

### CRIMINAL RECORD CHECK

#### Why do I need to have a criminal record check done?

The primary work of the College of Occupational Therapists of Manitoba is public protection. The Occupational Therapists Regulation 4(1)(c) states that a criminal record check must be performed for all persons wishing to register to practise occupational therapy in Manitoba. The criminal record check must include a Vulnerable Sector Search (VSS).

The CRC provides basic information which will support that the Regulation requirement that COTM determine if the applicant or member has been convicted of an offence that is relevant to the individual's suitability to practise. This requirement is a component of the initial registration process as part of Phase 2: Establishing Professional Eligibility.

#### What should I do if I know I have a criminal record?

You should contact COTM to discuss the issue. A criminal record does not automatically mean you cannot be registered with the College of Occupational Therapists of Manitoba.

#### What is a Criminal Record Check?

A criminal record check will determine if a person has been charged or convicted of a crime. There are two ways to check if you have a criminal history:

- Name-based criminal record checks
- Certified criminal record checks

Source: [Types of criminal background checks | Royal Canadian Mounted Police \(grc-rcmp.gc.ca\)](#)

In order to complete the check, your local police agency will utilize information from the Canadian Police Information Centre (CPIC). The CPIC is a computerized information storage and retrieval system operated by the RCMP on behalf of the nation's policing community. It contains or provides access to various criminal record data banks. It operates on a 24-hour a day, year-round basis and is located at the RCMP headquarters in Ottawa. CPIC provides instant information about crimes and offenders to local police departments, RCMP detachments, and federal, provincial and territorial agencies across Canada. The users of the information stored by CPIC are called CPIC network users.

Source: [What is the Canadian Police Information Centre \(CPIC\)? - FREE Legal Information | Legal Line](#)

#### How do I arrange to have this check done?

The criminal record check is done by your local police agencies (for example, Winnipeg Police Service, Brandon Police Service, local RCMP detachment, etc.). Each agency sets its own fee for this service. All

other Manitoba applicants or other applicants residing in other parts of Canada can contact their nearest police agency or the Royal Canadian Mounted Police (RCMP).

If you are a Winnipeg resident you can apply for a CRC through the Winnipeg Police Service using their online service and with your consent confirmed on the application form the CRC results will automatically be accessible to COTM. COTM uses a secure WPS portal to access your CRC and will upload the report to your COTM application portal. (Visit [Microsoft Word - POLICE RECORD CHECK POLICY - 2022.02.17 - DT \(winnipeg.ca\)](#) )

If you are securing the CRC from another CPIC network user that utilizes a secure portal then you need to arrange for COTM to have access. COTM will review the report and upload to your COTM member portal. Alternatively, if you are using another CPIC user without a secure portal then you will need to upload a copy of the CRC to your COTM application portal.

### **What happens if I am emigrating to Canada?**

COTM recognizes that a criminal record check will be done as part of the immigration process which will cover the period prior to arriving in Canada. You will need to acquire a Criminal Record Check for any period you have been in Canada. This is important so that the information COTM acquires is comprehensive but also because this is the only means that exists to acquire the Vulnerable Sector Search which cannot be done as a standalone records check.

You should have this done by the local police agency in the community in which you reside in Canada.

### **What happens if I am a Canadian citizen, but am applying from, or have recently lived in a country other than Canada?**

You must have the criminal records check done by the police agency in that country. This process may include submitting fingerprints. The police agency in your country can provide you with more information on the process and any fees that must be paid. Note: A criminal record check may be called something different, such as a Police Clearance Certificate, in other countries.

Once the criminal records check has been performed, you will need to send COTM an original report (not a photocopy) of the results. COTM will copy the original report for our records and return the original to you if you need it for other reasons.

### **What information is released in the criminal record report?**

The report will indicate that:

- Negative (not confirmed by prints) Based Solely on the name(s) and date of birth provided, a search of the RCMP National Repository of Criminal Records did NOT identify any records with name(s) and date of birth of the applicant.
- Negative (confirmed by prints) Based Solely on fingerprints, name(s) and date of birth provided, a search of the RCMP National Repository of Criminal Records did NOT identify any records with name(s) and date of birth of the applicant that may be disclosed in accordance with federal laws.
- Criminal Record (not confirmed by prints) Based Solely on the name(s) and date of birth provided, a search of the RCMP National Repository of Criminal Records has resulted in a POSSIBLE match to a registered criminal record. Positive identification that a criminal record does or does not exist at

the RCMP National Repository of Criminal Records can only be confirmed by FINGERPRINT comparison. As such the criminal record information declared by the applicant does NOT constitute a certified criminal record by RCMP

- Criminal Record (confirmed by prints) Based Solely on fingerprints, name(s) and date of birth provided by the applicant, a search of the RCMP National Repository of Criminal Records has identified the fingerprints submitted by the applicant were certified as identical to fingerprints registered under criminal FPS Number.

In Canada if a record exists in the CPIC national repository, it cannot be disclosed unless verified by fingerprint comparison. In this case, the police agency will advise you of the steps you must take to obtain this record. This process may take up to 24 weeks. If you are unable to obtain a criminal history report in a timely manner because you are waiting for fingerprint matching, you should contact COTM to discuss your options.

### **Is there a cost for having this done?**

The fee for performing a criminal record check varies depending on where you live. The local police agency will be able to confirm the current fee.

### **Are there any other checks that need to be performed?**

Yes, you must also have a Vulnerable Sector Search conducted. This search will report on any convictions for which a pardon has been granted. This search is required because many OT's work with clients who are vulnerable. The police agency will be able to tell you if additional fees are required for this search.

You will need to ensure COTM receives the results of the VSS.

The findings of the VSS can include:

- A search of sex offences subject to record suspensions was conducted. No information to release.
- A search of sex offences subject to record suspensions was conducted. Information authorized for release. These results are on the RCMP C-480 Document and Certified Criminal Record Check
- A search of sex offences subject to record suspensions WAS NOT conducted.

COTM does not require a Child Abuse Registry check or Adult Abuse Registry check, however your employer may.

### **Can I submit a criminal record report obtained for another reason?**

COTM considers criminal record reports to be valid for 6 months from the time of issue. If you have an original Criminal Record Check Report issued within this time frame it can be used. However, remember it must include the VSS.

**Will I need to submit a criminal record check on an annual basis?**

You will need to answer questions about criminal history as part of your annual COTM renewal. You are urged to report any criminal offence conviction to COTM in a timely manner. In the future, COTM members may need to secure CRCs from all members at regular intervals.

**What happens if I do not agree to have the criminal records check done?**

If you do not agree to have the criminal record check performed, we are not able to process your application for registration and you will not be able to work in Manitoba as an occupational therapist.

For more information, please contact COTM at (204) 957-1214 or by email at [registration@cotm.ca](mailto:registration@cotm.ca)

This publication is provided for general information. For more specific information see

*The Occupational Therapists Act and Regulation.*

COTM publications are available on our website at [College of Occupational Therapists of Manitoba \(cotm.ca\)](http://College of Occupational Therapists of Manitoba (cotm.ca))