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## **Minister's Directive**

### **Criminal Record Checks**

#### ***Police Act and Regulations***

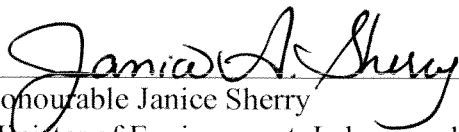
**Prince Edward Island  
Department of Environment, Labour and Justice**

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Pursuant to section 3(3) (e) of the *Police Act* R.S.P.E.I. 2006, Cap. P-11.1, I hereby issue the attached Minister's Directive concerning criminal record checks on candidates being considered for appointment pursuant to the *Police Act*.

This Directive will come into effect April 30, 2014.

Dated at Charlottetown in the Province of Prince Edward Island this //day of *April* 2014.

  
\_\_\_\_\_  
Honourable Janice Sherry  
Minister of Environment, Labour and Justice and Attorney General

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## 1.0 Purpose

- 1.1 This Directive sets out the requirement for candidates to submit a Certified Vulnerable Sector Product in order to qualify for consideration for appointment pursuant to the *Police Act*.
- 1.2 This Directive does not apply to extra-jurisdictional police officer appointments pursuant to the *Police Act*.

## 2.0 Definitions

In this directive

- 2.2.1 "Minister" means the Minister of Environment, Labour and Justice and Attorney General of Prince Edward Island;
- 2.2.2 "employer" means the Chief Administrative Officer of a municipality in the province of PEI which operates a police service; the Director of Facilities Management, University of Prince Edward Island; President, Holland College; Director, Atlantic Police Academy; the chief officer of a municipal police service; the Commanding Officer of RCMP "L" Division; or their respective designates.
- 2.2.3 "Certified Vulnerable Sector Product" means a product offered by the Canadian Criminal Real Time Identification Services, National Police Services, Royal Canadian Mounted Police, which is a collection of an individual's offence convictions, non-convictions (where authorized) and sexual offence convictions for which the individual has received a record suspension (where authorized) that are releasable in accordance with federal laws. Pursuant to the *Criminal Records Act*, the Certified Vulnerable Sector Product applies to individuals that intend to work with/or volunteer in positions of trust or authority with children or vulnerable person(s). The Certified Vulnerable Sector Product is based on the results of a fingerprint-based Vulnerable Sector Check. Based on the applicants consent for disclosure, a Certified Vulnerable Sector Product containing a record suspension for sex offender records may be issued directly to the authorized vulnerable sector organization by a Canadian Police Information Centre (CPIC) Agency of local jurisdiction where the applicant resides.
- 2.2.4 "*Act*" means the *Police Act* R.S.P.E.I. 2006, Cap. P-11.1

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### 3.0 Authority

3.1 The following sections of the *Police Act* relate to this Directive:

- Section 9 – chief officer of a police department
- Section 11 - police officers
- Section 17 – investigators and manager, Office of Police Commissioner
- Section 45(3) – Auxiliary Constables
- Section 46(3) – Security Police Officers
- Section 47(1) – Director of the Atlantic Police Academy
- Section 48(3) – Atlantic Police Academy (instructing officers)
- Section 50(3) – Atlantic Police Academy (police cadets)
- Section 51(3) – Atlantic Police Academy (civilian instructors)

3.2 The following General Regulations relate to this Directive:

- Section 7 – chief officer of a police department
- Section 8 - police officers
- Section 9 – investigators and manager, Office of Police Commissioner
- Section 10 – Auxiliary Constables
- Section 11 – Security Police Officers
- Section 7(2) – Director of the Atlantic Police Academy
- Section 12 – Atlantic Police Academy (instructing officers)
- Section 13 – Atlantic Police Academy (police cadets)
- Section 14 – Atlantic Police Academy (civilian instructors)

### 4.0 Principle

The most comprehensive and accurate tools must be utilized in determining an appointee's qualifications for appointment pursuant to the *Act*.

### 5.0 Vulnerable Sector Check

5.1 An employer shall require that every candidate submit a current Certified Vulnerable Sector Product in order to be considered for appointment pursuant to the *Act*.

5.2 The Certified Vulnerable Sector Product shall be retained by the employer in the file documenting the qualifications of persons appointed pursuant to the *Act*.

### 6.0 Review of procedures

The Policing Services Manager shall meet annually with each employer and shall review records of appointments made pursuant to the *Act*.