



Mental Health
Commission
of Canada

Commission de
la santé mentale
du Canada

NEWS RELEASE

For Immediate Release

MENTAL HEALTH APPREHENSIONS AND POLICE RECORD CHECKS

Calgary, September 19, 2011 – The MHCC’s Mental Health and the Law Advisory Committee is monitoring the use of Mental Health Act apprehension information in police record checks in Canada. Traditionally, some police services have made information related to a person’s mental health available during checks of police records, while other police services have chosen not to.

The MHCC believes this practice has proven to be discriminatory and stigmatizing.

No national policy exists for police related to including mental health information in checks of police records. Historically, disclosure has not been the result of an active decision or policy to include it but rather a failure to have policy that excludes it.

MHCC would argue that assumptions about the relevance of mental health information are not likely valid and that there is no compelling reason for this type of information to appear on a police record check. Ultimately, disclosure of this information can negatively influence a person’s ability to find a job or volunteer for a position.

In 2008, MHCC approved a response in relation to an Ontario Human Rights Commission draft policy on MHA apprehensions.

In 2009, a provincial policy, which has been applauded by MHCC, was adopted by police services in Saskatchewan which recognized ‘orders or other records relating to *The Mental Health Services Act* or *The Youth Drug Detoxification and Stabilization Act* will not be disclosed during a criminal occurrence security check.’ All police in Saskatchewan, including members of the RCMP, adhere to the policy.

MHCC’s Mental Health and the Law Advisory Committee continues to monitor this issue and encourages police services from every jurisdiction in Canada to adopt this practice.

More recently, Ontario’s Association of Chiefs of Police released new guidelines in July of 2011 for police services that will improve the Police Record Checks process in Ontario. Under the new province-wide guidelines, non-criminal contact between people living with a mental illness and the police will no longer appear during a police record check.



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About the Mental Health Commission of Canada

The Mental Health Commission of Canada is a catalyst for transformative change. Our mission is to work with stakeholders to change the attitudes of Canadians toward mental health problems and to improve services and support. Our goal is to promote mental health and help people who live with mental health problems lead meaningful and productive lives. The Mental Health Commission of Canada is funded by Health Canada. For more, visit www.mentalhealthcommission.ca.

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The views represented herein solely represent the views of the Mental Health Commission of Canada.

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