the new process in the police record check system. It is anticipated that there will be an influx of approximately one thousand applications within four to six weeks of opening up intake.

As the fee for processing exempted record checks has not been determined and approved yet, individuals will not be charged at the time of applying. The fee will be due prior to releasing their exempted record check results. MCCSS has held several information sessions with their agencies, they are aware of the delays, transition periods, etc., and they will wait for six months for police to complete the processing of the exempted record checks.

Engaging in a cost analysis overseen by the Director of Finance & Asset Management is underway so an evidence-based assessment of the costs of processing can be determined. The initial processing of exempted record checks will be completed at a supervisory level to determine how much work is involved and to develop a standard operating procedure, which will further assist with the cost analysis.

Agencies that fall under the umbrella of MCCSS, such as Family and Children's Services Niagara, have contacted the Service with concerns about the substantial impact on their budgets and operations that will be caused by these amendments to the legislation and regulations, as they often choose to re-imburse their employees and volunteers for the cost of police record checks.

Information has been posted on the Service's public website regarding our ongoing status for exempted record checks and agencies have been encouraged to check the website frequently for the latest updates. The website is updated as soon as any new information is available.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of the Police Service Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

- General Order 005.10 Police Record Checks.
- Board By-Law 524-2024 - A By-Law To Provide For The Imposition Of Charges For Police Services

Other Pertinent Reports

Not applicable.

This report was prepared by Laurie Switzer, Manager, Records and Information Management, and reviewed by Chris Sirie, Acting Superintendent, Operational Support and Projects. Recommended by Sandy Staniforth, Acting Deputy Chief, Support Services.



Submitted by:

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Chief of Police

Appendices

Not applicable.