

The John Howard Society of
Nova Scotia

Since 1950

*“Effective, just and humane responses to the
causes and consequences of crime.”*

JHSNS are a provincial organization comprised of and governed by people whose goal is to understand and respond to problems of crime and the criminal justice system. We are a member of the John Howard Society of Canada.

JHSNS has three offices, each serving a different catchment area: **North Eastern Regional Office** serves Pictou, Antigonish and Guysborough Counties; **Central Regional Office** serves Colchester and East Hants Counties; and the **Halifax Regional Office** primarily serves the urban area of Halifax Regional Municipality.



Provincial Office
c/o 1-541 Sackville Dr.,
Lower Sackville NS
B4C 2S1

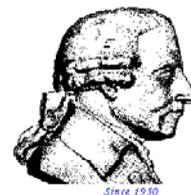
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RECORD SUSPENSION APPLICATION SERVICE



We offer this service
from our:

- North Eastern Regional Office
- Central Regional Office
- Halifax Regional Office

THE JOHN HOWARD SOCIETY OF NOVA SCOTIA
La SOCIÉTÉ JOHN HOWARD DU NOUVELLE-ÉCOSSE

Things you should know

Record suspensions were previously called “pardons.” A record suspension *does not* erase the fact that someone has been convicted of a crime but it removes a person’s criminal record from the Canadian Police Information Centre (CPIC) database. This keeps a person’s judicial record of conviction(s) separate from other criminal records; Federal agencies cannot release information about a conviction without approval from the Minister of Public Safety Canada.

The Parole Board of Canada (PBC) is responsible for ordering, denying and revoking record suspensions under the *Criminal Records Act* (CRA). The PBC has identified guidelines for if and when a person may be eligible to apply for a record suspension.

Collecting the necessary documents for a record suspension application package can take six months or more and the process typically costs at least \$800.

A record suspension application must encompass a person’s entire criminal record; someone cannot pick which convictions will or won’t be suspended. A record suspension is meant to give people an opportunity to fully reintegrate into society after they have made positive changes to their life to keep from reoffending and have maintained those changes for an extended period of time. A record suspension can be revoked if an individual returns to trouble with the law.

A record suspension does not guarantee entry or visa privileges to another country. Before travel, you should contact the authorities of the destination country to find out their requirements for your entry to their country. (For example, contact US Customs and Border Protection regarding travel to the USA).

Record Suspension Application Service

JHSNS would like to help you with your application.

Our staff and trained volunteers are prepared to:

- Help clients determine whether they are eligible to apply for a record suspension
- Guide eligible clients through the paperwork and processes to collect information for your application package.
- Make sure our clients submit all the necessary documents for their application to the PBC.



The PBC has divided the record suspension application process into 10 possible steps.

Steps 3, 5 and 7 do not apply to everyone.

When someone is interested in applying for a record suspension, they first need to figure out if they are eligible. A document to help you with this is available on our website at:

<http://ns.johnhoward.ca/programs/> and look for “Record Suspension Eligibility Assessment” on any region’s Programs & Services page.

To help you answer those questions you can call the court(s) where you were convicted. If you don’t remember where some of your convictions were processed, you may need to do Step 1 of the record suspension application process to help determine your eligibility (continue to next panel).

The 10 Steps to Preparing your Record Suspension Application

The Parole Board of Canada (PBC) has a *Record Suspension Guide* available to provide instructions and the application forms necessary for each step. The Guide can be found at:

<http://pbc-clcc.gc.ca/prdons/pardon-eng.shtml>

Or, you can pick up a printed copy from The John Howard Society of Nova Scotia (contact information on last panel).

Step 1: Get your Criminal Record from Ottawa.

Go to your local police service and *tell them you need your fingerprints taken to get your Criminal Record for a record suspension application.* (Note that your Criminal Record is not the same as the Local Police Records Check discussed in Step 4). Depending on where you live, this could be an RCMP detachment (cost is \$25; call to check their fingerprinting schedule) or your local police service (cost is likely higher). The police service will send your prints to the RCMP in Ottawa, who will send you back your Criminal Record. It will likely take 1-2 months to get your Criminal Record back. Your local police services may or may not notify you when it is ready to be picked up; be prepared to check with police if you haven't heard from them after 1 month.

Step 2: Get your Court Information.

You need your Criminal Record before you can get your court information. Complete a copy of the Court Information Form (in the Guide) for each court that you have been convicted in. Your Criminal Record identifies the jurisdictions you were convicted in; you will need your court information from the relevant Court for each jurisdiction.

Note: some courts charge a fee for filling out Court Information Forms. It is a good idea to call ahead to check if there is a fee and what the payment options are.

You need to send the following information to each court:

- A letter/note from yourself explaining that you are applying for a record suspension and you require the court to complete the Court Information Form.
- A copy of the completed Court Information Form (you must fill in sections A and B on the first page, and Applicant Information on the second page).
- A **photocopy** of your Criminal Record.

- Payment for the service, if required.

Step 3: Get your Military Conduct Sheet

If you have never been a member of the Canadian Forces, this step does not apply to you and you may proceed to Step 4.

If you are a current or former member of the Canadian Forces (Regular or Reserve), you need to get a certified, signed and dated copy of your Military Conduct Sheet. Follow the information provided on Page 6 of the Guide.

Step 4: Get your Local Police Records Check(s)

You need your Criminal Record back from Ottawa before you can get your Local Police Records Check(s) done and each Local Police Records Check is only valid for 12 months from the date it was issued. (Note: for this reason we would encourage you to complete Steps 5, 7 and 9 prior to Step 4.) Complete a copy of the Local Police Records Check Form (in the Guide) for each city or town you've lived in over the last five years. If you have lived in the same place for more than 5 years but your community is serviced by both RCMP and local police services, you will need a Local Police Records Check from each police service. Local Police Records Checks usually cost \$50 and usually take 7-14 days to get back.

You need to bring/submit the following to each police service:

- A copy of the completed Local Police Records Check Form (you must fill in all sections on the first page).
- A photocopy or the original copy of your Criminal Record (depends on the police service).
- 1 or 2 current pieces of identification (one must be photo ID).
- Payment for the service.

Step 5: Get your Proof of Citizenship or Immigration Documents

If you were born in Canada OR are not currently living in Canada, this step does not apply to you and you may proceed to Step 6.

If you were not born in Canada and are currently living in Canada, you must include a **photocopy** of your **official and valid** immigration documents with your record suspension application.

Step 6: Get a Copy of a Document to Support your Identity

With your application you must submit a clear photocopy of a document that supports your identity. It must be government issued and have your name, date of birth and signature. Examples include: valid driver's license, government identification card.

Step 7: Complete the Schedule 1 Exception Form

If you have not been convicted of a Schedule 1 offence (under section 4(2) of the *Criminal Records Act*), this step does not apply to

you and you may proceed to Step 8.

A Schedule 1 offence is a sexual offence involving a child. Generally, a person is ineligible to apply for a record suspension if they have been convicted of an offence referred to in *Schedule 1* of the *Criminal Records Act*. However, the PBC has made certain exceptions. You will only be considered for a record suspension if the PBC is satisfied with the following:

- 1) You were not in a position of trust or authority towards the victim, and the victim was not dependent on you;
- 2) You did not use, threaten to use or attempt to use violence, intimidation or coercion in relation to the victim; and,
- 3) You were less than five years older than the victim.

If you have been convicted of a Schedule 1 offence, you must complete the Exception Form (in the Guide).

Step 8: Complete Record Suspension Application Form

Complete a copy of the Record Suspension Application Form (in the Guide).

- Answer all questions on both pages of the form or the PBC will return your application to you.
- Print in BLOCK letters using blue ink
- If the form doesn't provide enough room to include all requested information, attach additional pages with your name and date of birth noted on them.
- Once you sign and date the record suspension application form, it is only valid for 12 months. Be sure you do not sign and date until the package is complete and you are ready to send it in.

At this time you also need to **prepare your payment** of the record suspension Application Fee. This is **\$631** payable to the Receiver General for Canada by certified cheque, bank draft or money order. OR, you may pay by credit card using the Record Suspension Application User Fee—Credit Card Payment Form (in the Guide).

Step 9: Complete Measurable Benefit/Sustained Rehabilitation Form

The PBC requires applicants to clearly describe how receiving a record suspension will provide them with a *measurable benefit* and *sustain their rehabilitation into society as a law abiding citizen*. To do so, the PBC has outlined four questions in the Measurable Benefit/Sustained Rehabilitation Form that you must answer. If you don't have enough room on the form to provide well-rounded responses, attach additional pages with your name and birth date noted on them.

Make sure that you have thought carefully about your responses and that they are meaningful, and include any supporting documents that helps you answer the questions on the form. For example, a copy of your diploma/certificate if you have upgraded your education since your conviction; if you have done volunteer work to engage with your community or completed a personal development program, include a letter of reference from a supervisor.

Step 10: Review Checklist Before Mailing your Application

The PBC provides a checklist in the Guide to help applicants ensure they submit all documents required for their record suspension application. Review the checklist before mailing your application package to:

Parole Board of Canada
Clemency and Record Suspension Division
410 Laurier Avenue West, 5th Floor
Ottawa, Ontario K1A 0R1

If at any time you have questions about the application process, the **PBC** can be contacted at **1-800-874-2652** (toll free) or **suspension@pbc-clcc-gc.ca**. The PBC also offers more information about record suspensions and the application process on their website at **www.recordsuspension.gc.ca**. And, of course, help from The John Howard Society is available at:

North Eastern Regional Office

2042 Queen St., Suite 211
Westville NS, BoK 2A0
Tel: (902) 396-1999

Central Regional Office

Unit A, 1019 Prince St., Truro NS, B2N 1H7
Tel: (902) 843-4969

Halifax Regional Office

1-541 Sackville Dr.,
Lower Sackville NS, B4C 2S1
Tel: (902) 429-6429 ext. 155

General RSAS Inquiries

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