

The John Howard Society of  
Nova Scotia

Since 1950

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

The John Howard Society of Nova Scotia is 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. The John Howard Society of Nova Scotia is a member of the John Howard Society of Canada.

The John Howard Society of Nova Scotia–Halifax Region offers a diverse range of programs and services. Many of these offer support to individuals who have come into conflict with the law or are at risk of doing so.



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The John  
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of Nova Scotia

To learn more about our organization, visit our  
website at <http://ns.johnhoward.ca>

## RECORD SUSPENSION APPLICATION SERVICE

## Record Suspensions: 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. By doing so, it 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 will apply to someone’s entire criminal record; someone cannot pick which convictions will or won’t be suspended. A record suspension is meant to give law abiding citizens an opportunity to fully reintegrate into society after they have made necessary changes to their life to keep from reoffending. It can be revoked if an individual gets in trouble with the law again.

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, to travel to the US contact US Customs and Border Protection).

## Record Suspension Application Service

JHSNS would like to help you with the record suspension application process.

Our staff and trained volunteers are prepared to:

- Help clients determine whether or not 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 a possible 10  
steps.*

*Steps 3, 5 and 7 will  
not apply to  
everyone.*

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

<http://ns.johnhoward.ca/programs/halifax> and look for “Record Suspension Eligibility Assessment.”

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

## The 10 Steps to Preparing your Record Suspension Application

The Parole Board of Canada (PBC) has a *Record Suspension Guide* available to provide instructions of the process and the application forms necessary to complete 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 (see contact information on last panel).

### Step 1: Get your Criminal Record from Ottawa.

Go to your local police service (either the RCMP or Halifax Regional Police) and *tell them you need your fingerprints taken for your record suspension application*. The police service will send your prints to the RCMP in Ottawa, who will send you back your Criminal Record. Once you submit your fingerprints, it will probably take at least two months to get your criminal record back. Your local police service will contact you when it is ready to be picked up. (Note that your Criminal Record is not the same as the Local Police Records Check discussed in Step 4).

### Step 2: Get your Court Information.

You need your Criminal Record back from Ottawa 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. Note, your Criminal Record will identify the jurisdictions you have been convicted in; each of those have a criminal court that you will need to contact for your court information.

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. Complete a copy of the Local Police Records Check Form (in the Guide) for each city or town that you've lived in over the last five years. Note, if you have lived in the HRM for the past five years but have moved between communities serviced by Halifax Regional Police and RCMP, you will need a Local Police Records Check from each police service. In the HRM, Local Police Records Checks cost \$50 and usually take 7-10 days, or more, 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 a 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. Exam-

ples 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.

### Step 8: Complete the 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 or black ink
- If the form doesn't provide enough room to include all requested information, attach additional pages.

Along with the form, make sure to **prepare your payment** of the record suspension Application Fee, which is **\$631** payable to the Receiver General for Canada by certified cheque, bank draft or money order. OR, you may pay by credit card by completing the Record Suspension Application User Fee—Credit Card Payment Form (in the Guide).

### Step 9: Complete the 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.

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 program supervisor.

### Step 10: Review the Checklist Before Mailing your Application

The PBC provides a checklist in the Guide to help applicants ensure that they submit all documents required for their record suspension application. Make sure to 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 or requirements, the PBC can be contacted at 1-800-874-2652 (toll free) or [suspension@pbc-clcc-gc.ca](mailto: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](http://www.recordsuspension.gc.ca). And, of course, help from The John Howard Society is available at the contact information listed below.

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