

June 25, 2026

Ministry of the Solicitor General
Strategic Policy Division
25 Grosvenor Street, 9th Floor
Toronto, ON M7A 1Y6
By email: Minister.SOLGEN@ontario.ca

Re: Response to Regulatory Proposal 26-SOLGEN015 - Proposed amendments to the Police Record Checks Reform Act, 2015

Dear Solicitor General Kerzner,

We are writing to provide feedback on the proposed legislative amendments to the Police Record Checks Reform Act. Affordable, timely, consistent, and predictable police record checks are critical for onboarding staff and reducing barriers to volunteering for nonprofits and charitable organizations in Ontario.

ONN appreciates the government's efforts to reduce processing times for Vulnerable Sector Checks (VSC). However, establishing a new regulation-making authority to allow designated eligible entities to process non-local vulnerable sector checks may have unintended consequences that will impede intended outcomes of the proposed changes.

We urge you to consider the recommendations below that will address the vulnerable sector check backlog and improve timelines, as well as predictability, more effectively.

Recommendations

1. Establish a 1-2 week service standard for all police record checks and provide police record check providers adequate operational resources to meet the service standards.
2. Develop a public guideline, based on existing legislations, to:
 - a. Provide better clarification regarding the appropriate use of Criminal Record Checks (level I); Criminal Record and Judicial Matters Checks (level II); and Vulnerable Sector Checks (level III) for nonprofits and charities who engage volunteers and employees to better understand when to use which level of police record check, and if other methods can be used to effectively assess risk management.

- b. Increase awareness of the appropriate use of police record checks and its impact on nonprofits' volunteers and employees among other relevant parties, such as businesses, employers, police services, and the insurance sector.

Unintended consequences with the current proposal

1. Current proposal can unintentionally create further backlogs.

Police services across Ontario are already overburdened by vulnerable sector check requests. As the demand for vulnerable sector checks keeps increasing, so does the wait time. The proposed flexibility for authorized bodies (e.g. non-local police services) to process these types of checks from other jurisdictions may unintentionally create backlogs for police services currently with fewer applications, as overall demands continue to rise and more individuals seek the "fastest" option for getting their vulnerable sector check in a different jurisdiction. Without additional resources to increase police services' capacity to process vulnerable sector checks, the proposed flexibility could have the opposite effect and lead to further backlogs.

2. Processing applications from other jurisdictions can increase administrative burden.

Vulnerable sector checks require the disclosure of more detailed information, including non-conviction information authorized through exceptional disclosure. This requires record officials to fully understand all aspects of an applicant's information, and some of this information may only be available in local police databases. To process vulnerable sector check applications from another jurisdiction, police services may need to request information from the applicant's local police department, leading to more administrative burden and prolonged timelines.

3. Proposed changes do not address issues around predictability and inconsistencies.

One of the concerns with vulnerable sector checks is the inconsistency and lack of predictability when it comes to processing times and fees. Depending on the location, it can take anywhere from a few days to more than two months for a vulnerable sector check to be processed. A non-local police service might be able to process a vulnerable sector check faster, but how much faster is a key

question. Although the intent of the proposed changes is to improve predictability for wait times, given there is no standard to processing times, this is less likely to happen. For example, reducing wait times from two months to one month does not go far enough as even a one month delay can result in disruptions in essential services as volunteers and staff wait for their completed vulnerable sector checks.

Furthermore, in most jurisdictions in Ontario there is a fee for VSCs, which varies by region and can be anywhere between \$10-\$81. Some police services also offer a discounted rate for volunteers requiring vulnerable sector checks to reduce barriers to volunteering. It is not clear how much the authorized bodies will charge for non-local applications and whether or not volunteer discounts will apply. If the cost is high, there will be little uptake of the proposed changes which will get in the way of the intended outcomes.

Detailed recommendations

- 1. Establish a 1-2 week service standard for all police record checks and provide police record check providers adequate operational resources to meet the service standards.**

Long processing times of vulnerable sector checks can lead to volunteers abandoning their applications while waiting for their vulnerable sector checks. As short term volunteering becomes more prevalent, quicker turnaround of vulnerable sector checks is required. Similarly, qualified candidates withdraw from the hiring processes while waiting for their police record checks.

To avoid delayed or reduced services, and the loss of qualified staff and volunteers, we recommend a processing timeframe of 1-2 weeks. Service standards around processing times must be paired with adequate resources to enable police services to meet the standard. Without concurrent operational support, service standards alone will not improve the timeframe issue.

- 2. Develop a public guideline, based on existing legislations, to provide clarification and awareness of the appropriate use of different police record checks.**

A root cause of long processing times for police record checks, especially vulnerable sector checks, is lack of clarity of when it's needed versus flexibility of

the processing police service. Among nonprofit employers and volunteer-engaging agencies, police services, and insurance providers, there is a lack of clear understanding of when to use which level of police record checks. When employers, volunteer-engaging agencies, and insurance providers instruct people to apply for vulnerable sector checks as a risk management mechanism rather than basing judgement on the requirement of the role itself, it increases the application volume and causes backlogs in the process. For example, in Toronto for 2024 and 2025, nearly a third of VSC requests were from volunteers.

From our conversations with nonprofits and local police services, there is confusion around the definition of the type of position requiring a VSC, namely a “position that involves direct trust or authority over vulnerable persons.” Insurance policies are also increasingly requiring organizations to request VSCs for all volunteers, even when the role does not meet the legal threshold of working in direct trust or authority with vulnerable persons. This puts organizations in an untenable position, caught between insurance requirements on the one side, and police services refusing VSC requests that do not meet legislative criteria on the other.

There is an opportunity for the Solicitor General to use its legislative and regulatory power to ensure there is clarity of when to request VSCs. This can be done through education and awareness campaigns, partnership with local police services and nonprofits, as well as official guidelines. This can alleviate the pressure on processing and timelines as unnecessary applications won’t clog the system.

Conclusion

Timely, consistent, and affordable police record checks are vital for onboarding nonprofit staff and volunteers who deliver critical services to Ontarians. Establishing service standards while providing clarification and education on the appropriate use of police record checks is more effective than solely improving flexibility.

We welcome the opportunity to meet with the Solicitor General at your earliest convenience to discuss how ONN and our network can partner with your office in the establishment of police record check service standards.



Sincerely,

Pamela Uppal-Sandhu
Director of Policy
Co-Executive Director (interim)

About ONN

ONN is the independent nonprofit network for the 58,000 nonprofits in Ontario, focused on policy, advocacy, and services to strengthen Ontario's nonprofit sector as a key pillar of our society and economy. ONN works to create a public policy environment that allows nonprofits and charities to thrive.