

MEDIA STATEMENT

DATE: SEPTEMBER 17, 2012

TORONTO - In Ontario, our criminal court system processes more than half a million charges annually. Last year about 43% of all adult criminal court cases resulted in stayed or withdrawn charges. All of these individuals, none of whom were convicted of the charge(s) laid against them, now have police records.

In addition, if you have ever called the police during a mental health crisis or been victimized, chances are you have a police record. This type of information is not removed from police databases automatically. Most people are entirely unaware that they have a police record until it is too late – when they are rejected for a job position or turned away at the U.S. border.

The retention and disclosure of non-conviction information is an issue that affects the equality, opportunities and civil liberties of all Ontarians. The use of background checks is ubiquitous in Canadian society. Non-conviction records can be, and often are, disclosed in record checks used to screen candidates for employment, volunteering and housing application purposes, among other things. There are no human rights protections for people in this situation. It also means that people who have not been convicted of any criminal offences may be put in situations where they lose their existing employment, housing and even the custody of their children because of the current practices to disclose such information.

The disclosure of this type information is highly prejudicial, and not a sound approach to ensuring community safety. In fact, likely quite the opposite. There is a pressing need for mechanisms and policies to protect Ontarians from the disclosure of non-conviction information on police records checks. “Ontarians who have non-conviction police records deserve equal access to employment, housing, and social services without fear of discrimination or stigma”, said Jacqueline Tasca, policy analyst at the John Howard Society of Ontario. “We commend CCLA for addressing this important topic in their report”.

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