



## A Caution About Private Services

You may have seen ads for companies that say they can get you a record suspension faster, easier or “guaranteed.” The truth is, it’s impossible for them to speed up or guarantee the process or outcome. The eligibility requirements and process are the same for everyone, no matter if they apply through a company or on their own. You do not have to pay a private company or a lawyer to obtain a record suspension, you can go through the process yourself and only pay the document and application fees.

However, if you’re having difficulty with the process and would like some assistance, try getting information and help from:

- The Parole Board of Canada helpline (toll-free): [1-800-874-2652](tel:1-800-874-2652)
- Your local John Howard Society. Assistance is provided on a fee-for-service basis. Call for specific information about the services offered

## Contact Us

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Fax: 905-895-0861

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[johnhoward.on.ca/yorkregion](http://johnhoward.on.ca/yorkregion)

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# Record Suspensions



**JohnHoward**  
SOCIETY OF YORK REGION

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



## What is a Record Suspension?

A Record Suspension (formerly called a pardon) is an order that keeps a person's criminal record (of convictions) separate and apart from other criminal records. This means a person's convictions will not be revealed on criminal record checks. 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. People have the right not to be discriminated against because of a criminal conviction for which they have received a record suspension.

The Parole Board of Canada is responsible for granting, denying and revoking record suspensions. If a record suspension is related to a sexual offence, the file will be 'flagged' in the RCMP system and will still be revealed on a vulnerable sector check

## Am I eligible?

As of 2012, you are no longer eligible for a record suspension if you have been convicted of:

- A Schedule 1 Offence (sexual offence involving a child) under the Criminal Records Act;
- More than three (3) offences prosecuted by indictment each with a prison sentence of two (2) years or more.

You can apply for a record suspension only if you meet all 3 of the following conditions. There are no exceptions.

- 1) You have completed your sentence, meaning you completed paying any fines, surcharges, compensation and restitution orders, completed any probation orders or conditional sentence, and served all of your sentence including parole/ statutory release;
- 2) You have met the required wait times:
  - 5 years for a summary offence (or a service offence under the National Defence Act); or
  - 10 years for an indictable offence (or a service offence under the National Defence Act for which you were fined more than \$5,000, detained or imprisoned for more than 6 months).
- 3) You have been of 'good conduct,' have not been convicted of any new offences, and have no new charges or outstanding fees (including traffic tickets).

## How do I apply?

Get a Record Suspension Application Guide and Form from the Parole Board of Canada. Print one out from: [www.pbc-clcc.gc.ca](http://www.pbc-clcc.gc.ca)

The application process is described in the Application Guide. Make sure to follow the instructions. The process involves:

- Getting your criminal record from the RCMP and local police service for the city or town where you live now (your current address) AND for each city or town where you have lived during the last 5 years (if you lived in that city or town for 3 months or more)
- Being fingerprinted
- Paying an application fee (\$631 as of May 2012)

Depending on your conviction and sentence, you may also need to submit your Court Information, Proof of Conviction, Military Conduct Sheet or Immigration documents. There are costs associated with obtaining these documents. Some Ontario Works offices will pay for part or all of the cost of obtaining a record suspension.

The Parole Board of Canada will generally make a decision about your application within 6 months for summary offences, and within 12 months for indictable offences.

*Please note: The information contained within this brochure is current as of Nov. 1st, 2018*