



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Update to the Schedule of Fees & Charges  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-28

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### Recommendation(s)

That the Niagara Police Services Board approve:

1. The revised fee of zero dollars for police Criminal Record Checks (CRC), and police Criminal Record and Judicial Matters Checks (CRCJMC) for volunteers as set out by legislation; and
2. A fee of \$20 be established for police record checks for students completing an uncompensated placement for academic credit.

### Key Facts

- The purpose of this report is to update the Schedule of Fees & Charges by making the recommended changes.
- The *Police Record Checks Reform Act, 2015* (PRCRA) sets out the types of police record checks that are to be conducted:
  - Criminal Record Check: includes criminal convictions/findings of guilt;
  - Criminal Record & Judicial Matters Check: includes criminal convictions/findings of guilt, discharges, outstanding charges, arrest warrants, and certain judicial orders; and
  - Vulnerable Sector Check (VSC): includes criminal convictions/findings of guilt, discharges, outstanding charges, arrest warrants and certain judicial orders, applicable findings of not criminally responsible due to mental disorder, record suspensions related to sexually based offences, and in certain circumstances, non-conviction charges related information when a strict test is met.
- Amendments to the *Police Record Checks Reform Act, 2015* came into effect on April 1, 2022, to reduce barriers for volunteers, including the requirement for police services to conduct and provide the results of CRCs and CRJMCSs for volunteers at no charge; and established a definition of “volunteer”.

## Financial Considerations

The legislated amendment to the PRCRA that requires Police Services to conduct CRCs and CRCJMCs for volunteers at no cost will result in a loss of approximately \$16,660 in annual general fee revenues. This loss of revenue is an approximation based on the 2021 annual number of CRCs and CRCJMCs completed for volunteers, exclusive of checks for uncompensated student placement, 833 (721+112) times the \$20 fee. It should be noted that the volume of volunteer police record checks in 2021 was lower than traditionally seen due to the pandemic, and that an upswing in numbers is expected as volunteer agencies and organizations start reopening for business as usual.

## Analysis

On March 14, 2022, the Ministry of the Solicitor General notified all police services that amendments to the *Police Record Checks Reform Act, 2015* (PRCRA) would be coming into effect on April 1, 2022.

The amendments include the following definition of “volunteer”:

*“means a person who performs a service but who receives no compensation for doing so other than an allowance for expenses or an honorarium, and excludes a person receiving some other form of credit such as academic credit or fulfilling a sentence requirement”*

Additionally, these amendments require police services to conduct and provide the results of (CRCs), and (CRJMCSs) for volunteers at no charge. Police services are also required to provide up to five free copies of the results if requested at the time of the initial request.

Volunteers are still required to pay for a Vulnerable Sector Check based on police service requirements.

The following table illustrates the quantity of volunteer and uncompensated student placement police record checks completed for the timeframe 2019 to 2021.

<b>Quantity of Police Record Checks by Type</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>Average</b>
CRC – Volunteer	1,076	790	721	862
CRC – Student Placement (uncompensated)			198	
CRCJMC – Volunteer	235	132	112	160
CRCJMC – Student Placement (uncompensated)			30	
VSC – Student – Placement (uncompensated)			2,697	

Note: student placements were not tracked separately prior to 2021, instead they were included in the employment and volunteer totals depending on whether they were compensated or not.

Historically at the Niagara Regional Police Service, students completing an uncompensated placement for academic credit were charged the volunteer rate (\$20); and those students completing a compensated placement for academic credit were charged the employment rate (\$50). Under the amended PRCRA, the establishment of a definition for volunteer effectively reclassifies the uncompensated student placement checks under the employment type at a rate of \$50 (Board By-Law 389-2021). This fee hike may present a financial burden for students and prove to be a barrier to completing their education. The fee hike will further impact students who have to do more than one placement requiring a vulnerable sector check. (Vulnerable sector checks cannot be copied and have to be completed for each placement for each individual agency).

Therefore, it is staffs' recommendation that uncompensated student placement checks be set up as a separate fee type and a charge be set at \$20 (no change). Students completing a compensated placement for academic credit will remain classified under employee record check fee type with a charge of \$50 (no change). This recommendation will ensure students enrolled in an uncompensated placement will not experience a price increase when requesting a police record check and the Service annual revenues will remain unchanged.

Therefore, staff recommend removing the following fee types from the Schedule of Fees & Charges:

- Criminal Background Check – Employees \$50/each
- Criminal Background Check – Volunteers \$20/each

And replace with the following fee types:

- Police Record Check (all types) – Employees \$50/each
- Police Record Check (all types) – Students (uncompensated and receiving academic credit) \$20/each
- Police Record Check (CRC & CRJMC) – Volunteers \$0/each (Free)
- Police Record Check (VSC) – Volunteers \$20/each

(The term “Police Record Check” is used in compliance with the PRCRA.)

### **Alternatives Reviewed**

There is no alternative for the provision of Criminal Record Checks (CRCs), and Criminal Record and Judicial Matters Checks (CRJMCSs) for volunteers at no charge, as this is a legislated requirement.

An alternative to setting a fee of \$20 for all police record check types for students completing an uncompensated placement for academic credit is:

1. to reduce the student fee below \$20 in order to reduce the financial burden on students; this is not recommended as the Service would suffer a further loss of revenue; or
2. to increase the student fee above \$20 to generate new revenues; this is not recommended as it may result in financial hardship for students.

### **Relationship to Police Service/Board Strategic Priorities**

This report is being issued in compliance with Board By-Law 389-2021.

### **Relevant Policy Considerations**

General Order 005.09 Police Record Checks.

### **Other Pertinent Reports**

Not applicable.

*This report was prepared by Laurie Switzer, Manager, Records & Information Management in consultation with Laura Rullo, Finance Manager, reviewed by Superintendent Richard Frayne, Corporate Services, and recommended by Bill Fordy, Deputy Chief, Support Services.*



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### **Submitted by:**

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Chief of Police

### **Appendices**

None.