

Important Notice Regarding Disclosure of Youth Records

Effective November 1, 2018, the *Police Record Checks Reform Act* was enacted. This legislation ensures clear, consistent and comprehensive standards to govern how Police Record Checks are conducted and disclosed in Ontario.

As a result the most significant change is the disclosure of youth records. Youth records are only permitted to be disclosed in two circumstances:

1. To the young person to whom the record relates, as per the *Youth Criminal Justice Act (YCJA) 119(1)(a)* or
2. To the Government of Canada or the government of a province or a municipality for purposes of employment or the performances of services, with or without remuneration, as per the *YCJA 119 (1)(o)*.

Previously, police services have released Police Record Checks containing youth records directly to the applicant who then would provide the Police Record Check to the organization or volunteer agency. The federal and provincial government has found this approach to be contrary to the *YCJA*. The *YCJA* prevents youth from sharing these records with any other potential employer or volunteer agency, therefore, in accordance with the *YCJA*, the Greater Sudbury Police Service will only conduct Police Record Checks for individuals 18 years of age and older unless the individual will be working or volunteering with a municipal, provincial, or federal government agencies, and releasable youth records will only be provided to the applicable government agencies. Non-government agencies are not permitted to ask for or to receive any results under the *YCJA*.

Individuals under 18 years of age, can gain access to their own record through the *Access to Information Act* process, but this record is not a Police Record Check and is not allowed to be shared with any other agency.

It is important to note the change for the community – to require applicants to apply and pay for a Police Record Check when no results will be released is not in the best interest of applicants, the police service and the community.

For further information, please refer to the *Youth Criminal Justice Act* and the *Police Record Check Reform Act*.