

Did You Know?

- People have the right not to be discriminated against because of a criminal conviction for which they have received a record suspension.



- John Howard Societies across Ontario offer record suspension application assistance, and are always willing to help. Find the office closest to you:

www.johnhoward.on.ca

Further Reading:

1. The Parole Board of Canada: <http://www.pbc-clcc.gc.ca>
2. Corrections and Conditional Release Statistical Overview, 2009

Myth: Record suspensions (pardons) are easily granted & put communities at risk

Reality Check: It is very difficult to get a record suspension. Record suspensions do not 'erase' criminal records or put communities at risk.

What is a record suspension?

A record suspension (formerly called a pardon) keeps a person's record of criminal convictions separate and apart from the main criminal record computer database, the *Canadian Police Information Centre* (CPIC). This means that conviction information cannot show up on regular criminal record checks and cannot be revealed without permission from the Minister of Public Safety Canada. It **does not erase a criminal record**. Record suspensions allow people who have made positive life changes to be freed from many of the negative impacts of having a criminal record, such as difficulty finding a job and stigmatization.

Of all the record suspensions granted since 1970, **96%** of these are still in effect¹. This means that the vast majority of those who receive record suspensions remain crime-free in the community. About 3.8 million Canadians have a criminal record, but **less than 11%** of people convicted have received a record suspension².

Who grants record suspensions?

The Parole Board of Canada is responsible for deciding who should be granted a record suspension. They can deny applications for record suspensions, or withdraw record suspensions that have already been granted if they do not think an applicant should have their record hidden.

How hard is it to get a record suspension?

In order to apply for a record suspension, a person must meet a number of difficult requirements. This is to make sure that only those who are no longer a risk to the community receive a record suspension. Here are a few of the requirements a person needs to meet, if the crime s/he committed is eligible, in order to be considered for a record suspension:

- You have completed your sentence(s);
- You have spent a certain length of time with no new charges (either 5 or 10 years, depending on the offence); and
- You have proven that you have become a productive citizen and are positively contributing to your community.

Do record suspensions put vulnerable people at risk?

Many people worry that by granting record suspensions, we run the risk of endangering vulnerable individuals, like children. This is simply **not** the case.

There are protections in place to make sure that those who received record suspensions for sexually-based offences will be identified by a special criminal background check if they are applying for a job that involves working with vulnerable individuals.

Three important things to know about record suspensions:

- 1) They do not erase one's criminal record—they just prevent pardoned offences from showing on criminal record checks. The police still have this information on file.
- 2) If a record suspension is related to a sexually-based offence, the file will be 'flagged' in the police system and will still be revealed on a **vulnerable sector check**.

Key Term

A **vulnerable sector check** is a much more detailed type of record check that one has to go through in order to work or volunteer at agencies that deliver services to vulnerable populations, such as children, the elderly or disabled individuals. Sexually-based offences will **always** show up on a vulnerable sector check, even if someone had his/her record suspended.

- 3) Record suspensions function mainly to help people who are making efforts to become productive citizens get jobs. This is an outcome we all want, as research evidence shows that employment, and the stability it creates, makes it less likely that people will reoffend. This means appropriate granting of record suspensions can actually make our communities safer places to live in.

JHSO Says:

Record suspensions do not create opportunities for reoffending or put communities at risk; in fact they do the exact opposite. Record suspensions offer people the chance to get jobs and thus improve the safety of our communities.



Who are we?

"Effective, just, and humane responses to crime and its causes"

The John Howard Society of Ontario supports our 19 Affiliates through research, policy and program development. We strive to offer the most effective service possible to our clients and their families and contribute to the health, well-being and safety of communities.

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