



Police Criminal Record Checks for Applicants	Page: 1 of 4
Developed by: Regulatory Policy and Research Team	Date Originated: November 2022
Accountability: Entry-to-Practice Team	Revision Date ¹ :

PURPOSE:

- Police Criminal Record Checks (PCRC) are used to evaluate whether applicants will meet the registration requirement that they will practice with decency, honesty, integrity and in accordance with the law.
- The purpose of this policy is to describe the circumstances and types of PCRCs required by new applicants for registration and reinstatement (to any class).

KEY POINTS:

- In the opinion of the Executive Director or a panel of the Registration Committee, an applicant's past and present conduct must afford reasonable grounds for the belief that the applicant will practise nursing with decency, honesty and integrity and in accordance with the law². This requirement is not exemptible.
- PCRCs are used to evaluate whether applicants will meet the registration requirement that they will practice with decency, honesty, integrity and in accordance with the law.
- Applicants with a finding of guilt noted on their record will be assessed by the Entry to Practice Intake Team to ensure suitability for registration and may be referred to the Registration Committee.
- Applicants are required to declare on their application whether they have any past findings of guilt or any outstanding charges against them. Should an applicant make a false declaration, their application may be denied, or their certificate of registration revoked³
- Canadian PCRCs are required from applicants who currently reside in Canada or who have resided in Canada at any time. CNO also requests PCRC's from the jurisdictions in which applicants currently reside (e.g.,

¹ List the policy revision date.

² O. Reg. 275/94: GENERAL s.1.4(1)(2)(iii)

³ O. Reg. 275/94: GENERAL s. 1.4(5)

- United States), and any countries where the applicant has lived for a period of 6 months or more since immigrating to Canada.
- PCRCs only capture an applicant's record at a point in time yet assessing an applicant's history allows CNO to identify trends in an applicant's conduct and ask for additional information. This information contributes to CNO ability to determine if an applicant is fit to provide safe nursing care.
 - Ensuring applicants provide a PCRC from any country where they are currently residing or have lived in for a period of 6 months since immigrating to Canada will provide further assurances that the applicant does not have a criminal record that could affect their ability to practise safe and ethical nursing.
 - Where an international PCRC is required, the PCRC must include a history going back 10 years or to the age 18.

POLICY:

- All new applicants for registration or reinstatement to any class are required to provide, at their own expense, a PCRC as part of the registration process.
- Applicants who are living outside of Canada or who resided outside of Canada for a period of at least 6 months following immigration to Canada, will be required to provide an international police certificate
- Applicants who have been granted authorization to work in Canada⁴ may rely on international police certificates provided to Immigration, Refugees and Citizenship Canada (IRCC) when applying for status in Canada.
- Division 4 of the *Immigration and Refugee Protection Act, 2001* (IRPA) outlines the facts⁵ that would constitute inadmissibility to Canada. This includes⁶:
 - Security (e.g., espionage, subversion, terrorism),
 - Human or international rights violations (e.g., war crimes, crimes against humanity),
 - Serious criminality,
 - Criminality (including driving under the influence of drugs or alcohol),
 - Organized criminality (including membership in an organization that part in criminal activity),
 - Health grounds,
 - Financial reasons,

⁴ Includes Canadian citizenship, permanent resident of Canada, or appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of nursing in Ontario.

⁵ This includes include facts arising from omissions and, unless otherwise provided, include facts for which there are reasonable grounds to believe that they have occurred, are occurring or may occur.

⁶ <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/inadmissibility/reasons.html>

- Misrepresentation (includes withholding or provide false information directly related to decisions under the IRPA),
- Failure to comply with provision of the IRPA, and
- Having an inadmissible family member.
- Given that an applicant has been granted admission and authorization to work in Canada, CNO can rely on checks done by IRCC to ensure an individual does not have a criminal record that would render them inadmissible to Canada.
- The below table outlines the PCRC requirements for applicants:

	Domestic	International PCRC
Applicant is legally residing in Canada.	✓	
Applicant has legally resided in Canada and also resided in other international jurisdictions, as indicated by self-declaration.	✓	✓
Applicant is residing outside of Canada		✓+

+ Must be a recent (within 6 months) International PCRC

Exceptions:

- PCRC's will not be required from current CNO registrants in the General class, Temporary class, or Non-Practising class who are applying to another class (i.e., RN applicant who are currently registered as RPNs, Extended Class applicants who are currently registered as RNs, General Class applicants who are currently registered in the Temporary class, and members in the Non-Practising class who are applying for Reinstatement). These members are accountable for self-reporting obligations related to any charges and findings for offences.
- CNO will consider additional exemptions on a case-by-case basis where it is not possible to get an international PCRC (e.g., war occurring in the applicant's country of origin)

For information on how to obtain a PCRC, please visit

<https://www.cno.org/en/become-a-nurse/registration-requirements/past-offences-and-findings--health-and-conduct/past-offences-and-findings/police-criminal-record-check/>

For information on how to obtain an international police certificate, please visit:

<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/medical-police/police-certificates/how.html>

KEY TERMS/DEFINITIONS:

- PCRC – Police Criminal Record Check obtained through [vendor]
- International police certificate – statement by a police agency indicating that an individual does not have a criminal record, or if they do, a copy of the criminal record.
 - May also be referred to as a police clearance certificate, good conduct certificate, judicial record extract
- Finding of guilt – a ruling made by a judge after an accused person has plead guilty and accepts facts amounting to a criminal offence, or the Crown has proven at trial that an accused person committed a criminal offence.
 - A finding of guilt includes sentences that may not register a conviction, such as an absolute discharge or conditional discharge.

APPLICABLE LEGISLATION, REGULATIONS, STANDARDS (if applicable):

- *Ontario Regulation. 275/94: GENERAL*
- *Immigration and Refugee Protection Act, 2001*