

# ABOUT STERLING BACKCHECK

Since 1997, Sterling Backcheck (known simply as 'Backcheck' in Canada) is Canada's leading background and identity screening partner, screening over 1,000,000 Canadians annually for over 10,000 Canadian organizations.

With offices in Surrey, BC and Montreal, QC, Backcheck adheres to the highest levels of Canadian privacy and compliance standards to protect candidates' sensitive information, supported by a expert Canadian-based privacy team, modern and secure processes using bank-calibre technology, and a direct relationship with the RCMP.

Backcheck works with its Canadian police partners to conduct Canadian Criminal Record Checks, who access the same information as local police detachments, while offering a modern and convenient online process to ensure fast, secure delivery and storage of results for OPSWA.

Should you have any questions about your background check, Backcheck will fully support and can be reached via the below contact information:

Phone: 1.866.455.5785

Email: [econsentsupport@sterlingbackcheck.ca](mailto:econsentsupport@sterlingbackcheck.ca)

Web: [www.sterlingbackcheck.ca](http://www.sterlingbackcheck.ca)

Further details about how Backcheck conducts its Canadian Criminal Record Checks can be found within our FAQ document:



Crim FAQ.pdf

## OPSWA'S APPROACH TO VULNERABLE SECTOR SCREENING

### Determining the need for the Vulnerable Sector Check (VSC)

A VSC is a three-part check designed for people who volunteer, or work in position of trust or authority over children or another vulnerable group. It's comprised of three distinct components:

- Criminal Record Check (CRC)
- Local Police Information Check (equivalent to Judicial Matters Check in ON)
- Vulnerable Sector Query (VSQ)

A Vulnerable Sector Query (VSQ) is the ONLY unique component of the VSC. Apart from that, it is a Criminal Record Check and a search of Local Police Information, both of which are included within an Enhanced Police Information Check (E-PIC).

### VSC vs Enhanced Police Information Checks (E-PIC)

E-PIC is a comprehensive search for criminal convictions, complemented by a search for potentially relevant and disclosable local police information. The results are properly reviewed by knowledgeable police professionals, ensuring standardized results across the country that align with local disclosure guidelines or legislation.

The VSC is nothing more than an E-PIC with a VSQ. It is a search for Schedule 1 sexual offences which have been subject to a record suspension (formerly called a pardon). Changes to the Criminal Records Act in March, 2012 mean that Schedule 1 offences are no longer eligible for a record suspension<sup>1</sup>

The youngest person with a record suspension for a Schedule 1 offence was born in August 20, 1990, which means there is no possibility of a VSQ resulting in a disclosure for someone under the age of 31 as of August 20, 2021. This largely eliminates the usefulness of the VSC for the growing Millennial and Generation Z workforce.

Furthermore, if an applicant can demonstrate a clear result for a VSC in the past, only an E-PIC would be required moving forward, as any potential hits will be findable within the Criminal Record Check and a search of Local Police information – Schedule 1 offences are no longer eligible for a record suspension, and further VSQs will not uncover anything new – the E-PIC level is recommended for any and all recheck requirements, regardless of the applicant's age.

Upon determining that the VSQ/VSC is not needed, Sterling Backcheck's Enhanced Police Information Search (E-PIC) is the best process to ensure a secure, timely and convenient process for OPSWA and its members, mitigating risk by avoiding paper-based VSC results that are prone to forgery and falsification<sup>2</sup>.

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<sup>1</sup> Safe Streets and Communities Act, 2012. Onus is now on the applicant to establish: no violence used or threatened, no intimidation or coercion, not in a position of trust or authority and not more than five years older than the victim regarding any offence committed after March 13<sup>th</sup>, 2012.

<sup>2</sup> When a VSC is required from a police service, it means that the criminal record and local police information portions also form part of the paper product the applicant receives.

Schedule 1 Offence Convictions – Timeline to Achieve Invisibility									
1	Visible – LPI Search < 2 Years				Visible – CCRC Search > 6 Years, < 18.5 years				Conviction no longer visible
2	Visible using EPIC: Date of offence until 6 – 18.5 years								
3	Timeline of events	Offence Committed	Investigation	Charged	Convicted	Sentences Served	Wait Times	PBC Process	Pardon granted / Record Suspension Ordered
4	Min/Max times	0	1 day to 1year	1 day to 1year	1 day to 2years	1 day to 5years +	5 years or 10 years	6 months to 18 months	
5	Longest case scenario	0	12 months	24 months	48 months	108 months	228 months	246 months	20.5 years
6	Average case scenario	0	6 months	12 months	24 months	54 months	144 months	156 months	13 years
7	Shortest case scenario	0	1 day	2 days	3 days	6 months	66 months	72 months	6 years

The Timeline of Events row of this table outlines the elements of the criminal justice process (row 3). They are linear in chronology and do not overlap. Elements vary in duration depending on the case<sup>1</sup>. Three rows are provided to illustrate short, medium, and long timeline scenarios showing how long a Schedule 1 offence remains visible. (Rows 4,5 & 6).

During the criminal justice process, information is viewable pre-conviction via CPIC Investigative – a feature of the LPI Search. Post-conviction, and until a Pardon is granted or a Record Suspension is ordered<sup>2</sup>, information is viewable via CPIC Criminal Name Index – the Canadian Criminal Record Check (see row 1). Using the EPIC service, pre- and post- conviction information is visible from the date of the offence for at least six years. This is the shortest scenario possible concerning any individual who is seeking to obtain a record suspension.

A “no record” response (clear) Vulnerable Sector Query result may be used to baseline an individual’s status. Provided the subject position remains consistent (i.e, Personal Support Worker), periodic rechecks of the Criminal Name Index and CPIC Investigative (Local Police Information) are sufficient to verify criminality.

<sup>1</sup> Court processes can vary depending on the actions of the Crown or the Defense. Investigations vary in length depending on case complexity, gathering of evidence and identification and apprehension of the accused. Sentences served may include probation, incarceration, mandatory supervision (parole), restitution or payment of fines. Wait times to apply for a pardon or record suspension vary based on whether the offence is indictable or summary conviction and whether the offence occurred before/after March 13<sup>th</sup>, 2012

<sup>2</sup> Offences committed before March 13<sup>th</sup>, 2012 are subject to the granting of a pardon. Offences committed after that date are subject to the granting of a record suspension. The terms reflect two different processes with respect to eligibility criteria and application wait times.